

MINUTES OF COUNCIL

A regular session of Troy City Council was held on Tuesday, September 3, 2024, at 7:00 p.m. in Council Chambers, City Hall.

Members Attending:	Marshall, Phillips, Pierce, Schilling, Severt, Snee, Twiss, Westfall and Whidden.	
Presiding Officer:	William G. Rozell	President of Council
Others Present:	Robin I. Oda	Mayor
	Grant D. Kerber	Director of Law

INVOCATION & PLEDGE OF ALLEGIANCE: An invocation was given by Council Member Twiss, followed by the Pledge of Allegiance.

MINUTES: The Clerk gave a summary of the minutes of the August 19, 2024, meeting of Troy City Council. There were no corrections or additions to these minutes. Upon motion of Mr. Twiss, seconded by Mr. Pierce, the minutes were approved by unanimous roll call vote.

COMMITTEE REPORTS:

Community Partnerships Committee: Mr. Severt, Member, reported that Committee recommends legislation be prepared authorizing the Director of Public Service and Safety and the President of the Board of Park Commissioners to execute a transfer agreement with the Troy Board of Education to implement the January 2024 Memorandum of Understanding (MOU) between the City/Board of Park Commissioners and the Troy Board of Education related to the School Building Project and the transfer of property between the City and the Board of Education as permitted by the Ohio Revised Code. The Board of Education requested implementing the MOU at this time to comply with the October deadline established by the Ohio School Facilities Commission for the transfer of the Hook Park and Campbell Park at Cookson School properties. The Board of Park Commissioners has recommended that the MOU be implemented at this time. Committee Chair Marshall abstained to avoid a conflict of interest as she is employed by the Troy Board of Education. The Committee supports emergency legislation so that the Troy Board of Education can comply with the October deadline related to the transfer of the Hook Park and Campbell Park at Cookson School properties.

Report submitted by Severt and Twiss.

Discussion. Mr. Pierce asked Mr. Kerber if it would be appropriate for him to abstain from voting on this subject as his wife is an employee of the Troy Board of Education. Mr. Kerber stated that the final determination is up to the elected official as to if any benefit is derived, but he does not view a spouse being employed by the Board of Education the same as a member of Council being employed by the Board of Education.

Recreation & Parks Committee: Mrs. Westfall, Chairman, reported that Committee supports the recommendation of the Board of Park Commissioners and recommends that legislation be prepared authorizing the sale of the approximately 0.46 acre parcel known as Brukner Park, Parcel No. D09-250190, located at 400 West Water Street, to the Troy-Miami County Public Library. Committee noted that the sale price is \$100,000, which must be paid in full by December 31, 2025, and stated conditions including that the land will revert back to the City should the library not use the property for the use and purpose of promoting non-profit, library, educational, extra-curricular and interscholastic activities and other uses incidental and related thereto, but for no other purposes whatsoever; and should the library change locations/relocate their facility, the City will have right of first refusal to purchase the land at fair market value. Committee noted that the Ohio Revised Code provides for the transfer of property between municipal corporations and public libraries.

Report submitted by Marshall, Whidden and Westfall.

Streets & Sidewalks Committee: Mr. Phillips, Chairman, reported that due to some field adjustments and quantity changes, the final cost of the 2024 paving program based on unit prices is \$1,518,656.65, which exceeds the \$1,500,000 authorization. Committee recommends that legislation be prepared increasing the authorization for the 2024 Paving Program from \$1,500,000 to \$1,518,656.65. As the work has been completed and final payment is due to the contractor, the Committee supports emergency legislation.

Report submitted by Schilling, Westfall and Phillips.

CITIZEN COMMENTS ON AGENDA ITEMS: None.

RESOLUTION NO. R-47-2024

RESOLUTION AMENDING RESOLUTION NO. R-11-2024, AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE 2024 PAVING PROGRAM AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

Mr. Twiss moved for suspension of rules requiring three readings. Motion seconded by Mr. Severt.

Yes: Severt, Whidden, Schilling, Westfall, Twiss, Snee, Pierce, Marshall and Phillips.

No: None.

Mr. Twiss moved for adoption. Motion seconded by Mr. Phillips.

Yes: Whidden, Schilling, Westfall, Twiss, Snee, Pierce, Marshall, Phillips and Severt.

No: None.

RESOLUTION ADOPTED

ORDINANCE NO. O-31-2024

ORDINANCE AUTHORIZING THE SALE OF THE PROPERTY KNOWN AS BRUKNER PARK TO THE TROY-MIAMI COUNTY PUBLIC LIBRARY

This Ordinance was given first title reading.

Mr. Twiss moved for suspension of rules requiring three readings. Motion seconded by Mr. Severt.

Yes: Schilling, Westfall, Twiss, Snee, Pierce, Marshall, Phillips, Severt and Whidden.

No: None.

Mr. Whidden moved for adoption. Motion seconded by Mr. Schilling.

Yes: Westfall, Twiss, Snee, Pierce, Marshall, Phillips, Severt, Whidden and Schilling.

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-32-2024

ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO, AND THE BOARD OF PARK COMMISSIONERS OF THE CITY OF TROY, OHIO, TO EXECUTE A TRANSFER AGREEMENT WITH THE TROY CITY SCHOOLS BOARD OF EDUCATION TO IMPLEMENT THE MEMORANDUM OF UNDERSTANDING WITH THE TROY CITY SCHOOLS BOARD OF EDUCATION REGARDING FUTURE EDUCATIONAL AND RECREATIONAL OPPORTUNITIES FOR RESIDENTS WITHIN THE TROY CITY SCHOOL DISTRICT, AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

Mr. Pierce moved for suspension of rules requiring three readings. Motion seconded by Mr. Twiss.

Yes: Twiss, Pierce, Phillips, Severt, Whidden, Schilling and Westfall.

No: None.

Abstain: Snee and Marshall (to avoid a conflict of interest as the Board of Education is their employer)

Mr. Twiss moved for adoption. Motion seconded by Mr. Severt.

Yes: Pierce, Phillips, Severt, Whidden, Schilling, Westfall, and Twiss.

No: None.

ORDINANCE ADOPTED

Abstain: Snee and Marshall (to avoid a conflict of interest as the Board of Education is their employer)

ORDINANCE NO. O-33-2024

ORDINANCE TO ACCEPT THE APPLICATION FOR THE ANNEXATION OF CERTAIN TERRITORY CONTAINING 107.559 ACRES, MORE OR LESS, IN CONCORD TOWNSHIP, TO THE CITY OF TROY, OHIO

This Ordinance was given first title reading.

Mr. Phillips moved for suspension of rules requiring three readings. Motion seconded by Mr. Severt.

Yes: Pierce, Marshall, Phillips, Severt, Whidden, Schilling, Westfall, Twiss and Snee.

No: None.

Mr. Phillips moved for adoption. Motion seconded by Mr. Twiss.

Yes: Marshall, Phillips, Severt, Whidden, Schilling, Westfall, Twiss, Snee and Pierce.

No: None.

ORDINANCE ADOPTED

COMMENTS OF MEMBERS OF COUNCIL:

-Mr. Severt thanked Chief McKinney for his informative post regarding what the City can and cannot do related to those who may be homeless; thanked Tom Kleptz, Brian Sexton and the Ernst Family for their leadership and contributions related to the new turf at the Troy football and soccer fields; and commented that several persons who had recently returned to Troy for a 40th high school class reunion, after being away from the City for several years, commented on how nice the City looked.

-Mrs. Snee and Mrs. Westfall commented regarding how well the Tour De Donut event was organized and the favorable comments received regarding the event

-Mr. Schilling commented that with the just approved Pour Annexation, there may be four developments under construction. He noted that the developments will not be required to install multi-use recreational trails to lead people downtown and provide alternate transportation leading to work in industrial areas, and one-sixth of the population does not have easy access to these multi-use trails. He asked that the Council President assign to a committee of Council consideration of amending the various City codes to require that multi-use recreational trails in all developments and not wait for this to be discussed as part of the zoning and subdivision code updates.

There being no further business, Council adjourned at 7:27 p.m.

