

MINUTES OF COUNCIL

A regular session of Troy Council was held on Monday, April 7, 2025, at 7:00 p.m. in Council Chambers, City Hall.

Members Attending: Marshall, Pierce, Phillips, Severt, Snee, Twiss, Westfall and Whidden.

Upon motion of Mr. Phillips, seconded by Mr. Pierce, Mr. Schilling was excused from this meeting by unanimous roll call vote.

Presiding Officer:	William G. Rozell	President of Council
Others Present:	Robin I. Oda	Mayor
	Patrick E. J. Titterington	Director of Public Service and Safety
	Grant D. Kerber	Director of Law

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

MINUTES: The Clerk gave a summary of the minutes of the March 17, 2025, meeting of Troy City Council. There were no corrections or additions to these minutes. Upon motion of Mr. Whidden, seconded by Mr. Twiss, the minutes were approved by unanimous roll call vote.

COMMITTEE REPORTS:

Community Partnerships Committee: Mrs. Marshall, Chairman, reported as follows:

1. Committee recommends that legislation be prepared authorizing the Director of Public Service and Safety to enter into an agreement with the Troy Area Chamber of Commerce for the 2025 Troy Strawberry Festival (June 6-8, 2025); provide for the standard Notwithstanding Legislation; and authorize activation of a portion of the DORA Temporary Activation Boundary. So that the liquor permit application can be submitted, Committee supports emergency legislation.
2. Committee recommends that legislation be prepared authorizing the sale and consumption of alcoholic beverages on public property for the Troy Truck Yard Event planned for May 10. The location is East Water Street from near New Street to the N. Counts intersection. So that the liquor permit application can be submitted, Committee supports emergency legislation.

Reports submitted by Severt, Twiss and Marshall.

Finance Committee: Mr. Severt, Chairman, reported as follows:

1. Committee recommends that legislation be prepared accepting the recommendation of the Tax Incentive Review Council (TIRC) as follows:
 - That current Enterprise Zone Agreements #33, #34, #35, and #37 be continued.
 - That Enterprise Zone Agreement #36 with Arc Abrasives, Inc. be terminated as noncompliant.
 - That the Troy Towne Park TIF be continued.
 In that the City must file an annual report with the Ohio Department of Development as soon as possible, Committee supports emergency legislation.
2. Committee recommends that legislation be prepared accepting the application for Project Sturgeon to participate in the Employee Creation Incentive Program (ECIP) pursuant to Ordinance O-22-2020 for an expansion project, subject to the applicant identifying itself in writing on the application no later than August 31, 2025. This project will result in 166 new employees along with an annual payroll over \$7MM, and the application meets the general standards for ECIP expansion project.

Reports submitted by Schilling, Westfall and Severt.

Law & Ordinance Committee: Mr. Whidden, Chairman, reported as follows:

1. Committee met to consider two unrelated amendments to the Fee Schedule, as well as amendments to the public records policy and the sewer use ordinance. The amendments are based on State law or provision amendments. Committee recommends that legislation be prepared to:
 - Amend the Public Records Policy to reflect the provisions of HB 315. This legislation would be submitted as an emergency measure to meet the April 9, 2025, effective date of HB 315.
 - Amend sections of Section 915 of the Codified Ordinances regarding Excessive Strength Wastewater Discharge.
 - Amend the fee schedule to reflect both areas of fee amendments. This legislation would be submitted as an emergency measure based on the effective date of HB 315, with references to the Sewer Fee amendments indicating the January 1, 2026, effective date.
2. Committee recommends legislation be prepared accepting the storm sewer, sanitary sewer, and bike path easements for the Hook School/North School site included in the Board of Education Replat and authorizing the Director of Public Service and Safety to execute any documents related to the easements.

Report submitted by Marshall, Twiss and Whidden.

Personnel Committee: Mrs. Snee, Chairman, reported that Committee recommends legislation be prepared amending the appropriate Salary Ordinance to add a second Project Manager position and that the position be paid at the Grade 9 pay level. The additional position/pay grade is necessary with the significant increase in projects budgeted and scheduled in the 2025-2029 Capital Investment Plan (CIP) and beyond, and the need for additional supervision of projects and staff is discussed in the detailed report. Committee supports emergency legislation to establish the position so that recruitment can commence ahead of the heavy 2025 construction season.
Report submitted by Pierce, Phillips and Snee.

Recreation & Parks Committee: Mrs. Westfall, Chairman reported that Committee recommends legislation be prepared authorizing the Director of Public Service and Safety of the City of Troy, Ohio to enter into an additional Design-Build contract for the Park Maintenance Building Project in an amount not to exceed \$1,300,000, with the total cost of the project not to exceed \$1,825,000. Council previously authorized the final design and ordering of the steel structure in an amount not to exceed \$525,000. Through the design-build process, the contractor is to provide a Guaranteed Maximum Price (GMP) for this project, which is \$1,825,000, which amount includes the previously authorized \$525,000. The additional amount to be encumbered to complete the project is \$1,300,000.
Report submitted by Marshall, Whidden and Westfall.

Streets & Sidewalks Committee: Mr. Phillips, Chairman, reported that Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to advertise for bids and enter into a contract for the Phase 16 Sidewalk Repair Program at a cost not to exceed \$298,220.
Report submitted by Schilling, Westfall and Phillips.

Citizen Comments on Committee Reports or Agenda Items: None.

RESOLUTION NO. R-15-2025

RESOLUTION ACCEPTING THE RECOMMENDATIONS OF THE TAX INCENTIVE REVIEW COUNCIL AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-16-2025

RESOLUTION ACCEPTING THE RECOMMENDATION OF THE TAX INCENTIVE REVIEW COUNCIL FOR THE TROY TOWNE PARK TIF 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: Whidden, Phillips, Westfall, Snee, Twiss, Pierce, Marshall and Severt.

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-17-2025

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO A DESIGN-BUILD CONTRACT WITH BRUMBAUGH CONSTRUCTION INC OF ARCANUM, OHIO FOR THE COMPLETION OF THE PARK MAINTENANCE BUILDING PROJECT, 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. Phillips.

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-18-2025

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR PHASE 16 OF THE SIDEWALK REPAIR PROGRAM

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-19-2025

RESOLUTION ADJUSTING FEES RELATED TO VARIOUS SERVICES OF THE CITY OF TROY, OHIO, AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

ORDINANCE NO. O-6-2025

ORDINANCE ACCEPTING STORM SEWER, SANITARY SEWER, AND BIKE PATH EASEMENTS AS SHOWN ON THE BOARD OF EDUCATION REPLAT AND AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO EXECUTE ANY RELATED DOCUMENTS

This Ordinance was given first title reading.

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

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

No: None.

Abstain: Snee and Marshall and the Board of Education is their employer.

MOTION FAILED SUSPENSION

ORDINANCE NO. O-7-2025

AN ORDINANCE AMENDING CHAPTER 915 OF THE CODIFIED ORDINANCES OF THE CITY OF TROY, OHIO, REGARDING SEWER RATES AND CONNECTIONS AND MUNICIPAL INDUSTRIAL PRETREATMENT PROGRAM

This Ordinance was given first title reading.

Mr. Whidden moved for suspension of rules requiring three readings. Motion seconded by Mrs. Westfall.

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-8-2025

AN ORDINANCE APPROVING THE EXPANSION PROJECT AGREEMENT FILED BY PROJECT SURGEON FOR THE EMPLOYEE CREATION INCENTIVE PROGRAM IN THE CITY OF TROY, OHIO

This Ordinance was given first title reading.

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

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

No: None.

Mr. Twiss moved for adoption. Motion seconded by Mrs. Westfall.

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-9-2025

ORDINANCE AUTHORIZING THE USE OF PUBLIC AREAS FOR THE 2025 TROY STRAWBERRY FESTIVAL; NOTWITHSTANDING CONFLICTING PROVISIONS OF THE TROY CODIFIED ORDINANCES; FURTHER APPROVING THE USE OF AN AREA FOR THE SALE OF BEER SUBJECT TO THE ISSUANCE OF PROPER PERMITS BY THE STATE OF OHIO AND PROCUREMENT OF LIQUOR LIABILITY INSURANCE; AND AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO AN AGREEMENT WITH THE TROY AREA CHAMBER OF COMMERCE THEREFOR, AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

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

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

No: None.

Mr. Phillips moved for adoption. Motion seconded by Mrs. Westfall.

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

No: Twiss.

ORDINANCE ADOPTED

ORDINANCE NO. O-10-2025

ORDINANCE PERMITTING USE OF CERTAIN REAL PROPERTY IN THE DESIGNATED OUTDOOR REFRESHMENT AREA FOR USE AS A DESIGNATED OUTDOOR REFRESHMENT AREA FOR THE TROY STRAWBERRY FESTIVAL JUNE 6 THROUGH JUNE 8, 2025, AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

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

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

No: None.

Mr. Whidden moved for adoption. Motion seconded by Mrs. Snee.

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

No: Twiss.

ORDINANCE ADOPTED

ORDINANCE NO. O-11-2025

ORDINANCE AUTHORIZING THE USE OF PUBLIC AREAS FOR THE 2025 TROY TRUCK YARD EVENT, NOTWITHSTANDING CONFLICTING PROVISIONS OF THE TROY CODIFIED ORDINANCES, AND FURTHER APPROVING THE USE OF AN AREA FOR THE SALE OF BEER SUBJECT TO THE ISSUANCE OF PROPER PERMITS BY THE STATE OF OHIO AND PROCUREMENT OF LIQUOR LIABILITY INSURANCE, AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

Mrs. Snee moved for suspension of rules requiring three readings. Motion seconded by Mrs. Westfall.

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

No: None.

Mr. Whidden moved for adoption. Motion seconded by Mrs. Westfall.

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

No: Twiss.

ORDINANCE ADOPTED

ORDINANCE NO. O-12-2025

AN ORDINANCE AMENDING ORDINANCE NO. O-62-2007, ADOPTING A PUBLIC RECORDS POLICY FOR THE CITY OF TROY, OHIO AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

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

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

No: None.

Mrs. Snee moved for adoption. Motion seconded by Mr. Whidden.

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-13-2025

ORDINANCE AMENDING ORDINANCE NO. O-54-2024, FIXING SALARIES AND WAGES OF CERTAIN EMPLOYEES OF THE CITY OF TROY, OHIO, AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

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

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

No: None.

Mr. Whidden moved for adoption. Motion seconded by Mrs. Snee.

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

No: None.

ORDINANCE ADOPTED

PRESENTATION:

Jennifer Knisley, Program Director, Child Advocacy Center at Isaiah's Place, provided an update of the activities at Isaiah's Place. She commented that the agency provides a coordinated response to allegations of child abuse in Miami County to streamline cases to make the situation less traumatic for the child and uses best practices to help the child heal. Ms. Knisley noted that in 2024, a total of 155 children were served, 29 of which were from Troy. She stated that the Troy Police Department has recognized the benefit of the model that has been developed and has an excellent working relationship with Isaiah's Place.

COMMENTS OF THE MAYOR:

Mayor Oda noted that recent heavy rains caused some minor flooding.

COMMENTS OF THE DIRECTOR OF PUBLIC SERVICE AND SAFETY:

Mr. Titterington commented:

-Staff is in the midst of Cemetery Spring Cleanup when decorations are to be removed.

-The City-wide Spring Cleanup will be April 7-11. This is when the toter limit can be exceeded and unbundled brush will be collected.

-Regarding the West Main Street Phase 2 Project, asphalt plants will open next week, the contractor has been working on the boulevard near McDonald's, the roadway will have the chip and seal process applied and then the final course of asphalt. Regarding the street light poles in the project area, most of the poles will be black aluminum, but the completion will be delayed due to the delivery time.

-The storm event the past weekend included over 2" of rain on April 5, with 5-7" of rain prior to that. The Miami Conservancy District reported the storm as the 12th largest event in 103 years of data collected. He commended staff working extra hours on April 5 to respond to calls. The Westbrook area was hit harder than other areas in the community with water in some basements related to sanitary sewers surging and not the storm water system. He stated this is still being investigated. There was some flooding in the area of the Somerset Development with a stormwater pipe that had not yet been anchored, but the contractor quickly cleared the pipe.

COUNCIL COMMENTS:

-Mr. Severt stated his appreciation for the City determining to use the black metal street light poles on West Main Street; noted that several Leadership Troy class members were at this meeting; and thanked the City and Troy Development Council for working on retention and expansion of local businesses and the resultant low unemployment.

-Mrs. Snee and Mrs. Westfall thanked those who attended the March 22 quarterly meeting hosted by the At-Large Council members.

-Mrs. Westfall noted some subjects that came up at the March 22 quarter meeting, including some dirty sidewalks in the downtown; that a walking police presence downtown from 3:30 – 5 pm may be good; the annexation process; communications with citizens in an emergency; how property complaints can be made; information on City expenses; and the reason for pink flags on Archer Park.

In response Mr. Titterington commented that the Park Department will monitor downtown trash containers daily; there is a police presence in the downtown as staffing allows; the City follows the Type 2 annexation process; the 911 Board is recommending an update to the emergency communications system for situations such as a City-wide boil advisory; complaints can be submitted by calling in, in person, or through the website, with the City not making the complainant name public; information regarding expenses over \$75,000 is part of the posted Council packet; and the pink flags on Archer Park have to do with the transfer of all the parcels into one name.

-Mrs. Marshall congratulated the first responders who were recognized at a program last week.

-Mr. Whidden asked about the repaving of a large road area where there was a water main break near the Water Plant, and was advised this work will be scheduled with the asphalt plants opening.

-Mr. Pierce thanked the At-Large Council members for holding a meeting.

-Mr. Phillips stated the response to the flooding at the Somerset Development was excellent.

-Mr. Twiss stated that he is very supportive of the Strawberry Festival and the Truck Yard Events; his "no" votes were because he does not support the sale of alcohol on public property.

CITIZEN COMMENTS:

-Richard Pittenger, 940 Dartmouth Road, stated that he and at least five neighbors experienced sewage backup in their basements on April 5 due to the storm. He asked that the City check to see what caused this. Mr. Titterington stated the City is looking into what caused the basement floodings.

There being no further business, Council adjourned at 8:23 p.m.

Clerk of Council

President of Council