

MINUTES OF COUNCIL

A regular session of Troy City Council was held on Monday, July 6, 2026 at 7:00 p.m. in Council Chambers, City Hall.

Members Attending: Hickman, Marshall, Phillips, Schilling, Snee, Twiss, Westfall and Whidden.

Upon motion of Mrs. Snee, seconded by Mr. Twiss, Mr. Severt 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
 John E. Frigge Auditor

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

INTRODUCTION & OATH OF OFFICE: Joah Schricker newly appointed Firefighter and EMT was introduced and his Oath of Office administered by Mayor Oda.

PUBLIC HEARING: At 7:09 p.m., Council President Rozell declared open a public hearing on Resolution No. R-37-2026, the 2027 Tax Budget. There were no comments in this regard and at 7:10 p.m., Mr. Rozell declared this public hearing closed.

MINUTES: The Clerk gave a summary of the minutes of the June 15, 2026, meeting of Troy City Council. There were no corrections or additions to these minutes. Upon motion of Mr. Whidden, seconded by Mr. Phillips, these minutes were approved by unanimous roll call vote.

COMMITTEE REPORTS:

Community & Economic Development Committee: Mrs. Snee, Chairman, reported that Committee met to discuss modifying the provisions of Ordinance No. O-19-2026, specifically the moratorium on new applications for zoning or occupancy permits related to Automobile Fuel Dispensing Stations/Service Stations, and to consider exempting Mandeep Singh from the moratorium provisions so he could submit an application for a gasoline station at the SE corner of the intersection of S. County Road 25A and Dye Mill Road. The Committee also considered whether the existing moratorium should be extended an additional 90 days during the review of the Unified Development Code (UDC) by the Planning Commission and Council. Based on the advice of the Director of Law, the members of the Community & Economic Development Committee do not support exempting Mandeep Singh from the provisions of the moratorium established by Ordinance No. O-19-2026 regarding accepting new applications and the issuance of permits related to Automobile Fuel Dispensing Stations and Automobile Service Stations and are not recommending legislation be prepared in that regard.

The Committee members further believe that Council should not immediately repeal the moratorium on gas stations but, rather, determine whether or not the moratoriums established by O-19-2026 should be extended by an additional 90 days. So that Council can vote on that, this Committee recommends that legislation be prepared to extend by an additional 90-day period (commencing August 26, 2026 and running through November 27, 2026), moratoriums on:

- Accepting new applications and the issuance of permits related to Community-Oriented Residential Social Service Facilities.
- Accepting new applications and the issuance of permits related to Automobile Fuel Dispensing Stations and Automobile Service Stations.

Report submitted by Hickman, Twiss and Snee.

Discussion:

-Mrs. Snee asked that with the understanding the City maintains a video recording of committee meetings and considering that the meeting on June 17 was a lengthy meeting with much information shared and statements made, without objection, she requested that a written transcript of this meeting along with the video recording and this summary committee report be retained.

-Mr. Phillips asked if the UDC could be approved by the end of August. Mr. Titterington responded that would probably be closer to the end of October, with an effective date 30 days later.

-Mr. Schilling commented that he had previously talked about that the moratorium did not "come up overnight"; it was his belief staff had worked on presenting a moratorium to Council for some time before it was presented; and staff should have advised Council about working with Mr. Singh for a couple of years on possible gasoline station. Mr. Schilling asked if before the moratorium was presented Council, someone on staff had thought about calling Mr. Singh about the possibility of a moratorium so he could present an application, commenting that several members of Council had commented that they would not have supported the moratorium if they had been advised of the work Mr. Singh had presented overtime.

-Mr. Titterington advised that while staff had received information from Mr. Singh over a few years, there was no continuity in when information was presented to staff and he is not sure staff had any reason to believe that Mr. Singh was an active project at the time the moratorium was started. Mr. Titterington indicated there had not been discussion of which he was aware about contacting Mr. Singh prior to presenting a moratorium to Council.

-Mr. Schilling commented that he would have imagined staff would have thought Mr. Singh might have some interest. Mr. Schilling stated he would be offering an amendment to the moratorium Ordinance.

-Mrs. Westfall stated she found it ridiculous to believe that staff had no idea that Mr. Singh was still interested in a project and she feels deceived by staff regarding comments that there was not an application in process regarding a gasoline station when the moratorium was first presented.

-Mrs. Snee commented that Mr. Singh had opportunity to comment between when the first moratorium was approved and the first extension.

-In response to Mr. Rozell, Mr. Titterington commented that if Mr. Singh had submitted a completed application and paid the fee, he would have been "grandfathered" and could have proceeded under current Ordinances.

Recreation & Parks Committee: Mr. Whidden, Chairman, reported that Committee recommends legislation be prepared amending Resolution No. R-5-2026 to authorize the Director of Public Service and Safety to advertise for bids and enter into a contract for the Troy Aquatic Park Maintenance Project at a cost not to exceed \$2,500,000. Committee noted that this follows bids received that exceeded the initial \$1,700,000 authorization of R-5-2026. The Recreation Board had considered the report of the design firm and recommended Council increase the authorization as deferring this maintenance project (which does not include any TAP expansion) would likely result in further deterioration to the current facility as well as additional costs.

Report submitted by Hickman, Westfall and Whidden.

Committee of the Whole: Mr. Rozell read a report that Council met as a Committee of the Whole on June 24, 2026 to hear a presentation regarding the design options for the intersection improvements at W. Main Street and Experiment Farm Road/S. Stanfield Road. The consultant, American Structurepoint, Inc. provided a presentation recommending that the intersection improvement be a roundabout rather than improving the intersection and maintaining a signalized intersection to best meet the project purpose to improve safety and reduce congestion for the traveling public. The project construction costs would be similar: \$4.279 Million for the signal alternative and \$4.298 for the roundabout alternative. However, the estimated annualized maintenance costs are considerably higher for a signalized intersection and the service life is half that for a roundabout. No recommendation was made at this meeting. A meeting will be scheduled in the near future to provide a recommendation.

Report submitted by Hickman, Marshall, Phillips, Schilling, Severt, Snee, Twiss, Westfall and Whidden.

Personnel Committee: Ms. Hickman, Chairman, gave an oral report that Mayor Oda has requested Council consent for the appointment of Paul Obedorfer, newly appointed President of the Troy Area Chamber of Commerce and CEO of the Troy Development Council, to the Community Improvement Corporation based upon his position. A motion was made by Ms. Hickman, seconded by Mr. Phillips, that Council approves the appointment of Mr. Obedorfer to the Community Improvement Corporation for a term ending December 31, 2026. Motion adopted by unanimous roll call vote.

CITIZEN COMMENTS ON COMMITTEE REPORTS OR AGENDA ITEMS:

-Rebecca Simpson, 635 Main Street, Cincinnati, Ohio, of the Finney Law Firm, representing Mr. Singh, commented that Mr. Singh did not engage with regard to the moratorium originally because he'd been speaking with the city as late as December of 2025 about this project and was not given a heads-up that there might be a moratorium; he didn't know to engage prior to the extension of the moratorium; he did learn of it when he called to tell staff he was going forward and was advised of the moratorium at that time. Ms. Simpson commented that since that time, she has asked that the moratorium not be extended and has attended meetings when this subject was discussed. She concurred that Mr. Singh did not file the formal application and pay the fee, but asked several times, "Is anything else needed?" but was never told anything else was needed. Ms. Simpson commented that her position is that despite the fact that a formal application was not submitted, under both the zoning code and Ohio law, her client and his company qualify as having filed an application under Section 4 of the moratorium, and as such should have been exempted from it long ago by the administration. She commented that she understands that the administration interprets that differently, and that City Council has no power over how it is interpreted.

-Matthew Ward, 9674 Corin Avenue, of Rhinovations, commented that Troy Station LLC is incurring significant damages because of this extended delay; if Mr. Singh was ever told that an online application existed, it would have been filed; they relied on the zoning administrator to provide direction and that was not provided.

-In response to Mrs. Marshall, Mr. Ward stated he would have thought the zoning administrator would have told him that information.

-Mrs. Snee noted that Mr. Singh was also working with local firms MB Studios and Choice One Engineering, both of which understood the process.

-Mr. Titterington stated he would absolutely dispute everything the speaker had said and could follow up with staff, but he could say with certainty that all along this process, Mr. Singh and his representatives, Level MB and Choice One Engineering, were well aware that there is a formal application. They have done a lot of work here in the community and they understand the procedure, and I know that the staff did talk to them about this, like any other applicant, that you need a formal application, and you need a filing, you need to file the fee, for it to begin the process.

-Mr. Rozell asked if Level MB and Choice One always do the same procedures - do they file the application first, or do they file it at the end of the process. Mr. Titterington advised that they file it at the time that they're comfortable doing that, only because Troy does something that a lot of communities don't do, and that is City staff work behind the scenes informally, at the request of an applicant or his representative, to allow them to clean up any issues. Staff will comment on draft plans to make sure that they're complete, that helps the process get streamlined and also helps the applicant, in most cases, minimize their overall costs of design and engineering.

-Mr. Phillips commented that he recalls Choice One and Level MB representatives acknowledging that their usual process was holding off on filing the application and filing the fee, just as a matter of their doing business, at the end; so they were fully aware that the application and fee must be paid for the application to be complete and the project to move forward with the completed set of plans.

-Mr. Ward stated that may be instances where Choice One does do that, or any engineering firm will file the application on behalf of the client, but in this case, he knows Mr. Singh was directly in contact with the zoning administrator. This may have been a situation where the owner was going to file an application if necessary because he was working directly with the zoning administrator. Mr. Singh was never communicated that the application existed.

RESOLUTION NO. R-37-2026

RESOLUTION ADOPTING THE BUDGET OF THE CITY OF TROY, OHIO FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2027 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: Marshall, Schilling, Westfall, Twiss, Snee, Phillips, Whidden and Hickman.

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-38-2026

RESOLUTION AMENDING RESOLUTION NO. R-5-2026, 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 TROY AQUATIC PARK MAINTENANCE PROJECT

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

ORDINANCE NO. O-29-2026

AN ORDINANCE DECLARING A MORATORIUM EXTENSION FOR A PERIOD OF NINETY (90) DAYS ON THE PROCESSING, ISSUANCE, AND APPROVAL OF NEW APPLICATIONS FOR COMMUNITY-ORIENTED RESIDENTIAL SOCIAL SERVICE FACILITIES AND ON THE PROCESSING, ISSUANCE, AND APPROVAL OF NEW APPLICATIONS FOR AUTOMOBILE FUEL DISPENSING STATIONS AND AUTOMOBILE SERVICE STATIONS IN THE CITY OF TROY, OHIO, AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

A motion was made by Mr. Schilling to amend Ordinance No. O-29-2026 as follows:

"AN AMENDED ORDINANCE DECLARING A MORATORIUM EXTENSION FOR A PERIOD OF NINETY (90) DAYS ON THE PROCESSING, ISSUANCE, AND APPROVAL OF NEW APPLICATIONS FOR COMMUNITY-ORIENTED RESIDENTIAL SOCIAL SERVICE FACILITIES AND TERMINATING THE MORATORIUM ESTABLISHED BY ORDINANCE NO. O-19-023 IN THE CITY OF TROY, OHIO, AND DECLARING AN EMERGENCY

WHEREAS, Troy City Council has authorized a comprehensive review and update of Chapter 11 and related sections of the Codified Ordinances of the City of Troy, Ohio in an effort to modernize the City's zoning and sign codes, subdivision regulations, zoning code, and other planning and zoning related matters into a Unified Development Code (UDC); and

WHEREAS, Council previously adopted Ordinance No. O-25-2025 on September 2, 2025, establishing a moratorium of two hundred seventy days, through May 30, 2026, on the acceptance, processing, issuance, and approval of new applications related to Community-Oriented Residential Social Service Facilities (CORSSF) within the City of Troy, Ohio so that related regulations may be incorporated into the Unified Development Code (UDC); and

WHEREAS, Council previously adopted Ordinance No. O-2-2026 on January 20, 2026, establishing a moratorium through May 30, 2026, on the acceptance, processing, issuance, and approval of new zoning applications and zoning permits related to Automobile Fuel Dispensing Stations and Automobile Service Stations, as defined in Ordinance No. O-2-2026, so that related regulations may be incorporated into the Unified Development Code (UDC); and

WHEREAS, Council previously adopted Ordinance No. O-19-2026 on April 20, 2026, establishing a moratorium through August 29, 2026, on the acceptance, processing, issuance, and approval of new zoning applications and zoning permits related to Automobile Fuel Dispensing Stations and Automobile Service Stations, as defined in Ordinance No. O-2-2026, so that related regulations may be incorporated into the Unified Development Code (UDC); and

WHEREAS, Council previously adopted Ordinance No. O-19-2026 on April 20, 2026, establishing a moratorium through August 29, 2026 on the processing, issuance or approval of new applications for zoning or occupancy permits related to Community Oriented Residential Social Services Facilities within the City of Troy, Ohio, except for those applications submitted prior to the establishment of the moratorium established by Ordinance No. O-25-2025, to preserve the public peace, health, safety, and welfare of the citizens of the City of Troy, Ohio; and

WHEREAS, additional time is required to complete the comprehensive and legal review of the consultant's recommendations regarding the UDC; to finalize recommendations to the Troy Planning Commission and the Council of the City of Troy, Ohio; and for the Troy Planning Commission and the Council of the City of Troy, Ohio to undertake and complete the required processes regarding potential changes to the City's Ordinances; and

WHEREAS, an additional moratorium period of ninety (90) days is necessary to provide the time required for those reviews and processes for Community-Oriented Residential Social Service Facilities; and

WHEREAS, Council no longer perceives a need for a moratorium on applications and zoning permits for Automobile Fuel Dispensing Status and Automobile Service Stations

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Troy, Ohio as follows:

SECTION I: That the Council of the City of Troy, Ohio extends the moratorium established by Ordinance No. O-19-2026 for an additional ninety (90) days, through November 27, 2026, on the processing, issuance or approval of new applications for zoning or occupancy permits related to Community Oriented Residential Social Services Facilities within the City of Troy, Ohio, except for those applications submitted prior to the establishment of the moratorium established by Ordinance No. O-25-2025, to preserve the public peace, health, safety, and welfare of the citizens of the City of Troy, Ohio.

SECTION II: That the Council of the City of Troy, Ohio terminates the moratorium established by Ordinance No. O-19-2026, on the processing, issuance or approval of new applications for zoning or occupancy permits related to Automobile Fuel Dispensing Stations and Automobile Service Stations within the City of Troy, Ohio, Ohio.

SECTION III: That the Council of the City of Troy, Ohio further finds that a moratorium for an additional ninety (90) days for Community-Oriented Residential Social Service Facilities reasonable and will allow for the comprehensive review and the required processes.

SECTION IV: That this Ordinance is an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the City of Troy, Ohio, and for the further reason that the moratorium extension need to commence August 29, 2026; and it is proper to immediately terminate the moratorium for Automobile Fuel Dispensing Stations and Automobile Service Stations; **NOW, WHEREFORE**, this Ordinance shall be effective immediately upon its adoption and approval by the Mayor."

Moton seconded by Mrs. Westfall.

Discussion.

-Members of Council noted a couple of typos on what Mr. Schilling presented, and those were corrected.

-In response to Mrs. Snee, Mr. Kerber explained that there remains an emergency provision in the moratorium related to social service agencies.

-Mr. Schilling commented that in response to some who may ask why there is a need to terminate the moratorium now, if Council is willing to terminate it in August, why not do it now? He commented that six weeks difference would allow Mr. Singh to start construction and not have problems with winter construction of the timing of some other permits.

-At the request of Mrs. Snee, Mr. Kerber discussed procedures, including that if the amendment is approved, that amended Ordinance could then be voted on if Council approved a Suspension of the Rules.

-Mayor Oda stated that she has to take exception with the accusation of the city administration not letting council know what's going on at this point in time; Council has no idea what is going on in zoning and planning and what things are in process and who's meeting with zoning and planning staff. She stated that there is a meeting in her office every week to go over the status of planning and zoning matters and she asked several times about the status of the gas station at the corner of Dye Mill Road, and she was advised that staff has not heard anything and nothing had been turned in. Mayor Oda stated that there has not been an effort by this administration to not tell council anything. She stated it was considered they just were not in a rush and they were on their own timetable.

-Mr. Whidden asked if the proposed amendment was Mr. Schilling's way of saying that if Council couldn't pass a single exemption for Mr. Singh, then terminate the moratorium.

-Mr. Schilling, in response, indicated that there are some on Council who indicated if it was known about Mr. Singh's situation prior to the first moratorium, it would not have been supported; that the Director of Law has advised that if Council tries to carve out an exception for Mr. Singh, the City is opened to liability issues; and by simply ending the moratorium, there isn't the liability issue; it is his opinion that the City has harmed the Singhs; by their accounting there

is over a \$700,000 investment in zoning and buying the property and all the requirements that they had to go through; based on the UDC draft, a 50,000 square foot building would be required and that would not fit on Mr. Singh's property; there are 22 gas stations in the City of Troy now and this would be allowing one more; a new gas station would be \$2 Million in construction plus 15-20 employees.

-Mrs. Snee pointed out that Council originally passed the moratorium so that Council could see how the proposed UDC would deal with this particular category of businesses; just because the draft UDC proposes the statement it does about gas stations does not mean that is what will finally be passed; as the Mayor noted, Council is not aware of other projects that could be pending that Council may or may not want to have under whatever is eventually approved in the UDC related to these categories; just ending the moratorium means that anything under the current code, which Council may want to change, could be entered as an applicant, and even if provisions change in the future, they're grandfathered in and then there is no way to change it. Mrs. Snee noted that there was a reason Council started this moratorium; the UDC is moving along; and it appears Council would have the UDC in place prior to the end of the proposed extension to this moratorium, at which point it could be lifted. She stated she is not in favor of allowing the current moratorium to expire in August or ending it now.

-Mr. Phillips stated he concurred with Mrs. Snee and Council primarily started this because of public comment about "excess gas stations, pizza parlors, and banks." Mr. Phillips stated he believes the most proper sequence would be waiting for the UDC and whatever the final language is. Mr. Phillips commented that he also understands a billboard on the property will not be removed until November and the fact that the billboard is in place may impact Mr. Singh having a complete application. Mr. Kerber stated that any application would be considered on its whole, and the billboard could be a factor in that consideration.

-Mr. Whidden commented that he is personally very sympathetic to Mr. Singh's case; he wishes it could have been possible to carve out a special exemption; he sees that there are two options – either extend it or let it run out in August; and he would prefer to extend the moratorium.

-Mrs. Westfall commented that the City has worked with Level MB and Choice One Engineering on several projects and she understands the common way of those companies working with their clients is to wait till the end to put the permit in, and she feels like that's the process they were in with Mr. Singh. She noted that Mr. Singh's gas station would be about a mile outside the downtown, and she believes that would be great location. Mrs. Westfall commented that she does not know what the fear of one more gas station is.

-Mrs. Snee stated she does not believe there's a fear of one more gas station, but it is a fear of what could happen if the UDC is not in place to define how Council wants to handle future gas stations. She stated she is not in support of how the UDC is currently written regarding gas stations having to be associated with a large use, but wants to understand where gas stations can be located in the City of Troy before having applications under the current code. She commented that she hopes the new UDC will allow a gas station to be on Mr. Singh's property, but there could be a location she does not feel is appropriate for a gasoline station, which is why she supports the moratorium so the UDC can be in place.

-Mrs. Westfall commented that Council does not know that the UDC will be completed in November.

-Mrs. Snee concurred that the completion date is not known but believes that based on how the UDC is progressing she believes it should be approved by early October.

-In response to Mr. Schilling asking for a clarification to the location of the billboard and its removal, Mr. Kerber and Mr. Titterington stated that it is on both public right-of-way and the property of Mr. Singh. Mr. Titterington stated that Mr. Singh signed a lease extension through November 15 and understands the billboard company will remove it after that.

-Mr. Schilling again stated his opinion that the current gas stations under the current Zoning Code work well and adding one more should not be a concern as the current Zoning Code provides protections for the public.

-Ms. Hickman commented that keeping in mind what the constituents want, she believes they are tired of having more hand developed as gas stations; that gas stations do not employ many people; and there is little land available for commercial development. She said she has to set aside any personal feelings and vote on this matter as her constituents have asked.

-In response to Mr. Rozell, Mr. Titterington commented that it is expected the Planning Commission will cover the UDC provisions related to gas stations on July 8.

-Mrs. Marshall commented that she does not believe Council is to blame for this situation, but Council will have to determine is best for the community.

-Mr. Titterington commented in the latest information provided by Mr. Singh, a restaurant is not part of that documentation; the question now is what are the conditions that will be placed around allowing gas stations to locate; and Council will not be bound by the recommendations of staff or the Planning Commission.

-Ms. Hickman stated that she attended all the Planning Commission meetings on this topic, Council and the public are invited to make comments; and she believes the UDC should be processed through Council by November.

VOTE ON PROPOSED ORDINANCE AMENDMENT:

Yes: Schilling, and Westfall.

No: Marshall, Phillips, Snee, Twiss, Whidden and Hickman.

MOTION TO AMEND ORDINANCE O-29-2026 FAILED ADOPTION

Mr. Phillips asked that Ordinance No. O-29-2026 have a second reading at the next meeting.

PRESENTATION: Tom Kirkham, organizer of National Night Out, provided an update on the event to be held August 4, Troy Community Park, starting at 5:00 p.m. Mr. Kirkham commented that the event will involve many of the safety departments within Miami County and that many businesses are providing free food and beverages for the event.

COMMENTS OF MEMBERS OF COUNCIL:

-Several members of Council commented on the excellent July 4 fireworks, parade and concert, with it noted that it appeared that a large number of persons were watching the fireworks; and stating thanks for all the planning that goes into these events.

-Ms. Hickman asked if there was any information about a recent situation where a manhole cover blew open and some areas were without power. Mr. Titterington commented that the City was advised that was due to an explosion involving an underground transformer.

-Mr. Whidden thanked the public for attending the meeting.

-Mrs. Westfall thanked the Cemetery staff for being so respectful and for not mowing in an area when they observe someone visiting a grave.

-Mrs. Marshall cautioned people that they are not to be driving through Troy Community Park to try to create a shortcut through the park with the closure of the Riverside Drive/Adams Street intersection for the construction of the roundabout.

COMMENTS OF THE DIRECTOR OF PUBLIC SERVICE & SAFETY: Mr. Titterington noted:

-At the request of the Miami County Commissioners, the City has approved the closing of West Main Street from Cherry to Short Streets from 5:00-9:00 p.m. on July 8 for a County America 250 Event that includes the reading of the Declaration of Independence.

-As a follow up of the comment of Mrs. Marshall about persons cutting through Troy Community Park, this is being monitored by the Troy Police Department and there is a zero-tolerance policy for drivers creating an illegal cut-through.

There being no further business, Council adjourned at 8:30 p.m.

Clerk of Council

President of Council