



**TROY CITY COUNCIL
COMMITTEE MEETING
COUNCIL CHAMBERS, CITY HALL
100 S. Market Street, Troy, Ohio**

MONDAY, MAY 22, 2023 – IMMEDIATELY FOLLOWING THE SPECIAL MEETING OF TROY CITY COUNCIL (THE SPECIAL MEETING OF COUNCIL WILL START AT 6:00 PM)

Community Partnerships Committee

(Rozell [Chm.], Schilling, Severt)

1. Provide a recommendation to Council regarding authorizing the Director of Public Service and Safety to execute a CHIP Partnership Agreement with Miami County and the City of Piqua related to the City's \$247,125 allocation for qualifying projects. Consideration of emergency legislation is requested based on the County being required to complete and file the application by June 22.

Law & Ordinance Committee

(Snee [Chm.], Phillips, Severt)

1. Provide a recommendation to Council regarding the TREX application of Troy Station, LLC for C-1 and C-2 permits for a location at 1511 S. Market Street, Troy, Ohio.

Other Committees/Items may be added.

5-19-2023

cc: Mayor
Mr. Titterington
Mr. Kerber
Mr. Frigge, Departments, Media

**COMMUNITY
PARTNERSHIPS
COMMITTEE**



MEMORANDUM

TO: Mr. Lutz, President of Council

FROM: Patrick E. J. Titterington, Director of Public Service and Safety

DATE: May 15, 2023

SUBJECT: **AUTHORIZATION FOR A CHIP PARTNERSHIP AGREEMENT WITH MIAMI COUNTY**

RECOMMENDATION:

That Council authorizes the Director of Public Service and Safety to execute a Program Year (PY) 2023 CHIP (Community Housing Impact and Preservation Program) Partnership Agreement between Miami County, Piqua and Troy.

BACKGROUND:

For over twenty years, citizens of Troy, along with those in the villages and rural townships, have benefitted from Miami County's CHIP program. Starting in PY 2015, the Ohio Department of Development's, Office of Community Development (OCD) encouraged Miami County's and Piqua's separate CHIP Programs to merge and qualify for a larger CHIP grant amount. In 2017 and 2020, Miami County, Piqua, Tipp City, and Troy entered into a formal CHIP Partnership Agreement for funding to improve owner-occupied housing stock. Miami County is applying again for PY 2023 CHIP program funding of \$490,600 for use in 2024/2025 and will be the "Lead" administering agency. Tipp City is partnering again in 2023 but elected to fall under Miami County as an umbrella jurisdiction and would not be a party to the PY 2023 CHIP Partnership Agreement.

As was true for the PY 2020 CHIP grant that was funded, a CHIP partnership receives more points in the CHIP application scoring process. Staff from Miami County, the City of Piqua and the City of Troy have met and discussed possible housing improvement projects that can be funded with CHIP. Individual projects can include both extensive Home Rehabilitation and also smaller Home Repair projects for qualifying Low-to Moderate-Income (LMI) households. If Troy is not part of the Miami County CHIP Partnership Agreement, no CHIP funds, if awarded, can be spent for rehabilitation or repair projects for homes in Troy.

By signing this partnership, the City of Troy agrees to administer three Owner Rehabilitation and two Owner Home Repair projects in the City of Troy. The total PY 2023 CHIP funding allocated to the City of Troy is \$247,125 to complete these projects and includes \$14,250 of general administration funds to administer these projects. The Law Director has reviewed the CHIP Partnership Agreement.

It is noted that Council authorized a CHIP Partnership Agreement with Miami County in 2022 in the amount of \$300,400; however, that application was not approved for funding.

REQUESTED ACTION:

It would be appreciated if you would assign to a Committee of Council authorizing the Director of Public Service and Safety to sign a CHIP Partnership Agreement with Miami County and the City of Piqua.

Consideration of emergency legislation is requested so that Miami County may complete the PY 2023 CHIP application and file it with the Office of Community Development before June 22, 2023.



**LAW & ORDINANCE
COMMITTEE**



TROY
OHIO

Patrick E. J. Titterington
City Director
Patrick.Titterington@TroyOhio.gov

MEMORANDUM

TO: Mr. Lutz, President of Council

FROM: Patrick Titterington, Director of Public Service and Safety

DATE: May 16, 2023

SUBJECT: **TREX LIQUOR LICENSE APPLICATION – TROY STATION, LLC – 1511 S. MARKET STREET**

RECOMMENDATION:

That City Council considers the C-1 and C-2 TREX liquor permit application of Troy Station, LLC for a location at 1511 S. Market Street, Troy, Ohio (corner of Dye Mill Road and S. Market Street).

BACKGROUND:

TREX is the liquor permit process established under Ohio statutes that allows an applicant to request a transfer of a permit from an over-permitted area to an area where the quotas for a license category have been met provided that the license is for an economic development project. Council has approved prior TREX applications.

Troy Station, LLC, by Mandeep Singh, has submitted the attached request, which states that a minimum of 10 jobs would be created by the applicant's economic development project of a new location to be located at 1511 S. Market Street. A C-1 permit is defined as beer only in original sealed container for carry out only. A C-2 permit is defined as wine and mixed beverages in sealed containers for carry out. The Ohio Department of Liquor Control website shows that there are no C-1 or C-2 permits available within the City of Troy. The TREX permits are being obtained from current permits in another county.

REQUESTED ACTION:

It would be appreciated if you would assign to a Committee of Council the consideration of the TREX liquor permit application of Troy Station, LLC for C-1 and C-2 permits for the store to be located at 1511 S. Market Street, Troy, Ohio. The procedure has been that if the request is supported by a Council Committee, that Committee Report is then accepted by Council by a motion, second and roll call vote.

encl. Copy of Application





Department of Commerce

Division of Liquor Control

Division Use Only	
Check #: _____	Permit # _____
# of Checks: _____	
Check Amt: _____	

ECONOMIC DEVELOPMENT TRANSFER FORM (TREX)

Ohio Revised Code 4303.29(B)(2)(b)

READ BEFORE YOU START THIS APPLICATION

Certain permits in Ohio are subject to a quota based upon a formula that factors in the total population of the city, village, or township where the permit will be issued and a ratio, specific to particular permit classes, as set forth in Ohio law (Learn more in our [Quota Resource Guide](#)). When transferring a specific quota permit (i.e., D-1, D-2, etc.) that will move locations to a NEW city, village, or township from where it is currently issued, there must be available spots in that new quota before the Division can process the transfer. If, for a particular quota permit class, there are NO spots available in the new quota, then the applicant has a few choices as discussed in our [TREX Resource Guide](#). This form covers the specific permit classes that can be TREX'd under the Ohio law provision noted at the top of this application. A few things to understand before proceeding with the TREX option are that:

- The Division can **ONLY** process the TREX transfer application if the city, village, or township where the permit will transfer to **APPROVES** the transfer as an economic development project. The city, village, or township can document its approval by signing our form below in Section E.
- **ONLY** after we receive this completed form with the transfer application will the Division Superintendent review it for processing.
- The city, village, or township, despite approving the TREX transfer can still object to the issuance of your permit at the applied for location and the applicant must still be **WET** (Review our [Local Option Election Guide](#) for more information) for the requested sales at that address and meet all other rules and regulations before the permit(s) can be issued at that new location.

For this form to be deemed complete, you must fully and legibly complete this application, including:

- Answering all required questions ("*" indicates a required field);
- Submitting this application with your Transfer Application; **and**
- Securing signatures from the appropriate local government officials listed below.

SECTION A – Issued Permit Holder Information (i.e. Seller)

* This section **MUST** be completed.

* Issued Permit Holder's Business Name as on File with the Division:

B A B, INC

* Issued Permit Holder #:

03467700005

SECTION B – New Business Owner's Information (i.e., Buyer) ☐ N/A-Seller **REMAINS** the owner and is **ONLY** moving locations.

* **ONLY** fill out this section if the **ownership and location** is changing.

* Business Entity or Sole Proprietor Name ("Applicant") (**MUST** match name listed on transfer application):

TROY STATION, LLC

Section C – New Permit Premises Address Information

* This section **MUST** be completed.

* New Permit Premises Address:

1511 S Market St, Troy, OH 45373

* New Township (if outside city limits):

* New City:

Troy

* New County:

Miami

Ohio Department of Commerce

SECTION D – Transferred Permits subject to TREX

* This section identifies the permit classes that are being transferred into a **NEW** city, village, or township, consistent with the Transfer Application, that **REQUIRE** TREX sign-off from the local government official that signed below.

* Select the Permit Type(s) being transferred that need to be TREX'd:

☒ C-1 ☒ C-2 ☐ D-1 ☐ D-2 ☐ D-3 ☐ D-5

* Note – there may be other permit types, like a C-2X, D-3A, or D-6, that are also part of your transfer that are not listed above. Your complete transfer listing needs to be identified on your transfer application (DLC 4120) that you must send with this signed TREX form.

Remember this form is **ONLY** for those permit classes that are subject to the quota and would require TREX sign-off because there are no permits available for the given class in the **NEW** locality when the transfer is filed. For example, you can be transferring a D-1, D-2, D-3 permit from City A to City B. In City B, there are D-1 and D-3 permits available, but no D-2 permits. In this situation, the only permit class that would **REQUIRE** TREX sign-off is the D-2.

Section E – Information that MAY be Used to Determine if the Transfer is an Economic Development Project

R.C. 4303.29(B)(2)(b)(ii) lists several factors the local legislative authority (City, Village or Township) can use when determining if it should approve this transfer as an Economic Development Project. While the law provides broad discretion to the legislative authority when making this decision, **SOME** factors that may be useful to the legislative authority in making its decision, include the:

- Total amount invested in this project: \$ one million
- Total number of jobs that will be created by this project: minimum of ten jobs
- Existing or estimated Tax Revenue generated by this project:
 - Ohio Unemployment Tax \$ _____
 - Property Tax \$ _____
 - Sales Tax \$ _____
 - State Withholding Tax \$ _____
 - Other: _____ \$ _____

You may also be asked to provide a projected earnings statement (brand new business), or a profit and loss statement (existing business), or a copy of building plans/drawings outlining any construction plans.

Ohio Department of Commerce

Section F – Applicant Signature

* This section **MUST** be signed by either the applicant in:

- Section A if the seller **REMAINS** the owner of the permit and is **ONLY** moving the permit address to a **NEW** city, village, or township from where it is currently issued; **OR**
- Section B if the ownership of the permit is changing **AND** the new permit address will be in a **NEW** city, village, or township from where the permit is currently issued.

By signing below, I certify and understand that:

- I have authority to execute this document;
- The information provided is true, correct, and complete to the best of my knowledge and belief;
- Failing to complete this form, consistent with the above listed instructions, will result in this form and/or transfer application being returned to me, unprocessed, until a corrected, complete application is received by the Division;
- During the review of this form and/or my transfer application, further documentation may be needed, and I agree to comply timely and understand that failure to comply could delay the processing of my application;
- Even if the city, township, or village approves my TREX transfer application, the Division **MUST** still notify the applicable legislative authority about your transfer application and that legislative authority has the right to object to the issuance of the permit even for those permit classes that it approved as part of this TREX process; **AND**
- If this TREX form is required, the Division **CANNOT** process the transfer application until it is submitted with this completed (in its entirety) and signed form.

DocuSigned by:

Mandeep Singh

(Signature of Individual, Partner, Officer, Managing Member, or 5% or more Shareholder or Member)

Mandeep Singh

Member

3/6/23

(Please Print Name)

(Title)

(Date)

8050 Vegas Cir, West Chester, Ohio 45069

(513) 307-4240

(Street Address, City, State, Zip Code)

(Telephone with Area Code)

Ohio Department of Commerce

SECTION G – NEW City, Village, or Township Signature

* This section MUST be completed by the City, Village or Township in which this Economic Development Project (TRES) will be located. Legislative officials who can sign this section are, as applicable, the/a:

- Mayor,
- City Council Member,
- Law Director,
- Clerk of Council,
- Township Fiscal Officer,
- County or Township Trustee Board Member; or
- Other legislative office holder not specified with the authority to act on behalf of the applicable jurisdiction where the permit will be located.

THE APPLICANT MUST PROVIDE AN EXECUTED COPY OF THIS FORM WITH ITS TRANSFER APPLICATION.

The City, Village or Township of Troy has considered the above-named applicant's TRES application consistent with the factors outlined in R.C. 4303.29(B)(2)(b) and hereby agrees and accepts that this transfer will be an economic development project within its jurisdiction.

By signing this form, I, the city, village, or township official listed below, acknowledges and understands that:

- I have the authority on behalf of my local government to sign this form;
- My signature, on behalf of my jurisdiction, means the Division can continue to process the applicant's transfer application for the applicable TRES'd permit classes;
- The city, village, or township will still be notified about the potential issuance of this permit and that it retains the right to object to this transfer for any and all permit classes applied for by the applicant;
- Once the applied for permit classes are transferred to the applicant within the city's, village's, or township's jurisdiction, the permit can then be transferred to other owners at the same location or to other locations within the city, village, or township by either the current or future owners subject to notice and hearing provisions under R.C. 4303.26;
- The TRES process ONLY contemplates the Division's ability to start processing the applicant's transfer application for the affected permit classes, the applicant MUST still meet any rules and regulations before the permit can be issued and the new location must also be wet for the type of permit classes that the applicant seeks to operate at the new location; and
- It is within the city, village, or township's sole discretion, consistent with Ohio law, to decide whether to approve the applicant's TRES application as an economic development project.

DocuSigned by:

Mandeep Singh

0F635EAB76B498...

(Signature of Local Official specified above)

Mandeep Singh

(Please Print Name)

Member
(Title)5/9/22
(Date)msingh@ohio-freight.com
(Government Email Address)-(513) 307-4240
(Telephone with Area Code)

Applicant MUST submit the transfer application, this TRES form, and any other required forms to:

Ohio Department of Commerce – Division of Liquor Control
c/o Licensing New & Transfer Section
6606 Tussing Road
Reynoldsburg, OH 43068-9005

For Questions call (614) 644-3155
Or email fileinquiry@com.ohio.gov

Office Hours: 8:00 a.m. - 5:00 p.m. EST