



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

MONDAY, JULY 24, 2023, 6:00 PM

Safety & Health Committee

(Twiss [Chm.], Marshall, Whidden)

1. Provide a recommendation to Council regarding approving the update of the Miami County Hazard Mitigation Plan and authorize the City to continue to participate in the Miami County Hazard Mitigation Plan.

Streets & Sidewalks Committee

(Phillips [Chm.], Pierce, Snee)

1. Provide a recommendation to Council regarding authorizing the final assessments for the South Stanfield Reconstruction Project, Phase 1. Consideration of emergency legislation is requested to meet the Sept. 22 deadline of filling the assessments with the County Auditor's Office.
2. Provide a recommendation to Council regarding accepting 0.847 acres of Part Inlot 11561 (along 2980 Fenner Road) as right-of-way and acceptance of an easement as recommended by the Troy Planning Commission

Other Committees/Items may be added.
7-21-2023

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

SAFETY & HEALTH COMMITTEE



MEMORANDUM

TO: Mr. Lutz, President of Council

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

DATE: July 17, 2023

SUBJECT: **MIAMI COUNTY HAZARD MITIGATION PLAN FIVE-YEAR UPDATE**

RECOMMENDATION:

That Council authorizes the City to continue to participate in the Miami County Hazard Mitigation Plan.

BACKGROUND:

In 2006, 2012, and 2018, Council approved legislation authorizing the City of Troy participation in the multi-jurisdictional Miami County Hazard Mitigation Plan in conjunction with the Miami County Emergency Management Agency. The plan has again been updated by the Miami County Hazard Mitigation Committee, as required, and approved by the Federal Emergency Management Agency (FEMA). The Mayor and Stan Kegley serve on the Miami County Hazard Mitigation Committee. The Committee has now requested that the Miami County entities determine future participation by adopting the County Plan. To receive FEMA funding due to damages from certain disasters, such as the City received following the windstorm damage from Hurricane Ike in 2008, Troy must continue to be part of the County Plan or adopt its own plan. It is recommended that Troy continues participation in the Miami County Plan.

REQUESTED ACTION:

It would be appreciated if you would assign to a Committee of Council consideration of authoring the City of Troy to continue to participate in the Miami County Hazard Mitigation Plan.

Cc: Mayor Oda
S. Kegley



STREETS & SIDEWALKS COMMITTEE

MEMORANDUM

TO: Mr. Lutz, President of Council

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

DATE: July 21, 2023

SUBJECT: ***South Stanfield Reconstruction Project Phase 1 - Sidewalks and Shared Use Path, Ordinance of Assessment***

RECOMMENDATION:

That Council enacts the final assessment for the new construction, repair, or replacement of sidewalks and a shared-use path within the South Stanfield Road Reconstruction Project Phase 1.

BACKGROUND:

Council passed Resolution R-5-2022, in January of 2022, Declaring the Necessity for the improvements to be completed in the South Stanfield Road Reconstruction Project Phase 1. The project boundaries are from the intersection of South Stanfield Road and West Stanfield Road to the south just beyond the intersection of South Stanfield Road and Commerce Center Boulevard.

Following the notification to the property owners of the estimated assessments, there was an appeal filed by one property owner; Council appointed an Assessment Equalization Board (AEB) to hear the appeal; Council then accepted the recommendation of the AEB; and the project then proceeded with the City bidding the Phase I project. With the project completed, the next step is for Council to enact the Ordinance of Assessment. The property owners will then be given written notice to make payment within a 30-day period. Assessments not paid will be certified to the County Auditor for collection with property taxes over a five-year period. The unpaid assessments would be certified for collections to start in 2024.

The legislation will enable the City to recover approximately \$116,000.00 invested in infrastructure rehabilitation in the public right-of-way.

REQUESTED ACTION:

It would be appreciated if you would assign to a Committee of Council to enact the final assessment for the South Stanfield Reconstruction Project Phase 1 - Sidewalks and Shared Use Path. Consideration of emergency legislation is requested to meet the September 22 filing deadline of the County Auditor's office.





MEMORANDUM

TO: Mr. Lutz, President of Council

FROM: Sue Knight, for the Troy Planning Commission

DATE: July 16, 2023

SUBJECT: RECOMMENDATION TO COUNCIL FOR DEDICATION OF RIGHT-OF-WAY AND ACCEPTANCE OF EASEMENT ALONG 2980 FENNER ROAD, PART INLOT 11561

At the July 12, 2023 meeting of the Troy Planning Commission, the Commission reviewed a recommendation of staff regarding accepting the dedication of right-of-way and an easement along 2980 Fenner Road, Part Inlot 11561.

This property is located along Fenner Road and is part of the recently approved Swank Annexation, north of the Edgewater Subdivision. The City Engineer has approved a replat of one of the annexed parcels, a parcel of 5.009 acres, the Swank Development Plat. The right-of-way to be dedicated is 0.847 acres, Part Inlot 11561. There is also an easement area to be dedicated. The dedication of right-of-way and acceptance of the easement requires approval of Council.

By unanimous vote, the Troy Planning Commission approved a motion that the Planning Commission recommends to Troy City Council acceptance of 0.847 acres of Part Inlot 11561 as right-of-way and acceptance of an easement.

A map showing the area is attached.

encl.

TO: CITY OF TROY PLANNING COMMISSION

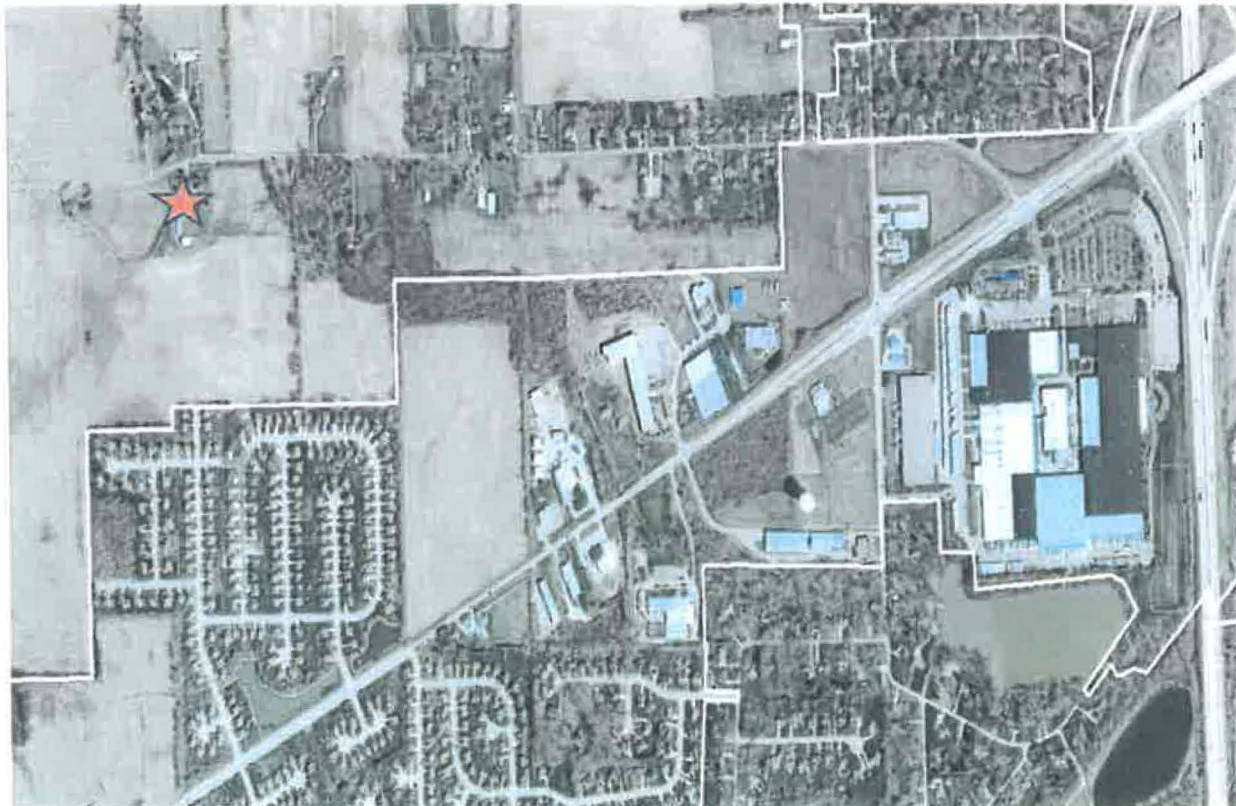
FROM: Jillian Rhoades, PE, City Engineer

DATE: JULY 12, 2023

SUBJECT: Dedication of right-of-way along 2980 Fenner Road

Attached is a copy of a plat for the dedication of right-of-way along the property of 2980 Fenner Road. The right-of-way to be dedicated is 0.847 acres of Part Inlot 11561. The replat is considered a minor subdivision and does not require Planning Commission approval. As Council will review the acceptance and dedication of the right-of-way and provided easements. This replat is for one parcel along Fenner Road totaling 5.009 acres of the total 28.75 acres

The recent annexation of this property and potential future development led to this request for additional right-of-way. The replat has been reviewed by the City Engineer and staff is requesting that Planning Commission make a positive recommendation to the City Council to dedicate 0.847 acres of Part Inlot 11561 as right-of-way.



SWANK DEVELOPMENT PLAT

VOLUME _____ PAGE _____
MIAMI COUNTY RECORDER'S RECORD OF PLATS

5 TOWN 6 RANGE 31 SECTION
5.856 ACRES CONCORD TOWNSHIP TROY CITY MIAMI, OHIO COUNTY

FEE \$ _____
MIAMI COUNTY RECORDER BY DEPUTY RECORDER
MIAMI COUNTY AUDITOR
APPROVED AND TRANSFERRED _____, 20____
MIAMI COUNTY AUDITOR BY DEPUTY AUDITOR

CITY OF TROY PLANNING COMMISSION
AT A MEETING OF THE PLANNING COMMISSION OF THE CITY OF TROY, OHIO, HELD THIS _____ DAY OF _____, 20____, THIS PLAT WAS REVIEWED AND APPROVED.
CHAIRMAN _____ SECRETARY _____

PLAT AUTHORIZATION AND DEDICATION
MONTE W. SWANK, THE OWNERS OF THE LAND INCLUDED WITHIN THIS PLAT HAVE CAUSED THE AREA LOCATED IN CONCORD TOWNSHIP, OHIO ENCOMPASSED BY THIS PLAT, TO BE SURVEYED, PLATTED, AND KNOWN AS SWANK DEVELOPMENT PLAT. FURTHERMORE, MONTE W. SWANK, DEDICATES THE STREETS AND EASEMENTS AS SHOWN ON THIS PLAT TO THE PUBLIC USE FOREVER.

OWNER: MONTE W. SWANK
MONTE W. SWANK

STATE OF OHIO, _____ COUNTY, SS
BEFORE ME, A NOTARY PUBLIC, IN AND FOR THE STATE OF OHIO, PERSONALLY APPEARED MONTE W. SWANK, WHO EXECUTED THE FOREGOING PLAT, WHO ACKNOWLEDGED THAT HE/SHE DID SIGN SUCH INSTRUMENT IS HIS FREE ACT AND DEED.

IN TESTIMONY WHEREOF, I MAY HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL AT _____, OHIO, THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC _____
MY COMMISSION EXPIRES _____

CITY OF TROY ENGINEER
THIS PLAT WAS REVIEWED AND APPROVED BY US
THIS _____ DAY OF _____, 20____.

JILLIAN RHOADES

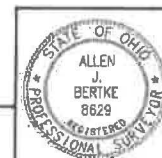
CITY OF TROY COUNCIL
AT A MEETING OF THE COUNCIL OF THE CITY OF TROY, OHIO HELD THIS _____ DAY OF _____, 20____, THIS PLAT WAS APPROVED BY ORDINANCE NO. _____, EFFECTIVE _____, 20____.

MAYOR _____
PRESIDENT OF COUNCIL _____
CLERK OF COUNCIL _____

DESCRIPTION
BEING A LOT SPLIT OF INLOT 11561 OWNED BY MONTE W. SWANK AS DESCRIBED IN DEED BOOK 705, PAGE 455.

SURVEY CERTIFICATION
I HEREBY CERTIFY THAT THIS REPLAT WAS PREPARED IN ACCORDANCE WITH OHIO ADMINISTRATIVE CODE CHAPTER 4733-37.

ALLEN J. BERTKE, P.S. #8629 _____ DATE _____



ChoiceOne Engineering SENEY, OHIO 937.477.0200 LOVELAND, OHIO 513.239.3554 CHOICEONEENGINEERING.COM	PREPARED BY: DATE: 06-15-2023 DRAWN BY: RMF JOB NUMBER: MIATRO2229 SHEET NUMBER: 1 OF 1
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- LEGEND**
- U.S. 5/8" X 30" REBAR W/CAP SET
 - I.P.F. IRON PIN FOUND
 - M.S. MAG NAIL SET
 - M.S. MAG NAIL FOUND
 - ★ STONE FOUND
 - ▨ EXISTING CORP. LIMITS

- SURVEY REFERENCE**
- LAND SURVEY 12, PG. 175
 - LAND SURVEY 27, PG. 173
 - LAND SURVEY 42, PG. 26
 - LAND SURVEY 43, PG. 148
 - LAND SURVEY 43, PG. 150
 - LAND SURVEY 45, PG. 144
 - LAND SURVEY 61, PG. 56
 - REC. P.B. 14, PG. 68
 - REC. P.B. 20, PG. 135-135A
 - REC. P.B. 21, PG. 9-8A
 - REC. P.B. 22, PG. 72
 - REC. P.B. 23, PG. 74
 - REC. P.B. 24, PG. 38
 - REC. P.B. 26, PG. 25
 - REC. P.B. 30, PG. 29

DRAINAGE
THE CITY OF TROY DOES NOT ACCEPT ANY PRIVATE DRAINAGE EASEMENTS SHOWN ON THIS PLAT. THE CITY OF TROY IS NOT OBLIGATED TO MAINTAIN OR REPAIR ANY CHANNELS OR INSTALLATIONS IN SAID EASEMENTS. THE OWNER OF THE LOT SHALL MAINTAIN THE EASEMENT AREA OF EACH LOT AND ALL IMPROVEMENTS IN IT CONTINUOUSLY. MAINTENANCE OF ALL IMPROVEMENTS WITHIN THE PRIVATE DRAINAGE EASEMENTS SHALL BE THE RESPONSIBILITY OF THE OWNER OF THE LOT AS PROVIDED FOR IN THE DECLARATION AND IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE CITY OF TROY ON FILE WITH THE CITY ENGINEER. WITHIN THE EASEMENT AREA, NO STRUCTURE, PLANTING OR OTHER MATERIAL SHALL BE PLACED OR PERMITTED TO REMAIN WHICH MAY OBSTRUCT, RETARD, OR CHANGE THE DIRECTION OF THE WATER FLOW.

THE CITY OF TROY SHALL HAVE THE PERMANENT AND IRREVOCABLE RIGHT AND AUTHORITY TO INSPECT SUCH INTERIOR STREETS, ACCESS EASEMENTS, WATERWAYS, COMMON SPACES AND IMPROVEMENTS THEREON AS ARE DEVELOPED IN THIS SUBDIVISION.

THE CITY OF TROY SHALL HAVE THE RIGHT, BUT NOT THE RESPONSIBILITY, TO ENTER UPON ANY LOT IN THE SUBDIVISION TO INSPECT AND MONITOR ANY STORM WATER DETENTION BASIN AREA OR DRAINAGE FACILITIES CONSTRUCTED IN THE SUBDIVISION. IN THE EVENT THAT THE FACILITIES ARE NOT PROPERLY CONSTRUCTED OR MAINTAINED, UPON THE FAILURE OF THE DEVELOPER, LOT OWNER, OR THE ASSOCIATION TO TAKE CORRECTIVE ACTION AFTER BEING DULY NOTIFIED IN WRITING BY THE CITY, THE CITY SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION TO TAKE WHATEVER ACTION IS NECESSARY TO CORRECT ANY IMPROPER CONSTRUCTION OR TO MAINTAIN STORM WATER DETENTION BASINS AREAS AND DRAINAGE FACILITIES: PROVIDED, HOWEVER, THAT THE DEVELOPER, LOT OWNER, AND/OR ASSOCIATION SHALL FIRST HAVE A REASONABLE PERIOD OF TIME, TAKING INTO ACCOUNT THE URGENCY OF THE MATTER, TO TAKE CORRECTIVE ACTION. ANY COST INCURRED BY THE CITY OF TROY FOR SUCH MAINTENANCE MAY BE ASSESSED TO THE ASSOCIATION OR, IF THERE IS NO ASSOCIATION, OR THE ASSOCIATION HAS CEASED TO EXIST, AGAINST INDIVIDUAL LOT OWNER. THESE RESTRICTIONS SHALL RUN WITH THE LAND, AND SHALL BIND THE OWNERS, SUCCESSORS, AND ASSIGNS UNLESS AND UNTIL A MODIFICATION IS AGREED TO AND APPROVED BY THE COUNCIL OF THE CITY OF TROY.