



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

MONDAY, JUNE 24, 2024, 6:00 PM

REVISED 6-24-2024 TO ADD AN ITEM UNDER THE FINANCE COMMITTEE

Buildings & Utilities Committee

(Pierce [Chm.], Phillips, Snee)

1. Provide a recommendation to Council regarding authorizing the Director of Public Service and Safety to advertise for bids and enter into a contract for the Wastewater Treatment Plant Sludge Thickening Tanks Drive Unit Replacement Project at a cost not to exceed \$340,000.
2. Provide a recommendation to Council regarding authorizing the Director of Public Service and Safety to advertise for bids and enter into a contract for the Police Department Building Boiler Replacement Project at a cost not to exceed \$120,000.

Finance Committee

(Severt [Chm.], Schilling, Westfall)

1. Provide a recommendation to Council regarding authorizing the Director of Public Service and Safety to execute the release of mortgage lien for Jay and Lisa Harris at 9 South Market Street as the loan has been repaid in full. Consideration of emergency legislation is requested so that the mortgage lien can be released without delay.
2. Provide a recommendation to Council regarding:
 - A. Authorizing the Director of Public Service and Safety to enter into an agreement with Can't Stop Running Co. related to the Tour de Donut event. (August 23/24)
 - B. Authorizing the Director of Public Service and Safety to enter into an agreement with Troy Main Street, Inc. related to the Donut Jam event. (August 23/24)
 - C. Authorize a notwithstanding ordinance for both events.

Law & Ordinance Committee

(Whidden [Chm.], Marshall, Twiss)

1. Provide a recommendation to Council regarding the TREX liquor permit application of Walts Works LLC for D-1 and D-2 permits for the location at 860 W. Market Street, Unit D. The permits would be from the owner's business in Tipp City, Ohio
2. Provide a recommendation to Council regarding authorizing the City to become a member of the group purchasing program of the OML for Natural Gas Aggregate for natural gas for City facilities and authorize the Director of Public Service and Safety to execute the Participation Agreement for the OML Energy Program and to execute any related documents.

Other Committees/Items may be added.

~~6-21-2024~~ 6-24-2024

Cc: Council
Mayor
Mr. Titterington, Mr. Kerber
Mr. Frigge, Departments, Media

**BUILDINGS &
UTILITIES COMMITTEE**



TROY
OHIO

B+U

Patrick E. J. Titterington
Director of Public Service & Safety
937-335-1725
Patrick.titterington@troyohio.gov

MEMORANDUM

TO: Mr. William G. Rozell, President of Council

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

DATE: June 18, 2024

SUBJECT: **BIDDING AUTHORIZATION – SLUDGE THICKENING TANKS DRIVE UNIT REPLACEMENT PROJECT FOR THE WASTEWATER TREATMENT PLANT**

RECOMMENDATION:

That Council authorizes the Director of Public Service and Safety to advertise for bids and enter into a contract for the Wastewater Treatment Plant (WWTP) Sludge Thickening Tanks Drive Unit Replacement Project.

BACKGROUND:

The City's Wastewater Treatment Plant has two circular tanks that are used to gravity thicken sludge prior to processing. The motor and gear drives that turn the sludge collector assemblies in these tanks were installed in 2000 and have reached the end of their useful life. The internal seals in these drives have deteriorated and are now allowing water to penetrate into the oil. Due to the age of the drives, it is recommended that they be replaced to ensure reliability. Funding to this project was included in the 2024 WWTP Budget (Fund 711.672) for this project at a cost not to exceed \$340,000.

REQUESTED ACTION:

It would be appreciated if you would assign to a Committee of Council authorizing the Director of Public Service and Safety to advertise for bids and enter into a contract for the Wastewater Treatment Plant Sludge Thickening Tanks Drive Unit Replacement Project at a cost not to exceed \$340,000.





TROY
OHIO

B + M

Patrick E. J. Titterington
Director of Public Service & Safety
937-335-1725
Patrick.titterington@troyohio.gov

MEMORANDUM

TO: Mr. Rozell, President of Council

FROM: Patrick E. J. Titterington, Director of Public Service and Safety *[Signature]*

DATE: June 18, 2024

SUBJECT: **BIDDING AUTHORIZATION – TROY POLICE DEPARTMENT BUILDING BOILER REPLACEMENT PROJECT**

RECOMMENDATION:

That the Director of Public Service and Safety be authorized by Council to advertise for bids and enter into a contract for the Police Department Building Boiler Replacement Project at a total cost not to exceed \$120,000.

BACKGROUND:

The three boilers at the police station have exceeded their design life and are becoming problematic. They are original to the construction of the building. Due to the age of the units, growing maintenance costs, and the limitations of access to replacement parts, the most practical solution is to replace the three boilers.

The firm of Garmann Miller Architects & Engineers was authorized to design the replacement of the boilers. This project (design, equipment and installation) was included in the 2024 Police Department (101.217) budget in the total amount of \$114,000. Of that amount, \$90,000 was estimated for the equipment and installation. The current estimate for the equipment and installation is \$120,000. That estimate is based on current pricing for labor and equipment. The additional funding for the project is available within the General Fund (Fund 101) appropriation.

REQUESTED ACTION:

It would be appreciated if you would assign to a Committee of Council 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 Police Department Building Boiler Replacement Project at a total cost not to exceed \$120,000.



FINANCE COMMITTEE

MEMORANDUM

TO: Mr. Rozell, President of Council

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

DATE: June 14, 2024

SUBJECT: RELEASE OF MORTGAGE LIEN DUE TO LOAN PAY OFF

RECOMMENDATION:

That Council authorizes the release of mortgage lien on Jay and Lisa Harris's real estate that served as security on a 2004 loan that has been paid off.

BACKGROUND:

In 2004, Council approved a CDBG Economic Development Revolving Loan to Jay and Lisa Harris, dba 1-Earth Graphics, Inc, located at 9 South Market Street. Last month the loan was paid in full, and the mortgage lien needs to be released. On more recent loans, the approving legislation includes language to release the mortgage lien upon satisfaction of the loan. As this language was not included for this loan, Council legislation is required to authorize the release of mortgage lien.

REQUESTED ACTION:

It would be appreciated if you would assign to a Committee of Council consideration of the authorizing the Director of Public Service and Safety to execute the release of mortgage lien at 9 South Market Street. Consideration of emergency legislation is requested so that the mortgage lien can be released without delay.





MEMO

TO: Mr. Rozell, President of Council
FROM: Patrick E. J. Titterington
DATE: June 24, 2024
SUBJECT: TROY MAIN STREET AGREEMENT FOR DONUT JAM
CAN'T STOP RUNNING AGREEMENT FOR TOUR De DONUT
NOTWITHSTANDING LEGISLATION FOR THE EVENTS

RECOMMENDATION:

1. That Council authorizes two separate agreements for events in August of 2024, both of which will include the use of public property and one of which will include the use of public property for the sale/consumption of alcoholic beverages.
2. That Council authorizes a notwithstanding ordinance for both events.

BACKGROUND:

Tour De Donut - August 23 and 24

- The owner, Can't Stop Running Co., has requested to hold the event based on the same route/closings as 2022 and 2023. To accommodate setup, including the starting/finishing line to document the ride times, the Public Square area would be closed commencing at 11:00 a.m. on Friday, August 23 through Saturday, August 24 at approximately 5:30 p.m.
- As a part of an agreement with Can't Stop Running Co., the City would be reimbursed for overtime costs and other related expenses.
- As in prior years, the notwithstanding legislation should include permission for overnight camping in Troy Community Park August 23 – August 24 only related to this event.

Donut Jam - August 23 and 24

- Troy Main Street, Inc. (TMS) organizes this part of the event.
- There will be a downtown concert on Friday, August 23 and entertainment on Saturday, August 24.
- TMS requests to file for an F2 Liquor Permit, for both dates, with their alcohol sales in an enclosed area of the NW Quadrant, within the DORA area. The permit would be for sales on August 23 from 5:00 p.m. – 10:00 p.m., within the DORA hours, and for sales August 24 for the time period of 10:00 a.m. – 2:00 p.m. This would start one hour earlier than the DORA, with sales/consumption for that hour limited to the TMS enclosed area in the NW Quadrant.
- For both dates, last call would be 30 minutes prior to the ending time.
- TMS will reimburse the City for overtime expenses and other related expenses.

REQUESTED ACTION:

It would be appreciated if you would assign to a Committee of Council:

1. Authorizing the Director of Public Service and Safety to enter into an agreement with Can't Stop Running Co. related to the Tour De Donut event.
2. Authorizing the Director of Public Service and Safety to enter into an agreement with Troy Main Street, Inc. related to the Donut Jam event.
3. Authorizing a notwithstanding ordinance for both events.

**LAW & ORDINANCE
COMMITTEE**



TROY
OHIO

LTD

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

MEMORANDUM

TO: Mr. Rozell, President of Council

FROM: Patrick Titterington, Director of Public Service and Safety 

DATE: June 19, 2024

SUBJECT: **TREX LIQUOR LICENSE APPLICATION – WALTS WORKS LLC, 860 W. MARKET STREET, UNIT D**

RECOMMENDATION:

That City Council considers the D-1 and D-2 TREX liquor permit application of Walts Works LLC to be located at 860 W. Market Street, Unit D, Troy, Ohio.

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.

Walts Works LLC by Meagan Walters has submitted the attached request, which states that five jobs would be created by the applicant's economic development project of moving a business to Troy, to be located at 860 W. Market Street, Unit D. The applicant owns the Board & Brush Creative Studio in Tipp City, Ohio, and is the owner of the D-1 and D-2 permits. A D-1 permit is beer sales on/off premises until 1 a.m. A D-2 permit is wine and pre-packaged low proof mixed beverage sales on/off premises until 1 a.m.

The Ohio Department of Liquor Control website shows that there are no D-1 or D-2 permits available within the City of Troy. These TREX permits would be from the current business location of the applicant.

REQUESTED ACTION:

It would be appreciated if you would assign to a Committee of Council the consideration of the TREX liquor permit application of Walts Works LLC for D-1 and D-2 permits for the location at 860 W. Market Street. 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, and legislation is not required.

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:

Watts Works LLC

* Issued Permit Holder #:

938 9995

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):

Section C – New Permit Premises Address Information

* This section **MUST** be completed.

* New Permit Premises Address:

860 W. Market St. Unit D

* New Township (if outside city limits):

* New City:

Troy

* New County:

Miami

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: \$ 50,000
- Total number of jobs that will be created by this project: 15
- Existing or estimated Tax Revenue generated by this project:
 - Ohio Unemployment Tax \$ 400
 - Property Tax \$ 200
 - Sales Tax \$ _____
 - State Withholding Tax \$ 150
 - 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.

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.

Meagan Walters

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

Meagan Walters

(Please Print Name)

Owner

(Title)

6/17/24

(Date)

1765 Rerch Rd Pleasant Hill, OH 45359

(Street Address, City, State, Zip Code)

419-806-9877

(Telephone with Area Code)

LTD

MEMORANDUM

TO: Mr. Rozell, President of Council

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

DATE: June 17, 2024

SUBJECT: AUTHORIZATION TO ENTER INTO AN AGREEMENT REGARDING ENERGY PURCHASING PROGRAMS OF THE OHIO MUNICIPAL LEAGUE

RECOMMENDATION:

That the Director of Public Service and Safety is authorized to enter into a Participation Agreement Regarding an Energy Purchasing Program of the Ohio Municipal League for natural gas aggregation for City facilities.

BACKGROUND:

As a member of the Ohio Municipal League (OML), Troy may participate in a Participation Agreement for the OML Energy Program with the OML Service Corporation (OMLSC) and the CCAO Service Corporation (CCAOSC), an Ohio for-profit corporation, and OML Energy Solutions for natural gas aggregation for City facilities. By being a part of the Participation Agreement, the City the City will benefit from group purchasing strategies of the OML/CCAO Service Corp. pool group.

REQUESTED ACTION:

It would be appreciated if you would assign to a Committee of Council authorizing the City to become a member of the group purchasing program and authorize the Director of Public Service and Safety to execute the Participation Agreement for the OML Energy Program and to execute any related documents.

