



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

MONDAY, JANUARY 13, 2025, 6:00 PM

Community Partnerships Committee

(Marshall [Chm.], Severt, Twiss)

1. Provide a recommendation to Council regarding authorizing the City of Troy to support the Ohio Municipal League's (OML) challenge of AT&T's Tariff Application to the Public Utilities Commission of Ohio (PUCO) and any subsequent and/or necessary legal, administrative and legislative efforts. Consideration of emergency legislation is requested.

Streets & Sidewalks Committee

(Phillips [Chm.], Schilling, Westfall)

1. Provide a recommendation to Council regarding authorizing the Director of Public Service and Safety to enter into an amendment to the professional services agreement with American Structurepoint, Inc. of Columbus, Ohio to complete a feasibility study for the intersection of West Main Street (State Route 41) and Experiment Farm Road/Stanfield Road Improvement Project (PID 1221678) at a cost not to exceed \$120,000.
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 2025 Paving Program at a cost not to exceed \$1,500,000.

Other Committees/Items may be added.

1-10-2025

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

**COMMUNITY
PARTNERSHIPS
COMMITTEE**



Patrick E. J. Titterington
Director of Public Service & Safety
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MEMORANDUM

A handwritten signature in blue ink, appearing to read 'P. Titterington', is written over the 'To' and 'From' lines of the memorandum.

To: Mr. William G. Rozell, President of Council
From: Patrick E. J. Titterington, Director of Public Service and Safety
Date: January 9, 2025
Subject: **SUPPORTING THE OHIO MUNICIPAL LEAGUE CHALLENGE OF AT&T'S TARIFF APPLICATION BEFORE PUCO**

RECOMMENDATION:

That Council authorizes Troy to support the Ohio Municipal League's (OML) challenge of AT&T's tariff application at the Public Utilities Commission of Ohio (PUCO).

BACKGROUND:

On December 18, AT&T filed a proposed tariff request with the Public Utilities Commission of Ohio (PUCO) that impacts governmental entities, including municipalities. The revision would require any governmental entity requesting the relocation and undergrounding of communications facilities existing in a public right of way to pay the cost incurred by AT&T for such a relocation. If unchallenged, this tariff revision will become effective on January 18, 2025. The OML plans to intervene, and has asked municipalities to support the OML in this action.

Under current Ohio law, a municipality can require public utilities to relocate their lines at their own expense in order to accommodate the municipality's governmental function. However, the Ohio Supreme Court has held that if a tariff contains a provision requiring a city to cover costs of relocating utilities, the tariff language supersedes any city ordinance requiring the utility to cover the charges. If AT&T's tariff change becomes effective, the tariff gives AT&T the ability to charge municipalities in advance when they relocate facilities, even if the relocation is required for safety or public welfare purposes.

This change would shift costs from the company to the taxpayers. Additionally, if AT&T is successful in having Ohio law changed through a tariff revision, then other utilities can make the same filing -- further hindering municipalities in their projects and causing their costs to increase.

Challengers need to file a Motion to Intervene well in advance of January 18 when the tariff becomes automatically effective, and OML has engaged the law firm of Taft Stettinius and Hollister for this purpose.

To avoid any standing issues and to emphasize the importance of this cost shift to municipalities, OML is requesting that OML members adopt legislation to include the municipality in this effort. Agreeing to participate does not commit the municipality at this time to financial support, although if the matter is not resolved at the PUCO level, a request may be made for financial assistance (each municipality can decide at that point to continue as a party to the proceedings).

Based on the time frame and the importance of this issue, I have asked OML to include Troy's support. So that the City is on the official record with the OML, enacting legislation of support is requested, with such legislation to be an emergency.

REQUESTED ACTION:

It would be appreciated if you would assign to a Committee of Council authorizing the City of Troy to support the OML's challenge of AT&T's Tariff Application and any subsequent and/or necessary legal, administrative and legislative efforts. Consideration of emergency legislation is requested.



STREETS & SIDEWALKS COMMITTEE



MEMORANDUM

To: Mr. William G. Rozell, President of Council
From: Patrick E. J. Titterington, Director of Public Service and Safety
Date: January 9, 2025
Subject: **AUTHORIZING A FEASIBILITY STUDY FOR THE INTERSECTION OF WEST MAIN STREET (STATE ROUTE 41) AND EXPERIMENT FARM ROAD/STANFIELD ROAD IMPROVEMENT PROJECT (PID 121678)**

RECOMMENDATION:

That the Director of Public Service and Safety is authorized to enter into an amendment to the professional services agreement with American Structurepoint, Inc. of Columbus, Ohio to complete a feasibility study of the intersection of West Main Street (State Route 41) and Experiment Farm Road/Stanfield Road Improvement Project (PID 121678) at a cost not to exceed \$120,000.

BACKGROUND:

- In late 2019, the City authorized the consultant American Structurepoint, Inc. to complete pre-design services and an intersection study for the intersection of West Main Street and Experiment Farm Road/Stanfield Road. The existing signalization intersection has seen ever increasing traffic due to residential, commercial and industrial development in the area and has become a traffic bottleneck during periods of heavier traffic.
- In 2021, American Structurepoint completed an intersection safety study of the West Main Street (State Route 41) corridor to potentially apply for safety funding. Safety funding was not pursued at that time due to the project not meeting minimum safety requirements.
- In September of 2023, Council accepted the recommendation of the consultant that the project design include a roundabout to meet both safety and intersection improvement needs and directed staff to continue with design, budget, and other associated work on a future roundabout at the intersection.
- In September of 2023, Council authorized the submittal of a grant application for the intersection project as a roundabout.
- In the first quarter of 2024, the City was awarded MVRPC/ODOT Surface Transportation Program (STP) federal funding for the intersection construction improvements, which included a roundabout at the intersection.
- During 2024, City staff had discussions with staff at ODOT District 7 related to the project design and proposed path forward towards construction of an improved intersection. As a part of those discussions, ODOT indicated that a feasibility study may be required to comply with the ODOT Analysis and Traffic Simulation (OATS) Manual. This OATS Manual became part of the ODOT process after the 2021 safety study was completed, but was not a considered requirement as ODOT funding was not part of the funding package in 2019.
- The 2025 budget includes \$500,000 for the design of the project (\$250,000 in each the 441 Capital Improvement Fund and 444 TIF Fund) so that the project design can be completed for the 2028 construction.
- ODOT has now advised staff that an improvement design cannot begin until a feasibility study is completed in accordance with the OATS Manual, as this study will result in identifying the recommended intersection improvement.
- The feasibility study cost was not identified as part of the design budget. However, a feasibility study would include some elements that will be part of the final design, including a public meeting for input, revised traffic study and counts, an environmental review, and final recommendations.
- American Structurepoint, Inc., the consultant that completed the earlier analyses of this intersection and who already has the background information needed for the feasibility study, has provided a "not to exceed" amount of \$120,000 to provide the requested feasibility study. This would be an amendment to the agreement for this additional pre-design work. There is a sufficient fund balance in the 444 TIF Fund for the study.

Staff has recommended that the feasibility study be authorized as required by ODOT so that the information from that study can be used for the design.

REQUESTED ACTION:

It would be appreciated if you would assign to a Committee of Council authorizing the Director of Public Service and Safety to enter into an amendment to the professional services agreement with American Structurepoint, Inc. of Columbus, Ohio to perform additional pre-design work of a feasibility study for the intersection of West Main Street (State Route 41) and Experiment Farm Road/Stamfield Road Improvement Project (PID 121678) at a cost not to exceed \$120,000.

MEMORANDUM

TO: William G. Rozell, President of Council
FROM: Patrick E. J. Titterington, Director of Public Service and Safety
DATE: January 10, 2025
SUBJECT: **AUTHORIZATION TO BID FOR THE 2025 PAVING PROGRAM**



RECOMMENDATION:

That Council authorizes the Director of Public Service and Safety to advertise for bids and enter into a contract for the 2025 Paving Program at a cost not to exceed \$1,500,000.

BACKGROUND:

The annual paving program is created by taking into consideration the 2023 roadway pavement assessment analysis, the repair workorders, and the capital improvement projects of the city departments and of other outside utilities (such as Centerpoint Energy's bare steel replacement program).

Staff is requesting that the bidding be authorized for the City's annual resurfacing of roadways. After evaluating the increasing material costs and the recent contract bidding in the surrounding areas, the street locations on the list provided are ranked from highest to lowest priority for 2025. All the streets on the 2025 program are local streets. In the event that any streets should be removed due to bid prices, the lowest priority streets shall be removed and placed on the list for the next calendar year.

\$1,500,000 was included in the 2025 Capital Improvement Fund (Fund 441) budget for this program.

REQUESTED ACTION:

It would be appreciated if you would assign to a Committee of Council consideration of authorizing the Director of Public Service and Safety to advertise for bids and enter into a contract for 2025 Paving Program at a cost not to exceed \$1,500,000.

encl.





The following streets are proposed as part of the annual paving program throughout the City:

Street	From	To	Lane Miles
Aberdeen Court	Kings Chapel Drive	Cul-de-sac	0.34
Foxchase Court East	Kings Chapel Drive	Cul-de-sac	0.20
Foxchase Court West	Kings Chapel Drive	Cul-de-sac	0.28
Galway Court	Kings Chapel Drive	Cul-de-sac	0.18
Glasgow Drive	St Andrews Drive	Aberdeen Court	0.38
Glenmore Court	New Castle Drive	Cul-de-sac	0.18
Highland Court	St Andrews Drive	Cul-de-sac	0.08
Inverness Court	Kings Chapel Drive	Cul-de-sac	0.28
Jean Circle	New Castle Drive	Cul-de-sac	0.18
Kings Chapel Drive South	West Main Street	Dead End	0.82
Kings Royal Drive	West Main Street	St Andrews Drive	0.06
New Castle Drive	Inverness Court	Fox Harbor Drive	0.68
St Andrews Drive	Fox Harbor Drive	Kings Chapel Drive	0.86
St Andrews Drive	Kings Chapel Drive	Waterford Drive	0.32
Thornhill Drive	Butt Joint at Fox Harbor8	Kings Chapel Drive	0.32
Thornhill Drive	Kings Chapel Drive	Westhaven Drive	0.32
Waterford Drive	Kings Chapel Drive	Westhaven Drive	0.32
Westhaven Drive	Dead End	Cul-de-sac	0.62
DotCom Drive	West Main Street	Cul-de-sac	0.16
Summit Avenue	Wayne Avenue	Dead End	0.46
Ridgewood Drive	Summit Avenue	Cul-de-sac	0.22
Westridge Drive	Summit Avenue	South Ridge Avenue	0.40
Vornholt Street	West Market Street	Peters Avenue	0.18
Park Avenue	West Market Street	Old Newton Pike	0.16
Old Newton Pike	Peters Road	Dead End	0.46
Fleet Road	Trade Square West	North Weston Road	0.94
Branford Road	North Road	North Dorset Road	1.34
North Dorset Road	West Min Street	Cornish Road	1.06
Weston Road	West Main Street	North Road	0.32
Amesbury Road	Dartmouth Road	Branford Road	0.18
Banbury Road	North Dorset Road	Cul-de-sac	0.34
Total Paved Lane Miles			12.64

