



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

MONDAY, DECEMBER 8, 2025, 6:00 PM

Buildings & Utilities Committee

(Pierce [Chm.], Phillips, Snee)

1. Provide a recommendation to Council regarding authorizing the Director of Public Service and Safety to enter into a Legal Service Agreement with Grossman & Kelly, LLP related to recovering funds from a Class Action Settlement for PFAS contaminations. Consideration of emergency legislation is requested as all testing results must be submitted by year end.

Finance Committee

(Severt [Chm.], Schilling, Westfall)

1. Provide a recommendation to Council regarding an amendment to Resolution No. R-72-2020 to permit the CIC to retain the amount of \$250,000 from the proceeds from the sale of the parcel at 1401 Experiment Farm Road on behalf of the City, execute a payable upon demand note, return the balance of the proceeds and interest accrued to the City, and that the \$250,000 can only be expended by the CIC following specific approval of Council. The City Auditor has requested consideration of emergency legislation so that the note can be executed and funds returned to the City prior to year end.
2. Provide a recommendation to Council that the lease agreement between the City and the Community Improvement Corporation of Troy, Ohio (CIC) regarding the Boathouse lease is amended as recommended by the CIC.

COMMITTEE OF THE WHOLE - CHAIRED BY COUNCIL PRESIDENT PRO-TEM MR. PHILLIPS

1. Recess into Executive Session to consider the purchase of property. (Motion/second/roll call vote)

12-5-2025

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

BUILDINGS & UTILITIES COMMITTEE



MEMORANDUM

A handwritten signature in blue ink, likely belonging to Patrick E. J. Titterington, is positioned to the right of the "FROM:" line.

TO: Mr. William G Rozell, President of Council

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

DATE: December 4, 2025

SUBJECT: **AUTHORIZING LEGAL SERVICE AGREEMENT FOR RECOVERY OF PFAS FUNDS**

RECOMMENDATION:

That Council authorizes the Director of Public Service and Safety to enter into a Legal Service Agreement with Grossman & Kelly, LLP related to recovering funds from a Class Action Settlement for PFAS contaminations.

BACKGROUND:

PFAS (The Everywhere and Forever Chemicals) Perfluoroalkyl and Polyfluoroalkyl Substances are a group of human-caused chemicals that include PFOA, PFOS, GenX, and several others. These chemicals were made by different companies over the prior decades, intended for various applications, including use in fire retardants, oil and water repellents, furniture, waterproof clothing, take out containers and non-stick cookware. During processes and use, these chemicals can wash into surface and ground water. Based on EPA publications, PFASs were found in water systems that serve people across 33 states. A multidistrict litigation suit was filed in federal court and settled against companies such as 3M, Dupont, Tyco, BASF and others who created products that contributed to the PFAS contamination across the county. The settlement centers on the contamination of public water systems' drinking water and exceeds \$13 billion.

It is noted that the City does test for PFAS. All detections in Troy's raw and finished water have been far below any action level required by EPA.

As a public water system in Ohio, Troy is eligible to receive funds from the settlement based on defined allocation procedures that includes sampling of each of the City's wells. Through information provided by the Ohio Municipal League, staff were made aware that many municipalities are working together through the law firm of Grossman & Kelly LLC of West Islip, NY for compliance with each of the specific settlement requirements. This includes the law firm paying for and supervising well sampling and processing necessary documentation. Entering into a Legal Services agreement is at no cost to the City. At a minimum, sampling by the end of December would be funded through an agreement with the law firm. Should there be any detection of PFASs that results in a claim that processing is handled by the law firm, with the law firm receiving a portion of any settlement. Details of the Legal Service Agreement are being finalized with the Director of Law. Emergency legislation is requested as all water testing and results must be submitted by the end of the year.

REQUESTED ACTION:

It would be appreciated if you would assign a Committee of Council authorizing the Director of Public Service and Safety to enter into a Legal Service Agreement at no cost to the City with Grossman & Kelly, LLP related to recovery of funds from a Class Action Settlement. As noted above, consideration of emergency legislation is requested.



FINANCE COMMITTEE



MEMORANDUM

TO: Mr. Rozell, President of Council

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

DATE: December 4, 2025

SUBJECT: **AMENDING RESOLUTION NO. R-72-2020 REGARDING THE PROCEEDS FROM THE SALE OF A PROPERTY PROVIDED BY R-72-2020**

RECOMMENDATION:

That Council amends Resolution No. R-72-2020, allowing the Community Improvement Corporation of Troy, Ohio (CIC) to retain some of the sale proceeds related to the CIC purchasing/selling real property on Experiment Farm Road that was funded by a loan from the City.

BACKGROUND:

Council approved Resolution No. R-72-2020 authorizing a loan of \$800,000 to the CIC so the CIC could purchase an approximate 73.23 acre parcel at 1401 Experiment Farm Road for economic development purposes. The Resolution provided for the City to be repaid upon sale of the parcel. The parcel has been sold with the proceeds retained by the CIC in the interim. The CIC is asking to continue to retain \$250,000 of the proceeds to be used to fund future economic development opportunities, with the understanding that the funds are being held by the CIC on behalf of the City, would be returned to the City upon request of Council, and that those funds cannot be expended without specific approval of Council.

REQUESTED ACTION:

It would be appreciated if you would assign to a Committee of Council authorizing an amendment to Resolution No. R-72-2020 to permit the CIC to retain the amount of \$250,000 from the proceeds from the sale of the parcel at 1401 Experiment Farm Road on behalf of the City, execute a payable upon demand note, return the balance of the proceeds and interest accrued to the City, and that the \$250,000 can only be expended by the CIC following specific approval of Council. The City Auditor has requested consideration of emergency legislation so that the note can be executed and funds returned to the City prior to year end.



MEMORANDUM

TO: Mr. Rozell, President of Council
FROM: Patrick E. J. Titterington
DATE: December 5, 2025
SUBJECT: AMENDING LEASE BETWEEN CITY AND CIC RELATED TO SMITH'S BOATHOUSE

RECOMMENDATION:

That Council accepts the recommendation of the Community Improvement Corporation of Troy, Ohio (CIC) to amend the lease agreement between the City and the CIC related to Smith's Boathouse, 439 N. Elm Street.

BACKGROUND:

The CIC has been in a lease agreement with the City of Troy and Smith's Boathouse Restaurant since 2016. The original lease agreement was renewed in 2021 and now the renewal agreement will expire at the end of April 2026. Smith's Boathouse Restaurant has agreed to a lease renewal for a five-year term, with another renewable option for a successive five-year term, provided that both parties agree and the Lessee (Smith's Boathouse Restaurant) is not in default of any of its obligations.

Currently, Lessee pays monthly percentage rent of 3.50% of gross sales for the prior month to the CIC. The CIC pays percentage rent in the amount of 3.25% each month of gross sales rent to the City of Troy. This arrangement has worked well in the past.

When the CIC met on December 3, the CIC Board approved covering two-thirds (approximately \$26,000) of the cost to replace the kitchen floor contingent on a five-year lease renewal. The CIC Board also approved a recommendation that the lease renewal rate be adjusted to 3.75% of gross sales for the prior month, of which 3.25% will be paid to the City through the CIC-City lease agreement, and the .50% retained by the CIC. In addition to providing for an inflationary rental increase, this adjustment will also allow the CIC to recoup the funding for the kitchen floor. The CIC lease will re-emphasize that all capital and operating expenses shall continue to be the sole responsibility of the tenant.

Council approval is required for the rate amendment.

REQUESTED ACTION:

It would be appreciated if you would assign to a Committee of Council amending the lease agreement between the City and the CIC related to Smith's Boathouse as recommended by the CIC.

