

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

MONDAY, MARCH 22, 2021, 6:00 PM

Community Partnerships Committee

(Rozell [Chm.], Allen, Schweser)

1. Provide a recommendation to Council regarding enacting Notwithstanding Legislation to permit overnight camping in Troy Community Park and adjacent park areas by GOBA and GOBA Affiliates for 2021 and 2022.

Finance Committee

(Schweser [Chm.], Phillips, Severt)

1. Provide a recommendation to Council regarding adjustments to salaries of elected positions to commence at the beginning date of the next term of the position.

Personnel Committee

(Twiss [Chm.], Allen, Severt)

1. Provide recommendations to Council regarding ordinance amendments related to hourly rates and the part-time salary schedule in the Hobart Arena; longevity benefits for non-union employees; and restoration of sick leave hours used by employees with a confirmed case of COVID-19. Review Police Cadet Program and staffing within the Billing and Collection Office.

Recreation & Parks Committee

(Schilling [Chm.], Phillips, Terwilliger)

1. Provide a recommendation to Council regarding authorizing Treasure Island Use Agreements for the June 25 and August 7 concerts, at which adult beverages will be sold.

Safety & Health Committee

(Terwilliger [Chm.], Rozell, Schilling)

1. Provide a recommendation to Council regarding approving amendments to the bylaws of the Miami Valley Risk Management Association.

Streets & Sidewalks Committee

(Phillips [Chm.], Schilling, 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 2021 Sidewalk Repair Program (Phase 13) at a cost not to exceed \$325,000.

Other Committees/Items may be added.

3-19-2021


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: March 19, 2021

SUBJECT: RECOMMENDATION TO CITY COUNCIL FROM BOARD OF PARK COMMISSIONERS TO PERMIT OVERNIGHT CAMPING AT TROY COMMUNITY PARK AND ADJACENT PARK AREAS FOR GOBA/GOBA AFFILIATES AND USE OF FIRE PITS IN TROY COMMUNITY PARK

RECOMMENDATION:

That Council authorizes Notwithstanding Legislation to accommodate overnight camping in Troy Community Park and adjacent park area and the use of recreational fire pits in Troy Community Park during the time period GOBA participants are in Troy for 2021 and 2022.

BACKGROUND:

In 2020, the Great Ohio Bicycle Adventure (GOBA) again selected Troy as a stopover location. Due to the COVID-19 Pandemic, GOBA 2020 was cancelled. GOBA then announced Troy as a stop for 2021. That was followed by an announcement that the Great Ohio Bicycle Adventure would be greatly modified event for 2021 due to COVID, and be a Western Ohio Bicycle Adventure (WOBA), but would still include Troy. GOBA has also identified Troy as a stop for 2022.

During a usual GOBA event, many of the cyclists camp in Troy Community Park and in adjacent park areas and participants utilize recreational fire pits as a part of the camping experience. The fire pits would be constructed of metal and would be elevated, with users required to meet public health requirements as well as the requirements and guidelines of the Troy Fire Department.

Council previously enacted legislation related to camping and fire pits only within Treasure Island Park, with the understanding that requests to extend these activities into any other park areas would be considered on a case by case basis. As Ordinance Section 933.16 prohibits camping and Ordinance Section 933.15 does not include a provision for a fire pit, permission would require Notwithstanding Legislation to be approved by Council.

At the March 2 meeting of the Board of the Park Commissioners, prior to the announcement of a reduced 2021 event, the Board approved a recommendation to that Notwithstanding Legislation be approved to permit overnight camping in Troy Community Park and adjacent park areas by GOBA participants and to further permit the use of recreational fire pits within Troy Community Park for the 2021 dates of only June 23, 24 and 25 as well as for the 2022 dates of only June 22, 23 and 24.

In that there may be some cyclists camping in the park areas and utilizing fire pits for 2021, it would be appropriate for Council to consider the recommendation of the Board. We would suggest that legislation reference GOBA and GOBA Affiliates.

REQUESTED ACTION:

It would be appreciated if you would assign to a committee of Council consideration of this recommendation of the Board of Park Commissioners for 2021 and 2022.

cc: Mayor Oda
S. Kegley

**FINANCE
COMMITTEE**



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Make it yours.



TO: Council President William Lutz

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

DATE: March 22, 2021

SUBJECT: RECOMMENDED CHANGES TO ELECTED OFFICIAL SALARIES

RECOMMENDATION

That City Council pass an ordinance to increase Treasurer, City Council and President of Council salaries by 3%, 2.5%, and 2.0% for 2022, 2023, and 2024, respectively; and, to increase Mayor, Auditor, and Law Director salaries by 3%, 2.5%, and 2.0% for 2024, 2025, and 2026, respectively.

DISCUSSION

Ordinance No. O-27-2015 set the annual salaries for Council Member, President of Council, Mayor, Auditor, and Law Director through 2019. To attract qualified candidates to run for these positions, periodically adjusting salaries is important. It is recommended that each salary be increased at the same rate as the cost-of-living increases of the last bargaining agreements, or 3%, 2.5%, and 2.0% for 2022, 2023, and 2024 in the case of Treasurer, Council and President of Council. For Mayor, Auditor, and Law Director, those increases would become effective for 2024, 2025, and 2026. The reason for the staggered implementation is that, by state law, no elected official's salary may be increased during his or her current term.

REQUESTED ACTION

It would be appreciated if you would assign to a Committee of Council the recommendation to adjust elected official salaries effective either 2022 or 2024.

cc:
Mayor Robin Oda
John Frigge, Auditor
Grant Kerber, Law Director

**PERSONNEL
COMMITTEE**



Make it yours.

Pers



TO: Council President William Lutz

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

DATE: March 22, 2021

SUBJECT: RECOMMENDED PERSONNEL - RELATED CHANGES

RECOMMENDATION

That City Council amend various sections of the Troy Codified Ordinances related to the hourly rates in the Hobart Arena and part-time salary schedules; longevity benefits for non-union employees; and, restoration of sick time used by employees with a confirmed case of COVID-19; and, further, note but not act on a possible Police Cadet Program and complement hiring in the Billing & Collections Office.

DISCUSSION OF RECOMMENDED CHANGES

Hobart Arena Facility Operator 1 & Facility Operator 2 (FO1/FO2): Prior to the current bargaining unit agreement with AFSCME, FO1 employees were paid approximately \$.50 per hour more than Laborers. That had been the pattern for at least 10 years in an effort to recognize their unique position as not only front line laborers but also, from time to time, as the only on-site operator of Hobart Arena, particularly after regular hours. When the last AFSCME contract was signed, the union Laborer hourly rate was increased to \$20.94 per hour but the FO1 only increased to \$20.92 per hour (to account for COLA).

Additionally, the current organizational breakdown at the Arena includes a Facility Operator 2 (FO2) position, which is vacant. That position would pay \$26.72 per hour and is only filled if an employee holds a certification in HVAC repair and maintenance. It is unreasonable to expect, in the market, that a qualified candidate would accept an FO2 position when the private marketplace pays a premium for someone with that certification.

With the changing dynamics of recruiting and retaining employees at the Arena, it is recommended that the FO1 be eliminated, the FO2 position be left vacant, and Facility Operator and Lead Facility Operator positions be created. The 'Lead' position is consistent with recent changes to the organizational charts at the Street Maintenance and Utility Departments and would offer the Arena staff a more consistent chain of command. An increase of \$1.08 per hour is recommended for the Facility Operator (or \$22 per hour for 2021), with the Lead making \$25 per hour. The 2021 budget impact is approximately \$2,000.

Seasonal Employee Scale: With the continued success at the Shoreline concession and restaurant operations, retaining a qualified part-time person to assist with on-site kitchen management is more important. Section III of Ordinance O-53-2020 lists five steps in the Swimming Pool Manager progression but those steps fall short of covering the anticipated hourly rate to retain a Lead Food Service part-time employee. It is recommended that Section III be retitled 'Swimming Pool Manager / Lead Food Service' and that three additional steps be added, starting with a new Step 6. Each step should increase the hourly rate of the previous step by 25 cents an hour. The 2021 budget impact is approximately \$2,800.

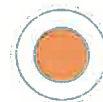
Longevity: Council eliminated longevity benefits for non-union workers hired after 2004. Their union counterparts have, by negotiated contract, continued to collect it. Additionally, many years ago, longevity benefits for salaried employees were eliminated after a changeover to ranges. A short-lived "bonus" structure was also implemented but was later rescinded.

Over time, that has created a two-fold problem in the pay plan. First, hourly employees in non-union departments with equivalent job titles and responsibilities as union department workers are working for less overall pay. Second, as more seasoned salaried employees have reached the top of their ranges, there are more examples of hourly employees beneath them earning nearly as much or equal to their salaries because of the longevity pay disparity. In some cases, that problem has been exacerbated by the fact that hourly employees earn overtime and salaried employees do not.

In an effort to restore equity but also recognize that salaried employees have ranges of pay and not set hourly rates, it is recommended that longevity be offered to all employees, regardless of union or non-union status. Specifically, non-union hourly rates should receive the same benefit as their union counterparts, or 2% for each 5 years of recognized City service with no cap. Furthermore, it is recommended that salaried employees receive a greatly reduced benefit than hourly workers, or 2% for each 10 years of recognized City service, with a cap of 4% upon 20 years or more of recognized service.

Providing a very small longevity benefit to salaried employees should assist with the recruitment of new executive talent, which has become more difficult over time, as evidenced by recent recruitment efforts. In the absence of providing this benefit, a compensation comparison with other central and southwestern Ohio municipalities of our size could be completed. Given our economic climate, that is a much less desirable option, as it may lead to wholesale adjustments in most if not all of the 9 management ranges. The 2021 budget impact is approximately \$64,000 across 8 funds and is a one-time base adjustment. For example, an employee making \$50,000 with 2% longevity would be adjusted to \$51,000 annualized for 2021. In subsequent years, that salary would only be adjusted by COLA until their five or ten year anniversary date. This would not be retroactive to January 1st but would start upon the effective date of the legislation.

Sick Leave due to COVID-19: All full-time employees earn 15 days per year for use to care for their own sickness, illnesses of certain relatives, non-work related injuries, surgeries, etc. Unlike many other communities, Troy has no cap on the number of hours an employee can accumulate over his or her career. Troy also has one of the most generous retirement provisions in the region, allowing a retiring



employee to cash out 6 months of accumulated sick leave time at full pay plus another 6 months of accumulated sick leave time at a rate of \$2.75 per hour. Due to that generous benefit, and similar to many communities in the Miami Valley, the City of Troy did not provide any full-time employee with additional COVID-19 leave above their regular annual sick leave accumulation.

Since March of 2020, 42 full-time employees have been tested and confirmed positive for COVID. In total, they have used 2,542 sick leave hours to convalesce. It is hoped that the peak of the pandemic has passed and some semblance of normalcy will return soon. With that in mind, and despite the generous sick time provisions offered to full-time employees, it is recommended that Council pass legislation authorizing up to 80 hours of sick leave hours be restored to eligible employee balances. Note that an employee would only be eligible if the employee contracted COVID through the end of 2021 and presents a confirmed and documented positive test. The 2021 budget impact would be negligible as only those employees who would retire this year would incur an actual expense. The remaining employees would simply have their sick time balances restored for future disability, injury or sick occurrences.

OTHER ITEMS TO NOTE (but requiring no action at this time)

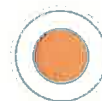
Police Cadet Program: Staff has been researching various ideas to create a recruitment program to improve interest and participation in the entry level testing and certification to become a Troy Police Officer. One idea that is currently in development is creating a Police Cadet position, at a much lower level than Police Officer, which would pay for some or all of the salary of an academy student through to graduation. While the specifics are still being finalized, City Council may see a future recommendation to create the program and, by necessity, a new position.

Account Supervisor: With the retirement of the incumbent at the end of March, the Fiscal Manager has recommended that the position remain vacant and, instead, a second Account Analyst be hired. This will result in an annual savings of approximately \$25,000 but will not degrade service to utility billing customers.

REQUESTED ACTION

The above changes are recommended as discussed. Please note that they may require separate pieces of legislation depending upon the Law Director's review and advice.

cc:
Mayor Robin Oda
John Frigge, Auditor
Grant Kerber, Law Director



**RECREATION &
PARKS COMMITTEE**



REP

MEMORANDUM

TO: Mr. Lutz, President of Council
FROM: Patrick E. J. Titterington
DATE: March 19, 2021
SUBJECT: TREASURE ISLAND USE AGREEMENT

RECOMMENDATION:

That Council authorizes the Director of Public Service and Safety to enter into non-ticketed use agreements for concerts at Treasure Island Park on June 25 and August 7, 2021 as both concerts are planned to include the sale and controlled consumption of adult beverages during a specific time period

BACKGROUND:

Three non-ticketed events are currently being scheduled for Treasure Island Park for the summer of 2021:

- June 25 Concert sponsored by the City; band will be American Kings
- July 4 Concert tentatively scheduled
- August 7 Concert sponsored by the City; band will be Motown Sounds of Touch

The concert dates have been reviewed and approved by both the Recreation Board and Board of Park Commissioners. The sale/consumption of adult beverages at any of the concerts requires Council authorizing the Director of Public Service and Safety to execute Treasure Island Non-Ticketed Use Agreements. Use Agreements have been recommended by the Recreation Board. At the time of the Park Board review, it was discussed that the June 25 concert may not include alcohol sales as that date was then part of the GOBA event, so the Board's recommendation did not include that date. However, many of the plans associated with GOBA have now changed, and the current organizers of that event have no concerns with a concert including the sale/consumption of adult beverages.

There are no plans for the July 4 concert to include the sale/consumption of adult beverages.

REQUESTED ACTION:

It would be appreciated if you would assign to a Committee of Council authorizing the Director of Public Service and Safety to execute the Treasure Island Non-Ticketed Use Agreements for June 25 and August 7 concert dates. That for June 25 would be subject to the review of the Board of Park Commissioners at their next meeting.

cc: Ken Siler
Jeremy Drake

SAFETY & HEALTH COMMITTEE




S & H

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

MEMORANDUM

TO: Mr. Lutz, President of Council

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

DATE: March 18, 2021

SUBJECT: APPROVING THE AMENDED BYLAWS OF THE MIAMI VALLEY RISK MANAGEMENT ASSOCIATION

RECOMMENDATION:

That Council approves some routine Bylaw amendments of the Miami Valley Risk Management Association (MVRMA) and authorizes the Director of Public Service and Safety to execute any related documents.

BACKGROUND:

MVRMA is a consortium of municipalities located in southwest Ohio which, beginning in 1988, formed an association under Section 2744.081 of the Ohio Revised code (ORC) to act collectively in addressing its members' risk management and risk financing needs. MVRMA provides a combination of self-insurance and commercial insurance/reinsurance for its members' property/casualty exposures; administers a claims/litigation management program; provides extensive safety/loss control consulting and training; and acts as a clearing house for risk related information for its members. Troy has been a member of MVRMA since early 1989. Over the years, MVRMA has selectively grown from an initial six members (Troy being the seventh) to twenty-one member communities.

Council approved the initial MVRMA Bylaws and subsequent amendments. Amendments require a recommendation by at least two-thirds of the Board of Trustees and an approving resolution approved by the governing bodies of at least two-thirds of the members. The MVRMA Board of Trustees recently recommended some amendments to the Bylaws. A summary of the recommended changes is attached.

RECOMMENDATION:

It would be appreciated if you would assign to a committee of Council consideration of approving the Bylaws of the Miami Valley Risk Management Association and authorizing the Director of Public Service and Safety to execute any related documents.

encl.





MEMORANDUM

January 5, 2021

TO: Board of Trustees
FROM: Thomas Judy, Executive Director
SUBJECT: Member Approval of Amended Agreement and Bylaws

Submitted with this memo is the Amended Agreement and Bylaws of the Miami Valley Risk Management Association for approval by the governing bodies of the members of the Association.

The MVRMA Agreement and Bylaws was executed by each member city upon admission to the Association and represents the contract between the pool and its members.

The Agreement and Bylaws was adopted effective December 1, 1988, upon the formation of the pool and has been amended five times subsequently, most recently in 2002. Amendments require a recommendation by at least 2/3 of the Board of Trustees and an approving resolution approved by the governing bodies of at least 2/3 of the members.

An ad hoc committee appointed by the President recently undertook a thorough review of the Agreement and Bylaws. The committee, consisting of Bill Kucera of Beavercreek, Emily Christian of Miamisburg, Ginger Adams of Sidney and John Green of Tipp City, recommended various revisions to the document. The Board of Trustees recommended the amended document for approval at its December 21, 2020 meeting.

The recommendations fall into three categories: 1) improvements in wording including grammatical changes, 2) clarifications of the document's intent, and 3) a few other changes of only moderate substance that generally reflect the evolution of the pool. The recommended changes are summarized on the following pages, excluding minor wording or grammatical improvements:

MVRMA Amended Agreement and Bylaws – Summary of Recommend Changes – December 2020


	Article / Page	Current	Proposed	Comments
1	Article II (p. 1:11:7)	Pool Contribution Formula (PCF) is “set forth in Appendix B.”	PCF to be “determined by the Board.”	Gives the Board flexibility to change the formula. Per Article V(i)(6), such changes require a 2/3 majority of the Board.
2	Article IV(a) (p. 1:11:9)	Members may extend the term of the Association for terms beyond the initial year of operation.	Added that the adoption of the annual budget constitutes extension of the Association term for the upcoming year.	Provides a mechanism to extend the term of the Association. Current Bylaws provide no such mechanism.
3	Article IV(b) (p. 1:11:10)	Article IV(b) authorizes distribution of “surplus operating funds” to withdrawn members. However, per Article VIII(f), withdrawn members may not participate in distribution of surplus claims funds.	Added reference in Article IV(b) to Article VIII(f).	The reference in Article IV to Article VIII links to two sections to make it clearer to the reader that, although a withdrawn member may receive a distribution of surplus operating funds, they do not participate in refunds of surplus claims funds
4	Article V(b) & Article VII (p. 1:11:11 & p. 1:11:16)	In the absence of the Executive Director, the President of the Board of Trustees serves as the CEO.	Added authority for the Board to appoint an Interim CEO in lieu of the President.	Gives the Board the flexibility to appoint another individual in the event the President cannot, or does not wish to, serve as CEO.
5	Article V(c)(5) (p.1:11:12)	Duties of the Board include “ Recommending the acceptance of new members.”	Changed to “ Approving the acceptance of new members.”	Clarifies that no further approval beyond the Board of Trustees is necessary to admit a new member.
6	Article V(c)(11) & Article V(i)(6) (p. 1:11:12 & p.1:11:14)		Grants Board the authority to approve the Pool Contribution Formula (PCF) and changes thereto.	See #1 above
7	Article VII (p. 1:11:18)	Association may purchase fidelity bonds for the officers, employees, committee members, etc.	Added authority to use “equivalent insurance policy” in lieu of bonds.	Gives the option to purchase a crime policy in lieu of bonds.

	Article / Page	Current	Proposed	Comments
8	Article VIII(f) (p. 1:11:21)	Trustees may distribute surplus funds after all claims have been paid or provided for.	Added clarifying language.	
9	Article VIII(h) (p. 1:11:21)	All contractors, including attorneys, shall provide a semiannual reporting of the status of their work.	Deleted	This requirement is not necessary. Other reporting mechanisms are in place.
10	Article VIII (p. 1:11:22)	The Board shall contract with someone to prepare an analysis of the investment program	Deleted	Committee believed this to be unnecessary due to Finance Committee oversight of the investment program in accordance with the Cash & Investment Policy.
11	Article X (p. 1:11:24)	The members' deductible is the first \$2,500 of any claim.	The Board may establish the amount of the members' deductibles.	Provides flexibility to the Board to revise the deductible as circumstances warrant.

**STREETS &
SIDEWALKS
COMMITTEE**

MEMORANDUM

TO: Mr. Lutz, President of Council

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

DATE: March 18, 2021

SUBJECT: **BIDDING AUTHORIZATION – 2021 SIDEWALK REPAIR PROGRAM (PHASE 13) AND UNDEVELOPED PROPERTIES IN PLEASANT VIEW ESTATES**

RECOMMENDATION:

That Council authorizes the Director of Public Service and Safety to advertise for bids and enter into a contract for the 2021 Sidewalk Repair Program (Phase 13) at a total cost not to exceed \$325,000.

BACKGROUND:

Following Council's approval of the Resolution of Necessity regarding the repair/replacement of sidewalks in Phase 13 of the Sidewalk Repair Program, property owners received notice that the City would contract for the permits not obtained by February 27, 2021. Of the 124 parcels in Phase 13, the owners of 107 parcels did not obtain permits. Phase 13 has been identified as the areas along Scott Street from Oak Street to Morehead Street; Martin Street from Race Drive to Williams Street; Long Street from Race Drive to Ellis Street; Oak Street from 210 to 279; Counts Street from 215 to 311; Frank Street from 216 to 233; Williams Street from 216 to 422; Ellis Street from 215 to 333; Ellis Street west side only from 402 to 428. As a part of the 2021 Sidewalk Replacement Program, new sidewalks will be installed at the undeveloped properties in Pleasant View Estates along Dickerson Drive and Old Nursery Trail. The project also includes replacing/establishing handicap ramps at intersections within the Phase 13 area.

The City Engineer estimates that the current work to be performed under the City's contract will not exceed \$325,000. A total of \$325,000 was included in the 2021 Budget for the Capital Improvement Fund (Fund 441).

PROCEDURE FOR SIDEWALK PROGRAM:

Following the bidding/contracting/completion of the sidewalk repair program, property owners may pay the City for their share of the project. For those that do not make payment, the work will be assessed to the taxes as necessary to be paid over a five-year period.

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 2021 Sidewalk Repair Program Phase 13 at a total cost not to exceed \$325,000.

