

MINUTES OF COUNCIL

A regular session of Troy City Council was held Tuesday, January 2, 2018, at 7:00 p.m. in Council Chambers.

Members Present: Heath, Kendall, Lutz, Oda, Phillips, Schweser, Severt, Terwilliger and Twiss.

Presiding Officer: Martha A. Baker President of Council

Others Present: Patrick E. J. Titterington Director of Public Service and Safety
Grant D. Kerber Director of Law
John E. Frigge Auditor

INVOCATION: An invocation was given by Council Member Heath, followed by the Pledge of Allegiance.

ORDINANCE NO. O-1-2018

ORDINANCE EMPLOYING CLERK OF COUNCIL AND FIXING COMPENSATION

This Ordinance was given first title reading.

Mr. Kendall moved for suspension of rules requiring three readings. Motion seconded by Mr. Schweser.

Yes: Kendall, Lutz, Oda, Phillips, Schweser, Severt, Terwilliger, Twiss and Heath.

No: None.

Mr. Kendall moved for adoption. Motion seconded by Mr. Tremblay.

Yes: Lutz, Oda, Phillips, Schweser, Severt, Terwilliger, Twiss, Heath and Kendall.

No: None.

ORDINANCE ADOPTED

The Oath of Office was administered to the Clerk.

ELECTION OF PRESIDENT OF COUNCIL PRO TEM. A motion was made by Mr. Terwilliger, seconded by Mr. Heath, to elect Mr. Kendall as President of Council Pro Tem. Motion approved by unanimous roll call vote. Mr. Kendall elected President of Council Pro Tem.

ELECTION OF CLERK OF COUNCIL PRO TEM. A motion was made by Mr. Schweser, seconded by Mr. Severt, to elect Mr. Phillips as Clerk of Council Pro Tem. Motion approved by unanimous roll call vote. Mr. Phillips elected Clerk of Council Pro Tem.

MINUTES: The Clerk gave a summary of the minutes of the December 18, 2017 meeting of Troy City Council. There were no corrections or additions to these minutes. A motion was made by Mr. Kendall, seconded by Mr. Twiss, to approve these minutes. Motion passed by unanimous roll call vote.

COMMITTEE REPORTS:

Community & Economic Development Committee:

Mr. Twiss, Chairman, reported as follows:

- 1) Committee recommends legislation be prepared accepting the final plat of Section 4 the Fox Harbor Subdivision, as presented, including the dedication of right-of-way.
- 2) Committee recommends that legislation be prepared accepting the Final Record Plan of the Kettering Health Network (KHN) Commercial Planned Development. Committee also supports the applicant's request for emergency legislation to assist KHN with their construction schedule and to promote prompt and significant economic development.

Reports signed by Kendall, Schweser and Twiss.

Utilities Committee: Mr. Terwilliger reported regarding electric generation for City facilities, that Committee recommends legislation be prepared to:

- Authorize the Miami Valley Communications Council (MVCC) and its consultant to continue to act as procuring agents for the City of Troy to identify a competitive retail electric provider for electric generation and transmission supplier services for City facilities.
- Authorize the Director of Public Service and Safety to execute an amendment to the agreement for electric generation and transmission supply services that will extend the agreement to May 31, 2021.

As the agreement amendment must be executed by January 26, Committee supports emergency legislation. Report signed by Terwilliger and Twiss.

AUDIENCE COMMENTS: None.

RESOLUTION NO. R-1-2018

RESOLUTION AUTHORIZING THE SALE DURING CALENDAR YEAR 2018 OF MUNICIALLY-OWNED PERSONAL PROPERTY WHICH IS NOT NEEDED FOR PUBLIC USE, OR WHICH IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED, BY INTERNET AUCTION PURSUANT TO OHIO REVISED CODE SECTION 721.15 (D)

This Resolution was given first title reading.

Mr. Twiss moved for suspension of rules requiring three readings. Motion seconded by Mr. Phillips.

Yes: Severt, Terwilliger, Twiss, Heath, Kendall, Lutz, Oda, Phillips and Schweser.

No: None.

Mr. Schweser moved for adoption. Motion seconded by Mr. Kendall.

Yes: Terwilliger, Twiss, Heath, Kendall, Lutz, Oda, Phillips, Schweser and Severt.

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-2-2018

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO, TO ENTER INTO A GENERATION SUPPLY AGREEMENT AMENDMENT FOR ELECTRIC GENERATION SUPPLY FOR CITY FACILITIES AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

Mrs. Oda moved for suspension of rules requiring three readings. Motion seconded by Mr. Heath.

Yes: Twiss, Heath, Kendall, Lutz, Oda, Phillips, Schweser, Severt and Terwilliger.

No: None.

Mr. Schweser moved for adoption. Motion seconded by Mr. Twiss.

Yes: Heath, Kendall, Lutz, Oda, Phillips, Schweser, Severt, Terwilliger and Twiss.

No: None.

RESOLUTION ADOPTED

ORDINANCE NO. O-2-2018

ORDINANCE ACCEPTING THE FINAL PLAT OF THE FOX HARBOR SUBDIVISION SECTION 4 IN THE CITY OF TROY, OHIO AND DEDICATING RIGHT-OF-WAY

This Ordinance was given first title reading.

Mr. Kendall moved for suspension of rules requiring three readings. Motion seconded by Mr. Phillips.

Yes: Kendall, Lutz, Oda, Phillips, Schweser, Severt, Terwilliger, Twiss and Heath.

No: None.

Mr. Phillips moved for adoption. Motion seconded by Mr. Severt.

Yes: Lutz, Oda, Phillips, Schweser, Severt, Terwilliger, Twiss, Heath and Kendall.

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-3-2018

ORDINANCE TO ACCEPT THE APPLICATION FOR THE ANNEXATION OF CERTAIN TERRITORY CONTAINING 33.3712 ACRES, MORE OR LESS, IN CONCORD TOWNSHIP, TO THE CITY OF TROY, OHIO

This Ordinance was given first title reading.

Mr. Phillips moved for suspension of rules requiring three readings. Motion seconded by Mr. Twiss.

Yes: Oda, Phillips, Schweser, Severt, Terwilliger, Twiss, Heath, Kendall and Lutz.

No: None.

Mr. Phillips moved for adoption. Motion seconded by Mr. Kendall.

Yes: Phillips, Schweser, Severt, Terwilliger, Twiss, Heath, Kendall, Lutz and Oda.

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-4-2018

ORDINANCE ACCEPTING THE FINAL RECORD PLAN OF THE KETTERING HEALTH NETWORK COMMERCIAL PLANNED DEVELOPMENT AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

Mrs. Oda moved for suspension of rules requiring three readings. Motion seconded by Mr. Kendall.

Yes: Schweser, Severt, Terwilliger, Twiss, Heath, Kendall, Lutz, Oda and Phillips.

No: None.

Mr. Schweser moved for adoption. Motion seconded by Mr. Phillips.

Yes: Severt, Terwilliger, Twiss, Heath, Kendall, Lutz, Oda, Phillips and Schweser.

No: None.

ORDINANCE ADOPTED

COMMENTS OF THE CLERK: The Clerk noted that Mayor Beamish had provided his 2017 Annual Report and copies had been distributed. (Copy of report attached to original minutes.)

COMMENTS OF THE DIRECTOR OF PUBLIC SERVICE AND SAFETY: Mr. Titterington noted:

-City Offices are closed January 15 for the Dr. Martin Luther King, Jr. Holiday. Refuse collection and recycling will not be delayed.

-Leaf collection is still continuing.

-Collection of non-artificial Christmas Trees will be done during January.

-Regarding a recent Letter to Editor about City utility rates, including a statement that the rates increased for 2018, to clarify, the rates the City charges the County and paid by County residents are higher than paid by City residents; however, based on a survey of 66 surrounding communities, Troy residents pay rates that are below the average of the surveyed communities. It was also clarified that water and sewer rates for Troy residents are not increasing for 2018.

COMMENTS OF MEMBERS OF COUNCIL:

-Mr. Schweser provided a reminder regarding the January 15 celebration of the life and teachings of Dr. Martin Luther King, Jr., which will include a walk, a celebration service at the First United Methodist Church at 10:00 am, and a lunch after the service.

-In response to Mr. Phillips it was stated that the City did collect additional residential refuse that may have resulted from the Christmas Holiday.

-In response to Mr. Phillips it was stated that to respond to a snow event the past weekend, the City did plow primary and secondary roads and salted those roads, but did not plow or treat the local roads.

There being no further business, Council adjourned at 7:24 p.m.

Clerk of Council

President of Council