

MINUTES OF COUNCIL

A regular session of Troy City Council was held Monday, March 20, 2017, at 7:00 p.m. in Council Chambers.

Members Present: Heath, Oda, Phillips, Snee, Terwilliger, Tremblay and Twiss.

Upon motion of Mr. Tremblay, seconded by Mr. Twiss, Mr. Kendall was excused from this meeting by unanimous roll call vote.

Upon motion of Mrs. Snee, seconded by Mr. Terwilliger, Mr. Schweser was excused from this meeting by unanimous roll call vote.

Presiding Officer: Martha A. Baker President of Council

Others Present: Michael L. Beamish Mayor
Patrick E. J. Titterington Director of Public Service and Safety
Grant D. Kerber Director of Law

INVOCATION: An invocation was given by Mrs. Snee, followed by the Pledge of Allegiance.

PUBLIC HEARING: At 7:02 p.m., Mrs. Baker declared open a public hearing on Ordinance No. O-8-2017, amending the Zoning Code to prohibit cultivators or processors of medical marijuana. There were no comments in this regard, and at 7:03 p.m., Mrs. Baker declared this public hearing closed.

At 7:03 p.m., Mrs. Baker declared open a public hearing on Ordinance No. O-9-2017, amending the Zoning Code to permit one retail dispensary of medical marijuana and only within the B-4 Zoning District.

Supporting the Ordinance:

-Amy Shannon, 1560 Windridge Place, Apt. D, showed Council the prescriptions that she took two years ago; said that a salve she is using that is a version of medical marijuana has helped her; commented that sometimes people have medical symptoms that would not permit them to drive to another community to obtain medical marijuana; she does not understand the fear about this subject; she questions how it is moral and ethical and right for someone to tell her she cannot access in her home town a medication prescribed to help her; and she asked Council to approve a dispensary in Troy for access to the medication.

-Chris (no last name given), 534 ½ S. Walnut Street, discussed how he has dealt with Hepatitis C for over 20 year; commented that the medications prescribed have side effects, and he has had to buy marijuana off the street to lessen the effects of his illness. He commented that if Narcan can be administered to a heroin addict, medical marijuana can also be used to sustain a life in a positive way.

-Lester Conard, 1210 S. Clay Street, commented that he supports medical marijuana as it will allow someone to live a normal live without pain and suffering,

Opposing the Ordinance:

-Christina Ryan Claypool, 2515 Huntington Drive, stated her sympathy with people struggling with illnesses and personally understands being addicted to marijuana. She also commented that this is a complicated issue; from her research and working with a prison pre-release program, marijuana is considered a gateway drug; and what becomes allowed for someone needing medical marijuana can then become an illegal item for others. She stated that she believes allowing medical marijuana can change the complexion of a community.

There being no further comments, at 7:20 p.m. Mrs. Baker declared this public hearing closed.

Mrs. Baker commented that the Law & Ordinance Committee will meet to provide a recommendation on this subject at 5:30 p.m. on March 28.

MINUTES: The Clerk gave a summary of the minutes of the March 6, 2017 meeting of Troy City Council. There were no corrections or additions to these minutes. A motion was made by Mr. Heath, seconded by Mr. Twiss, to approve these minutes. Motion passed by unanimous roll call vote.

COMMITTEE REPORTS

Finance Committee: Mr. Tremblay reported that Committee recommends legislation be prepared authorizing the Director of Public Service and Safety of the City of Troy, Ohio to enter into the PY 2017 Chip Program Partnership Agreement by and between the Miami County Board of Commissioners, the City of Piqua, Ohio, the City of Tipp City, Ohio, and the City of Troy, Ohio, for the Ohio Development Services Administration (ODSA) Community Housing Impact and Preservation (CHIP) Program. This will permit the grant funds to be expended on qualifying Troy properties. As the County must conduct public hearings and then finalize grant agreements by May 5, Committee supports emergency legislation so that the County will know that Troy will be included in the program.

Report signed by Tremblay.

Discussion. In response to Mr. Twiss asked it was stated that the grant funds would be available to use on properties within the partner communities.

Law & Ordinance Committee: Mrs. Snee reported that Committee recommends that the legislation prepared to approve that the Neal Farms Inc. (aka Moore Farms LLC, Neal Brothers Inc., and Martin Neal) continue to have 105 acres of ground located on Experiment Farm Road placed in an Agricultural District be approved. Report signed by Phillips and Snee.

CITIZEN COMMENTS:

-Jeff Shilling, 591 Chartwell Court, stated his concerns regarding the Complete Streets Policy. He commented concern about bikes sharing the roadway safely on West Main due to the volume of traffic. Mr. Shilling suggested that the City funnel bikes away from West Main Street and other congested streets so they can access bike paths; suggested bike riding be allowed on sidewalks in certain locations as that would be safer than heavily traveled streets and those with higher speed limits; stated concern if driving lanes would be lost for bicycles only; and noted some areas, such as the McKaig Road Bridge, where visibility is limited and shared lanes could be dangerous. Mr. Shilling stated his interest in encouraging cycling, and hopes that can be done safely and to not further complicate traffic.

-Lester Conard, 1210 S. Clay Street, commented that he believes there is a bigger problem with drivers texting and on phones that will not see someone on a bicycle.

RESOLUTION NO. R-21-2017

RESOLUTION ADOPTING THE CITY OF TROY, OHIO COMPLETE STREETS POLICY AS PART OF THE CITY OF TROY COMPREHENSIVE PLAN

This Resolution was given first title reading on March 6, 2017.
Given second title reading.

Discussion. Mrs. Oda asked about those who visited Columbus to view how Complete Streets works in that City. Mr. Titterington advised that members of staff did visit Columbus and met with officials, and participated in a bike ride. Mrs. Oda asked if there are communities comparable to Troy that have adopted a Complete Streets Policy, and was advised that a list will be provided.

RESOLUTION NO. R-22-2017

RESOLUTION APPROVING APPLICATION OF NEAL FARMS, INC. (AKA NEAL BROTHERS INC., NEAL MOORE FARMS LLC, AND MARTIN NEAL) TO RETAIN LAND IN AN AGRICULTURAL DISTRICT

This Resolution was given first title reading on March 6, 2017.
Given second title reading.

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

Yes: Tremblay, Terwilliger, Phillips, Heath, Twiss, Oda and Snee.

No: None.

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

Yes: Terwilliger, Phillips, Heath, Twiss, Oda, Snee and Tremblay.

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-23-2017

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO THE PY 2017 CHIP PROGRAM PARTNERSHIP AGREEMENT BY AND BETWEEN THE MIAMI COUNTY BOARD OF COMMISSIONERS, THE CITY OF PIQUA, OHIO, AND THE CITY OF TIPP CITY, OHIO AND THE CITY OF TROY, OHIO FOR THE OHIO DEVELOPMENT SERVICES ADMINISTRATION (ODSA) COMMUNITY HOUSING IMPACT AND PRESERVATION (CHIP) PROGRAM

This Resolution was given first title reading.

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

Yes: Phillips, Heath, Twiss, Oda, Snee, Tremblay and Terwilliger.

No: None.

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

Yes: Heath, Twiss, Oda, Snee, Tremblay, Terwilliger and Phillips.

No: None.

RESOLUTION ADOPTED

ORDINANCE NO. O-8-2017

AN ORDINANCE ENACTING SECTION 1149.13 OF THE ZONING CODE OF THE CITY OF TROY, OHIO, RELATED TO CULTIVATORS AND PROCESSORS OF MEDICAL MARIJUANA WITHIN THE CITY OF TROY, OHIO

This Ordinance was given first title reading on March 6, 2017.
Given public hearing and second title reading.

ORDINANCE NO. O-9-2017

AN ORDINANCE AMENDING SECTION 1143.16 OF THE ZONING CODE OF THE CITY OF TROY, OHIO AND ENACTING SECTION 1149.14 OF THE ZONING CODE OF THE CITY OF TROY, OHIO, RELATED TO RETAIL DISPENSARIES OF MEDICAL MARIJUANA WITHIN THE CITY OF TROY, OHIO

This Ordinance was given first title reading on March 6, 2017.
Given public hearing and second title reading.

COMMENTS OF THE MAYOR: Mayor Beamish commented:

- Thanked Grant Kerber and Tim Davis for being advisors to the Youth Council and participating in an exercise for the group to list what they see as concerns for Troy and positives for Troy.
- Noted that a number of veterans and others were in town on March 18 to participate in the first phase of the Warrior 150 Challenge, which is series of walks scheduled to take place during this year to recognize the 150th Anniversary of the VA.

COMMENTS OF COUNCIL MEMBERS:

- Mrs. Oda asked if there will be a public open house at the Hobart Arena. Mr. Titterington commented that an open house is being planned by the Recreation Board and staff with the date to be determined. He also noted that the Hobart Arena renovation project is complete except for some final punch list items.

There being no further business, Council adjourned at 7:49 p.m.

Clerk of Council

President of Council