

MINUTES OF COUNCIL

A regular session of Troy City Council was held Monday, April 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: Michael L. Beamish Mayor
Patrick E. J. Titterington Director of Public Service and Safety
John E. Frigge Auditor
Katie Wahl Assistant Director of Law

INVOCATION & PLEDGE OF ALLEGIANCE. An invocation was given by Mr. Schweser, followed by the Pledge of Allegiance.

MINUTES: The Clerk gave a summary of the minutes of the March 19, 2018, meeting of Troy City Council. There were no corrections or additions to these minutes. A motion was made by Mr. Kendall, seconded by Mr. Heath, to approve these minutes. Motion passed by unanimous roll call vote.

COMMITTEE REPORTS:

Community & Economic Development Committee: Mr. Twiss, Chairman, reported that Committee recommends legislation be prepared to approve Sections Six and Seven of the Stonebridge Meadows Planned Development, including the dedication of right-of-way.

Report signed by Kendall, Schweser and Twiss.

Finance Committee: Mr. Kendall, Chairman, reported that Committee recommends that the recommendation of the Loan Review Committee be accepted and that legislation be prepared to approve the Small Business Development Revolving Loan application of Slimline Surgical Devices dba Canyon Run Engineering Technologies, in the amount of \$77,099.40. Committee supports emergency legislation so that the loan can be processed and the business can order equipment and make building improvements.

Report signed by Schweser, Severt and Kendall.

Law & Ordinance Committee: Mr. Schweser, Chairman, reported that Committee recommends Ordinance No. O-13-2018 be approved, as recommended by the Troy Planning Commission, to clarify the factors to be considered and weighed by the Board of Zoning Appeals (BZA) when the BZA is making the determination of whether a "practical difficulty" exists, as defined by the Ohio Supreme Court, in hearing an appeal.

Report signed by Phillips, Severt and Schweser.

Oral Report. Mr. Schweser gave an oral report that the Division of Liquor Control has transmitted the notice of a new C2 application by NS Food Store LLC, dba BP Troy, 1590 W. Main Street.

AUDIENCE COMMENTS:

-Comments regarding Sections Six and Seven of the Stonebridge Meadows Subdivision:

Jill Hamer, 1116 Red Maple Drive, asked why the City would consider approving new sections when there are problems remaining with earlier sections with the overflow of the detention pond onto SR 718, runoff, and flooding related problems. She asked that the development be stopped until current issues are addressed, even though the City is holding escrow funds. Ms. Hamer asked for a copy of the Section Six and Seven plans, and Mr. Titterington said that would be provided.

Mr. Titterington replied that an escrow fund is not established for performance issues. He further commented: the City Engineer has identified interim fixes; Section One is one of the lower points of the development and each subsequent section is on higher ground; as the development is not complete, the final storm water management has not been installed; the City wants Sections Six and Seven completed so that the final infrastructure and the overall storm water system is installed; and delaying the development is delaying the stormwater management plan and the corrections.

Laurie Jackson, 2322 Larkspur Drive, commented that the development continues to have significant drainage issues; there is standing stagnant water in several areas; there is water in the farm field from the outflow pipe of the pond; and she sees this as non-compliance by the developer who has an expired business license.

Mickey Hamer, 1116 Red Maple Drive, commented that the grading of the development is not correct; there continues to be standing water; and he does not believe the developer will do what is required.

-Lester Conard, 1210 S. Clay Street, commented that he does not believe the City should spend money to improve the golf course clubhouse.

RESOLUTION NO. R-10-2018

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE MIAMI SHORES GOLF COURSE CLUBHOUSE RENOVATION PROJECT

This Resolution was given first title reading on March 19, 2018.
Given second title reading.

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

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

No: Oda.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-11-2018

RESOLUTION APPROVING THE APPLICATION OF SLIMLINE SURGICAL DEVICES DBA CANYON RUN ENGINEERING TECHNOLOGIES FOR ASSISANCE FROM THE SMALL BUSINESS DEVELOPMENT REVOLVING LOAN FUND AND DECLARING AN EMERGENCY

This Resolution was given first title reading

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

ORDINANCE NO. O-13-2018

ORDINANCE AMENDING SECTION 1137.08 (f) OF THE CODIFIED ORDINANCES OF THE CITY OF TROY, OHIO REGARDING THE BOARD OF ZONING APPEALS STANDARDS FOR VARIANCES

This Ordinance was given first title reading on March 5, 2018.
Given public hearing and second title reading on March 19, 2018.
Given third title reading.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-18-2018

ORDINANCE ACCEPTING THE FINAL PLAT OF STONEBRIDGE MEADOWS PLANNED DEVELOPMENT SECTIONS SIX AND SEVEN IN THE CITY OF TROY, OHIO, AND DEDICATING RIGHT OF WAY

This Ordinance was given first title reading.

ORDINANCE NO. O-19-2018

ORDINANCE AMENDING ORDINANCE NO. O-30-2017, APPROPRIATING FUNDS NECESSARY FOR THE VARIOUS DEPARTMENTS AND OFFICES OF THE CITY OF TROY, OHIO, FOR THE YEAR 2018

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

COMMENTS OF THE MAYOR: Mayor Beamish reported that he has appointed Jordan Emerick to the Board of Park Commissioners to fill the unexpired term of Levi Fox, who resigned his position

COMMENTS OF THE PRESIDENT OF COUNCIL: Mrs. Baker announced two events:

-April 8, 3:00 p.m., the Kettering Children's Choir will present a concert at the First United Methodist Church. This event is sponsored by the Mayors Concert Committee.

-April 11, 7:30, p.m., Meet the Candidate will be held at Troy Junior High School.

COMMENTS OF CITY COUNCIL:

-Mr. Terwilliger asked about a future meeting planned for the Sherwood Shopping Center area neighbors to discuss what may be planned for the area and asked for an explanation of Council's involvement with the MKSK Study regarding the Sherwood Area Study. In response, Mr. Titterington advised:

- o April 26 is a tentative date for the Sherwood meeting, with details to be provided later.
- o Council may be asked to approve a loan related to the purchase of the Sherwood Shopping Center; if the center is sold and to be developed as a Planned Development, Council would need to consider the PD zoning; and, based on the timing of the sale of the Sherwood Shopping Center, Council may be asked to consider extending the development moratorium.

-Mr. Severt commented regarding Stonebridge Meadows, that there should be a strong message sent to the developer that the City will be watching the development. Mr. Titterington responded that such conversation has taken place, and noted that the Planning Commission recommendation regarding Sections Six and Seven of the Stonebridge Meadows Development was not forwarded to Council until the City felt comfortable that the interim measures would be done as soon as ground conditions permit to alleviate the water situation until the development is fully built out and the stormwater infrastructure in place. He further stated that staff will be talking with the developer about the timing of the interim measures.

-Mr. Twiss commented that some of the temporary improvements for Stonebridge Meadows are to help move water so it is not stagnant.

-Mrs. Oda stated she did not feel she would want to buy a home in a subdivision until it is entirely built out to know if there will be problems.

-Mr. Heath thanked the Mayor for taking the time to attend a funeral of his family member.

COMMENTS OF AUDIENCE MEMBERS:

-Laurie Jackson, 2322 Larkspur Drive, regarding Sections Six and Seven of the Stonebridge Meadows Subdivision, commented that the developer no longer having a business license violates the ORC; she does not feel the home owners are well represented by the HOA and the HOA financials are not provided as they should be; and she does not believe the temporary fixes related to storm water will be done.

There being no further business, Council adjourned at 7:39 p.m.

Clerk of Council

President of Council