

MINUTES OF COUNCIL

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

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

Upon motion of Mr. Kendall, seconded by Mr. Heath, 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
John E. Frigge Auditor
Grant D. Kerber Director of Law

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

MINUTES: The Clerk gave a summary of the minutes of the April 16, 2018, meeting of Troy City Council. There were no corrections or additions to these minutes. A motion was made by Mr. Phillips, seconded by Mr. Twiss, to approve these minutes. Motion passed by unanimous roll call vote.

COMMITTEE REPORTS:

Finance Committee: Mr. Kendall, Chairman, reported as follows:

- 1) Committee met regarding loaning \$1,400,000 to the Community Improvement Corporation of Troy (CIC) regarding the Sherwood Shopping Center revitalization. The CIC would in turn loan those same funds to the proposed redevelopers of the shopping center, Sherwood of Troy, LLC, with the loans would be adequately secured. Committee recommends that legislation be prepared to authorize a loan to the Community Improvement Corporation of Troy in the amount of \$1,400,000; authorizing the Director of Public Service and Safety to execute documents related to the loans; and to extend the current 180 moratorium by an additional 180 days on the processing, issuance, and approval of new occupancy and zoning permits for certain uses and certain properties in the N. Market Street area. Extending the moratorium will assure that all the loan processes can take place prior to the moratorium expiring, and the moratorium can be lifted earlier if appropriate to do so. Committee supported emergency legislation to expedite the loan processing, and noted that a reappropriation may be needed to expend the loan amount from existing fund balances.
- 2) Committee recommends legislation be prepared authorizing the City to participate in the road salt bid of ODOT. As ODOT requires a commitment by May 18, emergency legislation is supported.

Reports signed by Kendall and Severt.

Law & Ordinance Committee: Mr. Phillips gave an oral report of receipt of notice from the Ohio Division of Liquor Control to transfer of the existing liquor permits held in the name of Jennifer Ann LeDoux (1st Fl & Patio, 116-118 W. Main Street) to the name of 116 W. Main Street LLC (Randall Kimmel) for the same address. The permit classifications are D1, D2, D3, and D3A.

AUDIENCE COMMENTS: None.

RESOLUTION NO. R-16-2018

RESOLUTION APPROVING A LOAN TO THE COMMUNITY IMPROVEMENT CORPORATION OF TROY, OHIO FOR THE REVITALIZATION OF SHERWOOD SHOPPING CENTER AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-17-2018

RESOLUTION AUTHORIZING PARTICIPATION IN THE ODOT WINTER CONTRACT (O18-19) FOR ROAD SALT 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. Twiss.

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

No: None.

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

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

No: None.

RESOLUTION 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 on April 2, 2018.

Given second title reading on April 16, 2018.

Given third title reading.

Discussion.

Mr. Heath commented that he believes positive action has taken place with the developer agreeing to make requested remedies when the land is drier, and he appreciates the citizens who spoke on the matter. Mrs. Oda suggested the Ordinance not be adopted at this meeting as she would prefer to see some of the remedies performed.

Mr. Phillips moved for adoption. Motion failed for lack of a second.

ORDINANCE NO. O-20-2018

AN ORDINANCE DECLARING A MORATORIUM FOR AN ADDITIONAL ONE HUNDRED AND EIGHTY (180) DAYS ON THE PROCESSING, ISSUANCE, AND APPROVAL OF NEW OCCUPANCY AND ZONING PERMITS FOR CERTAIN USES AND FOR CERTAIN PROPERTIES COMMERCIALY ZONED IN THE NORTH MARKET STREET AREA OF TROY, OHIO, AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-21-2018

ORDINANCE AMENDING ORDINANCE NO. O-30-2017, AS AMENDED BY ORDINANCE NO. O-19-2018, 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: Kendall, Heath, Phillips, Severt, Terwilliger, Lutz, Twiss and Oda.

No: None.

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

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

No: None.

ORDINANCE ADOPTED

COMMENTS OF THE MAYOR: Mayor Beamish noted that the City would be hosting the Leadership Troy on May 16.

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

-Regarding the use of road salt, the winter of 2017-18 was more costly in wages and materials than the winter of 2016-17. He noted that while the most recent winter had only two more weather events than the prior year, the events were more significant, with the recent winter 2.5 times more expensive (\$106,509 vs \$40,600), requiring the use of 1,000 tons of salt vs 400 tons, and requiring more staff time.

-The McKaig IV Improvement Project has been awarded, and there were several bids submitted. The project will commence this summer; however, all bidders noted that the roundabout construction could not be done during 2018, so that part of the project will be deferred until 2019.

-In June, after the Strawberry Festival, the City will be implementing a "road diet" along Market Street from Water Street to Simpson Street. The road diet will reallocate the driving surface with a single lane in each direction and a shared center left-turn lane. The traffic pattern around the Public Square will not be changed. Traffic lights at the entrances to the Square will be bagged and then removed, with mid-point island installed for pedestrian safety when crossing the street. The road diet for West Main will be deferred until 2022 when the West Main Street reconstruction project is anticipated.

COMMENTS OF THE PRESIDENT OF COUNCIL: Council President Baker noted that members of the Leadership Class were in the audience, and had them introduce themselves.

COMMENTS OF CITY COUNCIL:

-Mr. Terwilliger, on behalf of the Cycling Advocacy Committee, expressed appreciation to the Wade Westfall Foundation for purchasing a bicycle to be used by special needs students.

-Mr. Severt stated appreciation for Officer Scott Gates who took the time to mow the yard of a lady who is physically unable to do the mowing.

-Mr. Kendall advised that Troy, Ohio, and some sponsors (F&P America, Troy Noon Optimist Club, and Kettering Medical Center) were recognized in the annual report of Be the Match International for raising funds and bringing more recognition to being tested regard blood borne cancers.

COMMENTS OF AUDIENCE MEMBERS:

-Jack Carter, 995 N. Dorset Road, an attorney with an office on the Public Square, expressed concern as to what he sees as deterioration of the downtown due to noise with youth congregating downtown, racing motorcycles and cars, accosting people, using foul language, and he believes this is having a negative impact on the quality of life in the downtown and is concerned that the situation will acerbate if there are no controls.

In response, it was indicated that loitering prohibitions may not be the appropriate venue, while the city has a downtown webcam it does not have sound, sound can be difficult to monitor under the circumstances related, and the City will monitor the situation more closely. Mr. Phillips commented that it takes a victim to be able to prosecute these items, and a city may not necessarily be a victim.

-Lori Jackson, 2322 Larkspur Drive, regarding Stonebridge Meadows, asked that Council require a timeline for remedies the developer is to do and that repairing damaged pipes or reseeding be included in any agreement with the developer. Mr. Titterington stated restoration work will be included in the City's monitoring and done prior to the City releasing escrow funds.

-Lester Conard, 1210 S. Clay Street, asked if the City had received a refund from a year when salt prices were very high. Mr. Titterington concurred but noted that was some years ago.

There being no further business, Council adjourned 7:30 pm.

Clerk of Council

President of Council