

MINUTES OF COUNCIL

A regular session of Troy City Council was held Monday, May 20, 2019, 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: John E. Frigge Auditor
Grant D. Kerber Director of Law

INVOCATION & PLEDGE OF ALLEGIANCE: An invocation was given by Council President Baker, followed by the Pledge of Allegiance led by Boy Scout Collin Long of Troop 413.

PUBLIC INPUT ON ORDINANCE NO. O-12-2019:

-Bart Denlinger, President of 3 Gen D Development, the applicant, had provided Council with a packet regarding the proposed development plan; he stated he understands Mr. J. J. Frigge's concerns and is open to discussing the water drainage across Mr. Frigge's property, commenting that the detention area will be 144 feet from Mr. Frigge's front porch. Mr. Denlinger discussed the packet, noting it included a proposed preliminary plan; most of the lots exceed the minimum lot size; and there will be a barrier around the perimeter of the property proposed for rezoning.

-Mr. Phillips asked if the grading and design of the roads and a detention pond will help control the water sheeting across the Frigge property which is now uncontrolled, and Mr. Denlinger stated that is the case, that post construction the water would be captured and brought into a catch basin within the development, and then the water is released at a measured rate.

-In response to Mr. Severt, Mr. Denlinger stated that underground storm sewers will carry the water to the detention basin.

-In response to Mr. Heath, Mr. Denlinger confirmed that the downspouts of the house drain into the ground.

-Mr. Terwilliger asked about lots 46 and 47, and Mr. Denlinger indicated the storm water from those lots would not be captured as the slope has them naturally draining, and that storm water from those lots is not otherwise captured now.

-In response to Mr. Heath regarding retaining a tree line to the east, Mr. Denlinger stated that viable trees in the tree line will be retained, but there is a lot of honeysuckle and other growth within the tree line area that has no value and that will be cleared.

-In response to Mr. Severt regarding the possibility of the detention pond becoming full and overflowing, Mr. Denlinger stated he is not aware of local detention ponds overflowing based on design, but said that could perhaps happen if a drain was not maintained and became plugged with debris.

-In response to Mrs. Oda regarding how roads will align with Hillcrest Drive, Mr. Denlinger advised that the road is straight across from the former Robinson property, and ties in from Creekwood. Mr. Denlinger confirmed that it will be possible to drive from Swailes to Peters.

-Don Delcamp, 1641 Peters Road, former owner of the property, commented that the wooded area has a few oak and maple trees that are good, but the elm and ash trees need to be removed as they are diseased; when he sold the property he knew some of the neighbors might not like having closer neighbors; he believes the proposed development will be a nice neighborhood; and regarding wild life that could be impacted by development, he indicated there are a few deer and thought they may remain.

-Todd Denlinger, 1975 Conwood Drive, commented that several lots, that would be part of a development if the property is rezoned, are already spoken for and some by persons who do not now live in Troy.

-Janet Becht, 2731 Fairview Court, commented that she would like to be able to build in this development.

-J. J. Frigge, 1635 Peters Road, thanked those who have shown interest and visited the property; Mr. Denlinger highlighted his primary concern; he feels he has not received information as he has had no communication for over a year with Mr. Denlinger; and he has concerns as he is the primary land owner that may be impacted if this property is developed. Mr. Frigge further commented that based on his research, he does not understand how the direction of the water flow will be established; he is concerned with groundwater contamination due to chemicals that will be used to treat new lawns and how that contamination will be prevented; he is concerned with safety and security with 22 new homes; and he has not been given facts and answers to concerns and questions by Mr. Denlinger.

-Mrs. Baker asked the Assistant City Engineer to work with Mr. Denlinger to see that Mr. Frigge is provided the information he needs.

-Lester Conard, 1210 S. Clay Street, commented that Troy is growing and it is already hard to travel on the streets; Troy does not need more people; more people won't provide tax dollars; and Troy has no jobs for new residents.

The public input concluded at 7:31 p.m.

MINUTES: The Clerk gave a summary of the minutes of the May 6, 2019, meeting of Troy City Council. There were no corrections or additions to these minutes. Upon motion of Mr. Heath, seconded by Mr. Phillips, these minutes were approved by unanimous roll call vote.

COMMITTEE REPORTS:

Personnel Committee: Mr. Severt, Chairman, reported that Committee recommends Salary Ordinances be amended as follows:

1. Amend the Salary Ordinance for FLSA exempt employees (O-52-2018) to:
 - A. Establish a new position of Communications Coordinator at the MGT-1 range.
 - B. Establish a two-tier structure for the Management Analyst position at the MGT-1 and MGT-2 ranges.
2. Amend the Salary Ordinance for temporary and part-time positions (O-60-2018) add additional steps within the sections regarding seasonal and part-time positions, establish a new range for the position of Swimming Pool Manager, and add steps to the Intern position.

Detailed report was read by Mr. Severt, and a copy of the report is attached to the original minutes.

Report signed by Kendall, Twiss and Severt.

Discussion. It was commented that both the Management Analyst I and Management Analyst 2 positions would not be filled at the same time unless Council funded both at some time in the future.

Recreation and Parks Committee: Mr. Heath, Chairman, reported that Committee recommends legislation be prepared amending Codified Ordinance Sections 933.07 and 933.16 to provide for the Superintendent of Parks to consider requests for overnight camping only at Treasure Island Park and only for the months of April through October, with any approved applications limited to primitive or tent camping only.

Report signed by Oda, Terwilliger and Heath.

Discussion

-Mr. Schweser asked if the proposed legislation covered camping on the river, and it was stated it does not as the river is not under the jurisdiction of the City.

-Mr. Phillips asked if the Committee discussed including overnight camping for any other parks, with Mr. Heath replying that only Treasure Island Park is being included at this time based on the nature of that park and that it has been used for camping in the past, but that other parks could be considered in the future if there was a need to do so.

CITIZEN COMMENTS: None

RESOLUTIONS: None

ORDINANCE NO. O-12-2019

ORDINANCE CHANGING THE ZONING OF INLOT 10858 IN THE CITY OF TROY, OHIO FROM THE COUNTY ZONING DISTRICTS OF R-1AAA, ONE FAMILY RESIDENTIAL DISTRICT, AND A-1, DOMESTIC AGRICULTURE DISTRICT, TO THE CITY ZONING OF R-4, SINGLE-FAMILY RESIDENTIAL DISTRICT

This Ordinance was given first title reading on April 1, 2019.

Given Public Hearing and second title reading on April 15, 2019.

Given third title reading on May 6, 2019.

Given fourth title reading.

ORDINANCE NO. O-17-2019

AN ORDINANCE AMENDING SECTIONS 933.07 AND 933.16 OF THE CODIFIED ORDINANCES OF THE CITY OF TROY, OHIO

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-18-2019

ORDINANCE REPEALING ORDINANCE NO. O-60-2018 AND ESTABLISHING SALARIES OF CERTAIN EMPLOYEES OF 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. Severt.

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-19-2019

ORDINANCE AMENDING ORDINANCE NO. O-52-2018, FIXING SASLARIES AND WAGES OF CERTAIN EMPLOYEES OF 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. Schweser.

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

COMMENTS OF THE PRESIDENT OF COUNCIL:

Mrs. Baker noted that the Troy Aquatic Park will open May 25, and provided a reminder that Memorial Day Ceremonies will start at Noon on May 27 on the Adams Street Bridge, followed by a program at the Veterans Memorial Park.

COMMENTS OF MEMBERS OF COUNCIL:

-Mr. Terwilliger congratulated Troy Main Street on the announcement that the organization had been accredited.

-Mr. Heath congratulated Mr. Schilling on being elected as 6th Ward Council Member, Mrs. Oda on becoming the Mayor-elect, and Mr. Lutz on becoming the Council President-elect; he thanked staff for the assistance provided; stated it has been a pleasure to be a member of Council and he will continue to serve Troy after his term ends at year end.

There being no further business, Council adjourned at 7:54 p.m.

Clerk of Council

President of Council