

MINUTES OF COUNCIL

A regular session of Troy City Council was held Monday, June 5, 2017, at 7:00 p.m. in Council Chambers.

Members Present: Heath, Kendall, Oda, Phillips, Schweser, Snee, Terwilliger, Tremblay 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
Grant D. Kerber, Director of Law
John E. Frigge, Auditor

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

MINUTES: The Clerk gave a summary of the minutes of the May 15, 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 that legislation be prepared accepting the final plat of the Nottingham Subdivision, Section Ten, including the dedication of right-of-way.
2. Committee recommends legislation be prepared to establish a six-month moratorium on the processing, issuance, and approval of new occupancy and zoning permits for certain uses and certain properties in the N. Market Street area. The moratorium would impact 50 parcels in this area that are zoned B-1 or B-2. There are 166 principal permitted uses for those two zoning districts. The moratorium would be on 28 of those uses for which a new zoning or occupancy permit could not be issued during the period of the moratorium. During that moratorium, any existing business in the area covered by the moratorium would not be impacted and during the moratorium. A consultant will complete a strategic economic development reuse analysis for the area. Committee supports the legislation being presented as an emergency measure so that the study of this area can commence without delay.
Discussion. Mrs. Oda asked about a physician's office that is for sale and what would happen if it sold. Mr. Titterington commented that it would have to be looked at anyway based on it being vacant more than a year, he cannot say if the property is B-1 or B-2 zoned, but a professional office is not subject to the moratorium before Council.
3. Committee recommends that legislation be prepared to accept the annexation of 1.8557 acres from Concord Township – the Phlipot Annexation.
4. Committee recommends legislation be prepared accepting the final plat of the Stonebridge Meadows Planned Development Section Five.

Reports signed by Kendall, Schweser and Twiss.

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

1. Committee recommends legislation be prepared supporting the recommendation of the Loan Review Committee, authorizing the Director of Public Service and Safety to sign a Subordination Agreement with Greenville National Bank regarding the loan for the property located at 114-116 S. Market Street. The subordination would permit the owner to obtain a lower interest rate for a shorter repayment period. There would not be a negative impact to the City's loan position. Committee supports emergency legislation so that the private sector loan can be closed without delay.
2. Committee recommends legislation be prepared supporting the recommendation of the Loan Review Committee, approving the application of SK Mold & Tool, Inc. for \$94,400 from the Small Business Development Revolving Loan Fund. Loan proceeds would assist with the purchase and installation of new equipment. Two positions will be added to the Troy location. Committee supports emergency legislation so that the loan can be processed without delay to meet the customer timelines of the applicant.

Reports signed by Schweser, Tremblay and Kendall.

Law & Ordinance Committee: Mr. Schweser, Chairman, reported that Committee had met to review information related to two events planned for September 15-16, 2017: Tour De Donut, sponsored by Rocketship Sports – with an anticipated attendance of 3,000 for a bike ride and related events, and the Rock the Bike Music Festival, sponsored by Troy Main Street. The Tour De Donut event will require the closing of streets for race preparation and the race. The Rock the Bike Music Festival will require the closing of streets for an enclosed venue for the sale of alcohol during specific hours. Both events are to be cost neutral to the City of Troy. Committee recommends that legislation be prepared to:

1. Authorize the Director of Public Service and Safety to enter into an agreement with Rocketship Sports, Inc. related to the Tour De Donut event.
2. Authorize the Director of Public Service and Safety to enter into an agreement with Troy Main Street, Inc. related to the Rock the Bike Music Festival event.
3. Include the standard notwithstanding legislation for such events.

(Copy of entire report attached to original minutes.)

Report signed by Phillips, Snee and Schweser.

CITIZEN COMMENTS: None.

RESOLUTION NO. R-29-2017

RESOLUTION APPROVING THE APPLICATION OF SK MOLD & TOOL, INC. FOR ASSISTANCE FROM THE SMALL BUSINESS DEVELOPMENT REVOLVING LOAN FUND AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

ORDINANCE NO. O-13-2017

ORDINANCE ACCEPTING THE FINAL PLAT OF NOTTINGHAM SUBDIVISION SECTION TEN AND DEDICATING A RIGHT-OF-WAY

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-14-2017

ORDINANCE ACCEPTING THE FINAL PLAT OF STONEBRIDGE MEADOWS PLANNED DEVELOPMENT SECTION FIVE IN THE CITY OF TROY, OHIO AND DEDICATING A RIGHT-OF-WAY

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-15-2017

ORDINANCE AUTHORIZING THE USE OF PUBLIC AREAS FOR THE 2017 TOUR DE DONUT EVENT, NOTWITHSTANDING CONFLICTING PROVISIONS OF THE TROY CODIFIED ORDINANCES, AND AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO AN AGREEMENT WITH ROCKETSHIP SPORTS, INC. THEREFOR

This Ordinance was given first title reading.

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

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

No: None.

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

Yes: Snee, Phillips, Oda, Heath, Terwilliger, Kendall, Tremblay and Schweser.

No: Twiss.

ORDINANCE ADOPTED

ORDINANCE NO. O-16-2017

ORDINANCE AUTHORIZING THE USE OF PUBLIC AREAS FOR THE 2017 ROCK THE BIKE MUSIC FESTIVAL EVENT, NOTWITHSTANDING CONFLICTING PROVISIONS OF THE TROY CODIFIED ORDINANCES, AND FURTHER APPROVING THE USE OF AN AREA FOR THE SALE OF BEER AND WINE, SUBJECT TO THE ISSUANCE OF PROPER PERMITS BY THE STATE OF OHIO AND PROCUREMENT OF LIQUOR LIABILITY INSURANCE AND AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO AN AGREEMENT WITH TROY MAIN STREET, INC. THEREFOR

This Ordinance was given first title reading.

Discussion. Mrs. Oda asks who benefits from the sale of alcohol for such events. Mr. Titterington commented that the sale would be by Troy Main Street, Inc., the receipts used to offset expenses, with remaining proceeds going to the non-profit organization of Troy Main Street. Inc.

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

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

No: None.

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

Yes: Oda, Heath, Terwilliger, Kendall, Tremblay, Schweser, Snee and Phillips.

No: Twiss.

ORDINANCE ADOPTED

ORDINANCE NO. O-17-2017

ORDINANCE SUBORDINATING A MORTGAGE LIEN FOR FOUR SONS DEVELOPMENT LLC AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-18-2017

AN ORDINANCE DECLARING A MORATORIUM 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 FOR ONE HUNDRED AND EIGHTY DAYS 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. Schweser.

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-19-2017

ORDINANCE TO ACCEPT THE APPLICATION FOR THE ANNEXATION OF CERTAIN TERRITORY CONTAINING 1.8557 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: Schweser, Twiss, Snee, Phillips, Oda, Heath, Terwilliger, Kendall and Tremblay.

No: None.

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

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

No: None.

ORDINANCE ADOPTED

COMMENTS OF THE MAYOR: Mayor Beamish commented:

- A very successful Troy Strawberry Festival took place over the past weekend and he thanked all who were involved in the planning, implementation and seeing that festival goers were safe and had a good time.
- On June 8, the dedication of Historic Lock 12 of the Miami & Erie Canal will be held, with the location on N. Elm Street.

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

- On the July 4 holiday, refuse will be collected on the regular schedule.
- As a reminder, the flashing lights at Ferguson Drive/North Market Street will be bagged during the week for the eventual installation of an RRFD pedestrian crossing signal. In response to Mrs. Oda, Mr. Titterington advised that the new signal will be operational once installed.

COMMENTS OF COUNCIL MEMBERS:

- Mr. Schweser thanked the Fire Department EMTs for the quick response when his wife was overcome by heat during the Strawberry Festival.
- Mrs. Oda commented regarding:
 - She saw a number of dogs at the Troy Strawberry Festival and understood non-service animals are prohibited. She was advised that is true, and persons are asked to remove dogs from the festival area, but enforcement is usually not confrontational unless the animal is unruly or poses a threat.
 - Parking for residents of the Morris House (located downtown). It was noted that the owner of the building does not provide off-street parking and, in lieu of that, vehicle owners must abide by the parking restrictions or park farther away from the building location.
 - A call from a new property owner who indicated some information provided by a developer regarding a retention area has not been what the owner understood was promised. Mr. Titterington asked for information about the owner so the comments could be checked.
- Mr. Heath complimented the quick action by the Assistant Recreation Director and swimming pool staff when a child was found under water, noting that the quick action saved the child. He also commented that there was a very fast response by the EMTs as well.

There being no further business, Council adjourned at 7:34 p.m.

Clerk of Council

President of Council