





MINUTES OF COUNCIL

A regular session of Troy City Council was held on Monday, December 21, 2020, at 7:00 p.m. at the Bravo Room of Hobart Arena.

Members Attending: Allen, Phillips, Rozell, Schilling, Schweser, Severt, Snee and Terwilliger.  
Upon motion of Mrs. Snee, seconded by Mr. Schweser, Mr. Twiss was excused from this meeting by unanimous roll call vote.

Presiding Officer:	Bobby W. Phillips	President of Council Pro Tem
Also Attending:	Robin I. Oda	Mayor
	Patrick E. J. Titterington	Director of Public Service and Safety
	Grant D. Kerber	Director of Law
	John E. Frigge	Auditor

INVOCATION & PLEDGE OF ALLEGIANCE: An invocation was given by Council Member Severt, followed by the Pledge of Allegiance.

MINUTES: The Clerk gave a summary of the minutes of the December 7, 2020 meeting of Troy City Council. There were no corrections or additions to these minutes. Upon motion of Mr. Schilling, seconded by Mr. Twiss, these minutes were approved by unanimous roll call vote.

COMMITTEE REPORTS:

Community & Economic Development Committee: Mrs. Snee, Chairman, reported that Committee recommends Ordinance No. O-52-2020, parcel D08-250517, 212 S. Mulberry Street, rezoning from M-2, Light Industrial District, to B-3 be adopted, as recommended by the Troy Planning Commission, and based on the findings of staff. Report submitted by Rozell, Twiss and Snee.

Community Partnerships Committee: Mr. Rozell, Chairman, reported as follows:

- 1) Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to grant an electric Right-of-Way and Easement to DP&L associated with extending and maintaining an electric utility at the new construction at Lincoln Community Center.
- 2) Committee recommends legislation be prepared authorizing an amendment to the lease between the City and the Community Improvement Corporation, related to the Lincoln Community Center, with the amendments changing the term from 10 years and a 10-year renewal to a term of 20 years, and further clarifying responsibility for some maintenance items. In that the term of the lease was requested from a bank from with the Lincoln Community Center is securing bridge financing for the completion of the project and that the loan needs to be closed prior to year-end, Committee supports emergency legislation.

Reports submitted by Allen, Schweser and Rozell.

Personnel: Mr. Severt reported that the Mayor

The Mayor has requested Council consent of a new appointment and several re-appointments to three separate Boards as follows:

1. Economic Development Revolving Loan Fund Loan Review Committee: reappointment of Shirley Snyder for term of Jan. 1, 2021 – Dec. 31, 2024.
2. Board of Zoning Appeals: three reappointments, all for terms of Jan. 1, 2021 – Dec. 31, 2025: Will Harrelson, Kent Frauenberger and Richard Burns.
3. Community Improvement Corporation: five reappointments, all for the terms of Jan. 1, 2021 – Dec. 31, 2021: William Lukens, Arthur Haddad, Joseph Graves, Edward Westmeyer, and Kathy Vukovic; and the appointment of Gary Fischer for a term of Jan. 1, 2021 – Dec. 31, 2021. (Mr. Fischer is being appointed to fill a vacancy created as Mark Douglas asked not to be reappointed).

Mr. Phillips asked if any member of Council objected to consenting to the appointment and reappointments as stated in a single motion. No objections were stated.

A motion was made by Mr. Severt, seconded by Mr. Schilling, that Council consents to the re-appointment of Shirley Snyder to the Economic Development Revolving Loan Fund Loan Review Committee for a term of January 1, 2020 – December 31, 2024; the reappointments of Will Harrelson, Kent Frauenberger and Richard Burns to the Board of Zoning Appeals, each for terms of January 1, 2021 – December 31, 2025; and the reappointment of William Lukens, Arthur Haddad, Joseph Graves, Edward Westmeyer, and Kathy Vukovic, and the appointment of Gary Fischer to the Community Improvement Corporation, each for terms of January 1, 2021 – December 31, 2021.

Streets & Sidewalks Committee: Mr. Phillips, Chairman, reported that Committee recommends legislation be prepared approving the Resolution of Necessity for Phase 13 of the Sidewalk Replacement Program, with Committee noting that Phase 13 will also include requiring sidewalks be constructed along some un-developed properties in the Pleasant View Estates Subdivision and along three properties on South Crawford Street that were not completed from a previous phase of the Sidewalk Replacement Program.

Report submitted by Schilling, Snee and Phillips.

COMMENTS ON AGENDA ITEMS: NONE.

RESOLUTION NO. R-76-2020

RESOLUTION DECLARING THE NECESSITY OF PHASE 13 OF THE SIDEWALK REPLACEMENT PROGRAM IN THE CITY OF TROY, OHIO

This Resolution was given first title reading.

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

Yes: Rozell, Schilling, Schweser, Phillips Terwilliger, Snee, Allen and Severt.

No: None.

Mr. Rozell moved for adoption. Motion seconded by Mr. Terwilliger.

Yes: Schilling, Schweser, Phillips, Terwilliger, Snee, Allen, Severt and Rozell.

No: None.

RESOLUTION ADOPTED

ORDINANCE NO. O-52-2020

AN ORDINANCE CHANGING THE ZONING OF PARCEL NUMBER D08-250517 IN THE CITY OF TROY, OHIO FROM THE ZONING CLASSIFICATION OF M-2, LIGHT INDUSTRIAL DISTRICT TO B-3, CENTRAL BUSINESS DISTRICT

This Ordinance was given first title reading on November 16, 2020.

Given Public Hearing and second title reading on December 7, 2020.

Given third title reading.

Mr. Schilling moved for adoption. Motion seconded by Mr. Rozell.

Yes: Schweser, Phillips, Terwilliger, Snee, Allen, Severt, Rozell and Schilling.

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-59-2020

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO EXECUTE THE DAYTON POWER AND LIGHT COMPANY GRANT FOR ELECTRIC RIGHT OF WAY AND EASEMENT AT LINCOLN COMMUNITY CENTER

This Ordinance was given first title reading.

Mr. Rozell moved for suspension of three readings. Motion seconded by Mr. Schilling.

Yes: Phillips, Terwilliger, Snee, Allen, Severt, Rozell, Schilling and Schweser.

No: None.

Mr. Schweser moved for adoption. Motion seconded by Mrs. Snee.

Yes: Terwilliger, Snee, Allen, Severt, Rozell, Schilling, Schweser and Phillips.

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-60-2020

ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO AN AMENDED LEASE WITH THE COMMUNITY IMPROVEMENT CORPORATION OF TROY, OHIO REGARDING LEASE OF THE LINCOLN COMMUNITY CENTER FACILITY, AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

Mrs. Snee moved for suspension of three readings. Motion seconded by Mr. Rozell.

Yes: Snee, Allen, Severt, Rozell, Schilling, Schweser, Phillips and Terwilliger.

No: None.

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

Yes: Allen, Severt, Rozell, Schilling, Schweser, Phillips, Terwilliger and Snee.

No: None.

ORDINANCE ADOPTED

COMMENTS OF MAYOR ODA: The Mayor provided Christmas wishes and the hope that 2021 will be a good year.

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

-Commented that City offices will be closed December 24, 25, and January 1, with trash delayed one day for the December 25 and January 1 collection days.

-Congratulated the Police Department for achieving CALEA Accreditation, noting that this is the 27<sup>th</sup> year for the Police Department to be accredited.

COMMENTS OF COUNCIL PRESIDENT PRO TEM: Mr. Phillips provided Christmas wishes.

There being no further business, the meeting adjourned at 7:23 p.m.

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Clerk of Council

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President of Council

COMMITTEE REPORT  
TROY CITY COUNCIL

TO: Mr. Lutz, President of Council  
DATE: December 28, 2020  
FROM: Community & Economic Development Committee  
SUBJECT: REVISED FINAL RECORD PLAN, TROY CHRISTIAN SCHOOLS EDUCATION AND PERFORMING ARTS FACILITY PLANNED DEVELOPMENT-RESIDENTIAL

SUMMARY REPORT: *(to be read at Council meeting)*

This Committee met on December 28 to consider the recommendation forwarded from the Troy Planning Commission that Council should approve the Revised Final Record Plan for the of the Troy Christian Schools Education and Performing Arts Facility Planned Development-Residential. This would be the final step of a major revision of a Planned Development that started when Council approved Ordinance No. O-44-2020, which revised the General Plan.

RECOMMENDATION: *(to be read at Council meeting)*

It is the recommendation of this Committee that legislation be prepared accepting the Revised Final Record Plan of the Troy Christian Schools Education and Performing Arts Facility Planned Development-Residential, as recommended by the Troy Planning Commission.

Respectfully submitted,

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William G. Rozell

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William C. Twiss

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Lynne B. Snee, Chairman  
Community & Economic Development Committee

DETAILED REPORT:

This Committee met on December 28, 2020 to consider the recommendation forwarded from the Troy Planning Commission that Council approve the Revised Final Record Plan of the Troy Christian Schools Education and Performing Arts Facility Planned Development-Residential. The meeting was also attended by Mayor Oda, Council Members Allen, Phillips, Terwilliger and Schweser, the Director of Public Service and Safety, a citizen, and members of the City staff.

The Planned Development process and any major revisions requires three steps for approval:

- The first is the Revised General Plan, which was previously approved by the Planning Commission and Council (by Ordinance No. O-44-2020) to add a parcel to the Planned Development, zoning that parcel to a PD-R, and changes to the parking lot.
- The second is the Revised Final Development Plan, which only requires review and approval by the Planning Commission. On December 23, the Planning Commission approved the Revised Final Development Plan, which conforms to the approved Revised General Plan.
- The third is the Revised Final Record Plan, which requires the review and approval of the Planning Commission, and then the review and approval by City Council. The Troy Planning Commission recommended that Council approve the Revised Final Record Plan of the Troy Christian Schools Education and Performing Arts Facility Planned Development-Residential. The Revised Final Record Plan conforms to the Revised General Plan and Revised Final Development Plan.

RECOMMENDATION:

It is the recommendation of this Committee that legislation be prepared accepting the Revised Final Record Plan of the Troy Christian Schools Education and Performing Arts Facility Planned Development-Residential, as recommended by the Troy Planning Commission.

cc: Council  
Mayor, Mr. Kerber, Mr. Frigge, Mr. Titterington, Clerk  
Staff, Media

COMMITTEE REPORT  
TROY CITY COUNCIL

TO: Mr. Lutz, President of Council

DATE: December 28, 2020

FROM: Community Partnerships Committee

SUBJECT: PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM

**SUMMARY REPORT:** *(to be read at Council meeting)*

This Committee met on December 28 to consider recommending the legislative items required to establish a Property Assessed Clean Energy (PACE) Program to finance energy efficient and renewable energy projects. This program, established by State Law, is an additional economic development incentive tool to help businesses and industries make qualifying physical improvements to a property which create energy savings and to finance the improvements and pay back the cost of the improvements through a special assessment added to the property tax over a period of 15-25 years.

**RECOMMENDATION:** *(to be read at Council meeting)*

It is the recommendation of this Committee that legislation be prepared to establish a PACE program, including an Energy Special Improvement District (ESID), and approve the application for 224-226 S. Market Street. The Committee also supports emergency legislation so that the program can be established and the submitted application approved.

Respectfully submitted,

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Zachary L. Allen

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John W. Schweser

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William G. Rozell, Chairman  
Community Partnerships Committee

**DETAILED REPORT:**

This Committee met on December 28, 2020 to consider recommending the legislative items required to establish a Property Assessed Clean Energy (PACE) Program to finance energy efficient and renewable energy projects. The meeting was also attended by Mayor Oda, Council Members Phillips, Terwilliger, Twiss and Severt, the Director of Public Service and Safety, the applicant, and members of the City staff. The discussion included:

- This Program has been established by the Ohio Revised Code. While it would be new to Troy, it is being utilized by other communities as an economic development incentive tool.
- It must be driven by a property owner wishing to make physical improvements to a property which create energy savings to finance the improvements and they pay back the cost of the improvements through a special assessment added to the property tax over a period of 15-25 years.
- In order to levy these special assessments, Ohio law provides for the creation of an Energy Special Improvement District (ESID). An ESID is a public body created under Ohio law and controlled by a Board of Directors of a non-profit corporation set up for that purpose. An ESID is a specific type of special improvement district.
- The application establishes a specific geographic district boundary. For this application, that boundary is the address of 224-226 S. Market Street. Once a district is established, it can be expanded to include the properties of other applicants, and could even be expanded to include the entire City; however, an application would have to be submitted based on an application and each application would have to prove eligibility of qualified energy savings improvements. This includes each applicant paying for and submitting an independent energy audit. The State Law defines the types of permitted energy savings improvements.
- Once levied, the special assessments are added to the property owner's tax bill. The special assessments are collected by the county with the rest of the property tax under its normal processes. The amount of the special assessment for that period is transferred to the lender to repay the loan. If any current special assessments are not paid, then a lien is placed on the property for the amount of the unpaid special assessment. This lien has the same priority as unpaid property taxes, which is the highest priority in Ohio,

and is ahead of a first mortgage lien position. The special assessments are tied to the land, so the special assessments can stay with the property.

- Because of the way the program is structured, an agreement is required between the City and the County Auditor. This program has been discussed with the County and the agreement is being reviewed by the County.
- Upon approval of the first PACE Program application, a non-profit Board is established that would handle administrative functions for the initial and future applicants. Per State Law, such board includes an appointee by Council, the Mayor or an appointee, and three members representing the initial applicant. The Board number remains at five even if the District is extended and other applications are approved.
- This is not a loan program. The City's cost to establish the program is related to working with legal counsel to set up initial documents, and is estimated at less than \$3,000. The City does not plan to charge an application fee. If approved, the City does plan to publicize the program to other businesses that may be in a position to benefit from the program provisions.
- The program being considered is for business/industry. Applicability to private home owners can be investigated at a later date.
- Because of the way the program is structured, an agreement is required between the City and the County Auditor.
- The application for 224-226 S. Market Street was submitted by Innisfree Enterprises, LLC (Erin Twiss) and Greenworks Lending LLC (the lender for the cost of the improvements). The amount of the special assessment for this project is \$534,910, which is to be assessed over a 25 year period, with the first assessment paid in 2022.

**RECOMMENDATION:**

It is the recommendation of this Committee that legislation be prepared to establish a PACE program, including an Energy Special Improvement District (ESID), and approve the application for 224-226 S. Market Street. The Committee also supports emergency legislation so that the program can be established and the submitted application approved. There will actually be three pieces of legislation to be considered:

1. Resolution of Necessity (which includes establishing the Troy ESID)
2. Ordinance to Proceed
3. Ordinance Levying Assessments

cc: Council  
Mayor, Mr. Kerber, Mr. Frigge, Mr. Titterington, Clerk  
Staff, Media



COMMITTEE REPORT  
TROY CITY COUNCIL

TO: Mr. Lutz, President of Council

DATE: December 28, 2020

FROM: Finance Committee

SUBJECT: **SUBORDINATION OF SBD LOAN FOR R&E, LLC**

**SUMMARY REPORT:** *(to be read at Council meeting)*

On December 28, this Committee met to consider recommending the subordination of an existing loan from the Small Business Development Revolving Loan Fund (SBD) for R&E, LLC and Greenville Federal Bank. The temporary subordination of the second position liens will allow the company to purchase an additional industrial building, make improvements and conserve cash. This does not commit any additional City funding, and the City will continue to be more than sufficiently secured for the loan.

**RECOMMENDATION:** *(to be read at Council meeting)*

This Committee recommends that legislation be prepared authorizing the Director of Public Service and Safety to execute a subordination loan agreement for R&E, LLC as requested by the company and the bank. So that the subordination process can be completed and the company's expansion plans proceed as soon as possible, the Committee supports emergency legislation.

Respectfully submitted,

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Bobby W. Phillips

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Todd D. Severt

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John W. Schweser, Chairman  
Finance Committee

**DETAILED REPORT:**

On December 28, 2020, this Committee met to consider a subordination loan agreement for R&E, LLC. This meeting was also attended by Mayor Oda, Council Members Rozell and Terwilliger, the Director of Law, the Director of Public Service and Safety, members of the City staff, and a citizen.

In early 2014, Council approved a \$470,000 loan from the Small Business Development Revolving Loan Fund (SBD) to R&E, LLC for building improvements at 650 Olympic Drive to accommodate expansion of West Troy Tool & Machine. Second mortgages on the Olympic Drive property and on the original building at 155 Marybill Drive provided collateral for the loan. The SBD loan assisted the businesses West Troy Tool & Machine and Yasotay/Global Source Manufacturing, Inc. to both grow and expand in their building space as well as in employment. In 2016, Council approved a subordination loan agreement for R&E, LLC from PNC Bank to Greenville Federal Bank so that R&E, LLC could refinance its bank loans. The current loan balance is approximately \$346,728 and the payment status is current.

R&E, LLC and the Greenville Federal Bank have now requested that the City subordinate both of the second position liens in order that the company may purchase an additional building, make necessary improvements and conserve cash. After Greenville Federal Bank replaces its first position lien with the additional amounts, the City will reinstate its second position lien, leaving the City more than sufficiently secured for the loan. This request does not commit any additional City funding.

**RECOMMENDATION:**

This Committee recommends that legislation be prepared authorizing the Director of Public Service and Safety to execute a subordination loan agreement for R&E, LLC as requested by the company and the bank. So that the subordination process can be completed and the company's expansion plans proceed as soon as possible, the Committee supports emergency legislation.

Cc: Council  
Mayor  
Mr. Kerber, Mr. Frigge, Mr. Titterington, Clerk, staff, media

**RESOLUTION No.** R-1-2021

Dayton Legal Blank, Inc.

**A RESOLUTION APPROVING THE PETITION, PLAN, AND ARTICLES OF INCORPORATION OF THE TROY ENERGY SPECIAL IMPROVEMENT DISTRICT, INC. AND DECLARING THE NECESSITY OF ACQUIRING, CONSTRUCTING, AND IMPROVING CERTAIN PUBLIC IMPROVEMENTS IN THE CITY OF TROY, OHIO IN COOPERATION WITH THE TROY ENERGY SPECIAL IMPROVEMENT DISTRICT, INC., AND DECLARING AN EMERGENCY**

**WHEREAS**, as set forth in Ohio Revised Code Chapter 1710, the Ohio General Assembly has authorized property owners to include their properties within Energy Special Improvement Districts ("ESIDs") upon a petition to a municipal corporation or township, which ESIDs are voluntary organizations of property owners who undertake special energy improvement projects for their properties and finance such special energy improvement projects by way of voluntary special assessments; and,

**WHEREAS**, pursuant to the Petition for Creation of Energy Special Improvement District and for Special Assessments for Special Energy Improvement Projects (the "Petition"), including an initial plan entitled Troy Energy Special Improvement District Program Plan (the "Program Plan") and Articles of Incorporation, as validly amended from time to time (the "Articles"), Innisfree Enterprises, LLC, an Ohio limited liability company (the "Owner"), has requested the formation of the Troy Energy Special Improvement District, Inc., an energy special improvement district and nonprofit corporation under the laws of the State of Ohio, (the "District"), and its Board of Directors (the "Board") in accordance with Ohio Revised Code Chapters 1702 and 1710; and,

**WHEREAS**, the Owner, as the owner of certain real property located within the City of Troy, Ohio (the "City"), has identified certain real property owned by the Owner located at 224-226 S. Market Street, Troy, Ohio 45373 (the "Property"), as an appropriate property for a Special Energy Improvement Project pursuant to Ohio Revised Code Chapter 1710; and,

**WHEREAS**, on or before December 24, 2020, pursuant to Ohio Revised Code Chapter 1710, the Owner submitted the Petition to this Council, and the Petition is on file with the Council of the City of Troy, Ohio; and,

**WHEREAS**, the Petition is for the purpose of developing and implementing special energy improvement projects in furtherance of the purposes set forth in Section 2o of Article VIII of the Ohio Constitution, including, without limitation, a special energy improvement project to be provided on the Property, as described more particularly in the Petition (the "Project"); and,

**WHEREAS**, following the approval of the Petition by the City Council of the City ("Council"), the Owner intends to submit to the District, and the Board, as the governing body of the District in accordance with Ohio Revised Code Chapter 1710, intends to approve the Petition, which Petition requests the formation of the District, that the Property be added to the District, and that the City levy special assessments on the Property (the "Special Assessments") in an amount and for a length sufficient to pay the costs of the Project, which is estimated to be Five Hundred Thirty-four Thousand, Nine Hundred Ten Dollars and no/100 (\$534,910.00), including other related costs of financing the Project, which may include, without limitation, the payment of principal of and interest on obligations issued to pay the costs of the Project and other interest, financing, credit enhancement, and issuance expenses and ongoing trustee fees and District administrative fees and expenses, and requests that the Project be undertaken cooperatively by the City, the District, and such other parties as the City may deem necessary or appropriate to pay the costs of the Project; and,

**WHEREAS**, this Council, as mandated by Ohio Revised Code Section 1710.06, must approve or disapprove the Petition within 60 days of the submission of the Petition; and,

**WHEREAS**, this Council has determined to approve the Petition.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Troy, Ohio, three-fourths of the members elected thereto concurring as follows:

**SECTION I:** That this Council hereby approves the Petition, the Program Plan, and the Articles, in substantially the form now on file with the Council of the City of Troy, Ohio, pursuant to the Petition, the Program Plan, and the Articles, the District is hereby created.

**SECTION II:** That this Council hereby approves and consents to (i) any addition of real property to the territory of the District within the boundaries of any municipal corporation or any township which is contiguous to the municipal corporations or townships in which a portion of the territory of the District is located; (ii) the addition of the municipal corporation or township in which such real property is located as a "participating political subdivision," as defined in Ohio Revised Code Section 1710.01(E), of the District; and (iii) any amendment to the Articles of Incorporation necessary to recognize or effect such addition.

**SECTION III:** That pursuant to Ohio Revised Code Section 1710.02(G)(4), this Council determines that the Project is not required to be owned exclusively by the City for its purposes, for uses determined by this Council, as the legislative authority of the City, as those that will promote the welfare of the people of such participating political subdivision; to improve the quality of life and the general and economic well-being of the people of the City; to better ensure the public health, safety, and welfare; to protect water and other natural resources; to provide for the conservation and preservation of natural and open areas and farmlands, including by making urban areas more desirable or suitable for development and revitalization; to control, prevent, minimize, clean up, or mediate certain contamination of or pollution from lands in the state and water contamination or pollution; or to provide for safe and natural areas and resources. This Council accordingly authorizes the Board to act as its agent to sell, transfer, lease, or convey the Project. The consideration the Board must obtain from any sale, transfer, lease, or conveyance of the special energy improvement project on the Property is any consideration greater than or equal to One Dollar and Zero Cents (\$1.00).

**SECTION IV:** That this Council determines and declares that the Project is an essential and vital public, governmental purpose of the City as a Special Energy Improvement Project, as defined in Ohio Revised Code Section 1710.01(I); and that in order to fulfill that essential and vital public purpose of the City, it is necessary and proper to provide, in cooperation with the District, for (i) the acquisition, construction, and improvement of the Project by the Owner, as set forth in the Petition and the Plan, and (ii) the payment of the costs of the Project, including any and all architectural, engineering, legal, insurance, consulting, energy auditing, planning, acquisition, installation, construction, surveying, testing, and inspection costs; the amount of any damages resulting from the Project and the interest on such damages; the reasonable costs incurred in connection with the preparation, levy and collection of the special assessments; the cost of purchasing and otherwise acquiring any real estate or interests in real estate; reasonable expenses of legal services; costs of labor and material; trustee fees and other financing costs incurred in connection with the issuance, sale, and servicing of securities, nonprofit corporate obligations, or other obligations issued or incurred to provide a loan or to secure an advance of funds to the Owner or otherwise to pay costs of the Project in anticipation of the receipt of the Special Assessments, capitalized interest on, and financing reserve funds for, such securities, nonprofit corporate obligations, or other reasonable obligations so issued or incurred, including any credit enhancement fees, trustee fees, program administration fees, financing servicing fees, and reasonable District administrative fees and expenses; an amount to reflect interest on unpaid Special Assessments which shall be treated as part of the cost of the Project for which the Special Assessments are made at an interest rate which shall be determined by the District to be substantially equivalent to the fair market rate that would have been borne by notes or bonds if notes or bonds had been issued by the District or another issuer of notes or bonds to pay the costs of the Project; together with all other necessary expenditures, all as more fully described in the Petition, the Plan, and profiles, specifications, and estimates of cost of the Project, all of which are on file with the Clerk of Council and open to the inspection of all persons interested. This Council further determines and declares that the Project is conducive to the public peace, health, safety and welfare of the City and the inhabitants of the City.

**SECTION V:** That this Council determines that the Project's elements are so situated in relation to each other that in order to complete the acquisition, construction, and improvement of the Project's elements in the most practical and economical manner, they should be acquired and improved at the same time, with the same kind of materials, and in the same manner; and that the Project's elements shall be treated as a single improvement, pursuant to Ohio Revised Code Section 727.09, and the Project's elements shall be treated as a joint improvement to be undertaken cooperatively by the City and the District pursuant to Ohio Revised Code Section 9.482 and Ohio Revised Code Chapter 1710.

**SECTION VI:** That pursuant to and subject to the provisions of a valid Petition signed by the owners of one hundred percent (100%) of the Property, the entire cost of the Project shall be paid by the Special Assessments levied against the Property, which is the benefited property. The City does not intend to issue securities in anticipation of the either levy of the Special Assessments or the collection of the Special Assessments.

**SECTION VII:** That the method of levying the Special Assessments shall be in proportion to the benefits received from the financing of the Project, allocated among the parcels constituting the Property as set forth in the Petition.

**SECTION VIII:** That the lots or parcels of land to be assessed for the Project shall be the Property, described in Exhibit A to the Petition, all of which lots and lands are determined to be specially benefited by the Project.

**SECTION IX:** That the Special Assessments shall be levied and paid in fifty (50) semi-annual installments pursuant to the list of estimated Special Assessments set forth in the Petition, and the Owner has waived its option to pay the Special Assessment in cash within thirty (30) days after the first publication of the notice of the assessing Resolution. The aggregate amount of Special Assessments estimated to be necessary to pay the costs of the Project is Five Hundred Thirty-four Thousand, Nine Hundred Ten Dollars and no/100 (\$534,910.00). Each semi-annual Special Assessment payment represents payment of a portion of any principal repayment, interest, and administrative fees payable with respect to the Project. The interest portion of the Special Assessments, together with amounts used to pay administrative expenses, are determined to be substantially equivalent to the fair market rate or rates of interest that would have been borne by securities issued in anticipation of the collection of the Special Assessments if such securities had been issued by the City. In addition to the Special Assessments, the County Auditor of Miami County, Ohio may impose a special assessment collection fee with respect to each semi-annual payment, which amount will be added to the Special Assessments by the County Auditor of Miami County, Ohio.

**SECTION X:** That the Director of Public Service and Safety of the City of Troy, Ohio, or designee, is authorized and directed to prepare and file in the office of the Council and the City Auditor the estimated Special Assessments for the costs of the Project in accordance with the method of assessment set forth in the Petition and this Resolution, showing the amount of the assessment against each lot or parcel of land to be assessed.

**SECTION XI:** That upon the filing of the estimated Special Assessments with the Council and the City Auditor, notice of the adoption of this Resolution and the filing of the estimated Special Assessments shall be served upon the Owner of the Property, as provided in Ohio Revised Code Section 727.13. The appropriate officials of the City shall also comply with the applicable procedural requirements of Ohio Revised Code Chapter 727.

**SECTION XII:** That the Director of Public Service and Safety of the City of Troy, Ohio or other official of the City of Troy, or their designee, is authorized, pursuant to Ohio Revised Code Section 727.12, to cause the Special Assessments to be levied and collected at the earliest possible time including, if applicable, prior to the completion of the acquisition and construction of the Project.

**SECTION XIII:** That the Special Assessments will be used by the City to provide the Project in cooperation with the District in any manner, including assigning the Special Assessments actually received by the City to the District or to another party the City deems appropriate, and the Special Assessments are appropriated for such purposes.

**SECTION XIV:** That this Council accepts and approves the waiver of all further notices, hearings, claims for damages, rights to appeal and other rights of property owners under the law, including but not limited to those specified in the Ohio Constitution, Ohio Revised Code Chapter 727, Ohio Revised Code Chapter 1710, and consents to the immediate imposition of the Special Assessments upon the Property. This waiver encompasses, but is not limited to, waivers by the Owner of the following rights:

- (i) The right to notice of the adoption of the Resolution of Necessity under Ohio Revised Code Sections 727.13 and 727.14;
- (ii) The right to limit the amount of the Special Assessments under Ohio Revised Code Sections 727.03 and 727.06, including the right to consider the Special Assessments authorized by the Petition within the limitations contained in Ohio Revised Code Section;
- (iii) The right to file an objection to the Special Assessments under Ohio Revised Code Section 727.15;
- (iv) The right to the establishment of, and any proceedings by and any notice from an Assessment Equalization Board under Ohio Revised Code Sections 727.16 and 727.17;
- (v) The right to file any claim for damages under Ohio Revised Code Sections 727.18 through 727.22 and Ohio Revised Code Section 727.43;

- (vi) The right to notice that bids or quotations for the Project may exceed estimates by 15%;
- (vii) The right to seek a deferral of payments of Special Assessments under Ohio Revised Code Section 727.251;
- (viii) The right to notice of the passage of the assessing Resolution under Ohio Revised Code Section 727.26; and
- (ix) Any and all procedural defects, errors, or omissions in the Special Assessment process.

**SECTION XV:** That this Council authorizes agreements by and among the City, the District, and such other parties as the City may deem necessary or appropriate in order to provide the Project, and that the Director of Public Service and Safety of the City of Troy, Ohio is authorized to execute, on the City's behalf, such agreements.

**SECTION XVI:** That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this legislative Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Ohio Revised Code Section 121.22.

**SECTION XVII:** That this Resolution is an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the City of Troy, Ohio, and for the further reason to allow the Owner to begin work on the Project on the Property and the District to take advantage of financing available to it for a limited time; NOW, WHEREFORE, this Resolution shall be effective immediately upon its adoption and approval by the Mayor.

Adopted: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_  
Mayor

**RESOLUTION No.** R-2-2021

Dayton Legal Blank, Inc

**RESOLUTION AUTHORIZING THE SALE DURING CALENDAR YEAR 2021 OF MUNICIPALLY-OWNED PERSONAL PROPERTY WHICH IS NOT NEEDED FOR PUBLIC USE, OR WHICH IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED, BY INTERNET AUCTION PURSUANT TO OHIO REVISED CODE SECTION 721.15 (D)**

**BE IT RESOLVED** by the Council of the City of Troy, Ohio as follows:

**SECTION I:** That during calendar year 2021, municipally-owned personal property which is not needed for public use, or which is obsolete or unfit for the use for which it was acquired may be sold by internet auction.

**SECTION II:** That any said auction sale shall be conducted under the authority and direction of the Director of Public Service and Safety, Patrick Titterington, 100 S. Market Street, Troy, Ohio 45373, (937) 335-1725.

**SECTION III:** Any such internet auction sales shall be conducted by way of internet auction services of GovDeals.com, Amazon.com, Ebay.com, Ubid.com, Yahoo.com, MSN.com, or Google.com, pursuant to the rules and regulations promulgated and in effect for those sales organizations, including that the City of Troy will pay a sales fee to the internet auction services organization.

**SECTION IV:** That in connection with each such contemplated internet auction sale, bidding shall remain open for not less than fifteen (15) days, including Saturdays, Sundays and legal holidays.

**SECTION V:** That in connection with each such contemplated internet auction sale, the terms of payment shall be cash, payment in full on or before the date of delivery to the successful bidder; further, the successful bidder shall be solely responsible for all acts and expenses associated with the delivery of any item so purchased.

**SECTION VI:** That this Resolution shall be effective at the earliest date allowed by law.

Adopted: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_  
Mayor

**ORDINANCE No.** 0-1-2021

Davison Legal Blok, Inc

**ORDINANCE DETERMINING TO PROCEED WITH THE ACQUISITION, CONSTRUCTION, AND IMPROVEMENT OF CERTAIN PUBLIC IMPROVEMENTS IN THE CITY OF TROY, OHIO IN COOPERATION WITH THE TROY ENERGY SPECIAL IMPROVEMENT DISTRICT AND DECLARING AN EMERGENCY**

**WHEREAS**, the City Council ("Council") of the City of Troy, Ohio ("City") duly adopted Resolution No. R-1-2021 on January 4, 2021 (the "Resolution Approving Petition and Declaring Necessity"), (i) declaring the necessity of acquiring, constructing, and improving energy efficiency improvements, including, without limitation, building envelope improvements, HVAC system upgrades, LED lighting upgrades, electrical and plumbing upgrades, and related improvements (the "Project", as more fully described in the Petition referenced in this Ordinance) located on real property owned by Innisfree Enterprises, LLC, an Ohio limited liability company (the "Owner") at 224-226 S. Market Street, Troy, Ohio 45373 (the "Property", as more fully described in Exhibit A to the Petition); (ii) providing for the acquisition, construction, and improvement of the Project by the Owner, as set forth in the Owner's Petition for Creation of Energy Special Improvement District and for Special Assessments for Special Energy Improvement Projects (the "Petition"), including by levying and collecting special assessments to be assessed upon the Property (the "Special Assessments") in an amount sufficient to pay the costs of the Project, which is estimated to be Five Hundred Thirty-four Thousand, Nine Hundred Ten Dollars and no/100 (\$534,910.00), including other related costs of financing the Project, which may include, without limitation, the payment of principal of and interest on nonprofit corporate obligations issued to pay the costs of the Project and other interest, financing, credit enhancement, and issuance expenses and ongoing trustee fees and administrative fees and expenses of the Troy Energy Special Improvement District, Inc., an energy special improvement district and nonprofit corporation under the laws of the State of Ohio, (the "District"); and (iii) determining that the Project will be treated as a special energy improvement project to be undertaken cooperatively by the City and the District; and,

**WHEREAS**, the claims for damages alleged to result from and objections to the Project have been waived by one hundred percent (100%) of the affected property owners; and,

**WHEREAS**, the passage of this Ordinance as an emergency is necessary for the immediate preservation of public peace, property, health and safety, so the Owner may begin work on the Project on the Property and the District may take advantage of financing available to it for a limited time.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Troy, Ohio, as follows:

**SECTION I:** That each capitalized term not otherwise defined in this Ordinance or by reference to another document shall have the meaning assigned to it in the Petition.

**SECTION II:** That this Council declares that its intention is to proceed with the acquisition, construction, and improvement of the Project described in the Petition and the Resolution Approving Petition and Declaring Necessity. The Project shall be made in accordance with the provisions of the Resolution Approving Petition and Declaring Necessity and with the plans, specifications, profiles, and estimates of cost previously approved and now on file with the Council of the City of Troy, Ohio.

**SECTION III:** That the Special Assessments to pay costs of the Project, which are estimated to be Five Hundred Thirty-four Thousand, Nine Hundred Ten Dollars and no/100 (\$534,910.00), including other related financing costs incurred in connection with the issuance, sale, and servicing of securities, nonprofit corporate obligations, or other obligations issued to pay costs of the Project in anticipation of the receipt of the Special Assessments, capitalized interest on, and financing reserve funds for, such securities, nonprofit corporate obligations, or other obligations so issued, including any credit enhancement fees, trustee fees, and District administrative fees and expenses, shall be assessed against the Property in the manner and in the number of semi-annual installments provided in the Petition and the Resolution Approving Petition and Declaring Necessity. Each semi-annual Special Assessment payment represents the payment of a portion of any principal repayment and interest and administrative fees payable with respect to the Project. The Special Assessments

shall be assessed against the Property commencing in tax year 2021 for collection in 2022 and shall continue through tax year 2045 for collection in 2046. In addition to the Special Assessments, the County Auditor of Miami County, Ohio may impose a special assessment collection fee with respect to each semi-annual payment, which amount, if imposed, will be added to the Special Assessments by the County Auditor of Miami County, Ohio.

**SECTION IV:** That the estimated Special Assessments for costs of the Project prepared and filed in the office of the Clerk of the Council of the City of Troy, Ohio, in accordance with the Resolution Approving Petition and Declaring Necessity, are adopted.

**SECTION V:** That in compliance with Ohio Revised Code Section 319.61, the Clerk of Council of the City of Troy, Ohio is directed to deliver a certified copy of this Ordinance to the County Auditor of Miami County, Ohio within fifteen (15) days after the date of its passage.

**SECTION VI:** That all contracts for the construction of the Project will be let in the manner provided by law, subject to the provisions of the Ohio Revised Code and the Petition, and the costs of the Project shall be financed as provided in the Resolution Approving Petition and Declaring Necessity.

**SECTION VII:** That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Ohio Revised Code Section 121.22.

**SECTION VIII:** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, and safety of the City of Troy, Ohio, and for the further reason to allow the Owner to begin work on the Project on the Property and the District to take advantage of financing available to it for a limited time; NOW, WHEREFORE, this Ordinance shall be effective immediately upon its adoption and approval by the Mayor.

Adopted: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_  
Mayor



**ORDINANCE No.** 0-2-2021

Dayton Legal Blank, Inc.

**ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, AND IMPROVING CERTAIN PUBLIC IMPROVEMENTS IN THE CITY OF TROY, OHIO IN COOPERATION WITH THE TROY ENERGY SPECIAL IMPROVEMENT DISTRICT, APPROVING AN ENERGY PROJECT COOPERATIVE AGREEMENT AND A SPECIAL ASSESSMENT AGREEMENT, AND DECLARING AN EMERGENCY**

**WHEREAS**, this Council ("Council") of the City of Troy, Ohio (the "City") duly adopted Resolution No. R-1-2021 on January 4, 2021 (the "Resolution Approving Petition and Declaring Necessity") and declared the necessity of acquiring, constructing, improving and installing energy efficiency improvements on its real property, including, without limitation, building envelope improvements, HVAC system upgrades, LED lighting upgrades, electrical and plumbing upgrades, and related improvements (the "Project"), as described in the Resolution Approving Petition and Declaring Necessity and as set forth in the Petition requesting those improvements; and,

**WHEREAS**, this Council duly passed Ordinance No. O-1-2021 on January 4, 2021 and determined to proceed with the Project and adopted the estimated Special Assessments (as defined in the Resolution Approving Petition and Declaring Necessity) filed with the Council of the City of Troy, Ohio, pursuant to the Resolution Approving Petition and Declaring Necessity; and,

**WHEREAS**, the City intends to enter into an Energy Project Cooperative Agreement (the "Energy Project Cooperative Agreement") with the District, Innisfree Enterprises, LLC (the "Owner"), and Greenworks Lending LLC (together with its successors and assigns, the "Investor") to provide for, among other things, (i) the making of the Project Advance (as defined in the Energy Project Cooperative Agreement and referred to herein as the "Project Advance") to pay costs of the Project, (ii) the disbursement of the Project Advance for the acquisition, installation, equipment, and improvement of the Project, and (iii) the delivery of the Special Assessments to the Investor by the City or by the County Auditor of Miami County, Ohio (the "County Auditor") on behalf of the City to pay principal and interest and other costs relating to the Project Advance; and,

**WHEREAS**, to provide for the security for the Project Advance and for the administration of payments on the Project Advance and related matters, the City intends to enter into the Special Assessment Agreement with the County Treasurer of Miami County, Ohio (the "County Treasurer"), the District, the Owner, and the Investor (the "Special Assessment Agreement"); and,

**WHEREAS**, the actual costs of the Project have been ascertained and have been certified to the City in the Petition and the Plan for the Project; and,

**WHEREAS**, the passage of this Ordinance as an emergency is necessary for the immediate preservation of public peace, property, health and safety, so the Owner may begin work on the Project on the Property and the District may take advantage of financing available to it for a limited time.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Troy, Ohio, as follows:

**SECTION I:** That each capitalized term not otherwise defined in this Ordinance or by reference to another document shall have the meaning assigned to it in the Resolution Approving Petition and Declaring Necessity.

**SECTION II:** That the list of Special Assessments to be levied and assessed on the Property in an amount sufficient to pay the costs of the Project, which is Five Hundred Thirty-four Thousand, Nine Hundred Ten Dollars and no/100 (\$534,910.00), including other related financing costs incurred in connection with the issuance, sale, and servicing of securities, nonprofit corporate obligations, or other obligations issued to pay costs of the Project in anticipation of the receipt of the Special Assessments, capitalized interest on, and financing reserve funds for, such securities, nonprofit corporate obligations, or other obligations so issued, including any credit enhancement fees, trustee fees, and District administrative fees and expenses, which costs were set forth in the Petition and previously reported to this Council and are now on file with the Council of the City of Troy, Ohio, is adopted and confirmed, and that the Special Assessments are levied and assessed on the Property. The interest portion of the Special Assessments, together with amounts used to pay administrative expenses, are determined to be substantially equivalent to the fair market rate or rates of interest that would have been borne by securities issued in anticipation of the collection of the Special Assessments if such securities had been issued by the City.

The Special Assessments are assessed against the Property commencing in tax year 2021 for collection in 2022 and shall continue through tax year 2045 for collection in 2046. The semi-annual installments of the Special Assessments shall be collected in each calendar year equal to a total maximum annual amount of Special Assessments as shown in Exhibit A, attached to and incorporated into this Ordinance.

All Special Assessments shall be certified by the appropriate officer of the City of Troy, Ohio to the County Auditor of Miami County, Ohio pursuant to the Petition and Ohio Revised Code Chapter 727.33 to be placed on the tax list and duplicate and collected with and in the same manner as real property taxes are collected and as set forth in the Petition.

The Special Assessments shall be allocated among the parcels constituting the Property as set forth in the Petition and the List of Special Assessments attached to and incorporated into this Ordinance as Exhibit A.

**SECTION III:** That this Council finds and determines that the Special Assessments are in proportion to the special benefits received by the Property through the financing of the Project, as set forth in the Petition, and are not in excess of any applicable statutory limitation.

**SECTION IV:** That the Owner has waived its right to pay the Special Assessments in cash, and all Special Assessments and installments of the Special Assessments shall be certified by the Director of Public Service and Safety of the City of Troy, Ohio to the County Auditor of Miami County, Ohio as provided by the Petition and Ohio Revised Code Section 727.33 to be placed by him or her on the tax list and duplicate and collected with and in the same manner as real property taxes are collected and as set forth in the Petition.

**SECTION V:** That the Special Assessments will be used by the City to provide the Project in cooperation with the District in any manner, including assigning the Special Assessments actually received by the City to the District or to another party the City deems appropriate, and the Special Assessments are appropriated for such purposes.

**SECTION VI:** That the Council and/or official of the City of Troy, Ohio shall keep the Special Assessments on file in their respective offices.

**SECTION VII:** That this Council hereby approves the Energy Project Cooperative Agreement, a copy of which is on file with the Clerk of Council. The Director of Public Service and Safety of the City of Troy, Ohio or his designee shall sign and deliver, in the name and on behalf of the City, the Energy Project Cooperative Agreement, in substantially the form as is now on file with the Clerk of Council. The Energy Project Cooperative Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the Director of Public Service and Safety of the City of Troy, Ohio or his designee, in the name and on behalf of the City, all of which shall be conclusively evidenced by the signing of the Energy Project Cooperative Agreement or amendments to the Energy Project Cooperative Agreement.

**SECTION VIII:** That this Council hereby approves the Special Assessment Agreement, a copy of which is on file in the office of the Clerk of Council. The Director of Public Service and Safety of the City of Troy, Ohio or his designee shall sign and deliver, in the name and on behalf of the City, the Special Assessment Agreement, in substantially the form as are now on file with the Clerk of Council. The Special Assessment Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the Director of Public Service and Safety of the City of Troy, Ohio or his designee on behalf of the City, all of which shall be conclusively evidenced by the signing of the Special Assessment Agreement or amendments to the Special Assessment Agreement.

**SECTION IX:** That Director of Public Service and Safety of the City of Troy, Ohio is hereby authorized to enter into such other agreements that are not inconsistent with the Resolution Approving Petition and Declaring Necessity and this Ordinance and that are approved by the Director of Public Service and Safety of the City of Troy, Ohio or his designee on behalf of the City, all of which shall be conclusively evidenced by the signing of such agreements or any amendments to such agreements.

**SECTION X:** That in compliance with Ohio Revised Code Section 319.61, the Clerk of Council of the City of Troy, Ohio is directed to deliver a certified copy of this Ordinance to the County Auditor of Miami County, Ohio within twenty (20) days after its passage.

**SECTION XI:** That this Council finds and determines that all formal actions of Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Ohio Revised Code Section 121.22.

**SECTION XII:** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, and safety of the City of Troy, Ohio, and for the further reason to allow the Owner to begin work on the Project on the Property and the District to take advantage of financing available to it for a limited time; NOW, WHEREFORE, this Ordinance shall be effective immediately upon its adoption and approval by the Mayor.

Adopted: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_  
Mayor

**EXHIBIT A**

**LIST OF SPECIAL ASSESSMENTS AND  
SCHEDULE OF SPECIAL ASSESSMENTS**

**LIST OF SPECIAL ASSESSMENTS**

<u>Name</u>	<u>Assessed Properties Description</u>	<u>Portion of Benefit and Special Assessment</u>	<u>Amount of Special Assessments</u>
Innisfree Enterprises, LLC	Parcel ID No D08-004640	43.21%	\$231,134.00
Innisfree Enterprises, LLC	Parcel ID No D08-004860	56.79%	\$303,776.00

SCHEDULE OF SPECIAL ASSESSMENTS  
FOR MIAMI COUNTY PARCEL NO.:

D08-004640\*

The following schedule of Special Assessment charges shall be certified for collection in 50 semi-annual installments to be collected first-half and second-half real property taxes for tax year 2021, calendar year 2022, through tax year 2045, calendar year 2046:

Special Assessment Payment Date **	Special Assessment Payment Amount ***
January 31, 2022	\$4,622.68
July 31, 2022	4,622.68
January 31, 2023	4,622.68
July 31, 2023	4,622.68
January 31, 2024	4,622.68
July 31, 2024	4,622.68
January 31, 2025	4,622.68
July 31, 2025	4,622.68
January 31, 2026	4,622.68
July 31, 2026	4,622.68
January 31, 2027	4,622.68
July 31, 2027	4,622.68
January 31, 2028	4,622.68
July 31, 2028	4,622.68
January 31, 2029	4,622.68
July 31, 2029	4,622.68
January 31, 2030	4,622.68
July 31, 2030	4,622.68
January 31, 2031	4,622.68
July 31, 2031	4,622.68
January 31, 2032	4,622.68
July 31, 2032	4,622.68
January 31, 2033	4,622.68
July 31, 2033	4,622.68
January 31, 2034	4,622.68
July 31, 2034	4,622.68
January 31, 2035	4,622.68
July 31, 2035	4,622.68
January 31, 2036	4,622.68
July 31, 2036	4,622.68
January 31, 2037	4,622.68
July 31, 2037	4,622.68
January 31, 2038	4,622.68
July 31, 2038	4,622.68

January 31, 2039	4,622.68
July 31, 2039	4,622.68
January 31, 2040	4,622.68
July 31, 2040	4,622.68
January 31, 2041	4,622.68
July 31, 2041	4,622.68
January 31, 2042	4,622.68
July 31, 2042	4,622.68
January 31, 2043	4,622.68
July 31, 2043	4,622.68
January 31, 2044	4,622.68
July 31, 2044	4,622.68
January 31, 2045	4,622.68
July 31, 2045	4,622.68
January 31, 2046	4,622.68
July 31, 2046	4,622.68

\*As identified in the records of the County Auditor of Miami County, Ohio as of December 3, 2020.

\*\*Pursuant to Ohio Revised Code Chapter 323, the Special Assessment Payment Dates identified in this Schedule of Special Assessments are subject to adjustment by the County Auditor of Miami County, Ohio under certain conditions.

\*\*\*The County Auditor of Miami County, Ohio may impose a special assessment collection fee with respect to each semi-annual Special Assessment payment. If imposed, this special assessment collection fee will be added by County Auditor of Miami County, Ohio to each semi-annual Special Assessment payment.

SCHEDULE OF SPECIAL ASSESSMENTS  
FOR MIAMI COUNTY PARCEL NOS.:

D08-004860\*

The following schedule of Special Assessment charges shall be certified for collection in 50 semi-annual installments to be collected first-half and second-half real property taxes for tax year 2021, calendar year 2022, through tax year 2045, calendar year 2046:

Special Assessment Payment Date **	Special Assessment Payment Amount ***
January 31, 2022	\$6,075.52
July 31, 2022	6,075.52
January 31, 2023	6,075.52
July 31, 2023	6,075.52
January 31, 2024	6,075.52
July 31, 2024	6,075.52
January 31, 2025	6,075.52
July 31, 2025	6,075.52
January 31, 2026	6,075.52
July 31, 2026	6,075.52
January 31, 2027	6,075.52
July 31, 2027	6,075.52
January 31, 2028	6,075.52
July 31, 2028	6,075.52
January 31, 2029	6,075.52
July 31, 2029	6,075.52
January 31, 2030	6,075.52
July 31, 2030	6,075.52
January 31, 2031	6,075.52
July 31, 2031	6,075.52
January 31, 2032	6,075.52
July 31, 2032	6,075.52
January 31, 2033	6,075.52
July 31, 2033	6,075.52
January 31, 2034	6,075.52
July 31, 2034	6,075.52
January 31, 2035	6,075.52
July 31, 2035	6,075.52
January 31, 2036	6,075.52
July 31, 2036	6,075.52
January 31, 2037	6,075.52
July 31, 2037	6,075.52
January 31, 2038	6,075.52
July 31, 2038	6,075.52

January 31, 2039	6,075.52
July 31, 2039	6,075.52
January 31, 2040	6,075.52
July 31, 2040	6,075.52
January 31, 2041	6,075.52
July 31, 2041	6,075.52
January 31, 2042	6,075.52
July 31, 2042	6,075.52
January 31, 2043	6,075.52
July 31, 2043	6,075.52
January 31, 2044	6,075.52
July 31, 2044	6,075.52
January 31, 2045	6,075.52
July 31, 2045	6,075.52
January 31, 2046	6,075.52
July 31, 2046	6,075.52

\*As identified in the records of the County Auditor of Miami County, Ohio as of December 3, 2020.

\*\*Pursuant to Ohio Revised Code Chapter 323, the Special Assessment Payment Dates identified in this Schedule of Special Assessments are subject to adjustment by the County Auditor of Miami County, Ohio under certain conditions.

\*\*\*The County Auditor of Miami County, Ohio may impose a special assessment collection fee with respect to each semi-annual Special Assessment payment. If imposed, this special assessment collection fee will be added by County Auditor of Miami County, Ohio to each semi-annual Special Assessment payment.



**ORDINANCE No.** 0-3-2021

Dayton Legal Blank, Inc

**ORDINANCE ACCEPTING THE REVISED FINAL RECORD PLAN OF THE PLANNED DEVELOPMENT – RESIDENTIAL AT 700 S. DORSET ROAD, FOR THE TROY CHRISTIAN SCHOOLS EDUCATION AND PERFORMING ARTS FACILITY**

**WHEREAS**, the Final Record Plan for the Planned Development - Residential at 700 S. Dorset Road submitted by the Troy Christian Schools Education and Performing Arts Facility was approved by Troy City Council by Ordinance No. O-31-2019; and

**WHEREAS**, by Ordinance No. O-44-2020 Troy City Council approved the amended General Plan of the Troy Christian Schools Education and Performing Arts Facility Planned Development – Residential; and

**WHEREAS**, on December 23, 2020, the Troy Planning Commission approved the Revised Final Development Plan of the Troy Christian Schools Education and Performing Arts Facility Planned Development – Residential, and recommended approval of the Revised Final Record Plan for said Planned Development – Residential, which conforms to the approved Revised General Plan of the Troy Christian Schools Education and Performing Arts Facility Planned Development – Residential.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Troy, Ohio as follows:

**SECTION I:** That the Revised Final Record Plan for the Troy Christian Schools Education and Performing Arts Facility Planned Development – Residential, as set forth in the attached Exhibit A, is hereby approved.

**SECTION II:** That this Ordinance shall be effective at the earliest date allowed by law:

Adopted: \_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_  
Clerk of Council Mayor

McGraw Road  
SITE

### RECORD PLAN OF INLOT

BEING A REPLAT OF INLOT 11283 AND INLOT 4958  
SECTION 29, TOWN 5, RANGE 6E,  
MIAMI COUNTY, CITY OF TROY, OHIO

VOLUME \_\_\_\_\_ PAGE \_\_\_\_\_  
MIAMI COUNTY RECORDER'S  
RECORD OF PLATS

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**DEFINITIONS:**  
BEING A REPLAT OF THE TRACTS CONVEYED TO TROY CHRISTIAN SCHOOLS, INC. AS FOLLOWS:  
ALL OF INLOT 4958 CONVEYED BY RECORD-82887 AND BEING 3.176 ACRES  
ALL OF INLOT 11283 CONVEYED BY RECORD-8108 AND BEING 34.884 ACRES BY SURVEY.

---

**CONVEYANCE:**  
BE, THE UNDERSIGNED REPRESENTATIVES OF TROY CHRISTIAN SCHOOLS, INC. HEREBY APPROVE THIS REPLAT COVERING OUR TWO PARCELS INTO THE NEW LOT.

DATE \_\_\_\_\_ HOURS \_\_\_\_\_

NAME \_\_\_\_\_ SURNAMES \_\_\_\_\_

OFFICE \_\_\_\_\_

RESIDENT OF COUNTY OF MIAMI, S.S. \_\_\_\_\_ DAY OF \_\_\_\_\_ 2008. BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE OF OHIO, PERSONALLY APPEARED \_\_\_\_\_ AND ADMONISHED THE SURETY AND OBLIGATION OF THE REPLAT TO BE NEAR VOLUNTARILY ACT AND BEING IN RETENTION THEREOF I HAVE SET MY HAND AND OFFICIAL SEAL ON THE DAY AND DATE WRITTEN.

NOTARY PUBLIC IN AND FOR THE STATE OF OHIO  
BY \_\_\_\_\_

---

**CITY OF TROY PLANNING COMMISSION:**  
AT A MEETING OF THE PLANNING COMMISSION OF THE CITY OF TROY, OHIO, HELD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2008, THIS REPLAT AND THE CONVEYANCE OF THE PARCELS INTO ONE LOT WAS REVIEWED AND APPROVED.

PREPARED BY:  
PRIMA SURVEYS, LLC  
1544 FAIRBANKS ROAD  
MENA, OH 45326  
937-431-4753  
INFO@PRIMASURVEYS.COM

SHT. 1  
OF 3

McGraw Road  
SITE

### RECORD PLAN OF INLOT

BEING A REPLAT OF INLOT 11283 AND INLOT 4958  
SECTION 29, TOWN 5, RANGE 6E,  
MIAMI COUNTY, CITY OF TROY, OHIO

VOLUME \_\_\_\_\_ PAGE \_\_\_\_\_  
MIAMI CO. RECORDER'S  
RECORD OF PLATS

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**DEFINITIONS:**  
BEING A REPLAT OF THE TRACTS CONVEYED TO TROY CHRISTIAN SCHOOLS, INC. AS FOLLOWS:  
ALL OF INLOT 4958 CONVEYED BY RECORD-82887 AND BEING 3.176 ACRES  
ALL OF INLOT 11283 CONVEYED BY RECORD-8108 AND BEING 34.884 ACRES BY SURVEY.

---

**CONVEYANCE:**  
BE, THE UNDERSIGNED REPRESENTATIVES OF TROY CHRISTIAN SCHOOLS, INC. HEREBY APPROVE THIS REPLAT COVERING OUR TWO PARCELS INTO THE NEW LOT.

DATE \_\_\_\_\_ HOURS \_\_\_\_\_

NAME \_\_\_\_\_ SURNAMES \_\_\_\_\_

OFFICE \_\_\_\_\_

RESIDENT OF COUNTY OF MIAMI, S.S. \_\_\_\_\_ DAY OF \_\_\_\_\_ 2008. BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE OF OHIO, PERSONALLY APPEARED \_\_\_\_\_ AND ADMONISHED THE SURETY AND OBLIGATION OF THE REPLAT TO BE NEAR VOLUNTARILY ACT AND BEING IN RETENTION THEREOF I HAVE SET MY HAND AND OFFICIAL SEAL ON THE DAY AND DATE WRITTEN.

NOTARY PUBLIC IN AND FOR THE STATE OF OHIO  
BY \_\_\_\_\_

---

**CITY OF TROY PLANNING COMMISSION:**  
AT A MEETING OF THE PLANNING COMMISSION OF THE CITY OF TROY, OHIO, HELD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2008, THIS REPLAT AND THE CONVEYANCE OF THE PARCELS INTO ONE LOT WAS REVIEWED AND APPROVED.

PREPARED BY:  
PRIMA SURVEYS, LLC  
1544 FAIRBANKS ROAD  
MENA, OH 45326  
937-431-4753  
INFO@PRIMASURVEYS.COM

SHT. 2  
OF 3

McGraw Road  
SITE

### RECORD PLAN OF INLOT

BEING A REPLAT OF INLOT 11283 AND INLOT 4958  
SECTION 29, TOWN 5, RANGE 6E,  
MIAMI COUNTY, CITY OF TROY, OHIO

VOLUME \_\_\_\_\_ PAGE \_\_\_\_\_  
MIAMI CO. RECORDER'S  
RECORD OF PLATS

---

**DEFINITIONS:**  
BEING A REPLAT OF THE TRACTS CONVEYED TO TROY CHRISTIAN SCHOOLS, INC. AS FOLLOWS:  
ALL OF INLOT 4958 CONVEYED BY RECORD-82887 AND BEING 3.176 ACRES  
ALL OF INLOT 11283 CONVEYED BY RECORD-8108 AND BEING 34.884 ACRES BY SURVEY.

---

**CONVEYANCE:**  
BE, THE UNDERSIGNED REPRESENTATIVES OF TROY CHRISTIAN SCHOOLS, INC. HEREBY APPROVE THIS REPLAT COVERING OUR TWO PARCELS INTO THE NEW LOT.

DATE \_\_\_\_\_ HOURS \_\_\_\_\_

NAME \_\_\_\_\_ SURNAMES \_\_\_\_\_

OFFICE \_\_\_\_\_

RESIDENT OF COUNTY OF MIAMI, S.S. \_\_\_\_\_ DAY OF \_\_\_\_\_ 2008. BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE OF OHIO, PERSONALLY APPEARED \_\_\_\_\_ AND ADMONISHED THE SURETY AND OBLIGATION OF THE REPLAT TO BE NEAR VOLUNTARILY ACT AND BEING IN RETENTION THEREOF I HAVE SET MY HAND AND OFFICIAL SEAL ON THE DAY AND DATE WRITTEN.

NOTARY PUBLIC IN AND FOR THE STATE OF OHIO  
BY \_\_\_\_\_

---

**CITY OF TROY PLANNING COMMISSION:**  
AT A MEETING OF THE PLANNING COMMISSION OF THE CITY OF TROY, OHIO, HELD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2008, THIS REPLAT AND THE CONVEYANCE OF THE PARCELS INTO ONE LOT WAS REVIEWED AND APPROVED.

PREPARED BY:  
PRIMA SURVEYS, LLC  
1544 FAIRBANKS ROAD  
MENA, OH 45326  
937-431-4753  
INFO@PRIMASURVEYS.COM

SHT. 3  
OF 3

**ORDINANCE No.** 0-4-2021

Dayton Legal Blank, Inc.

**ORDINANCE SUBORDINATING A MORTGAGE LIEN  
FOR R&E, LLC AND DECLARING AN EMERGENCY**

**WHEREAS**, the City of Troy received a mortgage lien on properties located at 650 Olympic Drive and on 155 Marybill Drive in the City of Troy, Ohio, as security for a loan to R&E, LLC; and

**WHEREAS**, the property owner is seeking to restructure its Greenville Federal commercial debt with the purchase of an additional industrial zoned building in the City of Troy, Ohio, which is requiring a new first mortgage as security on both properties referenced herein and is requesting the City of Troy to subordinate the loan from R&E, LLC to the City of Troy; and

**WHEREAS**, the property owner is current in loan repayments to the City of Troy.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Troy, Ohio, as follows:

**SECTION I:** That the Director of Public Service and Safety of the City of Troy, Ohio, is hereby authorized to execute any documents necessary for the subordination of the lien from R&E, LLC from the City of Troy, Ohio to that of Greenville Federal.

**SECTION II:** That the Law Director is hereby authorized and directed to cause the recording of any documents, to take any other action necessary, and to see that such subordination is properly filed and recorded.

**SECTION III:** That this Ordinance is an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the City of Troy, Ohio, and for the further reason that the property owner needs to close on the new bank loan as soon as possible, **NOW, WHEREFORE**, this Ordinance shall be effective immediately upon its adoption and approval by the Mayor.

Adopted: \_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_  
Clerk of Council Mayor

**ORDINANCE No.** 0-5-2021

Dayton Legal Blank, Inc.

**ORDINANCE TO ACCEPT THE APPLICATION FOR THE ANNEXATION OF CERTAIN TERRITORY CONTAINING 3.714 ACRES, MORE OR LESS, IN CONCORD TOWNSHIP, TO THE CITY OF TROY, OHIO**

**WHEREAS**, a petition for the annexation of certain property in Concord Township was duly filed by the owners of the below-described property, and

**WHEREAS**, Council has previously adopted legislation regarding municipal services, buffering requirements with this parcel, and consent, and

**WHEREAS**, the said petition was duly considered by the Board of County Commissioners of Miami County, Ohio, on October 22, 2020, and

**WHEREAS**, the Board of County Commissioners of Miami County, Ohio has approved the annexation of said territory to the City of Troy, as hereinafter described, and

**WHEREAS**, the Board of County Commissioners of Miami County, Ohio certified the transcript of the proceedings in connection with said annexation with the map and petition required in connection therewith the Clerk of Council who received same on October 26, 2020, and

**WHEREAS**, at least sixty (60) days from the date of said filing have now elapsed in accordance with the provisions of the Ohio Revised Code,

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Troy, as follows:

**SECTION I:** That the proposed annexation as applied or in the petition by a majority of owners of real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Miami County, Ohio, and which said petition prayed for annexation to the City of Troy, Ohio, of certain property adjacent thereto as hereinafter described, and which said petition was approved for annexation to the City of Troy by the Board of County Commissioners of Miami County, Ohio on October 22, 2020, be and the same as hereby accepted. Said territory is described in Exhibit A, attached hereto and made a part hereof. The certified transcript of the proceedings for annexation with an accurate map of said territory, together with the petition for its annexation, and other papers relating to the proceedings thereto of said Board of County Commissioners are all on file with the Clerk of Council of this City and have been for more than sixty (60) days.

**SECTION II:** That the Clerk of Council be and she is hereby authorized and directed to make three (3) copies of this Ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of the proceedings of the Board of County Commissioners relating thereto, a certificate as to the correctness thereof, and authentication by the seal of the City of Troy. The Clerk shall then forthwith deliver one copy to the Secretary of State, one copy to the County Auditor, and one copy to the County Recorder and shall file notice of this annexation with the Board of Elections within thirty days after it becomes effective, and said Clerk shall do all other things required by law.

**SECTION III:** That this Ordinance shall be effective at the earliest date allowed by law.

Adopted: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_  
Mayor

COZATT ENGINEERING COMPANY  
CIVIL ENGINEER - LAND SURVEYOR

MICHAEL W. COZATT  
PROFESSIONAL ENGINEER 36325  
PROFESSIONAL SURVEYOR 6001

534 N. Elm St., Suite C  
TROY, OHIO 45373  
(937) 339-2921 • (937) 216-6320

SUBDIVISIONS  
MUNICIPAL ENGINEERING  
LAND SURVEYS

June 1, 2020

DESCRIPTION

3.714 Ac.  
Annexation to City of Troy, Ohio  
for  
Kerber and Ferryman

Being a total of 3.714 acre tract to be annexed, being a 2.997 acre tract (part of a 11.944 acre tract) as deeded to Grant D. and Anna E. Kerber by D.B. 795, Pg. 813 and a 0.717 acre tract as deeded to Michael and Monica Ferryman by D.R. 481, Pg. 855, located in the southeast quarter of Section 30, Town 5, Range 6, Concord Township, Miami County, Ohio, and further bounded and described as follows:

Commencing for reference at the southeast corner of the southeast quarter of Section 30 and being at the centerline intersection of Fenner Road and Barnhart Road; thence North 00 deg.-33'-15" East for 506.85 ft. along the centerline of Barnhart Road and the east line of Section 30 to a point marking the true place of beginning.

thence North 89 deg.-26'-45" West for 250.41 ft. to an iron pin found;

thence South 00 deg.-33'-15" West for 258.90 ft. to an iron pin found;

thence North 89 deg.-55'-00" West for 151.62 ft. to a point;

thence South 00 deg.-05'-00" West for 250.00 ft. to a point on the centerline of Fenner Road and the south line of Section 30;

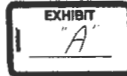
thence North 89 deg.-55'-00" West for 125.00 ft. with aforesaid centerline and section line to a point;

thence North 00 deg.-05'-00" East for 250.00 ft. to a point;

thence North 00 deg.-05'-00" East for 371.37 ft. to a point;

thence South 89 deg.-26'-45" East for 530.05 ft. to a point on the centerline of Barnhart Road and the east line of Section 30;

thence South 00 deg.-33'-15" West for 110.18 ft. with aforesaid centerline and section line to the place of beginning.



Containing a total of 3.714 Ac., including 2.997 Ac. and 0.717 Ac. and subject to all legal easements, rights-of-way, and restrictions of record.

Legal description written from Lewnview Section 2, Plat Book 10, Page 60 of the Miami County Recorder's Plat Records and Land Survey Vol. 42, Pg. 109 of the Miami County Engineer's Record of Land Surveys.

This description written by Michael W. Cozatt, Professional Surveyor #6001, 534 N. Elm St., Suite C, Troy, Ohio 45373, on June 1, 2020.

## ITEMS OF INTEREST

**TO:** Mayor Oda  
Mr. Lutz, President of Council  
Council Members

**FROM:** Patrick E. J. Titterington, City Director

**DATE:** December 31, 2020

We are providing the following for your information:

- Employment Update:
  - Seth Canan was appointed to the position of Facility Operator at Hobart Arena effective December 21.
  - Patrick Schaefer was appointed to the position of Laborer with the Street Department effective December 28.
- Contract Awards:
  - Two bids were received for the Self-Contained Breathing Apparatus (SCBA) equipment for the Fire Department. The base bids were \$244,749.36 and \$269,177.36. Council authorized \$273,000 for this project. The contract was awarded to Finley Fire Equipment Co., Inc. in the amount of \$264,147.75 which included some of the optional items bid.
- The third round of the annual leaf collection will begin on Monday, January 4 and be completed by January 29, weather permitting. A map showing anticipated pickup dates by address is available on the City's website at [www.troyohio.gov/leaf-map](http://www.troyohio.gov/leaf-map).
- City offices will be closed January 1 for the New Year's Day Holiday. Refuse and recycling collection will be delayed one day for residents that have Friday, January 1 pick-up.
- City offices will also be closed Monday, January 18 for the Dr. Martin Luther King, Jr. Holiday. Residential refuse collection and recycling will be on schedule.
- The City will be collecting real Christmas Trees from December 28 through January 29. The trees must be free of light strands, decorations, tree stands, and plastic bags.
- Attached is the Snow Removal report for the 2020-2021 winter season.

**Upcoming Events at Hobart Arena**

May 20 7:30 p.m. Travis Tritt with special guest Tyler Reese Tritt

**Calendar of Meetings**

Jan. 4	7:00 p.m.	Council Meeting
Jan. 11	4:00 p.m.	Park Board
Jan. 11	6:00 p.m.	Council Committee Meeting
Jan. 13	3:30 p.m.	Planning Commission
Jan. 14	6:00 p.m.	Human Relations Commission
Jan. 19	7:00 p.m.	Council Meeting
Jan. 20	4:00 p.m.	Joint Recreation Board and Park Board Meeting
Jan. 25	6:00 p.m.	Council Committee Meeting
Jan. 27	3:30 p.m.	Planning Commission

Reports from other departments are attached.

If you have any questions, please do not hesitate to contact this office.

Enclosure

cc: Department Heads

MONTH	SALT			BEET JUICE			UNLEADED			DIESEL			REG LABOR		OT LABOR		EVENT TOTAL (\$/EVENT)	TOTAL SPENT TO DATE	TOTAL SALT USAGE (TONS)	TOTAL SALT REMAINING (TONS)	EVENT DESCRIPTION (M = Maine; S = Secondaries; B = Bridges;
	(TONS)	(\$/TON)	(\$/EVENT)	(GAL)	(\$/GAL)	(\$/EVENT)	(GAL)	(\$/GAL)	(\$/EVENT)	(GAL)	(\$/GAL)	(\$/EVENT)	(HOURS)	(\$/EVENT)	(HOURS)	(\$/EVENT)					
October	0.00	\$73.45	\$ -	0.0	\$1.37	\$ -	0.0	\$1.77	\$ -	0.0	\$1.69	\$ -	0.00	\$ -	0.00	\$ -	\$ -	\$ -	0.00	1,000.00	600 Tons on order
November 30, 2020 7:30PM - 11:00PM	58.00	\$73.45	\$ 4,269.10	0.0	\$1.37	\$ -	0.0	\$1.77	\$ -	21.0	\$1.69	\$ 35.49	0.00	\$ -	21.00	\$ 859.86	\$ 5,155.45	\$ 5,155.45	58.00	942.00	Salt mains/secondaries
December 16, 2020 4:45AM - 7:00AM	61.00	\$73.45	\$ 4,480.45	0.0	\$1.37	\$ -	0.0	\$1.56	\$ -	21.0	\$1.94	\$ 40.74	1.25	\$ 41.63	14.50	\$ 590.94	\$ 5,153.76	\$ 10,309.21	119.00	881.00	Salt mains/secondaries
December 16, 2020 10:45PM - 1:45AM	5.00	\$73.45	\$ 367.25	0.0	\$1.37	\$ -	0.0	\$1.56	\$ -	4.0	\$1.94	\$ 7.76	8.00	\$ 273.60	0.00	\$ -	\$ 648.61	\$ 10,957.82	124.00	878.00	Salt bridges
December 17, 2020 8:00PM - 11:00PM	0.75	\$73.45	\$ 55.09	0.0	\$1.37	\$ -	0.0	\$1.56	\$ -	2.0	\$1.94	\$ 3.88	0.00	\$ -	3.00	\$ 149.85	\$ 208.62	\$ 11,166.64	124.75	875.25	Salt bridges
<b>Total</b>		<b>\$ 9,162.89</b>			<b>\$ -</b>			<b>\$ -</b>			<b>\$ 87.87</b>			<b>\$ 315.23</b>		<b>\$ 1,600.65</b>		<b>\$ 11,166.64</b>			

\* Compared with 2019-2020 season expenses totaling \$26,834.87 and 292 tons of salt used as of December 31, 2019.





**Operations  
Items of Interest**  
December 31, 2020

### **Street/Solid Waste – Justin Olivieri, Lead Operator**

- Collected and transported 244 tons of residential trash since the last report of 295 tons
- Handled a recycling complaint and trash complaints
- Collected yard waste bags and bundled brush
- Finished the second round of the leaf collection. The vast majority of leaves have been collected which will result for minimal work in the third round.
- Finished asphalt operations for the season. Staff will be utilizing cold patching for any needed repairs to the roadways. Cold patched repairs will be asphalted in the spring.
- Placed 20 trash receptacles around the downtown areas
- Had a transmission issue repaired on the backhoe
- Started Christmas tree pick-up which will run through January 29, 2021. The trees will be disposed of at the Miami County Transfer Station.

### **Electrical – Brian Ferree, Foreman**

- Completed Ohio Utilities Protection Service requests as needed
- Department's safety report was completed for January
- Department continued to maintain the mini-lights in the downtown area
- Installed a new conflict monitor in the traffic cabinet at South Market Street and Canal Street
- Repaired a couple of lights at City Hall
- Installed a new heater in the watch room at Fire Station 1
- Repaired several lights at the Police Station

### **Water Distribution/Sewer Maintenance – Tom Parsons, Foreman**

- Marked numerous Ohio Utilities Protection Service tickets
- Completed numerous work orders for Billing and Collection
- Investigated numerous high consumption alerts
- Completed non-pay shut offs and reconnects as paid
- Upgraded water services on West Water Street, South Ridge Avenue, West Simpson Street, Lake Street, East Franklin Street, Maplecrest Drive, and Elmwood Avenue
- Changed meter and reconnected water at a property on Paradise Trail
- Repaired water main breaks on Westbrook Lane and Smith Street at Fairfield Road
- Checked a frozen meter at a business location on West Main Street
- Repaired broken valve boxes on Kings Chapel North, Experiment Farm Road, and Corporate Drive
- Replaced a 4" valve on Brookside Drive
- Televised sewer lines at Stonebridge Meadows and Halifax Subdivision
- Jetted and removed blockage on West Main Street at Meijer

**Wastewater Treatment Plant – Ken Parks/Tim Parker**

- On December 21, a new radiator was installed in the plant's backup power generator, after experiencing leaks in the existing radiator due to age.
- On December 22, staff met with a consultant to discuss particular styles of blowers and diffusers to be considered for the blower replacement project, along with the use of the selectors to improve the treatment process.
- Staff completed the installation of four flow meters within the City's sewer system at various locations that will assist in identifying areas with excessive infiltration and inflow.
- The installation of a new version of Antero, the maintenance data base software has been completed. This will improve the ability to assign maintenance tasks and keep track of the spare parts inventory and usage.
- Average daily plant flow for the month of December was 5.39 MGD.

**Water Treatment Plant – Jeff Monce**

- Vendor performed advanced PdMA testing on all distribution pump motors on December 28
- Vendor replaced aged refrigeration compressor for CO2 storage tank December 29
- Maintenance continues cleaning Train 2 basins as weather permits
- High Service Pump 6 VFD has fault issues and will be removed for factory repair

**Items of Interest  
Engineering Department  
December 31, 2020**

**PROJ #                      PROJECT TITLE    PROJECT STATUS**

**PUBLIC WORKS AND CITY FACILITY PROJECTS**

2015-32	State Route 41 Interconnect Phase 2 (PID 103488)	Phase 2 of the interconnect project will provide communication of signals at Marybill Drive and Dorset Road. Right-of-way acquisition is complete, and right-of-way is certified by ODOT. Project will bid in 2021.
2016-20	Dam Removal Feasibility Study	FlatLand Resources, LLC of Muncie, IN performed the feasibility study. US Fish and Wildlife Service is submitting a funding application to proceed with the project and working on the covenants with the property owner, Miami Conservancy District.
2018-12	West Main Street (SR 41) Corridor Improvements (PID 108662 and 110253)	Council authorized Strand Associates, Inc. to design improvements along West Main Street from Market Street (i.e. Public Square) to I-75. Both project phases have been awarded grant funding totaling \$5,508,383 and an additional \$860,000 for ODOT Urban Paving Program. Staff continues to work with DP&L to satisfy their requested upgrades and potential relocations. For Phase 1, the Right-of-Way appraisal and acquisition process has started. For Phase 2, utility coordination continues.
2018-15	Kidder Ditch Modeling & Rehabilitation	Council approved an agreement with Strand Associates, Inc. for the hydraulic and hydrologic modeling of Kidder Ditch improvements. Consultant is working on finalizing the model and will be requesting input from residents along the ditch in early 2021. After input has been received from residents, there will be a public meeting.
2019-02	Fire Station 1 Replacement	KZF Design, Inc. of Cincinnati, Ohio was awarded the design for the new fire station. Design is being finalized with site design, rezoning, and interior building layout. The buildings on the property have been demolished and cleaned up. In the next month, the City will advertise for construction bids to begin construction in early 2021.
2016-14; 2017-17	Riverside Drive Phase 3 & 4	Phase 3 will be from Orchard Drive through the Duke Park entrance; Phase 4 will be from the Duke Park entrance to the north property line of the park. Choice One Engineering is finalizing design; OPWC funding is secured for both phases. In the next month, the City will advertise for construction bids to begin construction in early 2021.
2020-02	TI Harbor Dredging	US COE approved the dredging permit in the harbor. Harbor cleaning has stopped for the year. Additional funds were appropriated in the 2021 budget. Additional dredging will begin in the spring when temperatures allow.
2019-25	South Market Street Signal Timing	Staff requested working with ODOT and DGL Consulting, LLC, an ODOT prequalified consultant for this type of project, to proceed with safety grant funding to review the traffic signals along South Market Street beginning at Water Street through Simpson Street. A draft traffic model has been completed and is being reviewed by Staff.
2019-27	Madison Street Lift Station Pump Rehab	Staff prepared a CDBG Critical Infrastructure Grant application for funding to assist with the costs of the repair/rehabilitation of the Madison Street Stormwater Lift Station. The project has received CDBG grant funding. Design of this project will begin in 2021.

**Items of Interest  
Engineering Department  
December 31, 2020**

PROJ #	PROJECT TITLE	PROJECT STATUS
2019-23	Traffic Signal - West Main Street and Kings Chapel Drive	ODOT awarded safety funding to the project; the scope and LPA agreement is being finalized with ODOT. Design continues and environmental review is progressing for the signal design. Acquisition of temporary right-of-way is beginning with appraisals of the necessary property.
2019-24	Drury Lane Storm Sewer Replacement	Staff utilizing Choice One Engineering has submitted a permit to CSX to replace a failing storm sewer under the CSX spur line at Drury Lane and Madison Street. Staff plans to proceed with bidding the work in 2021.
2020-03	WWTP Aeration Blower Replacement	Council has approved the agreement with Hazen & Sawyer for the analysis of the existing biological process at the Wastewater Treatment Plant. The study of the aeration system modeling is progressing by analyzing process limitations and expansion capabilities.
2020-10	Finsbury Detention Basin	Staff worked with Choice One Engineering and developer, Frank Harlow, to design a site detention basin on the Halifax Villas Clubhouse site to divert the Finsbury Lane storm water into a basin from the Kidder Ditch. The improvements will be located in an easement. Staff will be requesting acceptance of a drainage easement for this detention basin.

**ANNUAL PROJECTS**

	Sidewalk Program 2020 (Phase 12) and Towne Park Drive Sidewalks	The next phase continues to be the southeast side of the City and is generally to the east of Phase 11. This phase of the sidewalk repair is along E. Canal St. from S. Mulberry St. to Floral Ave., S. Clay St. between McClung St. and E. West St., S. Crawford St. between E. Canal St. and E. West St., and S. Union St. from E. Canal St. to E. Dakota St. The contractor has completed the residential area and will move to Towne Park Drive as weather permits.
	Sidewalk Program 2021 (Phase 13) and Pleasant View Estates Sidewalks	Phase 13 of the sidewalk program is generally south of East Canal Street to Race Drive. The program will include some undeveloped properties in Pleasant View Estates. Council approved the Resolution of Necessity, which includes notification to residents of their estimated assessment in early 2021.

**Items of Interest  
Engineering Department  
December 31, 2020**

**PROJ #                      PROJECT TITLE    PROJECT STATUS**

**SUBDIVISION PROJECTS**

2019-04	The Reserve at Washington	Section 1 has intermediate asphalt installed and home construction has begun. Section 2 preliminary submittal has occurred, and staff has returned comments.
2018-19	Halifax Villas	Clubhouse and housing construction continues.
2018-25 2019-14	Heritage at Troy Country Club Heritage Village at Troy Country Club	Housing construction continues.
2017-21; 2018-22; 2019-13	Fox Harbor	Contractor is working on punch list items in order to close out Section 4 and get the City's final acceptance. Sections 5 and 6 housing construction continues. Section 7 streets and public infrastructure is installed and awaits housing construction.
2017-15; 2018-02	Stonebridge Meadows	Sections 6 and 7 have intermediate asphalt installed. The contractor is repairing a couple of infrastructure deficiencies. Home construction is ongoing in Sections 6 and 7. Staff continues to work to finalize the outstanding items in the subdivision.
2016-15; 2016-25; 2018-08; 2019-03	Halifax	Contractor is working on punch list items in order to close out Sections 2 and 3 and get the City's final acceptance. Section 4 has intermediate asphalt being installed; home construction is ongoing. Section 5 home construction has begun.
2007-41	Pleasant View Estates	Section 3 unfinished sidewalks will be completed with the Sidewalk program in 2021. Staff is not aware of proposed improvements being planned for the remaining land in the subdivision at this time.
2000-50	Oakmont	Section 5 is awaiting final punch list and final course of asphalt. Developer has paid Miami Valley Lighting for street lights and plans to get the punch list and asphalt completed to finish the plat.
2018-07	Villages of Concord	A revised preliminary plan has been approved by Planning Commission.





**MEMORANDUM**

**TO:** Patrick E.J. Titterington, Director of Public Service and Safety

**FROM:** Tim Davis, Development Director

**DATE:** December 31, 2020

**SUBJECT:** *Items of Interest Report*

---

I have attached two reports which summarize concerns that are being addressed by the Development Department from December 16, 2020 to December 28, 2020.

The first report shows all permit applications that were received. The permits have been separated by the wards they are located within. There were eight permit applications received during this time period.

The second report contains the address, type of concern, and a summary of the current status of on-going property maintenance violations. Both open and closed concerns are listed. These concerns are separated by the wards of which they are located within. There were seven violations addressed during this time period.

All costs associated with the removal of trash and elimination of noxious weeds will be invoiced to the property owner. Should the property owner fail to pay any invoice, the cost will be assessed to the property taxes where the violation occurred.

encl.

## Permit Activity Report

December 16, 2020 - December 28, 2020

Project Address	Ward	Permit Type	Description	Assigned To	Permit Date	Total Fees
536 MEADOW LANE	1	ZONING-ACCESSORY-RESIDENTIAL	SHED	AUSTIN EIDEMILLER	12/21/2020	\$25.00
726 W BENTLEY CIRCLE	2	ZONING-RESIDENTIAL-NEW	SINGLE FAMILY RESIDENCE	ROBERT WATSON	12/18/2020	\$74.94
704 SHERWOOD	2	FENCE PERMIT	FENCE	ROBERT WATSON	12/26/2020	\$10.40
1253 RIDGEWOOD DRIVE	3	ZONING-ACCESSORY-RESIDENTIAL	DETACHED GARAGE	AUSTIN EIDEMILLER	12/22/2020	\$26.00
644 WILLOW POINT CT	3	ZONING-ACCESSORY-RESIDENTIAL	PERGOLA	AUSTIN EIDEMILLER	12/21/2020	\$25.00
130 1/2 ASH STREET	3	DEMOLITION PERMIT	DEMOLITION	AUSTIN EIDEMILLER	12/16/2020	\$15.92
2610 RENWICK WAY	4	FENCE PERMIT	FENCE	ROBERT WATSON	12/17/2020	\$10.00
2637 STONEBRIDGE DR	4	ZONING-ACCESSORY-RESIDENTIAL	ATTACHED GARAGE	AUSTIN EIDEMILLER	12/16/2020	\$25.00



## Violation Activity Summary

December 16, 2020 - December 28, 2020

Case #	Case Date	Assigned To	Site Address	Ward	Type of Violation	Status	Description
20200577	12/23/2020	AUSTIN EIDEMILLER	1238 TODD LN	1	TRASH & DEBRIS	Open	12/23 AE Couch & Trash in Curb Lawn. Spoke with owner who stated they will have someone come and get it. Follow up 12/28 AE
20200576	12/22/2020	AUSTIN EIDEMILLER	632 MAPLECREST DRIVE	1	TRASH & DEBRIS	Open	12/21 AE Trash & Debris on property. Sent Certificate. Follow up 12/30 AE
20200572	12/17/2020	AUSTIN EIDEMILLER	561 STONYRIDGE AVE	1	TRASH & DEBRIS	Open	12/17 AE Set out at street, Trash and misc. items in rear of property. Sent certificate. Setting recheck. Follow up 12/28
20200575	12/21/2020	AUSTIN EIDEMILLER	306 LINCOLN AVE	3	PROPERTY MAINTENANCE	Open	12/21 AE Property maintenance issues on property, sent pre-violation notice. Follow up 03/01/21 AE
20200570	12/16/2020	AUSTIN EIDEMILLER	310 RACE STREET	3	TRASH & DEBRIS	Closed	12/15 AE Large setout on street. Sent Certificate. Follow up 12/22 AE Trash and debris removed. Resolved
20200571	12/16/2020	AUSTIN EIDEMILLER	633 FLORAL AVE	3	TRASH & DEBRIS	Open	12/15 AE Recvd Complaint regarding excessive dog waste. Dog Waste is present on the property. Sent Certificate. Follow up 12/22 AE Some dog waste removed. Recv'd complaint regarding boards leaning up against the fence. Boards along fence removed. Follow up 12/28
20200574	12/18/2020	AUSTIN EIDEMILLER	1463 W MAIN STREET	5	ZONING PROBLEM	Open	12/18 AE Truck parking in grass. Sending Certified. Follow up 12/28

# January 2021

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1 New Years Day City Offices Closed	2
3	4 City Council Meeting 7:00 p.m. Bravo Room at Hobart Arena	5	6	7	8	9
10	11 Park Board Meeting 4:00 p.m. via Zoom Council Committee Meeting 6:00 p.m. Council Chambers	12	13 Planning Commission 3:30 p.m. via Zoom	14 Human Relations Commission 6:00 p.m. Senior Citizens Center	15	16
17	18 Dr. MLK Holiday City Offices Closed	19 City Council Meeting 7:00 p.m. Bravo Room at Hobart Arena	20 Joint Recreation Board and Park Board Meeting 4:00 p.m. Hobart Arena	21	22	23
24	25 Council Committee Meeting 6:00 p.m. Council Chambers	26	27 Planning Commission 3:30 p.m. via Zoom	28	29	30
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