

NOTICE OF SPECIAL MEETING
OF THE
CITY COUNCIL

Mrs. Marshall, Mr. Pierce, Mr. Phillips, Mr. Rozell, Mr. Schilling,
Mr. Severt, Mrs. Snee, Mr. Twiss, Mr. Whidden, Mr. Lutz

You are hereby notified that there will be a special meeting of the City Council of The City of Troy, Ohio, at the Council Chamber in said city, on Monday the 26th day of June 2023 at 6:00 P.M. for the purpose of recessing into executive session to confer with legal counsel concerning disputes that are the subject of pending or imminent court action and considering Resolution No. R-38-2023

This meeting is called by Council President Lutz pursuant to Rule XXV of the Troy City Council Rules for procedure.

Signed by us as duly elected and qualified members of the City Council of the City of Troy, Ohio, this _____ day of June, 2023.

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AGENDA
SPECIAL MEETING TROY CITY COUNCIL
MONDAY, JUNE 26, 2023
6:00 PM
COUNCIL CHAMBERS, CITY HALL

ROLL CALL

Excuses by motion/second/roll call vote

READING AND ACKNOWLEDGEMENT OF NOTICE OF SPECIAL MEETING OF TROY CITY COUNCIL

EXECUTIVE SESSION Recess into executive session to confer with legal counsel concerning disputes that are the subject of pending or imminent court action **MOTION/SECOND/ROLL CALL VOTE**

RETURN FROM EXECUTIVE SESSION

MOTION/SECOND/ROLL CALL VOTE

RESOLUTIONS

R-38-2023 **Accept Donation of Real Property & Enter into a Settlement Agreement** **EMERGENCY** **3rd Reading**

ADJOURN

NOTE: Committee meetings may take place prior to or following Council meeting

CITY OF TROY MISSION STATEMENT:

Through sound and prudent leadership, the City of Troy is committed to sustaining its continued prominence as a regional hub by providing a well-balanced community for its residents, businesses and visitors, consisting of a vibrant downtown, growing economic base, strong educational environment, and plentiful recreational opportunities strengthened by public/private cooperation and grounded in financial stability.

RESOLUTION No. R-38-2023

Dayton Legal Blank, Inc.

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO, TO ACCEPT THE DONATION OF REAL PROPERTY, AND TO ENTER INTO A SETTLEMENT AGREEMENT WITH 116 WEST MAIN, LLC, AND RANDY KIMMEL, AND DECLARING AN EMERGENCY

WHEREAS, the owner of certain real property located at 112-116 West Main Street in the City of Troy, Ohio, has offered to donate such real property to the City of Troy; and

WHEREAS, this Council is agreeable to accepting such real property; and

WHEREAS, the City of Troy, Ohio has commenced litigation against 116 West Main, LLC in the Miami County, Ohio Common Pleas Court in Case No. 23CV00109; and

WHEREAS, it is advisable to settle and dispose of all of the claims between the parties to the lawsuit in Case 23CV00109.

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

SECTION I: That the Director of Public Service and Safety of the City of Troy, Ohio is hereby authorized to accept the title to the real property located at 112-116 West Main Street, Troy, Ohio, in the name of the City of Troy, Ohio, subject to certain terms and conditions and to have the deed to such real property duly recorded.

SECTION II: That the Director of Public Service and Safety of the City of Troy, Ohio is hereby authorized to execute and deliver a written Settlement Agreement with 116 West Main, LLC and Randy Kimmel in substantial compliance with the agreement presented to the Miami County, Ohio Common Pleas Court on May 24, 2023.

SECTION III: 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 that the transfer of the real property into the name of the City of Troy, Ohio, needs to be accomplished without delay to permit urgent repairs; **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