

## MINUTES OF COUNCIL

A regular session of Troy City Council was held on Tuesday, January 3, 2023 at 7:00 p.m. in Council Chambers, City Hall.

Members Attending: Phillips, Pierce, Rozell, Schilling, Severt, Snee and Whidden.

Upon motion of Mr. Phillips, seconded by Mr. Rozell, Mrs. Marshall was excused from this meeting by unanimous roll call vote.

Upon motion of Mr. Phillips, seconded by Mr. Severt, Mr. Twiss was excused from this meeting by unanimous roll call vote.

Presiding Officer:	William Lutz	President of Council
Others Present:	Robin I. Oda	Mayor
	Patrick E. J. Titterington	Director of Public Service and Safety
	Grant D. Kerber	Director of Law

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

MINUTES: The Clerk gave a summary of the minutes of the December 19, 2022, meeting of Troy City Council. There were no corrections or additions to these minutes. Upon motion of Mr. Rozell, seconded by Mr. Phillips, these minutes were approved by unanimous roll call vote.

## COMMITTEE REPORTS:

Buildings & Utilities Committee: Mr. Whidden reported that Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to submit an application to OEPA for a Public Water System Equipment Grant in the amount of \$10,000 for funding of equipment for the Water Distribution Division, and to execute any related documents if funds are awarded. Based on the application deadline of January 25, 2023, committee supports emergency legislation.

Report submitted by Twiss, Whidden and Marshall.

Community & Economic Development Committee: Mr. Schilling, Chairman, reported that Committee recommends Ordinance No. O-60-2022 be adopted to make a correction to Section 1143 (m) (6) B of the Zoning Code approved by Ordinance No. O-42-2022. In that section, the term "Planning Commission" was intended to be used. As adopted, Ordinance No. O-42-2022 contained the term "Appeals Board".

Report submitted by Pierce, Snee and Schilling.

Streets & Sidewalks Committee: Mr. Phillips, Chairman, reported that Committee recommends that legislation be prepared approving the final legislation for the ODOT urban paving project of ODOT resurfacing SR 55 from Peters Avenue/Grant Street to Franklin Street, with the City paying 20% of the project cost. Based on the ODOT format and to meet the date to return legislation to ODOT of January 27 2023, Committee supports emergency legislation.

Report submitted by Pierce, Snee and Phillips.

Law & Ordinance Committee: Mr. Severt, Chairman, gave an oral report of the following liquor permit applications:

- New C-1 Permit for Caseys Marketing Co, dba Caseys General Store 4016, 1403 W. Market St.
- New D-1 Permit for Bob Evans Restaurants LLC, dba Bob Evans Restaurant 257, 1749 W. Main St.

COMMENTS ON AGENDA ITEMS: NONE.

## RESOLUTION NO. R-1-2023

RESOLUTION AUTHORIZING THE SALE DURING CALENDAR YEAR 2023 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)

This Resolution was given first title reading.

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

Yes: Schilling, Severt, Snee, Whidden, Phillips, Pierce and Rozell.

No: None.

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

Yes: Severt, Snee, Whidden, Phillips, Pierce, Rozell and Schilling.

No: None.

RESOLUTION ADOPTED

## RESOLUTION NO. R-2-2023

A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO SUBMIT AN OHIO ENVIRONMENTAL PROTECTION AGENCY PUBLIC WATER SYSTEM EQUIPMENT GRANT APPLICATION, AND DECLARING AN EMERGENCY

Mr. Whidden moved for suspension of rules requiring three readings. Motion seconded by Mr. Severt.

Yes: Snee, Whidden, Phillips, Pierce, Rozell, Schilling and Severt.

No: None.

Mr. Whidden moved for adoption. Motion seconded by Mr. Pierce.

Yes: Whidden, Phillips, Pierce, Rozell, Schilling, Severt and Snee.

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-3-2023

FINAL RESOLUTION AUTHORIZING CONSENT AND COOPERATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF STATE ROUTE 55 WITHIN THE RIGHT-OF-WAY OF THE CITY OF TROY, OHIO IN FY 2023, PARTICIPATION IN THE PROJECT, AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

Yes: Phillips, Pierce, Rozell, Schilling, Severt, Snee and Whidden.

No: None.

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

Yes: Pierce, Rozell, Schilling, Severt, Snee, Whidden and Phillips.

No: None.

RESOLUTION ADOPTED

ORDINANCE NO. O-60-2022

ORDINANCE AMENDING ORDINANCE NO. O-42-2022, TO MAKE A CORRECTION IN SECTION 1143.22 (m) (6) B

This Ordinance was given first title reading on December 5, 2022.

Given public hearing and second title reading on December 19, 2022.

Given third title reading.

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

Yes: Rozell, Schilling, Severt, Snee, Whidden, Phillips and Pierce.

No: None.

ORDINANCE ADOPTED

COMMENTS OF MAYOR: The Mayor provided New Year's greetings.

COMMENTS OF THE DIRECTOR OF PUBLIC SERVICE AND SAFETY:

Mr. Titterington noted:

-Non-artificial Christmas Trees will be collected December 27 - January 31, but the trees must be free of decorations, stands, or bags.

-Weather permitting, leaf collection continues through January 19.

-City offices are closed January 16 for the Dr. Martin Luther King holiday; refuse collections will be on schedule.

-City crews are to be commended for roadway treating, salting and plowing for working five days over the Christmas Holiday. He commented that the City's expenditure for those days was about \$25,000 for staff/equipment/supplies. He further noted that much of the work was during sub-zero weather, when salt would not work on local streets due to the temperatures.

COMMENTS OF MEMBERS OF COUNCIL:

-Mr. Severt noted that the HRC had submitted an annual report. He further commented that the report does not note that IDEA Troy has become a branch of the HRC and will work on events such as the MLK Holiday and Juneteenth Holiday.

CITIZEN COMMENTS: Brad Boehringer, 105 Crestwood Drive, commented that he did not believe the owner of the Tavern Building (112-118 W. Main Street) would take any steps to repair the building within the 90-day extension he was granted; it has now been three years since the tornado that damaged the building and this has taken too long to resolve; he asked why the City has a zoning or property maintenance code if the Mayor is correct that the City cannot tell a private property owner what to do; and he stated his opinion that the building owner has aligned himself with a major political donor in the Troy area and is being given special consideration because of that.

There being no further business, the meeting adjourned at 7:27 p.m.

