

MINUTES OF COUNCIL

A regular session of Troy City Council was held Tuesday, January 21, 2020, at 7:00 p.m. in Council Chambers.

Members Present: Allen, Phillips, Rozell, Schweser, Schilling, Severt, Snee and Terwilliger.  
Upon motion of Mr. Schweser, 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, Patrick E. J. Titterington Grant D. Kerber	Mayor Director of Public Service and Safety Director of Law

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

ANNOUNCEMENT OF TREES FOR TROY GRANT FROM THE ROBINSON FUND: Ted Mercer, on behalf of the Robinson Fund, announced that a sum of \$10,000 will be made by Patricia and Thom Robinson through the Robinson Fund to start planting new trees to reforest the City after so many mature trees were damaged/destroyed during the tornado of January 11. He commented that Mr. and Mrs. Robinson do not want the City of Troy to lose the significance of tree lined streets in Troy. The Trees for Troy Grant will fund the replacement of approximately 65 trees on public property throughout the City.

On behalf of the City, Mr. Lutz expressed appreciation to Mr. and Mrs. Robinson, who were at the meeting.

INTRODUCTION: Dakota Brown, Firefighter/Paramedic appointed January 6, 2020, was introduced by Fire Chief Simmons.

MINUTES: The Clerk gave a summary of the minutes of the January 6, 2020, meeting of Troy City Council. There were no corrections or additions to these minutes. Upon motion of Mr. Rozell, seconded by Mr. Schilling, these minutes were approved by unanimous roll call vote.

COMMITTEE REPORTS:

Buildings & Utilities Committee: Mr. Allen, Chairman, reported that Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to enter into an amendment to the September 5, 2008 Sanitary Sewer Agreement between the City and the Board of Miami County Commissioners to be able to account for the monthly billing associated with Heritage at Troy Country Club Subdivision as that property is now within the City and the customers are to be billed at the City rates.  
Report signed by Terwilliger and Allen.

Community & Economic Development Committee: Mrs. Snee, Chairman, reported that Committee recommends that the three pieces of legislation required to be submitted to the County be prepared regarding the Annexation Petition from Concord Township filed on behalf of the Troy City Schools Board of Education, Patricia A. Harshbarger Trustee, and Linda F. Rocco, for a total of 43.591 acres on McKaig Road and on SR 718. The legislation will be regarding the standard Statement of Services, Buffering Requirements, and consent. To meet the timeline of the state law for an expedited annexation, the Committee supports emergency legislation.  
Report signed by Snee and Rozell.

Community Partnerships Committee: Mr. Rozell, Chairman, reported that Committee recommends notwithstanding legislation be prepared to permit temporary camping at Troy Community Park and adjacent park areas and to permit recreational fire pits within Troy Community Park areas by GOBA participants for the dates of June 24 – 27, 2020 only.  
Report signed by Allen, Schweser and Rozell

Law & Ordinance Committee: Mr. Severt, Chairman, reported that Committee recommends that legislation be prepared changing the road name of Piqua-Troy Road to North Market Street from the intersection of Troy-Urbana Road to Loxley Lane so that the street is consistently named within the City of Troy Corporation Limit.  
Report signed by Schweser, Snee and Severt.

Recreation & Parks Committee: Mr. Schilling, Chairman, reported that Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to advertise for bids and enter into a contract for the annual fireworks show for a period of up to three years, at a cost not to exceed \$36,000 per year.  
Report signed by Phillips, Terwilliger and Schilling.

RULES OF COUNCIL: A motion was made by Mr. Severt, seconded by Mr. Phillips, to approve the Rules of Council (attached to original minutes). Motion passed unanimous roll call vote.

CITIZEN COMMENTS ON AGENDA ITEMS: None.

RESOLUTION NO. R-2-2020

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO A FIRST AMENDMENT OF THE SEWER AGREEMENT WITH THE BOARD OF MIAMI COUNTY COMMISSIONERS

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-3-2020

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR A FIREWORKS SHOW

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-4-2020

RESOLUTION ESTABLISHING MUNICIPAL SERVICES FOR CERTAIN TERRITORY CONTAINING 43.591 ACRES, MORE OR LESS, IN CONCORD TOWNSHIP, PROPOSED TO BE ANNEXED TO THE CITY OF TROY, OHIO, AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-5-2020

RESOLUTION ESTABLISHING BUFFER REQUIREMENTS FOR CERTAIN TERRITORY CONTAINING 43.591 ACRES, MORE OR LESS, IN CONCORD TOWNSHIP, PROPOSED TO BE ANNEXED TO THE CITY OF TROY, OHIO, AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-6-2020

RESOLUTION CONSENTING TO THE ANNEXATION OF CERTAIN TERRITORY CONTAINING 43.591 ACRES, MORE OR LESS, IN CONCORD TOWNSHIP, TO THE CITY OF TROY, OHIO, AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

ORDINANCE NO. O-2-2020

ORDINANCE RELEASING MORTGAGE LIEN FOR WILLIAM E. BOSS, III AND MARY LOUISE BOSS AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-3-2020

ORDINANCE AUTHORIZING THE NAME CHANGE OF A PORTION OF PIQUA-TROY ROAD IN THE CITY OF TROY, OHIO

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-4-2020

ORDINANCE AUTHORIZING THE USE OF TROY COMMUNITY PARK AND ADJACENT PARK AREAS FOR THE GREAT OHIO BICYCLE ADVENTURE (GOBA) EVENT, NOTWITHSTANDING CONFLICTING PROVISIONS OF THE CODIFIED ORDINANCES OF THE CITY OF TROY, OHIO

This Ordinance was given first title reading.

Mr. Rozell moved for suspension of rules requiring three readings. Motion seconded by Mr. Terwilliger.

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-5-2020

ORDINANCE TO ACCEPT THE APPLICATION FOR THE ANNEXATION OF CERTAIN TERRITORY CONTAINING 21.8232 ACRES, MORE OR LESS, IN CONCORD TOWNSHIP, TO THE CITY OF TROY, OHIO

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

PRESENTATION: Kelly Snyder, Executive Director of the Troy REC, provided an update regarding the REC. She commented: the REC has existing serving youth for 79 years; the building is used daily and throughout the day; there has been a day care in operation for 25 years; they are in the 8<sup>th</sup> year of having a pre-school; the main focus is 6<sup>th</sup> – 12<sup>th</sup> grade students for whom there are a number of opportunities and the REC also serves as safe location for the youth; there are between 70-80 teens in the building daily; they are seeing an increased number of youth dealing with home and mental health issues; the REC staff partners with other agencies to address various youth needs; youth are encouraged to become involved in volunteerism and community service; new programs assist needy youth with food on weekends, includes a fitness program, and teach a cooking class. Ms. Snyder thanked the City for the on-going support of the REC.

Mr. Lutz asked if the closing of a local day care facility impacted the REC's day care, with Mrs. Snyder replying that the impact was in receiving applications, but the day care is already operating at capacity.

COMMENTS OF MAYOR ODA: Mayor Oda:

-Expressed her thanks to Mr. and Mrs. Robinsons for the Trees for Troy Grant.

-Thanked City staff for the quick responses to the January 11 tornado.

-Noted that while many have volunteered to help those impacted by the tornado, it seems that residents have helped each other with the clean-up from the aftermath of the tornado.

-Expressed condolences to the family of Patricia Chavis who had served the City as a member of the Board of Zoning Appeals since 1997.

COMMENTS OF THE DIRECTOR OF PUBLIC SERVICE AND SAFETY:

Mr. Titterington commented:

-Real Christmas Trees will be collected through January, provided the tree is without decorations or a tree stand.

-Due to the tornado damage, brush and debris will be collected by the City through January.

-A few remaining piles of leaves are being collected.

COMMENTS OF MEMBERS OF COUNCIL:

-Mr. Schweser thanked those involved in organizing and coordinating the Dr. Martin Luther King celebration on January 20, noting that about 150 persons attended the service at the Methodist Church. He particularly thanked Joann Anderson from the Lincoln Community Center for her organization of the event.

-Mr. Severt asked what a "good intent call" of the Fire Department includes. Chief Simmons stated it is responding to call where a citizen may need something checked to be assured there is not a fire hazard.

-Mr. Severt and Mr. Phillips congratulated Tim Davis on his appointment as Economic Development Director.

-Mr. Phillips asked for an update on the Villages of Concord Subdivision. Mr. Kerber advised that the Planning Commission approved the subdivision with a couple of conditions that did not seem to please the applicant, who has started some appeals/litigation in regard to the conditions.

-Mr. Phillips offered congratulations to retiring Waste Water Treatment Plant Superintendent Mitch Beckner.

-Mr. Phillips thanked the department and staff for the response to the January 11 tornado. He also commented that his experience is that Metronet (installer of high-speed fiber lines) is being very responsive to citizen calls.

CITIZEN COMMENTS:

-Aimee Shannon, 1560 Windridge Place, stated that as a citizen she appreciates the response of the City the night of the tornado. She also noted that there will be a pop-up food pantry this weekend in Piqua and next month's pantry will be held in Troy.

There being no further business, Council adjourned at 7:50 p.m.