

MINUTES OF COUNCIL

A regular session of Troy City Council was held Monday, March 16, 2020, at 7:00 p.m. in Council Chambers.

Members Present: Allen, Phillips, Rozell, Schilling, Schweser, Severt, Snee, Terwilliger and Twiss.

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 Council Member Severt, followed by the Pledge of Allegiance.

PRESENTATION: On behalf of Rumpke of Ohio, Inc., Mayor Oda and Street Foreman Jerry Mullins recognized Jeanine Hall and her family of Thornhill Drive for being named the recipient of the Rumpke "Look Who Is Recycling" quarterly reward program for City of Troy residents who actively participate in recycling. The Mayor read from the letter submitted by Mrs. Hall regarding why her family recycles, which stated that her young daughters have learned the importance of recycling.

MINUTES: The Clerk gave a summary of the minutes of the March 2, 2020, meeting of Troy City Council. There were no corrections or additions to these minutes. Upon motion of Mr. Phillips, seconded by Mr. Terwilliger, these minutes were approved by unanimous roll call vote.

COMMITTEE REPORTS:

Buildings & Utilities Committee: Mr. Allen, Chairman, reported that Committee recommends legislation be prepared to approve the Reserve at Washington Subdivision Section One Replat for the dedication of additional storm and drainage easements at Inlots 10951 and 10952.

Report signed by Terwilliger, Twiss and Allen.

Community & Economic Development Committee: Mrs. Snee, Chairman, reported as follows:

1. Committee recommends Resolution No. R-16-2020 be adopted, approving the application of Scherre H. Mumpower to continue to have 25.15 acres of land on Lytle Road in an Agricultural District.
2. Committee recommends Ordinance No. O-8-2020 be adopted, approving an amendment to the General Plan of the Halifax Villas Planned Development, with the amendment to relocate the clubhouse, expand the boundary of the PD by adding an additional 8.015 acres, and rezone the additional acres to a Residential Planned Development.

Reports signed by Rozell, Twiss and Snee.

Finance Committee: Mr. Schweser, Chairman, reported that Committee recommends legislation be prepared accepting the recommendation of the TIRC, that the five current Enterprise Zone Agreements be continued and that the Troy Towne Park TIF be continued. In that the City must file an annual report with the Ohio Development Services Agency by the end of March regarding the continuance of the Agreements and the TIF, the Committee supports emergency legislation.

Report signed by Phillips, Severt and Schweser.

Recreation & Parks Committee: Mr. Schilling, Chairman, reported as follows:

1. Regarding Ordinance No. O-13-2020 (declaring as surplus a small parcel of Archer Park to the rear of 636 Shaftsbury Drive), Committee asks that the Board of Park Commissioners responds to questions that will be forwarded by Committee, after which he Committee will reconvene to forward a recommendation to Council regarding declaring the property surplus.
2. Committee recommends that legislation be prepared authorizing the Board of Park Commissioners to enter into a Letter of Agreement with the Great Ohio Bicycle Adventure (GOBA) regarding the 2020 stay in Troy by GOBA participants.

Reports signed by Phillips, Terwilliger and Schilling.

Discussion.

Mr. Rozell asked if the Committee believes the Park Board will change the recommendation regarding declaring the parcel surplus, with Mr. Schilling stating he hopes the Board will consider the recommendation and the process. Mr. Titterington commented that the Park Board has been asked to respond to questions provided by the Committee and to confirm or amend the recommendation that has been made, and also consider if property to the rear of neighboring lots should be recommended as surplus to more even out lot boundaries.

Streets & Sidewalks Committee: Mr. Phillips, Chairman, reported as follows:

1. Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to enter into a professional services agreement with Choice One Engineering Corporation for the design of the Riverside Drive Improvement Project, Phases 3 and 4, at a cost not to exceed \$275,000.
2. It is the recommendation of this Committee that legislation be prepared authorizing the Director of Public Service & Safety to enter into a funding agreement with the Dayton Power & Light Company for the relocation of some utility poles and wires along West Main Street from the CSX Spur Railroad to Weston Road and nearby areas at a cost not to exceed \$1,000,000, and to authorize the Board of Park Commissioners to execute easements associated with the relocation project within the area of the Joe Reardon Skatepark.

Reports signed by Schilling, Snee and Phillips.

Discussion. In response to Mr. Schweser regarding the number of trees that may need to be removed for the pole and line removal by DP&L, it was stated that the number will not be known until the design is final, but removal will be mitigated to the extent possible and, where possible, trees will be replanted.

CITIZEN COMMENTS ON AGENDA ITEMS:

-Christina Shaffer, 636 Shaftsbury, the property owner who requested that a parcel behind her property be declared surplus, asked for clarification about the process. Mr. Schilling stated that the Committee will determine if any land will be declared surplus or even if the Committee recommended the boundary would be normalized with adjacent parcels declared surplus and offered for sale. Ms. Shaffer commented if other parcels were declared surplus, one person could purchase all of them. Mr. Phillips commented that any sale of land has to be by public bid and anyone can bid; but the subject is now back with the Park Board prior to the Committee again meeting and providing a recommendation.

RESOLUTION NO. R-16-2020

RESOLUTION APPROVING APPLICATION OF SCHERRE H. MUMPOWER TO PLACE LAND IN AGRICULTURAL DISTRICT

This Resolution was given Public Hearing and first title reading on March 2, 2020.
Given second title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-17-2020

RESOLUTION ACCEPTING THE RECOMMENDATIONS OF THE TAX INCENTIVE REVIEW COUNCIL AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-18-2020

RESOLUTION ACCEPTING THE RECOMMENDATION OF THE TAX INCENTIVE REVIEW COUNCIL FOR THE TROY TOWNE PARK TIF 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: Schweser, Terwilliger, Schilling, Snee, Allen, Severt, Rozell, Twiss and Phillips.

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-19-2020

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO AN AGREEMENT WITH CHOICE ONE ENGINEERING CORPORATION OF SIDNEY, OHIO FOR THE DESIGN OF THE RIVERSIDE DRIVE IMPROVEMENT PROJECT PHASES 3 AND 4

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-20-2020

RESOLUTION AUTHORIZING THE BOARD OF PARK COMMISSIONERS OF THE CITY OF TROY, OHIO TO ENTER INTO A LETTER OF AGREEMENT WITH THE GREAT OHIO BICYCLE ADVENTURE (GOBA) RELATED TO THE USE OF CERTAIN PUBLIC PROPERTY DURING THE JUNE 24 – 27, 2020 GOBA VISIT TO TROY, OHIO

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-21-2020

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO A FUNDING AGREEMENT WITH THE DAYTON POWER & LIGHT COMPANY REGARDING THE RELOCATION OF CERTAIN UTILITY POLES AND WIRES IN AN AREA OF THE CITY OF TROY, OHIO

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

ORDINANCE NO. O-8-2020

ORDINANCE AMENDING THE GENERAL PLAN OF THE HALIFAX VILLAS PLANNED DEVELOPMENT (PD-R) IN THE CITY OF TROY, OHIO AND REZONING AN 8.015 ACRE PARCEL ADDED TO THE HALIFAX VILLAS PLANNED DEVELOPMENT AS A PART OF THE AMENDED GENERAL PLAN, FROM A-R, AGRICULTURAL RESIDENTIAL ZONING DISTRICT, TO A RESIDENTIAL PLANNED DEVELOPMENT

This Ordinance was given first title reading on February 18, 2020.

Given Public Hearing and second title reading on March 2, 2020.

Given third title reading.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE O-13-2020

ORDINANCE DECLARING MUNICIPALLY OWNED REAL PROPERTY AS NO LONGER NEEDED FOR MUNICIPAL PURPOSES AND AUTHORIZING THE SALE OF SUCH EXCESS PROPERTY

This Ordinance was given first title reading on March 2, 2020.

Given second title reading.

ORDINANCE NO. O-19-2020

APPROVING AND ACCEPTING THE REPLAT OF INLOTS 10951 AND 10952 FOR THE DEDICATION OF ADDITIONAL EASEMENTS FOR STORM SEWER AND DRAINAGE IN THE RESERVE AT WASHINGTON, SECTION ONE SUBDIVISION IN THE CITY OF TROY, OHIO

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-20-2020

ORDINANCE AUTHORIZING THE BOARD OF PARK COMMISSIONERS OF THE CITY OF TROY, OHIO TO EXECUTE EASEMENTS WITH THE DAYTON POWER & LIGHT COMPANY FOR THE RELOCATION OF UTILITY POLES AND WIRES THROUGH THE JOE REARDON SKATEPARK IN THE CITY OF TROY, OHIO

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

COMMENTS OF MAYOR ODA:

Mayor Oda commented that the last few days have been challenging (as the City and Nation responds to the COVID-19 virus, concern for the safety of the citizens, and responding to Federal and State orders regarding closings and other regulations). She stated that City Hall remains open at this time. She encouraged residents to not panic and live as normally as possible, comply with all requirements, to take care of their own health, and to take care of neighbors.

COMMENTS OF DIRECTOR OF PUBLIC SERVICE AND SAFETY:

-Mr. Titterington announced that the annual Spring cleanup will be held April 13-17, pending any changes, with brush regulations relaxed for that week only.

-Regarding COVID-19, Mr. Titterington stated the City is monitoring the situation as it continues to evolve, residents are asked not to come into City Hall if they do not need to, and there are avenues to pay utility bills and make applications online to minimize coming into City Hall. He commented that the Hobart Arena is closed except for one access for reimbursements and the Shoreline at Miami Shores is closed.

COMMENTS OF MEMBERS OF COUNCIL:

-Mr. Phillips commented that physicians are asking that patients not be accompanied for medical appointments unless necessary, and encouraged citizens to not expose others to COVID-19 in order to flatten the curve of exposure to the virus.

-Mrs. Snee stated that while schools have been closed due to COVID-19, schools are open from 11:30 a.m. – 12:30 p.m. for those students that need to, to be handed lunch bags.

COMMENTS OF AUDIENCE MEMBERS:

-Anne McDonough, 700 Governors Road, stated she would also like to purchase park property behind her house and asked of the process. She was advised that the current matter before Council is only that behind 636 Shaftsbury, and her request can be addressed once the current matter has been processed.

There being no further business, the meeting adjourned at 7:45 pm.

