

MINUTES OF COUNCIL

A regular session of Troy City Council was held on Monday, April 5, 2021, at 7:00 p.m. at the Bravo Room of Hobart Arena.

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

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

Presiding Officer:	William Lutz,	President of Council
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	City Auditor

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

PRESENTATION: On behalf of Rumpke of Ohio, Inc., Mayor Oda recognized Ed and Roma Cress of York Lane as the 2021 First Quarter recipients of the Rumpke “Look Who Is Recycling” quarterly reward program for City of Troy residents who actively participate in recycling. Mr. and Mrs. Cress received a gift bag provided by Rumpke.

MINUTES: The Clerk gave a summary of the minutes of the March 15, 2021 meeting of Troy City Council. There were no corrections or additions to these minutes. Upon motion of Mr. Twiss seconded by Mr. Schilling, these minutes were approved by unanimous roll call vote.

COMMITTEE REPORTS:

Community Partnerships Committee: Mr. Rozell, Chairman, reported that Committee recommends legislation be prepared authorizing notwithstanding legislation to permit camping in Troy Community Park and adjacent park areas and the use of fire pits to provide for overnight camping by the Great Ohio Bicycle Association (GOBA) and GOBA Affiliates for both 2021 (only June 23, 24, 25) and 2022 (only June 22, 23, 24). Report submitted by Allen, Schweser and Rozell.

Finance Committee: Mr. Severt reported that Committee recommends legislation be prepared that would provide salary increases for elected positions, that would commence the next term for each position, as follows:

	Current	3% 2022	2.5% 2023	2% 2024	0% 2025	2026	2027
Council	8,328	8,633	8,849	9,026	9,026		
Council Pres.	8,980	9,249	9,481	9,670	9,670		
Treasurer	5,375	5,536	5,675	5,788	5,788		
				3%	2.5%	2%	0%
Mayor	23,580			24,287	24,895	25,392	25,392
Auditor	60,640			62,459	64,021	65,301	65,301
Law Director	60,640			62,459	64,021	65,301	65,301

Committee further recommended that the positions of Council President, Mayor, Auditor and Law Director continue to be permitted to receive benefits of life insurance, dental insurance and health insurance provided to City employees under the participation requirements of employees. Report submitted by Phillips, Severt and Schweser.

Law & Ordinance Committee: Mr. Severt, Chairman, gave an oral report of notice from the Ohio Division of Liquor Control for a new C1 permit for NS Food Store LLC, dba BP Troy at 1590 W. Main Street.

Personnel Committee: Mr. Twiss, Chairman, reported that Committee recommends legislation be prepared regarding a number of personnel/salary amendments regarding:

1. Amending the salary Ordinance related to positions at Recreation Department/Hobart Arena to abolish the position of Facility Operator 1 and establish new positions of Facility Operator and Lead Operator.
2. Amending the salary Ordinance for part-time and seasonal employees to create a position of Lead Food Service Employee for the Miami Shores Golf Course Shoreline Restaurant, and add three steps to the hourly rate structure.
3. Amending Ordinances to reinstate a longevity benefit for non-bargaining unit employees.

- 4. Reinstating up to 80 hours of sick leave for hours used from March 2020 through December 31, 2021, only in the case of hours used for a confirmed and documented positive test of an employee personally contracting COVID-19.

(Copy of entire report attached to original minutes.)  
 Report submitted by Allen, Severt and Twiss.

Recreation & Parks Committee: Mr. Schilling, Chairman, reported that Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to execute Treasure Island Park Use Agreements for two concerts that will include the sale and consumption of adult beverages, to be held the dates of June 25 and August 7, 2021.

Report submitted by Phillips, Terwilliger and Schilling.

Safety and Health Committee: Mr. Terwilliger, Chairman, reported that Committee recommends legislation be prepared to approve amendments to the bylaws of the Miami Valley Risk Management Association, Inc. (MVRMA) and authorize the Director of Public Service and Safety to execute related documents. Committee noted that Troy has been a member of the MVRMA risk insurance pooling organization since 1989.

Report submitted by Rozell, Schilling and Terwilliger.

Streets & Sidewalks Committee: Mr. Phillips, Chairman, reported that Committee recommends legislation be prepared authorizing the Director of Public Service to advertise for bids and enter into a contract for the 2021 Sidewalk Repair Program (Phase 13) at a cost not to exceed \$325,000.

Report submitted by Schilling, Snee and Phillips.

COMMENTS ON AGENDA ITEMS:

-Matthew Harger, 2024 Fiesta Drive, Lebanon, Ohio, spoke regarding the Sidewalk Program (R-13-2021), stating he was not advised of the plan to install sidewalks in Pleasant View Estates. He stated that he is the developer of Pleasant View Estates, and asked that sidewalks to be installed along undeveloped properties be delayed as he is in the process of selling those lots, the sidewalks would add to the cost and may negatively impact the sale, and the sidewalks may not be installed where builders would prefer. Mr. Titterington commented that notices had been sent to Mr. Harger's address of record, and Mr. Harger stated he did receive one letter. Mr. Titterington commented that the City does not want to install sidewalks just for the sale of doing so, and can delay the installation to some degree, but at some point, the sidewalks need to be installed.

Mr. Schilling asked about splitting the portion out of the Resolution regarding Pleasant View Estates, with Mr. Titterington indicating that may not be necessary as staff could temporarily not perform that portion of the program.

RESOLUTION NO. R-13-2021

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 PHASE 13 OF THE SIDEWALK REPAIR PROGRAM INCLUDING THE PLACEMENT OF SIDEWALKS ALONG UNDEVELOPED PROPERTIES IN PLEASANT VIEW ESTATES

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-14-2021

A RESOLUTION APPROVING AMENDMENTS TO THE AGREEMENT AND BYLAWS OF THE MIAMI VALLEY RISK MANAGEMENT ASSOCIATION, INC.

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

## ORDINANCE NO. O-14-2021

ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO EXECUTE A TREASURE ISLAND NON-TICKETED USE AGREEMENT FOR 2021 EVENTS AT TREASURE ISLAND PARK

This Ordinance was given first title reading.

Mr. Phillips moved for suspension of three readings. Motion seconded by Mr. Severt.

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

No: None.

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

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

No: Twiss.

ORDINANCE ADOPTED

## ORDINANCE NO. O-15-2021

ORDINANCE AUTHORIZING THE USE OF TROY COMMUNITY PARK AND ADJACENT PARK AREAS FOR THE GREAT OHIO BICYCLE ADVENTURE (GOBA) AND AFFILIATES EVENT, NOTWITHSTANDING CONFLICTING PROVISIONS OF THE CODIFIED ORDINANCES OF THE CITY OF TROY, OHIO FOR SPECIFIC DATES IN CALENDAR YEARS 2021 AND 2022

This Ordinance was given first title reading.

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

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

No: None.

Mr. Allen moved for adoption. Motion seconded by Mr. Twiss.

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

No: None.

ORDINANCE ADOPTED

## ORDINANCE NO. O-16-2021

ORDINANCE ESTABLISHING SALARIES FOR CERTAIN ELECTED OFFICIALS

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

## ORDINANCE NO. O-17-2021

ORDINANCE AMENDING ORDINANCE NO. O-53-2020, ESTABLISHING SALARIES OF CERTAIN EMPLOYEES OF THE CITY OF TROY, OHIO

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

## ORDINANCE NO. O-18-2021

ORDINANCE AMENDING ORDINANCE NO. O-51-2018 AND ORDINANCE NO. O-47-2020. FIXING SALARIES AND WAGES OF CERTAIN EMPLOYEES OF THE CITY OF TROY, OHIO

This Ordinance was given first title reading.

Mr. Phillips moved for suspension of three readings. Motion seconded by Mr. Twiss.

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-19-2021  
ORDINANCE AMENDING ORDINANCES TO PROVIDE A LONGEVITY BENEFIT

This Ordinance was given first title reading.

Discussion.

Mr. Schilling commented that providing the longevity benefit to non-bargaining union employees is to provide similar benefits to bargaining unit and non-bargaining unit employees, and asked if this may be getting close to not providing equal pay for equal work. Mr. Titterington explained that this is not the case as there is no difference in the base pay; however, the legislation will make the longevity benefit uniform for employees as some do not now receive it based on date of hire.

Mr. Severt moved for suspension of three readings. Motion seconded by Mr. Twiss.

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-20-2021  
ORDINANCE REINSTATING SICK LEAVE HOURS TO CITY OF TROY EMPLOYEES WHO CONTRACTED COVID-19

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-21-2021  
AN ORDINANCE CHANGING THE ZONING OF ANNEXED PARCELS ON RIVERSIDE DRIVE, TROY, OHIO FROM CITY ADMINISTERED COUNTY ZONING TO THE CITY ZONING OF R-4, SINGLE-FAMILY RESIDENTIAL DISTRICT

This Ordinance was given first title reading.

ORDINANCE NO. O-22-2021  
AN ORDINANCE CHANGING THE ZONING OF ANNEXED PARCEL NUMBER D08-106896, INLOT 11357, FROM CITY ADMINISTERED COUNTY ZONING OF A-2, GENERAL AGRICULTURAL DISTRICT, TO THE CITY ZONING OF R-5, SINGLE-FAMILY RESIDENTIAL DISTRICT

This Ordinance was given first title reading.

ORDINANCE NO. O-23-2021  
AN ORDINANCE CHANGING THE ZONING OF ANNEXED PARCEL NUMBER D08-106898, INLOT 11364, FROM CITY ADMINISTERED COUNTY ZONING OF A-2, GENERAL AGRICULTURAL DISTRICT, TO THE CITY ZONING OF R-4, SINGLE-FAMILY RESIDENTIAL DISTRICT

This Ordinance was given first title reading.

ORDINANCE NO. O-24-2021  
AN ORDINANCE CHANGING THE ZONING OF ANNEXED PARCEL NUMBER D08-106650, INLOT 10899, FROM CITY ADMINISTERED COUNTY ZONING OF R-1AAA, ONE-FAMILY RESIDENTIAL DISTRICT, TO THE CITY ZONING OF R-3-B, SINGLE-FAMILY RESIDENTIAL DISTRICT

This Ordinance was given first title reading.

ORDINANCE NO. O-25-2021

AN ORDINANCE CHANGING THE ZONING OF ANNEXED PARCEL NUMBER D08-106904, INLOT 11365, AND ANNEXED PARCEL NUMBER D08-106906, INLOT 11366, FROM CITY ADMINISTERED COUNTY ZONING OF R-1AAA, ONE-FAMILY RESIDENTIAL DISTRICT, TO THE CITY ZONING OF R-4, SINGLE-FAMILY RESIDENTIAL DISTRICT

This Ordinance was given first title reading.

ORDINANCE NO. O-26-2021

AN ORDINANCE CHANGING THE ZONING OF ANNEXED PARCEL NUMBER D08-250735, INLOT 11367, FROM CITY ADMINISTERED COUNTY ZONING OF A-2, GENERAL AGRICULTURAL DISTRICT, TO THE CITY ZONING OF R-4, SINGLE-FAMILY RESIDENTIAL DISTRICT

This Ordinance was given first title reading.

ORDINANCE NO. O-27-2021

AN ORDINANCE CHANGING THE ZONING OF ANNEXED PARCEL NUMBERS K30-042400 AND K30-042407, FROM CITY ADMINISTERED COUNTY ZONING OF A-2, GENERAL AGRICULTURAL DISTRICT, TO THE CITY ZONING OF R-3-B, SINGLE-FAMILY RESIDENTIAL DISTRICT

This Ordinance was given first title reading.

ORDINANCE NO. O-28-2021

AN ORDINANCE CHANGING THE ZONING OF ANNEXED PARCEL NUMBER K31-250010, FROM CITY ADMINISTERED COUNTY ZONING TO THE CITY ZONING OF WO, WELLHEAD OPERATION DISTRICT

This Ordinance was given first title reading.

COMMENTS OF THE DIRECTOR OF PUBLIC SERVICE AND SAFETY:

Mr. Titterington advised that:

- City-wide Spring Cleanup has been scheduled for April 12-17.
- Groundbreaking for the new fire station will be held April 6.

COMMENTS OF COUNCIL MEMBERS:

-Mr. Severt asked, in light of the Troy Strawberry Festival (TSF) Board announcing cancellation of the 2021 festival, if there is something the City could do to provide an event at some point in the downtown, perhaps on July 4, that would provide an event for citizens to attend and help the downtown merchants.

-Mr. Twiss commented he would also like to see some activity to help the non-profits.

-Mr. Phillips, a member of the Kiwanis Club, a non-profit organization that participates in the TSF for fund raising, commented that Kiwanis' fund raising will be impacted by not having the festival.

Mr. Titterington commented that while the City had met with the TSF Director on several occasions and offered support, the City was not advised of the announcement in advance. However, since the announcement, the Governor relaxed requirements related to festivals and outside events, and Mr. Titterington said this suggestion would be reviewed, including considering some expansion of the July 4 concert, already planned for Treasure Island Park.

CITIZEN COMMENTS:

-Don Henderson, 975 Dickerson Drive, stated he is concerned and upset that some officials at the meeting do not wear a mask when the entrance to the Bravo Room is posted that wearing a mask is required.

There being no further business, the meeting adjourned at 7:56 p.m.

