

April 19, 2021

MINUTES OF COUNCIL

A regular session of Troy City Council was held on Monday, April 19, 2021, at 7:00 p.m. at the Bravo Room of Hobart Arena.

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

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

Upon motion of Mr. Phillips, seconded by Mrs. Snee, Mr. Terwilliger 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.

PUBLIC HEARINGS:

- At 7:02 p.m., Council President Lutz declared open a public hearing on Ordinance No. O-21-2021, rezoning of annexed parcels on Riverside Dr. to R-4, Single-Family Residential District. There were no comments on this Ordinance, and at 7:03 p.m. Mr. Lutz declared this public hearing closed.
- At 7:03 p.m., Council President Lutz declared open a public hearing on Ordinance No. O-22-2021, rezoning of annexed parcel located off Lytle Rd. to R-5, Single-Family Residential District.
Opposing the rezoning:
-Phillip Neal, 4015 Experiment Farm Road, stated his concern that if homes are built, the residents may trespass on neighbors' properties, vandalizing the property of others, and that residents could trespass into possibly unsafe areas of a gravel pit and the firing range of the Miami County Sheriff's Department. He also expressed concern that drivers pass farm equipment on Experiment Farm Road where there is a double yellow line, creating a dangerous situation, and this situation could become worse with increased traffic.
Mr. Schilling asked if there are postings of "no trespassing", with Mr. Neal stating that postings are not followed.
-Jerry Davis, 1629 Lytle Road, stated his concern is that the property could hold 176 building lots and construction could negatively impact property values and traffic; that residents could walk dogs in hayfields and damage crops; and that the property is close to a superfund site.
There were no further comments on this Ordinance, and at 7:15 p.m. Mr. Lutz declared this public hearing closed.
- At 7:15 p.m., Council President Lutz declared open a public hearing on Ordinance No. O-23-2021, rezoning of annexed parcel at 1103 Washington Rd. to R-4, Single-Family Residential District. There were no comments on this Ordinance, and at 7:16 p.m. Mr. Lutz declared this public hearing closed.
- At 7:16 p.m., Council President Lutz declared open a public hearing on Ordinance No. O-24-2021, rezoning of annexed parcel at 2900 McKaig Rd. to R-3-B, Single-Family Residential District. There were no comments on this Ordinance, and at 7:17 p.m. Mr. Lutz declared this public hearing closed.
- At 7:17 p.m., Council President Lutz declared open a public hearing on Ordinance No. O-25-2021, rezoning of annexed parcels at 2765 McKaig Rd. to R-4, Single-Family Residential District. There were no comments on this Ordinance, and at 7:18 p.m. Mr. Lutz declared this public hearing closed.
- At 7:19 p.m., Council President Lutz declared open a public hearing on Ordinance No. O-26-2021, rezoning of annexed parcels at 2811 SR 718, to R-4, Single-Family Residential District. There were no comments on this Ordinance, and at 7:20 p.m. Mr. Lutz declared this public hearing closed.
- At 7:20 p.m., Council President Lutz declared open a public hearing on Ordinance No. O-27-2021, rezoning of annexed parcels located off Troy-Urbana Rd. to R-3-B, Single-Family Residential District.
Supporting the rezoning:
-Frank Harlow, 702 N. Market Street, owner of the property, offered to answer any questions.
Opposing the Ordinance:
-Nate Bligh, 1869 Hunters Ridge Road, stated his concern that development of the area may have a negative impact on Miami East School by adding a large number of students; concern that there could be a redistricting of schools and families that wanted to be in the Miami East School District would be in the Troy School District; and he would like to keep the view he has of farm land and open space.
There were no further comments on this Ordinance, and at 7:23 p.m. Mr. Lutz declared this public hearing closed.

8. At 7:24 p.m., Council President Lutz declared open a public hearing on Ordinance No. O-28-2021, rezoning of annexed parcel at 554 Staunton Rd to WO, Wellhead Operation District. There were no comments on this Ordinance, and at 7:25 p.m. Mr. Lutz declared this public hearing closed.

Mr. Lutz commented that the rezoning Ordinances have been assigned to the Community & Economic Development Committee and that Committee will meet at 6:00 p.m. on April 26 in Council Chambers, City Hall, to provide recommendations to Council.

MINUTES: The Clerk gave a summary of the minutes of the April 5, 2021 meeting of Troy City Council. There were no corrections or additions to these minutes. Upon motion of Mr. Rozell, seconded by Mr. Twiss, these minutes were approved by unanimous roll call vote.

COMMITTEE REPORTS:

Buildings & Utilities Committee: Mr. Allen, Chairman, reported that Committee recommends that legislation be prepared authorizing the Director of Public Service and Safety to enter into a professional services agreement with Strand Associates of Cincinnati, Ohio to perform the design of the Madison Street Stormwater Lift Station Repair Project at a cost not to exceed \$81,000.

Report submitted by Twiss and Allen.

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

- 1) Committee recommends legislation be prepared authorizing the City of Troy to participate in the ODOT cooperative purchasing program for the purchase of road salt. Based on the date established by ODOT to be included in the ODOT program, Committee supports this item as emergency legislation.
Discussion. Mr. Twiss asked if the City would be purchasing the same quantity of salt as in prior years. Mr. Titterington advised that the quantity may vary slightly, but that 1,000 tons is requested for the coming summer.
- 2) Committee recommends that legislation be prepared authorizing the Director of Public Service and Safety to submit an ODNR NatureWorks Grant to assist with funding a parking lot for kayakers and canoeists and three locking racks at the Broadford Bridge.

Report submitted by Schilling, Snee and Phillips.

COMMENTS ON AGENDA ITEMS: NONE

RESOLUTION NO. R-15-2021

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL SERVICES WITH STRAND ASSOCIATES OF CINCINNATI, OHIO, TO PROVIDE DESIGN SERVICES FOR THE MADISON STREET STORMWATER LIFT STATION REPAIR PROJECT

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-16-2021

A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY TO FILE A NATUREWORKS GRANT APPLICATION WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR FUNDING ASSOCIATED WITH A PARKING LOT NEAR THE BROADFORD BRIDGE

This Resolution was given first title reading.

Discussion. Mr. Schilling asked if there was further information following the Committee Meeting discussion regarding security lighting at the parking lot and reinforcing the ramp to the lot. Mr. Titterington advised that he understood the discussion to be to wait to see if lighting is needed and, as the ramp will be constructed of asphalt, there should not be a need to reinforce the ramp.

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

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

Mr. Severt moved for adoption. Motion seconded by Mr. Rozell.
Yes: Allen, Phillips, Rozell, Schilling, Severt, Snee and Twiss.
No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-17-2021

RESOLUTION AUTHORIZING PARTICIPATION IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2021,
AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION 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 on April 5, 2021.
Given public hearing and second 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 on April 5, 2021.
Given public hearing and second 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 on April 5, 2021.
Given public hearing and second 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 on April 5, 2021.
Given public hearing and second 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 on April 5, 2021.

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 on April 5, 2021.
Given public hearing and second 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 on April 5, 2021.
Given public hearing and second 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 on April 5, 2021.
Given public hearing and second title reading.

COMMENTS OF THE MAYOR:

Mayor Oda noted that at the prior meeting there was discussion regarding disappointment about the cancellation of the Troy Strawberry Festival, and she is glad that the Troy Strawberry Festival, Inc. is considering a smaller event that will be known as the Troy Strawberry Jam.

COMMENTS OF THE DIRECTOR OF PUBLIC SERVICE AND SAFETY:

Mr. Titterington commented that as a follow-up regarding the Troy Strawberry Jam event, staff is working on information for an event agreement and Notwithstanding Legislation to be considered by Council.

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

Clerk of Council

President of Council