

## MINUTES OF COUNCIL

A regular session of Troy City Council was held on Monday, July 17, 2023 at 7:00 p.m. in Council Chambers, City Hall.

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

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 Twiss, followed by the Pledge of Allegiance led by Piper Jackson of Boy Scout Troop 5788.

**MINUTES:** The Clerk gave a summary of the minutes of the July 3, 2023, meeting of Troy City Council. There were no corrections or additions to these minutes. Upon motion of Mr. Phillips, seconded by Mr. Rozell, these minutes were approved by unanimous roll call vote.

**COMMITTEE REPORTS:**

**Committee of the Whole:** Council President Lutz that on July 10, Council met as a Committee of the Whole for the purpose to recess into executive session to confer with legal counsel concerning disputes that are the subject of pending or imminent court action. The Committee of the Whole recessed into executive session at 6:02 p.m., returned to regular session at 6:35 p.m., made no comments, and adjourned.

Report submitted by Marshall, Pierce, Phillips, Rozell, Schilling, Severt, Snee, Twiss and Whidden.

**Community & Economic Development Committee:** Mr. Schilling, Chairman, reported as follows:

1. Regarding Ordinance No. O-37-2023, Committee supports the recommendation of the Troy Planning Commission that Parcel D08-105875 (1511 S. Market St.) & Parcel D08-251110 (1551 S. Market St.) be rezoned from M-2, Light Industrial District, to B-2, General Business District.
2. Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to enter into a professional services agreement with the firm American Structurepoint, Inc. of Indianapolis, Indiana for the comprehensive updates of the City's Comprehensive Plan and the Zoning Code at a total cost not to exceed \$200,000.

Reports submitted by Pierce, Snee and Schilling.

**Finance Committee:** Mr. Severt, Chairman, reported that Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to waive the \$15,000, 4" water meter tap-in fee for improvements at 9 W. Main Street with the understanding that the City/Community Improvement Corporation of Troy, Ohio (CIC) will not be charged utility payments for electric, water or sewer for the operation of the public restrooms within the building for a period of 50 years. Committee supports emergency legislation so that work to construct the public restrooms at 9 W. Main Street can commence without delay.

Report submitted by Phillips, Rozell and Severt.

**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 LJB, Inc. of Miamisburg, Ohio, at a cost not to exceed \$225,000, for the Conceptual Design of the Downtown Safety and Streetscape Renovation Project. Committee noted that from the conceptual design process, a final design will be developed, and that the conceptual design process will include meetings with interested parties.
2. Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to submit an application to OPWC for funding for the Adams Street/Riverside Drive/Staunton Road Roundabout Project, and to execute any necessary agreements if funding is received. The funding application will be for the amount of \$600,000. Based on the August 7 application deadline, Committee supports emergency legislation.

Reports submitted by Pierce, Snee and Phillips.

**COMMENTS ON COMMITTEE REPORTS OR AGENDA ITEMS:**

-Brad Boehringer, 105 Crestwood Drive, regarding Resolution No. R-45-2023, suggested that if there are traffic studies to justify a roundabout, those be placed on the website.

-Carrie Glover, 839 Governor's Road, stated concern about a roundabout at Adams Street/Staunton Road, based on the number of pedestrians and runners that use the intersection, inexperienced drivers that may drive through nearby parking lots to avoid a roundabout, the negativity and inconvenience with a construction period, and adding to response time if the railroad overpass was not accessible, and she asked that the project be reconsidered.

-Council President Lutz asked if there is pedestrian data regarding the roundabout at McKaig Road and Dorset Road.

Mr. Titterington replied that data would be antidotal; that there is some data on the intersection from a 2017 study; that studies have indicated a standard stop light cannot be considered; the item before Council is a funding application; and any design would be a later step and would consider items such as an island, shorter crosswalks, and a center refuge island. It was stated the bike path may not need to be re-routed, and stop bars and stop signs for the bike path will be reviewed with the design.

RESOLUTION NO. R-42-2023

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH AMERICAN STRUCTUREPOINT, INC. OF INDIANAPOLIS, INDIANA FOR THE UPDATE OF THE COMPREHENSIVE PLAN AND ZONING CODE OF THE CITY OF TROY, OHIO

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-43-2023

A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO, TO WAIVE THE WATER TAP-IN FEE FOR THE BUILDING AT 9 WEST MAIN STREET, 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 Mr. Twiss.

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-44-2023

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH LJB, INC. OF MIAMISBURG, OHIO FOR THE CONCEPTUAL DESIGN OF THE DOWNTOWN SAFETY AND STREETScape RENOVATION PROJECT

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-45-2023

A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO, TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED 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. Whidden.

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

ORDINANCE NO. O-37-2023

AN ORDINANCE CHANGING THE ZONING OF PARCEL NUMBERS D08-105875 AND D08-251110 IN THE CITY OF TROY, OHIO FROM M-2, LIGHT INDUSTRIAL DISTRICT, TO B-2, GENERAL BUSINESS DISTRICT

This Ordinance was given first title reading on June 19, 2023.  
Given Public Hearing and second title reading on July 3, 2023.  
Given third title reading.

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

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

No: None.

ORDINANCE ADOPTED

AUDIENCE COMMENTS:

-Brad Boehringer, 105 Crestwood Drive, suggested there be a moratorium on zoning for gasoline stations as he thinks there are too many, and recommended voting no on State Issue 1.

-Deb Hogshead, 421 S. Plum Street, encouraged voting no on State Issue 1.

There being no further business, Council adjourned at 7:34 p.m.

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Clerk of Council

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President of Council