

August 2, 2021

MINUTES OF COUNCIL

A regular session of Troy City Council was held on Monday, August 2, 2021, at 7:00 p.m. in Council Chambers, City Hall.

Members Attending: Phillips, Rozell, Schilling, Schweser, Severt, Snee, Twiss and Whidden.
Upon motion of Mr. Twiss, seconded by Mr. Severt, Mr. Terwilliger was excused from this meeting by unanimous roll call vote.

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| 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 |

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

MINUTES: The Clerk gave a summary of the minutes of the July 19, 2021 meeting of Troy City Council. There were no corrections or additions to these minutes. Upon motion of Mr. Twiss, seconded by Mr. Rozell, 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 the Director of Public Service and Safety to enter into an agreement with Pink Ribbon Girls, Inc. for an event to be held October 8, 2021 that will include the sale and consumption of alcoholic beverages, and authorizing notwithstanding legislation for the event.
Report submitted by Schweser, Whidden and Rozell.

Finance Committee: Mr. Schweser, Chairman, reported that Committee recommends legislation be prepared authorizing depository agreements for the deposit of public funds for a five-year period, following the recommendation of the City Auditor. As the current agreements expire August 22, Committee supports emergency legislation.
Report submitted by Phillips, Severt and Schweser.

COMMENTS ON AGENDA ITEMS: NONE

RESOLUTIONS: NONE

ORDINANCE NO. O-44-2021

ORDINANCE AUTHORIZING THE DEPOSIT OF PUBLIC FUNDS OF THE CITY OF TROY, OHIO, AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-45-2021

ORDINANCE AUTHORIZING THE USE OF PUBLIC AREAS FOR A PINK RIBBON GIRLS EVENT, NOTWITHSTANDING CONFLICTING PROVISIONS OF THE TROY CODIFIED ORDINANCES, AND FURTHER APPROVING THE USE OF AN AREA FOR THE SALE OF BEER SUBJECT TO THE ISSUANCE OF PROPER PERMITS BY THE STATE OF OHIO AND PROCUREMENT OF LIQUOR LIABILITY INSURANCE AND AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO AN AGREEMENT WITH PINK RIBBON GIRLS, INC. THEREFOR

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

COMMENTS OF THE MAYOR:

Mayor Oda commented that Troy Main Street will host an event downtown on August 6 to recognize non-profit organizations, and there will be a concert at Treasure Island Parks on August 7.

COMMENTS OF DIRECTOR OF PUBLIC SERVICE AND SAFETY:

Mr. Titterington noted that City Offices will be closed September 6 for Labor Day, with refuse collections on schedule.

COUNCIL MEMBER COMMENTS:

Mr. Severt commented that he understood that after some citizens commented about the danger of the downtown crosswalks with the plantings at the crosswalks making it difficult for drivers to see pedestrians, there has been discussion among staff to have the crosswalks reviewed by a traffic engineer. Mr. Titterington commented that such review will take place, but he does not have a time frame for completion as the traffic engineer will be reviewing and updating the plan of 2017. He further commented that based on the comments received by the City regarding the height of the plantings making it difficult to see pedestrians, the higher plants and vines are being removed, just leaving the groundcover in the planters. Mr. Titterington further commented that the planters were to provide a safe area at the mid-point of the crosswalk, which was part of the traffic study recommendation. He also noted that a raised concrete area at the mid-point was looked at, but is not feasible due to the width of vehicles and equipment that travel through the Square and a raised area would impact plowing operations.

AUDIENCE COMMENTS:

-Lisa Brown, 8564 E. SR 41, Troy, commented that she loves the feel of the downtown but has concern about the height of the plants in the planters, commenting that her four children cannot be seen when walking behind the plantings.

-Marla Elliott, 20 SR 202, Troy, stated her concern with the crosswalk planters, noting she was pushing her father in a wheel chair and neither she or he could be seen in a crosswalk by a motorist coming through the Square. She also commented that some drivers do not pay attention, and also suggested that the flashing signs be placed higher.

-Ashley Lutz, 801 E Franklin Street, commented that she was not able to see a person in the crosswalk due to the height of the plants, and asked that the planters be removed for safety.

Mayor Oda stated she is not sure how to fix driver or pedestrian attention issues, but it seems that removing the flower pots totally puts the pedestrians at more risk without a mid-point safety area.

Mr. Lutz asked if the trellises (that are part of the safety recommendation) were part of the recommendation of the traffic study. Mr. Titterington stated those were added as part of the annual downtown planting/beautification program. Mr. Lutz commented that he favors following what is recommended but would like to see the trellises removed if they are not part of the recommendation.

-Christopher Harshbarger, 2717 Southside Drive, asked that Council enact legislation to name the City as a sanctuary city for the unborn.

-David Enneking, 1545 Washington Bend Court, Troy, President of Miami County Right to Life, stated his support for Troy becoming a sanctuary city for the unborn and believes that can be done without attracting a law suit.

Mr. Severt indicated a concern regarding granting Mr. Harshbarger's request would result in litigation paid by the taxpayers.

Mr. Phillips commented that there is not an abortion facility in Troy.

Mr. Kerber commented that while it cannot be determined that the City would be sued, he believes enacting such legislation would be a violation of the Ohio Constitution and there would be legal challenges that would result in litigation at the cost of Troy taxpayers.

There being no further business, the meeting adjourned at 8:03 p.m.
