

MINUTES OF COUNCIL

A regular session of Troy City Council was held on Monday, October 2, 2023 at 7:00 p.m. in Council Chambers, City Hall.

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

Presiding Officer:	William Lutz	President of Council
Others Present:	Robin I. Oda Grant D. Kerber	Mayor Director of Law

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

INTRODUCTION: The incoming members of the Mayors Youth Council were introduced. These are fifth grade students from the various Troy schools and from the home school community.

MINUTES: The Clerk gave a summary of the minutes of the September 18, 2023, meeting of Troy City Council. There were no corrections or additions to these minutes. Upon motion of Mr. Rozell, seconded by Mr. Schilling, these minutes were approved by unanimous roll call vote.

COMMITTEE REPORTS:

Law & Ordinance Committee: Mrs. Snee, Chairman, reported that Committee recommends legislation be prepared to establish a temporary moratorium on issuing parking fines for certain time limit violations in the downtown historic district the months of October through December, 2023. The moratorium would not include violations associated with designated handicap or 30-minute spaces, parked vehicles overhanging the driving lane, or vehicles not parked within the white lines.

Report submitted by Severt, Phillips and Snee.

Discussion.

-Mr. Severt noted that occasionally Council is asked why legislation is presented as an emergency measure. He noted that while Council does not do so without reason, the legislation at this meeting are all examples of why at times legislation must be considered as emergency measures. He noted that two Resolutions are for grants that have dates of October 11 for the filing of grant applications and the one Ordinance is related to a moratorium on parking restrictions that are to be effective October 2, and that unless the legislation is effective immediately the grant application deadline will be missed and the moratorium would be delayed.

-Mr. Phillips commented that there are times that another entity, such as ODOT, has a requirement that legislation be enacted as an emergency measure.

Recreation & Parks Committee: Mr. Whidden, Chairman, reported that Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to submit a Federal Infrastructure Investment and Jobs Act (IIJA) grant application through the Miami Valley Regional Planning Commission (MVRPC) to fund a portion of the cost of the Troy Downtown Riverfront Recreational Trail Project, and to execute any related documents. The grant application will be in the amount of \$750,000. Approximately \$260,000 of that amount would be used to fund the City's only obligation for the project for the paving of a new raised recreational trail to be installed along the south side of a portion of the river. Remaining funds from this grant would be used to off-set the cost of the levee toe part of the recreational trail. The City is not committing General Fund resources to levee toe portion of the project. Based on the application deadline of October 11, Committee supports emergency legislation.

Report submitted by Rozell, Schilling and Whidden.

Discussion.

-Mr. Schilling commented that he has read the report, that the recreation trail runs from Crawford Street to Treasure Island Park, and asked if there are access points or access ramps. Development Director Tim Davis replied that additional access points are not part of this application, but something the City intends to provide at a later time. Mr. Schilling questioned that if there is not access to the downtown, why have the application at this time as it will be two years or more before the project starts. Mr. Davis stated that this is a particular funding application with a deadline for submittal and the City will be looking for grants for funding for other access points later, and seeking grants now and later is so the funding for the project is not from the City's General Fund dollars. Mr. Davis indicated that there are no grants available for other access points at this time; however, this grant application request is for \$750,000 and is for a grant that will be available at the time of the dam removal project so the trail and the dam removal can be done at the same time. Mr. Schilling asked about establishing a recreation trail on the north side of Water Street rather than along the river. Mr. Davis commented that there are a number of homes on the north side of Water Street and the on-street parking for those residences could be impacted by a recreation trail.

-Mr. Severt commented that this project started in 2021 with a presentation that showed connectivity of the dam project/recreational trail with the downtown. He further commented that staff has advised that the funding of the project can occur without General Fund dollars due to grants. He asked that the Council President ask Mr. Knight, of US Fish and Wildlife, which agency has applied for other grant funding for the project, to provide a project update presentation to Council.

-Mr. Davis commented that the project actually started in 2015, and this grant application is but one of a number of grants involved in the dam removal project and river enhancements, including the recreational trail.

Streets & Sidewalks Committee: Mr. Phillips, Chairman, reported that committee recommends legislation be prepared authorizing the Director of Public Service and Safety to submit a grant application for Federal IJA Funds through the Miami Valley Regional Planning Commission for the West Main Street/Experiment Farm Road/Stanfield Road Intersection Improvement Project and to execute any related documents. At a workshop on September 11, Council directed staff to continue with design, budget, and other work on a future roundabout at this intersection to address improved flow of traffic. The current project estimate is \$5,000,000 and the maximum grant award would not exceed \$2,600,000 (approximately 50% of the project estimate at the time of the grant application). If funded, the grant will be available in State FY 2028, with construction extending into 2029. Based on the application deadline of October 11, Committee supports emergency legislation. Report submitted by Pierce, Snee and Phillips.

COMMENTS ON COMMITTEE REPORTS OR AGENDA ITEMS:

-Wade Westfall, 305 W. Water Street, provided Council with a letter from Howard Wingert, also a resident of W. Water Street, stating concerns about the recreational trail project. Mr. Westfall also stated his concerns with proceeding with the project. Mr. Westfall suggested Council give the grant application legislation additional readings and look at how the City would tie Main and Market Streets into the project before proceeding.

-Dan Foley, Executive Director of the Great Miami Valley Riverway, provided Council with a statement of support for the recreational trail project, noting that the City's investment in the Treasure Island area provides confidence to other communities for similar projects.

-Susan Westfall, 305 W. Water Street, stated her concerns with the project. As a member of the City's Board of Park Commissioners, she indicated this project has not come before the Board and has not been established as a priority by the Board, that the cost of maintaining the trail would fall to the Park Department if the trail is established; and Board priorities have not gone forward due to lack of funds for the priorities.

RESOLUTION NO. R-49-2023

A RESOLUTION AUTHORIZING THE SUBMITTAL OF APPLICATIONS FOR FEDERAL IJA FUNDS THROUGH THE MIAMI VALLEY REGIONAL PLANNING COMMISSION FOR THE WEST MAIN STREET/EXPERIMENT FARM ROAD/STANFIELD ROAD INTERSECTION IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-50-2023

A RESOLUTION AUTHORIZING THE SUBMITTAL OF APPLICATION FOR FEDERAL IJA FUNDS THROUGH THE MIAMI VALLEY REGIONAL PLANNING COMMISSION FOR THE TROY DOWNTOWN RIVERFRONT RECREATIONAL TRAIL PROJECT AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

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

No: Rozell.

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

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

No: None.

RESOLUTION ADOPTED

ORDINANCE NO. O-46-2023

AN ORDINANCE DECLARING A MORATORIUM ON THE ENFORCEMENT OF SECTION 351.15, THE ENFORCEMENT OF PROHIBITIONS AGAINST THE PARKING OF MOTOR VEHICLES FOR PERIODS OF LESS THAN TWO HOURS, SECTION 353.12 AND SECTION 351.03 (n) OF THE CODIFIED ORDINANCES OF THE CITY OF TROY, OHIO AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

CITIZEN COMMENTS:

-Paul Wick, 1262 W. Main Street, asked about the street lights along the W. Main Street Project being off. Mrs. Rhoades, City Engineer, commented that the lights will continue to be off for several months as the buried infrastructure is part of the contract for the West Main Street project.

COUNCIL COMMENTS:

-Mr. Schilling advised Mrs. Westfall, that he would like to receive a copy of the priorities of the Board of Park Commissioners. Mayor Oda commented that the meetings of the Board of Park Commissioners are recorded and may be viewed. Mr. Schilling stated he did not believe there was a problem in him for asking the Board for the information.

There being no further business, Council adjourned at 7:42 p.m.

Clerk of Council

President of Council