

MINUTES OF COUNCIL

A regular session of Troy City Council was held on Monday, November 20, 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
	John E. Frigge	Auditor

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

PUBLIC HEARING: At 7:02 p.m. Council President Lutz announced a public hearing on Ordinance No. O-48-2023, Rezone 58.093 acres at 3054 W. SR to a Planned Development-Residential, approve General Plan of Somerset Reserve Subdivision Planned Development-Residential.

-Daniel DeCerbo, 2750 Huntington Drive, President of the Kensington HOA – traffic flow is a major concern and how that will be addressed and how that will impact Kenton Way; concern about stormwater runoff; there is a swale at the back of Huntington Drive that fills with 5' of water after a 1" rain and flows over the road; and he would like to see a traffic light with turn lights both ways onto SR 55.

-Steve Mascarella, 1362 Winchester Drive, Treasurer of the Kensington HOA – when the HOA took over from the developer, residents had been told by a member of Council that by 2010 Nashville Road would be realigned to intersect with SR 55 at a 90 degree angle and that commitment has not been met; traffic travels at a high speed; and those roadway problems should be addressed prior to any development.

-Joseph Graves, President of the Troy Area Chamber of Commerce and CEO of the Troy Development Council – as part of the business retention program, meetings are held with industry leaders; those leaders continue to raise three things that hold them back – lack of child care, transportation, and affordable workforce housing; and it is anticipated that this development would help address the housing issue.

-Sarah Kampfe, 1100 Winchester Drive – this plan seems no different than the previously requested R-5 zoning; with the number of houses, why not just rezone to R-5; under R-5 zoning, the City would maintain control of services such as maintenance of roads, paths and playgrounds that would add to the cost of living in the area; as a PD the HOA would take on those responsibilities and costs; she received information from a traffic study that indicated a large number of vehicles traveling in the area, many of which traveled above the speed limit; and she would like to see that the traffic and roadway issues are addressed.

-Kirk Ridder of DDC Management, the applicant – the intersection of Nashville and SR 55 would be realigned as part of Phase I of the project; the developer will provide right-of-way for a traffic signal or roundabout to address additional traffic; Nashville Road will be widened to allow for right and left turn movements; the developer is required to meet stormwater runoff requirements and the development will have two detention basins; the developer is willing to oversize those detention ponds; more than double the required open space is being provided with a playground; there will be multiple access points to SR 55; the developer will provide right-of-way for the future extension of Swailes Road; the developer will sell lots to the builder who will control pricing; and the developer continues to work with the City and meet all requirements.

-In response to Mr. Phillips, Mr. Ridder indicated he understands that home pricing is to be in the ballpark of a \$325,000 starting price, but stated that will be controlled by the builders. Mr. Ridder commented that the developer will handle all maintenance until the development is turned over to a HOA.

-Council President Lutz commented that this item has been assigned to the Community & Economic Development Committee, which committee will meet November 27 to provide a recommendation to Council.

There being no further comments, at 7:25 p.m., Mr. Lutz declared this public hearing closed.

MINUTES: The Clerk gave a summary of the minutes of the November 6, 2023, meeting of Troy City Council. There were no corrections or additions to these minutes. Upon motion of Mr. Rozell, seconded by Mr. Phillips, these minutes were approved by unanimous roll call vote

COMMITTEE REPORTS:

BUILDINGS & UTILITIES COMMITTEE: Mr. Whidden reported that the current agreement for electric generation and transmission supply for City facilities is coordinated for approximately 20 communities by the Miami Valley Communications Council (MVCC) and runs through May, 2024; however, the parties to the agreement have an opportunity to extend the agreement through December, 2026 and secure a rate that would be lower than the AES standard service offer rate. Committee recommends legislation be prepared to authorize the Director of Public Service and Safety to execute an amendment to the agreement for electric generation and transmission supply

services for City facilities that will extend the agreement through December 31, 2026. Based on the time frame to accomplish the extension, the Committee supports emergency legislation.
Report submitted by Twiss, Whidden and Marshall

FINANCE COMMITTEE: Mr. Severt, Chairman, reported that on November 15 the Committee met with members of Council for the review of the 2024 budget. The budget reflects the Mayor's and Council's number one priority of economic development and a focus on quality of life and safety. Committee noted that a budget must be a working document, and we anticipate some reappropriations during the year. Committee recommends that the 2024 Budget of the City of Troy be approved as recommended by the administration by the preparation and adoption of the Appropriation Ordinance. The appropriation includes funding for agencies, and this Committee recommends that legislation be prepared authorizing the following agency funding for 2024, with the funding remitted quarterly: Troy Development Council - \$140,000; Troy Main Street, Inc - \$60,000; and Troy Recreation Association, Inc. - \$32,000.
Report submitted by Phillips, Rozell and Severt.

PERSONNEL COMMITTEE: Mr. Pierce, Chairman, reported that Committee recommends legislation be prepared to be effective January 1, 2024 to amend the hourly rate paid to seasonal and part-time positions including swimming pool manager that will reflect the impact of the January 1, 2024 adjustment in the Ohio minimum wage rate of \$10.45 per hour, and adjusting the rate paid to the position of intern.
Report submitted by Marshall, Twiss and Pierce.

STREETS & SIDEWALKS COMMITTEE: Mr. Phillips, Chairman, reported that Committee recommends legislation be prepared approving the vacation of a 12' wide alley of record between W. Water Street and Washington Street (between Part Inlots 388 and 589) as petitioned, and as recommended by the Troy Planning Commission.
Report submitted by Pierce, Snee and Phillips.

COMMITTEE OF THE WHOLE: Council President Lutz reported that on November 13, 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 7:15 p.m.; made no comments; and adjourned.
Report submitted by Marshall, Pierce, Phillips, Rozell, Schilling, Severt, Snee, Twiss and Whidden.

Citizen comments on Agenda items: None.

RESOLUTION NO. R-59-2023

RESOLUTION APPROVING FUNDING TO THE TROY DEVELOPMENT COUNCIL FOR ECONOMIC DEVELOPMENT FOR 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. Twiss.

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-60-2023

RESOLUTION APPROVING FUNDING TO TROY MAIN STREET, INC.

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-61-2023

RESOLUTION AUTHORIZING THE BOARD OF RECREATION OF THE CITY OF TROY, OHIO, TO ENTER INTO A CONTRACT WITH THE TROY RECREATION ASSOCIATION, INC. FOR RECREATION SERVICES

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-62-2023

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO, TO ENTER INTO A GENERATION SUPPLY AGREEMENT AMENDMENT FOR ELECTRIC GENERATION SUPPLY FOR CITY FACILITIES 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. Twiss.

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

ORDINANCE NO. O-48-2023

AN ORDINANCE CHANGING THE ZONING OF 58.093 ACRES OF INLOT 11550, PARCEL NO. D08-107388, IN THE CITY OF TROY, OHIO FROM THE MIAMI COUNTY ZONING OF A-2, GENERAL AGRICULTURE, TO A PLANNED DEVELOPMENT – RESIDENTIAL (PD-R) AND APPROVING THE GENERAL PLAN OF THE SOMERSET RESERVE SUBDIVISION PLANNED DEVELOPMENT – RESIDENTIAL

This Ordinance was given first title reading on November 6, 2023.

Given Public Hearing and second title reading.

ORDINANCE NO. O-49-2023

AN ORDINANCE VACATING AN UNIMPROVED 12' ALLEY IN WIDTH LOCATED BETWEEN PART INLOT 388 ON WEST WATER STREET AND PART INLOT 589 ON WASHINGTON STREET IN THE CITY OF TROY, OHIO

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-50-2023

ORDINANCE REPEALING ORDINANCE NO. O-59-2022, ESTABLISHING SALARIES OF CERTAIN EMPLOYEES OF THE CITY OF TROY, OHIO, AND ESTABLISHING NEW WAGE SCALE FOR CERTAIN EMPLOYEES OF THE CITY OF TROY, OHIO

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-51-2023

AN ORDINANCE CHANGING THE ZONING OF INLOT NUMBERS 11560, 11561, AND 11562 IN THE CITY OF TROY, OHIO FROM THE MIAMI COUNTY ZONING OF A-2, GENERAL AGRICULTURE, TO THE CITY ZONING OF R-4, SINGLE FAMILY RESIDENTIAL DISTRICT

This Ordinance was given first title reading.

ORDINANCE NO. O-52-2023

AN ORDINANCE CHANGING THE ZONING OF PARCEL NO. D08-096100, IN THE CITY OF TROY, OHIO FROM R-4, SINGLE-FAMILY RESIDENTIAL DISTRICT, TO OR-1, OFFICE-RESIDENCE DISTRICT

This Ordinance was given first title reading.

ORDINANCE NO. O-53-2023

ORDINANCE APPROPRIATING FUNDS NECESSARY FOR THE VARIOUS DEPARTMENTS AND OFFICES OF THE CITY OF TROY, OHIO, FOR THE YEAR 2024

This Ordinance was given first title reading.

COMMENTS OF THE MAYOR: Mayor Oda provided a reminder that the lighting of the community Christmas Tree will take place the evening of November 24.

COMMENTS OF DIRECTOR OF PUBLIC SERVICE AND SAFETY: Mr. Titterington noted:

-The bids for the West Main Street Improvement Project Phase 2 came in under the authorization and a contract is in the process of being awarded.

-City offices are closed November 23 & 24 for the Thanksgiving Holiday, with refuse collections on schedule.

COMMENTS OF THE PRESIDENT OF COUNCIL: Mr. Lutz provided best wishes for Thanksgiving.

AUDIENCE COMMENTS:

-Stephen Henriksen, 975 Dickerson Drive, stated he appreciated the Finance Committee/Budget workshop being open to the public, and recognized the depth of knowledge of staff in presenting the budget. Mr. Phillips noted that the Committee meeting has always been open to the public.

-Michael Brendel, President of the Troy Kettering Hospital, commented that a physician who recently moved to Troy from Toledo had made very positive comments about the community. Mr. Brendel thanked City officials for their contribution to the community.

There being no further business, Council adjourned at 7:50 p.m.

Clerk of Council

President of Council

Inpoact Kenton Way, major concern is flow of t raffic and how that will be addressdsed
Edgewater dups into pond and those east of Barnhart have complained about runoff, when rainsd more than inch
swail fills up with 5' water and comes oer top of road concrn abot wtate shed, woudllike to see tradic lift with left
turns both wats

Steve - nashville and 55 intersectin after took off from devel and tld by 2010 Nashvill wodl be reaighted to intersect
at 90 degee angle, and that has not happended, people take corner at high speed, road problems should be
addressed befoe wor,

Joseph Graves, Pres Ch ceo TDC, as part of business rete pro meet with indstiesand hear that 3 thigs hold back
lack of child care, trans, affordable workforce housing, Referencing the commui and worfore assess by---
Kirone of the top 4

Sarah 1100 winchester drive, spoke wth Mr. Phillips, and a question was simply this plan no diff than R-5 zoning
pnan in number of houses so why not rezone R-5, purpose would have City maintin control of some services tht
would make houses more affrable; hoa maint steets, paths, playgrounds, etc., in Kensington only hae retention pond
maintenance, this will ot be affordable with the HOA requirements. What size houses will be put here as developer
ha

No public transportation to assit with the transpotation issues.

Got tragffic study, and surpoused to see how many cars go by house

3 days 7-11/13, 16838 vehicles in 3 days went by the responder, 67% were above the speed limit of 50 mph, before
turing on Nashville, 25383 vehicles

Tranponder

Outside her hhouse, 11322 vehicles 16% avoe spped limit at that point, can't get sense of traffic plan for this deve,
will 55 be widended, and would like to hae info in summer yield signs have been knocked down; want concernheard
that need turn lane, 9-26 one day study showed 17965 cars went around one spot in 12 hours; hope you look at;
don't have faith that city

Have City take responsi for streets, etc.

Number of people going 70 mph on Nasjv;;e at jer home and all the transponders at all three locations.

Want ity to move forwar dnd expand and do good job, but do not want more concern about family beingable to enjoy
back yard.

Kirk Ridder, DC Development,

Traffic – intrs Nashville and 55 committed to realight to be 90 de as part of Phase I

Widen for left going left, and a right turn.

Willig to provie rw for traffic sig or round in the fo=uture – that is how addressing the additional density

Runoff- today farm field with clay tiles, as part of dev new pipe infrastrue and diret to 2 detention basins and will meet
City stormwater regulations.

Oversizing detention ponds has been discussed and there is room to do soand open to that.

Propos more than double amount of rewuired open space with a playground area, mul access opoints to SR 55, and provide r/w for future ext of Swailes road. Work with staff to better city in the future.
Had come in with R-5, and found

Phillips – still in ball park of 325K price tag starting? Yes

Want to make as affordable as possible but not home buildner, develop and put in infra and sell the

All incentivies to make as affordable as can

Your co hadle HOA until turned over to resident.s

Lutz -assigne dand met