



AGENDA, TROY CITY COUNCIL
TUESDAY, JANUARY 3, 2023, 7:00 P.M.
COUNCIL CHAMBERS, CITY HALL

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

Excuses by motion/second/roll call vote

SUMMARY OF MINUTES December 19, 2022 Meeting

motion/second/roll call vote

COMMITTEE REPORTS

Citizen comments on committee reports or agenda items – two-minute limit

RESOLUTIONS

R-1-2023	Authorize use of Internet Auction Sites for sale of surplus property during 2023		1 st Reading
R-2-2023	OEPA Grant Application, \$10,000, Equipment for Water Distribution	EMERGENCY	1 st Reading
R-3-2023	Final Legislation, ODOT Resurfacing SR 55 (Peters Ave./Grant St. to Franklin St.)	EMERGENCY	1 st Reading

ORDINANCES

O-60-2022	Amend O-42-2022, Correction to Zoning Code Section 1143.22 (m) (6) B		3 rd Reading
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COMMUNICATIONS/ANNOUNCEMENTS

COMMENTS: Mayor, Director of Public Service & Safety, Director of Law, Auditor, Council President

COMMENTS: Council

COMMENTS: Staff

COMMENTS: Audience

ADJOURN

NOTE: Committee meetings may take place prior to or following Council meeting

CITY OF TROY MISSION STATEMENT:

Through sound and prudent leadership, the City of Troy is committed to sustaining its continued prominence as a regional hub by providing a well-balanced community for its residents, businesses and visitors, consisting of a vibrant downtown, growing economic base, strong educational environment, and plentiful recreational opportunities strengthened by public/private cooperation and grounded in financial stability.

MINUTES OF COUNCIL

A regular session of Troy City Council was held on Monday, December 19, 2022 at 7:00 p.m. in Council Chambers, City Hall.

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

Presiding Officer:	Bobby W. Phillips	President of Council Pro Tem
Others Present:	William Lutz	Acting Mayor
	Patrick E. J. Titterington	Director of Public Service and Safety
	John E. Frigge	Auditor
	Grant D. Kerber	Director of Law

INVOCATION & PLEDGE OF ALLEGIANCE: An invocation was given by Pastor Andy Warren of the Victory Church of Tipp City, followed by the Pledge of Allegiance.

PUBLIC HEARING: At 7:04 p.m., Council President Pro Tem Phillips declared open a public hearing on Ordinance No. O-60-2022. There were no comments in this regard, and at 7:05 p.m., Mr. Phillips declared this public hearing closed.

MINUTES: The Clerk gave a summary of the minutes of the December 5, 2022, 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:

Community Partnerships Committee: Mr. Rozell, Chairman, reported as follows:

1. Committee recommends legislation be prepared to provide for the three legislative items (statement of services to be provided to annexed territory, statement of buffering, consent) required by state law related to the Swank Annexation of 58.798 acres from Concord Township, which land is located north of the Edgewater Subdivision. To meet the timeline of the state law for an expedited annexation, the Committee supports emergency legislation.
2. Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to enter into a professional environmental services agreement with Burgess & Niple, Inc. of Columbus, Ohio to investigate and cleanup an abandoned gas station property located at 206 South Market Street, Troy, Ohio and submit a No Further Action (NFA) letter to the Bureau of Underground Storage Tank Regulations (BUSTR) at a cost not to exceed \$182,948. Committee noted that the entire cost will be covered by a \$250,000 Abandoned Gas Station grant.
3. Committee recommends legislation be prepared authorizing placing on the May 2023 ballot the question of approving an Opt Out Natural Gas Aggregation Program. Based on the date of when ballot items must be certified to the Board of Elections, Committee supports emergency legislation.

Reports submitted by Schilling, Severt and Rozell.

Law & Ordinance Committee: Mrs. Snee, Chairman, reported as follows:

1. Committee recommends legislation be prepared establishing a new Ordinance provision to address noxious overgrowth and tree trimming, with the process following that now used for noxious grass and high weeds.
2. Committee recommends that legislation be prepared, as provided by the ORC, authorizing the Director of Public Service and Safety to request the Director of the Ohio Department of Transportation (ODOT) to perform/review a study related to the speed limits of Peters Road between Archer Drive and Swailes Road and Riverside Drive between Adams Street and north of the Paul G. Duke Park, and that the City support that the Director then establish speed limits deemed appropriate and safe based on the study and the response of ODOT related to stabilizing the speed limits for those road portion areas.
3. Committee concurs that the TREX application of Fuel Seven, LLC would be an economic development project with the creation of five new jobs, and recommends that a letter of support be submitted by the Director of Public Service and Safety for the C-2 TREX liquor permit application as requested by Fuel Seven, LLC for their new location at 809 S. Market Street, Troy, Ohio. As this is not a matter of legislation, this Committee asks that this recommendation to support the TREX application be accepted by Council so that a letter can be provided to be included in the application that the applicant will submit to the Division of Liquor Control.

Motion: A motion was made by Mrs. Snee, seconded by Mr. Rozell, that Council accepts the Law & Ordinance Committee Report regarding the TREX application of Fuel Seven, LLC for the location at 809 S. Market Street. Motion passed by unanimous roll call vote.

Reports submitted by Phillips, Severt and Snee.

Personnel Committee: Mr. Pierce, Chairman, provided oral reports on the following requests for Board reappointments:
Income Tax Board of Review by the Director of Public Service and Safety:

- Reappointment of Mark A. Douglas for a new two-year term that would end December 31, 2024.

A motion was made by Mr. Pierce, seconded by Mr. Twiss, to approve the reappointment of Mark A. Douglas to the Income Tax Board of review as requested. Motion passed by unanimous roll call vote.

Economic Development Revolving Loan Fund Loan Review Committee requested by Mayor Oda:

- Reappointment of William Wolke to a new four-year term that would end December 31, 2026.

A motion was made by Mr. Pierce, seconded by Mr. Twiss, to approve the reappointment of William Wolke to the Economic Development Revolving Loan Fund Loan Review Committee as requested. Motion passed by unanimous roll call vote.

Community Improvement Corporation requested by Mayor Oda:

- Reappointment of the following for new one-year terms that would end December 31, 2023: William E. Lukens, Bradley Bixler, Joseph Graves, Edward Westmeyer, Kathy Vukovic, and Gary Fisher.

A motion was made by Mr. Pierce, seconded by Mr. Twiss, to approve the reappointments of William E. Lukens, Bradley Bixler, Joseph Graves, Edward Westmeyer, Kathy Vukovic, and Gary Fisher to the Community Improvement Corporation as requested. Motion passed by unanimous roll call vote.

Human Relations Commission requested by Mayor Oda:

- Reappointment of Sonia Holycross, Jon Keller and Ruby Villalobos to new three-year terms that would end December 31, 2025.

A motion was made by Mr. Pierce, seconded by Mr. Twiss, to approve the reappointments of Sonia Holycross, Jon Keller and Ruby Villalobos to the Human Relations Commission as requested. Motion passed by unanimous roll call vote.

COMMENTS ON AGENDA ITEMS:

-Micky Hamer, 1160 Red Maple Drive, asked that the budget be amended to include a stop light at SR 718/Washington Road for the safety of the students attending Concord School, the increased number of residents of the area, and those who travel the roadways in that area.

-Stephen Henriksen, 975 Dickerson Drive, suggested that a budget summary would be easier for citizens to follow than the total budget document on the website.

RESOLUTION NO. R-84-2022

RESOLUTION ESTABLISHING MUNICIPAL SERVICES FOR CERTAIN TERRITORY CONTAINING 58.798 ACRES, MORE OR LESS, IN CONCORD TOWNSHIP, PROPOSED TO BE ANNEXED TO THE CITY OF TROY, OHIO, 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. Schilling.

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-85-2022

RESOLUTION ESTABLISHING BUFFER REQUIREMENTS FOR CERTAIN TERRITORY CONTAINING 58.798 ACRES, MORE OR LESS, IN CONCORD TOWNSHIP, PROPOSED TO BE ANNEXED TO THE CITY OF TROY, OHIO, 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: Severt, Snee, Rozell, Whidden, Marshall, Pierce, Phillips, Schilling and Twiss.

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-86-2022

RESOLUTION CONSENTING TO THE ANNEXATION OF CERTAIN TERRITORY CONTAINING 58.798 ACRES, MORE OR LESS, IN CONCORD TOWNSHIP, TO THE CITY OF 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, Whidden, Marshall, Pierce, Phillips, Schilling, Twiss, Severt and Snee.

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-87-2022

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL SERVICES WITH BURGESS & NIPLE, INC, OF COLUMBUS, OHIO, FOR ENVIRONMENTAL SERVICES FOR THE INVESTIGATION AND CLEANUP OF THE ABANDONED GAS STATION PROPERTY AT 206 S. MARKET STREET, TROY, OHIO

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-88-2022

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO REQUEST THAT THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) PERFORM/REVIEW A STUDY RELATED TO THE SPEED LIMITS OF PETERS ROAD (FROM ARCHER DRIVE TO SWAILES ROAD) AND RIVERSIDE DRIVE (FROM ADAMS STREET TO NORTH OF THE PAUL G. DUKE PARK) AND AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY TO ESTABLISH A SPEED LIMIT FOR THOSE ROADWAY AREAS BASED ON THE RESPONSE OF ODOT

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION IN MEMORIAM, RICHARD H. BURNS, 1930 – 2022 (Mr. Burns served as a member of Council 1978-1985 and later as a member of the Board of Zoning Appeals 2016 - 2022.)

Upon motion of Mr. Rozell, seconded by Mr. Twiss, the Resolution in Memoriam was approved by unanimous roll call vote.

ORDINANCE NO. O-60-2022

ORDINANCE AMENDING ORDINANCE NO. O-42-2022, TO MAKE A CORRECTION IN SECTION 1143.22 (m) (6) B

This Ordinance was given first title reading on December 5, 2022.

Given second title reading.

ORDINANCE NO. O-61-2022

ORDINANCE APPROPRIATING FUNDS NECESSARY FOR THE VARIOUS DEPARTMENTS AND OFFICES OF THE CITY OF TROY, OHIO, FOR THE YEAR 2023

This Ordinance was given first title reading on December 5, 2022.

Given second title reading.

Discussion:

-Mr. Schilling commented that he voted against suspension at the prior meeting to allow more time for Council and citizens to review the 2023 Budget; while he is proud of the growth of the City, he believes that there should be a traffic light at Washington Road/SR 718; this item had been part of the capital plan in prior budgets but has been removed from the 2023 budget; the considerable growth in the area of Washington Road/SR 718 and Concord School would seem to warrant a signal; and he would like to see legislation that would require the budget being presented to Council before the 2nd Monday of November. He further commented that the 2023 budget should be adopted.

-Mr. Titterington commented that references to the traffic signal or a study were "under the line" in prior budgets, and not funded, as a "notice" that this project may be coming in the future; there was a 2016 study that indicated the warrants had not been met for a signal; it is not in the current five year capital plan as first Washington Road

needs to be realigned and it is not known what is being planned by the Troy Schools for the use of the school property on McKaig Road; and the signal should be planned with ODOT to possibly qualify for grant funding.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-63-2022

ORDINANCE ENACTING SECTION 521.12 OF THE CODIFIED ORDINANCES OF THE CITY OF TROY, OHIO, REGARDING TREE TRIMMING AND NOXIOUS OVERGROWTH

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-64-2022

ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO EFFECT A GOVERNMENTAL COMPETITIVE RETAIL NATURAL GAS AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO SECTION 4929.26 OF THE OHIO REVISED CODE, DIRECTING THE MIAMI COUNTY BOARD OF ELECTIONS TO SUBMIT A BALLOT QUESTION TO THE ELECTORS AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

COMMENTS OF ACTING MAYOR: Mr. Lutz provided holiday greetings. With winter weather, he reminded citizens that it would help if storm drains were kept clear of ice and snow. Mr. Lutz also thanked all those who assisted in having the Wreaths Across America Program (placing wreaths on the graves of veterans) at Riverside Cemetery on December 17.

COMMENTS OF THE DIRECTOR OF LAW: Mr. Kerber stated his appreciation for the working relationship with elected officials and the administration.

COMMENTS OF THE DIRECTOR OF PUBLIC SERVICE AND SAFETY:

Mr. Titterington noted:

-Refuse collection will be on schedule for the Christmas and New Year's Holidays.

-Non-artificial Christmas Trees will be collected December 27 - January 31, but the trees must be free of decorations, stands, or bags.

COMMENTS OF MEMBERS OF COUNCIL:

-Mr. Severt, Chair of the Finance Committee, commented that the requests of Mr. Schilling will be taken under advisement; he thanked Mercer Group for the addition of the lighted TROY greenery around the fountain area; and he appreciated the update Council received regarding the Tavern Building (W. Main Street).

-Mr. Rozell thanked former Council Member Thomas Kendall and his grand-daughter Madison Maxson for bringing the Wreaths Across America Program to Riverside Cemetery, and thanked the Cemetery staff for their assistance.

There being no further business, the meeting adjourned at 8:00 p.m.

Clerk of Council

President of Council

COMMITTEE REPORT
TROY CITY COUNCIL

TO: Mr. Lutz, President of Council

DATE: December 27, 2022

FROM: Buildings & Utilities Committee

SUBJECT: OEPA GRANT APPLICATION – EQUIPMENT FOR WATER DISTRIBUTION

SUMMARY REPORT: *(To be read at Council meeting)*

On December 27, Committee members Whidden and Marshall met to consider authorizing a grant application for \$10,000 from the Ohio EPA. Particularly, the City's grant application would be for funds towards purchasing three transient pressure loggers to better monitor pressure in the water distribution system. This grant was just announced December 20, and has an application deadline of January 25.

RECOMMENDATION: *(To be read at Council meeting)*

It is the recommendation of this Committee that legislation be prepared authorizing the Director of Public Service and Safety to submit an application to OEPA for a Public Water System Equipment Grant in the amount of \$10,000 for funding of equipment for the Water Distribution Division, and to execute any related documents if funds are awarded. Based on the application deadline, committee supports emergency legislation.

Respectfully submitted,

William C. Twiss

Jeffrey G. Whidden

Kristie L. Marshall, Chairman
Buildings & Utilities Committee

DETAILED REPORT:

On December 27, 2022, Committee members Whidden and Marshall met to consider authorizing a grant application for equipment for the Water Distribution Division. Also attending the meeting were Council Members Phillips, Snee and Pierce, the Director of Public Service and Safety, a citizen, and members of the City staff.

On December 20, OEPA announced a Public Water System Equipment Grant to help water systems increase their technical capacity to provide continuous source of safe drinking water. The grant application deadline is January 25, with applications being considered on a "first come, first served" basis. Applicants will be notified within 90 days. We discussed a staff request to submit an application for funding for three transient pressure loggers and associated equipment to better monitor pressure in the water distribution system. The cost of the equipment is approximately \$11,550; the grant reimbursement request is \$10,000. While this is a smaller grant, OEPA requires that the submittal of the application be authorized by the legislative authority.

There was discussion that the City may purchase additional loggers at a later time should the need be determined. It was noted that this equipment is transient to help identify and isolate reported issues, and that a much costlier system would be needed to provide constant monitoring of the entire distribution system.

RECOMMENDATION:

It is the recommendation of this Committee that legislation be prepared authorizing the Director of Public Service and Safety to submit an application to OEPA for a Public Water System Equipment Grant in the amount of \$10,000 for funding of equipment for the Water Distribution Division, and to execute any related documents if funds are awarded. Based on the application deadline, committee supports emergency legislation.

cc: Council, Mayor, Director of Law, Auditor, Clerk, Director of Public Service & Safety, Media, staff

COMMITTEE REPORT
TROY CITY COUNCIL

TO: Mr. Lutz, President of Council
FROM: Community & Economic Development Committee
SUBJECT: ORDINANCE NO. O-60-2022, MAKING A CORRECTION TO O-42-2022

DATE: December 27, 2022

SUMMARY: *(to be read at Council meeting)*

On December 27, Committee members Pierce and Snee met to consider Ordinance No. O-60-2022, which provides a correction to Section 1143 (m) (6) B of the Zoning Code approved by Ordinance No. O-42-2022. In that section, the term "Planning Commission" was intended to be used. As adopted, Ordinance No. O-42-2022 contained the term "Appeals Board".

RECOMMENDATION: *(to be read at Council meeting)*

It is the recommendation of this Committee that Council should proceed to enact Ordinance No. O-60-2022 as before Council and as recommended by the Troy Planning Commission so that the correction is made.

Respectfully submitted,

Samuel J. Pierce

Lynne B. Snee

Jeffrey A. Schilling, Chairman
Community & Economic Development Committee

DETAILED REPORT:

On December 27, 2022, Committee members Pierce and Snee met to consider the recommendation of the Troy Planning Commission that a correction be made to the Zoning Code Ordinance No. O-42-2022. The Committee meeting was also attended by Council Members Marshall, Whidden, and Phillips, the Director of Public Service and Safety, a citizen, and members of the City staff.

After Council adopted Ordinance No. O-42-2022, which made changes to the Historic Preservation Overlay District, an error was found in Section 1143 (m) (6) B. The wording reads:

"For structures that the Planning Commission finds that are not historically significant, the Appeals Board may relax or waive the standards or guidelines found in this Chapter or Guidelines."

The words should have been "Planning Commission" instead of "Appeals Board", which was the wording in the Planning Commission recommendation. The Director of Law advised that the corrective measure would be to amend Ordinance No. O-42-2022, to change the words "Appeals Board" in Section 1143 (m) (6) B to "Planning Commission." That amendment was recommended by the Planning Commission. A public hearing was held at the December 19 meeting of Council, and no comments were received.

RECOMMENDATION:

It is the recommendation of this Committee that Council should proceed to enact Ordinance No. O-60-2022, to provide the correction to Section 1143 (m) (6) B.

cc: Council, Mayor, Director of Public Service & Safety, Director of Law, City Auditor, Clerk, staff, media

COMMITTEE REPORT
TROY CITY COUNCIL

TO: Mr. Lutz, President of Council
FROM: Streets & Sidewalks Committee
SUBJECT: ODOT FINAL LEGISLATION, RESURFACING PART OF SR 55 (PETERS AVE./GRANT ST. TO FRANKLIN ST).

DATE: December 27, 2022

SUMMARY REPORT: *(to be read at Council meeting)*

This Committee met on December 27 regarding the final legislation requested by ODOT for the resurfacing of SR 55 from Peters Avenue/Grant Street to Franklin Street during State FY 2023. ODOT is bidding the project, with the City to pay 20% of the project cost, currently estimated at \$114,631.40. ODOT requires the return of the final legislation and the City's payment by January 27, 2023.

RECOMMENDATION: *(to be read at Council meeting)*

This Committee recommends that legislation be prepared approving the final legislation for the ODOT urban paving project of resurfacing SR 55 from Peters Avenue/Grant Street to Franklin Street. Based on the ODOT format and to meet the date to return legislation to ODOT, this Committee supports emergency legislation.

Respectfully submitted,

Samuel J. Pierce

Lynne B. Snee

Bobby W. Phillips, Chairman
Streets & Sidewalks Committee

DETAILED REPORT:

This Committee met on December 27, 2022, regarding the final legislation requested by the Ohio Department of Transportation (ODOT) for the ODOT urban paving project of resurfacing SR 55 from Peters Avenue/Grant Street to Franklin Street during State FY 2023. This meeting was also attended by Council Members Marshall and Whidden, the Director of Public Service and Safety, a citizen, and members of the City staff.

In March of 2022, Council approved the preliminary consent legislation for the ODOT urban paving project of an area of SR 55, from Peters Avenue/Grant Street to Franklin Street during State FY 2023. This project will be bid by ODOT. The City is responsible for the payment of 20% of the total project costs, with that 20% currently estimated at \$114,631.40. ODOT has set the bid letting for February 9, 2023, and has requested the return of the final legislation and the City's payment by January 27, 2023. It is noted that if the final contract cost is higher than the estimate, the City will be invoiced a share of that difference.

RECOMMENDATION:

This Committee recommends that legislation be prepared approving the final legislation for the ODOT urban paving project of resurfacing SR 55 from Peters Avenue/Grant Street to Franklin Street. Based on the ODOT format and to meet the date to return legislation to ODOT, this Committee supports emergency legislation.

cc: Council, Mayor, Law Director, Auditor, Clerk, Director of Public Service & Safety, staff, media

RESOLUTION No. R-1-2023

Doytan Legal Blank, Inc.

RESOLUTION AUTHORIZING THE SALE DURING CALENDAR YEAR 2023 OF MUNICIPALLY-OWNED PERSONAL PROPERTY WHICH IS NOT NEEDED FOR PUBLIC USE, OR WHICH IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED, BY INTERNET AUCTION PURSUANT TO OHIO REVISED CODE SECTION 721.15 (D)

BE IT RESOLVED by the Council of the City of Troy, Ohio as follows:

SECTION I: That during calendar year 2023, municipally-owned personal property which is not needed for public use, or which is obsolete or unfit for the use for which it was acquired may be sold by internet auction.

SECTION II: That any said auction sale shall be conducted under the authority and direction of the Director of Public Service and Safety, Patrick Titterington, 100 S. Market Street, Troy, Ohio 45373, (937) 335-1725.

SECTION III: Any such internet auction sales shall be conducted by way of internet auction services of GovDeals.com, Amazon.com, Ebay.com, Ubid.com, Yahoo.com, MSN.com, or Google.com, pursuant to the rules and regulations promulgated and in effect for those sales organizations, including that the City of Troy will pay a sales fee to the internet auction services organization.

SECTION IV: That in connection with each such contemplated internet auction sale, bidding shall remain open for not less than fifteen (15) days, including Saturdays, Sundays and legal holidays.

SECTION V: That in connection with each such contemplated internet auction sale, the terms of payment shall be cash, payment in full on or before the date of delivery to the successful bidder; further, the successful bidder shall be solely responsible for all acts and expenses associated with the delivery of any item so purchased.

SECTION VI: That this Resolution shall be effective at the earliest date allowed by law.

Adopted: _____
President of Council

Approved: _____

Attest: _____
Clerk of Council Mayor

RESOLUTION No. R-3-2023

Dayton Legal Blank, Inc.

FINAL RESOLUTION AUTHORIZING CONSENT AND COOPERATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF STATE ROUTE 55 WITHIN THE RIGHT-OF-WAY OF THE CITY OF TROY, OHIO IN FY 2023, PARTICIPATION IN THE PROJECT, AND DECLARING AN EMERGENCY

PID No.: 110892

The following is a Final Resolution enacted by the City of Troy of Miami County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

WHEREAS: on the 7th Day of March, 2022, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project; and

WHEREAS: The project consists of resurfacing South Market Street (S.R. 55) between just west of Grant Street and Franklin Street, including pavement markings, lying within the City of Troy; and

WHEREAS: the LPA shall cooperate with the Director of Transportation in the above described project as follows:

The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement within the city limits, less the amount of Federal-Aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation; and

WHEREAS: The share of the cost of the LPA is now estimated in the amount of One Hundred Fourteen Thousand Six Hundred Thirty-One and 40/100 Dollars, (\$114,631.40), but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS: The Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to this legislative authority; and

WHEREAS: The LPA desires the Director of Transportation to proceed with the aforesaid highway improvement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Troy, Ohio, as follows:

SECTION I: That the estimate sum of One Hundred Fourteen Thousand, Six Hundred Thirty-one and 40/100 Dollars, (\$114,631.40) is hereby appropriated for the improvement described above and the fiscal officer is hereby authorized and directed to issue an order on the treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. The City of Troy hereby agrees to assume in the first instance, the share of the cost and expense over and above the amount to be paid from Federal funds.

SECTION II: That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.

SECTION III: That the LPA enter into a contract with the State, and that the Director of Public Service and Safety be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.

SECTION IV: That the LPA transmit to the Director of Transportation a fully executed copy of this Resolution.

SECTION V: That this Resolution is an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City of Troy, Ohio, for the further reason to expedite the highway project and to promote highway safety, and for the further reason that the City of Troy, Ohio is to return a copy of the approved Resolution and the LPA share of the estimated project cost to the Ohio Department of Transportation by January 27, 2023; NOW WHEREFORE this Resolution shall be effective immediately upon its adoption and approval by the Mayor.

Adopted: _____

President of Council

Approved: _____

Attest: _____

Clerk of Council

Mayor

ORDINANCE No. O-60-2022

Dayton Legal Blank, Inc.

**ORDINANCE AMENDING ORDINANCE NO. O-42-2022,
TO MAKE A CORRECTION IN SECTION 1143.22 (m) (6) B**

WHEREAS, the Council of the City of Troy, Ohio enacted Ordinance No. O-42-2022, regarding the Zoning Code of the City of Troy, Ohio related to the Historic Preservation Overlay District, and a subsequent typographical error has been found in Section 1143.22 (m) (6) B of said Ordinance and should be corrected.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Troy, Ohio, as follows:

SECTION I: That Section 1143.22 (m) (6) B of the Codified Ordinances of the City of Troy, Ohio which reads as follows, is hereby repealed:

"B. For structures that the Planning Commission finds that are not historically significant, the Appeals Board may relax or waive the standards or guidelines found in this Chapter or Guidelines."

SECTION II: That Section 1143.22 (m) (6) B of the Codified Ordinances of the City of Troy, Ohio, is hereby enacted as follows:

"B. For structures that the Planning Commission finds that are not historically significant, the Planning Commission may relax or waive the standards or guidelines found in this Chapter or Guidelines."

SECTION III: That at this Ordinance shall be effective at the earliest date allowed by law.

Adopted: _____
President of Council

Approved: _____

Attest: _____
Clerk of Council Mayor



MEMORANDUM

TO: Mr. Lutz, President of Council

FROM: Sue Knight for the Troy Planning Commission

DATE: November 25, 2022

SUBJECT: REPORT OF THE PLANNING COMMISSION – CORRECTION TO THE ZONING CODE RELATED TO THE HISTORIC PRESERVATION OVERLAY DISTRICT (HP-O)

Following the recent Ordinance Amendment to the Zoning Code related to the Historic Preservation Overlay District, an error was found in Section 1143 (m) (6) B. The adopted Ordinance reads:

“B. For structures that the Planning Commission finds that are not historically significant, the Appeals Board may relax or waive the standards or guidelines found in this Chapter or Guidelines.”

It should have read:

“B. For structures that the Planning Commission finds that are not historically significant, the Planning Commission may relax or waive the standards or guidelines found in this Chapter or Guidelines.”

This is the only correction that is needed. However, due to involving the Zoning Code, it will require a Council Public Hearing, which will be held December 19.

This recommended correction is forwarded herewith for consideration of Troy City Council.

ITEMS OF INTEREST

TO: Mayor Oda
Mr. Lutz, President of Council
Council Members

FROM: Patrick E. J. Titterington, City Director

DATE: December 30, 2022



We are providing the following for your information:

- Major Project Update:
 - Fire Station 11 – Final site and punch list items are being finalized.
- Recreation Update:
 - Shelter Reservations for 2023 will begin January 3.
 - There have been seven Public Skating Sessions added over the holiday break. The sessions have been well attended so far other than December 23 due to the bad weather.
 - The Walker Hayes Concert on Friday, December 16 was sold out other than some single seats.
 - Tickets for the Travis Tritt Concert scheduled for March 30 have been selling well.
- Employment Update:
 - Carla Zaylskie, Auditor's Office, was promoted to Chief Deputy Auditor effective December 22.
 - Stephen Schmitz, Fire Department, has announced his retirement after 33 years of service effective February 4, 2023.
- Contract Update:
 - One bid was received for the 2023-2025 Fleet Maintenance Contract. The contract was awarded to The Service Company in Covington, Ohio.
- The annual leaf collection will continue through January 19. A map showing anticipated pickup dates by address is available on the City's website at www.troyohio.gov/leaf-map. The collection is weather dependent.
- City offices will be closed on for the New Year's Day Holiday on January 2. Refuse collection and recycling will be on schedule. Council will be meeting on Tuesday, January 3.
- Santa's House was removed from the Northwest Quadrant and will be stored until November 2023. Troy Main Street reports that a number of children enjoyed visiting Santa during the holiday season.



Items of Interest
December 30, 2022

- The City will be collecting real Christmas Trees through January 31. The trees must be free of light strands, decorations, tree stands, and plastic bags.
- City offices will be closed Monday, January 16 for the Dr. Martin Luther King, Jr. Holiday. Residential refuse collection and recycling will be on schedule.
- The MLK Celebration Walk will start at approximately 9:30 a.m. from the Senior Citizen Center and proceed to Richards Chapel on McKaig Road. A celebration service will then be held at the church following the walk.
- Attached is the first Snow Removal report for the 2022-2023 winter season.

Calendar of Meetings

January 3	7:00 p.m.	Council Meeting
January 5	4:00 p.m.	Board of Park Commissioners Meeting
January 9	6:00 p.m.	Council Committee Meeting
January 11	3:30 p.m.	Planning Commission Meeting
January 17	7:00 p.m.	Council Meeting
January 18	4:00 p.m.	Recreation Board Meeting
January 19	6:15 p.m.	Human Relations Commission Meeting
January 23	6:00 p.m.	Council Committee Meeting
January 25	3:30 p.m.	Planning Commission Meeting

Upcoming Events Downtown

January 6	5:30 p.m.	TMS First Friday – Dress the Decade
February 3	5:30 p.m.	TMS First Friday – Black History & Culture Walk

Upcoming Events at Hobart Arena

February 11		The Greater Midwest Cheer & Dance Expo
February 17-19		2023 Miami County Home & Garden Show
March 3-4		OHSAA Division III District Wrestling Tournament
March 11-12		Ohio First Tech & Lego Challenge League Championship
March 30	7:30 p.m.	Travis Tritt with Special Guest War Hippies
April 27	7:00 p.m.	Zach Williams with Special Guest Blessing Offor

Reports from other departments are attached.

If you have any questions, please do not hesitate to contact this office.

Enclosure
cc: Department Head

MONTH	SALT			BEET JUICE			UNLEADED			DIESEL			REG LABOR		OT LABOR		EVENT TOTAL (\$/EVENT)	TOTAL SPENT TO DATE	CUMUL. TOTAL SALT USAGE (TONS)	TOTAL SALT REMAINING (TONS)	EVENT DESCRIPTION (M = Mains; S = Secondaries; B = Bridges; All = All Streets)	
	(TONS)	\$/TON	\$/EVENT	(GAL)	\$/GAL	\$/EVENT	(GAL)	\$/GAL	\$/EVENT	(GAL)	\$/GAL	\$/EVENT	(HOURS)	\$/EVENT	(HOURS)	\$/EVENT						
	0.00	\$73.45	\$ -	0.0	\$1.37	\$ -	0.0	\$2.81	\$ -	0.0	\$3.08	\$ -	\$ -				\$ -	\$ -	0.00	1,310.47	300 tons on order	
December 22, 2022 10:30 PM - 1:30 AM	50.00	\$73.45	\$3,672.50	575.0	\$1.37	\$787.75	3.0	\$2.37	\$7.11	63.0	\$5.45	\$343.35	0.00	\$0.00	24.00	\$1,016.04	\$5,626.75 \$ -	\$ 5,826.75	50.00	1,260.47	Salt M&S	
December 23, 2022 8:30 AM - 2:00 PM	0.00	\$73.45	\$0.00	0.0	\$1.37	\$0.00	0.0	\$2.37	\$0.00	139.0	\$5.45	\$757.55	0.00	\$0.00	46.50	\$2,165.47	\$2,923.02	\$ 8,749.77 \$ -	50.00	1,260.47	Plow M&S	
December 23, 2022 8:30 PM - 11:00 PM	2.00	\$73.45	\$146.90	4.0	\$1.37	\$5.48	0.0	\$2.37	\$0.00	2.0	\$5.45	\$10.90	0.00	\$0.00	7.50	\$417.83	\$581.11	\$ 9,330.88 \$ -	52.00	1,258.47	Salt Main St overpass/auger box cleaning	
December 24, 2022 11:00 AM - 4:00 PM	22.00	\$73.45	\$1,615.90	164.0	\$1.37	\$224.68	0.0	\$2.37	\$0.00	141.0	\$5.45	\$768.45	0.00	\$0.00	35.50	\$1,523.63	\$4,132.66	\$ 13,463.54 \$ -	74.00	1,236.47	Plow and Salt M&S	
December 28, 2022 10:00 AM - 4:00 PM	68.00	\$73.45	\$4,984.60	460.0	\$1.37	\$671.30	0.0	\$2.37	\$0.00	127.0	\$5.45	\$692.15	0.00	\$0.00	42.00	\$1,893.72	\$8,251.77	\$ 21,715.31 \$ -	142.00	1,168.47	Plow and Salt M&S	
December 27, 2022 8:00 AM - 2:00 PM	0.00	\$73.45	\$0.00	0.0	\$1.37	\$0.00	20.0	\$2.37	\$47.40	135.0	\$5.45	\$735.75	52.00	\$1,678.76	0.00	\$0.00	\$2,461.91	\$ 24,177.22 \$ -	142.00	1,168.47	Clearing roads	
December 28, 2022 8:00 AM - 2:00 PM	0.00	\$73.45	\$0.00	0.0	\$1.37	\$0.00	35.0	\$2.37	\$82.95	0.0	\$5.45	\$0.00	18.00	\$630.18	0.00	\$0.00	\$713.13	\$ 24,890.35 \$ -	142.00	1,168.47	Clearing roads	
December 29, 2022 8:00 AM - 12:00 PM	0.00	\$73.45	\$0.00	0.0	\$1.37	\$0.00	20.0	\$2.37	\$47.40	0.0	\$5.45	\$0.00	8.00	\$228.92	0.00	\$0.00	\$276.32	\$ 25,166.67	142.00	1,168.47	Clearing roads	
Total			\$10,479.90			\$ 1,689.21			\$184.86			\$ 3,308.15			\$ 2,537.86			\$ 7,016.69			\$ 25,166.67	

* Compared with 2021-2022 season expenses totaling \$0.00 and 0 tons of salt used as of December 30, 2021.



**Operations
Items of Interest**
December 30, 2022

Street/Solid Waste – Justin Olivieri, Foreman

- Collected and transported 254 tons of residential trash since the last report of 283 tons
- Handled recycling and trash complaints
- Collected yard waste bags and bundled brush
- Started the final round of leaf collection on December 15
- Familiarized the new drivers with the snow plow routes in anticipation of the winter weather
- For the winter storm:
 - December 22 salted main and secondary streets
 - December 23 plowed main and secondary streets
 - December 24 plowed and salted the main streets
 - December 26 plowed and salted the main and secondary streets
 - December 27 cleared the main and secondary streets of slush build up; started plowing residential streets
 - Continued clearing residential streets through the week
- Placed temporary signage on Clay Street at Market Street as well as at South Dorset Road and Wayne Street where stop signs had been damaged during the storm. Repairs have been made to the signs.

Electrical – Daryl Williams

- Completed Ohio Utilities Protection Service requests as needed
- Completed installation of a new 20A circuit for Water Treatment Plant automatic gate
- Repaired Christmas decorations as necessary
- Investigated moisture problem inside the traffic cabinet at West Main Street and Troy Towne Drive which caused the signal to go to flash. Installed a dehumidifier to correct the issue.
- Made lighting repairs at the Maintenance Facility
- Investigated a fryer at The Shoreline kitchen that was tripping a circuit breaker
- Completed the traffic cabinet replacement at the West Market Street, Dorset Road, and Archer Drive intersection
- Prepared the Santa House in preparation of its removal
- Plowed snow to assist the Street Department

Water Distribution/Sewer Maintenance – Scott Taylor, Utility Foreman

- Marked numerous Ohio Utilities Protection Service tickets
- Completed numerous work orders for Billing and Collection
- Investigated numerous high consumption alerts
- Completed non-pay shut offs and reconnects as paid
- Repaired and replaced water meters and radios that were not functioning
- Replaced six water meters
- Repaired a water main breaks on Meadow Lane and St. Andrews Drive
- Completed installation of a new water main on Cornish Road
- Located and updated GIS on West Main Street for Double Jay Construction
- Continued CCTV inspection for the 2023 Paving Program
- Plowed snow to assist the Street Department

Wastewater Treatment Plant – Ken Parks, Superintendent

- This week, plant maintenance staff are working on preventative maintenance work orders, hauling the grit trailer to the transfer station, and checking the lift stations.
- Secured the Santa House for off season storage
- After the first of the year, staff will begin working on the annual Pretreatment, Sludge, and Sanitary Sewer reports for the OEPA. The fourth quarter Industrial User Violation report will also be due.
- Concluded the annual Industrial Pretreatment Inspections of seven permitted Industrial Users.
- December Flow Data:
 - Average Daily Flow - 3.25 MGD
 - Maximum Daily Flow – 3.71 MGD
 - Monthly Total Flow – 84.83 MGD
- Calendar Year Flow Data:
 - Average Daily Flow – 5.70 MGD
 - Maximum Daily Flow – 15.92 MGD
 - Total Flow for YTD – 2,055.46 MGD

Water Treatment Plant – Gary Evans II, Superintendent

- MetroNet repaired a phone line for auto dialer alarms.
- An electric circuit was installed for a gate actuator which will aid in the security of the plant.
- Phosphate usage was adjusted in an effort to reduce chemical usage.
- Received a Green License to Operate (LTO) for 2023 from OEPA.
- The air stripper was adjusted to reduce pressure due to the extreme cold.

**Items of Interest
Engineering Department
December 30, 2022**

PROJ #	PROJECT TITLE	PROJECT STATUS
2018-15	Kidder Ditch Modeling & Rehabilitation	Council approved an agreement with Strand Associates, Inc. for modeling of Kidder Ditch improvements. Additionally, staff engaged Strand for the following items: FEMA submission of new flood plain boundaries, design of ditch improvements especially around bridges, negotiations of easements with residents for staff to enter the ditch for maintenance, and public education information to provide to residents along ditches in the City. Staff continues to work with residents to assist them in understanding the project and obtaining access to the ditch. Council granted authorization of \$810,000 for the Kidder Ditch Improvement Project. The contract was awarded to Performance Site Development of Fairborn, Ohio. Construction has continued with the grinding of the tree stumps.
2019-02	Fire Station 11 Replacement	KZF Design, Inc. of Cincinnati, Ohio designed the project. Bilbrey Construction, Inc. of Dayton, Ohio was awarded the contract. The generator was installed on November 4. Final punch list items and administrative closeout activities are ongoing.
2019-27	Madison Street Lift Station Pump Rehab	The City received a CDBG Critical Infrastructure Grant for funding to assist with the costs of the repair/rehabilitation of the Madison Street Stormwater Lift Station. Staff is finalizing a permanent easement along the east side of the lift station. Council increased the project authorization to \$1,000,000. The contract was awarded to Peterson Construction Company of Wapakoneta, Ohio, in the amount of \$880,000. A preconstruction meeting has been held. Due to long lead times of material delivery, the project will begin construction in the Spring 2023.
2019-23	Traffic Signal - West Main Street and Kings Chapel Drive (PID 113446)	ODOT awarded safety funding for the project. The contract was awarded to Perram Electric, Inc. of Wadsworth, Ohio. The signal went into operation on July 7. Timing is being tweaked to get it to operate at the greatest efficiency and to allow users of Kings Chapel Drive to enter/exit safely. The signal's programming was finalized; the contractor's final payment and final change order is being processed, and staff is working with ODOT for project closeout.
2020-03	WWTP Aeration Blower Replacement/Expansion	In order to allow for flow capacity for larger utility usage developers, staff recommended increasing the plant capacity as this is an opportune time to do so with the blower replacement. Council authorized an agreement addendum with Hazen & Sawyer to provide design services for the plant expansion to increase capacity. Council authorized \$14,000,000 for the construction project. The contract was awarded to Peterson Construction in the amount of \$10,777,000. Staff is working with Ohio EPA to finalize the loan for this project as authorized by Council. A preconstruction meeting occurred, and construction will begin in Spring 2023.
2020-12	South Stanfield Reconstruction Phase 1	The project is along S. Stanfield Rd. from W. Stanfield Rd. to Commerce Center Blvd. LJB, Inc. is the design engineer for the project. The contract was awarded to Finrock Construction Co. of Covington, Ohio. Final course of pavement is placed and temporary pavement markings has been completed. The Shared Use Path and permanent pavement markings will be placed in Spring 2023.
2021-16	East Main Street Resurfacing	The City received federal grant funding for the resurfacing of East Main Street from Mulberry Street to the east corporate boundary (past the Broadford Bridge). Choice One Engineering provided the plans for the project. ODOT has provided Stage 3 comments, plans are revised for Plans, Specifications & Engineering documents to be submitted last week. This resurfacing project is being ODOT-let and will be bid mid-2023. The participatory legislation was returned to ODOT.

**Items of Interest
Engineering Department
December 30, 2022**

PROJ #	PROJECT TITLE	PROJECT STATUS
2021-17	North Elm Street Resurfacing	The City received federal grant funding for the resurfacing and repair of North Elm Street from Main Street to the north corporate boundary. This project will be bid mid-2024. Choice One Engineering is providing the plans for the submittals to ODOT to meet Federal Highway Association (FHWA) requirements. Choice One Engineering and staff walked the area. Plans to be submitted for city review by the end of the year.
N/A	Miami Shores Golf Course Shed Equipment Structure	Council authorized bidding for a shed equipment structure for the Miami Shores maintenance operation. The project was advertised twice with no bids received. Council increased the project authorization to \$112,000. Bids were again opened July 7. The Board of Park Commissioners has awarded the contract, to the lowest and best bidder, in the amount of \$111,500 to Alpha Construction Indiana, Inc. Final permits are pending FEMA review.
2022-011	Cornish Water Main Replacement (Emergency)	Council declared as an emergency the water main repair for Cornish Road. The water main has been replaced and staff is working on testing the pipe before placing it into full operation.

ANNUAL PROJECTS

N/A	Sidewalk Program 2022 (Phase 14) East End & Fox Harbor	Phase 14 of the sidewalk program is generally in the southeast corner of town and Kings Chapel subdivision. The contract was awarded to L.J. DeWeese Co. Inc of Tipp City, Ohio. Construction continues on the east end of the city with a transition to Fox Harbor Drive, which will continue until completed, weather permitting.
N/A	Sidewalk Program 2023 (Phase 15) East End & Fox Harbor	Phase 15 of the sidewalk program is generally in the Kings Chapel subdivision. Staff is out marking potential sidewalks for replacement and to be part of a sidewalk program next year.

SUBDIVISION PROJECTS

2022-014	Fern Way	The preliminary plan, final record plat and construction drawings were reviewed, and comments sent back to the developer and the developers engineer.
2021-11	Liberty Meadows	The preliminary plan for Liberty Meadows was approved by Planning Commission. No further action is requested of staff.
2019-04 2020-19	The Reserve at Washington	Section 1 has entered into a maintenance period for a year. Section 2 home construction continues.
2018-25 2019-14	Heritage at Troy Country Club Heritage Village at Troy Country Club	Housing construction continues. The developer has requested that the Heritage at the Troy Country Club development be completed and put into maintenance bond. Staff and the developer's contractor are working towards completion of the punch list. Asphalt has been completed. Final punch list and closing of subdivision is underway to begin maintenance period.
2019-13; 2020-11; 2021-02	Fox Harbor	Section 5 maintenance period has ended. Section 6, construction is nearing completion, and punch list created. Section 7, has been completed, with final acceptance and the maintenance and guarantee bond in place. Section 8 public improvements are complete and housing construction continues. The final plat of Section 9 has been approved by Council; staff will work to finalize construction drawings.
2017-15; 2018-02	Stonebridge Meadows	Sections 6 and 7 has completed the requested maintenance items. Staff is awaiting the maintenance bonds for both sections.

**Items of Interest
Engineering Department
December 30, 2022**

PROJ #	PROJECT TITLE	PROJECT STATUS
2018-08; 2019-03; 2022-013	Halifax	Section 4 maintenance period has ended. Section 5 home construction continues. Section 6 is pending review of development and construction documents.
2007-41	Pleasant View Estates	Staff is currently not aware of any proposed improvements being planned for the remaining land in the subdivision.
2000-50	Oakmont	Section 5 is awaiting final punch list and final course of asphalt. Plans are to get the punch list and asphalt completed to finish the plat via assessments to the adjacent property owners in 2023.
2018-07	Villages of Concord	A revised preliminary plan has been approved by Planning Commission. The County Map Department received a final plat that was not consistent with the approved plat from 2019. Planning Commission authorized adding the wording to the preliminary plan, "See Miami County Common Pleas Case No. 2019-CV00495", and the preliminary plan was signed. The plat was recorded by the County. Staff met with the developer to request compliance with subdivision regulations prior to beginning construction.

High Usage Alert Records

Address	24 Hr. usage Cu Ft.	Shut Off: Yes - No	Date	Reconnect: Yes - No - Cause
S. Dorset Road	500	No	December 2, 2022	No - Left blue card to call B&C
Troy Sidney Road	300	No	December 5, 2022	No - Toilet running
Old Newton Pike	1100	Yes	December 5, 2022	Yes - Toilet running
S. Short Street	800	Yes	December 5, 2022	No - Owner is deceased
Jani Court	300	No	December 8, 2022	No - Spoke with owner made them aware
S. Dorset Road	300	No	December 9, 2022	No - Spoke with owner made them aware
N. Elm Street	300	No	December 9, 2022	No - Spoke with owner made them aware
Mumford Drive	500	Yes	December 12, 2022	No - Still off as of 12/15/2022
Ohio Avenue	400	No	December 12, 2022	No - Left blue card to call B&C
S. Clay Street	300	No	December 12, 2022	No - Left blue card to call B&C
S. Dorset Road	400	No	December 12, 2022	No - Spoke with owner made them aware
N. Market Street	400	No	December 14, 2022	No - Spoke with owner made them aware
S. Dorset Road	400	No	December 14, 2022	No - Spoke with owner made them aware
S. Clay Street	300	No	December 16, 2022	No - Spoke with owner made them aware
S. Dorset Road	300	No	December 16, 2022	No - Spoke with owner made them aware
Morning Glory Drive	400	No	December 16, 2022	No - Left blue card to call B&C
Maple Street	400	Yes	December 27, 2022	Yes - Broken waterline
S. Short Street	800	Yes	December 27, 2022	No - Broken waterline
S. Crawford Street	500	Yes	December 27, 2022	No - Broken waterline
S. Crawford Street	500	Yes	December 27, 2022	Yes - Broken waterline
W. Race Street	1600	Yes	December 27, 2022	No - Broken waterline
Mayfield Square W.	600	Yes	December 27, 2022	No - Broken waterline
Todd Lane Apt. D	300	Yes	December 27, 2022	No - Left blue card to call B&C
Stonyridge Drive	500	No	December 27, 2022	No - Toilet running
Fox Harbor Drive	500	No	December 27, 2022	No - Broken waterline
Glendale Drive	500	No	December 27, 2022	No - Broken waterline
W. Main Street	300	No	December 27, 2022	No - Spoke with owner made them aware
S. Ridge Avenue	900	No	December 27, 2022	No - Left blue card to call B&C
McKaig Road	400	No	December 27, 2022	No - Left blue card to call B&C
McKaig Road	300	No	December 27, 2022	No - Left blue card to call B&C
Floral Avenue	1200	Yes	December 28, 2022	No - Broken waterline
S. Mulberry Street	1300	Yes	December 28, 2022	No - Broken waterline
Saratoga Drive	700	Yes	December 28, 2022	Yes - Toilet running
N. Market Street	4000	Yes	December 28, 2022	No - Broken waterline
Shamrock Lane Apt. C	2100	Yes	December 28, 2022	No - Broken waterline
Ellis Drive	300	No	December 28, 2022	No - Toilet running
Plum Street	800	No	December 28, 2022	No - Left blue card to call B&C



MEMORANDUM

TO: Patrick E.J. Titterington, Director of Public Service and Safety

FROM: Tim Davis, Development Director

DATE: December 30, 2022

SUBJECT: *Items of Interest Report*

I have attached two reports which summarize concerns that are being addressed by the Development Department from December 15, 2022 to December 28, 2022.

The first report shows all permit applications that were received. The permits have been separated by the wards they are located within. There were 7 permit applications received during this time period.

The second report contains the address, type of concern, and a summary of the current status of on-going property maintenance violations. Both open and closed concerns are listed. These concerns are separated by the wards of which they are located within. There were 22 violations addressed during this time period.

All costs associated with the removal of trash and elimination of noxious weeds will be invoiced to the property owner. Should the property owner fail to pay any invoice, the cost will be assessed to the property taxes where the violation occurred.

encl.

Permit Activity Report

December 15, 2022 - December 28, 2022

Project Address	Ward	Permit Type	Description	Assigned To	Permit Date	Total Fees
218 MOREHEAD ST	1	Fence Permit	Fence	Russell Long	12/16/2022	\$25.00
701 W WATER ST	2	Demolition Permit	Demolition - Troy Lumber	Taylor Bruner	12/27/2022	\$25.00
216 W FRANKLIN ST	2	Certificate of Appropriateness	Front step replacement and installation of handrails to match existing railing at the front of building.	Austin Eidemiller	12/16/2022	\$26.00
414 LAKE ST	4	Zoning-Accessory-Residential	Shed	Taylor Bruner	12/19/2022	\$25.00
2680 HUNTINGTON DR	4	Zoning-Accessory-Residential	Expand floating concrete slab with no footers.	Russell Long	12/16/2022	\$103.50
236 CHAPEL COURT	6	Zoning-Residential-New	Single Family Residence	Taylor Bruner	12/27/2022	\$100.00
101 TRADE SQ E	6	Tent Permit	Tent Permit	Taylor Bruner	12/19/2022	\$26.00

Violation Activity Summary

December 15, 2022 - December 28, 2022

Case #	Case Date	Assigned To	Site Address	Ward	Type of Violation	Status	Description
20220659	12/21/2022	Taylor Bruner	1107 MAPLECREST DR	1	ZONING PROBLEM	Open	12/20 Trailer in yard. Sent Friendly. Follow up 12/28
20220660	12/21/2022	Taylor Bruner	692 STONYRIDGE AVE	1	ZONING PROBLEM	Open	12/20 Car & Trailer in yard. Sent Friendly. Follow up 12/28
20220661	12/21/2022	Taylor Bruner	749 GLENDALE DR	1	ZONING PROBLEM	Open	12/20 Car in yard. Sent Friendly. Follow up 12/28
20220676	12/28/2022	Russell Long	322 W MARKET	2	ZONING PROBLEM	Open	12/27 Inspected property and there were two product advertising signs that are not permitted per code. Called business on 12/28 for removal of the signs. Follow up 12/30
20220674	12/22/2022	Russell Long	345 LINCOLN AVE	2	TRASH & DEBRIS	Closed	12/19 Inspected numerous bags as well as seat cushions laying in back yard. Reinspected on 12/21 prior to creating case and items have been removed.
20220657	12/19/2022	Russell Long	802 MCKAIG AVE	2	TRASH & DEBRIS	Open	12/19 Inspected trash and carpet on curb next to house. Possible move out and remodeling situation. It appears to be too much for the refuse crews to pick up. Sent Certified Letter to owner for removal. Follow up 1/2
20220662	12/21/2022	Taylor Bruner	852 DELLWOOD DR	2	TRASH & DEBRIS	Open	12/20 Bags of Garbage placed outside of Trash Can Receptacle. Spoke to property owner. They will address it. Follow up 12/28
20220663	12/21/2022	Taylor Bruner	195 RIVERSIDE DR	2	TRASH & DEBRIS	Open	12/20 Large amount of Litter items on front porch. Spoke to property owner. They will address it immediately. Follow up 12/28
20220677	12/28/2022	Russell Long	435 1/2 S MARKET ST	3	TRASH & DEBRIS	Open	12/28 TB Received Complaint for tenant not taking trash out; causing unwanted raccoons, opossums, rodents, etc. Complainant said the tenant has not taken the trash out in over a month. Performing inspection 12/28 & will address accordingly with the Property Owner. Follow up 1/9
20220675	12/22/2022	Russell Long	1201 LONG ST	3	ZONING PROBLEM	Open	12/22 Inspected property and noticed there were two shipping containers and a dumpster. The dumpster was filled. It appears that they are doing renovations of units within the complex. Contacted property owner. They will have the dumpsters & containers removed by the end of next month. Follow up 1/31
20220678	12/28/2022	Taylor Bruner	809 S MARKET ST	3	PROPERTY MAINTENANCE	Closed	12/27 TB Found individual going through dumpster on active job site for a new development. Also noticed small fire going near the structure. Contacted Miami County Dispatch. Police & Fire Assisted to resolve the issue. Contacted Contractor on site to make them aware of the situation. Close
20220672	12/21/2022	Taylor Bruner	721 GRANT ST	3	PROPERTY MAINTENANCE	Open	12/21 Received complaint for Trash being overfilled & the stairwells not having a hand rail. Checking with MCBT to see if a hand rail is required & will do an inspection for the litter issues. Follow up 12/22 12/22 Spoke to property owner concerning the minor litter issues in the back & requirements for hand rails. All stairwells in the rear of the property require hand rails. Property Owner said he will address the issue. Follow up 1/23
20220658	12/20/2022	Russell Long	1404 HENLEY RD	4	PROPERTY MAINTENANCE	Closed	12/15. There was an inquiry by fire inspection if there was residential service at this address as well as for 1406 Henley. I contacted the energy provider AES and received a response that both 1404 and 1406 have active residential service. Forwarded information to manager, closed.

20220664	12/21/2022	Taylor Bruner	502 LAKE ST	4	ZONING PROBLEM	Open	12/20 Van parked in yard. Sent Friendly. Follow up 12/28
20220673	12/21/2022	Taylor Bruner	1340 WAYNE ST	4	ZONING PROBLEM	Open	12/21 Received Complaint for Tenant working on Car for more than 3 days. Complainant says there is litter issues along with junk laying around the property. Doing inspection 12/22 12/22 Tenant was not home. Found evidence of working on motor vehicle. Car parts, tools, paint overspray. Spoke to owner, they will address it immediately. Follow up 12/28
20220665	12/21/2022	Taylor Bruner	1375 COVENT RD	5	FENCE NO PERMIT	Open	12/21 Fence no permit. Sent Certified. Follow up 12/30
20220666	12/21/2022	Taylor Bruner	1461 CROYDON RD	5	FENCE NO PERMIT	Open	12/21 Fence no permit. Sent Certified. Follow up 12/30
20220667	12/21/2022	Taylor Bruner	1461 CROYDON RD	5	ZONING PROBLEM	Open	12/21 Shed built with no permit. Sent Certified. Follow up 12/30
20220668	12/21/2022	Taylor Bruner	1415 SUSSEX RD	5	ZONING PROBLEM	Open	12/21 Car in yard. Sent Friendly. Follow up 12/28
20220669	12/21/2022	Taylor Bruner	1382 SUSSEX RD	5	ZONING PROBLEM	Open	12/21 Trailer in yard. Sent Friendly. Follow up 12/28
20220670	12/21/2022	Taylor Bruner	1326 TRADE SQ W	5	ZONING PROBLEM	Open	12/21 Multiple Issues exist on the property. Fence installed backwards on east side of property, trailer in yard, stacked tires near house. Contacted Owner. He will take care of it. Follow up 1/23
20220671	12/21/2022	Taylor Bruner	1025 MCKAIG AVE	5	ZONING PROBLEM	Closed	12/21 Truck parked in yard. Knocked on door & spoke to tenant to make aware of the violation. Truck has been removed. Close

January 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1 Happy New Year	2 City Offices Closed	3 Council Meeting 7:00 pm Council Chambers	4	5 Park Board 4:00 pm Council Chambers	6	7
8	9 Council Committee Meeting 6:00 pm Council Chambers	10	11 Planning Commission 3:30 pm Council Chambers	12	13	14
15	16 Dr. Martin Luther King Jr. Day City Offices Closed	17 Council Meeting 7:00 pm Council Chambers	18 Recreation Board Meeting 4:00 pm Hobart Arena	19 Human Relations Commission 6:15 pm Council Chambers	20	21
22	23 Council Committee Meeting 6:00 pm Council Chambers	24	25 Planning Commission 3:30 pm Council Chambers	26	27	28
29	30	31				