

# City of Trotwood

3035 Olive Road  
Trotwood, Ohio 45426  
937.837.7771  
[www.trotwood.org](http://www.trotwood.org)



## Meeting Minutes - Draft

**Monday, October 7, 2024**

**6:30 PM**

**Executive Session at 6:00 PM**

**Trotwood Community and Cultural Arts Center  
4000 Lake Center Drive, Trotwood, Ohio 45426**

## **City Council**

***Mayor Yvette F. Page***  
***Vice Mayor Tyna R. Brown, Ward 4***  
***Council Member Bettye L. Gales, Ward 1***  
***Council Member Martha H. Clark, Ward 2***  
***Council Member Charles Ron Vaughn, Ward 3***  
***Council Member Rhonda C. Finley, At Large***  
***Council Member Denise Moore, At Large***  
***Clerk of Council Kara B. Landis***

**I. Call to Order**

Mayor Page called the meeting to order at 6:00 p.m.

**II. Invocation**

Mayor Page gave the Invocation.

**III. Pledge of Allegiance**

Mayor Page led the Pledge of Allegiance.

**IV. Roll Call**

Clerk Landis took Roll Call.

**Present:** 7 - Council Member Gales, Council Member Moore, Council Member Clark, Council Member Finley, Council Member Vaughn, Vice Mayor Brown and Mayor Yvette F. Page

**STAFF MEMBERS PRESENT:** City Manager Quincy Pope, Clerk of Council Kara Landis, Law Director Chris Conard, Deputy City Manager Stephanie Kellum, Finance Director Chris Peeples, Fire Chief Rick Haacke, Deputy Fire Chief Chad McInturff, Police Chief Erik Wilson, Deputy Police Chief Mark Ecton, Planning and Zoning Administrator Tyler Hauck, Tax Supervisor Sue Bowman, TCIC Executive Director Chad Downing, Marketing Coordinator Charles Wheeler, Code Enforcement Supervisor Max Fuller, Assistant to City Manager Cheryl Wheeler, and incoming Assistant to City Manager Jamaica White.

**VISITORS PRESENT:** Kimberly Willis, Deidre Turner, Kathryn Walker, Valerie Jones, Tom Grady, Marion Epps, Martha L. Erwin, JoAnne Orihood, Jackee Gist-Momin, Twila Lewis-White, and Leslie King.

**V. Approve the Agenda**

Mayor Page requested a Motion to approve the Agenda. A Motion was made by Vice Mayor Brown, seconded by Council Member Gales, and the Motion CARRIED by the following vote:

**Aye:** 7 - Council Member Gales, Council Member Moore, Council Member Clark, Council Member Finley, Council Member Vaughn, Vice Mayor Brown and Mayor Page

**VI. Enter into Executive Session**

[SR24-24](#)

The Trotwood City Council will move into Executive Session pursuant to Section 121.22(G)(3) of the Ohio Revised Code, which allows for discussion with an attorney for the public body concerning pending or imminent court action.

**Mayor Page requested a Motion to enter into Executive Session pursuant to Section 121.22(G)(3) of the Ohio Revised Code. A Motion was made by Vice Mayor Brown, seconded by Council Member Finley, and the Motion CARRIED by the following vote:**

**Aye:** 7 - Council Member Gales, Council Member Moore, Council Member Clark, Council Member Finley, Council Member Vaughn, Vice Mayor Brown and Mayor Page

**VII. Adjourn Executive Session**

**Mayor Page requested a Motion to adjourn Executive Session. A Motion was made by Council Member Moore, seconded by Vice Mayor Brown, and the Motion CARRIED by the following vote:**

**Aye:** 7 - Council Member Gales, Council Member Moore, Council Member Clark, Council Member Finley, Council Member Vaughn, Vice Mayor Brown and Mayor Page

## VIII. Special Presentations

### [PR28-24](#)

Five Rivers MetroParks: Impact in Trotwood and Issue 35

*Carrie Scarff*

*Chief of Planning and Projects*

Attachments: [PR28-24 Presentation](#)

Chief of Planning and Projects for Five Rivers MetroParks Carrie Scarff shared information about their impact in the City of Trotwood and their upcoming ballot issue, Issue 35.

Ms. Scarff explained that Issue 35 is a 1.0 mill, 10-year levy that would cost homeowners under \$3.00 per month per \$100,000 of appraised home value.

Council Member Vaughn asked how much total additional monies the levy would generate. Ms. Scarff stated that this levy would bring in approximately \$14 million per year. Council Member Vaughn asked if they have considered carbon credits for revenue generation. Ms. Scarff shared that they have looked into carbon credits; however, the market is not certain in terms of helping the environment and they do not want to generate revenue that is not authentic. She added that they do not feel the market is valid; or, if it is valid, it would cost too much to do it in a valid way that would generate enough money.

Council Member Finley mentioned the backlog of \$58 million and asked how they would cover this deficit. Ms. Scarff reiterated that the backlog was created when local government funds were cut and added that they also have to address the matter of increasing wages and operational funding. In regards to capital funds, Ms. Scarff stated that they plan to focus capital on nothing but repairs and replacement for three (3) years, and then at that time they feel they would be comfortable moving forward while continuing to expire the backlog and further, avoiding another backlog in the future. Ms. Scarff stated that over the 10 year period, they expect to remain on a steady pace to address what they have in real time. Council Member Finley asked about Spring Run in Trotwood. Ms. Scarff confirmed that with their plan, it would not be addressed for another three or four years as they will be taking care of what they have before adding to their operational burden. Council Member Finley asked what the future looks like for Spring Run after the three or four year period. Ms. Scarff shared that currently there are activities available such as hiking, fishing, and bird watching; and that parking has been added. She explained that Five Rivers has an exciting vision for the park, to include a community room, picnic shelters, a play area, an observation tower, and more.

Council Member Finley asked what percentage of their marketing budget is utilized for Trotwood. Ms. Scarff explained that a lot of the budget goes to social media and she believes it would be difficult to parse; however, she will see what information is available.

[PR29-24](#)

AARP Ohio: Age-Friendly Communities

*Nicole Ware*

*Senior Associate State Director, Outreach and Advocacy; and*

*Leslie King*

*Director of Regional Environment and Economic Development*

*MVRPC*

Attachments:    [PR29-24 Presentation](#)

AARP Senior Associate State Director of Outreach and Advocacy Nicole Ware discussed their Age-friendly Network initiative. Collaborating with Director Ware was Leslie King, Director of Regional Environment and Economic Development for the Miami Valley Regional Planning Commission.

Council Member Vaughn asked about viewing the action plan of other organizations so not to start from scratch. Ms. King explained that other plans has been shared with City staff to assist with the application process and create some consistency with participants in the region. Ms. King added that you can see all of the action plans for communities enrolled throughout the country on their website. She shared that AARP also offers a free template and raw data to develop your own action plan.

Mayor Page asked about a grant that the City is receiving in the amount of \$15,000 from the Dayton Foundation for this initiative. Ms. King confirmed the City is receiving the grant, they are simply waiting on the approved legislation.

Council Member Gales asked who performs the work involved with the steps of the action plan. Ms. King shared that communities do it differently and added that there are a few volunteers available to assist with certain things. She added that some communities use their grant funds to hire a consultant to do the work.

Council Member Moore asked if the grant in the amount of \$15,000 is for each year, year one and year two, for a total of \$30,000. Ms. King explained that the grant is for the community needs assessment step regardless of how long it takes to complete; she reiterated that this is a one-time grant. Council Member Moore then commented that the City would need to find funding for the next steps. Ms. King agreed, and added that they work as a region to leverage additional funding to support the initiative. Council Member Moore asked about the overall cost of the initiative. Ms. King explained that due to a recent increase in grant funding, the \$15,000 should cover the initial assessment step. She further explained that no community has completed all five steps so they cannot make a final cost determination at this time. Ms. King added that it is somewhat up to the community and how much time they want to put into the initiative. She shared that there are currently 15 communities in the region (Greene, Miami, and Montgomery Counties) participating and most are completing step two, going into step three.

Mayor Page recognized Cheryl Wheeler, Assistant to the City Manager, for her persistence and work on this initiative.

[PR30-24](#)

Family Trunk or Treat Event  
*Charles Wheeler, Marketing Coordinator*  
*Parks and Recreation Department*

**Attachments:** [PR30-24 Flyer](#)

**Marketing Coordinator Charles Wheeler shared details about the upcoming Trunk or Treat family event.**

**Council Member Gales asked why the event is so early. Mr. Wheeler shared that the Flyght Academy had other activities going on over the next couple of weeks and that having it earlier avoids any conflicts so people can participate in the various events going on in the community.**

## IX. Consent Agenda

**Mayor Page requested a Motion to approve the Consent Agenda. A Motion was made by Council Member Gales, seconded by Vice Mayor Brown, and the Motion CARRIED by the following vote:**

**Aye:** 7 - Council Member Gales, Council Member Moore, Council Member Clark, Council Member Finley, Council Member Vaughn, Vice Mayor Brown and Mayor Page

[SR24-23](#)

Minutes from the September 3, 2024 Regular City Council Meeting.

**Attachments:** [2024-09-03 DRAFT Meeting Minutes](#)

**The meeting minutes were approved and will be filed according to the City's Retention Schedule.**

[R24-73](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL TO ACCEPT THE RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE MONTGOMERY COUNTY AUDITOR.

**Attachments:** [R24-73](#)

**This Resolution was approved.**

[R24-74](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE PUBLIC ENTITIES POOL OF OHIO FOR THE PURPOSE OF PROVIDING INSURANCE FOR THE CONTRACT YEAR OF 2024-2025.

**Attachments:** [R24-74](#)

[R24-74 Attachment](#)

**This Resolution was approved.**

[R24-75](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL REAPPOINTING LATEAH JOHNSON-MORTON TO THE PARKS AND RECREATION BOARD FOR THE CITY OF TROTWOOD.

**Attachments:** [R24-75](#)

**This Resolution was approved.**

[R24-76](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR FEDERAL FUNDING FROM THE INFRASTRUCTURE INVESTMENT AND JOBS ACT THROUGH THE SURFACE TRANSPORTATION PROGRAM BY THE MIAMI VALLEY REGIONAL PLANNING COMMISSION.

**Attachments:** [R24-76](#)

**This Resolution was approved.**

[R24-77](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL AUTHORIZING THE MONTGOMERY COUNTY AUDITOR TO REMOVE AN ASSESSMENT LEVIED AGAINST A CERTAIN PARCEL OF PROPERTY FOR DELINQUENT CHARGES FOR REFUSE COLLECTION SERVICE FROM THE TAX DUPLICATE.

**Attachments:** [R24-77](#)  
[R24-77 Exhibit A](#)

**This Resolution was approved.**

[R24-79](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL APPROVING THE RENEWAL APPLICATION FOR THE PLACEMENT OF 45.5 ACRES OF LAND, PARCEL NO. H33 02209 0005, WHICH PROPERTY IS OWNED BY RONALD AND JOANNE KOESTERS, TRUSTEES, AND IS LOCATED AT 7849 POST TOWN ROAD, IN AN AGRICULTURAL TAX DISTRICT IN ACCORDANCE WITH THE FARMLAND PRESERVATION ACT, SECTION 929.02 OF THE OHIO REVISED CODE.

**Attachments:** [R24-79](#)  
[R24-79 Application](#)

**This Resolution was approved.**

[R24-80](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL APPROVING THE RENEWAL APPLICATION FOR THE PLACEMENT OF 20.230 ACRES OF LAND, PARCEL NO. H33401701 0001, WHICH PROPERTY IS OWNED BY BRETT AND TINA GARBER, AND IS LOCATED AT 505 NORTH LUTHERAN CHURCH ROAD, IN AN AGRICULTURAL TAX DISTRICT IN ACCORDANCE WITH THE FARMLAND PRESERVATION ACT, SECTION 929.02 OF THE OHIO REVISED CODE.

**Attachments:**     [R24-80](#)  
                                 [R24-80 Application](#)

**This Resolution was approved.**

[R24-81](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL APPROVING THE RENEWAL APPLICATION FOR THE PLACEMENT OF 143.967 ACRES OF LAND, PARCEL NOS. H33 02308 0012 (39.699 ACRES), H33 02308 0004 (50.182 ACRES), H33 02308 0010 (23.916 ACRES), AND H33 02305 0021 (30.17 ACRES), WHICH PROPERTY IS OWNED BY LARRY GARBER ET AL., AND IS LOCATED ON WEST THIRD STREET AND NORTH SNYDER ROAD, IN AN AGRICULTURAL TAX DISTRICT IN ACCORDANCE WITH THE FARMLAND PRESERVATION ACT, SECTION 929.02 OF THE OHIO REVISED CODE.

**Attachments:**     [R24-81](#)  
                                 [R24-81 Application](#)

**This Resolution was approved.**

[R24-82](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL APPROVING THE RENEWAL APPLICATION FOR THE PLACEMENT OF 95.302 +/- ACRES OF LAND, PARCEL NO. H33 00416 0008, WHICH PROPERTY IS OWNED BY DERRINGER FAMILY FARM LLC, AND IS LOCATED ON STRAWBERRY COURT, IN AN AGRICULTURAL TAX DISTRICT IN ACCORDANCE WITH THE FARMLAND PRESERVATION ACT, SECTION 929.02 OF THE OHIO REVISED CODE.

**Attachments:**     [R24-82](#)  
                                 [R24-82 Application](#)

**This Resolution was approved.**



[R24-89](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL APPROVING THE RENEWAL APPLICATION FOR THE PLACEMENT OF 23.171 ACRES OF LAND, PARCEL NO. H33 02206 0020, WHICH PROPERTY IS OWNED BY GREGORY JAMES DAVIS, AND IS LOCATED AT 3100 NORTH DIAMOND MILL ROAD, IN AN AGRICULTURAL TAX DISTRICT IN ACCORDANCE WITH THE FARMLAND PRESERVATION ACT, SECTION 929.02 OF THE OHIO REVISED CODE.

**Attachments:**     [R24-89](#)  
                              [R24-89 Application](#)

**This Resolution was approved.**

[R24-90](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL APPROVING THE RENEWAL APPLICATION FOR THE PLACEMENT OF 14.554 ACRES OF LAND, PARCEL NOS. H33 02304 0014 (7.3 ACRES) AND H33 02304 0079 (7.254 ACRES), WHICH PROPERTY IS OWNED BY CINDY SUE HOWARD ET AL., AND IS LOCATED ON OLD DAYTON ROAD, IN AN AGRICULTURAL TAX DISTRICT IN ACCORDANCE WITH THE FARMLAND PRESERVATION ACT, SECTION 929.02 OF THE OHIO REVISED CODE.

**Attachments:**     [R24-90](#)  
                              [R24-90 Application](#)

**This Resolution was approved.**

[R24-91](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL APPROVING THE RENEWAL APPLICATION FOR THE PLACEMENT OF 186.472 ACRES OF LAND, PARCEL NOS. H33 02308 0046 (54.469 ACRES), H33 02305 0009 (75.516 ACRES), H33 02305 0010 (19.898 ACRES), H33 02305 0013 (7.039 ACRES), AND H33 02305 0019 (29.55 ACRES), WHICH PROPERTY IS OWNED BY BRIAN L. GARBER, AND IS LOCATED ON WEST THIRD STREET, OLD DAYTON ROAD, AND NORTH SNYDER ROAD, IN AN AGRICULTURAL TAX DISTRICT IN ACCORDANCE WITH THE FARMLAND PRESERVATION ACT, SECTION 929.02 OF THE OHIO REVISED CODE.

**Attachments:**     [R24-91](#)  
                              [R24-91 Application](#)

**This Resolution was approved.**

[R24-92](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL APPROVING THE RENEWAL APPLICATION FOR THE PLACEMENT OF 17.5 ACRES OF LAND, PARCEL NOS. H33 02309 0011, WHICH PROPERTY IS OWNED BY DIANE LYNN HOOVER, AND IS LOCATED AT 7871 WEST THIRD STREET, IN AN AGRICULTURAL TAX DISTRICT IN ACCORDANCE WITH THE FARMLAND PRESERVATION ACT, SECTION 929.02 OF THE OHIO REVISED CODE.

**Attachments:**     [R24-92](#)  
                                  [R24-92 Application](#)

**This Resolution was approved.**

[R24-93](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL APPROVING THE RENEWAL APPLICATION FOR THE PLACEMENT OF 47.04 ACRES OF LAND, PARCEL NOS. H33 02306 0003 (8.0 ACRES) AND H33 02306 0004 (39.04 ACRES), WHICH PROPERTY IS OWNED BY STEVEN BELVO, AND IS LOCATED AT 1592 DIAMOND MILL ROAD, IN AN AGRICULTURAL TAX DISTRICT IN ACCORDANCE WITH THE FARMLAND PRESERVATION ACT, SECTION 929.02 OF THE OHIO REVISED CODE.

**Attachments:**     [R24-93](#)  
                                  [R24-93 Application](#)

**This Resolution was approved.**

[R24-94](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL APPROVING THE RENEWAL APPLICATION FOR THE PLACEMENT OF 63.742 ACRES OF LAND, PARCEL NO. H33 02107 0066, WHICH PROPERTY IS OWNED BY THOMAS AND ELIZABETH SPATZ, AND IS LOCATED ON SHILOH SPRINGS ROAD, IN AN AGRICULTURAL TAX DISTRICT IN ACCORDANCE WITH THE FARMLAND PRESERVATION ACT, SECTION 929.02 OF THE OHIO REVISED CODE.

**Attachments:**     [R24-94](#)  
                                  [R24-94 Application](#)

**This Resolution was approved.**

**X. Open Public Hearings**

To comment during a Public Hearing, please fill out a Speaker Form and return it to the Clerk of Council BEFORE the start of the meeting. When instructed, you will be asked to step to the microphone, state your name and address, and proceed with your comments. Only comments relating to that specific Ordinance are permissible. You will have three (3) minutes to speak.

Mayor Page requested a Motion to open the Public Hearings. A Motion was made by Vice Mayor Brown, seconded by Council Member Gales, and the Motion CARRIED by the following vote:

**Aye:** 7 - Council Member Gales, Council Member Moore, Council Member Clark, Council Member Finley, Council Member Vaughn, Vice Mayor Brown and Mayor Page

**XI. Ordinances**[OR14-24](#)

AN ORDINANCE BY THE TROTWOOD CITY COUNCIL APPROVING THE CURRENT REPLACEMENT PAGES TO THE CITY OF TROTWOOD CODES OF ORDINANCES.

**Attachments:** [OR14-24](#)  
[OR14-24 Exhibit A](#)

Clerk Landis advised that there were no public comments on this ordinance. Mayor Page requested a Motion to approve Ordinance No. OR14-24. A Motion was made by Vice Mayor Brown, seconded by Council Member Gales, and the Motion CARRIED by the following vote:

**Aye:** 5 - Council Member Gales, Council Member Clark, Council Member Vaughn, Vice Mayor Brown and Mayor Page

**Nay:** 1 - Council Member Moore

**Abstain:** 1 - Council Member Finley

[OR15-24](#)

AN ORDINANCE BY THE TROTWOOD CITY COUNCIL REQUESTING THE STATE OF OHIO DIRECTOR OF TRANSPORTATION MODIFY THE SPEED LIMIT TO 45 MPH ON WESTBROOK ROAD WITHIN THE CITY OF TROTWOOD, OHIO, FROM DIAMOND MILL ROAD EAST TO SALEM AVENUE (STATE ROUTE 49), AND FURTHER, TO MODIFY THE SPEED LIMIT TO 35 MPH ON WESTBROOK ROAD WITHIN THE CITY OF TROTWOOD, OHIO, FROM SALEM AVENUE (STATE ROUTE 49) EAST TO MAIN STREET (STATE ROUTE 48).

**Attachments:**    [OR15-24](#)  
                                  [OR15-24 Map](#)

Deputy City Manager Kellum explained that this is a collaboration with the City of Clayton to address safety concerns along Westbrook Road and that these changes align with recommendations from the City's engineer. She added that City staff is also researching the idea of a roundabout at the intersection of Hoke Road and Westbrook Road, and a recommendation will be dependant on the results of further studies.

Clerk Landis advised that there were no public comments on this ordinance. Mayor Page requested a Motion to approve Ordinance No. OR15-24. A Motion was made by Council Member Vaughn, seconded by Vice Mayor Brown, and the Motion CARRIED by the following vote:

**Aye:** 7 - Council Member Gales, Council Member Moore, Council Member Clark, Council Member Finley, Council Member Vaughn, Vice Mayor Brown and Mayor Page

[OR16-24](#)

AN ORDINANCE BY THE TROTWOOD CITY COUNCIL AUTHORIZING THE CITY MANAGER TO TRANSFER OWNERSHIP OF THE CITY-OWNED PROPERTY KNOWN AS 103 EAST MAIN STREET, PARCEL ID NO. H33 00303 0048, TO THE TROTWOOD COMMUNITY IMPROVEMENT CORPORATION AND DECLARING THE PROPERTY SURPLUS.

**Attachments:**    [OR16-24](#)  
                                  [OR16-24 Map](#)

Clerk Landis advised that there were no public comments on this ordinance. Mayor Page requested a Motion to approve Ordinance No. OR16-24. A Motion was made by Vice Mayor Brown, seconded by Council Member Moore, and the Motion CARRIED by the following vote:

**Aye:** 5 - Council Member Moore, Council Member Clark, Council Member Vaughn, Vice Mayor Brown and Mayor Page

**Abstain:** 2 - Council Member Gales and Council Member Finley

[OR17-24](#)

AN ORDINANCE BY THE TROTWOOD CITY COUNCIL REPEALING CURRENT SECTION 951.02 "PROHIBITED ACTIVITIES" OF THE TROTWOOD CODES OF ORDINANCES AND ENACTING NEW SECTION 951.02 "PROHIBITED ACTIVITIES" TO PROHIBIT MARIJUANA IN MUNICIPAL PARK LANDS AND FACILITIES IN THE CITY OF TROTWOOD, OHIO.

**Attachments:** [OR17-24](#)

[OR17-24 Exhibit A](#)

Deputy City Manager Kellum acknowledged that the City currently has a moratorium and certain prohibitions on marijuana. She explained however, that marijuana within the City's parks and facilities has not been addressed.

Council Member Finley asked how this will be enforced. Deputy City Manager Kellum stated that this will be a law enforcement issue around activity in our Parks. City Manager Pope added that signs will be posted indicating prohibited activities.

Council Member Vaughn asked what degree of violation would this be. Deputy City Manager Kellum stated it would depend on how much they possess, then directed the question to law enforcement. Law Director Conard stating a violation would be a misdemeanor citation because it is no longer a jailable offense.

Council Member Gales asked about vaping being included. City Manager Pope shared that vaping is in the following piece of legislation.

Council Member Finley asked how marijuana is to be controlled when someone is simply walking down the street. Deputy City Manager Kellum explained that this is about marijuana use on City property and in City-owned facilities.

City Manager Pope shared that he now views marijuana similar to tobacco, and just as the City can control regulations on tobacco in consideration of the health, safety, and sanitation of the community, the City should now do so with marijuana. City Manager Pope then explained that he would expect if someone is caught violating the ordinance he would first tell them to leave. Then, if the person does not leave, other action would be taken.

Council Member Vaughn asked if the degree of crime is enhanced based on the number of violations. Law Director Conard explained that the use of marijuana has been decriminalized so there is no jail time associated with a violation and that he would have no expectation of any enhancement that would make marijuana a jailable offense.

Council Member Vaughn commented that he believes this legislation appears to be something that is toothless in preventing someone from using marijuana in a park or City-owned facility. Deputy City Manager Kellum stated that adding this prohibition allows the City to enforce a rule, while currently the City cannot even ask someone to leave based on this type of activity. Council Member Vaughn suggested the idea of after asking someone to leave, the City should consider trespassing the individual. City Manager Pope stated that

trespassing would be the next step he was suggesting earlier, which could then led to additional criminal penalties.

Clerk Landis advised that there were no public comments on this ordinance. Mayor Page requested a Motion to approve Ordinance No. OR17-24. A Motion was made by Council Member Vaughn, seconded by Council Member Moore, and the Motion CARRIED by the following vote:

**Aye:** 7 - Council Member Gales, Council Member Moore, Council Member Clark, Council Member Finley, Council Member Vaughn, Vice Mayor Brown and Mayor Page

### [OR18-24](#)

AN ORDINANCE BY THE TROTWOOD CITY COUNCIL REPEALING CURRENT SECTION 521.10 "PROHIBITION OF SMOKING" OF THE TROTWOOD CODES OF ORDINANCES AND ENACTING NEW SECTION 521.10 "PROHIBITION OF SMOKING; MARIJUANA" TO UPDATE THE PROHIBITION OF SMOKING AND ADD THE PROHIBITION OF MARIJUANA IN CITY-OWNED FACILITIES IN THE CITY OF TROTWOOD, OHIO.

**Attachments:**     [OR18-24](#)  
                                  [OR18-24 Exhibit A](#)

Deputy City Manager Kellum explained that this ordinance will ensure consistency with prohibitions and City policies.

Clerk Landis advised that there were no public comments on this ordinance. Mayor Page requested a Motion to approve Ordinance No. OR18-24. A Motion was made by Council Member Moore, seconded by Council Member Gales, and the Motion CARRIED by the following vote:

**Aye:** 7 - Council Member Gales, Council Member Moore, Council Member Clark, Council Member Finley, Council Member Vaughn, Vice Mayor Brown and Mayor Page

## **XII. Close Public Hearings**

Mayor Page requested a Motion to close the Public Hearings. A Motion was made by Vice Mayor Brown, seconded by Council Member Gales, and the Motion CARRIED by the following vote:

**Aye:** 7 - Council Member Gales, Council Member Moore, Council Member Clark, Council Member Finley, Council Member Vaughn, Vice Mayor Brown and Mayor Page

**XIII. Resolutions**[R24-71](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL ACCEPTING THE COURT ORDER AND DECREE IN CONSOLIDATED CASES IN THE COMMON PLEAS COURT OF MONTGOMERY COUNTY, OHIO, OF PIVOTAL HOUSING PARTNERS LLC V. CITY OF TROTWOOD, CASE NO. 2024 CV 02522, ST. MARY DEVELOPMENT CORPORATION V. CITY OF TROTWOOD, CASE NO. 2024 CV 02560, AND OBERER COMPANIES, LTD. V. CITY OF TROTWOOD, CASE NO. 2024 CV 02630, AND AUTHORIZING THE NECESSARY ACTIONS TO COMPLY WITH THE COURT ORDER AND DECREE.

**Attachments:** [R24-71](#)

[R24-71 Exhibit 1](#)

City Manager Pope explained that this legislation will allow the City Manager to take the necessary actions to comply with the Court Order and Decree in regards to the three (3) housing developments.

Mayor Page opened the floor for a motion. A Motion to Adopt Resolution No. R24-71 was made by Council Member Vaughn, seconded by Vice Mayor Brown, and the Motion CARRIED by the following vote:

After the vote, Clerk Landis conferred with Law Director Conard, then verbally confirmed that there were four affirmative votes and the Resolution passed.

**Aye:** 4 - Council Member Gales, Council Member Clark, Council Member Vaughn and Vice Mayor Brown

**Nay:** 1 - Mayor Page

**Abstain:** 2 - Council Member Moore and Council Member Finley

[R24-72](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT THROUGH THE MIAMI VALLEY REGIONAL PLANNING COMMISSION'S INSTITUTE FOR LIVABLE AND EQUITABLE COMMUNITIES, WITH FUNDING FROM THE DAYTON FOUNDATION DEL MAR HEALTHCARE FUND.

**Attachments:** [R24-72](#)

Mayor Page requested a Motion to approve Resolution No. R24-72. A Motion was made by Council Member Moore, seconded by Vice Mayor Brown, and the Motion CARRIED by the following vote:

**Aye:** 7 - Council Member Gales, Council Member Moore, Council Member Clark, Council Member Finley, Council Member Vaughn, Vice Mayor Brown and Mayor Page

[R24-83](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL AUTHORIZING THE CITY MANAGER TO ENTER INTO A PRELIMINARY CONSENT LET PROJECT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION TO PERFORM IMPROVEMENTS IN THE CITY OF TROTWOOD BY REPLACING NOISE WALL PANELS ON STATE ROUTE 49, PROJECT ID NO. 114938.

**Attachments:** [R24-83](#)

**Mayor Page requested a Motion to approve Resolution No. R24-83. A Motion was made by Vice Mayor Brown, seconded by Council Member Gales, and the Motion CARRIED by the following vote:**

**Aye:** 7 - Council Member Gales, Council Member Moore, Council Member Clark, Council Member Finley, Council Member Vaughn, Vice Mayor Brown and Mayor Page



[R24-84](#)

## A RESOLUTION BY THE TROTWOOD CITY COUNCIL ADOPTING AND IMPLEMENTING THE RULES OF COUNCIL.

**Attachments:**     [R24-84](#)  
                                 [R24-84 Exhibit A](#)

Law Director Conard explained that Rules of Council are a standard practice that help to provide transparency, which he knows is very important to Mayor Page and Council. He added that rules allow the public to know how Council should operate, they allow Council to know how to interact with the public, and they provide guidance on various matters. Law Director Conard stated that he believes rules should have been adopted many years ago, so as the City's Law Director, he is happy to see them in place.

Council Member Gales stated that these are long overdue and that she will be glad to see them put in place.

Council Member Vaughn commented that in his experience, not having rules has been harmful and difficult. He then asked what happens if a council member defies the rules.

Law Director Conard stated that it is the expectation that no one defies the rules and that all elected officials are expected to comply as a matter of decorum. He then explained that there are tools, such as to censure, that can be used by a body to say they don't approve of a member's behavior, but such tool is very rare. He stated that in the most extreme circumstances, there is a process to remove an elected member from a body, but that is also very rare and that a recall process by voters is typically how such action is done. Law Director Conard shared that rules allow elected officials to call out a member by identifying behavior that does not comport with the standards.

Council Member Vaughn summarized that he believes these rules define what the behavior should be, and that no such rules have been in place in the past, so he is very pleased.

Mayor Page requested a Motion to approve Resolution No. R24-84. A Motion was made by Vice Mayor Brown, seconded by Council Member Vaughn, and the Motion CARRIED by the following vote:

**Aye:** 7 - Council Member Gales, Council Member Moore, Council Member Clark, Council Member Finley, Council Member Vaughn, Vice Mayor Brown and Mayor Page

[R24-86](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL EXTENDING THE MORATORIUM UP THROUGH AND INCLUDING DECEMBER 31, 2025, ON THE ACCEPTANCE OF APPLICATIONS FOR, AND THE ISSUANCE OF, PERMITS ALLOWING ADULT USE CANNABIS OPERATORS IN THE CITY OF TROTWOOD, OHIO.

Attachments: [R24-86](#)

City Manager Pope explained that City staff is still studying this issue to better understand the wants and needs of the community. He added that the Planning Commission is involved in this discussion and that he foresees some public conversations as well. City Manager Pope stated that many communities are doing moratoriums related to marijuana as everyone is trying to determine appropriate regulations. He explained that recreational marijuana has a 10% excise tax on sales, which is used by the State for social equity and job initiatives. He expressed concern with the rumors that there is a lot of revenue in marijuana and gave the example that a dispensary would only have 2-3 employees so he is not certain that would be true. He added that the City does not have a sales tax, only income and property taxes.

Council Member Clark shared that in her research, the host community would receive 36% of the 10% excise tax collected. City Manager Pope stated that the City's tax department would know exactly how much the City would receive should marijuana be allowed, and this is one example of the many questions to be answered, which is why he is asking to extend the current moratorium. City Manager Pope added that not only does the quantitative date matter, so does the qualitative data.

Council Member Finley asked about cultivators and processors. City Manager Pope stated that there are different levels of licenses and commented that the fees are based on the application.

Council Member Vaughn asked if this was the second postponement. City Manager Pope agreed. Council Member Vaughn shared his concerns with lawsuits over violating state law. Law Director Conard explained that when it comes to marijuana everything is very different and that cities have a right to control usage in their community. He stated that as far as the moratorium, he favors the action, but regardless, it is a practical move because the state isn't yet issuing any licenses. He added that there is lively debate going on and that the State is still researching the matter just as local governments are, but that the bottom line is that still no one knows exactly how to proceed.

Mayor Page requested a Motion to approve Resolution No. R24-86. A Motion was made by Council Member Moore, seconded by Vice Mayor Brown, and the Motion CARRIED by the following vote:

**Aye:** 6 - Council Member Gales, Council Member Moore, Council Member Clark, Council Member Finley, Council Member Vaughn and Vice Mayor Brown

**Nay:** 1 - Mayor Page

[R24-87](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL EXTENDING THE MORATORIUM UP THROUGH AND INCLUDING JUNE 30, 2025, ON THE ACCEPTANCE OF APPLICATIONS FOR, AND THE ISSUANCE AND PROCESSING OF, ANY NEW PERMIT APPLICATIONS FOR THE BUILDING, DEVELOPMENT, EXPANSION, OR IMPROVEMENTS OF SELF-STORAGE FACILITIES, MINI STORAGE FACILITIES, AND MINI-WAREHOUSES (ROUTINE MAINTENANCE AND NECESSARY REPAIRS EXCEPTED) IN THE CITY OF TROTWOOD, OHIO.

**Attachments:** [R24-87](#)

City Manager Pope shared that City staff is working hard to update the Comprehensive Land Use Plan. They have held two public hearings to help determine the direction of the community moving forward; therefore, it makes sense to extend this moratorium.

Mayor Page requested a Motion to approve Resolution No. R24-87. A Motion was made by Council Member Moore, seconded by Council Member Gales, and the Motion CARRIED by the following vote:

**Aye:** 7 - Council Member Gales, Council Member Moore, Council Member Clark, Council Member Finley, Council Member Vaughn, Vice Mayor Brown and Mayor Page

[R24-88](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL EXTENDING THE MORATORIUM UP THROUGH AND INCLUDING JUNE 30, 2025, ON THE ACCEPTANCE OF APPLICATIONS FOR, AND THE ISSUANCE AND PROCESSING OF, ANY NEW PERMIT APPLICATIONS ALLOWING BUILDING, DEVELOPMENT OR IMPROVEMENTS, MAINTENANCE EXCEPTED, ON THREE-FOUR FAMILY DWELLINGS AND MULTI-FAMILY DWELLINGS IN THE CITY OF TROTWOOD, OHIO.

**Attachments:** [R24-88](#)

City Manager Pope stated that as part of the ongoing work to update the Comprehensive Land Use Plan, the Planning and Zoning Administrator is working with the Planning Commission to review the City's zoning districts and the permitted/conditional uses and definitions, which includes multi-family housing. Therefore, City Manager Pope recommends extending this moratorium in order to review the recommendations to come.

Mayor Page requested a Motion to approve Resolution No. R24-88. A Motion was made by Vice Mayor Brown, seconded by Council Member Moore, and the Motion CARRIED by the following vote:

**Aye:** 7 - Council Member Gales, Council Member Moore, Council Member Clark, Council Member Finley, Council Member Vaughn, Vice Mayor Brown and Mayor Page

**XIV. Comments**

- A. PUBLIC COMMENTS:** To comment on a topic not scheduled for a Public Hearing, please fill out a Speaker Form and return it to the Clerk of Council **BEFORE** the start of the meeting. When called upon, proceed to the microphone, state your name and address, and proceed with your comments. You will have three (3) minutes to speak.

There were no public comments.

**B. Clerk of Council**

Clerk Landis announced that on Tuesday, October 15th, the Montgomery County Recorder's Office will be in Trotwood to discuss their essential services. Their "Get the Facts!" event will begin at 1:00 p.m. at the Community Center. Further details about the event are posted on the City's website and on their flyer.

**C. City Manager**

City Manager Pope announced that his long-time assistant, Cheryl Wheeler, is retiring on October 17th. He also introduced Jamaica White as his new assistant.

Mayor Page brought Ms. Wheeler forward and thanked her for her work with the City of Trotwood. Ms. Wheeler thanked everyone and is excited for this new chapter of her life.

**D. Council Members**

Council Member Finley thanked Ms. Wheeler for her commitment and dedication, and for everything she has done for the community.

Vice Mayor Brown agreed with Council Member Finley and added that she is excited for Ms. Wheeler's next journey.

Council Member Moore thanked Ms. Wheeler, then welcomed Ms. White to the City.

**E. Mayor**

Mayor Page shared that she understands how hard it is to leave after so long, but she reminded Ms. Wheeler that she has so much to look forward to and she wished Ms. Wheeler the best in her future.

Mayor Page commented that there was a lot of information presented this evening and shared how much she appreciates everyone working hard to make things happen for the City.

**XV. Adjourn**

**Mayor Page confirmed all business had been addressed and adjourned the meeting at 8:15 p.m.**