

# City of Trotwood

3035 Olive Road  
Trotwood, Ohio 45426  
937-837-7771  
[www.trotwood.org](http://www.trotwood.org)



## Meeting Agenda - Final-revised

**Tuesday, September 6, 2016**

**6:15 PM**

**Executive Session & Regular Meeting 6:30 pm**

**T-M Schools Board of Education Meeting Chambers  
3594 N. Snyder Road, Trotwood, Ohio**

### **City Council**

*Mayor Mary A. McDonald  
Vice Mayor Bettye L. Gales  
Councilmember Rap Hankins  
Councilmember Charles Ron Vaughn  
Councilmember Rhonda C. Finley  
Councilmember Robert L. Kelley, Jr.  
Councilmember Scotty A. Sly, Sr.*

*Sandra L. Riege Fuller CMC, Clerk of Council*

- I. **Call to Order - Mayor Mary A. McDonald**
- II. **Invocation by Pastor Norman J. Searce III**
- III. **Pledge of Allegiance**
- IV. **Roll Call - Clerk of Council**
- V. **Motion to Enter into an Executive Session**
- A. [16-58](#) Motion to enter into an Executive Session in accordance with City Charter Section 121.22 meeting exceptions to discuss real estate matter
- VI. **Motion to Adjourn the Executive Session**
- VII. **Motion to Approve the Regular Agenda**
- VIII. **VISITORS AND COMMUNICATIONS: To comment on any topic on the agenda, please fill out a Speaker Form and return it to the Clerk of Council BEFORE the start of the meeting. Proceed to the microphone, state your name and address, proceed with your comments. You will have three (3) minutes to speak. Citizen comments on the 'Public Hearing' portion of the meeting will be accepted at the appropriate time during the meeting.**
- IX. **PRESENTATIONS/RECOGNITIONS**
- A. **PR043-16** Recognition of Twenty Years of Service as Police Chief Quincy E, Pope, Sr. M.P.A., CLEE, CPM
- B. [PR042-16](#) Twenty Seven Year Retirement Presentation for Deputy Police Chief John M. Porter
- X. **Motion to Approve the Consent Agenda**
- A. [16-63](#) Approval of Tuesday, July 5, 2016 Regular Meeting Minutes  
**Attachments:** [Meeting Minutes Tuesday, July 5, 2016](#)
- B. [16-64](#) Approval of the Monday, July 18, Workshop Meeting Minutes  
**Attachments:** [Meeting Minutes Monday, July 18, 2016](#)
- C. [16-65](#) Approval of the Monday, August 1, 2016 Special meeting Minutes  
**Attachments:** [Meeting Minutes August 1, 2016 Special Mtg](#)

- D. [16-41](#) Motion to schedule a Public Hearing by the Trotwood City Council and authorize the Law Director to draft required legislation, pursuant to the ORC Code 727 Levying Special Assessments for the 2016 street paving program in the City of Trotwood, Ohio made by constructing repairing or replaced certain sidewalks, curbs, gutters and driveways on North Broadway from Main Street to the Bridge on North Broadway.
- E. [16-57](#) A Motion for the Law Director to draft an Ordinance amending the current pages to the Trotwood Code of Ordinances for the Traffic Code, General Offenses for the City of Trotwood, Ohio and declare an emergency.
- F. [16-59](#) Motion for the Law Director to prepare an Ordinance to schedule a Public Hearing to repeal old Section 184.051 "Collection at Source"; Withholding from Qualifying Wages, Section 184.081 "Credit for Tax Paid to another Municipality", and Section 184.091 "Return and payment of Tax" of the Trotwood Codified Ordinances and Enacting New Section 184.051 "Collection at Source"; Withholding from Qualifying Wages", Section 184.081 "Credit for Tax Paid to another Municipality", and Section 184.091 "Return and Payment of Tax and declare an Emergency.
- G. [R16-69](#) A RESOLUTION BY THE TROTWOOD CITY COUNCIL AUTHORIZING THE TROTWOOD COMMUNITY IMPROVEMENT CORPORATION TO INITIATE A PROPERTY TAX FORECLOSURE ACTION ON THE TAX-DELINQUENT LAND KNOWN AS WOLF CREEK PIKE (PARCEL ID H33 00416 0009) IN ACCORDANCE WITH CHAPTER 5722 OF THE OHIO REVISED CODE.  
  
Attachments: [R16-69 WOLF CREEK PIKE \(PARCEL ID H33 00416 0009\)](#)  
[wolf creek pike lot submission package](#)
- H. [R16-71](#) A RESOLUTION BY THE TROTWOOD CITY COUNCIL AUTHORIZING THE TROTWOOD COMMUNITY IMPROVEMENT CORPORATION TO INITIATE A PROPERTY TAX FORECLOSURE ACTION ON THE TAX-DELINQUENT LAND KNOWN AS 2515 SHILOH SPRINGS RD (PARCEL ID H33 00514 0013) IN ACCORDANCE WITH CHAPTER 5722 OF THE OHIO REVISED CODE.  
  
Attachments: [R16-71\\_ 2515 SHILOH SPRINGS RD \(PARCEL ID H33 00514 0013\)](#)  
[2515 Shiloh Springs Submission Package](#)
- I. [R16-72](#) A RESOLUTION BY THE TROTWOOD CITY COUNCIL AUTHORIZING THE TROTWOOD COMMUNITY IMPROVEMENT CORPORATION TO INITIATE A PROPERTY TAX FORECLOSURE ACTION ON THE TAX-DELINQUENT LAND KNOWN AS 3909 DENLINGER ROAD (PARCEL ID H33 01013 0026) IN ACCORDANCE WITH CHAPTER 5722 OF THE OHIO REVISED CODE.  
  
Attachments: [R16-72\\_ 3909 DENLINGER ROAD \(PARCEL ID H33 01013 0026\) 9-6-16](#)  
[3909 Denlinger Road submission package](#)

- J.     [R16-73](#)     A RESOLUTION BY THE TROTWOOD CITY COUNCIL AUTHORIZING THE TROTWOOD COMMUNITY IMPROVEMENT CORPORATION TO INITIATE A PROPERTY TAX FORECLOSURE ACTION ON THE TAX-DELINQUENT LAND KNOWN AS 4537 KNOLLCROFT RD (PARCEL ID H33 01409 0011) IN ACCORDANCE WITH CHAPTER 5722 OF THE OHIO REVISED CODE.

Attachments: [4537 Knollcroft submission package](#)

**XI.     Public Hearings/Ordinances**

**Motion to Open the Public portion of the meeting. Mayor McDonald, are there any citizens wanting to speak at the Public Hearing about the Ordinances. If so, please stand and raise your right hand for the Mayor to swear you in to speak.**

- A.     [OR17-16](#)     AN ORDINANCE BY THE TROTWOOD CITY COUNCIL TRANSFERRING PROPERTY ON SHILOH SPRINGS ROAD, TROTWOOD, OHIO FROM THE CITY OF TROTWOOD TO BERNARD HOLDINGS LLC AND DECLARING AN EMERGENCY

Attachments: [OR17-16 BERNARD HOLDINGS, LLC DECLARE AN EMERGENCY 9-6-16](#)  
[OR17-16 LEGAL NOTICE BERNARD HOLDINGS, LLC DECLARE AN EMERGENCY](#)

- B.     [OR18-16](#)     AN ORDINANCE TO SCHEDULE A PUBLIC HEARING TO REPEAL OLD SECTION 184.51 "COLLECTION AT SOURCE; WITHHOLDING FROM QUALIFYING WAGES; SECTION 184.081 'CREDIT FOR TAX PAID TO ANOTHER MUNICIPALITY'" AND SECTION 184.091 "RETURN AND PAYMENT OF TAX" OF THE TROTWOOD CODIFIED ORDINANCES AND ENACTING NEW SECTIONS 184.051 "COLLECTION AT SOURCE; WITHHOLDING FROM QUALIFYING WAGES", SECTION 184.081 'CREDIT FOR TAX PAID TO ANOTHER MUNICIPALITY', AND SECTION 184.091 'RETURN AND PAYMENT OF TAX AND DECLARE AN EMERGENCY.

Attachments: [OR18-16 Ordinance Amending Sections 184 051 184 081 and 184 091 of Incorporated Ordinances](#)  
[OR18-16 Ordinance Public Notice Amending Sections 184 051 184 081 and 184 091 of Incorporated Ordinances](#)

- C.     [OR19-16](#)     AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE TROTWOOD CODE OF ORDINANCES AND DECLARE AN EMERGENCY.

Attachments: [OR19-16 Recodified Replacement Pages 2016 Ordinance](#)  
[WALTER DRANE REPLACEMENT PAGES ORDINANCE CODE 9-6-16 AS EMERGENCY](#)

- D.     [OR20-16](#)     AN ORDINANCE ADOPTING NEW SECTION 333.11 "CIVIL PENALTIES FOR HAND-HELD SPEEDING SYSTEM VIOLATIONS" OF THE CITY OF TROTWOOD CODIFIED ORDINANCES.

Attachments: [OR20-16 HAND HELD SPEEDING SYSTEM CIVIL PENALTIES S.B. 342](#)  
[Ordinance Adopting Hand-Held System Violations.pdf](#)  
[OR20-16 HAND HELD SPEED SYSTEM PUBLIC NOTICE 9-6-16](#)

**XII. Motion to Close the Public Hearing****XII. Resolutions**

- A. [R16-66](#) A RESOLUTION BY TROTWOOD CITY COUNCIL AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO PREPARE AND SUBMIT AN APPLICATION TO OPWC (OHIO PUBLIC WORKS COMMISSION) STATE CAPITAL IMPROVEMENT FOR PROGRAM YEAR 2017, ROUND 31; FOR THE OLDE TOWN WATERMAIN IMPROVEMENT, PHASE 1A PROJECT (TROTWOOD BOULEVARD AND N. UNION ROAD).  
**Attachments:** [R16-66\\_OPWC\\_OLDE TOWN IMPROVMT WATERMAIN PHASE 1A\\_YR 2017](#)  
[R16-66\\_Final Old Town Water Main Application Attachment](#)
- B. [R16-67](#) A RESOLUTION BY TROTWOOD CITY COUNCIL AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO PREPARE AND SUBMIT AN APPLICATION TO OPWC (OHIO PUBLIC WORKS COMMISSION) STATE CAPITAL IMPROVEMENT FOR PROGRAM YEAR 2017, ROUND 31; FOR THE WOLF CREEK SANITARY SEWER REPLACEMENT PROJECT.  
**Attachments:** [R16-67 OPWC Grant Wolf Creek \(00835321@xA06A8\)](#)  
[R16-67 WOLF CREEK SANITARY SEWER APPLICATION ATTACHMENTS](#)
- C. [R16-68](#) A RESOLUTION BY THE TROTWOOD CITY COUNCIL ACCEPTING THE BID OF BARRETT PAVING CO. AND AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACT WITH BARRETT PAVING CO FOR THE WOLF CREEK RESURFACING, PROJECT NO 2016-05. FOR AN AMOUNT NOT TO EXCEED \$103,450.00.  
**Attachments:** [R16-68 Wolf Creek Pike Resurfacing Project 96,950.00 9-6-16](#)  
[Wolf Creek Resurfacing 2016-05 \(Bid Results\)](#)
- D. [R16-75](#) A RESOLUTION BY THE TROTWOOD CITY COUNCIL IMPOSING A MORATORIUM OF SIX MONTHS ON THE ISSUANCE AND PROCESSING OF ANY PERMITS ALLOWING RETAIL DISPENSARIES, CULTIVATORS, OR PROCESSORS OF MEDICAL MARIJUANA WITHIN THE CITY OF TROTWOOD, OHIO  
**Attachments:** [R16-75 Resolution Imposing Moratorium on Medical Marijuana \(00834407@xA](#)
- E. [R16-76](#) A RESOLUTION AUTHORIZING THE ASSESSMENT OF DELINQUENT CHARGES FOR CUTTING AND REMOVAL OF WEEDS, VEGETATION, AND/OR GRASS TO BE PLACED ON THE MONTGOMERY COUNTY PROPERTY TAX DUPLICATE  
**Attachments:** [R16-76 Grass, Weeds, Mowing Assessments for 2016 collected 2017](#)  
[2015 MOWING LIST\\_2016 ASSESSMENTS](#)

- F. [R16-77](#) A RESOLUTION BY THE COUNCIL OF THE CITY OF TROTWOOD, OHIO, TO CERTIFY DELINQUENT WATER, SEWER, TRASH, AND STORM DRAINAGE BILLS TO THE AUDITOR OF MONTGOMERY COUNTY, STATE OF OHIO, FOR PLACEMENT ON THE MONTGOMERY COUNTY TAX DUPLICATE
- Attachments:** [R16-77 Resolution Water, Sewer, Trash Storm Sewer Delinquencies Sept 9, 2016](#)  
[R16-77 Water Sewer Trash & Storm TOTAL](#)

- G. [R16-79](#) A RESOLUTION BY THE CITY COUNCIL AUTHORIZING THE AWARD OF CASH PRIZES TO THE WINNERS OF THE WOLF CREEK-TROTWOOD SMOKE, SIZZLE, & SOUNDS BBQ CONTEST AND KICKBALL CONTEST TO SERVE THE PUBLIC PURPOSE OF RECREATIONAL ACTIVITIES AND COMMUNITY RELATIONS
- Attachments:** [R16-79 BBQ contest resolution \(00703115@xA06A8\) 9-6-2016](#)  
[2016 BBQ CONTEST FLYER](#)

**XIV. Old & New Business**

- a. **Mayor McDonald:** To schedule an appointment with the Mayor, contact Sandy Riege Fuller, Clerk of Council at 937/854-7212 between the hours of 8 am - 5 pm.

**Boards and Commissions Announcement -** City is looking for volunteers for the vacancies on the City Boards and Commissions. Applications are available at the sign in table for those interested. Detailed announcement is available on the city web site at [www.trotwood.org/boards](http://www.trotwood.org/boards) and commissions or contact Clerk of Council.

- b. **City Manager:** Reminder to visit the City of Trotwood web site at [www.trotwood.org](http://www.trotwood.org) for updated information and events in our city. Go to "Notify Me" icon to sign up to receive information by utilizing your email address or mobile phone.

- c. **Council Members**

- d. **Staff Reports**

- A. [16-60](#) Application for Stock Liquor Transfer Permit Change# 935794101548 for 5271 Salem Avenue Walgreen Co. DBA Walgreens store 01548, 5271 Salem Avenue, Trotwood, Ohio 45426. Motion is requested to accept without comment.

**Attachments:** [Notice to Legislative Authority.pdf](#)  
[Police Notification.pdf](#)  
[Permit definitions.pdf](#)  
[Trotwood Permit Quota 8-25-16.pdf](#)  
[Liquor Permit Walgreens 5271 Salem Stock Ownership Transfer.pdf](#)

- B.**     [16-61](#)     Application for New Liquor License #22348152205 for 4000 Salem Avenue, from DOLGEN Midwest LLC DBA Dollar General store #16895, 4000 Salem Avenue, Trotwood, Ohio 45406.  
                  Attachments: [Notice to Legislative Authority.pdf](#)  
                                  Police Notification.pdf  
                                  [Permit definitions.pdf](#)  
                                  [Trotwood Permit Quota 8-25-16.pdf](#)
- C.**     [16-62](#)     Application for Stock Transfer Permit Change# 56538490010 for 4949 N. Union Road Maxs Sports and Spirits Inc. DBA Grills Tavern, 4949 N. Union Road, Trotwood, Ohio 45426. Motion is requested to accept without comment.  
                  Attachments: [Notice to Legislative Authority.pdf](#)  
                                  Police Notification.pdf  
                                  [Permit Definitions.pdf](#)  
                                  [Trotwood Permit Quota 8-25-16.pdf](#)
- D.**     [16-66](#)     Ohio Attorney General Mike Dewine Sunshine Laws Training program  
                  Attachments: [Sunshine Law Training Session Motion Clerk 216](#)  
                                  [Public Records O.R.C. 109.43](#)
- E.**     [16-67](#)     Motion to move the September 19, 2016, 6:30 p.m. City Council Workshop meeting to Ward 1 at constituent facility known as 'Hastings Farm', located at 5226 Seybold Road, Trotwood, Ohio
- XV.**    **Motion to Adjourn Regular meeting**