

# City of Trotwood

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



## DRAFT Meeting Minutes

**Monday, December 7, 2020**

**6:30 PM**

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

### **City Council**

*Mayor Mary A. McDonald*  
*Vice Mayor Tyna R. Brown*  
*Council Member Charles Ron Vaughn*  
*Council Member Rhonda C. Finley*  
*Council Member Robert L. Kelley, Jr.*  
*Council Member Yvette Page*  
*Council Member Bettye L. Gales*  
*Clerk of Council Kara B. Landis*

**VISITORS AND COMMUNICATIONS:** Due to COVID-19, this will be a virtual meeting. Please visit the City's website at [www.trotwood.org](http://www.trotwood.org), for details on how to view the Council Meeting. Comments may be submitted to the Clerk of Council no later than 4:00 p.m. on Monday, December 7, 2020.

**I. Call to Order: Mayor Mary A. McDonald**

Mayor McDonald called the meeting to order at 6:30 p.m.

**II. Invocation: Elder Belinda Mitchell**

Elder Belinda Mitchell gave the Invocation.

**III. Pledge of Allegiance**

Mayor McDonald led the Pledge of Allegiance.

**IV. Roll Call: Clerk of Council Kara Landis**

Clerk Landis took Roll Call.

**Present:** 7 - Mayor Mary A. McDonald, Councilmember Charles Ron Vaughn, Councilmember Rhonda C. Finley, Councilmember Robert L. Kelley Jr., Councilmember Yvette Page, Councilmember Bettye L. Gales and Vice Mayor Tyna R. Brown

**Staff Members Present:** Law Director Steve McHugh, City Manager Quincy Pope, Clerk of Council Kara Landis, Deputy City Manager Stephanie Kellum, Finance Director Chris Peebles, Income Tax Supervisor Sue Bowman, Operations Supervisor Johnny McCluskey, Assistant to the City Manager Cheryl Wheeler, Parks and Recreation Specialist Ciara Lewis, Police Chief Erik Wilson, and Deputy Police Chief Mark Ecton.

**V. Motion to Approve the Agenda**

Mayor McDonald requested a Motion on this item. A Motion was made by Councilmember Gales, seconded by Vice Mayor Brown, to Approve the Agenda. The Motion carried by the following vote:

**Aye:** 7 - Mayor McDonald, Councilmember Vaughn, Councilmember Finley, Councilmember Kelley Jr., Councilmember Page, Councilmember Gales and Vice Mayor Brown

**VI. Special Presentations and Recognitions**

**A. [PR20-20](#)**

**PRESENTATION:** Annual Storm Water Education

*Presented by Johnny McCluskey, Operations Supervisor*

Operations Supervisor Johnny McCluskey shared a video entitled "Managing

Stormwater Runoff" as part of the annual reporting requirements for the Municipal Separate Storm Sewer Systems (MS4s) permit renewal.

**B.**     [PR21-20](#)

PRESENTATION: Hyper-Reach, a mass notification system for emergencies, critical events, and urgent situations.

*Presented by Cheryl Wheeler, Assistant to the City Manager*

Assistant to the City Manager Cheryl Wheeler and Parks and Recreation Specialist Ciara Lewis presented information on Hyper-Reach, the City's new mass notification system. Ms. Wheeler reviewed the overall system, while Ms. Lewis explained how they have the ability to target messages to specific streets, zip codes, or locations through online mapping.

Ms. Wheeler clarified that the system will leave a message if the call is not answered, so long as there is a working message system. She also reiterated that the system is designed to target areas by using specific parameters and that function is up and running.

**C.**     [PR22-20](#)

PRESENTATION: 2019 Annual Report, Trotwood Police Department

*Presented by Erik Wilson, Police Chief*

**Attachments:**     [PR22-20 2019 Annual Report TPD](#)

Chief Wilson reviewed the 2019 Annual Report of the Trotwood Police Department. Councilmember Vaughn thanked Chief Wilson for the department's professionalism and conduct.

**VII.    Motion to Approve the Consent Agenda**

Mayor McDonald requested a Motion on this item. A Motion was made by Vice Mayor Brown, seconded by Councilmember Vaughn, to Approve the Consent Agenda. The Motion carried by the following vote:

**Aye:**   7 - Mayor McDonald, Councilmember Vaughn, Councilmember Finley, Councilmember Kelley Jr., Councilmember Page, Councilmember Gales and Vice Mayor Brown

**A.**     [SR20-21](#)

Approval of the Regular City Council Meeting Minutes from November 2, 2020.

**Attachments:**     [2020-11-02 DRAFT Meeting Minutes](#)

This Staff Report was filed.

**B.**     [SR20-22](#)

Approval of the Special City Council Meeting Minutes from November 16, 2020.

**Attachments:**     [2020-11-16 DRAFT Meeting Minutes](#)

This Staff Report was filed

**C.**     [R20-113](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL AUTHORIZING THE REMOVAL OF ASSESSMENTS LEVIED AGAINST A PROPERTY FOR THE CUTTING AND REMOVAL OF WEEDS, VEGETATION,

AND/OR GRASS FROM THE TAX DUPLICATE IN MONTGOMERY COUNTY, OHIO.

**Attachments:**     [R20-113](#)  
                                 [R20-113 Exhibit A](#)

**This Resolution was approved.**

- D.     [R20-114](#)     A RESOLUTION BY THE TROTWOOD CITY COUNCIL AUTHORIZING THE CITY MANAGER TO ENTER INTO A SERVICE AGREEMENT WITH THE LAW OFFICE OF THE MONTGOMERY COUNTY PUBLIC DEFENDER TO PROVIDE LEGAL COUNSEL TO INDIGENT PERSONS CHARGED WITH VIOLATIONS OF MUNICIPAL ORDINANCES FOR THE YEAR 2021, UNDER CERTAIN TERMS AND CONDITIONS.

**Attachments:**     [R20-114](#)  
                                 [R20-114 Exhibit A](#)

**This Resolution was approved.**

- E.     [R20-115](#)     A RESOLUTION BY THE TROTWOOD CITY COUNCIL AUTHORIZING THE CITY MANAGER TO REQUEST AN ADVANCE OF TAXES COLLECTED FOR THE CITY OF TROTWOOD FOR TAX YEAR 2020 FROM THE MONTGOMERY COUNTY AUDITOR'S OFFICE.

**Attachments:**     [R20-115](#)  
                                 [R20-115 Attachment](#)

**This Resolution was approved.**

- F.     [R20-117](#)     A RESOLUTION BY THE TROTWOOD CITY COUNCIL REAPPOINTING THREE MEMBERS OF THE BOARD OF TAX APPEALS AND THE BOARD OF UTILITY APPEALS FOR THE CITY OF TROTWOOD, STATE OF OHIO, FOR A TERM OF TWO (2) YEARS, COMMENCING DECEMBER 7, 2020.

**Attachments:**     [R20-117](#)

**This Resolution was approved.**

- G.     [R20-118](#)     A RESOLUTION BY THE TROTWOOD CITY COUNCIL FINDING THAT EXPENDITURES OF THE CITY OF TROTWOOD, RELATED TO COVID-19, ARE CONSIDERED ELIGIBLE ACCORDING TO THE MANDATES OUTLINED IN HOUSE BILLS 481 AND 614.

**Attachments:**     [R20-118](#)

**This Resolution was approved.**

- H.     [20-28](#)     A Motion by the Trotwood City Council to schedule a Public Hearing and

to authorize the Law Director to prepare legislation authorizing the City Manager to transfer ownership of the city-owned property known as 4646 Marlin Avenue, Parcel No. H33301009 0016, to the Trotwood Community Improvement Corporation and declaring the property surplus.

**This Motion was Approved and a Public Hearing will be held on Monday, January 4, 2021 at 6:30 p.m.**

- I. [20-29](#) A Motion by the Trotwood City Council to schedule a Public Hearing and to authorize the Law Director to prepare legislation authorizing the City Manager to transfer ownership of the city-owned property known as 56 Strader Drive, Parcel No. H33 00402 0005, to the Trotwood Community Improvement Corporation and declaring the property surplus.

**This Motion was Approved and a Public Hearing will be held on Monday, January 4, 2021 at 6:30 p.m.**

- J. [20-30](#) A Motion by the Trotwood City Council to schedule a Public Hearing and to authorize the Law Director to prepare legislation regarding the operation of Airbnb and other short-term property rentals.

**This Motion was Approved and a Public Hearing will be held on Monday, January 4, 2021 at 6:30 p.m.**

- K. [20-31](#) A Motion by the Trotwood City Council to schedule a Public Hearing and to authorize the Law Director to prepare legislation repealing and replacing current Section 549.08 "Discharging Firearms" of the City of Trotwood Codified Ordinances.

**This Motion was Approved and a Public Hearing will be held on Monday, January 4, 2021 at 6:30 p.m.**

- L. [20-32](#) A Motion by the Trotwood City Council to schedule a Public Hearing and to authorize the Law Director to prepare legislation authorizing the City Manager to transfer ownership of the city-owned property known as 4133 Natchez Avenue, Parcel No. H33300913 0175, to the Trotwood Community Improvement Corporation and declaring the property surplus.

**This Motion was Approved and a Public Hearing will be held on Monday, January 4, 2021 at 6:30 p.m.**

- M. [20-33](#) A Motion by the Trotwood City Council to schedule a Public Hearing and to authorize the Law Director to draft legislation authorizing the City Manager to transfer ownership of the city-owned property located on Olive Road, Parcel No. H33 00417 0008, to the Trotwood Community Improvement Corporation and declaring the property surplus.

**This Motion was Approved and a Public Hearing will be held on Monday, January 4, 2021 at 6:30 p.m.**

- N. [20-34](#) A Motion by the Trotwood City Council to schedule a Public Hearing and to authorize the Law Director to prepare legislation to repeal and replace

Section 333.11 "Civil Penalties for Hand-Held Speeding System Violations" of the City of Trotwood Codes of Ordinances.

This Motion was Approved and a Public Hearing will be held on Monday, January 4, 2021 at 6:30 p.m.

**VIII. Motion to Open the Public Hearings  
Public Hearings/Ordinances**

Mayor McDonald requested a Motion on this item. A Motion was made by Councilmember Gales, seconded by Vice Mayor Brown, to Open the Public Hearings. The Motion carried by the following vote:

**Aye:** 7 - Mayor McDonald, Councilmember Vaughn, Councilmember Finley, Councilmember Kelley Jr., Councilmember Page, Councilmember Gales and Vice Mayor Brown

**A. [OR23-20](#)**

AN ORDINANCE BY THE TROTWOOD CITY COUNCIL APPROVING THE CURRENT REPLACEMENT PAGES TO THE CITY OF TROTWOOD CODES OF ORDINANCES OF TROTWOOD, OHIO (THE "CODIFIED ORDINANCES").

**Attachments:**     [OR23-20](#)  
                              [OR23-20 Exhibit A](#)

City Manager Pope explained that this legislation ensures the City's Ordinances are in compliance with the Ohio Revised Code. City Manager Pope reviewed the sections that were changed:

Section 331.43 "WEARING EARPLUGS OR EARPHONES PROHIBITED" was amended; You can no longer wear earplugs or earphones when driving.

Section 335.09 "DISPLAY OF LICENSE PLATES OR VALIDATION STICKERS; REGISTRATION" was amended to require only one license plate affixed to the rear of a vehicle.

Section 335.091 "OPERATING WITHOUT DEALER OR MANUFACTURER LICENSE PLATES" added that a person must display a license plate when driving a vehicle owned by a dealer or manufacturer.

Section 505.04 "ABANDONING ANIMALS" was amended to read that whoever violates subsection (a) is guilty of a second degree misdemeanor on the first offense and a first degree misdemeanor on the second offense.

Section 537.17; based on Ohio Revised Code Section 2905.05 Criminal Child Enticement, stating in division (A)(1) that to be considered child enticement the person did not have express or implied permission of the parent, guardian, or other legal custodian of the child. Further, whoever violates division (A), (B), or (C) of 2905.05 is guilty of a misdemeanor of the first degree; if previously convicted under specific sections of the Ohio Revised Code and the victim is under the age of 17, criminal child enticement is a felony of the fifth degree.

The Walter Drane Company has updated these sections of the City of Trotwood's Codified Ordinances.

Councilmember Gales asked if the driver or the dealer would be responsible when driving a dealer's vehicle without a license plate. City Manager opined that it could be either and deferred to the Law Director. Law Director McHugh stated it could be either; the driver is subject to receiving a ticket because you cannot drive a vehicle in the State of Ohio without a license plate. City Manager Pope mentioned the violation is a minor misdemeanor.

Mayor McDonald requested a Motion on this item. A Motion was made by Councilmember Gales, seconded by Vice Mayor Brown, to Adopt this Ordinance. The Motion carried by the following vote:

**Aye:** 7 - Mayor McDonald, Councilmember Vaughn, Councilmember Finley, Councilmember Kelley Jr., Councilmember Page, Councilmember Gales and Vice Mayor Brown

**B. [OR24-20](#)**

AN ORDINANCE BY THE TROTWOOD CITY COUNCIL REPEALING CURRENT SECTION 313.11 "CIVIL PENALTIES FOR AUTOMATED RED LIGHT SYSTEMS VIOLATIONS" OF THE CITY OF TROTWOOD CODIFIED ORDINANCES AND ADOPTING NEW SECTION 313.11 "CIVIL PENALTIES FOR AUTOMATED RED LIGHT SYSTEM VIOLATIONS" OF THE CITY OF TROTWOOD CODIFIED ORDINANCES.

**Attachments:** [OR24-20](#)  
[OR24-20 Exhibit A](#)

City Manager Pope stated that the City intends to reactivate their automated camera system and advised Section 313.11 is in relation to red light cameras.

Chief Wilson explained this Ordinance will bring the City Ordinance in line with the Ohio Revised Code in that hearings for these violations will no longer be held at the Police Department, but rather at the local district court. In discussions with Judge Piergies and Clerk of Courts Mike Foley, it was determined that there will be a \$25.00 filing fee imposed by the court and therefore, the City is changing the total cost of said violation from \$85 to \$110.

Councilmember Kelley asked what percentage of accidents does Chief Wilson think would drop by instituting the camera system. Chief Wilson reviewed the data, which supports that accidents are reduced when the system is running. Councilmember Vaughn commented that when crash incidents go down, so do insurance premiums.

Chief Wilson advised that the increase of \$25.00 ensures that the City will not lose money by operating the automated systems.

Councilmember Page requested clarification that this vote is for the increase of \$25, from \$85 to \$110; Chief Wilson confirmed.

Mayor McDonald requested a Motion on this item. A Motion was made by Councilmember Kelley, Jr., seconded by Councilmember Vaughn, to Adopt this Ordinance. The Motion carried by the following vote:

**Aye:** 7 - Mayor McDonald, Councilmember Vaughn, Councilmember Finley, Councilmember Kelley Jr., Councilmember Page, Councilmember Gales and Vice Mayor Brown

**C.**     [OR25-20](#)

AN ORDINANCE BY THE TROTWOOD CITY COUNCIL REPEALING CURRENT SECTION 333.09 "CIVIL PENALTIES FOR AUTOMATED RED LIGHT SYSTEMS VIOLATIONS" OF THE CITY OF TROTWOOD CODIFIED ORDINANCES AND ADOPTING NEW SECTION 333.09 "CIVIL PENALTIES FOR AUTOMATED RED LIGHT SYSTEM VIOLATIONS" OF THE CITY OF TROTWOOD CODIFIED ORDINANCES.

**Attachments:**     [OR25-20](#)  
                              [OR25-20 Exhibit A](#)

Chief Wilson explained that this Ordinance serves the same purpose as OR24-20, but applies to Section 333.09, which deals with the automated system and speeding.

Chief Wilson reiterated that reactivating the automated system is not about making money, it is about keeping everyone safe and asking them to obey the law.

Mayor McDonald requested a Motion on this item. A Motion was made by Councilmember Kelley, Jr., seconded by Councilmember Gales, to Adopt this Ordinance. The Motion carried by the following vote:

**Aye:** 7 - Mayor McDonald, Councilmember Vaughn, Councilmember Finley, Councilmember Kelley Jr., Councilmember Page, Councilmember Gales and Vice Mayor Brown

**D.**     [OR26-20](#)

AN ORDINANCE BY THE TROTWOOD CITY COUNCIL AMENDING ORDINANCE NO. OR36-19, THE ANNUAL APPROPRIATIONS FOR EXPENSES AND EXPENDITURES OF THE CITY OF TROTWOOD, STATE OF OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2020 THROUGH DECEMBER 31, 2020, AND DECLARING AN EMERGENCY.

**Attachments:**     [OR26-20](#)  
                              [OR26-20 Exhibit A](#)  
                              [OR26-20 Exhibit 1](#)

City Manager Pope explained that this ordinance authorizes the necessary adjustments to accounts for projects and unforeseen expenditures during the 2020 budget year. Certain adjustments reflect transfers from the General Fund, which accounts for reimbursements from FEMA, as well as CARES Act funding.

Mayor McDonald requested a Motion on this item. A Motion was made by Vice Mayor Brown, seconded by Councilmember Gales, to Adopt this Ordinance. The Motion carried by the following vote:



**Aye:** 7 - Mayor McDonald, Councilmember Vaughn, Councilmember Finley, Councilmember Kelley Jr., Councilmember Page, Councilmember Gales and Vice Mayor Brown

**E. [OR27-20](#)**

AN ORDINANCE BY THE TROTWOOD CITY COUNCIL ESTABLISHING ANNUAL APPROPRIATIONS FOR EXPENSES AND EXPENDITURES OF THE CITY OF TROTWOOD, STATE OF OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2021 AND THROUGH DECEMBER 31, 2021, AND DECLARING AN EMERGENCY.

**Attachments:** [OR27-20](#)  
[OR27-20 Exhibit A](#)

City Manager Pope shared this ordinance establishes the budget for fiscal year 2021, as presented at the Budget Presentation on November 16, 2020.

City Manager reviewed the strategies he put in place to mitigate the impact of COVID-19. He further explained that Council has been good stewards of public funds and because the City has diversified its economic development base, it has performed better than many other municipalities.

Mayor McDonald requested a Motion on this item. A Motion was made by Vice Mayor Brown, seconded by Councilmember Page, to Adopt this Ordinance. The Motion carried by the following vote:

**Aye:** 7 - Mayor McDonald, Councilmember Vaughn, Councilmember Finley, Councilmember Kelley Jr., Councilmember Page, Councilmember Gales and Vice Mayor Brown

**F. [OR28-20](#)**

AN ORDINANCE BY THE TROTWOOD CITY COUNCIL ADOPTING 2021 WAGE SCALES FOR FULL-TIME AND PART-TIME NON-UNION EMPLOYEES OF THE CITY OF TROTWOOD, STATE OF OHIO, AND DECLARING AN EMERGENCY.

**Attachments:** [OR28-20](#)  
[OR28-20 Exhibit A](#)

Deputy City Manager shared that the services non-union employees provide to the City are critical and the 2% increase is in line with union employees.

Mayor McDonald requested a Motion on this item. A Motion was made by Vice Mayor Brown, seconded by Councilmember Kelley, Jr., to Adopt this Ordinance. The Motion carried by the following vote:

**Aye:** 7 - Mayor McDonald, Councilmember Vaughn, Councilmember Finley, Councilmember Kelley Jr., Councilmember Page, Councilmember Gales and Vice Mayor Brown

**IX. Motion to Close the Public Hearings**

Mayor McDonald requested a Motion on this item. A Motion was made by Councilmember Gales, seconded by Vice Mayor Brown, to Close the Public Hearings. The Motion carried by the following vote:

**Aye:** 7 - Mayor McDonald, Councilmember Vaughn, Councilmember Finley, Councilmember Kelley Jr., Councilmember Page, Councilmember Gales and Vice Mayor Brown

**X. Resolutions**

- A. [R20-116](#)** A RESOLUTION BY THE TROTWOOD CITY COUNCIL DETERMINING THE NECESSITY OF LEVYING A RENEWAL TAX IN EXCESS OF THE TEN-MILL LIMITATION FOR THE PURPOSE OF PAYING THE CURRENT EXPENSES OF THE CITY OF TROTWOOD, AS STATED IN SUBSECTION 5705.19(A), AS AMENDED, OF THE OHIO REVISED CODE, WHICH LEVY SHALL BE 5.75 MILLS AND IS A RENEWAL OF AN EXISTING LEVY OF 5.75 MILLS, TO RUN FOR FIVE (5) YEARS, PURSUANT TO SECTION 5705.19 OF THE OHIO REVISED CODE, AND REQUESTING THE COUNTY AUDITOR TO CERTIFY MATTERS IN CONNECTION THEREWITH.

**Attachments:** [R20-116](#)

City Manager shared that Fire Chief Rick Haacke will organize the City's campaign regarding the renewal levy and he will work with Phillips Temple Church to help get information out to the community.

Councilmember Page requested clarification that this levy renewal will be put on the ballot for citizens to vote on; City Manager confirmed.

Mayor McDonald requested a Motion on this item. A Motion was made by Councilmember Vaughn, seconded by Councilmember Kelley, Jr., to Approve this Resolution. The Motion carried by the following vote:

**Aye:** 7 - Mayor McDonald, Councilmember Vaughn, Councilmember Finley, Councilmember Kelley Jr., Councilmember Page, Councilmember Gales and Vice Mayor Brown

**XI. Old and New Business**

- A. Mayor:** To schedule an appointment with the Mayor, please contact the Clerk of Council at 937.854.7212, between the hours of 8 a.m. - 5 p.m.
- B. City Manager:** Reminder to visit the City of Trotwood's website at [www.trotwood.org](http://www.trotwood.org) for updated information and events in our City.
- C. Clerk of Council:** Announcements

There will be testing for COVID-19 this Wednesday, December 9 from 10 a.m. - 3 p.m. at Bethesda Temple, located at 3701 Salem Avenue. Anyone can get a no-cost test at this location.

The Parks and Recreation Department has been working on a Virtual Tree-Lighting Ceremony. The video can be viewed beginning Monday, December 14 on Trotwood's website, Facebook page, and YouTube Channel.

Don't forget the Outdoor Holiday Light Contest; the deadline to submit pictures is Friday, December 18 and prizes are awarded to the first, second, and third place winners. Pictures can be submitted by e-mail to [clewis@trotwood.org](mailto:clewis@trotwood.org).

You can find additional details for all of these events on our website at [Trotwood.org](http://Trotwood.org).

**D. Staff Reports**

**XII. Motion to Adjourn**

Mayor McDonald requested a Motion on this item. A Motion was made by Councilmember Gales, seconded by Vice Mayor Brown. Councilmembers were All In Favor to Adjourn the meeting at 7:50 p.m.