

City of Trotwood

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Meeting Minutes - Draft

Wednesday, September 15, 2021

5:00 PM

Special Meeting

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

I. Call to Order: Mayor Mary A. McDonald

Mayor McDonald called the meeting to Order at 5:00 p.m.

II. Pledge of Allegiance

Mayor McDonald led the Pledge of Allegiance.

III. Roll Call: Clerk of Council

Clerk Landis took Roll Call. (NOTE Council Member Vaughn arrived at 5:07 p.m.)

Present: 6 - Mayor Mary A. McDonald, Councilmember Rhonda C. Finley, Councilmember Robert L. Kelley Jr., Councilmember Yvette Page, Councilmember Bettye L. Gales and Vice Mayor Tyna R. Brown

Excused: 1 - Councilmember Charles Ron Vaughn

Staff Members Present: Law Director Steve McHugh, City Manager Quincy Pope, Clerk of Council Kara Landis, Deputy City Manager Stephanie Kellum, and Police Chief Erik Wilson.

Visitors: Jeff Rezabek

IV. Motion to Approve the Agenda

Mayor McDonald requested a Motion on this item. Council Member Kelley, Jr. made a Motion, seconded by Council Member Page, to approve the Agenda. This Motion CARRIED by the following vote (NOTE Council Member Vaughn arrived after this vote was recorded):

Aye: 5 - Mayor McDonald, Councilmember Finley, Councilmember Kelley Jr., Councilmember Page and Vice Mayor Brown

Excused: 1 - Councilmember Vaughn

V. Motion to Enter into Executive Session

Mayor McDonald requested a Motion to enter into Executive Session pursuant to Section 121.22(G)(3) of the Ohio Revised Code. Council Member Kelley, Jr. made a Motion, seconded by Council Member Page, to enter into Executive Session. The Motion CARRIED by the following vote (NOTE Council Member Vaughn arrived after this vote was recorded):

Aye: 5 - Mayor McDonald, Councilmember Finley, Councilmember Kelley Jr., Councilmember Page and Vice Mayor Brown

Excused: 1 - Councilmember Vaughn

[SR21-26](#)

The Trotwood City Council will move into Executive Session pursuant to Section 121.22(G)(3) of the Ohio Revised Code.

VI. Motion to Adjourn the Executive Session

Mayor McDonald requested a Motion on this item. Council Member Page made a Motion, seconded by Council Member Vaughn, to Adjourn the Executive Session. The Motion CARRIED by the following vote:

Aye: 6 - Mayor McDonald, Councilmember Vaughn, Councilmember Finley, Councilmember Kelley Jr., Councilmember Page and Vice Mayor Brown

VII. Mayor McDonald deferred to Law Director McHugh for direction.

Law Director McHugh explained Council must vote before a guest is permitted to attend an Executive Session of Council.

Council Member Finley asked what Jeff Rezabek's position is and if it is a conflict of interest for him to attend. Mayor McDonald explained that Mr. Rezabek is the Director of the Board of Elections; however, he is attending as her personal attorney. Council Member Finley shared that she had no knowledge of Council Members inviting their personal attorney and does not believe it is appropriate for one Council Member to have personal representation when other Council Members were unaware it was an option, or necessary, to do so.

Council Member Page made a Motion to allow for at the Executive Session Attorney Jeff Rezabek to attend. Council Member Finley seconded the Motion.

Council Member Vaughn asked to make a comment and stated he is unsure why anyone would be opposed to another Council Member's attorney attending an executive session and any Council Member should be allowed to walk in with their own counsel.

Council Member Finley is unaware of an outside attorney ever attending an executive session. Council Member Vaughn stated he was not aware of anyone ever asking. Council Member Finley stated that she has no problem with personal representation being present; however, only if a decision by Council is made to do so beforehand.

Vice Mayor Brown recalled that during previous discussions, Council as a whole agreed to use one attorney; that Law Director McHugh asked for any member who wanted to have their own representation to speak up, and no member did so.

Law Director McHugh confirmed his recommendation is for each Council Members to not pursue their own attorney. Council Member Finley expressed concern that these details should be discussed during the Executive Session.

Vice Mayor Brown asked what the benefit and ramifications would be by having outside counsel attend the Executive Session. Law Director McHugh explained that confidentiality agreements need to be in place before any visitor is permitted to attend an executive session. Further, he stated that having one attorney for all seven members would produce a better response than having seven different voices.

Council Member Finley stated that Council Members should be in agreement of

any guests to be invited to attend an Executive Session of Council. Law Director McHugh shared his concern for attorney-client privilege but clarified he has no issue with Council Member's consulting with their own attorney.

Law Director McHugh commented that Council could also decide to not go forward with this meeting.

Council Member Page asked the Clerk to read back the Motion she made and then asked Law Director McHugh if she could amend or clarify her Motion as it was not clearly stated. Law Director McHugh confirmed that Council Member Page could clarify her Motion.

Council Member Page clarified her Motion by stating that she moves that Jeff Rezabek not be allowed to attend the Executive Session. Council Member Kelley, Jr. seconded the Motion and the Motion CARRIED by the following vote:

Aye: 4 - Councilmember Finley, Councilmember Kelley Jr., Councilmember Page and Vice Mayor Brown

Nay: 2 - Mayor McDonald and Councilmember Vaughn

VIII. Motion to Enter into Executive Session

Mayor McDonald requested a Motion to enter into Executive Session pursuant to Section 121.22(G)(3). A Motion was made by Council Member Kelley, Jr., seconded by Council Member Page, to Enter into Executive Session. The Motion CARRIED by the following vote:

Aye: 6 - Mayor McDonald, Councilmember Vaughn, Councilmember Finley, Councilmember Kelley Jr., Councilmember Page and Vice Mayor Brown

IX. Motion to Adjourn the Executive Session

Mayor McDonald requested a Motion on this item. A Motion was made by Vice Mayor Brown, seconded by Council Member Finley, to Adjourn the Executive session. The Motion CARRIED by the following vote:

Aye: 6 - Mayor McDonald, Councilmember Vaughn, Councilmember Finley, Councilmember Kelley Jr., Councilmember Page and Vice Mayor Brown

X. Motion to Adjourn

Mayor McDonald requested a Motion on this item. Vice Mayor Brown made a Motion, seconded by Council Member Finley, and the meeting was Adjourned at 6:45 p.m.