

City of Trotwood

3035 Olive Road
Trotwood, Ohio 45426
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www.trotwood.org



Meeting Minutes - Final

Monday, April 1, 2024

6:30 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 6:35 p.m.

II. Invocation

Sister of the Precious Blood Mary Garke gave the Invocation.

III. Pledge of Allegiance

Mayor Page led the Pledge of Allegiance.

IV. Roll Call

Clerk Landis took Roll Call and advised that Council Member Vaughn is unable to attend the meeting and respectfully requests an excused absence.

Present: 6 - Council Member Gales, Council Member Moore, Council Member Clark, Council Member Finley, Vice Mayor Brown and Mayor Yvette F. Page

Excused: 1 - Council Member Vaughn

STAFF MEMBERS PRESENT: Deputy City Manager Stephanie Kellum, Clerk of Council Kara Landis, Law Director Chris Conard, Finance Director Chris Peeples, Fire Chief Richard Haacke, Deputy Fire Chief Chad McInturff, Police Chief Erik Wilson, Deputy Police Chief Mark Ecton, Operations Supervisor Johnny McCluskey, Planning and Development Director Debbie McDonnell, Code Enforcement Supervisor Max Fuller, TCIC Executive Director Chad Downing, TCIC Project Manager Derek Williams, HR Generalist Portia Hill, HR Associate Gwen Fou, and Marketing Coordinator Charles Wheeler.

VISITORS PRESENT: Robert McCann, Pete Schwiegeraht, Wes Young, Donnie Anderson, Deborah Anderson, Philicia Payne, Karen Mohme, Dave Mohme, Bonnie Kitchens, Steve Kitchens, Sister Mary Garke, Sister Mary Garascia, Sister Martha Bertke, Larry White, Melanie White, Ericolis Kelley, Sr., Eloise McCray, Richard Eldridge, Maurice Rodgers, Elveria Brown Goolsby, Gladys Finney, Victor Tanner, Maggie Thomas, Olivia Hester, Dionne Simmons, Michael Armstrong, JoAnne Orihood, Martha Erwin, Wanda Page, Gloria Cooper, Janet Foote, Twila Lewis White, Yoonmee Hampson, Aaron Lumpkin, Trenton Nalls, Christopher Nalls, and John Teverbaugh.

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: 6 - Council Member Gales, Council Member Moore, Council Member Clark, Council Member Finley, Vice Mayor Brown and Mayor Page

Excused: 1 - Council Member Vaughn

- VI. 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.

Mr. Uriah Langmeyer with the American Red Cross announced their upcoming "Sound the Alarm" event to be held on March 20, 2024 in the John Wolfe Park neighborhood. Their goal is to install upward of 300 smoke alarms using trained volunteers and approximately 20 community members. He explained that volunteers will go home-to-home in this neighborhood making sure residents have working smoke alarms. Mr. Langmeyer, as a member of the American Red Cross Outreach Committee, added that they would like to work with Council going forward so that they have their support on future initiatives. Mr. Langmeyer stated that he will be connecting with (Marketing Coordinator) Charles Wheeler to discuss a working relationship.

Vice Mayor Brown asked how the target area is determined. Mr. Langmeyer explained that there is one central meeting point for the volunteers and the addresses will be split between the formed teams. He added that some residents actually schedule a visit.

Council Member Finley thanked Mr. Langmeyer for coming to the Council meeting and that she looks forward to a partnership. She then asked Mr. Langmeyer to work with the City's Fire Department as they do a similar initiative.

Mayor Page asked Deputy City Manager Kellum to follow-up with (Marketing Coordinator) Charles Wheeler and the Fire Department so that they can connect with Mr. Langmeyer.

Mr. Donnie Anderson of 201 East Main Street expressed his concern with speeding in his neighborhood between Coffman Avenue and Broadway. He explained that there are a lot of children in the area and when vehicles are coming around the curve on Main Street from south on Sunrise Avenue, people do not have enough time to react. He shared that he has had two cars drive into his yard due to this problem. Mr. Anderson stated that he believes there will be fatalities if something is not done about problem.

Ms. Bonnie Kitchens stated that she and her sister own property at 2770 North Snyder Road. She explained that she has been working with (Director) Debbie McDonnell and a civil engineer in regards to subdividing their property, but it is her understanding that revisions to Chapter 1171 of the Trotwood Codes of Ordinances were postponed and she would like Council to understand how this affects their vision for the property. Ms. Kitchens explained that her dad bought the farm in 1969 and in 2032 it will be 200 years old. She shared that it is her desire to see the house and some of the property passed on to a family that will cherish it and love it as much as her family does. She added that there is a family interested in the house and some of the land and that the rest of the land is being farmed. Ms. Kitchens believes the current Chapter 1171 doesn't make sense and seems backwards. Ms. Kitchens added that her sister has no interest in the farm so she is trying to sell the farm to fulfill the responsibilities of her dad's trust. Ms. Kitchens ended by requesting that Council consider the revisions presented to them as they are in everyone's

best interest.

Mr. Victor Tanner of 4847 Free Pike shared that he has spoken with Vice Mayor Brown about his concerns with the increased noise and safety concerns with cars and ATVs doing donuts in front of his house at all times of night. He stated that it is very dangerous and that he is afraid someone is going to die and added that there are three day care centers in the area. Mr. Tanner requested help from the Police Department to deter this activity.

Mayor Page thanked Mr. Tanner for coming forward and stated that she will get with City Manager Pope, Deputy City Manager Kellum, and Chief Wilson to discuss the problem. Deputy City Manager Kellum added that the City does understand the honing problems and "takeovers." She stated that the Police Department is very proactive in regards to these issues and that last year the City testified at the Statehouse after working with state representatives to try to get statewide legislation to address these issues. Deputy City Manager Kellum explained to Mr. Tanner that the City has 411 lane miles so she cannot promise that officers are able to watch for this 24/7 because there are other areas of town with similar concerns. She advised Mr. Tanner to call 911 when it happens. Mr. Tanner said he does so all time.

Mr. Richard Eldridge of 4737 Pierpont Drive (with two of his neighbors) raised concerns regarding their neighbors, who have a motorcycle club and a car club, because their visitors race up and down the street anywhere from 2:00 p.m. to 2:00 a.m. He explained that they have tried to talk to their neighbors about the problem, but nothing has changed. Mr. Eldridge understands the City is doing what they can, but he is asking for any and all help. Mayor Page asked Mr. Eldridge and his two neighbors if they have used the GovAlert app and explained that you can report a variety of concerns. Mr. Eldridge stated that most often when a concern is reported, the incident is over by the time someone arrives.

Ms. Maggie Thomas of 5866 Woodstone Drive raised concerns with a nearby group home and the increased trash in her yard, as well as the lack of upkeep of the group home, she described it as "unsightly." She added that she has submitted the information to Code Enforcement, but she has not heard anything about her report. In addition, Ms. Thomas asked about the aggregation program because she is still being charged a variable rate.

Ms. Melanie White of 981 North Snyder Road shared that she also has an issue with a lot split request. She explained that she received approval from (Director) Debbie McDonnell on February 21, 2024. However, she learned on March 5, 2024 it was denied so she would like some clarity on the Code. Ms. White then asked about internet service because certain parts of the community do not have a good connection. She would like to know what is being done to better assist the community with this problem; what is the goal and what is the time frame.

Mr. Larry White of 981 North Snyder Road commented that he has been working with the Deputy City Manager Kellum regarding internet service and he would like to confirm that the City is still hoping to have services available by June of this year. In regards to land splits, Mr. White commented that it creates a major problem when people are being told how they have to divide their land.

VII. Special Presentations[PR13-24](#)

The 2023 Annual Report of the Fire and Rescue Department
Richard Haacke, Chief

Attachments: [PR13-24 Fire and Rescue Annual Report 2023](#)

Fire Chief Richard Haacke presented the 2023 Annual Report of the Fire and Rescue Department.

Council Member Gales asked how often should you replace your smoke detectors. Chief Haacke stated that smoke detectors should be replaced every 10 years or so and reiterated that the department will gladly replace batteries or even install a new detector, if needed. Residents just need to call the department in order to schedule an appointment.

VIII. 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: 5 - Council Member Gales, Council Member Moore, Council Member Clark, Vice Mayor Brown and Mayor Page

Excused: 1 - Council Member Vaughn

Abstain: 1 - Council Member Finley

[SR24-12](#)

Minutes from the March 4, 2024 Regular City Council Meeting.

Attachments: [2024-03-04 DRAFT Meeting Minutes](#)

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

[R24-32](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL APPROVING THE COUNTYWIDE 911 SERVICES FINAL PLAN AS APPROVED BY THE COUNTYWIDE 911 PROGRAM REVIEW COMMITTEE.

Attachments: [R24-32](#)
 [R24-32 Attachment](#)

This Resolution was approved.

[R24-33](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL REAPPOINTING MAURICE RODGERS TO THE PUBLIC SAFETY COMMITTEE FOR THE CITY OF TROTWOOD.

Attachments: [R24-33](#)

This Resolution was approved.

[R24-34](#)

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 PAVEMENT REPAIRS ALONG STATE ROUTE 35, PROJECT ID NO. 121436, IN THE CITY OF TROTWOOD.

Attachments: [R24-34](#)

This Resolution was approved.

[R24-35](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL AUTHORIZING A CITY-SPONSORED BIKE HELMET SAFETY AND SPRING FLING EVENT TO SERVE THE PUBLIC PURPOSE OF BUILDING STRONG COMMUNITY RELATIONS AND PROMOTING HEALTH AND WELLNESS, WITH EXPENDITURES NOT TO EXCEED SEVEN HUNDRED FIFTY DOLLARS (\$750.00).

Attachments: [R24-35](#)
 [R24-35 Attachment](#)

This Resolution was approved.

[R24-36](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL AUTHORIZING A CITY-SPONSORED THREE-SHOW SUMMER CONCERT SERIES ENTITLED MADISON PARK LIVE TO SERVE THE PUBLIC PURPOSE OF BUILDING STRONG COMMUNITY RELATIONS, WITH EXPENDITURES NOT TO EXCEED FORTY THOUSAND DOLLARS (\$40,000.00).

Attachments: [R24-36](#)
 [R24-36 Attachment](#)

This Resolution was approved.

IX. 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, please stand to be sworn in by the Mayor. When the Mayor calls the Ordinance you wish to speak on, 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.

Clerk Landis explained to the audience the Public Hearing process.

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

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

Excused: 1 - Council Member Vaughn

After the roll call vote, Mayor Page administered the Oath of Truth to those who registered to speak and to those wanting to speak, but came in after the start of the meeting.

X. Ordinances

On March 4, 2024, City Council voted to Table Ordinance No. OR02-24.

Vice Mayor Brown made a Motion to take from the table, Ordinance No. OR02-24. The Motion was seconded by Council Member Gales.

Before voting, Mayor Page asked Clerk Landis to explain what it means to take the Motion from the table. Clerk Landis explained that during the March 4th Council Meeting, Council was presented Ordinance No. OR02-24 and after the Public Hearing and much deliberation, Council voted to table the issue and requested additional information from staff and the developers. She stated that this Motion taking the legislation from the table simply allows Council to resume deliberations.

A roll call vote was taken and the Motion **CARRIED** by the following vote:

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

Excused: 1 - Council Member Vaughn

[OR02-24](#)

AN ORDINANCE BY THE TROTWOOD CITY COUNCIL ACCEPTING THE RECOMMENDATION FROM THE TROTWOOD PLANNING COMMISSION TO APPROVE A FINAL PLANNED UNIT DEVELOPMENT (PROJECT 1), WITH CONDITIONS, ON APPROXIMATELY 4.322 ACRES OF LAND, PARCEL NOS. H33 00214 0014 AND H33 00214 0015 (PARTIAL), FORMERLY KNOWN AS PARCEL NOS. H33 00214 0001 AND H33 00214 0002, FOR THE PROPOSED "AT MAIN" MULTI-FAMILY HOUSING DEVELOPMENT WITH TWO THREE-STORY APARTMENT BUILDINGS CONSISTING OF 63 APARTMENT UNITS WITH ACCESS FROM MAIN STREET.

Attachments: [OR02-24](#)
 [OR02-24 Dtr Report](#)
 [OR02-24 Staff Report](#)
 [OR02-24 Safety and Security Plan](#)
 [Final PUD Additional Information](#)
 [2024-04-01 Email from LD](#)

Ms. Wanda Page of 601 Chandler Drive asked about apartments being built on East Main Street in Trotwood. Mayor Page explained that Council tabled the matter during the March 4, 2024 meeting and just untabled the matter for further deliberation, prior to voting on the legislation.

Ms. Sonja Cherry approached the podium, then stated she was choosing to pass on making public comments.

Ms. Karen Mohme addressed Council reiterating her comments from the March meeting. She added that she just walked the property and they are just as concerned, or even more so then previously expressed; concerns for the safety of people in the apartments, the liability they would take on with access to the creek, security of their property located at 6051 Wolf Creek, and traffic safety on Olive Road. She stated that her final point is that she has been told at every meeting that there would be some collaboration. Ms. Mohme explained that she was supposed to have a meeting last week, but the developer never showed and although she was contacted hours before this meeting, she feels her concerns are not being taken seriously.

Mr. Paul Mohme shared that he has the same concerns as his wife who just spoke. He confirmed that the developer never showed for a schedule meeting and just today they received a voice message stating that there was an agreement to put up a fence, which is what he and his wife have wanted all along. Mr. Mohme agreed that their concerns with the creek need to be taken seriously and advised that they want something in writing.

Mr. Robert McCann, CFO with Oberer, who is collaborating with County Corp. on the "At Main" project, recognized those residents who spoke during the last meeting stating that they didn't know about the development, they had safety concerns, and they had traffic concerns. Mr. McCann shared that it was his desire and expectation of Council to hold a Workshop and/or some type of public forum for residents to come in and speak with the developers so that they could have a better understanding of the developments. He stated that he

knows 30 days is not long enough to coordinate the schedules of everyone involved, so on behalf of his development team and his fellow developers, they all agree to waive the 45-day requirement of Council to vote on the legislation and further, he requests that the matter be retabled to allow for more time to work with Council and the neighbors regarding the concerns raised, to include the safety issues, and prior to Council voting. Mr. McCann added that while it is easy to say they will install a fence, there are some significant logistical issues because they don't own 100% of the contiguous property and while he anticipates the CIC would agree, the details would need to be worked out.

Law Director Conard explained that per the City's codified ordinances, once the Final PUD is approved by the Planning Commission and submitted to Council for consideration, Council has 45 days to make a decision. He added that there is case law that supports the fact that if Council were to not make a decision, the application would be automatically approved. Law Director Conard stated that he has been in conversation with an attorney for the developers and this afternoon he received an e-mail from that attorney acknowledging that the developers waived the 45-day requirement so there could be further discussion should Council vote to retable the legislation. Law Director Conard asked Clerk Landis to include the e-mail as part of the minutes (attached).

Vice Mayor Brown asked Law Director Conard how it affects Council if the developers waive the time requirement since the requirement is part of the City Code. Law Director Conard explained that in law when parties agree to waive time, the courts recognize this as a consensual agreement and it is a very common, very routine, practice. He added that basically if Council were to vote to approve leaving the legislation on the table, it is essentially a statement by Council confirming they accept and agree to waive the 45-day rule.

Council Member Finley asked to clarify that the issue has been untabled and that it is up to Council if they want to retable the legislation. Law Director Conard agreed. Council Member Finley questioned Mr. McCann in regards to a fence for Mr. and Mrs. Mohme as Mr. Mohme shared that he received a call confirming that a fence would be installed; however, she just heard Mr. McCann comment that it depends. Mr. McCann stated that he is fine committing to build a fence even though the CIC contacted Five Rivers MetroParks and they advised against installing a barrier - he understands this development is under Council's purview, not Five Rivers MetroParks. Further, he added that if the choice is to be turned down or build a fence, they will absolutely and unequivocally deliver a fence. Mr. McCann stated that he would expect the agreement to install a fence to be included in the ordinance and he is willing to enter into a binding agreement. Mr. McCann shared that the reality of this matter is that all parties will need to agree on the details of the fence. Council Member Finley stated that she is speaking on behalf of a business that has been in the community for many years and there has to be a level of trust and collaboration.

Council Member Gales asked if there was any collaboration prior to today as it relates to the property owner's safety concerns. Mr. McCann stated that there has not been as much collaboration as there could have been. Council Member Gales asked Mr. McCann if he would like more time to address the expressed concerns and Mr. McCann stated yes, he would like more time and explained that he was under the impression that the goal of Council was to have an

additional meeting to review the details and address concerns. He stated that he thought these issues would be ironed out during a Workshop to be held prior to this Regular meeting. Council Member Gales shared that she herself met with Pete from Pivotal last week and she thought he was meeting with the Mohme's last week as well, but it sounds like that didn't happen. Mr. McCann commented that he is open to meeting with residents about the matter as the perception of the risk is significantly different, although he understands where the Mohme's are coming from. Further, he stated that from what he is hearing from Council, they want a barrier to address their concerns and he is prepared to do so.

Council Member Moore asked Mr. McCann if he is asking Council to retable the matter and if so, for what amount of time and what is the objective. Mr. McCann explained that he does not have a formal outline, but that he expects around 45-60 days. He added that the reality is that there is some sense of urgency due to the disaster recovery funding. He commented that he believes there would be several levels of meetings, with Council being last in the process because they are the approving authority. Mr. McCann stated that the CIC also has a seat at the table because they own some frontage land. He shared that there is also the high pressure gas line to consider. Council Member Moore disagreed, stating that she believes Council would be first because they give the marching orders. Mr. McCann explained that he was simply allowing for any additional questions that may come up from interacting with residents to be addressed, but added that he is fine starting with Council. He stated that he understands that residents can be intimidated by formal workshops and that having an open house where the public can ask questions directly to the developers may eliminate such fears, giving developers the opportunity to hear directly from the public. Mr. McCann stated to Council Member Moore that he meant no disrespect, he was simply trying to anticipate other issues that could come up from the public's input.

Council Member Finley asked Mr. McCann why he was asking for another 45 days. Mr. McCann answered that from what he is hearing, City Council is displeased with the lack of coordination with the adjacent property owners so more time would allow for that dialogue. He stated that because it seems there are questions in the public about the developments, this would also give residents the opportunity to learn more about the developments and about the momentum on Main Street and Olive Road. Mr. McCann commented that there are some negative stereotypes regarding workforce housing and typically information sessions allow the public to understand it better. Mr. McCann commented that while he hopes it would only take 45 days, his concern would be getting back on Council's Agenda, but the goal would be for all interactions to be wrapped up so the developers could come back before Council in June.

Council Member Finley stated that she would like longer, maybe six months. Mr. McCann commented that six months would cause significant issues for the developers and explained that when HUD assessed areas for the allocation of disaster recovery funds, they determined that Trotwood lost the most rental units and therefore, 80% of the disaster recovery funding was designated for Trotwood. Council Member Finley commented that the City is 90% recovered and that a decision of this magnitude should not be rushed because of funding, she wants it done right due to the long-term impact it will have on the community and to be sure it is something businesses and residents want and need; she does not want to be rushed. Mr. McCann stated that he means no

disrespect, but this project has been going on for some time and that they have gone before the Planning Commission to get the zoning in place, which was also presented to and approved by Council. He went on to explain that Council's approval of the Final PUD is the final step, and while he appreciates that this should not be rushed, because the process has been going on for a while, if there is much more of a delay then the community will lose the funding and that is his biggest concern.

Deputy City Manager Kellum shared that City staff would be happy to work with Council and the developers to schedule some community focus groups, if that would be helpful.

Council Member Clark asked Deputy City Manager Kellum how citizens and businesses would know about the focus groups. Deputy City Manager Kellum explained that City staff would follow the normal notification process, issue press releases, and also use HyperReach to communicate the information.

Law Director Conard explained that right now there is no end date and that some portion of the project is still fluid with the understanding that the developers have to complete the work within a certain period of time due to funding regulations. Law Director Conard stated that leaving the legislation on the Table will allow the developers and City staff to move forward with additional outreach and then come back to Council. He added that the waivers allow for further dialogue and discussion so it doesn't need to be time certain and that leaving it open-ended provides more flexibility to get done what is needed.

Council Member Moore commented that given the option to retablo the legislation and after collaborating, the ordinance could look completely different. Law Director Conard explained that the ordinance itself would be very similar and while there could be some changes to the final plan, it would still be tailored around the previously approved Preliminary PUD.

Mayor Page shared that Council was previously given a package with answers to all of the questions they submitted and then asked for a Motion to vote on OR02-24. Council Member Moore stated she moves and Council Member Finley seconded.

Clerk Landis clarified to the Mayor and Council that there needs to be some type of action in the Motion such as approve, table, etc. Mayor Page and Council Member Finley responded saying they are voting on what's on the Agenda. Clerk Landis then asked what action are they voting to carry out in regards to what is on the Agenda. She then asked Law Director Conard to help explain the requirements of a Motion. Law Director Conard stated that Council could vote to leave the ordinance on the table and if that Motion failed, Council would then move to approve the legislation. Council Member Finley asked if there was a Motion on the floor and Law Director Conard confirmed that there was not a Motion on the floor.

Council Member Moore stated she would change her wording and then made a Motion to accept OR02-24 as presented on the Agenda. Council Member Finley seconded the Motion and the Motion FAILED by the following vote:

Nay: 6 - Council Member Gales, Council Member Moore, Council Member Clark, Council Member Finley, Vice Mayor Brown and Mayor Page

Excused: 1 - Council Member Vaughn

On March 4, 2024, City Council voted to Table Ordinance No. OR03-24.

Vice Mayor Brown made a Motion to take from the table, Ordinance No. OR03-24. The Motion was seconded by Council Member Finley. A roll call vote was taken and the Motion CARRIED by the following vote:

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

Excused: 1 - Council Member Vaughn

[OR03-24](#)

AN ORDINANCE BY THE TROTWOOD CITY COUNCIL ACCEPTING THE RECOMMENDATION FROM THE TROTWOOD PLANNING COMMISSION TO APPROVE A FINAL PLANNED UNIT DEVELOPMENT (PROJECT 2), WITH CONDITIONS, ON APPROXIMATELY 2.688 ACRES OF LAND, PARCEL NO. H33 00214 0016, FORMERLY KNOWN AS PARCEL NO. H33 00214 0002 (PARTIAL), FOR THE PROPOSED "JALEN LOFTS" MULTI-FAMILY HOUSING DEVELOPMENT WITH ONE FOUR--STORY APARTMENT BUILDING CONSISTING OF 66 APARTMENT UNITS.

Attachments:[OR03-24](#)[OR03-24 Dtr Report](#)[OR03-24 Staff Report](#)[OR03-24 Safety and Security Plan](#)[Final PUD Additional Information](#)

Ms. Karen Mohme addressed Council and added for clarity, in early March Mr. Schwiegeraht stopped by her business and asked if they could meet. Ms. Mohme later e-mailed Mr. Schwiegeraht and scheduled a meeting for last Wednesday (March 27, 2024) between 2:00 and 4:00 p.m. She stated that Wednesday came and went and she received no call, no e-mail, no response at all from Mr. Schwiegeraht. Just before today's meeting, Ms. Mohme shared that she received voice messages and a text message from Mr. Schwiegeraht, to which she responded that they would have to talk at the meeting.

Ms. Mohme again mentioned the lack of collaboration and added that she is not receiving hearing notices. She added that had she of known sooner, she would have spoken out sooner, but that she contacted Debbie McDonnell and Chad Downing as soon as she did learn of the developments but feels she has received nothing but false promises. Ms. Mohme commented that she is not opposed to progress, she just wants the right type of progress.

Mr. Schwiegeraht thanked Council Member Gales for coming by the Senior Lofts to tour the facility per his invitation. He added that they have been working hard to address the comments and questions that were brought forward by residents at the last Council meeting. He added that all work orders are up-to-date and described a few of the issues, how they were resolved, and what changes have been made. Mr. Schwiegeraht shared that they have had as many as 75 people on their waiting list for senior housing.

Mr. Schwiegeraht explained that while this new housing is called workforce housing, it will serve all - families, seniors, etc. He addressed Ms. Mohme, stating that after his meeting with Council Member Gales and on his way to meet with her, he became ill and was unable to meet; he has been out of commission for four days.

Mr. Schweigeraht stated that he has shared with staff that if a fence is the solution, they will gladly make it a condition of their development, even though it may not be optimal. He shared that he feels staff's hesitancy to commit to a fence is because of the recommendation from Five Rivers MetroParks to not add a barrier. He added that they are committed to however it can be done, and

that they will accept it as a condition for approval. Mr. Schweigeraht explained that after the last Council meeting he e-mailed staff stating that they hope there is a Workshop the last week of March and he provided dates they would be available. He added that they felt this would be the best time frame so to give people time to prepare, yet there would be enough time to bring it back to Council. This is why they are asking for the matter to be retabled, which he also requested in multiple e-mails.

Mr. Schweigeraht also confirmed what Mr. McCann stated, that they came before Council in 2023 asking for the zoning and they felt the City was in full partnership. He explained that they worked with City staff to identify the right site and that what is on the paper before them is what was approved in 2023. He added that there were three plus public meetings and the zoning was approved for multi-family housing, which they were excited about because it gave them the opportunity to obtain the funding from the state. He commented that he understands the tornadoes were four years ago and shared that they have been begging the state to distribute the funding, which just now happened. He stated that City staff and the County advocated to the state for these funds and that the state listened, which is why they allocated 80% of the disaster recovery funds to the Trotwood zip code, which is when the developers began working with City staff and administration. Mr. Schweigeraht added that they even went as far as to make the CIC a partner, a co-owner, so that they can receive some economic benefit and have a bigger impact on the community. He commented that they have put in a lot of effort.

Mr. Schweigeraht explained that now that the zoning is in place from 2023, the site plan is the next step. He stated that the site plan, which is the same concept that was approved a year ago with minimal changes, was presented to the Planning Commission in March (2024). The Commission confirmed the plan was consistent with the original approval and recommended it be approved by Council. He shared that the Planning Commission recommended there be some additional outreach as they were hearing similar statements about residents not being familiar with the development. He explained that the developers worked with staff and decided to hold a non-required work session, he believes it was held on March 26th, where they presented details about the developments and held dialogue with a room full of people. He stated that interestingly enough, the end result is Council also expressing concerns with outreach and that is why the developers agreed to do another Workshop if that was Council's desire.

Mr. Schweigeraht reiterated that he is asking for additional time to hold a Workshop, or multiple Workshops - whatever it takes for everyone to become comfortable with the developments, and if Council is unable to give the developers the additional time to do so and they plan to take action tonight, he requested approval with the following conditions based on what he has heard from residents and Council: 1) developers work on a cooperative effort to build a fence along the creek 2) add a Dog Park; Mayor Page confirmed that Council is hearing what he is saying.

Mr. Schweigeraht ended by saying that each developer has invested over four years of hard work and effort because of the preliminary approval and in addition, they have spent seven figures to get here. They are simply trying to get done what they were approved to do.

Mr. Aaron Lumpkin of 721 Coleridge Avenue, who serves on the Trotwood Madison Board of Education and is the school representative on the TCIC Board, asked Council to consider as they move forward, the score card numbers for the Trotwood Madison City Schools and how many students are economically disadvantaged. He explained that right now, that number is 87% and he called on Council Member Moore to confirm this information as she previously served on the school board. Mr. Lumpkin explained that the school board would like Council to know where they stand and for Council to be thoughtful and mindful of what comes with the projects presented.

He added that if the community hasn't heard about, then the developers didn't try to come to the community and just last week they requested to come to the school board meeting. Mr. Lumpkin stated that he had no idea what was going on and he lives adjacent to where the developments are proposed to be built. He added that he received no notices. Mr. Lumpkin pointed out that Council Member Gales commented during the last meeting that she was surprised people weren't educated about the developments; he had that same disbelief.

Mr. Lumpkin explained that as a person who represents the school district and the community on how to educate kids, this is about changes that were made in November and that's the reason why the push back is happening now. He stated that it is not because people aren't informed, it's because leadership has changed and they need to take a comprehensive look at how developments are serving the City. He added that by serving on the school board he wants to be sure students are put in the best situation possible, but they also want teachers and staff in situations where they can educate, so remember when voting that 86% of students living in the district are economically disadvantaged and are these developments going to help change the tide for those families already living in these situations. He mentioned how the last speaker talked about what the tornadoes destroyed; he commended Council on bringing back Westbrook Apartments and Woodland Hills. He added that some of the same housing that was destroyed in the tornadoes has been restored and he mentioned that Trotwood has more voucher-ready programs than any other community in West Dayton, so the City has to be conscientious about future developments. Mr. Lumpkin is coming before Council as a partner and thanked Council for taking a comprehensive look at what is being proposed.

Mr. Trenton Nalls explained that he is a current resident, a business owner in the community, and he has children. Mr. Nalls wanted to express some of his concerns regarding the developments and said that he feels the board and the developers could've done a better job of educating the community. He commented that even though they mentioned this has been a long process, as a member of the community he doesn't feel like he has been involved in the conversations. He stated that he received many last minute notices, but believes everyone should come together and communicate. Further, he believes that several things proposed tonight, such as Workshops, should have been done four years ago, prior to any arrangements with the previous regime. Mr. Nalls believes the community would be better served with more education and that should be part of the budget to bring back housing. He stated that he has learned several things during this meeting; that over 90% of housing has been brought back from tornadoes; he also heard a developer say that the HUD funding is in jeopardy of being lost. These things considered, he believes the community can build back better, in a fashion that would bolster

the community and make it one to be proud of, instead of the negative stigma that comes with these types of traditional developments that eventually become referred to as "Projects."

Mr. Nalls expressed concern regarding the requirement to live in the development as it relates to the 80% because although this amount is roughly higher than the median income in Trotwood, he asked what happens if the space is not filled; is an adjustment made to the percentage, allowing a lower income level? He added that he is also concerned it could mean they start to accommodate some of the subsidized housing projects being torn down in West Dayton and bringing such housing to a concentrated area in Trotwood. He believes there are other opportunities for the City to develop in a way to encourage prosperity. He would like to see Council go back to the drawing board and create not only opportunities to invite developers in, but to collaborate from the beginning so that the developments reflect what citizens want to see.

Lastly, Mr. Nalls commented that he noticed decent tax abatements attached to these developments and typically with such abatements comes requirements for participation. He would like to see the developments in the community reflect some of that in the workforce, from top to bottom; he added that prosperity that comes to the community should reflect the community.

Mayor Page asked if all minds were clear and advised Council they could either table or vote on the legislation. She then asked for a Motion. Council Member Gales asked for clarification. Mayor Page explained that as with the previous ordinance, Council could either table the legislation as the developers asked or vote, but each one has to be voted on individually. Council Member Gales commented that they didn't do so with the last one. Law Director Conard confirmed that although the developments are somewhat intertwined, they are three separate ordinances requiring three separate votes. Mayor Page reminded Council as she did before the vote on the last ordinance, that Council was previously provided the additional information that answered all of their questions.

Mayor Page asked for a Motion. Council Member Finley motioned that Council vote on Ordinance 03-24 as stated on the Agenda. Council Member Moore seconded the Motion and the roll call vote was as follows:

Nay: 6 - Council Member Gales, Council Member Moore, Council Member Clark, Council Member Finley, Vice Mayor Brown and Mayor Page

Excused: 1 - Council Member Vaughn

On March 4, 2024, City Council voted to Table Ordinance No. OR04-24.

Vice Mayor Brown made a Motion to take from the table, Ordinance No. OR04-24. The Motion was seconded by Council Member Finley. A roll call vote was taken and the Motion CARRIED by the following vote:

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

Excused: 1 - Council Member Vaughn

Abstain: 1 - Council Member Gales

[OR04-24](#)

AN ORDINANCE BY THE TROTWOOD CITY COUNCIL ACCEPTING THE RECOMMENDATION FROM THE TROTWOOD PLANNING COMMISSION TO APPROVE A FINAL PLANNED UNIT DEVELOPMENT (PROJECT 3), WITH CONDITIONS, ON APPROXIMATELY 4.258 ACRES OF LAND, PARCEL NO. H33 00214 0017, FOR THE PROPOSED "FLATS ON WOLF CREEK" MULTI-FAMILY HOUSING DEVELOPMENT WITH ONE FOUR-STORY APARTMENT BUILDING CONSISTING OF 65 APARTMENT UNITS.

Attachments:[OR04-24](#)[OR04-24 Dtr Report](#)[OR04-24 Staff Report](#)[OR04-24 Safety and Security Plan](#)[Final PUD Additional Information](#)

Clerk Landis advised that Ms. Karen Mohme registered to speak; however, she declined to do so as she already spoke on the other two ordinances and she had nothing more to add.

Mr. Wes Young introduced himself to Council and shared that the other developers have spoken about collaborating, the investment, the time frame, and the opportunity so he isn't going to repeat everything. He did want to reiterate that housing is considered to be a basis of well-being for families, seniors, kids, etc. and he respectfully asks that Council table this legislation because there is a tremendous opportunity to come together and figure this out so that the developers can move forward to provide affordable housing in Trotwood.

Mayor Page asked for a Motion to table or accept the ordinance on the Agenda. Council Member Gales made a Motion to table OR04-24. No second was made; therefore, the Motion died.

Mayor Page asked for a Motion to approve OR04-24 as stated on the Agenda. Council Member Finley made the Motion, seconded by Council Member Moore, and the Motion FAILED by the following vote:

Nay: 6 - Council Member Gales, Council Member Moore, Council Member Clark, Council Member Finley, Vice Mayor Brown and Mayor Page

Excused: 1 - Council Member Vaughn

XI. Close Public Hearings

Mayor Page requested a Motion to close the public hearings. A Motion was made by Council Member Finley, seconded by Council Member Gales, and the Motion CARRIED by the following vote:

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

Excused: 1 - Council Member Vaughn

XII. Resolutions

[R24-37](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL AUTHORIZING THE TROTWOOD COMMUNITY IMPROVEMENT CORPORATION TO ENTER INTO LOAN AGREEMENTS WITH CIVISTA BANK TO FINANCE THE REDEVELOPMENT/CONSTRUCTION OF UP TO TEN (10) SINGLE-FAMILY HOMES, WITH EACH LOAN AGREEMENT NOT TO EXCEED A TOTAL AMOUNT GREATER THAN SEVENTY-FIVE PERCENT (75%) OF THE LOAN-TO-VALUE RATIO PER PROPERTY.

Attachments: [R24-37 \(2024-04-15\)](#)
 [R24-37 Attachment](#)
 [R24-37 Presentation](#)

TCIC Executive Director Chad Downing introduced Derek Williams, who joined the TCIC staff last fall as a Project Manager. Project Manager Williams shared his background as a Mortgage Loan Officer specializing in creative financing for single-family homes.

Project Manager Williams explained that the CIC was approached by Civista Bank, a medium-sized bank out of Sandusky, Ohio, because they are looking to expand to new locations, which requires them to meet federal accreditations pursuant to the Community Reinvestment Act (CRA). He shared that his discussions with Civista Bank led to a creative financing opportunity that would meet Civista's CRA accreditation requirements and allow the CIC to complete several single-family homes in the Townview neighborhood so that they could get them under home ownership. He stated that this opportunity is mutually beneficial as it offers the CIC loans at cost for up to 10 properties while developing a working relationship with the City in hopes of opening a retail location in Trotwood so to expand financial options for residents.

Council Member Finley asked, because several of the Council Members are new and because they also may not know the terms being used, if this could be tabled for a Workshop and if Civitas Bank would appear before Council. Project Manager Williams explained that the team he is working with is out of Sandusky, to which Council Member Finley commented they could join the Workshop virtually. She stated that she would like for Council to meet the Civista team and ask further questions as a million dollars is a lot of the citizen's money to say yes to without more answers. Project Manager Williams explained that there would only be two or three projects going on at one time so there would never be a million dollars in lending at any one time; it would be an incremental process over the next two years. Council Member Finley stated that the way it is written it is up to a million dollars. Project Manager Williams said that the way it is written in legislation is up to ten units and that it specifies they would be individual loans with a LTV up to 75% for each unit.

Council Member Finley also suggested a list of the properties would be good so that Council could understand the appraised values; she feels there are a lot of questions to be answered in order to be a good servant of citizen's dollars.

Director Downing clarified to Council Member Finley that these funds are

coming to the CIC from Civista Bank, they are not tax dollars. He explained that the CIC would be leveraging private dollars to reinvest into homes in the community so the longer they wait, the longer properties sit vacant and keep property values down in the neighborhood. He added that the CIC already owns the 10 properties and have for some time; their objective is to rehab more homes just as they have done with two other homes on Azalea, which are currently on the market. He shared that they want to keep the momentum going in the neighborhood and the neighbors would like to as well.

Council Member Finley asked Director Downing why then is he asking Council to sign off on the loan. Director Downing explained that in the legislation that establishes the CIC as the economic development agency for the City, it not only specifies who sits on the Board, it requires the CIC to obtain Council's approval for any financial lending. He added that this has been done in the past with DayAir Credit Union for renovations on 1 Strader and similarly with County Corp. to acquire properties, including some of these homes. He shared that this is the main reason for coming to Council, but they also want Council to be aware of their activity because they serve as the City's economic development agency.

Director Downing informed Council that these properties are not currently tax-producing because the CIC is tax exempt. He also added that this is a time when down payment programs are plentiful so missing this window of opportunity could mean losing good sustainable deals for new homeowners going forward.

Director Downing acknowledged Council Member Finley's questions, but shared that he doesn't want to delay this opportunity much longer and further, the CIC Board has already given their approval so this ask is simply checking the box of requirements as established in the legislation.

Council Member Finley stated that she is aware of the previous loans and she would like further details on those projects, such as have the loans been paid off, have the properties been sold, what was the return on investment, etc. She reiterated that she has a lot of questions and would like to educate the community and the new council members.

Director Downing shared that the CIC is always happy to participate in Workshops and provide information to Council and is confident that they can accomplish both in this instance, still moving forward and providing an overview at a future Workshop. He then gave brief answers to a few of her specific questions unrelated to this program and also summarized a few upcoming projects. Director Downing added that they have contractors lined up for this program and they want to be mindful of the requirements of their financial partners. He then reiterated that if they take too much time they may lose out on this financing.

Council Member Finley commented that she would certainly like to have a Workshop.

Mayor Page asked for a Motion. Council Member Finley made a Motion to table Resolution No. R24-37. The Motion was seconded by Council Member Moore and the Motion CARRIED by the following vote:

Aye: 4 - Council Member Gales, Council Member Moore, Council Member Finley and Mayor Page

Nay: 1 - Vice Mayor Brown

Excused: 1 - Council Member Vaughn

Abstain: 1 - Council Member Clark

[R24-38](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL AUTHORIZING THE CITY MANAGER TO ACCEPT FEDERAL INFRASTRUCTURE INVESTMENT AND JOBS ACT FUNDS THROUGH THE SURFACE TRANSPORTATION PROGRAM ADMINISTERED BY THE MIAMI VALLEY REGIONAL PLANNING COMMISSION FOR THE PURPOSE OF RESURFACING SHILOH SPRINGS ROAD FROM DIAMOND MILL ROAD TO OAKES ROAD.

Attachments: [R24-38](#)

Operations Supervisor Johnny McCluskey explained that this project is being funded by a grant through the MVRPC and it requires a 20% match. He stated that the work consists of milling and resurfacing of a two-mile stretch on Shiloh Springs Road from Oakes Road to Diamond Mill Road. Supervisor McCluskey shared that the City has applied for this grant several times and this will be the last section of Shiloh Springs Road to be resurfaced.

Mayor Page requested a Motion. Vice Mayor Brown made a Motion, seconded by Council Member Finley. The roll call vote was as follows:

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

Excused: 1 - Council Member Vaughn

XIII. Comments**A. Clerk of Council: Announcements**

There were no announcements.

B. Council Members: Each Council Member will have three (3) minutes to speak about topics relating to the City of Trotwood that are not on the Meeting Agenda.

Council Member Clark thanked all the citizens for coming to the meeting and said she hopes to see attendance like this at future meetings. She also asked everyone to stay safe tomorrow with the expected bad weather.

Vice Mayor Brown shared that she had the opportunity to attend the Beautillion and the Debutante Ball, which included a number of students from Trotwood. She said it was an honor and a privilege to watch the students perform with such class and elevate themselves to be successful. She congratulated all those who attended and said it was great to see such excellence in the City of Trotwood.

Council Member Moore thanked citizens for coming to the meeting and shared that she appreciates their comments and that they are being heard. She stated that she is not against progress and believes that all parties must work on better communication.

C. Deputy City Manager

Deputy City Manager Kellum shared that the City has solar eclipse glasses, while supplies last.

She also explained that the City went through a Charter review not too long ago and the committee outlined the posting requirements for public hearings. She clarified that all residents do not receive notifications; however, the information is posted on the website. She asked residents to log on to the website and sign up for HyperReach in order to collect information.

D. Mayor

Mayor Page thanked everyone for attending and for sharing their comments and concerns. She also thanked staff as she knows they put in a full day's work and then attend Council meetings.

XIV. Adjourn

Mayor Page adjourned the meeting at 8:50 p.m.