

City of Trotwood

3035 Olive Road
Trotwood, Ohio 45426
937.837.7771
www.trotwood.org



Meeting Minutes

Monday, June 4, 2018

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
Council Member Charles Ron Vaughn
Council Member Rhonda C. Finley
Council Member Robert L. Kelley, Jr.
Council Member Tyna R. Brown
Council Member Yvette Page
David Young, Clerk of Council*

I. Call to Order: Mayor Mary A. McDonald

Mayor Mary McDonald called the meeting to order at 6:30 pm

II. Invocation: Elder Joel C. Lofton**III. Pledge of Allegiance****IV. Roll Call: Clerk of Council**

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

V. Motion to Approve the Agenda

Mayor McDonald requested a motion to approve the agenda. A motion was made by Vice Mayor Gales and seconded by Ms. Brown. Roll Call resulted in the following vote.

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

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

VI. Visitors & Communications

To make a comment to City Council, 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.

Staff members: Quincy Pope, Sr., Stephanie Kellum, Steve McHugh, Erik Wilson, Chris Peeples, Jeannie Peyton, Fred Burkhardt, Rick Haacke, Brandon Barnett, Johnny McCluskey and David Young.

Visitors: Lynette Cooper, Anita Schmaltz, Marie Battle, Duane Plessinger, M. Quinn, Kathy Walker, Martha Erwin, John Fecke, Aaron Evans, Kenny Thomasson, Tom Grady, and Janice Chinn.

Lynne Cooper, 612 N. Eppington Drive said her water meter was replaced twice and now she has a very high water bill. Why did this happen with the new meter? The city staff will be in contact with her to look into this.

Anita Schmaltz, 24 Pleasant Avenue spoke about the new city logo and the cost to the city why council voted to approve - why can't we use tax payers funds in other areas? Our road conditions are deteriorating in our city. We need to be good stewards of the money we receive whether its from the county or the tax payers.

Marie Battle of Trotwood Chamber of Commerce is inviting everyone to attend the Chamber Business Expo and Job Fair on June 20, 2018 it's a free event for the public.

VII. Motion to Approve the Consent Agenda

Mayor McDonald requested a motion to approve the consent agenda. A motion was made by Vice Mayor Gales to approve, and second by Ms. Brown. Roll call resulted in the following vote:

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

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

A. [18-23](#) MOTION TO APPROVE THE MEETING MINUTES OF MAY 7, 2018.

Attachments: [05.07.2018 Minutes](#)

This Staff Report was read and filed

B. [18-24](#) MOTION TO APPROVE THE MEETING MINUTES OF MAY 21, 2018.

Attachments: [05.21.2018 Minutes](#)

This Staff Report was read and filed

- C. [18-25](#) MOTION TO SCHEDULE A PUBLIC HEARING AND REQUEST THE LAW DIRECTOR TO DRAFT LEGISLATION TO AMEND THE OFFICIAL ZONING MAP FROM AN RSF-M RESIDENTIAL SINGLE FAMILY MEDIUM DENSITY ZONING DISTRICT TO AN AGRICULTURAL ZONING DISTRICT FOR A 61.7 ACRE SITE LOCATED AT 781 HOLLAR ROAD AND 830 N. UNION ROAD (PARCEL ID'S # H33 02310 0017 AND H33 02310 0008).
- This Staff Report was read and filed**
- D. [18-26](#) MOTION TO SCHEDULE A PUBLIC HEARING AND REQUEST THE LAW DIRECTOR TO DRAFT LEGISLATION FOR TO AMEND THE OFFICIAL ZONING MAP and APPROVE A SPECIFIC SITE PLAN OF A B-PUD BUSINESS PLANNED UNIT DEVELOPMENT FOR A 1.9 ACRE SITE LOCATED AT 8001 W THIRD STREET (PARCEL ID # H3302308 0014).
- This Staff Report was read and filed**
- E. [18-27](#) MOTION TO SCHEDULE A PUBLIC HEARING AND REQUEST THE LAW DIRECTOR TO DRAFT LEGISLATION TO AMEND ZONING TEXT FOR FOOD TRUCKS.
- This Staff Report was read and filed**
- F. [18-28](#) MOTION TO SCHEDULE A PUBLIC HEARING AND REQUEST THE LAW DIRECTOR TO DRAFT LEGISLATION TO AMEND ZONING TEXT FOR MEDICAL MARIJUANA.
- This Staff Report was read and filed**
- G. [18-29](#) MOTION TO SCHEDULE A PUBLIC HEARING AND REQUEST THE LAW DIRECTOR TO DRAFT LEGISLATION TO AMEND ZONING TEXT FOR FARM ANIMALS.
- This Staff Report was read and filed**
- H. [18-30](#) MOTION TO SCHEDULE A PUBLIC HEARING AND REQUEST THE LAW DIRECTOR TO DRAFT LEGISLATION TO AMEND ORDINANCE 03-13.
- This Staff Report was read and filed**

VIII. Motion to Open the Public Hearing

If you wish to make a comment on the Public Hearing Portion of the meeting please stand and be sworn-in. Proceed to the microphone, state your name and address, proceed with your comments. You will have three (3) minutes to speak.

Mayor McDonald requested a motion to open the Public Hearing. A motion was made by Mr. Vaughn and second by Mr. Brown. Roll call resulted in the following:

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

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

A. [OR08-18](#)

AN ORDINANCE BY TROTWOOD CITY COUNCIL APPROVING A SPECIFIC SITE PLAN FOR THE PROPERTY LOCATED AT 5331 SALEM AVENUE PARCEL ID H33-00805-0005.

Attachments: [OR08-18_PC 18-03_5331 Salem_Ordinance Final \(002\)](#)
[PC 18-03 5331 Salem SPECIFIC SITE PLAN DRAFT Final for Council 09042018](#)
[OR 08-18 PC 18-03_5331 Salem Staff Report Packet Final for Council 09042018 \(002\)](#)

Jeannie Peyton, Planning and Zoning Administrator spoke about the U-Haul Company requesting approval of the site plan for 5331 Salem Avenue. The company would like to occupy this site for rental trucks & retail sales containing an estimated 116 - 10'x10' units in 4 exterior structures occupying total 11,600 sq ft. Mr. Vaughn feels we are already saturated with large box storage units of this size and it does not best serve this community. Seeing other uses for this site would be better in his opinion. Mr. Kelley asked how many storage company do we have in the city; three as far as exterior storage facilities. Ms. Finley asked what is the economic impact to the community for this facility? Ms. Peyton stated the plan is to hire 10-15 people (2-3 full time positions and the rest part time) all based on their sales. Site improvements for revitalization will be significant as its' been unoccupied for years and will enhance property taxes. Vice Mayor Gales asked if the Planning Commission approved the site; they did 4-1 according to Ms. Peyton. Mayor McDonald requested a motion to approve OR08-18. A motion was made by Vice Mayor Gales to approve. There was no second, therefore, the motion failed.

IX. Motion to Close the Public Hearing

Mayor McDonald requested a motion to close the Public Hearing. A motion was made by Vice Mayor Gales to approve and a second by Ms. Brown. Roll Call resulted in the following:

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

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

X. Resolutions

A. [R18-26](#)

A RESOLUTION BY TROTWOOD CITY COUNCIL ESTABLISHING VARIOUS PERMIT FEES, ADMINISTRATIVE AND SERVICE CHARGES COLLECTED BY THE CITY OF TROTWOOD, OHIO.

Attachments: [R18-26](#)
 [R18-26 Attachment](#)

Deputy City Manager Kellum stated the city fee structure has not been updated since 2009. After researching surrounding jurisdictions, the city wanted all fees to be fair and equitable taking into consideration the best practices for our citizens. Mr. Vaughn noticed the no fee for cab companies is this something we should consider? Ms. Kellum agreed we'll look into it. Mayor McDonald requested a motion to approve R18-26. A motion was made by Mr. Vaughn to approve, a second by Ms. Brown. Roll Call resulted in the following:

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

B. [R18-27](#)

A RESOLUTION BY TROTWOOD CITY COUNCIL DETERMINING THE NECESSITY OF LEVYING A RENEWAL TAX IN EXCESS OF THE TEN-MILL LIMITATION FOR PROVIDING AND MAINTAINING FIRE APPARATUS, MECHANICAL RESUSCITATORS, UNDERWATER RESCUE AND RECOVERY EQUIPMENT, OR OTHER FIRE EQUIPMENT AND APPLIANCES, BUILDINGS AND SITES THEREFOR, OR SOURCES OF WATER SUPPLY AND MATERIALS THEREFOR, FOR THE ESTABLISHMENT AND MAINTENANCE OF LINES OF FIRE-ALARM COMMUNICATIONS, FOR THE PAYMENT OF FIREFIGHTING COMPANIES OR PERMANENT, PART-TIME, OR VOLUNTEER FIREFIGHTING, EMERGENCY MEDICAL SERVICE, ADMINISTRATIVE, OR COMMUNICATIONS PERSONNEL TO OPERATE THE SAME, INCLUDING THE PAYMENT OF ANY EMPLOYER CONTRIBUTIONS REQUIRED FOR SUCH PERSONNEL UNDER SECTION 145.48 OR 742.34 OF THE REVISED CODE, FOR THE PURCHASE OF AMBULANCE EQUIPMENT, FOR THE PROVISION OF AMBULANCE, PARAMEDIC, OR OTHER EMERGENCY MEDICAL SERVICES OPERATED BY A FIRE DEPARTMENT OR FIREFIGHTING COMPANY, OR FOR THE PAYMENT OF OTHER RELATED COSTS AS AUTHORIZED BY THE OHIO REVISED CODE WHICH LEVY SHALL BE FOUR AND FIFTEEN HUNDREDTHS MILLS (4.15) WHICH IS A RENEWAL LEVY TO RUN FOR A FIVE (5) YEAR PERIOD OF TIME, PURSUANT TO SECTION 5705.19 AND SUBSECTION 5705.19(I) AS AMENDED, OF THE OHIO REVISED CODE, AND REQUESTING THE COUNTY AUDITOR TO CERTIFY MATTERS IN CONNECTION THEREWITH.

Attachments: [R18-27](#)

Chief Haacke explained this is a 4.15 mill renewal tax levy for the Fire Department that will generate \$891,108.00 for five year period of time with no tax increase. This legislation is required to be certified by the Montgomery County Auditor's office to be placed on the November 6, 2018 ballot for all electors in the city to determine its passage. If approved by the electors, the tax levy will be on the tax list for 2019, for the first collection in calendar year 2020. This levy will support all Fire Departmental Services for their day to day operations. Also, citizens needing smoke detector's or carbon detectors please contact the department to set up an appointment for their installation. Anyone interested in CPR training there is a cost of \$50.00 in order to be certified. Mayor McDonald requested a motion to approve R18-27. A motion was made by Mr. Kelley to approve, a second by Mrs. Finley. Roll Call:

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

- C. [R18-28](#) A RESOLUTION BY TROTWOOD CITY COUNCIL AUTHORIZING THE CITY MANAGER TO DECLARE CERTAIN OBSOLETE AND/OR SURPLUS ELECTRONIC ITEMS AS NO LONGER NEEDED FOR PUBLIC PURPOSE AND ALLOWING THOSE ITEMS TO BE RECYCLED FOR E-WASTE DAY ON JUNE 9, 2018.

Attachments: [R18-28 Attachment](#)

Finance Director Peebles reported thirty seven obsolete city surplus inventory items on this list is no longer in working order will be recycled for the E-Waste day on June 9, 2018. Mary McDonald requested a motion to approve R18-28. A motion was made by Vice Mayor Gales to approve, a second by Mr. Finley. Roll call resulted in the following:

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

- D. [R18-29](#) A RESOLUTION BY TROTWOOD CITY COUNCIL AUTHORIZING THE CITY MANAGER TO ACCEPT CDBG (COMMUNITY DEVELOPMENT BLOCK GRANT) FUNDS FOR THE RESURFACING OF WOLF CREEK PIKE FROM DIAMOND MILL ROAD TO NOLAN ROAD.

Attachments: [R18-29](#)

City Manager Pope stated the city has been awarded CDGB county dollars in the amount of \$75,000.00 for the resurfacing of pavement on Wolf Creek Pike from Diamond Mill Road to Nolan Road due to the implementation of the 2018 paving program. Mayor McDonald requested a motion to approve R18-29. A motion was made by Mr. Kelley to approve, a second by Mrs. Brown. Roll Call resulted in the following:

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

E. [R18-30](#)

A RESOLUTION BY TROTWOOD CITY COUNCIL ACCEPTING THE BID OF JOHN R. JURGENSEN COMPANY FOR THE RESURFACING WORK TO BE COMPLETED ON N. UNION ROAD (SHILOH SPRINGS ROAD TO WESTBROOK ROAD), OLIVE ROAD (W. THIRD STREET TO CORPORATION LINE), WOLF CREEK PIKE (DIAMOND MILL ROAD TO NOLAN ROAD), SNYDER ROAD (LITTLE RICHMOND ROAD TO SNAKE ROAD), LUTHERAN CHURCH ROAD (LITTLE RICHMOND ROAD TO WOLF CREEK PIKE), AND OLIVE ROAD (SALEM AVENUE TO SALEM BEND) AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH SAID CONTRACTOR TO COMPLETE THE PROJECT FOR AN AMOUNT NOT TO EXCEED \$857,493.62 WHICH IS A CONTRACT PRICE OF \$779,539.656 PLUS A CONTINGENCY AMOUNT OF 10% (\$77,953.97).

Attachments: [R18-30](#)
 [R18-30 Attachment 1](#)
 [R18-30 Attachment 2](#)

City Manager Pope stated, this infrastructure upgrade for paving is necessary to our 411 lane miles that are in need of repair for many years. Deputy City Manager Kellum said we will not be able to pave all streets right now, but this resurfacing work is just part of our 2018 paving program that's made possible with the assistance of county grant funding, motor vehicle taxes and permissive use tax dollars without adding a separate tax levy to our citizens. Two bids were received from area contractors. Mr. Vaughn said the constituents in his rural area are pleased the roadways are getting attention that is truly needed. Citizens are to report pot holes by contacting city Public Works Department at 937-837-1702. Mayor McDonald requested a motion to approve R18-30. A motion was made by Mr. Kelley to approve, a second by Mrs. Finley. Roll Call resulted in the following:

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

XI. Staff Report

- A. [18-31](#) COUNCIL REVIEW - OHIO DIVISION OF LIQUOR CONTROL TRANSFER OF A D1 PERMIT FROM FORCE INDOOR SPORTS DAYTON LLC DBA FORCE SPORTS DAYTON, 4801 SALEM AVE TROTWOOD, OH 45416 TO KALM INC DBA DAYTON SPORTS COMPLEX, 4801 SALEM AVE TROTWOOD, OH 45416. MOTION IS REQUIRED WITHOUT COMMENT.

Attachments: [18-31](#)

Police Chief Wilson said this is a liquor transfer license from the original owner to a new owner with no significant issues to report. Mayor McDonald requested a motion to accept 18-31 staff report with no comments. A motion was made by Mr. Vaughn to accept, a second by Mrs. Finley. Roll call resulted in the following:

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

XII. Council Attended Board & Commission Updates

- A. [18-32](#) COUNCIL ATTENDED BOARD & COMMISSION REPORTS

Attachments: [18-32](#)

City Manager asked for a five (5) minute recess with Mayor McDonald. Motion was granted unanimously by voice vote. Mayor McDonald called the meeting back to order. Ms. Page attended a First Tier Suburbs meeting where she submitted topics of concerns as outlined in their survey. Mr. Kelley reported there was no BZA meeting scheduled in May and none scheduled for the Public Safety Committee. Ms. Brown said the Parks & Recreation Board had an event planning meeting and reported: June 9th is the Fathers Day at the Trotwood Fire Station #72, Mother & Son dance was a big hit, Trotwood Farmers Community Market will be held at Broadway and Main starting in July 7th to September 29th. On June 23rd the group is planning a retreat. Ms. Finley had nothing to report at this time. Trotwood Educational Foundation: Mr. Kelley went to their Foundation Gala event was held on May 4th attended by 174 adults & students raised \$2,000.00 in scholarship funds, their next meeting will be held until August. Trotwood CIC: Mr. Vaughn said since the inception of the county EDGE grant program for Trotwood we have received through the years a total amounting to \$3,702,487.00 for 23 projects, generating 816 new jobs, and retained 546 existing jobs. He heard at the Olde Town grain elevator site there's an interest for a new owner locate a craft brewery on the site. Vice Mayor Gales : Vice Mayor Gales said there was no Property Maintenance Appeals meeting this month. Mayor McDonald: A big thank you to all city staff for making the John Wolfe Park new water feature a huge success. An anonymous citizen presented the city with a monetary donation in the amount of \$10,000.00 for the use to continue to do upgrades in the park.

XIII. Old & New Business

- a. **Mayor:** To schedule an appointment with the Mayor, contact David Young, 937.854.7212 between the hours of 8 am - 5 p.m.
- b. **Council Members**
- c. **City Manager:** Reminder to visit the City of Trotwood web site at 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.

XIV. Motion to Adjourn

Mayor McDonald requested a motion to adjourn the meeting at 7:45 pm .
Motion was made by Mr. Kelley, second by Ms. Page and passed unanimously.

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