

City of Trotwood

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



Meeting Minutes

Tuesday, September 3, 2019

6:30 PM

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

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
Sandy Riege Fuller, Deputy Clerk of Council*

I. Call to Order: Mayor Mary A. McDonald

Mayor McDonald called the meeting to order at 6:00 p.m.

II. Invocation - Reverend Elder Paul Mitchell Revival Center Ministeries International**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

Staff Members: City Manager Quincy E. Pope, Sr. Deputy City Manager Stephanie Kellum, Finance Director Chris Peeples, Fire Chief Rick Haacke, Law Director Steve McHugh, Police Chief Erik Wilson, Assistant to City Manager Cheryl Wheeler, Public Works Operations Manager Johnny McCluskey, Income Tax Administrator Donna Sue Bowman, Parks & Recreation Program Coordinator Ciara Lewis, P.D. Captain Heath, P.D. Sergeant McCrary, Deputy Police Chief Ecton, TCIC Director Fred Burkhardt, Planning & Development Director Jung-Han Chen and Sandy Riege Fuller, Deputy Clerk of Council.
Visitors: Sister Joan DeChristopher, Gerald & Sheila Huff, Tequilla & George Garnes, Wanda Page, Jerome Kelley, Hope Kelley, Pamela Thomas, Steven Hayward, Sr. Patty Kremer, CPPS, James Arvai, Jr., Sharron Williams, Taronna Hinkle, Latech Johnson, Williams & Tammy Lanhart, Clinton Coble, Sister Mary Garke, Rodney Creech, Mattie Clay, Barbara Higgins, Elder Belinda Mitchell, Sister Ann Clark, K. Walker, Dave Christian, Waldo Littlejohn, Cheryl Smith, David Schindler, Larerne Roper, Alonza Edmonds, Janet Foate, Shirley Banfill, Janes Repass, Charles DeMario, Pamela Thomas, Duane Plessinger, and George Garner.

V. Motion to Approve the Agenda

Mayor McDonald asked for a motion. A motion was made by Vice Mayor Gales to approve and seconded by Ms. Brown. Roll Call:

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

- VI. VISITORS AND COMMUNICATIONS:** To comment on any topic NOT on the agenda, please fill out a Speaker Form and return it to the Clerk of Council BEFORE the start of the meeting. Proceed to the microphone, state your name and address, proceed with your comments. You will have three (3) minutes to speak. Citizen comments on the 'Public Hearing' portion of the meeting will be accepted at the appropriate time during the meeting.

State Representative Steve Huffman, State District 43 Representative Todd Smith are talking to the state treasurer office to propose a H.B. to help our state/city with our recovery due to the tornado's. Ms. Shirley Bankfill lives on Oaks Road wondered when their road will be repaired due to the damage from the trucks during the tornado cleanup. City Manager explained, we are working with FEMA and the State of Ohio to access the damages right now. Mr. Charles DeMario, Independent Energy Consultant has a new business program to help citizens for gas energy aggregation. Pamela Thomas is concerned about the school district will council reach out to them to see what their plans are. Duane Plessinger announced the Trotwood Fall Festival event. George Garner, would like to see a tax break for the homeowners that had damage to their homes from the tornado. Councilwoman Finley asked if the city could give them a tax abatement? Representative Todd Smith said he'll also look into the matter. Elder Belinda Mitchell & Ms. Wheeler thanked everyone for their assistance with the Revival Ministries Book Bag Event. St. Vincent DePaul, Faith Daniels, and City Council members helped with the distribution. Various schools received the bags such as, Mother Brunner School, Dayton School of Recovery, and Richard Allen for those school children to start out the new school year.

VII. Special Presentations and Recognitions

- A. [PR42-19](#)** Mayor Ceremonial Oath of Office for new Police Officers Michael Molchan & Sammy Hill

Attachments: [PR42-19 PD Officer Michael Molchan Oath of Office](#)

[RP42-19 Officer Michael Molchan - Bio](#)

Molchan - Photo 1

[PR42-19 PD Officer Sammy Hill Oath of Office](#)

Hill S - Photo

[Sammy Hill PD Bio](#)

Mayor McDonald administered the ceremonial Oath of Office to Police Officer Michael Molchan joined the department in July 2019 and Officer Sammy Hill joined in May 2019.

- B. [PR39-19](#)** Mayor Administering Oath of Office to Lateah Johnson-Morton as new member of the Parks & Recreation Board

Attachments: [PR39-19 OATH Lateach Morton Parks Board](#)

Mayor McDonald administered the Oath of Office to Lateah Johnson-Morton the newest member on the Parks & Recreation Board.

- C. [PR40-19](#) Presentation by State Farm Public Affairs Manager Ben Justice & Clinton Coble to award Protect the Protectors Security Camera's to First Responder's

Attachments: [PR40-19 Sept 3, 2019](#)

State Farm Public Affairs Manager Ben Justice spoke about the 'Protect the Protectors Security Camera's Program' designed to provide Canary devices to first responders.

- D. [PR41-19](#) Presentation by Montgomery County Auditor Karl Keith to discuss Tax Relief for Tornado Damaged or Destroyed Properties in the City of Trotwood

Auditor Karl Keith, spoke about how the tornado event will affect our city. Our property values will have to be re-evaluated in the year 2020.

VIII. Motion to Approve the Consent Agenda

Mayor McDonald asked for a motion. A motion was made by Ms. Brown to approve and second by Mr. Vaughn. Roll Call:

Aye: 5 - Mayor McDonald, Vice Mayor Gales, Councilmember Vaughn, Councilmember Kelley Jr. and Councilmember Brown

Nay: 1 - Councilmember Page

Abstain: 1 - Councilmember Finley

- A. [SR19-46](#) Approval of City Council Meeting Minutes, January 7 & 22, Feb 11, 2019

Attachments: [SR19-46 Mtg Mts. Jan Feb 2019](#)

- B. [19-01](#) A MOTION FOR THE LAW DIRECTOR TO PREPARE THE NECESSARY LEGISLATION TO AMEND AN APPROVED PLANNED UNIT DEVELOPMENT TO ALLOW SOLAR ARRAY TO BE INSTALLED AT 4960 SALEM AVE, APPROXIMATELY 14 ACRES OF LAND, COMPRISING PARCEL ID H33 02112 0013 AND PART OF H33302112 0014 AND FURTHER DIRECTING THE CLERK TO SET A PUBLIC HEARING FOR APPLICANT/OWNER SISTERS OF THE PREVIOUS BLOOD (PC 19-14)

C. [19-02](#) A MOTION FOR THE LAW DIRECTOR TO PREPARE THE NECESSARY LEGISLATION TO AMEND THE OFFICIAL ZONING MAP FOR THE AREA GENERAL ALONG SHILOR SPRING ROAD, EAST OF SR49, SOUTH OF SALEM BEND AND DENLINGER ROAD, APPROXIMATELY 105 ACRES OF LAND FROM RSF-M (RESIDENTIAL SINGLE FAMILY-MEDIUM DENSITY) DISTRICT AND "R-B" (REGIONAL BUSINESS) DISTRICT TO "G-B" (GENERAL BUSINESS) DISTRICT, CITY OF TROTWOOD, APPLICANT AND FURTHER DIRECTING CLERK TO SET A PUBLIC HEARING FOR APPLICANT CITY OF TROTWOOD, OH (PC CASE 19-15).

D. [19-05](#) A MOTION TO SCHEDULE A PUBLIC HEARING AND DRAFT LEGISLATION PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN AN AGGREGATE PRINCIPAL AMOUNT TO PAY COSTS OF REFUNDING THE SERIES 2010 VARIOUS PURPOSE BONDS FOR THE ISSUANCE OF NEW MONIES AND TO APPROVE THE VARIOUS AGREEMENT'S AS NECESSARY

E. [R19-106](#) A RESOLUTION AUTHORIZING THE CITY MANAGER TO DECLARE CERTAIN OBSOLETE AND/OR SURPLUS POLICE VEHICLES AND EQUIPMENT AS NO LONGER NEEDED FOR A PUBLIC PURPOSE AND AUTHORIZING SAID PROPERTY FROM THE TROTWOOD POLICE DEPARTMENT TO BE SOLD TO LOCAL AUTO SALVAGE COMPANIES AND PUBLIC AUCTION.

Attachments: [R19-106_RES.PD Vehicle & Equipment 9-3-2019](#)
[Signed Memo Packet to Council](#)
[R19-106_PD Obsolete Equipment_Attachment 9-3-2019](#)

F. [R19-101](#) A RESOLUTION BY THE TROTWOOD CITY COUNCIL AUTHORIZING THE TROTWOOD COMMUNITY IMPROVEMENT CORPORATION TO INITIATE A PROPERTY TAX FORECLOSURE ACTION ON THE TAX-DELINQUENT LAND KNOWN AS 420 ½ Main St (PARCEL ID H33 00308 0006) IN ACCORDANCE WITH CHAPTER 5722 OF THE OHIO REVISED CODE.

Attachments: [Hyperlink](#)
[R19-101_420.5 Main Street Foreclosure CIC](#)

- G. [R19-102](#) A RESOLUTION BY THE TROTWOOD CITY COUNCIL AUTHORIZING THE TROTWOOD COMMUNITY IMPROVEMENT CORPORATION TO INITIATE A PROPERTY TAX FORECLOSURE ACTION ON THE TAX-DELINQUENT LAND KNOWN AS 4602 Salem Ave (PARCEL ID H33302112 0021) IN ACCORDANCE WITH CHAPTER 5722 OF THE OHIO REVISED CODE.
- Attachments:** [R19-102 Trotwood Resolution No. 19-102 \(01040350-2xA06A8\) Hyperlink](#)
- H. [R19-103](#) A RESOLUTION BY THE TROTWOOD CITY COUNCIL AUTHORIZING THE TROTWOOD COMMUNITY IMPROVEMENT CORPORATION TO INITIATE A PROPERTY TAX FORECLOSURE ACTION ON THE TAX-DELINQUENT LAND KNOWN AS Shiloh Springs Rd (PARCEL ID H33 00505 0024) IN ACCORDANCE WITH CHAPTER 5722 OF THE OHIO REVISED CODE.
- Attachments:** [R19-103 Tax Foreclosure Shilph Springs Rd H33-00505-0024 Hyperlink](#)
- I. [R19-109](#) A RESOLUTION BY THE CITY COUNCIL AUTHORIZING THE CITY TO HAVE THE ANNUAL HARVEST FAMILY FUN WALK SCHEDULED ON SATURDAY, OCTOBER 26, 2019 TO SERVE THE PUBLIC PURPOSE OF COMMUNITY RELATIONS FOR THE EXPENDITURES NOT TO EXCEED \$1,500.00
- Attachments:** [R19-109 RES. Harvest Family Fun Walk 2019](#)
- J. [R19-110](#) A RESOLUTION BY THE CITY COUNCIL AUTHORIZING THE AWARD OF CASH PRIZES TO THE WINNERS OF THE 2019 TROTWOOD HOLIDAY LIGHTING CONTEST FOR THE PUBLIC PURPOSE OF COMMUNITY RELATIONS FOR THE EXPENDITURES OF FUNDS NOT TO EXCEED \$300.00
- Attachments:** [R19-110 to award cash prizes for 2019 Trotwood Holiday Light Contest - New \(01039827-3xA06A8\)](#)
- K. [R19-111](#) A RESOLUTION BY THE CITY COUNCIL AUTHORIZING THE CITY TO HAVE AN ANNUAL CITY CHRISTMAS TREE LIGHTING EVENT TO SERVICE THE PUBLIC PURPOSE OF COMMUNITY RELATIONS FOR THE EXPENDITURES NOT TO EXCEED \$2,000.00
- Attachments:** [R19-111 RES Christmas Tree Lighting Event 9-3-2019](#)

- L. [R19-107](#) A RESOLUTION BY THE CITY COUNCIL AUTHORIZING THE CITY TO HAVE A TROTWOOD REFLECTIONS SUPPORT GROUP TO SERVE THE PUBLIC PURPOSE OF COMMUNITY RELATIONS FOR THE EXPENDITURES NOT TO EXCEED \$200.00

Attachments: [R19-107 RES Trotwood Reflections Support Group Reflections Support Group Aug 31, 2019](#)

IX. Public Hearings/Ordinances

- A. [OR24-19](#) AN ORDINANCE TO REPEAL OLD SECTION 521.08 "LITTERING AND DEPOSIT OF GARBAGE, RUBBISH, JUNK, ETC." AND ENACTING NEW SECTION 521.08 "LITTERING AND DEPOSIT OF GARBAGE, RUBBISH, JUNK, ETC."

Attachments: [OR24-19 ORDINANCE NO 24-19 \(NEW\) \(01040497xA06A8\)](#)
[OR24-19 Legal Public Notice Ordinance Zoning New Section 521.08](#)

Mayor McDonald asked for a motion. A motion was made by Mr. Vaughn to approve and second by Vice Mayor Gales. Roll Call:

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

- B. [OR21-19](#) ORDINANCE TO ACCEPTING THE PLANNING COMMISSION RECOMMENDATION TO AMEND THE OFFICIAL ZONING MAP FOR THE AREA, FORMERLY KNOWN AS THE SALEM MALL, PARCEL ID # H33 00514 0053, H33 00514 0049, H33 00514 0023, H33 00514 0062 AND H33 00514 0024, AN APPROXIMATELY 72 ACRES OF LAND, FROM R-B (REGIONAL BUSINESS) DISTRICT TO B-I (BUSINESS-INDUSTRIAL) CAMPUS DISTRICT

Attachments: [OR21-19 Ordinance 21-19 to Accept Amendment of the Zoning Map for the area formerly known as the Salem Mall \(01040053-2xA06A8\)](#)
[PC 19-11 STAFF REPORT.pdf](#)
[Council Report-PC-19-11.pdf](#)
[Salem Mall Land Use Economic Development Utilization Study- CIC sponsored.pdf](#)
[OR21-19 Legal Public Notice Ordinance Zoning Map amendments 72 acres Salem Mall Site](#)

Mayor McDonald asked for a motion. A motion was made by Mr. Vaughn to approve and second by Ms. Brown. Roll Call:

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

- C. [OR22-19](#) AN ORDINANCE BY TROTWOOD CITY COUNCIL TO ACCEPT PLANNING COMMISSION RECOMMENDATION TO AMEND THE TROTWOOD ZONING CODE BY CREATING A NEW CHAPTER 1168 B-I (BUSINESS INDUSTRIAL CAMPUS) DISTRICT

Attachments: [OR22-19 Accept Amendment of the Trotwood Zoning Code by Creating a New Chapter 1168 B-I \(Business Industrial Campus\) \(01040080-3xA06A8\)](#)
[CHAPTER 1168 B-I Business Industrial Campus Park District.pdf](#)
[Schedule B Permitted and Conditional Uses by Districts.pdf](#)
[Council Report-PC-19-10.pdf](#)

Mayor McDonald asked for a motion. A motion was made by Ms. Finley to approve and second by Ms. Page. Roll Call:

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

X. **Motion to Close the Public Hearing**

Mayor McDonald asked for a motion. A motion was made by Ms. Brown to close the public hearing and second by Ms. Page. Roll Call:

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

XI. **Resolutions**

- A. [R19-104](#) A RESOLUTION BY THE TROTWOOD CITY COUNCIL ADOPTING THE CITY MANAGER TO ENTER INTO THE MONTGOMERY COUNTY-INTERMUNICIPAL WASTE SERVICES AGREEMENT BETWEEN MONTGOMERY COUTNY, OHIO AND THE OTHER MEMBERS OF THE MONTGOMERY COUNTY SOLID WASTE DISTRICT

Attachments: [R19-104 City of Trotwood Resolution \(Waste Services Agreement\) \(01037600-2xA06A8\)](#)
[R19-104 MC Waste Services Agreement 2019 attachment](#)

City Manger Pope explained, this legislation will establish a statewide strategy for managing scrap tires to to implement a solid waste management plan. With this plan it will promote markets for recycling materials to include the proper separation and disposal of household hazardous waste materials. Mr. Bob Downing from Montgomery County Environmental Services indicated the trash rates for solid waste disposal is very competitive for all county residents. Yard waste disposal grants for beautification are available to jurisdictions with Rumpke. The county has also hired two environment officers who watch for illegal dumping of trash/debris in the public right-of way. Mayor McDonald asked for a motion. A motion was made by Ms. Finley to approve and second by Mr. Kelley. Roll Call:

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

B. [R19-99](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL TO REMOVE THE SPECIAL ASSESSMENT FROM THE MONTGOMERY COUNTY TAX DUPLICATE FOR CHARGES FOR DELINQUENT CUTTING AND REMOVAL OF WEEDS, VEGETATION AND/OR GRASS

Attachments: [R19-99 RES. Delinquent Cutting of Weeds, Vegetation MontCty 9-3-2019](#)
[R19-99 Attachment Assessments 9-3-2019 cutting weeds](#)

This resolution will place the mowing assessments on the Montgomery County tax duplicate for the 2020 billing cycle that the City crews have been abated for the tall grass assessments on made in error on five properties. Mayor McDonald asked for a motion. A motion was made by Ms. Brown to approve and second by Ms. Finley. Roll Call:

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

C. [R19-100](#)

A RESOLUTION AUTHORIZING THE ASSESSMENT OF DELINQUENT CHARGES FOR REMOVAL OR DESTRUCTION OF NOXIOUS VEGETATION TO BE PLACED ON THE MONTGOMERY COUNTY, OHIO PROPERTY TAX DUPLICATE

Attachments: [R19-100 RES Mowing Assessments 9-3-2019](#)
[R19-100 Mowing Attachments](#)

This resolution is for the authorization of delinquent charges from property owners to have not maintained their properties. The costs to the city for cutting, removing noxious weeds, and unwanted vegetation and/or grass were paid with municipal funds. These charges can be assessed through the county and back to the property owner to be placed on the 2019 tax duplicate. Total amount of assessment sent to the county is \$81,687.38. Mayor McDonald asked for a motion. A motion was made by Vice Mayor Gales to approve and second by Ms. Brown. Roll Call:

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

- D. [R19-108](#) A RESOLUTION BY TROTWOOD CITY COUNCIL TO CERTIFY DELINQUENT WATER, SEWER, TRASH AND STORM DRAINAGE BILLS TO THE AUDITOR OF MONTGOMERY COUNTY, STATE OF OHIO, FOR PLACEMENT ON THE MONTGOMERY COUNTY TAX DUPLICATE

Attachments: [R19-108 Trotwood Resolution No. 19-108 \(01040341-3xA06A8\) ASSESSMENT REPORT - COUNCIL PACKET.pdf](#)

Finance Director stated this legislation to to certify the delinquent water, sewer, trash and storm drainage bills to the county auditor for placement on the county tax duplicate for property owners outstanding charges not paid in 2019. Total amount assessed is \$153,789.16. Mayor McDonald asked for a motion. A motion was made by Vice Mayor Gales to approve and second by Ms. Brown, Roll Call:

Aye: 6 - Mayor McDonald, Vice Mayor Gales, Councilmember Vaughn, Councilmember Finley, Councilmember Brown and Councilmember Page

Abstain: 1 - Councilmember Kelley Jr.

XII. Old & New Business

- a. **Mayor:** To schedule an appointment with the Mayor, contact Clerk of Council at 937.854.7212 between the hours of 8 am - 5 p.m.

(1) Saturday, Sept. 7 from 4-7 pm Northgate Neighborhood Meet & Greet at John Wolfe Park; (2) Fall Fest at Sycamore Conservation Education Demonstration Farm from 10am - 4pm, 3225 N. Luthern Church Road at corner of Wolf Creek Pike; (3) Family Reunion Weekend - Friday, Sept. 27 at 10pm Fireworks at TCCAC; Saturday, Sept 28 at 10 am Parade starting on E. Main Street to Broadway Ave; Saturday, Sept. 28 Smoke, Sizzle & Sound event from 11am - 7pm at Madison Park, 301 S. Broadway.

b. Council Members

Mayor McDonald announced the Family Reunion Weekend fireworks display will be on Saturday night instead of Friday. She obtained information for our citizens at an MVRPC meeting to help with the tornado relief. Vice Mayor Gales announced Mayor McDonald received the two outstanding leader Kappa Foundation award and another from the Greater Dayton Realtors Association for all the city support from the tornado devastation. T-M City school hired a new acting superintendent - Mr. Marlon Howard. Ms. Brown - Strategic Planning Think Tank will move the city forward for our future. Mr. Kelley, thanked everyone for coming tonight, good meeting. Ms. Finley - Thank you Ms. Mitchell and Pastor Winstong from Mt. Calvary Church & WPAFB who gave out 2,500 food bags. Attended the 1st Tier Suburbs meeting that discussed to form an emergency housing committee to work with the residents. Wonderful National Night Out event. Mr. Vaughn - Thank you Representative Smith for being a great leader and friend to the Trotwood community during our time of need with the tornado storm. He's proud to be a council member that's why we work together and serve.

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.

City Manager Pope said our city Strategic Plan process is now underway for us to develop our future for the next 5 years. We want citizens to take our survey and welcome their input. Trotwood Food Town grocery store said they may close due to bad profit margins. The city is speaking with Gordon Foods, Marks Grocery and working with the State of Ohio seeking guidance to keep us from being a food desert.

d. Staff Reports**XIII. Motion to Adjourn**

Mayor McDonald asked for a motion. A motion was made by Vice Mayor Gales to adjourn at 8:45 pm and second by Ms. Page, it was approved unanimously. Roll Call:

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