

City of Trotwood

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



Meeting Minutes

Monday, November 4, 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 6:30 p.m.

II. Invocation: Elder Belinda Mitchell, Revival Center Ministries 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, Deputy City Manager Stephanie Kellum, Law Director Steve McHugh, Police Chief Erik Wilson, Fire Chief Rick Haacke, Finance Director Chris Peeples, Income Tax Administrator Donna Sue Bowman, Public Works Operations Manager Johnny McCluskey, Assistant to City Manager Cheryl Wheeler, Fred Burkhardt & Chad Downing Trotwood TCIC.

Visitors: Elder Belinda Mitchell, Vanessa Carter, Tom Grady, Kisha Jackson, Anna Grady, Francheska Sherman, Octavia Clay, Dave Christian, Cheryl Smith, Kathy Walker, John Fecke, Martha Erwin, Anita Schmaltz, Sharron Williams, Janice Chinn, Ralph Iman, Patricia Duncan, Sister Mary Garke, Latcah Johnny Morton, Waldo Littlejohn, Steven Champion, Lynn Thomasson, Norman Searce, Martha Clark, Barbara Higgins, Mattie Clay, Duane Plessinger, Dawn Wojcik, Raymond Birdsong, Janet & Steve Foote, Boyd Hastings, Sean Freeman, Marvin Rodgers, and Sonja Cherry, Anna Grady

V. Motion to Approve the Agenda

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

VI. Presentations/Recognitions

- VII. VISITORS AND COMMUNICATIONS:** To comment on any topic on the agenda, please fill out a Speaker Form and return it to the Clerk of Council **BEFORE** the start of the meeting. 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. The Mayor will ask you to proceed to the microphone to be sworn in, please state your name and address then proceed with your comments.

Dawn Wojcik - Is defiantly not in agreement with the Compensation Board Report. She would like to see more police officers on patrol due to a lack of presence. Guard our citizens tax dollars. Anna Grady - Her house was damaged during the tornado. When will the donation distributions be sent out? Mayor said they should be receiving a letter from the committee. Anita Schmitz - Compensation board to be comprised of community members. Based on her experience with volunteering, she feels the members appointed are not in the best interest of the community. Equal hiring practices she believes should not be policial. Boyd Hastings - He also is retired and doesn't want his taxes going up either. This Mayor & this Council has brought more value to this job in the past 15 years, working together with the effort and results he believes they should be rewarded. Janice Chinn - No way does the mayor get paid \$31,000.00, the board reported 12,000 for the year and \$50.00 for each appearance up to 10. The citizens voted for this compensation back in 2017, doesn't understand why everyone is upset.

VIII. Motion to Approve the Consent Agenda

Mayor McDonald asked for a motion. Councilwoman Finley stated a correction needs to be made to the October 21, 2019 meeting minutes. It states, 'No further discussion by Council' pertaining to the compensation Board. She asked Law Director why the caption at the October 21st meeting stated it was an emergency and was told by the Law Director it was because of a timing due to the City Charter & Ordinance. Mr. Kelley also asked for clarification. Law Director explained this was the determination at the time based the Feb 2018 process. Upon further research before this meeting he discovered the language did not require an emergency according to the Charter the council has 30 days to approve or reject. At the Oct. 21st meeting it was to start the process to prepare the legislation. The legislation tonight only requires 4 votes to pass as a regular ordinance which takes effect in 30 days. Ms. Finley wanted to know when did he discover the mistake was made? Mayor McDonald said Ms. Finley is out of order at this time and had all weekend to talk to the law office if she didn't understand the legislation. Ms. Finley said she is not out of order. She has received a lot of calls about this subject as the people have a right to know why a mistake was made. Law Director said, this is not the topic before us right now - we're talking about the consent agenda. Councilman Kelley - he's disappointed about the inconsistency from the Law Director also confused about legislation before us tonight. He also gets calls all the time from citizens about this subject and would like to table the legislation presented tonight. We are already under investigation with the Ohio Ethics to possibly pay back some money - this does not sit well with him. He would like the City Manager to possibly have an outside legal opinion to re-examine this subject. Mayor McDonald asked for a motion to approve the consent agenda with the amendment that the legislation was presented as an emergency on Oct. 21st and to strike "no further discussion by council" in the meeting minutes. A motion was made by Mr. Vaughn to approve the consent agenda with the amendment 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

A. [SR19-49](#)

Approval of regular meeting minutes from October 7 and workshop/special October 21, 2019

Attachments: [October 7, 2019 Meeting Minutes](#)
[Meeting Minutes Oct 21, 2019](#)

B. [19-07](#)

A Motion for the Law Director to prepare the necessary Ordinance legislation accepting the Recommendation by the Trotwood Planning Commission for Zoning Code text amendment for Chapter 1189 Supplementary Regulations related to Solar Panels and Wind Turbine within the City of Trotwood, Ohio

- C. [19-08](#) A Motion for the Law Director to prepare the necessary Ordinance legislation accepting the Trotwood Planning Commission's recommendation to amend the Trotwood Zoning Code, specifically Chapter 1123, Appendix "B" for Adult Daycare within the City of Trotwood, Ohio
- D. [19-09](#) A Motion for the Law Director to prepare the necessary Ordinance legislation accepting the Trotwood Planning Commission's recommendation to amend the Official Zoning Map for parcel, ID# H33 00104 0008 on McGregor Drive from RSF-M Residential Single Family-Medium Density District to G-B (General Business) District for applicant City of Trotwood, Oh (PC case 19-19).
- E. [19-10](#) A Motion to schedule a Public Hearing by the Trotwood City Council and to authorize the Law Director to draft an Ordinance to authorize the City Manager to transfer ownership of the properties at 1257 Gunther Road, 103, E. Main Street, 3779 and 4646 Marlin Avenue to the Trotwood Community Improvement Corporation and declaring the properties surplus.
- F. [19-11](#) A Motion to schedule a Public Hearing by the Trotwood City Council and to amending Ordinance OR35-18, the annual appropriation for current expenses and expenditure of the City of Trotwood, State of Ohio for the fiscal year beginning January 1, 2019 through December 31, 2019 and declare an emergency.
- G. [19-12](#) A Motion to schedule a Public Hearing by the Trotwood City Council establishing appropriations for current expenses and expenditures of the City of Trotwood, State of Ohio, for the Fiscal Year Beginning January 1, 2020 and through December 31, 2020 and declare an emergency.
- H. [R19-117](#) A RESOLUTION BY TROTWOOD CITY COUNCIL AUTHORIZING THE CITY MANAGER TO DECLARE CERTAIN OBSOLETE AND/OR SURPLUS FIRE & RESCUE EQUIPMENT AS NO LONGER NEEDED FOR A PUBLIC PURPOSE AND AUTHORIZING SAID PROPERTY FROM THE TROTWOOD FIRE & RESCUE DEPARTMENT TO BE SOLD ON GOVDEALS.COM

Attachments: [R19-117 RES FIRE EQUIP ON GOVDEALS](#)
[R19-117 Fire Surplus Gov Deals](#)

- I. [R19-118](#) A RESOLUTION AUTHORIZING THE CITY MANAGER TO DECLARE CERTAIN OBSOLUTE AND/OR SURPLUS FIRE & RESCUE DEPARTMENT EQUIPMENT AS NO LONGER NEEDED FOR A PUBLIC PURPOSE AND AUTHORIZING SAID PROPERTY FROM THE TROTWOOD FIRE & RESCUE DEPARTMENT TO BE DISPOSED OF SINCE THE PROPERTY HAS NO SALVAGE VALUE.

Attachments: [R19-118 Fire Salvage Equip](#)
[R19-118 Fire Surplus Salvage](#)

- J. [R19-119](#) 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 57 OLIVE RD (PARCEL ID H33 00817 0028) IN ACCORDANCE WITH CHAPTER 5722 OF THE OHIO REVISED CODE.

Attachments: [R19-119 FORECLOSURE 57 OLIVE RD](#)
[Hyperlink](#)

- K. [R19-120](#) 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 1352 GUENTHER RD (PARCEL ID H33 01119 0019) IN ACCORDANCE WITH CHAPTER 5722 OF THE OHIO REVISED CODE.

Attachments: [R19-120 FORECLOSURE 1352 GUENTHER RD](#)
[Hyperlink](#)

- L. [R19-121](#) 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 1434 HONEYBEE DR (PARCEL ID H33 01208 0013) IN ACCORDANCE WITH CHAPTER 5722 OF THE OHIO REVISED CODE.

Attachments: [R19-121 FORECLOSURE 1434 HONEYBEE](#)
[Hyperlink](#)

- M. [R19-122](#) 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 1925 GUENTHER RD (PARCEL ID H33 02301 0130) IN ACCORDANCE WITH CHAPTER 5722 OF THE OHIO REVISED CODE.

Attachments: [R19-122 FORECLOSURE 1925 GUENTHER RD](#)
[Hyperlink](#)

- N. [R19-123](#) 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 4131 FREUDENBERGER AVE (PARCEL ID H33300904 0008) IN ACCORDANCE WITH CHAPTER 5722 OF THE OHIO REVISED CODE.

Attachments: [R19-123 FORECLOSURE 4131 FREUDENBERGER](#)
[Hyperlink](#)

- O. [R19-124](#) 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 4248 SALEM AVE (PARCEL ID H33301004 0107) IN ACCORDANCE WITH CHAPTER 5722 OF THE OHIO REVISED CODE.

Attachments: [R19-124 FORECLOSURE 4248 SALEM AVE](#)
[Hyperlink](#)

- P. [R19-125](#) 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 6878 HOOVER AVE (PARCEL ID H33 02310 0086) IN ACCORDANCE WITH CHAPTER 5722 OF THE OHIO REVISED CODE.

Attachments: [R19-125 FORECLOSURE 6878 HOOVER](#)
[Hyperlink](#)

- Q.** [R19-126](#) 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 8910 OLD DAYTON RD (PARCEL ID H33 02308 0024) IN ACCORDANCE WITH CHAPTER 5722 OF THE OHIO REVISED CODE.

Attachments: [R19-126 FORECLOSURE 8910 OLD DAYTON RD](#)
[Hyperlink](#)

- R.** [R19-127](#) 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 BROAD OAK DR (PARCEL ID H33 00801 0007) IN ACCORDANCE WITH CHAPTER 5722 OF THE OHIO REVISED CODE.

Attachments: [R19-127 FORECLOSURE BROAD OAK 0008010007 - Revised](#)
[Hyperlink](#)

- S.** [R19-128](#) 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 BROAD OAK DR (PARCEL ID H33 00801 0008) IN ACCORDANCE WITH CHAPTER 5722 OF THE OHIO REVISED CODE.

Attachments: [R19-128 FORECLOSURE BROAD OAK 008010008](#)
[Hyperlink](#)

- T.** [R19-129](#) 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 BROAD OAK DR (PARCEL ID H33 00802 0023) IN ACCORDANCE WITH CHAPTER 5722 OF THE OHIO REVISED CODE.

Attachments: [R19-129 FORECLOSURE BROAD OAK 008020023](#)
[Hyperlink](#)

- U. [R19-130](#) 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 BROAD OAK DR (PARCEL ID H33 00802 0024) IN ACCORDANCE WITH CHAPTER 5722 OF THE OHIO REVISED CODE.

Attachments: [R19-130 FORECLOSURE BROAD OAK 008020024](#)
[Hyperlink](#)

- V. [R19-131](#) 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 BROAD OAK DR (PARCEL ID H33 00802 0025) IN ACCORDANCE WITH CHAPTER 5722 OF THE OHIO REVISED CODE.

Attachments: [R19-131 FORECLOSURE BROAD OAK 008020025](#)
[Hyperlink](#)

- W. [R19-132](#) 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 BROAD OAK DR (PARCEL ID H33 00802 0027) IN ACCORDANCE WITH CHAPTER 5722 OF THE OHIO REVISED CODE.

Attachments: [R19-132 FORECLOSURE BROAD OAK 008020027](#)
[Hyperlink](#)

IX. Motion to Open the Public Hearing.

Mayor McDonald asked for a motion. A motion was made by Vice Mayor Gales 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

X. Public Hearing/Ordinances

- A. [OR28-19](#) AN ORDINANCE BY TROTWOOD CITY COUNCIL ACCEPTING THE REPORT AND RECOMMENDATIONS OF THE COMPENSATION BOARD AND DECLARE AN EMERGENCY

Attachments: [OR28-19 Ordinance inc council member salary \(01053529xA06A8\)](#)

Mayor McDonald asked for those citizens wanting to speak on this Public Hearing to please raise and be sworn in. Mr. J.D. Williams, Ward 4 -Mayor McDonald and City Council members all do a great job and has not problem with them receiving compensation. His concern is from his understanding the Compensation Board has no budgetary guidelines in his opinion. Where is the board getting their information to make their sound decisions? Ms. Finley asked for a discussion on the motion. Law Director said at the time the motion was originally made in October council just needed to adopt the motion to prepare legislation. Before us tonight is a motion to substitute this new legislation (without the emergency). Council needs to determine based on his legal opinion according to City Charter Section 3.5 Item 'D' by a majority of council to take action within 30 days is the process what council is considering tonight. Law Director said just to be clear if tabled this recommendation will not be adopted in 30 days according to the City Charter. A motion to remove the language 'emergency' needs to be made. Vice-Mayor Gales made a motion to remove the 'emergency language' from this ordinance OR28-19 and it was second by Mr. Vaughn. Mr. Kelley stated he does not want to rush to judgement on this subject. A motion was made by Ms. Page to table OR28-19 because it's too confusing until we get further clarification and it was second by Ms. Finley. Roll Call:

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

Nay: 3 - Mayor McDonald, Vice Mayor Gales and Councilmember Vaughn

XI. Resolutions

XII. Old & New Business

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

1) Thursday, November 7 at 6:00 pm - Census 2020 Kick-Off Meeting, Trotwood Community Cultural & Arts Center; 2) Monday, November 11 at 10:00 am Veterans Day Remembrance Day, Government Center 3035 Olive Rd in front Courtyard; 3) Thursday, November 14 at 6:00 pm Trotwood Chamber of Commerce Annual Awards Dinner at Friendship Village; 4) City Council Workshop meeting, Monday November 18 at 6:00 pm, Regular meeting Monday, December 2 at 6:30 pm, and Workshop meeting, Monday, December A16 at 6:00 pm.

b. Council Members

Mr. Kelley - No comments at this time. Ms. Page - On Oct 22nd she attended the Planning Commission meeting and the new owner of Hara Arena proposed some changes to his vacant facility. Attended the First Tier Suburbs meeting with 34 representatives from throughout the region spoke about the tornado recovery. Mr. Tim Schivack said he has a group that wants to come to our city to help citizens clean up their storm damage properties for free. She presented a check to the Trotwood Recovery Fund in the amount of \$5,000.00 donation from the African American Community Fund already deposited to the Dayton Foundation Fund. Ms. Brown - The cost of doing nothing is nothing. Its very important to us that our time is very short for what we do as a community to be the voice of the voiceless and most important, in unity, we have victory. Mr. Vaughn - He's been with Trotwood City Council for 18 years. His hourly rate of pay as a council person is not a wage that stands the burden of a federal mandate; he does not to this job for the money. It's disturbing to see our community torn apart because of political differences. Ms. Finley - We are here as one in unity. We do this job because we believe and serve the people of Trotwood; we don't do it for the money. She feels a salary increase at this time is poor leadership and judgement our our part. Citizens are still hurting from the storm. Our priorities and timing is important. We need to repair our roads and need grocery stores. Until the City Charter is changed the compensation paid to them will remain. We will serve you if paid or not. Vice-Mayor Gales - Go out and vote tomorrow. We pay our Law Director to help us with the legislation. It bothers her that her integrity to do this job is being questioned due to the negative policial atmosphere that's taking place right now in our city. We need to become a unified city and council. We are a non-partisan group we have to represent all people no matter what political party they belong too. Mayor McDonald does not understand why this election season has become unhealthy. We run for office doing what is right with high integrity. There are those who we will never change their minds. In the last 4 years the city has had a lot of great accomplishments and reaching across party lines here in the region and some with the help of our state representatives to gain the respect and change our city culture. We could have gone bankrupt, but we did not. She is proud to say that we once had a unified council. The majority of our people want a good clean community without division. Be proud of who we are. This council serves as non-partisan throughout the whole city.

- c. **City Manager:** 1) 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; 2) Thursday, Nov. 28 & Friday, Nov. 29 Trotwood City Offices are closed for Thanksgiving Holiday will reopen Monday, December 2 at 8:00 am.

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

Mayor McDonald asked for a motion. A motion was made by Vice mayor Gales to adjourn at 7:40 pm and second by Mr. Vaughn. Roll Call: