

City of Trotwood

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



Meeting Minutes

Monday, November 2, 2020

6:30 PM

Executive Session 6:00 PM

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

City Council

*Mayor Mary A. McDonald
Vice Mayor Tyna R. Brown
Council Member Charles Ron Vaughn
Council Member Rhonda C. Finley
Council Member Robert L. Kelley, Jr.
Council Member Yvette Page
Council Member Bettye L. Gales
Clerk of Council Kara B. Landis*

VISITORS AND COMMUNICATIONS: Due to COVID-19, this will be a virtual meeting. Please visit the City's website at www.trotwood.org, for details on how to view the the Council Meeting. Comments may be submitted to the Clerk of Council no later than 4:00 p.m. on Monday, November 2, 2020.

I. Call to Order: Mayor Mary A. McDonald

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

II. Invocation: Elder Belinda Mitchell

Elder Belinda Mitchell gave the Invocation.

III. Pledge of Allegiance

Mayor McDonald led the Pledge of Allegiance.

IV. Roll Call: Clerk of Council

Clerk Landis took Roll Call.

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

Staff Members Present: Law Director Steve McHugh, City Manager Quincy Pope, Clerk of Council Kara Landis, Deputy City Manager Stephanie Kellum, Planning and Development Director Jung-Han Chen, Finance Director Chris Peeples, and Police Chief Erik Wilson.

Visitors Present: Chris Wright

V. Motion to Approve the Agenda

Mayor McDonald requested a Motion on this item. A Motion was made by Vice Mayor Brown, seconded by Councilmember Gales, to Approve the Agenda. The Motion carried by the following vote:

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

VI. Motion to Enter into Executive Session in Accordance with Section 121.22(G)(1) of the Ohio Revised Code

Mayor McDonald requested a Motion on this item. A Motion was made by Vice Mayor Brown, seconded by Councilmember Page, to Enter into Executive Session in Accordance with Section 121.22(G)(1) of the Ohio Revised Code. The Motion carried by the following vote:

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

VII. Motion to Adjourn the Executive Session

Mayor McDonald requested a Motion on this item. A Motion was made by Vice Mayor Brown, seconded by Councilmember Page, to Adjourn the Executive Session. The Motion carried by the following vote:

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

VIII. Motion to Approve the Consent Agenda

Mayor McDonald requested a Motion on this item. A Motion was made by Councilmember Kelley, Jr., seconded by Vice Mayor Brown, to Approve the Consent Agenda. The Motion carried by the following vote:

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

Nay: 2 - Councilmember Finley and Councilmember Page

[SR20-20](#)

Approval of the Regular City Council Meeting Minutes from October 5, 2020, and the Special City Council Meeting Minutes from October 14, 2020.

Attachments: [2020-10-05 DRAFT Meeting Minutes](#)
[2020-10-14 DRAFT Meeting Minutes](#)

This Staff Report was Filed.

[R20-101](#)

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 LOCATED ON RICHARD OSWALD LN, PARCEL NO. H33 00614 0001, IN ACCORDANCE WITH CHAPTER 5722 OF THE OHIO REVISED CODE.

Attachments: [R20-101](#)
[Hyperlink](#)

This Resolution was Approved.

[R20-102](#)

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 LOCATED ON RICHARD OSWALD LN, PARCEL NO. H33 00614 0021, IN ACCORDANCE WITH CHAPTER 5722 OF THE OHIO REVISED CODE.

Attachments: [R20-102](#)
 [Hyperlink](#)

This Resolution was Approved

[R20-103](#)

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 4410 SHORHAM CT, PARCEL NO. H33 00704 0022, IN ACCORDANCE WITH CHAPTER 5722 OF THE OHIO REVISED CODE.

Attachments: [R20-103](#)
 [Hyperlink](#)

This Resolution was Approved.

[R20-104](#)

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 LOCATED ON MORNING MIST CIR, PARCEL NO. H33 00714 0011, IN ACCORDANCE WITH CHAPTER 5722 OF THE OHIO REVISED CODE.

Attachments: [R20-104](#)
 [Hyperlink](#)

This Resolution was Approved.

[R20-105](#)

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 LOCATED ON SYCAMORE WOODS BLVD, PARCEL NO. H33 00714 0012, IN ACCORDANCE WITH CHAPTER 5722 OF THE OHIO REVISED CODE.

Attachments: [R20-105](#)
 [Hyperlink](#)

This Resolution was Approved.

[R20-106](#)

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 LOCATED ON SYCAMORE WOODS BLVD, PARCEL NO. H33 00717 0004, IN ACCORDANCE WITH CHAPTER 5722 OF THE OHIO REVISED CODE.

Attachments: [R20-106](#)
 [Hyperlink](#)

This Resolution was Approved.

[R20-107](#)

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 LOCATED ON SYCAMORE WOODS BLVD, PARCEL NO. H33 00717 0005, IN ACCORDANCE WITH CHAPTER 5722 OF THE OHIO REVISED CODE.

Attachments: [R20-107](#)
 [Hyperlink](#)

This Resolution was Approved.

[R20-108](#)

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 LOCATED ON SPRINGDAWN DR, PARCEL NO. H33 00717 0027, IN ACCORDANCE WITH CHAPTER 5722 OF THE OHIO REVISED CODE.

Attachments: [R20-108](#)
 [Hyperlink](#)

This Resolution was Approved.

[R20-109](#)

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 LOCATED ON SYCAMORE WOODS BLVD, PARCEL NO. H33 00717 0030, IN ACCORDANCE WITH CHAPTER 5722 OF THE OHIO REVISED CODE.

Attachments: [R20-109](#)
 [Hyperlink](#)

This Resolution was Approved.

[R20-110](#)

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 LOCATED ON TALCOTT TRL, PARCEL NO. H33 00719 0008, IN ACCORDANCE WITH CHAPTER 5722 OF THE OHIO REVISED CODE.

Attachments: [R20-110](#)
 [Hyperlink](#)

This Resolution was Approved.

[R20-111](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL AUTHORIZING THE CITY TO HAVE A VIRTUAL CHRISTMAS TREE LIGHTING EVENT FOR THE PUBLIC PURPOSE OF COMMUNITY RELATIONS, WITH EXPENDITURES NOT TO EXCEED \$2,500.00.

Attachments: [R20-111](#)

This Resolution was Approved.

[R20-112](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL AUTHORIZING THE CITY TO SPONSOR THE ANNUAL TROTWOOD OUTDOOR HOLIDAY LIGHT CONTEST AND AWARD CASH PRIZES TO THE WINNERS FOR THE PUBLIC PURPOSE OF COMMUNITY RELATIONS, WITH EXPENDITURES NOT TO EXCEED \$300.00.

Attachments: [R20-112](#)
 [R20-112 Attachment](#)

This Resolution was Approved.

[20-24](#)

A Motion by the Trotwood City Council to schedule a Public Hearing and to authorize the Law Director to draft an Ordinance authorizing the City Manager to transfer ownership of the city-owned property located on Olive Road, Parcel No. H33 0054 0023, to the Trotwood Community Improvement Corporation and declaring the property surplus.

This Motion was Approved and a Public Hearing will be held on Monday, December 7, 2020 at 6:30 p.m.

[20-25](#)

A Motion by the Trotwood City Council to schedule a Public Hearing and to authorize the Law Director to draft an Ordinance to approve the current replacement pages to the Codes of Ordinances for the City of Trotwood.

This Motion was Approved and a Public Hearing will be held on Monday, December 7, 2020 at 6:30 p.m.

[20-26](#)

A Motion by the Trotwood City Council to schedule a Public Hearing and to authorize the Law Director to prepare legislation to repeal and replace Section 313.11, entitled "Civil Penalties for Automated Red Light System Violations," of the City of Trotwood Codes of Ordinances.

This Motion was Approved and a Public Hearing will be held on Monday, December 7, 2020 at 6:30 p.m.

[20-27](#)

A Motion by the Trotwood City Council to schedule a Public Hearing and to authorize the Law Director to prepare legislation to repeal and replace

Section 333.09, entitled "Civil Penalties for Automated Traffic System Violations," of the City of Trotwood Codes of Ordinances.

This Motion was Approved and a Public Hearing will be held on Monday, December 7, 2020 at 6:30 p.m.

IX. Motion to Open the Public Hearings

Mayor McDonald requested a Motion on this item. A Motion was made by Councilmember Finley, seconded by Vice Mayor Brown, to Open the Public Hearing. The Motion carried by the following vote:

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

X. Public Hearings/Ordinances

[OR19-20](#)

AN ORDINANCE BY THE TROTWOOD CITY COUNCIL ACCEPTING THE RECOMMENDATION FROM THE TROTWOOD PLANNING COMMISSION TO APPROVE A PRELIMINARY PLANNED UNIT DEVELOPMENT (PUD) PLAN APPLICATION ON APPROXIMATELY 40 ACRES OF LAND OVER THREE PARCELS, PARCEL NOS. H33 02111 0091, PART OF H33 02111 0092, AND H33 02111 0093, FOR THE FIRST PHASE OF A RECREATION/SPORTS COMPLEX WITH VARIOUS SUPPLEMENTARY FUNCTIONS.

Attachments: [OR19-20](#)
[OR19-20 Attachments](#)
[OR19-20 Staff Report](#)
[OR19-20PN](#)

Planning and Development Director Jung-Han Chen explained this land is currently owned by the United Theological Seminary. The applicant, Mr. Chris Wright, is hoping to develop this land to create a sports complex. The approval is a two-step process and this is step one; approval of the conceptual plan prior to any significant investment. This is the first phase of the development, with future possibilities to include sports medicine, youth sports, and after-school care. The Planning Commission recommends approval of this preliminary PUD Application.

Mr. Wright addressed the Trotwood City Council expressing his gratitude for the opportunity. The proposed facility would be for all kids; not just for sports, but also for education. He explained that his experiences have encouraged him to give back to the community and goes well beyond any amount of money that can be made playing a sport. This is about the Trotwood community and being a catalyst for change.

Councilmember Kelley commended Mr. Wright on his foresight and interest in moving forward on this project, which is a benefit for kids in the Trotwood community.

Councilmember Vaughn thanked Mr. Wright and is moved by the fact that he chose the Trotwood community and its children to be the beneficiary of this project.

Mayor McDonald requested a Motion on this item. A Motion was made by Councilmember Kelley, Jr., seconded by Councilmember Page, to Adopt this Ordinance. The Motion carried by the following vote:

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

[OR20-20](#)

AN ORDINANCE BY THE TROTWOOD CITY COUNCIL ACCEPTING THE RECOMMENDATION FROM THE TROTWOOD PLANNING COMMISSION TO AMEND THE OFFICIAL TROTWOOD ZONING MAP FOR THE PROPERTIES THAT ARE CURRENTLY ZONED "L-I INDUSTRIAL" DISTRICT TO "L-I-1 LIGHT INDUSTRIAL 1" DISTRICT.

Attachments: [OR20-20](#)
[OR20-20 Attachments](#)
[OR20-20 Staff Report](#)
[OR20-20PN](#)

Planning and Development Director Jung-Han Chen explained this Ordinance is in regards to the major corridor on the south side of Wolf Creek Pike, from Olive Road, almost to Gettysburg Avenue, currently zoned L-I. Because Council previously approved creating two classifications, L-I-1 and L-I-2, the Official Zoning Map must be changed to be consistent with the new classifications.

Mr. Chen pointed out that there are several small tracts of land within this area that are residential and those residents may ask for a zoning change in the future. However, they are unable to take the time to do a detailed parcel analysis on each tract and therefore, the Planning Commission recommends adopting the change for the overall area.

Mayor McDonald requested definitions on each classification and asked what zoning changes might residents request. Mr. Chen explained that there are a lot of industrial uses on Wolf Creek Pike; however, when crossing over State Route 49, there are several residential uses, in addition to the businesses. Mr. Chen is uncertain what requests residents might make, but most likely a zoning change to residential since the area is currently zoned industrial. Mayor McDonald asked if it would be difficult for residents to change the zoning individually and Mr. Chen stated if a zoning change is requested he does not recommend making changes to individual parcels, but rather the residents should come together and request a zoning change for the area.

City Manager Pope believes this is progressive as it will control industrial uses in certain areas and make things more compatible as the city tries to clean-up the corridors and move toward the community's comprehensive strategic plan.

Mayor McDonald questioned if this change will present challenges in regards to insurance, loans, or other areas and Mr. Chen advised this is nothing different than what has been. Councilmember Vaughn questioned if a resident

sells their home or if it is unoccupied for a period of time, does the classification change because they are not residing in the home. Mr. Chen clarified that if a resident is actively selling their home they will still have rights to the non-conforming use classification. Only if the resident voluntarily walks away and does nothing to the property for 12 months would they lose that right.

Councilmember Page clarified that this is something that has to be done because the change from one to two industrial districts has already been approved.

Mayor McDonald requested a Motion on this item. A Motion was made by Councilmember Page, seconded by Councilmember Kelley, Jr., to Adopt this Ordinance. The Motion carried by the following vote:

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

[OR21-20](#)

AN ORDINANCE BY THE TROTWOOD CITY COUNCIL PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$5,950,000, FOR THE PURPOSE OF PAYING THE COSTS OF REFUNDING BONDS PREVIOUSLY ISSUED BY THE CITY TO PAY COSTS OF ACQUIRING REAL ESTATE, INCLUDING ALL NECESSARY APPURTENANCES THERETO, AND IMPROVING OLIVE ROAD, WOLF CREEK PIKE, PROSPERITY DRIVE AND MODERN WAY BY REPAVING, ADDING LANES, CURBING AND INSTALLING SIGNALIZATION, CONSTRUCTING WATER AND STORM WATER LINES AND ACQUIRING REAL PROPERTY, TOGETHER WITH ALL NECESSARY APPURTENANCES.

Attachments: [OR21-20](#)
 [OR21-20 Attachment - Escrow Statement](#)
 [OR21-20 Attachment - Supplemental Engagement Letter](#)
 [OR21-20PN](#)

City Manager Pope advised that the City is looking to refinance some of its debt, which will result in a savings of almost \$1 million. The hope is to complete the refinance process prior to the first of the year in order to take advantage of the low interest rates and save the community some money.

Finance Director Peebles explained this is in regards to the bonds issued in 2010. Currently, the City is paying an interest rate of 4.65% and he believes refinancing at this time would secure a rate close to 2.1%, saving approximately \$1 million over 15 years. Mr. Peebles further explained that 77% of the savings realized is on the Salem Mall TIF properties, which will relieve the general fund by approximately \$61,000 a year since those funds will not have to be budgeted from the general fund beginning in 2021. He stated the general fund will still have to support approximately \$290,000 annually to pay the Salem Mall TIF. Other savings will be on the Industrial Park TIF.

Mayor McDonald requested a Motion on this item. A Motion was made by Vice

Mayor Brown, seconded by Councilmember Kelley, Jr., to Adopt this Ordinance. The Motion carried by the following vote:

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

XI. Motion to Close the Public Hearings

Mayor McDonald requested a Motion on this item. A Motion was made by Councilmember Gales, seconded by Vice Mayor Brown, to Close the Public Hearing. The Motion carried by the following vote:

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

XII. Resolutions

XIII. Old and New Business

Motion to Approve Written Decision

[20-21](#)

A DECISION BY THE TROTWOOD CITY COUNCIL REVERSING THE DECISION OF THE TROTWOOD BOARD OF ZONING APPEALS IN CASE 20-07 BY A VOTE OF FIVE (5) AYES TO TWO (2) NAYS AT A SPECIAL MEETING HELD ON WEDNESDAY, OCTOBER 14, 2020, AT THE TROTWOOD COMMUNITY AND CULTURAL ARTS CENTER.

Attachments: [Decision](#)

[PN20-21 Proof of Publication](#)

Mayor McDonald requested a Motion on this item. A Motion was made by Councilmember Page, seconded by Vice Mayor Brown, to Approve the Decision as memorialized. The Motion carried by the following vote:

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

Abstain: 1 - Councilmember Finley

Motion to Approve Six-Month Performance Evaluation and Compensation Increase for Clerk of Council

Mayor McDonald requested a Motion on this item. A Motion was made by Councilmember Kelley, Jr., seconded by Councilmember Gales, to Approve the Six-Month Performance Evaluation and Compensation Increase for the Clerk of Council. The Motion carried by the following vote:

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

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

Mayor McDonald congratulated City Manager Pope on being designated as a Credentialed Manager by the International City/County Management Association.

- b. **City Manager:** Please visit the City of Trotwood's website at www.trotwood.org for updated information and events.

- c. **Clerk of Council:** Announcements

Homefull's Mobile Grocery will be open for business every Friday from 3:00 - 5:00 p.m. at the Trotwood Church of the Brethren, located at 208 East Main Street.

The Public Works Department has started their Leaf Pick-Up Program. There will be two rounds of pick-ups that run through December 4th.

The Trotwood Police Department is accepting submissions for their annual essay/poem contest from now until November 20th.

Details on these events are on the City's website, trotwood.org.

Councilmember Vaughn read details of the "Light Up Trotwood Outdoor Holiday Light Contest."

- d. **Staff Reports**

City Manager Pope advised there were no Staff Reports.

XIV. Motion to Adjourn

Mayor McDonald requested a Motion on this item. A Motion was made by Councilmember Kelley, Jr., seconded by Councilmember Finley. Councilmembers were All In Favor to Adjourn the meeting at 7:05 p.m.