

City of Trotwood

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



Meeting Minutes

Monday, April 5, 2021

6:30 PM

Executive Session 5:30 P.M.

**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 Council Meeting. Comments may be submitted to the Clerk of Council no later than 4:00 p.m. on Monday, April 5, 2021.

I. Call to Order: Mayor Mary A. McDonald

Mayor McDonald called the meeting to Order at 5:30 p.m.

II. Invocation: Elder Belinda Mitchell

Elder Mitchell gave the Invocation.

III. Pledge of Allegiance

Mayor McDonald lead 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 Bettie 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, Finance Director Chris Peebles, Planning and Development Director Debbie McDonnell, TCIC Executive Director Chad Downing, Fire Chief Rick Haacke, Police Chief Erik Wilson, Deputy Chief Mark Ecton, and Income Tax Supervisor Sue Bowman.

Guests Present: Katie Valentine, Chris Wright, Sigal Olpiner, Bob Riggs, Christopher Nalls, and Jared Lee Thrush.

V. Motion to Approve the Agenda

Mayor McDonald requested a Motion on this Item. Vice Mayor Brown made a Motion, seconded by Council Member 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

Mayor McDonald requested a Motion on this item. Council Member Gales made a Motion, seconded by Vice Mayor Brown, to enter into Executive Session. The Motion carried by the following vote:

[SR21-14](#)

The Trotwood City Council will move into Executive Session pursuant to Section 121.22(G)(3) of the Ohio Revised Code, for the purpose of discussing pending or imminent litigation.

VII. Motion to Adjourn the Executive Session

Mayor McDonald requested a Motion on this item. Vice Mayor Brown made a Motion, seconded by Council Member Gales, 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. Special Presentations and Recognitions[PR06-21](#)

PRESENTATION: 2020 Annual Report, Trotwood Fire and Rescue Department

Attachments: [PR06-21 2020 Annual Report](#)

Chief Richard Haacke reviewed the 2020 Annual Report of the Trotwood Fire and Rescue Department.

Council Member Vaughn asked about the eight firefighters injured during 2020 and questioned what percentage that is in relation to the number of active fires. Chief Haacke explained that the Department had two less fires and the number of injuries went down by seven; all injured firefighters returned to active duty. The Department had no injury retirements in 2020.

Council Member Vaughn also mentioned the number of medic removals and asked if Chief Haacke felt that is because Trotwood is an aging community. Chief Haacke agreed, stating that this community has three of the largest nursing homes in the State of Ohio and the average age of a transport patient is 60 and above.

XI. Motion to Approve the Consent Agenda

Mayor McDonald requested a Motion on this item. Vice Mayor Brown made a Motion, seconded by Council Member Kelley to Approve the Consent 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

[SR21-13](#)

Approval of the Regular City Council Meeting Minutes from March 1, 2021.

Attachments: [2021-03-01 DRAFT Meeting Minutes](#)

This Staff Report was filed.

[R21-12](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL APPOINTING VICTORIA NALLS TO THE BOARD OF ZONING APPEALS FOR THE CITY OF TROTWOOD, STATE OF OHIO, FOR THE REMAINDER OF THE UNEXPIRED TERM OF FORMER BOARD OF ZONING APPEALS MEMBER ERIC WALKER-MABRY.

Attachments: [R21-12](#)

[R21-12 Oath for Victoria Nalls](#)

This Resolution was Approved.

[R21-13](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL APPOINTING TOMMY MCGUFFEY, JR. TO THE PLANNING COMMISSION FOR THE CITY OF TROTWOOD, STATE OF OHIO, FOR THE REMAINDER OF THE UNEXPIRED TERM OF FORMER PLANNING COMMISSION MEMBER HUGO DIGGS.

Attachments: [R21-13](#)

[R21-13 Oath for Tommy McGuffey, Jr.](#)

This Resolution was Approved.

[R21-14](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL APPOINTING THREE (3) RESIDENTS OF THE CITY OF TROTWOOD TO THE CITY'S PUBLIC SAFETY COMMITTEE FOR A THREE (3) YEAR TERM BEGINNING APRIL 5, 2021.

Attachments: [R21-14](#)

[R21-14 Oath for Alice Hogan](#)

[R21-14 Oath for Frank Jackson](#)

[R21-14 Oath for Maurice Rodgers](#)

This Resolution was Approved.

[R21-15](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL CONFIRMING THE PRIOR APPOINTMENT OF LATEAH JOHNSON-MORTON TO THE PARKS AND RECREATION BOARD FOR THE CITY OF TROTWOOD, STATE OF OHIO, FOR A FIVE (5) YEAR TERM, WHICH TERM BEGAN SEPTEMBER 3, 2019.

Attachments: [R21-15](#)

[R21-15 Oath for Lateah Johnson-Morton](#)

This Resolution was Approved.

[R21-16](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL OPPOSING HOUSE BILL (HB) 157 AMENDING THE LAW REGARDING WITHHOLDING MUNICIPAL EARNED INCOME TAX FOR THOSE WORKING VIRTUALLY AND/OR AT HOME.

Attachments: [R21-16](#)

This Resolution was Approved.

[21-07](#)

A Motion by the Trotwood City Council to schedule a Public Hearing and to authorize the Law Director to draft legislation accepting the recommendation from the Trotwood Planning Commission to amend the classification of approximately 41.57 acres of vacant land located at the corner of Wolf Creek Pike and Olive Road, Parcel Nos. H33 00417 0002 (31.9 acres) and H33 00417 0066 (9.16 acres), from Business Park (BP) to Light Industrial-2 (LI-2) to expand industrial options at the sites.

This Motion was Approved and a Public Hearing will be scheduled.

[21-08](#)

A Motion by the Trotwood City Council to Schedule a Public Hearing and to authorize the Law Director to draft legislation accepting the recommendation from the Trotwood Planning Commission to amend the classification of approximately 32.985 acres of vacant land located at the corner of Wolf Creek Pike and Olive Road at Prosperity Drive, Parcel Nos. H33 00416 0009 (14.8 acres), H33 00416 0031 (11.595 acres), and H33 00416 0032 (6.59 acres) from Light Industrial 1 (LI-1) to Light Industrial-2 (LI-2) and Parcel No. H33 00417 0008 (5.31 acres) from Business Park (BP) to Light Industrial-2 (LI-2) to expand industrial options on these sites.

This Motion was Approved and a Public Hearing will be scheduled.

**X. Motion to Open Public Hearings
Public Hearings/Ordinances**

Mayor McDonald requested a Motion on this item. Council Member Gales made a Motion, seconded by Vice Mayor Brown, to Open the Public Hearings. 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

[OR11-21](#)

AN ORDINANCE BY THE TROTWOOD CITY COUNCIL TRANSFERRING OWNERSHIP OF THE CITY-OWNED PROPERTY LOCATED ON LAKE CENTER DRIVE, PARCEL NO. H33 00609 0036, TO THE TROTWOOD COMMUNITY IMPROVEMENT CORPORATION AND DECLARING THE PROPERTY SURPLUS.

Attachments: [OR11-21](#)
 [OR11-21 Map](#)

Deputy City Manager Kellum introduced TCIC Executive Director Chad Downing. Director Downing explained that Council has previously transferred other parcels for this same project and this is just another parcel to prepare for the holistic project. As of now, these homes will be single family and single family attached homes to maximize the site.

Mayor McDonald requested a Motion on this item. A Motion was made by Council Member Kelley, seconded by Vice Mayor Brown, to Adopt this Ordinance. 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

[OR12-21](#)

AN ORDINANCE BY THE TROTWOOD CITY COUNCIL ACCEPTING THE RECOMMENDATION FROM THE TROTWOOD PLANNING COMMISSION TO APPROVE A FINAL PLANNED UNIT DEVELOPMENT (PHASE 1) ON APPROXIMATELY 32 ACRES OF LAND, PARCEL NOS. H33 02111 0093 AND PART OF PARCEL NO. H33 02111 0092, BETWEEN DENLINGER ROAD AND THE STATE ROUTE 49 CONNECTOR, TO BUILD A RECREATION/SPORTS COMPLEX WITH VARIOUS SUPPLEMENTARY FUNCTIONS.

Attachments: [OR12-21](#)
 [OR12-21 Staff Report](#)
 [OR12-21 PC Packet](#)

Deputy City Manager Kellum introduced Planning and Development Director Debbie McDonnell. Director McDonnell shared that the Planning Commission voted unanimously to approve this project and the Final PUD. Mr. Chris Wright, the Applicant/Owner, and his team were available for any questions. Council Member Kelley shared that he is moved and inspired by this project because it is being initiated by a young man who grew up in this area and is now doing things for his Community.

Mayor McDonald requested a Motion on this item. Vice Mayor Brown made a Motion, seconded by Council Member Gales, 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

[OR13-21](#)

AN ORDINANCE BY THE TROTWOOD CITY COUNCIL REPEALING OLD SECTION 905.03 "NOTICE TO CUT" AND ENACTING NEW SECTION 905.03 "NOTICE TO CUT" TO UPDATE THE MONTH OF PUBLICATION OF NOTICE FROM MAY TO MARCH, AND DECLARING AN EMERGENCY.

Attachments: [OR13-21](#)
 [OR13-21 Exhibit A](#)

Deputy City Manager Kellum explained that the current language in the Codes of Ordinances provides for notification of mowing by May 15. However, mowing season has already begun by that time; therefore, staff would like to change the notification date to March 15, a date prior to the start of mowing season.

Mayor McDonald requested a Motion on this item. Council Member Gales made a Motion, seconded by Council Member Vaughn, to Adopt this Ordinance as an Emergency. 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

[OR14-21](#)

AN ORDINANCE BY THE TROTWOOD CITY COUNCIL AMENDING ORDINANCE NO. OR27-20, THE ANNUAL APPROPRIATIONS FOR EXPENSES AND EXPENDITURES OF THE CITY OF TROTWOOD, STATE OF OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2021 THROUGH DECEMBER 31, 2021, AND DECLARING AN EMERGENCY.

Attachments: [OR14-21](#)
 [OR14-21 Exhibit A](#)

Deputy City Manager Kellum shared that this is an initiative with the Community Improvement Corporation as there are some urgent needs with facilities they own that create blight issues in high profile areas within the City. Therefore, appropriations need to be made to address the issues.

Mayor McDonald requested a Motion on this item. Council Member Gales made a Motion, seconded by Vice Mayor Brown, to Adopt this Ordinance as an Emergency. 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

XI. Motion to Close Public Hearings

Mayor McDonald requested a Motion on this item. Vice Mayor Brown made a Motion, seconded by Council Member Gales, to Close the Public Hearings. 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

[R21-17](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL OBJECTING TO THE ISSUANCE OF A LIQUOR PERMIT (PERMIT ADDRESS: 4591 SALEM AVENUE, TROTWOOD, OHIO 45416; PERMIT NO. 4272645) BY THE OHIO DIVISION OF LIQUOR CONTROL TO JEFFERY BERNARD HINESMAN DBA "EL JEFFES," AND DESIGNATING AND AUTHORIZING OFFICIALS OR EMPLOYEES OF THE CITY OF TROTWOOD TO ACT IN FURTHERANCE OF SUCH OBJECTIONS.

Attachments: [R21-17](#)
[R21-17 Liquor Permit Request](#)
[R21-17 Extension Request](#)
[R21-17 Extension Granted](#)

Deputy City Manager Kellum introduced Police Chief Erik Wilson. Chief Wilson stated that the Department recommends Council deny this request for a permit and to request a hearing. There are currently five liquor establishments within a half mile radius of this proposed location; this would be in the parking lot behind the Arena Bar. The Chief believes an additional establishment will cause undue hardship to the Community and over saturation.

Mayor McDonald requested a Motion on this item. Council Member Vaughn made a Motion, seconded by Council Member Kelley, to Approve this Resolution. 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

[R21-18](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL AUTHORIZING THE CITY MANAGER TO APPROVE A TRANSFER OF FUNDS TO THE TROTWOOD COMMUNITY IMPROVEMENT CORPORATION TO SUPPORT ECONOMIC DEVELOPMENT ACTIVITIES.

Attachments: [R21-18](#)

Deputy City Manager Kellum explained this would be the final stage of executing OR14-21, allowing the City to follow through on the blight issues previously discussed. Council Member Page stated that the City loaned the Community Improvement Corporation funds in the past and questioned why this is a transfer and not a loan that includes interest. Deputy City Manager Kellum explained that the previous loan was to acquire the Sears building; it was specific for the purchase of said real estate. Previous transactions were seed monies that were not interest bearing loans.

Mayor McDonald requested a Motion on this item. A Motion was made by Council Member Vaughn, seconded by Council Member Gales, to Approve this Resolution. 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

XIII. Old and New Business

a. Staff Reports

[SR21-12](#)

New Liquor Permit Request from Main Street Food Market LLC, 758 East Main Street, Trotwood, Ohio 45426

Attachments: [SR21-12](#)

Deputy City Manager Kellum introduced Police Chief Erik Wilson. Chief Wilson explained the applicant is wanting to open a small grocery store and advised there are no significant issues concerning this request at this time; therefore, the Police Department recommends City Council approve the request without comment.

Mayor McDonald requested a Motion on this item. A Motion was made by Council Member Gales, seconded by Vice Mayor Brown, to Approve the Request without comment. 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

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

Deputy City Manager Kellum reminded everyone to remember the CDC and Governor's guidelines as things are beginning to reopen. Deputy City Manager Kellum encouraged all citizens to receive the vaccination.

- c. **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 mentioned an upcoming cleanup project. The project will be ongoing throughout the spring and summer months in order to aggressively address the litter and trash issue.

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

The Clerk made several announcements:

The City of Trotwood is following the lead of the Internal Revenue Service and the State of Ohio by extending the deadline for tax year 2020. The new deadline to file and pay your 2020 City of Trotwood income tax is May 17th. Please contact the City's tax department if you have any questions.

The Trotwood Parks and Recreation Department is holding a Painting Event on Saturday, April 24th at 2:00 p.m. at the Community Center. You can participate virtually or in-person; however, space is limited for the in-person option.

The City will be honoring mothers in the Trotwood Community in a Mother's Day video. A picture of your mother with a brief statement about your appreciation for her must be submitted to Ms. Ciara Lewis by April 30th.

Events by Tae Winston will be having a Fashion Meets Food Truck Rally in the parking lot of the former Salem Mall on Sunday, May 16th from 2-7 p.m. Vendor applications can be picked up at The Entrepreneurs Shoppe located at 1109 West Third Street on Thursday thru Sunday of every week.

Homeful Mobile Grocery continues to serve the Trotwood Community every Friday. They are at the Trotwood Church of the Brethren located at 208 East Main Street from 1-4 p.m. on the first and third Friday of each month and at the Miami Valley Child Development Center at 2900 Shiloh Springs Road from 1-4 p.m. on the second and fourth Friday of each month.

Citizens were instructed to check the City's website and Facebook page, or to contact Ms. Ciara Lewis, the City's Parks and Recreation Program Manager, for further details on these events and others.

XIV. Motion to Adjourn

Mayor McDonald requested a Motion on this item. Council Member Gales made a Motion, seconded by Vice Mayor Brown, to Adjourn the meeting. Council Members were all In Favor and the meeting was Adjourned at 7:05 p.m.