

# City of Trotwood

3035 Olive Road  
Trotwood, Ohio 45426  
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[www.trotwood.org](http://www.trotwood.org)



## Meeting Minutes - Final

**Tuesday, September 7, 2021**

**6:30 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*

**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**

Elder 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:** 6 - Mayor Mary A. McDonald, Councilmember Charles Ron Vaughn, Councilmember Robert L. Kelley Jr., Councilmember Yvette Page, Councilmember Bettye L. Gales and Vice Mayor Tyna R. Brown

**Excused:** 1 - Councilmember Rhonda C. Finley

**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, Police Chief Erik Wilson, Deputy Police Chief Mark Ecton, Public Works Supervisor Johnny McCluskey, Income Tax Supervisor Sue Bowman, and Assistant to the City Manager Cheryl Wheeler.

**Visitors:** Katheryn Walker, Janet Foote, Bob Elam, and John Fecke.

**V. Motion to Approve the Agenda**

Mayor McDonald requested a Motion on this item. Council Member Gales made a Motion, seconded by Vice Mayor Brown, to approve the Agenda. The Motion CARRIED by the following vote:

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

**Excused:** 1 - Councilmember Finley

**VI. VISITOR'S COMMENTS: To comment on a topic NOT on the Meeting Agenda, please step to the microphone when called upon, state your name and address, and proceed with your comments. You will have three (3) minutes to speak.**

Mr. Bobby Elam of 4276 Brumbaugh Boulevard spoke about the destruction his home has incurred due to heavy rainfall. He shared that he and his wife have invested approximately \$25,000 into their home due to water damage. Mr. Elam asked what is going to be done about the high water problem. He stated that he heard the City engineers are looking at how to reroute the water and if so, what progress has been made because the problem cannot continue.

Mayor McDonald confirmed she and others have viewed the area Mr. Elam is speaking about and that City Manager Pope is working with the City engineer. City Manager Pope explained that the damage has been caused by flash flooding, which is considered an act of God. He stated that the City has done their due diligence to mitigate this issue by working with the engineers. However similar to the 2019 tornado, there is nothing the City, or anyone, can do when the system become inundated with rain due to flash flooding. City Manager Pope assured Mr. Elam that he is doing everything he can to provide assistance and he is compassionate to his situation, but he is not sure there is any more that can be done. City Manager Pope requested to speak with Mr. Elam after the meeting to discuss the matter further.

**VII. Motion to Approve the Consent Agenda**

Mayor McDonald requested a Motion on this item. Vice Mayor Brown made a Motion, seconded by Council Member Page, to approve the Consent Agenda. The Motion CARRIED by the following vote:

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

**Excused:** 1 - Councilmember Finley

[SR21-24](#)

Approval of the Regular City Council Meeting Minutes from July 6, 2021.

**Attachments:** [2021-07-06 DRAFT Meeting Minutes](#)

This Staff Report was filed.

[SR21-25](#)

Approval of the Special City Council Meeting Minutes from August 10, 2021.

**Attachments:** [2021-08-10 DRAFT Meeting Minutes](#)

This Staff Report was filed.

[R21-37](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL APPOINTING VICTORIA ADANNA UNEGBU TO THE PARKS AND RECREATION BOARD FOR THE CITY OF TROTWOOD, OHIO.

**Attachments:** [R21-37](#)

**This Resolution was approved.**

[R21-39](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL TO CERTIFY DELINQUENT CHARGES FOR THE CITY'S CUTTING, REMOVAL OR DESTRUCTION OF NOXIOUS WEEDS, VEGETATION AND/OR GRASS TO THE AUDITOR OF MONTGOMERY COUNTY, OHIO, FOR PLACEMENT ON THE TAX DUPLICATE.

**Attachments:** [R21-39](#)  
[R21-39 Exhibit A](#)

**This Resolution was approved.**

[R21-40](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL TO CERTIFY DELINQUENT CHARGES FOR WATER, SEWER, TRASH AND/OR STORM DRAINAGE TO THE AUDITOR OF MONTGOMERY COUNTY, OHIO, FOR PLACEMENT ON THE TAX DUPLICATE.

**Attachments:** [R21-40](#)  
[R21-40 Exhibit A](#)

**This Resolution was approved.**

[R21-41](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL APPOINTING ANGELA COE TO THE BOARD OF ZONING APPEALS FOR THE CITY OF TROTWOOD, OHIO, FOR THE REMAINDER OF THE UNEXPIRED TERM OF FORMER BOARD OF ZONING APPEALS MEMBER LOWELL RIEGEL.

**Attachments:** [R21-41](#)

**This Resolution was approved.**

[R21-42](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL AUTHORIZING THE MONTGOMERY COUNTY AUDITOR TO REMOVE ASSESSMENTS ERRONEOUSLY LEVIED AGAINST PROPERTIES FOR THE CITY'S CUTTING, REMOVAL OR DESTRUCTION OF NOXIOUS WEEDS, VEGETATION AND/OR GRASS FROM THE TAX DUPLICATE.

**Attachments:** [R21-42](#)  
[R21-42 Exhibit A](#)

**This Resolution was approved.**

[R21-43](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL AUTHORIZING THE CITY MANAGER TO ACCEPT COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE TROTWOOD CATCH BASINS PROJECT AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR DELEGATION OF ACTIVITIES WITH THE BOARD OF COUNTY COMMISSIONERS OF MONTGOMERY COUNTY, OHIO.

**Attachments:**     [R21-43](#)  
                              [R21-43 Exhibit A](#)

**This Resolution was approved.**

[21-24](#)

A Motion by the Trotwood City Council to schedule a Public Hearing and to authorize the Law Director to prepare legislation authorizing the City Manager to transfer ownership of the city-owned property known as 30 Greacian Avenue, Parcel No. H33 00209 0018, to the Trotwood Community Improvement Corporation and declaring the property surplus.

**This Motion was approved and a Public Hearing will be scheduled.**

[21-25](#)

A Motion by the Trotwood City Council to schedule a Public Hearing and to authorize the Law Director to prepare legislation authorizing the City Manager to transfer ownership of the city-owned property known as 100 Worley Avenue West, Parcel No. H33 00306 0091, to the Trotwood Community Improvement Corporation and declaring the property surplus.

**This Motion was approved and a Public Hearing will be scheduled.**

[21-26](#)

A Motion by the Trotwood City Council to schedule a Public Hearing and to authorize the Law Director to prepare legislation approving the current replacement pages to the City of Trotwood Codes of Ordinances.

**This Motion was approved and a Public Hearing will be scheduled.**

## **VIII. Resolutions**

[R21-24](#)

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

**Attachments:**     [R21-24](#)  
                              [R21-24 Exhibit A](#)

Deputy City Manager Kellum explained that staff reviewed the fee schedules of several other cities and also worked with various vendors so that their recommendations would align the City's fees with other jurisdictions. She shared that some of the recommendations are related to inflationary costs.

Ms. Cheryl Wheeler, Assistant to the City Manager, commented that other jurisdictions have lowered their shelter rental rates; therefore, their recommendation is to lower the City's shelter rental rates. In addition, It was discovered that the current fees to rent the Community Center do not include compensating City workers to clean up after events, nor does it include paying them to open and/or close the Community Center; therefore, the slight fee increase recommended for the Community Center is to cover these expenses.

Mayor McDonald asked what is involved in the tap-in fees for new developments. Public Works Supervisor McCluskey explained that this is a standard fee that connects service to the City's water line and to cover maintenance costs. The current fee has been stationary whereas other jurisdictions increase their fees annually. Mayor McDonald mentioned previous discussions about staying aligned with fees so that large increases/decreases are not an issue.

Mayor McDonald requested a Motion on this item. Council Member Gales made a Motion, seconded by Council Member Kelley, Jr., to approve this Resolution. The Motion **CARRIED** by the following vote:

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

**Excused:**   1 -    Councilmember Finley

[R21-32](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL TO CERTIFY DELINQUENT CHARGES FOR THE CITY'S REMOVAL OF LITTER, GARBAGE, RUBBISH, JUNK, DILAPIDATED EQUIPMENT, FURNITURE, AND OTHER UNSIGHTLY AND UNSANITARY MATERIALS FROM PROPERTY SITUATED IN THE CITY OF TROTWOOD, OHIO, TO THE AUDITOR OF MONTGOMERY COUNTY, OHIO, FOR PLACEMENT ON THE TAX DUPLICATE.

**Attachments:**    [R21-32](#)  
                              [R21-32 Exhibit A](#)  
                              [R21-32 Exhibit A1](#)  
                              [R21-32 Exhibit A2](#)

City Manager Pope explained that after following the proper legal procedures, the City was able to enter onto the property at 3838 Brumbaugh Boulevard for the purpose of clearing trash and debris and that the City is entitled to be reimbursed for the cost to perform said work.

Council Member Gales asked what happens if the owners do not pay the fees. City Manager Pope stated that a lien will be placed against the property so that it cannot be sold until the fees are paid. City Manager Pope added that Planning and Development Director McDonnell has advised him that the property is becoming a nuisance again with more trash and debris; therefore, he is looking into all options under the law to make sure the community remains safe.

Mayor McDonald requested a Motion on this item. Vice Mayor Brown made a Motion, seconded by Council Member Page, to approve this Resolution. The Motion CARRIED by the following vote:

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

**Excused:** 1 - Councilmember Finley

[R21-36](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL ACCEPTING THE BID OF L.J. DEWEESE CO., INC. FOR THE TROTWOOD CATCH BASINS PROJECT, WHICH RELATES TO THE REMOVAL AND REPLACEMENT OF IDENTIFIED CURBS AND CATCH BASINS WITHIN THE CITY OF TROTWOOD, OHIO, AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH SAID CONTRACTOR TO COMPLETE THE PROJECT FOR AN AMOUNT NOT TO EXCEED \$317,630.50, WHICH IS THE CONTRACT PRICE OF \$288,755.00, PLUS A CONTINGENCY AMOUNT EQUAL TO 10% OF THE TOTAL CONTRACT PRICE, OR \$28,875.50.

**Attachments:**     [R21-36](#)

City Manager Pope shared that this project will replace identified catch basins and curbs within the community. The total project will cost \$600,000, with \$300,000 to be paid with the Community Development Block Grant and \$300,000 to be paid from the City.

Mayor McDonald requested a Motion on this item. Council Member Page made a Motion, seconded by Vice Mayor Brown, to approve this Resolution. The Motion CARRIED by the following vote:

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

**Excused:** 1 - Councilmember Finley

[R21-38](#)

A RESOLUTION BY THE TROTWOOD CITY COUNCIL AUTHORIZING THE CITY MANAGER TO DECLARE CERTAIN OBSOLETE AND/OR SURPLUS FIRE AND EMS EQUIPMENT AS NO LONGER NEEDED FOR A PUBLIC PURPOSE AND AUTHORIZING SAID EQUIPMENT TO BE SOLD AT PUBLIC AUCTION AND/OR OTHERWISE DISPOSED OF.

**Attachments:**     [R21-38](#)  
                              [R21-38 Exhibit A](#)

City Manager Pope shared that the equipment listed within this legislation is obsolete and can no longer be used based on the recommendation of age of fire equipment. Further, this surplus equipment will sold at public auction or disposed of.

Mayor McDonald requested a Motion on this item. Vice Mayor Brown made a Motion, seconded by Council Member Page, to approve this Resolution. The Motion CARRIED by the following vote:

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

**Excused:** 1 - Councilmember Finley



**IX. Old and New Business**

- 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.**
- b. Staff Reports**

There were no Staff Reports.

**c. City Manager**

City Manager Pope addressed Council Member Vaughn regarding mowing assessments. City Manager Pope explained that sometimes properties are erroneously placed, for various reasons, on the annual list of properties certified to the Auditor for not paying fees charged to mow their property when it is out of compliance. He shared that there is due process for citizens who feel they were erroneously charged mowing fees and that the Auditor's Office requires legislation authorizing them to remove assessments when the City reviews and concurs with an error. This year, the City assessed approximately \$170,800 in mowing fees, which consists of 281 total properties and 529 mows.

Council Member Vaughn questioned if properties are mowed for the City by private contractors as well as by Public Works, and if private contractors are used, does the City still pay the contractor when an assessment is removed. Public Works Supervisor McCluskey explained that these individuals are secured through a temporary service and are paid as seasonal City employees. He then shared examples of how errors can occur, i.e. vacant lots with no addresses.

Council Member Vaughn questioned the fee charged to mow properties that are non-compliant. Public Works Supervisor McCluskey explained that the City's fee is one of the lowest around; however, the rate has to be an amount that is a deterrent, otherwise owners won't maintain their own property knowing it's cheaper for them to pay the City.

Mayor McDonald commented on the Courthouse ground breaking that took place in August and the success of the summer litter campaign.

Mayor McDonald asked City Manager Pope if there is something more the City can do about the flooding problem. City Manager Pope explained that he spoke with the City's engineer and asked if there is anymore that can be done to mitigate this problem. The City engineer stated that there is nothing more that can be done when these acts of God occur. City Manager Pope mentioned the possibility of getting a second opinion but knows the City is doing all that can be done.

Mayor McDonald asked what recourse citizens have knowing the issues they are dealing with and the money being spent to repair homes as a result of these rains; what can the City do and what can be done by the citizens. City Manager Pope reiterated that the City has done all they can do; they are educating citizens about equipment that can help, having them look over their insurance coverage, and talking with their insurance agent. City Manager Pope explained that the City also has insurance and he isn't just arbitrarily saying they can't do anything. The insurance companies have had their engineers evaluate the issue and they also say the City's system is working properly. City Manager Pope mentioned having both sets of engineers come together to explain their findings.

Council Member Vaughn asked if the residents in flood plains are experiencing an increase in their premium because of the flooding. City Manager Pope is unsure but commented that their claims are not only about water damage. He further commented that these incidents of excessive water are recognized by

weather forecasters, which is why they issue warnings, and that other communities experience similar issues when excessive rainfalls occur. The problem is that the rain comes down so fast that the system cannot take it all in at once.

Deputy City Manager Kellum pointed out that when residents experience a single flooding issue in ten years, it does not constitute a flood plain. Mayor McDonald asked for clarification on if Mr. Elam's property was in a flood plain. Deputy City Manager Kellum stated Mr. Elam's property is not in a flood plain, but the property adjacent to his is in a flood plain. Deputy City Manager Kellum stated that FEMA reviews flood plains every five years and the City met with FEMA in February 2021. She also wanted citizens to understand that insurance companies will not sell you flood insurance if you do not live in a flood plain; this was a question during the 2019 tornado.

Deputy City Manager Kellum shared that the City goes out when issues occur to see if there are fixes that would at least delay high water. In the area of Brumbaugh, a fix or solution has not been found so the City has implemented additional checks of the inlets and stepped-up their clean up efforts to be sure catch basins are free of debris. Deputy City Manager Kellum shared that this is an area where the City needs help from citizens and reminded them to not put grass clippings, leaves, trash, etc. in the catch basins because the debris contributes to the issue.

Council Member Gales commented that these details are very valuable and ones that the whole community needs to hear. She suggested an educational workshop be held for citizens in order to mitigate the issues. Mayor McDonald would like to see the catch basins and understand better what Public Works is dealing with; she simply wants to be sure the City has done everything possible to help citizens. Deputy City Manager Kellum offered to schedule a tour with Public Works Supervisor McCluskey in order for Council Members to look at the areas where high water occurs, explain the testing process, and see how the catch basins are cleaned out.

City Manager Pope ended the conversation by assuring Council Members and the Community that he will always provide realistic expectations and be truthful on matters.

**d. Clerk of Council: Announcements**

Clerk Landis shared the following:

Central State's Extension Program "Growing Communities", in partnership with the City of Trotwood, will host a Fall Festival on Saturday, October 9th from 1-4 p.m. at the Trotwood Community and Cultural Arts Center.

The Trotwood Community Farmers Market is held every Wednesday until September 29th from 3-7 p.m. at 721 East Main Street.

The City will be having a Drive-Thru Trick-or-Treat on Thursday, October 28th from 6-8 p.m. in the Industrial Park on Prosperity Drive. The Parks and Recreation Department is accepting candy donations, which may be dropped off on the second floor of the Government Center by Monday, October 25th.

The Montgomery County Soil and Water Conservation District is sponsoring a Fall Fest on Saturday, September 11th from 11 a.m. - 3 p.m. There will be pony rides, hayrides, and many other activities at no cost. Food will also be on site for purchase. Councilman Vaughn shared that the event will take place on Lutheran Church Road, between Wolf Creek Pike and Post Town Road.

On Saturday, September 11th (the 20 year anniversary of 9/11) the Dayton Memorial Ride will hold a meet and greet at the Payne Recreation Center located at 3800 Main Street starting at 9 a.m. Mayor McDonald added that the riders will go down Union Road this year between 12:30 - 1:00 p.m.

Citizens were instructed to check the City's website and Facebook page for more information, or to contact Ms. Ciara Lewis, the City's Parks and Recreation Program Manager.

**X. Motion to Adjourn**

Mayor McDonald requested a Motion on this item. Council Member Gales made a Motion, seconded by Council Member Page, and the meeting was Adjourned at 7:25 p.m.