

**TROTWOOD CITY COUNCIL  
MEETING MINUTES  
FEBRUARY 1, 2010**

CALL TO ORDER:

The Trotwood City Council met in their Regular Scheduled Meeting on Monday, February 1, 2010 at 7:15 p.m. in the Trotwood Community Center, 4000 Lake Center Drive, Trotwood, Ohio. Mayor Darreyl D. Davis asked everyone to join in the Pledge of Allegiance followed by a moment of silence.

ROLL CALL

COUNCIL MEMBERS PRESENT: Vice-Mayor Joyce Sutton Cameron, Council Member Bettye L. Gales, Council Member Rap Hankins, Council Member Mary A. McDonald, Council Member Barbara J. Staggs (Absent – illness in the family), Council Member Ronald Vaughn, and Mayor Darreyl D. Davis.

STAFF MEMBERS PRESENT: City Manager Michael J. Lucking, Law Director Steve McHugh, Public Works Director Thomas Odenigbo, Acting Finance Director Patricia Shively, Acting Fire & Rescue Chief Richard Wagner, Police Chief Quincy E. Pope, Sr., Captain John Porter, Planning & Zoning Administrator Carl Daugherty, Building Program Manager/Code Enforcement Scott Adams, Human Resources Manager Barbara Brooks, Police Captain Erik Wilson, Secretary to the City Manager/Deputy Clerk Sandra Riege and Clerk of Council Lois M. Singleton.

VISITORS:

Sergeant Joe McCrary, Theodore C. Fowler, William Krest, Marie Battle (Executive Director Trotwood Chamber), H. L. Crist (TPD), George Riber, Raymond Birdsong, George Tyler, Loren Gross, Joanne Koesters, Ronald Koesters, John T. Fecke, Ellsworth Szkudlarek, Nancy Marino, Janet Foote, James D. Williams, Oscar L. Holliday (former Council Member), Totsie Holliday, Tom Grady, Virginia Litchfield, Bruce Kettelle (former Council Member, Totally Trotwood), Toni Coleman (Dayton Daily News), and William Richardson.

MOTION TO ADJOURN INTO EXECUTIVE SESSION IN ACCORDANCE WITH THE TROTWOOD CITY CHARTER, SECTION 3.8 MEETINGS. EXCEPTIONS 1 (a) PERSONNEL RELATED ITEMS, AND 1 (c) PENDING OR IMMINENT LITIGATION: Mrs. McDonald moved to adjourn into Executive Session at 7:15 p.m. in accordance with the Trotwood City Charter, Section 3.8 Meetings. Exceptions 1(a) Personnel related items, and 1(c) pending or imminent litigation, and seconded by Vice-Mayor Cameron. Roll call resulted in 6 yes votes, and the Motion was approved unanimously.

MOTIN TO ADJOURN THE EXECUTIVE SESSION AND RETURN TO THE REGULAR AGENDA: Vice-Mayor Cameron moved to adjourn the Executive Session and return to the regular agenda at 7:30 p.m., and seconded by Mr. Hankins. Roll call resulted in 6 yes votes, and the Motion was approved unanimously.

PRESENTATIONS AND RECOGNITIONS:

PROCLAMATION – BLACK HISTORY MONTH – FEBRUARY 2010: Mayor Davis proclaimed Black History Month in Trotwood for February 2010, and requested the proclamation be placed on the website.

PROCLAMATION – MARRIAGE WEEK USA 2010 – FEBRUARY 8-14, 2010: Mayor Davis proclaimed Marriage Week USA 2010 in the City of Trotwood as requested by Marriage Works! Ohio which began in 2002 and is celebrated annually to recognize and encourage healthy marriages in our community. There are several great events planned for all couples (married or dating) to promote this event.

ACTIVATION OF THE TORNADO SIRENS – ACTING FIRE & EMS CHIEF RICHARD WAGNER: Six (6) sirens are ready to be hooked up, and one (1) siren has been moved because it is in the right-of-way. The siren locations are: 1333 N. Lutheran Church Road, 3031 Shiloh Springs Road, 4385 Salem Avenue, 4510 Seybold Road, 15 W. Trotwood Boulevard, 909 Miller Avenue, and 1035 N. Union Road moved to Old Dayton, and is not installed as yet. Dayton Power & Light will be hooking up the sirens as the weather improves. Public information will be sent out announcing the event when the City is ready to test the sirens. The sirens will be tested the first Monday of each month. City Manager Lucking thanked Acting Fire & EMS Chief Richard Wagner for his report.

MOTION TO APPROVE THE CONSENT AGENDA:

This agenda is reserved for routine items requiring a vote of Council. Rather than vote individually on these items, they have been placed on the consent agenda allowing the Council to approve all of the items through one motion. The items on the consent agenda are as follows:

1. Council Meeting Minutes – Regular scheduled Meeting – Tuesday, January 19, 2010.
2. RESOLUTION 10-06: A RESOLUTION APPOINTING A MEMBER TO THE BOARD OF ZONING APPEALS OF THE CITY OF TROTWOOD, OHIO FOR THE REMAINDER OF A FIVE YEAR TERM ENDING DECEMBER 31, 2010. (JAMES D. WILLIAMS, II).
3. MOTION OF THE TROTWOOD CITY COUNCIL TO REQUEST BOND COUNSEL TO PREPARE LEGISLATION PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN AN AGGREGATE PRINCIPAL AMOUNT OF \$1,905,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF CONSTRUCTING PUBLIC IMPROVEMENTS RELATED TO THE REDEVELOPMENT OF THE NEW TOWN CENTER AREA, TOGETHER WITH ALL NECESSARY APPURTENANCES, AND TO SCHEDULE A PUBLIC HEARING.

Mayor Davis requested a Motion to approve the Consent Agenda. Mrs. Gales moved to approve the Consent Agenda, and it was seconded by Vice-Mayor Cameron. Roll Call resulted in 6 yes votes, and the Motion was approved unanimously.

Mayor Davis introduced Mr. Williams who was appointed to the BZA, and is in the audience tonight.

RESOLUTIONS:

RESOLUTION 10-07: A RESOLUTION APPROVING THE SUBMISSION TO MIAMI VALLEY REGIONAL PLANNING COMMISSION OF AN APPLICATION FOR FEDERAL JOBS FOR MAIN STREET ACT OF 2010 FUNDS: The Clerk read the caption. City Manager Michael J. Lucking explained this action approves the formal submission to the Miami Valley Regional Planning Commission (MVRPC), various applications for consideration of funding for the Part II Stimulus dollars. Public Works Director Thomas Odenigbo doesn't expect all of his requests to be funded. The Ohio Department of Transportation will estimate the projects, and as a rule estimates high responded Law Director Stephen McHugh. The projects are as follows in their order of priority: 1). Shiloh Springs Road to Olive Road, approximately 11,000 linear feet; 2) Denlinger Road from Westbrook to southern terminus, which is approximately 14,400 linear feet; 3). Olive Road Resurfacing Phase II from Little Richmond Road to West Third Street, which is approximately 10,600 linear feet; 4). Salem Avenue Phase I, from Covenant House Drive to Denlinger Road, which is 1,200 linear feet in length; and 5). Salem Avenue Phase II from Maria Joseph Living Care Center to Turner Road, which is approximately 1,500 linear feet.

Vice-Mayor Cameron moved to approve Resolution 10-07, and seconded by Mrs. Gales. Roll call resulted in 6 yes votes, and Resolution 10-07 was approved unanimously.

RESOLUTION 10-08: A RESOLUTION BY THE TROTWOOD CITY COUNCIL AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE MOT OLIVE ROAD REPAIR PROJECT (PID NO. 86184): The Clerk read the caption. City Manager Michael J. Lucking explained that the resolution authorizes the City Manager to enter into an agreement with the Ohio Department of Transportation for the Olive Road Project which encompasses the Olive Road section from Main Street, northerly to S.R. 49. The City was awarded \$792,000 for Olive Road Resurfacing Project from the American Recovery Act grant. O.D.O.T. will manage and construct the project and as a result has control of the bidding process for the project. O.D.O.T. has prepared a bid estimate for the project of \$1,017,500.00. Typically O.D.O.T. estimates project costs at about 20% over the actual market value. O.D.O.T. does require the recipient community to deposit the difference between the estimated project cost and the actual grant award amount prior to entertaining bids. In this instance a difference of \$225,000 exists between O.D.O.T.'s estimate and the City's grant award. O.D.O.T. will not proceed with the bid process until the difference is deposited into escrow with the State of Ohio. Vice-Mayor Cameron asked where the escrow dollars will be taken from. Public Works Director Thomas Odenigbo said they will be taken from the Street Reserve funds. If there will be change orders will that money also be taken from the Street Reserve funds. Mayor Davis said that change orders could also be a credit, and not require additional dollars. Mayor Davis asked for a Motion to approve Resolution 10-08. Mr. Hankins moved to approve Resolution 10-08, and seconded by Mrs. Gales. Roll call resulted in 6 yes votes, and Resolution 10-08 was approved unanimously.

OLD AND NEW BUSINESS:

Mayor:

- 1). Trotwood Night at the GEMS - Saturday, February 27, 2010 – 7:30 p.m. – Tickets will be on sale until Friday, February 19<sup>th</sup>. Tickets are \$10.00 each; students are \$7.00 each and include College Students with I.D., and children 2 and under – no charge.
- 2). Mayor Darreyl D. Davis Office Hours – please call the Clerk of Council at 854-7212 or e-mail Mrs. Singleton at [lsingleton@trotwood.org](mailto:lsingleton@trotwood.org) to schedule a Meeting at any time that is convenient and for meetings with Council Members as well.

CITY MANAGER:

- 1) Reminder – website is updated - [www.trotwood.org](http://www.trotwood.org)

COUNCIL MEMBERS COMMENTS:

- 1) Council Member Mary A. McDonald – Mrs. Cooper of Cooper Florist, a Trotwood resident, owner of Cooper Florist has passed and will be funeralized on Wednesday.

STAFF:

1. TROTWOOD LEADERSHIP ACADEMY APPLICATIONS AVAILABLE – HUMAN RESOURCES MANAGER BARBARA BROOKS: Mrs. Brooks said the applications are being accepted thru the end of February for the Trotwood Leadership Academy. Applications are on the table in the back

of the room this evening. The Academy will have its first session on March 24<sup>th</sup> and the final session on May 26, 2010. The Graduation will occur in early June 2010.

2. FUTURE LEGISLATION TO ADDRESS VANDALISM/GRAFFITI IN THE COMMUNITY – POLICE CHIEF QUINCY E. POPE, SR., AND CAPTAIN JOHN PORTER: Police Chief Quincy E. Pope, Sr. will talk about Tagging in the community and proposed anti-graffiti legislation. The legislation will give the City some teeth to clean up graffiti in the community. This graffiti will have a negative impact on Trotwood. Captain John Porter, Operations, will oversee our efforts and talk about how this will be done. We noticed the graffiti on the former Bob Evans building, Applebee's, Wendy's, and Jo Ann's Fabrics. This tagging lets other gang members know what gang is in the community. The graffiti being left there gives the gang more power in the community. We are planning to take that power back. The City of Trotwood Police Department will partner with the Criminal Justice Department at Sinclair Community College. We will conduct an Impact Study for the business community. The difficulty now is the buildings are mainly abandoned or owned by large corporations which make it difficult to find a contact person. An alarming part of this issue is that the graffiti is being found by Law Enforcement Officers. We don't want citizens to become complacent about seeing the graffiti in the community. We want them to call us and tell us what they are seeing. Mrs. McDonald said citizens don't recognize what the graffiti is and what it means. What is the responsibility of creating the legislation? We want to identify the individuals who are doing the tagging in the community. The tagging has a gang member's signature as part of the graffiti. We want to work with the business community to remove the graffiti from their buildings, and perhaps reimburse the City for the charges. Chief Pope is being proactive. Mrs. McDonald said we should have a clean community. Education is also a piece. Chief Pope would like to work with the Public Safety Committee to create the legislation. Mrs. Gales saw the graffiti on the former Wendy's site. Mr. Vaughn asked if the City of Dayton has legislation. Vice-Mayor Cameron is happy that the Trotwood Police Department is working with Sinclair Community College.

#### VISITORS AND COMMUNICATIONS:

1. George Riber – 8 Caisson Street 45426 – Ward 3: Leaf Pickup. I told my neighbors that they would be fined if they raked their leaves to the curb as there is no leaf pickup for 2009. I told them they would be fined \$100.00. Are people being fined? Mayor Davis asked how people will be fined. City Manager Michael Lucking said that would be a property maintenance violation. This is difficult to determine as leaves blow around.
2. JAMES D. WILLIAMS, II – 4538 FREUDENBERGER AVENUE 45417 -WARD 4: We gave bags to our residents in Townview to aid in picking up their leaves. I agree that we should have legislation for tagging. The Neighborhood Watch does a good job in Townview in finding graffiti in the community and removing it. Is the siren at the former Townview Elementary School being replaced? It is not being replaced. We need you to put a siren back in Townview. Don't delay on the Stonehenge Project.
3. Janice Chinn, Ward 2: Someone placed a speaker sign up form with Mrs. Chinn's name on the Council dais when Mrs. Chinn was not present at the meeting. Each person who will speak must fill out their individual form and turn it in to the Clerk of Council before the Council Meeting begins.

Trotwood City Council Organizational  
Meeting Minutes  
January 4, 2010

MOTION TO ADJOURN:

Mayor Davis moved to adjourn the meeting at 8:20 p.m.

ATTEST:

APPROVED:

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Lois M. Singleton, Clerk of Council

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Darreyl D. Davis, Mayor