

**TROTWOOD CITY COUNCIL
MEETING MINUTES
MARCH 2, 2009**

The Trotwood City Council met in their Regular Scheduled Meeting on Monday, March 2, 2009 at 7:00 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 for community member Marvin Phillips who is very ill, and for his family during this time.

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, Council Member Ronald Vaughn, and Mayor Darreyl D. Davis.

Staff Members present: City Manager Michael J. Lucking; Law Director Steve McHugh, Chief of Police Quincy E. Pope; Fire Chief Eugene Lutz, Acting Finance Director Patricia Shively, Public Works Director Thomas Odenigbo; Planning & Development Administrator Rhonda Finley, Planning and Zoning Administrator Carl Daugherty; Human Resources Manager Barbara Brooks, Building Program Manager Scott Adams, Recreation Program Manager Terry Lodge, Acting Police Major Erik Wilson, and Clerk of Council Lois M. Singleton.

VISITORS:

William Krest, Theodore C. Fowler, Ellsworth Szkudlarek, Ralphael Allen, George Riber, Cynthia Monie (Trotwood Recognition Night), Virginia Litchfield, Chris Hayward (ACTGRO), Mattie M. Clay, Joseph McDonald, Pamela Brown, Janet Foote, Totsie Holliday, Oscar Holliday, Tom Cassady, G. David (Owner), James S. Burton, Bruce Kettelle (Totally Trotwood), Marjorie Townes, Tom Grady, and Toni Coleman (Dayton Daily News).

MOTION TO ADJOURN INTO EXECUTIVE SESSION IN ACCORDANCE WITH THE TROTWOOD CITY CHARTER, SECTION 3.8 MEETINGS. EXCEPTIONS 1(a) PERSONNEL RELATED ITEMS:

Mr. Hankins moved to adjourn into Executive Session at 7:05 p.m. in accordance with the Trotwood City Charter, Section 3.8 Meetings. Exceptions 1(a) Personnel Related items, and seconded by Vice-Mayor Cameron. Roll call resulted in 7 yes votes, and the Motion was approved unanimously.

MOTION TO ADJOURN THE EXECUTIVE SESSION AND RETURN TO THE REGULAR AGENDA:

Mrs. Gales moved to adjourn the Executive Session and return to the regular agenda at 7:45 p.m., and seconded by Mr. Hankins. Roll call resulted in 7 yes votes, and the Motion was approved unanimously.

PRESENTATIONS AND RECOGNITIONS:

PRESENTATION – U.S. DEPARTMENT OF JUSTICE LETTER OF COMMENDATION AND CERTIFICATES OF APPRECIATION TO TROTWOOD POLICE DEPARTMENT DETECTIVES FOR THEIR OUTSTANDING EFFORTS IN INVESTIGATION: BRAD WILLIAMS, TROY DEXTER, JEREMY KINDER, AND SGT. ERIK WILSON:

Police Chief Quincy E. Pope read the Letter of Commendation and asked Acting Major Erik Wilson to present the Certificates of Recognition to each officer as he came forward. The investigation was a multi defendant narcotics conspiracy involving an organized crack cocaine and firearm trafficking organization. The organization was based out of an abandoned residence in Trotwood. The investigation culminated after approximately seven (7) months in a multi agency major enforcement operation involving the execution of five Federal Search Warrants and ten Federal arrest warrants. The Resident Agent in Charge at the Cincinnati Field Office said our detectives are a credit to the Trotwood Police Dept. and the citizens of Trotwood. Mayor Darreyl D. Davis and the Trotwood City Council concurred with that assessment.

PRESENTATION – TROTWOOD RECOGNITION NIGHT – SATURDAY, APRIL 25, 2009 – HARA ARENA – CHAIR CYNTHIA MONIE: Mrs. Monie advised that the 30th Annual Trotwood Recognition Night will be held on April 25th to honor extraordinary volunteers in the Trotwood community. Tickets may be purchased at Trotwood Florist and Flash Quick Copy. The tickets remain \$7.00 per individual. Mayor Davis and City Manager Michael Lucking thanked Cynthia Monie for her efforts on behalf of the community.

PRESENTATION – TROTWOOD ROTARY PANCAKE BREAKFAST: Theodore C. Fowler invited everyone out to the Trotwood Rotary Pancake Breakfast on Saturday, March 21, 2009 at Trotwood Church of the Brethren – 7:00-11:00 a.m. Tickets are \$5.00 per individual. Mr. Fowler gave tickets to those on the dais for the event.

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 – Monday, February 16, 2009.
- 2). Motion to request Bond Counsel draft legislation to issue \$100,000 of Renewal Bond Anticipation Notes related to Water System repairs and improvements, and to schedule a public hearing.
- 3). Motion to request Bond Counsel draft legislation to issue Not to Exceed \$2,000,000 of New Bond Anticipation Notes for Construction of Public Infrastructure in the Highlands of Moss Creek Section 1 Residential Subdivision, and to schedule a Public Hearing.

Mayor Davis requested a Motion to approve the Consent Agenda. Mrs. McDonald moved to approve the Consent Agenda, and seconded by Mrs. Gales. Roll Call resulted in 7 yes votes, and the Motion was approved unanimously.

PUBLIC HEARING:

Mrs. Staggs moved to adjourn into the Public Hearing portion of the agenda at 8:00 p.m., and seconded by Mrs. McDonald. Roll call resulted in 7 yes votes, and the Motion was approved unanimously.

Mayor Davis asked those who would speak for or against a piece of legislation in the Public Hearing portion of the agenda to please stand and be sworn in. There were none.

ORDINANCE NO. 09-09: AN ORDINANCE REPEALING SECTIONS 183.10 (b)(11), 339.02(b), 705.09, 707.041, 707.11(a), 901.02(b), 905.05, 907.01(a)(1), 921.10 (a), (b)(1), (2), (3), 921.16, 921.20(d), (e), 923.09(a), 923.14(a), 927.10(b), 927.11, 1103.04, 1311.01(c), (d)(2), (e), (f), (g), (i), (j), (k), (l), 1313.03(b), AND 1519.02(c) OF THE CODE OF ORDINANCES OF THE CITY OF TROTWOOD, OHIO, AND ADOPTING NEW SECTIONS 183.10 (b)(11), 339.02(b), 705.09, 707.041, 707.11(a), 901.02(b), 905.05, 907.01(a)(1), 921.10 (a), (b)(1), (2), (3), 921.16, 921.20(d), (e), 923.09(a), 923.14(a), 927.10(b), 927.11, 929.17, 929.27, 1103.04, 1311.01(c), (d)(2), (e), (f), (g), (i), (j), (k), (l), 1313.03(b), AND 1519.02(c), OF THE CODE OF ORDINANCES OF THE CITY OF TROTWOOD, OHIO: The Clerk read the caption. City Manager Michael J. Lucking explained that the ordinance will amend the fee-setting sections of the Trotwood Code of Ordinances and as a result will allow those fees to be set by way of resolutions. This action is recommended as a more efficient method of

reviewing and adjusting fees charged by the City of Trotwood for a variety of services. A companion to this legislation is Resolution 09-15 which comes up later on this agenda. Mayor Davis requested a motion to approve Ordinance 09-09. Mrs. Staggs moved to approve Ordinance 09-09, and seconded by Vice-Mayor Cameron. Roll call resulted in 7 yes votes, and Ordinance 09-09 was approved unanimously.

Mayor Davis requested a Motion to close Public Hearings. Mrs. Gales moved to close the public hearing portion of the agenda at 8:05 p.m., and seconded by Mr. Hankins. Roll call resulted in 7 yes votes, and the Motion was approved unanimously.

RESOLUTIONS:

RESOLUTION 09-15: A RESOLUTION ESTABLISHING VARIOUS FEES AND ADMINISTRATIVE AND SERVICE CHARGES COLLECTED BY THE CITY OF TROTWOOD, OHIO: The Clerk of Council read the caption. City Manager Michael J. Lucking explained that the resolution establishes a comprehensive Table of Fee's schedule which can be systematically modified and adjusted as necessary. The intent is to create simplicity in the understanding of various fees charged by the City by creating a comprehensive listing of all fees in one centralized document. The list includes updated rates and charges consistent with the cost of service in calendar year 2009. The list includes new sewer rates, water and sewer tap-in costs, development fees, grave and burial increases, building usage fees among others. As a rationale for the various increases, City staff benchmarked itself against fees that other municipal governments in the metro area charge. Mayor Davis requested a Motion to approve Resolution 09-15. Vice-Mayor Cameron moved to approve Resolution 09-15, and seconded by Mrs. Gales. Roll call resulted in 7 yes votes, and Resolution 09-15 was approved unanimously.

RESOLUTION 09-16: A RESOLUTION AUTHORIZING SUPPORT OF AN APPLICATION FOR OHIO HOUSING TAX CREDITS SUBMITTED BY ST. MARY DEVELOPMENT CORPORATION TO FINACNE THE NEW CONSTRUCTION OF THE BROADMOOR VILLAGE DEVELOPMENT: The Clerk of Council read the caption. City Manager Michael J. Lucking explained that the legislation is an endorsement of an application for Ohio Housing Tax Credits to finance the new construction of 40 units of senior age (55 and over) rental housing units. The action is a prerequisite step necessary for St. Mary's Development Corporation to move forward with their application. Mayor Davis requested a motion to approve Resolution 09-16. Mr. Vaughn moved to approve Resolution 09-16, and seconded by Mrs. McDonald. Roll call resulted in 7 yes votes, and the Motion to approve Resolution 09-16 was approved unanimously.

RESOLUTION 09-17: A RESOLUTION BY THE TROTWOOD CITY COUNCIL ESTABLISHING THE RATIONALE FOR AND AUTHORIZING THE ABOLISHMENT OF ONE (1) SERGEANT POSITION WITHIN THE TROTWOOD POLICE DEPARTMENT: The Clerk read the caption. City Manager Michael J. Lucking explained that the action is consistent with the reorganization of the Trotwood Police Department's command structure as discussed during the 2008 budget process. The position is not currently filled and therefore will not result in job loss. Mayor Davis requested a Motion to approve Resolution 09-17. Mrs. McDonald moved to approve Resolution 09-17, and seconded by Mr. Hankins. Roll call resulted in 7 yes votes, and Resolution 09-17 was approved unanimously.

RESOLUTION 09-18: A RESOLUTION APPROVING THE SUBMISSION TO MIAMI VALLEY REGIONAL PLANNING COMMISSION (i.e. MVRPC) OF AN APPLICATION FOR FUNDS AVAILABLE THROUGH THE FEDERAL AMERICAN REINVESTMENT AND RECOVERY ACT OF 2009: The Clerk

read the caption. City Manager Michael J. Lucking explained that a list of "shovel ready" projects are attached that the City is seeking immediate funding. If the City receives Federal and State funding for these projects, a local match may be required. The local community, Montgomery County, Miami County, some of Preble County and Greene County are all seeking funding from the \$17,000,000 dollars allocated.

Mayor Davis requested a Motion to approve Resolution 09-18. Mrs. Gales moved to approve Resolution 09-18, and seconded by Mr. Hankins. Roll call resulted in 7 yes votes, and Resolution 09-18 was approved unanimously.

OLD AND NEW BUSINESS:

Mayor:

- 1) Mayor Darreyl D. Davis Office Hours – please call the Clerk of Council at 854-7212 or e-mail Mrs. Singleton at lsingleton@trotwood.org to schedule a meeting at any time that is convenient.
- 2) T-M High School Black History Program – Mayor Davis said the program was excellent and well attended.
- 3) Trotwood Chamber of Commerce – Mayor Davis thanked the Chamber for their planning of the State of the City Address.
- 4) Trotwood Recognition Night – Nomination of notable volunteers in the community. Some names were given this evening, and for those who did not give names, please give your names to Mrs. Singleton. The cost of each nominee/s plaque is \$13.00 per individual. Mr. Vaughn nominated Marvin Phillips, Mr. Hankins nominated Raymond Terrell; Mrs. McDonald nominated Regina Davis and Chris Hayward. The names and monies must be turned in by March 30th.
- 5) Trotwood City Council Workshop – scheduled for Thursday, March 5th at 5:30 p.m. Mrs. McDonald and Mrs. Gales cannot attend.
- 6) T-M Middle School Boys Basketball Team – has won their second title for the 8th grade boys.
- 7) Easter Extravaganza – Saturday, April 11th sponsored by D&D Wedding & Events Communication Planner, LLC, Mrs. Diana Branham, Managing Member. The event will be held at 4444 Lake Center Drive 10:00 a.m.-12:00 p.m. This is a breakfast buffet, Easter egg hunt, picture with the Easter bunny, plastic Easter eggs with suckers in the bag and a drawing for one girls bicycle and one boys bicycle, and two Easter baskets. Cost 24.00 for children and complimentary for adults.

CITY MANAGER:

- 1) Reminder for citizens to use the Trotwood Website - www.trotwood.org
- 2) Newsletter to be sent out with Utility Bills next week.

COUNCIL MEMBERS COMMENTS:

Council Member Betty Gales: Thank you to the City Manager and Staff who addressed the dog issue on MacMillan Drive.

Council Member Rap Hankins: Thank you to Mayor Davis, Vice-Mayor Cameron and Council Member Staggs for their attendance at the First Tier Suburbs Meeting last Wednesday.

Vice-Mayor Joyce Cameron: T-M High School – I was invited to the ROTC program on Saturday. There was a very nice program and day at the High School.

Council Member Ron Vaughn: The Youth Engaged for Successful Lives, Inc. Mentoring Program was a great evening. Mrs. Gales would like to bring the 32 children in for recognition at Council. Mrs. McDonald said some of the students were in her program last year.

Vice-Mayor Joyce Cameron: The Jr. Historical Society Meeting was held on Saturday. I will have Certificates to share at a future meeting. We have to engage the children.

STAFF:

COMPETITION FOR THE STIMULUS DOLLARS IN THE REGION – PUBLIC WORKS DIRECTOR

THOMAS ODENIGBO: Public Works Director Thomas Odenigbo said federal aid routes will be funded first i.e. Shiloh Springs Road, Main Street, Olive Road, Denlinger Road, Salem Avenue at the Connector and Little Richmond Road. The \$17 million dollars is for Montgomery County, Miami County, Greene County, and some part of Preble County. There will be on secondary roads funded in the stimulus package.

VISITORS AND COMMUNICATIONS:

CHRIS HAYWARD (ACTGRO), 1285 GRAYSTONE 45427, WARD 4: 2008 Year End Report:

- 1) Vacant houses mediated, abandoned animals, identification of brush for pruning, trash pickup. There are seven volunteers had two play nights were held. Several identified for the Homestead Exemption Program, trash removed from vacant homes, 1 graffiti removal, RTA installed three benches and 2 trash cans at bus stops, and thank you to Chief Pope for the work he is doing in combating crime. I need six (6) batteries for the golf carts used in cleanup. Volunteered with the Angel Food Co-op to provide food to residents in need, painted address numbers on the curbs, and we will take children to camp who volunteer in the community. We will put up a sign in the community for our Certified Volunteer Group. We usually have about 5 volunteers per day. Mayor Davis asked Chris for additional names to nominate from Recognition Night from her group.

Mr. Vaughn will provide four (4) batteries for the golf carts for Mrs. Hayward, and will work on getting two more.

MOTION TO ADJOURN:

Mayor Davis said the meeting was adjourned at 8:40 p.m.

ATTEST:

APPROVED:

Lois M. Singleton, Clerk of Council

Darreyl D. Davis, Mayor