

**TROTWOOD CITY COUNCIL  
MEETING MINUTES  
APRIL 20, 2009**

The Trotwood City Council met in their Regular Scheduled Meeting on Monday, April 20, 2009 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, 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; Acting Finance Director Patricia Shively, Public Works Director Thomas Odenigbo; Economic 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, Police Captain Erik Wilson, Battalion Chief Michael Gibson, Captain John Porter, and Clerk of Council Lois M. Singleton.

**VISITORS:**

Mike Lau, David Pendergrass, Wanda Adams, Theodore C. Fowler, Gale Uhlmann, Brent Uhlmann, Audra Watson, John Ryan, Chris Hayward, Bruce Kettelle (Totally Trotwood, former Council Member), Sharon Spender Williams, Ron Norton, Penny Richardson, Joan M. Weber, Charles Hughes, Travis Mack, Kennedy Chase & parents, James Kline, Vada Carl Dees, Bill Phillips, Chris Schaeffer (Schaeffer Engineering), Totsie L. Holliday, Peter & Bonnie Cummings, Ellsworth Szkudlarek, Jack & Pat Lewis, Nicole Wilks Foster, Bonita Boles, Robert & Flora Northern, Helen Sarsgard, Waldo Littlejohn, Abraham Littlejohn, Harry Patton, Joanne Koesters, Lorna M. Change, Mattie M. Clay, Duane Plessinger, Regina Frank, Yvonne Isaacs, Gayle Gibbons, Rosetta Hughes, Krista Fylak, Dave Norvell, Virginia Litchfield, Bob Albritton, Brenda Griffin, Janet Foote, Brandale Roseman, Teddy Brock, Millard H. Dalton, Kenny Goodpasture, Loren Gross, Janice Chinn, Dale Gibbons, Camille Brown, John T. Fecke, Vera Patterson, Larry White, Douglas Potter, Mary Roberson, Thomas Clay, Greg Chinn, Mark Songgay, Toni Coleman (Dayton Daily News), Beverly Tomlinson, Ronald Koesters, Shenease Howell, BreAnna Howell, George Tyler, Fawn Taylor, Altimes Taylor, Jr., Cynthia Baughman, Cynthia Monie (Trotwood Recognition Night Chair), Oscar L. Holliday (former Council Member), Bill Britton, Janet Britton, Raymond L. Brody, James S. Williams, II, Joseph McDonald, Herbert Marshall, Dora Garner, Raymond Garner (Trotwood Chamber President), Gloria J. Moxley, Bruce L. Moxley, Andrae Pettijohn, Tom Grady, Ted Fields, Marjorie Townes, and Nancy Marino.

**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 7:20 p.m., in accordance with the Trotwood City Charter, Section 3.8 Meetings. Exceptions 1(a) personnel related items, and seconded by Mrs. Gales. 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. Staggs moved to adjourn the executive session at 7:45 p.m., and return to the regular agenda, and seconded by Mr. Hankins. Roll call resulted in 7 yes votes, and the Motion was approved unanimously.

**PRESENTATIONS AND RECOGNITIONS:**

**PROCLAMATION – KENNEDY NICOLE CHASE – CONGRATULATION DREAM GIRLS USA 2008 – NATIONAL SUPREME SPOKESMODEL:**

Mayor Davis invited Kennedy Nicole Chase and her parents to come up for presentation of the proclamation. Kennedy is an energetic nine year old who attends St. Luke Elementary School. Kennedy was selected Dream Girls 2008 National Supreme Spokesmodel. Kennedy has a heart for helping and her parents, Mark and Annette have known that since she was 4 years old. She helps the elderly, those who need food and clothing, people with disabilities, and sick children. Kennedy is also a girly girl who enjoys participating in natural pageants. Pageantry started her love for community service. Kennedy spends her time at Friendship Village and Shiloh House, collects food for the Food Bank, visits children at the Dayton Children's Hospital, and organizing her classmates to send thank you cards and care packages to the troops in Iraq and Afghanistan. Dream Girls USA is a Scholarship Pageant that promotes community service. Mayor Davis and Vice-Mayor Cameron presented the proclamation to Kennedy Chase Smith and congratulated her on her accomplishments and community service.

**PROCLAMATION –NATIONAL OCCUPATIONAL THERAPY MONTH – APRIL 2009:**

Mayor Davis presented the proclamation to Camille Brown who is a PT Assistant at Mercy Sienna Woods along with Vice-Mayor Cameron. Mayor Davis and Vice-Mayor Cameron thanked Camille Brown who is a resident of Trotwood for her work in the community. Camille Brown thanked Mayor Davis and Vice-Mayor Cameron for proclaiming April as National Occupational Therapy Month in the City of Trotwood.

**PRESENTATION – FLOYD BROWNE GROUP – WATER DISTRIBUTION & SANITARY SEWER SYSTEM EVALUATION –EXECUTIVE SUMMARY – PUBLIC WORKS DIRECTOR THOMAS ODENIGBO:**

Jay W. Shutt, P.E. , Chief Executive Officer is representing Floyd Browne Group tonight. City Manager Michael J. Lucking introduced Public Works Director Thomas Odenigbo who reported that the City contracted with Floyd Browne Group in August 2007 to conduct a comprehensive study of the City's water distribution and sanitary sewer systems. The study includes a review of the existing water and sewer infrastructure, with emphasis placed on a replacement/maintenance program with the development of a Capital Improvement Plan. Water and sewer extensions to expand the City's current service area were also discussed. Floyd Browne Group CEO Jay W. Shutt, P.E. said that the Public Works Dept. initiated a project to create a Geographical Information System (GIS) database of the water distribution and sanitary sewer systems respectively. Geographical Information Systems Database: located each sanitary sewer spatially; measured relevant parameters such as rim and invert elevations, pipe sizes and materials, etc.; and completed a survey of the condition of each sanitary sewer manhole. All water structures were located spatially, and pipe network was created using the information as well as the City's waterline records. The benefits of the database include: 1) provides single-point access to a collective storehouse of information, improving upon the varied information stored in archived drawings or in employee memories.

2) Provides continuity, preventing the loss of information on location or condition of existing assets across generations of employees. 3) Provides a living document, recording the history of projects, repairs, and problems encountered which operators can use in making decisions. 4) Provides a graphic study of system information, such as location, age, condition, size, etc. The final deliverables include: 1) The GIS system map and database in ESRI ArcGIS format. 2) Atlas Wall Maps for the sewer and water systems respectively. 3) Atlas map books based on the Montgomery County GIS grid (Attachment A). 4) Sewer Structure data reports based on the field collected data (see Attachment B). Sanitary Sewer System Evaluation: The database was used to model the existing sanitary sewer system to analyze existing capacity and the effects of future development on the existing system. In conjunction with the GIS database, flow meters were placed in five (5) manhole locations. The flow meters recorded wastewater flow over a period of 30 days in April 2008. Data was also collected from

a digital rain gauge for the same time period. The flow levels were graphed with the rainfall data to determine the correlation between rainfall and wastewater flow. The graph provided actual data on dry weather and wet weather flows through these sanitary sewers, and this data was compared to the theoretical values in the model. The study was divided into fifteen areas. Based on the analysis for each respective area, recommendations were prepared for addressing known issues, such as cleaning and televising of sewers, smoke testing of sewers, and performing further flow metering for each of the areas in a regular rotation. Attachment D is a budget and schedule program showing the recommended corrective actions to respond to the first round of flow metering followed by a proposed continual cycle of tests and corrective actions to pinpoint and reduce infiltration and inflow and to address damage, wear and bottlenecks. Water System Evaluation: The current water distribution system consists of water mains owned and serviced by the City of Trotwood, as well as water mains owned and serviced by Montgomery County and the City of Dayton. The primary objectives to the analysis: 1) Identify flow or pressure deficiencies within the system. 2) Recommend solutions for these deficiencies. 3) Identify the future needs of the City to meet projected development based on current zoning. The existing network was modeled with hydrant testing data to provide the overall fire flow availability. To provide proper protection for the City in the event of a fire, target flows were ranged from 1,000 gallons per minute (GPM) for residential areas to 4,000 GPM for industrial areas. The software was able to indicate which areas of the City have adequate fire flow capability, and which areas did not meet the minimum requirements. To provide the City with systematic approach to address fire flow deficiencies throughout the City, the proposal recommends sixteen separate improvement projects and simulated them in sub-systems within the City. The projects were prioritized based on impact of each improvement on the overall system. A cost analysis was completed and schedule program assembled for the next ten years. Recommendations were also made for future growth and development as that occurs within the corporation limits, as well as to the west. City Manager Michael J. Lucking said the study is the roadmap, and we can schedule a workshop to prioritize the items. Mr. Hankins said the fire items are urgent, and we should not put them off.

**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, April 6, 2009.
- 2). Council Meeting Minutes – Scheduled Workshop Meeting – Monday, April 13, 2009.
- 3). RESOLUTION 09-25: A RESOLUTION APPOINTING A MEMBER TO THE BOARD OF ZONING APPEALS OF THE CITY OF TROTWOOD, OHIO FOR A FIVE YEAR TERM ENDING DECEMBER 31, 2013. (STEVE JOHNSON).
- 4). RESOLUTION 09-26: A RESOLUTION APPOINTING A MEMBER TO THE BOARD OF ZONING APPEALS OF THE CITY OF TROTWOOD, OHIO FOR A FIVE YEAR TERM ENDING DECEMBER 31, 2013. (DAVID PENDERGRASS).

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

**PUBLIC HEARINGS:**

Mayor Davis requested a Motion to adjourn into the Public Hearing portion of the agenda. Vice-Mayor Cameron moved to adjourn into the public hearing portion of the agenda at 8:15 p.m., and seconded by Mrs. Staggs. Roll call resulted in 7 yes votes, and the Motion was approved unanimously.

Mayor Davis requested those who would speak pro or con regarding the three public hearing items to please stand and be sworn in.

**A PUBLIC HEARING PC CASE #09-01: REQUEST FOR REZONING OF 11.65 ACRES LOCATED AT 6785 W. THIRD STREET (H33-01106-0007, 8, 19, 21, AND 22) FROM THE G-B GENERAL BUSINESS ZONING DISTRICT TO THE PUD PLANNED UNIT DEVELOPMENT DISTRICT:**

- **SPECIFIC SITE PLAN APPROVAL FOR OCCUPANCY OF 7,500 SQ. FT. FACILITY FOR LIGHT MANUFACTURING AND PRECISION ASSEMBLY OF FIREARMS (PHASE I).**
- **PRELIMINARY PUD APPROVAL FOR THE 5,000 SQ. FT. FACILITY ADDITION FOR LIGHT MANUFACTURING/ASSEMBLY AND RESEARCH DEVELOPMENT ACTIVITIES (PHASE 2).**
- **DEVELOPMENT OF TWO 6,000 SQ. FT. BUILDINGS IN THE CREATION OF A CAMPUS FOR FIREARM SAFETY TRAINING, SIMULATION, AND CERTIFICATION (PHASE 3).**
- **ESTABLISHMENT OF LIMITED (ACCESSORY) RESIDENTIAL (MINIMUM OF TWO DWELLING UNITS) FOR ON-SITE SECURITY AND CORPORATE HOSPITALITY PURPOSES (PHASE 4):**

The Clerk read the caption. City Manager Michael J. Lucking said the site is a former E-Check facility that closed at the conclusion of the Ohio E-Check program. The property was recently purchased by the applicant, Mr. Ron Norton, owner of Chiappa Holdings Ltd. Chiappa Holdings Ltd. is a value added manufacturer of replica historically significant firearms that are sold and distributed in the United States. Mr. Norton's application involves a four stage development plan for utilization of the property. If the PUD is granted, Chiappa will accomplish a re-use of currently vacant structure and create new employment opportunities in the City of Trotwood. Planning and Zoning Administrator Carl Daugherty provided several views of the building East, West, North and South, and off-street parking in the rear elevation. The surrounding zoning is: North, RSF-M Residential Single-Family, Medium Density; South, Commercial (Jefferson Twp), East, G-B General Business Zoning District, and West, G-B General Business Zoning District. Surrounding Land Uses: North, Cemetery (Bear Creek), South, Light industrial storage/residential; East, Commercial (kennel), and West, Single-family residence. Phase I Occupancy Conditions of Preliminary PUD & Specific Site Plan Approval. Phases 2 thru 4 Conditions of Preliminary PUD Approval were explained. Planning and Zoning Administrator Carl Daugherty explained the alternatives: Approve the request for rezoning of the 11.65 acres located at 6785 W. Third Street. Specific Site Plan Approval for the Phase I occupancy. Preliminary PUD Approval of Phases 2, 3, and 4 with conditions. Or Deny the request for rezoning. Specific Site Plan Approval and Preliminary PUD Approval. The Planning Commission votes 5-0 to recommend approval action to Council. Staff Recommendation –approve the request as put forth under Alternative #1. A proposal from Chiappa Firearms is also included.

Mr. Ron Norton, Chiappa Firearms, 530 N. Union Road, Owner talked about his request to rezone the property at 6785 W. Third Street. He is very pleased with his business in the neighborhood. There will be an additional 3 full time and 5 part-time positions. Mr. Norton has 30 years of firearms training.

Mrs. McDonald asked about the traffic. Mr. Norton said there will be minimal traffic, even less than the E-Check facility. There will be a total of 14 employees. There will be 3 to 5 deliveries per week via truck.

Chris Schaeffer, Schaeffer Engineering, 1253 Lyons Road, said Mr. Daugherty had explained the project very well. The project simulation is cutting edge equipment. There are drainage concerns which will be addressed. Chiappa Firearms will be a good neighbor.

Mr. Vaughn said the initial training will not have live rounds, laser based. The product will be shipped to distributors throughout the world. There will be private sector training at some stage. W.P.A.F. B. may be involved to augment or complement the site.

Mr. Hankins asked Chief of Police Pope if he has any concerns with the project. Chief Pope said he does not have concerns at this time. His questions have been answered.

Mayor Davis requested a Motion to approve the rezoning request. Mr. Vaughn moved to approve the rezoning request, and seconded by Mr. Hankins. Roll call resulted in 7 yes votes, and the Motion was approved unanimously.

**A PUBLIC HEARING PC CASE #09-02: REQUEST FOR FINAL PUD APPROVAL OF BROADMOOR VILLAGE, AS A MIXED USE COMMERCIAL/RESIDENTIAL DEVELOPMENT/REDEVELOPMENT OF 33.25 ACRES LOCATED ON E. MAIN STREET (PARCEL I.D.#'S H33-00214-0001, 2, AND 5). THE PUD WILL PROVIDE FOR THE REDEVELOPMENT OF THE COMMERCIAL RETAIL CENTER (SECTION 1); THE DEVELOPMENT OF FORTY (40) MULTI-FAMILY SENIOR LIVING UNITS (SECTION 2); AND THE DEVELOPMENT OF UP TO THIRTY (30) SINGLE-FAMILY LIVING UNITS (SECTION 3);**

The Clerk read the caption. City Manager Michael J. Lucking said the single family aspect of the PUD is not being pursued at this time. Additional aspects of the final PUD approval are outlined on pages 3 and 4 of the Planning Commission Report dated April 7, 2009. Planning and Zoning Administrator Carl Daugherty said there are Modifications to the Preliminary Site Plan and PUD. The PUD adoption process often entails refinements which take place between the Preliminary and Final PUD approval. The following changes to the approved Preliminary PUD are proposed: 1) The final PUD proposes construction of ten (10) 3-unit senior villa structures, and five (5) 2-unit senior villa structures. The approved Preliminary PUD provided for the construction of eight (8) 3-unit villa structures, and eight (8) 2-unit villa structures. 2) The final PUD proposes the placement of the community clubhouse along the southwest portion of the site. Under the approved Preliminary PUD, the clubhouse was located further to the east. 3) The final PUD further proposes a modified site design which proposes the placement of one 2-unit villa and one 3-unit villa in an area which was approved under the Preliminary PUD for two single-family dwelling units (as part of Section 3). The necessity of this site modification arises from the discovered presence of a "potentially regulated stream" located along the southern portion of the site, in an area previously designated for senior villa construction. 4) Under Section 2 of the final PUD, the required setbacks are also proposed to be modified as follows: Front Yard Setback – Minimum of twenty (20') feet from the inside portion of the sidewalk. Buildings placed at the corner of two streets shall provide dual front yard setbacks. Side Yard Distances – Minimum twelve (12') foot side yard distance separation between the placement of 2- and 3- unit villa buildings. 5) Also under Section 2, the following use is proposed to be added as a Conditionally Permitted Use to the Final PUD: Wireless Communication Facilities, pursuant to the provisions contained under Chapter 1191 (Wireless Communication Facilities) of the Trotwood Zoning Ordinance. 6) Under Section 2 of the Final PUD, the required minimum Finish Floor Area for senior living units will be 900 sq. ft. The approved Preliminary PUD provided for a minimum Finish Floor Area of 1,000 sq. ft. PUD Project Areas. 1) Commercial Area (6.36 acres) located on western portion of the site. 2) Senior's Multi-Family Area (9.49 acres) located along the central and southwestern portion of the site. 3) Single-Family (17.3 acres) located along the eastern half of the total development area.

Open Space Areas. The developer proposes substantial open space areas associated with both residential areas in Sections 2 and 3, respectively. The proposed designation of open space exceeds 35% of the total development area. Prior to Specific Site Plan and Subdivision Approval for Section 3, the developer will work with Planning Staff to develop a mutually agreed upon bikeway/pedestrian path which will utilize the designated open space area along with the eastern and southern perimeter portions of the site, and ultimately tie into the City's established bikeway. Council Alternatives: Approve the Final PUD for Broadmoor Village, as a mixed use commercial/residential development/redevelopment of 33.25 acres located on the south side of E. Main Street or Deny the Final PUD for Broadmoor Village, etc. Planning Commission Action: voted 4-0 to recommend that Council approve the Final PUD for Broadmoor Village, as a mixed use commercial/residential development/redevelopment of 33.25 acres located on the south side of E. Main Street. Staff Recommendation: Approve the Final PUD for Broadmoor Village, as described in Alternative #1. The partners are Beerman Realty, St. Mary's, Miller-Valentine, Schaeffer Engineering (Chris Schaeffer).

Ronald Koesters, 7849 Post Town Road 45426, is concerned with Section 3, Single-family next door to seniors. The 30 single family will be constructed later, and will be owned by the City, and therefore, would come back to Council for approval.

Chris Schaeffer, Schaeffer Engineering – approval from the OH Housing Finance Agency is needed. Environmental questions – will be nature walk, and urban senior product. Mayor Davis asked how urban mixed if the PUD is suburban. Planning and Zoning Administrator Daugherty said the difference is density.

Mr. Vaughn thanked the City Manager for the transfer of Phase 3 to the City.

Mayor Davis requested a motion to approve the Final PUD and Modifications to Broadmoor Village. Mr. Vaughn moved to approve the Final PUD and modifications to Broadmoor Village as discussed, and seconded by Mrs. Staggs. Roll call resulted in 7 yes votes, and the Motion was approved unanimously.

**ORDINANCE 12-09: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH GALE P. UHLMANN TO PAY COSTS OF TRANSFERRING PROPERTY LOCATED AT 6093 MANTZ AVENUE, TROTWOOD, OHIO 45427 (PARCEL I.D. #H33-00819-0042) TO COMPLETE SALE OF SAID PROPERTY AS PART OF THE LAND REUTILIZATION PROGRAM (REAP):**

The Clerk read the caption. City Manager Michael J. Lucking said under the terms of this agreement, the currently tax delinquent property located at 6093 Mantz Avenue will be acquired on behalf of Gale P. Uhlmann. In exchange, Gale P. Uhlmann will reimburse the City for legal and administrative costs associated with property acquisition. The City benefits from this transaction by causing the property to once again become tax productive and orderly maintained. Mr. Vaughn asked the City would no longer mow the property. Building Program Manager Scott Adams said the City mowed the property a couple of times, and would not have to do so once transferred.

Mayor Davis requested a motion to approve Ordinance 12-09. Mr. Hankins moved to approve Ordinance 12-09, and seconded by Vice-Mayor Cameron. Roll call resulted in 7 yes votes, and Ordinance 12-09 was approved unanimously.

Mayor Davis requested a Motion to close the Public Hearing portion of the agenda. Mrs. Gales moved to close the public hearing portion of the agenda and return to the regular agenda at 9:10 p.m., and

seconded by Mrs. McDonald. Roll call resulted in 7 yes votes, and the Motion was approved unanimously.

**RESOLUTIONS:**

**RESOLUTION 09-22: A RESOLUTION ADOPTING AN IDENTITY THEFT (RED FLAG) POLICY:**

The Clerk of Council read the caption. City Manager Michael J. Lucking explained that the policy addresses the methods of practice to minimize and prevent identity theft. The action is required by the Fair and Accurate Credit Transaction Act of 2003. Ohio municipalities have been asked to adopt policy guidelines related to this matter by May 1, 2009. The policy standards are stipulated to be adopted in order to be procedurally compliant with the intent of the prescribed legislation. Finance Dept. will draft policy. Mayor Davis requested a Motion to approve Resolution 09-22. Vice-Mayor Cameron moved to approve Resolution 09-22, and seconded by Mrs. Gales. Roll call resulted in 7 yes votes, and Resolution 09-22 was approved unanimously.

**RESOLUTION 09-23: A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH R.B. JERGENS FOR THE SHILOH SPRINGS/SALEM AVENUE, PROJECT NO. 2009-01, PID NO. 77845 CONSTRUCTION AWARD IN AN AMOUNT NOT TO EXCEED**

**\$2,329,277.66:** The Clerk read the caption. City Manager Michael J. Lucking said the contract is being awarded as the result of a competitive bid process in which the R.B. Jergens Company was deemed to be the "lowest and best bidder". The project is being undertaken to correct fundamental deficiencies in the current alignment of the Shiloh Springs/Salem Avenue intersection as well as to provide better access to the former Salem Mall site. Funding for this project is from a series of Federal and State grants awarded to the City of Trotwood in support of the project. Mayor Davis requested a Motion to approve Resolution 09-23. Mr. Hankins moved to approve Resolution 09-23, and seconded by Mrs. McDonald. Roll call resulted in 7 yes votes, and Resolution 09-23 was approved unanimously.

**RESOLUTION 09-24: A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH R.B. JERGENS FOR A PORTION OF SALEM AVENUE, PROJECT NO. 2009-02 CONSTRUCTION AWARD IN AN AMOUNT NOT TO EXCEED \$995,560.67:**

The Clerk read the caption. City Manager Michael J. Lucking explained that the improvements planned are 1). Along Salem Avenue from southeast of Covenant House Drive, progressing southwardly to just south of the Turner Road/Salem Avenue intersection; and 2). Along Salem Avenue from the S.R. 49 (Connector)/Salem Avenue intersection, progressing southwardly to just north of the Salem Bend Road/Salem Avenue intersection. This contract is also being awarded on the basis of competitive bid process in which R.B. Jergens was deemed to be the best and lowest bidder. The funding for the project is provided by Ohio Public Works grant, and is in fulfillment of the Trotwood City Council's strategic initiative for the revitalization of the Salem Avenue Corridor. Mayor Davis requested a motion to approve Resolution 09-24. Mr. Hankins moved to approve Resolution 09-24, and seconded by Mrs. Gales. Roll call resulted in 7 yes votes, and Resolution 09-24 was approved unanimously.

Mayor Davis requested a motion to add Resolution 09-27 to the Agenda. Mr. Vaughn moved to add Resolution 09-27 to the Agenda, and seconded by Mr. Hankins. Roll call resulted in 7 yes votes, and the Motion was approved unanimously.

**RESOLUTION 09-27: A RESOLUTION BY TROTWOOD CITY COUNCIL AUTHORIZING THE CITY MANAGER TO MAKE APPLICATION FOR THE EDWARD BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FROM THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, IN THE AMOUNT OF \$130,290.00:**

The Clerk of Council read the caption. City

Manager Michael J. Lucking explained that the Trotwood Police Department is applying for \$130,290.00 in JAG Grant funding. The actual application is being made through Montgomery County and the City of Trotwood and the Trotwood Police Department has requested a portion of funding as part of the grant application. The Trotwood Police Dept. will utilize the funding as follows if the grant is funded:

- Personnel – Anti-Crime Unit overtime to fight drugs and gangs (\$55,290)
- Other – Electronic Traffic Stop Program – APS Device for efficiency, lessening officer time on calls; 4 units to be purchased (\$29,893)
- Other – Police Reserve Unit Equipment to start a reserve unit, lessening officer time of easier calls (12,000)
- Equipment – DUI Equipment; 1 unit to be purchased (\$10,000)
- Other – Mobile Data Computers; 5 units to be purchased (\$18,108)
- Equipment – LawDocuWare equipment to improve recordkeeping; system to be purchased (\$5,000).

The Police Dept. must submit a letter from Trotwood City Council stating that they approve the request in order to be included in the grant request. Mr. Vaughn congratulated Police Chief Quincy Pope as this department would be the second largest recipient of stimulus money. Mayor Davis said this is another example of the lobbying that is done by the Council Members who attend the National League of Cities Conferences, the U.S. Conference of Mayors, the Ohio Municipal League, etc. Mayor Davis requested a Motion to approve Resolution 09-27. Mr. Hankins moved to approve Resolution 09-27, and seconded by Mrs. Gales. Roll call resulted in 7 yes votes, and Resolution 09-27 was approved unanimously.

Mrs. Staggs reminded that she is a member of the National League of Cities Public Safety Committee which also will help in the decision to provide funding for the City of Trotwood Police Department as part of the JAG grant request.

### **FIRST QUARTER ECONOMIC DEVELOPMENT UPDATE – ECONOMIC DEVELOPMENT**

**ADMINISTRATOR RHONDA FINLEY:** Mrs. Finley said the State of Ohio was awarded the prestigious Governor's Cup by Site Selection for the third straight year as the nation's leading state for capital investment. Ohio claimed the 2008 Governor's Cup with 503 projects edging out Texas with 497 projects. Why is Economic Development Important: Jobs, increase in Tax Base, quality of life, business retention, economic diversification, and productive use of property. The Multi-Prong Approach: Focus/Plan Business Retention & Expansion Efforts. Adapt a plan to align our strengths with business needs. Strengthen our strengths. Strategic Alliances: Economic Development Organizations & Resource Partners: State of Ohio (ODOD), Dayton Development Coalition, Montgomery County, EMTEC, Stonehenge/Bird Houk, and CSX. Stimulus Requests: Infrastructure project - \$995,000 – Stimulus funding awarded \$792,000. Public Safety – Stimulus funding awarded - \$132,000. Future projects and funding to be determined: Logistics & Distribution, and Alternative/Renewable Energy. You may go to the website to see how Ohio did in stimulus funding: [www.recovery.ohio.gov](http://www.recovery.ohio.gov). Surviving & Thriving: Fast Food, Discounted Apparel, Haircuts, Movies, Cable television, and Cell phones. Shift to Thrift: Luxury handbags, Specialty apparel, High-end cosmetics, and Fine dining. The State of Economic Development: The City of Trotwood Planning & Development has made incredible strides over the past year. Following are projects initiated and/or completed: James Group of Ohio - 32.5 million, 200-300 new employees, \$30,000 average annual salary, Over 9 million annual payroll, \$210,000 annual income taxes, and \$500,000 annual property taxes. Nenonene Medical Center LLC: 2.5 million investment, 15 new employees, \$23,000 average annual salary, and \$350,000 annual payroll. Allen Refrigeration: \$560,000 invested in the building as well as build out

costs, 22 existing jobs and creating 15 new jobs in the next two years, average annual salary of \$38,000 and an estimated payroll of over 41,300,000. Burlington Coat Factory: \$500,000 investment/renovation, most successful Grand Opening in corporate history (highest gross opening), 45 new jobs. Friendship Village: Doubled budget for renovation to \$8 million investment, for profit – Top 5 largest assisted living/retirement community, 2008 Business of the Year, and Comeback Kid of Retirement Communities. United Theological Seminary: Relocated from Dayton to Trotwood, Construction/Expansion over the next ten (10) years \$40 million projected. Business Retention & Expansion: Friendship Village – new ownership, transitioning from non-taxable to taxable status. Trotwood Veterinary Clinic – new ownership –My Favorite Pet. DGL Woodworking- relocation to Wolf Creek Pike. Chiappa Firearms, Ltd. – business relocation/expansion, new jobs. Coming Attractions: Chiappa Firearms, Ltd., Former Rex TV & Appliances, Broadmoor Plaza Redevelopment, Highlands of Moss Creek – Project investment \$14,000,000, total housing Phase I 30, Phase II 26, Infrastructure \$1,000,000. Sycamore Woods Lake LLC – Assisted Living/congregate facility – Projected investment \$15,000,000. Economic Impact to build upon: \$85,000,000 + investments, 538 + jobs created/retained. Seeing Beyond the Bailout – City of Trotwood Planning and Development Department is focused on taking the initiative to improve the viability of our community's economics and the job opportunities available to residents. Looking Forward: The Landmark, Trotwood Commerce Park: CB Richard Ellis, EMTEC, ODOD/Site seekers. Business Retention & Expansion – Montgomery County Business First, EMTEC. Industry Cluster – Aerospace Research & Development, Human Sciences & Health Care, Information Technology, and Advanced Materials & Advanced Manufacturing. Economic Development 2009: Olde Town – Neighborhood Stabilization Project, Streetscape. Five Rivers MetroParks: Sycamore Woods State Park, Wetlands Bank, and Bikeway Project. Salem Avenue Redevelopment Initiative: Vacant/blight commercial properties, Salem Avenue/Shiloh Springs Roadway Project, and Salem Avenue Beautification Project. Hara Arena, Former Sherwood Drive-in, Harrison Twp/City of Trotwood Partnership, Jefferson Twp/City of Trotwood Partnership, and City of Dayton/City of Trotwood Partnership. At the conclusion of the presentation, Mrs. Finley asked if there are questions; please direct them to Planning & Development Director Michael J. Lucking. Mayor Davis corrected to City Manager Michael J. Lucking. Mayor Davis asked Mrs. Finley if she would give an update on the Stimulus Funding from the Governor's Office, a meeting held at Sinclair Community College. Mrs. Finley asked that we go to the website [www.recovery.ohio.gov](http://www.recovery.ohio.gov) to see how Ohio has fared in the stimulus funding. Mayor Davis thanked Mrs. Finley for the presentation. Mr. Hankins said Best Buy in the City of Trotwood is having the best year in the Best Buy markets.

### **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](mailto:lsingleton@trotwood.org) to schedule a meeting at any time that is convenient.
- 2) Mayor Davis asked Mr. David Pendergrass to stand and be recognized as the newest appointee to the Board of Zoning Appeals.

### **CITY MANAGER:**

- 1) Reminder for citizens to use the Trotwood Website - [www.trotwood.org](http://www.trotwood.org)
- 2) Trotwood Recognition Night – April 25, 2009 at Hara Arena, 7:00 p.m.
- 3) Adopt-A-Road – Saturday, April 25<sup>th</sup>.

**COUNCIL MEMBERS COMMENTS:**

**Council Member Mary McDonald:**

- May is Get the Edge Month in Ward 4.
- Greater Dayton RTA Board Meetings – I suggest we attend. I will be attending. Mrs. McDonald presented a list of questions regarding the Greater Dayton RTA and Greyhound in the City of Trotwood.  
City Manager Michael Lucking said Executive Director Mark Donaghy is present this evening and will address us tonight.

**VISITORS AND COMMUNICATIONS:**

**CHRIS HAYWARD (ACTGRO) - 1285 GRAYSTONE DRIVE 45427, WARD 3:** Council is driving a bigger wedge between businesses in the City. The City has lost more than it has gained. The bus line is a service. There is a double standard. St. Mary's properties are exceptional. Everyone can't live in Moss Creek. There seems to be a general lack of knowledge.

**GEORGE RIBER – 8 CAISSON STREET 45426, WARD 3:** Sent three people to Las Vegas. They bring nothing back. It is a free vacation. Our Councilman doesn't honor the flag.

**FLORA NORTHERN – 817 CHANDLER DRIVE 45426, WARD 1:** No Greyhound Bus Terminal in the City. Mrs. Northern presented reasons from the Broadmoor I Neighborhood Watch as to why they do not want the Greyhound Bus Terminal in the City of Trotwood. The buses would travel up and down the streets almost 24 hours a day with their smelly fumes and destroying our streets.

**BRENDALEE ROSEMAN – 609 VANIMAN AVENUE 45426, WARD 1:** Greyhound Bus Terminal – unsafe, students will sell substances, pedophiles, homeless sleeping in the terminal, and alcohol use. We need something for the youth.

**WANDA ADAMS – 147 E. SUNRISE AVENUE 45426, WARD 1:** 49 years in Trotwood. I am in the 2<sup>nd</sup> Leadership Academy, and a member of a business group. What serves the region? Concerns growing out of fear. Open your ears open your hearts.

**TRAVIS MARK – 5631 WALSTON CT. 45426, WARD 3:** I haven't been involved, but will get involved in the City meetings. Please hear our concerns regarding Greyhound Bus Terminal. We will work hard to make changes.

**GAYLE GIBBONS – 2373 N. SNYDER ROAD 45426, WARD 3:** No Greyhound Bus Terminal in our community – respect our right to speak out.

**DALE GIBBONS – 2373 N. SNYDER ROAD 45426, WARD 3:** Can't get street construction done on your roads, salt supply limited. We are looking for services for the community. We do not want an adversarial relationship with the Council.

**YVONNE ISAACS – 4812 NORTHGATE CT. 45416, WARD 4:** I oppose the Greyhound Bus Terminal relocating to Trotwood. I have been in the City for 31 years. The building would become unkempt as it is downtown. Look for other opportunities. City Manager Michael J. Lucking said the City must uphold the codified ordinances, and the law. RTA is a property owner in our City.

**RAY BIRDSONG – 3700 HERMOSA DRIVE 45426, WARD 4:** 26 years in Trotwood. Step up to the plate. Do something for the City. Concerned for my neighbors – the elderly have heart attacks in trying to remove snow on their properties. The Public Works Dept. throws the snow back in our driveways during snow removal. I have called the Superintendent of Maintenance. Let's work together.

**JANICE CHINN – 5213 WEIGOLD CT. 45426, WARD 2:** Be responsive to what citizens want. No Greyhound Bus Terminal. I reside 1,000 ft. from the RTA Northwest hub, and the proposed Greyhound Bus Terminal. I am concerned with the Police Dept. and how it will handle the crime. I have experienced vandalism in my home and crime in the area.

**JAMES D. WILLIAMS – 4538 FREUDENBERGER AVENUE 45427, WARD 4:** I have ministered to prisoners. I ride the RTA bus. Garber Road is a no truck zone. Bring business to the City.

**HERBERT MARSHALL – 5657 WESTCREEK DRIVE 45426, WARD 1:** I am an advocate for the Greyhound Bus Terminal to relocate to Trotwood. I am retired from the criminal justice system. I currently work at Central State University – and believe the concerns are an exaggeration. I would like to see the Police report. Greyhound is safe. There maybe some inconveniences, life is not perfect. We need progress.

**LARRY WHITE – 981 N. SNYDER ROAD 45426, WARD 3:** Be more considerate. Meetings are too long. Greyhound Bus Terminal – I oppose its relocation to the City of Trotwood. Dayton needs tax base, and if there are benefits, Dayton would keep the terminal there. What is happening with Broadmoor project? When will the Landmark be built? How does Trotwood let someone else tell them what to do? Depots are not the best kept places. City Manager Michael Lucking said again that the Greater Dayton RTA is the owner/operator of the building.

Police Chief Quincy Pope - reported on the crime stats from the City of Dayton relative to the Greyhound Bus Terminal. The crime stats for Greyhound Bus Terminal in Dayton are part of a multi - facility on East Fifth Street. Police Chief Pope used the crime index and broke the 226 calls for service down into the types of crime and how much of the crime originated at Greyhound Bus Terminal. With the information broken down Police Chief Pope would estimate calls for service in Trotwood would go up 1%. Police Chief Pope invited any citizens who would like to discuss his information with him to please call, and schedule a meeting to discuss the information. He would be happy to meet with anyone.

Greater Dayton RTA Executive Director Mark Donaghy – purchase of the Greyhound Bus Terminal and its relocation is a business decision. There are many misconceptions of the Greyhound Bus Terminal. We will be hosting a public meeting in Trotwood. Greater Dayton RTA is looking at Trotwood and no other community for the relocation of the Greyhound Bus Terminal. Mr. Hankins asked that Mr. Donaghy address our concerns to the Greater Dayton RTA Board Members. The Greater Dayton RTA Board Meetings are the 1<sup>st</sup> Tuesday of each month. Mrs. McDonald asked that citizens contact State Senator Fred Strahorn at 614-466-2967 regarding the relocation of the Greyhound Bus Terminal to the City of Trotwood. Mr. Vaughn thanked Police Chief Quincy Pope for the call load information for the multi-use facilities.

**MOTION TO ADJOURN:**

Mayor Davis said the meeting was adjourned at 11:05 p.m.

Trotwood City Council  
Meeting Minutes  
April 20, 2009

ATTEST:

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Lois M. Singleton, Clerk of Council

APPROVED:

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Darreyl D. Davis, Mayor