

**TROTWOOD CITY COUNCIL
MEETING MINUTES
JUNE 15, 2009**

The Trotwood City Council met in their Regular Scheduled Meeting on Monday, June 15, 2009 at 6:00 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.

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, Acting Finance Director Patricia Shively, Fire Chief Eugene C. Lutz, Acting Police Chief Erik Wilson, Economic Development Administrator Rhonda Finley, Planning and Zoning Administrator Carl Daugherty, Human Resources Manager Barbara Brooks, Engineering Technician/Parks Maintenance, Building & Grounds Thomas Long, Building Program Manager/Code Enforcement Scott Adams, Union Representative Fire & Rescue Steve Milliken, Secretary to City Manager/Deputy Clerk of Council Sandy Riege and Clerk of Council Lois M. Singleton.

VISITORS:

Theodore C. Fowler, Chris Hayward (ACTGRO), Joan Weber (ACTGRO), Ellsworth Szkudlarek, Janice Chinn, Mattie M. Clay, Walter F. Johnson, Gayle Gibbons, Mattie Clark, Loren Gross, Earline Graham, Paul Graham, Clarence Allen, George Riber, Mike Lau, Joseph McDonald, James D. Williams, Dave Norvell, Bryan D. Norvell, Tanya Jackson, Peter Cummings, Bonnie Cummings, John T. Fecke, Larry & Juanita Hardy, Barbara Higgins, Pat Lewis, Michael Ecton, Zoie Sampson, Eunice Simmons, George Tyler, David T. Roseman, Janet Foote, Richard Finley, Kelly L. Bolt, Bruce Kettelle (former Council Member, Totally Trotwood), Mable Hardy, William Richardson, Oscar & Totsie Holliday, Flora Northern, Linda Penno, Jackie Dailey, Kenny Goodpasture, Tom Grady, C. Harold Brown, Toni Coleman (Dayton Daily News), Thomas Clay, and Warren Johnson.

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 6:01 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:

Mr. Hankins moved to adjourn the executive session at 7:35 p.m., and return to the regular agenda, and seconded by Vice-Mayor Cameron. Roll call resulted in 7 yes votes, and the Motion was approved unanimously.

PRESENTATIONS AND RECOGNITIONS:

OATH OF OFFICE TO BE GIVEN TO NEWLY HIRED FIREFIGHTER/PARAMEDIC CHRISTOPHER GILSON BY MAYOR DARREYL D. DAVIS – FIRE & RESCUE CHIEF EUGENE C. LUTZ, JR.:

Christopher Gilson and his family were introduced by Fire & Rescue Chief Eugene C. Lutz, Jr. Mr. Gilson grew up outside Washington, DC in a military family; eventually moved to Ohio, and purchased a home in Trotwood in 1988. After High School, Mr. Gilson could not decide on a career path. He saw a Volunteers Needed sign posted for the Fire Service and decided that sounded exciting. Mr. Gilson stopped by a Fire Station to get some information on what becoming a firefighter involved. Mr. Gilson talked with Captain T. J. Wilz at Fire Station 71 who explained what the job entailed. Chris was hired in

March 1998 as a Volunteer. Chris went on to obtain his Firefighter Level 2 Certification in 1998. When Trotwood Fire Department merged with Trotwood Rescue, he went on to obtain his EMT Basic Certification in 2000. Chris worked full-time for a fire protection company, working on fire alarm and suppression systems and this allowed him to work closely with the Fire Service. He left the fire protection company when he became a part-timer for the City of Trotwood. He worked a 24/48 shift in order to attend Paramedic School. He completed Medic School in 2008 and his National Registry in 2009. Chris' family, mom and dad, Skip and Cindy are present with him this evening. Mayor Davis gave him the Oath of Office while accompanied by Vice-Mayor Cameron. Council, Staff and the audience congratulated Chris on becoming a Firefighter/Paramedic. The department welcomed Chris Gilson.

OATH OF OFFICE TO BE GIVEN TO NEWLY HIRED FIREFIGHTER/PARAMEDIC SETH HALEY BY MAYOR DARREYL D. DAVIS – FIRE & RESCUE CHIEF EUGENE C. LUTZ, JR.: Fire & Rescue Chief Eugene C. Lutz, Jr. introduced Seth Haley and his family. Seth Haley grew up in Clayton and attended Northmont High School. His career path was originally to become a Teacher, but decided to join some friends who were going through the Fire Academy. Mr. Haley attended Sinclair Community College for Firefighting Levels 1 and 2 in 2003, and also for his Paramedic Certification in 2007. He worked for Harrison Township Fire Department in 2005 and continued serving the community. He began his Part-Time position with Trotwood Fire & Rescue in 2007. In 2008, Seth was given the opportunity to fill in as an Acting Full-Time member of the department. Immediately thereafter, the department had Career Full-Time positions become available, and the hiring process began. Seth is accompanied by Wife Ashley, Mother and Father Sherry and Dale, and Brother Cameron. The Haley's are expecting their first child. Mayor Davis administered the Oath of Office accompanied by Vice-Mayor Cameron. Council, Staff and the audience congratulated Seth Haley on his new position of Firefighter/Paramedic. The department welcomed Seth Haley.

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, June 1, 2009.
- 2). Council Meeting Minutes – Special Scheduled Meeting – Monday, June 8, 2009.

Mayor Davis requested a Motion to approve the Consent Agenda. Mr. Vaughn moved to approve the Consent Agenda, and seconded by Vice-Mayor Cameron. Roll Call resulted in 7 yes votes, and the Motion 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) Mayor Davis advised that Trotwood Leadership Academy Coordinator Rachel Riley had placed a plant at each Council Members seat to thank you for your assistance in her coordination of the Academy.

CITY MANAGER:

- 1) Reminder for citizens to use the Trotwood Website - www.trotwood.org
- 2) The Trotwood Newsletter will be going out in the next Utility Bill.

COUNCIL MEMBERS COMMENTS:

Council Member Mary McDonalds:

Mrs. McDonald has been asked to read a memo from Chris Hayward, Private Citizen: – The memo talked about how disturbing the news was to her on the previous evening when Channel 7 reported “Trotwood Residents Recalling the Mayor” and what Ms. Hayward thinks are the reasons for the proposed recall and what she will do if the gathering of signatures for a recall is continued. Ms. Hayward’s memo talks about citizens conduct in Council Meetings, and those taking out petitions to run for Council. Ms. Hayward’s memo states that she sees a double standard in some recent Zoning issues, and in how one employee is treated vs. another employee. Ms. Hayward asserts that the memo is a vote of confidence for Mayor Davis and City Manager Lucking.

Mrs. McDonald was also requested to read what resident Brendalee Roseman Termed in her request, a Recall Petition for Mayor Darreyl D. Davis: Mrs. McDonald read the proposed petition in its entirety which includes the reasons for the Recall stated in two paragraphs and to include items a thru k. A copy of the proposed Recall petition was given to Council and the Clerk at the June 15, 2009 Regular Scheduled Council Meeting. The proposed Recall petition range in reasons for the Recall from lack of confidence, lack of transparency, lack of concern and poor judgment, gross neglect of duty, unprofessional meeting practices, unreasonable wait time for Public records, excessive travel, and ineffective resolution of conflict. Also failure to represent the Office of Mayor and its duties well.

Mrs. McDonald asserts that her reading of the two items does not constitute her support of or lack of support for the issues purported in the documents. Mrs. McDonald further states that it is her respect for all citizens in Trotwood and her support of their rights under the Charter and the Constitution of the United States whereby we are governed.

POLICE CHIEF QUINCY E. POPE, SR. – 2009 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT – NOTIFICATION – 30 DAY REVIEW PROCESS AS REQUIRED BY THE DEPARTMENT OF JUSTICE: The notification on the agenda satisfies the requirement for the 30 day review process.

VISITORS AND COMMUNICATIONS:

THEODORE C. FOWLER – 5113 WEDDINGTON DRIVE 45426- WARD 2: Greyhound Bus Depot coming to Trotwood. Scripture quoted Matthew 7:15, false prophets. Entreat residents to start thinking, and realize how ridiculous some of the antics are dealing with this issue.

CHRIS HAYWARD – 1285 GRAYSTONE AVENUE – 45427- WARD 4: Ms. Hayward would like Mayor Davis to know that she is ready and willing to do anything to assist him in this proposed recall process.

GAYLE GIBBONS – 2373 N. SNYDER ROAD 45426- WARD 3: Meeting held in Columbus with consultant for revitalizing the Salem Mall site. Many attended the meeting, but the Economic Development Administrator did not attend. Council Members McDonald and Gales did not attend. Unity starts on the dais. Tax bills are coming out next week. I am not going anywhere. I have been in Trotwood for many years.

JANICE CHINN – 5213 WEIGOLD CT. 45426 – WARD 2: Mrs. Chinn has attended the Greater Dayton RTA Board Meetings. There were two other contracts to operate out of Trotwood. Mayor, protect citizens. Consider what residents want. It is legal. What is right?

BRENDALEE ROSEMAN – 609 VANIMAN AVENUE 45426 – WARD 1: Recall of Mayor. Decision has been made. Mayor Davis has failed us. I have worked hard in this economy. My husband and I are on Social Security. This is unfair.

I have made a Public Records request to Mrs. Singleton and have not received the documents. It hurts.

WALTER F. JOHNSON – 5843 SHADY COVE LANE 45426 – WARD 2: The City of Dayton is getting Dayton's leftovers. Be straight forward with the resident. We are in and are headed for rough times.

GEORGE RIBER – 8 CAISSON STREET 45426 – WARD 3: Thank you Mr. Fowler for your comments. I would like to thank the Police Dept. for clamping down on speeders who are running stop signs and red lights.

DAVE NORVELL – 629 BRADFIELD DRIVE 45426 – WARD 1: I am speaking for myself and a sister on Olive Road. Our zip code was changed by the Post Office without any prior notification. 45427 changed to 45417.

JAMES D. WILLIAMS II – 4538 FREUDENBERGER AVENUE 45427 – WARD 4: Greyhound Bus Depot would like to get out of their lease with the City of Dayton. The Recall Petition is ridiculous. Look at the Trotwood Connector and Salem Avenue. We have some revitalization going on there. We have areas where there is no growth; the Wal-Mart is empty. These petty disagreements are shifting the focus for the City. Mayor you have my vote.

Mayor Davis stated- The proposed recall is disappointing. In my heart I know that I am representing the citizens well. I was on Council as an at-large member for two terms; I was Vice-Mayor and now have been elected Mayor. The issue of Greyhound and RTA – this is a legal business transaction. Let's move into the 21st Century, look to the future. The City is a change agent. I assure you that I am looking to the best for the community. I would like to thank the community supporters. Misstatements are being made. I have been Mayor for 18 months. There are tough times everywhere. We must weather the storm. I will always do my best to make the City successful. Let's make it better and move forward. We must help our seniors and young people in the community. We are being reactive and not proactive. There are no positive impacts for the City. For the future, we must be at the table and work for it. Some Council Members are working diligently. It is easy to criticize. Let's challenge the status quo. Some are unfocused and unstable. Everything is no. I offered the olive branch to citizens and Council. There is an old adage, if you don't do what I want, you are wrong.

Mrs. Gales – what is occurring in the old Bill Knapp’s Building. Planning and Zoning Administrator Carl Daugherty said the new owner wants to bring in a jazz club/restaurant. The property is in the Salem Avenue Overlay District. Liquor permit would not be approved for this district. Zoning permits have not been requested as yet, and the work that has been done does not require a permit. No work has been done inside. Occupancy permit will be required. Mrs. Gales heard that a strip club is being put in the building. There is an overlay district and onsite liquor consumption would be allowed for a restaurant. That would be limitation. A Conditional Use Permit would be required. What would be done if conditional use permit is not secured? Law Director Steve McHugh said the City could file suit in Common Pleas Court and seek injunction.

Mr. Vaughn – I highly respect Mayor Davis. Some disagree with everything. The people did not disagree. All of Council wants growth and opportunity for this community. We are unified to move forward. Thank you for standing up.

Mrs. McDonald – I stood with those with those who do not want Greyhound Bus Depot at the Northwest RTA Hub. I am there to support your right. Council must work together, and we need transparency.

The Trotwood City Charter is online at www.trotwood.org.

Mr. Hankins – Sisters of the Precious Blood have a nunnery on Salem Avenue which has been there since 1930. The Ku Klux Klan burned a cross on their property years ago. Let’s deal with truths and facts. Council Members speak the truth. I make a promise that you may ask me anything as I walk the Ward.

Would the Law Director give us a Legal opinion about reading political documents on the dais? Take under advisement. Let’s have a motion. Mrs. Staggs moved to request the Law Director to give Council a legal opinion as to the reading of political documents on the dais, and seconded by Mr. Hankins. Roll call resulted in 7 yes votes, and the motion was approved unanimously.

MOTION TO ADJOURN:

Mrs. Staggs moved to adjourn at 8:45 p.m., and seconded by Vice-Cameron. Roll call resulted in 7 yes votes, and the Motion was approved unanimously.

ATTEST:

APPROVED:

Lois M. Singleton, Clerk of Council

Darreyl D. Davis, Mayor