

**TROTWOOD CITY COUNCIL
MEETING MINUTES
SEPTEMBER 21, 2009**

The Trotwood City Council met in their Regular Scheduled Meeting on Monday, September 21, 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.

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, Public Works Director/Parks Director Thomas Odenigbo, Acting Finance Director Patricia Shively, Fire & Rescue Chief Eugene Lutz, Police Captain Erik Wilson, Planning & Zoning Administrator Carl Daugherty, Building Program Manager/Code Enforcement Scott Adams, Economic Development Administrator Rhonda Finley, Secretary to City Manager/Deputy Clerk Sandy Riege, and Clerk of Council Lois M. Singleton.

VISITORS:

Claude Keeling (Trotwood Historical Society), Wesley L. Willis (VFW Post 4270), Homer Williams (VFW Post 4270) Greg Hughes (Plattensburg & Associates, Inc.), Brent Byerly (Plattensburg & Associates, Inc.), Theodore C. Fowler, Earnest W. Hill, Marvalene Raglin, James R. Haney, Henry Z. Christ (Trotwood P.D.), William Krest, James D. Williams, II, Pete & Bonnie Cummings, Virginia Litchfield, Joseph McDonald, Ralph & Phyllis Goins, Joanne B. Koesters, John T. Fecke, George Riber, Kenny Goodpasture, Ronald Koesters, George Weitendorf, Roger Williams, Ellsworth Szkudlarek, Janet Foote, George Tyler, Tom Grady, Richard Farncomb, Sr. Madonna Ratermann, Marjorie Townes, Totsie L. Holliday, Loren W. Gross, G. Gross, and Bruce Kettelle (Totally Trotwood).

MOTION TO ADJOURN INTO EXECUTIVE SESSION IN ACCORDANCE WITH THE OHIO REVISED CODE AND PRESENTATION OF AUDIT FOR FY2008 TO THE TROTWOOD CITY COUNCIL: Mr. Hankins moved to adjourn into executive session at 7:10 p.m., in accordance with the Ohio Revised Code and Presentation of Audit for FY2008 to the Trotwood City Council, 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: Mr. Hankins moved to adjourn the executive session at 7:55 p.m., and return to the regular agenda, and seconded by Mrs. Staggs. Roll call resulted in 7 yes votes, and the Motion was approved unanimously.

PRESENTATIONS AND RECOGNITIONS:

PRESENTATION – FIVE RIVERS METROPARKS – LEVY ON THE NOVEMBER 3RD BALLOT – ISSUE 4 – EXECUTIVE DIRECTOR CHARLIE SHOEMAKER: Programs attract new business, create environment where young people want to live, and free family-oriented fun is available everyday. There are 25 parks covering 15,000 acres of land in the system. There are parks, trails, conservation areas, etc. offered as part of Five Rivers MetroParks. The parks are clean and safe. The Five Rivers MetroParks have a 45 year history that has grown into an incredible agency of diverse beauty and experiences, and at the heart remains the fundamental value of land and waterway conservation. Five Rivers MetroParks Protect – Conserving our natural heritage, Connect – Connecting people with nature, Enrich – promoting community vitality, and Respect – honoring your trust. Vote for Issue 4 on the November 3rd ballot. This is a 1.8 mill replacement levy that will bring in \$10.72 for every

\$1,000.00. We would also ask that Mayor and Council endorse the levy. Without Issue 4: Five Rivers MetroParks loses 80% of its funding. With Issue 4: Clean, safe parks, close to home; Protected natural areas for today and future generations; Accessible hiking, fishing, kayaking, mountain biking in Montgomery County. Mr. Hankins asked how close the Five Rivers MetroParks is in opening the wetlands in the City of Trotwood. They are completing their permitting at this time, and expect to be under construction in 2011. Mayor Davis thanked Executive Director Shoemaker for coming out this evening and making the presentation.

PRESENTATION – IAMS PIONEER HARVEST FEST – SATURDAY, OCTOBER 10TH – 10:00 A.M. – 5:00 P.M. – TROTWOOD HISTORICAL SOCIETY MEMBER: Claude Keeling will make the presentation this evening. This is the 11th year of the Pioneer Harvest Fest. There is free admission, Antique Corn Harvesting all day, Reenact the Farms of Yesteryear, Period Dress, Old Hand Tool Displays, Blacksmithing Demonstrations, Apple Butter Cooking, Tobacco Harvest Demonstration, Lots of fun for the kids, Antique Tractors and Equipment, Country Store, Hay Rides, Chili and Hot Dogs, and Corn Shelling Contest at 2:00 p.m. The Rock Island Plow Company – a live Bluegrass Band after 2:00 p.m. This is a wonderful event that brings out more and more people every year. Come out and join us. Vice-Mayor Cameron is working with the Jr. Historical Society and has gotten the group active again. Thank you to Mayor, Council and Staff for your support over the years.

PRESENTATION – FIRE & RESCUE CHIEF EUGENCE C. LUTZ –TORNADO SIRENS: The old Civil Defense System is inoperable. The City has applied for grant monies to replace the system. The sirens/alarms will be set off the first Monday of each month. The location of the sirens is 4385 Salem Avenue, 4510 Seybold Road, 16 West Trotwood Blvd., 1333 N. Lutheran Church Road, 3131 Shiloh Springs Road, 913 Miller Avenue, and 1035 North Union Road. The sirens will provide coverage for the entire City. We are very pleased to have this public safety protection again in our City.

PRESENTATION – FIRE & RESCUE CHIEF EUGENCE C. LUTZ –CAPITAL EQUIPMENT: The City of Trotwood Fire Department has an aging fleet. Recently four (4) of the five (5) medics were down. The City was dependent on other communities for their response and their vehicles. We have placed a 2.00-mill additional levy on the November 3rd ballot for approval by the voters for repair and replacement of vehicles. Mrs. McDonald said people are concerned about the equipment. Let's work on the levy.

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, September 8, 2009.
- 2). RESOLUTION 09-84: A RESOLUTION BY THE COUNCIL OF THE CITY OF TROTWOOD, OHIO, TO CERTIFY DELINQUENT WATER, SEWER, TRASH AND STORM DRAINAGE BILLS TO THE AUDITOR OF MONTGOMERY COUNTY, STATE OF OHIO, FOR PLACEMENT ON THE MONTGOMERY COUNTY TAX DUPLICATE.
- 3). RESOLUTION 09-85: A RESOLUTION BY THE TROTWOOD CITY COUNCIL AUTHORIZING THE CITY MANAGER TO EXECUTE A LABOR AGREEMENT

BETWEEN THE CITY OF TROTWOOD, OHIO, AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION.

- 4). Motion to request the Law Director to draft legislation on Case #09-05 Rezoning and PUD Approval of Salem Plaza, and to schedule a public hearing.
- 5). Motion to request the Law Director to draft legislation on Case #09-06 Miscellaneous Zoning Text Amendments, and to schedule a public hearing.
- 6). RESOLUTION 09-86: A RESOLUTION BY THE TROTWOOD CITY COUNCIL APPOINTING A MEMBER TO THE TROTWOOD FINANCE COMMITTEE FOR A THREE YEAR TERM.

Mayor Davis requested a Motion to approve the Consent Agenda. Mrs. Gales 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 8:20 p.m., and seconded by Mr. Vaughn. Roll call resulted in 7 yes votes, and the Motion was approved unanimously.

Mayor Davis asked if there are any persons in the audience who would like to speak for or against the legislation under Public Hearings. There were none.

ORDINANCE 18-09: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,950,000, IN ANTICIPATION OF THE ISUANCE OF BONDS, TO PAY COSTS OF IMPROVING OLICE ROAD, WOLF CREEK PIKE, PROSPERITY DRIVE AND MODERN WAY BY REPAVING, ADDING LANES, CURBING AND INSTALLING SIGNALIZATION, CONSTRUCTING WATER AND STORM WATER LINES, AND ACQUIRING REAL PROPERTY, TOGETHER WITH ALL NECESSARY APPURTENANCES, AND DECLARING AN EMERGENCY: The Clerk read the caption. City Manager Michael J. Lucking explained that the BANS are to be issued for a period of 6 months in the anticipation of the issuance of General Obligation Bonds in March 2010, converting to permanent bond financing. Mr. Vaughn asked if the permanent bond financing is more favorable. Mrs. McDonald asked why for 6 months. Mayor Davis requested a motion to approve Ordinance 18-09. Mr. Hankins moved to approve Ordinance 18-09, and seconded by Mr. Vaughn. Roll call resulted in 7 yes votes, and Ordinance 18-09 was approved unanimously.

ORDINANCE 19-09: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,530,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF ACQUIRING REAL ESTATE, AND DECLARING AN EMERGENCY: The Clerk read the caption. City Manager Michael J. Lucking said the costs are associated with real estate located at the intersection of Salem Avenue and Shiloh Springs Road (the Toys R'Us). These BANS are also being issued for a 6 months period, permanent Bond financing. This is a TIF District. Mayor Davis requested a motion to approve Ordinance 19-09. Mrs. Staggs moved to approve Ordinance 19-09, and seconded by Mrs. Gales. Roll call resulted in 7 yes votes, and Ordinance 19-09 was approved unanimously.

Mayor Davis requested a Motion to close the Public Hearing and return to the regular agenda. Mrs. McDonald moved to close the public hearing and return to the regular agenda at 8:25 p.m., and seconded by Mr. Hankins. 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) KEYBANK – ECONOMIC OUTLOOK SEMINAR– Tuesday, October 6th at 7:30 a.m. at Crown Plaza Hotel downtown.
- 3) ESP ENTREPRENEURS – Tuesday, October 13th 11:30 a.m.-1:30 p.m. NCR Country Club.
- 4) NATIONAL LEAGUE OF CITIES CONGRESS OF CITIES AND EXPOSITION, NOVEMBER 10-14, 2009 – ANNUAL BUSINESS MEETING – SATURDAY, NOVEMBER 14, 2009 SAN ANTONIO, TX – VOTING DELEGATE AND ALTERNATE VOTING DELEGATE: Mr. Hankins will be the delegate, and Vice-Mayor Cameron and Mrs. Staggs will be alternate delegates. Mrs. Staggs moved to recommend Mr. Hankins as the delegate and Vice-Mayor Cameron and herself as the alternate delegates, and seconded by Mr. Vaughn. Roll call resulted in 7 yes votes, and the Motion was approved unanimously.

CITY MANAGER:

- 1) Reminder for citizens to use the Trotwood Website - www.trotwood.org
- 2) Council Workshop – Wednesday, September 23rd - Creek Side in Gahanna, OH. Stonehenge will make a presentation and tour. Council and Staff will leave at 3:00 p.m. The workshop is 4:30-6:30 p.m.

COUNCIL MEMBERS COMMENTS:

Council Member Mary A. McDonald:

Welcome Fosters Back to the Neighborhood: Saturday, October 3rd 2:00-5:00 p.m. Fun will be had by all. Come out and join us.

Thanksgiving Baskets in Townview: We will be collecting foods and donations for Thanksgiving baskets to be given to residents in Townview.

THANK YOU: Thank you to Oscar Holliday and Regina Davis who cut down trees and shrubs in the community to make the community more pleasing.

Council Member Ronald Vaughn:

Thank you to Elder-Beerman for the Thanksgiving Dinner over the Years: Elder-

Beerman will not have the dinner this year.

Council Member Rap Hankins:

Thanksgiving Baskets in Shiloh Gardens: Money is given to the Trotwood Food Pantry to help in giving baskets to the needy for Thanksgiving. Shiloh Gardens has been doing this for years.

Council Member Bettye L. Gales:

Montgomery County Juvenile Court - Mentors as Natural Helpers: Mrs. Gales and Vice-Mayor Cameron attended the classes to become Natural Helpers, and graduated on Saturday.

STAFF:

VISITORS AND COMMUNICATIONS:

Virginia Litchfield – 1435 Stuben Drive, 45417, Ward 4: Mrs. Litchfield asked Mrs. McDonald why they were not informed about the collection of foods and donations for the Thanksgiving Baskets. Mrs. Litchfield said she has not met such hateful and negative people as she has in the Council Meetings. Learn to accept people for who they are. Mrs. Litchfield was not aware of a reunion in Townview as reported in the last meeting by Mrs. McDonald.

William M. Krest – 2488 Diamond Mill Road, Brookville 45309-Ward 3: Vote for the Fire Levies. The Department is in need of new equipment and the renewal of the EMS levy.

James R. Haney – 8327 Post Town Road 45426 – Ward 3: I drive a bus to Trotwood and am concerned with the former Salem Mall property between Sears and Home Depot, the concrete needs to be moved. Please make the site more presentable for those who are visiting our community.

MOTION TO ADJOURN:

Mrs. Staggs moved to adjourn the Council Meeting at 8:55 p.m., and seconded by Mr. Hankins. 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