

# CITY OF CLAYTON, OHIO

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## RESOLUTIONS AND ORDINANCES

March 18, 2021

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### NEW BUSINESS

### ORDINANCES (FIRST OF TWO READINGS)

#### ORDINANCE NO. O – ZC – 21 – 01

**AN ORDINANCE ADOPTING THE PLANNING COMMISSION'S  
RECOMMENDATION TO APPROVE THE APPLICATION OF WILLIAM AND  
MARY LAUER FOR A CHANGE IN ZONING FROM R-3 (SUBURBAN  
RESIDENTIAL) TO I (GENERAL INDUSTRIAL) FOR PROPERTY LOCATED AT  
6892 SALEM AVENUE (PARCEL I.D. NUMBER M60 03207 0015) AND CONTAINING  
6.12 ACRES WITHIN THE CITY OF CLAYTON, OHIO**

**WHEREAS**, on January 11, 2021, an application was filed by property owners William and Mary Lauer for the property located at 6892 Salem Avenue and bearing Parcel I.D. Number M60 03207 0015 and containing 6.12 acres within the City of Clayton, Ohio and requesting a zoning change for same from R-3 (Suburban Residential) to I (General Industrial); and

**WHEREAS**, the Clayton Planning Commission held a public hearing on February 22, 2021, on said re-zoning request at which time any and all persons were given an opportunity to be heard thereon, and the Clayton Planning Commission, at said February 22, 2021 meeting, *voted to approve the re-zoning request as submitted*; and

**WHEREAS**, the Clayton City Council held a public hearing on March 18, 2021, on the aforesaid re-zoning request at which time any and all persons were given an opportunity to be heard thereon.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO:**

1. That the Council hereby **ADOPTS** the Planning Commission's *recommendation of approval* of re-zoning from R-3 (Suburban Residential) to I (General Industrial) for the property located at 6892 Salem Avenue and bearing Parcel I.D. Number M60 03207 0015 and containing 6.12 acres within the City of Clayton, Ohio.
2. That this Ordinance shall be effective as an exception to any ordinance, resolution or other legislation of the City of Clayton, Ohio, inconsistent with this Ordinance or which imposes additional requirements for effectiveness or validity.
3. That in accordance with Clayton Charter Section 4.031 the requirement that this enactment be read on two (2) separate days is complied with by readings on March 18, 2021 and April 1, 2021.
4. That in accordance with Clayton Charter Section 4.031(H) this enactment shall become effective thirty days after its second reading and enactment.

**RESOLUTIONS (SINGLE READING AND IMMEDIATE ENACTMENT)**

**RESOLUTION NO. R – 03 – 21 – 22**

**A RESOLUTION APPROVING EXPENDITURE OF LAW ENFORCEMENT TRUST FUNDS AND TREASURY FUNDS AND AUTHORIZING PURCHASE OF THREE (3) GETAC REPLACEMENT COMPUTERS AND DOCKING STATIONS FOR USE BY THE POLICE DEPARTMENT AND AT A TOTAL COST NOT TO EXCEED \$9,486.00**

**WHEREAS**, Charter Section 8.02(C)(1) and Ordinance No. O-02-21-01 adopted by Council on February 18, 2021, exempts from competitive bidding requirements purchases which are less than \$64,498.00; and

**WHEREAS**, the Chief of Police has recommended the use of Law Enforcement Trust funds and Treasury funds for the purchase of three (3) Getac A140 computers (MDTs) and docking stations to be utilized for law enforcement purposes and at a cost not to exceed \$9,486.00.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO:**

1. That the expenditure of Law Enforcement Trust funds and Treasury Funds in an amount not to exceed \$9,486.00 for the purchase of three (3) Getac A140 computers (MDTs) and docking stations to be utilized for law enforcement purposes is hereby approved.

ADOPTED BY COUNCIL ON MARCH 18, 2021

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**RESOLUTION NO. R – 03 – 21 – 23**

**A RESOLUTION TO DECLARE SURPLUS EQUIPMENT AVAILABLE FOR DISPOSAL THROUGH SALE OR AUCTION**

**WHEREAS**, R.C. 721.01 permits a municipal corporation to sell or lease property no longer needed for municipal purposes; and

**WHEREAS**, City staff and the City Manager have advised the items identified on the attached **Exhibit A** are no longer needed for municipal purposes.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO:**

1. That the specific property referenced on the attached **Exhibit A** are hereby declared to be surplus and available for disposition by the City Manager through sale or auction including: (a) internet auction including but not limited to Municbid and/or GovDeals; (b) public auction; and (c) pricing of said property and advertising for direct sale through trade publications.

ADOPTED BY COUNCIL ON MARCH 18, 2021

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**RESOLUTION NO. R – 03 – 21 – 24**

**A RESOLUTION APPROVING AMENDMENT OF 2021  
APPROPRIATIONS AND ESTIMATED RESOURCES**

**WHEREAS**, during the operation of the City of Clayton certain expenditures are required to provide required governmental services; and

**WHEREAS**, the expenditures must be in accordance with requirements provided by applicable state law and be applied against certain designated City funds; and

**WHEREAS**, certain transfers of moneys within and between specified City funds may be required to comply with accounting requirements established by the office of the State Auditor of Ohio; and

**WHEREAS**, certain appropriations are necessary to authorize payment from certain funds; and

**WHEREAS**, Council previously approved the Original Certificate of Estimated Resources and Appropriations; and

**WHEREAS**, the Finance Director has requested amendment of the 2021 Appropriations and Estimated Resources with respect to the Local Coronavirus Relief Fund (707)

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO:**

1. That the following amendments are hereby approved as follows and the appropriation amendments are for *operating expenses*:

<b><u>Fund</u></b>	<b><u>Estimated Resource Amount</u></b>	<b><u>Appropriation Amount</u></b>
Law Enforcement Trust Fund (227)		\$9,486.00
Local Coronavirus Relief Fund (707)	\$3,772.96	\$4,229.50

2. That the Finance Director is hereby authorized, empowered and directed to take all action necessary to effect such amendments and appropriations and evidence same on the books and financial record of the City.

ADOPTED BY COUNCIL ON MARCH 18, 2021

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**RESOLUTION NO. R – 03 – 21 – 25**

**A RESOLUTION APPROVING AN ADDITIONAL EXPENDITURE IN THE AMOUNT OF \$14,258.00 FOR THE PLANING AND RESURFACING OF SALEM AVENUE (S.R. 49) AND WESTBROOK ROAD ODOT PROJECT**

**WHEREAS**, via enactment of Resolution No. R-02-21-14 by City Council on February 4, 2021 (copy appended hereto as *Exhibit A*), the City Manager was authorized to enter into a contract with the Ohio Department of Transportation (ODOT) to resurface specified portions of SR49 within the City of Clayton, Ohio in an amount not to exceed \$250,880.00; and

**WHEREAS**, said resurfacing project is described as follows: *The project consists of planing and resurfacing Salem Avenue (S.R. 49) between Westbrook Road and SLM 7.87 and between SLM 8.16 and Southway Road, including pavement markings, lying within the City of Clayton;* and

**WHEREAS**, the City Manager has been advised that, due to an increase in the price of asphalt, the aforementioned resurfacing project cost has increased in the amount of **\$14,258.00**, bringing the total project cost to an amount not to exceed **\$265,138.00** and Council desires to authorize this additional expenditure.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO:**

1. That the additional expenditure of **\$14,258.00** for the above identified ODOT resurfacing project is hereby authorized and approved, bringing the total project cost to an amount not to exceed **\$265,138.00**.
2. The City Manager and Finance Director are authorized, empowered, and directed to take all action necessary to effectuate the additional cost increase and to evidence same on the books and financial record of the City.

ADOPTED BY COUNCIL ON MARCH 18, 2021

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