

CITY OF CLAYTON, OHIO

RESOLUTIONS AND ORDINANCES

June 17, 2021

OLD BUSINESS

ORDINANCES (SECOND READING AND ENACTMENT)

ORDINANCE NO. O – 05 – 21 – 02

AN ORDINANCE APPROVING THE RECOMMENDATION OF THE PLANNING COMMISSION TO REPEAL THE CITY OF CLAYTON'S CURRENT *PART ELEVEN-PLANNING AND ZONING CODE* AND REPLACE *PART ELEVEN-PLANNING AND ZONING CODE* OF THE CODIFIED ORDINANCES OF THE CITY OF CLAYTON WITH THE UPDATED PLANNING AND ZONING CODE PREPARED BY ZONECO, LLC

WHEREAS, via enactment of Resolution No. R-10-18-59 on October 18, 2018, Council authorized the City Manager to enter into an agreement with Calfee Zoning for the preparation and presentation of an updated zoning code for the City of Clayton; and

WHEREAS, via enactment of Resolution No. R-11-20-57 on November 5, 2020, Council authorized and consented to the assignment of the aforementioned contract with Calfee Zoning to Zoneco, LLC wherein Zoneco, LLC was to finalize and provide the updated zoning code to the City and present same to the Planning Commission and to Council; and

WHEREAS, working with City Staff, Zoneco, LLC has completed the updated zoning code, said updated code being presented to the Clayton Planning Commission at an open public meeting and hearing on April 26, 2021 where all persons were given an opportunity to be heard thereon and the Planning Commission voted unanimously to recommend approval to Council of the updated zoning code; and

WHEREAS, on May 20, 2021, City Council conducted a public hearing on the recommendation of the Planning Commission to approve the updated zoning code where 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 recommendation of the Clayton Planning Commission is hereby ADOPTED and *Part Eleven-Planning and Zoning Code* of the Codified Ordinances of the City of Clayton, Ohio is hereby repealed in its entirety and replaced with the attached *Part Eleven-Planning and Zoning Code* as updated by Zoneco, LLC and as recommended for approval by the Clayton Planning Commission.
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 May 20, 2021 and June 17, 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.

ADOPTED BY COUNCIL ON JUNE 17, 2021

NEW BUSINESS

RESOLUTIONS (SINGLE READING AND IMMEDIATE ENACTMENT)

RESOLUTION NO. R – 06 – 21 – 33

A RESOLUTION RE-APPOINTING HELEN SENU-OKE AS A MEMBER OF THE PARKS ADVISORY COMMISSION

WHEREAS, Clayton Codified Ordinance Chapter 159 created the Parks Advisory Commission;
and

WHEREAS, Clayton Codified Ordinance Chapter 159 provides for the appointment of nine (9) members to the Parks Advisory Commission to be appointed by a majority vote of Council for overlapping terms of three years each; and

WHEREAS, via enactment of Resolution No. R-08-18-39 on August 2, 2018, Helen Senu-Oke was re-appointed to the Parks Advisory Commission for a 3-year term expiring on July 1, 2021 and Council desires to re-appoint Helen Senu-Oke to a new 3-year term on the Parks Advisory Commission.

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

1. That Helen Senu-Oke is hereby re-appointed to the Parks Advisory Commission for a new three (3) year term commencing July 1, 2021 and ending July 1, 2024.

ADOPTED BY COUNCIL ON JUNE 17, 2021

RESOLUTION NO. R – 06 – 21 – 34

A RESOLUTION RE-APPOINTING JACKIE MCARDLE AS A MEMBER OF THE PARKS ADVISORY COMMISSION

WHEREAS, Clayton Codified Ordinance Chapter 159 created the Parks Advisory Commission;
and

WHEREAS, Clayton Codified Ordinance Chapter 159 provides for the appointment of nine (9) members to the Parks Advisory Commission to be appointed by a majority vote of Council for overlapping terms of three years each; and

WHEREAS, via enactment of Resolution No. R-07-18-34 on July 19, 2018, Jackie McArdle was appointed to the Parks Advisory Commission for a three (3) year term expiring July 1, 2021, and Council desires to re-appoint Jackie McArdle to said Commission for a new three (3) year term.

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

1. That Jackie McArdle is hereby re-appointed to the Parks Advisory Commission for a new three (3) year term commencing July 1, 2021 and ending July 1, 2024.

ADOPTED BY COUNCIL ON JUNE 17, 2021

RESOLUTION NO. R – 06 – 21 – 35

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN
AGREEMENT FOR DELEGATION OF ACTIVITIES WITH THE BOARD OF
COMMISSIONERS OF MONTGOMERY COUNTY, OHIO RELATIVE TO A CDBG
AWARD OF \$50,000.00 TO THE CITY OF CLAYTON FOR DEMOLITION PROJECT
(GRANT NO. B-20-UC-39-0004)**

WHEREAS, in 2020 City Staff applied for an award of CDBG funds for a demolition project to demolish two structures within Clayton; and

WHEREAS, Montgomery County has awarded \$50,000.00 to Clayton for the above identified project.

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

1. That the City Manager is authorized to enter into an *Agreement for Delegation of Activities* with the Board of County Commissioners of Montgomery County, Ohio in substantially the same form as the *Agreement* appended hereto and relative to the award of \$50,000.00 in CDBG funds to the City of Clayton for a demolition project to demolish two structures located in the City of Clayton.

ADOPTED BY COUNCIL ON JUNE 17, 2021

RESOLUTION NO. R – 06 – 21 - 36

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN
AGREEMENT FOR DELEGATION OF ACTIVITIES WITH THE BOARD OF
COMMISSIONERS OF MONTGOMERY COUNTY, OHIO RELATIVE TO A CDBG
AWARD OF \$50,000.00 TO THE CITY OF CLAYTON FOR BUSINESS INCENTIVE
PROGRAM (GRANT NO. B-20-UC-39-0004)**

WHEREAS, in 2020 City Staff applied for an award of CDBG funds for a business incentive program for N. Main Street to assist business owners with exterior improvements; and

WHEREAS, Montgomery County has awarded \$50,000.00 to Clayton for the above identified project.

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

1. That the City Manager is authorized to enter into an *Agreement for Delegation of Activities* with the Board of County Commissioners of Montgomery County, Ohio in substantially the same form as the *Agreement* appended hereto and relative to the award of \$50,000.00 in CDBG funds to the City of Clayton for a business incentive program for N. Main Street to assist business owners with exterior improvements.

ADOPTED BY COUNCIL ON JUNE 17, 2021

RESOLUTION NO. R – 06 – 21 – 37

A RESOLUTION OF AUTHORIZATION: AUTHORIZING THE CITY MANAGER AND/OR HER DESIGNEE TO PREPARE AND SUBMIT A GRANT APPLICATION TO THE OHIO DEPARTMENT OF NATURAL RESOURCES' NATUREWORKS GRANT PROGRAM IN THE AMOUNT OF \$36,575.00 FOR THE INSTALLATION OF AN ADA COMPLIANT PARKING LOT AND WIDENING AND RESURFACING OF PATHS AT NORTHVIEW PARK AND AGREEING TO OBLIGATE FUNDS REQUIRED TO SATISFACTORILY COMPLETE THE PROJECT

WHEREAS, the State of Ohio through the Ohio Department of Natural Resources, administers financial assistance for public recreation purposes, through the State of Ohio NatureWorks Grant Program; and

WHEREAS, the City of Clayton, Ohio desires financial assistance under the NatureWorks Grant Program.

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

1. That the Council of the City of Clayton, Ohio approves filing this application for financial assistance on behalf of the City of Clayton, Ohio.
2. That the City Manager and/or her designee is hereby authorized and directed to execute and file an application with the Ohio Department of Natural Resources and to provide all information and documentation required to become eligible for possible funding assistance.
3. That the City of Clayton, Ohio does agree to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms of the NatureWorks Grant Program.

ADOPTED BY COUNCIL ON JUNE 17, 2021

RESOLUTION NO. R – 06 – 21 – 38

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A RENEWAL AGREEMENT WITH ANTHEM BLUE CROSS BLUE SHIELD FOR THE PROVISION OF GROUP HEALTH INSURANCE BENEFITS FROM SEPTEMBER 1, 2021 THROUGH AUGUST 31, 2022

WHEREAS, via enactment of Resolution No. R- 11-20-59 on November 19, 2020, Council authorized the City to become a member of the Ohio Benefits Cooperative (“OBC”) thereby permitting the City to purchase medical, dental, and life insurance through said Cooperative; at the time, the City renewed for a period of 8 months in order to synchronize with the OBC’s benefit period; and

WHEREAS, working with OBC, health insurance quotes were received and reviewed; and

WHEREAS, renewal of the current Anthem policy via OBC permits continuation of the contract plan at the best and lowest price reasonably possible maintaining a consistent benefit level; and

WHEREAS, City Staff has reviewed the information provided and recommends renewal with Anthem.

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

1. That the City Manager is hereby authorized to accept the proposal of and enter into a renewal agreement with Anthem Blue Cross Blue Shield for the provision of group health insurance benefits from September 1, 2021 through August 31, 2022.
2. That this Resolution shall be effective as an exception to any ordinance, resolution or other legislation of the City of Clayton, Ohio, inconsistent with this Resolution or which imposes additional requirements for effectiveness or validity.

ADOPTED BY COUNCIL ON JUNE 17, 2021

RESOLUTION NO. R – 06 – 21 – 39

A RESOLUTION AUTHORIZING THE SUBMITTAL OF THREE APPLICATIONS TO MONTGOMERY COUNTY FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS

WHEREAS, City staff has requested authority to allow the City Manager and/or her designees to apply to Montgomery County for Community Development Block Grant (CDBG) funds for three separate community and economic development projects within Clayton; and

WHEREAS, the three applications which the City of Clayton would submit are as follows: (1) An \$80,000.00 application for an all-inclusive playground installation project at Northview Park which would be paired with a \$100,000.00 local match by the City via use of American Rescue related funds; and (2) A \$92,500.00 application to update the restroom facilities at Westbrook Park to make them ADA compliant which would be paired with a \$92,500.00 local match by the City

via use of American Rescue related funds; and (3) A \$66,900.00 application to install a new 5' sidewalk along Union Road from the Hunter's Glen residential development to Salem Avenue which would be paired with a \$22,300.00 local match by the City.

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

1. That the City Manager and/or her designees are authorized to apply to Montgomery County for Community Development Block Grant (CDBG) funds for three separate community and economic development projects within Clayton, said projects being: (1) An \$80,000.00 application for an all-inclusive playground installation project at Northview Park which would be paired with a \$100,000.00 local match by the City via use of American Rescue related funds; and (2) A \$92,500.00 application to update the restroom facilities at Westbrook Park to make them ADA compliant which would be paired with a \$92,500.00 local match by the City via use of American Rescue related funds; and (3) A \$66,900.00 application to install a new 5' sidewalk along Union Road from the Hunter's Glen residential development to Salem Avenue which would be paired with a \$22,300.00 local match by the City.

2. That this Resolution shall be effective as an exception to any ordinance, resolution or other legislation of the City of Clayton, Ohio, inconsistent with this Resolution or which imposes additional requirements for effectiveness or validity.

ADOPTED BY COUNCIL ON JUNE 17, 2021
