

Minutes of June 18, 2020 Council

Regular Meeting of the Clayton, Ohio City Council
Clayton Government Center
June 18, 2020

CALL TO ORDER

The meeting was called to order by Mayor Stevens at 7:30 PM. Present were Mayor Stevens and Councilmembers Bachman, Henning, Gorman, Merkle, Kelly, and Lieberman.

CLERK'S REPORT

Clerk Seim presented the minutes of the May 21, 2020 City Council meeting. Motion by Gorman, second by Kelly to approve the minutes as presented. All yeas, motion passed.

OLD BUSINESS

None

NEW BUSINESS

Ordinance No. O – 06 – 20 – 09 An Ordinance Amending Section 1313.05 of Chapter 1313 of the Clayton Codified Ordinances and Declaring an Emergency. Jack Kuntz, Director of Development, advised currently 1313.05 has no appeal process outlined for property owners who want to appeal an invoice. In the past the city manager reviewed such appeals administratively through an informal process. We believe establishing a formal process within the code was a responsible step to assist both staff and our residents when such an appeal was desired. During the review of the code the Law Director suggested we amend the time frame given to property owners to bring their properties into compliance once they receive notice of a property with high grass to be consistent with the Ohio Revised Code. The proposed length of time would change from three to five days. Motion by Gorman to approve the Ordinance as an emergency, second by Henning. All yeas, motion carried. Motion by Merkle to approve the Ordinance, second by Bachman. All yeas, motion carried.

Ordinance No. O – 06 – 20 – 10 An Ordinance Approving Amendments to Clayton Codified Ordinance Part Nine Titled, “Streets, Utilities, and Public Services Code” to Amend Chapter 907 to Title One Thereof to Add a New Section 907.08 Entitled, “Maintenance of Detention Basins, Retention Ponds, and Other Drainage Improvements” and to Further Amend the Title of Chapter 907 and Declaring an Emergency. Randy Sanders, Public Service Director, advised in March Council voted to amend Part Nine of our Codified Ordinances to include a new Chapter 907 entitled “Repair and Maintenance of Ditches and Culverts”. The new section of code requires property owners of a lot with a detention basin, retention ponds, or other drainage improvements to maintain them. The ordinance provides an enforcement mechanism for the City should a basin, retention pond, or other drainage improvement not be in compliance, with the cost of the remedy being assessed to the property owner. If the detention basin, retention pond or other drainage improvement are in a common area the cost will be divided equally among the property owners of lots in the recorded subdivision plat. Motion by Gorman to approve the Ordinance as

an emergency, second by Kelly. All yeas, motion carried. Motion by Merkle to approve the Ordinance, second by Bachman. All yeas, motion carried.

Resolution No. R – 06 – 20 – 27 A Resolution Approving the City Manager’s Designation of Qualified Administrative Officers of the City to Perform the Powers, Duties, and Functions of the City Manager During the City Manager’s Temporary Absence from the City or During Disability. Amanda Zimmerlin, City Manager, advised per the City’s Charter section 5.03 the City Manager may designate any qualified administrative officer of the City to perform their powers, duties and functions during their temporary absence from the City. I have submitted a letter to the Clerk of Council identifying the staff members I recommend to act on my behalf if I am away from the office. Motion by Henning to approve the Resolution, second by Kelly. All yeas, motion carried.

Resolution No. R – 06 – 20 – 28 A Resolution Authorizing the City Manager to Accept the Bid of and Enter Into an Agreement with John R. Jurgensen Company for 2020 Mill and Fill Asphalt and Full Depth Repair to City Streets at a Cost Not to Exceed \$119,235.00. Sanders advised Jurgensen was selected for the 2020 paving and full depth projects after competitive bids were received. There are currently six roads on the annual full depth repair schedule for this year. The only road on the mill and fill paving is a short section of Kimmel west of Crestway Road. Motion by Gorman to approve the Resolution, second by Bachman. All yeas, motion carried.

Resolution No. R – 06 – 20 – 29 A Resolution Affirming that all Funds Received by the City of Clayton, Ohio from the County Coronavirus Relief Distribution Fund Pursuant to S.B. 310, now H.B. 481 will Be Expended Only to Cover Costs of the Subdivision Consistent with the Requirements of Section 5001 of the CARES Act as Described in 42 U.S.C. 801(d) (formerly 42 U.S.C. 601) and any Applicable Regulations and Guidance Pursuant to H.B. 481 Before Receiving Said Funds and Establishing the “Local Coronavirus Relief Fund” and Further Directing the Clerk of Council to Forthwith Cause a Certified Copy of this Resolution to be Delivered to the Montgomery County Auditor and to the Ohio Office of Budget and Management. Amanda Zimmerlin, City Manager, advised the Coronavirus Aid, Relief, and Economic Security Act (the CARES Act) was signed into law by the President on March 27th. The Ohio General Assembly has established a process for distributing funds provided by the CARES Act in House Bill 481, and requires subdivisions receiving funds to pass a resolution confirming the funds will only be used to cover those costs related to COVID-19 and meet the requirements set forth in H.B. 481. The Office of Budget and Management and the Ohio Department of Taxation released a spreadsheet with estimated distributions, with our estimated distribution being \$189,065.76. Motion by Gorman to approve the Resolution, second by Merkle. All yeas, motion carried.

Resolution No. R – 06 – 20 – 30 A Resolution Authorizing the Submittal of Two Applications to Montgomery County for Community Development Block Grant (CDBG) Funds. Kuntz advised staff would like to submit two CDBG applications to Montgomery County; the first application for a residential demolition project and the second for a Main Street business incentive program. Both applications would request \$50,000 for the respective project. We have identified at least two vacant and blighted residential structures which need to be demolished, and we would provide a 10% match for the demolition project application. The second project would create a new business incentive program along Main Street, paired with a 100% match

from the city, we believe this would give us a strong incentive program to assist redevelopment efforts. Motion by Bachman to approve the Resolution, second by Gorman. All yeas, motion carried.

Resolution No. R – 06 – 20 – 31 A Resolution Authorizing the City Manager to Enter Into a Contract with ESO for a New Records Management System for the Fire Department in Order to Effectuate the Purposes of the Joint Emergency Services Collaborative Memorandum of Understanding in a Total Contract Amount Not to Exceed \$30,682.00, Said Amount to be Shared Among the Cities of Clayton, Englewood, and Union. Brian Garver, Fire Chief, advised currently all three fire departments within the collaborative utilize different software for EMS reporting, fire reporting, training records, inspections, maintenance, hydrant management, maintenance, personnel management, and scheduling. All three departments need to utilize the same software to be efficient and effective in our daily operations as well as long term information gathering. The cost of the software is divided proportionally based on emergency call volume and number of personnel for each department, but only one department can be invoiced. Motion by Gorman to approve the Resolution, second by Lieberman. All yeas, motion carried.

CITY MANAGER'S REPORT

We are asking to hold a workshop at our next meeting, July 16th beginning at 6:00 p.m. to hear from our consultant, Calfee, on our updated zoning code. The Clayton Government Center offices will be closed on Friday July 3rd for the 4th of July holiday. Our document shredding event will be held Saturday, July 18th from 9:00 a.m. to 11:00 a.m. at the Clayton Government Center. Lastly, on the 2020 Census currently 75.3% of Clayton residents have responded. Representatives from the Census bureau will now be delivering packets to those residents who have not responded.

VISITOR'S COMMENTS

None heard.

COUNCIL MEMBER COMMENTS

Bachman advised blood donations are down and there are shortages, I recently donated at the Community Blood Center. The facility was clean and very efficient, please donate if you are able. Well wishes to Jen (Barclay, City Planner), she did a great job and I wish her all the best in her new community. The newly created Fire/EMT collaborative is great for all three cities. We won't be in session again until later in July, so happy Independence Day. Henning thanked Randy (Sanders, Public Service Director) and his team for keeping the community looking so well kept this Spring. Residents have commented on seeing the high-grass signs posted on properties and wanted thanked the service department for keeping the neighborhoods looking nice. I have heard nothing but positive feedbacks from residents of Clayton, Englewood and Union on the fire collaborative. Today the Governor announced that COVID cases in Northwest Montgomery County is on the rise, so everyone please be careful. Lastly, I wish to announce that my wife and I are expecting a baby this November. Gorman wished Jen good luck in her new position in Indiana. Kelly stated the service department did a great job cleaning up the Salem/49 and Westbrook roads in front of Meadowbrook, you can see the golf course now.

Lieberman thanked Jen and wished her the best of luck in her new job in Indiana. COVID-19 is more widespread than what we think. I know we're all tired of masks and social distancing, but that doesn't mean we shouldn't be diligent. Stevens thanked Jen for the great job she did while at Clayton and wished her the best of luck in her new position. I also wish to congratulate Councilman Henning and his wife on his announcement he and his wife are expecting, I know Kenny will be a great father. Lastly, I wish to thank staff who have all worked so hard these last few months.

Motion by Gorman, second by Bachman to adjourn. All yeas, motion carried.

Meeting adjourned at 8:24 PM.