

Minutes of October 1, 2020 Council

Regular Meeting of the Clayton, Ohio City Council
Clayton Government Center
October 1, 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 September 3, 2020 City Council Meeting. Motion by Gorman, second by Bachman to approve the minutes as presented. All yeas, motion passed.

OLD BUSINESS

None

Martina Dillon, Law Director, advised that after this meeting's Agenda was published, we needed to add an additional Resolution, R-10-20-53. Based on this we need a motion to accept the amended Agenda. Motion by Henning to accept the amended Agenda, second by Kelly. All yeas, motion passed.

NEW BUSINESS

Ordinance No. O – 10 – 20 – 19 An Ordinance Approving and Authorizing the City Manager to Sign *Montgomery County Land Reutilization Corporation Land Banking Agreement* ("Agreement") Relative to Real Property Owned by the City of Clayton, Ohio and Bearing Parcel I.D. Number M60 00217 0010 and Further Authorizing the Transfer of Said Real Property to the Montgomery County Land Reutilization Corporation Consistent with the Terms and Conditions of the Attached Agreement. Jack Kuntz, Director of Development advised the Land Bank discovered the title research has a gap and they're going to need to do more research before they know if the land has a clean title, once they have that issue resolved, they'll send the agreement. Motion by Gorman to table this Ordinance, second by Bachman. All yeas, motion carried.

Resolution No. R – 10 – 20 – 46 A Resolution Finding that Public Safety Personnel are Substantially Dedicated to Mitigating or Responding to the COVID-19 Public Health Emergency. Amanda Zimmerlin, City Manager, advised work performed by public safety employees is considered to be a different use than what we accounted for in the most recent budget. This resolution declares that public safety positions listed in the resolution have been dedicated to the COVID-19 response, allowing us to utilize CARES act money to cover their wages. Motion by Gorman to approve the Resolution, second by Bachman. All yeas, motion carried.

Resolution No. R – 10 – 20 – 47 A Resolution Approving Appointment of a Special PLAN Clayton Implementation Committee to Review and Recommend Concerning Implementation of PLAN Clayton. Kuntz advised this committee would provide feedback to staff on the best steps

forward for the document and project selection ideas. This committee would work with staff in laying out future projects from the PLAN Clayton Implementation Plan which we believe would not only best serve Clayton in the short term but also help move Clayton to realize the true potential of the long term growth laid out in the comprehensive land use plan. We believe having buy in from the public and elected officials ensures a smooth transition from project formulation to implementation. Henning asked to amend the Resolution by appointing one resident from each Ward to the Committee. Motion by Gorman to approve the Resolution as amended, second by Kelly. All yeas, motion carried.

Resolution No. R – 10 – 20 – 48 A Resolution Authorizing the Submittal of Application for Federal Fast Act Funds Through the Miami Valley Regional Planning Commission. Kuntz advised we wish to submit another application to MVRPC for the Hoke Road widening and utility expansion project, specifically on Hoke Road from Smith Drive to Wenger Road. We had submitted for this same grant last year; however, we were not awarded the grant at that time. The widening project would also incorporate walkability components found in the PLAN Clayton document and would make this corridor more attractive for future private investment and development. The MVRPC staff believes breaking the project into two phases, with the first phase being from Smith to Wenger and the second phase from Wenger to National makes the most sense from a funding probability standpoint. The first phase, from Smith to Wenger, would also address improving traffic congestion at the four way stop at the Hoke/Wenger intersection. If funded this project would most likely not occur until 2025 at the earliest. Motion by Gorman to approve the Resolution, second by Merkle. All yeas, motion carried.

Resolution No. R – 10 – 20 – 49 A Resolution Accepting the Amounts and Rates as Determined by the Montgomery County Budget Commission and Authorizing the Necessary Tax Levies and Certifying them to the County Auditor. Kevin Schweitzer, Finance Director, advised this is an annual function with Montgomery County and allows the City to levy the property tax rates, both voted and unvoted, and subsequently collect the associated revenues. Motion by Gorman to approve the Resolution, second by Kelly. All yeas, motion carried.

Resolution No. R – 10 – 20 – 50 A Resolution Authorizing the City Manager to Enter Into a Renewal Agreement with the Public Entities Pool of Ohio (PEP) and Burnham and Flower Insurance Group for the Provision of Property, Casualty and Liability Insurance Coverage for November 1, 2020 – October 31, 2021 with an Annual Premium not to Exceed \$101,185.00. Motion by Gorman to approve the Resolution, second by Merkle. All yeas, motion carried.

Resolution No. R – 10 – 20 – 51 A Resolution Repealing Clayton Resolution No. R-09-20-43 Previously Adopted on September 3, 2020. Schweitzer advised based upon guidance from the Auditor of State, Resolution R-09-20-43 was approved on September 3rd. Since that date, the Auditor has revised their guidance on Local Coronavirus Relief monies, specifically on transferring of these funds. Originally, transfers to funds who incurred expenses before the Relief monies were received were allowable. However, now the Auditor does not recommend transferring funds but reclassifying the expenses into the Local Coronavirus Relief fund. The resolution needs to be rescinded so that the Montgomery County Auditor's office will not adjust our estimated resources and appropriations as well as removing authorization to transfer funds. Motion by Henning to approve the Resolution, second by Bachman. All yeas, motion carried.

Resolution No. R – 10 – 20 – 52 A Resolution Approving Amendment of 2020 Appropriations and Estimated Resources. Schweitzer advised we are receiving \$94,532.88 in the second round of Relief monies from State/County. Also, a safety project requiring a guard rail installation on Westbrook near a pond will utilize monies received from FEMA reimbursements earlier this year. Motion by Gorman to approve the Resolution, second by Merkle. All yeas, motion carried.

Resolution No. R – 10 – 20 – 53 A Resolution Authorizing the City Manager to Purchase Touchless Doors for Meadowbrook at Clayton from Modern Entrance Systems, Inc. for a Price Not to Exceed \$33,900.00. Schweitzer advised the Coronavirus Aid, Relief, and Economic Security Act was signed into law on March 27, 2020. On June 18, 2020 Council adopted Resolution No. 06-20-29 and affirmed that all funds received from the Montgomery County Coronavirus Relief Distribution Fund would be expended only to cover costs consistent with the requirements. One use for these funds is to cover expenses for public safety measures undertaken in response to COVID-19. One project that we are implementing throughout all public facilities is making highly touched surfaces contactless. As part of the project, we would like to include the main and banquet entry doors at Meadowbrook at Clayton which are highly utilized. This would assist in creating a safer public building. The entrances would be part of the City's Coronavirus Relief Fund. Motion by Gorman to approve the Resolution, second by Kelly. All yeas, motion carried.

CITY MANAGER'S REPORT

Amanda Zimmerlin advised Clayton's current Census response is 79.7% and residents have until October 5th to respond. Currently the County's response rate is 68.8%. We have been pushing Census reminders on social media daily now. Sweep Clayton Clean will be held Saturday, October 17 from 8 am to 12 pm or until the dumpsters are full. Zimmerlin asked for Council's opinion on allowing Trick or Treat this year in light of Covid. After discussion it was recommended that residents be allowed to proceed with Trick or Treat as normal. If anyone does not feel comfortable, we ask that they turn off their porch light indicating they are not participating. Zimmerlin stated everyone should have received a post card inviting them to the help with the Old Clayton Cemetery restoration project. This has been a project that the service department has wanted to have completed for some time. There is a volunteer opportunity on October 11th from 1-4 PM to help clean old tombstones. Please RSVP to historicalclayton@gmail.com by October 7th if you are interested in volunteering. Our fall leaf collection will begin later this month, information is in our latest newsletter and Randy Sanders will have a presentation on this at our October 15th meeting. In August Council passed Resolution R-08-20-40 directing the owner of the property to drain the basin and repair the pump. As of this date, the basin has been drained and the property owner is working with a private contractor to repair the pump. The property owner is also working with the City and Montgomery County Soil and Water to address vegetation concerns around the basin that contributes to the water not draining properly

VISITOR'S COMMENTS

None heard.

COUNCIL MEMBER COMMENTS

Lieberman wished Councilman Bachman a Happy Birthday. Gorman stated there are some very nice articles about Clayton in this week's edition of the Dayton Business Journal, I also wish to announce that Cathy Hutton of the Chamber of Commerce is retiring, she has done a great job for the community and we wish her the best of luck in her retirement. Her replacement, Angie Clifford, we wish her the best of luck in her new position. Henning congratulated Kathy on her retirement, a celebration for her will be held October 15th. I wish to thank Amanda and staff for the recent Staff Highlights on social media, I have heard from many residents that they really enjoy them. I have also heard from many residents they are excited for the Sweep Clayton Clean schedule for the 17th. I was excited to hear about the drive through Trick or Treat Fall Festival being held at Meadowbrook on October 24th. Lastly, there has been a great outpouring of support for our Police department. Bachman stated our investment into Meadowbrook is a good thing, but we also need to look into branding. There are still a number of old Meadowbrook Country Club door mats and other things out there. Unfortunately, after last week I question us keeping our Safest Community status, but I want to commend our Police department and how we communicated to the press and community and keeping a sense of calm. And, as I always say to high school students who attend our meetings, boring government is good government. Merkle reminded everyone October is Breast Cancer Awareness month, and there is the Alzheimer walk this weekend, please think of those people and their caregivers. With the Covid issue I hope everyone stays safe and protect yourselves. Kelly thanked the Police department; they did an outstanding job, and I believe we can improve communication. Thank you for keeping trick or treat. Also, I wish a Happy Birthday to Mr. Bachman. Stevens thanked Katherine Springer for all the work she has been doing in the Old Village area and the Clayton Cemetery, she is doing a fantastic job. The police had a rough weekend, and it proves even a safe city can still have things happen, we need to support them. I want to thank Council and staff for all their hard work in these weird times, there are things we can't anticipate.

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

Meeting adjourned at 8:19 PM.