

Minutes of August 5, 2021 Council

Regular Meeting of the Clayton, Ohio City Council
Clayton Government Center
August 5, 2021

CALL TO ORDER

The meeting was called to order by Mayor Stevens at 7:30 PM. Present were Mayor Stevens and Councilmembers Bachman, Henning, Merkle, and Lieberman. Motion by Henning to excuse Councilmembers Gorman and Kelly this evening, motion was second by Lieberman. All yeas, motion passed.

Motion to appoint Lindsey Dervali as Acting Clerk of Council. Motion by Henning to appoint Lindsey Dervali as Acting Clerk of Council, motion was second by Bachman. All yeas, motion passed.

PUBLIC HEARING

O-ZC-21-04: Zoning District Change and Preliminary Subdivision Plan – Northwest Corner of Westbrook and Union Road (Hunter's Path), DDC Management, LLC. Mayor Stevens advised that due to not having quorum this evening we will not be able to hold this public hearing or vote on the Ordinance. Motion by Henning to table the public hearing and Ordinance O-ZC-21-04 until our August 19th Council meeting, motion was second by Merkle. Voting yeas were Henning, Merkle, and Stevens. Bachman and Lieberman abstained. Motion passed.

CLERK'S REPORT

Clerk Dervali presented the minutes of the July 15, 2021 Council Workshop. Motion by Bachman, second by Henning to approve the minutes as presented. Voting yeas were Bachman, Henning, Lieberman, and Stevens. Merkle abstained. Motion passed.

Clerk Dervali then presented the minutes of the July 15, 2021 City Council meeting. Motion by Bachman, second by Henning to approve the minutes as presented. Voting yeas were Bachman, Henning, Lieberman, and Stevens. Merkle abstained. Motion passed.

OLD BUSINESS

None

NEW BUSINESS

Ordinance No. O – 08 – 21 – 13 An Emergency Ordinance to Accept the Material Terms of the One Ohio Subdivision Settlement Pursuant to the One Ohio Memorandum of Understanding and Consistent with the Terms of the July 21, 2021 National Opioid Settlement Agreement and Declaring and Emergency. Martina Dillon, Law Director, advised One Ohio has been negotiating with the three big opioid manufactures and they have reached a settlement. On August 3rd they sent the proposed legislation for municipalities to approve that settlement along with a participation agreement that needs to be signed by the city manager, with a deadline of August 13th to be signed and back to the necessary parties. Motion by Henning to amend tonight's agenda to include Ordinance O-08-21-13, motion was second by Merkle. All yeas, motion carried. Motion by Henning to approve the Ordinance as an Emergency, motion second

by Bachman. All yeas, motion carried. Motion by Bachman to approve the Ordinance as written, motion was second by Henning. Voting yea to approve the Ordinance was Bachman, Henning, Merkle, Lieberman, and Stevens. Motion passed 5-0.

Resolution No. R – 08 – 21 – 46 A Resolution Approving Special Counsel in Connection with Legal Services Relative to Tax Increment Financing (TIF) Matters. Jack Kuntz, Director of Development, advised TIF's are a tool afforded local jurisdictions to assist in spurring economic development within a municipality's boundaries. Clayton has been approached by different developers interested in using this economic development tool. Bricker & Eckler has assisted Clayton in the past for similar districts, specifically at the Village of North Clayton and along N. Main Street. Staff would like to enter into an engagement letter with Bricker & Eckler to assist staff when discussing possible TIF matters with prospective developers. Motion by Bachman to approve the Resolution, motion second by Henning. All yeas, motion carried.

CITY MANAGER'S REPORT

Amanda Zimmerlin advised we are holding our family movie night tomorrow at Meadowbrook beginning at 8:30 p.m. We will be showing "The Croods: A New Age". Our Labor Day festival is also scheduled at Meadowbrook for Sunday, September 5th starting at 7 p.m. We'll have fireworks at 9 pm, bouncy houses, and much more. Just a reminder city offices will be closed in observance of Labor Day on Monday, September 6th. As you know we just tabled the Westbrook development request by DDC until August 19th. Also, on the August 19th meeting the National and Haber development request by Redwood will be heard, in addition to the Hoke Road development request by Grand Villas of Clayton, Grand Traditions. Included in your packet this evening was the fire collaborative update. If you notice the response time for the collaborative in general has been reduced by a whole minute which is pretty good. Overall, all three city managers are please and I'm hoping that city council is still pleased with our endeavors with the fire collaborative. Also, Chief Garver informed me that the Region 3 Strike Team and Water Asset have gave us about \$50,000 worth of equipment because we have people here and throughout the collaborative who are now trained in rope and water rescue. Between the three communities we have 11 miles of the river that we cover if something should happen. A little good news, phase one of the Hoke Road widening, we have been informed by the Miami Valley Regional Planning Commission that we've been approved for CMAQ funding. This will widen Hoke Road from Smith to Wenger Roads and is slated for 2025. A reminder the Government Academy is coming up, it starts on September 8th.

VISITOR'S COMMENTS

Jeff Rezabek shared is frustration with issues he's been experiencing with CCA, the city's tax collection company. He also shared his frustration with what he calls "manmade" potholes on Old Salem Road.

Earl Harlamert, Chairman of the Parks Advisory Commission, invited Councilmembers to the Movie in the Park tomorrow night at Meadowbrook. The movie will begin at 8:30 p.m.

COUNCIL MEMBER COMMENTS

Bachman sent out well wishes to our two absent councilmembers and hopefully they will be back for our next meeting. Henning also shared his personal and family's frustrations with CCA; he also stated school's will be resuming soon so please watch out for students. A lot of students

walk and bike in the streets, watch out for them and slow down in the neighborhoods please. Merkle stated he wanted to apologize for not being here at the last meeting and holding everything up, unfortunately it was a situation with work. Lieberman addressed Mr. Rezabek and stated you are not alone in your feelings about CCA. In the past we have addressed some complaints about them. The challenge we have is finding someone better and that is still cost effective for the community. This is something we need to continue to look at and I appreciate your comments tonight. Tina is not here and she asked me to share a letter we received praising Meadowbrook on how they handled an event. Ms. Zimmerlin read the letter to Council. Stevens invited everyone to come to the Movie in the Park. Myself and my family will all be there, hopefully everybody can make it out for the movie.

EXECUTIVE SESSION

Stevens advised an Executive Session is needed this evening. Dillon stated the Executive Session is needed for two issues, the first is to consider the purchase of real estate, the other is to discuss terms and conditions of employment of a public employee. Henning made a motion to break for an Executive Session to discuss the purchase of real estate, the other is to discuss terms and conditions of employment of a public employee, second by Merkle. Voting yea were Bachman, Henning, Merkle, Lieberman, and Stevens. Council broke for Executive Session at 8:05 PM.

Council returned and Mayor Stevens re-opened the regular session at 8:54 PM.

Motion by Henning, second by Merkle to adjourn. All yeas, motion passed.

Meeting adjourned at 8:55 PM.