

Minutes of September 16, 2021 Council

Regular Meeting of the Clayton, Ohio City Council
Clayton Government Center
September 16, 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, Gorman, Merkle, Kelly, and Lieberman.

CLERK'S REPORT

Clerk Seim presented the minutes of the September 2, 2021 Council Workshop. Motion by Gorman, second by Bachman to approve the minutes as presented. Voting yea were Bachman, Henning, Gorman, Merkle, Kelly, and Stevens. Lieberman abstained. Motion passed.

Seim then presented the minutes of the September 2, 2021 City Council meeting. Motion by Gorman, second by Henning to approve the minutes as presented. Voting yea were Bachman, Henning, Gorman, Merkle, Kelly, and Stevens. Lieberman abstained. Motion passed.

OLD BUSINESS

Ordinance No. O – 09 – 21 – 19 An Ordinance to Approve Current Replacement Pages to the Clayton Codified Ordinance. Second reading, no further discussion. Motion by Merkle to approve the Ordinance, second by Kelly. All yeas, motion carried.

NEW BUSINESS

Resolution No. R – 09 – 21 – 50 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 and collect the associated revenues. Motion by Gorman to approve the Resolution, second by Henning. All yeas, motion carried.

Resolution No. R – 09 – 21 – 51 A Resolution Authorizing the City Manager to Accept Proposal of and Enter into a Contract with Advanced Mechanical Services, Inc. for Installation of Four (4) HVAC Rooftop Units at Meadowbrook at Clayton at a Cost Not to Exceed \$60,742.00 and Further Authorizing use of American Rescue Plan (ARP) Funds for Said Expenditure. Amanda Zimmerlin, City Manager, advised these are the air conditioning units we discussed at our last meeting during the Meadowbrook workshop. These units are to replace four rooftop HVAC units and the money that is paying for this is the American Rescue Plan funds. Motion by Gorman to approve the Resolution, second by Lieberman. All yeas, motion carried.

Resolution No. R – 09 – 21 – 52 A Resolution Authorizing the Submittal of Applications for Federal Fast Act Funds through the Miami Valley Regional Planning Commission. Jack Kuntz, Director of Development, advised we wish to apply to MVRPC for the resurfacing of Salem Street from Crestway to Diamond Mill. MVRPC set aside funds specifically for resurfacing this year and Salem Street is a qualifying roadway but requires a 20% local match. Also, local jurisdictions are permitted to apply for a one-time grant at 100% reimbursement for resurfacing projects from the CRRSAA pool of funds. There is a cap at \$200,000 per application so we want

to submit a grant application up to \$200,000 for resurfacing work to be completed on Phillipsburg-Union from Shaw to Haber. Motion by Henning to approve the Resolution, second by Kelly. All yeas, motion carried.

CITY MANAGER'S REPORT

Amanda Zimmerlin, City Manager, advised County Line Road between Putnam and Diamond Mill Roads will be closed all day Friday, September 17th for a pipe replacement. The SR49/Union Road safety project is finally scheduled to start September 21st after multiple delays. We have a work session scheduled for Thursday, October 7th, however that is also the night of the Homecoming parade. Do you wish to postpone the workshop to the 21st or forgo the parade. After discussion Council decided to move the workshop to October 21st. The Clayton Business Walk has been scheduled for October 19th. Jack is asking for volunteers, and so far, the only council member that I've heard from is member Kelly, so if any of you are interested in volunteering for that please let me know or Jack by October 7th so we can make sure we have everyone accounted for. I have a CCA update, Kevin and I met with them last Tuesday. They are going to start holding office hours here at the city building and we also have a new drop box out front for them as well so residents 24-hours a day can drop off information to them. They are also looking into whether or not they can augment their website to allow for online filing with our tax credit. Additionally, Kevin is investigating with other municipalities on whether they would be able to take over collecting tax for us. If we were to do that it's still a process that is going to be at least a year out because we don't want change up mid-year who is collecting taxes. An update with the Charter Review Commission. We did advertise, it went on our website, it's on our social media, but I have not received any interest.

Martina Dillon, Law Director, advised about five years ago the city in coordination County Corp extended four home improvement loans to homeowners in the Irvington Plat. The term of the loans has expired and the residents met the home ownership requirement. At our next council meeting we will have legislation authorizing the city manager to release the mortgages that the city put on the properties to secure the loan repayment in the event they did not live in those properties for the required amount of time.

Gorman asked Ms. Dillon if it's in the rules that we must read all e-mails received regarding a public hearing during the meeting. Dillon stated that it doesn't matter as the e-mails are part of your council packets and are part of the public record, as long as you have a consensus of council on how you plan to handle e-mails going forward. After discussion, Lieberman made a motion that we do not read emails into the record that we receive from the public. However, we will acknowledge the fact that we received the emails, they were read by the council members, and will be entered into the record. Motion was second by Gorman. Voting: Mr. Bachman-yes, Mr. Henning-Yes, Mr. Gorman-yes, Mr. Merkle-yes, Ms. Kelly-yes, Mr. Lieberman-yes, and Mr. Stevens-Yes. Vote was 7-0.

VISITOR'S COMMENTS

Earl Harlamert of the Parks Commission thanked staff and council for their work at the Labor Day Fireworks, everyone did a great job and everything went well. Thank you.

COUNCIL MEMBER COMMENTS

Lieberman thanked Mr. Harlamert for the acknowledgement of his hard work, but I wasn't there I was still in Texas, but I understand it was great and kudos to the whole committee because you guys did a great job, thank you. Kelly thanked Jack for a great job on the fireworks. Also, there is an article in the Dayton Business Journal that has a list of the best suburbs to buy a house around Dayton in Montgomery County. Oakwood is number one, Centerville is number two, and Clayton is number three. Gorman thanked Earl and Jack for the hard work on the Labor Day event was very nice and the fireworks were excellent. Also, the Taste of Northmont event at Meadowbrook tonight was run very well, everyone who worked did a great job. Henning thanked Earl, staff, and council who worked at the Meadowbrook event and fireworks, it was a great success. We're excited for next year's event, great job to the staff and parks committee, you did a fantastic job. This week is National Small Business Week. We have a lot of really great small businesses here in the city and you still have a couple of days left to visit them and spend some of your money. I know they would appreciate it as they're still recovering from the pandemic. Henning also asked staff to address zoning complaints he's received from long-time residents. Bachman stated I will echo what everyone else said about the fireworks, they were great. I also want to echo the Taste of Northmont, everyone did a great job and the Chamber is becoming a great partner. I also want to announce that tomorrow is Constitution Day, a day we celebrate. Everyone from the President of the United States down local elected officials swear an oath to protect and defend this, nowhere else in the world do you have that. Stevens also stated the fireworks were a great event, and I want to say thank you to staff and council for your hard work and dedication to the city.

EXECUTIVE SESSION

Stevens advised an Executive Session is needed to consider the sale of property in the city and also a brief discussion on economic development pursuant to ORC 121.22(G)(8). Gorman made a motion to break for an Executive Session, motion was second by Bachman. Voting yea were Bachman, Henning, Gorman, Merkle, Kelly, Lieberman, and Stevens. Council broke for Executive Session at 8:05 PM.

Council returned at 8:36 PM. Motion by Bachman to go back into regular session, motion was second by Merkle. All yeas motion passed.

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

Meeting adjourned at 8:37 PM.