

# CITY OF CLAYTON, OHIO

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## RESOLUTIONS AND ORDINANCES

February 17, 2022

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### NEW BUSINESS

#### ORDINANCES – FIRST OF TWO READINGS

##### ORDINANCE NO. O – 02 – 22 – 03

**AN ORDINANCE ADOPTING THE PLANNING COMMISSION'S  
RECOMMENDATION TO APPROVE THE APPLICATION FOR WENGER  
VILLAGE SECTION 3 PLAT APPROVAL OF OAKES TREE  
DEVELOPMENT WITH RESPECT TO 18.64 ACRES AND BEARING  
PARCEL ID NUMBERS M60 03201 0007 AND M60 03201 0009**

**WHEREAS**, on January 6, 2022, Oakes Tree Development submitted application for approval of Wenger Village Section 3 Plat located on 18.64 acres and bearing Parcel ID Numbers M60 03201 0007 and M60 03201 0009 within Clayton, Ohio; and

**WHEREAS**, the Clayton Planning Commission held a public hearing on January 24, 2022, on said request at which time any and all persons were given an opportunity to be heard thereon, and;

**WHEREAS**, *the Clayton Planning Commission after public meeting on January 24, 2022, recommended approval of the subject Wenger Village Section 3 Plat; and*

**WHEREAS**, the City Council held a public hearing on February 17, 2022 on said request at which time any and 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 Council hereby adopts the recommendation of approval of the Clayton Planning Commission for the Wenger Village Section 3 Plat located on 18.64 acres and bearing Parcel ID Numbers M60 03201 0007 and M60 03201 0009 within Clayton, Ohio.
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 February 17, 2022 and March 3, 2022.
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 MARCH 3, 2022

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**ORDINANCE NO. O – 02 – 22 – 04**

**AN ORDINANCE ADOPTING THE RECOMMENDATION OF THE PLANNING COMMISSION TO APPROVE WITH SINGLE SPECIFIED MODIFICATION AMENDMENTS TO THE CITY OF CLAYTON PLANNING AND ZONING CODE**

**WHEREAS**, via enactment of Ordinance No. O-05-21-02 on June 17, 2021, Council adopted a new updated *Part Eleven- Planning and Zoning Code* to the Clayton Codified Ordinances; and

**WHEREAS**, at a Planning Commission public hearing held January 24, 2022, the City Planner did recommend certain specified amendments (**Exhibit A**) to the *Part Eleven- Planning and Zoning Code*, and all persons were given an opportunity to be heard thereon; and

**WHEREAS**, *following the January 24, 2022 public hearing, the Planning Commission recommended approval of all of the City Planner recommended amendments (Exhibit A) to the Part Eleven- Planning and Zoning Code with the following modification:*

*The Planning Commission recommended the language of CCO Section 1121.02(H)(1) be further revised to read as follows:*

*“The parking and storage of automobiles, trucks, trailers, recreational vehicles and equipment in all districts shall be subject to the following regulations, unless otherwise permitted by the specific zoning district standards.”*

**WHEREAS**, on February 17, 2022, City Council conducted a public hearing on the aforementioned recommendation of the Planning Commission and 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 aforementioned recommendation of the Clayton Planning Commission is hereby *ADOPTED* and the *Part Eleven- Planning and Zoning Code* shall be amended as delineated on the attached **Exhibit A** along with the recommended modification of the Planning Commission that CCO Section 1121.02(H)(1) be further revised to read as follows:

*“The parking and storage of automobiles, trucks, trailers, recreational vehicles and equipment in all districts shall be subject to the following regulations, unless otherwise permitted by the specific zoning district standards.”*

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 February 17, 2022 and March 3, 2022.
4. That in accordance with Clayton Charter Section 4.031(H) this enactment shall become effective thirty days after its second reading and enactment.

**ORDINANCE NO. O – 02 – 22 – 05**

**AN ORDINANCE AMENDING CLAYTON CODIFIED ORDINANCE  
CHAPTER 905 ENTITLED, “DRIVEWAYS”**

**WHEREAS**, City staff has reviewed Clayton Codified Ordinance Chapter 905 entitled, “Driveways” and has recommended amendments thereto as delineated on the attached **Exhibit A**; and

**WHEREAS**, Council desires to amend Clayton Codified Ordinance Chapter 905 entitled, “*Driveways*” as delineated on the attached **Exhibit A** to better protect the health, safety, and welfare of the citizens of Clayton.

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

1. That Clayton Codified Ordinance Chapter 905 entitled, “*Driveways*” is hereby amended as delineated on the attached **Exhibit A**. That any provisions of Chapter 905 not amended shall remain in effect as currently written.
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 February 17, 2022 and March 3, 2022.
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 MARCH 3, 2022

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**NEW BUSINESS**

**ORDINANCES – SINGLE READING AND IMMEDIATE ADOPTION AS AN  
EMERGENCY**

**ORDINANCE NO. O – 02 – 22 – 06**

DELINEATING AN OVERLAY IN RELATION TO THE PROPOSED HUNTER’S  
PATH INCENTIVE DISTRICT WITHIN THE CITY OF CLAYTON, OHIO;  
ADOPTING A WRITTEN ECONOMIC DEVELOPMENT PLAN AS TO SAME,  
ALL AS PURSUANT TO OHIO REVISED CODE SECTION 5709.40(C), AND  
DECLARING AN EMERGENCY.

**WHEREAS**, this Council is contemplating the creation of an incentive district for parcels in the City of Clayton, Ohio (the “**City**”) as authorized under Division (C) of Ohio Revised Code Section (“**R.C.**”) 5709.40; and,

**WHEREAS**, pursuant to Division (C)(2) of R.C. 5709.40, this Council must conduct a public hearing on the contemplated incentive district, which such public hearing must be preceded by sufficient notice to every real property owner whose property is located within the boundaries of such incentive district, here the Hunter's Path Incentive District, and which such notice must include a map of the Hunter's Path Incentive District on which this Council must have delineated an overlay; and,

**WHEREAS**, such an overlay must satisfy Division (A)(6) of R.C. 5709.40, namely an area of not more than three hundred acres that is a square, or that is a rectangle having two longer sides that are not more than twice the length of the two shorter sides; and,

**WHEREAS**, the overlay depicted in **EXHIBIT A** attached hereto and incorporated herein by reference (the "**Overlay**") is drawn in accordance with the respective statute; and,

**WHEREAS**, pursuant to Division (A)(5)(f) of R.C. 5709.40, the City Engineer is contemplating whether the adequacy of the existing public infrastructure serving the Hunter's Path Incentive District is sufficient to meet the residential, commercial or industrial development needs of said incentive district; and,

**WHEREAS**, the City Engineer is required to consider a written economic development plan for the Hunter's Path Incentive District as has been adopted for such purposes by this Council; and,

**WHEREAS**, this Council has determined that it is necessary and appropriate and in the best interests of the City to adopt the written economic development plan for the Hunter's Path Incentive District, a copy of which is provided in **EXHIBIT B** attached hereto and incorporated herein by reference (the "**Economic Development Plan**").

**NOW, THEREFORE**, be it ordained by the legislative authority of the Municipality of Clayton, Montgomery County, Ohio, that:

Section 1. Delineation of Overlay on a Map of the Proposed Incentive District. Pursuant to Division (A)(6) of R.C. 5709.40, this Council hereby delineates the Overlay as it relates to and serves to further describe the proposed Hunter's Path Incentive District.

Section 2. Adoption of Written Economic Development Plan for the Proposed Incentive District. Under Division (A)(5)(f) of R.C. 5709.40, this Council hereby adopts the Economic Development Plan in furtherance of its contemplation of the Hunter's Path Incentive District.

Section 3. Open Meetings. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any decision-making bodies of the City that resulted in such formal actions were in meetings open to the public and in compliance with Ohio's Sunshine Laws, including R.C. 121.22.

Section 4. Effective Date. This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the City and its inhabitants for the reason that this ordinance must be immediately effective so that the work on the Development can begin as quickly as possible, thus providing economic benefit to the City and its residents; wherefore this ordinance shall take effect and be in force from and immediately after its adoption.

**ORDINANCE NO. O – 02 – 22 – 07**

AMENDING ORDINANCE NO. 06-05-10 TO REMOVE A PARCEL FROM SUCH PRIOR ORDINANCE, DECLARING IMPROVEMENTS TO SUCH PARCEL TO BE A PUBLIC PURPOSE; DECLARING SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; DESIGNATING SPECIFIC PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT DIRECTLY BENEFIT THE PARCELS FOR WHICH IMPROVEMENTS ARE DECLARED TO BE A PUBLIC PURPOSE; REQUIRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND; AND PROVIDING RELATED AUTHORIZATIONS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40(B), 5709.42, 5709.43, 5709.832 AND 5709.85 AND DECLARING AN EMERGENCY.

**WHEREAS**, Division (B) of Ohio Revised Code Section (“**R.C.**”) 5709.40 provides that this Council may (i) declare improvements to certain parcels of real property located in the City of Clayton, Ohio (the “**City**”) to be a public purpose, thereby granting to those improvements an exemption from real property taxation, and (ii) designate specific public infrastructure improvements made, to be made, or in the process of being made that directly benefit, or that once made will directly benefit, the parcels for which improvements are declared to be a public purpose; and,

**WHEREAS**, pursuant to Division (D)(1) of R.C. 5709.40, such exemption may, with the approval of the board of education of the city, local, or exempted village school district within the territory, be for up to thirty (30) years and up to one hundred percent (100%) of the increase in the assessed value of any real property that would first appear on the tax list and duplicate of real and public utility property after the effective date of an ordinance adopted under R.C. 5709.40 were it not for the exemption granted by that ordinance (an “**Improvement**”); and,

**WHEREAS**, the real property described in **EXHIBIT A** attached hereto and incorporated herein by reference (the “**Property**”) is located in the City, with each parcel of the Property referred to herein as a “**Parcel**” (whether as presently appearing on Montgomery County tax duplicates or as subdivided or combined and appearing on future tax duplicates); and,

**WHEREAS**, GT Clayton, LLC (the “**Developer**”), the anticipated future owner of the Property (each an “**Owner**” and collectively the “**Owners**”) proposes to develop the Property by constructing approximately 128 multi-family cluster home units and otherwise improving the Property (the “**Development**”); and,

**WHEREAS**, pursuant to Division (D)(1) of R.C. 5709.40, this Council has determined to grant the TIF Exemption (as defined herein) from real estate taxation for all Improvements to the Property for one hundred percent (100%) of such Improvements for thirty (30) years; and,

**WHEREAS**, this Council (i) has determined that it is necessary and appropriate and in the best interests of the City to provide for annual service payments in lieu of real property taxes with respect to the Property pursuant to R.C. 5709.42 and (ii) desires to facilitate the construction of the public infrastructure improvements described in **EXHIBIT B** attached hereto and incorporated herein by reference (the “**Public Infrastructure Improvements**”); and,

**WHEREAS**, in connection with the construction of the Development, the City and the Developer desire to execute a tax increment financing agreement substantially in the form attached hereto and incorporated herein as **EXHIBIT C** (the “**TIF Agreement**”), which TIF Agreement

provides for the construction of the Development and for the financing of the Public Infrastructure Improvements, as defined herein and in the TIF Agreement; and,

**WHEREAS**, notice of this proposed ordinance has been delivered to the Boards of Education of the Northmont City School District (“**Northmont City Schools**”) and the Miami Valley Career Technology Center (“**Miami Valley Career Tech**,” and together with Northmont City Schools, the “**School Districts**”) in accordance with and within the time periods prescribed in Division (D) of R.C. 5709.40 and R.C. 5709.83, respectively, and by resolution adopted by the board of education of the Northmont City Schools on February 14, 2022, Northmont City Schools has approved the TIF Exemption (as defined herein) on the condition that City and Northmont City Schools enter into the School District Compensation Agreement authorized herein; and,

**WHEREAS**, this Council has determined that annual service payments in lieu of taxes are to be paid to the School Districts pursuant to R.C. 5709.42 in amounts equal to the real property taxes that would have been payable to the School Districts if the Improvements had not been exempted from taxation; and,

**WHEREAS**, the Property was subject to tax increment financing established pursuant to Ordinance No. 06-05-10 (the “**Prior TIF Ordinance**”), and this Council has determined, as set forth herein, to remove such Property from the tax increment financing established pursuant to the Prior TIF Ordinance.

**NOW, THEREFORE**, be it ordained by the legislative authority of the Municipality of Clayton, Montgomery County, Ohio, that:

Section 1. Parcel Removed from Prior TIF Ordinance. The Prior TIF Ordinance is hereby amended as follows: Exhibit A to Ordinance No. 06-05-10, passed by City Council on July 21, 2005, is hereby amended to remove Parcel number M60-03102 0016, and a substitute Exhibit A to that Ordinance No. 06-05-10 shall be prepared reflecting such removal.

Section 2. Designated Public Infrastructure Improvements. The Public Infrastructure Improvements described in EXHIBIT B, attached hereto, intended to be made or caused to be made by the Developer, are hereby designated as public infrastructure improvements that, once made, will directly benefit the Property.

Section 3. Authorization of TIF Exemption. One hundred percent (**100%**) of the Improvement shall be a public purpose and shall be exempt from real property taxation commencing for each Parcel the first day of the tax year in which there is an Improvement with respect to the Parcel (as it may be subdivided or combined in connection with the acquisition of the Parcel by an Owner or otherwise), and ending for each Parcel on the earlier of (a) thirty (30) years after such commencement, or (b) the date on which the City can no longer require annual service payments in lieu of taxes, all in accordance with the requirements of R.C. 5709.40, R.C. 5709.42, and R.C. 5709.43.

Section 4. Service Payments and Property Tax Rollback Payments. As provided in R.C. 5709.42, this Council hereby directs and requires the Owner of any Parcel with an Improvement to make annual service payments in lieu of taxes to the County Treasurer of Montgomery County, Ohio (the “**County Treasurer**”) on or before the final dates for payment of real property taxes. Each service payment in lieu of taxes, including any penalties and interest at the then-current rate established under R.C. 323.121 and R.C. 5703.47, will be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against the Improvement if it were not subject to the exemption granted in this ordinance. Such service payments in lieu of taxes, penalties and interest, and any other payments with respect to each Improvement that are received by the County Treasurer in connection with the reduction required by R.C. 319.302, R.C. 321.24, R.C. 323.152 and

R.C. 323.156, as the same may be amended from time-to-time, or any successor provisions, as the same may be amended from time-to-time (the “**Property Tax Rollback Payments**,” and together with the annual service payments in lieu of taxes and penalties and interest described above, the “**Service Payments**”), will be allocated and distributed in accordance with Section 5 of this ordinance.

Section 5. Creation of TIF Fund. This Council hereby establishes, pursuant to and in accordance with the provisions of R.C. 5709.43, the Grand Traditions Municipal Public Improvement Tax Increment Equivalent Fund (the “**TIF Fund**”), into which shall be deposited all of the Service Payments distributed to the City with respect to the Improvements to Parcels of the Property by or on behalf of the County Treasurer, as provided in R.C. 5709.42. The City may use amounts deposited into the TIF Fund to pay any costs associated with the Public Infrastructure Improvements approved by the City, including, but not limited to, the “**costs of permanent improvements**” described in Division (B) of R.C. 133.15. The TIF Fund will be maintained in the custody of the City and will exist so long as such Service Payments are collected and used for the purposes described in this Section 5. Then the TIF Fund is to be dissolved and any surplus funds remaining in the TIF Fund will be transferred to the City’s general fund, all as set forth under Division (D) of R.C. Section 5709.43.

Section 6. Distribution of Funds. At the same time and in the same manner as real property tax distributions, the County Treasurer shall distribute the Service Payments to the City to be deposited in the TIF Fund, and the City shall then distribute the Service Payments as follows:

FIRST, to each of Northmont City Schools and Miami Valley Career Tech, amounts equal to the real property taxes that would have been payable to the School Districts if the Improvements had not been exempted from taxation (the “**TIF Compensation**”); and,

SECOND, to be deposited into the TIF Fund and then distributed according to the terms and conditions of this Section 6 and the TIF Agreement.

The City shall then distribute Service Payments on deposit in the TIF Fund to pay or reimburse the Developer for the costs of Public Infrastructure Improvements constructed by the Developer according to the terms and conditions of the TIF Agreement. After the Developer is paid in full for the costs of the Public Infrastructure Improvements as set forth in the TIF Agreement, any incidental surplus remaining in the TIF Fund shall be used as provided by law.

Section 7. TIF Agreement and Further Authorizations. This Council hereby approves the TIF Agreement, with any changes that are not inconsistent with this ordinance and not substantially adverse to the City and which shall be conclusively evidenced by the signing of the TIF Agreement by the City Manager, to which this Council further hereby authorizes execution on behalf of the City. This Council further authorizes and directs the City Manager or other appropriate officers of the City to provide such information and certifications and execute and deliver, or accept delivery of such instruments, as are necessary and appropriate to implement this ordinance and the TIF Agreement.

Section 8. Authorization of School Compensation Agreement. This Council further hereby approves the compensation agreement between the City and the Board of Education of Northmont City Schools in the form attached hereto as **EXHIBIT D** (the “**School District Compensation Agreement**”), with any changes that are not inconsistent with this ordinance and not substantially adverse to the City and that are approved by the City Manager on behalf of the City, all of which shall be conclusively evidenced by the signing of the School District Compensation Agreement, and hereby authorizes and directs the City Manager, other appropriate officers of the City, or any of them, to execute same.

Section 9. Application for Real Property Tax Exemption and Remission. This Council hereby

authorizes the City Manager or other appropriate officers of the City to prepare and sign any applications for real property tax exemption pursuant to R.C. 5709.911, the provisions of which govern the priority status of the exemptions provided under this ordinance.

Section 10. Tax Incentive Review Council. This Council hereby designates the Montgomery County Tax Incentive Review Council (the “TIRC”) as the tax incentive review council that shall review annually all exemptions from taxation resulting from this ordinance and any other matters as may properly come before the TIRC, in accordance with R.C. 5709.85.

Section 11. Nondiscriminatory Hiring Practices. In accordance with R.C. 5709.832, this Council hereby determines that no employer located on the Property is to deny any individual employment based on considerations of race, religion, sex, disability, color, national origin, or ancestry.

Section 12. Ohio Department of Development. Pursuant to Division (I) of R.C. 5709.40, the City Manager is hereby directed to deliver a copy of this ordinance to the Director of the Ohio Department of Development (“ODOD”) within fifteen (15) days after its passage. On or before March 31 of each year that the TIF Exemption remains in effect, the City Manager or other authorized officer of this City shall prepare and submit, or cause to be prepared and submitted, to the Director of ODOD the status report required under Division (I) of R.C. 5709.40.

Section 13. Open Meetings. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any decision-making bodies of the City that resulted in such formal actions were in meetings open to the public and in compliance with Ohio’s Sunshine Laws, including R.C. 121.22.

Section 14. Effective Date. This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the City and its inhabitants for the reason that this ordinance must be immediately effective so that the work on the Development can begin as quickly as possible, thus providing economic benefit to the City and its residents; wherefore this ordinance shall take effect and be in force from and immediately after its adoption.

ADOPTED BY COUNCIL ON FEBRUARY 17, 2022

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## **NEW BUSINESS**

### **RESOLUTIONS – SINGLE READING AND IMMEDIATE ENACTMENT**

#### **RESOLUTION NO. R – 02 – 22 – 19**

#### **A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE TWO (2) 2022 FORD INTERCEPTOR UTILITY SUV’S FROM BEAU TOWNSEND FORD VIA STATE BID AND AT A COST NOT TO EXCEED \$69,100.00**

**WHEREAS**, R.C. § 125.04 provides for the procedure whereby purchases may be made by political subdivisions without competitive bidding by participating in contracts formulated by the Ohio Department of Administrative Services; and

**WHEREAS**, City Staff has requested and recommended the purchase of two (2) 2022 Ford Interceptor Utility SUV’s for use by the Police Department on the terms and conditions of purchase established by the Ohio Department of Administrative Services.

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

1. That the City Manager is authorized to purchase two (2) 2022 Ford Interceptor Utility SUV's for use by the Police Department from Beau Townsend Ford on the terms and conditions of purchase established by the Ohio Department of Administrative Services and at a cost not to exceed \$69,100.00.

ADOPTED BY COUNCIL ON FEBRUARY 17, 2022

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**RESOLUTION NO. R – 02 – 22 – 20**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A BLIGHT ABATEMENT/DEMOLITION 2.0 PROGRAM COMMUNITY AGREEMENT WITH THE MONTGOMERY COUNTY LAND REUTILIZATION CORPORATION AND FURTHER APPOINTING THE CITY MANAGER AS THE COMMUNITY REPRESENTATIVE FOR SAID AGREEMENT**

**WHEREAS**, the Montgomery County Land Reutilization Corporation (“MCLRC”) and the City of Clayton, Ohio are desirous of mutually cooperating to complete, where applicable, the acquisition or declaring properties nuisance/condemnation, demolition, grading, disposition, re-greening, and maintenance activities; and

**WHEREAS**, in furtherance of accomplishing the goals stated herein and in the attached *Montgomery County Land Reutilization Corporation Blight Abatement/Demolition 2.0 Program Community Agreement*, and since the State of Ohio has authorized the MCLRC to use agreements with jurisdictions from its original Demo 2.0 Project, City Council desires to authorize the City Manager to execute the *Montgomery County Land Reutilization Corporation Blight Abatement/Demolition 2.0 Program Community Agreement* in substantially similar form as appended hereto as **Exhibit A** and to accept the *Montgomery County Land Bank Demolition 2.0/ODOD Demolition and Site Revitalization Program Policy Guidelines* appended hereto as **Exhibit B**; and

**WHEREAS**, City Council further desires to appoint the City Manager as Clayton’s Community Representative per the terms of the said *Montgomery County Land Reutilization Corporation Blight Abatement/Demolition 2.0 Program Community Agreement*.

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

1. That the City Manager, on behalf of the City of Clayton, Ohio, is authorized to execute, in substantially similar form as **Exhibit A**, the attached *Montgomery County Land Reutilization Corporation Blight Abatement/Demolition 2.0 Program Community Agreement*.
2. That the City Manager is hereby appointed as Clayton’s Community Representative per the terms of the said *Montgomery County Land Reutilization Corporation Blight Abatement/Demolition 2.0 Program Community Agreement*.
3. The City Manager is further authorized to execute additional documentation necessary to participate in the said Abatement/Demolition 2.0 Program. **However, per Charter Section**

***4.02(A)(8), any action to purchase real estate will be first presented to Council for consideration via presentation of legislation in the form of an Ordinance.***

ADOPTED BY COUNCIL ON FEBRUARY 17, 2022

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