

## **Minutes of September 15, 2022 Council**

Regular Meeting of the Clayton, Ohio City Council  
Clayton Government Center  
September 15, 2022

### **CALL TO ORDER**

The meeting was called to order by Mayor Stevens at 7:33 PM. Present were Mayor Stevens and Councilmembers Bachman, Henning, Merkle, Kelly, and Lieberman. Motion by Henning to excuse Councilman Gorman this evening, motion was seconded by Kelly. All yeas, motion carried.

### **CLERK'S REPORT**

Clerk Seim presented the minutes of the September 1, 2022 Council work session. Motion by Henning, second by Kelly to approve the minutes as presented. All yeas, motion carried. Seim then presented the minutes of the September 1, 2022 City Council meeting. Motion by Henning, second by Bachman to approve the minutes as presented. All yeas, motion carried.

Law Director Martina Dillon advised we request a vote to revise two resolutions this evening for the following reasons:

Resolution No. R-09-22-64 renewing the PEP insurance to change the premium amount to \$122,198.00. After the resolution was prepared, the City received two new police cruisers which increase the premium amount. Motion by Bachman to amend Resolution R-09-22-64, motion was seconded by Henning. All yeas, motion carried.

Resolution No. R-09-22-68, approving a golf cart lease. After the resolution was prepared, we verified the lease agreement will be between the City and Yamaha Motor Finance Corp. so the resolution was revised to reflect that. Motion by Henning to amend Resolution R-09-22-64, motion was seconded by Lieberman. All yeas, motion carried.

### **OLD BUSINESS**

Ordinance No. O – 09 – 22 – 29 An Ordinance Amending Section 311.01 of the Clayton Codified Ordinances Entitled, “Placing Injurious Material or Obstruction in Street”. This was a second reading, no further discussion. Motion by Bachman to approve the Ordinance, second by Kelly. All yeas, motion carried.

Ordinance No. O – 09 – 22 – 30 An Ordinance Amending Section 351.011 of the Clayton Codified Ordinances Entitled, “Prohibiting Parking on City Streets with Snow Accumulation of Three Inches or More”. This was a second reading, no further discussion. Motion by Merkle to approve the Ordinance, second by Kelly. All yeas, motion carried.

Ordinance No. O – 09 – 22 – 31 An Ordinance Amending Clayton Codified Ordinance Section 531.50 Entitled, “Trimming and Removal of Trees, Plants and Shrubbery to Prevent Obstruction and Protect Public Safety”. This was a second reading, no further discussion. Motion by Henning to approve the Ordinance, second by Kelly. All yeas, motion carried.

## **NEW BUSINESS**

Resolution No. R – 09 – 22 – 62 A Resolution Re-Appointing Traci Barnes to the Parks Advisory Commission. Motion by Henning to approve the Resolution, second by Kelly. All yeas, motion carried.

Resolution No. R – 09 – 22 – 63 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 Kelly to approve the Resolution, second by Lieberman. All yeas, motion carried.

Resolution No. R – 09 – 22 – 64 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, 2022 – October 21, 2023 with an Annual Premium Not to Exceed \$122,198.00. Motion by Bachman to approve the Resolution as amended, second by Lieberman. All yeas, motion carried.

Resolution No. R – 09 – 22 – 65 A Resolution Providing Consent to the Ohio Department of Transportation (ODOT) to Undertake Municipal Bridge Inspection Program within the City Limits of the City of Clayton. Randy Sanders, Public Service Director, advised to be compliant with the Federal Highway Bridge metrics requirements, municipalities having bridges open to the public must have the bridges inspected every year. ODOT has a fully funded program which is completely free to municipalities, however legislative authorization to renew this program is required to continue this service. Motion by Henning to approve the Resolution, second by Lieberman. All yeas, motion carried.

Resolution No. R – 09 – 22 – 66 A Resolution Authorizing the City Manager to Accept the Bid of and Enter into a Contract with Wagner Paving, Inc. for Paving of the Clayton Park Parking Lot at a Cost to the City of Clayton, Ohio not to exceed \$90,630.80. Sanders advised Wagner Paving was selected after competitive bids were received for re-paving of the Clayton Park. The work will include widening and repaving of the entire lot and drive down to the park. Additionally, city staff will be prepping the drive and lot to shed water away from the first ball diamond which always was washed out during rain events. This project was funded through the ARPA funds. Motion by Bachman to approve the Resolution, second by Kelly. All yeas, motion carried.

Resolution No. R – 09 – 22 – 67 A Resolution Authorizing the Submittal of Application(s) for Federal IJJA Funds through the Miami Valley Regional Planning Commission, Jack Kuntz, Director of Development, advised we request approval to submit an application to MVRPC for the traffic signal and pedestrian upgrades at the intersection of National and Haber. With the recent approval by Council of a rezoning and preliminary plan request for the Northwood Estates project, staff engaged Choice One Engineering to provide estimates for upgrades at that intersection. Included with the estimates is a traffic signal, cross walk, pedestrian crossing lights, a new southbound right turn lane on Haber Rd. and the extension of the existing eastbound left turn lane on National Rd. The total amount of the grant project is estimated to be \$892,159.25. The local match required for this grant will be approximately \$295,890. Motion by Henning to approve the Resolution, second by Merkle. All yeas, motion carried.

Resolution No. R – 09 – 22 – 68 A Resolution Authorizing the City Manager to Accept the Bid Submitted by Mid Ohio Golf Cart Inc. and enter into a Lease Agreement with Yamaha Motor Finance Corp. USA for Lease of Golf Carts, GPS Units, and a Food and Beverage Cart for Meadowbrook at Clayton at an Annual Expense Not to Exceed \$89,634.00. Elaine Wittman, Assistant to the City Manager, advised bids were solicited for fifty-five golf carts, fifty-five GPS units, and one food and beverage cart. Two bids were received, and Yamaha was the lowest and best bid. The new carts will have GPS units that will not only provide an amenity to golfers but will help keep the carts on the path which will help with the wear and tear of the course. We also believe we will be able to offset the cost of the food and beverage cart with sales. Motion by Bachman to approve the Resolution as amended, second by Kelly. All yeas, motion carried.

#### **CITY MANAGER'S REPORT**

Amanda Zimmerlin, City Manager, reminded Council that Northmont's homecoming parade is Thursday September 29<sup>th</sup>, please RSVP no later than tomorrow if you wish to ride in the parade. We still have open seats on our salary commission if you know someone, I would appreciate it if you would send them my way. If you recall, we scheduled a work session on October 20<sup>th</sup> at 6:30 p.m. to discuss building inspections. With the influx of development, staff has begun looking at options for building inspections. On October 22<sup>nd</sup> we have our fall Sweep Clayton Clean event at Fire Station 83 located on Woolery Lane. Also, our annual Fire, Police and Service Department Open House is scheduled for Tuesday, October 4<sup>th</sup> from 4:30 to 7:00 p.m. here on campus, I would invite everyone to come out. Lastly, our annual Costumes and Carving event will be held Sunday, October 23<sup>rd</sup> from 1:00 to 3:00 p.m. at Meadowbrook at Clayton.

#### **VISITOR'S COMMENTS**

Earl Harlamert of the Parks Commission thanked Council, staff and all the volunteers for making this year's Labor Day Festival and Fireworks a great success.

#### **COUNCIL MEMBER COMMENTS**

Bachman stated the Labor Day fireworks was a great success, I heard from many residents on how much they liked them, it's kind of like our Super Bowl. Henning thanked staff and all the volunteers for the Labor Day fireworks. I heard nothing but positive remarks from residents, not just Clayton but from Englewood, Union, Trotwood, and Brookville. It was stated by parents how much their families look forward to this event every year. I also want to wish County Commissioner Debbie Lieberman a Happy Birthday. Kelly thanked Jack and the parks commission, along with staff, councilmembers and volunteers who worked the Labor Day festival and fireworks. I also wish Chris Roll a speedy recovery. Lieberman stated I also want to wish my wife, Debbie Lieberman, a Happy Birthday. Stevens stated I wish Debbie along with Mr. Henning's Mom a Happy Birthday. The fireworks were a great event and I want to thank everyone for coming out. It's a big production and a lot of work and I just want to thank everyone who worked so hard to put it together. As Amanda stated earlier, we have a lot coming up in the city and it just doesn't happen on its own, it takes work and planning, preparation, and teamwork to pull it off and I'm just so proud of our staff, council, and volunteers for being able to pull off these events.

Motion by Henning, second by Lieberman to adjourn. All yeas, motion carried.

Meeting adjourned at 8:02 PM.