

CITY OF CLAYTON, OHIO

RESOLUTIONS AND ORDINANCES

October 22, 2022

NEW BUSINESS

ORDINANCES (FIRST OF TWO READINGS)

ORDINANCE NO. O – 10 – 22 – 32

AN ORDINANCE ADOPTING THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE APPLICATION OF CORINNE BRION AND DANIEL ANOI FOR A CHANGE IN ZONING FROM RESIDENTIAL SINGLE-UNIT DISTRICT (RSD) TO PLANNED DEVELOPMENT DISTRICT (PDD) AND TO FURTHER APPROVE THE FINAL DEVELOPMENT PLAN FOR PROPERTY LOCATED AT 3510 SWEET POTATO RIDGE BEARING PARCEL I.D. NUMBER M60 03011 0030 AND CONTAINING 5.704 ACRES WITHIN THE CITY OF CLAYTON, OHIO

WHEREAS, on or about August 29, 2022, an application was filed by property owners Corinne Brion and Daniel Anoi for the property located at 3510 Sweet Potato Ridge consisting of 5.704 acres and bearing Parcel I.D. Number M60 03011 0030 within the City of Clayton, Ohio (“Subject Property”) and requesting a zoning change for same from Residential Single-Unit District (RSD) to Planned Development District (PDD) and further requesting approval of the proposed Final Development Plan for said subject property; and

WHEREAS, the Clayton Planning Commission held a public hearing on September 26, 2022 on said re-zoning and Final Development Plan request at which time any and all persons were given an opportunity to be heard thereon, and the Clayton Planning Commission, at said meeting, *voted to approve as submitted the re-zoning and Final Development Plan*; and

WHEREAS, the Clayton City Council held a public hearing on October 20, 2022, on the aforesaid re-zoning and Final Development Plan 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 Planning Commission’s *recommendation of approval of the re-zoning and Final Development Plan request for the Subject Property*.
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 October 20, 2022 and November 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 NOVEMBER 3, 2022

ORDINANCE NO. O – 10 – 22 – 33

**AN ORDINANCE AMENDING SECTION 351.06 OF THE CLAYTON
CODIFIED ORDINANCES ENTITLED, “COMMERCIAL AND HEAVY
VEHICLE PARKING REGULATED”**

WHEREAS, the Chief of Police has reviewed the Clayton Codified Ordinances and recommends amendment of Section 351.06 thereof in order to better protect the health, safety and welfare of the citizens of Clayton by adding language thereto to assist with enforcement of said regulation.

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

1. That Section 351.06 of Chapter 351 of the Clayton Codified Ordinances is hereby amended as follows: (Deletions in ~~Strikethrough~~ and Additions in **Bold**)

351.06 COMMERCIAL AND HEAVY VEHICLE PARKING REGULATED.

- (a) No person shall park any truck, trailer attached to a motor vehicle, house trailer, semitrailer, boat trailer, bus or tractor, which has more than two axles or a load capacity of more than one ton, on any public street or highway **within the City** for more than one hour except:
 - (1) When actively loading or unloading;
 - (2) In case of an emergency; or
 - (3) When such vehicle is necessary and being used for maintenance, construction, or repair of a nearby roadway, property or structure.
- (b) No person shall park a trailer detached from a motor vehicle on any public street or highway within the City. (Ord. 02-16-04. Passed 3-3-16).
- (c) **Whoever violates this section is guilty of a minor misdemeanor.**

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2. All other provisions of Section 351.06 not amended hereby shall remain unchanged and in full force and effect.
 3. 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.

4. 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 October 20, 2022 and November 3, 2022.
5. 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 NOVEMBER 3, 2022

RESOLUTIONS (SINGLE READING AND IMMEDIATE ENACTMENT)

RESOLUTION NO. R – 10 – 22 – 72

A RESOLUTION AUTHORIZING PURCHASE ORDERS FOR THE NORTHVIEW PARK ALL-INCLUSIVE PLAYGROUND PROJECT

WHEREAS, via enactment of Resolution R-10-22-71 on October 6, 2022, Council authorized the City Manager to accept the proposal of and enter into an agreement with Playcare, LLC dba Playcare Playground Specialists in the total amount of \$179,191.32 for installation of a new all-inclusive playground at Northview Park (“Project”); and

WHEREAS, the bid submitted to the City in the amount of \$179,191.32 by Playcare, LLC dba Playcare Playground Specialists is itemized as follows:

- *\$76,035.92 to PlayPower LT Farmington, Inc. for the playground equipment; and*
- *\$103,155.40 to Playcare, LLC dba Playcare Playground Specialists for installation and safety surfacing; and*

WHEREAS, City staff has requested issuance of two Purchase Orders as follows for the above referenced Project:

- *\$76,035.92 to PlayPower LT Farmington, Inc. for the playground equipment; and*
- *\$103,155.40 to Playcare, LLC dba Playcare Playground Specialists for installation and safety surfacing.*

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

1. That the following two Purchase Orders for the Project delineated herein are hereby approved and authorized:
 - *\$76,035.92 to PlayPower LT Farmington, Inc. for the playground equipment; and*
 - *\$103,155.40 to Playcare, LLC dba Playcare Playground Specialists for installation and safety surfacing.*

ADOPTED BY COUNCIL ON OCTOBER 20, 2022

RESOLUTION NO. R – 10 – 22 – 73

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT PROPOSAL
SUBMITTED BY AND ENTER INTO AN AGREEMENT WITH TALL VIEW
PALLADIUM, INC. FOR THE CLAYTON CDBG DEMOLITION PROJECT AT 8027 N.
MAIN STREET AT A COST OF \$28,720.00**

WHEREAS, proposals were solicited for a Clayton CDBG Demolition Project in order to demolish structure(s) located at 8027 N. Main Street in Clayton, Ohio; and

WHEREAS, the City received 4 proposals for said demolition project and the City Manager and City staff have recommended for acceptance the proposal received from Tall View Palladium, Inc. as being the lowest and best proposal submitted by a responsible bidder and in the best interests of and most favorable to the City; and therefore, City staff recommends accepting said proposal in accordance with the terms of the request for proposals.

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

1. That the City Manager is authorized, in accordance with the terms of the request for proposals, to accept the proposal submitted by Tall View Palladium, Inc. for the Clayton CDBG Demolition Project referenced herein in order to demolish the structure(s) located at 8027 N. Main Street in Clayton, Ohio and for a total cost of \$28,720.00.

ADOPTED BY COUNCIL ON OCTOBER 20, 2022
