

Minutes of October 20, 2022 Council

Regular Meeting of the Clayton, Ohio City Council
Clayton Government Center
October 20, 2022

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.

SPECIAL PRESENTATIONS

Jennifer Kostic representing Sinclair Community College spoke on Issue 10, Sinclair's renewal levy that is on the November 8th ballot.

PUBLIC HEARING

PC22-04 Rezoning and Final Development Plan for the property located at 3510 Sweet Potato Road, specifically for Sweet Potato Stables. The request was made by Corinne Brion and Daniel Anoi (property owners).

Mayor Stevens administered the Oath to members of the public who wish to speak on this case tonight.

Seth Dorman, City Planner, advised the application for case PC22-04 was received on August 29, 2022, for Rezoning and Final Development Plan for Sweet Potato Stables. The applicant is Corinne Brion and Daniel Anoi, property owners. On September 26, 2022, the Planning Commission conducted a public hearing on this request. For this hearing, public notice was printed in the Brookville Star on October 5, 2022, and letters to property owners within 300' of the site were postmarked and mailed on October 10, 2022. The location of Sweet Potato Stables is 3510 Sweet Potato Ridge Road, parcel number M60 03011 0030, and has an area of 5.7 acres. The current zoning of this parcel is RSD, Residential Single-Unit District. Staff reviewed and provided to each City Council member the following documents: Planning Commission Resolution, Application, Letter of Intent/Narrative Statement, Letters of Support for Request, Site Plan, and pictures of the existing horse stable use. Dorman shared an image of the property and surrounding area, and the site plan for the existing horse stables. The analysis of the request is no new development is proposed with this application; the request for final development plan approval in effect is to permit the existing use of the property. Any future modifications to the use of the property will require a PDD Modification that will be heard by both Planning Commission and City Council. The applicant has an existing residence, horse barn, outdoor riding arena, and pasture. The reason for the rezoning and final development plan approval request is because the current zoning (RSD) does not permit the applicant to board horses for other people. To clarify the horse barn has capacity to board up to five horses, in addition to the property owners three horses. The outdoor riding arena is 90' wide x 140' deep (or 12,600 square feet in area). There is some existing lighting on the barn and at the riding arena there are four, 100-watt led lights mounted to a 12' tall post, which is controlled by a switch in the barn. There is a pasture area located behind the outdoor riding arena. After evaluating the applicant's request, and providing an opportunity for public input, the Planning Commission unanimously

passed a motion to recommend approval of the Rezoning and Final Development Plan for Sweet Potato Stables.

Mayor Stevens advised Council was provided the documentation for this request and asked if they had any questions, none were heard.

Stevens asked the applicant if they wish to add any comments.

Corinne Brion advised the beauty of their space is that we're able to share our property with like-minded people who share our passion for horses and trust us enough to put their horses in our care. We love that we spend our time every day with the horses. Another point of pride is without knowing we attract people. Volunteers come and say I'm retired or high school students show up and ask what they can do. We don't advertise, they just come to us and say I'm interested in farming can I help.

Stevens asked for a motion to open the public comments of this hearing. Motion by Henning to open the public comments, motion was second by Bachman. All yeas, motion carried.

Stevens asked if there were any proponents who wished to speak.

Shirley DeWinter spoke in support of this request. I have been a horse person for over 30 years. I was becoming too old to maintain my horse on my property and was able to find this stable. It is very clean, has great fly management, and they take great care of the horses. Corinne and Daniel have been very welcoming and they are caring people.

Stevens then asked if there were any opponents who wished to speak, none were heard.

Stevens asked for a motion to close the public comments of this hearing. Motion by Gorman to close the public comments, motion was second by Bachman. All yeas, motion carried.

Stevens asked Council if they had any questions or comments, none were heard. Stevens then asked for a motion to close the public hearing. Motion by Gorman to close the public hearing, motion was second by Lieberman. All yeas, motion carried.

CLERK'S REPORT

Clerk Seim the minutes of the October 6, 2022 City Council meeting. Motion by Gorman, second by Henning to approve the minutes as presented. All yeas, motion carried.

OLD BUSINESS

None

NEW BUSINESS

Ordinance No. O – 10 – 22 – 32 An Ordinance Approving, Rejecting or Modifying 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 with the City of Clayton, Ohio. Motion by Gorman to accept the Planning Commission's recommendation to approve the application, second by Henning. All yeas, motion carried.

Ordinance No. O – 10 – 22 – 33 An Ordinance Amending Section 351.06 of the Clayton Codified Ordinances Entitled, “Commercial and Heavy Vehicle Parking Regulated”. Police Chief Matt Hamlin advised we are requesting additional language be added to Ordinance COC 351.00, to include: Section (c) Whoever violates this section is guilty of a minor misdemeanor. The additional language will legally assist the enforcement of Section 351.06. Motion by Henning to approve the Ordinance, second by Kelly. All yeas, motion carried.

Resolution No. R – 10 – 22 – 72 A Resolution Authorizing Purchase Orders for the Northview Park All-Inclusive Playground Project. Jack Kuntz, Director of Development advised at our last Council meeting legislation was approved for the All-Inclusive Playground authorizing staff to open one purchase order for the full amount of the project to the vendor who submitted the project proposal. Due to the logistics of the required ordering of the material/equipment, staff needs to be authorized to open two purchase orders with two separate vendors. Motion by Henning to approve the Resolution, second by Kelly. Voting: Bachman-abstain, Henning-yes, Gorman-yes, Merkle-yes, Kelly-yes, Lieberman-yes, Stevens-yes. Motion passed 6-0.

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. Kuntz advised we received four estimates for the demolition project at 8027 N. Main Street. Staff recommends Council award the project to Tallview Palladium as they were determined to have submitted the lowest and best bid for the project. Motion by Henning to approve the Resolution, second by Kelly. Voting: Bachman-yes, Henning-yes, Gorman-yes, Merkle-yes, Kelly-yes, Lieberman-abstain, Stevens-yes. Motion passed 6-0.

CITY MANAGER’S REPORT

Amanda Zimmerlin, City Manager, advised our Sweep Clayton Clean is this Saturday from 8 am till noon at Fire Station 83 located at 200 Woolery Lane. We will have our chipper there for brush items. Then on Sunday we have our Costumes and Carvings from 1 to 3 pm at Meadowbrook at Clayton for all children from K-8. Our Charter Commission has completed their meetings and are compiling a report to present to Council. That will come before Council after the first of the year with the holidays coming up and people being out. Just a few items going on at Meadowbrook at Clayton, the pickleball courts have been paved and the stripping will take place in the spring. The AV system is in and Elaine (Wittman) said it sounds fantastic so hopefully we’ll be able to use it on Sunday for our Costumes and Carving event. The mural going in at Meadowbrook, the Northmont art club has been given permission for an in-school field trip the week of October 24th to begin work on that project. Just a reminder that we do have a public hearing at our next meeting, November 3rd for the Obispee Road right-of-way vacation. I haven’t heard anything from any of the property owners concerning that but they have all been notified. The Clayton Park paving project work is completed on the lower lot and the path from the upper lot to the lower lot has been paved. The upper lot is going to be paved as part of the Salem Street paving project next year. Lastly, Breakfast with Santa is Saturday, December 10th, tickets will go on sale November 14th.

VISITOR’S COMMENTS

None heard.

COUNCIL MEMBER COMMENTS

Henning stated he has heard from a number of residents who have been waiting for the Sweep Clayton Clean event, we are excited for the pumpkin carving this weekend, and early voting has started. Ms. Kelly and I were on a large e-mail thread about the aggregation being on the ballot. Residents were inquiring if this was going to cost them anything, why is it going on, etc. Once we responded and explained why we did this they were optimistic that aggregation could help them save money. I just want to thank staff for our work session presentation on building inspections, that was a very proactive measure that I know residents and future residents will appreciate. Gorman stated he just wanted to remind everyone that the Sweep Clayton Clean event is this Saturday from 8 am until noon. Merkle stated as was mentioned, voting is coming up and as citizens of this country it means your right to vote, and you need to exercise your rights. By all means vote, either vote early, by absentee or go to the polls and vote on November 8th. As my parents always said, if you don't vote you don't have the right to complain. Kelly stated we are still looking for volunteers for the Customer and Carving event this weekend and stated she will be there to help. Stevens advised he drove through Clayton Park and it looks excellent, better than it ever has. I also drove through the new development off Westbrook and are excited to see the progress. We have a new business coming into the city that was spotlighted in the Dayton Business Journal, a trucking headquarters. I also want to add to what Kenny said about the presentation earlier tonight, I want to thank Jack and Seth, and all employees, for bringing forth the issues with building inspections. They are very proactive and recognized the problem, and streamlining construction is very important to us right now because we have a lot coming our way.

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

Meeting adjourned at 8:25 PM.