

## **Minutes of March 16, 2023 Council**

Regular Meeting of the Clayton, Ohio City Council  
Clayton Government Center  
March 16, 2023

### **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 March 2, 2023 Council meeting. Motion by Gorman, second by Kelly to approve the minutes as presented. All yeas, motion carried.

### **OLD BUSINESS**

Ordinance No. O – 03 – 23 – 04 An Ordinance Approving Construction of Street Lighting Improvements in and to Adopt Assessments for Annual Lighting Charges Upon Lots Located within Hunter's Path, Section One, in the City of Clayton, Ohio. Second reading, no further discussion. Motion by Henning to approve the Ordinance, second by Gorman. All yeas, motion carried.

Ordinance No. O – 03 – 23 – 05 An Ordinance Approving Amendments to the City's Personnel Practices Manual at Article 3, Section K ("Probation") and Article 6, adding Subsection Q Thereto ("Military Leave of Absence Policy"). Second reading, no further discussion. Motion by Henning to approve the Ordinance, second by Kelly. All yeas, motion carried.

### **NEW BUSINESS**

Resolution No. R – 03 – 23 – 28 A Resolution Authorizing the City of Clayton, Ohio to Participate in New National Opioid Settlements with Teva, Allergan, CVS, Walgreens and Walmart and Further Authorizing the City Manager, on Behalf of the City of Clayton, Ohio, to Execute and Deliver Settlement Participation Forms and Further Authorizing the City Manager to Execute Necessary Documentation for Participation in Said Opioid Settlements. Martina Dillon, Law Director, advised last year the city authorized the city to participate in a national settlement with the distributors, such as Johnson and Johnson, McKesson, etc. There was an Ohio Memorandum of Understanding to process those payments that the city entered into. This is similar to that in that this is another national opioid settlement, but instead of the distributors, this time it is with the pharmacies, Walgreens, CVS, etc. This will be distributed via the Ohio Memorandum of Understanding that was previously authorized by the city. Motion by Gorman to approve the Resolution, second by Merkle. All yeas, motion carried.

Resolution No. R – 03 – 23 – 29 A Resolution Approving the Plan of Operation and Governance for the Miami Valley Communications Council Electric Aggregation Program for the Purpose of Establishing and Implementing an Electric Program. Amanda Zimmerlin, City Manager, advised we held our Public Hearings today. The first was at noon, with the second being held at 6 this evening. The resident's questions were good once everyone understood what was being discussed, and everyone was on board. They did ask that we hold more informational meetings. I did speak with MVCC who stated they will get those scheduled and we'll get the information

out to our residents. Motion by Henning to approve the Resolution, second by Kelly. All yeas, motion carried.

Resolution No. R – 03 – 23 – 30 A Resolution Approving a Master Equity Lease Agreement with Enterprise FM Trust by Enterprise Fleet Management, Inc. for the Lease and Purchase of Vehicles for use by the City of Clayton, Ohio. Motion by Gorman to approve the Resolution, second by Bachman. All yeas, motion carried.

Resolution No. R – 03 – 23 – 31 A Resolution Approving Amendment of 2023 Appropriations and Estimated Resources. Kevin Schweitzer, Finance Director, advised the city's fuel supplier inadvertently pumped diesel fuel into the gasoline tanks and gasoline into the diesel tanks. Numerous vehicles encountered issues after using the wrong fuel. The supplier has reimbursed the city and continues to reimburse us as issues come up. The Police fund requires an increase in estimated resources and well as appropriations for the first reimbursement of \$11,136.09. Motion by Gorman to approve the Resolution, second by Bachman. All yeas, motion carried.

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

Amanda Zimmerlin, City Manager, advised we have our Easter Egg Hunt at Meadowbrook at Clayton Saturday, April 1<sup>st</sup> at 9:30 a.m. sharp, it goes quick so be sure to be there early. We have our Park Cleanup Day Saturday, April 29<sup>th</sup> from 10 a.m. to 12 p.m. in all three parks. We have available positions on our Parks Advisory Board, there are two open seats and applications are being accepted through March 20<sup>th</sup>. I will get those applications to you by April 6<sup>th</sup> so you can review them, and then bring forth legislation on April 20<sup>th</sup> to appoint the members to the board. An update on the Ward study. We've been working with a professor at the University of Dayton to do the ward study. He stated he should have it done by the end of month, so we can get that out to Council. I am not anticipating any large shifts as there hasn't been any large population shifts since the last time we had it done. I have an update on the Charter Review Commission as well. I did receive from the Chair of the Charter Commission the Charter's recommendations. I've sent that out to the members of the Charter Review Commission for their review. I'm hoping to have those items to you by April 6<sup>th</sup> so you can review them and we can schedule a work session and have the Charter Review Commission come in to discuss. The Salary Review Commission, they met as well and did make a recommendation. I will get that to you again by the April 6<sup>th</sup> meeting. I am asking for a Work Session at our next meeting, April 6<sup>th</sup> for updates on Meadowbrook at Clayton, I can get that scheduled for 6:30 p.m. Just a reminder that CCA is still available for tax assistance. The next dates are Monday, March 27<sup>th</sup> from 9 a.m. to 3 p.m. and then again on Wednesday, April 12<sup>th</sup> from 9 a.m. to 3 p.m. Residents can give Eric Hein of CCA a call at 216-857-3174 to schedule an appointment. We do have our summer schedule coming up. We are looking at cancelling the June 1<sup>st</sup> and July 6<sup>th</sup> meetings. Motion by Henning to cancel the June 1<sup>st</sup> and July 6<sup>th</sup> meetings, motion was second by Kelly. All yeas, motion carried. We previously had discussion about revenue sources for the city and whether or not Council would want to do a levy. If we do this it needs to be done by August for the November ballot. After discussion Council decided to make the April 6<sup>th</sup> Work Session a discussion on levy options and move the Meadowbrook updates to a later date.

### **VISITOR'S COMMENTS**

Earl Harlamert, Parks Advisory Commission, advised we are cleaning the parks of branches, limbs and trash to assist the Road Department in their annual mowing of the parks. Any resident interested in helping can go to any of the three parks on Saturday, April 29<sup>th</sup> from 10 a.m. to

noon. Representatives from the Parks Advisory Commission will be at each park and will have gloves and bags available for the volunteers.

Henning asked Ms. Zimmerlin if she could update Council on the award the Fire Collaborative just received. Zimmerlin advised the City County Managers Association awarded the Englewood, Clayton, Union Fire Collaborative the Intergovernmental Cooperation Award, they will receive their award in Columbus later this month.

#### **COUNCIL MEMBER COMMENTS**

Lieberman wished everyone a happy St. Patrick's Day. Gorman wished everyone a safe and happy St. Patrick's Day and good weekend. Henning stated I want to congratulate the Fire Collaborative for their work and for being recognized from around the State which really makes our community shine. Also, I just wanted to say to the students with the upcoming spring break, have a safe time, be smart, be responsible and enjoy your week off from school. Bachman stated I echo what was said about the award for the Fire Collaborative, like I've said, it's nothing but positives. What does a life cost? We're actually saving money and the Collaborative is actually improving things. And, have a happy St. Patrick's Day weekend. Stevens also wished everyone a happy St. Patrick's Day, be safe tomorrow as there are going to be a lot of celebrations going on. I also want to mention a couple of students, Lily (Amanda's daughter) went to State as an alternate in wrestling, and Northmont also had a student place second in the State for wrestling. The DECA kids are doing well, and I believe 11 are going to Nationals. Like I said, be careful tomorrow if you're out, have a great day.

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

Meeting adjourned at 7:54 PM.