

Minutes of April 20, 2023 Council

Regular Meeting of the Clayton, Ohio City Council
Clayton Government Center
April 20, 2023

CALL TO ORDER

The meeting was called to order by Mayor Stevens at 7:30 PM. Present were Mayor Stevens and Councilmembers Bachman, Gorman, Merkle, and Kelly. Motion by Gorman to excuse Lieberman who is out of town this evening, and Henning whose Son was born this week, motion was seconded by Kelly. All yeas, motion carried.

SPECIAL PRESENTATION: Mayor Stevens presented a representative from the Dayton Arab American Forum with a Proclamation recognizing April as Arab Heritage Month in the City of Clayton.

CLERK'S REPORT

Clerk Seim presented the minutes of the April 6, 2023 Council work session. Motion by Gorman, second by Bachman to approve the minutes as presented. All yeas, motion carried. Seim then presented the minutes of the April 6, 2023 Council meeting. Motion by Gorman, second by Kelly to approve the minutes as presented. All yeas, motion carried.

OLD BUSINESS

O – 04 – 23 – 06 An Ordinance Adopting the Planning Commission's Recommendation to Approve, with Specified Condition, the Application for Hunter's Path Section 2 Plat Approval in the Hunter's Path Subdivision and Bearing Parcel ID Number M60 03207 0022. Second reading, no further discussion. Motion by Gorman to approve the Ordinance, second by Merkle. Voting: Bachman-abstain, Gorman-yes, Merkle-yes, Kelly-yes, and Stevens-yes. Motion passed 4-0.

NEW BUSINESS

Resolution No. R – 04 – 23 – 33 A Resolution Appointing Misty McDowell to the Parks Advisory Commission. Motion by Kelly to approve the Resolution, second by Merkle. All yeas, motion carried.

Resolution No. R – 04 – 23 – 34 A Resolution Appointing Christina Miller to the Parks Advisory Commission. Motion by Gorman to approve the Resolution, second by Kelly. All yeas, motion carried.

Resolution No. R – 04 – 23 – 35 A Resolution Authorizing the City Manager to Accept the Proposal of Elevated Roofing & Siding, LLC in the Amount of \$114,790.66 and Enter into a Contract with Elevated Roofing & Siding, LLC for the 2023 Clayton CDBG Westbrook Park ADA Restroom Renovation Project. Jack Kuntz, Director of Development, advised we submitted a CDBG grant application to Montgomery County in 2021 for the Westbrook Park ADA Restroom Renovation Project. At that time, the application was not awarded as funds were earmarked for the Northview Park All-Inclusive Playground Project instead. Last year, at the conclusion of the N. Main Street CDBG Business Incentive Project, Montgomery County

reallocated left-over funds from that project to Clayton to be applied towards the Westbrook Park ADA Restroom Renovation Project. The reallocated amount was paired with the original local match using ARPA funds, for a total of \$141,070 to be used for the project. The project went out to bid at the beginning of 2023. Two contractors attended the mandatory pre-bid meeting on February 7th. The scheduled bid opening occurred on February 21st with no bids submitted by the deadline listed in the legal advertisement. Staff then spoke with Montgomery County's Community Development Department, and Montgomery County advised city staff we could solicit estimates from contractors and not go through the bid process again. Staff reached out to three contractors and asked for estimates to be submitted no later than 4:30 pm on March 31st. Staff received one estimate by that deadline, submitted by Elevated Roofing and Siding. Staff submitted the estimate for the project, which was for \$114,790.66, to Montgomery County for review. Montgomery County confirmed the city had met all the legal and federal requirements for advertising for the project and Clayton was permitted to move forward with Elevated's submitted estimate, which came in under budget. Motion by Gorman to approve the Resolution, second by Bachman. All yeas, motion carried.

CITY MANAGER'S REPORT

Amanda Zimmerlin, City Manager, reminded everyone the Park Cleanup Day is scheduled on Saturday, April 29 from 10:00 a.m. to Noon. You can meet Park board members in any of the parks, trash bags and gloves will be available and everyone can help make Clayton beautiful. The Finance Department was awarded the GFOA award, this was the 18th year for the award, and it's Kevin's 15th year. The Police Department also was awarded the Gold Award from Lexapro for excellence in law enforcement policy management for 2022 and this is their 3rd year receiving that award. Attached to the City Manager's report is the Ward Study update, after discussion Council asked to defer this conversation until all Councilmembers are present. The Salary Commission made their recommendation but Council also asked to defer until all Councilmembers are present. An update on the Meadowbrook awning, it came with the building when we got it in 2015. When we went to put it up this year, we discovered that it had dry rotted, and a new awning was purchased and installed. The murals project, the Development Department has been working very closely with Northmont City Schools and their art department. They did the banners that are going to be hanging on Main Street. They have also volunteered to do a mural at Hardscrabble Park along the restroom building wall, they will start that in the fall. They are also going to do a mural at Meadowbrook on the pickleball courts in the spring. In October of 2022 a property owner in Englewood wanted to develop 28 acres that abut I-70 and that is accessible from Taylorsburg Road off of Taywood. The city denied their request to have the street connect into Elru because all it was going to do was cause Elru to become a through street to Main Street. That same property owner came in last week to see if Council would be interested in a voluntary annexation where they would annex into the City of Clayton and then they could develop the parcel. If they do that, there is county water, but I believe they would then run into the exact same problem with the City of Englewood where they wouldn't be allowed to access Taylorsburg Road. Again, Council decided to defer until we have a full Council. At the last meeting Mr. Henning asked that I have Representatives Creech and Plummer come to a meeting to discuss House Bill 1 and what affect it would have on the City. House Bill 1 as drafted is dead, but they are definitely going to come back with something else. Representatives Creech and Plummer will be here on May 18th to discuss that with Council. Mr. Lieberman had asked to have a discussion on creating a committee between the cities of Clayton,

Englewood and Union to discuss other ways to continue to cooperate and share services. Again, Council decided to defer until we have a full Council. Trash receptacle placement, Law Director Dillon has drafted legislation amending section 1313.08 of Chapter 1313 of the Codified Ordinances. The draft legislation is attached to the City Manager's report. In that draft legislation it allows the City Manager, if the resident has a doctor's note which would also provide them with carryout service from Republic, to then waive the requirement that the trash receptacles be placed behind the front of the house, so they would be able to leave them in front of the garage. I'm looking for direction from Council if you want to amend that, bring it up for a vote at our next meeting. After discussion Council decided to bring the legislation forward at the next meeting.

VISITOR'S COMMENTS

Earl Harlamert, Parks Commission, reminded everyone that on April 29th we are holding our annual cleaning of the parks. This event assists the Service Department by cleaning limbs, brush and trash so the city crews can mow the parks without tearing up the equipment.

COUNCIL MEMBER COMMENTS

All Councilmembers congratulated Councilman Henning and his Wife, Natalie, on the birth of their Son, Henry born on Wednesday. Bachman stated the recent awards for the Finance and Fire Departments show the high standards we have and what makes the city great. Stevens congratulated the City Manager, our Finance Department and Chief Hamlin, those are large accolades. It shows our employees are excelling at their professions. It's not us saying that, it's statewide organizations that recognizing our employees and for that I am very proud of them. I want to thank all of our staff; you continue to do a great job. Thanks to our Council, you continue to do a great job also making our city better.

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

Meeting adjourned at 7:51 PM.