

Minutes of July 20, 2023 Council

Regular Meeting of the Clayton, Ohio City Council
Clayton Government Center
July 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, Henning, Gorman, Merkle, Kelly, and Lieberman.

SPECIAL PRESENTATIONS

Mayor Stevens presented a Proclamation to Eric Woods recognizing his academic accomplishments and dedication to social causes while attending Miami University.

CLERK'S REPORT

Clerk Seim presented the minutes of the June 15, 2023 Council meeting. Motion by Gorman, second by Henning to approve the minutes as presented. All yeas, motion carried.

VISITOR'S COMMENTS

The following residents spoke in opposition to the Salem Spring's development project:
Mayor Steven's first read a letter from Greg and Crystal Hemker of 9594 Fox Road who were not able to attend the meeting this evening.

Gloria Von Fahnstock – 10831 Putnam Road

Anna Von Fahnstock – 10831 Putnam Road

David Niesley – 11853 Old Mill Road

Scott Anderson – 10581 Haber Road

Steve Hensley – 10895 Haber Road

Mark Alsobrooks – 220 Irongate

Nicole Alsobrooks – 220 Irongate

Larry Erbaugh – 10511 Haber Road

Darlene Lockhart – 4300 Sweet Potato Ridge Road

Bill Beaver – 3861 Phillipsburg Union Road

Michael Barrow – 7137 Thundering Herd Place

Dan Pohlable – 11141 Putnam Road

Jeff Eubanks – 4590 Phillipsburg Union Road

Joe Plummer – 11415 Old Mill Road

Gray Wallace – 11998 Old Mill Road

Doug Norton – 119 Irongate

Dana York – 10635 Haber Road

Alisha York – 10635 Haber Road

Paulette Farmer – 11735 Old Mill Road

Nancy Viets – 11966 Old Mill Road

Lori King – 10763 Haber Road

Kristy Cox – 209 Kimmel Road

Ryan Farmer – 11735 Old Mill Road

John Wallace – 11221 Putnam Road

Lori Hartman of 7293 Phillipsburg Union Road stated her family's Trust is selling the parcel and gave her family's history with the property and surrounding area.

This meeting was taped and all resident comments were captured. A flash drive copy of this video is on file with the Clerk of Council and available for viewing.

OLD BUSINESS

Ordinance No. O – 05 – 23 – 08 An Ordinance Adopting the Planning Commission's Recommendation to Approve, with Specified Conditions, the Application of Clayton Properties Group, Inc. DBA Arbor Homes, for a Change in Zoning from Rural Conservation District-2 (RCD-2) to Planned Development District (PDD) and to Further Approve the Preliminary Development Plan for 42.99 Acres of Property Located Along Phillipsburg-Union Road and Haber Road and Bearing Parcel I.D. No. M60 03006 0009 (to be called "Salem Springs") within the City of Clayton, Ohio. Motion by Gorman to deny this Ordinance, motion was second by Henning. Voting: Bachman-no, Henning-yes, Gorman-yes, Merkle-no, Kelly-yes, Lieberman-no, and Stevens-no. Motion failed 3-4. Motion by Merkle to approve the Ordinance, motion was second by Lieberman. Voting: Bachman-yes, Henning-no, Gorman-no, Merkle-yes, Kelly-no, Lieberman-yes, and Stevens-yes. Motion passed 4-3.

NEW BUSINESS

Resolution No. R – 07 – 23 – 45 A Resolution Re-Appointing Earl Harlamert to the Parks Advisory Commission. Motion by Merkle to approve the Resolution, second by Bachman. Voting: Bachman-yes, Henning-yes, Gorman-yes, Merkle-yes, Kelly-abstain, Lieberman-yes, Stevens-yes. Motion passed 6-0.

Resolution No. R – 07 – 23 – 46 A Resolution Re-Appointing Robin Spiller to the Parks Advisory Commission. Motion by Gorman to approve the Resolution, second by Henning. All yeas, motion carried.

Resolution No. R – 07 – 23 – 47 A Resolution Re-Appointing Lisa Menker to the Parks Advisory Commission. Motion by Gorman to approve the Resolution, second by Kelly. All yeas, motion carried.

Resolution No. R – 07 – 23 – 48 A Resolution Authorizing the City Manager to Enter into an Agreement with the Northmont School District for the Provision of School Resource Officers for the 2023-2024 School Year. Matt Hamlin, Police Chief, advised the Clayton Police Department and Northmont City schools have worked cooperatively over the last several years to provide two Clayton Police Officers, one for the Middle School and one for the High School. Motion by Gorman to approve the Resolution, second by Henning. All yeas, motion carried.

Resolution No. R – 07 – 23 – 49 A Resolution Authorizing the City Manager to Accept Proposal of and Enter into an Agreement with Superior Dental Care for the Provision of Group Dental Insurance Benefits for the Period September 1, 2023 to August 31, 2024. Amanda Zimmerlin, City Manager, advised we propose renewing the City's current dental insurance plan with Superior Dental, with no change in the premium for next year. Motion by Bachman to approve the Resolution, second by Gorman. All yeas, motion carried.

Resolution No. R – 07 – 23 – 50 A Resolution Authorizing the Negotiation, Execution, and Delivery of Governmental Lease-Purchase Agreement No. 008-0883355-301 in Principal Amount not to Exceed \$44,907.90 Between City of Clayton, Ohio and the Huntington National Bank and Prescribing Other Details in Connection Therewith. Zimmerlin advised we are looking to purchase a Toro Groundmaster 3500 for the golf course through a lease/purchase agreement. Motion by Gorman to approve the Resolution, second by Merkle. All yeas, motion carried.

CITY MANAGER'S REPORT

Amanda Zimmerlin, City Manager, ask Earl Harlamert, Parks Commission Director, to speak on upcoming events at Meadowbrook at Clayton. Mr. Harlamert advised next Friday, July 28th we are hosting our Northmont Dance Party. The class runs from 7-9 pm, with a cash bar opening at 6:30 pm. You will learn all the popular, new and traditional wedding line dances. Next, we are hosting our annual Movie in the Park on Friday, August 18th beginning at 8:30 pm. The event is free, and Englewood Cinema will be supplying free popcorn. Lastly, we are hosting a new event this year, Wine & Cheese on Friday August 11th from 7-9 pm. Tickets are \$40 each and that includes premium wines, cheeses and hors D'oeuvres.

Zimmerlin stated we have few additional events being hosted at Meadowbrook. The Couple's Birdies and BBQ will be held this Sunday, July 23rd beginning at 4 pm. The package includes golf, cart, dinner and drink, and cost \$43 per person. Next, we are hosting the Couples Pizza and Par on September 10th beginning at 4 pm. Price includes golf, cart, dinner and drink, with tickets costing \$43 per person. Council has been invited to participate in the Englewood Arts Festival parade on August 12th, please RSVP if you would like to participate. We have an open seat on our Parks Advisory Commission, if anyone would like to join, please send me your resume. Zimmerlin provided Council with a list of public service projects that came in under our engineer's estimate. Zimmerlin had Police Chief Hamlin give an update on speeding traffic on Phillipsburg Union Road. Chief Hamlin advised we have a new Stealth Stat, it's basically an undercover radar that looks like a small box that we can place anywhere close to the road. It records dates, times and speeds. We ran it twice for five days each but did not get one speeder. I have all the data, and that has been provided to Council, but anyone interested can get a copy.

COUNCIL MEMBER COMMENTS

Henning stated I would suggest that maybe Arbor homes considers renaming the development at Salem Springs to Broken Promises. Merkle stated this was a hard item to come to terms with, it's not ideal. We go through the processes and analyze and try to figure out where to go. We don't automatically start off and say no without having a reason. If you're going to say no, why are you saying no, you have to justify your position. I had a hard time coming up with a specific reason to say no. I had some troubling thoughts after the last meeting and conversations I've had with your group based on how they're expressing their feelings. I was concerned with my personal safety from the standpoint that my position was viewed as being the opposite of what you wanted me to have. You wanted me to cast my vote based on what you wanted not based on what I thought was the right direction. I'm standing by my decision. You don't like it, fine, you don't have to like it. I've heard a lot of bad information coming out of people from the standpoint of making misinformation. Misinformation does a lot in order to stir up people's commentary. I've been involved with City going back to the Merger Committee, and my interest was ensuring that this city developed soundly, strongly, sustainable, and that's still where I stand as far as looking out for the interests of the entire community, your interests as well. I've looked

at this plan for this development, what you're dealing with is a preliminary plan, it isn't engraved in stone, it still has to go back through the Development Department, Planning Commission and Council with a final plan. Lieberman stated not to repeat what Greg said, but there was a lot of that and it was unnecessary. You will never get my vote with threats, with bullying. I'm not saying most of you did, in fact most of you were very respectful. I spoke with residents, we agreed to disagree. I've responded to your emails and texts because I believed that was my job, I'm your ward representative. I coached some of your kids in pee wee football, I love this community and I love Northmont, and there should never be a doubt in any of your minds that what I do, I do because I believe it's right. There was a comment tonight that good leadership must govern with principle. I try to do that, and my principle is I try to look at both sides. I try to figure out where we are, I try to look at as much data and statistics as possible. At the end of day, I analyze it and say, okay where should I go with this. This was a close call for me because of all the friends I have on the other side who now probably don't count themselves as my friend. There was a lot of transparency and not only did we advertise meetings, agendas, we've talked about this since May. I've kept track of the speakers and we've probably heard from over 50 as to the reasons why this shouldn't happen or should happen. Not all of you are consistent. After the first meeting I was concerned about the density, so we went back to the developer and they did compromise and reduced the density. I also told all of you, and I mean it, that if I find at the end of the day when the final plans come in and the real studies are done. I know some of you don't believe in studies, but whatever you may believe I am telling you these studies are what we have to rely upon to make our decision. These studies are at the cost to Arbor and are what we have to rely upon and we will make the determination as to whether at the end of day this is indeed a good project or not. Stevens thanked the staff for all their hard work, they all wear many hats. I also want to thank Council; this is a tough job. This has been about the hardest thing I've done since being Mayor, it has been a little controversial, a little contentious, but I do believe as a group the residents that came in tonight, I think you were passionate about your cause. I want to say, thank you for being respectful to us considering the circumstances.

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

Meeting adjourned at 9:45 PM.