

## **Minutes of March 21, 2024 Council**

Meeting of the Clayton, Ohio City Council  
Clayton Government Center  
March 21, 2024

### **CALL TO ORDER**

The meeting was called to order by Mayor Stevens at 7:30 PM. Present were Mayor Stevens and Councilmembers Farmer, Henning, Gorman, Merkle, Kelly, and Bachman.

### **CLERK'S REPORT**

Clerk Seim presented the minutes of the March 7, 2024 Council meeting. Motion by Gorman, second by Kelly to approve the minutes as presented. All yeas, motion carried.

### **EXECUTIVE SESSION**

Mayor Stevens advised an Executive Session is needed this evening. Law Director Dillon stated the Executive Session is needed for matters pertaining to labor negotiations. Gorman made a motion to break for an Executive Session, motion was second by Farmer. Voting: Farmer-yes, Bachman-yes, Gorman-yes, Merkle-yes, Kelly-yes, Bachman-yes and Stevens-yes. Motion carried 7-0. Council broke for Executive Session at 7:32 PM. Council returned at 7:37 PM, and Gorman made a motion to return to regular session, motion was second by Merkle. Voting: Farmer-yes, Bachman-yes, Gorman-yes, Merkle-yes, Kelly-yes, Bachman-yes and Stevens-yes. Motion carried 7-0.

### **OLD BUSINESS**

None

Law Director, Martina Dillon, advised we request to add two Resolutions to this evening's meeting. Resolution R-03-24-21 approving the City Manager's designation of qualified administrative officers of the City to perform the duties and functions of the City Manager in the City Manager's temporary absence or disability. Motion by Henning to add Resolution R-03-24-21 to tonight's agenda, motion was seconded by Gorman. All yeas, motion carried. We also ask to add Resolution R-03-24-22 pursuant to Charter 12.05 authorizing the City Manager to perform the duties of the Director of Development. Motion by Merkle to add Resolution R-03-24-22 to tonight's agenda, motion was seconded by Gorman. All yeas, motion carried.

### **NEW BUSINESS**

Resolution No. R – 03 – 24 – 17 A Resolution Approving the Countywide 9-1-1 Final Plan as Approved by the Countywide 9-1-1 Program Review Committee. Motion by Gorman to approve the Resolution, second by Kelly. All yeas, motion carried.

Resolution No. R – 03 – 24 – 18 A Resolution Approving a New Collective Bargaining Agreement with the Ohio Patrolmen's Benevolent Association Setting Forth the Wages, Benefits and Terms and Conditions of Employment for Sergeants Within the Clayton Police Department for the Period April 1, 2024 through March 31, 2026. Motion by Merkle to approve the Resolution, second by Bachman. All yeas, motion carried.

Resolution No. R – 03 – 24 – 19 A Resolution Repealing Resolution No. R-02-24-15 which Authorized the Five-Year Lease to Purchase One (1) 2024 Ford Interceptor Utility SUV for use by the Police Department from Enterprise Fleet Management, Inc. at a Total Cost of \$60,600.00 and Replacing with the Current Resolution No. R-03-24-19. Amanda Zimmerlin, City Manager, stated Council had approved the purchase of a 2024 vehicle, but by the time we got everything over to the company they were no longer making 2024's and had switched over to the 2025 model year. Motion by Henning to approve the Resolution, second by Farmer. All yeas, motion carried.

Resolution No. R – 03 – 24 – 20 A Resolution Authorizing the Purchase of MARCs Radios for use by the Fire Department at a Total Cost to the City of \$15,619.68 and to Further Approve Amendment of the Previously Authorized Five-Year Capital Improvement Budget with Respect to Same. Brian Garver, Fire Chief, advised in the 2024 CIP budget the Fire Department was approved for \$20,000 for our portion of a possible grant to replace rescue tools. In the meantime, the fire department submitted a grant to replace 8 mobile radios that will become obsolete and inoperable by the end of 2025. The fire department was awarded a grant of \$10,000 along with reduced pricing through Ohio MARCS (Multi-Agency Radio Communication System). These radios were approved in the 5-year CIP budget for 2025. I would like to move this purchase to 2024 and the rescue tools to 2025. The cost of the radios that were approved for purchase in the 2025 CIP budget was \$42,699.52. The cost to the city with this grant will be \$15,619.68, which is a cost savings of \$27,079.84. Motion by Merkle to approve the Resolution, second by Gorman. All yeas, motion carried.

Resolution No. R – 03 – 24 – 21 A Resolution Approving the City Manager's Designation of Qualified Administrative Officer of the City to Perform the Powers, Duties, and Functions of the City Manager during the City Manager's Temporary Absence from the City or During Disability. Motion by Henning to approve the Resolution, second by Kelly. All yeas, motion carried.

Resolution No. R – 03 – 24- 22 A Resolution Pursuant to Charter Section 12.05 Authorizing the City Manager to Perform the Duties of Director of Development. Motion by Bachman to approve the Resolution, second by Kelly. All yeas, motion carried.

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

Amanda Zimmerlin, City Manager, advised I'm sure some of you have seen that there are signs up on Wenger Road at the bridge in front of St. Paul's Church about the road being closed from April 1st to May 31st. That is a County project, they are replacing the bridge. We have been having issues with robo calls here at the City building. Our phone system does allow for us to do an automated answer, so it would basically say "Thank you for calling the City of Clayton, if you would like to be connected to the front desk please hold," and that will weed out the robo calls, so we're not answering 10-20 of those calls a day. The MVPRC annual dinner is scheduled for April 18<sup>th</sup>, but I was planning to ask for a work session that evening to provide an update on the Wenger and Hoke project. Council all agreed to hold the work session that evening beginning at 6:30 p.m. We did hold our Fact Finding for our Public Service contract on March 13<sup>th</sup> it went well. The Factfinder will have a report to us April 1<sup>st</sup>, and we will then have seven days to consider that. The Safety Town open house, if you recall back in May of 2023 City Council made the decision to donate \$500 to help fund Safety Town for the children of Northmont City Schools. Northmont Schools will be holding a Safety Town open house on April 15<sup>th</sup> from 8:30 to 9:30 a.m. at the Kleptz Early Learning Center gymnasium.

Mr. Merkle asked for an update on the Windsor Development, and their lack of activity at North Clayton. Ms. Zimmerlin stated in the last email I received they are planning to submit plans for our May Planning Commission meeting, we have not received anything yet. Mr. Merkle then asked if you and Martina (Dillon) could examine the potential for reviewing the area north of 40, to review the potential for drafting something on how we can make it into that which was proposed 28 years ago but not put into writing. Essentially formalizing it as far as a document that says this is what thou shall not do. I guess I'm asking what can be legally done. Ms. Zimmerlin asked, are you looking at a prohibition on all building and development north of 40. Merkle stated we need to know what can and cannot be done. Zimmerlin stated the first step is we need to look at the legality of whether or not we're able to prohibit people on their own property from coming to the City to request a zoning change.

Mr. Henning asked if Council would be having a work session or conversation in regards to budget cuts since Issue 5 didn't pass. Zimmerlin stated she met with staff on Wednesday morning and we had a discussion about no discretionary spending, and we're not traveling for training. We're leaving all positions open including the position of Development Director, so I will fill that role. And then we will start the conversation on what our next steps could be if we want to present to Council the idea of putting it back on the ballot in November and what that would look like.

#### **VISITOR'S COMMENTS**

Gloria Von Fahenstock stated the 2023 Development Annual Report is not on the website, she hoped the residents will be part of the conversations on future development projects, and know that residents are here to help with events. Katina Anderson stated she is here this evening representing the Chosen Church at 295 E. Salem Street, asking what can the Church do to assist the community. Joe Plummer stated he was at Meadowbrook for the election and noticed handicapped people were having a hard time going from the parking lot into the building, could the City look at that. There is a large patch of grass under the awning, maybe clear that out and put handicap parking there. Jeremy Blanford thanked Council for the opportunity to put Issue 4 on the ballot, and on Issue 5 I was a proponent, but it didn't pass. In talking with other residents, they are tired of putting money into Meadowbrook. Doug Bias stated on behalf of the Keep It Rural pack, the political action committee, while I'm extremely pleased with the results of the past election as it pertains to Issue 4, I recognize the challenges the city is facing and tough decisions each of you on Council have to make. We don't completely oppose development, but it needs to be done in a smart and consistent way. Earl Harlamert, the Parks Director stated at the April 9<sup>th</sup> parks commission meeting we will be meeting to discuss our annual park clean-up day. Jay'Relle Cooper stated he is a student at Northmont High School and is here this evening for his American Government class.

#### **COUNCIL MEMBER COMMENTS**

Kelly thanked Angie Clifford of the Northmont Chamber for the luncheon earlier today, all the cities were well represented. They also announced funding for the Boltz Center, a half a million dollars so far. Merkle stated I want to thank everyone for voting, even though it was not what I wanted to see. I appreciate the fact that you took the time to go to vote, it shows an interest in what was happening in the community and lets your voices be heard. Gorman thanked the Chamber for the luncheon today and wished everyone a Happy Easter. Henning thanked Angie

and the Chamber, and as Ms. Kelly said about the state funds that were granted to the Chamber's Foundation nonprofit that's now going to be the Bolt Innovation Center. We as a community really need to press the state to fund that in the capital project. I want to thank everyone here in the room tonight who worked so hard on Issue 4. Have a nice Easter weekend, hopefully the weather will be nice and remember the reason for Easter. Farmer stated I also want to recognize the folks who worked on Issue 4, I really appreciate that. Regarding Issue 5, just saying support police and fire that's not a real selling point, you really need to show them the numbers, show them exactly what they're going to lose. As Mr. Merkle stated earlier, the discussion about north of 40, I think that will be a great discussion. Stevens stated on Issue 4, you all know how I voted, I've held nothing back on saying that role is to try to progress us. I'm not surprised that it went down the way it did, the Pack did it right and did a good job. I also agree with Mr. Merkle, the discussion can't be whether it's legal or not, we don't want to shut down any area of the city for any kind of development. Obviously, this wasn't the right development for that area. I am open to discussions about making some other guidelines that we have out there, maybe 5 or 10 acre tracts. Issue 5 failing is sad as money is what runs the city. We don't produce anything; we only get money from taxes. As always, I want to thank Staff and Council who do a tremendous amount of work with a very small staff.

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

Meeting adjourned at 8:40 PM.