

CITY OF CLAYTON, OHIO

RESOLUTIONS AND ORDINANCES

April 4, 2024

OLD BUSINESS - NONE

NEW BUSINESS

RESOLUTIONS (SINGLE READING AND IMMEDIATE ENACTMENT)

RESOLUTION NO. R – 04 – 24 – 23

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A THREE-YEAR MEMORANDUM OF UNDERSTANDING WITH THE MONTGOMERY COUNTY SOIL AND WATER CONSERVATION DISTRICT AT AN ANNUAL COST OF \$9,000.00

WHEREAS, via City Charter Section 8.02(C)(1) and enactment of Ordinance No. 12-23-27, the current minimum competitive bid threshold is \$77,398.00; and

WHEREAS, Clayton Charter Section 8.02(C)(3)(b) exempts intergovernmental contracts from competitive bidding; and

WHEREAS, the City of Clayton is required to file an annual report with the Ohio EPA detailing the status of compliance with permit conditions and including an assessment of the appropriateness of the Best Management Practices and progress toward achieving measurable goals; and

WHEREAS, the Montgomery County Soil and Water Conservation District staff has the expertise to provide assistance to the City of Clayton staff to ensure the City's compliance with Ohio EPA requirements and City staff has recommended approval of the Memorandum of Understanding appended hereto as **Exhibit A** and incorporated herein, allowing the City of Clayton and the Montgomery County Soil and Water Conservation District to work together to achieve the goals stated therein.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO:

1. That the City Manager is hereby authorized to enter into the attached three-year Memorandum of Understanding (**Exhibit A**) in substantially the same form as appended hereto and for a cost of \$9,000.00 annually. The appended Memorandum of Understanding is incorporated herein and made a part hereof.

ADOPTED BY COUNCIL ON APRIL 4, 2024

RESOLUTION NO. R – 04 – 24 – 24

A RESOLUTION APPROVING THE FACT-FINDING REPORT AND RECOMMENDATION ISSUED IN CONNECTION WITH THE LABOR NEGOTIATIONS WITH TEAMSTERS LOCAL UNION 957 CONCERNING A COLLECTIVE BARGAINING AGREEMENT FOR MAINTENANCE WORKER I AND MAINTENANCE WORKER II EMPLOYEES IN THE CLAYTON SERVICE DEPARTMENT

WHEREAS, the City of Clayton and Teamsters Local Union 957, as the designated bargaining agent of certain employees of the Clayton Service Department, have been negotiating terms of an initial Collective Bargaining Agreement with respect to Maintenance Worker I and Maintenance Worker II employees; and

WHEREAS, issues relating to wages, health insurance, FMLA, and a Union proposed “Protection of Bargaining Unit Work” article were referred to Fact-Finding under the direction of the State Employment Relations Board; and

WHEREAS, a Fact-Finding Report has been received that must be acted upon by Council.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO:

1. That the Report and Recommendation of Fact Finder Barton Bixenstine dated April 1, 2024, is approved by at least five (5) votes of City Council and the Law Director is hereby authorized and directed to communicate said action to the State Employment Relations Board.
2. This Resolution shall become effective immediately upon its passage.

ADOPTED BY COUNCIL ON APRIL 4, 2024

RESOLUTION NO. R – 04 – 24 – 25

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE OHIO BENEFITS COOPERATIVE TO PROVIDE MEDICAL, DENTAL, AND LIFE BENEFITS FOR EMPLOYEES

WHEREAS, the City of Clayton, Ohio desires to find a more cost-effective method of providing medical and/or other benefits to its employees; and

WHEREAS, the Ohio Benefits Cooperative (hereinafter “OBC”) can meet the City’s needs to provide medical, dental, life and/or vision benefits to employees; and

WHEREAS, the City of Clayton, Ohio wishes to renew its membership in the OBC.

NOW, THEREFORE, THE CITY OF CLAYTON, OHIO HEREBY RESOLVES:

Section 1. That the City of Clayton, Ohio shall renew its membership with the OBC and shall abide by the By-Laws, a copy of which is attached hereto, the Jefferson Health Plan Agreement (JHP) which will be the Administration Agreement for the OBC, and other rules and regulations of the OBC as established by its governing body.

Section 2. The City of Clayton, Ohio shall purchase through the OBC/JHP arrangement stop loss insurance, pooling, administration and other benefits services in order to provide medical, dental, life and/or vision benefits for its employees in accordance with the rules and regulations of the OBC.

Section 3. The City Manager is hereby authorized to execute on behalf of the City of Clayton, Ohio any and all agreements, contracts, resolutions, instruments, certificates, forms and other documents, and take any and all actions required for the City of Clayton, Ohio to become a Member of the OBC, or otherwise effectuate these resolutions.

Section 4. That the City Manager or her designee, is hereby appointed as the City of Clayton, Ohio Member to the OBC Board.

Section 5. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were taken in an open meeting of this Council, that all deliberations of this Council and any committees that resulted in those formal sessions were in meetings open to the public, in compliance with all legal requirements, and the Council has met all other statutory requirements for participation in a joint self-insurance program.

Section 6. That this resolution shall take effect and be in force forthwith.

ADOPTED BY COUNCIL ON APRIL 4, 2024

RESOLUTION NO. R – 04 – 24 – 26

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO ADDENDUM #1 TO AGREEMENT WITH MID-OHIO GOLF CART INC. WITH RESPECT TO LEASE OF GOLF CARTS AND RELATED EQUIPMENT

WHEREAS, via adoption of Resolution No. R-09-22-68 on September 15, 2022, Council authorized the City Manager to enter into an Agreement with Mid Ohio Golf Cart Inc. and further authorized a lease agreement with Yamaha Motor Finance Corporation USA for the lease of golf carts, GPS units, and a food and beverage cart for Meadowbrook at Clayton; and

WHEREAS, upon recommendation of City staff, Council desires to authorize the attached Addendum 1 (**Exhibit A**) to the aforementioned Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO:

1. That the City Manager is hereby authorized to enter into the attached Addendum 1 (**Exhibit A**) and to further enter into a fixed five-year lease agreement with Yamaha Motor Finance Corporation USA for 55 golf carts at \$98.50 per golf cart per month, 55 GPS units at \$39.00 per GPS unit per month, and one (1) food and beverage cart at \$368.00 per month for use at Meadowbrook at Clayton at a total annual expense not to exceed \$95,166.00.

ADOPTED BY COUNCIL ON APRIL 4, 2024
