

Minutes of May 2, 2024 Council

Meeting of the Clayton, Ohio City Council
Clayton Government Center
May 2, 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 April 18, 2024 Council Work Session. Motion by Gorman, second by Kelly to approve the minutes as presented. All yeas, motion carried. Seim then presented the minutes of the April 18, 2024 Council meeting. Motion by Henning, second by Gorman 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 which is pursuant to ORC 121.22(G)(4) to discuss matters pertaining to bargaining sessions with public employees relative to terms and conditions and wages. Gorman made a motion to break for an Executive Session, motion was second by Kelly. 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 7:31 PM. Council returned at 7:42 PM, and Gorman made a motion to return to regular session, motion was second by Henning. Voting: Farmer-yes, Bachman-yes, Gorman-yes, Merkle-yes, Kelly-yes, Bachman-yes and Stevens-yes. Motion carried 7-0.

OLD BUSINESS

None

NEW BUSINESS

Resolution No. R – 04 – 24 – 27 A Resolution Authorizing Participation in the ODOT Road Salt Contracts Awarded in 2024. Randy Sanders, Public Service Director, advised we request to participate in the ODOT winter salt purchasing contract for 2024/2025. The ODOT purchasing contract provides multiple salt vendors and hopefully provide better pricing along with the security of availability. Motion by Gorman to approve the Resolution, second by Kelly. All yeas, motion carried.

Resolution No. R – 05 – 24 – 28 A Resolution Authorizing the City Manager to Purchase Eight (8) New Motorola APX 6500 Mobile Radios for Police Cruisers from P & R Communications Service, Inc. at a Cost of \$54,485.00. Police Lieutenant Paul Nabel advised our current mobile radios are nearing end of life usage and are no longer being manufactured or supported by P&R Communications. The eight new APX 6500 mobile radios will be used as replacement radios for the police vehicles and the cost includes installation and encryption. The police department will be utilizing available ARPA Funds to purchase. These radios were scheduled for purchase

through the 2025 CIP Budget. Motion by Gorman to approve the Resolution, second by Henning. All yeas, motion carried.

Resolution No. R – 05 – 24 – 29 A Resolution Approving a Contract with Teamsters Local Union 967 for Maintenance Worker I and Maintenance Worker II Employees of the Clayton Service Department for the Period January 1, 2024 through December 31, 2026. Motion by Merkle to approve the Resolution, second by Kelly. All yeas, motion carried.

Resolution No. R – 05 – 24 – 30 A Resolution Authorizing the City Manager to Enter Into a *Delinquent Debt Collection Agreement* with the Ohio Attorney General for Collection of Delinquent EMS Billing. Brian Garver, Fire Chief, advised hard billing will be assessed to all residents and non-residents regardless of the transporting unit. Englewood and Union currently hard bill, so all three departments will be hard billing everyone. Motion by Gorman to approve the Resolution, second by Kelly. All yeas, motion carried.

CITY MANAGER'S REPORT

Amanda Zimmerlin, City Manager, advised we have scheduled a work session for May 16th at 6:30 PM to discuss options for a potential ballot measure in November 2024. Bella Sorella came through the Planning Commission process again on April 22nd. They purchased approximately 1 acre of land to the south and because they're in a PDD they had to do a lot combination and go through the Planning Commission process. They purchased the land for future expansion. We do have the need to discuss adult use recreational cannabis. Law Director Dillion provided to Council a memo outlining the options for the City of Clayton and Adult Use Recreational Cannabis. Staff is looking for guidance on how Council would like to proceed. Dillon advised our current moratorium expires June 15th. After discussion Council all agreed to bring forth legislation at our next meeting to extend the moratorium an additional 90 days. I would like to request to be able to engage with a firm for planning services. It would be very similar to what we do with engineering services, that the costs would be passed on to the developer. This would only be for large projects. In late 2023 we were awarded a grant for an Active Transportation Plan (ATP) through ODOT. TOOLE Design was selected by ODOT to complete the work. The Active Transportation Plan will allow the city to be better positioned for grants. As part of the ATP, we need to form a steering committee. TOOLE Design recommends that the committee be made up of community members and stakeholders. Councilmembers Kelly, Merkle and Farmer all volunteered to be part of the steering committee.

VISITOR'S COMMENTS

Earl Harlamert of the Parks Commission reminded everyone that on May 18th at 9 a.m. the Parks Commission members and any community members are welcomed to come to Hardscrabble Park as we will be painting the baseball dugouts. Paula Givens advised she is a Cannabis Attorney and explained why the 90-day moratorium would impact adult use dispensaries in your community because of the lottery and the way they're issued. Charlotte Jones stated she has been having issues with Republic Services billing her for trash service. Zimmerlin stated she would speak with her after the meeting to get her information and assist her with this issue.

COUNCIL MEMBER COMMENTS

Farmer stated on May 7th Montgomery County Soil and Water will hold a meeting dealing with the Hoke/Wenger drainage issues at 6 p.m. at the Janice Ward Center. I'll be at Hardscrabble on

May 18th to help with the dugout painting, come out and support the city with your volunteer time, and I want to wish you Happy Mother's Day in advance as it will be happening before we meet again. Henning today is National Day of Prayer, so if you haven't yet attended any services, take some time this evening to give thanks for all we have, and reflect on the good going on in your life. I want to thank the Service Department for the good job in negotiating their contract with the City Manager. We always thank the Police and Fire and thank the Service Department during the winter but during the summer, spring, fall they're also very busy doing maintenance around the City, our City looks phenomenal and they do a tremendous job. I'm glad we have the agreement with the Fire Department to match what other neighboring cities do, so thank you Chief Garver. Mother's Day is approaching, so I just want to wish my wife, Natalie, Happy Mother's Day, my Mom and all the Moms of Clayton, we hope you enjoy your day. Gorman thanked the code enforcement department for managing the high grass issues in the City, if a property owner doesn't mow their grass the city will. Hopefully everyone will get their grass cut and city will look great. I also want to wish everyone a Happy Mother's Day. Merkle stated on May 4, 1999 the City Charter was voted on by the voters of Clayton. The Charter was developed by the Clayton Charter Commission, an elected body of 15 citizens of the City. They met over a period of a year to create and approve the final document that was approved by that Commission on February 3rd, 1999 and had to go before City Council for approval for the ballot. These 15 people initially set down together with at least 15 different ideas on how this new city government would be formed and how best to make the city function going into the future. There were a lot of discussions on management style, Council number, how the Council would be elected, and the power of the Mayor as well as a few other points. At the end, after one year of people sitting together in this room, after many meetings and discussions, ideas were consolidated and put into print for the citizens to consider how the city would function going forward. Now after 25 years the Charter continues to function and it acknowledges the work of those 15 people as far as what they put into print. A comment was made last year about the value of a document in print and it basically comes down to being you can have a document in print but it means nothing if you don't follow it. Here's a document that was put into print and you now have to challenge the people that are functioning here in this body to make that document work for the betterment of the community. The 15 people on the original Charter Commission were Michael Schubert, Charles MacArthur, Sue Birchfield, Robert Brower, Sam Cox, Dave Evans, Maureen Gray, Ted Gudorf, Jean Haney, Max Haney, Wendy Hines, Tim Holmen, Rita Schindel, Phil Sussman and myself. We all sat together in this room and put together a document to make the city function. We faced a lot of challenges, and we put together something that we hoped would work going forward. After 25 years there's only been discussions for minor revisions. The functions and the work of the Charter Commission wouldn't have been possible without the work of the legal council we had, Buzz Portune, and also Janice Paulus who was also a member of Council, but also a very talented lawyer who gave behind the scenes guidance to the Charter Commission. Here we are 25 years later, looking at the City Charter and how it's functioned and made the City work for everyone, not just a few. Kelly stated I also want to thank the Service Department, we always talk about the snow removal, but we don't talk about the summer. The grass cutting, the roads look impeccable. Go look at other municipalities and look around, then go back to Clayton, they do a tremendous job. Second, students if you need to do community service, it's a great volunteer time for you to come and paint the dugouts. It's a great opportunity for you to come and serve your community. Bachman stated, Greg, very well said and interesting proving the history of the City. I was

hoping you would list the names of the people because some of those I recognize, but there were a lot of new names. I will also say Happy Mother's Day to all the Mothers of the community. Stevens stated like I say every meeting, I want to thank staff who all work very hard to keep our City moving forward. They do a fantastic job with a small amount of people who wear a lot of hats. I want to thank our Council for everything they do to keep us going forward. I also want to thank our residents, we're getting more and more residents coming to our meetings and this shows engagement. We appreciate everyone coming in and you're always welcomed here.

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

Meeting adjourned at 8:27 PM.