

Minutes of August 15, 2024 Council

Meeting of the Clayton, Ohio City Council
Clayton Government Center
August 15, 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 July 18, 2024 Council meeting. Motion by Gorman, second by Kelly to approve the minutes as presented. All yeas, motion carried.

OLD BUSINESS

None

NEW BUSINESS

Ordinance No. O – 08 – 24 – 11 An Ordinance Certifying Unpaid Charges for Nuisance Assessments for 2024/2025 to the Montgomery County Auditor for Collection with Real Estate Taxes. Kevin Schweitzer, Finance Director, advised these are assessments for the city cleaning and hauling debris from properties, and where the property owner has not paid their invoice. Motion by Henning to approve the Ordinance, second by Gorman. All yeas, motion carried.

Ordinance No. O – 08 – 24 – 12 An Ordinance to Maintain Lighting Assessment. Schweitzer advised these are our annual streetlight assessments. Motion by Gorman to approve the Ordinance, second by Kelly. All yeas, motion carried.

Ordinance No. O – 08 – 24 – 13 An Ordinance Certifying Unpaid Charges for Grass/Weed Cutting for 2024/2025 to the Montgomery County Auditor for Collection with Real Estate Taxes. Schweitzer advised these are grass mowing charges not paid by the property owner. Motion by Gorman to approve the Ordinance, second by Farmer. All yeas, motion carried.

Ordinance No. O – 08 – 24 – 14 An Ordinance Authorizing the Submission of the 2024/2025 North Clayton Community Authority Charge Assessments to the Montgomery County Auditor. Schweitzer advised these are North Clayton Community Authority Charges not paid by the property owners. Motion by Gorman to approve the Ordinance, second by Merkle. All yeas, motion carried.

Ordinance No. O – 08 – 24 – 15 An Ordinance to Impose Assessments Upon Owners of Real Property in Arrears for Payment of Fees for Waste Hauling and Disposal Services for 2024/2025. Schweitzer advised these are trash assessments where residents have delinquent trash accounts, residents had received quarterly notices in addition to letters advising them of the delinquencies. Motion by Gorman to approve the Ordinance, second by Kelly. All yeas, motion carried.

Resolution No. R – 08 – 24 – 46 A Resolution Authorizing the City of Clayton, Ohio to Participate in a New National Opioid Settlement with Kroger and Further Authorizing the City Manager, on behalf of the City of Clayton, Ohio, to Execute and Deliver Settlement Participation

Forms and Further Authorizing the City Manager to Execute Necessary Documentation for Participation in said Opioid Settlement. Amanda Zimmerlin, City Manager, stated a few years ago the city, along with most of the cities in the State of Ohio, entered into an agreement to basically do a class action lawsuit against multiple pharmaceutical companies and pharmacies for opioid distribution, and each time they bring in a new party we must join that suit. Motion by Henning to approve the Resolution, second by Farmer. All yeas, motion carried.

Resolution No. R – 08 – 24 – 47 A Resolution Authorizing the City Manager to Enter into an Agreement with the Northmont School District for the Provision of School Resource Officer for the 2024/2025 School Year. Zimmerlin advised the Clayton Police Department and Northmont City schools have worked cooperatively for years, and this year we will provide one Clayton Police Officer. The SRO Officer will be assigned to work up to 40 hours per week, split between the high school and the middle school during the school 2024-2025 year. Motion by Gorman to approve the Resolution, second by Kelly. All yeas, motion carried.

CITY MANAGER'S REPORT

Amanda Zimmerlin, City Manager, advised city offices will be closed Monday, September 2nd for the Labor Day holiday. Also, this is the end of our summer schedule, we will be returning to two meetings per month beginning September 5th. I have attached the Income Tax ballot language to Council's packets. They did include language that stated it was for police and fire, but they did not separate it out, and that the income tax credit would go back to 100% and could not be changed unless the electorate of the city voted to do that. A reminder there is a new requirement for fraud reporting and training from the state. The Ohio Auditor requires that any County, City, Village or Township employee or elected officials are required to complete this training. The City of Clayton was awarded a grant in 2023 from the Department of Transportation to create an Active Transportation Plan. An ATP is a document that provides a roadmap for improved walking and biking conditions. The planning process includes steps for gathering input and building community support and lays the groundwork for funding and implementing a wide variety of projects, programs, and policies. ODOT selected Toole Design Engineering to spearhead the project, and there is no cost to the City. The first steering committee meeting was held on July 18th. A public outreach campaign will begin with the sharing of maps at the Northmont Local Schools open houses. Once the plan is created, it will better help position the city to apply for grant funding. Just for your information, Lieutenant Matt Maurer was deployed to Florida with Ohio Task Force One to help with hurricane Debby recovery. We still have the item of adult use recreational Cannabis, and we currently have a moratorium in place until the 15th of September. We will be bringing legislation to our September 5th meeting to extend the moratorium. But I am going to need a decision from Council on what you would like to do, either ban it or allow it in certain districts. Staff will need to take whatever decision the Council makes through the appropriate process to amend the zoning code. This includes a public hearing in both Planning Commission and City Council.

Councilman Gorman asked about the City of Dayton's moratorium on group homes, and we also have our share. Zimmerlin stated there is nothing we can do about them except make sure they meet the state requirements. We can not zone them out, or say they are not permitted. Currently they are permitted and I believe it's in RSD, RSD-1, MSD and HCD. If Council wishes, we can put a moratorium on any future applications until the City of Dayton figures out what they are going to do. I could see the potential for an influx of those trying to move into the suburbs who

do not have a moratorium. Council agreed, so legislation will be brought to the September 5th Council meeting.

VISITOR'S COMMENTS

Earl Harlamert advised the Parks Commission, and anyone wishing to volunteer, will be painting the baseball dugouts and concession stand at Hardscrabble Park on Saturday, September 28th at 8:30 a.m.

Scott Grimes stressed his concerns with the City's current budget crunch and that we are cutting services, especially leaf collection, while still financially supporting Meadowbrook.

Crystal Ellington asked for Council's assistance with people neglecting maintenance on their properties.

Ronald Henderson also shared his concerns with homeowners and businesses lack of property maintenance, and his concern with no leaf pickup this fall.

Jennifer Haagen thanked Mayor Stevens for helping with the Randolph Township Historical Society car show last weekend; we have a number of volunteers lined up to help with dugout painting on the 28th; and lastly, if residents want to help with levy I would suggest putting Vote Yes signs in their yards.

Debbie Whisler discussed the issue residents of the Old Village area have with Plum Tree Alley. The long-established right-of-way alley that runs along the south side of 193 Talmadge Road has been displaced and requests that it be restored back to public use.

COUNCIL MEMBER COMMENTS

Farmer stated I'm always encouraged when residents come out and speak. He then asked City Manager Zimmerlin if when the City acquired Meadowbrook was there any kind of study done to look at all the potential uses. Zimmerlin stated yes and would forward a copy of the report. In terms of resident input, I want to encourage residents that when the Active Transportation Plan website goes online, please go on there and indicate where you see value on where we have crosswalks, bike trails, or connecting sidewalks that are missing gaps. I want to continue to encourage you to stay involved, take action, take initiative, and I appreciate the passion we saw up here tonight. Henning stated to the students that have returned back to school, we hope they have a great, safe, and very well-off academic year. Today the Chamber hosted their annual Legislative update, many of us were there to hear from County and State officials. I want to thank Angie (Clifford) for putting that on. Also tonight was the annual Farm Bureau annual meeting, which was hosted by a farm in Englewood. To the resident who spoke on property maintenance issues, we will continue to pay attention to those property issues. In regards to leaf pickup, I can just say the July 18th minutes reflect my wish of having us do some type of leaf pickup. Gorman stated I just want to remind everyone that the students are back in school, be careful with them out catching the buses, and happy Labor Day. Merkle stated in regards to everyone else voicing their opinion regarding leaf pickup, I wish it were not one of those items that had to be cut, as it is one of those things that people count on. But, looking at what the city's budget is, as far as what we have to spend money on, and trying to ensure we have what we need, and we don't have to lay anyone off because of shortage of funds. It's unfortunate we're in this situation but we have to make cuts to get through this year and into next year as best possible and hopefully the levy passes and things can be restored. Kelly stated I appreciate everyone's concern with the Old Village. I do get a lot of call which I direct to the City

Manager, who then directs them to Code Enforcement. There have been a lot of concerns with the church, what they're doing with it, what's going on, or if they're going to put a retail establishment in there. There is a lot of concern but the City is aware of it and is on top of it. We don't want any negative impact on that area. Bachman stated school started back today, I want to wish the best of luck to the students, staff and administrators. Also, the Fall sports are starting back and best of luck to all of them. To Mr. Grimes, in regards to Meadowbrook, obviously this year we've had to cut back on some things, but we use it as a Community Center. Yes, the majority of the time the land is used as a golf course that brings in revenue, and also the banquet center. I see its use for a variety of things for the community. As far as the budget went this year, I went over what we were looking to cut and everything on there was sad to me, but I took the advice of staff and what they felt was the proper way to move forward. We'll find out in early November what the numbers will be and we'll move forward from there. I do take into consideration what residents speak out about, for example the leaf pickup, I make no promises but it's definitely taken into consideration and hopefully we can bring that back next year. Stevens stated I do appreciate residents coming in to speak even if we don't always personally or professionally agree with their stance. We don't take our jobs lightly. Council does about 5% of the work and staff does 95% and I'll go to bat for our staff every time. They're not making decisions lightly. No one said let's stop leaf pickup, no one will care. We knew people would care. I care and everyone up here cares. You can't take a single issue and run a city that way, we have 13,000 residents and many residents don't care. If you don't have a lot of trees you don't care. Those are the things you think about when making decisions. We try to do what's best for the city, we can't service one group or one neighborhood or one person and not do the same for everyone else. One more thing, to Mr. Henning, he did a good job today, he was one of the presenters at the Chamber Legislative meeting and did a nice job. We had other state and local officials there and it was very interesting.

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

Meeting adjourned at 8:43 PM.