

## **Minutes of November 7, 2024 Council**

Meeting of the Clayton, Ohio City Council  
Clayton Government Center  
November 7, 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.

### **VISITOR'S COMMENTS**

No comments were heard.

### **CLERK'S REPORT**

Mayor Stevens presented the minutes of the October 17, 2024 Council meeting. Motion by Gorman, second by Farmer to approve the minutes as presented. All yeas, motion carried.

### **OLD BUSINESS**

Ordinance No. O – 10 – 24 – 20 An Ordinance to Approve Current Replacement Pages to the Clayton Codified Ordinances. Second reading, no further discussion. Motion by Henning to approve the Ordinance, second by Kelly. All yeas, motion carried.

### **NEW BUSINESS**

Resolution No. R – 11 – 24 – 55 A Resolution Authorizing the City of Clayton to Enter Into a Contract with the Montgomery County Public Defender Office and Montgomery County Public Defender Commission. Motion by Henning to approve the Resolution, second by Kelly. All yeas, motion carried.

Councilman Henning asked for a discussion on leaf pickup. After discussion Councilman Gorman made a motion that the City pick up resident's leaves one time this fall, motion was second by Henning. Voting: Farmer-yes, Henning-yes, Gorman-yes, Merkle-yes, Kelly-no, Bachman-no, and Stevens-yes. Motion passed 5-2.

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

Amanda Zimmerlin, City Manager, advised city offices are closed Monday, November 11<sup>th</sup> in observance of Veterans Day. Also, our first meeting in January falls on January 2<sup>nd</sup> which is the day after New Year's Day, would Council like to cancel this meeting, we are only required by Charter to hold one meeting a month. Councilman Henning made a motion to cancel the first meeting in January, motion was second by Kelly. All yeas, motion carried. Member Henning stated he received a complaint from a resident concerning tree stumps that are left in yards after a tree is removed from personal property. I asked that Jay Weiskircher, Miami Valley Communications Center Executive Director, send an email out to the Manger's Roundtable asking if any other municipalities require the removal or grinding of stumps. I received only two responses, one from the City of Vandalia that does not require removal unless the stump is pulled from the ground and Englewood which considers tree stumps rubbish. After discussion Council agreed to move forward with legislation similar to Englewood's, so we will bring forth

legislation at our next meeting. On our Active Transportation Plan, we have scheduled two open houses for residents to provide feedback. The meetings are Thursday, November 14<sup>th</sup> at 6 p.m. at our Janice Ward Center, and Tuesday, December 3<sup>rd</sup> at 6 p.m. at Meadowbrook at Clayton. A reminder we have scheduled a work session for 6:30 p.m. on Thursday, November 21<sup>st</sup> to discuss the 2025 Fiscal Year Budget. At the October 28<sup>th</sup> Planning Commission meeting they voted to recommend in a 3-1 vote that the language change proposed to section 1141.11(C) Penalties be approved by Council at the first reading on our November 21<sup>st</sup> meeting, changing *may* to *shall*. At their October 28, 2024 meeting, Planning Commission also considered adult use recreational marijuana language. Staff presented three alternatives to the Planning Commission: Alternative 1 that prohibits adult use cannabis operators within all zoning districts of the City, even if operators are prohibited, individuals are still permitted to home grow for personal use, Alternative 2 that allows adult use cannabis in the same zoning districts in which medical marijuana is currently allowed, and Alternative 3 that allows adult use cannabis in the same zoning districts as medical marijuana is currently allowed but limit the number permitted. The Planning Commission requested that staff draft language for both Alternatives 2 and 3 for the November meeting for consideration. At the same meeting Warner Village will be before the Planning Commission, November 25<sup>th</sup>, and then be before City County on our December 19<sup>th</sup> meeting.

#### **COUNCIL MEMBER COMMENTS**

Bachman stated I want to thank our residents for the passage of Issue 6. All the decisions made this year for the items cut came down to economics. The path we were on, we would have been red in a few years and the possibility of the State's Auditors Office basically coming in taking over. This wasn't a raise given to the City, it was getting us back whole and getting us back to the levels we needed for staff and services, especially with Police and Fire. Next Monday is the 11<sup>th</sup> day of the 11<sup>th</sup> month so we celebrate Veterans Day, to all the veterans in the community, thank you very much. Kelly stated thank you to all the voters, and the voters did speak. We are so appreciative by the number of people who came out to support Issue 6. Merkle stated as mentioned, Monday is Veteran's Day and my Dad was a World War II vet. As already expressed, thank you to the citizens of the City for supporting the City in terms of the income tax increase. No one likes to pay more taxes, and that was expressed by a number of people. Not only do we want to thank those who did vote in favor of the income tax increase, I want to also thank those who got out and even if they didn't support it, they got out and voted. I've talked to a few people, telling them if you have any questions in terms of how the city is run, if you have a question about the budget, how money is spent, call the office, call the city manager, come in and talk to Kevin (Schweitzer) in terms of the finances. He will show you the books, there are no secrets. Expenditures are approved by Council, they are all listed and tracked, the books are audited by the State Auditor's Office every year. If there are any questions on city operations, give any of us a call. Gorman thanked the citizens on the election Tuesday and I would also like to thank the Clayton Concerned Citizens group for their help in promoting the levy. I would like to thank Dennis Lieberman who was the manager of group and Earl Harlamert for his work, in addition to a number City staff who worked on their own time. I would also like to thank all of our veterans and wish them a happy Veterans Day on Monday. Henning stated I want to thank all the veterans here in our Northmont community, not just Clayton. In regards to the election, thank you to the residents for supporting Issue 6. I had very good feelings about it because we always hear so much positive in regards to the police and fire and the messaging on

it. I also want to congratulate President Trump, and southwest Ohio's J.D. Vance on the election, and Senator-elect Bernie Moreno. I hope this administration works with and collaborates with local governments. One of the promises was the no tax on tips, overtime and social security. I hope to see that implemented quickly. I also hope that the new administration works on something that should have been fixed during this administration. It's individuals who work in public service and have worked in the private sector, when they retire, they have two-thirds of their social security withheld for them to get their state pension. We previously supported the bill, but nothing happened with it. I would like to see that that happens so that individuals who work in the private sector and contribute to social security get their full amount of social security and their full state system government pension. Dana (York) I see you are here tonight; I would like to thank you in person for all the work you did at Hardscrabble Park. Farmer also thanked Clayton residents for approving the tax, it gives our city some relief that we need. We'll see how we manage that going forward. On November 14<sup>th</sup> at 6 p.m. at our Janice Ward Center is our first community Active Transportation Plan meeting. Come out and see what has been put together for the Active Transportation Plan, they are looking for feedback. They're looking for things you like and things you don't like. The Planning Commission's meeting on November 25<sup>th</sup> come out to see what the Schnicke Group has put together for their area over on Sweet Potato Ridge Road. It's your first opportunity to say what you like, what you don't like. Our Planning Commission is our first advisory line of recommendation to this Council. Since we were able to vote on Tuesday it's because of folks like our veterans. They defend our Constitution of the United States, our ability to vote. So, if you see a veteran, thank a veteran. Stevens stated I just want to say thank you to all the residents that voted on Issue 6 and thanks to everyone who worked on the Clayton Concerned Citizens board. Dennis and his group were instrumental in getting information out. We also had all the staff who volunteered, I believe they touched every house. They went door-to-door with door hangers and were at the polls, they did a lot of work getting the word out. It's not just self-serving, yes, it's not their jobs, but many live here in the community. I'm proud of all the work they did, which was on their own time. I appreciated the way our staff presented the information, it was clear, concise and I believe it hit home with everyone and that showed at the polls. This does give us breathing room, but for the longevity of our city and the vitality and health of our city we have got to keep growing. In years down the road, we will be faced with the same issue if we don't continue to grow. I know some people don't like to hear that, but if cities don't grow, they die.

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

Meeting adjourned at 7:43 PM.