

Minutes of December 5, 2024 Council

Meeting of the Clayton, Ohio City Council
Clayton Government Center
December 5, 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 November 21, 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 November 21, 2024 Council meeting. Motion by Gorman, second by Merkle to approve the minutes as presented. All yeas, motion carried.

VISITOR'S COMMENTS

None heard.

OLD BUSINESS

Ordinance No. O – 11 – 24 – 21 An Ordinance Approving the Recommendation of the Planning Commission to Amend Clayton Codified Ordinance Section 1141.11(C). Second reading, no further discussion. Motion by Gorman to approve the recommendation of the Planning Commission, second by Henning. All yeas, motion carried.

Ordinance No. O – 11 – 24 – 22 An Ordinance to Confirm Acceptance of Specified Right of Way Dedication at Wenger Village Section Three/Recorded Plat 240-21/Instrument Number 2023-00001100 with Montgomery County Recorder's Office. Second reading, no further discussion. Motion by Gorman to approve the Ordinance, second by Farmer. All yeas, motion carried.

Ordinance No. O – 11 – 24 – 23 An Ordinance Approving and Adopting a Thoroughfare Plan for the City of Clayton, Ohio. Second reading, no further discussion. Motion by Merkle to approve the Ordinance, second by Kelly. All yeas, motion carried.

NEW BUSINESS

Law Director Martina Dillon advised we ask to amend tonight's agenda and add Resolution R-12-24-63 which is approving the Montgomery County Natural Hazard Mitigation Plan. Motion by Henning to amend tonight's agenda to add Resolution R-12-24-63, motion was second by Gorman. All yeas, motion carried.

Ordinance No. O – 12 – 24 – 24 An Ordinance Authorizing Amendments to Designation of Job Categories and Pay Schedules and Declaring an Emergency. Elaine Wittman, Assistant to the City Manager, advised the proposed wage scale has a three percent cost of living increase for all non-union employees, we did amend the Planning and Zoning Administration to an updated GIS Zoning Administrator, and since minimum wage will increase to \$10.70 in 2025, we have two positions that pay minimum wage so they will increase. If approved, these changes go into

effective January 6, 2025. Motion by Gorman to approve the Ordinance as an emergency, motion was second by Kelly. All yeas, motion carried. Motion by Henning to approve the Ordinance, second by Merkle. All yeas, motion carried.

Resolution No. R – 12 – 24 – 59 A Resolution to Authorize and Approve the 2025 Budget and Permanent Appropriations. Motion by Gorman to approve the Resolution, second by Henning. All yeas, motion carried.

Resolution No. R – 12 – 24 – 60 A Resolution Approving Amendment of 2024 Appropriations and Estimated Resources. Kevin Schweitzer, Finance Director, advised the building department fees exceeded projected collections, this also results in increased fees owed to NIC, expenditures of \$45,000 are requested. The Police department needs to replace one mobile data terminal for a cruiser, appropriations of \$3,200 are needed. The EMS billing receipts exceeded budgeted amounts, this increased the processing fees for our third party billing agency, resources and appropriations of \$13,000 need increased. The City started receiving billing for streetlights in the Hunters Path subdivision late this year, this was an unknown last year when budgeting, appropriations of \$2,500 are needed. All monies from the American Rescue Plan Act (ARPA) are required to be encumbered by December 31st, after closing of earlier purchase orders and completion of projects, \$42,133.36 is left to spend. \$31,627.27 has been allocated to complete earlier projects leaving a balance of \$10,506.09 to use for other purposes. Debt service tax assessments from the County Auditor came in less than budgeted. \$80,441.48 is needed in transfers from the General fund. However, transfers of that amount will not be needed in the EMS fund, so there is no effect on the total budget. \$2,199 over budget was collected for the Agency fund, these monies go directly to the North Clayton Community Authority, additional appropriations are needed. Motion by Henning to approve the Resolution, second by Kelly. All yeas, motion carried.

Resolution No. R – 12 – 24 – 61 A Resolution Authorizing a Tentative Agreement with Respect to Wage Reopener for 2025 with the Teamsters Local Union No. 957. Motion by Henning to approve the Resolution, second by Kelly. All yeas, motion carried.

Resolution No. R – 12 – 24 – 62 A Resolution Appointing a member to the Clayton Board of Zoning Appeals for a Five (5) Year Term. Motion by Kelly to appoint Robert “Bert” Pahren to the Board of Zoning Appeals, motion was second by Henning. All yeas, motion carried.

Resolution No. R – 12 – 24 – 63 A Resolution Approving the Montgomery County Natural Hazard Mitigation Plan. Motion by Gorman to approve the Resolution, motion was second by Henning. All yeas, motion carried.

CITY MANAGER’S REPORT

Amanda Zimmerlin, City Manager, advised City offices will be closed Tuesday and Wednesday, December 24th and 25th for the Christmas holiday, and again on Tuesday and Wednesday, December 31st and January 1st for the New Year’s holiday. We will add gas aggregation legislation to our next meeting, January 16th so we can put that on the next election ballot. We will also bring forth the Charter Amendments proposed by the Charter Review Committee at our January 16th meeting for Council’s consideration to also be put on the next election ballot. We held our last Active Transportation Plan open house on December 3rd at Meadowbrook, we received good feedback from our residents. The Planning Commission did make a

recommendation to Council on adult use cannabis, that will be before Council at the January 16th Council meeting. Warner Village, Schnicke Development, has submitted their preliminary plans and that will be before the Planning Commission on December 16th at 7:00 p.m., and then it will be before Council at the earliest January 16th. Schnicke has also requested a TIFF, they are requesting a 75% 10-year TIFF on the property. That will come before Council once there are plans drawn. Having no items at this time for our December 19th meeting, Council voted to cancel the December 19th meeting. Voting: Farmer-yes, Henning-yes, Gorman-yes, Merkle-yes, Kelly-yes, Bachman-yes, and Stevens-yes. Motion passed 7-0.

COUNCIL MEMBER COMMENTS

Bachman stated since this is the last meeting of the year it would be a good time to recap how the year went. Every year we face challenges, we had the tornado in 2019, in 2020 we had Covid. this year we had multiple challenges. When the levy narrowly failed in the Spring, we knew there was a lot of work to be done. It was a blessing the next election was the Presidential election to have the highest turnout of the population. All three Wards voted in favor of the levy, that really shows where the community stands when all the facts were put out in front of them, so thank you to the residents. We've seen the budget, this year we really saw what we needed to do when we had to tighten our belts, but we have always run a pretty conservative budget. I also want to wish the entire community a Merry Christmas and happy holiday. Kelly stated I just want to wish everyone Happy Hanukkah, Merry Christmas or whatever you celebrate, and have a safe and happy holiday season and I'm looking forward to next year. Merkle stated I won't repeat what's already been said because it's very true, it's been a challenging year for everyone. We've seen changes take place across the board, my life has changed dramatically, but we face our challenges and move forward. My time here on Council has always been to try to make things better for the community and try to find ways to work with everyone to make that happen. I hope for the future we can put our minds together and make that the focus of what we do for the City, for the community. I wish everyone well for the season, Christmas, Hanukkah, Kwanzaa, whichever your holiday may be. Celebrate, be happy, celebrate with your family and friends and have a happy joyous start of the new year. Gorman stated I just want to wish everyone happy holidays and a happy New Year. Whatever you celebrate over the holidays may it be a happy one and enjoy your family and have a great time. Henning stated I will continue down the path of Merry Christmas, Happy Hanukkah, and Happy New Year. It's been a pleasure working with everyone this year, and I'm excited to see what the future holds. If you are so able, please remember that Northmont FISH and other local agencies are in need of donations, so if you have the resources to assist your neighbors this holiday season, please consider helping them out. Farmer stated the Planning Commission meeting December 16th they will be talking about the development on Sweet Potato, so folks out there I would encourage you to come out and hear what they have to say and voice your concerns or support. I made it though my first year, it has been a great honor and privilege to serve the City, particularly Ward 1, and I will just wish everyone a safe holiday season, and Merry Christmas. Stevens wished everyone a great holiday season, be careful and enjoy your families and friends on whichever holiday you celebrate. This was a very successful year, we did have some challenges and we had to make some changes, but we pulled through with everyone's help. I want to thank our staff for all their work on the levy, going door to door, etc. and I want to thank our residents for passing the levy. As I've said, we haven't had an expense problem we had a revenue problem. That was apparent when all three Wards supported the levy, people realized that we've been living pretty cheap

compared to other folks when it comes to income taxes. Hopefully, this will give us the financial stability we need to continue to grow, do the very best we can and hire the very best people. I want to say thank you to everyone for all the work you do, all the residents for their support, our Council, our staff. Happy New Year and Merry Christmas, Happy Hanukkah, Kwanzaa, or whatever it is you celebrate, do it with all your joy.

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

Meeting adjourned at 7:59 PM.