

CITY OF CLAYTON, OHIO

RESOLUTIONS AND ORDINANCES

March 6, 2025

OLD BUSINESS

ORDINANCES (SECOND OF TWO READINGS)

ORDINANCE NO. O – 01 – 25 – 02

AN ORDINANCE ADOPTING THE PLANNING COMMISSION’S RECOMMENDATION TO APPROVE, WITH SPECIFIED CONDITIONS, THE APPLICATION OF SDG WARNER VILLAGE LLC FOR A CHANGE IN ZONING FROM RESIDENTIAL SINGLE UNIT DISTRICT (RSD) TO PLANNED DEVELOPMENT DISTRICT (PDD) AND TO FURTHER APPROVE THE PRELIMINARY DEVELOPMENT PLAN FOR 183.1044 ACRES OF PROPERTY LOCATED NEAR THE INTERSECTION OF SWEET POTATO RIDGE ROAD AND MAIN STREET BEARING PARCEL I.D. NO. M60 03010 00001 WITHIN THE CITY OF CLAYTON, OHIO

WHEREAS, on or about November 6, 2024, an application was filed by the property owner, SDG Warner Village LLC, for property located near the intersection of Sweet Potato Ridge Road and Main Street consisting of Parcel I.D. Number M60 03010 0001 and containing 183.1044 acres within the City of Clayton, Ohio (“Subject Property”) and requesting a zoning change for same from Residential Single Unit District (RSD) to Planned Development District (PDD) and further requesting approval of the proposed Preliminary Development Plan for said subject property; and

WHEREAS, the Clayton Planning Commission held a public hearing on December 16, 2024, on said re-zoning and Preliminary Development Plan request at which time any and all persons were given an opportunity to be heard thereon, and the Clayton Planning Commission, at said meeting, *voted to approve, with specified conditions (Exhibit A), the re-zoning and Preliminary Development Plan request*; and

WHEREAS, the Clayton City Council held a public hearing on January 16, 2025, on the aforesaid re-zoning and Preliminary Development Plan request at which time any and all persons were given an opportunity to be heard thereon.

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

1. That the Council hereby Adopts the Planning Commission’s *recommendation of approval of the re-zoning and Preliminary Development Plan, with specified conditions (Exhibit A)*.
2. That this Ordinance shall be effective as an exception to any ordinance, resolution or other legislation of the City of Clayton, Ohio, inconsistent with this Ordinance or which imposes additional requirements for effectiveness or validity.

3. That in accordance with Clayton Charter Section 4.031 the requirement that this enactment be read on two (2) separate days is complied with by readings on February 6, 2025 and March 6, 2025.

4. That in accordance with Clayton Charter Section 4.031(H) this enactment shall become effective thirty days after its second reading and enactment.

ADOPTED BY COUNCIL ON MARCH 6, 2025

RESOLUTIONS (SINGLE READING AND IMMEDIATE ENACTMENT)

RESOLUTION NO. R – 02 – 25 – 17

A RESOLUTION APPOINTING MARK GARLIKOV AS A MEMBER OF THE LOCAL BOARD OF TAX REVIEW

WHEREAS, Clayton Codified Ordinance Section 183.18 provides for the establishment and maintenance of a Local Board of Tax Review to hear appeals as provided in Ohio Revised Code Chapter 718; and

WHEREAS, Clayton Codified Ordinance Section 183.18 requires the legislative authority of the City of Clayton to appoint two members to the Local Board of Tax Review who must be domiciled within the City of Clayton and may not be employees, elected officials, or contractors with the City of Clayton at any time during their term or in the five years immediately preceding the date of appointment; and

WHEREAS, the term of Tom Walker on the Tax Review Board expires March 7, 2025 and Council desires to appoint Mark Garlikov as a member of the Local Board of Tax Review to fill the vacant seat.

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

1. That Mark Garlikov is hereby appointed to the Local Board of Tax Review for a 2-year term commencing March 8, 2025 and ending March 7, 2027.

ADOPTED BY COUNCIL ON MARCH 6, 2025

NEW BUSINESS

RESOLUTIONS (SINGLE READING AND IMMEDIATE ENACTMENT)

RESOLUTION NO. R – 03 – 25 – 21

A RESOLUTION APPOINTING MICHAEL GREER TO THE CLAYTON BOARD OF ZONING APPEALS

WHEREAS, Charter Section 7.02 provides for the creation and appointment of members to the Clayton Board of Zoning Appeals (BZA); and

WHEREAS, the Clayton BZA currently has a vacant seat due to the resignation of Ronald Johnson; and

WHEREAS, Council desires to make an appointment to fill the vacant seat on the Clayton Board of Zoning Appeals.

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

1. That Michael Greer is hereby appointed to the Clayton Board of Zoning Appeals to fill the unexpired term of prior member Ronald Johnson, said term expiring on January 14, 2029.

ADOPTED BY COUNCIL ON MARCH 6, 2025

RESOLUTION NO. R – 03 – 25 – 22

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE BID OF AND ENTER INTO AN AGREEMENT WITH J&M SERVICES OF MIAMI VALLEY, LLC FOR SPECIFIED 2025 CONCRETE CURB, GUTTER, CATCH BASIN, AND RELATED WORK IN AN AMOUNT NOT TO EXCEED \$260,000.00

WHEREAS, the City solicited and received bids from companies for specified 2025 concrete curb, gutter, catch basin and related services said solicitation having been made in accordance with the provisions of Charter Section 8.02; and

WHEREAS, the City received bids from companies and has reviewed same and determined that J&M Services of Miami Valley, LLC submitted the lowest and best responsive bid submitted by a responsible bidder; and

WHEREAS, Council desires to engage J&M Services of Miami Valley, LLC to provide the said 2025 concrete services.

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 accept the proposal of J&M Services of Miami Valley, LLC and enter into an agreement with J&M Services of Miami Valley, LLC for the provision of specified 2025 concrete curb, gutter, catch basin and related services in an amount not to exceed \$260,000.00.
2. That this Resolution shall be effective as an exception to any ordinance, resolution or other legislation of the City of Clayton, Ohio, inconsistent with this Resolution or which imposes additional requirements for effectiveness or validity.

ADOPTED BY COUNCIL ON MARCH 6, 2025
