

CITY OF CLAYTON, OHIO

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RESOLUTIONS AND ORDINANCES

March 20, 2025

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OLD BUSINESS - NONE

NEW BUSINESS

RESOLUTIONS (SINGLE READING AND IMMEDIATE ENACTMENT)

RESOLUTION NO. R - 03 – 25 – 23

A RESOLUTION DECLARING THE NECESSITY OF REPAIRING AND/OR REMOVING AND REPLACING CURBS, GUTTERS, SIDEWALKS, AND DRIVEWAY APPROACHES WITHIN THE CITY OF CLAYTON, OHIO RELATIVE TO THE PROPERTIES IDENTIFIED ON THE ATTACHED EXHIBIT A

WHEREAS, City staff has heretofore studied the need to repair and/or remove and replace curbs, gutters, sidewalks, and driveway approaches within the areas identified on the attached **Exhibit A**; and

WHEREAS, a list of properties requiring repair and/or removal and replacement of curbs, gutters, sidewalks, and driveway approaches is appended hereto as **Exhibit A** and was filed with the Clerk of Council; and

WHEREAS, this Council, with and upon recommendation of staff, has reviewed and hereby approves the general plans, specifications and estimate of cost to repair and/or remove and replace the above referenced curbs, gutters, sidewalks, and driveway approaches which plans, specifications and estimate of cost were filed with the Clerk of Council; and

WHEREAS, such curbs, gutters, sidewalks, and driveway approaches as are identified on the list of properties appended hereto as **Exhibit A** and filed with the Clerk of Council shall be repaired and/or removed and replaced by the respective property owners after service of notice upon said property owners in accordance with the law and in accordance with the plans and specifications filed with the Clerk of Council; and

WHEREAS, in the event said curbs, gutters, sidewalks, and driveway approaches are not repaired and/or removed and replaced by the respective property owners after service of notice upon said property owners by **April 25, 2025** and in accordance with the plans and specifications filed with the Clerk of Council, the municipal corporation will cause such repair and/or removal and replacement to occur and assess the cost thereof against the lots and lands abutting thereon.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Clayton, Ohio:

1. That this Council hereby declares it necessary for the preservation and promotion of the public health and welfare, for the reasons set forth in the preambles hereof, for the property owners

identified on the attached listing to repair and/or remove and replace the curbs, gutters, sidewalks, and driveway approaches abutting their properties in accordance with the plans and specifications filed with the Clerk of Council.

2. The listing of properties subject to this Resolution of Necessity are appended hereto as **Exhibit A** and are described and set out in the plans, specifications, and estimate of cost, which are on file in the Clayton Government Center, 6996 Taywood Road, Englewood, Ohio, 45322 where they may be examined and which plans, specifications, and estimate of cost, are hereby approved.

3. That the total cost of repair and/or removal and replacement of all of the curbs, gutters, sidewalks, and driveway approaches on the appended list is estimated to 4,500 linear feet not to exceed \$42.00 per linear foot, and \$13.10 a square foot for approach repair.

4. That Notice of the passage of this Resolution of Necessity and the filing of the plans, specifications and cost estimate shall be served upon the owners of the lots or parcels of land identified on the list appended hereto by certified mail addressed to such owner at his/her last known address or to the address to which tax bills are sent.

5. That in the event said curbs, gutters, sidewalks, and driveway approaches are not repaired and/or removed and replaced by the respective property owners after service of notice upon said property owners and prior to **April 25, 2025** in accordance with the plans and specifications filed with the Clerk of Council, the municipal corporation will cause such repair and/or removal and replacement to occur and assess the cost thereof against the lots and lands abutting thereon.

6. That this Council hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Council, and that all deliberations of this Council, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

ADOPTED BY COUNCIL ON MARCH 20, 2025

RESOLUTION NO. R – 03 – 25 - 24

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT WITH ENTERPRISE FLEET MANAGEMENT, LLC FOR A NEW 2025 BUCKET TRUCK FOR USE BY THE STREET DEPARTMENT AT A TOTAL COST OF \$233,935.00

WHEREAS, the Public Service Director has recommended the acquisition of one (1) 2025 Bucket Truck for use by the Street Department from Enterprise Fleet Management, LLC via a lease agreement with Enterprise Fleet Management, LLC.

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

1. That the City Manager is authorized to enter into a lease agreement with Enterprise Fleet Management, Inc. for one (1) 2025 Bucket Truck for use by the Street Department at a total lease price of \$233,935.00 (\$95,068.00 paid the first year of the lease and \$2,722.88

paid per month for a period of 51 months thereafter at which time the City will have the option to purchase the truck or trade it in).

ADOPTED BY COUNCIL ON MARCH 20, 2025

RESOLUTION NO. R - 03 - 25 - 25

A RESOLUTION TO DECLARE SURPLUS EQUIPMENT AVAILABLE FOR DISPOSAL THROUGH SALE OR AUCTION

WHEREAS, R.C. 721.01 permits a municipal corporation to sell or lease property no longer needed for municipal purposes; and

WHEREAS, City staff and the City Manager have advised one (1) Ford Interceptor SUV bearing last four VIN of #9576 is no longer needed for municipal purposes.

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

1. That the specific property being one (1) Ford Interceptor SUV bearing last four VIN of #9576 is hereby declared to be surplus and available for disposition by the City Manager through sale or auction including: (a) internet auction including but not limited to Municibid and/or GovDeals; (b) public auction; and (c) pricing of said property and advertising for direct sale through trade publications.

ADOPTED BY COUNCIL ON MARCH 20, 2025

RESOLUTION NO. R – 03 – 25 - 26

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT WITH ENTERPRISE FLEET MANAGEMENT, LLC FOR A NEW 2025 FORD INTERCEPTOR UTILITY SUV FOR USE BY THE POLICE DEPARTMENT AT A TOTAL COST OF \$63,771.00

WHEREAS, the Chief of Police has recommended the acquisition of one (1) 2025 Ford Interceptor Utility SUV for use by the Police Department from Enterprise Fleet Management, LLC via a lease agreement with Enterprise Fleet Management, LLC.

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

1. That the City Manager is authorized to enter into a lease agreement with Enterprise Fleet Management, Inc. for one (1) 2025 Ford Interceptor Utility SUV for use by the Police Department at a total lease price of \$63,771.00 (\$11,266.00 paid the first year of the lease and \$12,354.24 per year thereafter.)

ADOPTED BY COUNCIL ON MARCH 20, 2025.

RESOLUTION NO. R – 03 – 25 - 27

A RESOLUTION APPROVING A CONTRACT WITH THE CLAYTON PROFESSIONAL FIREFIGHTERS ASSOCIATION, IAFF LOCAL 4379, FOR THE PERIOD APRIL 1, 2025 THROUGH DECEMBER 31, 2027

WHEREAS, the City of Clayton and the Clayton Professional Firefighters, International Association of Fire Fighters (“IAFF”) Local 4379 as the designated bargaining agent for certain regular full-time employees of the City of Clayton Fire/EMS Department have negotiated a contract covering the employees’ wages, hours and other terms and conditions of employment; and

WHEREAS, said Agreement provides, among other things, for a cost of living wage increase of 3% for 2025, 3% in 2026 (plus a \$1.50 market adjustment as further delineated in the attached *Exhibit A*), and 3% in 2027 along with other items and conditions of employment as indicated in the attached *Exhibit A*.

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

1. That the Contract for the time period April 1, 2025 through December 31, 2027 between the City of Clayton and the Clayton Professional Firefighters, IAFF Local 4379 appended hereto as *Exhibit A* is hereby approved and the City Manager is hereby authorized to execute said Agreement on behalf of the City.

ADOPTED BY COUNCIL ON MARCH 20, 2025

RESOLUTION NO. R – 03 – 25 - 28

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A FIVE (5) YEAR AGREEMENT WITH STRYKER MEDICAL EMERGENCY CARE TO PROVIDE REPAIR AND MAINTENANCE TO FIRE DEPARTMENT EQUIPMENT AT AN ANNUAL COST OF \$15,202.02 WITH THE TOTAL COST TO THE CITY FOR THE FIVE (5) YEAR AGREEMENT NOT TO EXCEED \$76,010.10.

WHEREAS, via City Charter Section 8.02(C)(1) and enactment of Ordinance No. 12-23-27, the current minimum competitive bid threshold is \$77,398.00; and

WHEREAS, the Fire Chief has recommended a five (5) year maintenance and repair agreement with Stryker Medical Emergency Care in order to properly maintain and repair Fire Department equipment such as heart monitors, power cots, load systems, a stair chair, and a LUCAS device.

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

1. That the City Manager is authorized to enter into a five (5) year agreement with Stryker Medical Emergency Care in order to properly maintain and repair Fire Department equipment, including,

but not limited to, heart monitors, power cots, load systems, a stair chair, and a LUCAS device, with the total cost of the five (5) year agreement not to exceed \$76,010.10 payable at \$15,202.02 per year.

ADOPTED BY COUNCIL ON MARCH 20, 2025

RESOLUTION NO. R – 03 – 25 - 29

A RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) 2027 MEDIC UNIT FOR USE BY THE FIRE DEPARTMENT UTILIZING THE STATE BID AT A TOTAL COST NOT TO EXCEED \$360,000.00

WHEREAS, R.C. § 125.04 provides for the procedure whereby purchases may be made by political subdivisions without competitive bidding by participating in contracts formulated by the Ohio Department of Administrative Services; and

WHEREAS, the Fire Chief has recommended the acquisition of one (1) new 2027 Medic Unit on State Bid from MES Service Company, LLC, formerly known as Atlantic Emergency Vehicles and striping by TCS Schindler & Co., LLC, dba YIPES STRIPES, and radio installation by P&R Communications Service, Inc., all included in the above mentioned not to exceed cost, on the terms and conditions of purchase established by the Ohio Department of Administrative Services.

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

1. That the City Manager is authorized to purchase one (1) new 2027 Medic Unit on State Bid from MES Service Company, LLC, formerly known as Atlantic Emergency Vehicles and striping by TCS Schindler & Co., LLC, dba YIPES STRIPES, and radio installation by P&R Communications Service, Inc., all included in the above mentioned not to exceed cost, for use by the Fire Department at a total cost not to exceed \$360,000.00 at the State Bid Price.

ADOPTED BY COUNCIL ON MARCH 20, 2025

RESOLUTION NO. R – 03 – 25 – 30

A RESOLUTION AUTHORIZING THE USE OF LAW ENFORCEMENT TRUST FUNDS IN THE AMOUNT OF \$4,000.00 FOR LAW ENFORCEMENT TRAINING PURPOSES

WHEREAS, the Police Chief has requested authorization to use Law Enforcement Trust Funds (LETF) (Fund 227) in the amount of \$4,000.00 for the following purposes: law enforcement training and attendance by Lieutenant Nable at the OACP and IACP Conferences.

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

1. That the use of Law Enforcement Trust Funds (LETF) (Fund 227) in the amount of \$4,000.00 for the following purposes: law enforcement training and attendance by Lieutenant Nable at the OACP and IACP Conferences, is hereby authorized and approved.

ADOPTED BY COUNCIL ON MARCH 20, 2025

RESOLUTION NO. R – 03 – 25 – 31

A RESOLUTION APPROVING AMENDMENT OF 2025 APPROPRIATIONS AND ESTIMATED RESOURCES

WHEREAS, during the operation of the City of Clayton certain expenditures are required to provide required governmental services; and

WHEREAS, the expenditures must be in accordance with requirements provided by applicable state law and be applied against certain designated City funds; and

WHEREAS, certain transfers of moneys within and between specified City funds may be required to comply with accounting requirements established by the office of the State Auditor of Ohio; and

WHEREAS, certain appropriations are necessary to authorize payment from certain funds; and

WHEREAS, Council previously approved the Original Certificate of Estimated Resources and Appropriations; and

WHEREAS, the Finance Director has requested amendment of the 2025 Appropriations and Estimated Resources with respect to the below indicated funds.

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

1. That the following amendments are hereby approved as follows and all of the appropriation amendments are for operating expenses:

<u>Fund</u>	<u>Estimated Resources</u>	<u>Appropriations</u>
CIP (150)		\$95,100.00
LETF (227)		\$4,000.00

2. That the Finance Director is hereby authorized, empowered and directed to take all action necessary to effect such amendments and appropriations and evidence same on the books and financial record of the City.

ADOPTED BY COUNCIL ON MARCH 20, 2025
