

# CITY OF CLAYTON, OHIO

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## RESOLUTIONS AND ORDINANCES

September 18, 2025

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### OLD BUSINESS

**ORDINANCE: COUNCIL VOTED TO TABLE THE FOLLOWING ORDINANCE TO THE NEXT REGULAR MEETING OF COUNCIL**

#### ORDINANCE NO. O – 07 – 25 – 09

**AN ORDINANCE ADOPTING AND MODIFYING THE PLANNING COMMISSION’S RECOMMENDATION TO APPROVE THE FINAL DEVELOPMENT PLAN OF DDC MANAGEMENT, LLC WITH SPECIFIED CONDITIONS, SUBMITTED FOR PROPERTY LOCATED NEAR THE INTERSECTION OF WESTBROOK ROAD AND UNION ROAD AND BEARING PARCEL I.D. NUMBER M60 03207 0023 COMPRISED OF 37.098 ACRES WITHIN THE CITY OF CLAYTON, OHIO**

**WHEREAS**, on June 10, 2025, an application was filed by DDC Management, LLC for the property located near the intersection of Westbrook Road and Union Road and bearing Parcel I.D. Number M60 03207 0023, containing 37.098 acres within the City of Clayton, Ohio (“Subject Property”) requesting approval of its submitted 17.09 acre Final Development Plan; and

**WHEREAS**, the Clayton Planning Commission held a public hearing on June 23, 2025, on said Final Development Plan approval request at which time any and all persons were given an opportunity to be heard thereon, and the Clayton Planning Commission, at said June 23, 2025 meeting, *voted to recommend approval of the Final Subdivision Plan with specified conditions appended hereto as Exhibit A*; and

**WHEREAS**, the Clayton City Council held a public hearing on July 17, 2025, on the aforesaid Final 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 for approval of the Final Development Plan, with specified condition(s), of the Subject Property and modifies said recommendation to include the additional condition:**

***Thirty Foot Tree Line Preservation Area Condition: Property Owner and DDC Management, LLC, shall create via Final Record Plat, which will be executed and recorded with the Office of the Montgomery County Recorder, a thirty (30) foot Preservation Easement to perpetually preserve an existing tree line located at the northeast corner of the subject property as identified on the attached Exhibit A. Prior to recording, copies of the aforesaid Final Record Plat shall be***

*provided to the City of Clayton for review. Language shall be included to define this Preservation Easement's purpose; to include no mass clearing, modification, or change in use within the thirty (30) foot Preservation Easement without the prior written consent of the City of Clayton. Notwithstanding the foregoing, trees and vegetation located within the thirty (30) foot Preservation Easement which constitute a bona fide hazard may be trimmed or removed as necessary to address the hazard.*

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 August 21, 2025 and September 18, 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 SEPTEMBER 18, 2025

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## **NEW BUSINESS**

### **ORDINANCES (SINGLE READING AND IMMEDIATE ENACTMENT VIA EMERGENCY)**

#### **ORDINANCE NO. O – 09 – 25 – 24**

##### **AN ORDINANCE AUTHORIZING AMENDMENTS TO DESIGNATION OF JOB CATEGORIES AND PAY SCHEDULES AND DECLARING AN EMERGENCY**

**WHEREAS**, Section 3.01(D) of the Clayton Charter provides that Council may authorize the creation of positions of employment and set their rates of compensation; and

**WHEREAS**, an Organization Chart and revised pay tables have been prepared by the City Manager, reviewed by the Finance Director and recommended for approval by the City Manager.

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

1. That the Organization Chart and Pay Table(s) appended hereto as *Exhibit A* adding the position of Acting City Manager and wages therefore be and hereby are authorized and approved with the Pay Tables to be effective as of September 17, 2025.
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(B) the requirement that this enactment be read on two (2) separate days is dispensed with by affirmative vote of at least five (5) of the members of Council.

4. That, unless prompt implementation of pay rates for personnel can be achieved so as to ensure continued provision of City services, public health and safety and welfare will be detrimentally affected. Accordingly, in accordance with Charter Section 4.033(A) this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the City and shall therefore be in full force and effect from and immediately upon affirmative vote of at least five (5) of the members of Council.

ADOPTED BY COUNCIL ON SEPTEMBER 18, 2025

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**ORDINANCE: COUNCIL VOTED TO TABLE THE FOLLOWING ORDINANCE TO THE NEXT REGULAR MEETING OF COUNCIL**

**ORDINANCE NO. O - 09 – 25 – 25**

**AN ORDINANCE \_\_\_\_\_ (ADOPTING, REJECTING, MODIFYING) THE PLANNING COMMISSION’S RECOMMENDATION TO APPROVE, WITH SPECIFIED CONDITIONS, THE 17.135 ACRE PRELIMINARY AND FINAL SUBDIVISION PLAN OF NORTHWOOD ESTATES SECTION ONE FOR PROPERTY BEARING PARCEL I.D. NUMBER M60 03012 0022 AND LOCATED AT THE NORTHWEST CORNER OF NATIONAL ROAD AND HABER ROAD AND CONTAINING 33.7313 ACRES LOCATED WITHIN THE CITY OF CLAYTON, OHIO**

**WHEREAS**, on July 8, 2025, an application was filed by Northwood Estates, LLC for approval of a 17.135 acre Preliminary and Final Subdivision Plan for the property located at the Northwest corner of National Road and Haber Road and bearing Parcel I.D. Number M60 03012 0022, and containing 33.7313 acres within the City of Clayton, Ohio (“Subject Property”);

**WHEREAS**, the Clayton Planning Commission held a public hearing on August 25, 2025, on said 17.135 acre Preliminary and Final Subdivision 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 condition(s) (Exhibit A), the 17.135 acre Preliminary and Final Subdivision Plan;* and

**WHEREAS**, the Clayton City Council held a public hearing on September 18, 2025, on the aforesaid 17.135 acre Preliminary and Final Subdivision 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, rejects, modifies*) the Planning Commission’s *recommendation of approval, with specified conditions, of the 17.135 acre Preliminary and Final Subdivision Plan for the Subject Property.*

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 September 18, 2025 and October 2, 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 OCTOBER 2, 2025

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## **NEW BUSINESS**

### **RESOLUTIONS (SINGLE READING AND IMMEDIATE ENACTMENT)**

#### **RESOLUTION NO. R – 09 – 25 – 71**

#### **A RESOLUTION RE-APPOINTING TRACI BARNES TO THE PARKS ADVISORY COMMISSION**

**WHEREAS**, Clayton Codified Ordinance Chapter 159 created the Parks Advisory Commission; and

**WHEREAS**, Clayton Codified Ordinance Chapter 159 provides for the appointment of nine (9) members to the Parks Advisory Commission to be appointed by a majority vote of Council for overlapping terms of three years each; and

**WHEREAS**, via enactment of Resolution No. R-09-22-62 enacted on September 15, 2022, Council reappointed Traci Barnes to a three-year term to the Parks Advisory Commission and said three-year term expired on September 15, 2025 and Traci Barnes desires to be re appointed to the Parks Advisory Commission for a new 3-year term.

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

1. That Traci Barnes is hereby re-appointed to the Parks Advisory Commission for a three (3) year term commencing September 18, 2025.

ADOPTED BY COUNCIL ON SEPTEMBER 18, 2025

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**RESOLUTION NO. R – 09– 25 – 72**

**A RESOLUTION PURSUANT TO CHARTER SECTIONS 12.03 AND 12.05  
AUTHORIZING THE ACTING CITY MANAGER TO PERFORM THE  
DUTIES OF DIRECTOR OF DEVELOPMENT**

**WHEREAS**, Charter Section 12.03 provides, in relevant part, “...Any employee of the City of Clayton may be employed in more than one position with the City.”; and

**WHEREAS**, Charter Section 12.05 provides, “Unless otherwise permitted by this Charter, the City Manager must obtain approval of Council before serving in more than one position with the City of Clayton.”

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

1. That, in accordance with Charter Sections 12.03 and 12.05, the Acting City Manager is hereby authorized to perform the duties of Director of Development.

ADOPTED BY COUNCIL ON SEPTEMBER 18, 2025

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