

# CITY OF CLAYTON, OHIO

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## RESOLUTIONS AND ORDINANCES

November 6, 2025

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### OLD BUSINESS

### ORDINANCES (SECOND OF TWO READINGS)

#### ORDINANCE NO. O – 10 – 25 – 27

#### AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ACCEPT THE DEDICATION OF THE SPECIFIED RIGHTS-OF-WAY AT HUNTERS PATH PHASE 1

**WHEREAS**, municipal corporations generally have the special power to regulate the use of streets within their municipal boundaries and the care, supervision and control of said public streets pursuant to R.C. § 723.01; and

**WHEREAS**, a municipal corporation has no duty to maintain streets or alleys dedicated to public use unless the dedication of such street or alleys is accepted and confirmed by the legislative authority of such municipal corporation pursuant to R.C. § 723.03; and

**WHEREAS**, the Office of the Montgomery County Engineer has advised that the Record Plat Hunter's Path Phase 1 is suitable for acceptance; and

**WHEREAS**, the City Council of the City of Clayton deems it to be in the best interest of the City and its residents to accept the dedication of said rights-of-way;

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

1. The City of Clayton hereby accepts the dedication of the specified rights-of-way as depicted and described on the attached Record Plat of Hunters Path Phase 1 ("Exhibit A"), including the extension of Fallgold Drive, along with Willow Road, Redwood Road and Falls Road, as dedicated to the public use forever.
2. The City Manager is hereby authorized and directed to take all necessary actions, including but not limited to, executing any and all documents, instruments, and certifications required to formally accept the dedication of the aforementioned rights-of-way on behalf of the City.
3. 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.
4. 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 October 16, 2025 and November 6, 2025.
5. 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 NOVEMBER 6, 2025

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**NEW BUSINESS**

**ORDINANCES (FIRST OF TWO READINGS)**

**ORDINANCE NO. O – 11 – 25 – 28**

**AN ORDINANCE INCREASING THE COMPETITIVE BID ALLOWANCE BY TWENTY PERCENT (20%), AMENDING THE CITY OF CLAYTON CODIFIED ORDINANCES ACCORDINGLY**

**WHEREAS,** The purpose of this Ordinance is to increase the City of Clayton’s competitive bid allowance by twenty percent (20%) and to amend the applicable section(s) of the Codified Ordinances to reflect the new dollar threshold at which competitive bidding is required; and

**WHEREAS,** This action is taken pursuant to the authority granted to Council under the Charter of the City of Clayton, including without limitation Charter Sections 3.01(D), 4.02(A)(9), 5.01, and 6.08. Council finds and determines that:

- a. The current competitive bid threshold should be adjusted to account for increased costs and efficiencies in procurement;
- b. A twenty percent (20%) increase is consistent with standard annual adjustments and prudent fiscal management; and
- c. All modifications to procurement thresholds must be adopted by Council and incorporated into the Codified Ordinances, and

**WHEREAS,** The relevant section(s) of the City of Clayton Codified Ordinances governing competitive bidding for contracts, purchases, and expenditures are hereby amended to increase the competitive bid allowance by twenty percent (20%).

Wherever the prior dollar threshold for requiring competitive bidding appears in the Codified Ordinances, that amount is amended to reflect a twenty percent (20%) higher threshold.

The competitive bidding requirement shall apply to any contract, purchase, or expenditure the cost of which equals or exceeds \$92,877.60, which represents a twenty percent (20%) increase from the prior threshold of \$77,398.

The Director of Finance, Purchasing Agent, or other designated official shall update internal procurement policies, forms, and guidance to conform to this Ordinance; and

**WHEREAS,** The City Manager, Director of Finance, and Law Director are authorized and directed to take all actions necessary to implement the amendment set forth herein, including preparation of revised policy documents and notification to affected departments.

The Law Director shall ensure that the textual amendments are incorporated into the published Codified Ordinances and that all references to the previous threshold are replaced with the increased figure; and

**WHEREAS,** Nothing in this Ordinance shall be construed to alter, waive, or supersede any requirements imposed by the Ohio Revised Code or the City Charter concerning competitive

bidding, public contracts, or procurement procedures. In the event of a conflict, the Charter and applicable state law shall control; and

**WHEREAS**, This Ordinance supersedes any prior ordinances, resolutions, policies, or parts thereof that are inconsistent with the provisions herein, including any prior competitive bidding thresholds to the extent of such inconsistency. For avoidance of doubt, this Ordinance does not alter previously adopted terms of engagement or compensation for legal services except as may be separately approved by Council pursuant to the Charter and governing ordinances; and

**WHEREAS**, If any provision of this Ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions, which shall remain in full force and effect; and

**WHEREAS**, This Ordinance shall be read on two separate days as required by the Charter unless this requirement is dispensed with by the affirmative vote of at least five (5) members of Council; and

**WHEREAS**, The full text or a summary of this Ordinance shall be posted in three (3) public access locations as designated by Council. Following adoption, this Ordinance shall be authenticated by the signatures of the Mayor and Clerk of Council and approved as to form by the Law Director.

ADOPTED BY COUNCIL ON NOVEMBER 6, 2025

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## **ORDINANCE NO. O – 11 – 25 – 29**

### **AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE CLAYTON CODIFIED ORDINANCES**

**WHEREAS**, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and

**WHEREAS**, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and

**WHEREAS**, the City has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is before Council;

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

1. That the ordinances of the City of Clayton, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2025 Replacement Pages to the Codified Ordinances, are hereby approved and adopted.

2. That the following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law.

## Traffic Code

- 301.02 Agricultural tractor and traction engine. (Added)
- 301.03 Alley. (Added)
- 301.04 Arterial street or highway. (Added)
- 301.05 Autocycle. (Added)
- 301.06 Beacon. (Added)
- 301.07 Bicycle. (Added)
- 301.08 Bicycle box. (Added)
- 301.09 Bicycle lane. (Added)
- 301.10 Bicycle signal face. (Added)
- 301.11 Bicycle signal sign. (Added)
- 301.12 Bikeway. (Added)
- 301.13 Bus. (Added)
- 301.14 Business district. (Added)
- 301.15 Busway. (Added)
- 301.16 Cab-enclosed motorcycle. (Added)
- 301.17 Chauffeured limousine. (Added)
- 301.18 Child care center. (Added)
- 301.19 Commercial tractor. (Added)
- 301.20 Controlled-access highway. (Added)
- 301.21 Crosswalk. (Added)
- 301.22 Driver or operator. (Added)
- 301.23 Driveway. (Added)
- 301.24 Electric bicycle. (Added)
- 301.25 Electronic. (Added)
- 301.26 Emergency vehicle. (Added)
- 301.27 Explosives. (Added)
- 301.28 Expressway. (Added)
- 301.29 Farm machinery. (Added)
- 301.30 Flammable liquid. (Added)
- 301.31 Freeway. (Added)
- 301.32 Funeral escort vehicle. (Added)
- 301.33 Gross weight. (Added)
- 301.34 Highway maintenance vehicle. (Added)
- 301.35 Highway traffic signal. (Added)
- 301.36 Hybrid beacon. (Added)
- 301.37 In-road warning light. (Added)
- 301.38 Intersection. (Added)
- 301.39 Lane-use control signal. (Added)
- 301.40 Laned highway. (Added)
- 301.41 Limited driving privileges. (Added)
- 301.42 Local authorities. (Added)
- 301.43 Low-speed micromobility device. (Added)
- 301.44 Median. (Added)
- 301.45 Motor-driven cycle or motor scooter. (Added)
- 301.46 Motor vehicle. (Added)
- 301.47 Motorcycle. (Added)
- 301.48 Motorized bicycle or moped. (Added)
- 301.49 Motorized wheelchair. (Added)
- 301.50 Multi-wheel agricultural tractor. (Added)
- 301.51 Natural resources officer. (Added)
- 301.52 Operate. (Added)
- 301.53 Parked or parking. (Added)

301.54 Pedestrian. (Added)  
301.55 Person. (Added)  
301.56 Pole trailer. (Added)  
301.57 Police officer. (Added)  
301.58 Predicate motor vehicle or traffic offense. (Added)  
301.59 Private road. (Added)  
301.60 Public safety vehicle. (Added)  
301.61 Railroad. (Added)  
301.62 Railroad sign or signal. (Added)  
301.63 Residence district. (Added)  
301.64 Ridesharing arrangement. (Added)  
301.65 Right-of-way. (Added)  
301.66 Road service vehicle. (Added)  
301.67 Roadway. (Added)  
301.68 Roundabout. (Added)  
301.69 Rural mail delivery vehicle. (Added)  
301.70 Safety zone. (Added)  
301.71 School bus. (Added)  
301.72 Semitrailer. (Added)  
301.73 Shared-use path. (Added)  
301.74 Shoulder. (Added)  
301.75 Sidewalk. (Added)  
301.76 Site roadway open to public travel. (Added)  
301.77 Standing. (Added)  
301.78 State. (Added)  
301.79 State highway. (Added)  
301.80 State route. (Added)  
301.81 Stop. (Added)  
301.82 Stop intersection. (Added)  
301.83 Stopping. (Added)  
301.84 Street or highway. (Added)  
301.85 Through highway. (Added)  
301.86 Thruway. (Added)  
301.87 Traffic. (Added)  
301.88 Traffic control device. (Added)  
301.89 Traffic control signal. (Added)  
301.90 Trailer. (Added)  
301.91 Train. (Added)  
301.92 Truck. (Added)  
301.93 Two-stage bicycle turn box. (Added)  
301.94 Type A family child care home. (Added)  
301.95 Urban district. (Added)  
301.96 Vehicle. (Added)  
301.97 Waste collection vehicle. (Added)  
301.98 Wildlife officer. (Added)  
303.01 Compliance with Lawful Order of Police Officer; Fleeing. (Amended)  
303.083 Impounding Vehicles on Public Property. (Amended)  
303.10 Leaving Junk Vehicles on Private Property with Permission of Owner.  
(Amended)  
305.03 Permit Required for Traffic Signal on State Route. (Amended)  
313.02 Through Highways; Stop and Yield Right-of-Way Signs. (Amended)  
313.03 Traffic Signal Indications. (Amended)  
313.04 Lane-Use Control Signal Indications. (Amended)

- 313.09 Driver's Duties Upon Approaching Ambiguous or Non-Working Traffic Signal. (Amended)
- 313.10 Unlawful Purchase, Possession or Sale. (Amended)
- 313.11 Portable Signal Preemption Devices Prohibited. (Amended)
- 313.12 Bicycle Symbol Signal Indications. (Added)
- 331.33 Obstructing Intersection, Crosswalk or Grade Crossing. (Amended)
- 331.35 Occupying Travel Trailer, Fifth Wheel Vehicle, or Manufactured or Mobile Home While in Motion. (Amended)
- 331.382 Stopping for School Bus; Discharging Children. (Amended)
- 333.01 Driving or Physical Control While Under the Influence. (Amended)
- 333.03 Maximum Speed Limits; Assured Clear Distance Ahead. (Amended)
- 333.07 Street Racing, Stunt Driving and Street Takeovers Prohibited. (Amended)
- 333.11 Electronic Wireless Communication Device Use Prohibited While Driving. (Amended)
- 335.04 Certain Acts Prohibited. (Amended)
- 335.072 Driving Under Financial Responsibility Law Suspension or Cancellation; Driving Under a Nonpayment of Judgment Suspension. (Amended)
- 335.074 Driving Under License Forfeiture or Child Support Suspension. (Amended)
- 335.09 Display of License Plates or Validation Stickers; Registration. (Amended)
- 337.24 Motor Vehicle Stop Lights. (Amended)
- 337.26 Child Restraint System Usage. (Amended)
- 341.01 Commercial Drivers Definitions. (Amended)
- 351.03 Prohibited Standing or Parking Places. (Amended)
- 371.01 Right of Way in Crosswalk. (Amended)
- 371.03 Crossing Roadway Outside Crosswalk; Diagonal Crossings at Intersections. (Amended)
- 371.11 Persons Operating Motorized Wheelchairs. (Deleted)
- 371.12 Electric Personal Assistive Mobility Devices. (Amended)

### **General Offenses Code**

- 513.01 Drug Abuse Control Definitions. (Amended)
- 513.02 Gift of Marihuana. (Amended)
- 513.03 Drug Abuse; Controlled Substance Possession or Use. (Amended)
- 513.04 Possessing Drug Abuse Instruments. (Amended)
- 513.05 Permitting Drug Abuse. (Amended)
- 513.07 Possessing or Using Harmful Intoxicants. (Amended)
- 513.08 Illegally Dispensing Drug Samples. (Amended)
- 513.12 Drug Paraphernalia. (Amended)
- 513.16 Pseudoephedrine Sales. (Added)
- 525.05 Failure to Report a Crime, Injury or Knowledge of Death. (Amended)
- 533.01 Obscenity and Sex Offenses Definitions. (Amended)
- 533.03 Unlawful Sexual Conduct with a Minor. (Amended)
- 533.04 Sexual Imposition. (Amended)
- 533.17 Grooming. (Added)
- 537.02 Vehicular Homicide and Manslaughter. (Amended)
- 537.021 Vehicular Assault in a Construction Zone. (Amended)
- 537.14 Domestic Violence. (Amended)
- 537.16 Illegal Distribution of Cigarettes, Other Tobacco Products, or Alternative Nicotine Products; Transaction Scans. (Amended)
- 537.20 Illegal Use of a Tracking Device or Application. (Added)
- 545.01 Theft and Fraud Definitions. (Amended)
- 545.05 Misdemeanor Theft. (Amended)

549.13 Concealed Handgun Licenses; Possession of Revoked or Suspended License;  
Additional Restrictions; Posting Signs Prohibiting Possession.  
(Amended)

3. That the complete text of the sections listed above are set forth in full in the current replacement pages to the Codified Ordinances which are hereby attached to this ordinance as Exhibit A. Any summary publication of this ordinance shall include a complete listing of these sections. Notice of adoption of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

4. 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 November 6, 2025 and November 20, 2025.

5. 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 NOVEMBER 6, 2025

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**ORDINANCE NO. O – 11 – 25 – 30**

**AN ORDINANCE DECLARING THE NECESSITY FOR AND APPROVING THE APPROPRIATION OF CERTAIN INTERESTS IN REAL PROPERTY FOR THE HOKE ROAD WIDENING PHASE 1 PROJECT; AUTHORIZING THE LAW DIRECTOR TO FILE PETITIONS FOR APPROPRIATION AND TO DEPOSIT THE VALUE OF THE TAKINGS AND DAMAGES; AND PROVIDING FOR PROCEDURAL REQUIREMENTS**

**WHEREAS:**

1.1. City Council finds that the public convenience and necessity require the construction of roadway improvements known as the Hoke Road Widening Phase 1 project within the City of Clayton, Montgomery County, Ohio.

1.2. The project necessitates the acquisition of permanent right-of-way interests and temporary construction easements over and across certain parcels located along Hoke Road, as more particularly described in the exhibits attached hereto.

1.3. Negotiations were undertaken in good faith with affected owners, but agreements could not be reached with all owners; and

**WHEREAS:**

2.1. It is hereby declared necessary and is ordered that the City appropriate the following interests:

- (a) Permanent right-of-way in fee simple over the lands described in Exhibit A thru I; and
- (b) Temporary construction easements for grading, seeding, driveway construction, and related work over the lands described in Exhibit A thru I, ending when the proposed work has been completed and accepted.

2.2. The interests appropriated are taken for public use and for the purpose of constructing, operating, and maintaining public roadway improvements.

2.3. Access Reservation. Grantors and their successors shall retain all existing rights of

ingress and egress to and from any residue not taken, except as may be reasonably restricted during active construction for safety; and

**WHEREAS:**

3.1. The parcels are situated in the City of Clayton, Montgomery County, Ohio, identified by permanent parcel numbers and legal descriptions set forth in the attached exhibits:

- Exhibit A-[Parcel No. 03WD] (Permanent Right-of-Way) – Daniel G. Kamin Clayton LLC, a Delaware Limited Liability Company
- Exhibit B-[Parcel No. 011WD] (Permanent Right-of-Way) – Bradley A. Long
- Exhibit C-[Parcel No. 011T] (Temporary Easement) – Bradley A. Long
- Exhibit D-[Parcel No. 012WD] (Permanent Right-of-Way) – Russell D. Gebhart
- Exhibit E-[Parcel No. 012T] (Temporary Easement) – Russell D. Gebhart
- Exhibit F-[Parcel No. 016WD] (Permanent Right-of-Way) – Karen G. Balsbaugh
- Exhibit G-[Parcel No. 016T] (Temporary Easement) – Karen G. Balsbaugh
- Exhibit H-[Parcel No. 011WD] (Permanent Right-of-Way) – Jerry W. Seymour
- Exhibit I -[Parcel No. 011T] (Temporary Easement) – Jerry W. Seymour

3.2. The legal descriptions and drawings attached as Exhibits A through I are incorporated by reference and made a part of this Ordinance; and

**WHEREAS:**

4.1. The City has obtained appraisals and/or appraisal reviews of the interests to be acquired and the resulting damages, if any, to the residue.

4.2. The Law Director is authorized and directed to tender just compensation to affected owners consistent with the approved appraisals and to continue good-faith negotiations.

4.3. If agreement cannot be reached, the Law Director is authorized to file petitions for appropriation in the appropriate court and to deposit with the court the amount of the City's valuation of the property taken and any damages to the residue, all in accordance with Ohio law; and

**WHEREAS:**

5.1. The Law Director is authorized to prepare and file petitions for appropriation, to prosecute such actions to judgment, to make any necessary applications or motions, and to take such further actions as are reasonably necessary to acquire the interests described herein; and

**WHEREAS:**

6.1. Upon deposit or as otherwise provided by law, the City and its contractors may enter upon the areas to be appropriated for purposes of construction, subject to any court orders and statutory requirements; and

**WHEREAS:**

7.1. This Ordinance is adopted pursuant to the City of Clayton Charter and the laws of the State of Ohio governing municipal appropriations of property for public purposes; and

**WHEREAS:**

8.1. This Ordinance shall operate as an exception to any ordinance, resolution, or legislation of the City of Clayton that is inconsistent herewith or imposes additional requirements for effectiveness or validity, and such prior enactments are superseded to the extent of conflict; and

**WHEREAS;**

- 9.1. Readings. This Ordinance shall be read on two different days in accordance with Charter Section 4.031 unless duly dispensed with by the requisite vote.
- 9.2. Effective Date. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and the Charter of the City of Clayton.

ADOPTED BY COUNCIL ON NOVEMBER 20, 2025.

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

**RESOLUTION NO. R – 11 – 25 – 76**

**A RESOLUTION AUTHORIZING THE SUBMITTAL OF APPLICATIONS FOR  
FEDERAL IJA FUNDS THROUGH THE MIAMI VALLEY REGIONAL  
PLANNING COMMISSION**

**WHEREAS**, the Miami Valley Regional Planning Commission (MVRPC) has solicited local government entities to submit new transportation projects for funding consideration in the Transportation Improvement Program (TIP); and

**WHEREAS**, the City of Clayton has committed to a timely project development schedule; and

**WHEREAS**, the City of Clayton will commit the necessary resources to support the estimated local cost portion of the projects and the following list of projects will be submitted to MVRPC, shown in order of the City of Clayton’s priority from number 1 to 1:

- 1. Heathcliff Road Resurfacing - Estimated Local Share \$99,384.15

**WHEREAS**, the City of Clayton requests the following exemptions from MVRPC's Complete Streets Policy for the proposed project funding applications:

- 1. Heathcliff Road Resurfacing (Exemption 4) – Where the project consists of maintenance, repair or resurfacing of an existing cross-section only. (Cyclist, people with disabilities, and pedestrian exemption)

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF CLAYTON, THAT:**

**SECTION I.**

This Resolution shall serve to authorize the transmittal and submittal of applications for the following transportation projects to MVRPC for funding consideration in the Transportation Improvement Program (TIP)

:

- 1. Heathcliff Road Resurfacing

**SECTION II.**

The City Manager is hereby authorized to sign on behalf of the City the application for funds as referred to in Section I of this Resolution.

**SECTION III.**

The City Manager is hereby directed and authorized to take or cause to be taken all other action necessary and proper to secure the funding sought by the application referred to herein, and provide

any additional information sought by reviewing agencies during the time the application is under reviewed. The City Manager is further directed and authorized to cause compliance will all reporting requirements required by the Miami Valley Regional Planning Commission (MVRPC) as required as part of the funding process

**SECTION IV.**

Upon application approval, the City hereby states its commitment to the local contribution for the project as identified in these applications, including local contribution of costs exceeding the current estimates or subsequent revised estimates as accepted by the MVRPC.

**SECTION V.**

It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

**SECTION VI.**

This Resolution shall become effective immediately upon its passage.

ADOPTED BY COUNCIL ON NOVEMBER 6, 2025.

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**RESOLUTION NO. R – 11 - 25 – 77**

**A RESOLUTION APPOINTING RANDY SANDERS TO THE BOARD OF DIRECTORS OF THE CLAY TOWNSHIP / CITY OF CLAYTON JOINT ECONOMIC DEVELOPMENT DISTRICT**

**WHEREAS**, the City of Clayton (“City”) is a member of a Joint Economic Development District (“JEDD”) established pursuant to Ohio Revised Code Chapter 715, and the JEDD contract and bylaws authorize the City to appoint representatives to the JEDD Board; and

**WHEREAS**, City Council deems it necessary and appropriate to appoint an alternate to the JEDD Board to ensure continuous representation and participation in JEDD governance; and

**WHEREAS**, Council desires to appoint Randy Sanders to serve as the City’s appointed representative on the JEDD Board, subject to the terms of the applicable JEDD contract, bylaws, and City legislation.

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

1. Appointment
  - 1.1. Council hereby appoints Randy Sanders to serve as a member of the Board of Directors of the [Name of Joint Economic Development District] (“JEDD”).

- 1.2. The appointment is made pursuant to the City of Clayton Charter, including Sections 3.01(D), 4.02(A)(9), 5.01, and 6.08, and any applicable JEDD contract and statutory provisions.
2. Term; Pleasure of Council
  - 2.1. The appointment shall be effective as of the effective date of this Resolution and shall continue at the pleasure of Council, subject to removal or replacement by subsequent action of Council.
  - 2.2. If the JEDD contract prescribes specific term limits or staggering of terms, the appointee shall serve the remainder of the applicable term or the term specified therein.
3. Duties
  - 3.1. The appointed member shall perform the duties and responsibilities of a JEDD Board member as provided in the JEDD contract, Ohio law, and any bylaws or rules duly adopted by the JEDD Board, including attending meetings, voting on matters before the Board, and acting in the best interests of the JEDD and its constituent parties.
4. No Compensation from City
  - 4.1. Unless otherwise provided by separate ordinance or agreement, the City of Clayton shall not provide compensation to the appointee for service on the JEDD Board, and any compensation, if applicable, shall be as provided in or permitted by the JEDD contract.
5. Administrative Actions
  - 5.1. The City Manager, Law Director, and Clerk of Council are authorized and directed to take all actions necessary to implement this Resolution, including providing formal notice of the appointment to the JEDD Board and any contracting parties to the JEDD.
6. Supersession
  - 6.1. This Resolution supersedes any prior ordinances, resolutions, rules, or other legislation of the City of Clayton that are inconsistent with or impose additional requirements for the effectiveness or validity of this Resolution.
7. Publication and Posting
  - 7.1. The text or a summary of this Resolution shall be posted in three public access locations as designated by Council, in accordance with Charter requirements.

ADOPTED BY COUNCIL ON NOVEMBER 6, 2025

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**RESOLUTION NO. R – 11 – 25 - 78**

**A RESOLUTION APPOINTING ELAINE WITTMAN AS AN ALTERNATE TO  
THE CLAY TOWNSHIP / CITY OF CLAYTON JOINT ECONOMIC  
DEVELOPMENT DISTRICT (JEDD) BOARD**

**WHEREAS**, the City of Clayton (“City”) is a member of a Joint Economic Development District (“JEDD”) established pursuant to Ohio Revised Code Chapter 715, and the JEDD contract and bylaws authorize the City to appoint representatives to the JEDD Board; and

**WHEREAS**, City Council deems it necessary and appropriate to appoint an alternate to the JEDD Board to ensure continuous representation and participation in JEDD governance; and

**WHEREAS**, consistent with prior City practice and Council authority, the designation of an alternate to the JEDD Board must be accomplished by specific Council legislation; and

**WHEREAS**, Council desires to appoint Elaine Wittman to serve as an alternate to the City's appointed representative on the JEDD Board, subject to the terms of the applicable JEDD contract, bylaws, and City legislation.

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

1. Appointment of Alternate. Council hereby appoints Elaine Wittman to serve as an alternate to the City of Clayton's representative on the JEDD Board. The alternate shall have the authority to attend meetings, participate in discussions, and vote in the place of the City's appointed representative when the representative is absent or otherwise unable to act, all in accordance with the JEDD contract, bylaws, and applicable law.
2. Term; Qualifications; Oath.
  - a. Term. Ms. Wittman shall serve commencing immediately and continuing at the pleasure of Council, or until a successor is appointed, or until earlier removal or resignation.
  - b. Qualifications and Compliance. Ms. Wittman shall meet any qualifications set forth in the JEDD contract and bylaws and shall comply with all applicable Ohio ethics, conflict-of-interest, and public records/open meetings requirements.
  - c. Oath/Documentation. Ms. Wittman shall take any required oath of office and complete any documentation or certifications required by the JEDD or the City Clerk.
3. Scope of Authority. The alternate's authority is limited to acting when the City's appointed representative to the JEDD Board is absent or unable to act. When acting, the alternate shall have the same powers and duties as the representative, including voting, subject to any limitations in the JEDD contract or bylaws.
4. Notice to JEDD. The City Manager, Law Director, or Clerk of Council is authorized and directed to provide written notice of this appointment to the JEDD Board and to any other parties as required by the JEDD contract or bylaws, and to update any rosters or records accordingly.
5. Ratification; Supersession. All prior actions of City officials consistent with this Resolution are ratified. To the extent any prior motion, resolution, or administrative action is inconsistent with this Resolution regarding the appointment of an alternate to the JEDD Board, such prior item is superseded.
6. Open Meetings; Records. This legislative action was adopted in an open meeting of Council in compliance with Ohio's Open Meetings Act, and all deliberations were conducted in meetings open to the public, unless otherwise permitted by law.