

Minutes of June 20, 2019 Council

Regular Meeting of the Clayton, Ohio City Council

Clayton Government Center

June 20, 2019

CALL TO ORDER

The meeting was called to order by Mayor Stevens at 7:43 PM. Present were Mayor Stevens and Councilmembers Bachman, Henning, Gorman, Merkle, Kelly, and Lieberman.

SPECIAL PRESENTATIONS

Jack Kuntz announced Mr. and Mrs. Durko of Park Vista Drive were the winners of the Spring VIP Award. The Durko's were presented with a yard plaquard and plaque acknowledging the award.

CLERK'S REPORT

Clerk Seim presented the minutes of the May 16, 2019 City Council meeting. Motion by Gorman, second by Henning to approve the minutes as presented. All yeas, motion passed.

Seim then presented the minutes of the May 29, 2019 Special Council meeting. Motion by Gorman, second by Bachman to approve the minutes as presented. All yeas, motion passed.

OLD BUSINESS

None

NEW BUSINESS

Ordinance No. O – 06 – 19 – 03 An Ordinance Approving Amendments to the City's Personnel Practices Manual and Declaring an Emergency. Elaine Wittman, Assistant to the City Manager and Human Resources, advised the personnel manual was last updated in January 2018. In 2019, the Department of Labor updated their policy on whether an employee can waive their rights under FMLA. With the above policy requiring revisions to the Personnel Manual, we took the opportunity to review the manual to make other needed changes to align policy with current practice. Motion by Gorman to approve the Ordinance as an Emergency, second by Henning. All yeas, motion carried. Motion by Gorman to approve the Ordinance, second by Merkle. All yeas, motion carried.

Resolution No. R – 06 – 19 – 43 A Resolution to Appoint Zachary Goit to the Clayton Board of Zoning Appeals to Complete the Unexpired Term Left Vacant via the Resignation of Bradley Smith. Motion by Henning to approve the Resolution, second by Bachman. All yeas, motion carried.

Resolution No. R – 06 – 19 – 44 A Resolution Authorizing the City Manager to Enter Into a Listing Agreement with Equity Inc. Relative to City Owned Property Located at the Village of North Clayton and Bearing Parcel I.D. Number M60-03102-0108. Jack Kuntz, Director of Development, advised staff desires to spur development at the Village of North Clayton, and believes it would be beneficial to work with a commercial real estate agent/broker to market and promote our parcel. Currently the parcel of land is vacant and highly visible along National Road, there is nothing indicating the parcel is available for development. We believe having a real estate sign on this land and being on an active commercial real estate web-based platform

will assist the City's efforts to actively market this land for future projects. Motion by Gorman to approve the Resolution, second by Merkle. All yeas, motion carried.

Resolution No. R – 06 – 19 – 45 A Resolution Consenting to Removal of Plat Restriction for Street Purposes in the Moore's Spring Terrace Plant. Kuntz advised two property owners have signed an affidavit requesting Clayton vacate the 50' right of way easement which is currently located between their properties. The easement extends 25' on both properties, and because of the easement the property owners are unable to construct accessory structures in the area of the easement or otherwise improve their property in the location of the easement. We have no plans to ever extend a road or other type of access way between these properties. This area is an established residential neighborhood and staff does not see any reason to continue to have an easement between these properties. Motion by Gorman to approve the Resolution, second by Kelly. All yeas, motion carried.

Resolution No. R – 06 – 19 – 46 A Resolution to Approve the Appointment of Robert E. Portune as the City Assistant Law Director in Place of Cassandra Andres Rice. Motion by Merkle to approve the Resolution, second by Gorman. All yeas, motion carried.

Resolution No. R – 06 – 19 – 47 A Resolution Authorizing Certain Emergency Expenditures. Rick Rose, City Manager, advised the E-4 tornado on the night of May 27th devastated the traffic signals at Salem and Westbrook. The City's traffic signal contractor was called the night of the tornado and worked two days to replace the signals at that intersection as well as provide connections for generator backup to traffic signals at Union and Salem Ave. Numerous roadways suffered extensive tree damage with broken limbs in large trees hanging over roadways and obstructing right-of-way in different areas. In addition, the city owned golf course suffered extensive damage which is more clean-up than the city can provide in a reasonable amount of time to reopen the course and continue revenue. Tree Masters already cleared several hazardous situations over roadways and has agreed to cut and remove the large trees and other debris on the golf course for an amount not to exceed \$20,000. The entire extent of their services for tornado damage is estimated to not exceed \$30,000. Motion by Gorman to approve the Resolution, second by Henning. All yeas, motion carried.

Resolution No. R – 06 – 19 – 48 A Resolution Approving Amendment of 2019 Appropriations. Rose advised due to the tornados on May 27th, emergency fund monies are needed to be utilized to pay for traffic light repairs and equipment purchases. The total amount requested is \$75,000. This request is being made retroactively to May 28th in order to be in compliance with purchasing policy requirements. Motion by Gorman to approve the Resolution, second by Kelly. All yeas, motion carried.

Resolution No. R – 06 – 19 – 49 A Resolution Authorizing the City Manager to Enter Into Public Works Mutual Aid Agreement. Wittman advised in preparing for possible Public Assistance funding through FEMA, we must have mutual aid agreements if jurisdictions are to be reimbursed by FEMA dollars for their assistance to the City of Clayton during the tornado clean-up efforts. These mutual aid agreements will be applicable for an extended period to cover if we or the other jurisdictions find themselves in emergency situation again. Motion by Bachman to approve the Resolution, second by Gorman. All yeas, motion carried.

CITY MANAGER'S REPORT

Our next meeting will be held July 18th, as we have cancelled our meeting scheduled on the 4th of July. The meetings in August will be held on the 1st and 15th. The Government Center offices will be closed Thursday, July 4th. We are hosting our annual Document Shredding event on Saturday, July 20th from 9 – 11 am. We wish to advise our residents documents will be shredded off-site. City Council meetings can be viewed on cable channel 6 on Saturday June 22nd at 8:30 AM and repeated the following Monday, June 24th at 10:30 PM, and then again on Wednesday, June 26th at 9:00 AM. Fire Chief Garver gave an update on how the tornado warnings worked the evening of May 27th. Rose then gave a short presentation showing pictures of various areas in the city impacted by the tornados.

VISITOR'S COMMENTS

None heard.

COUNCIL MEMBER COMMENTS

Bachman congratulated Henning on his recent wedding, it was a very nice wedding and reception. Thank you to Jack, it was a great presentation on the parks and the proposed changes will make a big impact on the community. On the recent tornado damage, I wish to commend staff. Everyone had a great sense of calm and handled the situation great considering the destruction. The tornado warning signals were a great investment, we only invested \$30,000, what is a life worth. I wish to thank everyone for a great job and thank the communities that came for mutual aid. I personally wish to thank the Preble County service department in assisting my neighborhood. Henning thanked everyone for supporting him and his new wife on their wedding, it had a great family atmosphere with everyone here at the city. It was unbelievable how everyone pulled together after the tornados, but we know the cleanup will be going on for a very long time. We need to get the FEMA information out to our residents, sharing on our website and social media. Gorman thanked the staff and volunteers who assisted in the storm cleanup. I wish to update everyone that our DP&L representative who is not here this evening. Her husband is ill, please keep her in your prayers. Lastly, I wish to thank Brad Smith for his many years on the Board of Zoning Appeals as he is a wealth of knowledge. His wife, Bev, was also a two-term Councilmember and we wish them well. Merkle stated everyone has covered the tornado and how they've been impacted. But, no power and water were a challenge for many residents, and with all the damage it puts things into perspective when you witness the damage. Considering all the rain we're having, we need to remember the Allwood nature preserve and think of all the run-off if that land is developed. Kelly it was tremendous how all the volunteers came out to assist the residents and amazing to see the surrounding communities come together. As great as the response was, let us hope it never happens again. Lieberman thanked the Parks Advisory Commission for all their hard work in making our city look good. I witnessed many jurisdictions being tested during the time of devastation, but everyone did a tremendous job. The remarkable work done was not unnoticed, and I'm proud of all the volunteers. Stevens I echo everyone's states and are so thankful no one was hurt or killed in our area. I wish to thank the many volunteers and everyone who worked so hard to help our community. I am proud of our city.

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

Meeting adjourned at 8:46 PM.