

Minutes of September 5, 2019 Council

Regular Meeting of the Clayton, Ohio City Council
Clayton Government Center
September 5, 2019

CALL TO ORDER

The meeting was called to order by Mayor Stevens at 7:50 PM. Present were Mayor Stevens and Councilmembers Bachman, Henning, Gorman, Merkle, Kelly, and Lieberman.

CLERK'S REPORT

Acting Clerk Dervali presented the minutes of the August 15, 2019 City Council Meeting. Motion by Henning, second by Bachman to approve the minutes as presented. Voting yeas were Bachman, Henning, Merkle, Kelly, Lieberman and Stevens. Gorman abstained. Motion passed.

OLD BUSINESS

Ordinance No. O – 08 – 19 – 11 An Ordinance Approving Amendments to Clayton Codified Ordinance Chapter 1313 of the Building Code to Add a New Section 1313.0 Entitled “Placement of Portable Toilets in Residential Areas” and to Revise Section 1313.99 Entitled, “Penalty”. Gorman asked for clarification on the term “solid beneath”. Jack Kuntz, Director of Development stated the unit needs to be set on a hard surface which depends on the type of project, reconstruction or a new development area, where the portable toilet can be staged. Motion by Gorman to approve the Ordinance, second by Henning. All yeas, motion carried.

NEW BUSINESS

Ordinance No. O – 09 – 19 – 13 An Ordinance Approving Amendments to Clayton Codified Ordinance Chapter 901 (“Use of Public Rights-of-Way, Public Land and Public Easements”) and Declaring an Emergency. Rick Rose, City Manager, advised to preserve the city’s right-of-ways we propose adopting language that prohibits the installation of single use utility poles for the purpose of reducing cost when existing poles are capable of being upgraded to accommodate the new utility or in lieu of installing the new utility underground. Motion by Gorman to approve the Ordinance as an Emergency, second by Kelly. All yeas, motion carried. Motion by Henning to approve the Ordinance, second by Merkle. All yeas, motion carried.

Resolution No. R – 09 – 19 – 62 A Resolution Approving Change Order and Authorizing Total Contract Increase of \$25,743.40 with America’s Decorative Concrete, Ltd. for the 2019 Concrete Curb, Gutter and Driveway Approach Project. Rose advised the 2019 curb and catch basin project ran into several issues causing an increase in our original contract amount. The additional funding was a combination of additional catch basins, driveway approaches, and residents requesting extra curb. Motion by Gorman to approve the Resolution, second by Henning. All yeas, motion carried.

Resolution No. R – 09 – 19 – 63 A Resolution Authorizing the City Manager to Enter Into an Agreement with the Northmont School District for the Provision of School Resource Officers for the 2019-2020 School Year. Matt Hamlin, Police Chief, advised the Clayton Police Department and Northmont schools have worked the last several years to provide two Police Officers with one being assigned to work up to forty hours per week for the high school, and the second officer working up to forty hours per week at the middle school. Northmont Schools will reimburse the City for the cost of back-filling the assigned school resource officers’ hours with part-time

officers. Motion by Bachman to approve the Resolution, second by Gorman. All yeas, motion carried.

Resolution No. R – 09 – 19 – 64 A Resolution Approving Amended Rates and Fees Schedule. Rose advised each year staff reviews the rates and fees charged for various permitting and inspection services. This year we identified a need to develop a fee for utility registrations. The registration fee is for a five-year period, and the cost includes an annual review of the required documents which must be updated each year. Additionally, a review of right-of-way permits showed the current permit fees do not cover administrative and inspection costs and needed to be more specific in determining how many permits are required for larger scale projects that included multiple inspection locations at varying time periods over the 180-day permit life. Lastly, we need to include language to specify city services included in Disinterment Permit Fees. Motion by Gorman to approve the Resolution, second by Merkle. All yeas, motion carried.

CITY MANAGER'S REPORT

Our next meeting September 19th has been cancelled. We will be holding a Special Meeting on Thursday, September 26th at 6:30 PM, this meeting will be an Executive Session to discuss the compensation and hiring of a new city manager with our consulting firm and no further business will be discussed. Our next regular Council meeting will be held Thursday, October 3rd beginning at 7:30 PM. Council will be participating in the Northmont Homecoming Parade that evening beginning at 6:00 PM. The next meeting will be Thursday, October 17th and we will also be holding a Workshop that evening beginning at 6:30 PM to discuss storm water issues and city needs. We will hold a regular meeting on November 7th, and on the next meeting November 21st we will also hold a TIF workshop session at 6:30 PM. The Fire, Police and Service Departments are hosting their annual Open House on Tuesday, October 1st from 4:30 to 7:30 PM. Our last Fall Sweep Clayton Clean event will be held on Saturday, October 19th from 8:00 AM to Noon at Fire Station 83. City Council meetings can be viewed on cable channel 6 on Saturday September 7th at 8:30 AM and repeated the following Monday, September 9th at 10:30 PM, and then again on Wednesday, September 11th at 9:00 AM. Jack Kuntz, Director of Development, stated we recently held two great community events the last few weeks. The Movie in the Park had approximately 200-250 people attend, it was a great event, great weather and everyone had a good time. The Labor Day Fireworks was well attended, and we've received great comments from residents. I wish to thank the Parks Advisory Commission who drive both events, without their creativity the events would not have happened. I also wish to thank staff and Council for volunteering and working the events. Lastly, we are starting our Government Academy classes next Wednesday and they will run six weeks. Each week a department head goes over what they do, they pull back the curtain so residents can see how the city is ran.

VISITOR'S COMMENTS

Scott Grimes of Northfield Road addressed Council advising he is known as the anti-tax guy. He has heard the State is going to provide more funding to cities, the previous state tax reduction to cities was Clayton's excuse to reduce the tax credit. Since you will be getting additional funding from the state are there any plans to reinstate the 100% tax credit for residents who live in the city but work outside the limits? Mayor Stevens advised at this time we have not held any discussions as we do not know how much we may receive from the state. All members of Council work outside the city and pay the additional tax. Mr. Grimes then questioned why do we continue to use tax payer's money to subsidize Meadowbrook at Clayton. This year you have

subsidized Meadowbrook for a facility very few people use. What is the percentage of residents using the facility? Mayor Stevens advised thousands of people use the facility each year. Grimes then asked, then why is it not paying for itself. Residents are paying double taxation and then you subsidize a golf course. People are hurting, and you spend \$120,000 on golf simulators. We are working with an attorney and the Bureau of Elections to get a repeal on the ballot. This is not a good situation, when people find out how much you are subsidizing a golf course they are going to be very upset. People can't afford this. We don't want to be an adversary. We are looking to put it on the May ballot, right after people have to file their taxes with CCA.

Charles Jackson of Par Drive wanted to thank Karl Keith, Montgomery County Auditor, for the information he shared at the previous Council meeting on the tax re-elevation forms. He took those forms back to the residents on Par Dr. that were impacted by the May tornadoes. It was very valuable information and wanted to thank council for sharing that information.

COUNCIL MEMBER COMMENTS

Bachman gave his well wishes to Matt Maurer and Ohio Task Force 1. It's great that we have someone from the city on Ohio Task Force 1, there is a lot of pride in the community. We hope you return safe and have a successful mission. The two events recently held at Meadowbrook were wonderful, and I have received great feedback from residents. On the presentations earlier this evening on fire and police department staffing, two really important functions the city provides. And from my understanding, we have only lost one each full-time employee from each department which speaks well of how our departments are ran. Lastly, congratulations to Teri Birchfield on her retirement. Henning thanked everyone for the Labor Day event, I have only received positive feedbacks from residents. This will be a busy weekend with many festivals being held in a number of communities. I have had residents asking if touch-up work will be done on asphalt and driveways, and who should they contact. Rose advised they should contact Randy Sanders in our Public Service department. Henning thanked the service department for the new signs at Taywood and Westbrook Roads, hopefully they will stop some of the accidents happening there. Thank you to Matt Maurer and Ohio Task Force 1, and congratulations to Teri Birchfield on her retirement this week. Mr. Grimes, we feel your pain and will be analyzing and working to resolve the issue and keeping you informed. Merkle thanked everyone for the Meadowbrook events and I have received many positive comments. On a personal note, everyone talks about identity theft, it's a real issue and I was recently impacted. Please check your information and security questions. Lieberman – Earl, awesome job, great events. Mr. Grimes, I certainly feel your pain as I pay the same as I work in Dayton. I look at what services do I use the most. It wouldn't be fair to pay nothing for the services I use here. I invite you to our budget workshop on November 7th at 6:30 PM so you can see our challenges in servicing the city. No one likes to pay, but we have an obligation to the city to make sure there is enough revenue. Our workshops are open to the public. Stevens stated again to the park folks, great events. I also want to thank all the staff and council who volunteered on the events, and I want to thank everyone for the great work they do.

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

Meeting adjourned at 8:33 PM.