

CITY OF CLAYTON, OHIO

RESOLUTIONS AND ORDINANCES

July 16, 2020

OLD BUSINESS - NONE

NEW BUSINESS

ORDINANCES (EMERGENCY) (SINGLE READING AND IMMEDIATE ENACTMENT)

ORDINANCE NO. O – 07 – 20 – 11

AN ORDINANCE APPROVING AND AUTHORIZING THE CITY MANAGER TO SIGN *MONTGOMERY COUNTY LAND REUTILIZATION CORPORATION LAND BANKING AGREEMENT* (“AGREEMENT”) RELATIVE TO REAL PROPERTY OWNED BY THE CITY OF CLAYTON, OHIO AND BEARING PARCEL I.D. NUMBER M60 03102 0112 AND FURTHER AUTHORIZING THE TRANSFER OF SAID REAL PROPERTY TO THE MONTGOMERY COUNTY LAND REUTILIZATION CORPORATION CONSISTENT WITH THE TERMS AND CONDITIONS OF THE ATTACHED AGREEMENT AND DECLARING AN EMERGENCY

WHEREAS, City staff has requested authority for the City Manager to sign the attached *Montgomery County Land Reutilization Corporation Land Banking Agreement* (“Agreement”) and further to transfer to the Montgomery County Land Reutilization Corporation, consistent with the terms and conditions of the attached Agreement, the real property owned by the City of Clayton, Ohio bearing Parcel I.D. Number M60 03102 0112.

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

1. That the City Manager is hereby authorized to sign the attached *Montgomery County Land Reutilization Corporation Land Banking Agreement* (“Agreement”) and to further transfer to the Montgomery County Land Reutilization Corporation consistent with the terms and conditions of the attached Agreement, the real property owned by the City of Clayton, Ohio bearing Parcel I.D. Number M60 03102 0112.
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 Charter Section 4.031(B) the requirement that this ordinance be read on two (2) different days is dispensed with by affirmative vote of at least five (5) of the members of Council.

4. That unless this Ordinance is immediately enacted the public peace, health, safety and welfare will be detrimentally affected because in order to timely transfer the property referenced herein, and effectively comply with the terms of the attached Agreement, it is necessary that this Ordinance take effect at an early date. Accordingly, pursuant to 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 JULY 16, 2020

RESOLUTIONS (SINGLE READING AND IMMEDIATE ENACTMENT)

RESOLUTION NO. R – 07 – 20 – 32

A RESOLUTION RE-APPOINTING EARL HARLAMERT, ROBIN SPILLER, AND LISA MENKER TO THE PARKS ADVISORY COMMISSION

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

WHEREAS, Earl Harlamert, Robin Spiller, and Lisa Menker were previously appointed to the Parks Advisory Commission and their appointed terms are expiring and each has expressed a desire to be re-appointed.

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.

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

1. Earl Harlamert is hereby re-appointed to the Parks Advisory Commission for a new three-year term ending on July 15, 2023.
2. Robin Spiller is hereby re-appointed to the Parks Advisory Commission for a new three-year term ending on July 15, 2023.
3. Lisa Menker is hereby re-appointed to the Parks Advisory Commission for a new three-year term ending on July 15, 2023.

ADOPTED BY COUNCIL ON JULY 16, 2020

RESOLUTION NO. R – 7 – 20 – 33

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE TWO (2) 2021 FORD INTERCEPTOR UTILITY SUV’S FROM STATEWIDE FORD LINCOLN MERCURY VIA STATE BID AND AT A COST NOT TO EXCEED \$66,812.00

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, City Staff has requested and recommended the purchase of two (2) 2021 Ford Interceptor Utility SUV’s for use by the Police Department 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 two (2) 2021 Ford Interceptor Utility SUV’s for use by the Police Department from Statewide Ford Lincoln Mercury on the terms and conditions of purchase established by the Ohio Department of Administrative Services and at a cost not to exceed \$66,812.00.

ADOPTED BY COUNCIL ON JULY 16, 2020

RESOLUTION NO. R – 07 – 20 – 34

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 the items identified on the attached **Exhibit A** are 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 referenced on the attached **Exhibit A** are 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 JULY 16, 2020

RESOLUTION NO. R – 07 – 20 – 35

A RESOLUTION APPROVING AMENDMENT OF 2020 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 2020 Appropriations and Estimated Resources with respect to the General Fund (101), Emergency Fund (175), Police Fund (201), Law Enforcement Trust Fund (227), Fire Fund (301), Fire Trust Fund (330), Service Fund (401), FEMA Fund (705), Local Coronavirus Relief Fund (707), and Agency Fund (954).

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 appropriation amendments below are for *operating expenses*:

<u>Fund</u>	<u>Estimated Resource Amount</u>	<u>Appropriation Amount</u>
General (101)	\$13,983.17	\$13,983.17
Emergency (175)	\$34,920.07	
Police (201)	\$8,470.78	
Law Enforcement Trust (227)	-	\$106.75
Fire (301)	\$24,007.63	\$21,477.40
Fire Trust (330)	-	\$56,028.59
Service (401)	\$158,265.52	\$56,800.00
EMA (705)	\$220,169.77	\$158,265.52 (Transfer to 401) \$36,920.07 (Transfer to 175) \$13,983.17 (Transfer to 101) \$8,470.78 (Transfer to 201) \$2,530.23 (Transfer to 301)
Local Coronavirus Relief (707)	\$189,065.76	\$189,065.76
Agency (954)	\$16,500.00	\$16,500.00

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 JULY 16, 2020

RESOLUTION NO. R – 07 – 20 – 36

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDED JOINT EMERGENCY SERVICES COLLABORATIVE MEMORANDUM OF UNDERSTANDING WITH THE CITY OF ENGLEWOOD, OHIO AND THE CITY OF UNION, OHIO

WHEREAS, via enactment of Resolution No. R-03-20-17 on March 19, 2020, Council authorized the City Manager to enter into a *Joint Emergency Services Collaborative Memorandum of Understanding* with the Cities of Englewood and Union; and

WHEREAS, the Fire Chiefs of the Cities of Clayton, Englewood, and Union have recommended certain amendments to the aforementioned *Joint Emergency Services Collaborative Memorandum of Understanding* as specified in the attached amended *Joint Emergency Services Collaborative Memorandum of Understanding (Exhibit A)*; and

WHEREAS, City Council desires to authorize the City Manager to sign the amended *Joint Emergency Services Collaborative Memorandum of Understanding* attached hereto as **Exhibit A**, on behalf of the City of Clayton, Ohio and to further authorize the City Manager to sign future amended versions of said Memorandum of Understanding as indicated below.

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

1. That the City Manager is hereby authorized to enter into the amended *Joint Emergency Services Collaborative Memorandum of Understanding*, in substantially similar form as attached hereto as **Exhibit A**, with the cities of Englewood, Ohio and Union, Ohio. The appended *Memorandum of Understanding* is incorporated herein and made a part hereof.
2. The City Manager, as contracting agent of the City, is authorized to sign future amended Fire Collaborative MOU's on behalf of the City without further action of Council provided that prior to signing an amended MOU, Council will be advised in writing of the proposed amendment(s).
3. That this Resolution shall be effective as an exception to any ordinance, resolution or other legislation of the City of Clayton, Ohio, inconsistent with this Resolution or which imposes additional requirements for effectiveness or validity.

ADOPTED BY COUNCIL ON JULY 16, 2020
