

CITY OF CLAYTON, OHIO

RESOLUTIONS AND ORDINANCES

January 7, 2021

NEW BUSINESS

RESOLUTIONS (SINGLE READING AND IMMEDIATE ENACTMENT)

RESOLUTION NO. R – 01 – 21 – 01

A RESOLUTION TO APPOINT SABRINA PRITCHETT AS MEMBER OF PLANNING COMMISSION

WHEREAS, Charter Section 7.01 provides for the creation and appointment of members to the Clayton Planning Commission; and

WHEREAS, Member Joe Litvin's current term as a Planning Commission member expired on January 4, 2021; and

WHEREAS, Council desires to appoint Sabrina Pritchett to a five (5) year term on the Clayton Planning Commission to fill the expired term of Mr. Litvin.

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

1. That Sabrina Pritchett is hereby appointed as a member of the Clayton Planning Commission to a five (5) year term effective January 7, 2021 through January 6, 2026.

ADOPTED BY COUNCIL ON JANUARY 7, 2021

RESOLUTION NO. R – 01 – 21 – 02

A RESOLUTION TO APPOINT BARBARA BUYERS TO THE CLAYTON BOARD OF ZONING APPEALS

WHEREAS, Charter Section 7.02 provides for the creation and appointment of members to the Clayton Board of Zoning Appeals; and

WHEREAS, Member John Clayburn's term on the BZA expired on January 4, 2021; and

WHEREAS, Council desires to appoint Barbara Buyers to a five (5) year term on the Clayton Board of Zoning Appeals to fill the expired term of Mr. Clayburn.

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

1. That Barbara Buyers is appointed to a five (5) year term with the Clayton Board of Zoning Appeals effective January 7, 2021 through January 6, 2026.

ADOPTED BY COUNCIL ON JANUARY 7, 2021

RESOLUTION NO. R – 01 – 21 – 03

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT BID AND ENTER INTO AN AGREEMENT WITH SECURITY FENCE GROUP, INC. FOR 2021 UNION/SALEM INTERSECTION SAFETY PROJECT (PID 112158) IN AN AMOUNT NOT TO EXCEED \$65,000.00

WHEREAS, bids were solicited for work relative to the 2021 Union/Salem Intersection Safety Project PID 112158, said solicitation having been made in accordance with the provisions of Charter Section 8.02; and

WHEREAS, said bids have been received and reviewed by the City Manager and staff and the bid submitted by Security Fence Group, Inc. is recommended for acceptance as being the lowest and best, responsive bid submitted by a responsible bidder as to the work to be paid for by the City of Clayton which includes decorative additions to the mast arms, luminaire, signal supports, and pedestrian crossings in an amount not to exceed \$65,000.00.

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

1. That the City Manager is authorized to accept the bid and to enter into an agreement with Security Fence Group, Inc. for acceptance as being the lowest and best, responsive bid submitted by a responsible bidder as to the work to be paid for by the City of Clayton which includes decorative additions to the mast arms, luminaire, signal supports, and pedestrian crossings in an amount not to exceed \$65,000.00.
2. 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 Ordinance or which imposes additional requirements for effectiveness or validity.

ADOPTED BY COUNCIL ON JANUARY 7, 2021

RESOLUTION NO. R – 01 – 21 – 04

A RESOLUTION TO APPOINT CLAYTON REPRESENTATIVES TO THE FIRST SUBURBS CONSORTIUM FOR THE YEAR 2021

WHEREAS, pursuant to the Bylaws of the First Suburbs Consortium, of which the City is a member, each member community is entitled to and should designate two representatives and one alternate thereto.

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

1. That the City of Clayton does hereby designate Tim Gorman and Kenneth Henning as representatives and Greg Merkle alternate to serve on the First Suburbs Consortium for the year 2021.

ADOPTED BY COUNCIL ON JANUARY 7, 2021

RESOLUTION NO. R – 01 – 21 – 05

**A RESOLUTION APPROVING APPOINTMENT OF TWO MEMBERS TO THE
VOLUNTEER PEACE OFFICER’S DEPENDENTS FUND BOARD FOR THE YEAR
2021**

WHEREAS, Senate Bill 11 created the Volunteer Peace Officer’s Dependents Fund which provides death benefits to survivors of volunteer, part time and reserve police officers killed in the line of duty and disability benefits to such disabled officers; and

WHEREAS, said Volunteer Peace Officer’s Dependents Fund Board is comprised of two members elected by City Council, two members elected by the volunteer peace officers employed by the police department; and one registered voter/citizen from the City and elected by the other four members; and

WHEREAS, Council desires to elect Tina Kelly and Dennis Lieberman as members to the Volunteer Peace Officer’s Dependents Fund Board for the year 2021.

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

1. That Tina Kelly and Dennis Lieberman are hereby elected and appointed as members of the Volunteer Peace Officer’s Dependents Fund Board for the year 2021.

ADOPTED BY COUNCIL ON JANUARY 7, 2021

RESOLUTION NO. R – 01 – 21 – 06

**A RESOLUTION APPOINTING CLAYTON REPRESENTATIVES TO THE
VOLUNTEER FIRE FIGHTERS’ DEPENDENTS FUND BOARD FOR
THE YEAR 2021**

WHEREAS, the City of Clayton is required to appoint two persons to the Volunteer Fire Fighters’ Dependents Fund Board on an annual basis; and

WHEREAS, the City desires to designate Tina Kelly and Dennis Lieberman to serve on the Volunteer Fire Fighters’ Dependents Fund Board for the year 2021.

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

1. That the City of Clayton does hereby designate Tina Kelly and Dennis Lieberman to serve on the Volunteer Fire Fighters’ Dependents Fund Board for the year 2021.

ADOPTED BY COUNCIL ON JANUARY 7, 2021

RESOLUTION NO. R – 01 – 21 – 07

A RESOLUTION TO APPOINT A CLAYTON REPRESENTATIVE AND AN ALTERNATE TO THE MIAMI VALLEY REGIONAL PLANNING COMMISSION AND TRANSPORTATION COMMITTEE FOR THE YEAR 2021

WHEREAS, the City of Clayton participates as a member of the Miami Valley Regional Planning Commission (sometimes referred to as the "MVRPC"); and

WHEREAS, the City desires to designate a representative to serve on the MVRPC and the Transportation Planning Committee of said Commission for 2021 and an alternate.

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

1. That the City of Clayton does hereby designate Tim Gorman as representative and Mike Stevens as alternate to serve on the Miami Valley Regional Planning Commission and its Transportation Committee for the year 2021.

ADOPTED BY COUNCIL ON JANUARY 7, 2021

RESOLUTION NO. R – 01 – 21 – 08

A RESOLUTION APPOINTING MEMBER TO THE COST RECOVERY/IMPACT FEE APPEALS BOARD

WHEREAS, by Ordinance No. O-05-05-07 adopted May 19, 2005, a process was adopted to impose a Cost Recovery/Impact Fee for development within Clayton Improvement District No. 1; and

WHEREAS, said ordinance provided for the creation of a Cost Recovery/Impact Fee Appeals Board to address and decide objections to the imposition and amount of said fees; and

WHEREAS, Brendan Bachman was previously appointed to said Board for a three year term, which term has expired and Council desires to fill the vacancy created by the expiration of Mr. Bachman's term.

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

1. That Brendan Bachman, an elector of the City of Clayton, is hereby appointed to the Cost Recovery/Impact Fee Appeals Board for the term set forth below:

Name	Term
Brendan Bachman	Term ending December 31, 2023

2. That upon the end of the above term, a successor shall be appointed for a three (3) year term.

ADOPTED BY COUNCIL ON JANUARY 7, 2021

RESOLUTION NO. R – 01 – 21 – 09

A RESOLUTION APPROVING A WAGE AGREEMENT FOR THE YEAR 2021 WITH THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS (IAFF) LOCAL 4379 FOR FIREFIGHTERS WITHIN THE CLAYTON FIRE DEPARTMENT

WHEREAS, the current Firefighter Collective Bargaining Agreement (CBA) contains a wage reopener for the year 2021 and members of the bargaining unit and City staff have discussed and agreed upon a 2% cost of living (COL) increase effective January 11, 2021; and

WHEREAS, bargaining unit members and City staff have agreed to include a “me too” clause relative to the 2021 COL 2% increase; meaning, if the police union receives a higher COL increase than 2% in 2021 then the Firefighters will receive the same COL increase; and

WHEREAS, all other provisions of the current Firefighter CBA will remain in full force and effect until the expiration date of March 31, 2022; and

WHEREAS, City staff recommends approval of the 2021 wage increase and “me too” clause referenced herein.

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

1. That the Wage Agreement reached with City staff and the IAFF Local 4379 for a 2% wage increase for the year 2021 for the Clayton Firefighters with a “me too” clause as referenced herein and with the further understanding that all other provisions of the current Firefighter CBA will remain in full force and effect until the expiration date of March 31, 2022, is hereby approved and the City Manager is authorized to execute said Wage Agreement on behalf of the City.

ADOPTED BY COUNCIL ON JANUARY 7, 2021
