

**FAIRFIELD CITY COUNCIL  
REGULAR MEETING AGENDA  
FAIRFIELD MUNICIPAL BUILDING  
5350 PLEASANT AVENUE  
FAIRFIELD, OHIO 45014**

**Monday, August 8, 2016**

**7:00 PM**

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MAYOR.....STEVE MILLER  
COUNCILMEMBER 1<sup>ST</sup> WARD.....BOB MYRON  
COUNCILMEMBER 2<sup>ND</sup> WARD.....CRAIG W. KELLER  
COUNCILMEMBER 3<sup>RD</sup> WARD.....DEBBIE PENNINGTON  
COUNCILMEMBER 4<sup>TH</sup> WARD.....TIM ABBOTT

COUNCILMEMBER AT-LARGE...CHAD OBERSON  
COUNCILMEMBER AT-LARGE...MIKE SNYDER  
COUNCILMEMBER AT-LARGE...BILL WOESTE  
CITY MANAGER.....MARK WENDLING  
CLERK OF COUNCIL.....ALISHA WILSON  
LAW DIRECTOR.....JOHN H. CLEMMONS

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Guidelines for Citizen Comments: Thank you for your interest and participation in city government. Fairfield City Council's Guidelines for Citizen Comments describe the rules for addressing City Council. The guidelines are posted in the Council Chambers.

ADA Notice: The City of Fairfield is pleased to provide accommodations to disabled individuals or groups and encourage full participation in city government. Should special accommodations be required, please contact the Clerk of Council at 867-5383 at least 48 hours in advance of the meeting.

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1. **Call to Order**
2. **Prayer/Pledge of Allegiance**
3. **Roll Call**
4. **Agenda Modifications**
5. **Executive Session Requests**
6. **Special Presentations and Citizen Comments**
  - a) Matt Kellum – Police Department Oath of Office
  - b) Feed Ohio Proclamation
  - c) Chamber of Commerce Update
7. **Public Hearing(s)**
8. **Mayor/Council Reports**
9. **Approval of Minutes**
  - a) Regular Meeting Minutes of July 25, 2016

10. **OLD BUSINESS**

(A) **COMMUNITY & PUBLIC RELATIONS COMMITTEE**  
**Bob Myron, Chairman; Bill Woeste, Vice Chairman; Debbie Pennington, Member**

- (1) Ordinance providing for the submission to the electors of the City of Fairfield, Ohio of a proposed amendment to the Charter of said city at a special election to be held and conducted on Tuesday, November 8, 2016 to amend Section 8.03 of the Charter to abolish the Board of Building Appeals and provide that the powers, duties and functions of the former Board of Building Appeals be performed in all respects by the Board of Zoning Appeals.

- Ordinance – Third Reading
- Motion – Adoption

(B) **DEVELOPMENT SERVICES COMMITTEE**

**Bill Woeste, Chairman;** Bob Myron, Vice Chairman; Mike Snyder, Member

- (1) Ordinance accepting five (5) separate sections of existing water main as public improvements to be maintained by the City of Fairfield.

- Ordinance – Third Reading
- Motion – Adoption

11. **NEW BUSINESS**

(A) **PUBLIC SAFETY COMMITTEE**

**Craig Keller, Chairman;** Tim Abbott, Vice Chairman; Chad Oberson, Member

- (1) Simple Motion: Motion to not request a hearing regarding a liquor permit application in the name of Walgreen Co dba Walgreens 07046, 4610 Pleasant Avenue, Fairfield, OH 45014. (Permit Classes: C1 & C2)

(B) **DEVELOPMENT SERVICES COMMITTEE**

**Bill Woeste, Chairman;** Bob Myron, Vice Chairman; Mike Snyder, Member

- (1) Ordinance to authorize the City Manager to execute an amendment to a Sanitary Sewer Administrative Fee Rebate Agreement between the City of Fairfield and Koch Foods of Cincinnati LLC.

- Motion – Read by Title Only (Optional)
- Ordinance – First Reading
- Motion – Suspend Second and Third Readings
- Motion – Adoption

(C) **FINANCE & BUDGET COMMITTEE**

**Tim Abbott, Chairman;** Debbie Pennington, Vice Chairman; Craig Keller, Member

- (1) An ordinance determining to reduce and recertify special assessments levied for the purpose of constructing certain improvements and declaring an emergency.

- Motion – Read by Title Only (Optional)
- Ordinance – First Reading
- Motion – Suspend Second and Third Readings
- Motion – Adoption

- (2) Ordinance to amend Ordinance No. 107-15 entitled “An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2016, and ending December 31, 2016.”

\*Non-Contractual Appropriations – \$5,000 miscellaneous street light installations; \$25,650 for purchase of additional software modules from Tyler Technologies; \$30,000 for replacement of public water main; \$7,300 razing of structure at Grange Park on Joe Nuxhall Way.

- Motion – Read by Title Only (Optional)
- Ordinance – First Reading
- Motion – Suspend Second and Third Readings
- Motion – Adoption

12. **Meeting Schedule**

|                      |   |
|----------------------|---|
| Monday, September 12 | Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m. |
| Monday, September 26 | Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m. |
| Tuesday, October 11  | Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m. |

13. **Executive Session of Council (if needed)**

14. **Adjournment**

**AGENDA**

**COUNCIL-MANAGER BRIEFING  
FAIRFIELD MUNICIPAL BUILDING  
5350 PLEASANT AVENUE**

**MONDAY, AUGUST 8, 2016  
6:30 P.M.**

1. Mayor/Council 2017 Operational Budget

MINUTES  
REGULAR MEETING OF COUNCIL  
JULY 25, 2016

**Call to Order**

Mayor Steve Miller called the Regular Meeting of Council to order at 7:00 PM at the Fairfield Municipal Building, 5350 Pleasant Avenue.

**Prayer/Pledge of Allegiance**

Councilmember Woeste led in prayer and the Pledge of Allegiance.

**Roll Call**

Clerk Wilson called the roll of Council. Present members were Councilmember Bob Myron, Councilmember Craig Keller, Councilmember Debbie Pennington, Councilmember Tim Abbott, Councilmember Chad Oberson, and Councilmember Bill Woeste.

Councilmember Abbott, seconded by Councilmember Woeste, moved to excuse Councilmember Snyder. Motion carried 6-0.

**Agenda Modifications**

Councilmember Abbott, seconded by Councilmember Pennington, moved to add an appropriation for the purchase of real estate to the agenda. Motion carried 6-0.

**Executive Session Requests**

No Executive Session requests.

**Special Presentations and Citizen Comments**

Councilmember Keller administered the oath of office to Firefighter/Paramedic Brent Garrety. Chief Bennett welcomed him to the department and asked his wife to pin on his badge as a symbol of the support he will need from his family.

**Hero's Ride**

Bill Meyer invited council and residents to attend the 12th annual Hero's Ride on Saturday, August 20. All proceeds benefit the group Impact a Hero, which works with veterans and their families. The ride is 70 miles round trip, with a stop at Hueston Woods. It is alcohol-free and police and fire escorted. Mr. Meyer thanked the city for their continued support of this great event. The total contributions from the Hero's Ride to Impact a Hero are more than \$180,000.

**Public Hearing(s)**

No public hearings.

**Mayor/Council Reports**

Councilmember Abbott reported that tax revenues are still up over projections for the year.

Councilmember Pennington reminded residents of the many events sponsored by Parks and Recreation, including the Farmers Market, Village Green concerts, Sunbonnet Days and Seniors Fish for Free on Wednesdays at Marsh Lake.

Councilmember Keller commented that the city has received support from the community following police-related incidents around the country. Chief Dickey thanked the community for their support of the Police Department, noting that they had received numerous cards and treats from supportive residents.

Assistant City Manager Greg Preece introduced Jenny Dexter, the new Communications Manager.

### **Approval of Minutes**

Regular Meeting Minutes of July 12, 2016

- The Regular Meeting Minutes of July 12, 2016 were approved as written and submitted.

### **OLD BUSINESS**

#### **COMMUNITY & PUBLIC RELATIONS COMMITTEE**

**Bob Myron, Chairman; Bill Woeste, Vice Chairman; Debbie Pennington, Member**

Ordinance providing for the submission to the electors of the City of Fairfield, Ohio of a proposed amendment to the Charter of said city at a special election to be held and conducted on Tuesday, November 8, 2016 to amend Section 8.03 of the Charter to abolish the Board of Building Appeals and provide that the powers, duties and functions of the former Board of Building Appeals be performed in all respects by the Board of Zoning Appeals.

Legislative Action: Councilmember Myron presented the second reading of this ordinance.

#### **DEVELOPMENT SERVICES COMMITTEE**

**Bill Woeste, Chairman; Bob Myron, Vice Chairman; Mike Snyder, Member**

Ordinance accepting five (5) separate sections of existing water main as public improvements to be maintained by the City of Fairfield.

Legislative Action: Councilmember Woeste presented the second reading of this ordinance.

### **NEW BUSINESS**

#### **PUBLIC SAFETY COMMITTEE**

**Craig Keller, Chairman; Tim Abbott, Vice Chairman; Chad Oberson, Member**

Simple Motion: Motion to not request a hearing regarding a liquor permit application in the name of Lisa Grocery Store, LLC, 5080 Pleasant Avenue, Unit C, Fairfield, OH 45014. (Permit Classes: C1 & C2)

Councilmember Keller, seconded by Councilmember Pennington, moved to not request a hearing for a liquor permit application in the name of Lisa Grocery Store. Motion carried 6-0. SIMPLE MOTION NO. 13-16. APPROVED 6-0.

## **PUBLIC WORKS COMMITTEE**

**Chad Oberson, Chairman; Mike Snyder, Vice Chairman; Bill Woeste, Member**

Councilmember Chad Oberson, seconded by Councilmember Tim Abbott moved to read the following two (2) ordinances by title only. Motion Carried 6-0.

Ordinance to authorize the City Manager to execute a Local Public Agency (LPA) agreement with Ohio Department of Transportation (ODOT) for financial assistance for improvements to Route 4 between Seward Road and the north corporation limits and declaring an emergency.

Background: City Manager Wendling recommended an ordinance to execute a LPA Agreement with ODOT for improvements to Route 4. This agreement will allow the city to take the lead on the project. Legislative Action: Councilmember Oberson presented the first reading of this ordinance.

Councilmember Chad Oberson, seconded by Councilmember Bill Woeste moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Chad Oberson, seconded by Councilmember Craig Keller moved to adopt. Motion Carried 6-0. ORDINANCE NO. 64-16. APPROVED 6-0.

Ordinance to authorize the City Manager to enter into a contract with Carpenter Marty Transportation for the design of paving improvements on Route 4 between Seward Road and Bobmeyer Road.

Background: City Manager Wendling recommended a contract with Carpenter Marty Transportation for design of paving improvements on Route 4 between Seward Road and Bobmeyer Road. Legislative Action: Councilmember Oberson presented the first reading of this ordinance.

Councilmember Chad Oberson, seconded by Councilmember Bill Woeste moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Chad Oberson, seconded by Councilmember Craig Keller moved to adopt. Motion Carried 6-0. ORDINANCE NO. 65-16. APPROVED 6-0.

## **FINANCE & BUDGET COMMITTEE**

**Tim Abbott, Chairman; Debbie Pennington, Vice Chairman; Craig Keller, Member**

Councilmember Tim Abbott, seconded by Councilmember Debbie Pennington moved to read the following resolution and five (5) ordinances by title only. Motion Carried 6-0.

Resolution declaring the amount of taxes that may be raised by levy at the maximum rate authorized by law without a vote of the electors to be insufficient and declaring the necessity of an additional tax levy of two and one-half (2.5) mills in excess of such rate for the purpose of providing funds for the operational and capital expenses of the Fire Department of the City of Fairfield, Ohio and other purposes authorized under Ohio Revised Code Section 5705.19(I) and declaring an emergency.

Background: City Manager Wendling recommended a resolution to put the fire levy issue on the ballot. Legislative Action: Councilmember Abbott presented the first reading of this resolution.

Councilmember Tim Abbott, seconded by Councilmember Craig Keller moved to suspend the rules requiring three (3) readings of this resolution. Motion Carried 6-0. Councilmember Tim Abbott, seconded by Councilmember Chad Oberson moved to adopt. Motion Carried 6-0. RESOLUTION NO. 8-16. APPROVED 6-0.

Ordinance levying special assessments for the repair of sidewalks (including aprons) in the City of Fairfield, Ohio and declaring an emergency.

Background: City Manager Wendling recommended an ordinance levying special assessments for sidewalk repairs done in 2015 that have not been paid yet. Legislative Action: Councilmember Abbott presented the first reading of this ordinance.

Councilmember Tim Abbott, seconded by Councilmember Bill Woeste moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Tim Abbott, seconded by Councilmember Chad Oberson moved to adopt. Motion Carried 6-0. ORDINANCE NO. 66-16. APPROVED 6-0.

Ordinance to amend Ordinance No. 107-15 entitled "An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2016, and ending December 31, 2016."

Background: City Manager Wendling recommended an ordinance to reconcile accounts. Legislative Action: Councilmember Abbott presented the first reading of this ordinance.

Councilmember Tim Abbott, seconded by Councilmember Chad Oberson moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Tim Abbott, seconded by Councilmember Craig Keller moved to adopt. Motion Carried 6-0. ORDINANCE NO. 67-16. APPROVED 6-0.

Ordinance to amend Ordinance No. 107-15 entitled "An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2016, and ending December 31, 2016."

Background: City Manager Wendling recommended Contractual Appropriations – \$60,000 for design of paving improvements on Route 4 between Seward Road and Bobmeyer Road. Legislative Action: Councilmember Abbott presented the first reading of this ordinance.

Councilmember Tim Abbott, seconded by Councilmember Bill Woeste moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Tim Abbott, seconded by Councilmember Bob Myron moved to adopt. Motion Carried 6-0. ORDINANCE NO. 68-16. APPROVED 6-0.

Ordinance to amend Ordinance No. 107-15 entitled "An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2016, and ending December 31, 2016."

Background: City Manager Wendling recommended Non-Contractual Appropriations – \$30,549 for Fire Department Facilities Energy Upgrades; \$4,000 for upgrades to power supplies for computer workstations and upgrade of computers; \$49,900 for upgrade to wireless communications equipment network; \$30,958 for purchase and outfitting of Ford F-150 4x4 Pickup Truck for Water Division; \$15,000 for purchase of seven (7) fire hydrants. Legislative Action: Councilmember Abbott presented the first reading of this ordinance.

Councilmember Tim Abbott, seconded by Councilmember Chad Oberson moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Tim Abbott, seconded by Councilmember Bob Myron moved to adopt. Motion Carried 6-0. ORDINANCE NO. 69-16. APPROVED 6-0.

Ordinance to amend Ordinance No. 107-15 entitled “An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2016, and ending December 31, 2016.”

Background: City Manager Wendling recommended Non-Contractual Appropriations – \$40,000 for the purchase of the lot adjacent to the Mack Road Water Tower. Legislative Action: Councilmember Abbott presented the first reading of this ordinance.

Councilmember Tim Abbott, seconded by Councilmember Debbie Pennington moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Tim Abbott, seconded by Councilmember Chad Oberson moved to adopt. Motion Carried 6-0. ORDINANCE NO. 70-16. APPROVED 6-0.

### **Meeting Schedule**

Clerk Wilson read the following meeting schedule:

- Monday, August 8 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.
- Monday, September 12 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.
- Monday, September 26 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.

### **Executive Session of Council (if needed)**

No Executive Session.

### **Adjournment**

The regular meeting adjourned at 7:25 PM.

ATTEST:

\_\_\_\_\_  
Clerk of Council

Date Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor's Approval

# DEPARTMENTAL CORRESPONDENCE

City  
of  
Fairfield



TO Mayor Miller and City Councilmembers  
FROM Thomas Montgomery, Chairperson, Charter Review Commission

SUBJECT Charter Review Commission Recommendation

DATE 06/15/2016

Please be advised at the Charter Review Commission Meeting held on Tuesday, June 14, 2016, the Charter Review Commission voted 5-0 in favor of recommending an ordinance to Council for consideration titled "Ordinance providing for the submission to the electors of the City of Fairfield, Ohio of a proposed amendment to the Charter of said city at a special election to be held and conducted on Tuesday, November 8, 2016 to amend Section 8.03 of the Charter to abolish the Board of Building Appeals and provide that the powers, duties and functions of the former Board of Building Appeals be performed in all respects by the Board of Zoning Appeals."

A handwritten signature in blue ink that reads "Thomas A. Montgomery". The signature is written in a cursive style.

Thomas Montgomery  
Chairperson

Aaw

Attachment

c: Alisha Wilson, Clerk of Council  
Mark Wendling, City Manager  
John Clemmons, Law Director  
Timothy Bachman, Development Services Director  
Rick Helsinger, Supt., Building Inspection & Zoning  
File

ORDINANCE NO. \_\_\_\_\_

ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF FAIRFIELD, OHIO OF A PROPOSED AMENDMENT TO THE CHARTER OF SAID CITY AT A SPECIAL ELECTION TO BE HELD AND CONDUCTED ON TUESDAY, NOVEMBER 8, 2016 TO AMEND SECTION 8.03 OF THE CHARTER TO ABOLISH THE BOARD OF BUILDING APPEALS AND PROVIDE THAT THE POWERS, DUTIES AND FUNCTIONS OF THE FORMER BOARD OF BUILDING APPEALS BE PERFORMED IN ALL RESPECTS BY THE BOARD OF ZONING APPEALS.

WHEREAS, the Charter Review Commission has recommended to the City Council pursuant to §8.06(B) of the Fairfield City Charter that Section 8.03 of the Charter be amended to abolish the Board of Building Appeals and provide that the powers, duties and functions of the former Board of Building Appeals be performed in all respects by the Board of Zoning Appeals; and

WHEREAS, by two-thirds (2/3) vote, Council desires to submit such amendment to the electors of the City of Fairfield, Ohio at a special election to be held and conducted on Tuesday, November 8, 2016, in accordance with Section 9, Article XVIII of the Ohio Constitution.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1.

A proposed amendment to the Charter of the City of Fairfield, Ohio be submitted to the electors of the City of Fairfield, Ohio, for adoption or rejection at a special election to be held and conducted on Tuesday, November 8, 2016. The proposed amendment is to amend Section 8.03 of the Charter of the City of Fairfield, Ohio, to read as follows:

**§8.03 Board of Building Appeals.**

**(A) THE BOARD OF BUILDING APPEALS IS HEREBY ABOLISHED. THE POWERS, DUTIES AND FUNCTIONS AS PROVIDED UNDER THIS CHARTER AND THE ORDINANCES AND RESOLUTIONS OF THE CITY FOR THE FORMER BOARD OF BUILDING APPEALS SHALL BE ASSUMED AND PERFORMED IN ALL RESPECTS BY THE BOARD OF ZONING APPEALS. [There is hereby created a Board of Building Appeals consisting of six members to be appointed by the City Manager, subject to confirmation by the Council by a majority vote of its members. Members of the Board shall serve for overlapping terms of office of four years each, except that the members first appointed under this Charter shall serve for the following terms: three shall serve terms of office of two years each and three shall serve terms of office of four years each; and thereafter each member shall serve a four year term of office.]**

~~[(B) Members of the Board of Building Appeals shall be electors of the City; and, to the extent feasible, one member each shall be appointed from the following occupations or professions: a building contractor, a registered mechanical engineer, a master electrician, a heating engineer, a master plumber, and an attorney at law licensed to practice law in Ohio. The builder, mechanical engineer, electrician, heating engineer, and plumber shall, to the extent feasible, have at least five years' experience in the building construction industry. Failure of members of the Board to meet the occupational and experience qualifications as set forth in this Division shall not cause a forfeiture of their office nor invalidate any action taken by the Board.]~~

~~[(C) The Board of Building Appeals shall have those powers, duties and functions as provided under this Charter and the ordinances and resolutions of the City.]~~

Section 2.

The Clerk of Council is hereby directed to certify the amendment as set forth in Section 1 above to the Board of Elections of Butler County, Ohio for submission to the electors of the City of Fairfield, Ohio at a special election to be held on Tuesday, November 8, 2016 in accordance with the Constitution and laws of the State of Ohio.

Section 3.

The amendment set forth herein shall be submitted in such a way as to allow votes thereon to be cast separately from votes cast on any other question. Said amendment shall be designated on the ballot by its descriptive title as hereinafter set forth. The adoption of such amendment by its descriptive title shall have the effect of adopting its text in full as set forth in this ordinance. The form of the ballot to be used at the special municipal election shall be as follows:

OFFICIAL QUESTIONS AND ISSUES BALLOT  
CITY OF FAIRFIELD, STATE OF OHIO  
SPECIAL ELECTION, TUESDAY, NOVEMBER 8, 2016  
PROPOSED AMENDMENT TO THE CHARTER OF THE CITY OF FAIRFIELD,  
OHIO  
A MAJORITY AFFIRMATIVE VOTE IS NECESSARY FOR PASSAGE

Shall Section 8.03 of the Charter of the City of Fairfield, Ohio be amended to provide that the Board of Building Appeals is abolished and that the powers, duties and functions of the former Board of Building Appeals be performed in all respects by the Board of Zoning Appeals?

FOR THE ADOPTION OF THE PROPOSED AMENDMENT YES  
AGAINST THE ADOPTION OF THE PROPOSED AMENDMENT NO

Section 4. The Clerk of Council shall cause the full text of this ordinance and the proposed Charter amendment contained herein to be published in accordance with Section 9 of Article XVIII of the Ohio Constitution and Section 731.211 of the Ohio Revised Code.

Section 5. The Board of Elections of Butler County, Ohio shall certify to the Council and Mayor of the City of Fairfield, Ohio the result of the vote upon said amendment and if said amendment is approved by a majority of those voting thereon it shall become a part of the Charter of the City of Fairfield, Ohio. The Board of Elections of Butler County, Ohio, shall, if it is approved by the electors, certify such amendment to the Secretary of State within thirty days as provided by Section 9 of Article XVIII of the Ohio Constitution.

Section 6. The Clerk of Council, City Manager and Director of Law are hereby authorized to take any other actions required to submit such amendment to the electors of the City of Fairfield, Ohio, on the date fixed in this ordinance.

Section 7. This ordinance shall take effect immediately upon its passage in accordance with §4.07(A)(4) of the Fairfield City Charter.

|                |       |                       |
|----------------|-------|-----------------------|
| Passed         | _____ | _____                 |
|                |       | Mayor's Approval      |
| Posted         | _____ |                       |
| First Reading  | _____ | Rules Suspended _____ |
| Second Reading | _____ |                       |
| Third Reading  | _____ |                       |

ATTEST:

\_\_\_\_\_  
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

\_\_\_\_\_  
Clerk of Council

Item No. 11(C)(1)

**City of Fairfield, Ohio  
City Council Meeting Communication**

Date 7-11-16

**Item:**

An ordinance authorizing the City Manager and Director of Public Utilities to accept five separate sections of water main as one public water main.

**Financial Impact:**

There is no financial impact with the acceptance. Maintenance will be provided, but no capital dollars were used to construct the water main.

**Synopsis:**

This water main is located between Port Union Rd. and Union Centre Blvd., and completes a loop within the City's water system. The attached exhibit provides details regarding the location of the water main and the deed book and page numbers of the existing easements.

**Background:**

Looping the City's water line between Port Union Rd. and Union Centre Blvd. has been in the planning stages for 10 years. Construction of the water main was completely implemented by four different entities of the private sector via development requirements. This water line provides better water quality and fire protection for its users; the City's largest water user, Koch Foods, is provided redundancy of service by this water line.

**Recommendation:**

It is recommended that City Council have first reading on this item at the July 11 meeting.

|                             |  |    |
|-----------------------------|--|----|
| <b>Legislative Actions:</b> | Rules Suspension and Adoption Requested? | No |
|                             | Emergency Provision Needed?              | No |

Prepared by:

Approved for Content by:

Financial Review (where applicable)

Legal Review (where applicable)

Accepted for Council Agenda:

Lynnda McQuinn  
Kimberly Boehman  
May Hays  
John H. Clemmons  
Alisa Wilson

ORDINANCE NO. \_\_\_\_\_

ORDINANCE ACCEPTING FIVE (5) SEPARATE SECTIONS OF EXISTING  
WATER MAIN AS PUBLIC IMPROVEMENTS TO BE MAINTAINED BY  
THE CITY OF FAIRFIELD.

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. The Council of the City of Fairfield, Ohio does by this ordinance accept five (5) separate sections of existing water main as public improvements to be maintained by the City of Fairfield. The five (5) sections of water main are identified in Exhibit "A" attached hereto and incorporated herein by reference.

Section 2. This Ordinance shall take effect at the earliest period allowed by law.

|                |       |                       |
|----------------|-------|-----------------------|
| Passed         | _____ | _____                 |
|                |       | Mayor's Approval      |
| Posted         | _____ |                       |
| First Reading  | _____ | Rules Suspended _____ |
| Second Reading | _____ |                       |
| Third Reading  | _____ |                       |

ATTEST:

\_\_\_\_\_  
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

\_\_\_\_\_  
Clerk of Council



**CITY OF FAIRFIELD, OHIO  
CITY COUNCIL COMMUNICATION**

**ITEM:**

**August 8, 2016**

Liquor permit application in the name of Walgreen Co dba Walgreens 07046, 4610 Pleasant Avenue, Fairfield, OH 45014 (Permit Classes: C1 & C2).

**FINANCIAL IMPACT:**

No financial impact.

**SYNOPSIS:**

The City of Fairfield is in receipt of an application from the Ohio Division of Liquor Control for a C1 & C2 permit for the above liquor permit applicant.

**BACKGROUND:**

Background checks from the Building and Zoning Division and Police Department are attached for Council and staff's review.

**RECOMMENDATION:**

It is recommended that City Council request, by simple motion, that **no hearing be held** on the liquor permit application in the name of Walgreen Co dba Walgreens 07046, 4610 Pleasant Avenue, Fairfield, OH 45014 (Permit Classes: C1 & C2).

**LEGISLATIVE ACTION REQUIRED:** Simple Motion of Council

Prepared by: Alisa Wilson  
Approved for Content by: Alisa Wilson  
Financial Review (where applicable) by: Maya Hyn  
Legal Review (where applicable) by: John J. Commons  
Accepted by Council Agenda: Alisa Wilson

# DEPARTMENTAL CORRESPONDENCE

11 (A) 2016

City  
of  
Fairfield



TO Michael J. Dickey, Police Chief  
Tim Bachman, Development Services Director

FROM Alisha Wilson, Clerk of Council *AW*

SUBJECT **Request for Background Check – Liquor Permit**

DATE 07/27/2016

Attached is a liquor permit application in the name of Walgreen Co dba Walgreens 07046, 4610 Pleasant Avenue, Fairfield, OH 45014 (Permit Classes: C1 & C2).

Please complete the necessary background check and submit your findings to me **no later than 3:00 PM on Monday, August 1, 2016.**

This item will be added to Council's Regular Meeting agenda of Monday, August 8, 2016.

Thank you for your assistance.

c: Mark Wendling, City Manager  
File

**NOTICE TO LEGISLATIVE  
AUTHORITY**

**OHIO DIVISION OF LIQUOR CONTROL**  
6606 TUSSING ROAD, P.O. BOX 4005  
REYNOLDSBURG, OHIO 43068-9005  
(614)644-2360 FAX(614)644-3166

TO

|  |                                    |                             |  |  |
|--|------------------------------------|-----------------------------|--|--|
| 935794170460<br><small>PERMIT NUMBER</small> |                                    | STCK<br><small>TYPE</small> | WALGREEN CO<br>DBA WALGREENS 07046<br>4610 PLEASANT AV<br>FAIRFIELD OH 45014 |  |
| 05 03 2016<br><small>ISSUE DATE</small>      |                                    |                             |  |  |
| C1 C2<br><small>PERMIT CLASSES</small>       |                                    |                             |  |  |
| 09<br><small>TAX DISTRICT</small>            | 011<br><small>PERMIT CLASS</small> | A                           | F16582<br><small>RECEIPT NO.</small>   |  |

FROM 07/20/2016

|                |              |      |             |
|----------------|--------------|------|-------------|
| PERMIT NUMBER  |              | TYPE |             |
| ISSUE DATE     |              |      |             |
| FILING DATE    |              |      |             |
| PERMIT CLASSES |              |      |             |
| TAX DISTRICT   | PERMIT CLASS |      | RECEIPT NO. |



MAILED 07/20/2016

RESPONSES MUST BE POSTMARKED NO LATER THAN.

08/22/2016

**IMPORTANT NOTICE**

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL  
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

**A STCK 9357941-70460**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT  
THE HEARING BE HELD  IN OUR COUNTY SEAT.  IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)-  Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

**CLERK OF FAIRFIELD CITY COUNCIL  
5350 PLEASANT AV  
FAIRFIELD OHIO 45014**

For Questions call  
 (614) 644-3162  
 Office Hours -  
 8:00 a.m. - 5:00 p.m.

Ohio Department of Commerce - Division of Liquor Control  
 6606 Tussing Road, Reynoldsburg, Ohio 43068-9005  
 http://www.com.ohio.gov/liqr

*12K \$10000  
 581*



**APPLICATION FOR CHANGE OF CORPORATE STOCK OWNERSHIP**  
**PROCESSING FEE \$100.00 CAUTION: ALLOW 10 TO 12 WEEKS FOR PROCESSING**

PERMIT HOLDER REQUESTS APPROVAL OF THE DIVISION OF LIQUOR CONTROL OF THE FOLLOWING TRANSFER(S) OF STOCK

|   |   |
|---|---|
| Permit Holder Name<br><b>Walgreen Co.</b> | Liquor Permit Number(s)<br><b>935794170460</b><br><i>P-016582</i> |
|---|---|

Permit Premises Address **4610 Pleasant Ave., Fairfield, OH 45014**

Email Address: **r o b i n . v a n c l e a v e @ w a l g r e e n s . c o m**

Attorney's Name, Address and Telephone Number (If represented)  
**Thomas Henry, 610 Smithfield St., Suite 300, Pgh PA 15222; Marc Myers, 300 West Wilson Bridge Rd., Worthington OH 43085**

Is Stock Traded on a National Exchange?  YES  NO If YES, give Name of Exchange and Symbol **N/A**

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

| SECTION A: PREVIOUS 5% OR MORE STOCKHOLDERS   |           |                             |   |
|---|-----------|-----------------------------|---|
| Name  | BIRTHDATE | Social Security Number/FTI# | Number of Shares Issued For Stock Transfer Only (NOT Percentages) |
| 1) Publicly traded                            | N/A       | N/A                         | N/A   |
| 2) <i>OK TO Key Co</i>                        |           |                             |   |
| 3) <i>no kid, no Rev pend, Other's issued</i> |           |                             |   |
| 4) <i>Please send copy PD RPTs</i>            |           |                             |   |
| 5)  |           |                             |   |

| SECTION B: REVISED 5% OR MORE STOCKHOLDERS |           |                             |   |
|--|-----------|-----------------------------|---|
| Name                                       | BIRTHDATE | Social Security Number/FTI# | Number of Shares Issued For Stock Transfer Only (NOT Percentages) |
| 1) Walgreens Boots Alliance, Inc.          | N/A       |                             | 100   |
| 2)   |           |                             |   |
| 3)   |           |                             |   |
| 4)   |           |                             |   |
| 5)   |           |                             |   |

NOTE: If any Stockholder is a business entity, that entity must list it's federal tax identification number (FTI #) above.

TOTAL NUMBER OF SHARES ISSUED **100**

| LIST THE TOP FOUR OFFICERS OF THE CAPTIONED CORPORATION. IF AN OFFICE IS NOT HELD, PLEASE INDICATE BY WRITING "NONE" | Social Security Number | Birthdate |
|--|------------------------|-----------|
| 1) CEO/President Alexander Gourlay   |                        |           |
| 2) Vice-President Alan Nielson   |                        |           |
| 3) Secretary Amelia Legutki  |                        |           |
| 4) Treasurer Alan Nielson  |                        |           |

OH. DIV. LIQUOR CONTROL  
 FRONT DESK-3  
 2016 JUN 21 AM 8:19

# DEPARTMENTAL CORRESPONDENCE

City  
of  
Fairfield



TO Alisha Wilson, Clerk of Council

FROM Tim Bachman, Development Services Director

SUBJECT Liquor Permit Application

DATE 7/28/16

The business at 4610 Pleasant Ave., in the name of Walgreens Co. and doing business as Walgreens 07046, is in a PUD, Planned Unit Development, and a retail store is a permitted use within this PUD. The consumption of alcohol on-site would require a Conditional Use Permit from the Planning Commission.

Timothy Bachman  
Development Services Director

TB/lkm

# 4610 PLEASANT AVE.



NAME OF ESTABLISHMENT Walgreen Co.  
 ADDRESS DBA Walgreens  
4610 Pleasant Ave.  
Fairfield, OH 45014

- |   | YES                      | NO                                  |
|---|--------------------------|-------------------------------------|
| 1. Is there a conviction record of the applicant, any partner, member, officer director, manager or any shareholder owning 5% or more of the capital stock, for felonies or other crimes relating to his ability to operate a liquor establishment?                         | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Is there a prior unfavorable enforcement record of applicant and/or operation in disregard for laws, regulations or local ordinances?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Is there misrepresentation of material fact by applicant in making application to the Department?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Is there an inability of law enforcement authorities and of authorized agents of the Department to gain ready entrance to the permit premise; or location of permit premise at such distance from the road or street as to be isolated from police or other observation? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Will the place substantially and adversely interfere with the public decency, sobriety, peace, or good order of the neighborhood in which it is located?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Will the place substantially and adversely interfere with the normal orderly conduct of a church, library, public playground, school or township park?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7. Will the granting or transferring of a permit substantially interfere with the morals, safety, or welfare of the public?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8. Will there be adverse effects of saturation of the area in relation to the number of existing permits, and will there be any adverse conditions in the area?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

REMARKS: \_\_\_\_\_  
 \_\_\_\_\_

  
 Michael J. Dickey  
 Chief of Police

HEARING REQUESTED: Yes  No

Date: July 29, 2016

# City of Fairfield, Ohio City Council Communication

Date: 8-8-16

**Items:**

An ordinance authorizing the City Manager to execute an Amendment to a Sanitary Sewer Administrative Fee Rebate Agreement between the City and Koch Foods of Cincinnati LLC.

**Financial Impact:**

Approval of this ordinance will not create any new financial impact. The original Agreement included a \$150,000 refund payment from the City to Koch Foods that Koch Foods could earn provided that it meets certain project targets.

**Synopsis:**

Koch Foods is one of the largest integrated poultry processors in the country, with more than 20 facilities located across the United States. One of these facilities, named Koch Foods of Cincinnati LLC, is located at 4100 Port Union Road in Fairfield. Koch Foods is one of the largest employers in the City and is the largest water and sewer user in the City by a significant margin.

In 2012, the City entered into two economic development agreements with Koch Foods of Cincinnati to support the company's then-planned \$45 million expansion project. One agreement was a CRA Agreement that provided a 10-year 75 percent property tax abatement on the value of the building expansion. This CRA agreement is active and the company is in compliance.

The second agreement entered into was a Sanitary Sewer Administrative Fee Rebate Agreement. This agreement provided Koch Foods with up to \$150,000 in the form of refunds to administrative fees charged on Koch Foods' sanitary sewer account. Due to a delayed start to the expansion project and to clarify some of the agreement language, it is necessary to amend this agreement.

The Amendment will require Koch to create and maintain at least 1,090 jobs at its Fairfield location by June 30, 2017. Should Koch meet and maintain this 1,090 jobs figure, the City will rebate \$50,000 of sewer administrative fees per year during the years 2018-2020, up to a total maximum rebate payment of \$150,000. Establishing a fixed annual amount for these refund payments will make it easier for the City to budget this amount, instead of refunding an adjustable annual amount.

**Recommendation:**

It is recommended that City Council suspend the rules requiring a second and third reading and approve the ordinance. No emergency provision is needed.

|                             |  |      |
|-----------------------------|--|------|
| <b>Legislative Actions:</b> | Rules Suspension and Adoption Requested? | Yes. |
|                             | Emergency Provision Needed?              | No.  |

Prepared by: Greg Kothman  
 Approved for Content by: Timothy Buchner  
 Financial Review (where applicable) May Hym  
 Legal Review (where applicable) John A. Clemmons  
 Accepted for Council Agenda: Steve Wilson

AMENDMENT TO A  
SANITARY SEWER ADMINISTRATIVE FEE REBATE AGREEMENT

This amendment to a Sanitary Sewer Administrative Fee Rebate Agreement is made and entered into by and between the City of Fairfield, Ohio, an Ohio municipal corporation, with its principal office located at 5350 Pleasant Avenue, Fairfield, Ohio 45014 (hereinafter referred to as "City") and Koch Foods of Cincinnati LLC, (hereinafter referred to as "Koch"), with its principal office located at 1300 Higgins Road, Park Ridge, IL 60068.

WITNESSETH;

WHEREAS, in 2012 City provided economic development incentives to Koch for an expansion of Koch's office and manufacturing facility located at 4100 Port Union Road in Fairfield, Ohio in order to expand its food preparation operations and create and retain jobs; and

WHEREAS, City and Koch entered into a Sanitary Sewer Administrative Fee Rebate Agreement (hereinafter referred to as "The Agreement") on August 14, 2012 (a copy of which is attached hereto as Exhibit A); and

WHEREAS, it is necessary to amend The Agreement due to a delay in the completion of the installation of new production lines in Koch's facility on Port Union Road in Fairfield, Ohio;

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, City and Koch agree to modify The Agreement as follows:

A. Paragraph 2 shall be removed and replaced by the following:

2. For the three calendar years of 2018-2020, City will rebate to Koch \$50,000 per year of sanitary sewer administrative fees, provided that Koch creates at least 1,090 jobs in the City by June 30, 2017 and maintains at least 1,090 jobs through the term of City payments provided herein.

B. Paragraph 3 shall be removed and replaced by the following:

3. Such rebate will be paid to Koch within the first ninety (90) days of each calendar year 2018-2020.

C. Paragraph 6 shall be removed and replaced by the following:

6. If Koch fails to create at least 1,090 jobs by June 30, 2017, or if Koch fails to maintain at least 1,090 jobs at any time prior to the final City payment hereunder, then City has the right to terminate this agreement. Any payments made under this agreement to Koch in a

prior year will remain with Koch. Any future payments not yet made to Koch will not be made.

Except as modified herein, all other rights and duties associated with the project, as described in The Agreement dated August 14, 2012, shall be in full force and effect as to City and Koch for the remainder of the term stated in The Agreement.

IN WITNESS WHEREOF, the City of Fairfield, Ohio, by Mark T. Wendling, its City Manager, and pursuant to Ordinance No. \_\_\_\_\_, has executed this instrument this \_\_\_\_\_ day of \_\_\_\_\_, 2016, and Koch Foods of Cincinnati LLC by Mark Kaminsky, its Chief Financial Officer, duly authorized hereunto, has executed this instrument this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Witness:

CITY OF FAIRFIELD, OHIO

By \_\_\_\_\_  
Mark T. Wendling, City Manager

KOCH FOODS OF CINCINNATI LLC

By \_\_\_\_\_  
Mark Kaminsky, Chief Financial Officer

Approved as to form:

Approved as to content:

\_\_\_\_\_  
John H. Clemmons  
Fairfield City Law Director

\_\_\_\_\_  
Timothy Bachman  
Development Services Director

# Exhibit A

## **Sanitary Sewer Administrative Fee Rebate Agreement**

This agreement between the City of Fairfield, a municipal corporation with its principal office at 5350 Pleasant Avenue, Fairfield, Ohio 45014 (hereinafter "City") and Koch Foods of Cincinnati LLC, an Ohio corporation with its principal offices at 1300 Higgins Road, Park Ridge, IL 60068 (hereinafter "Koch"), specifies the manner and procedure to be used for rebating a part of the sanitary sewer administrative fee established in Section 925 (b) (2) of the Codified Ordinances of the City of Fairfield, Ohio.

**Whereas**, Koch is desirous of constructing a 179,000 square foot expansion to its office and manufacturing facility located at 4100 Port Union Road in Fairfield, Ohio in order to expand its food preparation operations and creating 390 new jobs and retaining 730 existing jobs (hereinafter referred to as the "Project") provided that the appropriate development incentives are available to support the economic viability of said Project; and

**Whereas**, the expansion will cause a significant increase in the amount of wastewater that will need sewer treatment; and

**Whereas**, a portion of the wastewater resulting from the production process will be delivered to and treated by Butler County Regional Wastewater System; and

**Whereas**, Section 925.08 (b) (2) of the Codified Ordinances of the City of Fairfield, Ohio provides for the City to charge users of sanitary sewer service within the corporate limits of the City sewer rates provided by Butler County Regional Wastewater System plus an additional amount of twenty percent (20%) in administrative fees; and

**Whereas**, the City currently collects approximately Eighty Thousand Dollars (\$80,000.00) annually from Koch in sanitary sewer administrative fees; and

**Whereas**, the amount that the City collects in sanitary sewer administrative fees is expected to increase as a result of the Project; and

**Whereas**, the City seeks to provide development incentives to assist Koch with the Project by rebating a portion of these sanitary sewer administrative fees;

**Now Therefore**, in consideration of the foregoing and of the mutual promises, covenants and agreements hereinafter set forth, City and Koch agree as follows:

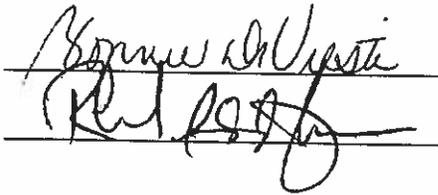
1. City will continue to administer and collect sanitary sewer charges from Koch in the same manner as specified in Section 925.08 (b) (2) of the Codified Ordinances of the City of Fairfield, Ohio.
2. Beginning in calendar year 2014 and in subsequent calendar years, City will rebate to Koch the portion of the sanitary sewer administrative fee in excess of a baseline amount of Eighty Thousand Dollars (\$80,000.00).

3. Such rebate will be calculated by City and paid to Koch within the first ninety (90) days of the next calendar year (i.e. – the 2014 rebate will be calculated and paid within the first ninety days of 2015).
4. The maximum total to be rebated from City to Koch under the terms of this agreement is One Hundred Fifty Thousand Dollars (\$150,000.00).
5. This agreement terminates when the maximum rebate amount of One Hundred Fifty Thousand Dollars (\$150,000.00) is reached and the final payment is made from City to Koch.
6. If Koch fails to complete the Project as described above by the end of calendar year 2014, then City has the right to terminate this agreement. Koch shall refund to City any rebate payments made within 30 days of termination of the agreement.
7. This agreement sets forth the entire agreement and understanding between the parties as to the subject matter contained herein and merges and supersedes all prior discussions, agreements, and undertakings of every kind and nature between the parties with respect to the subject matter of this agreement.
8. This agreement may be amended or modified by the parties, only in writing, signed by all parties to the agreement or by applicable law changes.

(This section left intentionally blank.)

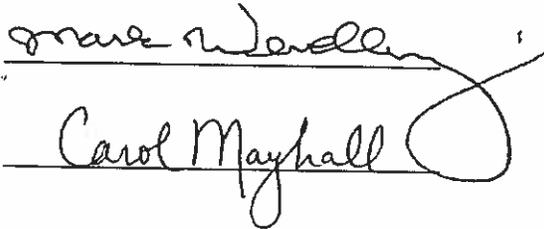
In witness thereof, the City of Fairfield by Arthur E. Pizzano, its City Manager, and pursuant to Ordinance No. 74-12, has caused this instrument to be executed this 14 day of August, 2012, and Koch Foods of Cincinnati LLC by Mark Kaminsky, its Chief Financial Officer has caused this instrument to be executed this 25 day of July, 2012.

Witness:

  
\_\_\_\_\_

KOCH FOODS OF CINCINNATI LLC

By Mark Kaminsky  
Mark Kaminsky, Chief Financial Officer

  
\_\_\_\_\_

CITY OF FAIRFIELD

By Arthur E. Pizzano  
Arthur E. Pizzano, City Manager

Approved as to content:

Timothy Bachman  
Timothy Bachman  
Fairfield Director of Development Services

Approved as to form:

John H. Clemmons  
John H. Clemmons  
City of Fairfield Law Director

Approved as to content:

David Crouch  
David Crouch  
Fairfield Director of Public Utilities

Approved as to content:

Mary Hopton  
Mary Hopton  
Fairfield Finance Director

ORDINANCE NO. \_\_\_\_\_

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE SANITARY SEWER ADMINISTRATIVE FEE REBATE AGREEMENT BETWEEN THE CITY OF FAIRFIELD AND KOCH FOODS OF CINCINNATI, LLC.

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. The City Manager is hereby authorized to execute an amendment to the Sanitary Sewer Administrative Fee Rebate Agreement between the City of Fairfield and Koch Foods of Cincinnati, LLC in accordance with the amendment on file in the office of the City Manager.

Section 2. This Ordinance shall take effect at the earliest period allowed by law.

Passed \_\_\_\_\_ Mayor's Approval \_\_\_\_\_

Posted \_\_\_\_\_

First Reading \_\_\_\_\_ Rules Suspended \_\_\_\_\_

Second Reading \_\_\_\_\_

Third Reading \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

\_\_\_\_\_  
Clerk of Council

CITY OF FAIRFIELD, OHIO  
CITY COUNCIL COMMUNICATION

August 8, 2016

ITEM

It is necessary for the City Council to pass an ordinance to reduce special assessments levied for the purpose of constructing improvements at the Cincinnati Mills Mall.

FINANCIAL IMPACT

The reduction in the assessment will be certified to the County Auditor for collection in order to pay debt service on bonds issued for the construction of improvements.

SYNOPSIS

The cooperative agreement entered into by the City and the Port Authority of Greater Cincinnati dated February 1, 2004 requires the assessments to be reduced by the amount of debt service payments in lieu of taxes and other funds made available during 2016 and 2017.

BACKGROUND

The City has received the report of the Administrator of the cooperative agreement detailing the amount of the debt service payments in lieu of taxes and other funds being made available and it has been determined that the amount of assessments needed to be certified to cover the debt service payment per **Exhibit B**.

STAFF RECOMMENDATION

It is recommended that Council authorize and direct the preparation of legislation to reduce the special assessments levied for the purpose of constructing certain improvements at the Cincinnati Mills Mall.

|                      |   |     |
|----------------------|---|-----|
| LEGISLATIVE ACTIONS: | Suspension of Rules & Adoption Requested? | Yes |
|                      | Emergency Provision Needed?               | Yes |

Prepared by: May Hagan

Approved for Content by: May Hagan

Financial Review (where applicable) by: May Hagan

Legal Review (where applicable) by: Dr. J. Clemmons

Accepted by Council Agenda: Division

CITY OF FAIRFIELD, OHIO

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE DETERMINING TO REDUCE AND  
RECERTIFY SPECIAL ASSESSMENTS LEVIED FOR THE  
PURPOSE OF CONSTRUCTING CERTAIN IMPROVEMENTS  
AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to a petition filed by the owners of benefited properties dated December 30, 2003, (the "Petition") this City Council ("Council") of the City of Fairfield, Butler County, Ohio (herein the "City") by Resolution No. 2-04 adopted January 12, 2004, has declared the necessity of acquiring and constructing the improvements described in such Resolution and has adopted the assessments with respect to such improvements prepared and filed with the Clerk of Council and by Ordinance No. 5-04 adopted on January 12, 2004, determined to proceed with said improvements; and

WHEREAS, in accordance with the Petition, the improvements identified in such Resolution and Ordinance (hereinafter called the "Improvements") were acquired and constructed on behalf of the City and the City of Forest Park, Hamilton County, Ohio (herein, "Forest Park"), acting jointly and in cooperation with the Port of Greater Cincinnati Development Authority (the "Port Authority"); and

WHEREAS, this Council by Ordinance No. 6-04 adopted January 12, 2004 levied special assessments for the Improvements against benefited properties in the City and certified said assessments to the Butler County Auditor for collection; and

WHEREAS, pursuant to the Petition, the assessments to be certified for collection in each year are to be adjusted in accordance with the Tax Increment Service and Cooperative Agreement (the "Cooperative Agreement") entered into by and among the City, Forest Park, the property owner and the Port Authority, dated February 1, 2004, the Trust Indenture (the "Trust Indenture") by and between the Port Authority and U.S. Bank National Association, dated February 1, 2004 and an annual report to be prepared and provided to the City and others by the Administrator, as defined in the Cooperative Agreement; and

WHEREAS, the Cooperative Agreement and Trust Indenture require the Administrator to determine and include in its annual report: (A) the Fairfield City Gross Annual Assessments and Forest Park Gross Annual Assessments for the following collection year, (B) the Aggregate Annual Required Assessments for the applicable year, as reduced by (i) the amount of service payments in lieu of taxes collected and estimated to be collected pursuant to section 5709.42 of the Ohio Revised Code and the Cooperative Agreement and (ii) other available amounts, as set forth in the Trust Indenture, and (C) the net amounts of the special assessments to be certified for collection that year by the City (the "Fairfield City Net Annual Assessments" referred to therein) and by Forest Park (the "Forest Park Net Annual Assessments" referred to therein); and

WHEREAS, original tax parcel A0700017000078 (including both Part 1 and Part 2) has been subdivided and new tax parcel A0700017000103 has been created with a portion of the

acreage originally included in the original tax parcel A0700017000078, and the Petition and the Cooperative Agreement provide that the Special Assessments shall be apportioned and charged on a proportionate basis (based on a formula included in the Petition) to any new tax parcels and the remaining parcels as determined by the Administrator; and

WHEREAS, the City has previously received and accepted the report of the Administrator on the reapportionment of the Special Assessment to and between tax parcels A0700017000078 and A0700017000103; and

WHEREAS, the City has received the 2016 annual report of the Administrator, detailing calculations of the amounts identified in the several preceding recitals to this ordinance, including the allocations of the special assessments among affected tax parcels, estimates of the amount of service payments in lieu of taxes and other funds to be available during 2016 and 2017 for the purpose of making debt service and related payments, and indicating the reduction percentages and amounts to be applied in order to reduce the Fairfield City Gross Annual Assessments to the Fairfield City Net Annual Assessments to be collected for the 2017 collection year (with the related Forest Park determinations made on the same basis); and

WHEREAS, this Council determines that the assessments previously levied shall be reduced for collection year 2017, shall be allocated pursuant to and in accordance with the Administrator's report and shall be reduced and re-certified in accordance herewith;

NOW, THEREFORE, the Council of the City of Fairfield, County of Butler, Ohio hereby ordains:

SECTION 1. That the assessments of the cost and expense of the Improvements plus Administrative Expenses, which were previously certified by this Council to the Butler County Auditor's Office for parcel numbers and in the amounts as set forth in Exhibit A attached hereto, and which were thereafter reapportioned to and between tax parcels A0700017000078 and A0700017000103 in the amounts identified in Exhibit B attached hereto and certified to the County Auditor, shall, pursuant to and in accordance with the Administrator's report, be reduced for collection year 2017 and shall be allocated and re-certified for collection year 2017 in the amounts set forth on Exhibit B attached hereto.

SECTION 2. That the Clerk of Council is hereby directed to deliver a certified copy of this Ordinance to the County Auditor within twenty (20) days after its adoption.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of this City, and for the further reason that the immediate adoption of said Ordinance is necessary for the orderly certification of the assessments; therefore, this Ordinance shall be in full force and effect from and immediately after its adoption.

ADOPTED \_\_\_\_\_, 2016.

---

Presiding Officer

Attest:

---

Clerk of Council

CERTIFICATE

The undersigned hereby certifies that the foregoing is a true and correct copy of an Ordinance adopted on the \_\_\_\_ day of \_\_\_\_\_, 2016, and that on the \_\_\_\_ day of \_\_\_\_\_, 2016, a date within twenty (20) days of the adoption of the foregoing Ordinance, a true and correct copy of such Ordinance was filed with the County Auditor.

\_\_\_\_\_  
Clerk of Council

RECEIPT

The undersigned hereby acknowledges receipt of the foregoing Ordinance.

\_\_\_\_\_  
County Auditor

Dated: \_\_\_\_\_

**EXHIBIT A**

**Cincinnati Mills  
Allocation of Assessments to Parcels**

| Tax Parcel<br>Butler County | Acreage | Property Use                    | Assessable<br>Acreage | Assessable<br>SF | Principal<br>Portion of<br>Special<br>Assessment | Total<br>Special<br>Assessment |
|-----------------------------|---------|---------------------------------|-----------------------|------------------|--|--------------------------------|
| A0700017000078 (Part 1)     | 14.872  | Kohls, mall, parking and garage | 14.872                | 283,144          | \$3,483,923                                      | \$7,905,748                    |
| A0700017000078 (Part 2)     | 0.415   | Residual parcel                 | 0.415                 |                  | \$14,802   | \$33,590                       |
| A0700017000097 Exempt       | 5.711   | Garage                          |                       |                  |  | \$0                            |
| A0700017000098 Exempt       | 0.729   | Ring road                       |                       |                  |  | \$0                            |
| A0700017000087 Exempt       | 1.054   | Detention pond                  |                       |                  |  | \$0                            |
|                             | 22.781  | <b>Total</b>                    | 15.287                | 283,144          | \$3,498,725                                      | \$7,939,338                    |

**EXHIBIT B**

**Port of Greater Cincinnati Development Authority  
Cooperative Public Parking and Infrastructure Project**

**Special Assessments**

| <b>Parcel Number</b> | <b>Principal Portion of the Special Assessment</b> | <b>Total Special Assessment</b> | <b>Gross Annual Assessments</b> | <b>Reduction Amount</b> | <b>Net Annual Assessments to be Collected</b> |
|----------------------|--|---------------------------------|---------------------------------|-------------------------|---|
| <b>Butler County</b> |  |                                 |                                 |                         |   |
| A0700017000078       | \$1,977,344.79                                     | \$4,487,008.04                  | \$169,319.21                    | \$43,301.93             | \$126,017.28                                  |
| A0700017000103       | \$1,521,380.52                                     | 3,452,329.95                    | \$130,275.18                    | \$33,316.75             | \$96,958.43                                   |
|                      |  |                                 |                                 |                         |   |
| <i>Subtotal:</i>     | \$3,498,725.31                                     | \$7,939,337.99                  | \$299,594.39                    | \$76,618.68             | \$222,975.71                                  |

**CITY OF FAIRFIELD, OHIO  
CITY COUNCIL COMMUNICATION**

**ITEM:**

August 8, 2016

Request for appropriation for non-contractual agenda items

**FINANCIAL IMPACT:**

\$67,950.00 from noted funding source

**SYNOPSIS:**

The following appropriations have been requested:

- \$5,000 miscellaneous street light installations;
- \$25,650 for purchase of additional software modules from Tyler Technologies;
- \$30,000 for replacement of public water main on Patterson Drive;
- \$7,300 razing of structure at Grange Park on Joe Nuxhall Way.

**BACKGROUND:**

Please refer to specific Council Communications dated August 8, 2016 for a description of these items.

**RECOMMENDATIONS:**

It is recommended that City Council suspend the rules requiring a second and third reading of this Ordinance and adopt the appropriations listed above.

**LEGISLATIVE ACTIONS:**

Suspension of Rules & Adoption Requested?  yes

If yes, explain no above

Emergency Provision Needed?  yes

If yes, explain no above

Prepared by: Heidi Wilson

Approved for Content by: Heidi Wilson

Financial Review (where applicable) by: Julie Hagan

Legal Review (where applicable) by: John W. Hemmons

Accepted by Council Agenda: Heidi Wilson





CITY OF FAIRFIELD, OHIO  
CITY COUNCIL COMMUNICATION

August 8, 2016

**ITEM**

It is necessary for Council to authorize an appropriation purchase of software from Tyler Technologies from the various funds as noted in the 2016-2020 Capital Improvement Program.

**FINANCIAL IMPACT**

An appropriation in the amount of \$25,650 (\$21,310 with \$2,340 in contingency) from CIP project FIN-16-001 – Software Upgrades as approved in the 2016-2020 CIP Budget. As detailed in the project outline, funding of \$13,650 will be from the Capital Improvement fund and \$6,000 from each of the Water Surplus and Sewer Surplus funds.

**SYNOPSIS**

The Utility Billing software was moved to a new platform (Utility Billing Customer Information System) in 2014. Also at that time, the City implemented a new payment gateway under the CSS (Citizen Self Service) module. The CSS module allows for real-time information from the billing software to be accessed online by the customer while payment processing is handled by a third party. The City is now looking to integrate an IVR (Interactive Voice Response) system to automate payments made over the phone. As this system will also require the use of a third party processor, the City is seeking one third party vendor to handle all the payments while making the online payment gateway less cumbersome to the customers. The CSS module can allow employees to access digital versions of pay advice and tax forms and submit leave requests. In order to allow a secure online portal for the employees to access information online, the Employee Self Service module needs to be purchased and implemented.

**BACKGROUND**

Munis, a Tyler Technologies product, was implemented in over several years beginning in 2004 with the financial reporting software. Since then, upgrades have been done to the basic software including adding CSS. The additional of the IVR gateway and ESS will allow for more flexibility in operations as well as more transparency to the customers and employees.

**STAFF RECOMMENDATION**

It is recommended that Council authorize and direct the preparation of legislation necessary to provide funding in the amount of \$25,650 (\$13,650 from the Capital Improvement fund and \$6,000 from each the Water Surplus and Sewer Surplus funds) for the purchase of the IVR gateway and ESS module in accordance with the attached proposal along with a suspension of the rules.

|                             |  |            |
|-----------------------------|--|------------|
| <b>LEGISLATIVE ACTIONS:</b> | <b>Suspension of Rules &amp; Adoption Requested?</b> | <b>Yes</b> |
|                             | <b>Emergency Provision Needed?</b>                   | <b>No</b>  |

Prepared by: Mary Hagan  
 Approved for Content by: Mary Hagan  
 Financial Review (where applicable) by: Mary Hagan  
 Legal Review (where applicable) by: Scott Clemmons  
 Accepted by Council Agenda: Steve Simon

**Project Number:** FIN-16-001  
**Dept:** FINANCE

**Bid Date:** Major  
**Priority:** Improve Efficiency Service Level  
**Need:**

**Software Upgrades**

This project would purchase additional modules for the Finance software including an interactive voice response (IVR) gateway for online payments as well as employee self serve (ESS) to allow employee access to view their own HR and payroll information, access to digital versions of pay stubs and federal tax forms and online submission of leave requests.



|  | 2016        | 2017   | 2018   | 2019   | 2020   |
|--|-------------|--------|--------|--------|--------|
|  | \$27,500.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |

**City Funding Source:**

- Capital Improvement Fund
- Water Surplus Fund
- Sewer Surplus Fund

**Amount:**  
 \$14,500.00  
 \$6,500.00  
 \$6,500.00

**Planning / Engineering / Legal:** \$0.00  
**Acquisition of Property / ROW:** \$0.00  
**Construction:** \$0.00  
**Equipment / Vehicle:** \$0.00

**Impact On Operating Personnel Costs:** \$0.00  
**Other Costs:** \$0.00  
**Total Operating Costs:** \$0.00

**City's Cost:** \$27,500.00 **Outside Funding:** \$0.00 **Total Cost:** \$27,500.00



Quoted By: CJ Vose  
 Date: 10/5/2015  
 Quote Expiration: 4/2/2016  
 Quote Name: Fairfield - ERP - ESS Quote  
 Quote Number: 2015-15586  
 Quote Description: ESS Quote

**Sales Quotation For**  
 City of Fairfield  
 5350 Pleasant Ave.  
 Fairfield, Ohio 45014  
 Phone (513) 896-8109

**Tyler Software and Related Services**

| Description           | License           | Impl. Days     | Impl. Cost        | Data Conversion | Module Total      | Year One Maintenance |
|-----------------------|-------------------|----------------|-------------------|-----------------|-------------------|----------------------|
| <b>Productivity:</b>  |                   |                |                   |                 |                   |                      |
| Employee Self Service | \$6,000.00        | 3 @ \$1,275.00 | \$3,825.00        | \$0.00          | \$9,825.00        | \$1,080.00           |
| <b>TOTAL:</b>         | <b>\$6,000.00</b> | <b>3</b>       | <b>\$3,825.00</b> | <b>\$0.00</b>   | <b>\$9,825.00</b> | <b>\$1,080.00</b>    |

**Other Services**

| Description  | Quantity | Unit Price | Unit Discount | Extended Price    |
|--|----------|------------|---------------|-------------------|
| Self-Service Installation Fee - Client Hosted (Existing Customers) | 1        | \$1,500.00 | \$0.00        | \$1,500.00        |
| <b>TOTAL:</b>  |          |            |               | <b>\$1,500.00</b> |

**Summary**

|   | One Time Fees      | Recurring Fees    |
|---|--------------------|-------------------|
| Total Tyler Software                            | \$6,000.00         | \$1,080.00        |
| Total Tyler Services                            | \$5,325.00         | \$0.00            |
| Total 3rd Party Hardware, Software and Services | \$0.00             | \$0.00            |
| <b>Summary Total</b>                            | <b>\$11,325.00</b> | <b>\$1,080.00</b> |
| <b>Contract Total</b>                           | <b>\$12,405.00</b> |                   |

2015-15586 - ESS Quote

CONFIDENTIAL

Unless otherwise indicated in the contract or Amendment thereto, pricing for optional items will be held for Six (6) months from the Quote date or the Effective Date of the Contract, whichever is later.

Customer Approval: Mary Hagan Date: 3/30/16  
Print Name: Mary Hagan P.O. #: \_\_\_\_\_

All primary values quoted in US Dollars

**Comments**

Tyler recommends the use of a 128-bit SSL Security Certificate for any Internet Web Applications, such as the MUNIS Web Client and the MUNIS Self Service applications if hosted by the Client. This certificate is required to encrypt the highly sensitive payroll and financial information as it travels across the public internet. There are various vendors who sell SSL Certificates, with all ranges of prices.

Tyler's quote contains estimates of the amount of services needed, based on our preliminary understanding of the size and scope of your project. The actual amount of services depends on such factors as your level of involvement in the project and the speed of knowledge transfer.

Unless otherwise noted, prices submitted in the quote do not include travel expenses incurred in accordance with Tyler's then-current Business Travel Policy.

Tyler's prices do not include applicable local, city or federal sales, use excise, personal property or other similar taxes or duties, which you are responsible for determining and remitting.

In the event Client cancels services less than two (2) weeks in advance, Client is liable to Tyler for (i) all non-refundable expenses incurred by Tyler on Client's behalf; and (ii) daily fees associated with the cancelled services if Tyler is unable to re-assign its personnel.

Tyler provides onsite training for a maximum of 12 people per class. In the event that more than 12 users wish to participate in a training class or more than one occurrence of a class is needed, Tyler will either provide additional days at then-current rates for training or Tyler will utilize a Train-the-Trainer approach whereby the client designated attendees of the initial training can thereafter train the remaining users.

Tyler's cost is based on all of the proposed products and services being obtained from Tyler. Should significant portions of the products or services be deleted, Tyler reserves the right to adjust prices accordingly.



Quoted By: CJ Vose  
 Date: 10/2/2015  
 Quote Expiration: 3/30/2016  
 Quote Name: Fairfield - ERP - IVR Gateway  
 Quote Number: 2015-15564  
 Quote Description: IVR Gateway

**Sales Quotation For**  
 City of Fairfield  
 5350 Pleasant Ave.  
 Fairfield, Ohio 45014  
 Phone (513) 896-8109

**Tyler Software and Related Services**

| Description          | License           | Impl. Days     | Impl. Cost        | Data Conversion | Module Total      | Year One Maintenance |
|----------------------|-------------------|----------------|-------------------|-----------------|-------------------|----------------------|
| <b>Productivity:</b> |                   |                |                   |                 |                   |                      |
| IVR Gateway          | \$6,000.00        | 3 @ \$1,275.00 | \$3,825.00        | \$0.00          | \$9,825.00        | \$1,080.00           |
| <b>TOTAL:</b>        | <b>\$6,000.00</b> | <b>3</b>       | <b>\$3,825.00</b> | <b>\$0.00</b>   | <b>\$9,825.00</b> | <b>\$1,080.00</b>    |

**Summary**

|   | One Time Fees      | Recurring Fees    |
|---|--------------------|-------------------|
| Total Tyler Software                            | \$6,000.00         | \$1,080.00        |
| Total Tyler Services                            | \$3,825.00         | \$0.00            |
| Total 3rd Party Hardware, Software and Services | \$0.00             | \$0.00            |
| <b>Summary Total</b>                            | <b>\$9,825.00</b>  | <b>\$1,080.00</b> |
| <b>Contract Total</b>                           | <b>\$10,905.00</b> |                   |

Unless otherwise indicated in the contract or Amendment thereto, pricing for optional items will be held for Six (6) months from the Quote date or the Effective Date of the Contract, whichever is later.

Customer Approval: Mary Hagan Date: 3/30/16

Print Name: Mary Hagan P.O. #: \_\_\_\_\_

All primary values quoted in US Dollars

**Comments**

Tyler's quote contains estimates of the amount of services needed, based on our preliminary understanding of the size and scope of your project. The actual amount of services depends on such factors as your level of involvement in the project and the speed of knowledge transfer.

Unless otherwise noted, prices submitted in the quote do not include travel expenses incurred in accordance with Tyler's then-current Business Travel Policy.

Tyler's prices do not include applicable local, city or federal sales, use excise, personal property or other similar taxes or duties, which you are responsible for determining and remitting.

In the event Client cancels services less than two (2) weeks in advance, Client is liable to Tyler for (i) all non-refundable expenses incurred by Tyler on Client's behalf; and (ii) daily fees associated with the cancelled services if Tyler is unable to re-assign its personnel.

Tyler provides onsite training for a maximum of 12 people per class. In the event that more than 12 users wish to participate in a training class or more than one occurrence of a class is needed, Tyler will either provide additional days at then-current rates for training or Tyler will utilize a Train-the-Trainer approach whereby the client designated attendees of the initial training can thereafter train the remaining users.

Tyler's cost is based on all of the proposed products and services being obtained from Tyler. Should significant portions of the products or services be deleted, Tyler reserves the right to adjust prices accordingly.

**CITY OF FAIRFIELD, OHIO  
CITY COUNCIL MEETING COMMUNICATION**

**ITEM:**DATE: 08/8/16

An appropriation in the amount of \$30,000.00 for the replacement of a public water main on Patterson Drive.

**FINANCIAL IMPACT:**

Funding for this project is included in the approved 2016-2020 Capital Improvements Program, under WAT-16-010 – Small Water Line Improvements. The funding source is the Water Expansion Fund.

**SYNOPSIS:**

This project includes the relocation and replacement of approximately 433 feet of 6” cast iron water main originally installed in 1965 along Patterson Drive.

**BACKGROUND:**

The existing water main in this area is undersized and over 50 years old. This project will replace existing 6” cast iron pipe with new 8” ductile iron pipe, and will install 2 new gate valves for improved system redundancy. The project will also relocate the water main closer to Patterson Drive so as to enable improved maintenance and repair efforts in the future.

The project is to be installed by Towne Construction Services (per the attached proposal) as they are already mobilized on the site for construction of similar water main infrastructure improvements. Project costs will be shared by the City and Clover Construction as the public improvement is beneficial to all water customers in the area.

**RECOMMENDATION:**

It is recommended that City Council authorize an appropriation in the amount of \$30,000.00 from the Water Expansion Fund for the replacement of a public water main on Patterson Drive. Rules suspension is requested to expedite this work.

**LEGISLATIVE ACTION: Suspension of Rules and Adoption Requested?**  **If yes, explain above.**  
yes      no

**Emergency Provision Needed?**  **If yes, explain above.**  
yes      no

Prepared by: Adam M. SackenheimApproved for Content by: Adam M. SackenheimFinancial Review (where applicable): May HoLegal Review (where applicable): John W. ClemmonsAccepted for Council Agenda: Adam Sackenheim

# TOWNE

## CONSTRUCTION SERVICES

**Farifield Senior Living- Patterson Watermain Relocation**  
**Clover Construction Management West**

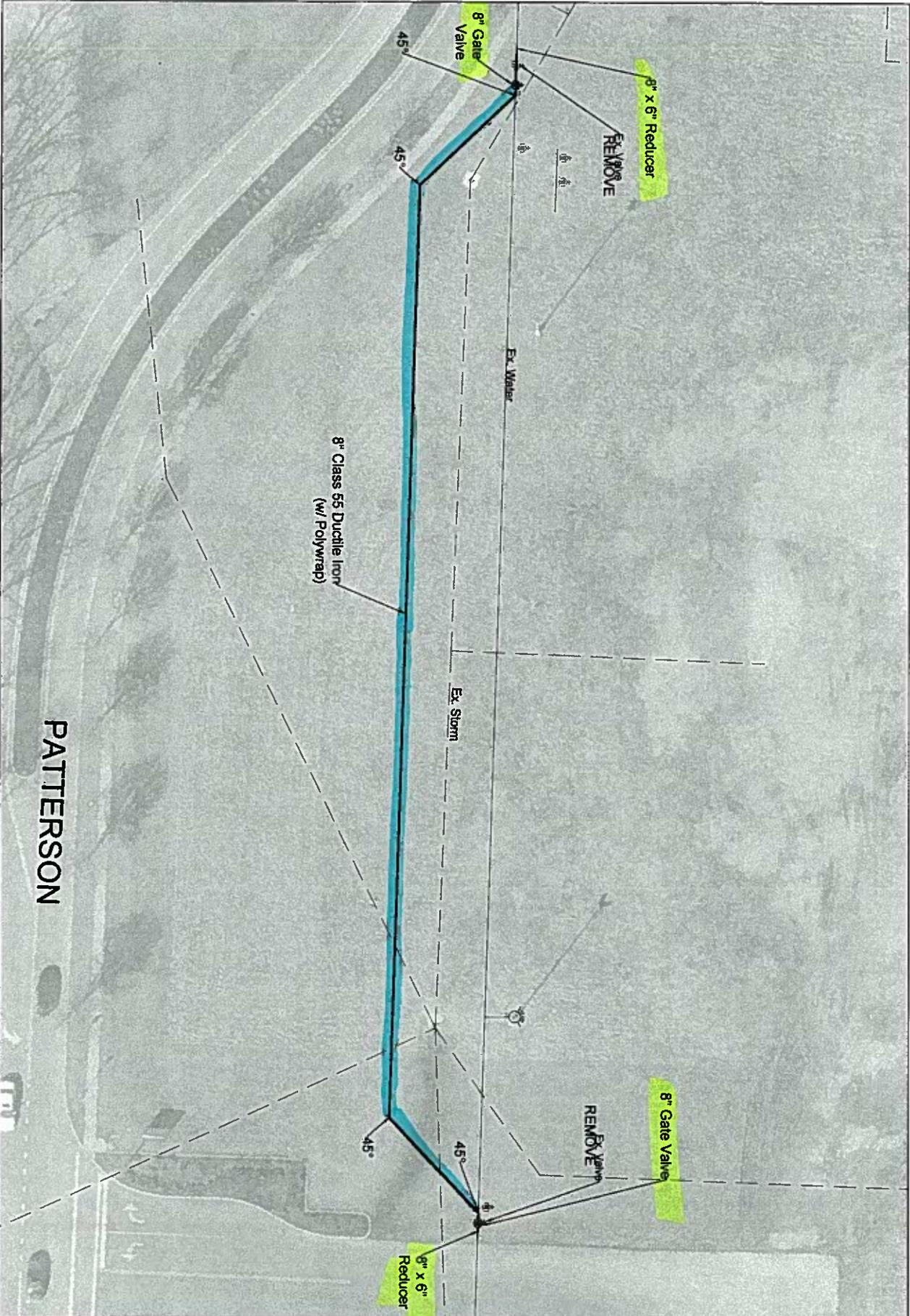
**7/21/2016**

**We hereby propose the following scopes of work:**

**WATERMAIN EXTENSION**

**\$45,247.00**

| <b>WATERMAIN EXTENSION</b>                        |        |    |         |                    |
|---|--------|----|---------|--------------------|
| 8" Class 55 Ductile Iron Watermain                | 433.00 | LF | 59.00   | \$25,547.00        |
| 45 Degree Fittings                                | 4.00   | EA | 410.00  | \$1,640.00         |
| 8" x 6" Reducer                                   | 2.00   | EA | 450.00  | \$900.00           |
| 8" Gate Valve                                     | 2.00   | EA | 1450.00 | \$2,900.00         |
| Connection /Remove Gate Valve                     | 2.00   | EA | 675.00  | \$1,350.00         |
| GBF Under Asphalt                                 | 445.00 | LF | 18.00   | \$8,010.00         |
| Abandon Ex Water Main and Fill With Flowable Fill | 400.00 | LF | 6.00    | \$2,400.00         |
| Water Quality Testing                             | 1.00   | EA | 2500.00 | \$2,500.00         |
| <b>WATERMAIN EXTENSION</b>                        |        |    |         | <b>\$45,247.00</b> |



PATTERSON WATER MAIN RELOCATION  
CITY OF FAIRFIELD

PLAN



NWD  
BAM

ITEM NO. 11 (C) 1) AM

**CITY OF FAIRFIELD, OHIO  
CITY COUNCIL MEETING COMMUNICATIONS**

**ITEM:**

**DATE:** 08/9/16

The appropriation of funds for the razing of structure at Grange Park on Joe Nuxhall Way, as part of the Grange Park renovation project.

**FINANCIAL IMPACT:**

An appropriation of \$ 7,300.00 will be needed

**SYNOPSIS:**

The funds will raze the current Grange facility and remove all debris and prepare the site for a new outdoor structure.

**BACKGROUND:**

The Parks and Recreation Board's 2016-2020 Capital Improvement Program (PRK-16-006) provides funding for Grange Park Renovations/Improvements. Proposals were solicited for this project and we received two bids. Glenn J. Ruff, Inc. and J.W. Brennan Excavating, LLC and Glenn J. Ruff, Inc. had the best bid at \$ 7,235.00

The Parks and Recreation Department's would recommend too go with Glenn J. Ruff, Inc.

**RECOMMENDATION:**

It is recommended that City Council authorize and direct the preparation of legislation authorizing the appropriation of \$7,300.00 for this project.

**LEGISLATIVE ACTION:**

Suspension of Rules/Adoption Requested: YES ( ) NO (X) If yes, explain above.

Emergency Provision Needed: YES ( ) NO (X) If yes, explain above.

Prepared by: Bob Schappacher  
Approved for Content by: [Signature]  
Financial Review (where applicable): [Signature]  
Legal Review (where applicable): [Signature]  
Accepted for Council Agenda: [Signature]

**Project Number:** PRK-16-006  
**Dept:** PARKS

**Bid Date:** 04/01/2016  
**Priority:** Minor  
**Need:** Improve Efficiency Service Level

**Grange Park Renovations/Improvements**

2016 - Razing of Grange Building and replacement with large shelter house/restroom  
2017 - Paving of gravel parking lot, south side of Nuxhall Way



|  | 2016         | 2017   | 2018         | 2019   | 2020   |
|--|--------------|--------|--------------|--------|--------|
|  | \$100,000.00 | \$0.00 | \$175,000.00 | \$0.00 | \$0.00 |

**City Funding Source:** Park Development Fund **Amount:** \$200,000.00  
**Outside Funding Source:** Donor **Amount:** \$25,000.00  
 State Grant **Amount:** \$50,000.00

**Planning / Engineering / Legal:** \$0.00 **Impact On Operating**  
**Acquisition of Property / ROW:** \$0.00 **Personnel Costs:** \$0.00  
**Construction:** \$275,000.00 **Other Costs:** \$0.00  
**Equipment / Vehicle:** \$0.00 **Total Operating Costs:** \$0.00

**City's Cost:** \$200,000.00 **Outside Funding:** \$75,000.00 **Total Cost:** \$275,000.00

# Proposal

## GLENN J. RUFF, INC.

Excavating, Grading, Etc.

8324 Seward Rd. Hamilton, Ohio 45011

860-1999

|   |               |                   |                            |
|---|---------------|-------------------|----------------------------|
| Proposal Submitted To:<br>CITY OF FAIRFIELD |               | Phone<br>896-8430 | Date<br>7/28/2016          |
| Street<br>411 WESSEL DR.                    |               | Job Name<br>DEMO  |                            |
| City<br>FAIRFIELD                           | State<br>OHIO | Zip<br>45014      | Job Location<br>JOYCE PARK |

We hereby submit specifications and estimates for:

\* DEMO 1496 S.F. BLOCK BUILDING AND FOUNDATION

\$7,235.00

NOTE: ENVIROMENTAL BY CITY OF FAIRFIELD

*We Propose* hereby to furnish material and labor -- complete in accordance with the above specifications, for the sum of:

SEVEN THOUSAND TWO HUNDRED THIRTY FIVE

dollars (\$ 7,235.00 ).

Payment to be made as follows:

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alterations or deviations from the above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, wind damage and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

Authorized  
Signature

Note: This proposal may be withdrawn by us if not accepted within 60 days.

### Acceptance of Proposal

-- The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: \_\_\_\_\_

Signature \_\_\_\_\_

Signature \_\_\_\_\_

# J.W. Brennan Excavating, LLC

P.O. Box 782  
Ross, OH 45061-0782

(513) 738-0360 • (513) 407-3303 cell • FAX# 894-0571 • (email) [JWBrennanExcavating@gmail.com](mailto:JWBrennanExcavating@gmail.com)

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June 29, 2016

## Fairfield Parks & Recreation

Attn: Bob Schappacher  
411 Wessel Drive  
Fairfield, OH 45014  
Email: [bschappacher@fairfield-city.org](mailto:bschappacher@fairfield-city.org)  
Ph: (513) 896-8430  
Fax: (513) 867-6070

## RE: 268 Joe Nuxhall Way Demo

### Description of Work:

- Building Demo
  - Pump Septic Tank
  - Abandon Septic Tank
  - Dump Fees
  - Topsoil
  - Seed & Straw
  - Mobilization
- Total.....\$12,000.00**

### Not included:

- Permits and inspection fees
- Silt fence
- Fence and barricade
- Asbestos survey and removal

*JW Brennan Excavating is not responsible for any damage done during construction to existing driveway or parking lot due to truck and equipment traffic.*

### Additional Charges:

- Additional charges will be assessed for any excessive dirt or undercutting due to bad soil and disposal of bad soil.
- Any damage to private utilities will be repaired on a time and material basis.
- Additional cost for any unforeseen buried tanks and underground structures

### Terms: Net 20 Days

I agree to the above price, specifications & payment terms on work to be performed.  
*Failure to pay any invoice within 20 days of its due date will result in legal action.*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

ORDINANCE TO AMEND ORDINANCE NO. 107-15 ENTITLED "AN ORDINANCE TO MAKE ESTIMATED APPROPRIATIONS FOR THE EXPENSES AND OTHER EXPENDITURES OF THE CITY OF FAIRFIELD, OHIO, DURING A PERIOD BEGINNING JANUARY 1, 2016, AND ENDING DECEMBER 31, 2016."

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. Ordinance No. 107-15, the 2016 Appropriation Ordinance, is hereby amended in the following respects:

**From: Unappropriated Street Improvement Fund \$5,000**

To: 40116025-252000 Improvements Other Than Buildings \$5,000  
*(Miscellaneous Street Light Installations)*

**From: Unappropriated Capital Improvement Fund \$13,650**

To: 40216025-253400 Computer Equipment \$13,650  
*(Additional Software Modules)*

**From: Unappropriated Water Surplus Fund \$6,000**

To: 60516025-253400 Computer Equipment \$6,000  
*(Additional Software Modules)*

**From: Unappropriated Sewer Surplus Fund \$6,000**

To: 62416025-253400 Computer Equipment \$6,000  
*(Additional Software Modules)*

**From: Unappropriated Water Expansion Fund \$30,000**

To: 40716025-252000 Improvements Other Than Building \$30,000  
*(Replacement of Public Water Main)*

**From: Unappropriated Park Improvement Fund \$7,300**  
**To: 41316025-252100 Park Improvements \$7,300**  
*(Razing of Structure at Grange Park)*

Section 2. This Ordinance shall take effect at the earliest period allowed by law.

Passed \_\_\_\_\_  
Posted \_\_\_\_\_  
First Reading \_\_\_\_\_  
Second Reading \_\_\_\_\_  
Third Reading \_\_\_\_\_

Mayor's Approval \_\_\_\_\_  
Rules Suspended \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

\_\_\_\_\_  
Clerk of Council