

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

**MONDAY, JANUARY 14, 2013**

**7:00 PM**

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MAYOR.....RONALD A. D'EPIFANIO  
COUNCILMEMBER 1<sup>ST</sup> WARD.....ADAM B. JONES  
COUNCILMEMBER 2<sup>ND</sup> WARD.....JEFFREY L. HOLTEGEL  
COUNCILMEMBER 3<sup>RD</sup> WARD.....DEBBIE PENNINGTON  
COUNCILMEMBER 4<sup>TH</sup> WARD.....TERRY SENGER

COUNCILMEMBER AT-LARGE...TIM ABBOTT  
COUNCILMEMBER AT-LARGE...TIMOTHY M. MEYERS  
COUNCILMEMBER AT-LARGE...MICHAEL OLER  
CITY MANAGER.....ARTHUR E. PIZZANO  
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. **Public Hearing(s)**
  - a) Fire Department presentation – Recognition of 911 call, 5 year old girl
7. **Special Presentations and Citizen Comments**
8. **Mayor/Council Reports**
9. **Approval of Minutes**
  - a) Regular Meeting Minutes of December 10, 2012

10. **OLD BUSINESS**

11. **NEW BUSINESS**

(A) **COMMUNITY & PUBLIC RELATIONS COMMITTEE**

**Debbie Pennington, Chairman;** Jeff Holtegel, Vice Chairman, Adam Jones, Member

(1) Simple Motion: Motion confirming the appointment of Mayor Ronald A. D'Epifanio as Fairfield's representative to the Butler County Emergency Management Agency Advisory Council for 2013.

(2) Simple Motion: Motion confirming the appointment of Arvind Kochar as Southwest Quadrant Business Representative to the Design Review Committee effective January 14, 2013.

(B) **DEVELOPMENT SERVICES COMMITTEE**

**Jeff Holtegel, Chairman;** Tim Abbott, Vice Chairman, Tim Meyers, Member

(1) Ordinance to authorize the City Manager to enter into a Professional Services Contract with Fairfield Chamber of Commerce.

- Motion – Read by Title Only (Optional)

- Ordinance – First Reading

(C) **PUBLIC SAFETY COMMITTEE**

**Mike Oler, Chairman;** Debbie Pennington, Vice Chairman, Terry Senger, Member

- (1) Ordinance to amend subsection 313.03(c)(1)B of the Traffic Code of Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio.

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

(D) **PUBLIC WORKS COMMITTEE**

**Tim Meyers, Chairman;** Mike Oler, Vice Chairman, Tim Abbott, Member

- (1) Resolution declaring necessity of repairing sidewalks (including aprons).

- Motion – Read by Title Only (Optional)
- Ordinance – First Reading

- (2) Resolution declaring intent and necessity of the Seward Road Improvement Project and declaring an emergency.

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

- (3) Ordinance to authorize the City Manager to enter into a three (3) year contract with T.R. Gear Landscaping for landscaping maintenance.

- Motion – Read by Title Only (Optional)
- Ordinance – First Reading

(E) **FINANCE & BUDGET COMMITTEE**

**Tim Abbott, Chairman;** Terry Senger, Vice Chairman, Mike Oler, Member

- (1) Appropriation Ordinance (Contractual Items) - \$226,539 three (3) year contract with T.R. Gear Landscaping.

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

- (2) Appropriation Ordinance (Non-Contractual Items) - \$2,200 Portable pH datalogger for Wastewater Division; \$33,325 X-Ray machine for Municipal Court; \$19,833 Seward Road right-of-way acquisition.

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

## 12. Meeting Schedule

Monday, January 28

Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.

Monday, February 11  
Monday, February 25

Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.  
Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.

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

14. **Adjournment**

MINUTES  
REGULAR MEETING OF COUNCIL  
DECEMBER 10, 2012

**Call to Order**

Mayor Ronald A. D'Epifanio 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 Jones led in prayer and Pledge of Allegiance.

**Roll Call**

Clerk Wilson called the roll of Council. Councilmember Holtegel, Councilmember Pennington, Councilmember Senger, Councilmember Abbott, Councilmember Oler, Councilmember Meyers, and Councilmember Jones.

**Agenda Modifications**

**Executive Session Requests**

**Public Hearing(s)**

**Proposed 2013 Budget**

The Proposed 2013 Budget Hearing opened at 7:03 PM. Finance Director Mary Hopton explained that the overall budget revenue projections are just over \$67.8 million, which is an approximately 3% increase. The largest revenue source is income tax. Overall budget expenditures are a decrease of 2.1% from 2012, at \$63.1 million, and based on the current apportionment of the income tax. Debt service for 2013 is projected at just under \$32 million and the AA1 bond rating has been maintained. The projected general fund balance at the end of the year is \$8.2 million. Councilmember Abbott thanked Ms. Hopton and the staff for their hard work on the budget and noted that the bond rating was Council's number one goal and it has been maintained. The public hearing closed at 7:07 PM.

**Special Presentations and Citizen Comments**

**Mayor/Council Reports**

Mayor D'Epifanio and Councilmember Senger wished everyone a Merry Christmas and Happy New Year.

**Approval of Minutes**

Regular Meeting Minutes of December 3, 2012

- The Regular Meeting Minutes of December 3, 2012 were approved as written.

**OLD BUSINESS**

## **NEW BUSINESS**

### **PUBLIC SAFETY COMMITTEE Mike Oler, Chairman; Debbie Pennington, Vice Chairman, Terry Senger, Member**

Councilmember Oler, seconded by Councilmember Meyers moved to read the following ordinance by title only. Motion Carried 7-0.

Ordinance to amend section 335.074 of the Traffic Code of Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio.

Background: City Manager Pizzano recommended an amendment to section 335.074 of the Traffic Code of Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio. This is based on changes in state law. Legislative Action: Councilmember Oler presented the first reading of this ordinance. Councilmember Oler, seconded by Councilmember Abbott moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 7-0. Councilmember Oler, seconded by Councilmember Pennington moved to adopt . Motion Carried 7-0. ORDINANCE NO. 112-12. APPROVED 7-0.

### **FINANCE & BUDGET COMMITTEE Tim Abbott, Chairman; Terry Senger, Vice Chairman, Mike Oler, Member**

Councilmember Abbott, seconded by Councilmember Oler moved to read the following two (2) ordinances by title only. Motion Carried 7-0.

Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio during the period beginning January 1, 2013 and ending December 31, 2013.

Background: City Manager Pizzano recommended an ordinance to make estimated appropriations for 2013. Legislative Action: Councilmember Abbott presented the first reading of this ordinance. Councilmember Abbott, seconded by Councilmember Pennington moved to suspend the rules requiring three readings of this ordinance. Motion Carried 7-0. Councilmember Abbott, seconded by Councilmember Oler moved to adopt . Motion Carried 7-0. ORDINANCE NO. 113-12. APPROVED 7-0.

Appropriation Ordinance (Reconcile Accounts - See Ordinance for details)

Background: City Manager Pizzano recommended an ordinance to reconcile accounts, which is typical procedure this time of year to close out the books. Legislative Action: Councilmember Abbott presented the first reading of this ordinance. Councilmember Abbott, seconded by Councilmember Jones moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 7-0. Councilmember Abbott, seconded by Councilmember Meyers moved to adopt . Motion Carried 7-0. ORDINANCE NO. 114-12. APPROVED 6-0.

### **Meeting Schedule**

Clerk Wilson read the following meeting schedule:

- Monday, January 14 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.
- Monday, January 28 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.
- Monday, February 11 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.

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

**Adjournment**

The Regular Meeting of Council adjourned at 7:12 PM.

ATTEST:

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

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

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

CITY OF FAIRFIELD, OHIO  
CITY COUNCIL MEETING COMMUNICATION

Item No. 11(A)(1)

January 14, 2013

Item

Appointment of Fairfield's representative to the Butler County Emergency Management Agency Advisory Council.

Financial Impact

None.

Synopsis/Background

Each year, Fairfield is required to appoint a representative to serve on the Butler County Emergency Management Agency Advisory Council. Pursuant to the Ohio Revised Code, the representative must be the mayor or city manager of the municipal corporation.

Recommendation

It is recommended that City Council approve, via simple motion, the appointment of Ronald A. D'Epifanio, Mayor, to the Butler County Emergency Management Agency Advisory Council for 2013.

LEGISLATIVE ACTION:

SIMPLE MOTION

Prepared by: Alisa Wilson

Approved for Content by: Alisa Wilson

Financial Review (where applicable) by: May Hays

Legal Review (where applicable) by: John A. Clemmons

Accepted by Council Agenda: Alisa Wilson



# BUTLER COUNTY

## EMERGENCY MANAGEMENT AGENCY

315 HIGH STREET, SUITE 670 • HAMILTON, OHIO 45011 • PHONE: (513) 785-5810 • FAX: (513) 785-5811  
Email: [gallowayjl@butlercountyohio.org](mailto:gallowayjl@butlercountyohio.org)

### EXECUTIVE BOARD MEMBERS

MARK SUTTON  
CHAIRMAN  
TRUSTEE  
FAIRFIELD TOWNSHIP

STEVEN BOTTS  
VICE-CHAIRMAN  
FIRE CHIEF  
CITY OF MIDDLETOWN

LARRY WILSON  
FIRE CHIEF  
SEVEN MILE FIRE / BC FIRE CHIEFS

CHARLES FURMON  
BUTLER COUNTY  
COMMISSIONER

RONALD D'EPIFANIO  
MAYOR  
CITY OF FAIRFIELD

LEN ENDRESS  
CITIZEN  
MEMBER AT LARGE

PAUL GILLESPIE  
TRUSTEE  
MILFORD TOWNSHIP

TIM MILLER  
TRUSTEE  
REILY TOWNSHIP

GEORGE LANG  
TRUSTEE  
WEST CHESTER TOWNSHIP

GARY SALMON  
TRUSTEE  
OXFORD TOWNSHIP

RAY WURZELBACHER  
TRUSTEE  
ROSS TOWNSHIP

ALAN DANIEL  
TRUSTEE  
MADISON TOWNSHIP

SCOTT SCRIMIZZI  
POLICE CHIEF  
CITY OF HAMILTON

TONY DWYER  
CHIEF DEPUTY  
BUTLER COUNTY SHERIFF'S  
OFFICE

JOHN DETHERAGE  
FIRE CHIEF  
CITY OF OXFORD

BRETT UPDIKE  
TRUSTEE  
MORGAN TOWNSHIP

**TO:** Municipality Managers or Clerks

**FROM:** Jeff Galloway, Director

**DATE:** December 26th, 2012

**SUBJECT:** Designation of Representation on the Emergency Management Agency Advisory Council

May this letter serve as a request by this agency for you to include on your meeting agenda the above subject. It is time to again appoint a representative to serve on the Butler County Emergency Management Advisory Council.

The countywide emergency management agreement calls for representation from each political subdivision for the primary purpose of selecting an executive committee whose responsibility it is to oversee the administration and operation of the Emergency Management Agency.

When selecting your representative, keep in mind that only the Chief Executive Officer (CEO) is eligible for selection to serve on the Advisory Council. According to Ohio Revised Code, Section 5502.21 (C), the "Chief Executive" for Municipalities is defined as "the mayor or city manager of any municipality corporation within this state."

The EMA Advisory Council has one mandatory meeting per year (in February) and any additional meetings as necessary.

The name, title, and mailing address of your representative must be received before January 25<sup>th</sup>, 2013. This will allow the agency staff the necessary time to prepare and send out notices for the re-organizational meeting. This meeting is scheduled for February 12<sup>th</sup>, 2013 at 7:00 p.m. at the Butler County Government Service Center, Conference Center located on the 1<sup>st</sup> floor.

If you have additional questions please feel free to call me at 513-785-5810.

*"Coordinating people and resources to protect the lives and property within Butler County by working together to achieve one goal for Mitigation, Preparedness, Response, and Recovery for Disasters and Emergencies"*

Butler County  
Emergency Management Agency  
Advisory Committee

315 High Street  
Suite 670  
Hamilton, OH 45011

The City of \_\_\_\_\_, Ohio hereby appoints the below named representative to the Butler County Emergency Management Agency Advisory Committee for 2013.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

**Please remember that the representative must be the mayor, city manager, township trustee or township administrator.**

Return to:

Butler County Emergency Management Agency  
315 High Street  
Suite 670  
Hamilton, OH 45011  
Fax: 513-785-5811

# City of Fairfield, Ohio City Council Meeting Communication

Date: 1-14-13

**Item:**

Appoint Arvind Kochar to the Design Review Committee as the southwest quadrant business representative.

**Financial Impact:**

None

**Synopsis:**

The Design Review Committee consists of nine (9) members made up of a City Council member, Planning Commissioner, Building Division Superintendent, Development Services Director, citizen at large member and one business person from each of the four quadrants that make up the downtown.

The southwest quadrant currently has a vacant position on the Committee due to the retirement of Stephanie Spurlock from the Fairfield Lane Library. It is recommended that Arvind Kochar, the assistant branch manager for the Library, fill the position. Ms. Kochar was interviewed for the position by Tim Bachman in early December and her resume is attached.

**Background:**

The D-1, Downtown Zoning District regulations, requires quadrant members be appointed by the City Manager and confirmed by City Council.

**Recommendation:**

It is recommended that City Council approve, via simple motion, Arvind Kochar to the Design Review Committee.

**Legislative Actions:** Simple Motion

Prepared by: Paul Donovan (Planning Mgr.)  
Approved for Content by: Timothy Bachman  
Financial Review (where applicable) Mary Hark  
Legal Review (where applicable) Scott A. [Signature]  
Accepted for Council Agenda: [Signature]

# Arvind Kochar

4465 Muskopf Drive  
Fairfield, Ohio (513) 860-3592  
Email: a.kochar@lanepl.org

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## EDUCATION

Master of Science in Library and Information Science Kent State University, Kent, OH	2004 - 2006
Master of Arts in English Literature Guru Nanak Dev University, Punjab, India	1974 - 1978

## WORK EXPERIENCE

### LANE LIBRARY SYSTEM

Assistant Branch Manager Lane Public Library – Fairfield Branch, Fairfield, OH	Sept 2009 - Present
Head of Circulation Lane Public Library – Fairfield Branch, Fairfield, OH	July 2007 – Aug 2009
Information Services/Reference Librarian Lane Public Library – Main Branch, Hamilton, OH	Oct 2006 – July 2007
Information Services/Reference Library Assistant Lane Public Library – Fairfield Branch, Fairfield, OH	June 1999 - Oct 2006

- Always exceed customers' expectations with quick follow-up and the ability to effectively solve problems with the customers' best interest in mind.
- Administer daily operations of the branch in the absence of the Branch Manager.
- Maintained excellent customer service throughout the week-long process of re-designing the circulation desk.
- Establish clear goals and effectively keep the team focused on achieving annual performance objectives.
- Develop effective methods to increase daily circulation which contributed to a record high 1.2 million circulation at Fairfield Branch.
- Promoted the interests of Ohio's public libraries through the OLC southwest Action Council (2007-2008)
- Address issues of diversity, resource management and more through daily duties and service on system-wide committees.
- Facilitate training sessions for new Fairfield, Bookmobile, Hamilton, and Oxford branch employees in circulation database use (Value Line, Ancestry, Morning Star, and others), and information services.
- Acted as Collection Development Coordinator (2007-2009).

### ADDITIONAL WORK EXPERIENCE

Virtual Librarian KnowItNow live online reference service	Dec 2006 - Present
Lead Teacher and Educational Coordinator Children's World Learning Center, Fairfield, OH	Sept 1989 - Feb 2000

## INSTRUCTIONAL RESOURCES CREATED

- Presented multiple programs at OLC 2012 Chapter Conferences in Wilmington and Columbus
- Online Tutorials: Guides to using the online library catalog, EBSCOHost, and M.O.R.E.
- Instructional Pamphlet: "Tracing your Roots using City Directories," a guide to genealogy research with the Polk City Directories
- Informational Pamphlet: "College Searching for High Schoolers", an introduction to searching for resources and information about colleges and the application process

## HONORS

- Lane Library ACES Award, 2005. Presented annually to the three most outstanding employees in the library system.
- Lane Library Supervisor of the Quarter Award 2007.

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

**Date: 1-14-13**

**Item:**

An ordinance authorizing the City Manager to execute a Professional Services Contract with the Fairfield Chamber of Commerce.

**Financial Impact:**

The proposed contract would compensate the Chamber in an amount not to exceed \$15,000 for the 2013 Platinum Sustaining Sponsorship Program, as appropriated in the recently approved 2013 budget.

**Synopsis:**

The Fairfield Chamber of Commerce is an important economic development partner with the City. The proposed one year contract would continue the City's Platinum Sustaining Sponsorship of the Chamber for 2013. The City would receive recognition for its sponsorship as well as complimentary admission to several events throughout the year.

In addition, the Chamber would assist with important business retention assistance. Over the past four years, the Chamber has completed more than 350 business retention surveys with mostly small retail and commercial businesses. These surveys provide valuable insight into the needs and concerns of the business community.

**Recommendation:**

It is recommended that City Council approve the ordinance.

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

Prepared by: Gary Kethman  
 Approved for Content by: Timothy Beckman  
 Financial Review (where applicable): Mark Hark  
 Legal Review (where applicable): [Signature]  
 Accepted for Council Agenda: [Signature]

## PROFESSIONAL SERVICES CONTRACT

THIS CONTRACT is made by and between the City of Fairfield, an Ohio municipal corporation with an address of 5350 Pleasant Avenue, Fairfield, Ohio 45014 (hereinafter referred to as "City") and the Fairfield Chamber of Commerce, an Ohio non-profit corporation, with an address of 670 Wessel Drive, Fairfield, Ohio 45014 (hereinafter referred to as "Chamber").

WHEREAS, the City is desirous of enhancing and promoting its business environment so as to create economic development opportunities; and

WHEREAS, the Chamber is a long-standing and recognized leader of the Fairfield business community; and

WHEREAS, the City desires to engage the professional and noncompetitive services of the Chamber to coordinate and implement the Platinum Sustaining Sponsorship Program; and

NOW, THEREFORE, in consideration of the promises, covenants and agreements herein contained, the City and Chamber mutually agree as follows:

1. **SCOPE OF SERVICES.** The Chamber shall, in a satisfactory and proper manner as determined by the City's Director of Development Services, coordinate and implement the Platinum Sustaining Sponsorship Program, as described in Exhibit A, "Scope of Services", and by this reference made a part hereof.
2. **TERM.** The services will commence upon execution of this Contract by both parties hereto, and shall expire on December 31, 2013.
3. **COMPENSATION.** The City agrees to compensate the Chamber for services provided pursuant to this Contract in an amount up to but not in excess of Fifteen Thousand Dollars (\$15,000). The compensation shall be distributed as described in Exhibit B, "Budget", and by this reference made a part hereof.
4. **TERMINATION.** The City may terminate or modify this Contract immediately upon notification to the Chamber. The City shall compensate the Chamber for all financial commitments made by the Chamber and approved by the City before the Contract termination date.
5. **ASSIGNMENT.** This agreement is not transferable or assignable without the express written approval of City.
6. **NOTICES.** All notices or other communications required by the Contract shall be personally served or sent by U.S. mail addressed to the parties as follows, or addressed in such other way as either party may from time to time designate.

To the City:  
City of Fairfield  
Department of Development Services  
5350 Pleasant Ave.  
Fairfield, OH 45014

To the Chamber:  
Fairfield Chamber of Commerce  
Attn: President  
670 Wessel Dr.  
Fairfield, OH 45014

IN WITNESS WHEREOF, the City of Fairfield, Ohio, by Arthur E. Pizzano, its City Manager, and pursuant to Ordinance No. \_\_\_\_\_, has caused this instrument to be executed this \_\_\_\_\_ day of \_\_\_\_\_, 2013 and the Fairfield Chamber of Commerce by Kert Radel, its President, has caused this instrument to be executed this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

Witness:

CITY OF FAIRFIELD, OHIO

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

FAIRFIELD CHAMBER OF COMMERCE

By \_\_\_\_\_  
Kert Radel, President

Approved as to form:

Approved as to content:

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

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

## EXHIBIT A SCOPE OF SERVICES

### **Platinum Sustaining Sponsorship Program**

The Chamber agrees to coordinate and implement a Platinum Sustaining Sponsorship Program that includes the following services:

- A. *Recognition and Events* – The City shall be prominently recognized as a Platinum Sustaining Sponsor of the Chamber. This recognition shall include, but not be limited to, verbal recognition at all Chamber events, listings on all Chamber publications (letterhead, newsletters, signs, event banners, etc...), and prominent listing on the Chamber website and e-bulletins. Also included is a complementary table at the Annual Dinner event and the Business Showcase luncheon event, and a complementary double exhibitor booth with electricity at the Business Showcase event.
  
- B. *Business Retention* – The Chamber will provide assistance with City business retention efforts, with a focus on small retail/commercial businesses. The Chamber will promptly report any information or issues gleaned from these meetings to the City and will assist with coordinating any necessary City response. The City and Chamber will also create a business retention survey form. This form will be completed by Chamber staff after every small business meeting, and copies of the forms will be submitted to the City in a quarterly report that will be submitted to the City. In addition, Chamber staff will assist with organizing business retention meetings, including Mayor/City Manager lunch meetings.

**EXHIBIT B  
BUDGET**

**Platinum Sustaining Sponsorship Program**

The City will compensate the Chamber in an amount of Fifteen Thousand Dollars (\$15,000) during the term of the Contract for the Platinum Sustaining Sponsorship Program.

Compensation will be distributed by the City upon received Chamber invoices as follows:

- A. *Recognition and Events* – The City will pay \$8,000, no later than March 2013.
- B. *Business Retention and Entrepreneur Assistance* – The City will pay equal quarterly payments of \$1,750 (for the quarters of January-March, April-June, July-September, and October-December) upon the submission of the quarterly business retention reports.

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

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH THE FAIRFIELD CHAMBER OF COMMERCE.

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

Section 1. The City Manager is hereby authorized to enter into a professional services contract with the Fairfield Chamber of Commerce in accordance with the proposal 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



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

ORDINANCE TO AMEND SUBSECTION 313.03(c)(1)B. OF THE TRAFFIC CODE OF ORDINANCE NO. 166-84, THE CODIFIED ORDINANCES OF FAIRFIELD, OHIO.

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

Section 1. Subsection 313.03(c)(1)B. of the Traffic Code of Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio is hereby amended to read as follows:

313.03 TRAFFIC SIGNAL INDICATIONS

***[No changes to this Section until paragraph (c)(1)B.]***

(c)(1)B. Except when a traffic control device is in place prohibiting a turn on red or a steady red arrow signal indication is displayed, vehicular traffic facing a steady circular red signal indication is permitted to enter the intersection to turn right, or to turn left from a one-way street **INTO A ONE-WAY STREET**, after stopping. The right to proceed with the turn shall be subject to the provisions that are applicable after making a stop at a stop sign.

***[No further changes to this Section]***

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



### 2013 SIDEWALK PROGRAM

**SUMMARY OF WARDS**

AS OF November 1, 2012

WARD	4"		7"		TOTAL \$	
	SQ. FT.	\$	SQ. FT.	\$	FF	EVANS
1	3487	\$ 19,387.72	1265.5	\$ 8,023.27	\$ 27,410.99	\$ -
2	3352.25	\$ 18,638.51	464.5	\$ 2,944.93	\$ 21,583.44	\$ -
3	8705.5	\$ 48,402.58	6336.75	\$ 40,175.00	\$ 88,577.57	\$ -
4	1160	\$ 6,449.60	204	\$ 1,293.36	\$ 7,742.96	\$ -
<b>ORIGINAL TOTAL</b>	<b>16704.75</b>	<b>\$ 92,878.41</b>	<b>8270.75</b>	<b>\$ 52,436.56</b>	<b>\$ 145,314.97</b>	<b>\$ -</b>
LESS CBO	0	\$ -	0	\$ -	\$ -	\$ -
<b>CURRENT TOTAL</b>	<b>16704.75</b>	<b>\$ 92,878.41</b>	<b>8270.75</b>	<b>\$ 52,436.56</b>	<b>\$ 145,314.97</b>	<b>\$ -</b>
2012 OVERPAYMENT		\$ -		\$ -	\$ -	\$ -
GAP	0	\$ -	0	\$ -	\$ -	\$ -
<b>GRAND TOTAL</b>	<b>16704.75</b>	<b>\$ 92,878.41</b>	<b>8270.75</b>	<b>\$ 52,436.56</b>	<b>\$ 145,314.97</b>	<b>\$ -</b>

**SIDEWALK \$**

4" \$/SQ FT.	\$	5.56	\$/SQ. FT
7" \$/SQ FT.	\$	6.34	\$/SQ. FT
CURB \$/LN FT.	\$	27.00	\$/ L/FT
CURB RAMP		\$450.00	DOMES

WARD	CBO				PRIOR TO CBO		PRIOR TO CBO	
	SQ. FEET		COUNT		COUNT		ADDRESS LOCATIONS	
	# 4"	# 7"	# 4"	# 7"	# 4"	# 7"	WARD	#
1	0	0	0	0	102	15	1	115
2	0	0	0	0	85	7	2	89
3	0	0	0	0	271	70	3	307
4	0	0	0	0	47	6	4	50
					0	0	GAPS	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>505</b>	<b>98</b>	<b>TOTAL</b>	<b>561</b>

WARD	AFTER CBO		AFTER CBO	
	# 4"	# 7"	WARD	#
1	102	15	1	115
2	85	7	2	89
3	271	70	3	307
4	47	6	4	50
GAP	0	0	GAP	0
<b>TOTAL</b>	<b>505</b>	<b>98</b>	<b>TOTAL</b>	<b>561</b>

**2012 WORK THAT NEEDS REDONE IN 2013**

- 1
- 2

RESOLUTION NO. \_\_\_\_\_

RESOLUTION DECLARING NECESSITY OF REPAIRING SIDEWALKS  
(INCLUDING APRONS).

WHEREAS, the Public Works Director has heretofore prepared plans, specifications and an estimate of cost for the repair of certain sidewalks (including aprons) at the locations hereinafter set forth; and

WHEREAS, said plans, specifications and estimate of cost are now on file in the office of the Clerk of Council;

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

Section 1. It is necessary to repair certain sidewalks (including aprons) in the City of Fairfield, Ohio, at the addresses of the abutting properties which are shown in the cost estimates prepared by the Public Works Director and which cost estimates are on file in the office of the Clerk of Council and are incorporated herein by reference.

Section 2. The plans, specifications and estimate of cost for said repair now on file in the office of the Clerk of Council be and the same hereby are approved.

Section 3. The owners of each lot and parcel of land bounding and abutting upon the proposed sidewalks shall repair that portion of said sidewalks (including aprons) which abuts his/her property, in accordance with the plans and specifications now on file in the office of the Clerk of Council within thirty (30) days after service of notice of the passage of this resolution.

Section 4. In the event any such abutting property owner does not complete the repair of that portion of such sidewalks (including aprons) which abut his/her property in accordance with said plans and specifications and within the time period as hereinbefore prescribed, then this Council shall cause the same to be done and the entire cost thereof shall be assessed upon the property of such abutting property owner.

Section 5. The Clerk of Council be and she hereby is authorized and directed to serve notice of the passage of this resolution upon the owners of the lots and lands abutting upon said sidewalks (including aprons) in the manner provided by law.

Section 6. This Resolution 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 Resolution has been duly published by posting and summary publication as provided by Charter.

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

CITY OF FAIRFIELD, OHIO  
CITY COUNCIL MEETING COMMUNICATION

DATE: January 14, 2013

**ITEM:**

Resolution declaring intent and necessity of the Seward Road Improvement Project.

**FINANCIAL IMPACT:**

The estimated cost of right-of-way acquisition for the Seward Road Improvement Project at this time is \$19,833. This amount may increase through the negotiation and litigation process. The appropriation of funds was requested by separate Council letter.

**SYNOPSIS:**

It is necessary for City Council to adopt a resolution declaring the intent and necessity of the Seward Road Improvement Project from Port Union Road to Symmes Road.

**BACKGROUND:**

This project involves six (6) additional parcels with four (4) different owners. This project involves the widening for shoulders, a center turn lane, base failure repairs and resurfacing of Seward Road from Port Union Road to Symmes Road.

This project is scheduled to bid in April of 2013 and construction will begin by early summer of 2013 and be completed by the end of the year.

**RECOMMENDATION:**

It is recommended that Council adopt a resolution declaring the intent and necessity of the Seward Road Improvement Project. Suspension of the rules and the emergency clause are requested so that the appropriations may be completed in a timely manner to allow construction to begin during this construction season.

**LEGISLATIVE ACTION:** Suspension of Rules and Adoption Requested?

/  /  
yes no  
If yes, explain above.

Emergency Provision Needed?

/  /  
yes no  
If yes, explain above.

Prepared by: John H. Clemmons  
Approved for Content by: John H. Clemmons  
Financial Review (where applicable): May High  
Legal Review (where applicable): John H. Clemmons  
Accepted for Council Agenda: Lisa Wilson



**NORTHWEST CONSULTANTS, INC.**

CIVIL - STRUCTURAL - TRANSPORTATION

1167-E Lyons Road, Centerville, Ohio 45458  
(937) 291-9092 Fax (937) 291-9093

**Exhibit "A"**

**February 18, 2010**

**Seward Road Widening – Port Union Road to Symmes Road/Union Centre Blvd.**

**TEMPORARY EASEMENT**

**PARCEL 3-T1**

**CITY OF FAIRFIELD, OHIO**

**Description of 0.0341 Acres**

Situated in the State of Ohio, County of Butler, City of Fairfield, Section 16, Town 2, Range 2, and being a part of Lot 7304 of the consecutive number of lots of the City of Fairfield and being part of a tract of land conveyed to Darlene Lawrence Tr. as recorded in Official Record 7755, Page 176 of the Deed Records of Butler County, Ohio and being more particularly described as follows:

Commencing at a rail road spike found at the intersection of the centerlines of Seward Road and Port Union Road, said rail road spike being the Southwest corner of the Southeast Quarter of Section 16;

Thence northerly on the centerline of right of way of Seward Road which is also the west line of the Southeast Quarter of Section 16, North 03 degrees 10 minutes 03 seconds East, 382.13 feet, to a point on the centerline of right of way of Seward Road, also being the west line of the Southeast Quarter of Section 16;

Thence easterly on a line perpendicular to the centerline of right of way of Seward Road, South 86 degrees 49 minutes 57 seconds East, 40.00 feet, to a point on the existing east right of way line of Seward Road, said point also being the **TRUE POINT OF BEGINNING** for the parcel of land herein described;

Thence northerly on the existing east right of way line of Seward Road, North 03 degrees 10 minutes 03 seconds East, 73.87 feet, to a point on the proposed temporary easement line;

Thence southeasterly on the proposed temporary easement line, South 43 degrees 52 minutes 58 seconds East, 42.28 feet, to a point on the proposed temporary easement line;

Thence southerly continuing on the proposed temporary easement line, South 20 degrees 40 minutes 03 seconds West, 43.03 feet, to a point on the proposed temporary easement line;

Thence westerly continuing on the proposed temporary easement line, South 80 degrees 35 minutes 41 seconds West, 18.45 feet, to the **TRUE POINT OF BEGINNING** and containing 0.0341 acres, of which 0.0000 acres is PRO (Present Road Occupied), leaving a net take of 0.0341 acres, more or less, subject to legal highways and other easements of record.

Seward Road Widening – Port Union Road to  
Symmes Road/Union Centre Blvd.

Containing 0.0341 Acres  
02/18/10

The above described area is contained within Butler County Auditor's parcel number  
A0700151000014.

Prior Instrument Reference as of the date this survey was prepared: Official Record 7755, Page  
176 of the Deed Records of Butler County Recorder's Office.

Description based on a field survey conducted by Northwest Consultants, Inc. in June 2009  
under the direction and supervision of Joshua R Mihelcic, Registered Surveyor 8453 of the State  
of Ohio.

Bearings used herein are assumed and are for the express purpose of showing angular  
measurement only.

This description was prepared on February 18, 2010 by Joshua R. Mihelcic, Registered Surveyor  
8453 of the State of Ohio.

*Joshua R. Mihelcic* 02-18-10  
Joshua R. Mihelcic Date

Registered Surveyor of Ohio: No. S-008453





**NORTHWEST CONSULTANTS, INC.**

CIVIL - STRUCTURAL - TRANSPORTATION

1167-E Lyons Road, Centerville, Ohio 45458  
(937) 291-9092 Fax (937) 291-9093

**Exhibit "A"**

**February 18, 2010**

**Seward Road Widening – Port Union Road to Symmes Road/Union Centre Blvd.**

**TEMPORARY EASEMENT**

**PARCEL 3-T2**

**CITY OF FAIRFIELD, OHIO**

**Description of 0.0370 Acres**

Situated in the State of Ohio, County of Butler, City of Fairfield, Section 16, Town 2, Range 2, and being a part of Lot 7304 of the consecutive number of lots of the City of Fairfield and being part of a tract of land conveyed to Darlene Lawrence Tr. as recorded in Official Record 7755, Page 176 of the Deed Records of Butler County, Ohio and being more particularly described as follows:

Commencing at a rail road spike found at the intersection of the centerlines of Seward Road and Port Union Road, said rail road spike being the Southwest corner of the Southeast Quarter of Section 16;

Thence northerly on the centerline of right of way of Seward Road which is also the west line of the Southeast Quarter of Section 16, North 03 degrees 10 minutes 03 seconds East, 550.00 feet, to a point on the centerline of right of way of Seward Road, also being the west line of the Southeast Quarter of Section 16;

Thence easterly on a line perpendicular to the centerline of right of way of Seward Road, South 86 degrees 49 minutes 57 seconds East, 40.00 feet, to a point on the existing east right of way line of Seward Road, said point also being the **TRUE POINT OF BEGINNING** for the parcel of land herein described;

Thence northerly on the existing east right of way line of Seward Road, North 03 degrees 10 minutes 03 seconds East, 100.00 feet, to a point on the proposed temporary easement line;

Thence southeasterly on the proposed temporary easement line, South 41 degrees 56 minutes 47 seconds East, 43.66 feet, to a point on the proposed temporary easement line;

Thence southerly continuing on the proposed temporary easement line, South 19 degrees 40 minutes 03 seconds West, 36.07 feet, to a point on the proposed temporary easement line;

Thence southwesterly continuing on the proposed temporary easement line, South 63 degrees 21 minutes 33 seconds West, 11.66 feet, to a point on the proposed temporary easement line;

Seward Road Widening – Port Union Road to  
Symmes Road/Union Centre Blvd.

Containing 0.0370 Acres  
02/18/10

Thence southerly continuing on the proposed temporary easement line, South 23 degrees 18 minutes 54 seconds West, 30.69 feet, to the **TRUE POINT OF BEGINNING** and containing 0.0370 acres, of which 0.0000 acres is PRO (Present Road Occupied), leaving a net take of 0.0370 acres, more or less, subject to legal highways and other easements of record.

The above described area is contained within Butler County Auditor's parcel number A0700151000014.

Prior Instrument Reference as of the date this survey was prepared: Official Record 7755, Page 176 of the Deed Records of Butler County Recorder's Office.

Description based on a field survey conducted by Northwest Consultants, Inc. in June 2009 under the direction and supervision of Joshua R. Mihelcic, Registered Surveyor 8453 of the State of Ohio.

Bearings used herein are assumed and are for the express purpose of showing angular measurement only.

This description was prepared on February 18, 2010 by Joshua R. Mihelcic, Registered Surveyor 8453 of the State of Ohio.

Joshua R. Mihelcic      02-18-10  
Joshua R. Mihelcic      Date

Registered Surveyor of Ohio: No. S-008453





**NORTHWEST CONSULTANTS, INC.**

CIVIL - STRUCTURAL - TRANSPORTATION

1167-E Lyons Road, Centerville, Ohio 45458  
(937) 291-9092 Fax (937) 291-9093

**Exhibit "A"**

**February 18, 2010**

**Seward Road Widening – Port Union Road to Symmes Road/Union Centre Blvd.**

**TEMPORARY EASEMENT**

**PARCEL 9-T**

**CITY OF FAIRFIELD, OHIO**

**Description of 0.0248 Acres**

Situated in the State of Ohio, County of Butler, City of Fairfield, Section 16, Town 2, Range 2, and being a part of Lot 7301 of the consecutive number of lots of the City of Fairfield and being part of a tract of land conveyed to 8695 Seward LLC as recorded in Official Record 6742, Page 2049 of the Deed Records of Butler County, Ohio and being more particularly described as follows:

Commencing at a rail road spike found on the centerline of Seward Road, said rail road spike being the Northeast corner of the Southwest Quarter of Section 16;

Thence southerly on the centerline of right of way of Seward Road which is also the east line of the Southwest Quarter of Section 16, South 03 degrees 10 minutes 03 seconds West, 374.35 feet, to a point on the centerline of right of way of Seward Road, also being the east line of the Southwest Quarter of Section 16;

Thence westerly on a line perpendicular to the centerline of right of way of Seward Road, North 86 degrees 49 minutes 57 seconds West, 40.00 feet, to a point on the existing west right of way line of Seward Road, said point also being the **TRUE POINT OF BEGINNING** for the parcel of land herein described;

Thence southerly on the existing west right of way line of Seward Road, South 03 degrees 10 minutes 03 seconds West, 124.71 feet, to a point on the grantor's south property line;

Thence westerly on the grantor's south property line, North 70 degrees 24 minutes 29 seconds West, 11.99 feet, to a point on the proposed temporary easement line;

Thence northerly on the proposed temporary easement line, North 03 degrees 10 minutes 03 seconds East, 63.19 feet, to a point on the proposed temporary easement line;

Thence northerly continuing on the proposed temporary easement line, North 14 degrees 21 minutes 29 seconds East, 59.26 feet, to the **TRUE POINT OF BEGINNING** and containing 0.0248 acres, of which 0.0000 acres is PRO (Present Road Occupied), leaving a net take of 0.0248 acres, more or less, subject to legal highways and other easements of record.

Seward Road Widening - Port Union Road to  
Symmes Road/Union Centre Blvd.

Containing 0.0248 Acres  
02/18/10

The above described area is contained within Butler County Auditor's parcel number  
A0700151000Q23.

Prior Instrument Reference as of the date this survey was prepared: Official Record 6742, Page  
2049 of the Deed Records of Butler County Recorder's Office.

Description based on a field survey conducted by Northwest Consultants, Inc. in June 2009  
under the direction and supervision of Joshua R. Mihelcic, Registered Surveyor 8453 of the State  
of Ohio.

Bearings used herein are assumed and are for the express purpose of showing angular  
measurement only.

This description was prepared on February 18, 2010 by Joshua R. Mihelcic, Registered Surveyor  
8453 of the State of Ohio.

Joshua R. Mihelcic  
Joshua R. Mihelcic

02-18-10  
Date

Registered Surveyor of Ohio: No. S-008453





**NORTHWEST CONSULTANTS, INC.**

CIVIL - STRUCTURAL - TRANSPORTATION

1167-E Lyons Road, Centerville, Ohio 45458  
(937) 291-9092 Fax (937) 291-9093

**Exhibit "A"**

**February 15, 2011**

**Seward Road Widening – Port Union Road to Symmes Road/Union Centre Blvd.**

**STANDARD HIGHWAY AND UTILITY EASEMENT**

**PARCEL 10-SH**

**CITY OF FAIRFIELD, OHIO**

**Description of 0.0982 Acres**

Situated in the State of Ohio, County of Butler, City of Fairfield, Section 16, Town 2, Range 2, and being a part of Lot 7306 of the consecutive number of lots of the City of Fairfield and being part of a tract of land conveyed to Seward Real Estate Holdings LLC as recorded in Official Record 7970, Page 2214 of the Deed Records of Butler County, Ohio and being more particularly described as follows:

Commencing at a rail road spike found on the centerline of Seward Road, said rail road spike being the Southwest corner of the Northeast Quarter of Section 16;

Thence easterly on the grantor's south property line, South 70 degrees 41 minutes 16 seconds East, 30.99 feet, to a point on the existing east right of way line of Seward Road, said point also being the **TRUE POINT OF BEGINNING** for the parcel of land herein described;

Thence northerly on the existing east right of way line of Seward Road, North 04 degrees 47 minutes 33 seconds East, 426.26 feet, to a point on the grantor's north property line;

Thence easterly on the grantor's north property line, South 85 degrees 12 minutes 27 seconds East, 10.00 feet, to a point on the proposed standard highway and utility easement line, said point witnessed by a "Kleingers" capped iron pin found North 87 degrees 22 minutes 44 seconds East, 0.21 feet;

Thence southerly on the proposed standard highway and utility easement line, South 04 degrees 47 minutes 33 seconds West, 428.85 feet, to a point on the grantor's south property line, said point witnessed by a 1"x1" square rod found South 74 degrees 34 minutes 30 seconds East, 0.29 feet;

Thence westerly on the grantor's south property line, North 70 degrees 41 minutes 16 seconds West, 10.33 feet, to the **TRUE POINT OF BEGINNING** and containing 0.0982 acres, of which 0.0000 acres is PRO (Present Road Occupied), leaving a net take of 0.0982 acres, more or less, subject to legal highways and other easements of record.

The above described area is contained within Butler County Auditor's parcel number A0700151000055.

Seward Road Widening -- Port Union Road to  
Symmes Road/Union Centre Blvd.

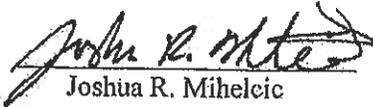
Containing 0.0982 Acres  
02/15/11

Prior Instrument Reference as of the date this survey was prepared: Official Record 7970, Page 2214 of the Deed Records of Butler County Recorder's Office.

Description based on a field survey conducted by Northwest Consultants, Inc. in June 2009 under the direction and supervision of Joshua R Mihelcic, Registered Surveyor 8453 of the State of Ohio.

Bearings used herein are assumed and are for the express purpose of showing angular measurement only.

This description was prepared on February 15, 2011 by Joshua R. Mihelcic, Registered Surveyor 8453 of the State of Ohio.

 02-15-11  
Joshua R. Mihelcic Date

Registered Surveyor of Ohio: No. S-008453





**NORTHWEST CONSULTANTS, INC.**

CIVIL - STRUCTURAL - TRANSPORTATION

1167-E Lyons Road, Centerville, Ohio 45458  
(937) 291-9092 Fax (937) 291-9093

Exhibit "A"

February 18, 2010

Seward Road Widening - Port Union Road to Symmes Road/Union Centre Blvd.

**TEMPORARY EASEMENT**

**PARCEL 10-T**

**CITY OF FAIRFIELD, OHIO**

**Description of 0.0193 Acres**

Situated in the State of Ohio, County of Butler, City of Fairfield, Section 16, Town 2, Range 2, and being a part of Lot 7306 of the consecutive number of lots of the City of Fairfield and being part of a tract of land conveyed to Seward Real Estate Holdings LLC as recorded in Official Record 7970, Page 2214 of the Deed Records of Butler County, Ohio and being more particularly described as follows:

Commencing at a rail road spike found on the centerline of Seward Road, said rail road spike being the Southwest corner of the Northeast Quarter of Section 16;

Thence easterly on the grantor's south property line, South 70 degrees 41 minutes 16 seconds East, 41.32 feet, to a point on the proposed utility easement line, said point witnessed by a 1"x1" square rod found South 74 degrees 34 minutes 30 seconds East, 0.29 feet;

Thence northerly on the proposed utility easement line, North 04 degrees 47 minutes 33 seconds East, 6.99 feet, to a point on the proposed temporary easement line, said point also being the **TRUE POINT OF BEGINNING** for the parcel of land herein described;

Thence northerly continuing on the proposed utility easement line, North 04 degrees 47 minutes 33 seconds East, 59.67 feet, to a point on the proposed temporary easement line;

Thence southeasterly on the proposed temporary easement line, South 57 degrees 22 minutes 13 seconds East, 25.34 feet, to a point on the proposed temporary easement line;

Thence southerly continuing on the proposed temporary easement line, South 18 degrees 47 minutes 33 seconds West, 33.63 feet, to a point on the proposed temporary easement line;

Thence southwesterly continuing on the proposed temporary easement line, South 47 degrees 58 minutes 55 seconds West, 20.85 feet, to the **TRUE POINT OF BEGINNING** and containing 0.0193 acres, of which 0.0000 acres is PRO (Present Road Occupied), leaving a net take of 0.0193 acres, more or less, subject to legal highways and other easements of record.

The above described area is contained within Butler County Auditor's parcel number A0700151000055.

Seward Road Widening – Port Union Road to  
Symmes Road/Union Centre Blvd.

Containing 0.0193 Acres  
02/18/10

Prior Instrument Reference as of the date this survey was prepared: Official Record 7970, Page 2214 of the Deed Records of Butler County Recorder's Office.

Description based on a field survey conducted by Northwest Consultants, Inc. in June 2009 under the direction and supervision of Joshua R. Mihelcic, Registered Surveyor 8453 of the State of Ohio.

Bearings used herein are assumed and are for the express purpose of showing angular measurement only.

This description was prepared on February 18, 2010 by Joshua R. Mihelcic, Registered Surveyor 8453 of the State of Ohio.

Joshua R. Mihelcic      02-18-10  
Joshua R. Mihelcic      Date

Registered Surveyor of Ohio: No. S-008453





**NORTHWEST CONSULTANTS, INC.**

CIVIL - STRUCTURAL - TRANSPORTATION

1167-E Lyons Road, Centerville, Ohio 45458  
(937) 291-9092 Fax (937) 291-9093

**Exhibit "A"**

**February 18, 2010**

**Seward Road Widening - Port Union Road to Symmes Road/Union Centre Blvd.**

**UTILITY EASEMENT**

**PARCEL 13-U**

**CITY OF FAIRFIELD, OHIO**

**Description of 0.1647 Acres**

Situated in the State of Ohio, County of Butler, City of Fairfield, Section 16, Town 2, Range 2, and being a part of Lot 11038 of the consecutive number of lots of the City of Fairfield and being part of a tract of land conveyed to 8655 Seward LLC as recorded in Official Record 7843, Page 881 of the Deed Records of Butler County, Ohio and being more particularly described as follows:

Commencing at a rail road spike found on the centerline of Seward Road, said rail road spike being the Southeast corner of the Northwest Quarter of Section 16;

Thence northerly on the centerline of right of way of Seward Road which is also the east line of the Northwest Quarter of Section 16, North 04 degrees 47 minutes 33 seconds East, 793.39 feet, to a point on the centerline of right of way of Seward Road, also being the east line of the Northwest Quarter of Section 16;

Thence westerly on a line perpendicular to the centerline of right of way of Seward Road, North 85 degrees 12 minutes 27 seconds West, 55.00 feet, to a point on the existing utility easement line shown on Plat Envelope 1758, Page A of the records of Butler County, said point also being the **TRUE POINT OF BEGINNING** for the parcel of land herein described;

Thence southerly on said existing utility easement line, South 04 degrees 47 minutes 33 seconds West, 17.50 feet, to a point on the proposed utility easement line;

Thence westerly on the proposed utility easement line, North 85 degrees 12 minutes 27 seconds West, 410.00 feet, to a point on the existing utility and drainage easement line shown on Plat Envelope 1758, Page A of the records of Butler County;

Thence northerly on said existing utility and drainage easement line, North 04 degrees 47 minutes 33 seconds East, 17.50 feet, to a point on said existing utility and drainage easement line;

Thence easterly on said existing utility and drainage easement line, South 85 degrees 12 minutes 27 seconds East, 410.00 feet, to the **TRUE POINT OF BEGINNING** and containing 0.1647 acres, of which 0.0000 acres is PRO (Present Road Occupied), leaving a net take of 0.1647 acres, more or less, subject to legal highways and other easements of record.

Seward Road Widening -- Port Union Road to  
Symmes Road/Union Centre Blvd.

Containing 0.1647 Acres  
02/18/10

The above described area is contained within Butler County Auditor's parcel number  
A0700222000002.

Prior Instrument Reference as of the date this survey was prepared: Official Record 7843, Page  
881 of the Deed Records of Butler County Recorder's Office.

Description based on a field survey conducted by Northwest Consultants, Inc. in June 2009  
under the direction and supervision of Joshua R Mihelcic, Registered Surveyor 8453 of the State  
of Ohio.

Bearings used herein are assumed and are for the express purpose of showing angular  
measurement only.

This description was prepared on February 18, 2010 by Joshua R. Mihelcic, Registered Surveyor  
8453 of the State of Ohio.

Joshua R. Mihelcic      02-18-10  
Joshua R. Mihelcic      Date

Registered Surveyor of Ohio: No. S-008453



RESOLUTION NO. \_\_\_\_\_

RESOLUTION DECLARING INTENT AND NECESSITY OF THE SEWARD ROAD IMPROVEMENT PROJECT AND DECLARING AN EMERGENCY.

WHEREAS, Council has determined that it is necessary to make the improvement identified as the Seward Road Improvement Project; and

WHEREAS, Council has determined that it is necessary to acquire certain permanent highway and utility easements and temporary easements in real property in order to make the improvement identified as the Seward Road Improvement Project in accordance with the plans prepared by Northwest Consultants, Inc., which plans are on file in the office of the Public Works Director; and

WHEREAS, Council deems it necessary at this time to proceed with the acquisition of the necessary permanent highway and utility easements and temporary easements in the real property hereinafter described in order to accomplish the goals for acquisition and construction of said Seward Road Improvement Project.

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

Section 1. The Seward Road Improvement Project is hereby determined to be necessary for the public health, safety, welfare, benefit and protection of the citizens of the City of Fairfield. The plans for said project as prepared by Northwest Consultants, Inc. and titled Seward Road Improvement Project, are hereby approved. A copy of the Seward Road Improvement Project plans are on file in the office of the Public Works Director.

Section 2. It is the intent of the City of Fairfield, Ohio to appropriate to public use permanent highway and utility easements and temporary easements in the following described real property which real property is necessary in order to accomplish the goals of the improvement known as the Seward Road Improvement Project, to wit:

<u>PARCEL NO.</u>	<u>OWNERS</u>
3-T1	Darlene Lawrence Tr.
3-T2	Darlene Lawrence Tr.
9-T	8695 Seward LLC
10-SH	Seward Real Estate Holdings LLC
10-T	Seward Real Estate Holdings LLC
13-U	8655 Seward LLC

The legal descriptions and legal interests to be acquired on the above parcels are attached hereto and made a part of this Resolution of Intent by reference.

Section 3. The purpose of said permanent highway and utility easements and temporary easements and the taking described hereinabove is for the public use, namely for the improvement identified as the Seward Road Improvement Project.

Section 4. At any time subsequent to the effective date of this Resolution, the City Manager is hereby authorized to acquire by purchase the real property interests herein described in this resolution, and in accordance with such acquisition, to enter into special contracts for necessary services, except or otherwise as the same may be required.

Section 5. The Mayor of the City of Fairfield, Ohio, be and he is hereby authorized to cause written notice of the passage of this resolution to be given to the owner, persons in possession or having an interest of record in the above described premises and said notice shall be served and return made according to law by the Mayor of the City of Fairfield through his deputized agent.

Section 6. It is determined to be in the public interest that the City take immediate possession of the property and any structures thereon, in order to accomplish the goals for the construction of said Seward Road Improvement Project.

Section 7. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare and for the urgent benefit and protection of the City and its inhabitants for the reason that the project can be commenced during this construction season; wherefore, this Resolution shall take effect immediately upon its passage.

Passed \_\_\_\_\_

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

Posted \_\_\_\_\_

First Reading \_\_\_\_\_

Rules Suspended \_\_\_\_\_

Second Reading -----

Emergency \_\_\_\_\_

Third Reading -----

ATTEST:

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

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

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Clerk of Council

Active Clients\City of Fairfield\Ordinances\2013\Seward Road Improvement Project - Res

CITY OF FAIRFIELD, OHIO  
CITY COUNCIL MEETING COMMUNICATION

DATE: 1/14/2013

ITEM:

Landscaping Maintenance Contract

FINANCIAL IMPACT:

\$226,539 (\$75,513/yr. including alternates 1 (Rt. 4 north) & 2 (Patterson Blvd). Funding for this contract will be provided from the Capital Improvements Fund and is listed in the Capital Improvement Program as item #PWA-12-008 Grounds, Entry-ways & Landscaping Program.

SYNOPSIS:

The Public Works Department advertised for bids on November 30<sup>th</sup> and December 7<sup>th</sup>. Bids were opened on December 17, 2012 and five (5) proposals were received (attached).

In review of the bids submitted the lowest and best bidder was T.R. Gear Landscaping.

The project is programmed in the current 2012-2016 CIP as PWA-12-008.

BACKGROUND:

The previous 3-year contract was also with T.R. Gear Landscaping for a total contract of \$233,757 (\$77,919/yr.). The recommended bidder is \$7,218 less than the current 3-year contract even with the addition of alternates one and two. The new contract will begin April 1, 2013. The three landscaping areas are Rt. 4 South (Seward Road to Woodridge), Rt. 4 North (Symmes Road to the Railroad overpass), and Patterson Blvd. (Pleasant Ave. to River).

RECOMMENDATION:

It is recommended that City Council direct the legislation authorizing the City Manager to enter into a contract with T.R. Gear Landscaping for a three (3) year term, at the costs indicated.

<b>LEGISLATIVE ACTION: Suspension of Rules and Adoption Requested?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>If yes, explain above.</b>
	yes	no	
<b>Emergency Provision Needed?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>If yes, explain above.</b>
	yes	no	

Prepared by: *[Signature]*

Approved for Content by: *[Signature]*

Financial Review (where applicable): *Mary Hight*

Legal Review (where applicable): *[Signature]*

Accepted for Council Agenda: *[Signature]*

**City of Fairfield  
 Bid Tabulation for: Landscape and Maintenance  
 Bid Opening: December 17, 2012, City of Fairfield Council Chambers**

<b>Greenbriar Landscaping</b> 3324 Port Union Road Fairfield, OH 45014	<b>Landform</b> 1485 Symmes Road Fairfield, OH 45014	<b>T.R. Gear Landscaping</b> 3300 Port Union Road Fairfield, OH 45014
--	--	---

Description	Year 1	Year 2	Year 3	Year 1	Year 2	Year 3	Year 1	Year 2	Year 3
South Route 4	\$ 79,605.00	\$ 79,605.00	\$ 79,605.00	\$ 74,269.00	\$ 74,269.00	\$ 76,497.07	\$ 68,974.00	\$ 68,974.00	\$ 68,974.00
Alternate #1: North Route 4	\$ 3,895.00	\$ 3,895.00	\$ 3,895.00	\$ 8,876.00	\$ 8,876.00	\$ 8,876.00	\$ 3,854.00	\$ 3,854.00	\$ 3,854.00
Alternate #2: Patterson Drive	\$ 2,145.00	\$ 2,145.00	\$ 2,145.00	\$ 10,584.00	\$ 10,584.00	\$ 10,584.00	\$ 2,685.00	\$ 2,685.00	\$ 2,685.00

*These bids will be reviewed by the Public Works Department and a recommendation will be made to Council. There is no guarantee that the contract will be awarded to the lowest bidder. Contracts are awarded to the bidder deemed to be the best and the lowest bidder.*

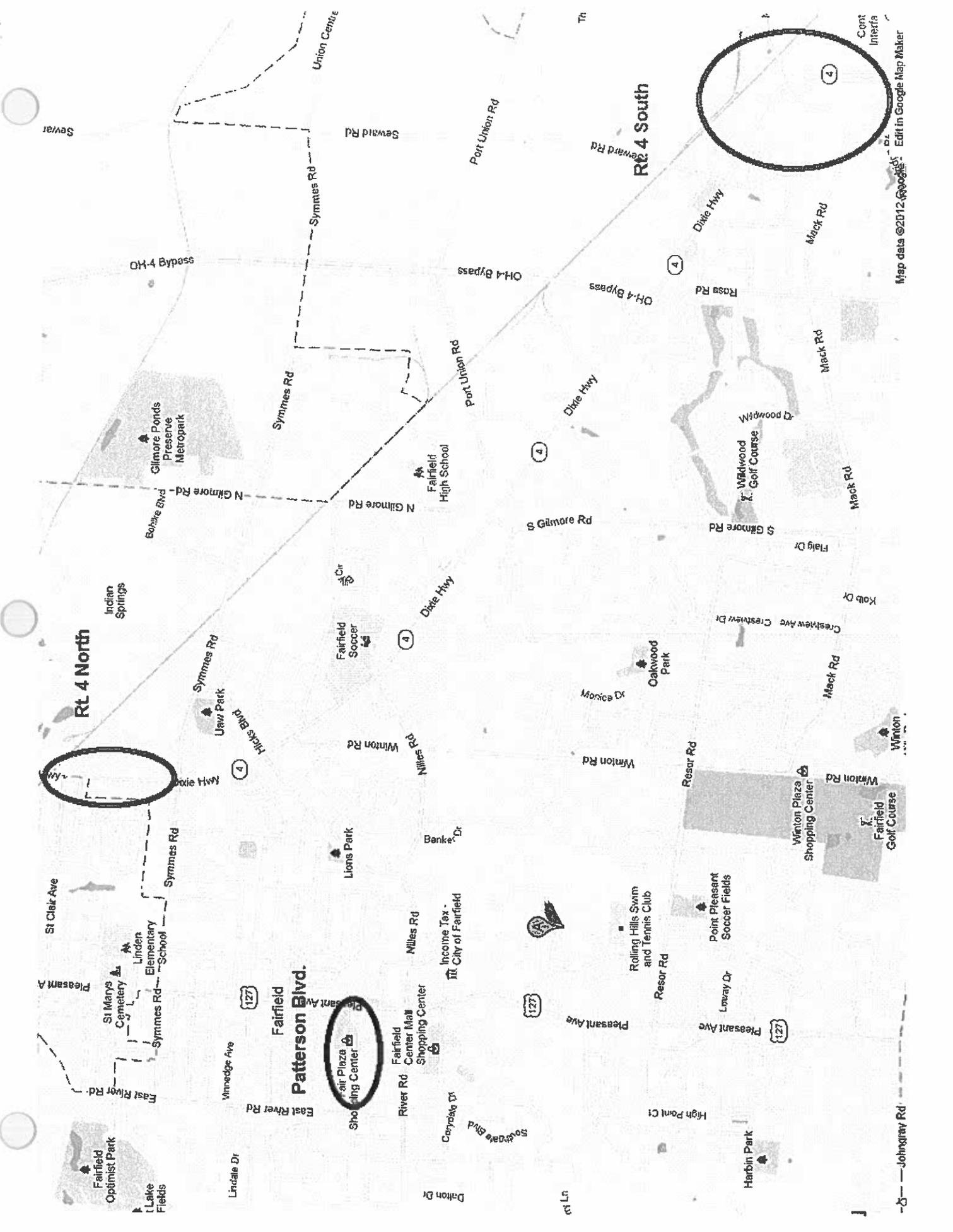
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**City of Fairfield  
 Bid Tabulation for: Landscape and Mai  
 Bid Opening: December 17, 2012, City o**

<b>PMG Landscaping LLC</b> 35 Standen Dr. Hamilton, OH 45014	<b>Jeffrey Allen Corp.</b> 3662 Poole Road Cincinnati, OH 45251
--	---

Description	Year 1	Year 2	Year 3	Year 1	Year 2	Year 3
South Route 4	\$ 80,000.00	\$ 80,000.00	\$ 80,000.00	\$ 83,900.00	\$ 84,100.00	\$ 84,700.00
Alternate #1: North Route 4	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 8,170.00	\$ 8,200.00	\$ 8,350.00
Alternate #2: Patterson Drive	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 6,580.00	\$ 6,580.00	\$ 6,600.00

*These bids will be reviewed by the Public Work  
 will be made to Council. There is no guarantee  
 to the lowest bidder. Contracts are awarded to  
 and the lowest bidder.*



**RL 4 North**

**RL 4 South**

**Patterson Blvd.**

Symmes Rd

Seward Rd

Gilmore Ponds Preserve Metropark

Fairfield High School

Wildwood Golf Course

Fairfield Soccer

Oakwood Park

Winton Plaza Shopping Center

Fairfield Golf Course

Indian Springs

Uaw Park

Lions Park

Income Tax - City of Fairfield

Rolling Hills Swim and Tennis Club

Point Pleasant Soccer Fields

Fairfield Optimist Park

Lindale Dr

Dillon Dr

1st Ln

Harbin Park

1

Map data ©2012 Google - Edit in Google Map Maker

Johngray Rd

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

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A THREE (3) YEAR CONTRACT WITH T.R. GEAR LANDSCAPING FOR LANDSCAPING MAINTENANCE.

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

Section 1. The City Manager is hereby authorized to enter into a three (3) year contract with T.R. Gear Landscaping for landscaping maintenance in accordance with the bid 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

## ITEM:

January 14, 2013

Request for appropriation for **contractual** agenda items.

## FINANCIAL IMPACT:

\$226,539.00 from noted funding source.

## SYNOPSIS:

The following appropriations have been requested to fund the contracts appearing under New Business on Council's meeting agenda dated January 14, 2013:

\$226,539.00	Contract with T.R. Gear Landscaping
--------------	-------------------------------------

## BACKGROUND:

Please refer to specific Council Communications dated January 14, 2013 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/> If yes, explain
		yes	no above
	Emergency Provision Needed?	<input type="checkbox"/>	<input checked="" type="checkbox"/> If yes, explain
		yes	no above

Prepared by: Alisa WiltonApproved for Content by: Alisa WiltonFinancial Review (where applicable) by: John ClemmensenLegal Review (where applicable) by: Mary HogeAccepted by Council Agenda: Alisa Wilton

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

ORDINANCE TO AMEND ORDINANCE NO. 113-12 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, 2013, AND ENDING DECEMBER 31, 2013."

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

Section 1. Ordinance No. 113-12, the 2013 Appropriation Ordinance, is hereby amended in the following respects:

From:	Unappropriated .15% Capital Improvement Fund	\$226,539
To:	40216025-256000 Grounds & Median Improvements <i>(2013 Grounds, Entry-ways &amp; Landscaping Program)</i>	\$226,539

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 MEETING COMMUNICATION

ITEM:

DATE: 1/14/13

Appropriation of \$2,200 for purchase of a portable pH datalogger for use by the Wastewater Division.

**FINANCIAL IMPACT:**

The 2012-2016 Capital Improvement Program, included project WWD-12-005, a funding request for flow monitoring equipment. The Public Utilities Department is requesting funding in the amount of \$2,200 for purchase of a portable pH datalogger.

**SYNOPSIS:**

As part of the City's on-going pretreatment efforts, staff is requesting to purchase the portable pH datalogger.

**BACKGROUND:**

The unit will be utilized throughout the City's collection system in an attempt to determine which customers are violating the city's local discharge limits and impacting the treatment plant processes.

**RECOMMENDATION:**

It is recommended that City Council appropriate funding in the amount of \$2,200 from the Sewer Surplus Fund for purchase of a portable pH datalogger for use by the Wastewater Division.

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

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

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

CITY OF FAIRFIELD, OHIO  
CITY COUNCIL COMMUNICATION

January 14, 2013

**ITEM**

It is necessary for additional appropriations in the amount of \$33,325 for the Municipal Court in the Special Projects Fund.

**FINANCIAL IMPACT**

This fund is in need of additional monies in the amount of \$33,325 for a new x-ray screening machine at the Justice Center.

**SYNOPSIS**

The current x-ray machine at the Justice Center is in need of repair; however, due to its age, the cost of the repairs will exceed the cost of a new machine. A new machine from the same manufacturer is requested to replace the existing machine.

**BACKGROUND**

The current x-ray machine at the Justice Center operated 5 days a week for 9 hours a day for the past 12 years. During that time, the machine had only a few problems. However, the repairs that are required at this time are very costly due to the age of the machine. A quote for an x-ray machine from the same manufacturer was specified due to the longevity of the old machine. There will be no additional cost for training as the Deputy Bailiffs are proficient on this type of x-ray machine.

**STAFF RECOMMENDATION**

It is recommended that Council authorize and direct the preparation of legislation to appropriate additional monies to the Special Projects Fund. A request for rules suspension and the emergency clause is made to allow for the expedited purchase and installation of this x-ray machine.

<b>LEGISLATIVE ACTIONS:</b>	Suspension of Rules & Adoption Requested?	Yes
	Emergency Provision Needed?	Yes

Prepared by: Maury Hyslop

Approved for Content by: Maury Hyslop

Financial Review (where applicable) by: Maury Hyslop

Legal Review (where applicable) by: [Signature]

Accepted by Council Agenda: [Signature]

11 E 21A

# Hamco X-Ray, Inc.

4622 Watoga Dr.  
Hamilton, OH 45011  
(513) 829-1200

## Quote

Date	Estimate #
12/17/2012	1389-38

Name / Address
Fairfield Municipal Court 675 Nilles Rd. Fairfield, OH 45014 Attn: Ed Roberts

P.O. No.	Terms
	Net 30

Description	Qty	Cost	Total
Equipment - Smith's Detection HI-SCAN 6040i X-ray screening unit	1	30,500.00	30,500.00T
Parts - 1 Meter Roller Table	1	975.00	975.00T
Installation	1	1,000.00	1,000.00T
Shipping/Freight		850.00	850.00T

<b>Subtotal</b>	\$33,325.00
<b>Sales Tax (0.00)</b>	\$0.00
<b>Total</b>	\$33,325.00



## Fairfield Municipal Court

JOYCE A. CAMPBELL

Judge

675 Nilles Road • Fairfield, Ohio 45014-2931 • 513-867-6002 • Fax 513-867-6001

Mary:

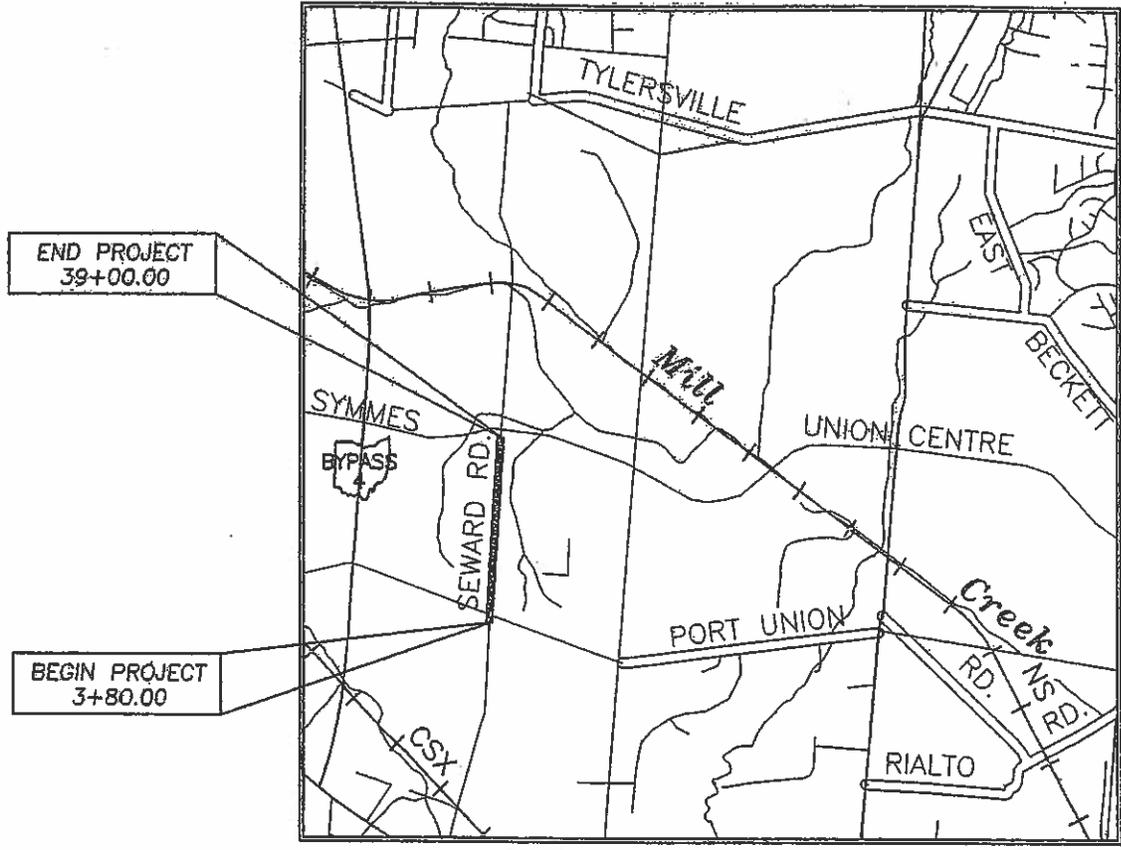
Attached is a quote for a Smith Detection Hi Scan X ray Machine. During December our current x ray machine stopped working. We contacted our service provider and found that the machine had a number of problems. They looked at the age and repairs needed and told me it would be cheaper to buy a new unit. I chose to stay with the Smith machine as it would require no training for our Deputy Bailiffs as they are all proficient in the operation of this unit. I did not get a second quote as I would prefer to purchase the same type of machine as we now have. The old machine was in operation 9 hours a day, 5 days a week for the past 12 years and had very few problems. I request council allocate the funds from the Court's Special Project Fund and declare it an emergency.

Thank You

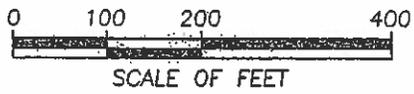
Ed Roberts



# SEWARD ROAD WIDENING— PORT UNION ROAD TO SYMMES ROAD/UNION CENTRE BLV CITY OF FAIRFIELD BUTLER COUNTY, OHIO



LOCATION MAP



- PORTION TO BE IMPROVED
- STATE ROUTE
- OTHER ROADS
- RIVERS

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

ORDINANCE TO AMEND ORDINANCE NO. 113-12 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, 2013, AND ENDING DECEMBER 31, 2013."

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

Section 1. Ordinance No. 113-12, the 2013 Appropriation Ordinance, is hereby amended in the following respects:

<b>From:</b>	<b>Unappropriated Special Projects Fund</b>	<b>\$33,325</b>
<b>To:</b>	21831525-253200 Capital Equipment <i>(X-Ray Machine for Justice Center/Municipal Court)</i>	\$33,325

<b>From:</b>	<b>Unappropriated Sewer Surplus Fund</b>	<b>\$2,200</b>
<b>To:</b>	62416025-253200 Capital Equipment <i>(Portable pH Data logger for Wastewater)</i>	\$2,200

<b>From:</b>	<b>Unappropriated .15% Street Improvement Fund</b>	<b>\$19,833</b>
<b>To:</b>	40116025-251000 Land <i>(Right-of-Way Acquisition for Seward Road Improvements)</i>	\$19,833

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

Active Clients\City of Fairfield\Ordinances\2013\Non Contractual 1-14 - Ord