

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

Tuesday, October 13, 2015

7:00 PM

MAYOR.....STEVE MILLER
COUNCILMEMBER 1ST WARD.....ADAM B. JONES
COUNCILMEMBER 2ND WARD.....MARTY JUDD
COUNCILMEMBER 3RD WARD.....DEBBIE PENNINGTON
COUNCILMEMBER 4TH WARD.....TERRY SENGER

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

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.

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) Richard's Pizza 60th Anniversary Proclamation
- b) Say Something Week Proclamation
- c) Chamber of Commerce Update

7. Public Hearing(s)

8. Mayor/Council Reports

9. Approval of Minutes

- a) Regular Meeting Minutes of September 28, 2015

10. OLD BUSINESS

**(A) DEVELOPMENT SERVICES COMMITTEE
Bill Woeste, Chairman; Adam Jones, Vice Chairman, Mike Snyder, Member**

- (1) Ordinance to amend Chapters 1159, 1165 and 1168 of the Zoning Code of Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio relative to definitions and principal permitted and conditional uses in the C-2 Central Business District, C-3 General Business District, C-3A General Business District Modified, and D-1 Downtown, Zoning Districts.

- Motion – Amend
- Ordinance – Third Reading
- Motion – Adoption

- (2) Ordinance to authorize the City Manager to execute the FY 2016 Community Development Block Grant (CDBG) application and agreement and declaring an emergency.

- Ordinance – Third Reading
- Motion – Adoption

(B) **PARKS, RECREATION AND ENVIRONMENT COMMITTEE**

Debbie Pennington, Chairman; Terry Senger, Vice Chairman, Marty Judd, Member

- (1) Ordinance to authorize the City Manager to execute a professional services agreement with Brandstetter Carroll, Inc. for conceptual architectural/engineering services for the William Harbin Park Renovation Project.

- Ordinance – Second Reading

11. **NEW BUSINESS**

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

Mike Snyder, Chairman; Bill Woeste, Vice Chairman, Debbie Pennington, Member

- (1) Simple Motion: Motion to re-appoint Dave Butsch and Don Hassler to the Butler County Transportation Improvement District effective October 13, 2015 and expiring October 12, 2017.

(B) **PUBLIC SAFETY COMMITTEE**

Adam Jones, Chairman; Marty Judd, Vice Chairman, Terry Senger, Member

- (1) Resolution authorizing the transfer of ownership of duty weapon, Glock model 19 handgun, serial number XTP820, to retired Park Ranger Michael J. Kraft in recognition of his years of service to the City and its residents.

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

- (2) Ordinance to authorize the City Manager to execute an agreement for indigent legal representation for 2016 in the Fairfield Municipal Court with the Butler County Public Defender Commission/Butler County Board of Commissioners and declaring an emergency.

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

(C) **FINANCE & BUDGET COMMITTEE**

Terry Senger, Chairman; Debbie Pennington, Vice Chairman, Chad Oberson, Member

- (1) Ordinance to amend Ordinance No. 109-14 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, 2015, and ending December 31, 2015.”

*Non-Contractual Appropriations - \$3,264 Replace Existing Curb Ramps; \$10,000 Neighborhood Improvements; \$12,500 Replacement of Traffic Monitoring Work Stations; \$11,000 Repair and Additions to Security and Entry System.

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

12. **Meeting Schedule**

Monday, October 26 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.

Monday, November 9 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.

Monday, November 23 Council-Manager Briefing, 5:30 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**

**TUESDAY, OCTOBER 13, 2015
6:00 P.M.**

1. Police Canine Unit Demonstration – weather permitting this will be held outside, in the parking/courtyard area behind the Municipal Building

MINUTES
REGULAR MEETING OF COUNCIL
SEPTEMBER 28, 2015

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 Judd led in prayer and Pledge of Allegiance.

Roll Call

Clerk Wilson called the roll of Council. Present members were Councilmember Marty Judd, Councilmember Debbie Pennington, Councilmember Terry Senger, Councilmember Chad Oberson, Councilmember Mike Snyder, and Councilmember Bill Woeste.

Councilmember Judd, seconded by Councilmember Snyder, moved to excuse Councilmember Jones. Motion carried 6-0.

Agenda Modifications

No agenda modifications.

Executive Session Requests

No Executive Session requests.

Special Presentations and Citizen Comments

Hannah's Treasure Chest "Diaper Need Awareness" Proclamation – Leslie Marsh

Councilmember Woeste presented the "Diaper Need Awareness" Proclamation to Leslie Marsh, of Hannah's Treasure Chest. He thanked her for their work to support local families in need.

Woodman Life 9/11 Commemorative Flag Presentation – David Combs

Mr. Combs presented Fire Chief Bennett with a 9/11 Commemorative Flag, to be framed and displayed at one of the fire stations or flown on the flagpole, as determined by the department. The stripes of the flag are made up of the names of the victims of 9/11.

Public Hearing(s)

No public hearings.

Mayor/Council Reports

Councilmember Snyder reported that the Fairfield High School Marching Band's annual "Bandcake Breakfast" will take place on October 17 from 8:00 to 11:30 AM in the Fairfield High School cafeteria. Proceeds benefit the "New Instrument Fund." He also announced that the newly renovated stadium opened on September 11 and the district is still selling naming rights for the facility.

Approval of Minutes

Regular Meeting Minutes of September 14, 2015

- The Regular Meeting Minutes of September 14, 2015 were approved as written

OLD BUSINESS

DEVELOPMENT SERVICES COMMITTEE

Bill Woeste, Chairman; Adam Jones, Vice Chairman, Mike Snyder, Member

Ordinance to amend Chapters 1159, 1165 and 1168 of the Zoning Code of Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio relative to definitions and principal permitted and conditional uses in the C-2 Central Business District, C-3 General Business District, C-3A General Business District Modified, and D-1 Downtown, Zoning Districts.

Councilmember Woeste presented the second reading of this ordinance.

Ordinance to authorize the City Manager to execute the FY 2016 Community Development Block Grant (CDBG) application and agreement and declaring an emergency.

Councilmember Woeste presented the second reading of this ordinance.

NEW BUSINESS

COMMUNITY & PUBLIC RELATIONS COMMITTEE

Mike Snyder, Chairman; Bill Woeste, Vice Chairman, Debbie Pennington, Member

Simple Motion: Motion to approve the November and December 2015 meeting schedule as detailed in the Council Letter 11(A)(1).

Councilmember Snyder, seconded by Councilmember Pennington, moved to approve the November and December 2015 meeting schedule. Motion carried 6-0. SIMPLE MOTION NO. 9-15. APPROVED 6-0.

PARKS, RECREATION AND ENVIRONMENT COMMITTEE

Debbie Pennington, Chairman; Terry Senger, Vice Chairman, Marty Judd, Member

Ordinance to authorize the City Manager to execute a professional services agreement with Brandstetter Carroll, Inc. for conceptual architectural/engineering services for the William Harbin Park Renovation Project.

Councilmember Debbie Pennington, seconded by Councilmember Marty Judd moved to read the following ordinance by title only. Motion Carried 6-0.

Background: Acting City Manager Preece recommended a professional services agreement with Brandstetter Carroll, Inc. for conceptual architectural/engineering services for the William Harbin Park Renovation Project. Legislative Action: Councilmember Pennington presented the first reading of this ordinance.

PUBLIC UTILITIES COMMITTEE

Marty Judd, Chairman; Chad Oberson, Vice Chairman, Adam Jones, Member

Ordinance to authorize the City Manager to enter into a contract with Smithcorp, LLC for the Pleasant Avenue Water Main Replacement Project – Happy Valley Drive to Resor Road.

Councilmember Marty Judd, seconded by Councilmember Bill Woeste moved to read the following ordinance by title only. Motion Carried 6-0.

Background: Acting City Manager Preece recommended a contract with Smithcorp, LLC for the Pleasant Avenue Water Main Replacement Project - Happy Valley Drive to Resor Road. Legislative Action: Councilmember Judd presented the first reading of this ordinance.

Councilmember Marty Judd, seconded by Councilmember Terry Senger moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Marty Judd, seconded by Councilmember Debbie Pennington moved to adopt. Motion Carried 6-0. ORDINANCE NO. 85-15. APPROVED 6-0.

PUBLIC WORKS COMMITTEE

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

Ordinance to declare tow (2) city vehicles as surplus and authorize the City Manager to sell the motor vehicles on GovDeals.com.

Councilmember Chad Oberson, seconded by Councilmember Mike Snyder moved to read the following ordinance by title only. Motion Carried 6-0.

Background: Acting City Manager Preece recommended declaration of two (2) city vehicles as surplus and authorization to sell them on GovDeals.com. 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 Bill Woeste moved to adopt. Motion Carried 6-0. ORDINANCE NO. 86-15. APPROVED 6-0.

FINANCE & BUDGET COMMITTEE

Terry Senger, Chairman; Debbie Pennington, Vice Chairman, Chad Oberson, Member

Councilmember Terry Senger, seconded by Councilmember Debbie Pennington moved to read the following ordinances by title only. Motion Failed -.

Ordinance to amend Ordinance No. 109-14 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, 2015, and ending December 31, 2015."

Background: Acting City Manager Preece recommended contractual appropriations for the previously approved contracts. Legislative Action: Councilmember Senger presented the first reading of this ordinance.

Councilmember Terry Senger, seconded by Councilmember Bill Woeste moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Terry Senger, seconded by Councilmember Mike Snyder moved to adopt. Motion Carried 6-0. ORDINANCE NO. 87-15. APPROVED 6-0.

Ordinance to amend Ordinance No. 109-14 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, 2015, and ending December 31, 2015."

Background: Acting City Manager Preece recommended the following non-contractual appropriations - \$20,000 for new play structure at Winton Hills Park on Shearwater Drive; \$25,000 for construction of new shelter house at Good Neighbors Park and demolition of current shelter house; \$4,824 for landscape lighting replacement; \$7,000 for purchase of a ProForce TM blower for Parks Maintenance and Golf Maintenance; \$47,984 for Pleasant Avenue Storm Sewer Replacement. Legislative Action: Councilmember Senger presented the first reading of this ordinance.

Councilmember Terry Senger, seconded by Councilmember Debbie Pennington moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Terry Senger, seconded by Councilmember Chad Oberson moved to adopt. Motion Carried 6-0. ORDINANCE NO. 88-15. APPROVED 6-0.

Meeting Schedule

Clerk Wilson read the following meeting schedule:

- Tuesday, October 13 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.
- Monday, October 26 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.
- Monday, November 9 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 of Council adjourned at 7:25 PM.

ATTEST:

Clerk of Council

Mayor's Approval

Date Approved: _____

ORDINANCE NO. _____

ORDINANCE TO AMEND CHAPTERS 1159, 1165 AND 1168 OF THE ZONING CODE OF ORDINANCE NO. 166-84, THE CODIFIED ORDINANCES OF FAIRFIELD, OHIO RELATIVE TO DEFINITIONS AND PRINCIPAL PERMITTED AND CONDITIONAL USES IN THE C-2 CENTRAL BUSINESS DISTRICT, C-3 GENERAL BUSINESS DISTRICT, AND D-1, DOWNTOWN, ZONING DISTRICTS.

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

Section 1. Chapters 1159, 1165 and 1168, of the Zoning Code of Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio, are hereby amended to read as follows:

See attached Exhibit "A" which is 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 8/10/15

Rules Suspended _____

Second Reading 9/28/15

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

CHAPTER 1159
C-2 Central Business District

1159.01	Principal permitted uses.	1159.05	Lot area, frontage and yard requirements.
1159.02	Conditional uses.		
1159.03	Accessory uses.	1159.06	Courts.
1159.04	Required conditions.		

CROSS REFERENCES

Exceptions and modifications - see P. & Z. Ch. 1180

Signs - see P. & Z. Ch. 1187

Service stations; garages - see P. & Z. Ch. 1189

Nonconforming uses - see P. & Z. Ch. 1198

1159.01 PRINCIPAL PERMITTED USES.

No building, structure or land shall be erected, altered, enlarged or used which is arranged or designed for other than one of the following uses, except as provided in Chapter 1198.

- (a) General. Any use permitted and as regulated in the C-1 District, except as modified herein and except that no residential uses are permitted.
- (b) Retail and Service. Art and antique shops, artist supply stores, interior decorating shops, furniture and appliance stores, self-service laundries, dry cleaning shops, department stores, variety and dime stores, dry goods and apparel stores, laundry pick-up stores, supermarkets.
- (c) Office. Business and/or professional offices; office buildings.
- (d) Bank. Banks, savings and loans and other similar financial organizations with or without drive-through facilities.

~~[(e) Motor Vehicle Service. Motor vehicle service facility.]~~

~~[(fe) Restaurants and Fast Food Restaurants. Restaurants and fast food restaurants provided the principal building is distant not less than 100 feet from a principal structure in any A or R District. This subsection does not include drive-through facilities.~~

~~[(gf) School and Studio. Trade or business schools provided machinery which is used for instruction purposes is not objectionable due to noise, fumes, smoke, odor or vibrations; photographic studios, dancing studios, radio and telecasting studios and the like.~~

~~[(hg) Printing and Related Trade. Publishing, job printing, lithographing and blueprinting, etc.~~

~~[(ih) Clinic.~~

~~[(i) Motor Vehicle Fuel Dispensing Facility.~~

~~(Ord. 36-13. Passed 4-22-13.)~~

1159.02 CONDITIONAL USES.

The following uses shall be permitted only if expressly authorized by the Planning Commission.

- (a) General. All conditional uses permitted and as regulated in the C-1 District, except as modified herein.
- (b) Retail and Service. Any other retail business or service establishment or use which is determined by the Commission to be of the same general character as the above principal permitted uses, but not including any use which is first permitted or which is not permitted in the C-3 District.
- (c) Veterinary Hospital or Clinic. Veterinary hospitals and clinics, excluding any outside kennels, cages, exercise runs or keeping of animals.
- (d) Drive-thru Facilities. Any establishment with drive-thru facilities as defined in Section 1133.01(29.1) except bank drive-thru facilities which are a principal permitted use.
- (e) Entertainment. Night clubs, game rooms, theaters, billiard parlors, bowling alleys, teen clubs, taverns and similar enterprises but not within 100 feet of a principal structure located in any A or R District.
(Ord. 155-92. Passed 12-14-92.)
- (f) **MOTOR VEHICLE SERVICE. MOTOR VEHICLE SERVICE FACILITY.**

1159.03 ACCESSORY USES.

Accessory uses, buildings or structures customarily incidental to any principal permitted or conditional use shall be permitted in conjunction with such use, including the following:

- (a) General. Accessory uses and structures as permitted and as regulated in the C-1 District, as well as accessory uses and structures not otherwise prohibited customarily accessory and incidental to any of the foregoing permitted C-2 uses.
- (b) Signs. As regulated and defined in Chapter 1187.
(Ord. 155-92. Passed 12-14-92.)

1159.04 REQUIRED CONDITIONS.

All conditions as specified for the C-1 District, except for new merchandise in the case of art and antique shops.

(Ord. 155-92. Passed 12-14-92.)

1159.05 LOT AREA, FRONTAGE AND YARD REQUIREMENTS.

The following minimum requirements shall be observed, except as provided in Chapter 1180.

(a)

	<u>Lot Area (Sq. Ft.)</u>	<u>Lot Frontage (Feet)</u>	<u>Front Yard Depth (Feet)</u>	<u>Side Yard Width (Feet)</u>	<u>Rear Yard Depth (Feet)</u>
Non-Residential Uses	10,000	None	25	None; except when adjoining an A or R District, then no less than 10 feet.	None; except when adjoining an A or R District, then no less than 10 feet.

(b) Residential. Prohibited.

(c) Screening and Buffering.

<u>Zone</u>	<u>Use</u>	<u>Buffering (Horizontal Dimension)</u>	<u>Screening (Vertical Screen Dimension)</u>
C-2	Business	25' adjoining A and R Districts	6' adjoining A and R Districts

(Ord. 155-92. Passed 12-14-92.)

1159.06 COURTS.

Same as required in the A-1 District.

(Ord. 155-92. Passed 12-14-92.)

CHAPTER 1165
C-3 General Business District

1165.01	Principal permitted uses.	1165.05	Lot area, frontage and yard requirements.
1165.02	Conditional uses.	1165.06	Courts.
1165.03	Accessory uses.	1165.07	Height Regulations.
1165.04	Required conditions.		

CROSS REFERENCES

Exceptions and modifications - see P. & Z. Ch. 1180
Trailer parks - see P. & Z. Ch. 1185
Signs - see P. & Z. Ch. 1187
Service stations; garages - see P. & Z. Ch. 1189
Nonconforming uses - see P. & Z. Ch. 1198

1165.01 PRINCIPAL PERMITTED USES.

No building, structure or land shall be erected, altered, enlarged or used which is arranged or designed for other than one of the following uses except as provided in Chapter 1198.

- (a) General. Any use permitted and as regulated in the C-2 District except as modified herein.
- (b) Retail and Service. Laundries, clothes cleaning or dyeing establishments, used merchandise stores.
- (c) Wholesale. Any wholesale business and mail order houses, including incidental warehousing; commercial greenhouses.
- (d) **MOTOR VEHICLE SERVICE FACILITY.**
- (e) **MOTOR VEHICLE FUEL DISPENSING FACILITY.**
- [(df)] Motor Vehicle Service. Major or minor motor vehicle repair, repair garages, body and fender shops, and paint shops, but not including junk storage, all subject to the provisions of Chapter 1189 and provided that buildings shall be at least fifty feet from any A or R District, and shall have no openings adjoining the A or R District other than stationary windows and fire escapes.
- [(eg)] Animal Hospital, Veterinary Clinic. Animal hospitals, kennels, display and housing or boarding of pets and other domestic animals, provided that any enclosure or building in which the animals are kept shall be at least one hundred feet from any A or R District and at least fifty feet from any other C District. Exercise runs shall be enclosed on four sides by an unpierced well-maintained fence or wall at least six feet in height.
- [(fh)] Commercial Recreation Facility.

- [(gi)] Building and Related Trade. Carpenter shops, electrical, plumbing, paint shops, heating and tin shops, paper-hanging shops, furniture upholstery and similar enterprises, but not within fifty feet of any A or R District.
- [(hj)] Bottling Works. Bottling of soft drinks or milk and distribution stations therefore, providing a building used for such processing and/or distribution, shall be at least 100 feet from any A or R District.
- [(ik)] Signs. As regulated and defined in Chapter 1187.
- [(jl)] Drive-thru Facilities. Any establishment with drive-thru facilities as defined in Section 1133.01 (29).
- [(km)] Car Washes.
(Ord. 96-14. Passed 10-27-14.)\

1165.02 CONDITIONAL USES.

- (a) General. All conditional uses as permitted and as regulated in the C-2 District, except as modified herein.
- (b) Trailer Park. Subject to the provisions of Chapter 1185.
- (c) Warehousing Storage and Trucking Terminal. Warehouses for the storage of merchandise and materials, trucking or motor freight stations or terminals, carting, expressing or hauling establishments, contractor and building material yards, providing no such uses are conducted within 200 feet of any A or R District.
- (d) Laboratory. Experimental film or testing laboratories, provided no operation shall be conducted or equipment used which would create hazards, noxious or offensive conditions.
- (e) Manufacturing. The manufacturing, compounding, processing, packaging and assembling of products, such as:
 - (1) Bakery goods, candy, cosmetics, pharmaceuticals, toiletries, food and meat products except fish, sauerkraut, vinegar, yeast and the rendering or refining of fats or oils.
 - (2) Musical instruments, toys, novelties, rubber or metal stamps and other small rubber products.
 - (3) Electrical and electric appliances, instruments and devices, television sets, radios, phonographs.
 - (4) Electric and neon signs, billboards and other commercial advertising structures; light sheet metal products, including heating and ventilating equipment, cornices, eaves and the like.
- (f) Public Utility. Public utility buildings and structures including storage yards.
- (g) Self-Service Car Washes.
- (h) Residential. One residential use only where such use is incidental to a principal permitted use.
- (i) Other Uses. Any other use which is determined by the Commission to be of the same general character as the above permitted uses, but not including junk yards or any use other than those above, which is first permitted in the M-1 District or which is prohibited in the M-1 District. (Ord. 94-84. Passed 7-9-84.)
- (j) Sexually Oriented Businesses. Sexually oriented businesses may be permitted as conditional uses, subject to the following specific conditions:

- (1) No sexually oriented business shall be located within a radius of 1,000 feet of any residentially zoned or used property.
 - (2) No sexually oriented business shall be located within a radius of 1,000 feet of any church, synagogue, permanently established place of worship, school, library, park or public playground.
 - (3) No sexually oriented business shall be located within 1,000 feet of any other sexually oriented business and no building, premises, structure or other facility that contains any sexually oriented business shall contain any other kind of sexually oriented business.
 - (4) Distances for purposes of this subsection shall be from property line to property line along the shortest possible course, regardless of any customary or common route or path of travel, i.e., "as the crow flies" and includes both property in the City of Fairfield and in any other political subdivision.
 - (5) Sexually oriented businesses may operate only between the hours of 10:00 a.m. and 10:00 p.m. Monday through Saturday and shall be closed on Sundays and national holidays.
(Ord. 154-96. Passed 10-15-96.)
- (k) Flea Markets. Subject to the following required conditions:
- (1) No outdoor sales, display or storage.
 - (2) Compliance with all Building Code requirements including submission and approval of a proposed plan showing aisles and emergency ingress and egress.
 - (3) Only one special event sign as defined and regulated in subsection 1187.03(i) shall be permitted.
(Ord. 9-98. Passed 2-9-98.)
- (l) Motor Vehicle, Boat, Recreational Vehicle or Trailer Sales Areas. Subject to additional conditions as determined by the Planning Commission including, but not limited to:
- (1) Ingress, egress and internal circulation.
 - (2) Sight distance and visibility.
 - (3) Setback of displays or storage from right-of-way, sidewalk or edge of pavement.
 - (4) Perimeter curbing, buffering, landscaping, parking lot striping and other similar aesthetic and/or safety requirements.
- (m) Storage Shed or Barn, Carport or Play Structure Sales Areas. Subject to additional conditions as determined by the Planning Commission including, but not limited to:
- (1) Ingress, egress and internal circulation.
 - (2) Sight distance and visibility.
 - (3) Setback of displays or storage from right-of-way, sidewalk or edge of pavement.
 - (4) Perimeter curbing, buffering, landscaping, lot coverage and other similar aesthetic and/or safety requirements.
(Ord. 96-14. Passed 10-27-14.)

1165.03 ACCESSORY USES.

Accessory uses, buildings or structures customarily incidental to any principal permitted or conditional use shall be permitted in conjunction with such use including: Accessory uses and structures as permitted and as regulated in the C-2 District and such other accessory uses and structures not otherwise prohibited which are customarily accessory and incidental to any of the foregoing permitted C-3 uses. (Ord. 94-84. Passed 7-9-84.)

1165.04 REQUIRED CONDITIONS.

Processes and equipment employed and goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter or water carried waste. (Ord. 94-84. Passed 7-9-84.)

- (a) Closed Buildings. All businesses, services or processing shall be conducted wholly within a completely enclosed building except for incidental display of merchandise, sale of motor vehicle fuel, lubricants and other fluids at service stations, loading and unloading operations, parking and such outdoor display or storage of vehicles, merchandise, materials and equipment as does not exceed five percent (5%) of the gross floor area of the principal permitted structure upon the lot or 5,000 square feet, whichever is less. The maximum height permitted is four feet measured from grade to top of display. The display must not interfere with any pedestrian or vehicular sight distance upon the site or any public thoroughfare. Automobile and other motor vehicle sales, boat sales, outdoor recreation, recreational vehicle sales, manufactured housing sales, construction and farm equipment sales and rental, nursery sales and lumber sales in side and rear yards only are excluded from the requirements of this subsection. The Planning Commission may authorize incidental outdoor display or storage which it determines to be similar to or not more objectionable than those uses already excluded from the requirements of this subsection. (Ord. 154-96. Passed 10-15-96.)
- (b) Night Operation. No building customarily used for night operation, such as a bakery or milk bottling and distribution station, shall have any opening, other than stationary windows or required fire exits, within 100 feet of any A or R District, and any space used for loading or unloading commercial vehicles in connection with such an operation shall not be within 100 feet of any A or R District. (Ord. 94-84. Passed 7-9-84.)
- (c) Facade Design. After March 31, 2011, all new structures on parcels which abut a regional thoroughfare as defined in the comprehensive plan may not use metal siding or "smooth face" concrete block as the exterior finish material on any facade facing the regional thoroughfare. (Ord. 98-10. Passed 11-8-10.)

1165.05 LOT AREA, FRONTAGE AND YARD REQUIREMENTS.

The following minimum requirements shall be observed, except as provided in Chapter 1180.

(a)

	<u>Lot Area (Sq. Ft.)</u>	<u>Lot Frontage (Feet)</u>	<u>Front Yard Depth (Feet)</u>	<u>Side Yard Width (Feet)</u>	<u>Rear Yard Depth (Feet)</u>
Non-Residential Uses	10,000	None	20	None; except when adjoining an A or R District, then no less than 25 feet.	None; except when adjoining an A or R District, then no less than 25 feet.

(b) Screening and Buffering.

<u>Zone</u>	<u>Use</u>	<u>Buffering (Horizontal Dimension)</u>	<u>Screening (Vertical Screen Dimension)</u>
C-3	Business	25' adjoining A and R Districts	6' adjoining A and R Districts

(Ord. 94-84. Passed 7-9-84.)

1165.06 COURTS.

Same as required in the A-1 District.

(Ord. 94-84. Passed 7-9-84.)

1165.07 HEIGHT REGULATIONS.

No principal or accessory structure shall exceed three stories or fifty feet, whichever is lower, except as provided in Section 1180.02 and except when expressly authorized as a conditional use by the Planning Commission. (Ord. 94-84. Passed 7-9-84.)

CHAPTER 1168
D-1 Downtown District

1168.01	Purpose.	1168.08	Courts.
1168.02	Principal permitted uses.	1168.09	Existing structures in D-1.
1168.03	Conditional uses.	1168.10	Design review guidelines.
1168.04	Accessory uses.	1168.11	Design requirements.
1168.05	Prohibited uses.	1168.12	Procedure.
1168.06	Required conditions.		
1168.07	Lot area, frontage and yard requirements.		

CROSS REFERENCES

Exceptions and modifications - see P. & Z. Ch. 1180
Signs - see P. & Z. Ch. 1187
Service stations; garages - see P. & Z. Ch. 1189
Nonconforming uses - see P. & Z. Ch. 1198
Off-street parking and loading - see P. & Z. Ch. 1183
Underground electric and lighting - see P. & Z. Ch. 1125
Sidewalks - see P. & Z. Ch. 1184

1168.01 PURPOSE.

The purpose of the Downtown District is to provide for a high quality, secure, visually interesting, architecturally integrated, comfortable and convenient environment that can attract a high volume of pedestrian activity in a strong cultural, institution, office and commercial presence. The D-1 District regulations and Design Guidelines for the D-1 District shall ensure the desired quality development. (Ord. 130-94. Passed 9-26-94.)

1168.02 PRINCIPAL PERMITTED USES.

No building, structure or land shall be erected, altered, enlarged or used which is arranged or designed for other than one of the following uses, except as provided in Chapter 1198.

- (a) General. Any use permitted and as regulated in the C-1 District, except as modified herein and except that no residential uses are permitted.
- (b) Retail and Service. Art and antique shops, artist supply stores, interior decorating shops, furniture and appliance stores, self-service laundries, dry cleaning shops, department stores, variety and dime stores, dry goods and apparel stores, laundry pick-up stores, supermarkets.

- (c) Office. Business and/or professional offices; office buildings.
- (d) Financial. Banks, savings and loans and other similar financial organizations with or without drive-through facilities.
- (e) Restaurants. Restaurants without drive-through facilities.
- (f) School and Studio. Trade or business schools provided machinery which is used for instruction purposes is not objectionable due to noise, fumes, smoke, odor or vibration; photographic studios, dancing studios, radio and telecasting studios and the like.
- (g) Printing and Related Trade. Publishing, job printing, lithographing and blueprinting, etc.
- (h) Clinic.
(Ord. 36-13. Passed 4-22-13.)

1168.03 **CONDITIONAL USES.**

The following uses shall be permitted only if expressly authorized by the Planning Commission.

- (a) Restaurants. Restaurants as defined in Section 1133.01(70.1).
- (b) Retail and Service. Any other retail business or service establishment or use which is determined by the Commission to be of the same general character as the above principal permitted uses, but not including any use which is first permitted or which is not permitted in the C-3 District.
- (c) Veterinary Hospital or Clinic. Veterinary hospitals and clinics, excluding any outside kennels, cages, exercise runs or keeping of animals.
- (d) Drive-thru Facilities. Any establishment with drive-thru facilities as defined in Section 1133.01(29) except bank drive-thru facilities which are a principal permitted use. This is defined as an operation where transfer of goods and services to the customer is designed to be done while the customer remains in the vehicle.
- (e) Institutional. Schools and colleges for academic instruction and churches including church schools.
- (f) Fruit and Vegetable Stores.
- (g) Entertainment. Night clubs, game rooms, theaters, billiard parlors, bowling alleys, teen clubs, taverns and similar enterprises, but not within 100 feet of any R District and subject to all applicable regulations and such permits as may be required by law.
- (h) Wind Turbines. An alternative energy device designed to harness the natural wind currents to produce energy.
- (i) Motor Vehicle Fuel Dispensing Facility.
- (j) Motor Vehicle Service. Motor vehicle service facility.
(Ord. 36-13. Passed 4-22-13.)
- (k) **DAY CARE CENTER.**

1168.04 ACCESSORY USES.

Accessory uses, buildings or structures customarily incidental to any principal permitted or conditional use shall be permitted but shall be complimentary to the main building and surrounding properties. Additionally, accessory uses shall be permitted in conjunction with the following:

- (a) General. Accessory uses and structures as permitted and as regulated in the C-1 District, as well as accessory uses and structures not otherwise prohibited customarily accessory and incidental to any of the foregoing permitted C-2 uses.
- (b) More than one building may be located upon the lot, but only when such buildings conform to all open space requirements around the lot.
- (c) Grading, filling, excavating or any change in the grade or property that involves the moving, depletion or replacement of more than 100 cubic yards of material or changes the existing elevation by more than one foot requires approval of the Design Review Committee. At no time shall any grading be detrimental to surrounding property in appearance or in the diversion of storm water drainage.
(Ord. 130-94. Passed 9-26-94.)
- (d) Signage shall adhere to the Design Guidelines and is subject to review and written recommendation by the Design Review Committee and approval by the Planning Commission.
(Ord. 154-96. Passed 10-15-96.)

1168.05 PROHIBITED USES.

Residential except as provided for in Chapter 1198.
(Ord. 130-94. Passed 9-26-94.)

1168.06 REQUIRED CONDITIONS.

All conditions as specified for the C-1 District, except for new merchandise in the case of art and antique shops. There is no maximum use size.
(Ord. 130-94. Passed 9-26-94.)

1168.07 LOT AREA, FRONTAGE AND YARD REQUIREMENTS.

The following minimum requirements shall be observed, except as provided in Chapter 1180.

- (a) Lots legally existing at the time of application of this chapter to such lots shall be considered legal conforming lots and shall not be classified as nonconforming use. Lots created subsequent to the application of this chapter to the property must conform to the provisions of this chapter.

	Lot Area (Sq. Ft.)	Lot Frontage (Feet)	Front Yard Depth (Feet)	Side Yard Width (Feet)	Rear Yard Depth (Feet)
Non-Residential Uses	10,000	75	25	None; except when adjoining an A or R District, then no less than 10 feet.	None; except when adjoining an A or R District, then no less than 10 feet.

(b) Residential. Prohibited.

(c) Screening and Buffering.

<u>Zone</u>	<u>Use</u>	<u>Buffering (Horizontal Dimension)</u>	<u>Screening (Vertical Screen Dimension)</u>
D-1	Business	25' adjoining A and R Districts	6' adjoining A and R Districts

(Ord. 130-94. Passed 9-26-94.)

1168.08 COURTS.

Same as required in the A-1 District. (Ord. 130-94. Passed 9-26-94.)

1168.09 EXISTING STRUCTURES IN D-1.

(a) The design requirements set forth for the D-1 District shall apply to both existing structures and new construction. New development and/or construction must adhere to the zoning requirements and the design guidelines from the project's inception. Existing structures must meet compliance requirements when thirty-three percent (33%) of the visible exterior is altered, changed or added to. Any change in land use or enlargement, reconstruction, structural alteration, remodeling or major repair respecting at least thirty-three percent (33%) of visible exterior portions of any building or lot in the D-1 District shall comply with the zoning Ordinance provision for D-1 and the accompanying guidelines for D-1. (Ord. 130-94. Passed 9-26-94.)

(b) Existing lots and structures which at the time of adoption of the D-1 District are nonconforming by reason of noncompliance with the provisions of this chapter shall be classified as legally conforming and shall appeal to the Design Review Committee in the event of building or structure damage more than sixty percent (60%) of its fair market value. The damage, exclusive of foundations, may include fire, flood, explosion, wind, earthquake, war, riot or other calamity or act of God. The building or structure may be restored and/or reconstructed with the review and written recommendation of the Design Review Committee and approval of the Planning Commission which may waive specific guidelines in order to permit a nonconforming lot. (Ord. 154-96. Passed 10-15-96.)

1168.10 DESIGN REVIEW GUIDELINES.

(a) Reasonable additional requirements as to landscaping, lighting, signs or other advertising devices, screening, accessways, building placement, building setback and height limitations may be imposed by the Design Review Committee for the protection of adjoining property and to maintain a consistent Town Center image. (Ord. 130-94. Passed 9-26-94.)

(b) Particular attention shall be made to assure architectural style and quality, roof structures, exterior colors, building materials, and other features are compatible with the Design Guidelines which are in the Town Center Development Plan. Unless approved otherwise by the Planning Commission, earth tone exterior colors shall prevail in Town Center buildings and other exterior components. As provided for within the Design Review Guidelines, the Committee will review plans to assure that the objectives of the Design Guidelines are achieved.

(Ord. 154-96. Passed 10-15-96.)

(c) The Design Review Committee will evaluate projects on the following criteria:

- (1) Site design.
- (2) Architectural character.
- (3) Materials and color.
- (4) Ingress, egress and parking.
- (5) Landscaping.
- (6) Screening and buffering.
- (7) Signage.
- (8) Exterior lighting.

(d) All building elevation drawings, site plans, exterior material and color palates, signs and landscape plans must be reviewed by the Design Review Committee. The Design Review Committee, when reviewing plans, shall have at their disposal an architect registered in the State of Ohio to be of assistance where necessary.

(Ord. 130-94. Passed 9-26-94.)

1168.11 DESIGN REQUIREMENTS.

This chapter which creates the D-1 District empowers the Planning Commission with the authority to adopt the Design Guidelines that are consistent with these site requirements. Guidelines shall be created, altered and/or discontinued as determined by the Commission. Furthermore, the Design Review Committee may use flexibility in interpreting the requirements of the Design Guidelines provided, however, that the guidelines shall be met unless compliance therewith creates an undue hardship. The following requirements shall be accompanied by the specific Design Guidelines for the D-1 District which are found in the Town Center Development Plan:

(a) Architectural Character.

- (1) Facade organization. All sides, including the rear elevation, of a building shall be treated as a front elevation by continuing the same colors, materials and detailing to all sides.
- (2) Storefronts. Storefronts play an integral part in the establishment of a

building's character. The storefront of a structure must have a consistent sign frieze and window display.

(Ord. 130-94. Passed 4-26-94.)

- (3) Roofs. Although the preferred roof types are gable and hip, the other roof types may be permitted on a case by case basis.
- (4) Materials. The building materials must consist of quality material such as brick, wood, stone, masonry, vinyl siding and similar materials. (Ord. 154-96. Passed 10-15-96.)
- (5) Colors. Colors must be natural. Bright primary type colors will be permitted only for accent or trim purposes. (Ord. 130-94. Passed 9-26-94.)

(b) Site Design.

- (1) Ingress and egress. Curb cuts are limited to one per lot with a width Not to exceed 35 feet. Only under special circumstances shall such requirements be altered.
- (2) Parking. All parking lots shall contain a landscaped area equal to five percent (5%) of the entire parking lot. The area shall contain shrubs, flowers, trees and grass. Parking lots shall be screened from the street. A required front yard of five feet shall be placed between the sidewalk and the parking or the proposed location of a sidewalk and the parking lot. In the case where landscaping requirements shall interfere with the parking requirements of Chapter 1183, flexibility in the landscaping requirement may be permitted. (Ord. 154-96. Passed 10-15-96.)
- (3) Loading requirements. All loading docks must be screened.
- (4) Landscaping. Any part of a lot not used for buildings or other structures or for roads, walks, parking, service areas or other accessways shall be landscaped with grass, trees, shrubs or other ground cover.
- (5) Pedestrian circulation. Access for pedestrian circulation is required. Parking spaces must be connected to the building and the building must be connected to the public sidewalk.
- (6) Buffering/screening. Screening and buffering shall be provided along the common property line separating all agriculture and residential districts from the D-1 District.
Provisions for construction of the buffer shall be the responsibility of the property owner or developer introducing the construction within the D-1 zone. (Ord. 130-94. Passed 9-26-94.)
- (7) Signage. Signs generally as permitted in Section 1187.07(d) but as approved by the Planning Commission. Roof signs shall not be permitted. Signs in the Town Center should add to a rich character, not detract from the individual properties or the area as a whole. (Ord. 154-96. Passed 10-15-96.)
- (8) Lighting. Project lighting must not interfere with the site layout. Lighting must be compatible with project design. (Ord. 130-94. Passed 9-26-94.)

1168.12 PROCEDURE.

(a) The provisions of any other part of these Codified Ordinances notwithstanding, before the issuance of any building permit or zoning certificate, the Design Review Committee shall review the plans to ensure that the proposed project complies with the Design Guidelines set forth in this chapter. The Design Review Committee shall recommend to the Planning Commission their findings of a project review. They may recommend alternatives or modifications to a plan. The Planning Commission shall review all plans detailing the matters described in this chapter to determine compliance with the provisions of this chapter and to fulfill the purposes stated in Section 1168.01.

(b) The Design Review Committee shall have thirty days in order to accomplish the review required. The Committee shall have thirty days after the plans are submitted to the Planning Department to review the plans for guideline compliance.

(c) There shall be created a Design Review Committee consisting of nine members to be determined as follows:

- (1) One member shall be appointed by a majority vote of Council from among its membership. Such member may be removed from the Committee, without cause, by a majority vote of the Council members;
- (2) One member shall be appointed by a majority vote of the Planning Commission from among its members. Such member may be removed from the Committee, without cause, by a majority vote of the Planning Commission;
- (3) One member shall be the Director of the Planning Department, or a staff representative appointed by the Planning Director;
- (4) One member shall be the City's Building Division Superintendent; (Ord. 130-94. Passed 9-26-94.)
- (5) One member shall be a citizen at large from the citizenry. This member shall be appointed by the City Manager and is subject to confirmation by City Council. Such member shall have no financial interests to Town Center businesses or residences. The citizen at large member shall serve for a two year term. (Ord. 154-96. Passed 10-15-96.)
- (6) Four members shall be business owners or operators from the four Town Center quadrants. One person representing each quadrant. These members shall be appointed by the City Manager and are subject to confirmation by Council. The quadrant members shall serve for overlapping terms of two years each, except that the members first appointed shall serve for the following terms of office: two quadrant members shall serve for one year and the other two members serve for two year terms; and thereafter, each member shall serve for a term of two years.

(d) Appeals. An appeal to Council may be taken by any owner, developer or occupant who is aggrieved or affected by any decision of the Planning Commission under this section. Such appeal shall be perfected by filing a written notice of such appeal with the Clerk of Council within fourteen days after the date upon which the Planning Commission made the decision at a meeting. The Council may reverse, affirm or modify the decision of the Planning Commission within sixty days after the filing of the notice of appeal with the Clerk of Council. The decision of Council shall be final and as a legislative decision shall not be subject to further appeal.

(Ord. 130-94. Passed 9-26-94.)

City of Fairfield, Ohio City Council Meeting Communication

Date: 9-14-15

Item:

An ordinance authorizing the City Manager to execute the FY 2016 Community Development Block Grant (CDBG) application.

Financial Impact:

The Symmes Road Improvement project is programmed in the current 2015-2019 CIP as PWA-16-101. If approved, Ohio Public Works Commission District 10 would be funding \$519,290 (approximately 66%) of the project. The CDBG funding of \$113,265 plus \$154,245 from the Street Improvement Fund would provide an additional 34% funding. The estimated total cost of construction for this project is \$786,800.

The CDBG Cooperation Agreement between the City of Fairfield and Butler County entitles Fairfield to no less than 10% of the total CDBG funds the County receives in that program year. Ten percent of the allocation for 2016 is estimated to be \$113,265.

Synopsis:

The proposed project is to improve Symmes Road between State Route 4 and North Gilmore Road. The improvements entail repairing, repaving and widening the road as well as drainage upgrades. The road was last improved in 1995 and is due for an upgrade.

Background:

The CBDG is a source of funding to support areas that are designated as Low to Moderate Income (LMI) such as these sites. The Symmes Road improvements meet the national objective of benefitting a low to moderate income area.

Recommendation:

It is recommended that City Council authorize the City Manager to execute the FY 2016 CDBG application. The Emergency Provision is being requested in order to meet the October 16, 2015 deadline date.

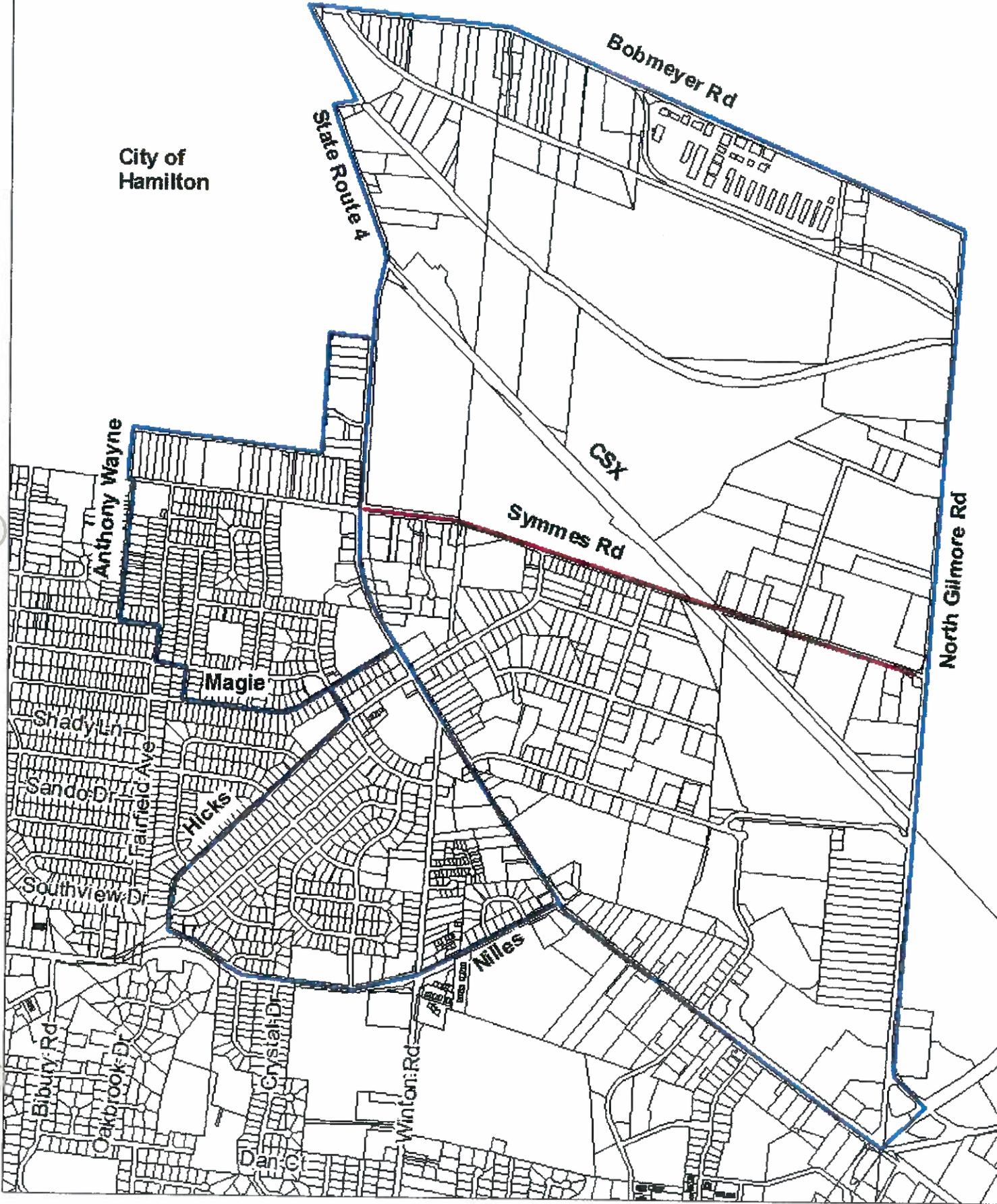
Legislative Actions:

Rules Suspension and Adoption Requested? No.
Emergency Provision Needed? Yes.

Prepared by: Erin Don (Planning Manager)
Approved for Content by: Christy Bachman
Financial Review (where applicable): Mary Tomp
Legal Review (where applicable): J. L. Clemmons
Accepted for Council Agenda: Alison Wilson

2016 CDBG Map

-  Service Area
-  Project Location



ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE FY 2016 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION AND AGREEMENT AND DECLARING AN EMERGENCY.

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

Section 1. The City Manager is hereby authorized to execute the FY 2016 Community Development Block Grant (CDBG) application and agreement in accordance with the application and agreement on file in the office of the City Manager.

Section 2. This Ordinance is hereby declared to be an emergency measure necessary for the urgent benefit and protection of the City and its inhabitants for the reason that the application must be filed by October 16, 2015; wherefore, this ordinance 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 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: 9/28/15

An appropriation to fund a professional services agreement with Brandstetter Carroll, Inc., for conceptual architectural/engineering services for the William Harbin Park Renovation project.

FINANCIAL IMPACT:

A financial appropriation in the amount of \$50,000.00 is necessary to fund this proposal.

SYNOPSIS:

This project will provide a conceptual design for the proposed renovations at William Harbin Park.

BACKGROUND:

William Harbin Park was dedicated in the late-1970's and the majority of the structures and/or amenities in the park were constructed during the first 10 years of the park's existence and have become dated. As identified in the recently completed Comprehensive Parks and Recreation Master Plan; "taking care of what we have" and "improving and expanding trails and connections" were major points of emphasis by the residents. This project will provide the base line for the renovation of Harbin Park to meet the on-going needs of the community and includes the following elements:

- A. Three (3) public input meetings; two meetings to solicit public input from citizens and/or user groups and one input meeting to review conceptual design draft with City Council/Parks and Recreation Board.
- B. Various meetings with city team.
- C. Detailed plan to provide pedestrian and/or bicycle connectivity to various adjacent neighborhoods; along with perimeter paved bike/hike path plan.
- D. Recommendations for parking, ingress/egress of park, re-purposing of farm barn and ranger building, shelter house renovations, signage, existing site amenities, future site amenities, etc.
- E. Detailed site plan to encompass all design and landscape elements.
- F. Construction Cost Estimates (based upon 2016 dollars).
- G. Recommendations regarding phasing of purposed renovation/development; recommendations for grant sources to accomplish specific project elements; along with separate costs to prepare/submit grants on behalf of the city.

This project has been authorized by the City through its 2015-2019 Capital Improvement Program (PRK-15-005); along with being identified in the 2014 Comprehensive Parks and Recreation Master Plan. The Parks and Recreation Department solicited Request for Proposals for the project in the summer of 2015. Three architectural firms submitted proposals and were interviewed by the Selection Committee; comprised of the City Manager, the Parks and Recreation Director, the Development Services Director, the Economic Development Manager, the Parks and Facilities Manager, and the Parks Operations Coordinator. The Selection Committee made its recommendation to the Parks and Recreation Board at their September meeting.

At the Parks and Recreation Board's September 15th meeting, the Board passed Resolution 2015-07 in support of the William Harbin Park Renovation project and the selection of Brandstetter Carroll, Inc.; and have forwarded their recommendation to City Council.

RECOMMENDATION:

It is recommended that City Council authorize and direct the preparation of legislation authorizing the appropriation necessary to fund this proposal in accordance with the proposal on file in the office of the City Manager.

LEGISLATIVE ACTION:

Suspension of Rules and Adoption Requested? If yes, explain above. Yes | | No [X]

Emergency Provision Needed? If yes, explain above. Yes | | No [X]

Prepared by: J. Bell
Approved for Content by: J. Bell
Financial Review (where applicable): May Hagan
Legal Review (where applicable): Scott H. Cummings
Accepted for Council Agenda: H. Hagan

FAIRFIELD PARKS AND RECREATION BOARD

BE IT RESOLVED by the Fairfield Parks and Recreation Board that the City Manager is authorized to enter into an agreement with Brandstetter Carroll Inc. for the City of Fairfield, William Harbin Park Renovation Project, in accordance with the bids on file in the office of the City Manager.

ROLL CALL	YES	NO
Doug Meece	<u>✓</u>	<u> </u>
Robert Myron	<u>✓</u>	<u> </u>
Debbie Pennington	<u>✓</u>	<u> </u>
Craig Keller	<u>✓</u>	<u> </u>
Dean Bruewer	<u> </u>	<u> </u>
Billy Smith	<u>✓</u>	<u> </u>

Doug Meece, Chairman / Doug Meece

Cyndi Kreke, Secretary / Cyndi Kreke

Resolution: 2015-07

Date: 09/15/2015

Project Number: PRK-15-005 **Dept:** PARKS **Bid Date:** 03/01/2015 **Priority:** Minor **Need:** Quality Of Life Development Driven

Harbin Park Renovations
Renovations at Harbin Park

2015 - Conceptual design services for Harbin Park renovations
2017-2019 - Shelter house renovations / upgrades, perimeter path and barn relocation

	2015	2016	2017	2018	2019
	\$50,000.00	\$0.00	\$100,000.00	\$100,000.00	\$100,000.00



City Funding Source:
Capital Improvement Fund **Amount:** \$150,000.00
Outside Funding Source:
State Grant **Amount:** \$200,000.00

Planning / Engineering / Legal: \$50,000.00 **Impact On Operating Personnel Costs:** \$0.00
Acquisition of Property / ROW: \$0.00 **Other Costs:** \$0.00
Construction: \$400,000.00 **Total Operating Costs:** \$0.00
Equipment / Vehicle: \$0.00

City's Cost: \$150,000.00 **Outside Funding:** \$200,000.00 **Total Cost:** \$350,000.00

CITY OF FAIRFIELD, OHIO
WILLIAM HARBIN PARK RENOVATION
REQUEST FOR PROPOSAL
CONCEPTUAL ARCHITECTURAL/ENGINEERING SERVICES

1.0 Invitation

The City of Fairfield invites experienced architectural and engineering firms to submit proposals for professional services for the conceptual design of the William Harbin Park Renovation Project. This is a Request for Proposal (RFP).

2.0 Project Background

This conceptual design project has been authorized by the City of Fairfield, with funding for these services totaling approximately \$50,000.00 for the Harbin Park renovations. William Harbin Park is located at 1300 Hunter Road, Fairfield, Ohio 45014 and is approximately 260 acres, including Muskopf Preserve.

In 2014, the City retained the services of the Indiana University/Eppely Institute for Parks and Public Lands, to conduct a Comprehensive Parks and Recreation Master Plan and Needs Assessment. A copy of the Master Plan is available for review on the City's website at <http://www.fairfield-city.org/parks/index.cfm>.

3.0 Scope of Services

The scope of services, for the conceptual design of the Project, will include:

- A. Three (3) public input meetings; two meetings to solicit public input from citizens and/or user groups and one input meeting to review conceptual design draft with City Council/Parks and Recreation Board.
- B. Various meetings with city team.
- C. Detailed plan to provide pedestrian and/or bicycle connectivity to various adjacent neighborhoods; along with perimeter paved bike/hike path plan.
- D. Recommendations for parking, ingress/egress of park, re-purposing of farm barn and ranger building, shelter house renovations, signage, existing site amenities, future site amenities, etc.
- E. Detailed site plan to encompass all design and landscape elements.
- F. Construction Cost Estimates (based upon 2016 dollars).
- G. Recommendations regarding phasing of purposed renovation/development; recommendations for grant sources to accomplish specific project elements; along with separate costs to prepare/submit grants on behalf of the city.

4.0 Instructions to Proposers

Sealed proposals will be accepted until **3:00 PM, EST, Monday, June 29, 2015**. Proposals received after that time will not be accepted. Three copies of the proposal should be submitted to:

City of Fairfield, Ohio
Parks and Recreation Department
411 Wessel Drive
Fairfield, Ohio 45014

Concise and focused proposals are suggested with a target length of no more than 20 pages, including samples of previous work. Proposals should include, in a clearly marked separate and sealed envelope, a description of the estimated fee schedule based upon estimated project cost of \$50,000.00 and scope of services. The fee schedule should be on a **not-to-exceed** basis. Indicate the basis and approach regarding the fee structure for the various components of the project's scope of services.

5.0 Proposal Format

Proposals shall be relevant and concise. To facilitate the evaluation process, the following format will be required:

5.1 Brief Description of the Prime Design/Engineering Firm

- A. Name of business and office location
- B. Length of time in business
- C. Total number of local and other employees
- D. Name of principals, their disciplines and Ohio registration
- E. Professional services provided by the firm

5.2 Sub-consultants

Please list any firms that will act as sub-consultants to your firm, its specialty areas, location of office, number of employees, and firm's experience related to this project. Provide information regarding prior projects on which sub-consultants have worked with your firm.

5.3 Project Team

- A. List those individuals who will do the work on this project. Provide the following information for each team member: Team Assignment, General and Professional Qualifications, Project Experience (relevant to this project while with this firm).

5.4 Relevant Project Experience

- A. Include brief descriptions of all park renovations projects completed within the past five years, including:
 1. Name of client, contact person and telephone number.
 2. Location.
 3. Projected design and construction budget. Actual design and construction budget.
 4. Completion date and indicate if project was completed on schedule.
 5. Indicate whether the design process included conducting public meetings.
 6. Indicate design problems encountered and solutions to those problems.

5.5 Project Approach

Indicate the steps the firm will undertake to accomplish the project scope of services and tasks. Discuss the firm's unique ability, if any, to professionally and effectively design the proposed project.

6.0 Selection and Award

Proposals will be accepted until **3:00 PM, EST, Monday, June 29, 2015**, at the location listed in 4.0 of this RFP. A staff selection committee will review the proposals and recommend the awarding of the project to the Fairfield Parks and Recreation Board and the Fairfield City Council. The final award of the project will be approved by the Fairfield City Council. Evaluation criteria will be based upon the firm's qualifications, experience, comparable projects, professional design approach and philosophy to address the scope of services, and fee schedule.

The City of Fairfield reserves the right to evaluate the proposals submitted, reject any or all proposals, or to correct or waive irregularities in proposals should it be deemed in the best interest of the City to do so.

7.0 City Contact

Questions may be directed to James A. Bell, Parks and Recreation Director, 411 Wessel Drive, Fairfield, Ohio 45014. Contact phone number is (513) 867-5348 and fax number is (513) 867-6070. Contact's e-mail address is jbell@fairfield-city.org.

FEES AND CONDITIONS

FEES AND CONDITIONS

A. Fees

The proposed fees are listed below by phase.

A. Fees by Phase

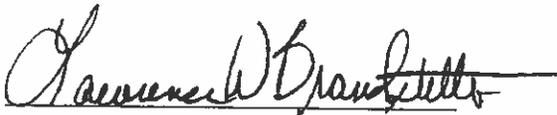
	<u>Fee</u>
Phase 1	
1. Planning Context & Site Analysis	\$14,600
2. Public Engagement	\$8,600
3. Conceptual Alternative Plans Phase	\$10,500
4. Preliminary Master Plan Phase	\$8,000
5. <u>Final Master Plan Phase</u>	<u>\$8,300</u>
Total Fee	\$50,000

B. Conditions

1. The Owner will provide and coordinate the invitations, meeting space and promotion of public input meetings, stakeholder meetings, and client review meetings.
2. Any additional copies of Draft and Final Reports that are requested by the Owner will be billed to the Owner at the actual printing and preparation costs.
3. The Owner will provide digital base maps in ARCGIS of the entire park site for use by the Consultant.
4. The Consultant will be paid monthly based on the percentage of work completed in the previous month.
5. The Owner will provide the Consultant with copies of previous studies related to the delivery of parks and recreation services, attendance figures, budgets, capital expenditure lists, and other data.
6. This proposal will remain valid for 60 days from the due date of June 29, 2015.

This Proposal is proposed by:

Brandstetter Carroll Inc.



Lawrence, W. Brandstetter, AIA, President

ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH BRANDSTETTER CARROLL, INC. FOR CONCEPTUAL ARCHITECTURAL/ENGINEERING SERVICES FOR THE WILLIAM HARBIN PARK RENOVATION PROJECT.

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

Section 1. The City Manager is hereby authorized to execute a professional services agreement with Brandstetter Carroll, Inc. for conceptual architectural/engineering services for the William Harbin Park Renovation Project 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

CITY OF FAIRFIELD, OHIO
CITY COUNCIL MEETING COMMUNICATION

Item No. 10(A)11

Item

October 13, 2015

Appointment of Fairfield representatives to the Butler County Transportation Improvement District (TID).

Financial Impact

None

Synopsis/Background

The City of Fairfield is represented by two members of the community who serve as members of the Butler County Transportation Improvement District. The terms of office for the two current members, Don Hassler and Public Works Director David Butsch expired effective October 13, 2015 and it is necessary for Council to fill these positions.

Recommendation

It is recommended that City Council, via simple motion, appoint Don Hassler and Public Works Director David Butsch, to the Butler County Transportation Improvement District for terms of office commencing October 13, 2015 and expiring on October 12, 2017.

LEGISLATIVE ACTION:

SIMPLE MOTION OF COUNCIL

Prepared by: Heather Wilson
Approved for Content by: Heather Wilson
Financial Review (where applicable) by: Shirley Ayres
Legal Review (where applicable) by: Scott Clemmons
Accepted by Council Agenda: Heather Wilson

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

ITEM: Award of Firearm to Park Ranger (Retired) Michael J. Kraft

October 13, 2015

FINANCIAL IMPACT:

Cost of the firearms and accessories is \$409.00

BACKGROUND:

Police officers with 15 or more years of service to the City of Fairfield are given their duty firearm upon retirement. The authority for this transfer of property is the labor contract with the FOP. Park Ranger Michael J. Kraft retired on January 3, 2015 with 23 years of service. As a member of AFSCME, his labor contract does not contain this provision; therefore a legislative act by council is required to provide this same benefit as other law enforcement officers of the city.

RECOMMENDATION:

It is recommended that Council pass a resolution authorizing the transfer of ownership of his duty weapon, Glock model 19 handgun, serial number XTP820, to retired Park Ranger Michael J. Kraft.

LEGISLATION ACTION:	Suspension of Rules and Adoption Requested?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		YES	NO
	Emergency Provision Needed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		YES	NO

Prepared by: Michael J. Dickey, Chief of Police

Approved for Content by: Michael J. Dickey, Chief of Police

Financial Review (where applicable): Mary Hopton, Director of Finance

Legal Review (where applicable): John Clemmons, Law Director

Accepted for Council Agenda: Alisha Wilson, Clerk of Council

Michael J. Dickey

Mary Hopton

John A. Clemmons

Alisha Wilson

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE TRANSFER OF OWNERSHIP OF DUTY WEAPON, GLOCK MODEL 19 HANDGUN, SERIAL NUMBER XTP820, TO RETIRED PARK RANGER MICHAEL J. KRAFT IN RECOGNITION OF HIS YEARS OF SERVICE TO THE CITY AND ITS RESIDENTS.

WHEREAS, Park Ranger Michael J. Kraft retired on January 3, 2015 after twenty-three years of service to the City, and

WHEREAS, other law enforcement officers of the City who retire after fifteen years of service are awarded their duty firearm.

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

Section 1. The City Manager and Police Chief are hereby authorized to transfer ownership of the duty weapon, Glock model 19 handgun, serial number XTP820 to retired Park Ranger Michael J. Kraft in recognition of his years of service to the City and its residents.

Section 2. 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: October 13, 2015

ITEM:

Agreement with Butler County Public Defender Commission and Butler County Board of Commissioners to provide legal representation of indigent defendants in the Fairfield Municipal Court for 2016.

FINANCIAL IMPACT:

The Fairfield Municipal Court has estimated an annual savings of at least \$55,000.00 from the implementation of this agreement.

SYNOPSIS:

The Butler County Public Defender Commission/Butler County Board of Commissioners will provide legal representation for all indigent defendants by providing five (5) public defenders including both felony and misdemeanor representation and state statute and City ordinance violations.

BACKGROUND:

The City previously provided legal representation for indigent defendants from its own funds by appointment of attorneys on a case-by-case basis. This new system which was started in 2011 has reduced the overall cost of indigent defense as stated above.

RECOMMENDATION:

It is recommended that Council adopt an ordinance to authorize the City Manager to execute the agreement for indigent legal representation for 2016 in the Fairfield Municipal Court with the Butler County Public Defender Commission/Butler County Board of Commissioners. Rules suspension and the emergency clause are requested so that the agreement can be in place and reimbursement by the State of Ohio can be obtained in accordance with state guidelines.

LEGISLATIVE ACTION:

Suspension of Rules and Adoption Requested? X Yes No

If yes, explain above.

Emergency Provision Needed? X Yes No

If yes, explain above.

Prepared by: John A. Clemmons

Approved for Content by: John A. Clemmons

Financial Review (where applicable): Mary Hagan

Legal Review (where applicable): John A. Clemmons

Accepted for Council Agenda: Mike Wilson

**AGREEMENT FOR INDIGENT DEFENSE SERVICES
IN FAIRFIELD MUNICIPAL COURT
Public Defender and Assigned Counsel**

This Agreement is entered into by and between the Butler County Public Defender Commission, with a mailing address of 315 High Street, 8th Floor, Hamilton, Ohio 45011 (hereinafter referred to as the "COUNTY"), and the City of Fairfield, with a mailing address of 5350 Pleasant Avenue, Fairfield, Ohio 45014 (hereinafter referred to as the "CITY").

WHEREAS, the CITY recognizes its responsibility under the laws of the State of Ohio and of the United States of America to provide legal counsel to indigent persons charged with a violation of a City ordinance for which the penalty or any possible adjudication includes the potential loss of liberty, and

WHEREAS, Butler County has adopted a program whereby a Public Defender Commission has been formed and has established a Public Defender Office for providing indigent defense and if there is a conflict, then the court will appoint assigned counsel attorneys.

WHEREAS, the COUNTY Public Defender Commission pursuant to Ohio Revised Code §120.14 and §120.16 may enter into a contract with a municipal corporation whereby the County provides legal representation to indigent persons charged with a violation of an ordinance of a municipal corporation for which the penalty or possible adjudication includes the potential loss of liberty and under which the municipal corporation shall pay the COUNTY for these services.

WHEREAS, these contracts must contain terms in conformance with Ohio Administrative Code §120-1-09 and the parties must follow the Ohio Public Defender Commission standards and guidelines and the COUNTY Maximum Fee Schedule for Appointed Counsel, in order for the COUNTY to obtain reimbursement for indigent defense costs pursuant to Ohio Revised Code §120.18, §120.33 and §120.35, and pay the CITY its appropriate share if such has not already been calculated in the formula to determine compensation, and

WHEREAS, this Agreement has been authorized by the CITY by Res./Ord.# _____, passed by the Fairfield City Council on _____, and by Resolution # _____, passed by the Butler County Public Defender Commission on _____.

NOW THEREFORE, the parties do mutually agree to bind themselves as follows:

1. REPRESENTATION

- 1.1 The COUNTY, on behalf of the CITY, agrees to provide legal representation in Municipal Court on or after the commencement date and during the term of this agreement in cases where the defendant is indigent and charged with the commission of an offense or act which is a violation of a CITY ordinance and for which the penalty or any possible adjudication includes the potential loss of liberty.
- 1.2 Indigency shall be determined in accordance with the standards of indigency and other rules and guidelines established by the Ohio Public Defender Commission and the State Public Defender, pursuant to Ohio Revised Code §120.03 and Ohio Administrative Code §120-1-03.
- 1.3 A major purpose of this agreement is to enable the COUNTY and CITY to obtain partial reimbursement of its costs to have the Public Defender office or appointed counsel in conflict situations, provide legal representation in Fairfield Municipal Court for indigent persons charged with any violation of a CITY ordinance for which the penalty or any possible adjudication includes the potential loss of liberty. Any question regarding terms or performance of this agreement should be resolved in favor of obtaining this result.

2. COMPENSATION

- 2.1 For and in consideration of the CITY'S annual payment of the sum of \$54,636.35 to the COUNTY, said sum to be paid in equal monthly installments of \$4,553.03 per month due on or before the 15th of each month, for which the Public Defender Office provides representation in Fairfield Municipal Court in consideration of the COUNTY being authorized to receive and keep any and all reimbursement, if any, it may be able to obtain from the Ohio Public Defender Commission for such representation, the COUNTY agrees to have its Public Defender attorneys undertake the representation of indigent adults who are charged in the Fairfield Municipal Court with the commission of an offense that is a violation of a Fairfield Municipal Ordinance for which the penalty includes a potential loss of liberty. The parties further agree that due to the staffing commitment required from the COUNTY by the Fairfield Municipal Court, this payment may also include some contribution for representation in connection with certain violations under the Ohio Revised Code as contemplated by the parties.

- 2.2 In addition to the payments for the Public Defender services; in conflict situations, where assigned counsel is appointed, the County will pay the attorney and bill the CITY monthly for the municipal code violation cases the County paid assigned counsel in any particular month, based on qualifying attorney vouchers. The COUNTY will issue an invoice to the CITY.
- 2.3 Amounts paid by the CITY for representation of such indigent persons, whether by a contractual amount or fee schedule, shall not exceed the fee schedule in effect and adopted by the COUNTY Commissioners.
- 2.4 Applications for transcripts and expert fees may be made to the court. When granted by the court and in municipal code violation cases, the county will pay, bill the CITY and the CITY will reimburse the COUNTY.
- 2.5 The type of case (ORC vs Municipal Code) for payment purposes is based on the offense charged, not the offense of conviction or plea. If any ORC violation is charged at the same time as a Municipal Code violation, then the CITY is not required to reimburse the COUNTY.
- 2.6 The COUNTY shall promptly pay over to the CITY any reimbursement received from the Office of the Ohio Public Defender Commission pursuant to Chapter 120 of the Ohio Revised Code for any amounts the CITY expended pursuant to this agreement for assigned counsel costs.

(There is no sharing of state reimbursement for the County Public Defender office costs.)

3. DURATION OF CONTRACT and TERMINATION

- 3.1 The term of this agreement shall be for one year, January 1, 2016 to December 31, 2016. This contract may be renewed for additional one year terms upon proper resolution of each entity agreeing to the one year extension and proper appropriation of funding for the new year. Copies of the resolutions are to be sent to the Ohio Public Defender, 250 East Broad Street, Suite 1400, Columbus, Ohio 43215.
- 3.2 If COUNTY or CITY shall fail to fulfill in a reasonable, timely and proper manner its obligations under this agreement or if either party shall substantially violate any of the covenants, agreements or stipulations of

this agreement, then the aggrieved party shall hereupon have the right to terminate this agreement by giving written notice to the other party of such termination and specifying an effective date thereof at least thirty (30) days before the effective date of said termination. Termination by either party shall not constitute a waiver of any other right or remedy it may have in law or in equity for breach of this agreement by the other party.

- 3.3 Written notice shall be considered furnished when it is sent by Certified Mail; return receipt requested or is hand delivered.

4. TERMS OF AGREEMENT

- 4.1 Indigency and client eligibility for representation under this agreement shall be determined in conformity with the standards of indigency and other rules and standards established by the Ohio Public Defender Commission and the State Public Defender.
- 4.2 Recognizing that the requests for reimbursement must be received by the State Public Defender in a timely manner, the Municipal Court Clerk shall promptly notify the COUNTY of the CITY ordinance cases completed and pending in any month.
- 4.3 After approval, the County Auditor shall thereafter, process the fees and expenses approved by the Court in accordance with the procedure set forth in Ohio Revised Code §120.33.
- 4.4 There shall be no discrimination against any employee who is employed in the work covered by this agreement or against any application for such employment because of race, color, religion, sex, age, handicap or national origin. This provision shall apply to, but not be limited to employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, raises of pay or other forms of compensation, and selection for training, including apprenticeship. The COUNTY shall insert a similar provision in any subcontract for services covered by this agreement.

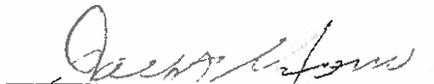
- 4.5 No personnel of the parties or member of the governing body of any locality or other public official or employee of any such locality in which, or relating to which, the work under this Agreement is being carried out, and who exercises any functions or responsibilities in connection with the review or approval of the understanding or carrying out of any such work, shall, prior to the completion of said work, voluntarily acquire any personal interest, direct or indirect, which is incompatible or in conflict with the discharge and fulfillment of his or her functions and responsibilities with respect to the carrying out of said work.

5. MODIFICATION

- 5.1 This contract may not be amended orally.
- 5.2 This contract may be amended only by written addendum, signed and executed by the parties named herein, or their successors.

IN WITNESS WHEREOF, the parties have hereunto set their hands.

BUTLER COUNTY PUBLIC DEFENDER COMMISSION

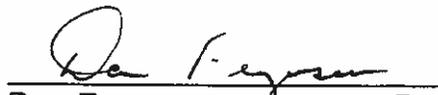


Jack F. Grove Date
Chairperson

CITY OF FAIRFIELD

Mark T. Wendling Date
City Manager

Approved as to Form Only:



Dan Ferguson Date
Assistant Prosecuting Attorney

Approved as to Form Only:

John H. Clemmons Date
City of Fairfield Law Director

By adoption of its Resolution No. _____ adopted on _____, the Board of County Commissioners of Butler County has approved all provisions of this Agreement which pertain to the financing of defense counsel for indigent persons who are charged with a violation of the ordinances of the City of Fairfield.

**Board of County Commissioners of
Butler County, Ohio**

Date

Date

Date

Approved:

Ohio Public Defender Date

ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR INDIGENT LEGAL REPRESENTATION FOR 2016 IN THE FAIRFIELD MUNICIPAL COURT WITH THE BUTLER COUNTY PUBLIC DEFENDER COMMISSION/BUTLER COUNTY BOARD OF COMMISSIONERS AND DECLARING AN EMERGENCY.

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

Section 1. The City Manager is hereby authorized to execute an agreement with the Butler County Public Defender Commission/Butler County Board of Commissioners for indigent legal representation in the Fairfield Municipal Court for 2016 in accordance with the agreement on file in the office of the City Manager.

Section 2. This Ordinance is hereby declared to be an emergency measure necessary for the urgent benefit and protection of the City and its inhabitants for the reason that State of Ohio reimbursement can be obtained in a timely manner; wherefore, this ordinance 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 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:

October 13, 2015

Request for appropriation for non-contractual agenda items

FINANCIAL IMPACT:

\$36,764.00 from noted funding source

SYNOPSIS:

The following appropriations have been requested:

- \$3,264 Replace Existing Curb Ramps;
- \$10,000 Neighborhood Improvements;
- \$12,500 Replacement of Traffic Monitoring Work Stations;
- \$11,000 Repair and Additions to Security and Entry System.

BACKGROUND:

Please refer to specific Council Communications dated October 13, 2015 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: Alicia Wilson

Approved for Content by: Alicia Wilson

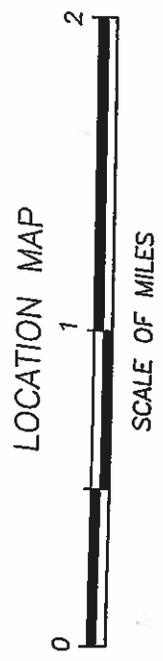
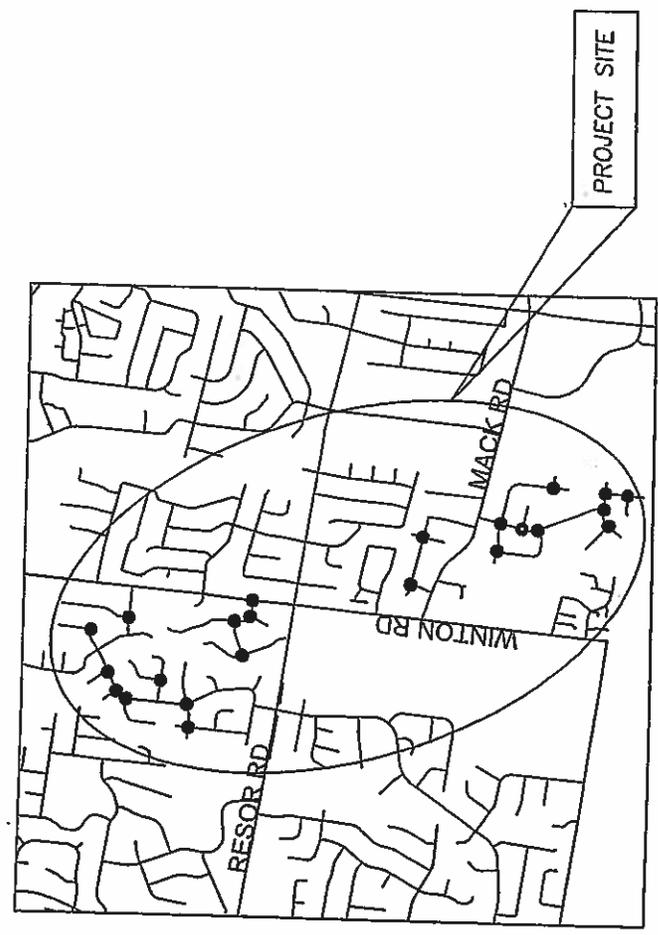
Financial Review (where applicable) by: Maya Brown

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

Accepted by Council Agenda: Alicia Wilson

2015 CURB RAMP IMPROVEMENTS SHEARWATER, CHESAPEAKE, LAFORGE VICINITY

CITY OF FAIRFIELD
BUTLER COUNTY, OHIO



CITY OF FAIRFIELD, OHIO
CITY COUNCIL MEETING COMMUNICATION

DATE: 10/12/2015

ITEM:

Stump Removal Project

FINANCIAL IMPACT:

\$10,000. Funding for this project will come from the Capital Improvements Fund and is listed in the Capital Improvement Program as item # PWA-15-015 Neighborhood Improvements.

SYNOPSIS:

The Stump Removal Project will encompass the removal and restoration of tree stumps which are located in the right-of-way throughout the City.

BACKGROUND:

During the past few years the Public Works Department along with private contractors have been removing dead or dying trees located in the right-of-way. The number of trees being cut down has increased over the past few years due to the effects of the emerald ash borer. Therefore, the number of stumps in the right-of-way has grown tremendously and has become more of an eyesore. The number of stumps currently in the right-of-way that need to be removed will more than likely exceed the funds available for this year and will therefore take 2 - 3 years to complete.

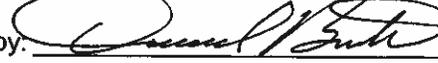
Generally funds listed in the CIP under Neighborhood Improvements have gone to plant trees and shrubs in or adjacent to the right-of-way in an effort to soften the roadway or provide screening of private property.

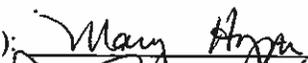
RECOMMENDATION:

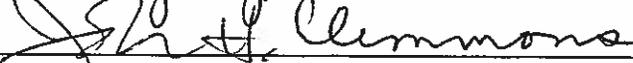
It is recommended that the City Council direct the preparation of legislation authorizing the appropriation of funding in the amount of \$10,000 for the Stump Removal Project.

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

Prepared by: 

Approved for Content by: 

Financial Review (where applicable): 

Legal Review (where applicable): 

Accepted for Council Agenda: 

DIGITAL:TIGERS™

Phone (USA): +1 800-844-3721

International: +1 678-585-1310

Digital Tigers, Inc.

742 Spalding Dr #210, Norcross, GA 30092

www.digitaltigers.com

Price Quote

Quote Number	2562051
Date	2015-09-25
Quote Valid Until	2015-10-09
Customer ID	US-150923-0109

Billing Address	Shipping Address	Account Rep / Comments
David Butsch City of Fairfield 5350 Pleasant Ave Fairfield, OH 45014 USA 513-867-4214 dbutsch@fairfield-city.org	David Butsch City of Fairfield 5350 Pleasant Ave Fairfield, OH 45014 USA 513-867-4214 dbutsch@fairfield-city.org	Rep: Geoff Amthor geoff.amthor@digitaltigers.com Qty 3, systems + displays

Qty	Product ID	Product Name and Description	Unit Price	Total USD
3	WP-B090-X4	Stratosphere Pro B090 X4 Top-selling performance workstation for 4 DVI / HDMI monitors CPU: New Intel Core i5-6500 quad-core processor, 3.2 - 3.6 GHz Turbo Boost (upgradable) Memory: 8GB 2133MHz DDR4 memory, upgradable to 64GB System drive: New 128GB M.2 PCI-E 3.0 x4 SSD, Samsung SM951 series (upgradable) Optical drive: ASUS 24X dual-layer DVD±RW / CD-RW quiet optical drive (upgradable) Graphics: NVIDIA GeForce GTX 950 2GB fast graphics (upgradable) • 3 x DisplayPort, 1 x HDMI, 1 x DVI (max 4 x DVI-D or HDMI with supplied adapters) Operating system: Microsoft Windows 7 Professional 64-bit with XP Mode (upgradable) Case: Ultra Quiet case, front door, premium noise dampening, 4 front USB (upgradable) CPU cooler: standard Intel CPU cooler, audible fan (upgradable) Case fans: Standard case fans (upgradable) Motherboard: ASUS Z170 Pro motherboard, socket 1151, 3-year warranty (upgradable) • 2 x PCI Express 3.0 x16 slot, 1 x PCI Express 2.0 x16 slot (x4 speed) • 3 x PCI Express x1 slots; 6 x SATA 6 Gb/s • USB 3.1: 2 x USB 3.1 (rear), Type A (red) & Type C (black) • USB 3.0/2.0: 6 x USB 3.0 (2 front, 4 rear); 4 x USB 2.0 (2 front, 2 rear); Total 12 ports • Networking: wired Intel I218V Gigabit Ethernet controller (optional Intel wireless AC) • Audio: 8-channel audio, 5 x rear analog ports; S/PDIF optical, front mic/headphone • Monitor ports (Intel HD Graphics): DVI, DisplayPort and HDMI port Power supply: 550W ultra-quiet semi-modular with 80PLUS Gold efficiency (upgradable) Power protection: 3780-joule surge suppressor, 12 outlets, USA plug (upgradable to UPS) Antivirus: AVAST Free Antivirus: free for life, world's #1 most popular security product Software: UltraView Desktop Manager software (\$99 standalone SRP) Warranty: 3 year parts / labor (upgradable) Support: 5 years expert telephone support, on-demand remote and diagnostics	1,899.00	5,697.00
3	OS-W7P64-UPG-W10P64	Operating system: Windows 7 Professional, upgraded to Windows 10 Pro 64-Bit System licensed for Windows 7 Professional 64-bit, with full Windows 7 installation System then upgraded to Windows 10 Pro 64-bit with Windows 7 installation saved Enables rollback to Windows 7 Professional if desired at later time	99.00	297.00
3	UPG-CPU-6700K	Upgrade CPU to Intel Core i7-6700K 4.0 - 4.2 GHz HyperThreading New Intel "Skylake" generation processor; 4 CPU cores, 8 CPU threads	249.00	747.00
3	UPG-FN-Hyper212EVO	Upgrade: Ultra-quiet, high-performance 120mm CPU cooler (Hyper 212 EVO)	49.00	147.00
3	UPG-DDR4-2133-16GB	Upgrade RAM to 16GB DDR4-2133 (2 x 8GB DIMMs)	99.00	297.00
3	UPG-SSD-512GB-SM951	Upgrade system drive: 512GB SSD, Samsung SM951 - M.2 PCI Express 3.0 x4 Industry-fastest SSD, ultra-fast 2GB/s read speed, up to 4X speed of SATA SSDs	415.00	1,245.00
3	UPG-FN-Case-WX2	Add (2) case fans for improved cooling	35.00	105.00
3	SW-LibreOffice	Libre Office free office suite Includes word processor, spreadsheet, presentation, drawing, database, math	0.00	0.00
3	KB-K120M500	Logitech K120 wired keyboard + M500 laser mouse Desktop wired USB keyboard and mouse with thumb buttons, hyper scroll wheel	39.00	117.00
3	SP-Satechi-DualSonic	Satechi Dual Sonic compact stereo speakers 2.9" high, fits under monitor; volume control; USB power; 3.5mm input; superior quality	35.00	105.00
3	UPS-CP1000AVRLCD	CyberPower 1000VA UPS (CP1000AVRLCD): battery backup, AVR, LCD status Line-interactive UPS (Uninterruptible Power Supply) with automatic voltage regulation	99.00	297.00
3	WY-5YR	5-year parts/labor warranty 5-year parts/labor warranty; requires CyberPower 1000VA UPS; not available for systems with overclocked CPU	0.00	0.00

2	ZT-H22-9040	Zenview Trio 22 Three 21.5" premium 1080p LCDs with freestanding desk mount Resolution per screen: 1920x1080 pixels (HD 1080p) Total resolution: 5760x1080 • Megapixels: 6.2 • Effective diagonal screen size: 57.2" Aspect ratio per screen: 16:9 (widescreen) • Pixel pitch: 0.248mm (large text size) LCD: AMVA technology for brilliant image quality, ultra-wide 178° H/V viewing angles Backlight: WLED backlight • Power consumption: 19.5W per screen Brightness: 250 cd/m ² • Response time: 8ms (G to G) Display colors: 16.7 million Static contrast ratio: 3000:1 • Dynamic contrast ratio: 10M:1 Inputs: DVI-D & Analog RGB/VGA Signal cables: 3 x 6ft DVI, VGA (upgradable to longer length) Power cables: 3 x 6ft power (USA; upgradable to quad-head long cable / international) Software: UltraView Desktop Manager multi-monitor utilities for Windows (\$99 value) Mounting stand:freestanding 20.0" (W) x 12.1" (D) desk base with 14" pole • Mounting allows LCDs to be angled inward 0-15° • Optional grommet mount / desk clamp mounting stand for fixed attachment Overall dimensions: 60" (W) x 12.1" (D) x 14.6" - 20.6" (H) Dimensions per monitor: 20" (W) x 12" (H) x 2.06" (D) • Viewable image: 18.7"x10.5" Net weight, excluding cables: 29.55 lbs Warranty: 3 years (parts, labor, backlight) with advance replacement service (USA)	749.00	1,498.00
2	PWR-3X-USA-10FT	10ft triple-head power cable (USA), NEMA 5-15P to IEC-60320-C13 x 3 Reduces power cable count from 3 to 1, extends length from 6ft (2m) to 10ft (3m)	12.00	24.00
6	CAB-DVIDSL-10FT	10ft DVI-D SL cable Supports up to 1920 x 1200 resolution	13.00	78.00
1	QD	Quantity Discount 7% qty discount, systems	0.00	-633.78
1	QD	Quantity Discount 5% qty discount, displays	0.00	-80.00
1	FRT-FDX-SAVER	FedEx Express Saver (Air) For systems	246.13	246.13
1	FRT-FDX-GRD	FedEx Ground For displays	100.16	100.16
Quote subject to Terms and Conditions of Sale: www.digitaltigers.com/terms.asp Purchase orders on net terms not accepted. 3% discount for wire transfer / ACH or company check.			Pre Tax Total	10,286.51
			Tax(0.00)%	0.00
			GRAND TOTAL(\$)	10,286.51

CITY OF FAIRFIELD, OHIO
CITY COUNCIL COMMUNICATION

ITEM NO. _____

October 13, 2015

ITEM

City Council is requested to approve an appropriation in the amount of \$11,000 from the Capital Improvement Fund for 2015.

FINANCIAL IMPACT

An appropriation in the amount of \$11,000 from the Capital Improvement Fund for the repair and additions of security and entry system and a domain controller for the City as approved under project FIN 15-003.

BACKGROUND

In order to maintain network security for user access and to add a level of security for the buildings throughout the City, it has become necessary to upgrade computer components for the surety system and to upgrade an aging domain controller. In addition to the added security of the network backbone to all City locations, this will also enhance the ability to customize and control building access.

STAFF RECOMMENDATION

It is recommended the City Council approve the requested appropriation and authorize and direct the preparation of legislation for the appropriation of \$11,000 from the Capital Improvement Fund and suspend the rules requiring the second and third reading.

LEGISLATIVE ACTIONS:

Suspension of Rules & Adoption Requested?	Yes
Emergency Provision Needed?	No

Prepared by:

Approved for content

Financial Review (where applicable) by:

Legal Review (where applicable) by:

Accepted by Council Agenda:

Joseph Waldmann *JW*

Greg Preece *GP*

Mary Hopton *MH*

John A. Clemons

Michelle Wilson

Digital Visions, LLC

4548 Cornell Rd
Blue Ash, OH 45241 US
(513)671-3660
tscott@digitalvisionsllc.com



ESTIMATE

ESTIMATE # 2846
DATE 10/01/2015
EXPIRATION DATE 11/01/2015

ADDRESS

Mr. Brian Rose
City of Fairfield
701 Wessel Dr.
Fairfield, OH 45014

Please detach top portion and return with your payment.

P.O. NUMBER
CAC - Keyscan Panel

DESCRIPTION	QTY	RATE	AMOUNT
Keyscan 4 Door Panel	1	1,750.00	1,750.00T
Keyscan 2 Door Panel	1	1,000.00	1,000.00T
Installation of Panel and Configuration into Keyscan System 7 Software.	1	760.00	760.00T

All estimates are valid for 30 days from the date issued.

SUBTOTAL	3,510.00
TAX (0%)	0.00
TOTAL	\$3,510.00

Accepted By

Accepted Date

JOHNSON CONTROLS
WORLDWIDE

SYSTEMS PRODUCTS

Customer Success Center
| PRODUCT QUOTATION |
507 E Michigan St

PO BOX 423
Milwaukee, WI 53201

Company Name: CITY OF FAIRFIELD
Ship to addr: CITY OF FAIRFIELD
5350 PLEASANT AVENUE
FAIRFIELD OH 45014

CALLER: BRIAN
Comments field:
PHONE NUMBER: 513-404-2405
FAX NUMBER:

Customer Expiration	Date	Code/Account	Your RFQ Number	JCI Quote Number	Written
Date	Terms	FOB	Ship Via		

1228510				Q084996	10/02/2015
01/30/16	PDOR	WWWWWWW	2nd Day		

Price does not include Tax and Shipping/Handling. Returned materials may be subject to restocking fee.

Line	Customer Price	Product Extended	JCI Product Number and Description	Standard Lead	Quoted Quantity	Unit
1	1,647.2400	1,647.2400	MS-NCE2510-0/NCE, 33 POIN	3 Days	1	

TOTAL: 1,647.24

CURRENCY:

| If you wish to purchase the items listed above, please fax to
1-800-811-1338 or call 1-800-482-2778 |

| NAME:

SIGNATURE:

| PURCHASE ORDER NUMBER:

| _|MasterCard

| _|AMEX

| _|VISA



SALES QUOTATION

QUOTE NO.	ACCOUNT NO.	DATE
GKDL923	6636447	8/11/2015

BILL TO:
 CITY OF FAIRFIELD
 5350 PLEASANT AVE

SHIP TO:
 CITY OF FAIRFIELD
 Attention To: LANCE KENNEDY
 701 WESSEL DR

Accounts Payable
 FAIRFIELD, OH 45014-3597

FAIRFIELD, OH 45014-3611
 Contact: LANCE
 KENNEDY 513.658.4821

Customer Phone #

Customer P.O. # GKDL923 QUOTE

ACCOUNT MANAGER		SHIPPING METHOD	TERMS	EXEMPTION CERTIFICATE
BJ DIETERICH 866.665.7137		UPS Ground (1-2 day)	NET 30-VERBAL	GOVERNMENT
QTY	ITEM NO.	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
1	3466979	HP DL360 GEN9 E5-2620V3 SRV Mfg#: 780018-S01 Contract: MARKET	2,497.73	2,497.73
2	3465464	HP S-BUY 8GB 1RX4 PC4-2133P-R KIT Mfg#: 726718-S21 Contract: MARKET	148.63	297.26
3	3268842	HP 500GB 6G SAS 7.2K 2.5IN MDL HDD Mfg#: 652745-S21 Contract: MARKET	309.22	927.66
1	3495959	HPE 3Y 24X7 DL36X FC SVC Mfg#: U7RN8E Contract: MARKET	873.80	873.80
1	2840058	Electronic distribution - NO MEDIA MS EA WIN SRV STD LIC/SA 2PROC Y2 Mfg#: P73-05897-2-SLG Contract: MARKET Electronic distribution - NO MEDIA	851.81	851.81
SUBTOTAL				5,448.26
FREIGHT				83.44
TAX				0.00

US Currency

TOTAL 5,531.70

CDW Government
 230 North Milwaukee Ave.
 Vernon Hills, IL 60061

Fax: 312.752.3951

Please remit payment to:
 CDW Government
 75 Remittance Drive
 Suite 1515
 Chicago, IL 60675-1515

ORDINANCE NO. _____

ORDINANCE TO AMEND ORDINANCE NO. 109-14 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, 2015, AND ENDING DECEMBER 31, 2015."

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

Section 1. Ordinance No. 109-14, the 2015 Appropriation Ordinance, is hereby amended in the following respects:

From: Unappropriated Street Improvement Fund \$3,264

To: 40116025-252000 Improvements Other Than Building
(Curb & Gutter Replacement for Americans with Disabilities Act) \$3,264

From: Unappropriated Capital Improvement Fund \$21,000

To: 40216025-252000 Improvements Other Than Building
(Neighborhood Improvements) \$10,000

To: 40216025-253200 Capital Equipment
(Repair and Additions to Security and Entry System) \$11,000

From: Unappropriated County Motor Vehicle Fund \$12,500

To: 20516025-252000 Improvements Other Than Building
(Replacement of Traffic Monitoring Work Stations) \$12,500

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\2015\Non Contractual 10-13 - Ord