

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

**Monday, October 27, 2014**

**7:00 PM**

---

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

COUNCILMEMBER AT-LARGE...CHAD OBERSON  
COUNCILMEMBER AT-LARGE...MIKE SNYDER  
COUNCILMEMBER AT-LARGE...BILL WOESTE  
CITY MANAGER.....ARTHUR E. PIZZANO  
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. **Public Hearing(s)**
7. **Special Presentations and Citizen Comments**
  - a) Support Local Business Campaign – City of Fairfield Development Services Department staff, Kert Radel, President of Fairfield Chamber of Commerce and Kathy Carpe, Fairfield Framing Gallery
8. **Mayor/Council Reports**
9. **Approval of Minutes**
  - a) Regular Meeting Minutes of October 14, 2014
10. **OLD BUSINESS**
  - (A) **DEVELOPMENT SERVICES COMMITTEE**  
**Bill Woeste, Chairman; Adam Jones, Vice Chairman, Mike Snyder, Member**
    - (1) Ordinance to amend Chapters 1133 and 1165 of the Zoning Code of Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio relative to the definitions and principal permitted and conditional uses in the C-3 General Business District, and C-3A, General Business District Modified, Zoning Districts.
      - Ordinance – Third Reading
    - (2) Ordinance to authorize the City Manager to execute the FY 2015 Community Development Block Grant (CDBG) Application and Agreement and declaring an emergency.
      - Ordinance – Second Reading
      - Motion – Suspend Third Reading
      - Motion – Adoption

11. **NEW BUSINESS**

(A) **FINANCE & BUDGET COMMITTEE**

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

(1) Ordinance to reconcile accounts.

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

(2) Contractual Appropriations - \$13,503 Pleasant Avenue Improvements – John Gray Road to Augusta Boulevard.

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

(3) Non-Contractual Appropriations - \$20,000 for pavement of north exit driveway at Wastewater Treatment Facility; \$13,800 for purchase of Global Positioning Units (GPS) for fleet vehicles; \$4,489 for concrete and masonry repairs at the Water Treatment Plant.

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

12. **Meeting Schedule**

Monday, November 10	Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.
Monday, November 24	Council-Manager Briefing, 5:30 p.m.; Regular Meeting, 7:00 p.m.
Monday, December 1	Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.

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

14. **Adjournment**

**AGENDA**

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

**MONDAY, OCTOBER 27, 2014  
6:00 P.M.**

1. Butler County Airport Capital Improvement Discussion

MINUTES  
REGULAR MEETING OF COUNCIL  
OCTOBER 14, 2014

**Call to Order**

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

**Prayer/Pledge of Allegiance**

Councilmember Pennington led in prayer and the Pledge of Allegiance.

**Roll Call**

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

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

**Agenda Modifications**

**Executive Session Requests**

Councilmember Senger, seconded by Councilmember Snyder, moved for Executive Session for the purpose of discussing employment of personnel. Motion carried 6-0.

**Public Hearing(s)**

**Special Presentations and Citizen Comments**

Fairfield Chamber of Commerce Business Spotlight - Ms. Lisa Hill, Lisa's Kitchen

Kert Radel, President of Fairfield Chamber of Commerce, introduced Ms. Hill and noted that today marks her one year anniversary since opening her restaurant in Fairfield.

Ms. Hill addressed Council and thanked the city for their support of her restaurant. Council congratulated her on reaching her one year anniversary and wished her success in the future of her restaurant. Council thanked Ms. Hill for choosing Fairfield as the place to open her business.

**Mayor/Council Reports**

Mayor Miller announced that the City of Fairfield Parks and Recreation Department recently achieved accreditation from the National Recreation and Parks Association. The city is one of only 135 parks and recreation agencies accredited by the commission this year, and is one of only nine agencies accredited in the State of Ohio. He thanked the staff for all of their hard work to achieve this prestigious milestone. Mayor Miller also noted that the Public Works Department, Public Utilities Department and Police Department are accredited. He stated that it is the desire of the city to be the best and accreditation of city departments exemplifies that desire.

Councilmember Jones reported that with Halloween approaching, the Fire Department will be distributing glow sticks again this year, as they have done for the past 28 years. He also reminded residents that it is not permitted to burn yard waste within the city limits; he reported that there have been several complaints recently. Councilmember Jones announced that Dancing with the Choraliers will be held on October 19, 2:00-5:00 PM, at the Fairfield Middle School and he will be performing with one of the Choraliers. He invited everyone to attend.

Councilmember Pennington thanked everyone for their love and support during the time of her mother-in-law's passing. She reported that the annual Pumpkin Patch at Harbin Park will be October 18 from 1:00-5:00 PM., and activities include crafts, games, hayride and refreshments. Councilmember Pennington also reported that the Tarton Terrors will perform

at the Community Arts Center on October 18 at 8:00 PM, and Lexington Children's Theatre will perform *Repunzel* on October 24 at 7 PM at the Community Arts Center. Tickets for both events are still available.

Councilmember Oberson reported that road work is ongoing on Winton, Seward and Ross Roads for some repairs and motorists may experience minor delays. Also, Ross Road between Danberry and Kenn Road, is closed for road repairs and will re-open in approximately 30 days.

Councilmember Snyder reported that Judge Joyce Campbell was elected for a two-year term to a leadership position with the Ohio Judicial Conference. He congratulated her on the achievement. Councilmember Snyder also reported that Ursuline Academy senior, Kari Fletcher, who is a Fairfield resident, was named one of 1,600 national finalists in the Nation Achievement Scholarship Program based on the PSAT, which qualifies her for a \$2,500 scholarship. According to the newspaper article, less than 1% of students that take the test earn the highest commendations. Councilmember Snyder congratulated her on the achievement.

Councilmember Woeste congratulated Mr. Radel on a successful Chamber Showcase event. He encouraged Council to bring to the attention of Mr. Radel any small business owners in Fairfield that might want to attend a Council meeting for the Business Spotlight.

### **Approval of Minutes**

Regular Meeting Minutes of September 22, 2014

- The Regular Meeting Minutes of September 22, 2014 were approved as written.

### **OLD BUSINESS**

#### **DEVELOPMENT SERVICES COMMITTEE**

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

Ordinance to amend Chapters 1133 and 1165 of the Zoning Code of Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio relative to the definitions and principal permitted and conditional uses in the C-3 General Business District, and C-3A, General Business District Modified, Zoning Districts.

Councilmember Bill Woeste, seconded by Councilmember Adam Jones moved to amend the ordinance per Planning Commission recommendations. Motion Carried 6-0.

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

Ordinance amending Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, Section 1141.02, the City of Fairfield, Ohio, Zoning Map by approving the amended concept plan for the Village Green Planned Unit Development and the Final Development Plan for City Center Place Lifestyle Condominiums.

Councilmember Bill Woeste, seconded by Councilmember Debbie Pennington moved to remove the ordinance from Council agenda, per the request of the property owner. Motion Carried 6-0.

### **NEW BUSINESS**

#### **DEVELOPMENT SERVICES COMMITTEE**

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

Ordinance to authorize the City Manager to execute the FY 2015 Community Development Block Grant (CDBG) Application and Agreement and declaring an emergency.

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

Background: City Manager Pizzano recommended approval to execute the FY 2015 CDBG application and agreement. This agreement is done yearly and the city receives grant money to make improvements in the community. The funds are federal funds that come through Butler County and the city is guaranteed 10% of those funds, which amounts to \$113,700. The money that is awarded this year will be used to make ADA improvements on curb ramps, as well as constructing a shelter house at Good Neighbors Park. Legislative Action: Councilmember Woeste presented the first reading of this ordinance.

#### **PUBLIC WORKS COMMITTEE**

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

Resolution to approve the revision of the solid waste generation fee and amend section VIII of the solid waste management plan of Butler County, Ohio and declaring an emergency.

Councilmember Chad Oberson, seconded by Councilmember Terry Senger moved to read the following resolution by title only. Motion Carried 6-0.

Background: City Manager Pizzano recommended a resolution to approve the revision of the solid waste generation fee of Butler County. The reduction will save the city approximately \$2,700 per year. Legislative Action: Councilmember Oberson presented the first reading of this ordinance.

Councilmember Chad Oberson, seconded by Councilmember Debbie Pennington 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. RESOLUTION NO. 13-14. APPROVED 6-0.

#### **FINANCE & BUDGET COMMITTEE**

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

Councilmember Terry Senger, seconded by Councilmember Adam Jones moved to read the following ordinances by title only. Motion Carried 6-0.

Contractual Appropriations - \$45,000 for engineering for John Gray Road Improvements between Winton Road and Pleasant Avenue.

Background: City Manager Pizzano recommended an appropriation for the engineering for John Gray Road Improvements. The agreement was approved previously by Council. Legislative Action: Councilmember Senger presented the first reading of this ordinance.

Councilmember Terry Senger, seconded by Councilmember Mike Snyder 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. 94-14. APPROVED 6-0.

Non-Contractual Appropriations - \$45,000 for replacement of uninterrupted power supply (UPS); \$42,500 for 20'x20' shelter house at Fairfield Youth Playfields on River Road and 21'x20' shelter house attached to bait house at Thomas O. Marsh Park; \$24,000 for contracted drainage improvements; \$18,500 replacement of several network switches across the city; \$5,200 for replacement of one portion of the network connectivity at the Water Treatment Plant; \$7,480 for concrete repairs at Water Treatment Plant; \$11,271 for purchase of one centrifugal sludge pump.

Background: City Manager Pizzano recommended several non-contractual appropriations. Legislative Action: Councilmember Senger presented the first reading of this ordinance.

Councilmember Terry Senger, seconded by Councilmember Chad Oberson 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. 95-14. APPROVED 6-0.

**Meeting Schedule**

Clerk Wilson read the following meeting schedule:

- Monday, October 27 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.
- Monday, November 10 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.
- Monday, November 24 Council-Manager Briefing, 5:30 p.m.; Regular Meeting, 7:00 p.m.

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

Council adjourned to Executive Session at 7:20 PM.

**Adjournment**

The Regular Meeting of Council adjourned at 9:30 PM.

ATTEST:

\_\_\_\_\_  
Clerk of Council  
Date Approved \_\_\_\_\_

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

Item No. 11 (B)(1)

City of Fairfield, Ohio  
City Council Meeting Communication

Date 8-11-2014

**Item:**

An ordinance modifying Chapters 1133 (Definitions) and 1165 (C-3 General Business District) of the Planning and Zoning Code as part of the Fairfield Codified Ordinances.

**Financial Impact:**

There is no financial impact with this request.

**Synopsis:**

It is necessary to periodically update various provisions of the code to address relevant zoning issues within the City and to clarify existing zoning regulations.

**Background:**

Code elements that are being reviewed include:

1. Modification of "motor vehicle or trailer sales area" definition to include boats and recreational vehicles and to address access, circulation and site aesthetics.
2. Addition of a new definition that addresses outdoor storage shed, barn, and play structure sales lots.
3. Modification of the C-3, General Business District, to make sales lots for motor vehicles, boats, recreational vehicles, trailers, storage sheds, barns and play structures a conditional use. The attached map displays all parcels in the City zoned C-3 and C-3A. C-3A defaults to C-3 in terms of conditional uses.

**Recommendation:**

It is recommended that City Council have a first reading on this ordinance at the August 11, 2014 meeting and set the public hearing date for September 22, 2014.

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

Prepared by: Eric Doser (Planning Manager)

Approved for Content by: Wendy Beckman

Financial Review (where applicable) Wendy Beckman

Legal Review (where applicable) Scott Clemmons

Accepted for Council Agenda: Wendy Beckman

# C-3 and C-3A Zoning Districts



CHAPTER 1133.01 Definitions

(62) "Motor vehicle, **BOAT, RECREATIONAL VEHICLE** or trailer sales area" means an open area[, ~~other than a street,~~] used for the display, sale or rental of new or used motor vehicles, **BOATS, RECREATIONAL VEHICLES** or trailers in operable condition. [~~and where no repair work is done.~~]

(72.1) "**STORAGE SHED OR BARN OR PLAY STRUCTURE SALES OR DISPLAY LOTS**" MEANS AN OPEAN AREA USED FOR THE DISPLAY, SALE OR RENTAL OF STORAGE SHEDS OR BARNS OR PLAY STRUCTURES.

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; ~~Farm Implements. **Automobiles, trucks, trailers, farm implements for sale, display, hire or**~~ Major or minor motor vehicle repair, ~~**[including sales lots, used car lots, trailer sales lots,]**~~ 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.

(e) 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 100 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.

(f) Commercial Recreation Facility.

(g) 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.

- (h) Bottling Works. Bottling of soft drinks or milk and distribution stations therefor, providing a building used for such processing and/or distribution, shall be at least 100 feet from any A or R District.
- (i) Signs. As regulated and defined in Chapter 1187.
- (j) Drive-thru Facilities. Any establishment with drive-thru facilities as defined in Section 1133.01(29).
- (k) Car Washes. (Ord. 94-84. Passed 7-9-84.)

#### 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, premise, 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 section 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 AND TRAILER SALES LOTS. SUBJECT TO THE FOLLOWING CONDITIONS AS DETERMINED BY THE PLANNING COMMISSION:**

- (1) INGRESS, EGRESS AND INTERNAL CIRCULATION.
- (2) SITE DISTANCE AND VISIBILITY.
- (3) SETBACK FROM RIGHT-OF-WAY, SIDEWALK OR EDGE OF PAVEMENT.
- (4) PERIMETER CURBING, BUFFER AREA, PARKING LOT STRIPING AND SIMILAR AESTHETIC ATTRIBUTES.

**(M) STORAGE SHED OR BARN OR PLAY STRUCTURE SALES OR DISPLAY LOTS. SUBJECT TO THE FOLLOWING CONDITIONS AS DETERMINED BY THE PLANNING COMMISSION:**

- (1) ACCESS AND INTERNAL CIRCULATION.
- (2) SITE DISTANCE AND VISIBILITY.
- (3) SETBACK FROM RIGHT-OF-WAY, SIDEWALK OR EDGE OF PAVEMENT.
- (4) LOT COVERAGE AND SIMILAR AESTHETIC ATTRIBUTES.

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 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) Façade 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 façade 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.

	Lot Area (Sq. Ft.)	Lot Frontage (Feet)	Front Yard Depth (Feet)	Side Yard Width (Feet)	Rear Yard Depth (Feet)
(a) <u>Nonresidential Uses.</u>	10,000	None	20	None: except when adjoining A or R Dis- tricts, then not less than 25 feet.	None; except when adjoining A or R Dis- tricts, then not 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.)

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

ORDINANCE TO AMEND CHAPTERS 1133 and 1165 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-3 GENERAL BUSINESS DISTRICT, AND C-3A, GENERAL BUSINESS DISTRICT MODIFIED, ZONING DISTRICTS.

WHEREAS, the display for sale or lease of motor vehicles, recreational vehicles, outdoor storage sheds or barns, carports and play structures are currently included as principally permitted uses in the C-3, General Business District, zoning district, and

WHEREAS, such uses are also incorporated by reference as principally permitted uses in the C-3A, General Business District Modified, zoning district, and

WHEREAS, the generally larger size of the items being displayed and/or the density and duration of the displays can have a detrimental impact upon the streets and highways upon which such properties are located and upon the motoring and pedestrian public and upon other properties abutting and in the vicinity, particularly as to the maintenance of meaningful setbacks from the road right-of-way, sight distance and visibility, appropriate ingress and egress, internal circulation within the properties and the aesthetic appearance of the properties so utilized, and

WHEREAS, such uses are generally compatible within the said General Business Districts provided the issues noted above are appropriately addressed, and

WHEREAS, making such uses conditional instead of principally permitted uses will enable the Planning Commission to review and apply additional conditions to address the issues noted above if a property is determined to be appropriate for such conditional use.

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

Section 1. Section 1133.01(62) and Chapter 1165, General Business District, of the Zoning Code of Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio, are hereby amended and new Section 1133.01(72.1) of said Zoning Code is hereby adopted 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 \_\_\_\_\_

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

EXHIBIT "A"

CHAPTER 1133.01 Definitions

(62) "Motor vehicle, **BOAT, RECREATIONAL VEHICLE** or trailer sales area" means an open area~~[,other than a street,]~~ used for the display, sale or rental of new or used motor vehicles, **BOATS, RECREATIONAL VEHICLES** or trailers in operable condition. ~~[and where no repair work is done.]~~

**(72.1) "STORAGE SHED OR BARN, CARPORT OR PLAY STRUCTURE SALES OR DISPLAY LOTS" MEANS AN OPEN AREA USED FOR THE DISPLAY, SALE OR RENTAL OF STORAGE SHEDS OR BARNS, CARPORTS OR PLAY STRUCTURES.**

CHAPTER 1165

C-3 General Business District

1165.01 Principal permitted uses.

1165.02 Conditional uses.

1165.03 Accessory uses.

1165.04 Required conditions.

1165.05 Lot area, frontage and yard requirements.

1165.06 Courts.

1165.07 Height Regulations.

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~~;~~ ~~Farm Implements. Automobiles, trucks, trailers, farm implements for sale, display, hire or~~ Major or minor motor vehicle repair, ~~[including sales lots, used car lots, trailer sales lots,]~~ 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.

(e) 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 100 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.

(f) Commercial Recreation Facility.

(g) Building and Related Trade. Carpenter shops, electrical, plumbing, paint shops, heating and tin shops, paper-hanging shops, furniture upholstering and similar enterprises, but not within fifty feet of any A or R District.

(h) Bottling Works. Bottling of soft drinks or milk and distribution stations therefor, providing a building used for such processing and/or distribution, shall be at least 100 feet from any A or R District.

(i) Signs. As regulated and defined in Chapter 1187.

(j) Drive-thru Facilities. Any establishment with drive-thru facilities as defined in Section 1133.01(29).

(k) Car Washes. (Ord. 94-84. Passed 7-9-84.)

#### 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, premise, 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 section 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 AND TRAILER SALES LOTS. SUBJECT TO ADDITIONAL CONDITIONS AS DETERMINED BY THE PLANNING COMMISSION RELATIVE TO:**

- (1) **INGRESS, EGRESS AND INTERNAL CIRCULATION.**
- (2) **SIGHT DISTANCE AND VISIBILITY.**
- (3) **SETBACK OF DISPLAYS 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 OR DISPLAY LOTS. SUBJECT TO ADDITIONAL CONDITIONS AS DETERMINED BY THE PLANNING COMMISSION RELATIVE TO:**

- (1) **INGRESS, EGRESS AND INTERNAL CIRCULATION.**
- (2) **SIGHT DISTANCE AND VISIBILITY.**

- (3) **SETBACK OF DISPLAYS FROM RIGHT-OF-WAY, SIDEWALK OR EDGE OF PAVEMENT.**
- (4) **PERIMETER CURBING, BUFFERING, LANDSCAPING, LOT COVERAGE AND OTHER SIMILAR AESTHETIC AND/OR SAFETY REQUIREMENTS.**

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 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) Façade 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 façade 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.

		Front	Side	Rear
	Lot	Yard	Yard	Yard
Lot	Frontage	Depth	Width	Depth
Area				

(a) <u>Nonresidential</u> <u>Uses.</u>	<u>(Sq. Ft.)</u> 10,000	<u>(Feet)</u> None	<u>(Feet)</u> 20	<u>(Feet)</u> None: except when adjoining A or R Dis- tricts, then not less than 25 feet.	<u>(Feet)</u> None; except when adjoining A or R Dis- tricts, then not less than 25 feet.
---	----------------------------	-----------------------	---------------------	---	---

(b) Screening and Buffering.

<u>Zone</u>	<u>Use</u>	<u>Buffering</u> (Horizontal <u>Dimension</u> )	<u>Screening</u> (Vertical Screen <u>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.)

# DEPARTMENTAL CORRESPONDENCE

Mayor Miller and City Councilmembers

TO \_\_\_\_\_

Scott Lepsky, Chairman, Planning Commission

FROM \_\_\_\_\_

City  
of  
Fairfield



PLANNING COMMISSION RECOMMENDATION

SUBJECT \_\_\_\_\_

09/30/14

DATE \_\_\_\_\_

Please be advised at the Planning Commission meeting held on Wednesday, September 24, 2014, the Planning Commission voted 6 – 0 in favor of recommending approval of the proposed changes to Sections 1133 and 1165 of the Codified Ordinances of Fairfield relative to Definitions and Principal Permitted and Conditional Uses in the C-3 and C-3A zoning districts as modified in the attachment.

Scott Lepsky, Chairman  
Fairfield Planning Commission

plf

Attachment

c: Arthur E. Pizzano, City Manager  
Alisha Wilson, Clerk of Council  
Timothy Bachman, Development Services Director  
Rick Helsinger, Supt., Bldg. Inspection & Zoning  
John Clemmons, Law Director  
Planning Commission Members (7)

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

ORDINANCE TO AMEND CHAPTERS 1133 and 1165 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-3 GENERAL BUSINESS DISTRICT, AND C-3A, GENERAL BUSINESS DISTRICT MODIFIED, ZONING DISTRICTS.

WHEREAS, the storage and display for sale, lease or rental of motor vehicles, recreational vehicles, outdoor storage sheds or barns, carports and play structures are currently included as principally permitted uses in the C-3, General Business District, zoning district, and

WHEREAS, such uses are also incorporated by reference as principally permitted uses in the C-3A, General Business District Modified, zoning district, and

WHEREAS, the generally larger size of the items being displayed or stored and/or the density and duration of the displays or storage can have a detrimental impact upon the streets and highways upon which such properties are located and upon the motoring and pedestrian public and upon other properties abutting and in the vicinity, particularly as to the maintenance of meaningful setbacks from the road right-of-way, sight distance and visibility, appropriate ingress and egress, internal circulation within the properties and the aesthetic appearance of the properties so utilized, and

WHEREAS, such uses are generally compatible within the said General Business Districts provided the issues noted above are appropriately addressed, and

WHEREAS, making such uses conditional instead of principally permitted uses will enable the Planning Commission to review and apply additional conditions to address the issues noted above if a property is determined to be appropriate for such conditional use.

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

Section 1. Section 1133.01(62) and Chapter 1165, General Business District, of the Zoning Code of Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio, are hereby amended and new Section 1133.01(72.1) of said Zoning Code is hereby adopted 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 \_\_\_\_\_  
Posted \_\_\_\_\_  
First Reading \_\_\_\_\_  
Second Reading \_\_\_\_\_  
Third Reading \_\_\_\_\_

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

ATTEST:

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

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

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

EXHIBIT "A"

CHAPTER 1133.01 Definitions

(62) "Motor vehicle, **BOAT, RECREATIONAL VEHICLE** or trailer sales area" means an open area~~[,other than a street,]~~ used for the display, **STORAGE**, sale, **LEASE** or rental of new or used motor vehicles, **BOATS, RECREATIONAL VEHICLES** or trailers in operable condition. ~~[and where no repair work is done.]~~

(72.1) "**STORAGE SHED OR BARN, CARPORT OR PLAY STRUCTURE SALES AREA**" MEANS AN OPEN AREA USED FOR THE DISPLAY, STORAGE, SALE, LEASE OR RENTAL OF STORAGE SHEDS OR BARNs, CARPORTS OR PLAY STRUCTURES.

CHAPTER 1165  
C-3 General Business District

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

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~~;~~ ~~Farm Implements~~. ~~Automobiles, trucks, trailers, farm implements for sale, display, hire or~~ Major or minor motor vehicle repair, ~~[including sales lots, used car lots, trailer sales lots,]~~ 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.

(e) 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 100 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.

(f) Commercial Recreation Facility.

(g) 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.

(h) Bottling Works. Bottling of soft drinks or milk and distribution stations therefor, providing a building used for such processing and/or distribution, shall be at least 100 feet from any A or R District.

(i) Signs. As regulated and defined in Chapter 1187.

(j) Drive-thru Facilities. Any establishment with drive-thru facilities as defined in Section 1133.01(29).

(k) Car Washes. (Ord. 94-84. Passed 7-9-84.)

#### 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, premise, 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 section 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.**

**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 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) Façade 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 façade 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.

		Front	Side	Rear
Lot	Lot	Yard	Yard	Yard
Area	Frontage	Depth	Width	Depth

(a) <u>Nonresidential Uses.</u>	(Sq. Ft.) 10,000	(Feet) None	(Feet) 20	(Feet) None: except when adjoining A or R Districts, then not less than 25 feet.	(Feet) None; except when adjoining A or R Districts, then not 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.)

# City of Fairfield, Ohio City Council Meeting Communication

Date: 10-14-14

**Item:**

An ordinance authorizing the City Manager to execute the FY 2015 Community Development Block Grant (CDBG) applications.

**Financial Impact:**

The requested grant allocation is for \$113,700. The CDBG Cooperation Agreement between the City of Fairfield and Butler County entitles Fairfield to no less than 10% of the CDBG funds the County receives in that program year. Ten percent of the allocation for 2015 is estimated to be \$113,700.

**Synopsis:**

Two projects are proposed for 2015. The first project is to replace existing curb ramps with new ramps compliant with the American with Disabilities Act. These new ramps will improve safety and walkability. The second project is to build a new shelter house at Good Neighbors Park.

**Background:**

The CBDG is a source of funding to support areas that are designated as Low to Moderate Income (LMI) such as these sites. Both the curb ramp and shelter house projects meet the national objective of benefitting a low to moderate income neighborhood.

**Recommendation:**

It is recommended that City Council authorize the City Manager to execute the FY 2015 CDBG application which is due to Butler County by November 7, 2014.

**Legislative Actions:**

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

Prepared by: Erin Donnan (Planning Manager)  
Approved for Content by: Lively Bachner  
Financial Review (where applicable): Mary Hym  
Legal Review (where applicable): John A. Cummings  
Accepted for Council Agenda: Michaelson



Story Dr

Broadview Dr

Sherwood Dr

**Shenandoah Hills**

Henesy Ln

Camelot Dr

Ewing Dr

Martha Ln

**Windsor Village**

Edinburg Ln

Jupiter Ct

Crestview Dr

Jupiter Dr

Saturn Dr

Resor Rd

Reswin Dr

Barkley Ct

Sigmon Way

Planet Ct

Planet Dr

Symmes

Woodcreek Dr

Morningside Dr

Woodtrail Dr

Hidden Hills Dr

Resor Rd

Coachmont Dr

Kingsmont Dr

Crestview Ave

North Turtlecreek Dr

Gilmore Dr

**Woodfox**

Mack Rd

**Winton Hills**

Winton Rd

Kolb Dr

John Gray Rd

Today Dr

Meijer Dr

Bibury Rd

Kingsbury Rd

Chatfield Dr

Greenbriar Dr

Happy Valley Ct

Augusta Blvd

Firestone Dr

Palm Springs Dr



Dixie Hwy

Symmes

Gail

Slade

Walter

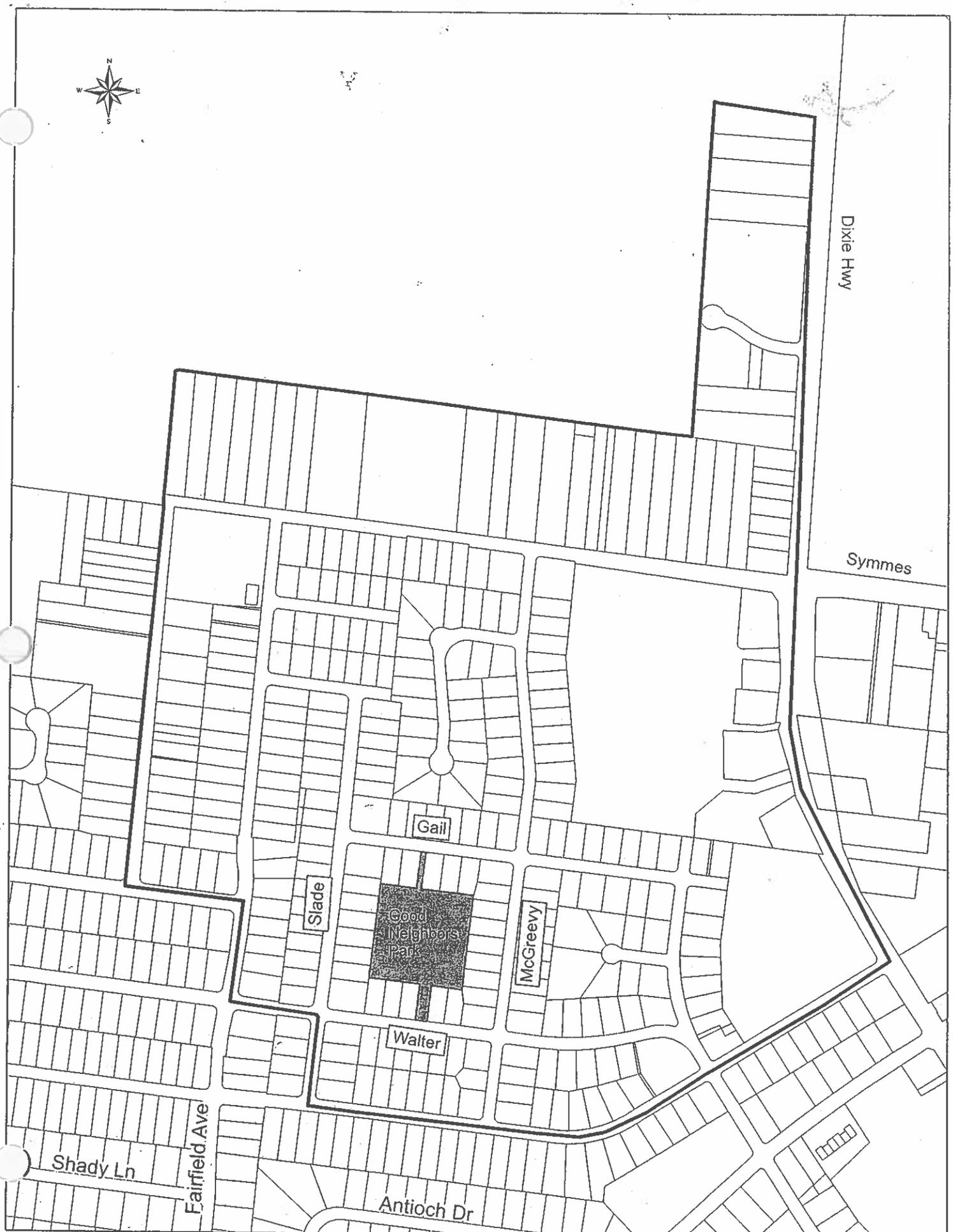
McGreavy

Antioch Dr

Shady Ln

Fairfield Ave

Good Neighbors Park



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

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE  
FY 2015 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 2015 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 November 7, 2014; 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

October 27, 2014

**ITEM**

It is necessary for the City Council to pass appropriations to reconcile accounts.

**FINANCIAL IMPACT**

Supplemental appropriations required in the amount of \$1,600,500 to cover transfers and expenditures for legal services, refunds and utilities from various funds.

**SYNOPSIS**

The original 2014 operating budget did not include transfer of funds to the Street Improvement, Capital Improvement, Flood Protection and Park Development funds. When the reapportionment of the City's 1.5% income tax passed in 2012, the intent was to reallocate the income tax revenues to help stabilize the General fund. Once the General fund was stabilized, the intent was to transfer some of the additional monies to the Street and Capital Improvement funds. The current estimate is \$750,000 for each of those funds. The Flood Protection and Park Development fund balances are currently negative and an additional \$10,000 and \$40,000, respectively, are needed to reconcile those funds. There were additional legal costs in the amount of \$4,500 associated with producing the City's Annual Information Statement, which is issued to the City's bond holders. Additional funds are needed in the Guaranteed Water Trust fund in the amount of \$10,000 to process refunds for tenant deposits on utility accounts. Finally, an additional amount of \$36,000 is needed to reconcile the utilities account in the Golf Maintenance Division. An irrigation leak occurred during the summer and resulted in large bills before it was rectified.

**BACKGROUND**

The following adjustment in the annual appropriation budget should be made to fund the remainder of 2014:

<b>From:</b>	<b>Unappropriated General Fund</b>	<b>\$ 1,550,000</b>
<b>To:</b>	10012527-275000      Transfers Out (\$750,000 to 401, \$750,000 to 402, \$10,000 to 409, \$40,000 to 413)	1,550,000
<b>From:</b>	<b>Unappropriated Street Improvement Fund</b>	<b>\$ 750,000</b>
<b>To:</b>	40112-192000      Transfer In	750,000
<b>From:</b>	<b>Unappropriated Capital Improvement Fund</b>	<b>\$ 750,000</b>
<b>To:</b>	40212-192000      Transfer In	750,000
<b>From:</b>	<b>Unappropriated Flood Protection Fund</b>	<b>\$ 10,000</b>

ITEM NO. \_\_\_\_\_

To:	40912-192000	Transfer In	10,000
From:	Unappropriated Park Development Fund		\$ 40,000
To:	41312-192000	Transfer In	40,000
From:	Unappropriated General Bond Retirement Fund		\$ 4,500
To:	30116023-233100	Legal Services	4,500
From:	Unappropriated Water Guarantee Trust Fund		\$ 10,000
To:	60621227-275000	Refunds	10,000
From:	Unappropriated Recreational Facilities Fund		\$ 36,000
To:	64052023-231100	Utilities	36,000

**STAFF RECOMMENDATION**

It is recommended that City Council authorize and direct the preparation of legislation amending the annual operating budget.

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

Prepared by: Maay Hyn  
Approved for Content by: Maay Hyn  
Financial Review (where applicable) by: Maay Hyn  
Legal Review (where applicable) by: John A. Commons  
Accepted by Council Agenda: Heidi Wilson

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

ORDINANCE TO AMEND ORDINANCE NO. 109-13 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, 2014, AND ENDING DECEMBER 31, 2014."

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

Section 1. Ordinance No. 109-13, the 2014 Appropriation Ordinance, is hereby amended in the following respects:

<b>From:</b>	<b>Unappropriated General Fund</b>	<b>\$1,550,000</b>
<b>To:</b>	10012527-275000 Transfers Out <i>(\$750,000 to 401, \$750,000 to 402, \$10,000 to 409, \$40,000 to 413)</i>	\$1,550,000
<b>From:</b>	<b>Unappropriated Street Improvement Fund</b>	<b>\$750,000</b>
<b>To:</b>	40112-192000 Transfer In	\$750,000
<b>From:</b>	<b>Unappropriated Capital Improvement Fund</b>	<b>\$750,000</b>
<b>To:</b>	40212-192000 Transfer In	\$750,000
<b>From:</b>	<b>Unappropriated Flood Protection Fund</b>	<b>\$10,000</b>
<b>To:</b>	40912-192000 Transfer In	\$10,000
<b>From:</b>	<b>Unappropriated Park Development Fund</b>	<b>\$40,000</b>
<b>To:</b>	41312-192000 Transfer In	\$40,000
<b>From:</b>	<b>Unappropriated General Bond Retirement Fund</b>	<b>\$4,500</b>
<b>To:</b>	30116023-233100 Legal Services	\$4,500
<b>From:</b>	<b>Unappropriated Water Guarantee Trust Fund</b>	<b>\$10,000</b>
<b>To:</b>	60621227-275000 Refunds	\$10,000
<b>From:</b>	<b>Unappropriated Recreational Facilities Fund</b>	<b>\$36,000</b>
<b>To;</b>	64052023-231100 Utilities	\$36,000

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\2014\Reconcile Accounts - Ord

CITY OF FAIRFIELD, OHIO  
CITY COUNCIL COMMUNICATION

ITEM:

October 27, 2014

Request for appropriation for contractual agenda items

FINANCIAL IMPACT:

\$13,503.00 from noted funding source

SYNOPSIS:

The following appropriations have been requested to fund a contract previously appearing under New Business on Council's meeting agenda dated November 11, 2013:

\$13,503 Pleasant Avenue Improvements – John Gray Road to Augusta Boulevard

BACKGROUND:

Please refer to specific Council Communications dated October 27, 2014 for a description of these items.

RECOMMENDATIONS:

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

LEGISLATIVE ACTIONS:

Suspension of Rules & Adoption Requested?

yes

If yes, explain  
no above

Emergency Provision Needed?

yes

If yes, explain  
no above

Prepared by: Alisha Wilson

Approved for Content by: Alisha Wilson

Financial Review (where applicable) by: Maya Ann

Legal Review (where applicable) by: Shirley Olemmon

Accepted by Council Agenda: Alisha Wilson



**Ben Mann**

---

**From:** Matthes, Lee <Lee.Matthes@dot.state.oh.us>  
**Sent:** Thursday, October 16, 2014 3:03 PM  
**To:** Ben Mann  
**Cc:** Ware, Helene; Hamilton, Jay; Fluegemann, Andy  
**Subject:** FW: Results of 10/16/2014 letting for District 8's projects; BUT-127; PID 96221

Ben,

Based on the low bid, the city of Fairfield will owe an additional amount of \$3,503.00 if awarded.

Thanks,

Lee Matthes, P.E.  
 Project Manager  
 District 8, ODOT  
 Phone: 513-933-6612

**From:** Matthes, Lee  
**Sent:** Thursday, October 16, 2014 1:38 PM  
**To:** 'Ben Mann'  
**Cc:** Hamilton, Jay; Fluegemann, Andy  
**Subject:** FW: Results of 10/16/2014 letting for District 8's projects; BUT-127; PID 96221

Ben,

Barrett Paving is the apparent low bidder for the BUT-127 project (\$473,849) which is 7.21% over the State Estimate. The Local match is 10% for this project. Please advise ASAP on how the City would like to proceed. Does the City recommend awarding this project? In order to meet the award date, the bid assessment from the District needs to be submitted to Central Office within five calendar days to the Award Committee.

Please let me know if you have any questions. Thanks,

Lee Matthes, P.E.  
 Project Manager  
 District 8, ODOT  
 Phone: 513-933-6612

**From:** [Shane.Deer@dot.state.oh.us](mailto:Shane.Deer@dot.state.oh.us) [mailto:Shane.Deer@dot.state.oh.us]  
**Sent:** Thursday, October 16, 2014 10:45 AM  
**To:** Spinosa, Stefan; Fluegemann, Andy; Brehm, Tami; Casson, Chris; Elston, Jennifer; Grake, Marc; Gruver, Doug; Hively, Rick; Howard, Christopher; Koenig, Adam; Kramer, Scott; Lockhart, Phillip; Matthes, Lee; Meyer, Jeff; Meyer, Joe; Milesky, Jon; Hetzel, Brianne; Otis, John; Pietch, Jeff; Rowe, Charles; Scanlon, Teri; Smithson, Joe; Swafford, Mike; McCoy, Nathaniel; Hamilton, Jay; Collett, Brandon; Howard, Christopher; DeStefano, Katie  
**Subject:** Results of 10/16/2014 letting for District 8's projects

**District 8:**

Bids were opened on 10/16/2014 for the following projects:

NOTE: Items in RED are over 7% of the project estimate.

BASIC PROJECT INFORMATION				
DIST	PID	CONST#	NAME	PM
8	96221	140501	BUT US 127 0.00	MATTHES, LEE G
DESCRIPTION				
Extend southbound left turn lane on US127 to John Gray Road				
BID INFORMATION				
VENDOR NAME		BID AMOUNT	% STATE EST. \$442,000.00	% ELLIS EST. \$350,000.00
BARRETT PAVING MATERIALS INC		\$473,849.26	7.21%	35.39%
EAGLE BRIDGE CO		\$477,751.28	8.09%	36.50%
R B JERGENS CONTRACTORS INC		\$507,043.68	14.72%	44.87%
BELGRAY, INC		\$523,232.00	18.38%	49.49%
FORD DEVELOPMENT CORP		\$545,143.40	23.34%	55.76%
SUNESIS CONSTRUCTION CO		\$557,600.00	26.15%	59.31%
JOHN R JURGENSEN COMPANY		\$581,974.90	31.67%	66.28%
W G STANG LLC		\$630,555.00	42.66%	80.16%

BRIDGE & CULVERTS CHECK LIST			
		DATE <del>10-14-14</del> 10-14-14 S.T.	
Groh Ln. Bridge	✓	Michael Ln. @ Eagles Club	✓
River Rd. Bridge	✓	5449 Sir Lancelot Ln.	✓
Pleasant Av. Bridge	✓	5777 Windemere Ln.	✓
Nilles Rd. Bridge	✓	1389 Tolleywood Dr. in back	✓
Chesapeake Way Bridge	✓	5600 Green Oak Dr. right side	✓
Resor Rd. Bridge east	✓	2606 Windage Dr. in back	✓
Resor Rd Bridge west	✓	6600 Stockton Rd.	✓
Winton Rd. Bridge at FMS	✓	Port Union Rd. at Toyota	✓
Winton Rd. Bridge at Firehouse	✓	A.F. 5846 Pleasant Ave.	✓
Happy Valley Dr. Bridge	✓	<del>1680 Evalle Dr. @ Pleasant side</del>	✓
Augusta Blvd. Bridge	✓	3561 Cheryl Dr.	✓
John Gray Bridge	✓	6760 Dixie behind Head Shed	✓
6195 Gray Rd.	✓	6660 Dixie behind Frisch's	✓
Lake Cumberland Dr. Bridge	✓	Rt. 4 behind Olive Garden	✓
River Rd. at Lake Circle Dr.	✓	Rt. 4 @ Glenbury Apts.	✓
5291 Crystal Dr.	✓	Rt. 4 @ McDonalds, Skyline	✓
5568 Crystal Dr.	✓	Winton Rd. @ Golf Course	✓
5622 Tallawanda Dr. in back	✓	Site "A"	✓
Monastery at Gray Rd.	✓	<del>9725 Seward @ Stockton Sta.</del>	✓
1480 Bruton Parish Way	✓	Seward Rd. Bridge	✓
Lake Michigan Dr.	✓	Muskopf Rd. Pump Station	✓
Holiday Dr.	✓	Ramona Ln.	✓
Doris Jane Ave.	✓	BOLTON PLANT DRIVEWAY	✓
May Ave.	✓		
U.D.F. @ Pleasant Ave.	✓		
Applebee's @ Pleasant Ave.	✓		

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

ORDINANCE TO AMEND ORDINANCE NO. 109-13 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, 2014, AND ENDING DECEMBER 31, 2014."

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

Section 1. Ordinance No. 109-13, the 2014 Appropriation Ordinance, is hereby amended in the following respects:

<b>From:</b>	<b>Unappropriated Street Improvement Fund</b>	<b>\$13,503</b>
<b>To:</b>	40116025-252000 Improvements Other Than Building <i>(John Gray Road Improvement Project)</i>	\$13,503

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. 11(A) 3A

**ITEM:**

DATE: 10/27/14

An appropriation in the amount of \$20,000.00 for the pavement of the north exit driveway at the Wastewater Treatment Facility.

**FINANCIAL IMPACT:**

Funding for this project is included in the 2014-2018 CIP Budget under project number WWD-14-010 to be paid from the Sewer Expansion Fund.

**SYNOPSIS:**

A new paved exit driveway will be necessary to facilitate the Divisions contracted Biosolids Disposal Company. A new gravel base of 304 will be installed followed by a layer of 448 asphalt.

**BACKGROUND:**

The Wastewater Treatment Facility produces a Class B Biosolid which is beneficially reused as a soil amender. The land applied Biosolids promote the development of crops which are harvested for agricultural use. The produced Biosolids are stored at the Treatment Facility until it is determined, by staff, that an application event is initiated. At that time the Divisions contracted Biosolids Disposal Company removes the product from the facility. This new exit driveway will enable the contractor to exit the facility without interrupting normal treatment process operation. Multiple quotes have been obtained for review.

**RECOMMENDATION:**

It is recommended that City Council authorize an appropriation in the amount of \$20,000.00 from the Sewer Expansion Fund to pave the exit driveway. Pricing information for the paving improvements was obtained from three (3) contractors who could perform the necessary work. Staff is recommending Barry L. Brown Paving, the submitter of the lowest and best proposal. A copy of all the price quotations is attached.

**LEGISLATIVE ACTION: Suspension of Rules and Adoption Requested?**            **If yes, explain above.**

yes      no

**Emergency Provision Needed?**

     **If yes, explain above.**

yes      no

Prepared by: \_\_\_\_\_  
Approved for Content by: \_\_\_\_\_  
Financial Review (where applicable): \_\_\_\_\_  
Legal Review (where applicable): \_\_\_\_\_  
Accepted for Council Agenda: \_\_\_\_\_

# Proposal

**Barry L. Brown Paving**  
3210 Homeward Way  
Fairfield, OH 45014  
513-874-1588

Date: 10/15/2014

**Proposal Submitted To:**  
City of Fairfield  
Wastewater Division

**Job Name and Location:**  
Water Treatment Plant

We hereby submit specifications and estimates for:

Driveway paving at Wastewater Treatment Plant, 300'x15' + 140'x15' side drive

Option 1:  
add 2" 304 gravel base and grade \$1,700

Option 2:  
Pave with 2" 301 asphalt base course \$7,100

Option 3:  
Pave with 2" 448 asphalt surface course \$7,700

total: \$16,500

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

sixteen thousand five hundred dollars \$16,500

Chad Brown  
\_\_\_\_\_  
Authorized Signature Date

\_\_\_\_\_  
Acceptance of Proposal Date

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

# PROPOSAL

PAGE NO. OF PAGES



Zillig Excavating & Paving, Inc.  
5510 Old Blue Rock Road  
Cincinnati, Ohio 45247

(513) 385-6636  
FAX (513) 385-9409

TO: City Of Fairfield Ohio  
Attn: Joe Hennies  
4799 Groh Lane  
Fairfield, OH 45014

PHONE	DATE
	8.4/2014
JOB NAME, LOCATION	
Waste Water Plant	
JOB NUMBER	JOB PHONE

We hereby submit specifications and estimates for:

Job- Waste Water Plant

New Road Construction: Spec:  
4" 304 gravel plus 4" 402 asphalt  
Area 300' x 15'  
145' x 15'  
For The Sum Of: \$ 19,900.00

75 SR 4

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

Nineteen Thousand Nine Hundred and 00/100 Dollars dollars (\$) 19,900.00

Payment to be made as follows:

Dated, signed and returned proposal and when work is completed and invoice issued.

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

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

Authorized Signature

Note: This proposal may be withdrawn by us if not accepted within 30 days.

Signature \_\_\_\_\_

Signature \_\_\_\_\_

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

Page 1 of 2  
**REVISION 2**  
 Bid Date: 8/23/2014  
 Time: 12:00PM

**Proposal for:**  
**Groh Lane - Fairfield**  
 From  
 Loveland Excavating And Paving, Inc.  
 9520 LeSaint Drive , Fairfield, OH 45014

Phone: (513) 965-6600 Fax: (513) 965-6601



Project No.E1254

Item	Description	Quantity	Unit	
<b>PAVE</b>	<b>Asphalt Paving</b>			
01	Mobilization	1.00	LS	
02	Grade And Level Gravel W/ 2" #304	742.00	SY	
03	4" #448 Type 1	742.00	SY	
				Total: 24,190.00
<b>Total For Asphalt Paving</b>				<b>24,190.00</b>
				<b>Total: 24,190.00</b>

√ = Locked Bid-Item  
 : = Zero Total Price

Attachment Enclosed

Estimator: Eric Hazlett  
 For Job: Groh Lane - Fairfield

Loveland Excavating And Paving, Inc.  
Job Conditions - Attachment 'A'

REVISION 2

Groh Lane - Fairfield

NOTE: PLEASE SIGN AND SEND BACK AUTHORIZING LOVELAND EXCAVATING TO PROCEED WITH WORK.

\_\_\_\_\_  
AUTHORIZED SIGNATURE

\_\_\_\_\_  
DATE

Please contact us with any questions pertaining to the above information.

Sincerely,



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

**ITEM:**DATE: October 27, 2014

Purchase of Global Positioning Units (GPS) for fleet vehicles.

**FINANCIAL IMPACT:**

\$13,800 (\$2,100 for the Building Division + \$3,000 for the Street Division) from the Capital Improvement Fund.  
 (\$4,800 for the Water Division) from the Water Surplus Fund.  
 (\$3,900 for the Sewer Division) from the Sewer Surplus Fund.

**SYNOPSIS:**

This request is for the purchase of (46) Global Positioning Units for fleet vehicles.

**BACKGROUND:**

Currently there are 42 GPS units providing constant vehicle locations in the Street and Parks Departments. This request is a continuation of that program to allow supervision to locate a vehicle for work related purposes and to provide further accountability throughout the fleet. The hardware cost per vehicle is \$300. (7) units will be purchased for the Building Division, (10) additional units will be purchased for the Street Division, (16) units will be purchased for the Water Division, and (13) units will be purchased for the Sewer Division.

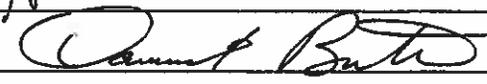
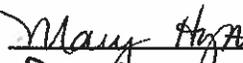
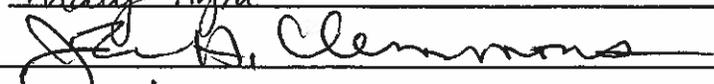
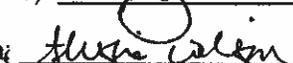
The GPS units are listed in the CIP as # FLT-14-002 GPS units for vehicles (\$18,000)

**RECOMMENDATION:**

It is recommended that the City Council authorize and direct the preparation of legislation authorizing the appropriation of funding in the amount of (\$5,100) from the Capital Improvement Fund, (\$4,800) from the Water Surplus Fund, and (\$3,900) from the Sewer Surplus Fund.

Rules Suspension is being requested to facilitate the purchase of the equipment by year end..

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

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

SEPTEMBER 22, 2014

Brian R. Rose

Fleet/Facilities Manager

City of Fairfield Public Works

**Lynx Telematics Quote for City Departments of Water, Sewer and Building**

**PRICING STRUCTURE PER UNIT**

Quantity: 46 @ \$300 Per Unit (GO7)

**MONITORING PRICING STRUCTURE UNIT**

Quantity: 46 units @ \$28.95 Per Month

@ \$13.90 Per Month for off line units

HRN-GMLS Harness @ \$25.00 Each (Waived)

HRN-2WCP Harness @ \$10.00 Each (Waived)

HRN-EUNI Harness @ \$20.00 Each (Waived)

Installation and Maintenance Cost: Waived

Monthly monitoring will be non-contractual and begin 30 days from installation. Units purchased become permanent property of the City of Fairfield.

*Sincerely,*

*Vincent Rush  
VP of Business Development, Lynx Telematics  
1001 Ford Circle Dr.  
Milford, Ohio. 45150  
(513) 965-6318*

CITY OF FAIRFIELD, OHIO  
CITY COUNCIL MEETING COMMUNICATION

ITEM:

DATE: 10/27/14

Appropriation of \$4,489.00 from the Water Replacement and Improvement Fund for Concrete and Masonry Repairs at the Water Treatment Plant facility.

FINANCIAL IMPACT:

As part of the 2014 – 2018 CIP, the Public Utilities Department earmarked funding for Project WAT-14-009 for Concrete/Masonry repairs at the Water Plant.

SYNOPSIS:

The original 1957 Water Treatment Plant Exterior is in need of repair.

BACKGROUND:

The north facing wall of the original 1957 Water Treatment Plant has developed issues over the years with keeping the weather out. The embedded steel is rusting and pushing the joints out. The origin roof gutter is in need of repair and an exposed wall coping is allowing rainwater in. Staff proposes to have the joints sawed out, tucked with mortar and the entire wall coated and the wall coping covered with a preformed cap. Staff has received a quote from Verdin Masonry and Supply LLC. to perform this work. Verdin Masonry and Supply LLC. has performed this type of work at the Water Plant previously and their work has proved to be excellent.

RECOMMENDATION:

It is recommended that City Council appropriate funding in the amount of \$4,489.00 from the Water Replacement and Improvement Fund for repair and protective coating on the north facing exterior wall, replacement of gutter and downspout and repair of coping blocks at the Water Treatment Plant.

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

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

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

**Verdin Masonry & Supply LLC.**

**BRICK AND STONE CONTRACTORS**

1600 Edison Ave  
Hamilton, Ohio 45011

Area code 513  
Office 863-7137

**BID PROPOSAL**

Attn: Mr. Andy Eddy

Re: Fairfield Ohio Water Works  
Front Entrance

10/11/2014

We propose to furnish labor and material and equipment to do the following work for the said amount of \$4,489.00

- Cut out protruding areas of mortar in block wall and tuck point
- After mortar joints are cured, paint wall with one coat of primer and one finish coat of paint (Color to match existing color)
- Replace gutter with new gutter draining towards front of building
- New downspout to be approx 12 inches from brick face
- Cut out and re-caulk joint at bottom of block wall
- Install metal cap over stone coping on roof (presently covered with plastic)
- Cut out and replace metal flashing at top of shingled roof above the front entrance

Note: Any item not specifically included by description or referenced is excluded, whether or not listed herein.

This is not a contract. The price for which Verdin Masonry & Supply LLC. will perform the project work is subject to verification of the scope and negotiations of other contract matters. Including, but limited to the schedule and basis of payment.

Respectfully submitted by,

Violet Verdin  
President

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

ORDINANCE TO AMEND ORDINANCE NO. 109-13 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, 2014, AND ENDING DECEMBER 31, 2014."

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

Section 1. Ordinance No. 109-13, the 2014 Appropriation Ordinance, is hereby amended in the following respects:

**From: Unappropriated Water Replacement & Improvement Fund \$4,489**

**To: 60416025-252000 Improvements Other Than Building \$4,489**  
*(Concrete Repairs at the Water Treatment Plant)*

**From: Unappropriated Sewer Expansion Fund \$20,000**

**To: 40816025-252000 Improvements Other Than Building \$20,000**  
*(Pavement for North Driveway at Wastewater Treatment Facility)*

**From: Unappropriated Water Surplus Fund \$4,800**

**To: 60516025-253100 Automotive Equipment \$4,800**  
*(GPS Units for Water Division Vehicles)*

**From: Unappropriated Sewer Surplus Fund \$3,900**

**To: 62416025-253100 Automotive Equipment \$3,900**  
*(GPS Units for Wastewater Division Vehicles)*

**From: Unappropriated Capital Improvement Fund \$5,100**

**To: 40216025-253100 Automotive Equipment \$5,100**  
*(GPS Units for Building and Street Division Vehicles)*

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

Passed \_\_\_\_\_

Posted \_\_\_\_\_

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

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\2014\Non Contractual 10-27 - Ord