

MINUTES
REGULAR MEETING OF COUNCIL
SEPTEMBER 10, 2012

Call to Order

Mayor Ronald A. D'Epifanio called the Regular Meeting of Council to order at 7:00 PM at the Fairfield Municipal Building, 5350 Pleasant Avenue.

Prayer/Pledge of Allegiance

Councilmember Jones led in prayer followed by the pledge of allegiance.

Roll Call

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

Councilmember Meyers seconded by Councilmember Abbott moved to excuse Councilmember Senger. Motion Carried 6-0.

Agenda Modifications

Executive Session Requests

Public Hearing(s)

Special Presentations and Citizen Comments

Mayor D'Epifanio presented several positive comments about city employees submitted through the new Fairfield Works program. Those employees recognized were Tim Bachman and Mike Stehlin from the Development Services Department, Tony Mayer and Randy Levlene from the Public Works Department Streets Division, Roxanne Leak from the Finance Department Income Tax Division, Officer Joseph Drake from the Police Department, and Erin Jantzen from the Parks Department Aquatic Center.

Mayor/Council Reports

Councilmember Jones reported that the city has spent \$252,000 less for energy than in 2011.

Councilmember Holtegel reported that September is National Prostate Cancer Awareness Month. He noted statistics regarding prostate cancer and recommended that Fairfield citizens have the appropriate testing and screening done by their doctor.

Councilmember Oler recognized Sergeant Jeff Sprague for his receipt of the Butler County Police Chief's annual Public Service Award for his leadership in establishing the police department's Law Enforcement Explorer Post. This program is run by Sergeant Sprague and other advisors that have donated their time to making it successful.

Councilmember Meyers reported that the sidewalk and safety apron program will be completed in approximately thirty (30) days. The contractors will begin work on River Road in sixty (60) to seventy-five (75) days.

Mayor D'Epifanio reported that the Fairfield Choralier Dancing with the Celebrities fundraiser is October 7 at 12:00 PM at the Fairfield High School. He will be participating in the event with one of the Fairfield Choralier members. He also reported on the Transitional Living Golf Outing and the second annual Trailblazers Award for Innovation in Criminal Justice. This award is being presented to Judge Joyce Campbell at the dinner following the golf outing.

Approval of Minutes

- Regular Meeting Minutes of August 13, 2012
 - The Regular Meeting Minutes of August 13, 2012 were approved as written.

OLD BUSINESS

PARKS & RECREATION COMMITTEE

Terry Senger, Chairman; Debbie Pennington, Vice Chairman, Adam Jones, Member

Ordinance to authorize the City Manager to enter into an agreement with The Joe Nuxhall Miracle League Fields, Inc. for the operation of the Field of Dreams recreation complex.

Councilmember Pennington presented the second reading of this ordinance.

FINANCE & BUDGET COMMITTEE

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

Ordinance to amend subsection 953.01(a) of Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, relative to the service fees for residential garbage and solid waste collection and recycling.

Councilmember Abbott presented the second reading of this ordinance.

DEVELOPMENT SERVICES COMMITTEE

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

Ordinance to approve a modified development plan for a Kroger Gas Fueling Facility and to authorize the City Manager to sign a development agreement with the Kroger Limited Partnership I.

Third Reading deferred to September 24, 2012

Ordinance to authorize the City Manager to enter into an easement agreement with the Farhat S. Khan Trust.

Third Reading deferred to September 24, 2012

NEW BUSINESS

COMMUNITY & PUBLIC RELATIONS COMMITTEE

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

Simple Motion: Motion to appoint the following residents to serve on the Environmental Commission effective immediately.

Councilmember Pennington, seconded by Councilmember Holtegel moved to appoint Charles Ullrich to serve on the Environmental Commission effective immediately. Motion carried 6-0. SIMPLE MOTION 20-12. APPROVED 6-0.

PUBLIC SAFETY COMMITTEE

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

Simple Motion: Motion to approve a liquor permit application in the name of Mi Hacienda Nightclub & Patio, LLC, 3220 Dixie Highway, Unit C, Fairfield, OH 45014 (Permit Classes: D5 and D6).

Councilmember Oler, seconded by Councilmember Abbott moved to approve a liquor permit application in the name of Mi Hacienda Nightclub & Patio, LLC. Motion Carried 6-0. SIMPLE MOTION 21-12. APPROVED 6-0.

Simple Motion: Motion to approve a liquor permit application in the name of Bekoil, LLC, DBA \$ Market, 7500 Dixie Highway, Fairfield, OH 45014 (Permit Classes: C1 and C2).

Councilmember Oler, seconded by Councilmember Meyers moved to approve a liquor permit application in the name of Bekoil, LLC DBA \$ Market. Motion Carried 6-0. SIMPLE MOTION 22-12. APPROVED 6-0.

Simple Motion: Motion to approve a liquor permit application in the name of Aso, LLC, DBA J Gumbos & Patio, 5951 Boymel Drive, Unit 5, 1st Floor, Fairfield, OH 45014 (Permit Classes: D5).

Councilmember Oler, seconded by Councilmember Abbott moved to approve a liquor permit application in the name of Aso, LL DBA J Gumbos & Patio. Motion Carried 6-0. SIMPLE MOTION 23-12. APPROVED 6-0.

PUBLIC WORKS COMMITTEE

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

Councilmember Meyers, seconded by Councilmember Oler moved to read the following two (2) ordinances by title only. Motion Carried 6-0.

Ordinance to authorize the City Manager to enter into a contract with A&A Safety, Inc. for the 2012 Pavement Marking Application program and declaring an emergency.

Background: City Manager Pizzano recommended a contract with A&A Safety, Inc. for the 2012 Pavement Marking Application program. This is an annual program involving the plastic markers along the streets. Legislative Action: Councilmember Meyers presented the first reading of this ordinance.

Councilmember Meyers, seconded by Councilmember Abbott moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Meyers, seconded by Councilmember Pennington moved to adopt . Motion Carried 6-0. ORDINANCE NO. 85-12. ADOPTED 6-0.

Ordinance to authorize the City Manager to enter into a contract with LJB, Inc. for the preliminary engineering for Route 4, South Gilmore and Holden Intersection Improvements and declaring an emergency.

Background: City Manager Pizzano recommended a contract with LJB, Inc. for preliminary engineering for Route 4, South Gilmore and Holden Intersection Improvements. This is one of Fairfield's most dangerous intersections and this project will help improve the safety of the intersection. Legislative Action: Councilmember Meyers presented the first reading of this ordinance.

Councilmember Meyers, seconded by Councilmember Abbott moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Meyers, seconded by Councilmember Oler moved to adopt . Motion Carried 6-0. ORDINANCE NO. 86-12. ADOPTED 6-0.

FINANCE & BUDGET COMMITTEE

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

Councilmember Abbott, seconded by Councilmember Meyers moved to read the following six (6) ordinances by title only. Motion Carried 6-0.

Resolution accepting the amounts and rates for 2012 as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.

Background: City Manager Pizzano recommended a resolution accepting the amounts and rates for 2012 as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor. This resolution was missed last year and is being taken care of now. Legislative Action: Councilmember Abbott presented the first reading of this resolution.

Councilmember Abbott, seconded by Councilmember Oler moved to suspend the rules requiring three (3) readings of this resolution. Motion Carried 6-0. Councilmember Abbott, seconded by Councilmember Meyers moved to adopt . Motion Carried 6-0. RESOLUTION NO. 8-12. ADOPTED 6-0.

Resolution accepting the amounts and rates for 2013 as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.

Background: City Manager Pizzano recommended a resolution accepting the amounts and rates for 2013 as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor. Legislative Action: Councilmember Abbott presented the first reading of this resolution.

Councilmember Abbott, seconded by Councilmember Meyers moved to suspend the rules requiring three (3) readings of this resolution. Motion Carried 6-0. Councilmember Abbott, seconded by Councilmember Meyers moved to adopt . Motion Carried 6-0. RESOLUTION NO. 9-12. ADOPTED 6-0.

Ordinance to authorize the City Manager to enter into a contract with Dell for the replacement of computer servers.

Background: City Manager Pizzano recommended a contract with Dell for replacement of computer servers. Legislative Action: Councilmember Abbott presented the first reading of this ordinance.

Councilmember Abbott, seconded by Councilmember Oler moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Abbott, seconded by Councilmember Oler moved to adopt . Motion Carried 6-0. ORDINANCE NO. 87-12. ADOPTED 6-0.

Appropriation Ordinance (Contractual Items) - \$50,798 for the replacement of computer servers; \$65,500.00 Pavement Marking Application contract for the 2012 Program; \$219,822.00 Preliminary Engineering for Route 4, South Gilmore & Holden Intersection Improvements.

Background: City Manager Pizzano recommended the following contractual appropriation items: \$50,798 for the replacement of computer servers; \$65,500.00 Pavement Marking Application contract for the 2012 Program; \$219,822.00 Preliminary Engineering for Route 4, South Gilmore & Holden Intersection Improvements. Legislative Action: Councilmember Abbott presented the first reading of this ordinance.

Councilmember Abbott, seconded by Councilmember Jones moved to suspend to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Abbott, seconded by Councilmember Meyers moved to adopt . Motion Carried 6-0. ORDINANCE NO. 88-12. ADOPTED 6-0.

Appropriation Ordinance (Non-Contractual Items) - \$17,537 for a support agreement with Forward Edge for Cisco network equipment; \$4,900 for replacement and addition of protective coating on windows at the Water Treatment Plant facility; \$17,511 for Fleet division vehicle source capture exhaust system modifications; \$5,000 for appraisals of right of way acquisition for Seward Road between Port Union and Symmes.

Background: City Manager Pizzano recommended the following non-contractual appropriation items: \$17,537 for a support agreement with Forward Edge for Cisco network equipment; \$4,900 for replacement and addition of protective coating on windows at the Water Treatment Plant facility; \$17,511 for Fleet division vehicle source capture exhaust system modifications; \$5,000 for appraisals of right of way acquisition for Seward Road between Port Union and Symmes. Legislative Action: Councilmember Abbott presented the first reading of this ordinance.

Councilmember Abbott, seconded by Councilmember Meyers moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Abbott, seconded by Councilmember Meyers moved to adopt . Motion Carried 6-0. ORDINANCE NO. 89-12. ADOPTED 6-0.

Appropriation Ordinance (Non-Contractual Item) - \$24,000 for emergency repairs performed by Duke Energy to the Water System wellfield power grid.

Councilmember Tim Abbott recused himself and left the room for the reading and vote of this appropriation ordinance.

Background: City Manager Pizzano recommended the following appropriation item: \$24,000 for emergency repairs performed by Duke Energy to the Water System wellfield power grid. Legislative Action: Councilmember Oler presented the first reading of this ordinance.

Councilmember Oler, seconded by Councilmember Holtegel moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 5-0. Councilmember Oler, seconded by Councilmember Holtegel moved to adopt . Motion Carried 5-0. ORDINANCE NO. 90-12. ADOPTED 5-0, COUNCILMEMBER ABBOTT RECUSED.

Meeting Schedule

Clerk Wilson read the following meeting schedule:

- Monday, September 24 Regular Meeting, 7:00 p.m.
- Tuesday, October 9 Regular Meeting, 7:00 p.m.
- Monday, October 22 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.

Executive Session of Council (if needed)

Adjournment

The Regular Meeting of Council adjourned at 7:28 PM.

ATTEST:

Clerk of Council

Mayor's Approval

Date Approved _____