

MINUTES  
REGULAR MEETING OF COUNCIL  
DECEMBER 2, 2013

**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 Meyers led in prayer and Pledge of Allegiance.

**Roll Call**

Clerk Wilson called the roll of Council. Present members were Councilmember Debbie Pennington, Councilmember Mike Oler, Councilmember Terry Senger, Councilmember Tim Abbott, Councilmember Tim Meyers.

Councilmember Oler, seconded by Councilmember Abbott, moved to excuse Councilmember Jones.

**Agenda Modifications**

**Executive Session Requests**

**Public Hearing(s)**

**Special Presentations and Citizen Comments**

**Mayor/Council Reports**

Councilmember Pennington reported that the Gilbert Family Christmas will be at Elijah Morgan Mansion on Saturday and Sunday, December 7 and 8, from 1-4 PM. The event is free to the public. The event is sponsored by Friends of Elijah Morgan, Fairfield Historical Society and Fairfield Parks and Recreation Department.

Councilmember Senger announced that Light Up Fairfield will be held this weekend, December 7, at Village Green Park.

Councilmember Abbott thanked Finance Director Mary Hopton, City Manager Pizzano and staff for their hard work on the budget. He also thanked the incoming mayor and councilmembers for their participation in the budget review.

Councilmember Oler commented that he is looking forward to the incoming mayor and councilmembers and knows they will do a great job.

Councilmember Meyers also thanked city staff for their hard work and incoming mayor and councilmembers for their participation in the budget process.

### **Approval of Minutes**

Regular Meeting Minutes of November 25, 2013

- The Regular Meeting Minutes of November 25, 2013 were approved as written

### **Appointment of Public Official**

#### **COMMUNITY & PUBLIC RELATIONS COMMITTEE Debbie Pennington, Chairman; Adam Jones, Member**

Simple Motion: Motion to appoint Martin H. Judd as Councilmember, Second Ward effective December 2, 2013, term expires December 31, 2015.

Councilmember Pennington, seconded by Councilmember Abbott, moved to approve a simple motion to appoint Martin H. Judd as Councilmember, Second Ward, effective December 2, 2013, term expires on December 31, 2015.

Councilmember Meyers commented that he has no ill will toward past Councilmember Judd, however, he is disappointed in the lack of transparency in this appointment process. He stated that there was a process decided upon, that Councilmembers would submit a name of a second ward resident to the mayor and then letters would be mailed for those nominated to send a letter of interest and resume. He stated that the person he nominated was never mailed a letter and never given the opportunity to interview for the appointment. He requested that Council defer this appointment to the new Council and let them make a decision in January.

Mayor D'Epifanio commented that this is the worst thing he has been involved in during his time on Council. He stated that he understands where Mr. Holtegel was coming from, however, Mayor D'Epifanio did not have a vote in this decision, even in the event of a tie. The vote was unanimous that this resignation happened on the current Council, so the current Council should make the new appointment. He stated that he opened the nominations on October 28, which was the deadline, in the presence of City Manager Pizzano and Law Director Clemmons. There were four (4) recommendations for Mr. Judd, one (1) for Mr. Holtegel and one (1) for someone else whose name he can't recall. Council then decided that because there were so many nominations for Mr. Judd, it did not make sense to put the others through an interview process, and that vote was unanimous after Councilmember Meyers excused himself from the meeting.

Councilmember Abbott commented that all councilmembers wanted to address the issue while the current council was still in office. The procedure was decided upon and followed, according to the City Charter and letter of the law. He thanked Mr. Holtegel for his years of service to the city.

Mayor D'Epifanio allowed comments from the audience.

Jeff Holtegel, 4930 Fairfield Avenue, commented and said it was not unanimous, that he dissented.

A roll call vote was taken:

Councilmember Oler – Yes

Councilmember Meyers – Opposed

Councilmember Pennington – Yes  
Councilmember Senger – Yes  
Councilmember Abbott – Yes

Motion carried 4-1. SIMPLE MOTION NO. 19-13. APPROVED 4-1.

Oath of Office, administered by Judge Joyce Campbell

Judge Joyce Campbell administered the Oath of Office for Councilmember Marty Judd. Councilmember Judd then took his seat at the dais.

### **OLD BUSINESS**

### **NEW BUSINESS**

#### **PUBLIC WORKS COMMITTEE**

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

Ordinance to authorize the City Manager to enter into a contract with Lebanon Ford for the purchase of four (4) police vehicles and declaring an emergency.

Councilmember Tim Meyers, seconded by Councilmember Tim Abbott moved to read the following ordinance by title only. Motion Carried 6-0.

Background: City Manager Pizzano recommended an ordinance to purchase four (4) new police vehicles.  
Legislative Action: Councilmember Meyers presented the first reading of this ordinance.

Councilmember Tim Meyers, seconded by Councilmember Mike Oler moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Tim Meyers, seconded by Councilmember Mike Oler moved to adopt . Motion Carried 6-0. ORDINANCE NO. 104-13. APPROVED 6-0

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

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

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

Appropriation Ordinance (Contractual Items) - \$105,960 for the purchase of four (4) police vehicles.

Background: City Manager Pizzano recommended the appropriation for the purchase of four (4) new police vehicles. Legislative Action: Councilmember Abbott presented the first reading of this ordinance.

Councilmember Tim Abbott, seconded by Councilmember Tim Meyers moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Tim Abbott,

seconded by Councilmember Tim Meyers moved to adopt . Motion Carried 6-0. ORDINANCE NO. 105-13. APPROVED 6-0.

Appropriation Ordinance (Non-Contractual Items) - \$47,222 for equipment outfitting and graphics of four (4) new police vehicles; \$1,500 for maintenance of the network printer for Income Tax division; \$22,000 for hardware maintenance agreement with CDW-G; \$28,000 for infrastructure maintenance; \$20,000 for renewal of software contracts for support and software updates.

Background: City Manager Pizzano recommended an ordinance for non-contractual appropriations for the outfitting and equipment for the four (4) new police vehicles, maintenance of a printer in Income Tax, a hardware maintenance agreement and renewal of software contracts. Legislative Action: Councilmember Abbott presented the first reading of this ordinance.

Councilmember Tim Abbott, seconded by Councilmember Mike Oler moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Tim Abbott, seconded by Councilmember Tim Meyers moved to adopt . Motion Carried 6-0. ORDINANCE NO. 106-13. APPROVED 6-0.

**Meeting Schedule**

Clerk Wilson read the following meeting schedule:

- Monday, December 9 Regular Meeting, 7:00 p.m.
- Monday, December 30 Oath of Office Ceremony, 6:00 p.m.
- Monday, January 13 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 7:25 PM.

ATTEST:

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

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

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