

MINUTES
REGULAR MEETING OF COUNCIL
FEBRUARY 10, 2014

Call to Order

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

Prayer/Pledge of Allegiance

Councilmember Senger 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 Marty Judd, Councilmember Terry Senger, Councilmember Chad Oberson, Councilmember Mike Snyder, and Councilmember Bill Woeste.

Agenda Modifications

Executive Session Requests

Public Hearing(s)

Joint Public Hearing - 4990 Winton Road Re-Zoning

Mayor Miller opened the joint public hearing at 7:03 PM. Clerk Wilson called the roll of Council, 7 members present, and the roll of Planning Commission, 4 members present, 2 members excused. Councilmember Snyder, seconded by Councilmember Senger, moved to excuse Commissioners Myron and Hassler. Motion carried 7-0. Clerk Wilson read the Joint Public Hearing Notice. Development Services Director Tim Bachman explained the re-zoning situation for 4990 Winton Road and a copy of his presentation is attached. The recommendation is to re-zone the property from a C-3, commercial district use, to a R-2, residential use, to prevent a commercial use in a mainly residential district. Denise Waterman, 5670 Old Winton Court, asked for clarification on the number of duplexes allowed on the property if it is re-zoned to R-2. Development Services Director Tim Bachman explained that there could be two (2) duplexes on the property if the zoning is changed. As it stands now, a commercial use would be permitted on the property. Pat Stroes, 5671 Old Winton Court, asked how long the property has been zoned C-3 and Mr. Bachman answered 30-40 years. She stated that in that time, nothing has happened on that property and she is concerned that adding more rental property is unnecessary because of all of the vacant apartments and other rental properties in that area. Councilmember Oberson commented that the BZA felt the best case scenario for the property was one duplex, but that's not working out. He asked Mr. Bachman to explain the potential C-3 uses if the property is not re-zoned and Mr. Bachman explained that the property has the potential to be used for a car lot or car maintenance, as is seen up and down Route 4. He explained that the owner was not able to make the one (1) duplex situation work financially and the question is what is the lesser of the two, multiple duplexes or a commercial use. The owner's brother addressed council and stated that his sister has been paying taxes on the property while getting nothing out of it and is at the point that she wants to be done with it. He stated that the property is for sale and the gentlemen that own the car lot are in the process of buying the property. Rex Richardson, of Old Winton Subdivision, explained that as the developer, they tried to incorporate the lot in question in the subdivision, but it would not work out due to drainage and other issues. He stated that there are basically two choices, to re-zone as a residential use and have a duplex or two on the property, or leave it as is and a commercial use is a possibility. He said that if the best use is a

duplex, he will take that ten times over a commercial use on the property. Mayor Miller closed the joint public hearing at 7:35 PM.

Special Presentations and Citizen Comments

Mayor/Council Reports

Councilmember Snyder reminded everyone that Boards and Commissions applications are due February 14, 2014. There are several openings available, so if anyone is interested, he asked that they submit an application before Friday. Applications can be submitted online at www.fairfield-city.org and clicking on the Boards and Commissions banner that scrolls across the screen.

Councilmember Oberson commented that he received a letter from a resident thanking the city for doing such a good job clearing the streets; he also reported that the city is doing okay on salt supply and will continue to monitor it closely.

Councilmember Pennington reported that the Fairfield Footlighters have a production of "The Fantastics" running February 21-23 and February 28 - March 2 at Community Arts Center and tickets are now available. There is also a contemporary piano concert on February 15 at 8 PM.

Councilmember Judd commended the Public Utilities Department for a job well done in this harsh winter. He reported that in the month of January, the department responded to 623 service calls, twelve (12) of which were main breaks, and 25% of the staff assisted Public Works in snow removal. Fairfield's combined water and wastewater rates are among the lowest in the area and the service level is exceptional.

Councilmember Jones reported that FF/Paramedic Rick Gibbs is working on securing funding for Movies in the Park and that there is an ice rescue training being conducted at Marsh Park Lake. He also commended the Fire Department for doing a great job on the fire at Fairfield Options Academy; school officials thanked the Fire Department for doing a great job in this situation. Councilmember Jones also alerted residents to a scam alert in which callers pose as law enforcement and request bail money for a family member, directing the victim to purchase a cash card and call them back with the card information. He stated that this is a scam and because most of these originate outside of the United States, there is very little the police department can do to help.

Mayor Miller reported that WMOH will do a throw-back to 1976 on April 1. Both he and Mayor Moeller of Hamilton will be on the radio from 9:00-10:00 AM.

Approval of Minutes

Regular Meeting Minutes of January 27, 2014

- The Regular Meeting Minutes of January 27, 2014 were approved as written

OLD BUSINESS

PUBLIC WORKS COMMITTEE

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

Resolution declaring necessity of repairing sidewalks (including aprons).

Legislative Action: Councilmember Oberson presented the third reading of this resolution. Councilmember Chad Oberson, seconded by Councilmember Marty Judd moved to adopt. Motion Carried 7-0. RESOLUTION 2-14. APPROVED 7-0.

DEVELOPMENT SERVICES COMMITTEE

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

Ordinance amending Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, Section 1141.02, the City of Fairfield, Ohio, Zoning Map.

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

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

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

PUBLIC UTILITIES COMMITTEE

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

An Ordinance granting Butler Rural Electric Cooperative, Inc., its successors and assigns, the right to acquire, construct, maintain and operate in the streets, thoroughfares, alleys, bridges and public places of the City of Fairfield, State of Ohio and its successors, lines for the distribution of electric power and energy to parts of the City of Fairfield and the inhabitants thereof for light, heat, power and other purposes and for the transmission of the same within, through or across said City of Fairfield, State of Ohio.

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

NEW BUSINESS

PUBLIC SAFETY COMMITTEE

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

Simple Motion: Motion to approve a liquor permit application in the name of KBJK, LLC, 7181 Dixie Highway, Fairfield, OH 45014 (Permit Classes: D5).

Councilmember Jones, seconded by Councilmember Pennington, moved to approve a liquor permit application in the name of KBJK, LLC. Motion carried 7-0. SIMPLE MOTION 3-14. APPROVED 7-0.

PUBLIC UTILITIES COMMITTEE

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

Ordinance to authorize the City Manager to enter into a one (1) year contract with Carmeuse North America for the purchase of lime for use in the Water Division.

Councilmember Marty Judd, seconded by Councilmember Adam Jones moved to read the following ordinance by title only. Motion Carried 7-0.

Background: City Manager Pizzano recommended a contract with Carmeuse North America for the purchase of lime for the Water Division. Legislative Action: Councilmember Judd presented the first reading of this ordinance. Councilmember Marty Judd, seconded by Councilmember Debbie Pennington moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 7-0. Councilmember Marty Judd, seconded by Councilmember Mike Snyder moved to adopt . Motion Carried 7-0. ORDINANCE NO. 8-14. APPROVED 7-0.

DEVELOPMENT SERVICES COMMITTEE

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

Ordinance to amend various sections of Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, relative to the City of Fairfield Design, Construction and Material Specifications Handbook, Storm Water Quality Management Plan, Drainage, Water and Sewer Requirements.

Councilmember Bill Woeste, seconded by Councilmember Mike Snyder moved to read the following ordinance by title only. Motion Carried 7-0.

Background: City Manager Pizzano recommended an ordinance to amend the Design, Construction and Materials Specifications Handbook and Storm Water Quality Management Plan, Drainage, Water and Sewer Requirements, as was presented in the 6:00 PM briefing on January 27. Legislative Action: Councilmember Woeste presented the first reading of this ordinance and indicated that a public hearing would be held on February 24, 2014 at 7:00 PM.

PUBLIC WORKS COMMITTEE

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

Councilmember Chad Oberson, seconded by Councilmember Mike Snyder moved to read the following two (2) ordinances by title only. Motion Carried 7-0.

Ordinance releasing the maintenance bond and accepting public improvements for the Iwata Drive Dedication Plat.

Background: City Manager Pizzano recommended an ordinance to release the maintenance bond and accept public improvements in Iwata Drive, as it has been inspected and meets city standards. Legislative Action: Councilmember Oberson presented the first reading of this ordinance.

Ordinance to authorize the City Manager to enter into a one (1) year contract with options for years two (2) and Three (3) with R.A. Miller of Hamilton, Ohio for the 2014 Sidewalk/Apron Replacement Program.

Background: City Manager Pizzano recommended an ordinance to approve a one (1) year contract with R.A. Miller of Hamilton, Ohio for the 2014 Sidewalk/Apron Replacement Program. R.A. Miller was the lowest and best bidder on the contract. Legislative Action: Councilmember Oberson presented the first reading of this ordinance.

FINANCE & BUDGET COMMITTEE

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

Councilmember Terry Senger, seconded by Councilmember Debbie Pennington moved to read the following two (2) ordinances by title only. Motion Carried 7-0.

Contractual Appropriations - \$382,000 for 2014 Sidewalk/Apron and Curb Replacement Program

Background: City Manager Pizzano recommended an ordinance for contractual appropriations related to the 2014 Sidewalk/Apron and Curb Replacement Program. Legislative Action: Councilmember Senger presented the first reading of this ordinance.

Councilmember Terry Senger, seconded by Councilmember Adam Jones moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 7-0. Councilmember Terry Senger, seconded by Councilmember Chad Oberson moved to adopt . Motion Carried 7-0. ORDINANCE NO. 9-14. APPROVED 7-0.

Non-Contractual Appropriations - \$49,500 for Sidewalk Repair - 2014 Sidewalk Program

Background: City Manager Pizzano recommended a non-contractual appropriation in the amount of \$49,500 for 2014 Sidewalk Repair. This money will be used in areas that can be ground-down and filled in, rather than having an entire block of concrete replaced, which saves the residents money, while addressing the issue of sidewalk settling. Legislative Action: Councilmember Senger presented the first reading of this ordinance.

Councilmember Terry Senger, seconded by Councilmember Adam Jones moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 7-0. Councilmember Terry Senger, seconded by Councilmember Chad Oberson moved to adopt . Motion Carried 7-0. ORDINANCE NO. 10-14. APPROVED 7-0.

Meeting Schedule

Clerk Wilson read the following meeting schedule:

- Monday, February 24 Regular Meeting, 7:00 PM
- Monday, March 10 Council-Manager Briefing 6:00 PM; Regular Meeting, 7:00 PM
- Monday, March 24 Council-Manager Briefing 5:30 PM; Regular Meeting, 7:00 PM

Executive Session of Council (if needed)

Adjournment

The Regular Meeting of Council adjourned at 7:55 PM.

ATTEST:

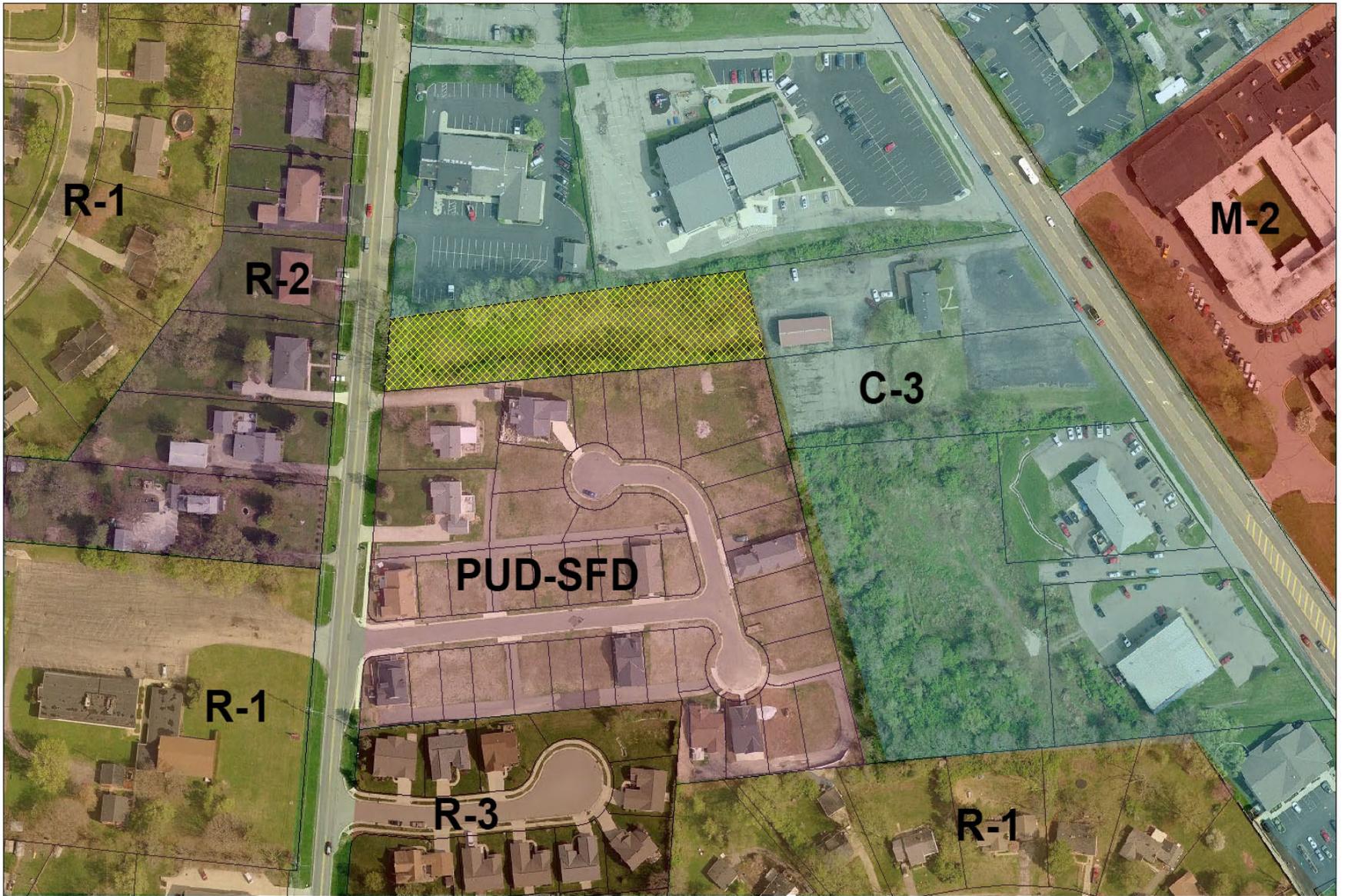
Clerk of Council

Mayor's Approval

Date_____

PUBLIC HEARING

4990 Winton Road





History

BZA – Granted Use Variance – June 5, 2013. Extended December 4, 2013

- Use Variance – Duplex/C-3 zoning stays. BZA requirement that the rear portion be perpetual open space.
- June-Dec. 2013 Owner worked on various development scenarios with no success.
- Dec. BZA granted extension of previously approved plan.
- Jan. 2014 City initiate rezoning Charter 4.10



Duplex Elevation



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Stories: 2
Total Entire Building: 3374 s.f.
Total Living Per Unit: 1687 s.f.
First Floor: 785 s.f.
Second Floor: 902 s.f.
Bedrooms: 3
Full Baths: 2, **Half Baths:** 1
Width: 28 ft.
Depth: 56 ft.
Garage Size: 2
Foundation:
Basement, Crawlspace, Slab
Price: \$1,100.00 (Construction Package)



What is the ROI?

- ▶ **Community.**

- ▶ Provide a buffer use adjacent to the residential uses on the south and west of the subject property by changing C-3 zoning designation.

- ▶ **Owner.**

- ▶ Provide additional density-assist in the financial aspects of development.
- ▶ Remove the perpetual open space restriction.



Meeting Schedule

- ▶ February 10, 2014 – Public Hearing
- ▶ February 26, 2014 – Planning Commission
- ▶ March 10, 2014 – Second Reading
- ▶ March 24, 2014 – Third and Final Reading

