

MINUTES  
REGULAR MEETING OF COUNCIL  
JANUARY 27, 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 Pennington led in prayer and the Pledge of Allegiance.

**Roll Call**

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

Councilmember Pennington, seconded by Councilmember Judd, moved to excuse Councilmember Jones.

**Agenda Modifications**

**Executive Session Requests**

Councilmember Judd, seconded by Councilmember Snyder, moved for Executive Session to discuss imminent litigation. Motion carried 6-0.

**Public Hearing(s)**

**Special Presentations and Citizen Comments**

Mayor Miller administered the oath of office to Officer Thomas Portaleos, Officer Samuel Larsh and Firefighter Kyle Temple.

Police Chief Mike Dickey presented commendations to Sgt. Steve Maynard, Sgt. Amy Mays, Officer Brian Rednour, and Officer Martin Day for their outstanding work to rescue a woman that was shot in October 2013. The victim did not survive, but the officers deserve recognition for going above and beyond in their attempts to save her.

Parks and Recreation Board member Doug Meece presented plaques to Councilmembers Marty Judd and Terry Senger for their years of service with the board. He thanked them for their dedication to the city.

Dan Compston, 978-A Nilles Road, addressed council regarding Mr. Doug Songer's issue related to his granddaughter. He stated that he is an investigator for the attorney for Mr. Songer and Eric Deters' law firm. Mr. Compston detailed his investigation into the alleged abuse of Mr. Songer's granddaughter for Council.

Police Chief Mike Dickey addressed Council and provided some of the information in his file related to the situation with Mr. Songer. He stated that Council was welcome to sit down with him to look at the file, if there are additional questions that cannot be addressed in an open forum. Chief Dickey stated

that the case boils down to a custody dispute and that there is not enough evidence to support a child abuse charge.

Mark Eppley, 635 W. 7th Street, Suite 401, Cincinnati, Ohio, attorney for Mr. Songer, addressed Council regarding the situation. He stated that the issue is more than child custody, but is a child abuse situation. He suggested that the case be sent to Columbus for review by BCI and that the findings of BCI will stand. He stated that if BCI states there is a child abuse situation, it is incumbent upon Fairfield Police Department to investigate the case.

### **Mayor/Council Reports**

Councilmember Pennington wished her husband of 41 years a happy anniversary. She reported that the shows at the Community Arts Center are listed online. The shows for the upcoming weekend are sold out, but there are many other shows on the schedule.

Councilmember Senger thanked Doug Meece and the Parks and Recreation Board for their recognition. He enjoyed the time that he served with them and the projects they accomplished. Councilmember Senger also thanked the Police and Fire personnel for their hard work in the community.

Councilmember Oberson thanked Public Works for their excellent work on the city roads this winter.

Councilmember Snyder reported that Ki'Jana Rogers, a Fairfield High School senior, will compete in the local NAACP's Afro-Academic, Cultural, Technological and Scientific Olympics in the architecture category. Fairfield architect Derek Howard is mentoring Rogers. Councilmember Snyder also reported that the Fairfield Show Choirs traveled to Wisconsin for their first competition of the season and congratulated them on their performances.

### **Approval of Minutes**

Regular Meeting Minutes of January 13, 2014

- The Regular Meeting Minutes of January 13, 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).

Councilmember Oberson presented the second reading of this resolution.

### **NEW BUSINESS**

#### **DEVELOPMENT SERVICES COMMITTEE**

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

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

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

Background: City Manager Pizzano recommended an ordinance to amend the zoning map. There will be a joint public hearing on this re-zoning at the next council meeting on February 10. Legislative Action: Councilmember Woeste presented the first reading of this ordinance.

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

Background: City Manager Pizzano recommended a contract with Fairfield Chamber of Commerce. The city has contracted with the chamber for many years, and as a result, receives numerous reports and other support from the chamber. Legislative Action: Councilmember Woeste presented the first reading of this ordinance.

#### **PUBLIC UTILITIES COMMITTEE**

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

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

Ordinance to authorize the City Manager to enter into a contract with Bronco Excavating, Inc. for the Seward I Road Sewage Pump Station.

Background: City Manager Pizzano recommended a contract with Bronco Excavating, Inc. for the Seward I Road Sewage Pump Station. Legislative Action: Councilmember Judd presented the first reading of this ordinance.

Councilmember Marty Judd, seconded by Councilmember Bill Woeste moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Marty Judd, seconded by Councilmember Terry Senger moved to adopt . Motion Carried 6-0. ORDINANCE NO. 4-14. APPROVED 6-0.

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.

Background: City Manager Pizzano recommended an agreement with Butler Rural Electric. This is a renewal of the existing franchise agreement that allows them to operate within the city of Fairfield, Ohio. Legislative Action: Councilmember Judd presented the first reading of this ordinance.

**PARKS, RECREATION AND ENVIRONMENT COMMITTEE**

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

Ordinance to authorize the City Manager to enter into a contract with Robert P. O'Brien Enterprises, Incorporated, DBA Shamrock Enterprises for the Fairfield Aquatic Center Renovation Project.

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

Background: City Manager Pizzano recommended a contract for the Fairfield Aquatic Center Renovation Project. Issues arose last year that were temporarily fixed, but now the renovations are necessary before the beginning of the next season. Legislative Action: Councilmember Pennington presented the first reading of this ordinance.

Councilmember Debbie Pennington, seconded by Councilmember Chad Oberson moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Debbie Pennington, seconded by Councilmember Terry Senger moved to adopt . Motion Carried 6-0. ORDINANCE NO. 5-14. APPROVED 6-0.

**FINANCE & BUDGET COMMITTEE**

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

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

Contractual Appropriations - \$400,000 for the Seward I Road Sewage Pump Station Project; \$250,000 for the Fairfield Aquatic Center Renovation Project.

Background: City Manager Pizzano recommended contractual appropriations for the two (2) previously approved contracts. Legislative Action: Councilmember Senger presented the first reading of this ordinance.

Councilmember Terry Senger, seconded by Councilmember Marty Judd moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Terry Senger, seconded by Councilmember Marty Judd moved to adopt . Motion Carried 6-0. ORDINANCE NO. 6-14. APPROVED 6-0.

Non-Contractual Appropriations - \$5,200 purchase of audio/visual equipment for Municipal Building conference room; \$30,000 for Comprehensive Parks and Recreation Master Plan.

Background: City Manager Pizzano recommended appropriations for audio/visual equipment in the Development Services conference room and a Comprehensive Parks and Recreation Master Plan. 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. 7-14.  
APPROVED 6-0.

**Meeting Schedule**

Clerk Wilson read the following meeting schedule:

- Monday, February 10 Regular Meeting, 7:00 p.m.
- Monday, February 24 Regular Meeting, 7:00 p.m.
- Monday, March 10 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.

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

Council adjourned to Executive Session at 8:00 PM.

**Adjournment**

The Regular Meeting of Council adjourned at 8:50 PM.

ATTEST:

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

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

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