

MINUTES
REGULAR MEETING OF COUNCIL
SEPTEMBER 14, 2015

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 Jones led in prayer and Pledge of Allegiance.

Roll Call

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

Agenda Modifications

Law Director John Clemmons noted that there could be an agenda modification following Executive Session.

Executive Session Requests

Councilmember Senger, seconded by Councilmember Snyder, moved for Executive Session to discuss pending and imminent litigation. Motion carried 6-1. Councilmember Judd dissented.

Special Presentations and Citizen Comments

"It Can Wait" Campaign Proclamation - Katie Pendergraft

Councilmember Snyder presented the "It Can Wait" proclamation to Katie Pendergraft. Ms. Pendergraft thanked the city for their support and encouraged everyone to identify what distracts them behind the wheel and remember that it can wait.

Chamber of Commerce Update

Chamber President Kert Radel thanked the mayor and council for their support of the Domino's grand re-opening event, and also announced the Chamber Business Showcase on October 7 at Receptions, beginning at 1:30 PM.

Council on Aging of Southwestern Ohio Update - Christy Quincy

Christy Quincy gave an update on Council on Aging of Southwestern Ohio and asked for voters to approve the renewal levy on the November ballot. The levy will not increase taxes, but will provide funding to continue services to senior citizens, such as Meals on Wheels and transportation to and from doctor's appointments.

Public Hearing(s)

Joint Public Hearing - Zoning Code Amendments

Mayor Miller opened the public hearing at 7:12 PM. Clerk Wilson called the roll of council and planning commission. Councilmember Pennington, seconded by Councilmember Woeste, moved to excuse Commissioner Hassler. Motion carried 7-0. Clerk Wilson read the meeting notice. Development Services Director Bachman explained the zoning code amendments that are proposed. The amendments will change motor vehicle fueling stations and service stations from principal permitted to conditional use in

the C-2, Central Business District, and will also clarify that daycare facilities are conditional use in the D-1, Downtown District. He noted that the proposal will go back to Planning Commission for a recommendation, and upon that recommendation, will be presented back to Council for second and third readings and a vote. The public hearing closed at 7:18 PM.

Mayor/Council Reports

Councilmember Jones announced the Fire Department live-burn training every day through Saturday at 9 AM at the training facility on Groh Lane. He encouraged council to attend and see what the firefighters go through in a fire situation.

Councilmember Judd reported that an Ohio EPA Compliance Inspection was held at Wastewater Treatment on September 1 and the city received a satisfactory rating.

Councilmember Pennington reported that the Fairfield Historical Society Fall Newsletter is out and will be available at the Community Arts Center. It includes information regarding the city's 60th anniversary this year. She also noted that there is a public input meeting regarding development and expansion of Marsh Park on September 2 at 7 PM at the Community Arts Center.

Councilmember Senger reported that collections through July are ahead of projections by \$1.1 million, which is a very good indicator that the city is doing well. He thanked staff for keeping the city in good financial standing. He also welcomed Greg Preece, Assistant City Manager.

Councilmember Oberson reported that Gray Road is closed to traffic for a few weeks and there will be some paving on Nilles Road this fall.

Councilmember Snyder reported that the Fairfield school construction project was feature in the Cincinnati Enquirer and thanked Sue Kiesewetter for the nice article. He also announced the four series for the 2015-2016 season at the Community Arts Center, Fairfield Signature Sessions; Wine, Women & Song; One Stage...Many Cultures; and EnterAct Family.

Councilmember Woeste announced that SELF is a finalist for a \$101k grant, which will be decided upon on September 15. He also read a citizen letter that thanked the city and development staff for their work in a neighborhood on Morningside Drive.

Approval of Minutes

Regular Meeting Minutes of August 10, 2015

- The Regular Meeting Minutes of August 10, 2015 were approved as written

OLD BUSINESS

DEVELOPMENT SERVICES COMMITTEE

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

Ordinance to amend Chapters 1159, 1165 and 1168 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-2 Central Business District, C-3 General Business District, C-3A General Business District Modified, and D-1 Downtown, Zoning Districts.

Legislative Action: Second reading held pending Planning Commission recommendation.

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 2016 Community Development Block Grant (CDBG) application and agreement and declaring an emergency.

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

Background: City Manager Wendling recommended executing the 2016 CDBG application and agreement. The money, approximately \$113,000 will be used on the Symmes Road Improvements Project. Legislative Action: Councilmember Woeste presented the first reading of this ordinance.

PUBLIC UTILITIES COMMITTEE

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

Ordinance to authorize the City Manager to enter into a contract with Bering Distributors, Inc. for purchase of parts for the Grit Collector Tank Rehabilitation at the Wastewater Treatment Plant.

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

Background: City Manager Wendling recommended a contract with Bering Distributors, Inc. for purchase of parts for grit collector tank rehabilitation. City staff will perform the repairs. 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 Terry Senger moved to adopt. Motion Carried 7-0. ORDINANCE NO. 80-15. APPROVED 7-0.

PUBLIC WORKS COMMITTEE

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

Ordinance to authorize the City Manager to enter into a contract with Cargill, Inc. for the purchase of road salt and declaring an emergency.

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

Background: City Manager Wendling recommended a contract with Cargill, Inc. for the purchase of road salt. Legislative Action: Councilmember Oberson presented the first reading of this ordinance.

Councilmember Chad Oberson, seconded by Councilmember Bill Woeste moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 7-0. Councilmember Chad Oberson, seconded by Councilmember Adam Jones moved to adopt . Motion Carried 7-0. ORDINANCE NO. 81-15. APPROVED 7-0.

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 resolution and two ordinances by title only. Motion Carried 7-0.

Resolution accepting the amounts and rates as determined by the Butler County Budget Commission.

Background: City Manager Wendling recommended a resolution accepting the amounts and rates as determined by the Butler County Budget Commission. This is an annual resolution required by the County Auditor. Legislative Action: Councilmember Senger presented the first reading of this resolution.

Councilmember Terry Senger, seconded by Councilmember Mike Snyder moved to suspend the rules requiring three (3) readings of this resolution. Motion Carried 7-0. Councilmember Terry Senger, seconded by Councilmember Debbie Pennington moved to adopt. Motion Carried 7-0. RESOLUTION NO. 9-15. APPROVED 7-0.

Ordinance to amend Ordinance No. 109-14 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, 2015, and ending December 31, 2015."

Background: City Manager Wendling recommended the following Contractual Appropriations - \$65,000 for Grit Collector Tank Rehabilitation – Purchase of Parts. 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 7-0. Councilmember Terry Senger, seconded by Councilmember Marty Judd moved to adopt. Motion Carried 7-0. ORDINANCE NO. 82-15. APPROVED 7-0.

Ordinance to amend Ordinance No. 109-14 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, 2015, and ending December 31, 2015."

Background: City Manager Wendling recommended the following Non-Contractual Appropriations - \$21,000 for purchase and installation of High Service Pump for Water Treatment Plant; \$19,000 for inspection, engineering and bidding/bidding preparation support services related to re-coating project for lime softening clarifiers at Water Treatment Plant; \$7,500 for purchase of new Dezurik plug valves for Anaerobic Digester No. 2; \$7,500 for the purchase of raw sewage pump rebuilt kit and effluent sample pump; \$191 drug forfeiture money paid to Butler County Prosecutor's Office; \$12,350 for upgrades and maintenance at the Community Arts Center; \$22,000 for copy/print device upgrades at

Police Department; \$6,110 for fabrication and delivery of two (2) stainless steel lime feed splitter boxes at Water Treatment Plant; \$29,300 for upgrades of computer workstations. 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 7-0. Councilmember Terry Senger, seconded by Councilmember Chad Oberson moved to adopt . Motion Carried 7-0. ORDINANCE NO. 83-15. APPROVED 7-0.

Meeting Schedule

Clerk Wilson read the following meeting schedule:

- Monday, September 28 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.
- Tuesday, October 13 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.
- Monday, October 26 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 7:35 PM. The meeting reconvened at 8:05 PM. Councilmember Woeste, seconded by Councilmember Snyder, moved to add an ordinance regarding the Patterson Place Planned Unit Development to the agenda. Motion carried 6-1, Councilmember Jones dissenting. Councilmember Woeste, seconded by Councilmember Snyder, moved to read the following ordinance by title only. Motion carried 7-0.

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 and final development plans for the Patterson Place Senior Housing Planned Unit Development on Patterson Drive.

Law Director Clemmons explained that this ordinance will provide a settlement to a pending lawsuit regarding Councils vote to not approve the Patterson Place Planned Unit Development. This is an amended development plan and authorizes the City Manager to execute the development agreement and Law Director to execute the settlement agreement. Councilmember Woeste presented the first reading of this ordinance. Councilmember Woeste, seconded by Councilmember Snyder, moved to suspend the rules requiring three (3) readings of this ordinance. Motion carried 5-2, Councilmembers Jones and Senger opposed. Councilmember Woeste, seconded by Councilmember Snyder, moved to approve the ordinance. Motion carried 6-1, Councilmember Jones opposing. Councilmember Jones stated that he feels the public should have an opportunity to review and provide input. Councilmember Senger also stated that he would have preferred a public discussion about it, but he does feel that the project has been improved since the ordinance proposal in March. He thanked everyone for their hard work, endurance and professionalism in getting to this point. Development Services Director Bachman also commented that he is happy the project could come to resolution and the development that will benefit the community. ORDINANCE NO. 84-15. APPROVED 6-1.

Adjournment

The Regular Meeting of Council adjourned at 8:15 PM.

ATTEST:

Clerk of Council

Mayor's Approval

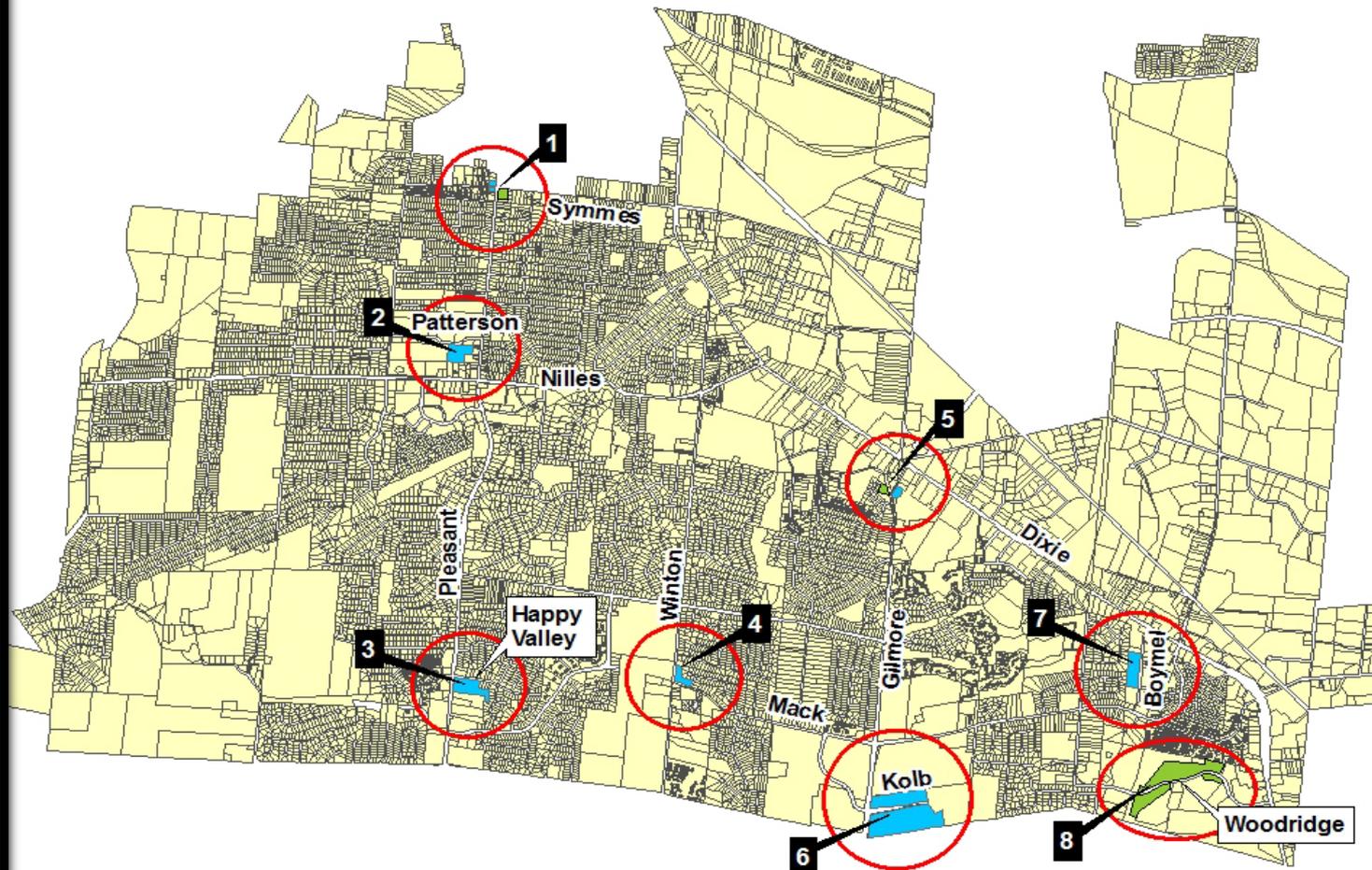
Date Approved: _____

PUBLIC HEARING

Modifications to the C-2 & D-1 Zoning Districts

September 14, 2015

C-2 Zoning Districts



C-2 Zoning District

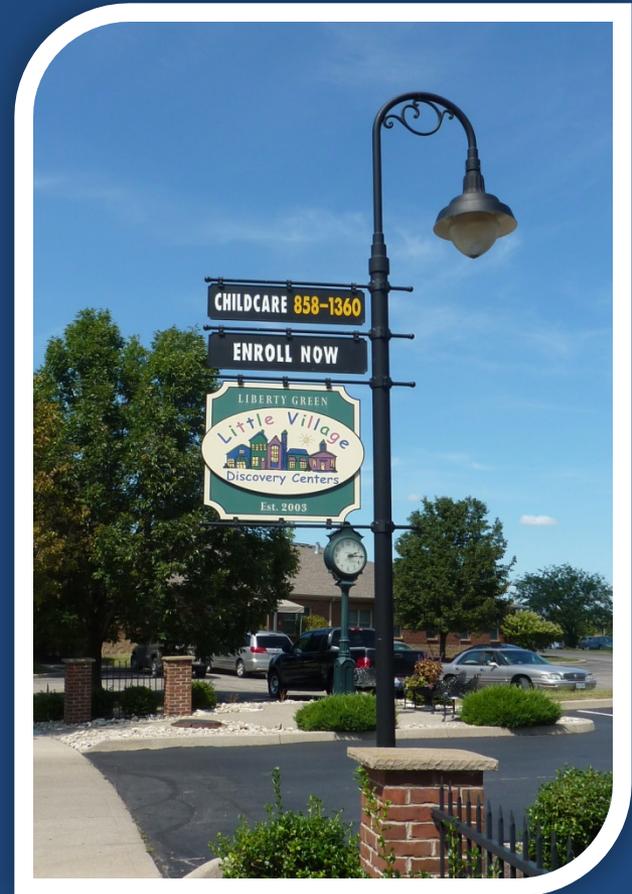
- Modification: to reclassify motor vehicle service and motor vehicle dispensing facility from a Principal Permitted Use to a Conditional Use in the C-2, Central Business District
- In 2013 City Council reclassified both uses from Principal Permitted to Conditional Use in the D-1, Downtown District

C-2 Zoning District existing permitted uses

- Retail/Service
 - antique shop, furniture store, dry cleaners, grocery, variety store
- Office
- Bank
- **Motor vehicle service**
- **Motor vehicle fuel dispensing facility (gas station)**
- Restaurants, excluding drive-thru
- School & studio
- Printing and related trade
- Clinic
- Uses permitted in the C-1

D-1 Downtown District

- Modification: To make a daycare center a conditional use
- This modification will clarify that a daycare center is a conditional use



Process

- Public Hearing – September 14, 2015
- Planning Commission – Wednesday, September 23, @ 6:00 PM
- Second Reading – Monday, September 28 @ 7:00 PM
- Third Reading – Tuesday, October 13 @ 7:00 PM

Questions and Comments