

MINUTES  
REGULAR MEETING OF COUNCIL  
SEPTEMBER 9, 2013

**Call to Order**

Vice Mayor Terry Senger 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 Jeff Holtegel, Councilmember Debbie Pennington, Councilmember Terry Senger, Councilmember Tim Abbott, Councilmember Mike Oler, and Councilmember Tim Meyers.

Councilmember Holtegel, seconded by Councilmember Pennington, moved to excuse Mayor D'Epifanio. Motion carried 7-0.

**Agenda Modifications**

**Executive Session Requests**

Councilmember Oler, seconded by Councilmember Abbott, moved to approve an Executive Session to discuss imminent litigation. Motion carried 7-0.

**Public Hearing(s)**

**Joint Public Hearing - Planning Commission and City Council, Meijer-Gilmore Road Planned Unit Development**

Vice Mayor Senger opened the Joint Public Hearing at 7:03 PM. Clerk Wilson read the hearing notice and called roll of Planning Commission and Council. Commissioner Hasselbeck, Commissioner Hassler, Commissioner Holtegel, Commissioner Lepsky, Commissioner Myron, Commissioner Morris and Commissioner Woeste. Councilmember Jones, Councilmember Holtegel, Councilmember Pennington, Councilmember Senger, Councilmember Abbott, Councilmember Oler and Councilmember Meyers. Development Services Director Tim Bachman opened the public hearing with computer renderings of the proposed Planned Unit Development. He explained that after the public hearing, the Planning Commission would discuss it at their meeting on Wednesday and if they made a recommendation, the second reading would be at the next Council meeting on September 23 and third reading on October 15. He then introduced Bill Martin, who explained more about the proposed development and the Panera facility with a drive-thru on the back side of the building. Randall Herbst, owner of the shopping center where Panera Bread is currently located, also spoke and stated that he would like the opportunity to discuss drive-thrus at his facility before Panera moves locations. The public hearing was closed at 7:26 PM.

**Special Presentations and Citizen Comments**

1. Todd Dockum, CFO, Council on Aging of SW Ohio and Butler County Citizens for Elderly Services, addressed Council and discussed the services provided by the Council on Aging of SW Ohio and Butler County Citizens for Elderly Services. He also made available copies of the 2012 Annual Report.

- Auditor Roger Reynolds presented a check in the amount of \$20,000 to Finance Director Mary Hopton, which is a return of surplus fees collected by the County to manage and distribute tax money. This refund is due to a reduction in administrative expenses of the Auditor's Office.

### **Mayor/Council Reports**

Councilmember Jones reported that on August 31, lighting struck the Lake Manor Drive sewage pump station, disabling it. A team was assembled to repair the pump station. Councilmember Jones thanked Director Dave Crouch and staff members Andy Eddy, R.C. Wysong, Matt Stroud, Steve Marks, Jason Hunold and Randy Hassler for their hard work over the holiday weekend.

Councilmember Holtegel thanked Police Officer Mike Sulfridge for waking him at 12:30 AM one night to tell him that his garage door was still open. He thanked Officer Sulfridge and the police department for looking out for Fairfield residents.

Councilmember Pennington thanked Fairfield's Chaco Credit Union for their recent donation to the Fairfield Food Pantry.

Councilmember Abbott reported that income taxes continue to show an increase.

Councilmember Oler reported that former County Coroner Dr. Burkhart passed away on September 7. He sent condolences to the family.

Councilmember Senger reported that the annual Cruise In on the Green is Saturday, September 14 from 4 PM to 10 PM. He also presented the Fairfield Works Presentation, recognizing Police Officer Joe Drake, Animal Control Officer Chuck Geurin, Carol Priest, who works at the Aquatic Center, Teresa Heis, who works at Public Utilities, and Rick Scalf, who works at Public Works.

### **Approval of Minutes**

Regular Meeting Minutes of August 12, 2013

- The Regular Meeting Minutes of August 12, 2013 were approved as written

### **OLD BUSINESS**

#### **DEVELOPMENT SERVICES COMMITTEE**

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

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 revised concept and final development plan for the Meijer-Gilmore Road Planned Unit Development.

Councilmember Holtegel explained that the second reading of this ordinance will be held until the Planning Commission's recommendation is received.

## NEW BUSINESS

### **PUBLIC WORKS COMMITTEE**

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

Councilmember Tim Meyers, seconded by Councilmember Tim Abbott moved to read the following four (4) ordinances by title only. Motion Carried 7-0.

Ordinance to authorize the City Manager to enter into a three (3) year contract with Thelen & Associates for Geotechnical and Testing Services and declaring an emergency.

Background: City Manager Pizzano recommended a three (3) year contract with Thelen & Associates for Geotechnical and Testing Services. Legislative Action: Councilmember Meyers presented the first reading of this ordinance.

Councilmember Tim Meyers, seconded by Councilmember Debbie Pennington moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 7-0. Councilmember Tim Meyers, seconded by Councilmember Tim Abbott moved to adopt . Motion Carried 7-0. ORDINANCE NO. 76-13. APPROVED 7-0.

Ordinance to declare thirteen (13) city vehicles as surplus and authorize the City Manager to sell the vehicles on GovDeals.com.

Background: City Manager Pizzano recommended an ordinance to declare vehicles as surplus and authorize the sale on GovDeals.com. 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 7-0. Councilmember Tim Meyers, seconded by Councilmember Mike Oler moved to adopt . Motion Carried 7-0. ORDINANCE NO. 77-13. APPROVED 7-0.

Ordinance to authorize the City Manager to execute a Ohio Public Works Commission Issue 1 Grant Application and Agreement for Ross Road from Danbury Road to the South Corporation Line and declaring an emergency.

Background: City Manager Pizzano recommended a Ohio Public Works Commission Issue 1 Grant application for Ross Road from Danbury Road to the South Corporation Line. Legislative Action: Councilmember Meyers presented the first reading of this ordinance.

Councilmember Tim Meyers, seconded by Councilmember Tim Abbott moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 7-0. Councilmember Tim Meyers, seconded by Councilmember Debbie Pennington moved to adopt . Motion Carried 7-0. ORDINANCE NO. 78-13. APPROVED 7-0.

Ordinance to authorize the City Manager to execute a Ohio Public Works Commission Issue 1 Grant Application and Agreement for Winton Road-Ross Road-Seward Road and declaring an emergency.

Background: City Manager Pizzano recommended a Ohio Public Works Commission Issue 1 Grant application for Winton Road, Ross Road, Seward Road. Legislative Action: Councilmember Meyers presented the first reading of this ordinance.

Councilmember Tim Meyers, seconded by Councilmember Adam Jones moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 7-0. Councilmember Tim Meyers, seconded by Councilmember Adam Jones moved to adopt . Motion Carried 7-0. Councilmember Abbott thanked the staff for always pursuing grant opportunities. ORDINANCE NO. 79-13. APPROVED 7-0.

#### **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 resolution and ordinance by title only. Motion Carried 7-0.

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

Background: City Manager Pizzano recommended a resolution accepting amounts and rates as determined by Butler County. Legislative Action: Councilmember Abbott presented the first reading of this resolution.

Councilmember Tim Abbott, seconded by Councilmember Tim Meyers moved to suspend the rules requiring three (3) readings of this resolution. Motion Carried 7-0. Councilmember Tim Abbott, seconded by Councilmember Tim Meyers moved to adopt . Motion Carried 7-0. RESOLUTION NO. 12-13. APPROVED 7-0.

Appropriation Ordinance (Non-Contractual Items) - \$668.00 to Butler County Prosecutor's Office; \$2,798 for purchase of tandem axle trailer for Water Division; \$10,865 for asphalt repairs at the Community Arts Center.

Background: City Manager Pizzano recommended three non-contractual appropriations. Legislative Action: Councilmember Abbott presented the first reading of this ordinance.

Councilmember Tim Abbott, seconded by Councilmember Jeff Holtegel moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 7-0. Councilmember Tim Abbott, seconded by Councilmember Mike Oler moved to adopt . Motion Carried 7-0. ORDINANCE NO. 80-13. APPROVED 7-0.

#### **Meeting Schedule**

Clerk Wilson read the following meeting schedule:

- Monday, September 23 Regular Meeting, 7:00 p.m.
- Tuesday, October 15 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.
- Monday, October 28 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 7:55 PM.

**Adjournment**

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

ATTEST:

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

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

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