

MINUTES

REGULAR MEETING OF COUNCIL

APRIL 13, 2009

Call to Order

Mayor Ronald A. D'Epifanio called the Regular Meeting of Council to order at 7:00 p.m. at the Fairfield Community Arts Center, 411 Wessel Drive.

Roll Call

Clerk Morsch called the roll of Council. Present members were Councilmember Senger, Councilmember Rhodus, Councilmember Meyers, Councilmember Judd, and Councilmember Snyder. Councilmember Judd, seconded by Councilmember Oler moved to excuse Councilmember Abbott. Motion Carried 6-0.

Prayer & Pledge

Councilmember Oler led in prayer followed by the Pledge of Allegiance.

Executive Session

Councilmember Judd, seconded by Councilmember Snyder, moved for an executive session to discuss pending and imminent litigation. A roll call vote was taken by the clerk. The executive session was approved by a 6-0 vote.

Special Presentations and Citizen Comments

Mayor D'Epifanio presented a proclamation in recognition of National Association of Letter Carriers' Food Drive Day on Saturday, May 9, 2009 to Donald Hershner from the United States Post Service. Mr. Hershner, the Mayor and Council encouraged residents to participate in this much needed program.

Mayor D'Epifanio presented a proclamation to Kris Roselle, chair of the Environmental Resources and Community Forest Commission to recognize Friday, April 24, 2009 as Arbor Day in the City of Fairfield. Councilmember Meyers congratulated Kris Roselle and members of the Environmental Resources and Community Forest Commission for the endless number of hours they put in and the great job they do.

Mayor D'Epifanio presented a proclamation to Kevin Click for attaining the rank of Eagle Scout and declared April 14, 2009 as "Eagle Scout Kevin Click" Day in the City of Fairfield. Councilmember Rhodus commented on the thousands of hours that are donated to the community by Eagle Scouts.

Public Hearings

Clerk Morsch called the roll of the Planning Commission. Present members were Jerry Daily, Diana Bailey, Terry Senger, Don Hassler, and Deborah Rhees. Jeff Holtegel and Scott Lepsky were absent. Clerk Morsch read the public hearing notice as published on Friday, March 6, 2009. Councilmember Meyers recused himself from the meeting at 7:20 PM since he is employed by General Electric which is a conflict. Development Services Director Tim Bachman briefly explained a JEDD and stated it is allowed by statute to foster governmental cooperation. Mr. Bachman explained the project which is the consolidation of GE Aviation currently located in several communities within the Cincinnati region to a campus setting in West Chester. He further explained what each community will bring to the project. Mr. Bachman highlighted the agreement stating a 1% tax on earnings of employees of the JEDD collected by Fairfield. He explained the revenue split for each community for years 1-10 and after 10 years. He stated this has been written for a term of 40 years with three five year renewals. Mr. Bachman explained the projected revenue for the first 10 years and year 11-55. Mr. Bachman further explained the projected expenditure for the City of Fairfield. Mr. Bachman discussed that there is a no-annexation clause. He further discussed the incorporation clause. Mr. Bachman discussed the next steps including that all three communities must have a public hearing and approvals in all three jurisdictions. He further discussed the timeline for readings at Fairfield. The public hearing closed at 7:35 PM. Councilmember Meyers returned to the meeting at 7:35 PM.

Clerk Morsch stated the purpose of the second public hearing as stated in the joint public hearing notice. Development Services Director Tim Bachman introduced Roger Nash with Withers Design Group Architects, Gary Henson with Elixir Development Group, Tom Tepe with Keating, Muenting and Klekamp PLL, and Bill Maynard with Empowering People. Mr. Bachman discussed the aerial view and site plan for the Pleasant Meadows Planned Unit Development. He explained

for a concept Planned Unit Development fundamental use of permitting 16 units in a group home setting needs to be decided. Mr. Bachman noted all elements of the final site design and building material are eligible for modification. He stated what we have done in the past is use the PUD to lessen the impact in the neighborhood including increasing the setbacks from property lines, modifying building design so the residential character fits with regards to the community, and modifications to parking lots and lighting to lessen the impact on adjoining properties. He briefly explained the schedule for this item. Mr. Roger Nash, Withers Design Group Architects briefly explained the project stating there would be two group homes on the property for 8 adult residents in each building and these would be licensed by the State Department of Mental Retardation and Developmental Disabilities. Mr. Nash briefly explained the services and staffing offered at these homes. He further explained the site plan and design for the buildings and landscape screening. Bill Maynard, Empowering People, stated these homes are going to be each individual's residence and they would be a place of training. He stated placement in these homes could range from 20-30 years to a couple years, it is very individual specific. Mr. Maynard explained typically they serve adults over the age of 18, they are licensed to serve those younger, however, if they are putting somebody younger in they are putting them in a position to be successful. Jean Thomas, 1535 Gelhot Drive, discussed her concern for the safety of the residents coming into these buildings with regards to the high speed on Pleasant Avenue, heavy traffic and the lack of sidewalks along this road. Mary Blake, 7287 Charter Club Lane in West Chester, owner of The Goddard School stated her opposition to this project. Ms. Blake explained how the public perception of the group home near her school will hurt her business. She further expressed her concern with the safety of the children at the Goddard school. She asked Council to please oppose the zoning. Peggy Potts, 5292 Frieda Drive, discussed her experience with her brother and sister, who are at Dakota Trails and are in the group where some of those residents would be going to a building like this. She explained the bulk of the people who need supervision at Dakota Trails are supervised for their own safety, not for the safety of young children. She further explained Dakota Trails is behind what used to be Forest Fair Mall. She expressed her support for this project. Tom Schmick, 1555 Gelhot Drive, asked if this PUD could be expanded and added onto with additional units or additional buildings on the next property over. He further questioned if we are talking about just rezoning this particular area or are we talking about rezoning an additional area that is next to it. Mr. Bachman stated the Planned Unit Development Code says that you can do an expansion, but only with approval through a process like we are going through this evening. He stated anytime there is a modification in density that would be an expansion. Mr. Schmick discussed his concern if this project fails would this open the door to open for changing this to a group home of another sort or is it limited to MRDD people. Mr. Bachman explained we would have to go through the same process we are going through this evening for a significant change of that magnitude. Law Director John Clemmons explained he believes that to be an integral part of the use of the property and would be an integral part of the rezoning and if that use were to change it would require a rezoning process. Mr. Maynard stated these individuals that we will be serving are individuals just like everyone in this room; they are just individuals that need additional assistance. He further stated there is no greater risk of someone being a danger to the community in this group of people than anybody else. Mayor D'Epifanio explained that he has a 48 year old daughter with special needs that lives at home with him. He stated this home is not for violent clients of MRDD and that he understands the concerns. Mr. Bachman explained one letter was received and was sent to City Council, many calls and testimony today that will be taken under advisement by the Planning Commission and report a written recommendation back to Council. Councilmember Meyers congratulated the Finance Committee, Finance Director Marty Hopton and Development Service for their outstanding efforts on this particular JEDD. He stated he will not vote on this item due to the potential conflict. The Public Hearing closed at 8:06 PM.

Citizen Comments

Kristi Benton, 2070 Woodtrail Drive #78, stated on March 26 she received a notice from the Butler County Sheriff's Department that a Tier 3 sex offender had moved in at 2065 Woodtrail #36. She further stated Mr. Stuart Hensel was recently released from prison after serving 14 years for sexually assaulting a small boy. She stated while she and her neighbors were notified of this the hundreds of parents who send their children to the Aquatic Center every summer were not. She explained as it stands now the Adam Walsh Act only prevents sexual predators from living close to accredited day care centers and schools. She further explained it provides no protection for children at playgrounds, recreational facilities or parks. She asked City Council to support House Bill 11 which would prevent convicted sexual offenders from visiting or living near places where children frequent. She discussed information regarding repeat sexual offenders. Mayor D'Epifanio expressed his support especially with the proximity to the Aquatic Center. Councilmember Meyers asked the Clerk to check the date for House Bill 11. Mayor and Council discussed the possibility of sending either a letter of support or possibly a resolution of support.

Rich Zenecker, owner of Goody's Laundromat at 460 Patterson Blvd., discussed the fact that tenants were not notified by Neyer of properties being torn down. He further discussed the lack of communication between Neyer and the tenants and the loss of business he will have as a result of this change. Mr. Zenecker continued to discuss the lack of prior notification by Neyer Properties and the effect it is having on the businesses. Mr. Bachman discussed the city's efforts in contacting Neyer with regard to this situation. He further explained that notice being given is part of the lease between Neyer and the tenants and is a private matter. Brett Kordenbrock, representative of Neyer Properties, 2135 Dana Avenue Suite 200, Cincinnati, Ohio, discussed Neyer Properties' position in this matter as it relates to notice and the lease agreements. Mayor D'Epifanio suggested Mr. Zenecker and Mr. Kordenbrock meet to discuss this matter.

Mayor/Council Reports

Councilmember Judd stated the first hybrid unit the City has purchased was delivered to the Public Works facility today and will be used for building inspections.

Councilmember Oler stated he has received several calls regarding problems with the sound system for the televised meetings that are difficult to hear and understand. Assistant City Manager Dennis Stuckey stated he anticipates the council meetings will need to be here at least until the end of May. He further stated part of this issue involves the publication of notices about public hearings because we anticipate construction will go into May and until we know exactly when that will finish up we need to schedule those public hearings and let people know where they will be held. He explained staff has been working with the sound system to make improvements.

Councilmember Meyer congratulated the Fairfield Choraliers who are National Champions for the show choir. He thanked residents, businesses, the Mayor and Council for their support. Mr. Meyers expressed his sympathies to Choral Director Jeff Clark and his family for the loss of his grandmother.

Mayor D'Epifanio reminded residents of the ban against pit bulls and pit bull look-a-likes in the City. Police Chief Dickey explained the protocol for having pit bulls removed from the City.

Approval of Minutes

The minutes from the Regular Meeting of March 23, 2009 were approved as written.

OLD BUSINESS

PUBLIC WORKS COMMITTEE

Street Sweeping Service: Legislative Action: Councilmember Judd presented the second reading of an ordinance to authorize the City Manager to enter into a three (3) year contract with an option of two (2) additional years with Contract Sweepers and Equipment Company for the purpose of street sweeping services. Ordinance approved for second reading only.

DEVELOPMENT SERVICES COMMITTEE

Pleasant Meadows Planned Unit Development: Legislative Action: Councilmember Senger deferred second reading pending Planning Commission's recommendation.

Wake Nation Holdings LLC Sign: Legislative Action: Councilmember Senger presented the second reading of an ordinance authorizing and approving a directional sign for Wake Nation Holdings, LLC located at the intersection of Joe Nuxhall Way and River Road. Councilmember Senger, seconded by Councilmember Judd, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 6-0. Councilmember Senger, seconded by Councilmember Snyder, moved for adoption. ORDINANCE NO. 42-09 ADOPTED AS AN EMERGENCY 6-0.

Right-of-Entry Agreement: Councilmember Senger presented the second reading of an ordinance to authorize the City Manager to enter into a right of entry agreement with Fair Plaza Center, LLC and Neyer Properties Acquisitions. Ordinance approved for second reading only.

NEW BUSINESS

PUBLIC SAFETY COMMITTEE

Reading's (6) by Title Only: Councilmember Oler, seconded by Councilmember Meyers, moved to read the following six pieces of legislation by title only. Motion Carried 6-0.

Objection to Liquor Permit: Legislative Action: Councilmember Oler presented the first reading of a resolution objecting to the renewal of the liquor permit for 1125, Inc., doing business as Hide A Way Lounge and declaring an emergency. Councilmember Oler briefly explained what an objection to a liquor permit is based upon. Councilmember Oler, seconded by Councilmember Meyers, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 6-0. Councilmember Oler, seconded by Councilmember Meyers, moved for adoption. RESOLUTION NO. 3-09 ADOPTED AS AN EMERGENCY 6-0.

Objection to Liquor Permit: Legislative Action: Councilmember Oler presented the first reading of a resolution objecting to the renewal of the liquor permit for Cardi's Entertainment, LLC doing business as Cardi's Bar & Grill and declaring an emergency. Councilmember Oler, seconded by Councilmember Meyers, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 6-0. Councilmember Oler, seconded by Councilmember Meyers, moved for adoption. RESOLUTION NO. 4-09 ADOPTED AS AN EMERGENCY 6-0.

Green Plantain Liquor Permit: Legislative Action: Councilmember Oler, seconded by Councilmember Meyers, moved that no hearing be held on the liquor permit application in the name of Green Plantain LLP, 6679 Dixie Highway, Suite G (Permit Class: D1, D2 and D3). Motion Carried 6-0.

Justice Assistance Grant (JAG) Awards: Background: City Manger Pizzano recommended an agreement with Butler County, City of Fairfield, City of Hamilton, City of Middletown, City of Monroe, City of Oxford, Fairfield Township, Lemon Township and West Chester Township to distribute a Justice Assistance Grant Award. Legislative Action: Councilmember Oler presented the first reading of an ordinance to authorize the City Manager to enter into an agreement with Butler County, the City of Hamilton, City of Middletown, City of Monroe, City of Oxford, Fairfield Township, Lemon Township and West Chester Township for receipt of Justice Assistance Grant (JAG) Awards and declaring an emergency. Councilmember Oler, seconded by Councilmember Meyers, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 6-0. Councilmember Oler, seconded by Councilmember Snyder, moved for adoption. Mayor D'Epifanio asked for comments from Council and comments from citizens. No comments were made. ORDINANCE NO. 43-09 ADOPTED AS AN EMERGENCY 6-0.

Purchase of GMC Sierra Pick up truck: Background: City Manager Pizzano recommended a contract with Bob Ross Buick-GMC truck to purchase a new GMC Sierra, 4-wheel drive, extended cab pickup truck. He stated this is a police department vehicle that will be installed with a new animal control body. Legislative Action: Councilmember Oler presented the first reading of an ordinance to authorize the City Manager to enter into a contract with Bob Ross Buick-GMC Truck for the purchase of one (1) GMC Sierra 2500 HD, 4-Wheel Drive, Extended Cab pick-up truck and declaring an emergency. Councilmember Oler, seconded by Councilmember Meyers, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 6-0. Councilmember Oler, seconded by Councilmember Rhodus, moved for adoption. ORDINANCE NO. 44-09 ADOPTED AS AN EMERGENCY 6-0.

Public Safety Radio System: Background: City Manager Pizzano recommended a participation agreement with Butler County to permit the police and fire departments to use the Public Safety Radio System. He explained there will be no upfront initial expense to the City of Fairfield. He stated routine operating expenses will be covered by the city and we have anticipated that in terms of our budgets and the eventual replacement which will be years out. He further explained that eventually there will be a liability for all the entities to replace the capital expenses when it needs to be replaced. Legislative Action: Councilmember Oler presented the first reading of an ordinance to authorize the City Manger to enter into a Participation Agreement with Butler County to permit the police and fire departments to use the Public Safety Radio System. Councilmember Oler, seconded by Councilmember Meyers, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 6-0. Councilmember Oler, seconded by Councilmember Snyder, moved for adoption. Police Chief Michael Dickey in response to Council's question stated the original plan for this is that the County sales tax will fund all the new equipment, but by purchasing the equipment up front because a number of communities could not afford to make the transition. He further explained by purchasing the equipment up front and allowing the communities to plan for repair and replacement at a later date we could get everyone on the system. He explained it will cost a couple

million a year to run this system and that will continue to be funded by the County. Mayor D'Epifanio solicited comments from the audience regarding the agreement and/or public safety radio system. No comments were heard. ORDINANCE NO. 45-09 ADOPTED 6-0.

PUBLIC WORKS COMMITTEE

Reading's (3) by Title Only: Councilmember Judd, seconded by Councilmember Snyder, moved to read the following three ordinances by title only. Motion Carried 6-0.

Seward Road Widening: Background: City Manager Pizzano recommended a contract with Northwest Consultants in connection with the design for the Seward Road Widening Project for the Port Union Road to Union Centre/Symmes Road. Legislative Action: Councilmember Judd presented the first reading of an ordinance to authorize the City Manager to enter into a contract with Northwest Consultants, Inc. for the design of the Seward Road Widening- Port Union Road to Union Centre/ Symmes Road Project. Ordinance approved for first reading only.

Mack Road @ CFC Driveway Traffic Signal Upgrade: Background: City Manager Pizzano recommended a contract with Capital Electric Line Builders, Inc. for the traffic signal upgrade for the Mack Road @CFC Driveway. Legislative Action: Councilmember Judd presented the first reading of an ordinance to authorize the City Manager to enter into a contract with Capital Electric Line Builders, Inc. for the Mack Road @ CFC Driveway Traffic Signal Upgrade. Ordinance approved for first reading only.

Purchase of GMC Sierra Pick up truck: Background: City Manager Pizzano recommended a contract with Bob Ross Buick-GMC Truck for a new GMC Sierra, 2-wheel drive pick up truck to be assigned to the Public Works Street Division. He explained it will be used primarily for the Operation Dump Truck Program. Legislative Action: Councilmember Oler presented the first reading of an ordinance to authorize the City Manager to enter into a contract with Bob Ross Buick-GMC Truck for the purchase of one (1) GMC Sierra 3500 HD, 2-Wheel Drive Cab & Chassis pick-up truck and declaring an emergency. Councilmember Judd, seconded by Councilmember Snyder, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 6-0. Councilmember Judd, seconded by Councilmember Meyers, moved for adoption. ORDINANCE NO. 46-09 ADOPTED AS AN EMERGENCY 6-0.

COMMUNITY & PUBLIC RELATIONS COMMITTEE

Reappointment to Wellhead Protection Appeals Board: Legislative Action: Councilmember Snyder, seconded by Councilmember Judd, made a simple motion reappointing Fairfield resident Dan Murray to the Wellhead Protection Appeals Board for a term of office effective January 1, 2009 through December 31, 2011. Motion Carried 6-0.

PUBLIC UTILITIES COMMITTEE

Reading's (2) by Title Only: Councilmember Rhodus, seconded by Councilmember Senger, moved to read the following two ordinances by title only. Motion Carried 6-0.

HVAC System at Wastewater Treatment Plant Maintenance Buildings: Background: City Manager Pizzano recommended a contract with GRW Engineers, Inc. to replace and upgrade the HVAC System at the Wastewater Treatment Plant. He stated this replaces a heating system that is currently fueled by propane and has an original 35 year old boiler. Legislative Action: Councilmember Rhodus presented the first reading of an ordinance to authorize the City Manager to enter into a contract with GRW Engineers, Inc. for the replacement and upgrade of the HVAC system to the maintenance buildings at the Wastewater Treatment Plant. Ordinance approved for first reading only.

Purchase of GMC Sierra Pick up truck: Background: City Manager Pizzano recommended a contract with Bob Ross Buick-GMC Truck for a GMC Sierra 4-wheel drive pick up truck to be used by the Water Division. Legislative Action: Councilmember Rhodus presented the first reading of an ordinance to authorize the City Manger to enter into a contract with Bob Ross Buick-GMC Truck for the purchase of one (1) GMC Sierra, 3500HD, 4-Wheel Drive Regular Cab & Chassis (Gas Engine) pick-up truck and declaring an emergency. Councilmember Rhodus, seconded by Councilmember Senger, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 6-0. Councilmember Rhodus, seconded by Councilmember Senger, moved for adoption. ORDINANCE NO. 47-09 ADOPTED AS AN EMERGENCY 6-0.

PARKS, RECREATION & ENVIRONMENT COMMITTEE

Purchase of Mower for Golf Maintenance Division: Background: City Manager Pizzano recommended a contract with Century Equipment, Inc. for the purchase of a Toro Reel Master for the Golf Maintenance Division. Legislative Action: Councilmember Meyers, seconded by Councilmember Oler, moved to reading the following ordinance by title only. Motion Carried 6-0. Councilmember Meyers presented the first reading of an ordinance to authorize the City Manager to enter into a contract with Century Equipment, Inc. for the purchase of one (1) Toro Reel Master 5410 Fairway Mower for the use by the Golf Maintenance Division. Councilmember Meyers, seconded by Councilmember Rhodus, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 6-0. Councilmember Meyers, seconded by Councilmember Oler, moved for adoption. ORDINANCE NO. 48-09 ADOPTED 6-0.

DEVELOPMENT SERVICES COMMITTEE

Reading's (4) by Title Only: Councilmember Senger, seconded by Councilmember Meyers, moved to read the following four pieces of legislation by title only. Motion Carried 6-0.

"Explore Route 4": Background: City Manager Pizzano recommended a resolution encouraging residents, visitors and businesses to "Explore Route 4". He explained "Explore Route 4" is the new slogan for the branding and marketing campaign which is being done in conjunction with the local business community, the Chamber of Commerce and the City. Legislative Action: Councilmember Senger presented the first reading of a resolution encouraging resident, visitors and businesses to "Explore Route 4". Kurt Radel, President of the Fairfield Chamber of Commerce, stated since January we have been out talking to the businesses and showing them what this campaign is all about. He explained the campaign has been well received by the business district and they appreciate the efforts that have been made by the City of Fairfield and the City Council and the efforts by the new car dealers to promote Route 4. Councilmember Senger, seconded by Councilmember Meyers, moved to suspend the rules requiring three readings of the resolution. Rules Suspended 6-0. Councilmember Senger, seconded by Councilmember Meyers, moved for adoption. RESOLUTION NO. 5-09 ADOPTED 6-0.

JEDD-I: Background: City Manager Pizzano recommended an ordinance approving the West Chester Township joint economic development district (JEDD). He stated when completed it is anticipated in phase I to be the City's ninth largest business revenue source. Legislative Action: Councilmember Senger presented the first reading of an ordinance approving the West Chester Township JEDD-I Joint Economic Development District Contract and declaring an emergency. Law Director John Clemmons clarified that the second and third readings should not be suspended this evening. Ordinance approved for first reading only.

River Road Planned Unit Development: Background: City Manager Pizzano recommended an ordinance to amend Ordinance 166-84 by approving the concept and final development plan for the River Road Planned Unit Development. He stated this is to set a joint public hearing with Planning Commission for May 11th at 7 PM. He further stated this is for a mulch grinding operation. Legislative Action: Councilmember Senger presented for first reading an 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 Concept and Final Development Plan for the River Road Planned Unit Development. Ordinance approved for first reading only.

Amendment to the Zoning Map: Background: City Manager Pizzano recommended an ordinance changing the zoning for the property located behind the UAW facility on Symmes Road for a church. The scheduled joint public hearing is set for May 11, 2009 at 7 PM. Legislative Action: Councilmember Senger presented the first reading of an ordinance amending Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, Section 1141.02, the City of Fairfield, Ohio, Zoning Map. Ordinance approved for first reading only.

FINANCE & BUDGET COMMITTEE

Reading's (4) by Title Only: Councilmember Senger, seconded by Councilmember Meyers, moved to read the following four pieces of legislation by title only. Motion Carried 7-0.

Wage & Salary Ordinance: Background: City Manager Pizzano recommended an ordinance establishing salaries for our exempt and salaried employees. He stated the salary ranges for these three employee groups will be adjusted 3.5% in parity with the bargaining unit agreements that we have and these particular employees are compensated on merit only and are compensated on a pay for performance basis. Councilmember Senger presented the first reading of an ordinance establishing salaries for certain exempt and salaried employees of the City of Fairfield, Ohio and repealing previous ordinances and declaring an emergency. Councilmember Senger, seconded by Councilmember Meyers, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 6-0. Councilmember Senger, seconded Councilmember Meyers, moved for adoption. ORDINANCE 49-09 ADOPTED AS AN EMERGENCY 6-0.

Capital Improvement Program: Background: City Manager Pizzano recommended the adoption of the 2009-2013 Capital Improvement Program. He stated the 2009 budget is \$15.57 million and is \$7.3 million less than was planned originally due to a change in the timing of the By-pass 4 Project. Councilmember Senger presented the first reading of a resolution to approve and adopt the City of Fairfield, Ohio 2009-2013 Capital Improvement Program. Councilmember Senger, seconded by Councilmember Meyers, moved to suspend the rules requiring three readings of the resolution. Rules Suspended 6-0. Councilmember Senger, seconded by Councilmember Meyers, moved for adoption. RESOLUTION 6-09 ADOPTED 6-0.

2009 Budget Amendment: Legislative Action - Councilmember Abbott presented the first reading of an ordinance to amend Ordinance No. 161-08 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, 2009, and ending December 31, 2009." City Manager Pizzano explained the following contractual appropriations: \$60,280 design of Seward Road Widening-Port Union Road to Union Centre/Symmes Road Project; \$46,043 Mack Road @ CFC Driveway Traffic Signal Upgrade; \$36,500 replace and upgrade heating system/maintenance buildings at the Wastewater Treatment Plant; \$32,447 pick-up truck/Water Division; \$40,289 pick-up truck for Animal Control/Police Department; \$35,725 fairway mower/Golf Maintenance Division; \$44,765 pick-up truck/Street Division. Councilmember Senger, seconded by Councilmember Rhodus, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 6-0. Councilmember Senger, seconded by Councilmember Rhodus, moved for adoption. ORDINANCE NO. 50-09 ADOPTED 6-0.

2009 Budget Amendments (Non-Contractual Items): Legislative Action - Councilmember Abbott presented the first reading of an ordinance to amend Ordinance No. 161-08 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, 2009, and ending December 31, 2009." City Manager Pizzano explained the following non-contractual appropriations: \$452,162 River Road Bridge Replacement Project (Fairfield/BCEO joint project); \$100,000 drainage repairs and improvements (under existing contract); \$20,000 fencing at Waterworks Park; \$13,000 construction assistance/creek stabilization on Banker Drive; \$2,570 purchase of 52" side discharge deck mower/Parks Maintenance Division; \$7,360 purchase of 52" turbo force deck mower/Parks Maintenance Division; \$5,825 two (2) 72" side discharge mower decks/ Parks Maintenance Division; \$11,610 workman utility vehicle/Parks Maintenance Division; \$11,000 purchase and installation of equipment for high service pumps at the Water Treatment Plant; \$24,950 upgrade of equipment for existing phone system; \$50,000 additional radio system equipment and accessories needed for the Fire Department; \$24,449 air purification system for apparatus bay/Fire Headquarters. Councilmember Senger, seconded by Councilmember Oler, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 6-0. Councilmember Senger, seconded by Councilmember Oler, moved for adoption. ORDINANCE NO. 51-09 ADOPTED 6-0.

Meeting Notices

Monday, May 11	Council-Manager Briefing 6 PM; Public Hearing & Regular Meeting, 7 PM
Tuesday, May 26	Council-Manager Briefing 6 PM; Public Hearing & Regular Meeting, 7 PM

Executive Session

Council recessed to executive session at 9:03 p.m. to discuss pending and imminent litigation.

Regular Meeting Reconvenes

The Regular Meeting reconvened at approximately 9:45 p.m. No announcements were made as a result of the executive session of Council.

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Adjournment

The Regular Meeting adjourned at 9:45 p.m.