

MINUTES

REGULAR MEETING OF COUNCIL

DECEMBER 12, 2011

Call to Order

Mayor Ronald A. D'Epifanio called the Regular Meeting to order at 7:00 PM at the Fairfield Municipal Building, 5350 Pleasant Avenue.

Prayer/Pledge of Allegiance

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

Roll Call

Clerk Jolivette called the roll of Council. Councilmember Judd, Councilmember Snyder, Councilmember Oler, Councilmember Senger, Councilmember Abbott, Councilmember Rhodus, and Councilmember Meyers.

Agenda Modifications

Executive Session Requests

There were no requests for Executive Session.

Public Hearing(s)

2012 Operating Budget - Finance Director Mary Hopton

Mayor D'Epifanio opened the Public Hearing at 7:02 PM.

Clerk Jolivette read the Public Hearing notice that was published in the Journal News on Sunday, November 27, 2011.

Finance Director Mary Hopton stated the 2012 Operating Budget was presented on three Council-Manager Briefing nights on November 14th, November 28th and December 5th. She further stated the seven main operating funds within the budget are the General Fund, the Street Fund, Fire levy, Water Revenue, Sewer Revenue, Solid Waste and Recreation Facilities. She explained the water revenue, sewer revenue, solid waste, and recreation facilities are enterprise funds in which user fees are intended to cover the cost of the operation. She stated total revenues estimated are \$65.8 million that includes a loss in state revenue of approximately \$465,000 due to the local government fund reduction from the State of Ohio. She briefly commented interest revenue has been reduced 85% since 2008 and is a proposed total of \$247,000. She further commented there is a small decrease projected for income tax revenues. She stated total expenditures are estimated at \$64.5 million dollars. She further stated salaries and wages have not changed since 2010. Mrs. Hopton stated the General Fund, which is the largest operating fund, has projected revenues of \$22.7 million and expenditures of \$24.6 million. She further stated reserves are being used to maintain current service levels. Mrs. Hopton stated included within those expenditures is the elimination of the solid waste subsidy, which has pending litigation tonight. She explained for the water revenue and sewer revenue funds, legislation is pending tonight for rate adjustments that will allow operations to be maintained as well as capital investments.

There were no questions from Council or citizens.

The Public Hearing ended at 7:07 PM.

Special Presentations and Citizen Comments

- Proclamation Presentations - Councilmember Michael Snyder, Councilmember Martin Judd, and Councilmember Mitch Rhodus

Mayor D'Epifanio and Vice Mayor Senger presented proclamations, plaques and keys to outgoing Councilmembers Mike Snyder, Marty Judd, and Mitch Rhodus. Councilmember Snyder thanked his wife and family, the Mayor, current Council, prior Mayor and Councils for their support. Mayor D'Epifanio commented on Councilmember Snyder's ability to help when needed for various events. Councilmember Rhodus commented on his time serving on Planning Commission, Parks Board and Council. Councilmember Judd thanked everyone who has supported him over the years and commented on the phenomenal staff he has been able to work with. He further commented it has been his honor to serve with the current Council and the Mayor. Mayor D'Epifanio commented on the Councilmember Judd's great job as Vice Mayor. Mayor D'Epifanio wished the three newly elected Councilmembers good luck. Councilmember Senger thanked each of the outgoing Councilmembers and wished them well. Councilmember Meyers echoed Councilmember Senger's comments. Councilmember Oler thanked the three outgoing Councilmembers for their service and welcomed the three new Councilmembers. Councilmember Abbott commented it has been a pleasure working with the three outgoing Councilmembers for the past six years. City Manager Pizzano, on behalf of the staff, thanked the Councilmembers for their service. He further stated he and staff have all worked for a lot of elected officials and these are amongst the top and they all bring something different and important. He further stated it is nice to see people of character and who really care about what they are doing in terms of what is best for the community. He thanked them for their service and welcomed the new Council that will be coming on board.

Keith Davis, 1853 Vernon Place, discussed vandalism of signs and freedom of speech. He suggested the City of Fairfield pass legislation to deal with what he considers is a political crime. He discussed Ordinances from other areas including the City of Eden Prairie. Mayor D'Epifanio commented he would talk to Mr. Davis further. Councilmember Oler stated with the example used by Mr. Davis regarding spray painting of a sign there are currently laws to cover that. He further stated it could be under vandalism, criminal damaging, or criminal mischief which are all State laws or City Ordinances, so there are laws to deal with that and he is not sure what more we need.

Mayor/Council Reports

Councilmember Oler congratulated the Citizen Police Academy participants and Chief Dickey on tonight's graduation.

Councilmember Abbott reported work on the Capital Improvement Budget 2012 - 2016 will begin this month with budget hearings held in March.

Councilmember Judd reported by the end of this month weather permitting traffic will be shifted off the old pavement and onto the new at the Route 4 and Bypass 4 as part of the ByPass 4 Project.

Councilmember Snyder announced the Lite the Nite canned food drop off program sponsored by the Hamilton-Fairfield Jaycees in which individual homes are decorated and will have drop-off bins through December 18th. A complete list of all the sites is available at www.hfjaycees.org.

Mayor D'Epifanio reminded everyone the Crystal Classic will be held the first Saturday in March at the High School in which 38-40 show choirs from the country are brought in to enjoy. Mayor D'Epifanio thanked Hamilton Journal News reporter Kelsey Cano who is moving on to Dayton.

Approval of Minutes

- Regular Meeting Minutes of December 5, 2011

The Regular Meeting Minutes of December 5, 2011 were approved as written.

OLD BUSINESS

FINANCE & BUDGET COMMITTEE

Tim Abbott, Chairman; Terrence Senger, Vice Chairman, Michael Oler, Member

Ordinance to amend Subsection 953.01(a) of Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio relative to the service fees for residential garbage and solid waste collection and recycling.

Councilmember Abbott presented the third reading of this Ordinance.

Councilmember Abbott, seconded by Councilmember Senger moved to adopt. Councilmember Judd stated he is voting against both these rate adjustment Ordinances tonight because the timing is horrible. He commented on the bad economic times, a lot of people on fixed incomes and a lot of people are out of work or having their hours cut.

Mayor D'Epifanio discussed the City is pretty much on a fixed income and some of these things have to be passed on and if we don't do it now it will be more costly to the residents in the future. Motion Carried 6-1.

ORDINANCE NO. 124-11 ADOPTED 6-1, COUNCILMEMBER JUDD DISSENTING.

Ordinance to amend Section 921.08 and Subsection 925.08 (b)(1) of Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio relative to water and sewer rates.

Councilmember Abbott presented the third reading of this Ordinance. Councilmember Abbott, seconded by Councilmember Senger moved to adopt. Keith Davis, 1853 Vernon Place, commented it is hard for a citizen to keep up with legislation and when he finds out about something like this it is almost too late. He asked what the rush is, if this has to be so abrupt and permanent. He stated he thinks the public may need more information before this is passed. Mayor D'Epifanio commented this is the third reading. He further commented income in the City is down tremendously. He explained rates for our neighbors to the North went up drastically and Cincinnati went up a minimum on the average bill of \$78 per year. He stated if we do not do it now it will be more costly to the residents later on; it has to happen sooner or later because they have to have the services being provided to them. Councilmember Meyers commented the timing is not optimal in today's economy, but some of the most critical items of a community are energy, water and sewer. He stated the city has done a tremendous internal review of its systems to control the costs. He further stated he is voting in favor of it because it is an increase that is going to be needed and will hedge off some of the costs the Mayor has indicated with the inflation that is coming. He further stated there is no great time for it, but he is going to vote for it tonight. Councilmember Abbott stated he would like to echo the comments of the Mayor and Councilman Meyers. He further stated we have to remember we are an aging community and a lot of our infrastructure is very old including the water and sewer system. He stated a large percentage of this increase is going to replace infrastructure that needs to be replaced. Councilmember Abbott further commented the longer that decision is put off the more it is going to cost and the more problems we will have similar to the water leak on Nilles Road and Route 4 this summer that had traffic snarled up and customers losing money. He stated it is never popular, but it is a much needed item and he will be voting to support it tonight. Motion Carried 6-1. ORDINANCE NO. 125-11 ADOPTED 6-1, COUNCILMEMBER JUDD DISSENTING.

NEW BUSINESS

COMMUNITY & PUBLIC RELATIONS COMMITTEE

Mike Snyder, Chairman; Tim Abbott, Vice Chairman, Terry Senger, Member

Simple Motion: Motion appointing Peg Collins and Dan Murray to the Sourcewater Protection Appeals Advisory Board, previously Wellhead Protection Appeals Advisory Board, for five year terms commencing January 1, 2012 and ending December 31, 2017.

Councilmember Snyder, seconded by Councilmember Judd moved to approve. Motion Carried 7-0. SIMPLE MOTION 21-11 APPROVED 7-0.

Simple Motion: Motion appointing Dena Morsch as Acting Clerk of Council on a voluntary basis for a period of approximately six weeks beginning on or about January 12, 2012.

Councilmember Snyder, seconded by Councilmember Oler moved to approve. Motion Carried 7-0. SIMPLE MOTION 22-11 APPROVED 7-0.

PARKS, RECREATION AND ENVIRONMENT COMMITTEE

Terrence Senger, Chairman; Tim Meyers, Vice Chairman, Marty Judd, Member

An Ordinance to authorize the City Manager to execute a restructuring of the lease agreement with Lake Erie Golf Cars, E-Z-Go, Division of Textron, Inc. for the lease of golf carts at the Fairfield Greens Golf Courses through PNC Equipment Finance, LLC and declaring an emergency.

Councilmember Senger, seconded by Councilmember Rhodus moved to read the following Ordinance by title only. Motion Carried 7-0. **Background:** City Manager Pizzano recommended a restructuring of the lease agreement with E-Z-Go golf carts for the Fairfield Greens Golf Courses and includes an agreement with PNC Equipment to finance that lease. He explained subsequent to Council

authorizing the amendment with E-Z-Go, the city learned that PNC is the financing vehicle and therefore the restructuring is necessary to include PNC. Legislative Action: Councilmember Senger presented the first reading of the Ordinance. Councilmember Senger, seconded by Councilmember Abbott moved to suspend the rules requiring three (3) readings of the Ordinance. Motion Carried 7-0. Councilmember Senger, seconded by Councilmember Oler moved to adopt. Motion Carried 7-0. ORDINANCE NO. 126-11 APPROVED 7-0.

FINANCE & BUDGET COMMITTEE

Tim Abbott, Chairman; Terrence Senger, Vice Chairman, Michael Oler, Member

Councilmember Abbott, seconded by Councilmember Senger moved to read the following two (2) Ordinances by title only. Motion Carried 7-0.

An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during the period beginning January 1, 2012 and ending December 31, 2012.

Background: City Manager Pizzano recommended an Ordinance for estimated appropriations better known as the 2012 budget. He explained this is a balanced budget and the city is doing what it can to maintain balance and keep expenses in check. He thanked Council for sitting through the budget meetings and thanked departments who really pulled together. Legislative Action: Councilmember Abbott presented the first reading of this Ordinance. Councilmember Abbott, seconded by Councilmember Meyers moved to suspend the rules requiring three (3) readings of the Ordinance. Motion Carried 7-0. Councilmember Abbott, seconded by Councilmember Meyers moved to adopt. Councilmember Meyers congratulated Council and the City on this budget on coming together to put together something most cities are not as fortunate to do. He commented we strive to have quality of life and quality of services and this is a true step forward and an accomplishment. Councilmember Abbott discussed the tremendous amount of effort that goes into running the city. He further discussed that Council stayed true to the goals set at the goal setting session, which allowed us to accomplish the great results accomplished this year and he thinks they will do the same next year with the operating budget. He thanked the Finance Department and staff that puts this together. Mayor D'Epifanio commented on the valuable employees the city is blessed with. He further commented there is over 300 years of experience in our department heads. Public Utilities Director Dave Crouch thanked the Council for approving the rate increases and thanked Mary Hopton for her help in developing the best plan with the least amount of impact. Motion Carried 7-0. ORDINANCE NO. 127-11 ADOPTED 7-0.

Appropriation Ordinance (Non-Contractual Items) - \$1,310 for remittance of funds to Butler County Prosecuting Attorney's Law Enforcement Trust Fund; and \$17,305 for relocation of transmitters for fire and tornado sirens to the Butler County Regional Interoperable Communications System's Building and related upgrades.

Background: City Manager Pizzano recommended the following non-contractual items: \$1,310 for remittance to Butler County Prosecuting Attorney's Law Enforcement Trust Fund and \$17,305 for relocation of transmitters of tornado sirens as part of the 800 MHz infrastructure worked out. Legislative Action: Councilmember Abbott presented the first reading of the Ordinance. Councilmember Abbott, seconded by Councilmember Oler moved to suspend the rules requiring three (3) readings of the Ordinance. Motion Carried 7-0. Councilmember Abbott, seconded by Councilmember Meyers moved to adopt. Motion Carried 7-0. ORDINANCE NO. 128-11 ADOPTED 7-0.

Mayor D'Epifanio announced Fairfield Chamber of Commerce President Kert Radel is in attendance. He further announced Chairman of the Republican Regional Party, Don Carpenter is in attendance.

Meeting Schedule

Clerk Jolivette read the following meeting schedule:

Friday, December 30 Oath of Office, 7:00 p.m.

Monday, January 9 Regular Meeting, 7:00 p.m.

Monday, January 23 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.

Executive Session of Council (if needed)

Adjournment

The Regular Meeting of Council adjourned at 8:12 PM.

Councilmember Senger, seconded by Councilmember Snyder moved to adjourn. Motion Carried 7-0.

ATTEST:

Clerk of Council

Mayor's Approval

Date Approved _____