

MINUTES

REGULAR MEETING OF COUNCIL

JANUARY 26, 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 Rhodus, Councilmember Meyers, Councilmember Judd, Councilmember Snyder, Councilmember Oler, Councilmember Senger and Councilmember Abbott.

Prayer & Pledge

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

Agenda Modifications

Councilmember Abbott, seconded by Councilmember Meyers moved to add to the agenda an additional appropriation ordinance. Motion Carried 7-0.

Request for Executive Session

Councilmember Judd, seconded by Councilmember Snyder, moved for an executive session to discuss employment and compensation of personnel. A roll call vote was taken by the clerk. The executive session was approved by a 7-0 vote.

Mayor /Council Reports

Councilmember Meyers gave an update regarding the Recycle to Win challenge. He stated although the City of Oxford won first place in the challenge, Fairfield came in second and was deemed the number one recycler in Butler County. He further stated Fairfield and was able to yield \$33,289 in recycling incentive. Councilmember Meyers recommended a proclamation be presented to the City of Oxford and he re-issued the recycling challenge for 2009.

Councilmember Abbott spoke in regard to comments made by Councilmember Oler and Mayor D'Epifanio that our City has significant gang and criminal activity. He stated during the recently completed comprehensive review of all City operations including the police department in conjunction with the annual budget, Council was not told by the City Manager nor the Police Chief of significant criminal gang activity needing to be addressed by the Police Department or additional resources needed. He further commented the crime data indicates that the criminal activity has declined. City Manager Arthur Pizzano stated information has been provided over the past several months regarding overall crime in the city both violent and nonviolent. He further stated it was noted in the annual goal setting that this was an item Council as a whole is looking to be addressed. City Manager Pizzano stated these issues will be discussed further at a Council-Manager Briefing in February. Police Chief Mike Dickey updated Council on the problems that began over the summer and explained how the problems were dealt with and addressed. Councilmember Meyers asked if we have a formal gang problem in this city. Chief Dickey responded by saying we had some young thug problems, but it has pretty much abated and is not continuing to the level it was previously. Chief Dickey gave a brief definition of gangs and re-stated he would call them thugs. Councilmember Abbott asked if there is a problem. Chief Dickey stated we had the beginnings of a problem, we addressed it and we did it with existing resources. Mayor D'Epifanio explained on what information he based his comments. Councilmember Meyers commended the police force for a 10% decrease in five categories of violent crime. Councilmember Oler briefly discussed the criminal statistics. Councilmember Oler discussed the information he has received regarding the presence of gangs in Fairfield. Chief Dickey stated the type of gangs Councilmember Oler was referring to is not what is present in Fairfield. Councilmember Oler further stated their presence is here whether they are residents or not.

Councilmember Senger stated that the 2008 Star Award recipients were recognized recently at the Employee Recognition Dinner. He thanked the employees for all their efforts and congratulated Finance Department employee Diana Davenport who was awarded as the 2008 Star of the Year. Councilmember Senger stated the Development Services Department has been very proactive with regards to the property maintenance issues discussed last year. He further stated Development

Services will review their progress at the February 9 Council Manager Briefing. Councilmember Judd stated the Public Works Department is ready for the pending winter storm due to arrive this week.

Councilmember Rhodus welcomed Dave Crouch as the new Public Utilities Director.

Mayor D'Epifanio stated he has discussed the possibility of receiving electric from the City of Hamilton; however, at this time this possibility does not seem feasible.

Approval of Minutes

The minutes from the Regular Meeting of January 12, 2009 were approved as written.

OLD BUSINESS

Highway Appearance Improvement and Limited Public Use Easement: Legislative Action: Councilmember Senger presented the second reading of an ordinance to authorize the City Manager to accept a highway appearance improvement and limited public use easement along Dixie Highway. Fairfield Chamber of Commerce President Kert Radel commented the Fairfield Chamber of Commerce always believes the strength to a growing city is creating a better business environment is to support redevelopment projects. He further stated the Chamber believes it is also vital to support projects to reenergize Route 4. He acknowledged the tremendous job TB Properties has done at the renovation project at Cornerstone Plaza. He further stated the Chamber would like to support the commitment TB Properties is making on Route 4 and hopes that Council will also support their efforts. Councilmember Senger stated there would be public money used for beautification in an easement that would be granted by the property owner. He further commented this is not the first time public money has been used for similar projects. He noted a few of those projects including the YMCA, South Route 4 right-of-way improvements, Boymel Drive, the turn lane on Route 4 and Michael, and streetscape lights in Village Green. Councilmember Meyers stated Council has reviewed the Route 4 Corridor and well over 28% of the tax revenue is coming from that corridor alone. He further stated this is an absolutely critical artery for us and a critical development to keep commerce coming into Fairfield. Councilmember Abbott stated it is nice to see private business investing a lot in that quadrant. He further commented we need to build on that momentum on that northern quadrant of the City on Route 4. Councilmember Snyder stated the efforts of the Route 4 Coalition have been very positive. Councilmember Rhodus applauded this development. Ordinance approved for second reading only.

Contract with Landform Services, Inc.: Legislative Action: Councilmember Senger presented the second reading of an ordinance to authorize the City Manager to enter into a contract with Landform Services, Inc. for highway appearance improvements along Dixie Highway. Ordinance approved for second reading only.

NEW BUSINESS

PUBLIC SAFETY COMMITTEE

Liquor Permit: Councilmember Oler, seconded by Councilmember Abbott, moved that no hearing be held on the liquor permit application in the name of Chipotle Mexican Grill of Colorado LLC, DBA Chipotle, Jungle Jim's Market (Permit Class: D1/D3). Motion Carried 7-0.

Liquor Permit: Councilmember Oler, seconded by Councilmember Meyers, moved to request that a hearing be held on the advisability of issuing a liquor permit application in the name of Angela Ramos Uma LLC, DBA El Havanero, 6435 Dixie Highway (Permit Class: D1, D2, D3, D3A and D6). Motion Carried 7-0.

PARKS, RECREATION & ENVIRONMENT COMMITTEE

Phase I - Public Safety Tribute: Background: City Manager Pizzano recommended an agreement with the Verdin Company for a Public Safety Tribute sculpture group. He stated Phase I is the public funded portion of the project and Phase II is donor funded. Legislative Action: Councilmember Meyers, seconded by Councilmember Abbott, moved to read the following ordinance by title only. Motion Carried 7-0. Councilmember Meyers presented the first reading of an

ordinance to authorize the City Manager to enter into an agreement with The Verdin Company for a bronze sculpture group for the Phase I- Public Safety Tribute. Ordinance approved for first reading only.

PUBLIC UTILITIES COMMITTEE

Water Line Replacement Project: Background: City Manager Pizzano recommended a contract with Rock River Construction LTD. for the Hicks Manor Subdivision Water Line Replacement. He explained the reconstruction of these lines will allow for much better fire flow. Councilmember Rhodus clarified that this area is the Hicks Manor Subdivision not the Hicks Manor shopping center. Legislative Action: Councilmember Rhodus, seconded by Councilmember Judd, moved to read the following ordinance by title only. Motion Carried 7-0. Councilmember Rhodus presented the first reading of an ordinance to authorize the City Manager to enter into a contract with Rock River Construction LTD for the Hicks Manor Subdivision Water Line Replacement Project Phases I and II. Councilmember Rhodus, seconded by Councilmember Judd, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 7-0. Councilmember Rhodus, seconded by Councilmember Judd, moved for adoption. Councilmember Judd stated this project is a long time coming and he is thrilled that we are moving forward. ORDINANCE NO. 7-09 ADOPTED 7-0.

FINANCE & BUDGET COMMITTEE

Reading's (5) by Title Only: Councilmember Abbott, seconded by Councilmember Snyder, moved to read the following five ordinances by title only. Motion Carried 7-0.

Wage and Salary Ordinance: Background: City Manager Pizzano recommended an amendment of the Wage and Salary Ordinance. He stated the change will eliminate the former part-time EMS Billing Coordinator position recently replaced by a fulltime position. He further stated the second change will add a Deputy Clerk II position in the Municipal Court due to a reversal of a disability ruling by OPERS state pension fund. Legislative Action: Councilmember Abbott presented the first reading of an ordinance to establish salaries and hourly rates for certain salaried and hourly employees of the City of Fairfield, Ohio and to authorize and limit the numbers and types of certain employees, to repeal Ordinance No. 162-08 and all amendments thereto and declaring an emergency. Councilmember Abbott, seconded by Councilmember Meyers, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 7-0. Councilmember Abbott, seconded by Councilmember Meyers, moved for adoption. ORDINANCE NO. 8-09 ADOPTED AS AN EMERGENCY 7-0.

2008 Year End Transfers: Background: City Manager Pizzano recommended an ordinance to reconcile accounts, which exceed the original appropriations for 2008 operations for Ordinance 154-07. Legislative Action: Councilmember Abbott presented the first reading of ordinance to amend Ordinance No. 154-07 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, 2008, and ending December 31, 2008. City Manager Pizzano explained this ordinance appropriates \$340,000 to reconcile accounts which have exceeded the original appropriations for operations. Councilmember Abbott, seconded by Councilmember Meyers, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 7-0. Councilmember Abbott, seconded by Councilmember Oler, moved for adoption. ORDINANCE NO. 9-09 ADOPTED 7-0.

2009 Budget Amendment (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 contractual appropriations: \$135,000 for Public Safety Tribute Project-Phase I and \$676,235 for water line replacement/Hicks Manor Subdivision. Councilmember Abbott, seconded by Councilmember Senger, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 7-0. Councilmember Abbott, seconded by Councilmember Meyers, moved for adoption. ORDINANCE NO. 10-09 ADOPTED 7-0.

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: \$5,000 for engineering services/Public Safety Tribute Project- Phase I. Councilmember Abbott, seconded by Councilmember Meyers, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 7-0. Councilmember Abbott, seconded by Councilmember Meyers, moved for adoption. ORDINANCE NO. 11-09 ADOPTED 7-0.

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 appropriation: \$10,000 for the cost of additional chairs and cushion replacements in the Council Chambers. Councilmember Abbott, seconded by Councilmember Meyers, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 7-0. Councilmember Abbott, seconded by Councilmember Meyers, moved for adoption. ORDINANCE NO. 12-09 ADOPTED 7-0.

Meeting Notices

Monday, February 9	Council-Manager Briefing, 6 PM; Regular Meeting, 7 PM
Monday, February 23	Council-Manager Briefing, 6 PM; Regular Meeting, 7 PM

Executive Session

Council recessed to executive session at 7:40 p.m. to discuss employment and compensation of personnel.

Regular Meeting Reconvenes

The Regular Meeting reconvened at approximately 11:00 p.m. No announcements were made as a result of the executive session of Council.

Adjournment

The Regular Meeting adjourned at 11:00 p.m.