

## MINUTES

### REGULAR MEETING OF COUNCIL

MARCH 23, 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 Oler, Councilmember Senger, Councilmember Rhodus, Councilmember Meyers, Councilmember Abbott, Councilmember Judd and Councilmember Snyder.

#### Prayer & Pledge

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

#### Special Presentations and Citizen Comments

Anne Fiehrer Flaig acknowledged the City of Fairfield's upward movement in community recycling rate for all cities in Butler County. She stated Fairfield also generated the highest tonnage of recyclables for Butler County. Ms. Fiehrer Flaig read a portion of the proclamation from the Butler County Commissioners. She presented to Councilmember Meyers a proclamation, plaque and a recycling incentive check in the amount of \$33,000 for Fairfield's recycling efforts. She stated Fairfield is the highest winner of money as well. She further stated a sculpture is being designed by an artist at Miami University that hopefully will be placed in the Community Arts Center in April. Ms. Fiehrer Flaig stated she will continue to work with the Environmental Resources and Community Forest Commission, City Council, Dave Crouch and Rumpke to identify new areas for success in 2009 and 2010. She discussed the three areas of focus would include ongoing education about the new recycling drop boxes, multi-family recycling, and cart or toter recycling. Dave Crouch explained he and Dave Butsch are working on the availability of toters in Fairfield. Councilmember Meyers asked city leadership to put together a plan within one month to approach overall recycling to get to the next level.

#### Mayor/Council Reports

Ray McDaniel, 249 Palm Springs Drive, asked if the City of Fairfield is going to buy the UTS lot. Development Services Director Tim Bachman explained in past meetings Council approved an ordinance to authorize a contractor to do landscape improvements and a highway easement. He further explained as part of this project where the landscape is put in some of the asphalt is coming out and parking spaces will be resealed not repaved. Mayor D'Epifanio commented numerous meetings and public hearings to discuss this item and this isn't just available for one particular business.

Councilmember Senger commented on the positive articles in the Journal News yesterday including the Explore Route 4 promotion and also explanation of businesses on Route 4. Councilmember Senger noted the first reading for the Fairfield right-of-entry ordinance, which is the first step for the redevelopment of Fair Plaza.

Mayor D'Epifanio commented on the success of the Crystal Classic held on March 14, 2009.

#### Approval of Minutes

The minutes from the Regular Meeting of March 9, 2009 were approved as written.

### OLD BUSINESS

#### **PUBLIC UTILITIES COMMITTEE**

Motor Control Center Building: Legislative Action: Councilmember Rhodus presented the third reading of an ordinance to authorize the City Manager to enter into a contract with CDP Engineers, Inc. for professional services for the design of a motor control center building at the Wastewater Treatment Plant. Councilmember Rhodus, seconded by Councilmember Judd, moved for adoption. ORDINANCE NO. 32-09 ADOPTED 7-0.

Purchase of Chemicals for use at Water Treatment Plant: Legislative Action: Councilmember Rhodus presented the third reading of an ordinance to authorize the City Manager to enter into a three (3) year contract with Univar USA, Inc. for the purchase of chemicals for use at the Water Treatment Plant. Councilmember Rhodus, seconded by Councilmember Judd, moved for adoption. ORDINANCE NO. 33-09 ADOPTED 7-0.

#### **FINANCE & BUDGET COMMITTEE**

Water System Mortgage Revenue Bonds: Legislative Action: Councilmember Abbott presented the third reading of an ordinance providing for the issuance of not to exceed \$2,470,000 of bonds by the City of Fairfield, Ohio, for the purpose of refunding Water System Mortgage Revenue Bonds in the City, authorizing an official statement, and declaring an emergency. Councilmember Abbott, seconded by Councilmember Meyers, moved for adoption. ORDINANCE NO. 34-09 ADOPTED AS AN EMERGENCY 7-0.

#### **NEW BUSINESS**

#### **COMMUNITY & PUBLIC RELATIONS COMMITTEE**

Board & Commission Appointments: Councilmember Snyder, seconded by Councilmember Oler, moved to appoint the following residents to Fairfield's boards and commissions: Don Carpenter, Board of Zoning Appeals, term expiring March 31, 2014; Richard Fox, Civil Service Commission, term expiring March 31, 2012; Darin Newcomer, Cultural Arts Advisory Commission, term expiring March 31, 2012; Dianne Robinson, Cultural Arts Advisory Commission, term expiring March 31, 2012; Victoria Bailey, Cultural Arts Advisory Commission, term expiring March 31, 2012; Veronica Craig, Environmental Resources & Community Forest Commission, term expiring March 31, 2012; Liz Hunter, Environmental Resources & Community Forest Commission, term expiring March 31, 2012; Greg Sunday, Environmental Resources & Community Forest Commission, term expiring March 31, 2012; Penny Monday, Fair Housing Board, term expiring March 31, 2012; John Brown, Fair Housing Board, term expiring March 31, 2012; Don Hassler, Parks & Recreation Board, term expiring March 31, 2012; Bob Breen, Parks & Recreation Board, term expiring March 31, 2012; Jeff Holtegel, Planning Commission, term expiring March 31, 2013; and Scott Lepsky, Planning Commission, term expiring March 31, 2013. Councilmember Abbott suggested the possibility of creating an ambassador program for the City to welcome new residents to the community and showing others the fine amenities of the City. Mayor D'Epifanio commented on the number of good candidates applying for these positions. Motion Carried 7-0.

#### **PUBLIC WORKS COMMITTEE**

Reading's (4) by Title Only: Councilmember Judd, seconded by Councilmember Abbott, moved to read the following four ordinances by title only. Motion Carried 7-0.

Traffic Signal Maintenance: Background: City Manager Pizzano recommended a three year contact with Capital Electric Line Builders, Wagner-Smith Division for traffic signal maintenance. Legislative Action: Councilmember Judd presented the first reading of an ordinance to authorize the City Manager to enter into a three (3) year contract with Capital Electric Line Builders, Wagner-Smith Division for traffic signal maintenance. Councilmember Judd, seconded by Councilmember Snyder, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 7-0. Councilmember Judd, seconded by Councilmember Snyder, moved for adoption. ORDINANCE NO. 35-09 ADOPTED 7-0.

Street Sweeping Service: Background: City Manager Pizzano recommended three year contract with an option of two additional years with Contract Sweepers and Equipment Company for the street sweeping operation. Legislative Action: Councilmember Judd presented the first 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 first reading only.

GMC Sierra, 4-Wheel Drive Pick Up Truck: Background: City Manager Pizzano recommended a contract with Bob Ross Buick-GMC Truck for the purchase of one GMC Sierra. He stated this is a replacement vehicle for the street division and will be outfitted with snow removal capabilities. Legislative Action: Councilmember Judd presented 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, 4-Wheel Drive 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 7-0. Councilmember Judd, seconded by Councilmember Snyder, moved for adoption. ORDINANCE NO. 36-09 ADOPTED AS AN EMERGENCY 7-0.

Finn BB-302T Mulch Blower: Background: City Manager Pizzano recommended a contract with the Finn Corporation for a mulch blower. Legislative Action: Councilmember Judd presented an ordinance to authorize the City Manager to enter into a contract with Finn Corporation for one (1) Finn BB-302T Mulch Blower and declaring an emergency. Councilmember Judd, seconded by Councilmember Snyder, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 7-0. Councilmember Judd, seconded by Councilmember Snyder, moved for adoption. Ray McDaniel, 249 Palm Springs Drive, asked if the blower will blow out mulch and grass at same time. Public Works Director Dave Butsch stated this is a trailer item that blows out mulch into landscape. ORDINANCE NO. 37-09 ADOPTED AS AN EMERGENCY 7-0.

#### **PARKS, RECREATION & ENVIRONMENT COMMITTEE**

Purchase of Fertilizer and Chemicals: Background: City Manager Pizzano recommended an agreement with Turfgrass, Inc. for the purchase of fertilizer and chemicals for the Golf and Parks Maintenance Divisions. He stated four vendors bid on the forty seven items contained in this bid with Turfgrass receiving a number of the items that are under \$25,000 and they do not require a legislative authorization under the state law. He further stated Parks and Recreation Board reviewed this item at their last meeting and recommended approval to City Council. Legislative Action: Councilmember Meyers, seconded by Councilmember Abbott, moved to read the following ordinance by title only. Motion Carried 7-0. Councilmember Meyers presented an ordinance to authorize the City Manager to enter into an agreement with Turfgrass, Inc. for the purchase of fertilizer and chemicals for the Golf and Park Maintenance Divisions and declaring an emergency. Councilmember Meyers, seconded by Councilmember Snyder, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 7-0. Councilmember Meyers offered kudos to Parks Director Jim Bell and his employees for their efforts with this agreement. Councilmember Meyers, seconded by Councilmember Abbott, moved for adoption. ORDINANCE NO. 38-09 ADOPTED AS AN EMERGENCY 7-0.

#### **PUBLIC SAFETY COMMITTEE**

Purchase of four (4) Police Special Vehicles: Background: City Manager Pizzano recommended a contract with Statewide Ford for the purchase of four police special vehicles under state bid. Legislative Action: Councilmember Oler, seconded by Councilmember Rhodus, moved to read the following ordinance by title only. Motion Carried 7-0. Councilmember Oler presented an ordinance to authorize the City Manager to enter into a contract with Statewide Ford for the purchase of four (4) police special vehicles and declaring an emergency. Councilmember Oler, seconded by Councilmember Meyers, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 7-0. Councilmember Oler, seconded by Councilmember Senger, moved for adoption. Ray McDaniel, 249 Palm Springs Drive, suggested purchasing hybrids. Public Works Director Dave Butsch explained the vehicles being purchased will use regular gas. He further explained the trunk space needed by the police officers to store equipment and other mechanical items is not enough in the hybrids. ORDINANCE NO. 39-09 ADOPTED AS AN EMERGENCY 7-0.

#### **DEVELOPMENT SERVICES COMMITTEE**

Reading's (3) by Title Only: Councilmember Senger, seconded by Councilmember Rhodus, moved to read the following three ordinances by title only. Motion Carried 7-0.

Pleasant Meadows Planned Unit Development: Background: City Manager Pizzano recommended an ordinance amending Ordinance No. 166-84, Zoning Map. He stated this is a proposal that will come to Council first through the Planning Commission for a proposed group home for MRDD on the west side of Pleasant Avenue north of Gelhot/Happy Valley intersection. He requested a joint public hearing be scheduled for Monday, April 13 at 7:00 p.m. Legislative Action: Councilmember Senger presented 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 Pleasant Meadows Planned Unit Development. Councilmember Senger stated this property is located on lot 537 located on the west side of Pleasant Avenue and will change the zoning from Neighborhood Commercial, C-1 to PUD. He further stated this property is currently vacant. Ordinance approved for first reading only.

Wake Nation Holdings LLC Sign: Background: City Manager Pizzano recommended an ordinance authorizing and approving a directional sign for the new Wake Nation facility at the intersection of Joe Nuxhall Way and River Road. He stated in addition to Council's approval for this additional sign it would require BZA approval for various items as well. Legislative Action: Councilmember Senger presented an ordinance authorizing and approving a directional sign for Wake Nation Holdings, LLC, located at the intersection of Joe Nuxhall Way and River Road. Ordinance approved for first reading only.

Right-of-Entry Agreement: Background: City Manager Pizzano recommended a right of entry agreement with Fair Plaza Center, LLC and Neyer Properties. He explained this is a first step in the demolition of a portion of Fair Plaza Center and the construction of a storm sewer system on site. Legislative Action: Councilmember Senger presented 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 first reading only.

JEDD Agreement with Fairfield Township: Background: City Manager Pizzano recommended a motion authorizing the Development Services Director to publish notice and set a public hearing for Tuesday, May 26, 2009 for a proposed Joint Economic Development District (JEDD) Agreement between the City of Fairfield and Fairfield Township. Legislative Action: Councilmember Senger, seconded by Councilmember Abbott, moved to authorize the Development Services Director to publish notice and set a public hearing for Tuesday, May 26, 2009 at 7:00 PM. The purpose of the hearing is to solicit citizen input regarding a joint economic development district (JEDD) agreement between Fairfield Township, Ohio and the City of Fairfield, Ohio. Motion Carried 7-0.

### **FINANCE & BUDGET COMMITTEE**

Reading's (2) by Title Only: Councilmember Abbott, seconded by Councilmember Senger, moved to read the following two ordinances by title only. Motion Carried 7-0.

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: \$33,910 for one (1) pick-up truck/Street Division; \$86,709 for four (4) sedans/Police Department; \$39,350 for one (1) mulch blower/Street & Parks. 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. 40-09 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: \$22,232 for purchase of one (1) half ton pick-up truck/Construction Services Division; \$12,000 for advanced warning sign/Route 4 near Muhlhauser. Councilmember Abbott, seconded by Councilmember Oler, 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. 41-09 ADOPTED 7-0.

#### Citizen Comment

Ray McDaniel, 249 Palm Springs Drive, suggested the driveway into the police station be called David Bock Way.

#### Meeting Notices

Monday, April 13                      Council-Manager Briefing 6 PM; Two (2) Public Hearings & Regular Meeting, 7 PM  
Monday, April 27                      Council-Manager Briefing 6 PM; Regular Meeting, 7 PM

#### Adjournment

The Regular Meeting adjourned at 7:45 p.m.

ATTEST:

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Clerk of Council

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Mayor's Approval

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