

## MINUTES

### REGULAR MEETING OF COUNCIL

SEPTEMBER 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. Present members were Councilmember Snyder, Councilmember Oler, Councilmember Senger, Councilmember Rhodus, Councilmember Meyers, and Councilmember Judd. Councilmember Judd, seconded by Councilmember Snyder moved to excuse Councilmember Abbott. Motion Carried 6-0.

#### Agenda Modifications

There were no agenda modifications.

#### Executive Session Requests

Councilmember Judd, seconded by Councilmember Snyder moved to approve an executive session to discuss pending and imminent litigation and employment of personnel. Clerk Jolivette called the roll. Motion Carried 6-0.

#### Public Hearing(s)

#### Special Presentations and Citizen Comments

Bill Meyers thanked the Mayor, City Council and City of Fairfield Police, Fire and Parks Departments for their support on August 27 with the 7th Annual Hero's Ride. Mr. Meyers briefly discussed the history of this ride and commented that this year's ride resulted in a donation of \$27,540 to Impact a Hero. He briefly discussed the details of the event. Councilmember Senger thanked the Parks and Fire Departments for their work in preparing for the event and noted all of the fire personnel participating were on volunteer time. He commented on the coordination the fire departments have with one another and thanked everyone involved.

Mayor D'Epifanio recognized Joe Statzer from the Butler County Auditor's Office who was in the audience.

- Butler County Board of Developmental Disabilities Presentation - Dwight Finch

Mr. Dwight Finch showed a video from the Butler County Board of Developmental Disabilities as part of their awareness campaign. Councilmember Judd and Councilmember Meyers thanked Butler County Developmental Disabilities for their professionalism and service. Mr. Finch commented over 2,000 individuals are served from birth to death. Councilmember Rhodus expressed his appreciation to LaRosa's and the Butler County Developmental Disabilities for working together to employ individuals. In response to Councilmember Rhodus' question, Mr. Finch explained some funding is available for technology if it is an assistive device, but iPads are not covered under any type of funding source. Mayor D'Epifanio briefly discussed how things have changed for special needs individuals and thanked Butler County DD for the wonderful job they do. Mr. Finch commented with respect to employment there is an annual action plan online and one of the annual action plan goals is to increase the number of individuals employed in the community. Mayor D'Epifanio commented on the positive comments by employers who hire clients of Butler County DD. Mr. Finch discussed positive feedback from parents of clients regarding employment.

#### Mayor/Council Reports

Mayor D'Epifanio thanked Chief Don Bennett and firefighters Jason Taulbee and Ken Fraser for their professionalism with a recent medical transport of his daughter. He thanked Chief Dickey, Chief Bennett and the Parks Department for their hard work with the

September 11th Ceremony. He recognized the efforts of Texas Equusearch, the Fairfield Police and Fire Departments, Fairfield West Baptist Church and the numerous volunteers for their time in the search for Katelyn Markham. Mayor D'Epifanio thanked the anonymous person who offered Ohio State tickets.

Councilmember Oler announced the Fairfield Police Department has received a grant from the National Association of Drug Diversion Investigators to place a drug disposal vault in the lobby of the Police Department for unused and unwanted prescription medications. Chief Dickey commented last year a couple thousand pounds of drugs were taken back for disposal. He further commented no liquids are allowed.

Councilmember Snyder commented on Aurgroup Financial Credit Union's partnering with the Fairfield High School Business Academy to create a student run credit union.

Councilmember Rhodus commented on the September 11th ceremony and thanked members of the Fairfield Rotary Club for their assistance.

Councilmember Senger discussed the Community Arts Center's new pre-printed ticket envelopes that list many of the restaurants of the Chamber of Commerce. He stated the City of Fairfield and the Chamber of Commerce are continuing to communicate positively to try to bring business to Fairfield. Councilmember Senger announced a Blood drive is scheduled for September 22nd from 3:30 PM to 6:30 PM. He stated registrations to donate can be made at [www.donortime.com](http://www.donortime.com).

Mayor D'Epifanio commented on the local restaurants that donated food during the search for Ms. Markham. Councilmember Meyers further commented area hotels gave rooms to the searchers.

#### Approval of Minutes

- Regular Meeting Minutes of August 8, 2011

The Regular Meeting Minutes of August 8, 2011 were approved as written.

#### **OLD BUSINESS**

##### **PUBLIC WORKS COMMITTEE**

**Marty Judd, Chairman; Mike Oler, Vice Chairman, Tim Abbott, Member**

Ordinance to accept the public improvements of the Ambassador Drive extension dedication plat.

Councilmember Judd presented the second reading of this Ordinance. Ordinance approved for second reading only.

#### **NEW BUSINESS**

##### **PUBLIC SAFETY COMMITTEE**

**Mike Oler, Chairman; Marty Judd, Vice Chairman, Mitch Rhodus, Member**

Simple Motion: Motion requesting that no hearing be held on the liquor permit application in the name of Kocolene Marketing LLC, DBA Fast Max Sunoco 49, 7500 Dixie Highway Unit A, Fairfield, Ohio 45014 (Permit Classes: C1 and C2).

Councilmember Oler, seconded by Councilmember Meyers moved to approve that no hearing be held on the liquor permit application in the name of Kocolene Marketing LLC, DBA Fast Max Sunoco 49, 7500 Dixie Highway Unit A, Fairfield, Ohio 45014 (Permit Classes: C1 and C2). Motion Carried 6-0. SIMPLE MOTION 15-11 APPROVED 6-0.

##### **PUBLIC WORKS COMMITTEE**

**Marty Judd, Chairman; Mike Oler, Vice Chairman, Tim Abbott, Member**

Councilmember Judd, seconded by Councilmember Snyder moved to read the following three (3) pieces of legislation by title only. Motion Carried 6-0.

Resolution adopting the applicable portions of the Butler County, Ohio Countywide All Natural Hazard Mitigation Plan (CANHMP) on behalf of the City of Fairfield and declaring an emergency.

Background: City Manager Pizzano recommended a Resolution to adopt certain sections of the Butler County countywide all natural hazard mitigation plan. He explained it is a requirement tied to the receipt for the FEMA grant for the next phase of the flood prone home acquisition. Legislative Action: Councilmember Judd presented the first reading of the Resolution. Councilmember Judd, seconded by Councilmember Oler moved to suspend the rules requiring three readings of the Resolution. Motion Carried 6-0. Councilmember Judd, seconded by Councilmember Snyder moved to adopt. Motion Carried 6-0. RESOLUTION NO. 11-11 ADOPTED AS AN EMERGENCY 6-0.

Ordinance to authorize the City Manager to enter into a contract with Insituform Technologies, Inc. for the 2011 lining of storm sewers and declaring an emergency.

Background: City Manager Pizzano recommended a contract with Insituform Technologies for the lining of storm sewers for a project on Pleasant Avenue between Vinnedge and Blackburn. He explained the re-lining of this pipe is expected to extend the useful life of the pipe by 50 or more years. Legislative Action: Councilmember Judd presented the first reading of the Ordinance. Councilmember Judd stated he thinks that re-lining these storm sewers will extend the life of our system and save the taxpayers money. Councilmember Judd, seconded by Councilmember Snyder moved to suspend the rules requiring three (3) readings of the Ordinance. Motion Carried 6-0. Councilmember Judd, seconded by Councilmember Senger moved to adopt. Motion Carried 6-0. ORDINANCE NO. 87-11 ADOPTED AS AN EMERGENCY 6-0.

Ordinance to authorize the City Manager to execute and file the application for financial assistance and enter into an agreement with Ohio Public Works Commission (OPWC) for a grant to fund a portion of the River Road Project and declaring an emergency.

Background: City Manager Pizzano recommended the execution and filing of an application for financial assistance with an agreement from the Ohio Public Works Commission for a portion of a River Road project. He stated it is a \$1.663 million dollar project and if awarded this grant approximately 59% of the project would be funded with state money for a total of \$958,000. Legislative Action: Councilmember Judd presented the first reading of the Ordinance. Councilmember Judd, seconded by Councilmember Senger moved to suspend the rules requiring three (3) readings of the Ordinance. Motion Carried 6-0. Councilmember Judd, seconded by Councilmember Oler moved to adopt. Motion Carried 6-0. ORDINANCE NO. 88-11 ADOPTED AS AN EMERGENCY 6-0.

#### **PUBLIC UTILITIES COMMITTEE**

**Tim Meyers, Chairman; Mitch Rhodus, Vice Chairman, Mike Snyder, Member**

Ordinance to authorize the City Manager to enter into a contract with Smithcorp, Inc. for the Milona Court Waterline Replacement and declaring an emergency.

Background: City Manager Pizzano recommended a contract with Smithcorp, Inc. for the Milona Court Waterline Replacement. He explained problems with the size of the waterline were found when residents of Milona Court complained about water pressure issues resulting in the need for this project. Legislative Action: Councilmember Meyers presented the first reading of the Ordinance. Councilmember Meyers, seconded by Councilmember Senger moved to read the following Ordinance by title only. Motion Carried 6-0. Councilmember Meyers, seconded by Councilmember Senger moved to suspend the rules requiring three (3) readings of the Ordinance. Motion Carried 6-0. Councilmember Meyers, seconded by Councilmember Senger moved to adopt. Motion Carried 6-0. ORDINANCE NO. 89-11 ADOPTED AS AN EMERGENCY 6-0.

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

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

Councilmember Senger, seconded by Councilmember Snyder moved to read the following four (4) Ordinances by title only. Motion Carried 6-0.

Ordinance determining to adjust special assessments levied for the purpose of constructing certain improvements and declaring an emergency.

Background: City Manager Pizzano recommended an Ordinance to adjust the special assessments for the purpose of constructing certain improvements at the Cincinnati Mall. Legislative Action: Councilmember Senger presented the first reading of the Ordinance. Councilmember Senger, seconded by Councilmember Rhodus moved to suspend the rules requiring three (3) readings of the Ordinance. Motion Carried 6-0. Councilmember Senger, seconded by Councilmember Rhodus moved to adopt. Motion Carried 6-0. ORDINANCE NO. 90-11 ADOPTED AS AN EMERGENCY.

Appropriation Ordinance to reconcile accounts (see Ordinance for details).

Background: City Manager Pizzano recommended an appropriation ordinance to reconcile accounts. Legislative Action: Councilmember Senger presented the first reading of the Ordinance. Councilmember Senger, seconded by Councilmember Snyder moved to suspend the rules requiring three (3) readings of the Ordinance. Motion Carried 6-0. Councilmember Senger, seconded by Councilmember Snyder moved to adopt. In response to Councilmember Oler's question, Police Chief Dickey and Finance Director Mary Hopton clarified that health care costs are for employees not for the sustenance of prisoners which is a separate item. Motion Carried 6-0. ORDINANCE NO. 91-11 ADOPTED 6-0.

Appropriation Ordinance (Contractual Items) - \$100,000 storm sewer lining; and \$46,000 Milona Court Waterline Replacement.

Background: City Manager Pizzano recommended the following contractual items: \$100,000 storm sewer lining and \$46,000 for Milona Court Waterline Replacement. Legislative Action: Councilmember Senger presented the first reading of the Ordinance. Councilmember Senger, seconded by Councilmember Judd moved to suspend the rules requiring three (3) readings. Motion Carried 6-0. Councilmember Senger, seconded by Councilmember Judd moved to adopt. Motion Carried 6-0. ORDINANCE NO. 92-11 ADOPTED 6-0.

Appropriation Ordinance (Non-contractual Items) - \$4,000 Public Utilities Annex engineering work; \$13,402 for State Route By-Pass 4 Widening testing work; and \$2,998 for Parks Department 20' tandem utility trailer.

Background: City Manager Pizzano recommended the following non-contractual items: \$4,000 Public Utilities Annex engineering work for a facilities need study to look at the potential for enhancing making maximum use of the old Public Works garage that is being used by the Public Utilities Department; \$13,402 State Route 4 By-Pass 4 Widening test work; and for a 20' tandem utility trailer Parks Department. Legislative Action: Councilmember Senger presented the first reading of the Ordinance. Councilmember Senger, seconded by Councilmember Rhodus moved to suspend the rules requiring three (3) readings of the Ordinance. Motion Carried 6-0. Councilmember Senger, seconded by Councilmember Snyder moved to adopt. Motion Carried 6-0. ORDINANCE NO. 93-11 ADOPTED 6-0.

Meeting Schedule

Clerk Jolivette read the following meeting schedule:

Monday, September 26 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.  
Tuesday, October 11 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.  
Monday, October 24 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 7:45 PM.

Adjournment

The Regular City Council Meeting adjourned 8:57 PM.

ATTEST:

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

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

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