

## MINUTES

### REGULAR MEETING OF COUNCIL

SEPTEMBER 26, 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 Abbott led in prayer. Boy Scout Troop 881 led the Pledge of Allegiance.

#### Roll Call

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

#### Agenda Modifications

#### Executive Session Requests

Councilmember Judd, seconded by Councilmember Abbott moved to approve an Executive Session to discuss pending and imminent litigation. Clerk Jolivette took a roll call vote of Council. Motion Carried 6-0.

#### Public Hearing(s)

No public hearings were scheduled.

#### Special Presentations and Citizen Comments

No presentations were scheduled and there were no citizen comments.

#### Mayor/Council Reports

Councilmember Snyder announced a benefit to defray costs involved in continuing the search for Katelyn Marcum on October 22 at Fairfield Banquet and Convention Center, 74 Donald Drive, from 6 - 10 PM.

Councilmember Judd explained due to receiving four inches of rain this morning, Seward Road between Symmes and Tylersville was closed in the morning and the streets that have drywells had some ponding. He further explained the retention basin, which doubles as the North Trace Golf Course did its job this morning. Councilmember Judd discussed the burned out shell of an apartment complex on Pleasant Avenue where there was a fire over a year ago, which he described as an eyesore and safety hazard. He stated something needs to be done promptly. Mayor D'Epifanio commented Mr. Clemmons is involved and they are working towards what they can to resolve it.

Councilmember Rhodus welcomed Scout Troop 881, which is working on their Citizenship and Community Service Merit Badge, and thanked them for coming.

Councilmember Abbott reported the utility rate study is wrapping up and information and proposed changes will come to Council within the next month. He further reported the 2012 budget presentation will be on November 28 and Dec. 25.

Councilmember Oler reported the two officers that were injured a few weeks ago are back to work at this time.

Mayor D'Epifanio commented on the LCpl Taylor Prazynski Memorial Highway dedication ceremony, which was held this past Saturday to dedicate a portion of Route 4 for LCpl Prazynski who made the ultimate Sacrifice on May 9, 2005. He announced the

signs are near the Honda and Toyota and near Symmes. He thanked all the City employees that helped. He announced the Mothers Against Drunk Driving Walk will be held at Harbin Park this Saturday with registration at 8:00 or 8:30 AM.

#### Approval of Minutes

- Regular Meeting Minutes of September 12, 2011

The Regular Meeting Minutes of September 12, 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 third reading of the Ordinance. Councilmember Judd, seconded by Councilmember Abbott moved to adopt. Motion Carried 6-0. ORDINANCE NO. 94-11 ADOPTED 6-0.

### **NEW BUSINESS**

#### **PUBLIC WORKS COMMITTEE**

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

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

#### Ordinance to authorize the City Manager to execute and file the application for financial assistance, and enter into an agreement with ODOT for a grant to fund a portion of the Route 4 & Holden Improvement Project and declaring an emergency.

**Background:** City Manager Pizzano recommended the filing of an application for financial aid with ODOT for a grant for a portion of Route 4 and Holden Blvd. Improvements. He explained this project is designed to deal with capacity and safety issues on a more heavily accident prone place within the community. He explained if the grant would be approved it would be 90% ODOT share of the eligible cost. **Legislative Action:** Councilmember Judd presented the first reading of this Ordinance. 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 Oler moved to adopt. Motion Carried 6-0. ORDINANCE 94-11 ADOPTED AS AN EMERGENCY 6-0.

#### Resolution approving the Butler County Solid Waste Management Plan and declaring an emergency.

**Background:** City Manager Pizzano recommended approval of the Butler County Solid Waste Management Plan. He explained it is required that the jurisdictions within the County approve a plan, which is a 15 year plan that would be extended with changes over time and largely deals with the identification of disposal sites for solid waste for the people who use it within Butler County. **Legislative Action:** Councilmember Judd presented the first reading of this Resolution. 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 Snyder moved to adopt. Motion Carried 6-0. RESOLUTION 12-11 ADOPTED AS AN EMERGENCY 6-0.

#### Ordinance to declare various city vehicles as surplus and authorize the City Manager to sell the vehicles on Govdeals.com.

**Background:** City Manager Pizzano recommended a declaration of surplus for a variety of very old or high mileage unrepairable vehicles that will be sold on govdeals.com. He explained by state law that when municipal assets are sold, Council must declare those assets as surplus. He further explained with the agreement the City would receive 92.5% of the revenue and the cost is the remaining 7.5%. **Legislative Action:** Councilmember Judd presented the first reading of this Ordinance.

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

Councilmember Rhodus, seconded by Councilmember Judd moved to read the following Ordinance by title only. Motion Carried 6-0.

Ordinance to authorize the City Manager to enter into an agreement with the Anna & Harold Huffman Foundation and Harold W. Huffman Trust for donation of 22 acres and financial commitment for the creation of a park on the Huffman Property and declaring an emergency.

Background: City Manager Pizzano recommended an agreement with the Anna & Harold Huffman Foundation and the Harold W. Huffman Trust for the donation of 22 acres and a financial commitment of \$600,000 for the creation of a park on the Huffman Property. Mr. Pizzano discussed Development Services, Parks Department, the Parks Board and Planning Commission have been working together with the family to put this project together. He explained the family on behalf of the deceased members of the family who lived on the property are donating the 22 acres and an advance of money to create a park, which will consist of a walking trail, interpretive pond, community gardens, earth and play structures and a variety of educational stations on the property. He stated this sits adjacent to the South Trace Golf Course along John Gray Road. Development Services Director Tim Bachman introduced the family including Huffman niece Nancy Jones and husband LP Jones, Huffman nephew Fred Wehr and wife Mary Ann Wehr, and Ken Kinder with Cors and Bassett. Mr. Bachman briefly discussed the first meeting a year and a half ago. He commented the family has been fantastic to work with and it has been a great team approach with regard to the various staff members and Boards & Commissions working together. Mr. Bachman discussed the timeline for the project with anticipated construction start at the beginning of 2012. Ken Kinder legal representative on behalf of the family discussed how impressed he has been with the whole process and the tireless work of all the people who have been involved. Legislative Action: Councilmember Rhodus commended the Parks Board and Planning Commission for working collaboratively with the family. Councilmember Rhodus presented the first reading of the Ordinance. Council recognized the Huffman family. Mr. Pizzano stated the Board of Education was also a participant in this process and worked with us closely. He further stated the important piece aside from the environmental work that will come out of this is the fact the real legacy is going to be the impact this will have on the children.

**PARKS, RECREATION & ENVIRONMENT COMMITTEE**  
**Terry Senger, Chairman; Tim Meyers, Vice Chairman, Marty Judd, Member**

Councilmember Senger, seconded by Councilmember Oler moved to read the following Ordinance by title only. Motion Carried 6-0.

Ordinance to authorize the City Manager to amend the 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 and declaring an emergency.

Background: City Manager Pizzano recommended an agreement to amend the contract with Lake Erie Golf Cars, E-Z-GO Division of Textron, Inc. for the lease of golf carts at the Fairfield Greens Golf Courses. He explained the agreement ends the end of this year and we have about 95 carts and a couple of snack carts involved in the lease. Mr. Pizzano further explained most golf courses around and in our research we have found the current arrangement we have which is a percentage lease is not going to earn as much revenue as a flat lease which is proposed in the marketplace. 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. Motion Carried 6-0. Councilmember Senger, seconded by Councilmember Snyder moved to adopt. Motion Carried 6-0. ORDINANCE NO. 96-11 ADOPTED AS AN EMERGENCY 6-0.

**FINANCE & BUDGET COMMITTEE**  
**Tim Abbott, Chairman; Terrence Senger, Vice Chairman, Michael Oler, Member**

Councilmember Abbott, seconded by Councilmember Rhodus moved to read the following three (3) Ordinances by title only. Motion Carried 6-0.

Ordinance to authorize the City Manager to enter into an agreement with CDW-Government for the replacement of computer workstations and related equipment.

Background: City Manager Pizzano recommended an agreement with CDW-Government to replace computer workstations and equipment. He explained we have a five year rotating schedule for selected departments and this action will maintain that schedule for department that are up this year. Legislative Action: Councilmember Abbott presented the first reading of the Ordinance. Councilmember Abbott, seconded by Councilmember Oler moved to suspend the rules requiring three readings of the Ordinance.

Motion Carried 6-0. Councilmember Abbott, seconded by Councilmember Senger moved to adopt. Motion Carried 6-0. ORDINANCE NO. 97-11 ADOPTED 6-0.

Appropriation Ordinance (Contractual Items) - \$55,000 computer workstations and related equipment.

Background: City Manager Pizzano the following contractual item: \$55,000 for computer workstations and related equipment. Legislative Action: Councilmember Abbott presented the first reading of the Ordinance entitled Ordinance to amend Ordinance No. 117-10 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, 2011, and ending December 31, 2011.” Councilmember Abbott, seconded by Councilmember Senger moved to suspend the rules requiring three (3) readings of the Ordinance. Motion Carried 6-0. Councilmember Abbott, seconded by Councilmember Senger moved to adopt. Motion Carried 6-0. ORDINANCE NO. 98-11 ADOPTED 6-0.

Appropriation Ordinance (Non-contractual Items) - \$24,000 body repair for Quint 31 and Engine 33; \$20,000 engineering services for SCADA system; \$8,415 for Village Green Campus area improvements; \$8,690 basketball court renovations at Good Neighbors Park; and \$20,000 software upgrade rights.

Background: City Manager Pizzano recommended the following non-contractual items: \$24,000 for corrosion body repair for Quint 31 and Engine 33; \$20,000 for engineering services for Wastewater operation Supervisory Control And Data Acquisition (SCADA) System; \$8,415 for improvements in the Village Green area; \$8,690 for basketball court renovations at Good Neighbors Park and \$20,000 for software upgrade rights. Legislative Action: Councilmember Abbott presented the first reading of the Ordinance. Ordinance to amend Ordinance No. 117-10 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, 2011, and ending December 31, 2011.” Councilmember Abbott, seconded by Councilmember Senger moved to suspend the rules requiring three (3) readings of the Ordinance. Motion Carried 6-0. Councilmember Abbott, seconded by Councilmember Oler moved to adopt. Motion Carried 6-0. ORDINANCE NO. 99-11 ADOPTED 6-0.

Meeting Schedule

Clerk Jolivette read the following meeting schedule:

- 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.
- Monday, November 14 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.

Executive Session of Council (if needed)

Council recessed to Executive Session at 7:30 PM.

Adjournment

The Regular Meeting of Council ended at 8:20 PM.

ATTEST:

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Clerk of Council

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Mayor's Approval

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