

MINUTES
REGULAR MEETING OF COUNCIL
OCTOBER 11, 2011

Call to Order

Mayor Ronald A. D'Epifanio called the Regular Meeting to order at 7:04 PM at the Fairfield Municipal Building, 5350 Pleasant Avenue.

Prayer/Pledge of Allegiance

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

Roll Call

Clerk Jolivette called the roll of Council. Present members were Councilmember Senger, Councilmember Rhodus, Councilmember Judd, Councilmember Snyder, and Councilmember Oler. Councilmember Judd, seconded by Councilmember Rhodus moved to excuse Councilmember Abbott and Councilmember Meyers. Motion Carried 5-0.

Agenda Modifications

No modifications were made to the Agenda.

Executive Session Requests

No requests were made for Executive Session.

Public Hearing(s)

No Public Hearings were scheduled.

Special Presentations and Citizen Comments

Linda Jung, 5734 Sigmon Way, discussed the problems her sister, who lives at 6050 River Road, is having with cars missing the turn by One Way Farm and striking the vehicle in her driveway. She requested that something more be done because traffic has increased in that area and her sister is in danger in own driveway and yard. City Manager Pizzano directed City Engineer Ben Mann to do an assessment and get back with the property owner.

Mayor/Council Reports

Councilmember Judd reported the Resor Road project is nearing completion with final paving and pavement markings are scheduled for October 17 - 20. He further reported the Groh Lane Project is scheduled for completion at the end of November with base pavement scheduled for tomorrow.

Councilmember Snyder thanked Rik Saylor, 2011 Chamber of Commerce Business Person of the year, for his Unsung Heroes Program recognizing volunteers.

Councilmember Rhodus reported that La Pinata mexican restaurant has begun construction in the section of the building next to Symmes Tavern.

Mayor D'Epifanio read a letter from Ron Pittman recognizing the professional police services given by Sergeant Mike Rednour, Officer Jason Hamblin, Officer Tom Wolf and Officer John Kinkade. Mayor D'Epifanio thanked the Fire Department for wearing pink t-shirts on Fridays, Saturdays and Sundays in recognition of National Breast Cancer Awareness Month for October.

Approval of Minutes

- Regular Meeting Minutes of September 26, 2011

The Regular Meeting Minutes of September 26, 2011 were approved as written.

OLD BUSINESS

DEVELOPMENT SERVICES COMMITTEE

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

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.

Councilmember Rhodus presented the second reading of the Ordinance. Councilmember Rhodus, seconded by Councilmember Oler moved to suspend the rules requiring three (3) readings. Motion Carried 5-0. Councilmember Rhodus, seconded by Councilmember Snyder moved to adopt. Mayor D'Epifanio thanked the Huffman family for this generous donation and partnering with the City. Motion Carried 5-0. ORDINANCE NO. 100-11 ADOPTED AS AN EMERGENCY 5-0.

PUBLIC WORKS COMMITTEE

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

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

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

NEW BUSINESS

PUBLIC WORKS COMMITTEE

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

Ordinance to authorize the City Manager to enter into a contract with The Cincinnati Air Conditioning Company for complete installation of a boiler and chiller system at the Municipal Building and declaring an emergency.

Background: City Manager Pizzano recommended a contract with Cincinnati Air Conditioning Company to install a boiler and chiller system at the Municipal Building. He explained the system is aging, it has leaks, and it lacks efficiency. He further stated a substantial reduction in use of gas is expected with the new system. Legislative Action: Councilmember Judd presented the first reading of the Ordinance. Councilmember Judd, seconded by Councilmember Snyder moved to read the following Ordinance by title only. Motion Carried 5-0. Councilmember Judd, seconded by Councilmember Snyder moved to suspend the rules requiring three (3) readings of the Ordinance. Motion Carried 5-0. Councilmember Judd, seconded by Councilmember Snyder moved to adopt. Motion Carried 5-0. ORDINANCE NO. 101-11 ADOPTED AS AN EMERGENCY 5-0.

PUBLIC UTILITIES COMMITTEE

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

Councilmember Rhodus, seconded by Councilmember Judd moved to read the following Resolution by title only. Motion Carried 5-0.

Resolution to authorize the City Manager excuse a permanent grant of easement to the Greater Cincinnati Water Works (GCWW) and City of Cincinnati for the purpose of installing a sanitary sewer line connecting the Bolton Water Treatment Plant to the Fairfield Sanitary Sewer System and declaring an emergency.

Background: City Manager Pizzano recommended granting a permanent easement to the Greater Cincinnati Water Works to install a sanitary sewer line from the Bolton Water Treatment Plant to the Fairfield Sanitary Sewer System. He explained the new sanitary sewer line is more environmentally friendly and will generate revenue to our City from the City of Cincinnati and we will be allowed to hook up a sanitary sewer system when Black Bottom Park eventually is developed. In response to Councilmember Snyder's question, City Manager Pizzano responded the city is not looking at any capacity expansion in the near or midterm. Legislative Action: Councilmember Rhodus presented the first reading of this Resolution. Councilmember Rhodus, seconded by Councilmember Judd moved to suspend the rules requiring three readings of the Resolution. Motion Carried 5-0. Councilmember Rhodus, seconded by Councilmember Judd moved to adopt. Motion Carried 5-0. RESOLUTION NO. 13-11 ADOPTED AS AN EMERGENCY 5-0.

PUBLIC SAFETY COMMITTEE

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

Councilmember Oler, seconded by Councilmember Snyder moved to read the following Ordinance by title only. Motion Carried 5-0.

Ordinance to adopt a new section 335.074 and amend various other sections of the Traffic and General Offenses Codes of Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio and declaring an emergency.

Background: City Manager Pizzano recommended a new section of the code amending various sections of the Traffic and General Offenses Codes. He stated this is an annual procedural update. He further stated the main purpose is to allow us to conform to changes that have occurred over the last year in state law to provide our public safety personnel with the latest and current rules and regulations. Legislative Action: Councilmember Oler presented the first readings of the Ordinance. He explained this is to bring our code up to where it should be to mirror the State's, which is important for officers to use those laws. Councilmember Oler, seconded by Councilmember Snyder moved to suspend the rules requiring three (3) readings of the Ordinance. Motion Carried 5-0. Councilmember Oler, seconded by Councilmember Snyder moved to adopt. Law Director Clemmons clarified the changes explaining a lot of it has to do with when the court reinstate licenses, people must provide proof of financial responsibility at that time and it is a clarification of that requirement, but it codifies that and repeats itself over various types of suspensions. He further explained this simply updates our codes to comply with the changes that have occurred with state law since this time last year. He stated it does create one new type of suspension called driving under license forfeiture or child support suspension. He further stated the other substantial change is the amount for misdemeanor theft is raised from \$500 to \$1,000. Motion Carried 5-0. ORDINANCE NO. 102-11 ADOPTED AS AN EMERGENCY 5-0.

DEVELOPMENT SERVICES COMMITTEE

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

Councilmember Rhodus, seconded by Councilmember Senger moved to read the following three (3) Ordinances by title only. Motion Carried 5-0.

Ordinance to amend various sections of Chapters 557 and 717 of Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio relative to property maintenance, weeds and litter and garbage and refuse disposal.

Background: City Manager Pizzano recommended an amendment to various sections of the Codified Ordinances related to property maintenance, weeds, and litter, garbage and refuse disposal. He discussed on February 14th and August 8th the residential retention and updating code enforcement levels were discussed including attaching liens on properties to recover costs as we go out and proactively make some repairs ourselves, so tax payers are not burdened with expenses that are the responsibility of the property owners. Legislative Action: Councilmember Rhodus presented the first reading of this Ordinance. Ordinance approved for first reading only.

Ordinance to amend Chapter 1192, Source Water (formerly Well Head) Protection Program of Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio.

Background: City Manager Pizzano recommended an amendment to a section of the Code dealing with Sourcewater, also called Well Head, protection, which is an update to our groundwater protection rules, which are designed to protect the quality of our water from pollution and contamination. He explained these rules come from the Groundwater Consortium, of which we are members. Legislative Action: Councilmember Rhodus presented the first reading of this Ordinance. Councilmember Rhodus announced a Joint Public Hearing with Planning Commission will be held on October 24 in this room. Ordinance approved for first reading only.

Ordinance to authorize the City Manager to execute the FY 2012 Community Development Block Grant (CDBG) application and agreement and declaring an emergency.

Background: City Manager Pizzano recommended this year's execution of the allocation via the county via the Federal government for the Community Development Block Grant. He explained the Community Development Block Grant has among its mandates the removal of blight and the construction of public improvements. He commented we would like to install a water line replacement in Winton Hills. Legislative Action: Councilmember Rhodus presented the first reading of this Ordinance. Councilmember Rhodus, seconded by Councilmember Senger moved to suspend the rules requiring three (3) readings of the Ordinance. Motion Carried 5-0. Councilmember Rhodus, seconded by Councilmember Oler moved to adopt. Motion Carried 5-0. ORDINANCE NO. 103-11 ADOPTED AS AN EMERGENCY 5-0.

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

Councilmember Senger, seconded by Councilmember Rhodus moved to read the following two (2) Ordinances by title only. Motion Carried 5-0.

Appropriation Ordinance (Contractual Items) - \$167,845 Municipal Building - Boiler and chiller replacement.

Background: City Manager Pizzano recommended the following contractual item: \$167,845 for the Municipal Building boiler and chiller replacement. Legislative Action: Councilmember Senger presented the first reading of an 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 Senger, seconded by Councilmember Rhodus moved to suspend the rules requiring three (3) readings of the Ordinance. Motion Carried 5-0. Councilmember Senger, seconded by Councilmember Rhodus moved to adopt. Motion Carried 5-0. ORDINANCE NO. 104-11 ADOPTED 5-0.

Appropriation Ordinance (Non-contractual Items) - \$16,000 overhaul of an existing channel grinder; and \$34,400 drainage improvement program.

Background: City Manager Pizzano recommended the following non-contractual items: \$16,000 overhaul of an existing channel grinder and \$34,400 for drainage improvement program. He commented this expenditure in credit to the staff is coming from remaining funds from several other projects within their budgets in which they did not consume the entire expenditure. Legislative Action: Councilmember Senger presented the first reading of an 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 Senger, seconded by Councilmember Snyder moved to suspend the rules requiring three (3) readings of the Ordinance. Motion Carried 5-0. Councilmember Senger, seconded by Councilmember Oler moved to adopt . Motion Carried 5-0. ORDINANCE NO. 105-11 ADOPTED 5-0.

Meeting Schedule

Clerk Jolivette read the following meeting schedule:

Monday, October 24 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.

On Monday, October 24 Council-Manager Briefing at 6:00 PM, Regular Meeting and Joint Public Hearing at 7:00 PM.

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

Monday, November 28 Council-Manager Briefing, 5:00 p.m.; Regular Meeting, 7:00 p.m.

Executive Session of Council (if needed)

No Executive Session was scheduled.

Adjournment

Councilmember Snyder, seconded by Councilmember Oler moved to adjourn. Motion Carried 5-0.

The Regular Meeting of Council ended at 7:32PM.

ATTEST:

Clerk of Council

Mayor's Approval

Date Approved _____