

MINUTES

REGULAR MEETING OF COUNCIL

APRIL 11, 2011

Call to Order

Mayor D'Epifanio called the Regular Meeting to order at 7:00 PM at 5350 Pleasant Avenue.

Prayer/Pledge of Allegiance

Councilmember Senger led in prayer, followed by the Pledge of Allegiance.

Roll Call

Clerk Johns called the roll of Council. Present members were Councilmember Rhodus, Councilmember Meyers, Councilmember Judd, Councilmember Snyder, Councilmember Oler, Councilmember Senger, and Councilmember Abbott.

Agenda Modifications

No modifications were made to the Agenda.

Executive Session Requests

Councilmember Judd, seconded by Councilmember Abbott moved to for an Executive Session for the purchase of real estate and employment of personnel. Clerk Johns called the roll of Council for the vote. Motion Carried 7-0.

Public Hearing(s)

No public hearings were scheduled.

Special Presentations and Citizen Comments

Mayor D'Epifanio announced that Assistant City Manager Dennis Stuckey is retiring at the end of the month. Mayor D'Epifanio recognized and welcomed new Assistant City Manager Mark Wendling, his wife Mindy and their two sons.

Mayor D'Epifanio congratulated Councilman Judd for winning the "Dancing with Stars" competition at a recent SELF awards dinner. Councilman Judd stated he had heard of SELF, but didn't know the tremendous work and what a great organization that is for the citizens of the county.

Chief Dickey explained a phone call dispatcher Erica Scott received last Tuesday night from a five year old boy who did a phenomenal job getting them to his home where he needed some assistance for his mother, Jessica Cutlipp. Chief Dickey presented a Fairfield police patch and badge for doing a great job. Acting Fire Chief Kenworthy thanked Erica for the great job she did. He made Seth Pabst an honorary member of the Fire Department for his bravery and presented him a fire helmet. Chief Kenworthy explained because the call came in from a cell phone, they did not know exactly what the address was and Erica was able to walk Seth through trying finding the address for the home. He stated luckily they were able to get to Jessica transport her to the hospital and she was able to get out that night. Mayor D'Epifanio commented on the fantastic employees and commented that we have the best when it comes to police and fire. Mayor D'Epifanio presented a certificate of recognition to Seth Pabst for having the skill and bravery to provide emergency assistance to his mother in a really grown up manner.

- Proclamation for Jerry Dailey, former Planning Commission member

Mayor D'Epifanio presented a proclamation and Key to the City to recognize Jerry Dailey for the many years he has donated to the City as a member of the Fairfield Planning Commission. Mr. Dailey briefly commented on the things he has done, which he said were too many to mention.

Councilmember Rhodus commented on working with Jerry over a number of years on the Planning Commission and he offered his sincere appreciation to Jerry Dailey for his years of service.

Councilmember Snyder commented he has served with Jerry for the last several years as the Council representative on the Board of Zoning Appeals and Jerry was always well prepared, conscientious and most important was the vision he had of what the City could be and he did his best to make sure the City could live up to its potential. He thanked Mr. Dailey.

Councilmember Senger discussed that Planning Commission at times can be one of the most challenging things to volunteer for because there are a lot of times when a decision is not always good news for what people want to hear and sometimes you have to make those tough decisions to keep Fairfield a good positive community. He thanked Jerry for his leadership.

- Environmental Commission Friends of Fairfield Forest Awards - Liz Hunter

Environmental Commission President Liz Hunter explained each year they provide two awards, one to a citizen and one to a business who promotes things within our community. She presented an award to citizen Karen Fields, who has served on the Environmental Commission for five years and has worked on the Big Tree Contest and the tree inventory. Ms. Hunter presented an award to Jim Montag from Lakeview Garden Center for giving back to the community, helping with the Memorial Grove and being a partner in the tree lottery program.

- Arbor Day Proclamation - Liz Hunter

Councilmember Senger presented a proclamation to Environmental Commission President Liz Hunter in honor of Arbor Day on April 29, 2011. On behalf of the Environmental Commission, Liz Hunter expressed gratitude to those who attended the Fairfield Home Expo last weekend where they gave out about 300 tree saplings. She briefly mentioned the things the Environmental Commission does and briefly explained what is needed to be a Tree City.

Mayor D'Epifanio acknowledged Joe Statzer, from Butler County Auditor Roger Reynolds' office, who was in the audience.

Mayor/Council Reports

Councilmember Snyder recognized the Fairfield Choraliers who are one of the top show choirs in the country after finishing second runner-up in a competition in Chicago. He stated our choraliers will be one of three show choirs competing for the national title in Indianapolis. He further stated the Choraliers have been named Grand Champion five times in four states, which matches the school record set in 2009. He offered congratulations and best wishes for a successful competition in Indianapolis.

Councilmember Judd gave an annual report on the City's prescription discount card program sponsored by the National League of Cities. He stated we crossed the one year mark for this program and to date 662 different people have utilized this program and bought a total of 1,341 different prescriptions for a total savings of \$10,995.46. He further stated that is an average savings of \$8.20 per prescription. Councilmember Judd announced that anyone who needs a prescription not covered by insurance come by the City Building for a card and present it when you get your prescription for a savings of 15 to 20%.

Councilmember Rhodus commented on the success of the recent Home Expo. He commented the bar at Cobblestone Plaza has asked for an outdoor permit, which has been approved through BZA, that will allow them to expand to the former Bonanza space.

Councilmember Senger announced Parks and Recreation will hold the Annual Easter Egg Hunt will be held this Saturday, April 16 beginning at 10:30 AM at Harbin Park. He further announced the egg hunt will begin promptly at 11:00 AM and the event is free to the public, sponsored by Aurgroup Credit Union.

Councilmember Abbott stated we continue to tweak the website for online payment water and sewer bills. He further stated we continue to monitor House Bill 153 the State budget bill and Senate Bill the estate tax bill on the financial impacts to the city.

Councilmember Meyers stated for the third consecutive year the overall results of the City of Oakwood water and sewer rate survey for the third consecutive year, Fairfield was noted as having the lowest water rates out of over 70 different cities around the area. He stated the cities in close vicinity of Fairfield are 33% above on average of the Fairfield rate. He further stated on the combined water/sewer rate, Fairfield is number two. Councilmember Meyers stated great progress on continuing to keep these rates low and continuing to provide outstanding service.

Mayor D'Epifanio responded in reference to an article in the Journal News' Community Voice regarding tax dollars for show choirs.

He stated none of it comes out of the schools, they are self supporting. He explained it is very expensive and it is all covered by money they raise, what their parents raise and the Tempo Club.

Councilmember Meyers commented Fairfield is number one or two in the country for the Crystal Classic. Mayor D'Epifanio commented it is hosted the first Saturday of March every year and this year there were 38 show choirs from all over the country as far away as California. He explained the money that comes in because of parents, grandparents and people that travel with these fifty kids per show choirs brings in a lot of money to our city.

Approval of Minutes

- Regular Meeting Minutes of March 28, 2011

The minutes of the Regular Meeting of March 28, 2011 were approved as written.

OLD BUSINESS

PUBLIC WORKS COMMITTEE

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

Ordinance to authorize the City Manager to enter into a one (1) year contract with MP Dory Company for the 2011 Guardrail Improvement Program.

Councilmember Judd presented the second reading of this ordinance.

NEW BUSINESS

PUBLIC SAFETY COMMITTEE

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

Simple Motion: Motion requesting that no hearing be held in the name of ASO LLC, DBA J Gumbos, 5951-5 Boymel Drive, Fairfield, OH 45014 (Permit Classes: D1, D3 and D3A).

Councilmember Oler, seconded by Councilmember Judd moved to request that no hearing be held in the name of ASO LLC, DBA J Gumbos, 5951-5 Boymel Drive, Fairfield, OH 45014 (Permit Classes: D1, D3 and D3A). Motion Carried 7-0. SIMPLE MOTION 7-11 APPROVED 7-0.

Simple Motion: Motion requesting that no hearing be held in the name of Gordos at Fairfield Inc, 5502 Dixie Hwy, Fairfield, OH 45014 (Permit Classes: D5J).

Councilmember Oler, seconded by Councilmember Abbott moved to request that no hearing be held in the name of Gordos at Fairfield Inc, 5502 Dixie Hwy, Fairfield, OH 45014 (Permit Classes: D5J). Motion Carried 7-0. SIMPLE MOTION 8-11 APPROVED 7-0.

PUBLIC WORKS COMMITTEE

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

Councilmember Judd, seconded by Councilmember Senger moved to read the following Ordinance by title only. Motion Carried 7-0.

Ordinance to authorize the City Manager to enter into a contract with Nelson Stark Company for the proposed Drywell Replacement Program.

Background: City Manager Pizzano recommended a contract with Nelson Stark Company for the upcoming Drywell Replacement Program in the Lindale subdivision off River Road. Legislative Action: Councilmember Judd presented the first reading of this ordinance. Councilmember Judd, seconded by Councilmember Abbott moved to suspend the rules requiring three (3) readings of this Ordinance. Motion Carried 7-0. Councilmember Judd, seconded by Councilmember Snyder moved to adopt. In answer to

Councilmember Judd's question, Public Works Director Dave Butsch indicated last year we had a different contractor. Mr. Butsch further commented this is a very reputable contractor that does this in other parts, but they are new to us. Mr. Butsch explained this will be a never ending maintenance because we have several in the city and they last so many years and need to be redone. Mr. Butsch further commented the old design was more open and allowed more debris to get in and fill up the bottoms, which prohibits some of the flow back into the ground and the new design has a closed grate on them and should last quite a bit longer. Motion Carried 7-0. ORDINANCE NO. 32-11 ADOPTED 7-0.

FINANCE & BUDGET COMMITTEE

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

Councilmember Abbott, seconded by Councilmember Senger moved to read the following five (5) ordinances by title only. Motion Carried 7-0.

Ordinance to authorize the City Manager to enter into a grant agreement with Partners in Prime to provide funding for ARK transportation services to residents of Fairfield and for operations.

Background: City Manager Pizzano recommended a grant agreement with Partners in Prime for the ARK transportation services that is a \$22,000 allocation and generally funds Senior transportation. Legislative Action: Councilmember Abbott presented the first reading of this Ordinance. Councilmember Abbott, seconded by Councilmember Oler moved to suspend the rules requiring three (3) readings of the Ordinance. Motion Carried 7-0. Councilmember Abbott, seconded by Councilmember Oler moved to adopt. Motion Carried 7-0. ORDINANCE NO. 33-11 ADOPTED 7-0.

Ordinance to authorize the City Manager to enter into a grant agreement with the Fairfield Community Foundation to provide funding to support the Foundation's Scholarship Program.

Background: City Manager Pizzano recommended a grant for the Fairfield Community Foundation for \$11,000. Legislative Action: Councilmember Abbott presented the first reading of this Ordinance. Councilmember Abbott, seconded by Councilmember Meyers moved to suspend the rules requiring three (3) readings. Motion Carried 7-0. Councilmember Abbott, seconded by Councilmember Meyers moved to adopt. Motion Carried 7-0. ORDINANCE NO. 34-11 ADOPTED 7-0.

Ordinance to authorize the City Manager to enter into an amended Collective Bargaining Agreement with AFSCME Local #3646 retroactive to April 1, 2011 and declaring an emergency.

Background: City Manager Pizzano recommended an amended collective bargaining agreement with AFSCME Local #3646. He explained AFSCME much like Local 20 did, had entered into a two year agreement and we had offered them the opportunity to enter into a third year consistent with other bargaining units and they have accepted that offer. He further explained the contract will stand over a three year period with the exception of wage and health benefit re-opener in year three consistent with all four unions. City Manager Pizzano expressed his appreciation for our employees and their labor representatives and for the people who voted for stepping to the plate this year and recognizing the situation that we are all in with revenues being down and the overall impact of a down economy. Legislative Action: Councilmember Abbott presented the first reading of this Ordinance. Councilmember Abbott, seconded by Councilmember Meyers moved to suspend the rules requiring three readings. Motion Carried 7-0. Councilmember Abbott, seconded by Councilmember Meyers moved to adopt. Motion Carried 7-0. ORDINANCE NO. 35-11 ADOPTED 7-0.

Appropriation Ordinance (Contractual Items) - \$85,000 Drywell Replacement Project.

Background: City Manager Pizzano recommended the following contractual item: \$85,000 for the drywell replacement program. Legislative Action: Councilmember Abbott presented the first reading of 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 Meyers moved to suspend the rules requiring three (3) readings of the Ordinance. Motion Carried 7-0. Councilmember Abbott, seconded by Councilmember Meyers moved to adopt. Motion Carried 7-0. ORDINANCE NO. 36-11 ADOPTED 7-0.

Appropriation Ordinance (Non-Contractual Items) - \$19,500 alternate power for traffic signals; \$18,620 for Resor Road Improvement Project Right of Way Acquisition.

Legislative Action: City Manager Pizzano recommended the following non-contractual items: \$19,500 for this year's phase of the alternate power for traffic signals for Seward Road at Route 4 and Mack Road at the Hospital and Cincinnati Financial intersections. He stated we now will have with these completed, 21 of our 58 signalized intersections equipped with power. He also

recommended \$18,620 for Resor Road Improvement Project Right of Way acquisition. Legislative Action: Councilmember Abbott 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 Abbott, seconded by Councilmember Oler moved to suspend the rules requiring three (3) readings of the Ordinance. Motion Carried 7-0. Councilmember Abbott, seconded by Councilmember Meyers moved to adopt. Motion Carried 7-0. ORDINANCE NO. 37-11 ADOPTED 7-0.

Meeting Schedule

Clerk Johns read the following meeting notices:

Monday, April 25 Council-Manager Briefing, 6:00 p.m. (Briefing held at Public Works Facility, 8870 N. Gilmore Road); Regular Meeting, 7:00 p.m.

Monday, May 9 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.

Monday, May 23 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.

Mayor D'Epifanio acknowledged Mr. Bookman who is finishing his junior year at Cincinnati Christian and is shadowing Chief Kenworthy for the week.

Clerk Johns stated the Summer schedule is the second Monday of the month in June, July and August.

Executive Session of Council (if needed)

Council adjourned to executive session at 7:50 PM to discuss purchase of real estate and employment of personnel.

Adjournment

The Regular Meeting ended at 9:10 PM.

ATTEST:

Clerk of Council

Mayor's Approval

Date Approved _____