

MINUTES  
REGULAR MEETING OF COUNCIL  
DECEMBER 5, 2011

Call to Order

Mayor Ronald A. D'Epifanio called the Regular Meeting to order at 7:05 PM at the Fairfield Municipal Building, 5350 Pleasant Avenue.

Prayer/Pledge of Allegiance

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

Roll Call

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

Agenda Modifications

Executive Session Requests

Councilmember Oler, seconded by Councilmember Rhodus moved to approve an Executive Session to discuss pending and imminent litigation following the reconvening of the Council-Manager Briefing. 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

- Joe Statzer, Butler County Auditor's Office

Mr. Statzer announced that dog tags are on sale through January 31st at \$14 per tag. He also announced Butler County residents will receive in the mail an update on their property value from the triennial update that has been completed by the Auditor's Office. He stated it is about a 5 to 8 percent decline in valuations throughout the county. He further stated a lot of Counties in Ohio are experiencing a larger decline.

There were no other citizen comments.

Mayor/Council Reports

Councilmember Senger thanked everyone for their help with the Christmas Tree Lighting event at Village Green.

Councilmember Rhodus announced a new Mexican restaurant is opening next to Symmes Tavern later this week.

Councilmember Abbott thanked staff for the great job they are doing on the Operating Budget and offered a special thanks Finance Director Mary Hopton for her efforts.

Councilmember Oler asked that the preemptive devices on Nilles Road be evaluated for staying on after the emergency vehicle has cleared the intersection. Mr. Butsch stated they are tested on a regular basis. He discussed how the preemptive device works if it doesn't detect that a siren has gone through the intersection. Mr. Butsch will check with Wagner Smith regarding the device and staff will discuss this with Councilmember Oler. Councilmember Oler discussed having a brief explanation of the water and sewer rate study available to the public. Mr. Pizzano stated a follow-up could be done in the next newsletter. He further stated there was a piece

in the previous newsletter, so the community has received some explanation. Councilmember Abbott commented it is also going three readings. Councilmember Meyers stated it is going through three readings, it has been discussed in the budget process, a consultant has come in to give a presentation and the minutes are on the web, the newsletter is on the web and the newspaper picked it up too.

Councilmember Meyers thanked Public Utilities Director Dave Crouch for keeping the water where it is at.

Mayor D'Epifanio discussed the light-up Fairfield event and thanked Parks and Recreation and others involved. Mayor D'Epifanio commented on his involvement in officiating at a wedding for employee Rick Helsing's re-proposed to his wife for their 35th Anniversary at the Southwest Building Officials Association Meeting.

#### Approval of Minutes

- Regular Meeting Minutes of November 28, 2011

The Regular Meeting Minutes of November 28, 2011 were approved as written.

### **OLD BUSINESS**

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

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

Ordinance to amend Subsection 953.01(a) of Ordinance No. 166-84, The Codified Ordinance of Fairfield, Ohio relative to the service fees for residential garbage and solid waste collection and recycling.

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

Ordinance to amend Section 921.08 and Subsection 925.08 (b)(1) of Ordinance No. 166-84, The Codified Ordinance of Fairfield, Ohio relative to water and sewer rates.

Councilmember Abbott 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 in the name of Carniceria La Preferida LLC, 5951 Boymel Drive Unit 1, 1st Floor, Fairfield, OH 45014 (Permit Classes: C1 and C2).

Councilmember Oler, seconded by Councilmember Abbott moved to request that no hearing be held in the name of Carniceria La Preferida LLC, 5951 Boymel Drive Unit 1, 1st Floor, Fairfield, OH 45014 (Permit Classes: C1 and C2). Motion Carried 6-0. SIMPLE MOTION 20-11 APPROVED 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 two (2) pieces of Legislation by title only. Motion Carried 6-0.

Resolution opposing any action by the Ohio Governor or General Assembly to centralize collection and/or administration of local income taxes and declaring an emergency.

Background: City Manager Pizzano recommended a Resolution opposing the action by the Ohio Governor or General Assembly with regard to the centralization of collection and/or administration of local income tax. He stated currently there is some study work in progress, there is no bill for it in the Legislature as of yet. He commented the Southwest Ohio Tax Administrators Association met this afternoon at the Community Arts Center for their quarterly meeting with some members of the Legislator present. He further discussed the City's position for this opposition. Legislative Action: Councilmember Abbott presented the first reading of this

Resolution. Councilmember Abbott, seconded by Councilmember Oler moved to suspend the rules requiring three (3) readings of this Resolution. Motion Carried 6-0. Councilmember Abbott, seconded by Councilmember Meyers moved to adopt. Motion Carried 6-0. RESOLUTION NO. 15-11 ADOPTED 6-0.

Ordinance Appropriation Ordinance (Reconcile Accounts - See Ordinance for details)

Background: City Manager Pizzano recommended an appropriation Ordinance for the year end reconciliation. 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 of this Ordinance. Motion Carried 6-0. Councilmember Abbott, seconded by Councilmember Oler moved to adopt. Motion Carried 6-0. ORDINANCE NO. 123-11 ADOPTED 6-0.

Meeting Schedule

Clerk Jolivette read the following Meeting Schedule:

Monday, December 12	Regular Meeting and Public Hearing (Budget Hearing), 7:00 p.m.
Tuesday, December 13	Special Meeting, 7:00 p.m.
Friday, December 30	Oath of Office, 7:00 p.m.

Executive Session of Council (if needed)

Council recessed to reconvene the Council- Manager Briefing followed by the Executive Session at 7:27 PM.

Adjournment

The Regular Meeting of Council adjourned at 8:40 PM.

ATTEST:

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

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

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