

## MINUTES

### REGULAR MEETING OF COUNCIL

JANUARY 24, 2011

#### Call to Order

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

#### Prayer/Pledge of Allegiance

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

#### Roll Call

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

#### Executive Session Requests

Councilmember Judd, seconded by Councilmember Abbott moved to approve two Executive Sessions. The first is to discuss collective bargaining and employment of personnel and will be held after item number 7 on the agenda, the special presentation and citizen comments, conclude. The second will be held at the end of the meeting to discuss security procedures. Clerk Johns called the roll of Council. Motion Carried 7-0.

#### Public Hearing(s)

#### Special Presentations and Citizen Comments

- Proclamation Presentation - Chief Warrant Officer 3 Sherman Allen Hartley (Retired)

Development Services Director Tim Bachman commented on the waiver of the building permit for the ramp that was built for Mr. Hartley. Mayor D'Epifanio read a proclamation for Chief Warrant Officer 3 Sherman Allen Hartley (retired) for his 21 years of military service. Mr. Hartley thanked everyone for the recognition. Further he thanked his neighbors on Celadon for their assistance, and Council for providing the permit for the ramp. He also thanked the Fairfield Fire Department for setting up the fire truck with the flag when he arrived home in 2008.

#### Executive Session

Council recessed to Executive Session at 7:20 PM to discuss collective bargaining and employment of personnel. The Executive Session ended and the Regular Meeting of Council reconvened at 7:40 PM

#### Mayor/Council Reports

Councilmember Meyers reported on recent surprise EPA inspections at the Wastewater Treatment Plant that came out acceptable with passing grades.

Councilmember Senger reported at the end of 2010, during the year at Fairfield Greens there were a total of more than 58,000 rounds of golf played.

Councilmember Rhodus reported the end of the year numbers for building permit valuations are in and are going in a positive direction. There were approximately 26 million dollars worth of building activity in 2010 compared to the 19 million in 2009.

Councilmember Snyder reported the Fairfield Echo is running articles on local businesses specifically cafes and restaurants in the community.

Mayor D'Epifanio reported the Butler County Emergency Management Agency and Butler County Sheriff's Office announced a new emergency information system hotline for all Butler County residents. The information hotline will be available for notifications of

snow emergencies, emergency incidents, severe weather alerts, or any type of incident within Butler County. The number is 785-5800 and information will be updated as needed.

Mayor D'Epifanio further announced the Crystal Classic show choirs competition will be held on the first Saturday in March at around 7:00 PM.

#### Agenda Modifications

Councilmember Abbott, seconded by Councilmember Meyers moved to amend the agenda to add one Ordinance under the Finance and Budget Committee. City Manager explained that will be number four on the agenda and number four will be number five. Motion Carried 7-0.

#### Approval of Minutes

- Regular Meeting Minutes of January 10, 2011

The Regular Meeting Minutes of January 10, 2011 were approved as written.

### **OLD BUSINESS**

#### **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 Rock River Construction, LTD. for Route 4 and Stadium Drive, Phase 1 and Route 4 and Magie Avenue, Phase 1 A water line replacement.

Councilmember Meyers presented the second reading of this ordinance. Councilmember Meyers, seconded by Councilmember Oler moved to suspend the third reading of this ordinance. Motion Carried 7-0. Councilmember Meyers, seconded by Councilmember Abbott moved to adopt. Motion Carried 7-0. ORDINANCE 3-11 ADOPTED 7-0.

### **NEW BUSINESS**

#### **PUBLIC WORKS COMMITTEE**

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

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

Resolution declaring necessity of repairing sidewalks (including aprons).

Background: City Manager Pizzano recommended a resolution for a declaration of necessity relative to sidewalk repair. He commented this is the 17th year that we have initiated this program in the City and this year there are 633 property locations that are involved in this phase of the program. Legislative Action: Councilmember Judd presented the first reading of this Resolution. Resolution approved for first reading only.

Ordinance to appropriate to public use certain interests in real property identified in plans prepared by CDS Associates, Inc. and Burgess & Niple and entitled "Exit 39/Winton/S. Gilmore Road Improvements Project" and declaring an emergency.

Background: City Manager Pizzano recommended an ordinance to appropriate real property for the Exit 39/Winton/S. Gilmore Road Improvement Project. He explained this is the step required to commence the acquisition process, which is part of the right-of-way that will be required for the bridge widening project. Mr. Pizzano stated there are 28 parcels owned by 10 different property owners. 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 this ordinance. Motion Carried 7-0. Councilmember Judd, seconded by Councilmember Snyder moved to adopt. Motion Carried 7-0. ORDINANCE 4-11 ADOPTED 7-0.

#### **COMMUNITY & PUBLIC RELATIONS COMMITTEE**

**Mike Snyder, Chairman; Tim Abbott, Vice Chairman, Terry Senger, Member**

Simple Motion: Motion appointing Mayor Ronald A. D'Epifanio to the Butler County Emergency Agency Advisory Council for 2011.

Councilmember Snyder, seconded by Councilmember Judd moved to appoint Mayor Ronald A. D'Epifanio to the Butler County Emergency Agency Advisory Council for 2011. Motion Carried 7-0. SIMPLE MOTION 1-11 APPROVED 7-0.

#### **PARKS & RECREATION COMMITTEE**

**Terry Senger, Chairman; Tim Meyers, Vice Chairman, Marty Judd, Member**

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

Resolution to authorize the City Manager to enter into a maintenance agreement with MetroParks of Butler County for the maintenance of the Miami-Erie Canal Bike Path and the Great Miami River Bike Path.

Background: City Manager Pizzano recommended a maintenance agreement with MetroParks of Butler County for the Miami-Erie Canal Bike Path and the Great Miami River Bike Path. He explained when the vote was taken in November on Metroparks' levy, they indicated they would be attempting to get into cooperative ventures with various jurisdictions in the county. He further explained MetroParks contacted our Parks Department and offered now that they have some additional resources to assist in the routine mowing in conjunction with any bike paths we might have that run through multiple jurisdictions. He explained the Great Miami Bike Path runs between Fairfield and Hamilton and the Miami-Erie Bike Path runs between Fairfield and West Chester. He explained Metroparks has been provided with a set of bid specifications designed to make sure that the quality, frequency of mowing, and the level of detail will be equivalent to what people have experienced on the bike path. Legislative Action: Councilmember Senger presented the first reading of this Resolution. Resolution approved for first reading only.

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

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

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

Ordinance to amend Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, by adding a new Section 145.07 regarding the reinstatement process for the position of Fire Chief pursuant to Section 8.04(E) of the Charter of the City of Fairfield.

Background: City Manager Pizzano recommended a new section 145.07 to the City Ordinances regarding the reinstatement process for the position of Fire Chief pursuant to the City Charter. Mr. Pizzano stated he attended the Civil Service Meeting on January 13 and presented the position and they unanimously recommended the ordinance to City Council. He explained this was for a couple of reasons one of which is the important aspect from an operational perspective of ensuring that the transition to the blended firefighting operation that we have been working on for about a decade is successfully completed as our firefighting operation continues to mature. He further explained the other component was the issue of cost containment with regard to the fire levy and the anticipated fund balance with this move would likely allow us to maintain the current level of the fire levy and thus save the city and the residents who pay through their property tax bill on the fire levy, any increases into the foreseeable future. Legislative Action: Councilmember Abbott presented the first reading of this ordinance. Ordinance approved for first reading only.

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

Background: City Manager Pizzano recommended the following Ordinance to reconcile accounts. Legislative Action: Councilmember Abbott presented the first reading of this Ordinance entitled "Ordinance to amend Ordinance No. 149-09 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, 2010, and ending December 31, 2010.". Councilmember Abbott, seconded by Councilmember Snyder moved to suspend the rules requiring three (3) readings of this Ordinance. Motion Carried 7-0. Councilmember Abbott, seconded by Councilmember Senger moved to adopt. Motion Carried 7-0. ORDINANCE 5-11 ADOPTED 7-0.

Appropriation Ordinance (Non-Contractual Items) - \$ 15,000 Right-of-way acquisition appraisals for Resor Road Improvement Project; \$62,000 2011 Grounds, Entry-ways & Landscaping Program; \$95,000 2011 Annual Drainage Program; and \$120,000 traffic signal maintenance services (under contract).

Background: City Manager Pizzano recommended the following non-contractual items: \$15,000 right-of-way acquisition appraisals for Resor Road Improvement Project, \$62,000 2011 Grounds, Entry-ways & Landscaping Program; \$95,000 2011 Annual Drainage

Program; and \$120,000 traffic signal maintenance services. Legislative Action: Councilmember Abbott presented the first reading of this 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 this ordinance. Motion Carried 7-0. Councilmember Abbott, seconded by Councilmember Senger moved to adopt. Motion Carried 7-0. ORDINANCE 6-11 ADOPTED 7-0.

Ordinance to authorize the City Manager to enter into a collective bargaining agreement with IUOE Local 20 for wages, hours and terms and conditions of employment for members of its bargaining unit and declaring an emergency.

Background: City Manager Pizzano explained this is the item that was added coming out of executive session. He recommended authorization to enter into a new agreement with IOUE Local 20 that has been reached successfully in terms of bargaining. He stated the union did vote this morning. Legislative Action: Councilmember Abbott presented the first reading of this ordinance. Councilmember Abbott, seconded by Councilmember Rhodus 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. 7-11 ADOPTED 7-0. Councilmember Abbott recused himself from the meeting at 8:00 p.m.

Appropriation Ordinance (Non-Contractual Items) - \$ 20,000 Street Lighting Installation Program

Background: City Manager Pizzano stated Mr. Abbott will recuse himself from the vote. City Manager Pizzano recommended the following non-contractual item: \$20,000 for street lighting installation. He explained street lighting has typically come out of the general fund and the general fund is the one we keep an eye on to maintain our fund balance for our debt rating, so this year this money is being put into the capital improvement fund and being taken out of the general fund. Legislative Action: Councilmember Senger presented the first reading of this 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 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. Motion Carried 6-0. ORDINANCE NO. 8-11 ADOPTED 7-0.

Meeting Schedule

Clerk Johns read the following meeting notices:

- Monday, February 14 Council-Manager Briefing, 6 p.m.; Regular Meeting, 7 p.m.
- Monday, February 28 Council-Manager Briefing, 6 p.m.; Regular Meeting, 7 p.m.
- Monday, March 14 Council-Manager Briefing, 6 p.m.; Regular Meeting, 7 p.m.

Councilmember Abbott returned to the Regular Meeting at 8:02 p.m.

Executive Session of Council (if needed)

Council recessed to Executive Session at 8:03 PM for security procedures.

Adjournment

The Regular Meeting adjourned at 8:35 p.m.

ATTEST:

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Clerk of Council

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Mayor's Approval

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