

MINUTES
REGULAR MEETING OF COUNCIL
MARCH 22, 2010

Call to Order

Cincinnati Christian Schools Tradetown Mayor Micah Smearsoll called the Regular Meeting to order at 7:00 PM at the Fairfield Municipal Building, 5350 Pleasant Avenue.

Prayer/Pledge of Allegiance

Cincinnati Christian Schools Tradetown students led in prayer followed by the Pledge of Allegiance.

Roll Call

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

Agenda Modifications

No modifications were made to the agenda.

Executive Session Requests

No requests for Executive Session were made.

Public Hearing(s)

No public hearings were scheduled.

Special Presentations and Citizen Comments

- Principal Donna Hempelmann and Students of "Tradetown" (Cincinnati Christian Schools)

Cincinnati Christian Schools Principal Donna Hempelmann explained that Tradetown is a student enterprise program done in conjunction with the University of Cincinnati to teach economics and financial literacy to students. She briefly explained how Tradetown functions. Mayor D'Epifanio introduced the students in attendance including Mayor Micah Smearsoll, Vice Mayor Alex Dunman, Chief of Police Schuyler Snell, Treasurer Moriah Arn, Police Officer Megan Knepp and Police Officer Samuel Curtis.

Mayor/Council Reports

Mayor D'Epifanio announced the safe return of Police Officer Rob Corner and Probation Office Scott Zeller from Iraq. He also announced he will be participating on the Mayor's Meals on Wheels on Wednesday.

Councilmember Snyder congratulated Doctor Greg Hall, Assistant Medical Director at Mercy Fairfield Emergency Department who was recently honored as the 2009 Physician Employee of the Year. He briefly explained the award and stated the Emergency Department treated over 60,000 patients in 2009.

Councilmember Judd commented information regarding cost, salt and calcium used during snow removal will be available some time in April.

Councilmember Rhodus commented on the upcoming retirement of Zoning Inspector Janette Matala on March 31, 2010. Councilmember Rhodus wished her well in her retirement. He encouraged everyone to attend the Home Expo on Saturday, April 10th

at the Fairfield Community Arts Center. Councilmember Rhodus commented that he would have liked the 6:00 PM meeting to have been held in the Council Chambers to allow the public to view the meeting.

Councilmember Senger commented on the agreement the Water Division has entered into with Duke Energy for the Power Share Program, in which the Water Treatment Plant will switch from grid power to emergency power up to five times per year. He further explained this will allow the grid to supply the surrounding area in case of an emergency and the City will received \$4,000 per year whether we are required to utilize that or not. He introduced the new Public Utilities Superintendent for Water, Andreas Eddy.

Councilmember Abbott stated we are still tracking within about 4% of our projections financially for the year and the City is still in excellent financial shape. He commented on the CIP Review held earlier this evening, noting two of the larger projects being the Exit 39 interchange and By Pass 4.

Councilmember Oler welcomed home Officer Rob Corner and Scott Zeller from Iraq and thanked them for their service. He commented he believes that at least some of the Council - Manager Briefings should be televised.

Approval of Minutes

- Regular Meeting of March 8, 2010.

The minutes of the Regular Meeting of March 8, 2010 were approved as written.

OLD BUSINESS

DEVELOPMENT SERVICES COMMITTEE

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

Ordinance authorizing the City Manager to sign an option and lease agreement with Clear Wireless LLC for antennas on the Winton Road water tower and the Mack Road water tower.

Tradetown Vice Mayor Alex Dunman presented the second reading of this ordinance. Ordinance approved for second reading only.

NEW BUSINESS

COMMUNITY & PUBLIC RELATIONS COMMITTEE

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

Simple Motion: Motion appointing the following Fairfield residents to serve on Fairfield's boards and commissions effective April 1, 2010: Larry Williams - Board of Building Appeals (Term expiring 3/31/2014) Laine Snyder - Cultural Arts Advisory Commission (Term expiring 3/31/2013) David Sheldrick - Cultural Arts Advisory Commission (Term expiring 3/31/2013) Michael Lane - Environmental Commission (Term expiring 3/31/2013) John Backscheider - Environmental Commission (Term expiring 3/31/2013) Boyd Miller - Environmental Commission (Term expiring 3/31/2013) Greg LoBuono - Environmental Commission (Term expiring 3/31/2011)

Councilmember Snyder, seconded by Councilmember Meyers moved to Approve moved to appoint the following Fairfield residents to serve on Fairfield's boards and commissions effective April 1, 2010: Larry Williams - Board of Building Appeals (Term expiring 3/31/2014); Laine Snyder - Cultural Arts Advisory Commission (Term expiring 3/31/2013); David Sheldrick - Cultural Arts Advisory Commission (Term expiring 3/31/2013); Michael Lane - Environmental Commission (Term expiring 3/31/2013); John Backscheider - Environmental Commission (Term expiring 3/31/2013); Boyd Miller - Environmental Commission (Term expiring 3/31/2013); Greg LoBuono - Environmental Commission (Term expiring 3/31/2011). Motion Carried 7-0. Motion Carried 7-0. **SIMPLE MOTION 4-10 APPROVED 7-0.**

PUBLIC WORKS COMMITTEE

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

Councilmember Judd, seconded by Councilmember Abbott moved to Read the following two (2) ordinances by title only. Motion Carried 7-0.

Ordinance to authorize the City Manager to execute the necessary agreements for the acquisition of the seven (7) right-of-way parcels needed for the By Pass Route 4 Project and declaring an emergency.

Background: City Manager Pizzano recommended an execution of a series of agreements relative to the acquisition of seven right-of-way parcels for the By Pass 4 Project. He stated costs have come in within the amount of the original appropriation that were anticipated and there will be minimal impact on the adjacent property owners and these were all voluntary settlements. Legislative Action: Councilmember Judd presented the first reading of this ordinance. Councilmember Judd, seconded by Councilmember Senger moved to Suspend the rules requiring three readings of this ordinance. Motion Carried 7-0. Councilmember Judd, seconded by Councilmember Snyder moved to Adopt. Motion Carried 7-0. ORDINANCE NO. 25-10 APPROVED 7-0.

Ordinance to authorize the City Manager to enter into a construction agreement with CSX Transportation, Inc. (CSXT) for construction of a new separate bridge over the CSXT railroad tracks as part of the By-Pass 4 widening project and declaring an emergency.

Background: City Manager Pizzano recommended a construction agreement with the CSX Transportation for construction of a new bridge over the railroad tracks as part of the By Pass 4 Widening Project. He explained we are required under the rules of the railroad to set up a force account that is just under \$380,000 and will provide for services provided by the railroad and for overall oversight of the project. Legislative Action: Councilmember Judd presented the first reading of this ordinance. Councilmember Judd, seconded by Councilmember Abbott moved to Suspend the rules requiring three readings of this ordinance. Motion Carried 7-0. Councilmember Judd, seconded by Councilmember Oler moved to Adopt. Motion Carried 7-0. Public Works Director Dave Butsch clarified that this will be a separate structure with a divided section between the two structures. ORDINANCE NO. 26-10 APPROVED 7-0.

FINANCE & BUDGET COMMITTEE

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

Councilmember Abbott, seconded by Councilmember Senger moved to Read the following three (3) ordinances by title only. Motion Carried 7-0.

Ordinance to amend section 921.07 (a) of Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio relative to water service deposits.

Background: City Manager Pizzano recommended an amendment to 921.07 (a) of Ordinance No. 166-84. He explained this deals with the revenue losses in our water fund from some tenants moving out and not finalizing their bill payments. He stated the solution that was come up with is to increase the renter's deposit from \$75 to \$125. Legislative Action: Councilmember Abbott presented the first reading of this ordinance. Councilmember Abbott, seconded by Councilmember Senger moved to Suspend the rules requiring three readings of this ordinance. Motion Carried 7-0. Councilmember Abbott, seconded by Councilmember Meyers moved to Adopt. Motion Carried 7-0. Councilmember Rhodus commented this is a classic case of having an old ordinance on the books and a lot of landlords came forward to express their dissatisfaction with it. He commended staff for their efforts. Councilmember Abbott stated that the City of Middletown is raising their deposit to \$200. Mayor D'Epifanio explained a lot of landlords are having tenants move out and they haven't paid their water bill for a couple months and the landlord is held responsible. He further explained this will give them some relief. ORDINANCE 27-10 APPROVED 7-0.

Appropriation Ordinance (Non-contractual Items) - \$32,227 for additional Police and Fire Department radio equipment.

Background: City Manager Pizzano recommended the following non-contractual item: \$32,227 for additional Police and Fire Department radio equipment. Legislative Action: Councilmember Abbott presented the first reading of this ordinance. Councilmember Abbott, seconded by Councilmember Senger moved to Suspend the rules requiring three readings of the ordinance. Motion Carried 7-0. Councilmember Abbott, seconded by Councilmember Oler moved to Adopt. Motion Carried 7-0. ORDINANCE NO. 28-10 APPROVED 7-0.

Appropriation Ordinance (Contractual Items) - \$379,259 for CSXT Force Account Work - By-Pass 4 Widening Project.

Background: City Manager Pizzano recommended the following contractual item: \$379,259 for CSXT Force Account Work for the By-Pass 4 Widening Project. Legislative Action: Councilmember Abbott presented the first reading of this ordinance. Councilmember Abbott, seconded by Councilmember Judd moved to Suspend the rules requiring three readings of the ordinance.

Motion Carried 7-0. Councilmember Abbott, seconded by Councilmember Judd moved to Adopt. Motion Carried 7-0. ORDINANCE NO. 29-10 APPROVED 7-0.

Meeting Schedule

Clerk Johns read the following meeting schedule:

- Monday, April 12 Council-Manager Briefing, 6 p.m.; Regular Meeting, 7 p.m.
- Monday, April 26 Council-Manager Briefing, 6 p.m.; Regular Meeting, 7 p.m.
- Monday, May 10 Council-Manager Briefing, 6 p.m.; Regular Meeting, 7 p.m.

Executive Session of Council (if needed)

Adjournment

Councilmember Rhodus, seconded by Councilmember Snyder moved to Adjourn the Regular Meeting. Motion Carried 7-0.

The Regular Meeting adjourned at 7:34 PM.

ATTEST:

Clerk of Council

Mayor's Approval

Date Approved _____