

MINUTES
REGULAR MEETING OF COUNCIL
MARCH 28, 2011

Call to Order

Mayor Ronald A. D'Epifanio called the Regular Meeting to order at 7:00 PM at the Fairfield Municipal Building, 5350 Pleasant Avenue, Fairfield, OH 45014.

Prayer/Pledge of Allegiance

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

Roll Call

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

Agenda Modifications

Acting City Manager Dennis Stuckey recommended two additions for the Agenda, one relative to a contract with International Association of Fire Fighters Local 4010 and an additional item relative to our Local 20 operating engineers group at the Wastewater plant, both would be under the Finance Committee.

Councilmember Abbott, seconded by Councilmember Oler moved to amend the Agenda to add those two items. Motion Carried 7-0.

Executive Session Requests

Law Director John Clemmons discussed the need for an executive session for pending litigation. Clerk Johns took a roll call vote, which passed 7-0.

Public Hearing(s)

No Public Hearings were scheduled.

Special Presentations and Citizen Comments

- Police Commendation for Officer Becky Ervin

Police Chief Michael Dickey and Councilman Michael Oler presented a Police Commendation to Detective Becky Ervin for her work as the lead detective on a recently concluded homicide investigation. Councilmember Oler congratulated Detective Ervin on bringing this case to completion.

Mayor D'Epifanio asked for citizen comments. No one from the audience came forward.

Mayor/Council Reports

Councilmember Meyers discussed the Route 4 waterline improvement project is ahead of schedule and on budget and will conclude shortly. He recognized the Wastewater Treatment group for a best practice that is nationally recognized and was published in a trade journal. Councilmember Meyers briefly described the process which is a productivity savings that is helping the overall optimization of the department.

Councilmember Oler discussed the number of police deaths in this country for 2011 that have risen significantly.

Councilmember Abbott commented we continue to track legislation coming from Columbus that could impact us financially.

Councilmember Rhodus announced Fairfield Choralier Show Choir is having a Cabaret night at the Oscar Center on Tuesday, April 19. He stated to order tickets call 829-6886 or visit fairfieldchoirs.com. He announced Gordos, a gourmet burger place is moving to Jungles Jim's shopping center and J. Gumbos, a cajun food restaurant will be in the Boymel shopping center.

Councilmember Judd reminded residents that on April 4th the limb and brush pickup will begin, call 867-4200 to schedule a pick-up or to schedule a dump truck. He explained if the City is awarded the Clean Ohio Grant, it will be combined with the FEMA grant that was approved last year to help the flooding issues in the City.

Councilmember Snyder recognized the three show choirs for their winning performances in a competition in La Crosse, Wisconsin.

Mayor D'Epifanio explained financing for the choraliers comes from fundraising, not from the schools. He announced the Home Improvement Expo will be held this Saturday at the community Arts Center from 9 AM to 3 PM. He commented he is planning to visit the students at the schools that have sent letters to him. He commented the Chamber of Commerce Dinner and the Cincinnati Symphony performance were held Thursday. He wished his daughter Lynne a Happy Birthday.

Approval of Minutes

- Regular Meeting Minutes of March 14, 2011

The Regular Meeting Minutes of March 14, 2011 were approved as written.

OLD BUSINESS

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,

2011: Debbie Pennington - Board of Zoning Appeals (Term expiring 3/31/2016)

Jack Wesseler - Board of Zoning Appeals (Unfulfilled term expiring 3/31/2015)

Brian Wood - Civil Service Commission (Term expiring 3/31/2014)

Michelle Parsley - Fair Housing Board (Term expiring 3/31/2014)

Mike Stokes - Fair Housing Board (Term expiring 3/31/2014)

Doug Meece - Parks & Recreation Board (Term expiring 3/31/2014)

Bill Woeste - Planning Commission (Term expiring 3/31/2015)

Tom Hasselbeck - Planning Commission (Term expiring 3/31/2015)

Steward Leonard - Traffic Advisory Committee

Kert Radel - Design Review Board, Northeast Quadrant (Term Expiring 3/31/2013)

Kathy Carpe - Design Review Board, Southeast Quadrant (Term Expiring 3/31/2013)

Councilmember Snyder thanked all those who participated in this round of interviews and congratulated those who have been appointed for the volunteer Board and Commission positions. Councilmember Snyder, seconded by Councilmember Abbott moved to appoint the following Fairfield residents to serve on Fairfield's Boards and Commissions effective April 1, 2011: Debbie Pennington - Board of Zoning Appeals (Term expiring 3/31/2016)

Jack Wesseler - Board of Zoning Appeals (Unfulfilled term expiring 3/31/2015)

Brian Wood - Civil Service Commission (Term expiring 3/31/2014)

Michelle Parsley - Fair Housing Board (Term expiring 3/31/2014)

Mike Stokes - Fair Housing Board (Term expiring 3/31/2014)

Doug Meece - Parks & Recreation Board (Term expiring 3/31/2014)

Bill Woeste - Planning Commission (Term expiring 3/31/2015)

Tom Hasselbeck - Planning Commission (Term expiring 3/31/2015)

Steward Leonard - Traffic Advisory Committee

Kert Radel - Design Review Board, Southeast Quadrant (Term Expiring 3/31/2013)

Kathy Carpe - Design Review Board, Northeast Quadrant (Term Expiring 3/31/2013) Motion Carried 7-0. SIMPLE MOTION NO. 5-11 APPROVED 7-0.

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, seconded by Councilmember Snyder moved to read the following Ordinance by title only. Motion Carried 7-0. Background: Acting City Manager Dennis Stuckey recommended approval of the contract for the 2011 Guardrail Improvement Program. Legislative Action: Councilmember Judd presented the first reading of this Ordinance.

PUBLIC SAFETY COMMITTEE

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

Ordinance to authorize the City Manager to enter into contract with Motorola, Inc. for radios and equipment for the Public Works and Public Utilities Departments to operate on the countywide radio system and declaring an emergency.

Councilmember Oler, seconded by Councilmember Abbott moved to read the following Ordinance by title only. Motion Carried 7-0. Background: Acting City Manager Stuckey recommended a contract with Motorola, Inc. for new radio equipment for Public Works and Public Utilities Departments. He explained this would involve purchasing 46 radios at a total cost of \$98,985. Legislative Action: Councilmember Oler presented the first reading of this Ordinance. Councilmember Oler, seconded by Councilmember Abbott moved to suspend the rules requiring three (3) readings of the Ordinance. Motion Carried 7-0. Councilmember Oler, seconded by Councilmember Meyers moved to adopt. Motion Carried 7-0. ORDINANCE NO. 26-11 ADOPTED 7-0.

FINANCE & BUDGET COMMITTEE

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

Councilmember Abbott, seconded by Councilmember Meyers 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 contract with Fraternal Order of Police Lodge No. 166 for wages, hours and terms and conditions of employment for the police officer bargaining unit and declaring an emergency.

Background: Acting City Manager Stuckey explained negotiations with the all the bargaining units began the first of the year due to the fact that all of the collective bargaining agreements are expiring either at the end of March or there is one that expired at the end of February. He reported that they have reached an agreement with all those bargaining units. He recommended the two contracts covering the two bargaining units of the Fraternal Order of Police. He explained the agreement with those two bargaining units is for a three year contract with no wage increase for the first and second year of the contract and no change in the health and benefits or cost sharing provision during those first two years. He further explained the wages, health and dental benefits plans, provisions and cost sharing would be open for re-negotiation in the third year. 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 the Ordinance. Motion Carried 7-0. Councilmember Abbott, seconded by Councilmember Meyers moved to adopt. Motion Carried 7-0. ORDINANCE NO. 27-11 ADOPTED AS AN EMERGENCY 7-0.

Ordinance to authorize the City Manager to enter into a contract with Fraternal Order of Police Lodge No. 166 for wages, hours and terms and conditions of employment for the sergeants and lieutenants bargaining unit and declaring an emergency.

Background: Acting City Manager Stuckey recommended a contract with the Fraternal Order of Police Lodge No. 166 for the sergeants and lieutenants bargaining unit. 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 Meyers moved to adopt. Motion Carried 7-0. ORDINANCE NO. 28-11 ADOPTED AS AN EMERGENCY 7-0.

Ordinance to authorize the City Manager to enter into a contract with the International Association of Firefighters (IAFF), Local 4010 for wages, hours and terms and conditions of employment for the Fire Department Bargaining Unit and declaring an emergency.

Background: Acting City Manager Dennis Stuckey explained they have reached a similar agreement with the Firefighters Local 4010 and they have voted on the same basic package proposal and have agreed to the same three year package with no changes in the first

two years and a wage and health and benefits re-opener in the third year. 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 the Ordinance. Motion Carried 7-0. Councilmember Abbott, seconded by Councilmember Meyers moved to adopt. Motion Carried 7-0. ORDINANCE NO. 30-11 ADOPTED AS AN EMERGENCY 7-0.

Ordinance to authorize the City Manager to enter into an amended 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: Acting City Manager Stuckey explained earlier in the year the agreement with the operating engineers group at Wastewater and Construction Services Division had a provision that if a different settlement was reached with any of our other bargaining unit they would have the option to opt for that other provision. Mr. Stuckey explained they have requested the same provision as the Police and Firefighters, so that they will have a three year contract with a re-opener for wages and health insurance in the third year. Mayor D'Epifanio thanked those involved in negotiations and thanked the union members for stepping to the plate and partnering with us. Legislative Action: Councilmember Abbott presented the first reading of this Ordinance. 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 NO. 31-11 ADOPTED AS AN EMERGENCY 7-0.

Appropriation Ordinance (Contractual Items) - \$30,000 for 2011 Guardrail Improvement Program; and \$98,985 Radios and Equipment for County Radio System for Public Works/Public Utilities

Background: Acting City Manager Stuckey recommended the following appropriation for the 2011 Guardrail Improvement Program and the radios and equipment for County Radio System for Public Works and Public Utilities. Legislative Action: Councilmember Abbott presented the first reading of the "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 the Ordinance. Motion Carried 7-0. Councilmember Abbott, seconded by Councilmember Senger moved to adopt. Motion Carried 7-0. ORDINANCE NO. 29-11 ADOPTED 7-0.

Meeting Schedule

Clerk Johns read the following meeting notices:

Monday, April 11 Council-Manager Briefing, 5:30 p.m. (CIP Review); Regular Meeting, 7 p.m.

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

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

Clerk Johns clarified that just the Council-Manager Briefing will be held at Public Works Facility on April 25th.

Executive Session of Council (if needed)

Council recessed to Executive Session at 7:32 PM.

Adjournment

The Regular Meeting adjourned at 8:05 PM.

ATTEST:

Clerk of Council

Mayor's Approval

Date Approved _____