

MINUTES

REGULAR MEETING OF COUNCIL

NOVEMBER 8, 2010

Call to Order

Mayor 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 Senger led in prayer followed by Pledge of Allegiance.

Roll Call

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

Agenda Modifications

No modifications were made to the agenda.

Executive Session Requests

Councilmember Judd, seconded by Councilmember Snyder moved to request an Executive Session to discuss purchase of real estate and pending and imminent litigation. Clerk Johns called the roll of Council. Motion Carried 6-0.

Public Hearing(s)

Mayor/Council Reports

Councilmember Meyers stated the Public Safety Tribute Dedication Ceremony is Monday, November 22nd at 4:30 PM at the site on the corner of Nilles and Sandy. He announced the Fairfield Footlighters fall production of the Man Who Came to Dinner opens Friday, November 12 and runs for the next two weekends.

Councilmember Abbott thanked Art and staff for their efforts in putting together the 2011 budget material. Councilmember Abbott stated we continue to track close to our projections for this year's budget, we are slightly below projections, but things are looking fairly stable.

Councilmember Rhodus commented Takumi Stamping has been discussing an additional building and other needs. Councilmember Rhodus commented the Patterson Redevelopment Project re-applied for the statewide competitive tax credits for development of the senior housing and the reapplication seems to be doing fine.

Mayor D'Epifanio commented on brick sales for the dedication of the Public Safety project. Mayor D'Epifanio thanked everyone who has served in the military. Mayor D'Epifanio also recognized and thanked Colonel Senger for 35 years of military service.

Approval of Minutes

- Regular Meeting of October 25, 2010

The minutes of the Regular Meeting of October 25, 2010 were approved as written.

OLD BUSINESS

DEVELOPMENT SERVICES COMMITTEE

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

Ordinance to amend various sections of the Zoning Code of Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio.

Councilmember Rhodus, seconded by Councilmember Abbott moved to Amend the Ordinance in accordance with Planning Commission's recommendations. Motion Carried 6-0. Councilmember Rhodus presented the third reading of this Ordinance. Councilmember Rhodus, seconded by Councilmember Abbott moved to Adopt. Motion Carried 6-0. ORDINANCE NO. 98-10 ADOPTED 6-0.

PUBLIC UTILITIES COMMITTEE

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

An Ordinance to authorize the City Manager to enter into a contract with GRW Engineers, Inc. to conduct a study of existing water and sewer rates.

Councilmember Senger presented the third reading of this ordinance. Councilmember Judd explained one of the things that the City has always got right is the water and sewer rates. He stated every year the Engelwood study puts us as if not the lowest one of the lowest in this entire region. He further explained he cannot support this piece of legislation. He discussed he does not see that we need to spend \$26,000 on a study if we are already at the lowest in the region. City Manager Pizzano explained the study is designed every four years to take a comprehensive look at our cash flow projections and couple that against our needs for infrastructure in an effort to keep the rates gradually being adjusted rather than having large jumps in adjustments. Councilmember Senger, seconded by Councilmember Snyder moved to Adopt. Motion Carried 5-1. ORDINANCE NO. 99-10 ADOPTED 5-1, Councilmember Judd dissenting.

Special Presentations and Citizen Comments

- Beautiful Fairfield Awards

Beautiful Fairfield Awards

Mr. Bachman displayed the before and after pictures of the winners and runner-ups of the Beautiful Fairfield contest. He explained this is the fourth year for this contest. Mr. Bachman recognized Kyle & Angela Cortright, 660 Innbrooke Lane as the first runner ups for the Best Remodeling or Landscape Project for their landscape improvements. Councilmember Rhodus presented the award to Ms. Cortright. Mr. Bachman announced the second runner ups was Ron & Barb Hurst, 1031 Oberlin Drive for their porch addition and landscape improvements. Mr. Bachman announced the winner of this category was Dave & Debbie Homer for their interior upgrade at 5582 Mississippi Drive. Mr. Homer explained the upgrades to the home. Councilmember Rhodus presented the award to Dave and Debbie Homer. Mr. Bachman displayed before and after photographs of the Best "Green" Improvement Project Winner, Trish Clemmons, 5577 Red Oak Ct. Councilmember Rhodus presented the award to Ms. Clemmons. Law Director John Clemmons commented Ms. Clemmons is his sister, but he did not nominate her and had nothing to do with the award.

NEW BUSINESS

PUBLIC SAFETY COMMITTEE

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

Simple Motion: Motion requesting that no hearing be held on the liquor permit application in the name of Ohio CVS Stores LLC, DBA CVS Pharmacy 6080, 590 Nilles Rd, Fairfield, Ohio 45014 (Permit Classes: C2).

Councilmember Judd, seconded by Councilmember Abbott moved to request that no hearing be held on the liquor permit application in the name of Ohio CVS Stores LLC, DBA CVS Pharmacy 6080, 590 Nilles Rd, Fairfield, Ohio 45014 (Permit Classes: C2). Motion Carried 6-0. SIMPLE MOTION 24-10 APPROVED 6-0.

Ordinance to amend various sections of the Traffic and General Offenses Codes of Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio.

Councilmember Judd, seconded by Councilmember Snyder moved to Read the following Ordinance by title only. Motion Carried 6-0. Councilmember Judd presented the first reading of this ordinance. Ordinance approved for first reading only.

PUBLIC WORKS COMMITTEE

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

Councilmember Judd, seconded by Councilmember Snyder moved to Read the following two (2) pieces of legislation by title only. Motion Carried 6-0.

A Resolution for an agreement between the City of Fairfield and the City of Forest Park to maintain aesthetic improvements to the bridge over IR-275 at Exit 39 (Winton/Gilmore), PID NO. 83469 - HAM/BUT CR 239-9.49.

City Manager Pizzano recommended an agreement between Fairfield and the City of Forest Park relative to maintaining improvements on the new bridge that will be built over the next couple of years at exit 39, which is the Winton/Gilmore interchange at 275. He further explained this agreement will allocate the responsibilities for the improvement and maintenance on the new bridge. Councilmember Judd presented the first reading of this Ordinance. Ordinance approved for first reading only.

An ordinance to authorize the City Manager to enter into an agreement with the Ohio Department of Transportation for the acquisition of right of way for the Exit 39 - South Gilmore/Winton Road Improvements and declaring an emergency.

City Manager Pizzano recommended an agreement with the Ohio Department of Transportation relative to the same improvement at exit 39 for the acquisition of right of way required for the project. 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 6-0. Councilmember Judd, seconded by Councilmember Abbott moved to Adopt. Motion Carried 6-0. ORDINANCE NO. 100-10 ADOPTED 6-0.

FINANCE & BUDGET COMMITTEE

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

Councilmember Abbott, seconded by Councilmember Snyder moved to Read the following three (3) Ordinances by title only. Motion Carried 6-0.

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

City Manager Pizzano recommended an amendment to an Ordinance relative to the service fees for residential trash and solid waste collection and recycling. He explained the current contract with Rumpke will expire in September 2011 and in anticipation of that we took a look at our rate structure. City Manager Pizzano further explained Fairfield is the only city in metropolitan Cincinnati that continues to subsidize solid waste fees to consumers out of its general fund. He commented the current cost of that contribution is somewhere around a half million dollars, which is a substantial amount of money out of the general fund. Mr. Pizzano commented the budget continues to get strained as the economy continues to work its difficulties on all of us. Mr. Pizzano explained we are looking to begin the process to gradually reduce that general fund subsidy to the solid waste fund probably over a five year time frame. He explained initially the rate adjustments for dumpsters will go up slightly to \$7.11 per month and for residential to \$12.60 for curbside. Mr. Pizzano explained there will be savings of a quarter million dollars to the general fund this year. Councilmember Abbott presented the first reading of this Ordinance. Ordinance approved for first reading only.

Ordinance to amend section 925.08 (a)(5) of Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio, relative to the sanitary sewer irrigation credit.

City Manager Pizzano recommended an amendment to the Ordinance relative to the sanitary sewer irrigation credit. He explained this credit was initiated several years ago so that the cost of sewer that generally follows the cost of water is not charged during those periods when people are using more water than they are other times of the year principally for filling swimming pools, irrigating lawns and washing cars that doesn't necessarily run through the sewer system. He further explained with a minor adjustment to that basically reducing the period that now begins in April to begin in May and an adjustment in the way the calculation is actually made, we are able to realize a savings of about \$80,000 against the sewer fund, which really needs it for the Capital Improvement Projects. Councilmember Abbott presented the first reading of this Ordinance. Ordinance approved for first reading only.

Appropriation Ordinance (Non-contractual Items) - \$14,963 geotechnical work for Exit 39 - S. Gilmore/Winton Improvement Project;

\$5,000 Public Safety Tribute project irrigation system; \$23,000 Symmes and North Gilmore Intersection Improvements; \$5,000 thermal imaging camera; \$8,000 Magie Avenue waterline installation materials; and \$9,000 Muskopf Road Pump Station Project resurfacing work.

City Manager Pizzano recommended the following non-contractual items: \$14,963 for geotechnical survey work as a part of the Exit 39 - S. Gilmore/Winton Improvement Project; \$5,000 for irrigating the new Public Safety Project; \$23,000 for work at Symmes and North Gilmore intersection improvements; \$5,000 thermal imaging camera that will allow us to troubleshoot components and promote energy conservation in our water and wastewater systems; \$8,000 for Magie Avenue waterline installation materials; and \$9,000 Muskopf Road Pump Station Project resurfacing work. Mr. Pizzano commented these are items basically that continue to help us maintain what we have, so that we are not so quick to have to build new. Councilmember Abbott presented the first reading of an "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 Senger moved to Suspend the rules requiring three (3) readings of the Ordinance. Motion Carried 6-0. Councilmember Abbott, seconded by Councilmember Meyers moved to Adopt. Motion Carried 6-0. ORDINANCE NO. 101-10 ADOPTED 6-0.

Meeting Schedule

Clerk Johns read the following meeting notices:

- Monday, November 22 Council-Manager Briefing (2011 Budget Review), 5 p.m.; Regular Meeting, 7 p.m.
- Monday, December 6 Council-Manager Briefing (2011 Budget Review), 5 p.m.; Regular Meeting, 7 p.m.
- Monday, December 13 Council-Manager Briefing, 6 p.m.; Regular Meeting, 7 p.m.

Executive Session of Council (if needed)

The Regular Meeting adjourned to Executive Session to discuss the purchase of real estate and pending and imminent litigation at 7:35 PM.

Adjournment

The Regular Meeting adjourned at 7:50 PM.

ATTEST:

Clerk of Council

Mayor's Approval

Date Approved _____