

**FAIRFIELD CITY COUNCIL
REGULAR MEETING AGENDA
FAIRFIELD MUNICIPAL BUILDING
5350 PLEASANT AVENUE
FAIRFIELD, OHIO 45014**

MONDAY, DECEMBER 9, 2013

7:00 PM

MAYOR.....RONALD A. D'EPIFANIO
COUNCILMEMBER 1ST WARD.....ADAM B. JONES
COUNCILMEMBER 2ND WARD.....MARTY JUDD
COUNCILMEMBER 3RD WARD.....DEBBIE PENNINGTON
COUNCILMEMBER 4TH WARD.....TERRY SENGER

COUNCILMEMBER AT-LARGE...TIM ABBOTT
COUNCILMEMBER AT-LARGE...TIMOTHY M. MEYERS
COUNCILMEMBER AT-LARGE...MICHAEL OLER
CITY MANAGER.....ARTHUR E. PIZZANO
CLERK OF COUNCIL.....ALISHA WILSON
LAW DIRECTOR.....JOHN H. CLEMMONS

Guidelines for Citizen Comments: Thank you for your interest and participation in city government. Fairfield City Council's Guidelines for Citizen Comments describe the rules for addressing City Council. The guidelines are posted in the Council Chambers.

ADA Notice: The City of Fairfield is pleased to provide accommodations to disabled individuals or groups and encourage full participation in city government. Should special accommodations be required, please contact the Clerk of Council at 867-5383 at least 48 hours in advance of the meeting.

1. Call to Order

2. Prayer/Pledge of Allegiance

3. Roll Call

4. Agenda Modifications

5. Executive Session Requests

6. Public Hearing(s)

- a) 2014 Budget Hearing

7. Special Presentations and Citizen Comments

8. Mayor/Council Reports

9. Approval of Minutes

- a) Regular Meeting Minutes of December 2, 2013

10. OLD BUSINESS

11. NEW BUSINESS

(A) DEVELOPMENT SERVICES COMMITTEE

Marty Judd, Chairman; Tim Abbott, Vice Chairman, Tim Meyers, Member

- (1) Ordinance to authorize the City Manager to execute a Community Reinvestment Area Agreement and an Amendment to a Community Reinvestment Area Compensation Agreement with Takumi Stamping, Inc. and declaring an emergency.

- Motion – Read by Title Only (Optional)
- Ordinance – First Reading
- Motion – Suspend Second and Third Readings
- Motion – Adoption

- (2) Ordinance to authorize the City Manager and Director of Development Services (acting in his role as CRA Housing Officer) to execute a Termination by the City of Fairfield, Ohio of the Community Reinvestment Area Agreement between the City of Fairfield, Ohio, Keystone Foods, LLC, aka The Martin-Brower Company LLC, DCT Port Union LLC and the Fairfield City School District Board of Education and declaring an emergency.

- Motion – Read by Title Only (Optional)
- Ordinance – First Reading
- Motion – Suspend Second and Third Readings
- Motion – Adoption

(B) **FINANCE & BUDGET COMMITTEE**

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

- (1) Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio during the period beginning January 1, 2014 and ending December 31, 2014.

- Motion – Read by Title Only (Optional)
- Ordinance – First Reading
- Motion – Suspend Second and Third Readings
- Motion – Adoption

- (2) Ordinance to reconcile accounts.

- Motion – Read by Title Only (Optional)
- Ordinance – First Reading
- Motion – Suspend Second and Third Readings
- Motion – Adoption

- (3) Non-Contractual Appropriations - \$34,000 for emergency water main improvements on Shearwater Drive.

- Motion – Read by Title Only (Optional)
- Ordinance – First Reading
- Motion – Suspend Second and Third Readings
- Motion – Adoption

12. **Meeting Schedule**

Monday, December 30	Oath of Office Ceremony, 6:00 p.m.
Monday, January 13	Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.
Monday, January 27	Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.

13. **Executive Session of Council (if needed)**

14. **Adjournment**



Public Hearing Notice

Fairfield City Council
November 25, 2013

City of Fairfield Budget Hearing Proposed 2014 Budget

The City of Fairfield will hold a Public Hearing at 7:00 p.m. on Monday, December 9, 2013 in the Council Chambers of the Fairfield Municipal Building, 5350 Pleasant Avenue, Fairfield, Ohio. The purpose of the hearing is to receive written and oral comments from the public concerning the proposed annual budget for the year 2014 and the use of funds contain in the proposed budget which is summarized below.

A copy of this information, the entire budget and additional background materials are available for public inspection weekdays from 8:00 a.m. to 5:00 p.m. at the Fairfield Municipal Building, 5350 Pleasant Avenue, Fairfield, Ohio, in the offices of the Finance Director and the Clerk of Council.

Alisha Wilson
Clerk of Council

For insertion in the Journal News on November 27, 2013.

MINUTES
REGULAR MEETING OF COUNCIL
DECEMBER 2, 2013

Call to Order

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

Prayer/Pledge of Allegiance

Councilmember Meyers led in prayer and Pledge of Allegiance.

Roll Call

Clerk Wilson called the roll of Council. Present members were Councilmember Debbie Pennington, Councilmember Mike Oler, Councilmember Terry Senger, Councilmember Tim Abbott, Councilmember Tim Meyers.

Councilmember Oler, seconded by Councilmember Abbott, moved to excuse Councilmember Jones.

Agenda Modifications

Executive Session Requests

Public Hearing(s)

Special Presentations and Citizen Comments

Mayor/Council Reports

Councilmember Pennington reported that the Gilbert Family Christmas will be at Elijah Morgan Mansion on Saturday and Sunday, December 7 and 8, from 1-4 PM. The event is free to the public. The event is sponsored by Friends of Elijah Morgan, Fairfield Historical Society and Fairfield Parks and Recreation Department.

Councilmember Senger announced that Light Up Fairfield will be held this weekend, December 7, at Village Green Park.

Councilmember Abbott thanked Finance Director Mary Hopton, City Manager Pizzano and staff for their hard work on the budget. He also thanked the incoming mayor and councilmembers for their participation in the budget review.

Councilmember Oler commented that he is looking forward to the incoming mayor and councilmembers and knows they will do a great job.

Councilmember Meyers also thanked city staff for their hard work and incoming mayor and councilmembers for their participation in the budget process.

Approval of Minutes

Regular Meeting Minutes of November 25, 2013

- The Regular Meeting Minutes of November 25, 2013 were approved as written

Appointment of Public Official

COMMUNITY & PUBLIC RELATIONS COMMITTEE Debbie Pennington, Chairman; Adam Jones, Member

Simple Motion: Motion to appoint Martin H. Judd as Councilmember, Second Ward effective December 2, 2013, term expires December 31, 2015.

Councilmember Pennington, seconded by Councilmember Abbott, moved to approve a simple motion to appoint Martin H. Judd as Councilmember, Second Ward, effective December 2, 2013, term expires on December 31, 2015.

Councilmember Meyers commented that he has no ill will toward past Councilmember Judd, however, he is disappointed in the lack of transparency in this appointment process. He stated that there was a process decided upon, that Councilmembers would submit a name of a second ward resident to the mayor and then letters would be mailed for those nominated to send a letter of interest and resume. He stated that the person he nominated was never mailed a letter and never given the opportunity to interview for the appointment. He requested that Council defer this appointment to the new Council and let them make a decision in January.

Mayor D'Epifanio commented that this is the worst thing he has been involved in during his time on Council. He stated that he understands where Mr. Holtegel was coming from, however, Mayor D'Epifanio did not have a vote in this decision, even in the event of a tie. The vote was unanimous that this resignation happened on the current Council, so the current Council should make the new appointment. He stated that he opened the nominations on October 28, which was the deadline, in the presence of City Manager Pizzano and Law Director Clemmons. There were four (4) recommendations for Mr. Judd, one (1) for Mr. Holtegel and one (1) for someone else whose name he can't recall. Council then decided that because there were so many nominations for Mr. Judd, it did not make sense to put the others through an interview process, and that vote was unanimous after Councilmember Meyers excused himself from the meeting.

Councilmember Abbott commented that all councilmembers wanted to address the issue while the current council was still in office. The procedure was decided upon and followed, according to the City Charter and letter of the law. He thanked Mr. Holtegel for his years of service to the city.

Mayor D'Epifanio allowed comments from the audience.

Jeff Holtegel, 4930 Fairfield Avenue, commented and said it was not unanimous, that he dissented.

A roll call vote was taken:

Councilmember Oler – Yes

Councilmember Meyers – Opposed

Councilmember Pennington – Yes
Councilmember Senger – Yes
Councilmember Abbott – Yes

Motion carried 4-1. SIMPLE MOTION NO. 19-13. APPROVED 4-1.

Oath of Office, administered by Judge Joyce Campbell

Judge Joyce Campbell administered the Oath of Office for Councilmember Marty Judd. Councilmember Judd then took his seat at the dais.

OLD BUSINESS

NEW BUSINESS

PUBLIC WORKS COMMITTEE

Tim Meyers, Chairman; Michael Oler, Vice Chairman, Tim Abbott, Member

Ordinance to authorize the City Manager to enter into a contract with Lebanon Ford for the purchase of four (4) police vehicles and declaring an emergency.

Councilmember Tim Meyers, seconded by Councilmember Tim Abbott moved to read the following ordinance by title only. Motion Carried 6-0.

Background: City Manager Pizzano recommended an ordinance to purchase four (4) new police vehicles.
Legislative Action: Councilmember Meyers presented the first reading of this ordinance.

Councilmember Tim Meyers, seconded by Councilmember Mike Oler moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Tim Meyers, seconded by Councilmember Mike Oler moved to adopt . Motion Carried 6-0. ORDINANCE NO. 104-13. APPROVED 6-0

FINANCE & BUDGET COMMITTEE

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

Councilmember Tim Abbott, seconded by Councilmember Debbie Pennington moved to read the following two (2) ordinances by title only. Motion Carried 6-0.

Appropriation Ordinance (Contractual Items) - \$105,960 for the purchase of four (4) police vehicles.

Background: City Manager Pizzano recommended the appropriation for the purchase of four (4) new police vehicles. Legislative Action: Councilmember Abbott presented the first reading of this ordinance.

Councilmember Tim Abbott, seconded by Councilmember Tim Meyers moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Tim Abbott,

seconded by Councilmember Tim Meyers moved to adopt . Motion Carried 6-0. ORDINANCE NO. 105-13. APPROVED 6-0.

Appropriation Ordinance (Non-Contractual Items) - \$47,222 for equipment outfitting and graphics of four (4) new police vehicles; \$1,500 for maintenance of the network printer for Income Tax division; \$22,000 for hardware maintenance agreement with CDW-G; \$28,000 for infrastructure maintenance; \$20,000 for renewal of software contracts for support and software updates.

Background: City Manager Pizzano recommended an ordinance for non-contractual appropriations for the outfitting and equipment for the four (4) new police vehicles, maintenance of a printer in Income Tax, a hardware maintenance agreement and renewal of software contracts. Legislative Action: Councilmember Abbott presented the first reading of this ordinance.

Councilmember Tim Abbott, seconded by Councilmember Mike Oler moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 6-0. Councilmember Tim Abbott, seconded by Councilmember Tim Meyers moved to adopt . Motion Carried 6-0. ORDINANCE NO. 106-13. APPROVED 6-0.

Meeting Schedule

Clerk Wilson read the following meeting schedule:

- Monday, December 9 Regular Meeting, 7:00 p.m.
- Monday, December 30 Oath of Office Ceremony, 6:00 p.m.
- Monday, January 13 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.

Executive Session of Council (if needed)

Adjournment

The Regular Meeting of Council adjourned at 7:25 PM.

ATTEST:

Clerk of Council

Date Approved _____

Mayor's Approval

City of Fairfield, Ohio
City Council Communication

Date: 12-9-13

Item:

An ordinance authorizing the City Manager to execute a Community Reinvestment Area Agreement and a an Amendment to a Community Reinvestment Area Compensation Agreement, which will provide property tax incentives for Takumi Stamping Inc., for the construction of an expansion to its manufacturing headquarters facility at 8585 Seward Road.

Financial Impact:

Takumi Stamping will construct an expansion to its manufacturing headquarters facility which will allow the company to add new jobs, generating new income taxes and property taxes.

Synopsis:

Takumi Stamping Inc. is a tier one auto parts supplier to Toyota. In 2009, the company outgrew the space it leased from Pacific Manufacturing and built its own new facility at 8585 Seward Road. The City assisted that project with a 10-year, 75% property tax incentive. The company has continued to grow and now needs additional production and warehouse space.

Should the project proceed, Takumi will construct a 46,000 square foot expansion to its facility. Total new investment is estimated at more than \$3.6 million, which includes \$1.5 million in new building construction and \$2.1 million in new machinery and equipment. Takumi will create 13 new jobs in addition to retaining the 325 jobs committed to in the first agreement, for a total commitment of 338 jobs.

Approval of the ordinance would authorize the City Manager to enter into two agreements. The first is a Community Reinvestment Area Agreement. The CRA Agreement would provide a 5-year, 75% property tax incentive on the value of the new expansion portion of the facility. The abatement terms for the original agreement and this new agreement would both end in tax year 2019. The second agreement is a three-party Amendment to a CRA Compensation Agreement. Takumi has agreed to increase its compensation to the Fairfield City School District by \$8,300 per year, from \$20,200 annually under the terms of the original agreement to \$28,500 annually for the final five years of the agreement.

Recommendation:

It is recommended that City Council suspend the rules requiring a second and third reading of this ordinance and pass as an emergency.

Legislative Actions:	Rules Suspension and Adoption Requested?	Yes.
	Emergency Provision Needed?	Yes.

Prepared by: *Erag Kattimay*
 Approved for Content by: *Timothy Boehman*
 Financial Review (where applicable) *Mark [unclear]*
 Legal Review (where applicable) *[unclear]*
 Accepted for Council Agenda: *[unclear]*

COMMUNITY REINVESTMENT AREA AGREEMENT

This agreement made and entered into by and between the City of Fairfield, Ohio, an Ohio municipal corporation, with its main offices located at 5350 Pleasant Avenue, Fairfield, Ohio 45014 (hereinafter referred to as "Fairfield") and Takumi Stamping Inc., an Ohio corporation, (hereinafter referred to as "Takumi") with its main office located at 8585 Seward Road, Fairfield, Ohio 45011.

WITNESSETH;

WHEREAS, Fairfield has encouraged the development of real property and the acquisition of personal property located in the area designated as the "City of Fairfield Community Reinvestment Area"; and

WHEREAS, Takumi is desirous of constructing a 46,000 square foot addition to its office, manufacturing and distribution facility and expand its logistics and welding operations (hereinafter referred to as the "PROJECT") within the boundaries of the City of Fairfield Community Reinvestment Area, provided that the appropriate development incentives are available to support the economic viability of said PROJECT; and

WHEREAS, the Council of the City of Fairfield, Ohio by Ordinance No. 173-95 adopted November 27, 1995, designated the "City of Fairfield Community Reinvestment Area" pursuant to Chapter 3735 of the Ohio Revised Code; and

WHEREAS, effective January 4, 1996, the Director of Development of the State of Ohio determined that the aforementioned area designated in said Ordinance No. 173-95 contains the characteristics set forth in Section 3735.66 of the Ohio Revised Code and certified said area as a Community Reinvestment Area under Chapter 3735; and

WHEREAS, Fairfield, having the appropriate authority to offer development incentives for the above-stated type of project, is desirous of providing Takumi with incentives available for the development of the PROJECT in said City of Fairfield Community Reinvestment Area under Chapter 3735 of the Ohio Revised Code; and

WHEREAS, Takumi has submitted a proposed agreement application (herein attached as Exhibit A) to Fairfield, said application is hereinafter referred to as "APPLICATION"; and

WHEREAS, Takumi has remitted the required state application fee of \$750.00 made payable to the Ohio Development Services Agency with the application to be forwarded with the final agreement; and

WHEREAS, the Development Services Director of Fairfield as Housing Officer has investigated the application of Takumi and had recommended the same to the City Council of Fairfield on the basis that Takumi is qualified by financial responsibility and business experience to create and preserve employment opportunities in said City of Fairfield Community Reinvestment Area and improve the economic climate of the City of Fairfield; and

WHEREAS, the project site as proposed by Takumi is located in the Fairfield City School District and the Board of Education of the Fairfield City School District has been notified in accordance with Ohio Revised Code Sections 3735.671 and 5709.83 and been given a copy of the APPLICATION and this AGREEMENT; and

WHEREAS, pursuant to Ohio Revised Code Section 3735.67 (A), and in conformance with the format required under Section 3735.671 (B) of the Ohio Revised Code, the parties hereto desire to set forth their agreement with respect to matters hereinafter contained;

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the parties herein agree as follows:

1. Takumi shall construct an approximate 46,000 square foot addition to its office, manufacturing and distribution facility at 8585 Seward Road, Fairfield, Ohio. Said facility shall be constructed on part of Parcel Number A0700151000076 as the same is known and designated on the Auditor's revised list of lots in the City of Fairfield, Butler County, Ohio.

The PROJECT will involve a total investment in a new building by Takumi of One Million Five Hundred Thousand Dollars (\$1,500,000.00).

The PROJECT will begin on or before January 1, 2014 and all construction shall be completed by December 31, 2014.

2. Takumi estimates that it shall create within a time period not exceeding twelve (12) months after commencement of the construction of the aforesaid facility, the equivalent of 13 new full time employees. Takumi will also retain the existing three hundred (325) existing employees within the City of Fairfield.
3. Takumi shall provide to the proper Tax Incentive Review Council any information reasonably required by the Council to evaluate the enterprise's compliance with the agreement, including returns filed pursuant to Section 5711.02 of the Ohio Revised Code if requested by the Council.
4. Fairfield hereby grants Takumi a tax exemption for real property improvements made to the PROJECT site pursuant to Section 3735.67 of the Ohio Revised Code for the following number of years and percentages:

Years of Tax Exemption

Tax Exemption Amount (Percentage)

5 years

75%

The exemption commences the first year for which the real property improvements would first be taxable were that property not exempted from taxation. No exemption shall commence after December 31, 2016 (for tax year 2015) nor extend beyond December 31, 2020 (for tax year 2019).

Takumi must file the appropriate tax forms (DTE 24) with the County Auditor to effect and maintain the exemptions covered in the agreement.

5. Fairfield specifically agrees to waive the fee specified in Ohio Revised Code Section 3735.671 (D).
6. Takumi shall pay such real and tangible personal property taxes as are not exempted under this agreement and as otherwise are required by law to be paid and are charged against such property and shall file all tax reports and returns as required by law. If Takumi fails to pay such taxes or file such returns and reports, all incentives and exemptions granted under this agreement are rescinded beginning with the year for which such taxes are charged or such reports or returns are required to be filed and thereafter.
7. Fairfield shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve, and maintain exemptions from taxation granted under this agreement including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemptions.
8. If for any reason Fairfield revokes the designation of the area, entitlements granted under this agreement shall continue for the number of years specified under this agreement, unless Takumi materially fails to fulfill its obligations under this agreement and Fairfield terminated or modifies the exemptions from taxation pursuant to this agreement.
9. If Takumi materially fails to fulfill its obligations under this agreement, or if Fairfield determines that the certification as to delinquent taxes required by this agreement is fraudulent, Fairfield may terminate or modify the exemptions from taxation granted under this agreement. Fairfield may require the repayment of the amount of taxes that would have been payable had the property not been exempted from taxation under this agreement.
10. Takumi hereby certifies that at the time this agreement is executed, it does not owe any delinquent real or tangible personal property taxes to any taxing authority of the State of Ohio, and does not owe delinquent taxes for which it is liable under Chapter 5733., 5735., 5739., 5741., 5743., 5747., or 5753. of the Ohio Revised Code, or, if

such delinquent taxes are owed, Takumi currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State of Ohio or an agent or instrumentality thereof, has filed a petition in bankruptcy under 11 U.S.C.A. 101, et seq., or such a petition has been filed against Takumi. For the purposes of the certification, delinquent taxes that remain unpaid on the latest day prescribed for payment without penalty under the chapter of the revised code governing payment of those taxes.

11. Takumi and Fairfield acknowledge that this agreement must be approved by formal action of the legislative authority of the City of Fairfield, Ohio as a condition for the agreement to take effect. This agreement takes effect upon such approval.
12. Fairfield has developed a policy to ensure recipients of Community Reinvestment Area tax benefits practice non-discriminating hiring in its operations. By executing this agreement, Takumi is committing to following non-discriminating hiring practices acknowledging that no individual may be denied employment solely on the basis or race, religion, disability, color, national origin, or ancestry.
13. Exemptions from taxation granted under this agreement shall be revoked if it is determined that Takumi, any successor property owner, or any related member (as those terms are defined in Division (E) of Section 3735.671 of the Ohio Revised Code) has violated the prohibition against entering into this agreement under Division (E) of Section 3735.671 or Section 5709.62, 5709.63, or 5709.632 of the Ohio Revised Code prior to the time prescribed by that division or any of those sections.
14. This agreement is not transferable or assignable without the express written approval of Fairfield.

(This section left intentionally blank.)

IN WITNESS WHEREOF, the City of Fairfield, Ohio, by Arthur E. Pizzano, its City Manager, and pursuant to Ordinance No. _____, has caused this instrument to be executed this _____ day of _____, 2013 and Takumi Stamping Inc. by Kunihiro Ogino, its President, has caused this instrument to be executed this _____ day of _____, 2013.

Witness:

CITY OF FAIRFIELD, OHIO

By _____
Arthur E. Pizzano, City Manager

TAKUMI STAMPING INC.

By _____
Kunihiro Ogino, President

Approved as to form:

Approved as to content:

John H. Clemmons
Fairfield City Law Director

Timothy Bachman
Development Services Director

Exhibit A

OHIO DEPARTMENT OF DEVELOPMENT

John Kasich
Governor

OHIO DEPARTMENT OF DEVELOPMENT
OHIO COMMUNITY REINVESTMENT AREA ZONE PROGRAM

PROPOSED AGREEMENT for Community Reinvestment Area tax incentives between the City of Fairfield located in the County of Butler and Takumi Stamping, Inc.

1a. Name of business, home or main office address, contact person, and telephone number (attach additional pages if multiple enterprise participants).

Takumi Stamping, Inc.
Enterprise name

Tadashi Tashima or Melissa Sasser
contact person

513-642-0081 Ext 318 or 308
Telephone number

8585 Seward Road, Fairfield, OH 45011
address

Ohio
State that company was incorporated in

1b. Project site:

Tadashi Tashima or Melissa Sasser
Contact person

See Above
telephone number

8585 Seward Road, Fairfield, OH 45011
Address

2a. Nature of business (manufacturing, distribution, wholesale or other).

Manufacturer of small stamped parts for the automotive industry

2b. List primary 6 digit NAICS # 336370
Business may list other relevant SIC numbers.

2c. If a consolidation, what are the components of the consolidation? (Must itemize the location, assets, and employment positions to be transferred)

N/A

2d Form of business of enterprise (corporation, partnership, proprietorship, or other).

Corporation

3. Name of principal owner(s) or officers of the business (attach list if necessary).

Kunihiro Ogino, President

4. Is business seasonal in nature? Yes _____ No x

5a. State the enterprise's current employment level at the proposed project site:

318

5b. Will the project involve the relocation of employment positions or assets from one Ohio location to another? Note that relocation projects are restricted in non-distress based Ohio Enterprise Zones. A waiver from the Director of the Ohio Department of Development is available for special limited circumstances. The business and local jurisdiction should contact ODOD early in the discussions.

Yes _____ No x

5c. If yes, state the locations from which employment positions or assets will be relocated and the location to where the employment positions or assets will be located:

5d. State the enterprise's current employment level in Ohio (itemized for full and part-time and permanent and temporary employees):

Full time - 249 Temporary - 69

5e. State the enterprise's current employment level for each facility to be affected by the relocation of employment positions or assets: Expansion of existing facility

5f. What is the projected impact of the relocation, detailing the number and type of employees and/or assets to be relocated? Expansion of existing facility

6a. Has the Enterprise previously entered into a tax incentive agreement with the local legislative authorities at any site where the employment or assets will be relocated as a result of this proposal? Yes x No _____

6b. If yes, list the local legislative authorities, date, and term of the incentives for each tax incentive agreement: Community Reinvestment Area Agreement signed 5/5/2008 with a term of 12/31/2010-12/31/2020. Also includes Fairfield City Schools. Butler county Enterprise Zone Agreement July 2001 and amended September 11, 2003.

7. Does the Enterprise owe:
- a. Any delinquent taxes to the State of Ohio or a political subdivision of the state?
Yes _____ No x
 - b. Any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State? Yes _____ No x
 - c. Any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not.
Yes _____ No x
 - d. If yes to any of the above, please provide details of each instance including but not limited to the location, amounts and/or case identification numbers (add additional sheets if necessary).
N/A

8. Project Description (attach additional pages if necessary):
Add 46,000 sq. ft to the existing building (see exhibit A)

9. Project will begin December, 2013_ and be completed March, 2014_ provided a tax exemption is provided.

10a. Estimate the number of new employees the business intends to hire at the facility that is the project site (job creation projection must be itemized by full and part-time and permanent and temporary): 10 full time & 10 temporary

10b. State the time frame of this projected hiring: <1 year

10c. State proposed schedule for hiring (itemize by full and part-time and permanent and temporary employees): The plan is to hire a 3 to 4 employees per month (combination of full time and temporary) over the next 6 to 8 months.

11a. Estimate the amount of annual payroll such new employees will add (new annual payroll must be itemized by full and part-time and permanent and temporary new employees).

<u>\$(27,000 x 10)</u>	<u>\$270,000</u>	Full Time (permanent)
\$ _____		Part Time (temporary)
\$ _____		Permanent
<u>\$(27,000 x 10)</u>	<u>\$270,000</u>	Temporary

11b. Indicate separately the amount of existing annual payroll relating to any job retention claim resulting from the project: \$11,500,000 (The annual payroll of existing Ohio jobs before expansion into a new facility in the City of Fairfield.)

12. Market value of the existing facility as determined for local property taxation.
\$6,076,770
- 13a. Business's total current investment in the facility as of the proposal's submission.
\$11,194,174
- 13b. State the businesses' value of on-site inventory required to be listed in the personal property tax return of the enterprise in the return for the tax year (stated in average dollar value per most recent 12 month period) in which the agreement is entered into (baseline inventory):
 \$ _____
14. An estimate of the amount to be invested by the enterprise to establish, expand, renovate or occupy a facility:
- | | | |
|----|--------------------------------------|--------------------|
| A. | Acquisition of Land/Buildings: | \$ |
| B. | Additions/New Construction: | \$1,500,000 |
| C. | Improvements to existing buildings: | \$ |
| D. | Machinery & Equipment: | \$2,138,900 |
| E. | Furniture & Fixtures: | \$ |
| F. | Inventory: | \$ _____ |
| | Total New Project Investment: | \$3,638,900 |

15. Business's reasons for requesting tax incentives (be quantitatively specific as possible)

Takumi Stamping continues to experience growth. In the last year the company added over 200 new production parts. Because of the increases in parts orders, Takumi has outgrown current production and storage space. The proposed addition will accommodate the increase in current products as well as allow for continued growth. The incentive will help Takumi remain competitive and bring approximately 20 additional jobs to the Fairfield area.

Submission of this application expressly authorizes the City of Fairfield of Butler County to contact the Ohio Environmental Protection Agency to confirm statements contained within this application including item #7 and to review applicable confidential records. As part of this application, the business may also be required to directly request from the Ohio Department of Taxation or complete a waiver form allowing the Ohio Department of Taxation to release specific tax records to the local jurisdictions considering the incentive request.

Applicant agrees to supply additional information upon request.

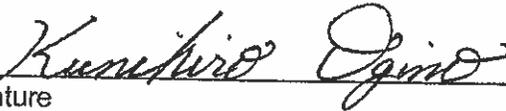
The applicant affirmatively covenants that the information contained in and submitted with this application is complete and correct and is aware of the ORC Sections 9.66(C)(1) and 2921.13(D)(1) penalties for falsification which could result in the forfeiture of all current and future economic development assistance benefit as well as a fine of not more than \$1,000 and/or a term of imprisonment of not more than six months.

Takumi Stamping, Inc.

November 13, 2013

Name of Enterprise

Date



Kunihiro Ogino, President

Signature

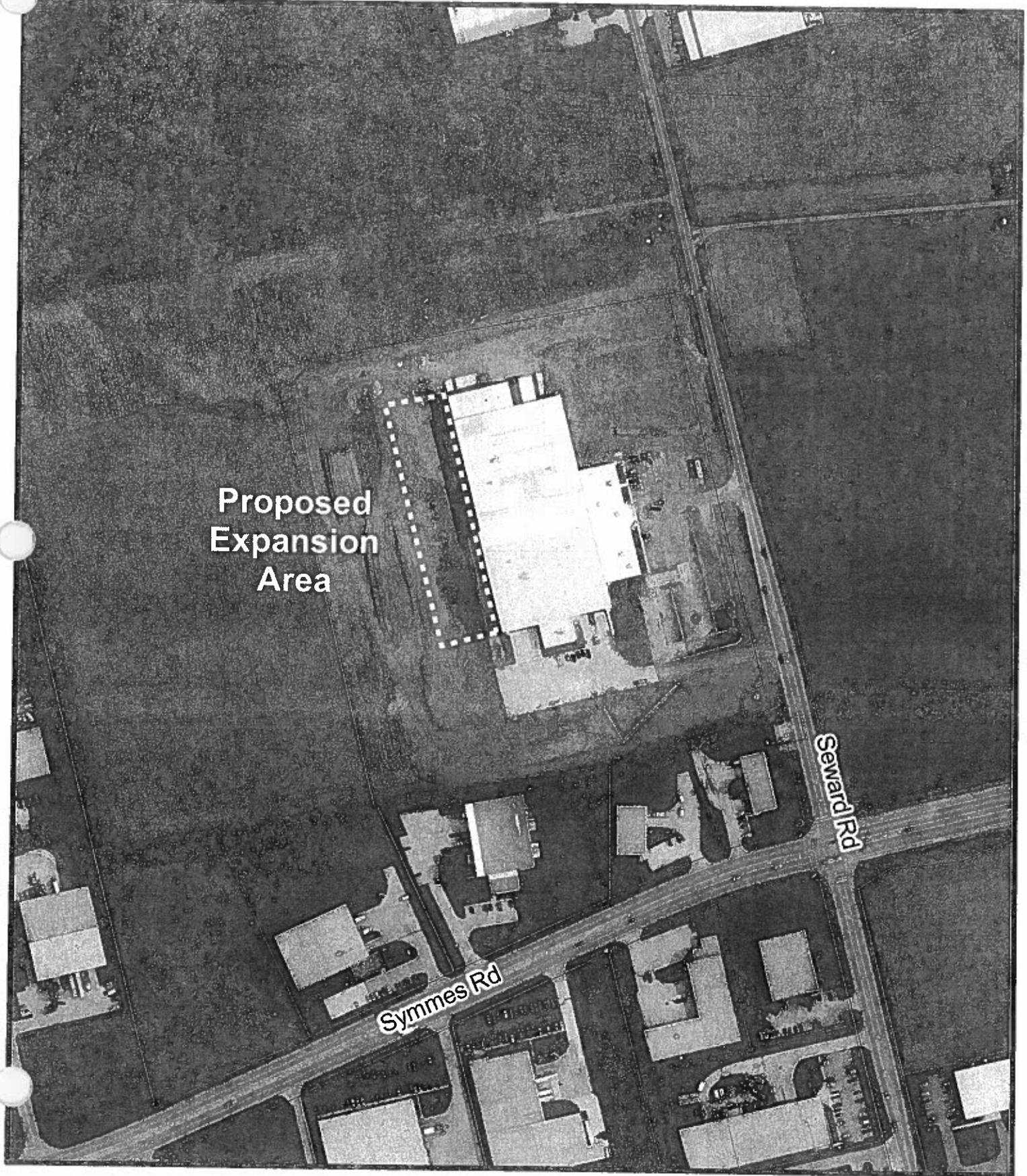
Typed Name and Title

* A copy of this proposal must be forwarded by the local governments to the affected Board of Education along with notice of the meeting date on which the local government will review the proposal. Notice must be given a minimum of fourteen (14) days prior to the scheduled meeting to permit the Board of Education to appear and/or comment before the legislative authorities considering the request.

** Attach to final CRA Agreement as Exhibit A

Please note that copies of this proposal must be included in the finalized Community Reinvestment Area Agreement and be forwarded to the Ohio Department of Taxation and the Ohio Department of Development within fifteen (15) days of final approval.

**Exhibit B
Takumi Stamping Inc.**



**Proposed
Expansion
Area**

Symmes Rd

Seward Rd

**AN AMENDMENT TO A
COMMUNITY REINVESTMENT AREA COMPENSATION AGREEMENT**

This agreement between the City of Fairfield, a municipal corporation with its principal office at 5350 Pleasant Avenue, Fairfield, Ohio 45014 (hereinafter "City"), the Fairfield City School District Board of Education, a public school district with its principal offices at 4641 Bach Lane, Fairfield, Ohio 45014 (hereinafter "Schools"), and Takumi Stamping Inc., an Ohio corporation with its principal offices at 8585 Seward Road, Fairfield, Ohio 45011 (hereinafter "Takumi") specifies the manner and procedure to be used pursuant Ohio Revised Code (ORC) Section 5709.82 authorizing general compensation relating to Takumi's Community Reinvestment Area project.

Whereas, Takumi is planning to construct an expansion to its manufacturing facility at 8585 Seward Road, Fairfield, OH, and create new jobs; and

Whereas, City has acted pursuant to ORC Section 3735.65 - .70 to grant a tax exemption to Takumi and enter into a Community Reinvestment Area Agreement for the new expansion; and

Whereas, City and Schools and Takumi entered into a Community Reinvestment Area Compensation Agreement (hereafter referred to as "Compensation Agreement") on January 13, 2009 (a copy of which is attached hereto as Exhibit A); and

Whereas, it is necessary to amend the Compensation Agreement to reflect the tax exemption on both the original building and the planned expansion;

Now, therefore, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, City and Schools and Takumi agree to modify the Compensation Agreement as follows:

Section 1 shall be removed and replaced by the following:

Section 1. Business Compensation. Takumi shall make a cash payment in the amount of Twenty Thousand Two Hundred Dollars (\$20,200.00) to Schools by January 31, 2014 as per the terms of the Compensation Agreement. For the five years of 2015-2019, Takumi shall make annual cash payments of Twenty Eight Thousand Five Hundred Dollars (\$28,500.00) to Schools by January 31 of each year.

All other rights and duties associated with the project, as described in the Compensation Agreement, dated January 13, 2009, shall be in full force and effect as to Fairfield and Schools and Takumi for the remainder of the term stated in the Compensation Agreement.

In witness thereof, the City of Fairfield by Arthur E. Pizzano, its City Manager, and pursuant to Ordinance No. _____, has caused this Amendment to be executed this _____ day of _____, 2013, the Fairfield City School District Board of Education has caused this instrument to be executed this _____ day of _____, 2013 and Takumi Stamping Inc. by Kunihiro Ogino, its President has caused this instrument to be executed this _____ day of _____, 2013.

Witness:

FAIRFIELD CITY SCHOOL DISTRICT BOARD OF EDUCATION

By _____
Nancy Lane, Treasurer

TAKUMI STAMPING INC.

By _____
Kunihiro Ogino, President

CITY OF FAIRFIELD

By _____
Arthur E. Pizzano, City Manager

Approved as to content:

Approved as to form:

Timothy Bachman
City of Fairfield
Director of Development Services

John H. Clemmons
City of Fairfield Law Director

Exhibit A

COMMUNITY REINVESTMENT AREA COMPENSATION AGREEMENT

This agreement between the City of Fairfield, a municipal corporation with its principal office at 5350 Pleasant Avenue, Fairfield, Ohio 45014 (hereinafter "City"), the Fairfield City School District Board of Education, a public school district with its principal offices at 211 Donald Drive, Fairfield, Ohio 45014 (hereinafter "Schools"), and Takumi Stamping Inc., an Ohio corporation with its principal offices at 8945 Seward Road, Fairfield, Ohio 45011 (hereinafter "Takumi") specifies the manner and procedure to be used pursuant Ohio Revised Code (ORC) Section 5709.82 authorizing general compensation relating to Takumi's Community Reinvestment Area project.

Whereas, the Ohio Community Reinvestment Area Program, pursuant ORC Sections 3735.66 authorizes municipalities (with the consent of the board of county commissioners) to grant real property tax exemptions on eligible new investments; and

Whereas, the City of Fairfield, by Ordinance No. 173-95 adopted November 27, 1995 designated an area within the municipality as a Community Reinvestment Area;

Whereas, effective January 4, 1996, the Director of the Ohio Department of Development determined the area designated by the municipality contains the characteristics set forth in Section 3735.66 of the ORC and certified the area as a Community Reinvestment Area;

Whereas, City provided Schools and the Butler Technology and Career Development Schools joint vocational school notice of the project prior to formal as required within ORC section 3735.671 (A) (1) or 5709.83;

Whereas, City has acted pursuant ORC Section 3735.65 - .70 within Ordinance No. 64-08 adopted May 12, 2008 to grant a tax exemption to Takumi and enter into a formal Community Reinvestment Agreement; and

Whereas, City and Schools and Takumi pursuant to ORC section 5709.82 elect to enter into a Compensation Agreement concerning the benefits relating to the aforementioned project.

Now Therefore, in consideration of the foregoing and of the mutual promises, covenants and agreements hereinafter set forth City and Schools and Takumi agree as follows:

Section 1. Business Compensation. Takumi shall make an annual cash payment in the amount of Twenty Thousand Two Hundred Dollars (\$20,200.00) to Schools by January 31 of each calendar year subsequent to an exemption year in which the business received a real property tax benefit.

Section 2. Waiver of Notice Provision. Schools hereby waives any notice or approval provisions pursuant to ORC 3735.671 (A) (1) or 5709.83.

Section 3. Amendments. This agreement may be amended or modified by the parties, only in writing, signed by all parties to the agreement or by applicable law changes.

Section 4. Entire Agreement. This agreement sets forth the entire agreement and understanding between the parties as to the subject matter contained herein and merges and supersedes all prior discussions, agreements, and undertakings of every kind and nature between the parties with respect to the subject matter of this agreement.

Section 5. Notices. All payments, certificates, reports and notices which are required to or may be given pursuant to the provisions of this agreement shall be sent by regular mail, postage prepaid, and shall be deemed to have been given or delivered when so mailed to the following addresses:

City: City Manager
5350 Pleasant Avenue, Fairfield, Ohio 45014

Schools: Treasurer
211 Donald Drive, Fairfield, Ohio 45014

Takumi: President
8945 Seward Road, Fairfield, Ohio 45011

Any party may change its contact or address for receiving notices and reports by giving written notice of such change to the other parties.

Section 6. Severability of Provisions. The invalidity of any provision of this agreement shall not affect the other provisions of this agreement, and this agreement shall be construed in all respects as if any invalid portions were omitted.

(This section intentionally left blank.)

In witness thereof, the City of Fairfield by Arthur E. Pizzano, its City Manager, and pursuant to Ordinance No. 155-08, has caused this instrument to be executed this 13 day of January, 2008, the Fairfield City School District Board of Education has caused this instrument to be executed this 9th day of JANUARY, 2008 and Takumi Stamping Inc. by ~~Nobuo Hayashi~~, its ~~Chairman~~ ^{Katsumi Naruse} ~~President~~ has caused this instrument to be executed this 17 day of December, 2008.

Witness:

John H. Clemmons

FAIRFIELD CITY SCHOOL DISTRICT
BOARD OF EDUCATION

By Nancy L. Lane
Nancy L. Lane, Treasurer

Katsumi Naruse

TAKUMI STAMPING INC.

By Katsumi Naruse
Katsumi Naruse, President

May Hight

CITY OF FAIRFIELD

By Arthur E. Pizzano
Arthur E. Pizzano, City Manager

Approved as to content:

Timothy Bachman
Timothy Bachman
City of Fairfield
Director of Development Services

Approved as to form:

John H. Clemmons
John H. Clemmons
City of Fairfield Law Director

ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO EXECUTE A COMMUNITY REINVESTMENT AREA AGREEMENT AND AN AMENDMENT TO A COMMUNITY REINVESTMENT AREA COMPENSATION AGREEMENT WITH TAKUMI STAMPING, INC. AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. The City Manager is hereby authorized to execute a Community Reinvestment Area Agreement and an amendment to a Community Reinvestment Area Compensation Agreement with Takumi Stamping, Inc. in accordance with the agreements on file in the office of the City Manager.

Section 2. This Ordinance is hereby declared to be an emergency measure necessary for the urgent benefit and protection of the City and its inhabitants for the reason that the project be authorized to proceed and create additional employment as soon as possible; wherefore, this ordinance shall take effect immediately upon its passage.

Passed	_____	_____
		Mayor's Approval
Posted	_____	
First Reading	_____	Rules Suspended _____
Second Reading	_____	Emergency _____
Third Reading	_____	

ATTEST:

Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

Clerk of Council

**City of Fairfield, Ohio
City Council Communication**

Date: 12-9-13

Item:

An ordinance authorizing the City Manager and the Director of Development Services (acting in his role as CRA Housing Officer) to execute a Termination Notice for a Community Reinvestment Area Agreement with Keystone Foods LLC, aka The Martin-Brower Company LLC, DCT Port Union LLC, and the Fairfield City School District Board of Education.

Financial Impact:

Termination of the CRA tax incentive agreement will result in additional property taxes to be collected by the County Treasurer. The City will receive a portion of these property taxes.

Synopsis:

In 2010, the City entered into a Community Reinvestment Area Agreement with the Fairfield City School District, DCT Port Union LLC, and Keystone Foods LLC as part of an economic development incentive package. Keystone agreed to invest \$11.8 million into the establishment of a distribution facility in the Port Union Commerce Park, 4260 Port Union Road, and create 239 new jobs. DCT Port Union owns the facility and leases it to Keystone. The City agreed to offer a 10-year, 100% tax abatement of the assessed value of the real property improvements recognized by the County Auditor as a result of the company's investment and reimburse the Schools for its lost property tax revenue. The investment was made and Keystone moved into the facility in Spring 2011. Keystone Foods subsequently was purchased by The Martin-Brower Company LLC.

In its CRA application, Keystone indicated that this project would not involve any relocation of employees or assets from another Ohio location. At the time, Keystone operated another distribution facility in Springfield, Ohio. The company was advised by the Ohio Department of Development that if it intended to relocate any positions from Springfield to Fairfield as part of its project, that it needed to follow the relocation provisions outlined in the Ohio Revised Code, and that failure to follow these provisions would potentially jeopardize its tax incentive agreements.

Upon the opening of the Fairfield facility, Keystone made a business decision to reduce staffing at the Springfield facility while it ramped up employment here in Fairfield. Company officials indicated that they intended to backfill the Springfield positions within the time frame allowable in the Ohio Administrative Code, and thereby remain in compliance with the terms of the agreement. However, the timeframe for backfilling these positions has ended and the Springfield facility closed in 2012.

In light of these facts, city staff requested an opinion from the Ohio Development Services Agency about how to proceed with this Agreement. The State has advised the City that the Keystone Foods (aka The Martin-Brower Company) operation in Fairfield is objectively ineligible for incentives under the CRA program because it meets the definition of "relocation" as defined by OAC § 122:9-1-02(A) and the company elected not to have the City of Fairfield perform its statutory relocation notice duty as defined by ORC § 3735.673. The State advised the City to avail itself of its right to terminate the Agreement. The State withdrew its offer of state-level tax incentives for this project in 2012.

Execution of a Termination Notice will advise the Butler County Auditor to terminate the property tax abatement going forward and will also request the Butler County Treasurer to attempt to collect ("clawback") all property taxes that have been exempted in prior tax years, which are estimated to equal approximately \$23,100.

Recommendation:

It is recommended that City Council suspend the rules requiring a second and third reading of this ordinance and pass as an emergency.

Legislative Actions: Rules Suspension and Adoption Requested?
Emergency Provision Needed?

Yes.
Yes.

Prepared by: Gregory A. Kathman
Approved for Content by: Timothy Deelman
Financial Review (where applicable) May Ho
Legal Review (where applicable) John A. Clemens
Accepted for Council Agenda: Mike Delem

Termination Notice

Notice is hereby provided that, pursuant to Ordinance _____, approved by Fairfield City Council on December 9, 2013, the City of Fairfield terminates the Community Reinvestment Area Agreement (hereinafter referred to as "The Agreement") between the City of Fairfield, The Fairfield City School District Board of Education, DCT Port Union LLC, and Keystone Foods LLC, aka The Martin-Brower Company LLC, that was entered into on August 26, 2010.

In its Community Reinvestment Area application, which is attached to the CRA Agreement as Exhibit A, Keystone Foods indicated that the establishment of a distribution facility in Fairfield (referred to in the CRA Agreement as "The Project") would not involve any relocation of employees or assets from another Ohio location. Subsequently, the company did reduce employment in a facility in Springfield, Ohio.

The Ohio Development Services Agency has advised the City of Fairfield that the Keystone Foods (aka The Martin-Brower Company) operation in Fairfield is objectively ineligible for incentives under the Community Reinvestment Area program because it meets the definition of "relocation" as defined by OAC § 122:9-1-02(A) and the company elected not to have the City of Fairfield perform its statutory relocation notice duty as defined by ORC § 3735.673.

The City of Fairfield hereby instructs the Butler County Auditor to remove the tax exemption from this property. The City also requests that the Butler County Treasurer attempt to collect all tax exemptions previously afforded to this property under the terms of The Agreement.

This Termination Notice will be sent to all affected parties, including but not limited to Keystone Foods LLC (aka The Martin Brower Company), DCT Port Union LLC, the Butler County Auditor, the Butler County Treasurer, the Fairfield City School District Board of Education, and the Ohio Development Services Agency.

THE CITY OF FAIRFIELD

Arthur E. Pizzano
City Manager

Date

Timothy Bachman
Director of Development Services
and CRA Housing Officer

Date

ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE CITY MANAGER AND DIRECTOR OF DEVELOPMENT SERVICES (ACTING IN HIS ROLE AS CRA HOUSING OFFICER) TO EXECUTE A TERMINATION BY THE CITY OF FAIRFIELD, OHIO OF THE COMMUNITY REINVESTMENT AREA AGREEMENT BETWEEN THE CITY OF FAIRFIELD, OHIO, KEYSTONE FOODS, LLC AKA THE MARTIN-BROWER COMPANY, LLC, DCT PORT UNION, LLC AND THE FAIRFIELD CITY SCHOOL DISTRICT BOARD OF EDUCATION AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. The City Manager and Director of Development Services (acting in his role as CRA Housing Officer) are hereby authorized to execute a termination by the City of Fairfield, Ohio of the Community Reinvestment Area Agreement between the City of Fairfield, Ohio, Keystone Foods, LLC aka The Martin-Brower Company, LLC, DCT Port Union, LLC and the Fairfield City School District Board of Education in accordance with the termination notice on file in the office of the City Manager.

Section 2. It is intended that the termination be effective as soon as possible with recovery ("clawback") of taxes previously abated, any such taxes recovered to be distributed to the public entities entitled thereto, including, but not limited to, the Fairfield City School District Board of Education and the City of Fairfield, Ohio.

Section 3. This Ordinance is hereby declared to be an emergency measure necessary for the urgent benefit and protection of the City and its inhabitants for the reason that the termination be effective before the start of the 2014 tax year; wherefore, this ordinance shall take effect immediately upon its passage.

Passed	_____	_____	_____
		Mayor's Approval	
Posted	_____		
First Reading	_____	Rules Suspended	_____
Second Reading	_____	Emergency	_____
Third Reading	_____		

ATTEST:

Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

Clerk of Council

Active Clients\City of Fairfield\Ordinances\2013\Community Reinvestment Area Agreement – Termination Notice - Ord

Ordinance Number -

AN ORDINANCE TO MAKE ESTIMATED APPROPRIATIONS FOR THE EXPENSES AND OTHER EXPENDITURES OF THE CITY FAIRFIELD, OHIO DURING THE PERIOD BEGINNING JANUARY 1, 2014 AND ENDING DECEMBER 31, 2014.

BE IT ORDAINED by the Council of the City of Fairfield, Ohio:

Section 1. That to provide for the estimated expenses and other expenditures of the City of Fairfield, Ohio during the beginning January 1, 2014 and ending December 31, 2014, the following sums are hereby set aside and appropriated as follows, TO WIT:

Section 2. That sums are hereby appropriated from the various funds of the City to accounts of the City for the purposes therein described as follows:

FROM: UNAPPROPRIATED FUND	100	GENERAL FUND	25,754,769.00
TO:			
110		MAYOR & CITY COUNCIL	246,859.00
		Personnel	223,529.00
		Other	23,330.00
115		MAYOR	15,714.00
		Personnel	11,324.00
		Other	4,390.00
120		CITY MANAGER	535,576.00
		Personnel	511,936.00
		Other	23,640.00
125		GENERAL SERVICES	4,572,156.00
		Personnel	52,889.00
		Other	4,519,267.00
130		LAW DIRECTOR	514,550.00
		Personnel	500.00
		Other	514,050.00
145		HUMAN RESOURCES	262,330.00
		Personnel	206,980.00
		Other	55,350.00
150		PLANNING & ECONOMIC DEVL	626,046.00
		Personnel	584,231.00
		Other	41,815.00
155		BUILDING & ZONING INSPECTION	798,486.00
		Personnel	708,147.00
		Other	90,339.00
160		SPECIAL APPROPRIATION	0.00

	Personnel	0.00	
	Other	0.00	
210	FINANCE ADM & ACCOUNTING		645,327.00
	Personnel	618,477.00	
	Other	26,850.00	
211	INCOME TAX		616,048.00
	Personnel	545,273.00	
	Other	70,775.00	
213	INFORMATION TECHNOLOGY		529,930.00
	Personnel	485,655.00	
	Other	44,275.00	
310	POLICE		10,185,006.00
	Personnel	9,456,506.00	
	Other	728,500.00	
315	MUNICIPAL COURT		1,667,207.00
	Personnel	1,401,707	
	Other	265,500.00	
316	JUSTICE CENTER		810,373.00
	Personnel	64,273.00	
	Other	746,100.00	
410	PUBLIC WORKS ADMINISTRATION		186,426.00
	Personnel	158,951.00	
	Other	27,475.00	
411	CONSTRUCTION SERVICES		639,424.00
	Personnel	517,399.00	
	Other	122,025.00	
412	MUNICIPAL BUILDING		248,515.00
	Personnel	74,465.00	
	Other	174,050.00	
510	PARKS & RECREATION ADM		893,462.00
	Personnel	760,762.00	
	Other	132,700.00	
512	PARKS MAINTENANCE OPERATIONS		941,979.00
	Personnel	598,679.00	
	Other	343,300.00	
513	MARSH PARK FISHING LAKE		108,728.00
	Personnel	53,078.00	
	Other	55,650.00	
530	COMMUNITY ARTS CENTER		710,627.00

	Personnel	228,864.00	
	Other	481,763.00	
TOTAL GENERAL FUND			<u><u>25,754,769.00</u></u>
<hr/>			
FROM: UNAPPROPRIATED FUND	201	STREET CONST, MAINT & REPAIR	<u><u>2,741,898.00</u></u>
TO:			
420	STREETS & TRANSPORTATION		2,741,898.00
	Personnel	1,511,058.00	
	Other	1,230,840.00	
TOTAL STREET CONST, MAINT & REPAIR			<u><u>2,741,898.00</u></u>
<hr/>			
FROM: UNAPPROPRIATED FUND	202	STATE HIGHWAY IMP	<u><u>152,175.00</u></u>
TO:			
420	STREETS & TRANSPORTATION		152,175.00
	Personnel	152,175.00	
	Other	0.00	
TOTAL STATE HIGHWAY IMP			<u><u>152,175.00</u></u>
<hr/>			
FROM: UNAPPROPRIATED FUND	203	FIRE LEVY	<u><u>5,502,682.00</u></u>
TO:			
320	FIRE SUPPRESSION		5,193,882.00
	Personnel	4,609,532.00	
	Other	584,350.00	
330	PARAMEDIC PREVENTION		308,800.00
	Personnel	0.00	
	Other	308,800.00	
TOTAL FIRE LEVY			<u><u>5,502,682.00</u></u>
<hr/>			
FROM: UNAPPROPRIATED FUND	205	COUNTY MOTOR VEHICLE	<u><u>16,000.00</u></u>
TO:			
160	SPECIAL APPROPRIATION		16,000.00
	Personnel	0.00	
	Other	16,000.00	
160	SPECIAL APPROPRIATIONS		0.00
	Personnel	0.00	
	Other	0.00	
TOTAL COUNTY MOTOR VEHICLE			<u><u>16,000.00</u></u>

FROM: UNAPPROPRIATED FUND	206	TAX RECREATION	<u>0.00</u>
TO:			
160	SPECIAL APPROPRIATIONS		0.00
	Personnel	0.00	
	Other	0.00	
TOTAL TAX RECREATION			<u>0.00</u>
<hr/>			
FROM: UNAPPROPRIATED FUND	211	LAW ENFORCEMENT	<u>22,000.00</u>
TO:			
310	POLICE		22,000.00
	Personnel	0.00	
	Other	22,000.00	
TOTAL LAW ENFORCEMENT			<u>22,000.00</u>
<hr/>			
FROM: UNAPPROPRIATED FUND	212	MUNICIPAL MOTOR VEHICLE	<u>329,713.00</u>
TO:			
420	STREETS & TRANSPORTATION		329,713.00
	Personnel	329,713.00	
	Other	0.00	
TOTAL MUNICIPAL MOTOR VEHICLE			<u>329,713.00</u>
<hr/>			
FROM: UNAPPROPRIATED FUND	213	LAW ENFORCEMENT & EDU	<u>27,500.00</u>
TO:			
310	POLICE		27,500.00
	Personnel	0.00	
	Other	27,500.00	
TOTAL LAW ENFORCEMENT & EDU			<u>27,500.00</u>
<hr/>			
FROM: UNAPPROPRIATED FUND	214	DRUG & ALCOHOL TREATMENT	<u>15,000.00</u>
TO:			
315	MUNICIPAL COURT		15,000.00
	Personnel	0.00	
	Other	15,000.00	
TOTAL DRUG & ALCOHOL TREATMENT			<u>15,000.00</u>
<hr/>			
FROM: UNAPPROPRIATED FUND	215	LOCAL LAW ENFORCE BLOCK	<u>0.00</u>
TO:			
160	SPECIAL APPROPRIATION		0.00

		Personnel	0.00	
		Other	0.00	
310	POLICE			0.00
		Personnel	0.00	
		Other	0.00	
TOTAL LOCAL LAW ENFORCE BLOCK				<u>0.00</u>
FROM: UNAPPROPRIATED FUND				
	216	PROBATION SERVICES		<u>356,450.00</u>
TO:				
315	MUNICIPAL COURT			356,450.00
		Personnel	310,450.00	
		Other	46,000.00	
TOTAL PROBATION SERVICES				<u>356,450.00</u>
FROM: UNAPPROPRIATED FUND				
	217	COURT COMPUTER		<u>75,000.00</u>
TO:				
315	MUNICIPAL COURT			75,000.00
		Personnel	0.00	
		Other	75,000.00	
TOTAL COURT COMPUTER				<u>75,000.00</u>
FROM: UNAPPROPRIATED FUND				
	218	SPECIAL PROJECTS		<u>88,451.00</u>
TO:				
315	MUNICIPAL COURT			88,451.00
		Personnel	65,451.00	
		Other	23,000.00	
TOTAL SPECIAL PROJECTS				<u>88,451.00</u>
FROM: UNAPPROPRIATED FUND				
	219	MEDIATION SERVICES		<u>5,000.00</u>
TO:				
315	MUNICIPAL COURT			5,000.00
		Personnel	0.00	
		Other	5,000.00	
TOTAL MEDIATION SERVICES				<u>5,000.00</u>
FROM: UNAPPROPRIATED FUND				
	220	TAX INCREMENT EQUIVALENT		<u>85,000.00</u>
TO:				
160	TAX INCREMENT EQUIVALENT			85,000.00

	Personnel		0.00	
	Other		85,000.00	
TOTAL TAX INCREMENT EQUIVALENT				<u>85,000.00</u>
<hr/>				
FROM: UNAPPROPRIATED FUND	221	INDIGENT DRIVER INTERLOCK		<u>10,000.00</u>
TO:				
	315	INDIGENT DRIVER INTERLOCK		10,000.00
		Personnel	0.00	
		Other	10,000.00	
TOTAL INDIGENT DRIVER INTERLOCK				<u>10,000.00</u>
<hr/>				
FROM: UNAPPROPRIATED FUND	301	GENERAL BOND RETIREMENT		<u>3,115,000.00</u>
TO:				
	160	SPECIAL APPROPRIATION		3,115,000.00
		Personnel	0.00	
		Other	3,115,000.00	
TOTAL GENERAL BOND RETIREMENT				<u>3,115,000.00</u>
<hr/>				
FROM: UNAPPROPRIATED FUND	401	STREET IMPROVEMENT		<u>2,034,000.00</u>
TO:				
	160	SPECIAL APPROPRIATION		2,034,000.00
		Personnel	0.00	
		Other	2,034,000.00	
TOTAL .2% STREET IMPROVEMENT				<u>2,034,000.00</u>
<hr/>				
FROM: UNAPPROPRIATED FUND	402	CAPITAL IMPROVEMENT		<u>1,703,500.00</u>
TO:				
	160	SPECIAL APPROPRIATION		1,703,500.00
		Personnel	0.00	
		Other	1,703,500.00	
TOTAL .2% CAPITAL IMPROVEMENT				<u>1,703,500.00</u>
<hr/>				
FROM: UNAPPROPRIATED FUND	407	WATER EXPANSION		<u>15,000.00</u>
TO:				
	160	SPECIAL APPROPRIATION		15,000.00
		Personnel	0.00	
		Other	15,000.00	
TOTAL WATER EXPANSION				<u>15,000.00</u>

FROM: UNAPPROPRIATED FUND	408	SEWER EXPANSION	<u>15,000.00</u>
TO:			
160	SPECIAL APPROPRIATION		15,000.00
	Personnel	0.00	
	Other	15,000.00	
TOTAL SEWER EXPANSION			<u>15,000.00</u>
<hr/>			
FROM: UNAPPROPRIATED FUND	409	FLOOD PROTECTION	<u>0.00</u>
TO:			
160	SPECIAL APPROPRIATION		0.00
	Personnel	0.00	
	Other	0.00	
TOTAL FLOOD PROTECTION			<u>0.00</u>
<hr/>			
FROM: UNAPPROPRIATED FUND	410	STATE ISSUE II	<u>50,000.00</u>
TO:			
160	SPECIAL APPROPRIATION		50,000.00
	Personnel	0.00	
	Other	50,000.00	
TOTAL STATE ISSUE II			<u>50,000.00</u>
<hr/>			
FROM: UNAPPROPRIATED FUND	411	DOWNTOWN DEVELOPMENT	<u>1,000.00</u>
TO:			
160	SPECIAL APPROPRIATION		1,000.00
	Personnel	0.00	
	Other	1,000.00	
TOTAL DOWNTOWN DEVELOPMENT			<u>1,000.00</u>
<hr/>			
FROM: UNAPPROPRIATED FUND	413	PARK DEVELOPMENT FUND	<u>0.00</u>
TO:			
160	SPECIAL APPROPRIATION		0.00
	Personnel	0.00	
	Other	0.00	
TOTAL PARK DEVELOPMENT FUND			<u>0.00</u>
<hr/>			
FROM: UNAPPROPRIATED FUND	501	SPECIAL ASSESSMENT	<u>230,800.00</u>
TO:			
160	SPECIAL APPROPRIATION		230,800.00

	Personnel		0.00	
	Other		230,800.00	
TOTAL SPECIAL ASSESSMENT				<u>230,800.00</u>
<hr/>				
FROM: UNAPPROPRIATED FUND	601	WATER REVENUE		<u>4,831,159.00</u>
TO:				
212	UTILITY COLLECTION			293,426.00
	Personnel		151,401.00	
	Other		142,025.00	
610	PUBLIC UTILITY ADMINISTRATION			221,614.00
	Personnel		129,564.00	
	Other		92,050.00	
611	WATER SUPERVISION			664,615.00
	Personnel		286,915.00	
	Other		377,700.00	
612	WATER PUMPING TREATMENT			1,896,679.00
	Personnel		754,779.00	
	Other		1,141,900.00	
613	WATER DISTRIBUTION & MAINT			1,135,825.00
	Personnel		734,915.00	
	Other		400,910.00	
619	WATER DEBT SERVICE			619,000.00
	Personnel		0.00	
	Other		619,000.00	
TOTAL WATER REVENUE				<u>4,831,159.00</u>
<hr/>				
FROM: UNAPPROPRIATED FUND	602	WATER BOND & INTEREST		<u>319,000.00</u>
TO:				
619	WATER DEBT SERVICE			319,000.00
	Personnel		0.00	
	Other		319,000.00	
TOTAL WATER BOND & INTEREST				<u>319,000.00</u>
<hr/>				
FROM: UNAPPROPRIATED FUND	603	WATER BOND REDEMPTION		<u>0.00</u>
TO:				
619	WATER DEBT SERVICE			0.00
	Personnel		0.00	
	Other		0.00	

TOTAL WATER BOND REDEMPTION			<u>0.00</u>
FROM: UNAPPROPRIATED FUND 604 WATER REPLACEMENT & IMP			<u>0.00</u>
TO:			
160	WATER REPLACEMENT & IMP		0.00
	Personnel	0.00	
	Other	0.00	
TOTAL WATER REPLACEMENT & IMP			<u>0.00</u>
FROM: UNAPPROPRIATED FUND 605 WATER SURPLUS			<u>15,000.00</u>
TO:			
160	SPECIAL APPROPRIATION		15,000.00
	Personnel	0.00	
	Other	15,000.00	
TOTAL WATER SURPLUS			<u>15,000.00</u>
FROM: UNAPPROPRIATED FUND 606 WATER GUARANTEED TRUST			<u>50,000.00</u>
TO:			
212	UTILITY COLLECTION		50,000.00
	Personnel	0.00	
	Other	50,000.00	
TOTAL WATER GUARANTEED TRUST			<u>50,000.00</u>
FROM: UNAPPROPRIATED FUND 620 SEWER REVENUE			<u>6,258,849.00</u>
TO:			
212	UTILITY COLLECTION		995,119.00
	Personnel	123,894.00	
	Other	871,225.00	
610	PUBLIC UTILITY ADMINISTRATION		163,173.00
	Personnel	129,573.00	
	Other	33,600.00	
621	SEWER SUPERVISION		879,942.00
	Personnel	375,642.00	
	Other	504,300.00	
622	SEWER PLANT		1,608,670.00
	Personnel	831,420.00	
	Other	777,250.00	
623	SEWER COLLECTION & MAINT		1,153,945.00

	Personnel		908,145.00	
	Other		245,800.00	
629	SEWER DEBT SERVICE			1,458,000.00
	Personnel		0.00	
	Other		1,458,000.00	
TOTAL SEWER REVENUE				<u><u>6,258,849.00</u></u>
FROM: UNAPPROPRIATED FUND 621 SEWER BOND & INTEREST				<u><u>1,212,400.00</u></u>
TO:				
629	SEWER DEBT SERVICE			1,212,400.00
	Personnel		0.00	
	Other		1,212,400.00	
TOTAL SEWER BOND & INTEREST				<u><u>1,212,400.00</u></u>
FROM: UNAPPROPRIATED FUND 622 SEWER BOND REDEMPTION				<u><u>0.00</u></u>
TO:				
629	SEWER DEBT SERVICE			0.00
	Personnel		0.00	
	Other		0.00	
TOTAL SEWER BOND REDEMPTION				<u><u>0.00</u></u>
FROM: UNAPPROPRIATED FUND 623 SEWER REPLACEMENT & IMP				<u><u>0.00</u></u>
TO:				
160	SEWER REPLACEMENT & IMP			0.00
	Personnel		0.00	
	Other		0.00	
TOTAL SEWER REPLACEMENT & IMP				<u><u>0.00</u></u>
FROM: UNAPPROPRIATED FUND 624 SEWER SURPLUS				<u><u>10,000.00</u></u>
TO:				
160	SPECIAL APPROPRIATION			10,000.00
	Personnel		0.00	
	Other		10,000.00	
TOTAL SEWER SURPLUS				<u><u>10,000.00</u></u>
FROM: UNAPPROPRIATED FUND 630 SOLID WASTE MANAGEMENT				<u><u>2,137,500.00</u></u>
TO:				
212	UTILITY COLLECTION			0.00

	Personnel	0.00	
	Other	0.00	
630	SOLID WASTE MANAGEMENT		2,137,500.00
	Personnel	0.00	
	Other	2,137,500.00	
TOTAL SOLID WASTE MANAGEMENT			<u><u>2,137,500.00</u></u>
FROM: UNAPPROPRIATED FUND			
640	RECREATIONAL FACILITIES		<u><u>1,630,321.00</u></u>
TO:			
511	AQUATIC CENTER OPERATIONS		194,123.00
	Personnel	124,373.00	
	Other	69,750.00	
514	AQUATIC CENTER DEBT		18,000.00
	Personnel	0.00	
	Other	18,000.00	
515	GOLF PRO SHOP		687,042.00
	Personnel	369,542.00	
	Other	317,500.00	
520	GOLF MAINTENANCE		731,156.00
	Personnel	390,081.00	
	Other	341,075.00	
TOTAL RECREATIONAL FACILITIES			<u><u>1,630,321.00</u></u>
FROM: UNAPPROPRIATED FUND			
641	RECREATION ACTIVITY		<u><u>497,593.00</u></u>
TO:			
510	PARKS & RECREATION ADM		497,593.00
	Personnel	253,593.00	
	Other	244,000.00	
TOTAL RECREATION ACTIVITY			<u><u>497,593.00</u></u>
FROM: UNAPPROPRIATED FUND			
702	EMPLOYEES BENEFITS		<u><u>5,155,000.00</u></u>
TO:			
160	SPECIAL APPROPRIATION		5,155,000.00
	Personnel	5,125,000.00	
	Other	30,000.00	
TOTAL EMPLOYEES BENEFITS			<u><u>5,155,000.00</u></u>

FROM: UNAPPROPRIATED FUND	705	MUNICIPAL GARAGE SERVICES	<u>927,869.00</u>
TO:			
	430	FLEET MANAGEMENT	927,869.00
		Personnel	556,394.00
		Other	371,475.00
TOTAL MUNICIPAL GARAGE SERVICES			<u><u>927,869.00</u></u>

FROM: UNAPPROPRIATED FUND	706	COMPENSATED LEAVE	<u>0.00</u>
TO:			
	160	COMPENSATED LEAVE	0.00
		Personnel	0.00
		Other	0.00
TOTAL COMPENSATED LEAVE			<u><u>0.00</u></u>

FROM: UNAPPROPRIATED FUND	707	WEST CHESTER JEDD I	<u>1,500,060.00</u>
TO:			
	211	WEST CHESTER JEDD 1	0.00
		Personnel	0.00
		Other	0.00
	211	WEST CHESTER JEDD I	1,500,060.00
		Personnel	0.00
		Other	1,500,060.00
TOTAL WEST CHESTER JEDD I			<u><u>1,500,060.00</u></u>

TOTAL APPROPRIATIONS	<u><u>66,890,689.00</u></u>
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Section 3. That the Finance Director is hereby directed to make payment from any of the foregoing appropriations upon receiving proper certification and vouchers approved by board or officers authorized by law to approve the same or an ordinance or resolution of Council to make expenditures; provided that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or ordinance. Provided further, that an appropriation for contingencies can only be expended for the purposes constituting a legal obligation against the City, and for no other purposes other than those covered by the specific appropriations herein made.

Section 4. That this Ordinance shall take effect at the earliest period allowed by law and is hereby declared to be necessary for the orderly fiscal management of said City and in order to assure the proper payment of financial obligations of the City of Fairfield, Ohio including salaries and wages of employees and is necessary for the general welfare of the citizens and shall take effect immediately upon its passage.

Passed _____

Mayor's Approval

Posted _____

First Reading _____

Rules Suspended _____

Second Reading _____

Third Reading _____

ATTEST: _____
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

Clerk of Council

CITY OF FAIRFIELD, OHIO
CITY COUNCIL COMMUNICATION

December 9, 2013

ITEM

It is necessary for the City Council to pass appropriations to reconcile accounts.

FINANCIAL IMPACT

Supplemental appropriations are required in the amount of \$18,000 from the General and Water Guaranteed Trust funds.

SYNOPSIS

The following accounts are in need of adjustment for expenditures for the remainder of 2013. The Human Resources division has had to administer new hire testing and screenings for the recently vacated police officer and dispatcher positions as well as advertising for those positions as well as the soon to be advertised Tax Supervisor position. The additional funds of \$6,500 will cover the remainder of the expenses incurred during the hiring process. The City has been made responsible for a pension liability for previous elected official who is buying back time under the pension system. The length of term is unknown as the City's liability is only when the individual pays their portion of the pension. The Utility Billing office takes in deposits on accounts for utility service when the water is not in the owner's name. Due to a higher than normal volume of move-out/in of tenants, the original appropriation is not sufficient to cover the actual costs. The additional \$8,000 will cover the rest of the year.

BACKGROUND

The following adjustment in the annual appropriation budget should be made to fund the remainder of 2013:

From:	Unappropriated	General Fund	10,000
To:	10014523-233900	Other Professional Services	5,000
	10014523-236000	Advertising	1,500
	10011021-212100	Public Employees Retirement	3,500
From:	Unappropriated	Water Guaranteed Trust Fund	8,000
To:	60621227-275000	Refunds	8,000

STAFF RECOMMENDATION

It is recommended that City Council authorize and direct the preparation of legislation amending the annual operating budget.

LEGISLATIVE ACTIONS:	Suspension of Rules & Adoption Requested?	Yes
	Emergency Provision Needed?	No

Prepared by: May Hays
 Approved for Content by: May Hays
 Financial Review (where applicable) by: May Hays
 Legal Review (where applicable) by: John Clum
 Accepted by Council Agenda: Alison Wilson

ORDINANCE NO. _____

ORDINANCE TO AMEND ORDINANCE NO. 113-12 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, 2013, AND ENDING DECEMBER 31, 2013."

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. Ordinance No. 113-12, the 2013 Appropriation Ordinance, is hereby amended in the following respects:

From:	Unappropriated General Fund	\$10,000
To:	10014523-233900 Other Professional Services	\$5,000
	10014523-236000 Advertising	\$1,500
	10011021-212100 Public Employees Retirement	\$3,500
From:	Unappropriated Water Guaranteed Trust Fund	\$8,000
To:	60621227-275000 Refunds	\$8,000

Section 2. This Ordinance shall take effect at the earliest period allowed by law.

Passed _____

Mayor's Approval

Posted _____

First Reading _____

Rules Suspended _____

Second Reading _____

Third Reading _____

ATTEST:

Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

Clerk of Council

CITY OF FAIRFIELD, OHIO
CITY COUNCIL COMMUNICATION

ITEM:

December 9, 2013

Request for appropriation for **non-contractual** agenda items.

FINANCIAL IMPACT:

\$34,000.00 from noted funding source.

SYNOPSIS:

The following appropriations have been requested:

\$34,000 for emergency Water Main Improvements on Shearwater Drive.

BACKGROUND:

Please refer to specific Council Communications dated December 9, 2013 for a description of these items.

RECOMMENDATIONS:

It is recommended that City Council suspend the rules requiring a second and third reading of this Ordinance and adopt the appropriations listed above.

LEGISLATIVE ACTIONS:	Suspension of Rules & Adoption Requested?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		yes	If yes, explain no above
	Emergency Provision Needed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		yes	If yes, explain no above

Prepared by: Alex WilsonApproved for Content by: Alex WilsonFinancial Review (where applicable) by: Mary HaysLegal Review (where applicable) by: John ClemonsAccepted by Council Agenda: Alex Wilson

CITY OF FAIRFIELD, OHIO
CITY COUNCIL MEETING COMMUNICATION

Date: 12/9/13

ITEM:

Appropriation of \$34,000 from the Water Expansion Fund for emergency Water Main Improvements on Shearwater Drive

FINANCIAL IMPACT:

Small Water Line Improvements are included in the 2013-2017 Capital Improvement Program under project WAT-13-006.

SYNOPSIS:

Project includes repairs, replacement and removal of abandoned structures in the area of the water main.

BACKGROUND:

As part of long term Capital Planning, Staff has been monitoring an old water main on Shearwater Drive. Additionally, recent improvements have been made to the intersection of Winton Road and Mack Drive in conjunction with the work on Shearwater Drive.

RECOMMENDATION:

Staff is recommending that City Council appropriate funding in the amount of \$34,000 for additional work associated with the Shearwater Drive water main improvements and subsequent improvements at the intersection of Winton Road and Mack Drive. Rules suspension and emergency action is being requested in order to complete the improvements and restoration in the early fall.

LEGISLATIVE ACTION: Suspension of Rules and Adoption Requested?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If yes, explain above.
	yes	no	
Emergency Provision Needed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If yes, explain above.
	yes	no	

Prepared by [Signature]

Approved for Content by [Signature]

Financial Review (where applicable): May Ayala

Legal Review (where applicable): John Clements

Accepted for Council Agenda: Theresa Wilton

ORDINANCE NO. _____

ORDINANCE TO AMEND ORDINANCE NO. 113-12 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, 2013, AND ENDING DECEMBER 31, 2013."

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. Ordinance No. 113-12, the 2013 Appropriation Ordinance, is hereby amended in the following respects:

From:	Unappropriated Water Expansion Fund	\$34,000
To:	40716025-252000 Improvements Other Than Building <i>(Shearwater Drive Water Line Improvements)</i>	\$34,000

Section 2. This Ordinance shall take effect at the earliest period allowed by law.

Passed	_____	_____
		Mayor's Approval
Posted	_____	
First Reading	_____	Rules Suspended _____
Second Reading	_____	
Third Reading	_____	

ATTEST:

Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

Clerk of Council