

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

MONDAY, MARCH 25, 2013

7:00 PM

MAYOR.....RONALD A. D'EPIFANIO
COUNCILMEMBER 1ST WARD.....ADAM B. JONES
COUNCILMEMBER 2ND WARD.....JEFFREY L. HOLTEGEL
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)**
7. **Special Presentations and Citizen Comments**
8. **Mayor/Council Reports**
9. **Approval of Minutes**
 - a) Regular Meeting Minutes of March 11, 2013

10. **OLD BUSINESS**

(A) **PARKS, RECREATION AND ENVIRONMENT COMMITTEE**

Terry Senger, Chairman; Adam Jones, Vice Chairman, Debbie Pennington, Member

- (1) Ordinance to authorize the City Manager to execute and submit an Ohio Public Works Commission/Clean Ohio Fund Green Space Conservation grant application for the Black Bottom Park Project.

- Ordinance – Third Reading
- Motion – Adoption

(B) **DEVELOPMENT SERVICES COMMITTEE**

Jeff Holtegel, Chairman; Tim Abbott, Vice Chairman, Tim Meyers, Member

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

- Ordinance – Second Reading (awaiting recommendation from Planning Commission)

11. NEW BUSINESS

(A) **COMMUNITY & PUBLIC RELATIONS COMMITTEE**

Debbie Pennington, Chairman; Jeff Holtegel, Vice Chairman, Adam Jones, Member

- (1) **Simple Motion:** Boards & Commissions Appointments appoint the following residents to serve on Fairfield's boards and commissions **effective April 1, 2013:**

Don Hassler – Planning Commission (Term expiring 3/31/2017)
Lew Hollinger – Fair Housing Board (Term expiring 3/31/2016)
Scott Lepsky – Planning Commission (Term expiring 3/31/2017)
Ken McFarland – Fair Housing Board (Term expiring 3/31/2016)
Rebecca Montag – Environmental Commission (Term expiring 3/31/2016)
Robert Myron – Parks and Recreation Board (Term expiring 3/31/2016)
Chad Oberson – Board of Zoning Appeals (Term expiring 3/31/2018)
Kert Radel – Design Review Committee (Term expiring 3/31/2015)
Kari Russo – Civil Service Commission (Term expiring 3/31/2016)
James Schultheiss – Fair Housing Board (Term expiring 3/31/2016)
David Sheldrick – Cultural Arts Advisory Commission (Term expiring 3/31/2016)
Rodney Spencer – Parks and Recreation Board (Term expiring 3/31/2016)

(B) **PUBLIC WORKS COMMITTEE**

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

- (1) Ordinance to authorize the City Manager to enter into a contract with Mount Pleasant Blacktopping for the Seward Road Improvements Project.

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

(C) **FINANCE & BUDGET COMMITTEE**

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

- (1) Ordinance to authorize the City Manager to enter into an addendum to the contract with the International Union of Operating Engineers, Local #20, AFL-CIO (IUOE), for wages, hours and terms and conditions of employment for the IUOE bargaining unit and declaring an emergency.

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

- (2) Appropriation Ordinance (Contractual Items) - \$1,600,000 for Seward Road project.

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

 12. **Meeting Schedule**

Monday, April 8	Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.
Monday, April 22	Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.
Monday, May 13	Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.

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

14. **Adjournment**



AGENDA

**COUNCIL-MANAGER BRIEFING
FAIRFIELD MUNICIPAL BUILDING
5350 PLEASANT AVENUE**

**MONDAY, MARCH 25, 2013
5:30 P.M.**

1. CIP Review – Mary Hopton

MINUTES
REGULAR MEETING OF COUNCIL
MARCH 11, 2013

Call to Order

Tradetown Mayor Nathan Smearsoll called the Regular Meeting of Council to order at 7:00 PM at the Fairfield Municipal Building, 5350 Pleasant Avenue.

Prayer/Pledge of Allegiance

Tradetown Police Chief Sam Byrd led in prayer and Pledge of Allegiance.

Roll Call

Clerk Wilson called the roll of Council. Councilmember Holtegel, Councilmember Pennington, Councilmember Senger, Councilmember Abbott, Councilmember Oler, Councilmember Meyers, and Councilmember Jones.

Mayor D'Epifanio asked Tradetown Mayor Nathan Smearsoll to introduce his classmates from Cincinnati Christian that attended and participated in the meeting. Tradetown Vice Mayor Brooke Watts, Police Chief Sam Byrd, Policeman Alex Perry, Nathan Guthry that helped with advertising and running the mayor's campaign.

Mayor D'Epifanio explained that Tradetown holds an actual campaign and election. He and Judge Campbell go to the school to swear in the elected officials.

Agenda Modifications

Executive Session Requests

Councilmember Pennington, seconded by Councilmember Holtegel, made a motion for Executive Session for discussion of public appointments. Approved 7-0.

Public Hearing(s)

Joint Public Hearing - Proposed Changes to Codified Ordinances

Mayor D'Epifanio opened the public hearing at 7:10 PM. Clerk Wilson read the public hearing notice (attached). Roll call of Council: Councilmember Jones, Councilmember Holtegel, Councilmember Pennington, Councilmember Senger, Councilmember Abbott, Councilmember Oler, Councilmember Meyers. Roll call of Planning Commission: Commissioner Holtegel, Commissioner Myron, Commissioner Lepsky, and Commissioner Woeste. Councilmember Holtegel, seconded by Councilmember Abbott, moved to excuse Commissioner Hasselbeck, Commissioner Hassler and Commissioner Morris. Motion carried 7-0.

Development Services Director Tim Bachman presented a summary of the recommended changes to the zoning code of the codified ordinances. These changes are done every couple of years and based on recommendations by the Planning Commission and past case precedent of the Board of Zoning Appeals. This year, the Ohio Department of Natural Resources is requiring a modification to the flood zone regulations. The proposed changes include accessory structures, allowance of temporary signage (with restrictions - see attached PowerPoint presentation), uses in downtown D-1 zoning district, specifically removal of Motor Vehicle Service and Fuel Dispensing and making them conditional uses, the basis for establishing the areas of special flood hazard, and lot and area frontage and yard requirements.

The public hearing closed at 7:20 PM.

Special Presentations and Citizen Comments

Mayor/Council Reports

Councilmember Meyers commented that the Crystal Classic at the beginning of March was wonderful. There was an article in the newspaper about the positive economic impact of the event.

Councilmember Abbott thanked Finance Director Mary Hopton and her department for their excellent work. The city was awarded the Government Financial Officers Association Award for auditing and reporting for the 26th year in a row.

Councilmember Senger and Tradetown Vice Mayor Brooke Watts reported that Marsh Park Fishing Lake and Fairfield Greens opened for the season on March 1. The Parks and Recreation Board will conduct its monthly meeting on March 12 at 5:30 PM.

Mayor D'Epifanio reported that the Easter Eggstravaganza is on March 23 at 10:30 AM at Harbin Park. The egg hunt begins at 11:00 AM. Also, Fairfield Firefighter Rick Gibbs is over-seeing the Movies in the Park program for the summer and has expanded the program to invite corporate sponsors to participate at different levels to provide give-aways. IAFF, Local 4010, has become the first corporate sponsor by donating \$2,500 to the program.

Mayor D'Epifanio also reported on the Fairfield Works program. Several individuals were recognized, including, the street crews, the Income Tax division, specifically Clerks Christine, Jewell, and Eileen, Building Inspectors Mike Stehlin and Mike Piatt, Police Officers John Vinsky, Brandon Felts, Tom Lucas and Tom Wolf.

Approval of Minutes

Regular Meeting Minutes of February 25, 2013

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

OLD BUSINESS

PUBLIC WORKS COMMITTEE

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

Ordinance to authorize the City Manager to enter into a one (1) year contract with options for years two (2) and three (3) with Brad Evans Excavating for the 2013 Concrete Repair and Replacement Work.

Legislative Action: Councilmember Meyers presented the third reading of this ordinance.

Councilmember Meyers, seconded by Councilmember Abbott moved to adopt . Motion Carried 7-0.
ORDINANCE NO. 16-13. APPROVED 7-0.

Ordinance to authorize the City Manager to enter into a one (1) year contract with options for years two (2) and three (3) Innovative Concrete and Utility Construction, Inc. for the 2013 Sidewalk/Apron

Replacement.

Legislative Action: Councilmember Meyers presented the third reading of this ordinance.

Councilmember Meyers, seconded by Councilmember Pennington moved to adopt . Motion Carried 7-0.
ORDINANCE NO. 17-13. APPROVED 7-0.

PARKS, RECREATION AND ENVIRONMENT COMMITTEE

Terry Senger, Chairman; Adam Jones, Vice Chairman, Debbie Pennington, Member

Ordinance to authorize the City Manager to execute and submit an Ohio Public Works Commission/Clean Ohio Fund Green Space Conservation grant application for the Black Bottom Park Project.

Legislative Action: Tradetown Vice Mayor Brooke Watts presented the second reading of this ordinance.

DEVELOPMENT SERVICES COMMITTEE

Jeff Holtegel, Chairman; Tim Abbott, Vice Chairman, Tim Meyers, Member

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

Legislative Action: Councilmember Holtegel deferred the second reading of this ordinance until recommendation from Planning Commission is received.

NEW BUSINESS

PUBLIC SAFETY COMMITTEE

Mike Oler, Chairman; Debbie Pennington, Vice Chairman, Terry Senger, Member

Simple Motion: Motion to approve a liquor permit application in the name of JM Bear A Touch of Class, LLC dba The Thirsty Turtle, 101 Bacher Square & Patio, Fairfield, OH 45014 (Permit Classes: D5 and D6).

Councilmember Oler, seconded by Councilmember Abbott, moved to approve a liquor permit application in the name of JM Bear A Touch of Class, LLC dba The Thirsty Turtle. Motion carried 7-0.
SIMPLE MOTION 4-13. APPROVED 7-0.

Simple Motion: Motion to approve a liquor permit application in the name of Fairfield Partners, Inc. dba LaRosa's, 5130 Camelot Drive, Fairfield, OH 45014 (Permit Classes: D2 and D2X).

Councilmember Oler, seconded by Councilmember Holtegel, moved to approve a liquor permit application in the name of Fairfield Partners, Inc. dba LaRosa's. Motion carried 7-0. SIMPLE MOTION 5-13. APPROVED 7-0.

Ordinance to authorize the City Manager to enter into a contract with Rozzi's Famous Fireworks, Inc. for the annual Red, White and Kaboom Event.

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

Background: City Manager Pizzano recommended a contract with Rozzi's Famous Fireworks, Inc. for the annual Red, White and Kaboom event. The terms of the contract remain the same as in previous years. Legislative Action: Councilmember Oler presented the first reading of this ordinance.

Councilmember Oler, seconded by Councilmember Pennington moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 7-0. Councilmember Oler, seconded by Councilmember Abbott moved to adopt . Motion Carried 7-0. ORDINANCE NO. 18-13. APPROVED 7-0.

PUBLIC WORKS COMMITTEE

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

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

Ordinance to authorize the City Manager to enter into a three (3) year contract with Scioto Services, LLC for janitorial services.

Background: City Manager Pizzano recommended a contract with Scioto Services, LLC for janitorial services at several of the city facilities. Legislative action: Councilmember Meyers presented the first reading of this ordinance.

Councilmember Meyers, seconded by Councilmember Oler moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 7-0. Councilmember Meyers, seconded by Councilmember Oler moved to adopt . Motion Carried 7-0. ORDINANCE NO. 19-13. APPROVED 7-0.

Ordinance to authorize the City Manager to enter into a contract with White Family Companies, Inc. for the purchase of seven (7) vehicles for use in the Parks, Utilities (Water and Sewer) and Public Works Departments and declaring an emergency.

Background: City Manager Pizzano recommended a contract with White Family Companies, Inc. for the purchase of seven (7) vehicles for use in city departments. These vehicles will replace current ones that are getting old. Legislative action: Councilmember Meyers presented the first reading of this ordinance.

Councilmember Meyers, seconded by Councilmember Abbott moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 7-0. Councilmember Meyers, seconded by Councilmember Jones moved to adopt . Motion Carried 7-0. ORDINANCE NO. 20-13. APPROVED 7-0.

FINANCE & BUDGET COMMITTEE

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

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

Ordinance to authorize the City Manager to enter into a grant agreement with Partners in Prime in order to provide ARK transportation services to residents in Fairfield and provide funds for its operations for the benefit of Fairfield seniors.

Background: City Manager Pizzano recommended a grant agreement with Partners in Prime. The money was approved in the 2013 budget. The grant agreement is the required paperwork to authorize the grant. Legislative action: Councilmember Abbott presented the first reading of this ordinance.

Councilmember Abbott, seconded by Councilmember Pennington moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 7-0. Councilmember Abbott, seconded by Councilmember Oler moved to adopt . Motion Carried 7-0. ORDINANCE NO. 21-13. APPROVED 7-0.

Ordinance to authorize the City Manager to enter into a grant agreement with the Fairfield Community Foundation to provide funding to support its operations for the benefit of the Fairfield community.

Background: City Manager Pizzano recommended a grant agreement with Fairfield Community Foundation. The money was approved in the 2013 budget. The grant agreement is the required paperwork to authorize the grant. 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. 22-13. APPROVED 7-0.

Ordinance to authorize the City Manager to enter into an addendum to the contract with the American Federation of State, County and Municipal Employees (AFSCME), Council #8, Local 3646, for wages, hours and terms and conditions of employment for the AFSCME bargaining unit and declaring an emergency.

Background: City Manager Pizzano recommended an addendum to the contract with AFSCME. The terms and conditions of this addendum are the same as the previous ones that have been approved by Council with other bargaining units. Legislative Action: Councilmember Abbott presented the first reading of this ordinance.

Councilmember Abbott, seconded by Councilmember Oler moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 7-0. Councilmember Abbott, seconded by Councilmember Oler moved to adopt . Motion Carried 7-0. ORDINANCE NO. 23-13. APPROVED 7-0.

Councilmember Abbott and Mayor D'Epifanio thanked the bargaining team and the unions for their hard work in reaching an agreement that is acceptable to everyone involved.

Appropriation Ordinance (Contractual Items) - \$176,381.00 for the purchase of vehicles for use in the Parks, Utilities (Water and Sewer) and Public Works Departments.

Background: City Manager Pizzano recommended the appropriation to fund the previously approved contract for the purchase of seven (7) new vehicles for city departments. Legislative Action: Councilmember Abbott presented the first reading of this ordinance.

Councilmember Abbott, seconded by Councilmember Pennington moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 7-0. Councilmember Abbott, seconded by Councilmember Jones moved to adopt . Motion Carried 7-0. ORDINANCE NO. 24-13. APPROVED 7-0.

Appropriation Ordinance (Non-Contractual Items) - \$7,950 for Well #5 maintenance at Water Treatment Plant; \$25,293 for Chevrolet Express passenger van for Parks Dept.

Background: City Manager Pizzano recommended two appropriations, one for well maintenance at the Water Treatment Plant and one for an additional vehicle purchase not included in the contract with White Family Companies, Inc. 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 this ordinance. Motion Carried 7-0. Councilmember Abbott, seconded by Councilmember Meyers moved to adopt . Motion Carried 7-0. ORDINANCE NO. 25-13. APPROVED 7-0.

Meeting Schedule

Clerk Wilson read the following meeting schedule:

- Saturday, March 9 Special Meeting, 9:00 AM at Municipal Building
- Saturday, March 23 Special Meeting, 8:30 AM at 8870 N. Gilmore Road
- Monday, March 25 Council-Manager Briefing, 5:30 p.m. (CIP Review); Regular Meeting, 7:00 p.m.

Executive Session of Council (if needed)

Council adjourned to Executive Session at 7:50 PM.

Adjournment

The regular meeting adjourned at 8:45 PM.

ATTEST:

Clerk of Council

Date Approved

Mayor's Approval

JOINT PUBLIC HEARING NOTICE
CITY OF FAIRFIELD, OHIO

All property owners and citizens of Fairfield, OH are hereby notified that a joint public hearing between the Planning Commission and City Council has been scheduled for 7:00 PM Monday, March 11, 2013 at the Fairfield Municipal Building located at 5350 Pleasant Ave, Fairfield OH 45014. The purpose of the hearing is to solicit citizen input regarding proposed changes to the following codified ordinances:

1. Chapter 1143 – Modifications to accessory structures
2. Chapter 1187 – Provision to allow flutter flags as temporary signage
3. Chapter 1168 - Use changes in D-1 and D-1A
4. Chapter 1173 - Fire lane modifications in Industrial zones

Parties wishing to review the code additions and modifications may do so by visiting the Development Services Department located at the Fairfield Municipal Building or at the city web site at www.fairfield-city.org/devservices. Questions may be directed to the department by telephone at 513-867-5345 or via e-mail at development@fairfield-city.org. The department is open business days between the hours of 8:00 AM and 5:00 PM.

Alisha Wilson
Clerk of Council

For insertion in the Journal News Friday, February 22, 2013.

Ordinance Changes

Public Hearing

March 11, 2013

Background

- Try and update the ordinances every couple of years.
- Changes recommended by the Planning Commission and by past case precedent from the Board of Zoning Appeals.
- Ohio Department of Natural Resources is also requiring a modification to the flood zone regulations.

Chapter 1143.06 ACCESSORY USES IN A OR R DISTRICTS

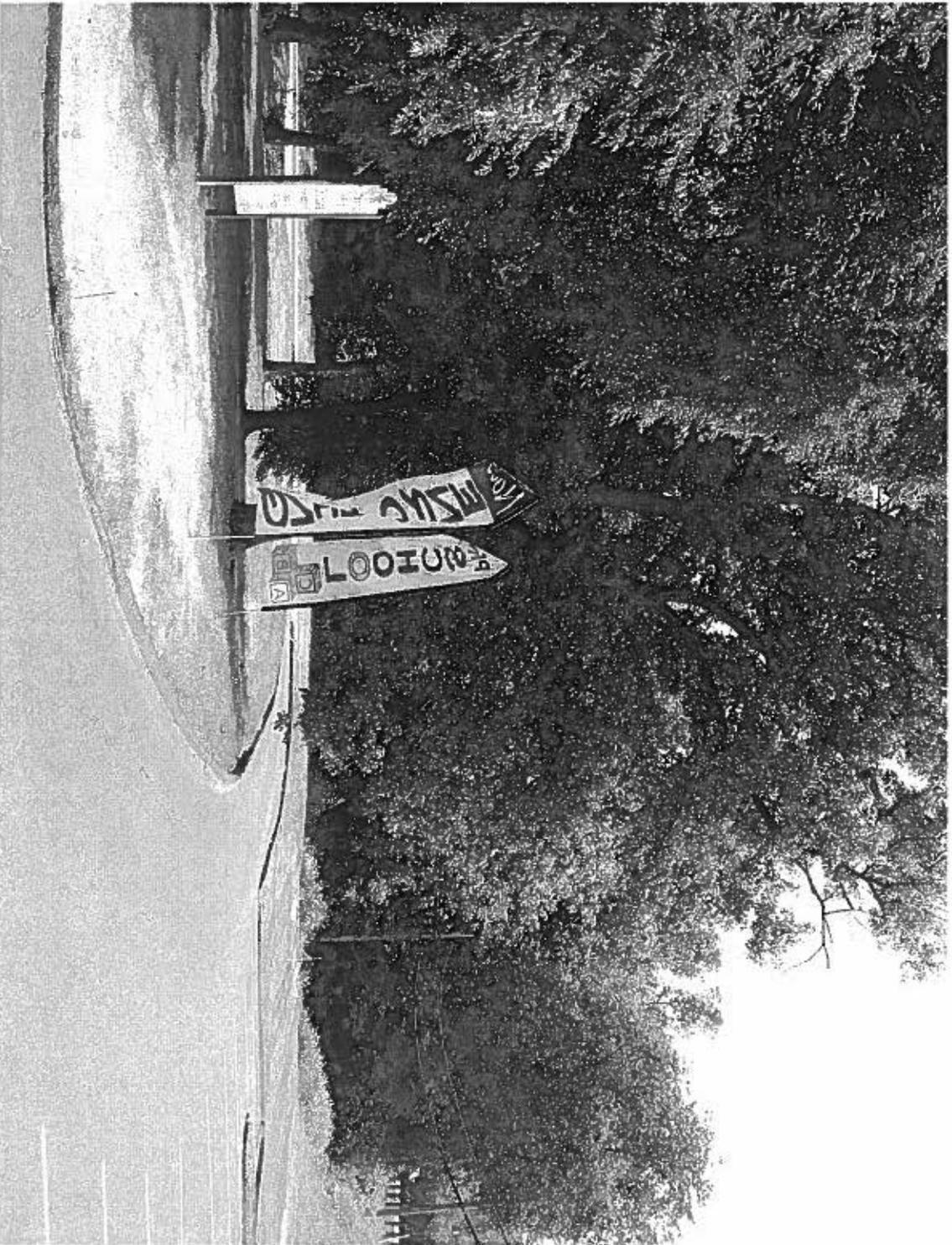
- Change requirement for a bldg. permit from 150 sq. ft. to 100 sq. ft.
- Add resin as a prohibited material for sheds over 100 sq. ft.
- Clarify the access provision regarding *paved* access.
- Add a height provision. In no case shall the height of an accessory building or structure exceed the height of the principal structure that occupies the same lot or parcel.

Chapter 1187. 02 Temporary signage

Add a provision to allow flutter flags as a temporary sign.

- Two flags per business;
- Placed out of the right-of-way and adequately secured and anchored;
- Located no closer than 20 feet from the roadway edge;
- Cannot be wider than three feet at their widest dimension;
- Cannot extend any higher than 15 feet from immediate grade/pavement.

Picture of flutter flag



Amending the definition of sign

- Modify definition to treat all signage the same with regard to message. Commercial and non-profit will adhere to the same standards.
- Clarify public signage for entryways and public directional signs.

Chapter 1168.02 Uses in downtown D-1 zoning district

- Removal of Motor Vehicle Service and Fuel Dispensing as principal permitted uses and making them Conditional Uses in the D-1 and D-1A zoning districts.
- All existing uses, uses approved by permit or ordinance are “grandfathered” .

Chapter 1199.06 Basis for establishing the areas of special flood hazard

At the request of ODNR, all reference to map panels will be removed and the following will be the references for establishing areas of special flood hazard:

- Flood Insurance Rate Map & Flood Insurance Study, Butler County, Ohio and Incorporated areas

Chapter 1173.07 Lot and area frontage and yard requirements

- Fire Lane requirements for industrial developments
 - Proposed change from 15 feet in width to 20 feet in width.
 - Reflect local and national fire code minimum standards.

Process

Public Hearing -- March 11, 2013

Planning Commission – Wed., March 13, 2013
@ 6:00 PM.

Second Reading – Mon., March 25, 2013 @
7:00 PM.

Third Reading – Mon., April 8, 2013 @ 7:00
PM.

Questions and Comments

ITEM NO. 112511

**CITY OF FAIRFIELD, OHIO
CITY COUNCIL MEETING COMMUNICATION**

ITEM:

DATE: 2/25/13

Authorization to submit an Ohio Public Works Commission/Clean Ohio Fund Green Space Conservation grant application for the Black Bottom Park Project.

FINANCIAL IMPACT:

There is no financial impact to submit the grant application.

SYNOPSIS:

It is necessary for City Council to authorize the City Manager to submit an Ohio Public Works Commission/Clean Ohio Fund Green Space Conservation grant application for the Black Bottom Park Project.

BACKGROUND:

The Ohio Public Works Commission's Natural Resources Assistance Council/District 10 has funds available for the Clean Ohio Green Space Conservation Program. The NRAC/District 10 is comprised of Butler, Clermont, Clinton and Warren Counties. The funds may be used for open space acquisition and/or protection/enhancement of riparian corridors or watersheds. The funds can provide up to 75% of the construction costs or implementation for a project; the remaining 25% must be provided by the local agency. The deadline for application submission is April 26, 2013.

In the Winter of 2002, parks and recreation agencies along the Great Miami River (Colerain Township, cities of Fairfield and Hamilton, MetroParks of Butler County; along with representatives of the ODRN/Division of Watercrafts) met at the Fairfield Golf and Community Center to discuss the possibility of developing a Great Miami River Water Path Plan; which would provide 5-6 recreational access points, along with portages, from Rentschler Forest Preserve (MetroParks of Butler County) to Dravo Park (Colerain Township), through the use of ODNR funding. Presently, there are access points at Rentschler Forest Preserve, City of Hamilton (down river from Knights Bridge) and at Heritage Park (Colerain Township).

In 2005, the City of Fairfield purchased approximately 30 acres of property for well head protection and park usage along the Great Miami River from the Martin Marietta Corporation. The project was initially referred to as the Blackbottom Riparian Corridor Project, named after the historical references to the area as a fertile river bottom farm area. The property is located on the west side of East Miami River Road, north of the Cincinnati Bolton Water Plant. The Parks and Recreation Board identified the development of this park site in its Capital Improvement Program. The initial phase one development was to be for the construction of a river access point for canoes, kayaks and/or small boats, dock, parking and entrance roadway; along with related site amenities. The phase two development included a bike/hike path

connector to Marsh Park and a proposed dog park site. It is the intent of the Parks and Recreation Board to develop this park as a passive recreation/natural area.

The City submitted successive ODRN/Division of Watercrafts grants (2006, 2007, and 2008) and was unsuccessful in obtaining funding. In 2010, the City accepted bids for the phase one portion of the project, sans grant funding, but the change in the economic climate was prohibitive in the acceptance of the bids. The lowest and best bid in 2010 was approximately \$450,000.00.

Bayer Becker Engineers has been retained by the Parks and Recreation Department to evaluate the 2010 project and provide the initial engineering services necessary to submit the Clean Ohio Fund grant application and other related grant applications. The Clean Ohio Fund grant application is requesting funds for the infrastructure necessary to access the riverfront property (parking and entrance roadway) and if successful, a subsequent ODNR/Division of Watercrafts grant will be submitted for the waterway access.

At their February meeting, the Parks and Recreation Board passed Resolution 2013-07 in regards to submitting an OPWC/Clean Ohio Fund Grant Application for the Black Bottom Park Project.

RECOMMENDATION:

It is recommended that the City Council authorize and direct the preparation of legislation authorizing the City Manager to submit an OPWC/Clean Ohio Fund grant application for the Black Bottom Park Project.

LEGISLATIVE ACTION:

Suspension of Rules and Adoption Requested? YES [] NO [X] If yes, explain above.

Emergency Provision Needed? YES [] NO [X] If yes, explain above.

Prepared by: *J. Bell*
Approved for Content by: *J. Bell*
Financial Review (where applicable): *Maya High*
Legal Review (where applicable): *John A. Demme*
Accepted for Council Agenda: *Alice Wilson*

FAIRFIELD PARKS AND RECREATION BOARD

BE IT RESOLVED, by the Fairfield Parks and Recreation Board that the City Manager is authorized to submit a grant application for the Ohio Public Works Commission's Clean Ohio Fund Green Space Conservation Program for construction related to the Black Bottom Park project in accordance with the application on file in the office of the City Manager.

ROLL CALL	YES	NO
Doug Meece	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Robert Myron	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Terry Senger	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Martin Judd	<input type="checkbox"/>	<input type="checkbox"/>
Robert Breen	<input type="checkbox"/>	<input type="checkbox"/>
Billy Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dr. Stanley Goodman	<input checked="" type="checkbox"/>	<input type="checkbox"/>

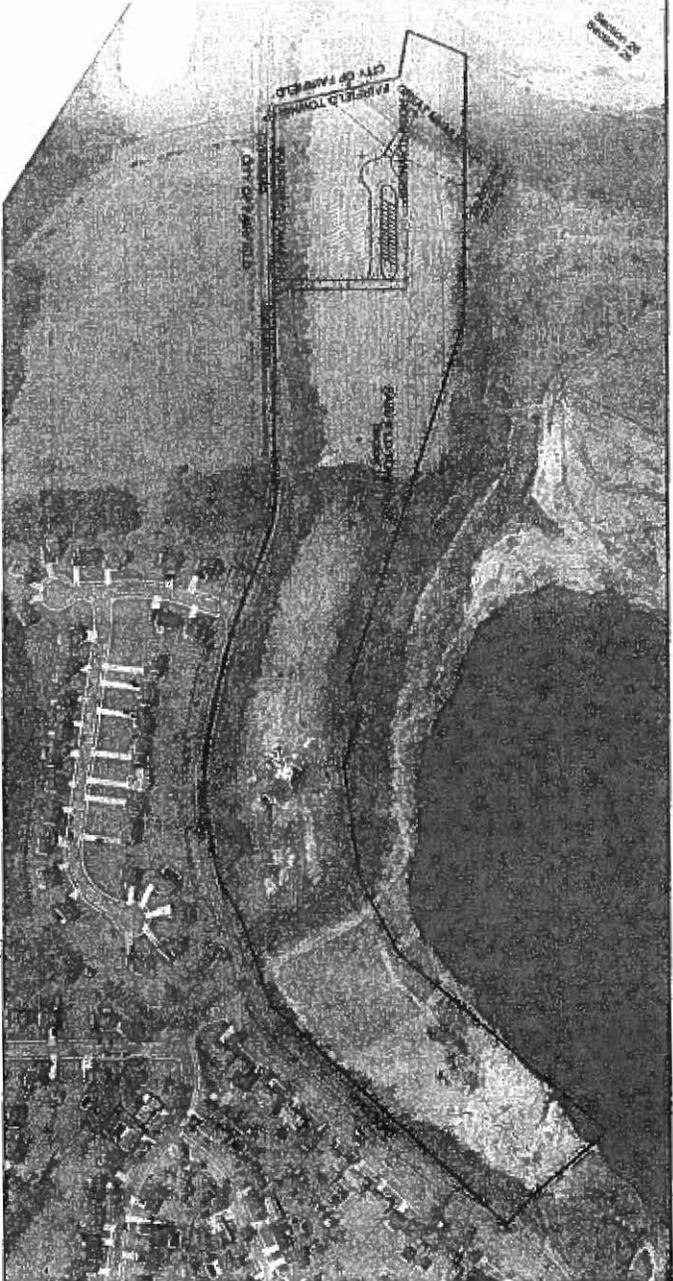
Doug Meece, Chairman / Doug Meece

Cyndi A. Kreke Secretary / Cyndi Kreke

Resolution: 2013-07

Date: 02/12/2013





GENERAL NOTES

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF FAIRFIELD, THE CITY OF MARIETTA, AND THE STATE OF OHIO.
2. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL EXISTING UTILITIES AND STRUCTURES AT ALL TIMES DURING CONSTRUCTION.
3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF FAIRFIELD, THE CITY OF MARIETTA, AND THE STATE OF OHIO.
5. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES.
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10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF FAIRFIELD, THE CITY OF MARIETTA, AND THE STATE OF OHIO.

CONSTRUCTION ENTRANCE

1. THE CONSTRUCTION ENTRANCE SHALL BE 10 FEET WIDE AND 10 FEET HIGH.
2. THE CONSTRUCTION ENTRANCE SHALL BE CONSTRUCTED WITH 12 INCH CONCRETE BLOCKS.
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10. THE CONSTRUCTION ENTRANCE SHALL BE CONSTRUCTED WITH 12 INCH CONCRETE BLOCKS.

SOIL PILE

1. THE SOIL PILE SHALL BE 12 INCH DIAMETER AND 10 FEET LONG.
2. THE SOIL PILE SHALL BE CONSTRUCTED WITH 12 INCH CONCRETE BLOCKS.
3. THE SOIL PILE SHALL BE CONSTRUCTED WITH 12 INCH CONCRETE BLOCKS.
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10. THE SOIL PILE SHALL BE CONSTRUCTED WITH 12 INCH CONCRETE BLOCKS.

CONSTRUCTION OF A FILTER BARRIER

1. SET THE STAKES.
2. SET THE STAKES AND EXCAVATE.
3. SET THE STAKES AND EXCAVATE.
4. SET THE STAKES AND EXCAVATE.
5. SET THE STAKES AND EXCAVATE.
6. SET THE STAKES AND EXCAVATE.
7. SET THE STAKES AND EXCAVATE.
8. SET THE STAKES AND EXCAVATE.
9. SET THE STAKES AND EXCAVATE.
10. SET THE STAKES AND EXCAVATE.

PLACEMENT AND CONSTRUCTION OF DITCH CHECK FILTER FABRIC FENCE

1. THE DITCH CHECK FILTER FABRIC FENCE SHALL BE 12 INCH HIGH AND 10 FEET LONG.
2. THE DITCH CHECK FILTER FABRIC FENCE SHALL BE CONSTRUCTED WITH 12 INCH CONCRETE BLOCKS.
3. THE DITCH CHECK FILTER FABRIC FENCE SHALL BE CONSTRUCTED WITH 12 INCH CONCRETE BLOCKS.
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10. THE DITCH CHECK FILTER FABRIC FENCE SHALL BE CONSTRUCTED WITH 12 INCH CONCRETE BLOCKS.

SEEDING AND MULCHING

1. SEEDING AND MULCHING SHALL BE COMPLETED WITHIN 14 DAYS OF THE END OF CONSTRUCTION.
2. SEEDING AND MULCHING SHALL BE COMPLETED WITHIN 14 DAYS OF THE END OF CONSTRUCTION.
3. SEEDING AND MULCHING SHALL BE COMPLETED WITHIN 14 DAYS OF THE END OF CONSTRUCTION.
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9. SEEDING AND MULCHING SHALL BE COMPLETED WITHIN 14 DAYS OF THE END OF CONSTRUCTION.
10. SEEDING AND MULCHING SHALL BE COMPLETED WITHIN 14 DAYS OF THE END OF CONSTRUCTION.

bayer becker

2000 Telegraph Road, Suite A
Fairfield, Ohio 44804
Phone: 419-835-1100

FAIRFIELD PARKS GREAT MAM BOAT RAMP

8457 RIVER ROAD
FAIRFIELD, OHIO 44804
CITY OF FAIRFIELD, BUTLER COUNTY, OHIO
SECTION 34, TOWN 1, RANGE 12

GENERAL NOTES AND OVERALL PLAN

NO.	REVISION	DATE	BY	CHK.
1	ISSUED FOR PERMITS	08/15/11	JL	ML
2	REVISED PER COMMENTS	08/15/11	JL	ML
3				
4				
5				

Scale: 1" = 50'

ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO EXECUTE AND SUBMIT AN OHIO PUBLIC WORKS COMMISSION/CLEAN OHIO FUND GREEN SPACE CONSERVATION GRANT APPLICATION FOR THE BLACK BOTTOM PARK PROJECT.

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

Section 1. The City Manager is hereby authorized to execute and submit an Ohio Public Works Commission/Clean Ohio Fund Green Space Conservation Grant application for the Black Bottom Park Project in accordance with the application on file in the office of the City Manager.

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

Item No. 11221

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

Date 02-25-13

Item:

An ordinance modifying various chapters of the zoning code as part of the Fairfield Codified Ordinances.

Financial Impact:

There will not be a financial impact with this request.

Synopsis:

It is necessary from time to time to update various provisions of the code to address unclear items and to address issues that come before the Planning Commission and the Board of Zoning Appeals.

Background:

Code elements that are being reviewed include:

1. Modification of shed/yard barn requirements dealing with height, construction materials and when a permit is required
2. Review of temporary signage to allow, with regulation, the feather flags that are prevalent in other commercial shopping districts.
3. Modification of signage requirements for multi-family developments.
4. Use changes in the Downtown or D-1 zoning district with respect to motor vehicle service stations and motor vehicle fuel dispensing facilities

Recommendation:

It is recommended that City Council have first reading on this ordinance at the February 25th meeting and set the public hearing for Monday, March 11, 2013.

Legislative Actions: Rules Suspension and Adoption Requested? No.
Emergency Provision Needed? No.

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

ORDINANCE NO. _____

ORDINANCE TO AMEND VARIOUS SECTIONS OF THE ZONING CODE OF ORDINANCE NO. 166-84, THE CODIFIED ORDINANCES OF FAIRFIELD, OHIO.

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

Section 1. Various sections of the Zoning Code of Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio are hereby amended to read as follows:

See attached Exhibit "A" which is incorporated herein by reference.

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

Exhibit "A"

Adding provision for the regulation of resin or plastic sheds in a residential zoning district, a height provision and a modification of the paved access requirement.

1143.06 ACCESSORY USES IN A OR R DISTRICTS AND ON PROPERTY USED FOR RESIDENTIAL PURPOSES IN ANY OTHER ZONING DISTRICT.

(a) Buildings and Parking Space. In any A or R District, and all property used for residential purposes in any other zoning district, accessory buildings or structures may be erected, detached from the principal building or may be erected as an integral part of the principal building, or may be connected therewith by a breezeway or similar structure. Except as provided in Section 1180.03, no accessory building shall be erected in any required yard or court, except a rear yard, and shall not occupy more area than thirty-five percent (35%) of the required rear yard. An accessory building or structure, if greater than ~~150~~ 100 square feet, shall not be made of metal, **RESIN OR COMPOSITE MATERIAL.** ~~and a~~ Accessory buildings or structures shall not exceed 500 square feet except on parcels zoned A-1 which are two acres or more in size. Accessory buildings and structures shall be distant at least six feet from any dwelling situated on the same lot, unless erected as an integral part thereof, and at least six feet from all lot lines or adjoining lots which are within any A or R District or are used for residential purposes. An accessory paved parking space may be located in any yard except a front yard. The accessory use area of a building or structure which is constructed both contemporaneously with and as an integral part of the original principal residence shall not be included in the calculation of allowable accessory building or structure area under this subsection. (Ord. 180-04. Passed 12-13-04.)

(b) Corner Lots. In any A or R District, where a corner lot adjoins in the rear a lot fronting on the side street, no part of an accessory building or structure on such corner shall be near a side street lot line than the least depth of the front yard required along such side street for a dwelling on such adjoining lot.

(c) Front Setback. No accessory use or structure in any A or R District, except an off-street parking area subject to the provisions of Chapter 1183, shall be permitted nearer to any front lot line than sixty feet, unless such use or structure is contained within, or connected by breezeway or similar structure to, the principal structure.

(d) Yard Requirements. Except as provided in Section 1180.03, an accessory building or structure, if not located in the rear yard, shall be erected as an integral part of, or connected by a breezeway or similar structure with, the principal building to which it is accessory, and shall be so placed as to meet all yard and court requirements for a principal building of the same height and other dimensions as such accessory building or structure.

(e) Without Main Buildings. In any A or R District, no accessory building or structure shall be erected or constructed prior to the erection or construction of the principal or main building.

(f) Paved Ingress and Egress. An accessory building or structure which has a door opening(s) greater than six feet in width ~~and any accessory paved parking space or spaces totaling more than 350 square feet on a lot~~ must have paved access in accordance with subsection 1183.05(c). (Ord. 30-00. Passed 3-13-00.)

(g) HEIGHT OF ACCESSORY BUILDING. IN NO CASE SHALL THE HEIGHT OF AN ACCESSORY BUILDING OR STRUCTURE EXCEED THE HEIGHT OF THE PRINCIPAL STRUCTURE THAT OCCUPIES THE SAME LOT OR PARCEL.

Amended Sign Definition and Flutter Flags as temporary signage

1187.02 General Requirements

(a) "Sign" means any name, identification, description, illustration, symbol, statue or device illuminated or nonilluminated which is visible from any public place or is located on private property and exposed to the public view from outside the property where located and which directs attention to a product, service, place, activity, person, institution, business or solicitation, or any emblem, painting, banner, pennant, placard or temporary sign designed to advertise, identify or convey information, to include any landscaping wherein letters or numbers are used for the purpose of directing the public's attention to a product or location. For the purpose of removal, signs shall also include all sign structures. The entire translucent area of an internally illuminated or backlit awning, canopy or other exterior area of a building or an attachment to the building which is located outside of the enclosed building and is visible from any public street shall be included as a sign, whether or not it has lettering or other symbols or illustrations thereon.

The word "sign" does not include: a flag~~[,]~~ **OR** pennant~~[, insignia or temporary signs]~~ of any nation, state, city or other political unit; ~~[or of any educational, charitable, philanthropic, civic, professional, religious organizations or like campaign, drive, movement or event;]~~ commemorative plaques approved by Council; any name plate sign in residential areas or any board, sign or surface used to display any official notices issued or posted by any court or public officer in the performance of a public duty; window displays; signs within a stadium, shopping center, residential complex, arena or other use, which cannot be viewed from any public streets; any signs for control of traffic and other regulatory purposes, governmental identification **AND DIRECTIONAL** signs, **INCLUDING SIGNS FOR IDENTIFICATION AND LOCATION OF ENTRYWAYS AND PUBLIC FACILITIES AND EVENTS AND GEOGRAPHIC AREAS OF THE CITY**, street signs, warning signs, railroad crossing signs and signs of public service companies for the purpose of public safety. All signs excluded herein shall meet any applicable building or structural requirements.

The following are types of signs:

- (1) "Advertising signs" means billboard as defined herein.
- (2) "Banner" means a piece of cloth, canvas, plastic sheet or other pliable material.
- (3) "Billboard" means any sign painted on or affixed to any structure or erected as a freestanding sign, which advertises a person, product or service not located on the same parcel of record as the sign. This definition shall not include subdivision tract directional signs but does include poster panels.
- (4) "Business sign" means a sign which directs attention to a business commodity, service, industry or other activity which is sold, offered or conducted on the premises upon which such sign is located or to which it is affixed or which displays the identifying name and address of a future comparable business or industrial establishment.

(5) "Bulletin board" means a structure containing a surface upon which is displayed the name of a religious institution, school or library, auditorium, stadium, athletic field or area of similar use for the announcement of services or activities to be held therein or at some other place.

(6) "Cabinet sign" means a temporary/movable sign constructed with sign faces designed to install movable letters or characters and the sign faces are held by a frame. Cabinet signs include both illuminated or non-illuminated signs.

(7) "Canopy, awning or marquee" means a sign that is mounted on or painted on or attached to a canopy, awning or marquee.

(8) "Captive balloons" means an envelope of spherical or similar shaped gas proof fabric distended by the pressure of gas or air held internally.

(9) "Company logo flag" means a piece of cloth or canvas attached to a flagpole and used to designate a company logo.

(10) "Construction" means a sign indicating the names of architects, engineers, contractors, owners and similar persons involved in the design and construction of a structure or project.

(11) "Directional" means a sign without advertising, directing vehicular or pedestrian movement onto a premises.

(12) "Electronic message display sign" means a sign capable of displaying words, symbols, figures or images that can be electronically changed by remote or automatic means, including graphics and/or video. This definition includes light emitting diode (LED) screens. These signs must be capable of utilizing at least three colors per pixel with color capability in excess of 32,000 colors.

(13) "Flashing" means a sign which contains or is illuminated by lights which are intermittently on and off, scintillate, move, change color, or appear to change color, change in intensity, or which create the illusion of flashing in any manner such as by rotating a light source.

(13.1) "FEATHER/FLUTTER FLAG" MEANS A SIGN WHICH IS GENERALLY DISPLAYED VERTICALLY, PRIMARILY SUPPORTED BY A ROD OR SUPPORTING FRAME ALONG ONE EDGE AND CONSTRUCTED OF A PIECE OF CLOTH, CANVAS, PLASTIC SHEET OR OTHER PLIABLE MATERIAL. THE FEATHER/FLUTTER FLAG MAY OR MAY NOT DISPLAY WORDS OR IMAGES.

(14) "Freestanding" means a sign suspended or supported by one or more uprights, braces, poles or other similar structural components when utilizing earth, rock, the ground or any foundation set in the ground as a primary holding base and not attached to or enclosed by any building.

(15) "Gateway" means a sign placed by the City on a thoroughfare within 1000 feet of the City limits noting the City boundary.

(16) "Good condition" means a sign that is maintained so as to be readable, structurally sound, mechanically working as it was designed, with no chipping, fading or other maladies and having an overall appearance similar to the original state.

(17) "Ground" means a sign placed upon a foundation, or a slab or placed upon or attached to an ornamental wall and not supported by any uprights, braces, poles or other similar structural components taller than three feet.

(18) "Illuminated" means a sign that is lighted by an artificial light source.

(19) "Moving" means any sign which in part or total, rotates, revolves, oscillates, tilts or otherwise is in motion at any time. This includes, indexing, multiprism units, whose speed exceeds one complete revolution in less than twenty seconds.

(20) "Nonconforming" means a sign which has been issued a valid permit at the time it was erected but does not now accord or comply with the requirements of this chapter and was made nonconforming by annexations, rezoning or ordinance amendment.

(21) "On-site or accessory" means business sign as defined herein.

(22) "Pennant" means a long, narrow, triangular or tapering cloth, canvas, plastic sheet or other pliable material.

(23) "Portable" means any sign which is not permanently affixed to the ground or a building in accordance with the provisions of the Building Code of the City or any sign which is intended to be moveable or capable of being moved from place to place, whether or not wheels or other special supports are provided. This definition includes searchlights, but excludes banners, pennants, streamers, captive balloons and company logo flags.

(24) "Poster panel" means an advertising structure on which posters are displayed. See Billboard.

(25) "Projecting" means a sign suspended from or supported by a building, structure or building column and extending horizontally therefrom, more than fifteen inches.

(26) "Property improvement sign" means a sign as defined in Section 1187.05(i).

(27) "Real estate" means a sign pertaining to the sale or lease of the lot or tract of land on which the sign is located or to the sale or lease of one or more structures or a portion thereof located on such lot or tract of land.

(28) "Roof" means any sign which is erected over the roof or parapet above the roof line and/or receives any or all of its support from the roof structure.

(29) "Special event sign" means a portable sign which is not internally lit or capable of being internally lit and does not exceed twenty-four square feet.

(30) "Streamer" means a series of banners, pennants or other shaped cloth, canvas, plastic sheet or other pliable material attached to a line such as a rope or wire. This definition includes tinsel.

(31) "Temporary" means a **FEATHER/FLUTTER FLAG**, banner, pennant, paper or cardboard sign, streamer, portable sign, or captive balloon which is affixed to or painted upon or represented directly or indirectly upon a building, structure or piece of land and which directs attention to an object, product, place, person, institution, organization or business.

(32) "Variable message reader board" means a permanent sign which is displayed in a series of monochromatic lights that can be changed electronically by remote or automatic means. No message, graphic, display or part thereof shall be visible for less than seven (7) seconds. The entire message shall be text only and shall not be traveling, scrolling, flashing, scintillating, animating or changing in color or light intensity or visibly changing in any other manner for the minimum seven (7) second interval.

(33) "Wall" means a sign which is affixed, painted on or attached to the wall of the building or other wall or structure and which extends not more than fifteen inches from the face of the fence or wall.

(34) "Warning" means any sign indicating danger or a situation which is potentially dangerous.

(35) "Window" means any sign printed, painted on, attached, glued or otherwise affixed to the interior side of a window and designed to be viewed from adjoining streets, walkways, malls or parking lots available for public use.

NO OTHER CHANGES UNTIL SECTION (i).

(i) Promotional Advertising. In addition to any other permitted signage and only in specifically authorized zoning districts, banners and special event signs may be permitted for a maximum of twelve periods in a calendar year not to exceed ten days each upon issuance of a temporary permit and payment of a fee, described in Section 1187.09 for each period, to the City of Fairfield, subject to the following limitations:

- (1) A minimum of ten days between each ten day permit is required.
- (2) Any permit issued in the same calendar year as provided in subsection (g) hereof shall count as one of the twelve ten day periods permitted herein.
- (3) Only one banner or one special event sign can be used at a time.
- (4) No banner shall exceed thirty square feet.
- (5) No special event shall exceed twenty-four square feet (only one side counted to compute sign area) and is not to be reflective or illuminated. The sign must be designed with one color of lettering and one color background, however, a multi-colored corporate logo and color picture with inlaid text of any color(s) is permitted. The sign must be constructed as an "a-frame" or mounted via post to the ground. No cabinet signs are permitted to be used as special event signs. The maximum height of a special event sign is 6 feet.

(6) Lettering on banners must be silkscreened, stenciled, created with vinyl letters or sewn into the fabric or material. Banners are permitted only upon existing buildings, canopies, canopy supports and existing sign supports.

(7) Special event signs are to be manufactured, lettering is to be digitally printed, machine cut or vinyl press on letters. The lettering is not to be hand painted.

(8) Businesses which open during a calendar year shall be entitled to a proportionate amount of time for promotional signage based upon the portion of the calendar year remaining after the grand opening signage period and 30 day waiting period, if grand opening signage is used.

(9) FEATHER/FLUTTER FLAGS ARE PERMITTED BUT MUST BE LIMITED TO TWO SUCH FLAGS PER BUSINESS, PLACED AT LEAST TWO (2) FEET OUT OF THE RIGHT-OF-WAY AND ADEQUATELY SECURED AND ANCHORED. THESE DEVICES ARE TO BE LOCATED NO CLOSER THAN 20 FEET FROM THE ROADWAY EDGE, CANNOT BE WIDER THAN THREE FEET AT THEIR WIDEST DIMENSION AND CANNOT EXTEND ANY HIGHER THAN 15 FEET FROM IMMEDIATE GRADE/PAVEMENT AT THE BASE.

Removal of Motor Vehicle Service and Fuel Dispensing as principal permitted uses and making them Conditional Uses in the D-1 and D-1A zoning districts. NOTE: Changes in D-1 carry forward into the D-1A zoning district by reference.

1168.02 PRINCIPAL PERMITTED USES.

No building, structure or land shall be erected, altered, enlarged or used which is arranged or designed for other than one of the following uses, except as provided in Chapter 1198.

(a) General. Any use permitted and as regulated in the C-1 District, except as modified herein and except that no residential uses are permitted.

(b) Retail and Service. Art and antique shops, artist supply stores, interior decorating shops, furniture and appliance stores, self-service laundries, dry cleaning shops, department stores, variety and dime stores, dry goods and apparel stores, laundry pick-up stores, supermarkets.

(c) Office. Business and/or professional offices; office buildings.

(d) Financial. Banks, savings and loans and other similar financial organizations with or without drive-through facilities. (Ord. 130-94. Passed 9-26-94.)

(e) Restaurants. Restaurants without drive-through facilities. (Ord. 30-00. Passed 3-13-00.)

(f) School and Studio. Trade or business schools provided machinery which is used for instruction purposes is not objectionable due to noise, fumes, smoke, odor or vibration; photographic studios, dancing studios, radio and telecasting studios and the like.

(g) Printing and Related Trade. Publishing, job printing, lithographing and blueprinting, etc.

(h) Clinic.

~~(i) Motor Vehicle Service. Motor vehicle service station, display, hire and sales subject to the provisions of Chapter 1189.~~

~~(j) Motor Vehicle Fuel Dispensing Facility.]~~

(Ord. 130-94. Passed 9-26-94.)

1168.03 CONDITIONAL USES.

The following uses shall be permitted only if expressly authorized by the Planning Commission.

(a) Restaurants. Restaurants as defined in Section 1133.01(70.1).

(b) Retail and Service. Any other retail business or service establishment or use which is determined by the Commission to be of the same general character as the above principal permitted uses, but not including any use which is first permitted or which is not permitted in the C-3 District.

(c) Veterinary Hospital or Clinic. Veterinary hospitals and clinics, excluding any outside kennels, cages, exercise runs or keeping of animals.

(d) Drive-thru Facilities. Any establishment with drive-thru facilities as defined in Section 1133.01(29) except bank drive-thru facilities which are a principal permitted use. This is defined as an operation where transfer of goods and services to the customer is designed to be done while the customer remains in the vehicle.

(e) Institutional. Schools and colleges for academic instruction and churches including church schools.

(f) Fruit and Vegetable Stores.

(g) Entertainment. Night clubs, game rooms, theaters, billiard parlors, bowling alleys, teen clubs, taverns and similar enterprises, but not within 100 feet of any R District and subject to all applicable regulations and such permits as may be required by law.(Ord. 130-94. Passed 9-26-94.)

(h) Wind Turbines. An alternative energy device designed to harness the natural wind currents to produce energy. (Ord. 98-10. Passed 11-8-10.)

(i) **MOTOR VEHICLE FUEL DISPENSING FACILITY.**

(j) **MOTOR VEHICLE SERVICE. MOTOR VEHICLE SERVICE STATION, DISPLAY, HIRE AND SALES SUBJECT TO THE PROVISIONS OF CHAPTER 1189.**

Modification of the M-2 lot setbacks incorporating the requirement of a twenty foot fire lane.

1173.07 LOT AREA FRONTAGE AND YARD REQUIREMENTS

The following minimum requirements shall be observed, except as otherwise provided in Sections 1180.03 and 1180.04.

(a) Nonresidential.

(1) Lot area. 10,000

(2) Lot frontage. None.

(3) Front yard depth. Thirty feet.

(4) Side yard depth. The minimum required side yard shall be six feet; however, a designated fire lane ~~[fifteen]~~ **TWENTY** feet wide **SHALL BE PROVIDED AT THE DISCRETION OF THE FIRE CHIEF OR HIS DESIGNEE AFTER REVIEW OF THE APPLICABLE FIRE CODE. [on one side of the building for interior lots.]** When adjoining an A or R District, the minimum required side yard shall be not less than fifty feet, of which ~~[fifteen]~~ **TWENTY** feet must be designated as a fire lane. A street side yard shall be a minimum of thirty feet, appropriately landscaped and maintained except for designated pedestrian, vehicular and utility accessways.

(5) Rear yard depth. A minimum rear yard of six feet is required. Fire separations for high hazard buildings shall be in accord with Chapter 69 Industrial Buildings of the Ohio Building Code. When adjoining an A or R District, the minimum required rear yard shall be not less than fifty feet.

(b) Screening and Buffering.

<u>Zone</u>	<u>Use</u>	<u>Buffering (Horizontal Dimension)</u>	<u>Screening (Vertical Screen Dimension)</u>
M-2	Industrial	30' adjoining R-3, R-4 40' adjoining R-0, R-1, R-2	6' adjoining A and R Districts

CITY OF FAIRFIELD, OHIO
CITY COUNCIL MEETING COMMUNICATION

Item No. 11(A)(1)

March 25, 2013

Item

Appointment of members to Fairfield's boards and commissions.

Financial Impact

None

Synopsis/Background

Each year on March 31, positions become available on Fairfield's various boards and commissions due to expiring terms of office. Advertising for the March 31 vacancies began on January 1, 2013 and concluded on February 15, 2013. The members of City Council interviewed applicants on March 9, 2013 for seats on the Board of Building Appeals, Board of Zoning Appeals, Civil Service Commission, Cultural Arts Commission, Environmental Commission, Fair Housing Board, Parks & Recreation Board, and Design Review.

Recommendation

It is recommended that City Council, via simple motion, appoint the following residents to serve on the various boards and commissions **effective April 1, 2013**:

Don Hassler – Planning Commission (Term expiring 3/31/2017)
Lew Hollinger – Fair Housing Board (Term expiring 3/31/2016)
Scott Lepsky – Planning Commission (Term expiring 3/31/2017)
Ken McFarland – Fair Housing Board (Term expiring 3/31/2016)
Rebecca Montag – Environmental Commission (Term expiring 3/31/2016)
Robert Myron – Parks and Recreation Board (Term expiring 3/31/2016)
Chad Oberson – Board of Zoning Appeals (Term expiring 3/31/2018)
Kert Radel – Design Review Committee (Term expiring 3/31/2015)
Kari Russo – Civil Service Commission (Term expiring 3/31/2016)
James Schultheiss – Fair Housing Board (Term expiring 3/31/2016)
David Sheldrick – Cultural Arts Advisory Commission (Term expiring 3/31/2016)
Rodney Spencer – Parks and Recreation Board (Term expiring 3/31/2016)

LEGISLATIVE ACTION:

SIMPLE MOTION

Prepared by: Alison Wilson

Approved for Content by: Alison Wilson

Financial Review (where applicable) by: Mary Hopton

Legal Review (where applicable) by: John Clemmens

Accepted by Council Agenda: Alison Wilson

**City of Fairfield, Ohio
Bid Opening - Results**

Project(s): Seward Road Improvements – Port Union to Symmes
Project Estimate: \$1.7 million
Date: Monday March 4, 2013 (City of Fairfield, Council Chambers)

Contractor (Address & Phone)	Base Bid	Alternate Bid	Addendum (s)	Bid Security	Non- Collusion Affidavit	PP Taxes Affidavit
John R. Jurgensen 11641 Mosteller Rd. Cincinnati, OH 45241 513-771-0820	\$1,290,935.20	\$16,938.00	n/a	Yes – Bond	Yes	Yes
Barrett Paving Materials Inc. 3751 Commerce Drive Middletown, OH 45005 513-422-4662	\$1,413,922.00	\$15,997.00	n/a	Yes - Bond	Yes	No
Mt. Pleasant Blacktopping 3199 Production Dr. Fairfield, OH 45014 513-874-3777	\$1,223,106.64	\$17,690.80	n/a	Yes - Bond	Yes	Yes
Rack & Ballauer Excavating Co. 11321 Paddy's Run Rd. Hamilton, OH 45014 513-738-7000	\$1,319,044.55	\$15,997.00	n/a	Yes - Bond	Yes	No

** These bids will be reviewed by the Public Works Department and a recommendation will be made to Council. There is no guarantee that the contract will be awarded to the lowest bidder. Contracts are awarded to the bidder deemed to be the best and the lowest bid.

ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MOUNT PLEASANT BLACKTOPPING FOR THE SEWARD ROAD IMPROVEMENTS PROJECT.

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

Section 1. The City Manager is hereby authorized to enter into a contract with Mount Pleasant Blacktopping for the Seward Road Improvements Project in accordance with the bid on file in the office of the City Manager.

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

ADDENDUM

This is an Addendum to the Agreement between the City of Fairfield, Ohio and International Union of Operating Engineers, Local #20, AFL-CIO effective March 1, 2011 ("Agreement").

In consideration of the mutual promises contained herein, the parties agree that the Agreement is amended as follows:

ARTICLE IX
WAGES, SHIFT PREMIUMS, CLOCK-IN TIME AND BREAKS

SECTION 1.- WAGE RATES

- A. The wage rates which shall be effective during the contract period of March 1, 2013 to February 28, 2014 are set forth in attached amended Appendix B.

- F. Employees in the Maintenance Worker/Laborer classification in the Wastewater Division who obtain a wastewater license shall be entitled to compensation in addition to their regular rate of pay equal to the difference between the Laborer V step rate and Operator Maintenance Worker step rate comparable to the license held by the Maintenance Worker/Laborer. Rates will be adjusted annually. For this contract period, the differences applicable to specific licenses are as follows:

March 1, 2013-
Feb. 28, 2014

Class I Operations	\$0.83
Class II Operations	\$2.64
Class III Operations	\$4.48

Such employees shall only be entitled to compensation for the single highest license level achieved.

An employee in the Maintenance Worker/Laborer classification with a wastewater license(s) who places in the first ten positions on a Civil Service eligibility list for the Operator Maintenance Worker classification shall be appointed to an Operator Maintenance Worker vacancy in the Wastewater Division before a non-employee with an equivalent license.

ARTICLE XIV
EMPLOYEE BENEFITS

SECTION 3 - PENSION PLAN, HOSPITALIZATION, MEDICAL CARE, AND GROUP LIFE INSURANCE

- A. The City will provide, at no cost to each employee, Group Life Insurance consisting of \$50,000 coverage on each employee. An employee may purchase, at his/her own expense, \$10,000 life insurance on his/her spouse and \$10,000 on each eligible child.

- B. The specific benefits of the Health and Dental Benefit Plan for the members of the bargaining unit shall be as currently established, subject to modification by the Employee/Management Health and Dental Benefits Plan Committee as hereinafter provided. The Union will select two members from its bargaining unit to serve on an Employee/Management Health and Dental Benefits Plan

Committee. The Committee shall be composed of eleven (11) members: two (2) representatives from the Local 20 bargaining unit, two (2) representatives from the Fraternal Order of Police Lodge #166 (one from each bargaining unit), two (2) representatives from the A.F.S.C.M.E. bargaining unit, two (2) representatives from the IAFF Local 4010 bargaining unit, two (2) management representatives and one (1) exempt employee appointed by the City Manager. A majority of the Committee shall constitute a quorum and it may take action or make recommendations only by majority vote of its entire membership. The Committee shall have the authority to alter or reduce health and/or dental benefits once annually in accordance with the time requirements of the Plan Provider, the Center for Local Government Benefits Cooperative, and/or the Third Party Administrator; however, the vote to approve such changes shall require a majority of the groups with each bargaining unit casting one vote and the three non-bargaining unit members casting one vote. The Committee will invite all covered employees to attend an informational meeting concerning proposed changes with a number of such meetings scheduled and held (as determined appropriate by the Committee) prior to voting on such changes. The Committee and the City Manager shall both have the authority to select the Plan Provider, membership in the Center for Local Government Benefits Cooperative, and/or the Third Party Administrator and to determine appropriate levels of reinsurance for any plan, except that both the Committee and the City Manager shall have the authority to veto any change in the Plan Provider, membership in the Center for Local Government Benefits Cooperative, and/or the Third Party Administrator or the levels of reinsurance proposed by the other. The Finance Director will provide the pertinent information in and available to his office to the Committee to assist them in their decisions and recommendations. Nothing in this paragraph shall restrict the Committee from offering more than one level of medical or dental coverage which may be selected by an employee based on levels of coverage and cost.

- C. Except as provided hereinafter, after a member of the bargaining unit has been employed by the City for a period of ninety (90) days, the City will pay into the Employees Benefit Trust Fund of the City of Fairfield, Ohio, monthly an amount equal to 85% of the actual cost or COBRA rate, as applicable, for that employee's family or single coverage (or any other coverage option approved by the Committee), as applicable. The employee's total monthly 15% share of the actual cost or COBRA rate, as applicable, shall be deducted in two equal installments each month from the payroll checks of the member on a pre-tax basis and paid into the Employees Benefit Trust Fund of the City of Fairfield, Ohio. All funds paid or deposited into the Employees Benefit Trust Fund of the City of Fairfield may be expended only for the costs of providing health and dental benefits. A new employee may participate in the Health and Dental Plan at his/her own expense (100%) during the first ninety (90) days of employment. These provisions shall be effective upon the effective date of this contract.

Effective August 1, 2013, the City's annual contribution to the Employees Benefit Trust Fund for any employee shall be limited to 85% of the total cost of the High Deductible Health Plan (HDHP), the HSA fee, and the dental plan in addition to the applicable Health Savings Account (HSA) contribution based upon the level of the plan selected by the employee. Any employee who remains on or elects the traditional (non-HDHP) health/dental plan after August 1, 2013 shall be responsible for the additional cost of such traditional plan, if any, which shall be paid by payroll deduction in addition to the 15% employee share.

The following two exceptions to the above rule shall apply:

- 1) New employees who are eligible for health/dental benefits shall be provided the traditional (non-HDHP) plan without paying the additional cost above the HDHP plan as outlined above, but only until the start date of the next plan year for which the employee was eligible to enroll in the HDHP plan. Thereafter, the above-stated additional cost shall apply to the new employee if he or she remains on the traditional (non-HDHP) plan.
- 2) If an employee is legally required to provide the traditional (non-HDHP) health/dental plan for a covered dependent, the employee shall not be required to pay the additional cost of the plan above the 15% as outlined above. "Legally required" means ordered by a court or other legal authority having jurisdiction over the employee. The employee must provide appropriate proof of such order and that the employee did not agree or consent to such an order.

Except as specifically modified in this Addendum, the Agreement effective March 1, 2011 shall remain in full force and effect.

For the International Union of Operating Engineers, Local 20, AFL-CIO:

For the City of Fairfield:

Terry Ware, Sr.
Business Manager

Arthur E. Pizzano
City Manager

Lynette M. Hodnicki
Chief Steward

Mark T. Wendling
Assistant City Manager

William R. Kellum, Jr.

Mary I. Hopton
Finance Director

Tony L. Stephens

Carol A. Mayhall
Human Resources Manager

Matthew W. Stroud

Gregory A. Kathman
Economic Development Manager

Approved as to form:

John H. Clemmons
Fairfield Law Director

APPENDIX B
Wage Rates for March 1, 2013, through February 28, 2014

LABORATORY TECHNICIAN***

Lab Supervisor	Appointment by Management	+1.25 *
Lab Technician V	Class III Wastewater Operations License + Water Lab Chemical Certificate**	29.57
Lab Technician IV	Class II Wastewater Operations License + Water Lab Chemical Certificate**	26.86
Lab Technician III	Class I Wastewater Operations License + Water Lab Chemical Certificate**	24.42
Lab Technician II	6 months experience + Water Lab Chemical Certificate**	22.24
Lab Technician I	Starting Rate	20.20

* Appointee's regular rate of pay is increased by specified hourly amount.

** Once original State Certification for Water Lab Chemical is achieved, wage rate cannot be reduced.

*** Laboratory Technicians with the following certifications will receive the following amounts in addition to their regular rate of pay:

Class III Water Plant Operator License \$.50
Voluntary Wastewater Lab Certification \$.50

MAINTENANCE WORKER LABORER (Wastewater Division) **

Crew Leader	Appointment by Management	+0.30 *
Laborer V	Proficiency Certification on Departmental Equipment Specified (Status Three) + 3 years experience	23.49 ***
Laborer IV	Departmental Specialized Equipment (Status Two) + 2 years experience	22.36
Laborer III	1 year experience	21.29
Laborer II	6 months experience (Status One)	20.23
Laborer I	Starting Rate	19.25

* Appointee's regular rate of pay is increased by specified hourly amount.

** For Commercial Driver's License requirements, see Article XVI, Section 5.

*** An employee required by Management to maintain proficiency on three or more pieces of Status Three equipment will be compensated thirty cents per hour in addition to the employee's regular hourly rate. Failure to maintain proficiency on at least three pieces of equipment shall result in the immediate loss of said additional thirty-cent hourly rate of pay. An employee required by Management to maintain proficiency on two pieces of Status Three equipment will be compensated fifteen cents per hour in addition to the employee's regular hourly rate. Failure to maintain proficiency on at least two pieces of equipment shall result in the immediate loss of said additional fifteen-cent hourly rate of pay. Employees who are not receiving an additional hourly rate as specified shall not be required to maintain proficiency on, or operate, an additional piece of Status Three equipment.

OPERATOR MAINTENANCE WORKER ***

Chief Operator	Appointment by Management	+1.25 *
Maintenance Foreman	Appointment by Management	+1.25 *
Collection System Foreman	Appointment by Management	+1.25 *
Instrumentation Foreman	Appointment by Management	+1.25 *
Assistant Collection System Foreman/Data Specialist	Appointment by Management	+0.75 *
Assistant Instrumentation Foreman	Appointment by Management	+0.75 *
Crew Leader	Appointment by Management	+0.30 *
Operator Maintenance X	Class III + one year experience at Operator Maintenance IX in the Fairfield Wastewater Division	28.62
Operator Maintenance IX	Class III License	27.97 **
Operator Maintenance VIII	Class II + Level 3 Training	26.68
Operator Maintenance VII	Class II License	26.13
Operator Maintenance VI	Class I License + Level 2 Training	24.83
Operator Maintenance V	Class I License	24.32
Operator Maintenance IV	Level 3 Training	23.49
Operator Maintenance III	Level 2 Training	22.93
Operator Maintenance II	Level 1 Training	21.34
Operator Maintenance I	Starting Rate	20.45

* Appointee's regular rate of pay is increased by specified hourly amount.

** Relief Operator hourly rate when working as Relief Operator (see Article VIII, Section 1)

*** For Commercial Drivers License requirements, see Article XVI, Section 5.

MAINTENANCE ELECTRICIAN

Maintenance Electrician IV	City of Fairfield State Master Electrician License + 2 years experience	27.88
Maintenance Electrician III	1 year experience	26.36
Maintenance Electrician II	6 months experience	25.16
Maintenance Electrician I	Starting Rate	23.24

CONSTRUCTION INSPECTOR

Construction Inspector IV	2 years experience	30.02
Construction Inspector III	1 year experience	29.63
Construction Inspector II	6 months experience	29.25
Construction Inspector I	Starting Rate	28.86

GIS/GPS MAPPING TECHNICIAN/TRAFFIC ANALYST

GIS/GPS Mapping Technician/Traffic Analyst IV	3 years experience	30.02
GIS/GPS Mapping Technician/Traffic Analyst III	2 years experience	29.63
GIS/GPS Mapping Technician/Traffic Analyst II	1 years experience	29.25
GIS/GPS Mapping Technician/Traffic Analyst I	Starting Rate	28.86

ENGINEER

Engineer III	Engineer's License + 3 years experience	29.34
Engineer II	E.I.T. + 2 years experience	26.43
Engineer I	E.I.T.	25.78

ENGINEERING AID AND DRAFTSMAN

Engineering Aid and Draftsman III	2 years experience	21.55
Engineering Aid and Draftsman II	6 months experience	20.95
Engineering Aid and Draftsman I	Starting Rate	19.80

ADDENDUM

This is an Addendum to the Agreement between the City of Fairfield, Ohio and International Union of Operating Engineers, Local #20, AFL-CIO effective March 1, 2011 ("Agreement").

In consideration of the mutual promises contained herein, the parties agree that the Agreement is amended as follows:

ARTICLE IX WAGES, SHIFT PREMIUMS, CLOCK-IN TIME AND BREAKS

SECTION 1.- WAGE RATES

- A. The wage rates which shall be effective during the contract period of ~~March 1, 2011 to February 28, 2013~~ **MARCH 1, 2013 TO FEBRUARY 28, 2014** are set forth in attached **AMENDED Appendix B**. ~~Contract provisions relative to wages and Health and Dental Benefits Plan provisions and cost sharing (see Article XIV, Section 3, Subsection C) shall be subject to renegotiation for the period of March 1, 2013 to February 28, 2014.~~
- B. ~~For the contract period of March 1, 2011 to February 28, 2013, in the event the City negotiates different wages (including bonuses or other compensation in the nature of wages) than zero percent increase, excluding promotions and existing step increases, or different Health and Dental Benefits Plan provisions or cost sharing with any other collective bargaining unit of the City or provides such different terms to any existing non-bargaining unit employees, IUOE Local 20 shall have the option to elect such different and identical terms for the contract period of March 1, 2011 to February 28, 2013 or balance thereof. For purposes of this paragraph, negotiation of different terms does not include binding conciliation awards and wages or other compensation increases mandated by law such as minimum wage increases, and IUOE Local 20 would not have the option to elect such different terms for its contract or balance thereof. The language of this paragraph B will be included in the contract but will not apply to any period after February 28, 2013.~~
- F. Employees in the Maintenance Worker/Laborer classification in the Wastewater Division who obtain a wastewater license shall be entitled to compensation in addition to their regular rate of pay equal to the difference between the Laborer V step rate and Operator Maintenance Worker step rate comparable to the license held by the Maintenance Worker/Laborer. Rates will be adjusted annually. For this contract period, the differences applicable to specific licenses are as follows:

	MARCH 1, 2013- FEB. 28, 2014	March 1, 2013- Feb. 28, 2014
Class I Operations	\$0.80 0.83	See Paragraph A above.
Class II Operations	\$2.56 2.64	See Paragraph A above.
Class III Operations	\$4.35 4.48	See Paragraph A above.

Such employees shall only be entitled to compensation for the single highest license level achieved.

An employee in the Maintenance Worker/Laborer classification with a wastewater license(s) who places in the first ten positions on a Civil Service eligibility list for the Operator Maintenance Worker classification shall be appointed to an Operator Maintenance Worker vacancy in the Wastewater Division before a non-employee with an equivalent license.

NOTE: NO CHANGES TO THE BALANCE OF THIS ARTICLE.

ARTICLE XIV
EMPLOYEE BENEFITS

NOTE: NO CHANGES TO SECTIONS 1 AND 2

SECTION 3 - PENSION PLAN, HOSPITALIZATION, MEDICAL CARE, AND GROUP LIFE INSURANCE

- A. The City will provide, at no cost to each employee, Group Life Insurance consisting of \$50,000 coverage on each employee. An employee may purchase, at his/her own expense, \$10,000 life insurance on his/her spouse and \$10,000 on each eligible child.
- B. The specific benefits of the Health and Dental Benefit Plan for the members of the bargaining unit shall be as currently established, subject to modification by the Employee/Management Health and Dental Benefits Plan Committee as hereinafter provided. The Union will select two members from its bargaining unit to serve on an Employee/Management Health and Dental Benefits Plan Committee. The Committee shall be composed of eleven (11) members: two (2) representatives from the Local 20 bargaining unit, two (2) representatives from the Fraternal Order of Police Lodge #166 (one from each bargaining unit), two (2) representatives from the A.F.S.C.M.E. bargaining unit, two (2) representatives from the IAFF Local 4010 bargaining unit, two (2) management representatives and one (1) exempt employee appointed by the City Manager. A majority of the Committee shall constitute a quorum and it may take action or make recommendations only by majority vote of its entire membership. The Committee shall have the authority to alter or reduce health and/or dental benefits once annually in accordance with the time requirements of the Plan Provider, the Center for Local Government Benefits Cooperative, and/or the Third Party Administrator; however, the vote to approve such changes shall require a majority of the groups with each bargaining unit casting one vote and the three non-bargaining unit members casting one vote. The Committee will invite all covered employees to attend an informational meeting concerning proposed changes with a number of such meetings scheduled and held (as determined appropriate by the Committee) prior to voting on such changes. The Committee and the City Manager shall both have the authority to select the Plan Provider, membership in the Center for Local Government Benefits Cooperative, and/or the Third Party Administrator and to determine appropriate levels of reinsurance for any plan, except that both the Committee and the City Manager shall have the authority to veto any change in the Plan Provider, membership in the Center for Local Government Benefits Cooperative, and/or the Third Party Administrator or the levels of reinsurance proposed by the other. The Finance Director will provide the pertinent information in and available to his office to the Committee to assist them in their decisions and recommendations. Nothing in this paragraph shall restrict the Committee from offering more than one level of medical or dental coverage which may be selected by an employee based on levels of coverage and cost.
- C. Except as provided hereinafter, after a member of the bargaining unit has been employed by the City for a period of ninety (90) days, the City will pay into the Employees Benefit Trust Fund of the City of Fairfield, Ohio, monthly an amount equal to 85% of the actual cost or COBRA rate, as applicable, for that employee's family or single coverage (or any other coverage option approved by the Committee), as applicable. The employee's total monthly 15% share of the actual cost or COBRA rate, as applicable, shall be deducted in two equal installments each month from the payroll checks of the member on a pre-tax basis and paid into the Employees Benefit Trust Fund of the City of Fairfield, Ohio. All funds paid or deposited into the Employees Benefit Trust Fund of the City of Fairfield may be expended only for the costs of providing health and dental benefits. A new employee may participate in the Health and Dental Plan at his/her own expense (100%) during the first ninety (90) days of employment. These provisions shall be effective upon the effective date of this contract.

~~[Provisions of this subsection C relative to Health and Dental Benefits Plan provisions and cost-sharing as well as wages (see Article IX, Section 1) shall be subject to renegotiation for the period of March 1, 2013 to February 28, 2014.]~~

EFFECTIVE AUGUST 1, 2013, THE CITY'S ANNUAL CONTRIBUTION TO THE EMPLOYEES BENEFIT TRUST FUND FOR ANY EMPLOYEE SHALL BE LIMITED TO 85% OF THE TOTAL

COST OF THE HIGH DEDUCTIBLE HEALTH PLAN (HDHP), THE HSA FEE, AND THE DENTAL PLAN IN ADDITION TO THE APPLICABLE HEALTH SAVINGS ACCOUNT (HSA) CONTRIBUTION BASED UPON THE LEVEL OF THE PLAN SELECTED BY THE EMPLOYEE. ANY EMPLOYEE WHO REMAINS ON OR ELECTS THE TRADITIONAL (NON-HDHP) HEALTH/DENTAL PLAN AFTER AUGUST 1, 2013 SHALL BE RESPONSIBLE FOR THE ADDITIONAL COST OF SUCH TRADITIONAL PLAN, IF ANY, WHICH SHALL BE PAID BY PAYROLL DEDUCTION IN ADDITION TO THE 15% EMPLOYEE SHARE.

THE FOLLOWING TWO EXCEPTIONS TO THE ABOVE RULE SHALL APPLY:

- 1) NEW EMPLOYEES WHO ARE ELIGIBLE FOR HEALTH/DENTAL BENEFITS SHALL BE PROVIDED THE TRADITIONAL (NON-HDHP) PLAN WITHOUT PAYING THE ADDITIONAL COST ABOVE THE HDHP PLAN AS OUTLINED ABOVE, BUT ONLY UNTIL THE START DATE OF THE NEXT PLAN YEAR FOR WHICH THE EMPLOYEE WAS ELIGIBLE TO ENROLL IN THE HDHP PLAN. THEREAFTER, THE ABOVE-STATED ADDITIONAL COST SHALL APPLY TO THE NEW EMPLOYEE IF HE OR SHE REMAINS ON THE TRADITIONAL (NON-HDHP) PLAN.
- 2) IF AN EMPLOYEE IS LEGALLY REQUIRED TO PROVIDE THE TRADITIONAL (NON-HDHP) HEALTH/DENTAL PLAN FOR A COVERED DEPENDENT, THE EMPLOYEE SHALL NOT BE REQUIRED TO PAY THE ADDITIONAL COST OF THE PLAN ABOVE THE 15% AS OUTLINED ABOVE. "LEGALLY REQUIRED" MEANS ORDERED BY A COURT OR OTHER LEGAL AUTHORITY HAVING JURISDICTION OVER THE EMPLOYEE. THE EMPLOYEE MUST PROVIDE APPROPRIATE PROOF OF SUCH ORDER AND THAT THE EMPLOYEE DID NOT AGREE OR CONSENT TO SUCH AN ORDER.

NOTE: NO CHANGES TO THE BALANCE OF THIS ARTICLE.

EXCEPT AS SPECIFICALLY MODIFIED IN THIS ADDENDUM, THE AGREEMENT EFFECTIVE MARCH 1, 2011 SHALL REMAIN IN FULL FORCE AND EFFECT.

FOR THE CITY OF FAIRFIELD:

FOR THE IUOE:

Mark J. Wendling 3/12/13
Date

Jerry Ware Jr 3/12/13
Date

AMENDED APPENDIX B
Wage Rates for March 1, 2013, through February 28, 2014

[Contract provisions relative to wages (see Article IX, Section 1) and Health and Dental Benefits Plan provisions and cost sharing (see Article XIV, Section 3, Subsection C) shall be subject to renegotiation for the period of March 1, 2013 to February 28, 2014.]

LABORATORY TECHNICIAN***

Lab Supervisor	Appointment by Management	+1.25 *
Lab Technician V	Class III Wastewater Operations License + Water Lab Chemical Certificate**	28.71 29.57
Lab Technician IV	Class II Wastewater Operations License + Water Lab Chemical Certificate**	26.08 26.86
Lab Technician III	Class I Wastewater Operations License + Water Lab Chemical Certificate**	23.71 24.42
Lab Technician II	6 months experience + Water Lab Chemical Certificate**	21.59 22.24
Lab Technician I	Starting Rate	19.61 20.20

* Appointee's regular rate of pay is increased by specified hourly amount.

** Once original State Certification for Water Lab Chemical is achieved, wage rate cannot be reduced.

*** Laboratory Technicians with the following certifications will receive the following amounts in addition to their regular rate of pay:

Class III Water Plant Operator License \$.50
 Voluntary Wastewater Lab Certification \$.50

MAINTENANCE WORKER LABORER (Wastewater Division) **

Crew Leader	Appointment by Management	+0.30 *
Laborer V	Proficiency Certification on Departmental Equipment Specified (Status Three) + 3 years experience	22.81 *** 23.49
Laborer IV	Departmental Specialized Equipment (Status Two) + 2 years experience	21.74 22.36
Laborer III	1 year experience	20.67 21.29
Laborer II	6 months experience (Status One)	19.64 20.23
Laborer I	Starting Rate	18.69 19.25

* Appointee's regular rate of pay is increased by specified hourly amount.

** For Commercial Drivers License requirements, see Article XVI, Section 5.

*** An employee required by Management to maintain proficiency on three or more pieces of Status Three equipment will be compensated thirty cents per hour in addition to the employee's regular hourly rate. Failure to maintain proficiency on at least three pieces of equipment shall result in the immediate loss of said additional thirty-cent hourly rate of pay. An employee required by

Management to maintain proficiency on two pieces of Status Three equipment will be compensated fifteen cents per hour in addition to the employee's regular hourly rate. Failure to maintain proficiency on at least two pieces of equipment shall result in the immediate loss of said additional fifteen-cent hourly rate of pay. Employees who are not receiving an additional hourly rate as specified shall not be required to maintain proficiency on, or operate, an additional piece of Status Three equipment.

OPERATOR MAINTENANCE WORKER ***

Chief Operator	Appointment by Management	+1.25 *
Maintenance Foreman	Appointment by Management	+1.25 *
Collection System Foreman	Appointment by Management	+1.25 *
Instrumentation Foreman	Appointment by Management	+1.25 *
Assistant Collection System Foreman/Data Specialist	Appointment by Management	+0.75 *
Assistant Instrumentation Foreman	Appointment by Management	+0.75 *
Crew Leader	Appointment by Management	+0.30 *
Operator Maintenance X	Class III + one year experience at Operator Maintenance IX in the Fairfield Wastewater Division	27.79 28.62
Operator Maintenance IX	Class III License	27.16 ** 27.97
Operator Maintenance VIII	Class II + Level 3 Training	25.90 26.68
Operator Maintenance VII	Class II License	25.37 26.13
Operator Maintenance VI	Class I License + Level 2 Training	24.14 24.83
Operator Maintenance V	Class I License	23.64 24.32
Operator Maintenance IV	Level 3 Training	22.84 23.49
Operator Maintenance III	Level 2 Training	22.26 22.93
Operator Maintenance II	Level 1 Training	20.72 21.34
Operator Maintenance I	Starting Rate	19.85 20.45

* Appointee's regular rate of pay is increased by specified hourly amount.

** Relief Operator hourly rate when working as Relief Operator (see Article VIII, Section 1)

*** For Commercial Drivers License requirements, see Article XVI, Section 5.

MAINTENANCE ELECTRICIAN

Maintenance Electrician IV	City of Fairfield State Master Electrician License + 2 years experience	27.07 27.88
Maintenance Electrician III	1 year experience	25.59 26.36
Maintenance Electrician II	6 months experience	24.43 25.16
Maintenance Electrician I	Starting Rate	22.56 23.24

CONSTRUCTION INSPECTOR

Construction Inspector IV	2 years experience	29.15 30.02
Construction Inspector III	1 year experience	28.77 29.63
Construction Inspector II	6 months experience	28.40 29.25
Construction Inspector I	Starting Rate	28.02 28.86

GIS/GPS MAPPING TECHNICIAN/TRAFFIC ANALYST

GIS/GPS Mapping Technician/Traffic Analyst IV	3 years experience	29.15 30.02
GIS/GPS Mapping Technician/Traffic Analyst III	2 years experience	28.77 29.63
GIS/GPS Mapping Technician/Traffic Analyst II	1 years experience	28.40 29.25
GIS/GPS Mapping Technician/Traffic Analyst I	Starting Rate	28.02 28.86

ENGINEER

Engineer III	Engineer's License + 3 years experience	28.49 29.34
Engineer II	E.I.T. + 2 years experience	25.66 26.43
Engineer I	E.I.T.	25.03 25.78

ENGINEERING AID AND DRAFTSMAN

Engineering Aid and Draftsman III	2 years experience	20.92 21.55
Engineering Aid and Draftsman II	6 months experience	20.34 20.95
Engineering Aid and Draftsman I	Starting Rate	19.22 19.80

ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN ADDENDUM TO THE CONTRACT WITH THE INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL #20, AFL-CIO (IUOE), FOR WAGES, HOURS AND TERMS AND CONDITIONS OF EMPLOYMENT FOR THE IUOE BARGAINING UNIT 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 enter into a contract with the International Union of Operating Engineers, Local #20, AFL-CIO (IUOE), for wages, hours and terms and conditions of employment for the IUOE bargaining unit in accordance with the addendum 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 existing wage rates expired March 1, 2013 and the new rates should be applied 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

ITEM:

March 25, 2013

Request for appropriation for contractual agenda items.

FINANCIAL IMPACT:

\$1,600,000.00 from noted funding source.

SYNOPSIS:

The following appropriations have been requested to fund the contracts appearing under New Business on Council's meeting agenda dated March 25, 2013:

\$1,600,000.00 Seward Road project

BACKGROUND:

Please refer to specific Council Communications dated March 25, 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? yes

If yes, explain no above

Emergency Provision Needed? yes

If yes, explain no above

Prepared by: Alisia Wilson
Approved for Content by: Alisia Wilson
Financial Review (where applicable) by: John A. Adams
Legal Review (where applicable) by: Scott A. Clemmons
Accepted by Council Agenda: Alisia 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 Street Improvement Fund \$920,000
To: 40116025-252000 Improvements Other Than Building \$920,000
(Seward Road Widening Project)

From: Unappropriated State Issue I Fund \$680,000
To: 41016025-252000 Improvements Other Than Building \$680,000
(Seward Road Widening Project)

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