

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

Monday, November 28, 2016

7:00 PM

MAYOR.....STEVE MILLER
COUNCILMEMBER 1ST WARD.....BOB MYRON
COUNCILMEMBER 2ND WARD.....CRAIG W. KELLER
COUNCILMEMBER 3RD WARD.....DEBBIE PENNINGTON
COUNCILMEMBER 4TH WARD.....TIM ABBOTT

COUNCILMEMBER AT-LARGE...CHAD OBERSON
COUNCILMEMBER AT-LARGE...MIKE SNYDER
COUNCILMEMBER AT-LARGE...BILL WOESTE
CITY MANAGER.....MARK WENDLING
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. **Special Presentations and Citizen Comments**
 - a) Fire Levy Committee
 - b) Chamber of Commerce Update
7. **Public Hearing(s)**
 - a) Stockton Station PUD Retail Center
8. **Mayor/Council Reports**
9. **Approval of Minutes**
 - a) Regular Meeting Minutes of November 14, 2016

10. **OLD BUSINESS**

- (A) **DEVELOPMENT SERVICES COMMITTEE**
Bill Woeste, Chairman; Bob Myron, Vice Chairman; Mike Snyder, Member

- (1) Ordinance amending Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, Section 1141.02, the City of Fairfield, Ohio, Zoning Map by approving the Final Development Plan for the Stockton Station Retail Center Planned Unit Development.

- Ordinance – Hold Second Reading for Planning Commission Recommendation

11. **NEW BUSINESS**

- (A) **COMMUNITY & PUBLIC RELATIONS COMMITTEE**
Bob Myron, Chairman; Bill Woeste, Vice Chairman; Debbie Pennington, Member

- (1) Ordinance to amend Section 145.04, Appointment of Full-Time Firefighter/Paramedic positions, and add a new section 145.08, Eligibility Lists for Full-Time Fire Positions, of Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio.

- Motion – Read by Title Only (Optional)
- Ordinance – First Reading

12. Meeting Schedule

Monday, December 5	Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.
Monday, December 12	Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.
Monday, January 9	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, NOVEMBER 28, 2016
5:30 P.M.**

1. 2017 Operating Budget



Public Hearing Notice

Fairfield City Council
November 18, 2016

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, November 28, 2016 at the Fairfield Municipal Building at 5350 Pleasant Avenue, Fairfield OH 45014. The purpose of the hearing is to solicit citizen input regarding a Final Development Plan for a Retail Building in the Stockton Station Planned Unit Development on approximately 1.2 acres of land located at 6775 Dixie Hwy.

Parties wishing to review the application may do so by visiting the Development Services Department located at the Fairfield Municipal Building or at the City website 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 Monday through Friday, between the hours of 8:00 AM and 5:00 PM.

Alisha Wilson
Clerk of Council

For insertion in the Journal News Friday, November 18, 2016.

MINUTES
REGULAR MEETING OF COUNCIL
NOVEMBER 14, 2016

Call to Order

Mayor Steve Miller 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 Snyder led in prayer and the Pledge of Allegiance.

Roll Call

Clerk Wilson called the roll of Council. Present members were Councilmember Bob Myron, Councilmember Craig Keller, Councilmember Debbie Pennington, Councilmember Tim Abbott, Councilmember Chad Oberson, Councilmember Mike Snyder, and Councilmember Bill Woeste.

Agenda modifications

No agenda modifications.

Executive Session Requests

No Executive Session requests.

Special Presentations and Citizen Comments

John Weber, of Lamont Drive, addressed Council regarding communications issues for a court summons he received. Mayor Miller referred him to Development Services Director Greg Kathman.

Public Hearing(s)

No public hearings.

Mayor/Council Reports

Councilmember Woeste announced two (2) new restaurants coming to the downtown area, Sushi House and The Butt Shack.

Councilmember Snyder reported that the Mack Road Water Tank project is complete and looks very nice with the addition of the city logo.

Councilmember Oberson announced that the Rt. 4/Holden intersection project is complete and work continues on the John Gray Road bridge project. He also mentioned that leaf collection is on-going throughout the city and a dumpster for brush is still available through the Public Works Department.

Councilmember Abbott reported that 2017 budget review started this evening in the briefing and will continue for the next two (2) meetings.

Councilmember Pennington announced the Fairfield Footlighters production, Over the River and Through the Woods, will be December 18-20 at the Community Arts Center.

Councilmember Keller reported that Officer Larsh and K9 Scout have completed their training and will be on the street. He also thanked the community for passing the Fire Levy.

Councilmember Myron wished everyone a very Happy Thanksgiving.

Approval of Minutes

Regular Meeting Minutes of October 24, 2016

- The Regular Meeting minutes of October 24, 2016 were approved as written and submitted.

OLD BUSINESS

No Old Business.

NEW BUSINESS

PUBLIC SAFETY COMMITTEE

Craig Keller, Chairman; Tim Abbott, Vice Chairman; Chad Oberson, Member

Simple Motion: Motion to not request a hearing regarding a liquor permit application in the name of Dixie Sky Investments, LLC, 7105 Dixie Highway, Suite A, Fairfield, OH 45014. (Permit Classes: D1 & D2)

Councilmember Keller, seconded by Councilmember Pennington, moved to not request a hearing in the liquor permit application in the name of Dixie Sky Investments, LLC. Motion carried 7-0. SIMPLE MOTION NO. 22-16. APPROVED 7-0.

DEVELOPMENT SERVICES COMMITTEE

Bill Woeste, Chairman; Bob Myron, Vice Chairman; Mike Snyder, Member

Ordinance amending Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, Section 1141.02, the City of Fairfield, Ohio, Zoning Map by approving the Final Development Plan for the Stockton Station Retail Center Planned Unit Development.

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

Background: City Manager Wendling recommended an ordinance to approve a retail center at the Stockton Station Planned Unit Development. Legislative Action: Councilmember Woeste presented the first reading of this ordinance and set a public hearing date for November 18, 2016.

PUBLIC UTILITIES COMMITTEE

Mike Snyder, Chairman; Chad Oberson, Vice Chairman; Bob Myron, Member

Councilmember Mike Snyder, seconded by Councilmember Bill Woeste moved to read two (2) items by title only. Motion Carried 7-0.

Resolution permitting a Fairfield property owner at 2543 Bobmeyer Road to receive City of Hamilton, Ohio water and sewer service and declaring an emergency.

Background: City Manager Wendling recommended a resolution to allow a Fairfield property owner to receive City of Hamilton water and sewer service. The City of Fairfield does not provide water and sewer service at this address, and there is an agreement between Hamilton and Fairfield to allow residents to receive the other city's utilities for situations such as this. Legislative Action: Councilmember Snyder presented the first reading of this resolution.

Councilmember Mike Snyder, seconded by Councilmember Bob Myron moved to suspend the rules requiring three (3) readings of this resolution. Motion Carried 7-0. Councilmember Mike Snyder, seconded by Councilmember Craig Keller moved to adopt. Motion Carried 7-0. RESOLUTION NO. 10-16. APPROVED 7-0.

Ordinance to authorize the City Manager to enter into a contract with Smithcorp, Inc. for the Symmes Road Water Line Improvement Project.

Background: City Manager Wendling recommended a contract with Smithcorp, Inc. for the Symmes Road Water Line Improvement Project. Legislative Action: Councilmember Snyder presented the first reading of this ordinance.

Councilmember Mike Snyder, seconded by Councilmember Chad Oberson moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 7-0. Councilmember Mike Snyder, seconded by Councilmember Chad Oberson moved to adopt. Motion Carried 7-0. ORDINANCE NO. 98-16. APPROVED 7-0.

FINANCE & BUDGET COMMITTEE

Tim Abbott, Chairman; Debbie Pennington, Vice Chairman; Craig Keller, Member

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

Ordinance to amend Ordinance No. 107-15 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, 2016, and ending December 31, 2016."

Background: City Manager Wendling recommended contractual appropriations in the amount of \$67,000 for the Symmes Road Water Line Improvement Project. Legislative Action: Councilmember Abbott presented the first reading of this ordinance.

Councilmember Tim Abbott, seconded by Councilmember Bob Myron moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 7-0. Councilmember Tim Abbott, seconded by Councilmember Debbie Pennington moved to adopt. Motion Carried 7-0. ORDINANCE NO. 99-16. APPROVED 7-0.

Ordinance to amend Ordinance No. 107-15 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, 2016, and ending December 31, 2016."

Background: City Manager Wendling recommended the following Non-Contractual Appropriations – \$36,500 for cleaning and rehabilitation of raw water production well number six (6); \$7,480 for concrete crack sealing of clarifier walls at Water Treatment Plant; \$5,000 for replacement of security fence sections at Mack R. water tank; \$14,000 to replace existing relief sewer overflow structure sluice gates at Wastewater Treatment Plant; \$20,000 to rehabilitate existing components in Wastewater Treatment Plant’s Influent Wet Wells; \$14,500 to upgrade City Emergency Operations Center equipment; \$5,270 for upgrades at Community Arts Center. Legislative Action: Councilmember Abbott presented the first reading of this ordinance.

Councilmember Tim Abbott, seconded by Councilmember Debbie Pennington moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 7-0. Councilmember Tim Abbott, seconded by Councilmember Bob Myron moved to adopt. Motion Carried 7-0. ORDINANCE NO. 100-16. APPROVED 7-0.

Meeting Schedule

Clerk Wilson read the following meeting schedule:

- Monday, November 28 Council-Manager Briefing, 5:30 p.m.; Regular Meeting, 7:00 p.m.
- Monday, December 5 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.
- Monday, December 12 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.

Executive Session of Council (if needed)

No Executive Session.

Adjournment

The Regular Meeting adjourned at 7:25 PM.

ATTEST:

Clerk of Council

Mayor's Approval

Date Approved _____

Item No. 11(B)(1)

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

Date 11-14-16

Item:

An ordinance approving a final development plan for a retail center on approximately one acre of land located between Dixie Highway and Stockton Station Drive.

Financial Impact:

None. This is a land use decision.

Synopsis:

The proposal is to build an approximately 9,000 square foot multi-tenant retail building with a possible drive-thru. The development is located on 1.23 acre parcel situated between the Spinning Fork and Starbucks, currently under construction.

Background:

The property is located in the Stockton Station Planned Unit Development that was approved in 1999. The site is designated for commercial uses.

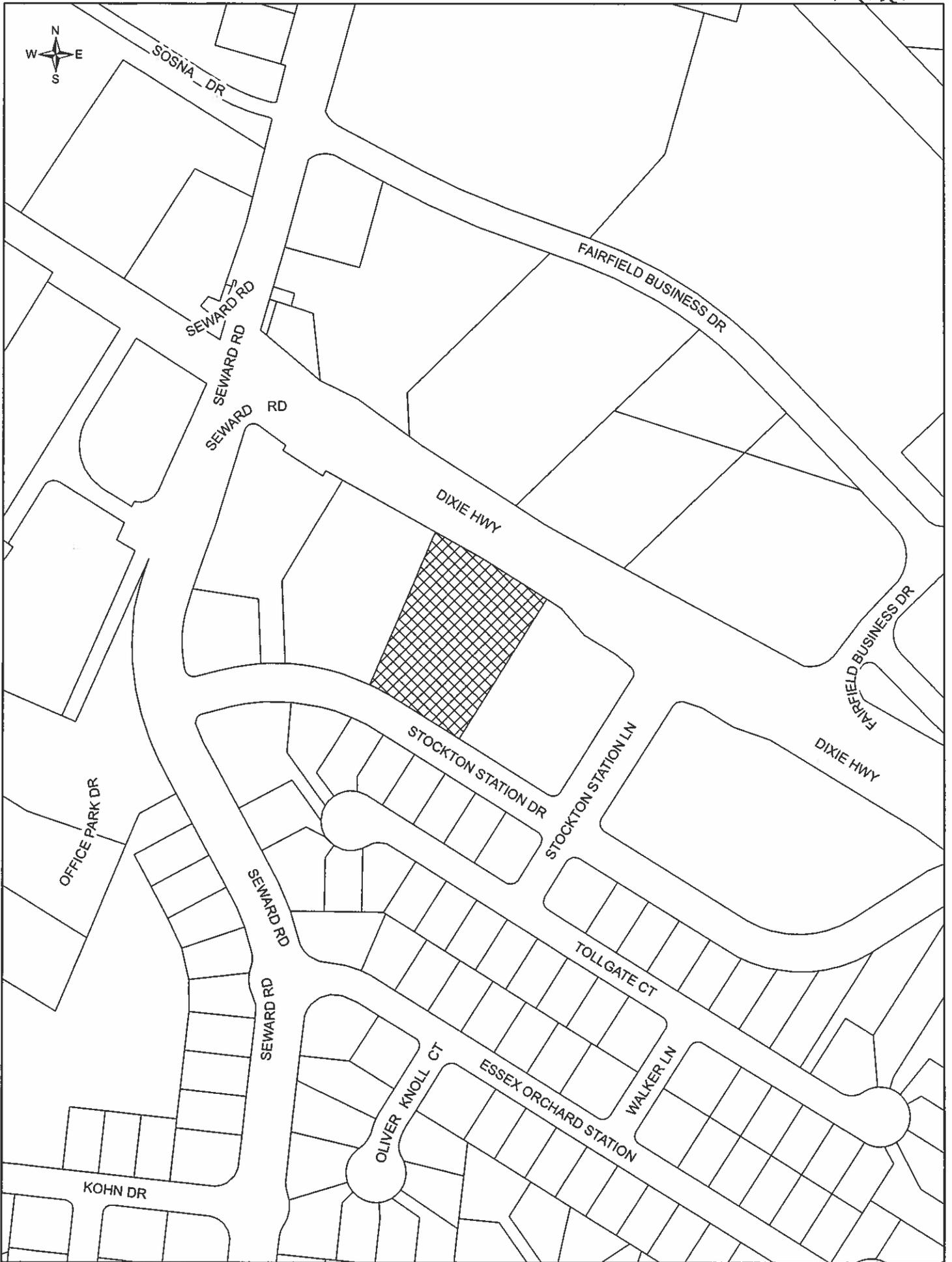
Recommendation:

It is recommended that City Council have first reading on this item at the November 14 meeting, set the public hearing for November 28, 2016 and await the written recommendation from the Planning Commission.

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

No.
No.

Prepared by: Eric Darrow (Planning Mgr.)
Approved for Content by: Greg Kathan
Financial Review (where applicable): May Hym
Legal Review (where applicable): John W. Uemmons
Accepted for Council Agenda: Richard



ORDINANCE NO. _____

ORDINANCE AMENDING ORDINANCE NO. 166-84, THE CODIFIED ORDINANCES OF FAIRFIELD, OHIO, SECTION 1141.02, THE CITY OF FAIRFIELD, OHIO, ZONING MAP BY APPROVING THE FINAL DEVELOPMENT PLAN FOR THE STOCKTON STATION RETAIL CENTER PLANNED UNIT DEVELOPMENT.

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

Section 1. The official Zoning Map of the City of Fairfield, Ohio, which is incorporated into Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio, Section 1141.02, is hereby amended by changing the zoning classification of the 1.23 acres of part lot 12989, City of Fairfield, Butler County, Ohio, located between the Spinning Fork and Starbucks by approving the final development plan for the Stockton Station Retail Center Planned Unit Development, a copy of which plan, including the written terms and conditions which constitute a material part thereof, is on file in the office of the Clerk of Council and which are incorporated herein by reference.

Section 2. The Director of Development Services is hereby directed to change the official Zoning Map of the City of Fairfield, Ohio in accordance with this ordinance.

Section 3. 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 MEETING COMMUNICATION**

DATE: November 28, 2016

ITEM:

Ordinance to amend Section 145.04 and adopt a new section 145.08 of Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio, relative to the duration of eligibility lists for firefighter-paramedic positions and appointments from the list.

FINANCIAL IMPACT:

None.

SYNOPSIS:

Pursuant to Section 8.04(E) of the Charter, the City of Fairfield is able to supercede state law on civil service matters if the Civil Service Commission recommends an ordinance which is adopted by the Council.

BACKGROUND:

The Fairfield Civil Service Commission has recommended adoption of this ordinance to enable it to continue its existing rules with regard to the appointment of firefighter-paramedics and the duration of eligibility lists.

RECOMMENDATION:

It is recommended that Council adopt the attached ordinance. Suspension of the rules and the emergency clause are prohibited and the ordinance must be approved by a three-fourths (6 of 7) vote of Council.

LEGISLATIVE ACTION:

Suspension of Rules and Adoption Requested? Yes No
If **yes**, explain above.

Emergency Provision Needed? Yes No
If **yes**, explain above.

Prepared by: John H. Clemmons

Approved for Content by: John H. Clemmons

Financial Review (where applicable): Mary Hays

Legal Review (where applicable): John H. Clemmons

Accepted for Council Agenda: Thomas

CIVIL SERVICE COMMISSION
5350 Pleasant Avenue
Fairfield, Oh 45014
513-867-5381

Richard Fox
Chairman

Brian Wood
Vice Chairman

Kari Russo
Member

November 16, 2016

Fairfield City Council
5350 Pleasant Ave.
Fairfield, OH 45014

Dear Sirs,

At the November 10, 2016 meeting, the Civil Service Commission discussed the pre-employment process for police and fire positions. While we typically follow the State of Ohio Civil Service Code, the Commission is recommending that you adopt the attached ordinance amending the number of applicants for consideration on an eligibility list and the time of validity for said lists.

Sincerely yours,



Lindsey Margerum
Civil Service Commission Secretary

ORDINANCE NO. _____

ORDINANCE TO AMEND SECTION 145.04, APPOINTMENT OF FULL-TIME FIREFIGHTER/PARAMEDIC POSITIONS, AND ADD A NEW SECTION 145.08, ELIGIBILITY LISTS FOR FULL-TIME FIRE POSITIONS, OF ORDINANCE NO. 166-84, THE CODIFIED ORDINANCES OF FAIRFIELD, OHIO.

WHEREAS, pursuant to Section 8.04(E) of the Fairfield City Charter, this Council may adopt an ordinance modifying the general laws of Ohio pertaining to civil service upon recommendation of the Civil Service Commission, and

WHEREAS, the Fairfield Civil Service Commission has recommended the adoption of this ordinance; and

WHEREAS, this ordinance has been considered by this Council at meetings held on at least three separate days and is adopted upon a vote of at least three-fourths (3/4) of the members of this Council.

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

Section 1. Section 145.04 is hereby amended and a new section 145.08 is hereby adopted of Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio, 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"

145.04 APPOINTMENT OF FULL-TIME FIREFIGHTER/PARAMEDIC POSITIONS.

The provisions of Ohio R.C. Chapter 124 and any other section of the Ohio Revised Code notwithstanding, there shall be credit given or added to the examination score of any applicant for the full-time position of firefighter/paramedic for seniority only in the City of Fairfield Fire Service in accordance with the rules of the Civil Service Commission. Credit for seniority given to part-time employees applying for full-time positions in the City of Fairfield Fire Service shall be calculated in the same manner as provided by the rules of the Civil Service Commission for seniority credit on promotional examinations. There shall be no preference given on the examination score or in the ranking of the applicants for any full-time firefighter/paramedic position in the City of Fairfield Fire Service to any current or former employee of the City of Fairfield, Ohio, other than for seniority in the City of Fairfield Fire Service as stated above, and no additional credit or preference for military service or efficiency shall be given to any applicant. The City Manager shall have discretion to fill or not fill any vacancy in the position of full-time firefighter/paramedic. **FOR FULL-TIME FIREFIGHTER/PARAMEDIC POSITIONS, THE CITY MANAGER MAY APPOINT FROM THE TOP TWENTY-FIVE PERCENT (25%) OF THE ELIGIBILITY LIST OR THE TEN (10) NAMES STANDING HIGHEST ON THE ELIGIBILITY LIST, WHICHEVER IS GREATER.**

145.08 ELIGIBILITY LISTS FOR FULL-TIME FIRE POSITIONS

THE PROVISIONS OF OHIO R.C. CHAPTER 124 AND ANY OTHER SECTION OF THE OHIO REVISED CODE NOTWITHSTANDING, THE FOLLOWING SHALL BE APPLICABLE TO ELIGIBLE LISTS FOR ORIGINAL APPOINTMENTS TO FULL-TIME FIREFIGHTER/PARAMEDIC POSITIONS AND PROMOTIONS FOR FULL-TIME POSITIONS IN THE FIRE DEPARTMENT:

(a) EXCEPT AS PROVIDED IN SECTION 145.03(c) OF THESE CODIFIED ORDINANCES, ELIGIBLE LISTS SHALL BE FOR A MINIMUM TERM OF ONE (1) YEAR BUT NOT MORE THAN (2) YEARS AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION.

(b) THE CIVIL SERVICE COMMISSION MAY TERMINATE A PROMOTIONAL ELIGIBILITY LIST AFTER ONE (1) YEAR AND MAY TERMINATE AN ELIGIBILITY LIST FOR ORIGINAL APPOINTMENTS TO THE POSITION OF FULL-TIME FIREFIGHTER/PARAMEDIC AT ANY TIME.