

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

**MONDAY, OCTOBER 28, 2013**

**7:00 PM**

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MAYOR.....RONALD A. D'EPIFANIO  
COUNCILMEMBER 1<sup>ST</sup> WARD.....ADAM B. JONES  
COUNCILMEMBER 2<sup>ND</sup> WARD.....JEFFREY L. HOLTEGEL  
COUNCILMEMBER 3<sup>RD</sup> WARD.....DEBBIE PENNINGTON  
COUNCILMEMBER 4<sup>TH</sup> 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

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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.

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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**
  - a) Beautiful Fairfield Presentation
8. **Mayor/Council Reports**
9. **Approval of Minutes**
  - a) Regular Meeting Minutes of October 15, 2013

10. **OLD BUSINESS**

(A) **DEVELOPMENT SERVICES COMMITTEE**  
**Jeff Holtegel, Chairman;** Tim Abbott, Vice Chairman, Tim Meyers, 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 revised concept and final development plan for the Meijer-Gilmore Road Planned Unit Development.

- Motion – Amend
- Ordinance – Third Reading
- Motion – Adoption

(B) **PUBLIC WORKS COMMITTEE**

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

- (1)  Ordinance accepting public improvements and releasing the maintenance bond for the Bluffs of Harbin Subdivision (Park Place).

- Ordinance – Third Reading
- Motion – Adoption

- (2)  Resolution requesting the State of Ohio Director of Transportation to modify the speed limit on Pleasant Avenue (US 127) beginning at John Gray Road and ending at Hunter Road.

- Tabled

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

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

- (1)  Ordinance to authorize the City Manager to enter into an agreement with Fairfield Optimist Club, Inc. for the operation of an amateur soccer program.

- Ordinance – Third Reading
- Motion – Adoption

11. NEW BUSINESS

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

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

- (1) Simple Motion: Reappointment of Donald Hassler and Dave Butsch to the Butler County Transportation Improvement District for a term of office retroactive to October 14, 2013 and expiring on October 13, 2015.

(B) **PUBLIC UTILITIES COMMITTEE**

**Adam Jones, Chairman;** Tim Meyers, Vice Chairman, Jeff Holtegel, Member

- (1) Resolution permitting a Fairfield property owner at 2401 Bobmeyer Road to receive City of Hamilton, Ohio Water and Sewer Service and declaring an emergency.

- Motion – Read by Title Only (Optional)
- Resolution – 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 reconcile accounts.

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

- (2) Appropriation Ordinance (Non-Contractual Items) - \$40,000 for 2013 Guardrail Improvement Program.

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

- Motion – Suspend Second and Third Readings
- Motion – Adoption

**12. Meeting Schedule**

Monday, November 11	Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.
Monday, November 25	Council-Manager Briefing, 5:30 p.m.; Regular Meeting, 7:00 p.m.
Monday, December 2	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, OCTOBER 28, 2013  
6:00 P.M.**

1. Pleasant Avenue Improvements
  - Water Line Replacement - Dave Crouch
  - Traffic Study - Dave Butsch & Ben Mann

MINUTES  
REGULAR MEETING OF COUNCIL  
OCTOBER 15, 2013

**Call to Order**

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

**Prayer/Pledge of Allegiance**

Councilmember Pennington led in prayer and Pledge of Allegiance.

**Roll Call**

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

Councilmember Pennington, seconded by Councilmember Jones, moved to excuse Councilmembers Holtegel and Oler. Motion carried 5-0.

**Agenda Modifications**

**Executive Session Requests**

Councilmember Meyers, seconded by Councilmember Senger, moved to approve Executive Session to discuss imminent litigation. Motion carried 5-0.

**Public Hearing(s)**

**Special Presentations and Citizen Comments**

1. United States Post Office Breast Cancer Awareness Proclamation - Valerie Raynes, Hamilton/Fairfield Postmaster, and Ronald Stroman, US Deputy Postmaster General
  - Councilmember Pennington presented Valerie Raynes, Postmaster, with a proclamation for Breast Cancer Awareness and thanked her for her work in raising money toward research and early detection. Ms. Raynes thanked the city for their support and encouraged residents to purchase the Breast Cancer Awareness stamps this month.
2. Gilbert Lanham, Butler County Board of Developmental Disabilities
  - Gilbert Lanham showed a video and explained the job of the Butler County Board of Developmental Disabilities. He suggested that if there are any employment needs to contact the Board of DD to see if they can assist. Councilmember Jones gave Mr. Lanham his business card and told him he would like to discuss the topic further.
3. Fairfield City Schools Bond Issue - Paul Otten, Superintendent, and Carrie O'Neal
  - Superintendent Paul Otten gave a presentation regarding the bond issue for the November ballott. He answered questions from Council and thanked the city for their support. Carrie O'Neal also thanked the city for support of the bond issue.

### **Mayor/Council Reports**

Mayor D'Epifanio reported that Cathy Abbott, Councilmember Abbott's wife, needs our thoughts and prayers following a horrible fall. She had surgery and will begin therapy soon. He also wished Councilmember Pennington a happy birthday and announced that Clerk Wilson is expecting her third child and congratulated her.

Councilmember Senger reported that Fairfield Youth Baseball Association had a very successful year both in number of participants and teams, as well as financially. He commented that he hopes 2014 is also a very successful year.

### **Approval of Minutes**

Regular Meeting Minutes of September 23, 2013

- The Regular Meeting Minutes of September 23, 2013 were approved as written

### **OLD BUSINESS**

#### **DEVELOPMENT SERVICES COMMITTEE**

**Jeff Holtegel, Chairman; Tim Abbott, Vice Chairman, Tim Meyers, 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 revised concept and final development plan for the Meijer-Gilmore Road Planned Unit Development.

Legislative Action: Councilmember Abbott presented the second reading of this ordinance.

#### **PUBLIC WORKS COMMITTEE**

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

Ordinance accepting public improvements and releasing the maintenance bond for the Bluffs of Harbin Subdivision (Park Place).

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

Resolution requesting the State of Ohio Director of Transportation to lower the speed limit on Pleasant Avenue (US 127) beginning at John Gray Road and ending at Hunter Road.

Councilmember Tim Meyers, seconded by Councilmember Debbie Pennington moved to table pending Council-Manager Briefing on October 28, 2013. Motion Carried 5-0.

#### **PARKS, RECREATION AND ENVIRONMENT COMMITTEE**

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

Ordinance to authorize the City Manager to enter into an agreement with Fairfield Optimist Club, Inc. for the operation of an amateur soccer program.

Legislative Action: Councilmember Senger presented the second reading of this ordinance.

**NEW BUSINESS**

**DEVELOPMENT SERVICES COMMITTEE**

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

Ordinance to authorize the City Manager to execute the FY 2013 Community Development Block Grant (CDBG) application and agreement and declaring an emergency.

Councilmember Tim Abbott, seconded by Councilmember Tim Meyers moved to read the following ordinance by title only. Motion Carried 5-0.

Background: City Manager Pizzano recommended authorization to execute the FY 2013 CDBG application and agreement. Legislative Action: Councilmember Abbott presented the first reading of this ordinance.

Councilmember Tim Abbott, seconded by Councilmember Tim Meyers moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 5-0. Councilmember Tim Abbott, seconded by Councilmember Tim Meyers moved to adopt . Motion Carried 5-0. ORDINANCE NO. 83-13. APPROVED 5-0.

**PUBLIC UTILITIES COMMITTEE**

**Adam Jones, Chairman; Tim Meyers, Vice Chairman, Jeff Holtegel, Member**

Ordinance to authorize the City Manager to execute a change order to the contract with Smithcorp, Inc. for additional water line repairs and declaring an emergency.

Councilmember Adam Jones, seconded by Councilmember Tim Meyers moved to read the following ordinance by title only. Motion Carried 5-0.

Background: City Manager Pizzano recommended an ordinance to authorize a change order to the contract with Smithcorp, Inc. for additional water line repairs. Legislative Action: Councilmember Jones presented the first reading of this ordinance.

Councilmember Adam Jones, seconded by Councilmember Tim Abbott moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 5-0. Councilmember Adam Jones, seconded by Councilmember Debbie Pennington moved to adopt . Motion Carried 5-0. ORDINANCE NO. 84-13. APPROVED 5-0.

**PUBLIC WORKS COMMITTEE**

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

Councilmember Tim Meyers, seconded by Councilmember Tim Abbott moved to read the following two (2) ordinances by title only. Motion Carried 5-0.

Ordinance to authorize the City Manager to execute a contract with LJB, Inc. for detailed engineering tasks for the Route 4 & Holden Improvement Project and declaring an emergency.

Background: City Manager Pizzano recommended a contract with LJB, Inc. for detailed engineering tasks for Rt. 4 and Holden Improvement Project. Legislative Action: Councilmember Meyers presented the first reading of this ordinance.

Councilmember Tim Meyers, seconded by Councilmember Tim Abbott moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 5-0. Councilmember Tim Meyers, seconded by Councilmember Debbie Pennington moved to adopt . Motion Carried 5-0. ORDINANCE NO. 85-13. APPROVED 5-0.

Ordinance to declare one (1) city vehicle and a lawn mower as surplus and authorize the City Manager to sell the vehicle and lawn mower on GovDeals.com.

Background: City Manager Pizzano recommended an ordinance to declare a city vehicle and a lawnmower as surplus and authorize the sale on GovDeals.com. Legislative Action: Councilmember Meyers presented the first reading of this ordinance.

Councilmember Tim Meyers, seconded by Councilmember Terry Senger moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 5-0. Councilmember Tim Meyers, seconded by Councilmember Tim Abbott moved to adopt . Motion Carried 5-0. ORDINANCE NO. 86-13. APPROVED 5-0.

#### **FINANCE & BUDGET COMMITTEE**

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

Councilmember Tim Abbott, seconded by Councilmember Debbie Pennington moved to read the following resolution and four (4) ordinances by title only. Motion Carried 5-0.

Resolution in support of Issue #8, The Fairfield City School Bond Issue, on the November 5, 2013 ballot.

Background: City Manager Pizzano recommended a resolution in support of Issue #8, Fairfield City Schools Bond Issue. Legislative Action: Councilmember Abbott presented the first reading of this resolution.

Councilmember Tim Abbott, seconded by Councilmember Tim Meyers moved to suspend the rules requiring three (3) readings of this resolution. Motion Carried 5-0. Councilmember Tim Abbott, seconded by Councilmember Tim Meyers moved to adopt . Motion Carried 4-1. Councilmember Jones commented that he appreciated what the schools were trying to accomplish, but could not ignore the fact that many families are still struggling in this economy, which is why he cannot support the resolution and voted No. RESOLUTION 13-13. APPROVED 4-1.

Ordinance to reconcile accounts.

Background: City Manager Pizzano recommended an ordinance to reconcile accounts. Legislative Action: Councilmember Abbott presented the first reading of this ordinance.

Councilmember Tim Abbott, seconded by Councilmember Tim Meyers moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 5-0. Councilmember Tim Abbott,

seconded by Councilmember Tim Meyers moved to adopt . Motion Carried 5-0. ORDINANCE NO. 87-13. APPROVED 5-0.

Ordinance to establish salaries and hourly rates for certain salaried and hourly employees of the City of Fairfield, Ohio and to authorize and limit the numbers and types of certain employees, to repeal Ordinance No. 31-13 and all amendments thereto and declaring an emergency.

Background: City Manager Pizzano recommended an ordinance to establish salaries and hourly rates for certain salaried and hourly employees. This ordinance will reclassify a position for Public Utilities and make it easier to adequately staff the department. 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 5-0. Councilmember Tim Abbott, seconded by Councilmember Tim Meyers moved to adopt . Motion Carried 5-0. ORDINANCE NO. 88-13. APPROVED 5-0.

Appropriation Ordinance (Contractual Items) - \$27,500 for Smithcorp, Inc. contract change order for water main improvements at Winton and Mack Road; \$204,353 for contract with LJB, Inc. for detailed engineering for Route 4 & Holden Improvement Project.

Background: City Manager Pizzano recommended the contractual appropriations related to the two previously approved contracts with Smithcorp, Inc. and LJB, Inc. Legislative Action: Councilmember Abbott presented the first reading of this ordinance.

Councilmember Tim Abbott, seconded by Councilmember Tim Meyers moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 5-0. Councilmember Tim Abbott, seconded by Councilmember Terry Senger moved to adopt . Motion Carried 5-0. ORDINANCE NO. 89-13. APPROVED 5-0.

Appropriation Ordinance (Non-Contractual Items) - \$7,355 for additional security improvements for Public Works, Fire Department, and Public Utilities Department; \$14,500 for purchase of a 2013 Toro Z Master 6000 mower and snow blower attachment for Street Division; \$10,200 for Water Plant roof replacement; \$2,857 for purchase of a Cisco Ethernet Switch for security system at Public Utilities Campus.

Background: City Manager Pizzano recommended several non-contractual appropriations. 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 5-0. Councilmember Tim Abbott, seconded by Councilmember Tim Meyers moved to adopt . Motion Carried 5-0. ORDINANCE NO. 90-13. APPROVED 5-0.

#### Meeting Schedule

Clerk Wilson read the following meeting schedule:

- Monday, October 28 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.
- Monday, November 11 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.
- Monday, November 25 Council-Manager Briefing, 5:30 p.m.; Regular Meeting, 7:00 p.m.

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

Council adjourned to Executive Session at 8:05 PM.

Council re-convened in open session at 8:50 PM to discuss the process of filling the upcoming vacancy of the second ward seat. It was decided by the majority of Council that the following process will be used:

1. All councilmembers must submit a name of a registered voter, second ward resident to Mayor D'Epifanio by October 28;
2. Letters will be mailed to those residents asking them to submit a letter of interest and resume for review by November 11;
3. Council will review resumes on November 11 and decide on a few candidates to interview;
4. Interviews will be held on November 25;
5. Councilmembers will vote on a candidate to fill the vacancy on December 2. Only the six seated councilmembers will vote.

**Adjournment**

The Regular Meeting of Council adjourned at 9:05 PM.

ATTEST:

\_\_\_\_\_  
Clerk of Council

Date Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor's Approval

Item No. 11(2)(1)

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

Date 8-12-13

**Item:**

An ordinance approving revised concept and final development plans for a bank and retail shopping center on approximately two acres of land located at the southwest corner of South Gilmore Road and Kolb Drive.

**Financial Impact:**

None.

**Synopsis:**

The property is currently a part of the Meijer-Gilmore Road Planned Unit Development that was approved in 1995. The proposal is to build a stand-alone bank and a retail strip center that is anchored by a Panera restaurant, which will feature a drive-thru. Rendered elevations are located in City Council's workroom for review.

**Background:**

The property, which is located between the Meijer store and South Gilmore Road, was designated as permanent open space per a condition of approval. It was to provide a buffer in front of the large Meijer store and its parking lot. The current request is to change this provision of the Planned Unit Development.

**Recommendation:**

It is recommended that City Council have first reading on this item at the August 12 meeting, set the public hearing for September 9, 2013 and await the written recommendation from the Planning Commission.

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

No.  
No.

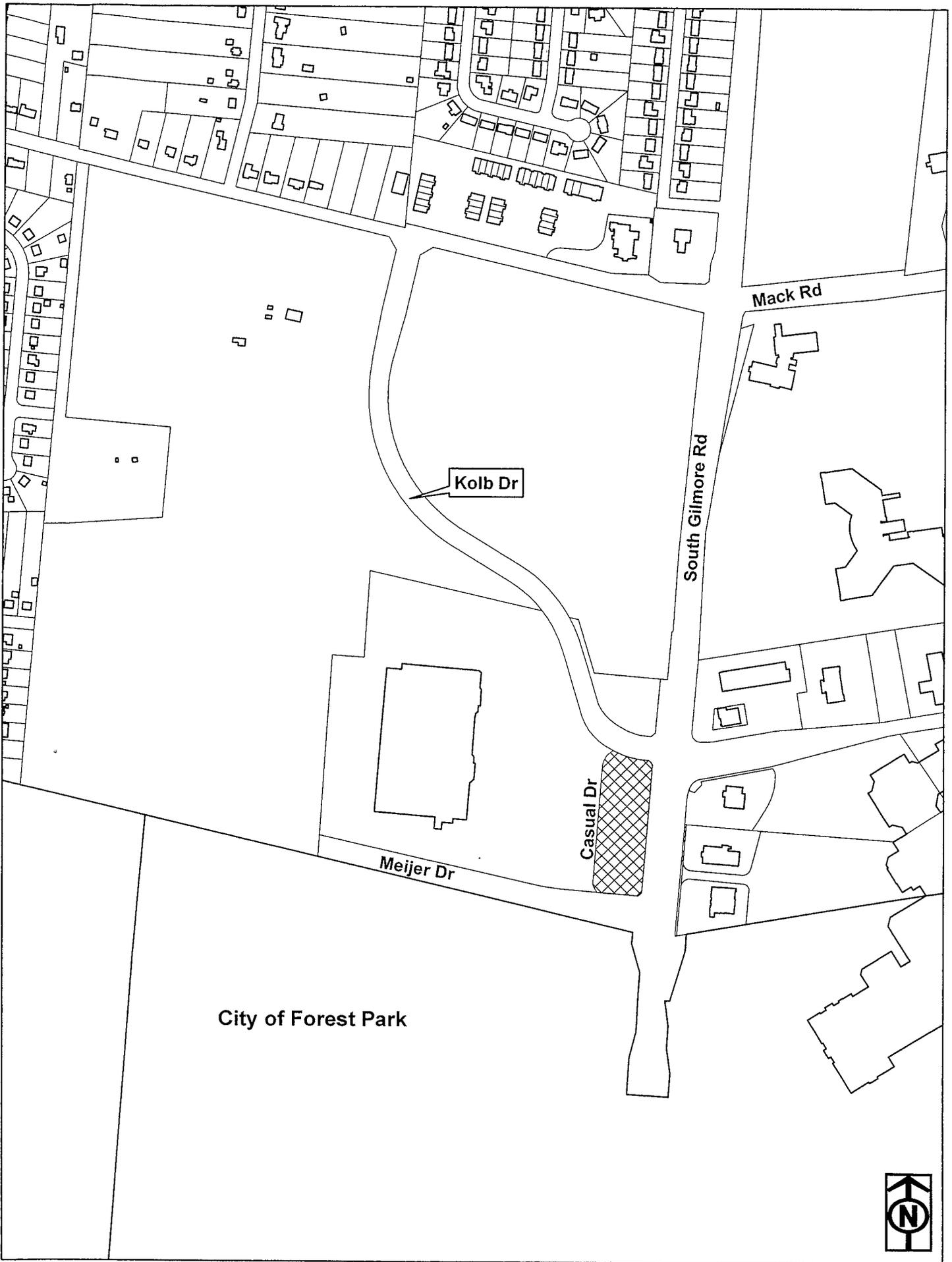
Prepared by: Eric Dawson (Planning Manager)

Approved for Content by: Kimberly Buchanan

Financial Review (where applicable) May Ayne

Legal Review (where applicable) J. H. Clemmons

Accepted for Council Agenda: Mike Walker



Kolb Dr

Mack Rd

South Gilmore Rd

Casual Dr

Meijer Dr

City of Forest Park



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 REVISED CONCEPT AND FINAL DEVELOPMENT PLAN FOR THE MEIJER-GILMORE ROAD 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 2.0 acres located at the southwest corner of South Gilmore Road and Kolb Drive from its present Planned Unit Development classification by approving the revised concept and final development plan for the Meijer-Gilmore Road 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. No other terms, conditions or area of the existing Meijer Planned Unit Development shall be affected by this amendment.

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.

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Clerk of Council

Active Clients\City of Fairfield\Ordinances\ 2013\Meijer-Gilmore Road PUD - Ord

# DEPARTMENTAL CORRESPONDENCE

Mayor D'Epifanio and City Councilmembers

TO \_\_\_\_\_  
FROM Scott Lepsky, Chairman, Planning Commission

City  
of  
Fairfield



PLANNING COMMISSION RECOMMENDATION

09/30/13

SUBJECT \_\_\_\_\_

DATE \_\_\_\_\_

Please be advised at the Planning Commission meeting held on Wednesday, September 25, 2013, the Planning Commission voted 7 – 0 in favor of recommending approval of the Final Development Plan for the Shoppes of Fairfield and Modified Concept Plan for the proposed 1.154 adjacent piece of property to the north with the attached conditions.

A handwritten signature in black ink, appearing to read "Scott Lepsky".

Scott Lepsky, Chairman  
Fairfield Planning Commission

plf

Attachment

c: Arthur E. Pizzano, City Manager  
Alisha Wilson, Clerk of Council  
Timothy Bachman, Development Services Director  
David Butsch, Public Works Director  
Rick Helsinger, Supt., Bldg. Inspection & Zoning  
John Clemmons, Law Director  
Planning Commission Members (7)

Conditions of Approval for Final Development Plan for The Shoppes of Fairfield "Parcel A"

(1.442 acres)

1. Uses permitted in the C-2 Zoning District are permitted except for the following:  
self-service laundries, dry cleaning and laundry pick-up, variety and dime stores including discount stores, motor vehicle service and/or fuel dispensing facilities, fast-food restaurants, pawn shops, check cashing services, payday and vehicle title loans and bail bonds or unless specifically approved by the Planning Commission.
2. Approval of the drive-thru is for a Panera restaurant only unless otherwise approved by the Planning Commission.
3. All signage shall conform to the C-2 Zoning District sign requirements, except the gateway sign, which shall be 43 feet long and 3 feet high as shown on the final development plan.
4. The curvilinear walls and commercial ground sign along South Gilmore Road are to be consistent in material and color as the gateway sign wall in order to create a uniform appearance.
5. The revised landscape plan shall be submitted subject to approval by the Development Services staff. The two curvilinear walls along South Gilmore Road shall be clearly marked on the plan with detail as to the length, height and width of the structures.
6. The proposed landscaping shall conform to the following requirements and noted on the landscape plan: Remove and replace dead plant material and apply appropriate herbicides/pesticides as required. The landscape beds are to be kept free of weeds and the mulch within the beds is to be seasonally replaced and maintained. Plant replacement shall occur within 30 days after plant(s) die, provided that in the event the plant(s) die during the period of October-February, plant replacement shall occur no later than the immediately following month of April and must conform to the approved landscape plan. If plantings are not replaced or maintained as stated

above within 60 days of written notice by the City, the City will contract the work and assess the cost of the work plus a \$100 administrative fee as a lien on the owner's property taxes in accordance with standard property maintenance procedures adopted by the City.

7. An irrigation system shall be installed and operated for landscaped beds and grass areas. The irrigation plan is subject to approval by the City of Fairfield Staff Technical Review Committee.
8. Access and utility easements will be required and granted as necessary if "The Shoppes of Fairfield Parcel B" is developed as a separate parcel.
9. All rooftop HVAC or other units shall be screened from view via extended parapet walls on at least 3 sides: South Gilmore Rd. (east), Kolb Dr. (north) and Meijer Dr. (south).
10. The entire length of the sidewalk on South Gilmore Road from Kolb Drive south to Meijer Drive shall be installed at the time the building is constructed and before occupancy of the building.
11. Pedestrian access as approved by the Development Services staff is required on South Gilmore Road from the proposed sidewalk to the building.
12. Screening for all dumpsters shall be constructed of the same material used on the exterior building wall closest to the dumpster.

**Conditions of Approval for Modified Concept Plan, The Shoppes of Fairfield "Parcel B" (1.154 acres)**

1. Uses permitted in the C-2 Zoning District are permitted except for the following:  
self-service laundries, dry cleaning and laundry pick-up, variety and dime stores including discount stores, motor vehicle service and/or fuel dispensing facilities, fast-food restaurants, pawn shops, check cashing services, payday and vehicle title loans and bail bonds or unless specifically approved by the Planning Commission.

2. No additional curb-cuts or driveway approaches are permitted, except as shown on the approved final development plan for “The Shoppes of Fairfield Parcel A”.
3. Access and utility easements will be required and granted with the adjacent “Shoppes of Fairfield Parcel A” if the site is developed as a separate lot.
4. The proposed building and other structures including, but not limited to, dumpster screens, decorative walls and retaining walls must be consistent in building materials, color, design and character as “The Shoppes of Fairfield Parcel A”.
5. Only one internal cut-through between both sites is permitted and must be located at the eastern portion of the parking lot as illustrated on the approved final development plan for “The Shoppes of Fairfield Parcel A”.
6. All signage shall conform to the C-2 Zoning District sign requirements.
7. The future development lot within “The Shoppes of Fairfield Parcel B” shall remain grass until developed. If disturbed during the development of “The Shoppes of Fairfield Parcel A”, it shall be restored to an acceptable grade, reseeded and maintained to the same standards as “The Shoppes of Fairfield Parcel A”.
8. The landscaping along South Gilmore Road shall be installed at the time “The Shoppes of Fairfield Parcel A” landscaping is installed. In addition, new landscaping around the Meijer sign is to be installed and shall be designated on the approved landscape plan for “The Shoppes of Fairfield Parcel A”. Both areas are to be irrigated.
9. The parcel of land containing the Meijer ground sign will be owned by Meijer, but maintained by the developer of “The Shoppes of Fairfield Parcels A and B”. Maintenance shall include grass-cutting, removing weeds, re-mulching and trimming plants.

# The Shoppes of Fairfield

## CASUAL DR.

## KOLB DR

## GILMORE RD.

## MEIJER DR.

Parcel B

Parcel A

FUTURE DEVELOPMENT LOT  
66,254.9 SF  
(1.514 ACRES)

REMOVE WALK FROM THIS POINT SOUTH CURB RAMP TO REMAIN

SEE SANITARY MAIN THROUGH PLUMB FOR SANITARY SERVICE

55.52'

S 04°00'00" E

43.35'

N 04°00'00" E 491.20'

224.100'

224.100'

224.100'

224.100'

224.100'

224.100'

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224.100'

224.100'

REMOVE WALK FROM THIS POINT, NORTH EX CURB RAMP TO REMAIN

PR. RETAIL SPACE ~3,200 SF

PR. RETAIL SPACE ~1,400 SF

PR. RETAIL SPACE 1,400 SF

AURANT 40 SF

PATIO

PATIO

N 86°00'02" W 204.56'

S 04°00'00" W 488.67'

N 86°00'00" W -167.86'

GRAPHIC SCALE

(IN FEET)  
1 inch = 30 ft.



(IN FEET)  
1 inch = 30 ft.





Gray Rd

Park Pl

ORDINANCE NO. \_\_\_\_\_

ORDINANCE ACCEPTING PUBLIC IMPROVEMENTS AND RELEASING  
THE MAINTENANCE BOND FOR THE BLUFFS OF HARBIN  
SUBDIVISION (PARK PLACE).

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

Section 1. The Council of the City of Fairfield, Ohio does by this ordinance accept the public improvements for the Bluffs of Harbin Subdivision (Park Place).

Section 2. The maintenance bond for the Bluffs of Harbin Subdivision (Park Place) is hereby released and the City Manager is hereby authorized to take the necessary steps to cancel the same.

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





RESOLUTION NO. \_\_\_\_\_

RESOLUTION REQUESTING THE STATE OF OHIO DIRECTOR OF TRANSPORTATION TO LOWER THE SPEED LIMIT ON PLEASANT AVENUE (US 127) BEGINNING AT JOHN GRAY ROAD AND ENDING AT HUNTER ROAD.

WHEREAS, numerous residents and interested citizens have voiced their concern as to the posted speed limit on Pleasant Avenue (US 127) beginning at John Gray Road and ending at Hunter Road within the City of Fairfield, Ohio, a total length of 0.62 miles or 3275 feet;

WHEREAS, the Council feels that for the general public welfare and safety of the traveling public, the speed limit on the above mentioned road should be lowered.

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

Section 1. The State of Ohio Director of Transportation is hereby requested to lower the speed limit on the above mentioned road.

Section 2. The City of Fairfield, Ohio hereby agrees, in the event the speed limit is changed on the above mentioned road, to erect and maintain appropriate signs and markings.

Section 3. This Resolution 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 Resolution has been duly published by posting and summary publication as provided by Charter.

---

Clerk of Council

Active Clients\City of Fairfield\Ordinances\2013\Pleasant Avenue Speed Study - Res

CITY OF FAIRFIELD, OHIO  
CITY COUNCIL MEETING COMMUNICATIONS

## ITEM:

DATE: 9/23/13

It is necessary that the City Council approve the new agreement between the City and the Fairfield Optimist Club for the operation of an amateur soccer program and rescind the June 24, 1996 agreement between the City and the Fairfield Optimist Club, the Fairfield Optimist Soccer Association and the Fairfield Optimist Soccer Club.

**FINANCIAL IMPACT:**

There is no financial impact.

**SYNOPSIS:**

It is necessary for City Council to authorize the City Manager to enter into a new agreement with the Fairfield Optimist Club for the operation of an amateur soccer program within the City of Fairfield and to rescind the existing agreement, dated June 24, 1996,

**BACKGROUND:**

The City has operational agreements with all the youth sports organizations which use city parks and recreation facilities (Fairfield Youth Baseball Association, Fairfield Youth Athletic Association/Football, Fairfield Youth Soccer, and The Nuxhall Miracle League Fields). All the agreements are automatically renewed on January 1<sup>st</sup> of each calendar year; or may be terminated by either party with written notice by November 1<sup>st</sup> of each calendar year. The Fairfield Optimist Club is desirous to fund the installation and maintenance of an automatic irrigation system on soccer fields located in Grange Park; but was uncomfortable with the one-year automatic renewal process. The City staff, Law Director and representatives of the Fairfield Optimist Club met and crafted a new agreement which provides assurances between the City and the Fairfield Optimist Club to protect the Club's investment. The Fairfield Optimist Club negotiated on behalf of the Club, the Fairfield Optimist Soccer Club (FOSC), the Fairfield Soccer Association (FSA/SAY) and the Mid-American Soccer Classic Committee (MASC). All organizations are in agreement. A copy of the existing agreement and the new agreement are attached to this council correspondence.

The Parks and Recreation Board reviewed the preliminary agreement and passed legislation at their September Board meeting recommending the agreement.

**RECOMMENDATION:**

It is recommended that City Council authorize and direct the preparation of legislation authorizing the City Manager to enter into an agreement with the Fairfield Optimist Club, Inc., for the operation of an amateur soccer program and rescind the existing agreement, dated June 24, 1996.

**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: Bell  
Approved for Content by: Bell  
Financial Review (where applicable): Jan May Hays  
Legal Review (where applicable): Jan Halesman  
Accepted for Council Agenda: Mike Wilson

# FILE

## AGREEMENT

This Agreement made and entered into this 24<sup>th</sup> day of June, 1996, by and between the CITY OF FAIRFIELD, OHIO (hereinafter referred to as "City") and the FAIRFIELD OPTIMIST CLUB, INC., the FAIRFIELD OPTIMIST SOCCER ASSOCIATION, INC., and the FAIRFIELD OPTIMIST SOCCER CLUB, (hereinafter referred to as "Association").

### W I T N E S S E T H

WHEREAS, the parties desire to set forth the intent and understanding of the parties with regard to use of the soccer fields and related facilities at the Forest Lake Athletic Fields owned by the City of Fairfield, Ohio, and

WHEREAS, the City of Fairfield, Ohio shall include the Fairfield Parks and Recreation Board which shall approve this Agreement prior to its execution.

NOW, THEREFORE, in consideration of the mutual promises contained herein and other good and valuable considerations, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. The Association will operate an amateur soccer program for the youth of the City of Fairfield at the Forest Lake Athletic Fields on Forest Lake Lane in the City of Fairfield and the use of the fields under this agreement shall be limited to such amateur soccer programs. Practice and game times will be limited by the following time constraints:
  - A. While school is in session, no game shall start after 9:00 PM, weekdays or weekends, for all age divisions. All games will end by 10:00 PM.
  - B. After school has been dismissed for the summer, no game shall begin after 10:00 PM, weekdays or weekends, for all age divisions. All games will end by 11:00 PM.
  - C. If field lights are installed by the association during the term of this agreement, field lights will be turned off ten minutes after the completion of the final game on that specific field.

2. The Association will bear all costs necessary for the construction of the soccer fields and provide routine maintenance and housekeeping of the soccer fields, related facilities, and immediate surroundings. No field maintenance will be conducted following the completion of evening games, with the exception of during tournament play where it would be necessary to prepare a field that would be used prior to 8:00 AM the following day.
3. The Association may erect new structures/facilities or expand existing structures/facilities at the Forest Lake Athletic Fields only with the prior approval of the Fairfield Parks and Recreation Board and the City Manager.
4. The Association will have exclusive scheduling control of the soccer fields at Forest Lake Lane during the term of this agreement subject to the following additional terms and conditions:
  - A. The Association will advise the Parks and Recreation Director and the City Manager of extraordinary events such as tournaments so that he/she may advise on crowd control, safety precautions or cleanup as may be required.
  - B. The Fairfield Parks and Recreation Board shall have the right to use the soccer fields described in this Agreement, during the off-season, so long as the use does not conflict with the purposes of this Agreement and any such use by the Parks and Recreation Board shall be subject to the prior approval of the Association. The off-season shall be defined as December 1 - March 1. The Parks and Recreation Board will be responsible for the necessary repair/maintenance of the turf grass as a result of any use of the soccer fields scheduled by it during the off-season.
  - C. Admission fees for admission to the soccer fields will not be charged except for special events which shall not include any game or contest between teams which are included in the Association.
5. The Association will pay for all utility services to the soccer fields including water, electric, sewer, and gas, if any during the term of this agreement. The Association is allowed to charge a per hour fee, to outside groups using the soccer

fields, to cover its costs associated with the operation and maintenance of the facility. The per hour fee will be agreed upon annually by the Association and the Fairfield Parks and Recreation Board.

6. The term of this Agreement shall initially be for five (5) years beginning with the 1996 soccer season and ending December 31, 2000. After which the Agreement shall automatically renew on January 1 of each succeeding year for that ensuing calendar year unless either party shall terminate this Agreement by written notice to the other delivered on or before November 1 of any calendar year. In the event that the City terminates this Agreement, the City will allow the Association to remove any structures or facilities installed by the Association to the extent that such facilities can be removed without damage to the remaining structures or grounds. In the event that the Association terminates this Agreement, the Association will be permitted to remove such structures or facilities as the City may allow.
7. The Association hereby agrees to defend, indemnify and hold the City and its officials harmless against any and all loss, cost, expense, claims or actions arising out of or connected with the use of the facilities described in this Agreement by the Association, its agents, employees members, or third parties. The Association shall provide public liability insurance in the amount of \$1,000,000.00 at all times during this Agreement, with the City being named as an additional insured on said insurance policy. The Association shall provide the City with proof of said insurance policy by March 1 of each calendar year.
8. The Association shall operate without discrimination as to sex, race, creed, or national origin and will comply with the Americans With Disabilities Act.
9. The Fairfield Optimist Soccer Association, Inc., and the Fairfield Optimist Soccer Club, shall provide the City, within three (3) months of the ending of their fiscal year, a financial report detailing all sources of revenue and all expenditures of the said organizations. Such reports shall be certified in writing by the Chief Executive Officer or the Chief Financial Officer of the said organizations.

10. This Agreement may be amended, altered, or changed, only by the written consent of both parties.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date first stated above.

Signed in the presence of:

Linda Zimmerman  
Linda Zimmerman

CITY OF FAIRFIELD, OHIO

By Cheryl Aschert  
City Manager

William A. Tolman  
Ronald R. Jacoby

FAIRFIELD OPTIMIST CLUB,  
INC.

By James M. Black  
President

Fannie Blawie  
Rodney Withrow

FAIRFIELD OPTIMIST  
SOCCER ASSOCIATION, INC.

By Mark A. Hutto  
President

Living Lashley  
Mark A. Hutto

FAIRFIELD OPTIMIST  
SOCCER CLUB

By Mark A. Hutto  
President

APPROVED AS TO FORM:

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

ORDINANCE NO. 80-96

ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH FAIRFIELD OPTIMIST CLUB, INC. FOR THE USE OF THE FOREST LAKE ATHLETIC FIELDS.

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 Fairfield Optimist Club, Inc. for the use of the Forest Lake athletic fields in accordance with the agreement on file in the office of the City Manager.

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

Passed 6-24-96

Robert J. Hooper  
Mayor's Approval

Posted 6-25-96

First Reading 6-10-96

Rules Suspended 6-24-96

Second Reading 6-24-96

Third Reading \_\_\_\_\_

ATTEST:

Dena Morsch  
Clerk of Council

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

Dena Morsch  
Clerk of Council

DRAFT  
(August 16, 2013 Revisions)

AGREEMENT

This Agreement made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by and between the CITY OF FAIRFIELD, OHIO (hereinafter referred to as "City") and the FAIRFIELD OPTIMIST CLUB, INC. (hereinafter referred to as "Club").

W I T N E S S E T H

WHEREAS, the parties desire to set forth the intent and understanding of the parties with regard to the use of the soccer fields at Grange Park on Joe Nuxhall Way, and the property formerly known as Forest Lake Athletic Fields, collectively the "Properties", both in the City of Fairfield, Ohio. The Properties generally include Butler County parcel ID's A0700002000038, A0700002000044, A0700002000053, and A0700002000014 and excluding property in parcel A0700002000038 currently established as parking lots, playground, building, bike path or shelters (if any).

WHEREAS, the City of Fairfield, Ohio shall include the Fairfield Parks and Recreation Board which shall approve this Agreement prior to its execution.

NOW, THEREFORE, in consideration of the mutual promises contained herein and other good and valuable considerations, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. The Club on behalf of itself and for the benefit of Fairfield Optimist Soccer Club ("FOSC"), Fairfield Soccer Association ("FSA"), and/or the Mid-American Soccer Classic Committee ("MASC"), (collectively identified as "Fairfield Soccer") all organizations headquartered in the City of Fairfield, will utilize the Properties to operate an amateur soccer program generally for the youth of the City of Fairfield, and the use of the Properties by the Club and Fairfield Soccer under this agreement shall be limited to such amateur soccer programs and/or tournaments. Practice and game times will be limited by the following time constraints:

A. While School is in session, no game shall start after 9:00 PM, weekdays or weekends, for all age divisions. All games will end by 10:00 PM.

B. After school has been dismissed for the summer, no game shall begin after 10:00 PM, weekdays or weekends, for all age divisions. All games will end by 11:00 PM.

C. Field lights will be turned off ten minutes after the completion of the final game on that specific field.

2. The Club will provide routine maintenance and housekeeping of the Properties, including any related facilities or structures it installs or constructs. No field maintenance will be conducted following the completion of evening games, with the exception of during tournament play where it would be necessary to prepare a field that would be used prior to 8:00 AM the following day.

3. The Club may erect new structures or expand existing structures on the Properties only with the prior approval of the Fairfield Parks and Recreation Board and the City Manager.

4. Fairfield Soccer will have exclusive scheduling control of the soccer complex at the Properties for league games and the MASC tournament during the term of the Agreement, subject to the terms and conditions of this agreement and the following additional terms and conditions:

A. The Club and/or Fairfield Soccer will advise the Parks and Recreation Director and the City Manager of extraordinary events such as tournaments so that he/she may advise on crowd control, safety precautions or cleanup as may be required.

B. The Fairfield Parks and Recreation Board shall have the right to the use of the Properties described in this Agreement, during the off-season, which generally includes the period from December 1 to March 31 of the following year so long as such use does not conflict with the purposes of this Agreement and any such use by the Parks and Recreation Board shall be subject to the prior approval of the Club. The Parks and Recreation Board will be responsible for the necessary repair/maintenance of the turf grass as a result of any use of the Properties scheduled by it during the off-season.

C. Admission fees for admission to the Properties will not be charged except for special events which shall not include any league games or contests between teams which are included in FOSC or FSA league schedules. Admission fees for third party events, such as clinics or incidental use by non-related soccer programs, will not be permitted except with the prior joint approval of the Club and Fairfield Soccer.

D. The Club agrees to meet annually with the City, no later than January 31 of each calendar year. At such meeting, the Club and City will review prior year activities associated with the Properties, and discuss and approve a moving five year plan for capital improvements to the Properties. In addition, the Club will provide an accounting of completed capital improvements to the Properties, and satisfy any and all communication requirements associated with the Club's use of the Properties.

E. In the event of any disagreement among or between Fairfield Soccer organizations with regard to the use or control of the Properties, the Club shall have final authority to resolve any such disagreement.

5. The Club will pay for all utility services to the soccer complex including water, electric, sewer, and gas, if any during the term of this agreement, except for services to any facilities such as permanent restrooms which may be constructed by the City for public use. The Club is allowed to charge a per hour fee, to outside groups using the Properties, to cover its costs associated with the operation and maintenance of the facility. The per hour fee will be agreed upon annually by the Club, Fairfield Soccer, and the Fairfield Parks and Recreation Board.

6. The City, the Club, and/or Fairfield Soccer may enter into additional agreements to provide for the funding, construction, operation, and maintenance of facilities such as shelters, restrooms, etc., which may be made available for both public use and soccer purposes.

7. This Agreement shall be effective January 1, 2014, and shall remain in effect for a period of twenty years unless both parties jointly terminate this Agreement by written agreement executed six months in advance of termination. After a period of ten years, the City shall have the unilateral right to terminate this agreement or modify the definition of Properties included in this agreement upon sixty days' notice to the Club in order to utilize all or a portion of the Properties for public use. In the event that the City terminates or so modifies this Agreement, the City will allow the Club to remove any structures or facilities installed by the Club to the extent that such facilities can be removed without damage to the remaining structures or grounds. In the alternative, the City will reimburse the Club and/or Fairfield Soccer for the depreciated value (based upon a straight line depreciation rate of 5% per year) of the facilities which are not or cannot be removed in proportion to their respective contribution to those facilities.

8. The Club hereby agrees to defend, indemnify and hold the City and its officials harmless against any and all loss, cost, expense, claims or actions arising out of or connected with the use of the

Properties in this Agreement by the Club, Fairfield Soccer, employees, agents, members, or third parties. The Club shall provide public liability insurance in the amount of \$1,000,000.00 at all times during this Agreement, with the City being named as an additional insured on said insurance policy. The Club shall provide the City with proof of said insurance policy by February 1 of each calendar year.

9. The Club shall operate without discrimination as to sex, race, creed, or national origin and will comply with the Americans With Disabilities Act.

10. Except as excluded in Article 7 above, this Agreement may be amended, altered, or changed, only by the written consent of both parties.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date first stated above.

Signed in the presence of:

CITY OF FAIRFIELD, OHIO

\_\_\_\_\_  
\_\_\_\_\_

By \_\_\_\_\_  
Arthur E. Pizzano  
City Manager

FAIRFIELD OPTIMIST CLUB, INC.

\_\_\_\_\_  
\_\_\_\_\_

By \_\_\_\_\_  
Rick Howells  
President

APPROVED AS TO FORM:

\_\_\_\_\_  
John H. Clemmons  
Fairfield City Law Director

APPROVED AS TO CONTENT:

\_\_\_\_\_  
James A. Bell  
Fairfield Parks and Recreation Director

ORDINANCE NO. \_\_\_\_\_

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE FAIRFIELD OPTIMIST CLUB, INC. FOR THE OPERATION OF AN AMATEUR SOCCER PROGRAM.

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

Section 1. The City Manager is hereby authorized to enter into an agreement with the Fairfield Optimist Club, Inc. for the operation of an amateur soccer program in accordance with the agreement 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

CITY OF FAIRFIELD, OHIO  
CITY COUNCIL MEETING COMMUNICATION

Item No. 11 (A) (1)

Item

October 28, 2013

Appointment of Fairfield representatives to the Butler County Transportation Improvement District (TID).

Financial Impact

None

Synopsis/Background

The City of Fairfield is represented by two members of the community who serve as members of the Butler County Transportation Improvement District. The terms of office for the two current members, Don Hassler and Public Works Director David Butsch expired effective October 14, 2013 and it is necessary for Council to fill these positions.

Recommendation

It is recommended that City Council, via simple motion, appoint Don Hassler and Public Works Director David Butsch, to the Butler County Transportation Improvement District for terms of office commencing retroactive to October 14, 2013 and expiring on October 13, 2015.

**LEGISLATIVE ACTION:**

**SIMPLE MOTION OF COUNCIL**

Prepared by: Alicia Wilson

Approved for Content by: Alicia Wilson

Financial Review (where applicable) by: Joseph Waldman

Legal Review (where applicable) by: John F. Clemmons

Accepted by Council Agenda: Alicia Wilson





2949

3008

3040

Ramona Ln

2391

2401

Bobmeyer Rd

2420

RESOLUTION NO. \_\_\_\_\_

RESOLUTION PERMITTING A FAIRFIELD PROPERTY OWNER AT 2401 BOBMEYER ROAD TO RECEIVE CITY OF HAMILTON, OHIO WATER AND SEWER SERVICE AND DECLARING AN EMERGENCY.

WHEREAS, the City of Fairfield does not provide water or sewer service to the property at 2401 Bobmeyer Road, Fairfield, Ohio,

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

Section 1. Permission is hereby granted to the owner(s) of the property known as 2401 Bobmeyer Road, Fairfield, Ohio, to receive City of Hamilton, Ohio water and sewer service for the use of that property only, subject to the payment of all applicable fees and charges.

Section 2. This permission for water and sewer service shall terminate if and when the City of Fairfield has adequate water and/or sewer service available to the property, at which time the property owner shall disconnect from the City of Hamilton water and/or sewer service and connect to the City of Fairfield water and/or sewer service and pay all appropriate fees and costs. This permission is contingent upon execution by the property owner of a written agreement to these terms.

Section 3. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare and for the urgent benefit and protection of the City and its inhabitants for the reason that the water and sewer service to the property can be established for the use of a new facility in a timely manner; wherefore, this Resolution 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 Resolution has been duly published by posting and summary publication as provided by Charter.

\_\_\_\_\_  
Clerk of Council

Active Clients\City of Fairfield\Ordinances\2013\2401 Bobmeyer Rd City of Hamilton Water - Res

CITY OF FAIRFIELD, OHIO  
CITY COUNCIL COMMUNICATION

ITEM NO. 11 (C) (2)

October 15, 2013

**ITEM**

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

**FINANCIAL IMPACT**

Supplemental appropriations required in the amount of \$10,000 from the Recreational Facilities fund.

**SYNOPSIS**

With the temperate weather this fall, the growing season has continued. The Golf Course Maintenance division is in need of additional funds to cover gasoline expenses for the rest of the year. This expense will be offset by additional revenues as the weather remains good, currently the fund balance has over \$200,000.

**BACKGROUND**

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

From:	Unappropriated	Recreation Facilities Fund	10,000
To:	64052024-243100	Gasoline In-House	10,000

**STAFF RECOMMENDATION**

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

<b>LEGISLATIVE ACTIONS:</b>	Suspension of Rules & Adoption Requested?	Yes
	Emergency Provision Needed?	No

Prepared by: May Hym  
Approved for Content by: May Hym  
Financial Review (where applicable) by: May Hym  
Legal Review (where applicable) by: J. H. Clemmons  
Accepted by Council Agenda: [Signature]

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:

<b>From:</b>	<b>Unappropriated Recreation Facilities Fund</b>	<b>\$10,000</b>
<b>To:</b>	64052024-243100 Gasoline In-House	\$10,000

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

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

ATTEST:

\_\_\_\_\_  
Clerk of Council

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

\_\_\_\_\_  
Clerk of Council

CITY OF FAIRFIELD, OHIO  
CITY COUNCIL COMMUNICATION

ITEM:

October 28, 2013

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

FINANCIAL IMPACT:

\$40,000.00 from noted funding source.

SYNOPSIS:

The following appropriations have been requested:

\$40,000.00 for 2013 Guardrail Improvement Program.

BACKGROUND:

Please refer to specific Council Communications dated October 28, 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: Alison Wilson

Approved for Content by: Alison Wilson

Financial Review (where applicable) by: Joseph Waldman

Legal Review (where applicable) by: Jeff H. Clemmons

Accepted by Council Agenda: Alison Wilson

CITY OF FAIRFIELD, OHIO  
CITY COUNCIL MEETING COMMUNICATION

ITEM NO. 11 C 12) A

**ITEM:**

DATE: 10/28/2013

Guardrail contract for the 2013 Guardrail Improvement Program.

**FINANCIAL IMPACT:**

\$40,000.00 (\$35,720.00 for the guardrail plus a contingency of \$4,280.00) from the Street Improvement Fund.

**SYNOPSIS:**

The guardrail replacement/upgrade program for 2013 included segments of guardrail on John Gray Road, Gray Road, and Port Union Road. The inspection and replacement programs were implemented to add/upgrade/replace sections of guardrail within the City found to be non-compliant with current standards and practice. This project is scheduled in the Capital Improvement Program under PWA-13-002 for \$40,000.

**BACKGROUND:**

The guardrail replacement/upgrade program was implemented to add/upgrade/replace sections of guardrail within the City found to be sub-standard during routine Public Works inspections.

Requests for proposals were solicited from three contractors (MP Dory Company, Paul Peterson Company, and Lake Erie Construction Company). Proposals were received from Paul Peterson Company and Lake Erie Construction Company on October 11, 2013..

Contractors	Total
MP Dory Company – Columbus, Ohio	No Proposal
Paul Peterson Company – Columbus, Ohio	\$39,040.63
Lake Erie Construction Company – Norwalk, Ohio	\$35,720.00

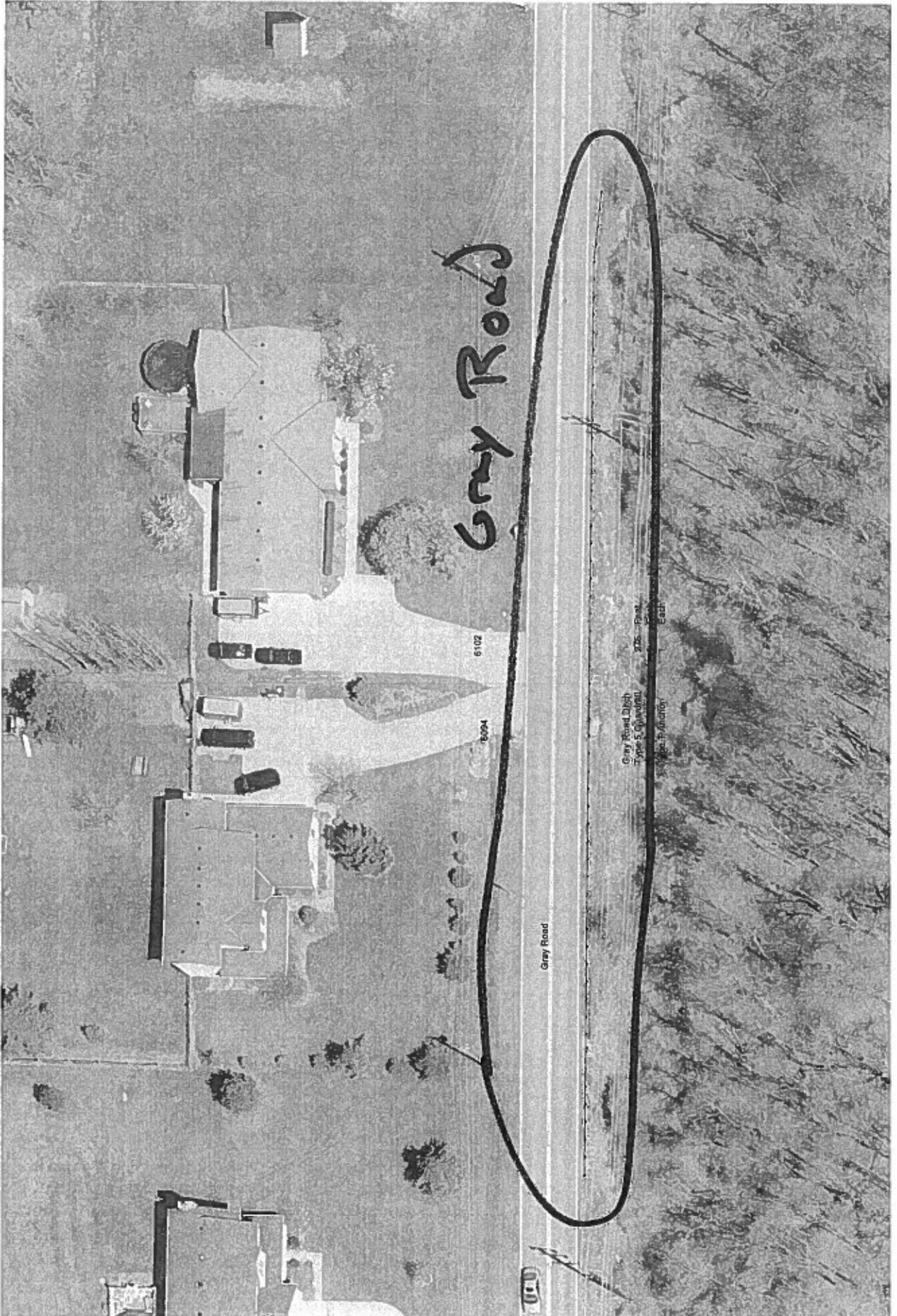
The lowest and best bidder is the Lake Erie Construction Company of Norwalk, Ohio.

**STAFF RECOMMENDATION:**

It is recommended that City Council approve legislation for an appropriation in the amount of \$40,000.00 from the Street Improvement Fund, for a purchase order with Lake Erie Construction Company of Norwalk, Ohio for the 2013 Guardrail Improvement Program.

**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: [Signature]  
Approved for Content by: [Signature]  
Financial Review (where applicable): [Signature]  
Legal Review (where applicable): [Signature]  
Accepted for Council Agenda: [Signature]



Gray Road

6102

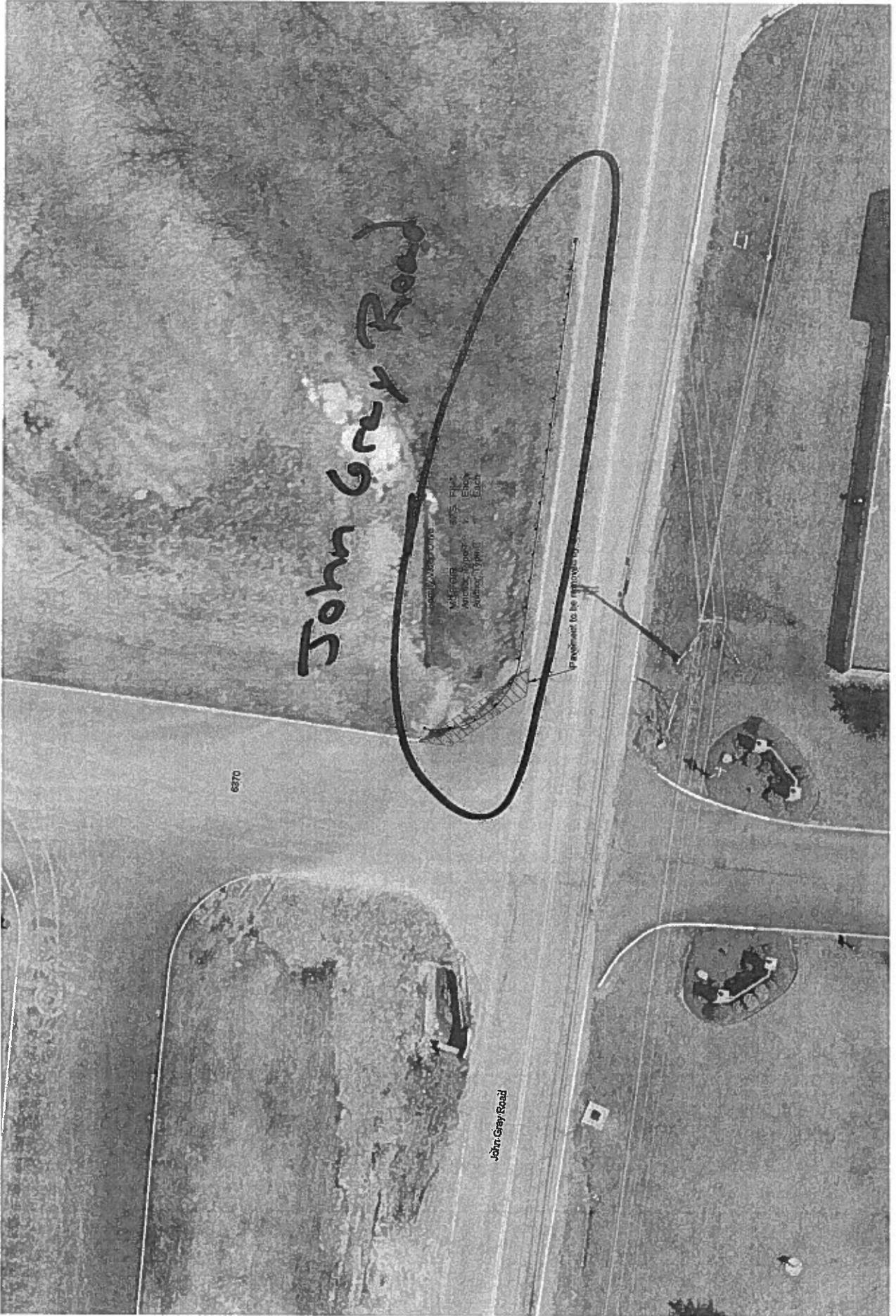
6094

Gray Road

Gray Road Ditch  
Type 5 Channel  
100 ft x 10 ft

200' Post  
Each

200



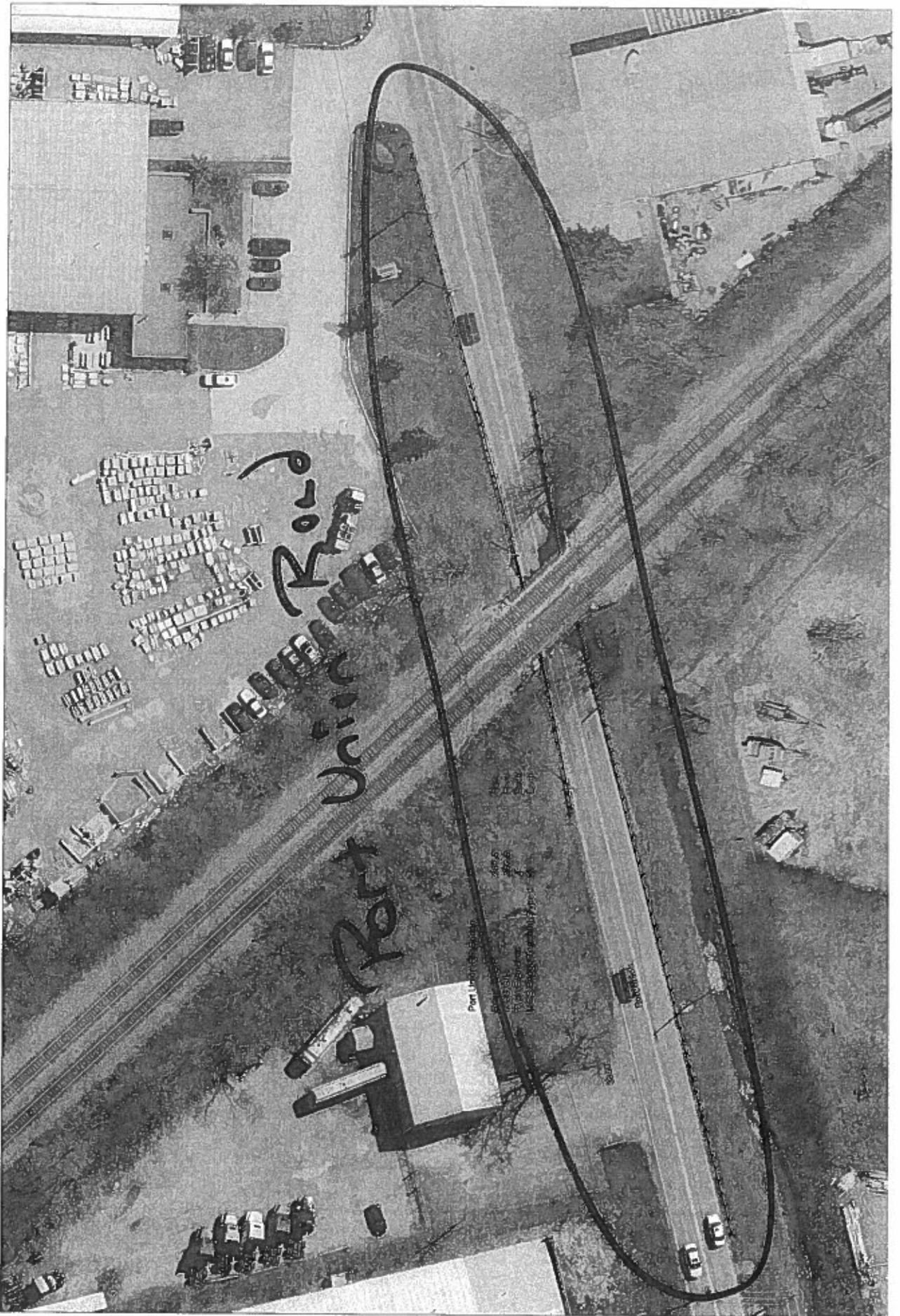
John Gray Road

John Gray Road

WISCONSIN 605 FILE  
ANALYSIS REPORT 1 BLOCK EACH

Prepared for the Department of

6270



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:

<b>From: Unappropriated Street Improvement Fund</b>	<b>\$40,000</b>
To: 40116025-252000 Improvements Other Than Building (Guardrail Improvement Program)	\$40,000

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

Passed \_\_\_\_\_ Mayor's Approval \_\_\_\_\_

Posted \_\_\_\_\_

First Reading \_\_\_\_\_ Rules Suspended \_\_\_\_\_

Second Reading \_\_\_\_\_

Third Reading \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Clerk of Council

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

\_\_\_\_\_  
Clerk of Council