

MINUTES

REGULAR MEETING OF COUNCIL

DECEMBER 7, 2009

Call to Order

Clerk Johns called the Regular Meeting to order at 7:05 p.m.

Roll Call

Clerk Johns called the roll of Council. Present members were Councilmember Rhodus, Councilmember Meyers, Councilmember Judd, and Councilmember Senger. Councilmember Meyers, seconded by Councilmember Judd moved to excuse Councilmembers Abbott, Snyder and Oler and Mayor D'Epifanio. Motion Carried 4-0. Law Director Clemmons stated we are without a Mayor and Vice Mayor this evening. He explained that it is necessary that the four members make a motion and pass it with four votes to appoint one member to preside at the meeting. Councilmember Judd, seconded by Councilmember Meyers moved to appoint Councilmember Rhodus to preside over the meeting. Motion Carried 4-0.

Prayer/Pledge of Allegiance

Councilmember Meyers led in prayer followed by the Pledge of Allegiance.

Agenda Modifications

No modifications were made to the agenda.

Executive Session Requests

There were no requests for Executive Session.

Public Hearing(s)

Rezoning 17 acres on Patterson Drive from D-1 to D-1 P.U.D.

The Joint Public Hearing for the rezoning of 17 acres on Patterson Drive from D-1 to D-1 P.U.D. opened at 7:08 p.m. Clerk Johns called the roll of the Planning Commission. Present members: Jerry Dailey, Dan Murray, Deborah Rhees, Scott Lepsky, Don Hassler, and Terry Senger. Commissioner Dailey, seconded by Commissioner Lepsky moved to excuse Commissioner Holtegel. Motion Carried 6-0. Clerk Johns read the Public Hearing Notice as printed in the Journal News on Friday, November 27, 2009. Development Services Director Tim Bachman highlighted the 17 acre area being discussed on a vicinity map and aerial. Mr. Bachman discussed the Patterson Place Concept Plan. He stated the first phase of the project is a three story affordable housing senior apartment project and will be managed by St. Marty's. He further explained there is an existing pond that will be completed this year. Mr. Bachman stated to the west is acreage that is currently vacant with the concept for detached single family units. He highlighted the previous Fair Plaza section. He displayed the actual rendering of the three story housing development. Mr. Bachman discussed a similar St. Mary's project, Right Place, in Xenia. Mr. Bachman discussed the schedule for this project. He noted this will be discussed next at the Planning Commission meeting on Wednesday, December 9, 2009 and will come back to Council for second reading on Monday, December 14, 2009. Neyer Properties Development Project Manager, Jeff Chamot, discussed the Neyer company history; he discussed the geographic focus and portfolio summary. Mr. Chamot briefly overviewed a Neyer project and explained they do plan to certify the senior living building under a green community designation. He discussed the partnership with St. Mary Development Corporation and their role in the project. He briefly overviewed some of the projects by St. Mary Development. Mr. Bachman discussed that this will be a two phase project with 60 units in phase I and 60 units in phase II. Dick McBride, President of St. Mary's Development commented the phase I and the phase II units will depend on the market at that time. He further commented what is expected at this time for phase I is 30 two bedroom and 30 one bedroom units, which fits the market currently. Joe Schwarz questioned if the first phase was for a multi-story buildings and if they are elevator equipped. Mr. McBride responded that both were correct and stated there is an elevator in each wing. Mr. McBride clarified that the buildings will be three stories. Mr. Schwarz asked if the single families will be for rent or for sale. Mr. Bachman stated this is in concept phase, so that is not exactly worked out. He commented it depends on who the owner is and who develops it, but he believes it will be driven in terms of the market and will be not rental but owner occupied. The Joint Public Hearing was closed at 7:22 p.m.

2010 Operating Budget - Mary Hopton, Finance Director

The Public Hearing for the 2010 Operating Budget was opened at 7:26 p.m. Clerk Johns read the public hearing notice as printed in the Journal News on Friday, December 27, 2009. Finance Director Mary Hopton gave a brief overview of the process for preparing and discussing the proposed budget. She stated that 2009 has been unlike any year the city has experienced in the past two decades as far as the economic conditions. She stated the 2010 budget estimates revenues at approximately 65 million dollars and expenditures at approximately 63 million dollars. She discussed the items that have impacted the budget including the loss of income and property tax revenue and labor contracts. Councilmember Meyers stated the city and the finance committee has done an outstanding job especially with the global predicament with the economy. The public hearing closed at 7:30 p.m.

Special Presentations and Citizen Comments

Acting Mayor Rhodus presented a Mayoral Proclamation to Fairfield Community Foundation Executive Director Betsy Hope and President John Brunner for 10 years of service to the community. Mr. Brunner thanked the City of Fairfield for its support for the past ten years, which has allowed the Foundation to make a significant contribution to the quality of life in the City of Fairfield and Fairfield Township. Ms. Hope thanked the Council, Mayor, City Manager and the staff for their support. She noted that the foundation has given over \$700,000 in grants and scholarships over the past ten years.

Development Services Director Tim Bachman briefly discussed the Beautiful Fairfield awards and displayed the winning remodeling projects in three categories. Acting Mayor Rhodus presented Beautiful Fairfield Awards to the following winners: Best Remodel under \$5,000 - Allison Christman, 4489 Rita Mae Drive (First Place); Heather Fischer, 1874 Doral Drive (Second Place); Best Remodel over \$5,000 - Jeff and Donna Sandor, 5597 Monica Drive (First Place); Bobbie Ricketts, 851 Louise Avenue (Second Place); Best Landscape - Lou Schaefer, 45 Bracken Place (First Place); Kathy Plavko, 5546 Monica Drive (Second Place).

Mayor/Council Reports

Councilmember Meyers commented on the success of Holly Days during the past weekend. Councilmember Meyers explained that Councilmember Abbott had hip replacement surgery and is at home doing well.

Approval of Minutes

Councilmember Meyers, seconded by Councilmember Judd moved to Approve the minutes of the Regular Meeting of November 23, 2009. Motion Carried 4-0.

OLD BUSINESS

DEVELOPMENT SERVICES COMMITTEE

Ordinance to adopt the 20 Year Comprehensive Plan of the City of Fairfield, Ohio dated October, 2009 and include it as a part of the official comprehensive plan of the City of Fairfield, Ohio pursuant to §8.01(C)(2) of the Fairfield City Charter.

Councilmember Senger presented the third reading of this ordinance. Councilmember Senger, seconded by Councilmember Judd moved to Adopt. Councilmember Meyers commented he is very pleased with the addition of Chapter 8 to the plan on sustainability for the City. He stated it covers green buildings, recycling, and also looking at alternate hybrid vehicles in the city fleet. Councilmember Senger thanked everyone involved with this plan for all their work. Mr. Bachman thanked project manager Erin Donovan for her efforts on this project. Ordinance No. 140-09 adopted. Motion Carried 4-0.

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 concept plan for the Patterson Drive Planned Unit Development.

Councilmember Senger deferred second reading of this ordinance pending Planning Commission's recommendation.

Ordinance to authorize the City Manager to execute the FY 2010 Community Development Block Grant (CDBG) applications and declaring an emergency.

Councilmember Senger presented the second reading of this ordinance. Ordinance approved for second reading only.

PUBLIC WORKS COMMITTEE

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

Ordinance authorizing the City Manager to enter into an agreement with the Ohio Department of Public Safety's Traffic Safety Office for three traffic safety studies on North and South Route 4 and at Nilles/Winton Intersection.

Councilmember Judd presented the third reading of this ordinance. Councilmember Judd, seconded by Councilmember Meyers moved to Adopt. Ordinance No. 141-09 adopted. Motion Carried 4-0.

Ordinance releasing the maintenance bond and accepting Public Improvements for Ross Road subdivision (Devonian Drive).

Councilmember Judd presented the second reading of this ordinance. Ordinance approved for second reading only.

Ordinance to authorize the City Manager to enter into a three (3) year contract with T.R. Gear Landscaping for the purpose of landscape care and maintenance of the State Route 4 Streetscape.

Councilmember Judd presented the second reading of this ordinance. Ordinance approved for second reading only.

PUBLIC SAFETY COMMITTEE

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

Councilmember Judd presented the second reading of this ordinance. Ordinance approved for second reading only.

NEW BUSINESS

PUBLIC WORKS COMMITTEE

Ordinance releasing the maintenance bond and accepting public improvements for Heritage Manor Subdivision (Cody Court).

City Manager Pizzano recommended the acceptance of public improvements for the Heritage Manor Subdivision on Cody Court off John Gray Road. He explained this was a project completed by the City after the City went after the developers bond. He further commented we are asking that you accept those public improvements and release the maintenance bond as listed correctly on the ordinance, but not on the agenda. Councilmember Judd, seconded by Councilmember Meyers moved to Read by title only. Motion Carried 4-0. Councilmember Judd presented the first reading of this ordinance. Ordinance approved for first reading only.

FINANCE & BUDGET COMMITTEE

Councilmember Senger, seconded by Councilmember Judd moved to Read the following two (2) ordinances by title only. Motion Carried 4-0.

Appropriation Ordinance (Reconcile Accounts) - See ordinance for details.

City Manager Pizzano recommended an appropriation ordinance to reconcile accounts as discussed earlier in the budget meetings for additional funds the sustenance of prisoners. Councilmember Senger presented the first reading of this ordinance. Ordinance approved for first reading only.

Appropriation Ordinance (Non-Contractual Items) - \$38,500 purchase equipment for police vehicles (under existing contract).

City Manager Pizzano recommended the following non-contractual item: \$38,500 for the purchase of equipment for police vehicles (under existing contract). Councilmember Senger presented the first reading of this ordinance. Ordinance approved for first reading only.

Meeting Schedule

Clerk Johns read the upcoming meeting schedule noting that the Monday, December 14, 2009 Council-Manager Briefing has been cancelled.

Adjournment

Councilmember Judd, seconded by Councilmember Senger moved to Adjourn. The Regular Meeting adjourned at 7:48 p.m. Motion Carried 4-0.

ATTEST:

Clerk of Council

Mayor's Approval

Date Approved _____