

MINUTES
REGULAR MEETING OF COUNCIL
SEPTEMBER 22, 2014

Call to Order

Mayor Miller called the Regular Meeting of Council to order at 7:00 pm at the Fairfield Municipal Building, 5350 Pleasant Ave.

Prayer/Pledge of Allegiance

Councilmember Judd led in prayer and the Pledge of Allegiance.

Roll Call

Clerk Wilson called the roll of Council. Present members were Councilmember Adam Jones, Councilmember Marty Judd, Councilmember Debbie Pennington, Councilmember Terry Senger, Councilmember Chad Oberson, Councilmember Mike Snyder, and Councilmember Bill Woeste.

Agenda Modifications

Executive Session Requests

Councilmember Judd, seconded by Councilmember Pennington, moved for Executive Session to discuss employment of personnel and purchase of real estate. Motion carried 7-0.

Public Hearing(s)

Joint Public Hearing - Planning and Zoning Code Modifications

Mayor Miller opened the Joint Public Hearing at 7:08 PM. Clerk Wilson called the roll of Council and Planning Commission. Councilmembers Jones, Judd, Pennington, Senger, Oberson, Snyder and Woeste. Commissioners Hasselbeck, Hassler, Lepsky, D'Epifanio, Myron and Morris. Clerk Wilson read the Public Hearing Notice. Development Services Director explained the proposed changes to the Planning and Zoning Code, and a copy of his presentation is attached. The changes affect the auto, motorcycle, boat and recreational vehicle sales lots, as well as the storage sheds and play structures sales lots. The proposed changes will deal with several issues, such as circulation and encroachment, and change the uses from principal permitted to conditional, which means it will require more oversight and review from the Planning Commission to make sure any issues are addressed. Principle permitted use does not require oversight from the Planning Commission. Current sales lots, both new and used, will be grandfathered in with the current standards. The ordinance will go back to the Planning Commission at their meeting on September 24, 2014 at 6:00 PM for review, and if there is a recommendation made from that meeting, there will be a second reading on October 14 and a third reading on October 27. There were no questions from Council, Planning Commission or residents. The public hearing closed at 7:18 PM.

Special Presentations and Citizen Comments

Proclamation from the Mayor - Betty L. Kellum

Mayor Miller presented a proclamation to Betty L. Kellum. He thanked her for her dedication and support of the city and told her he was proud to honor her with a proclamation.

Mayor/Council Reports

Councilmember Woeste thanked Development Services Director Bachman and his staff, including Planning Manager Erin Donovan, as well as Law Director Clemmons, for their work in putting together the recommended changes to the Planning and Zoning Code.

Councilmember Snyder commented on two short plays by local playwrights at the Community Arts Center. "Mama's Bible" by Victoria Bailey and "Words in the Air" by Bridget Ossmann will be performed at 8 PM on September 26-27 and October 3-4 and at 2 PM on September 28 and October 5. He also commented on a new brain disease support group founded by Brenda Reams, which will meet on September 25 at 6 PM at Lane Library.

Councilmember Oberson reported that the sidewalk program for this year has been completed and markings have been started for next year's program. The curb replacement is ongoing this week.

Councilmember Pennington reported that the last night for the golf scramble is September 26 at Fairfield North Trace and the last movie in the park will be October 3. She also thanked Parks and Recreation Director Jim Bell and his staff for the annual Cruise In on the Green.

Councilmember Jones reported that more targeted enforcement will be taking place in school zones, as well as safety training to keep students safe in emergency situations.

Approval of Minutes

Regular Meeting Minutes of September 8, 2014

- The Regular Meeting Minutes of September 8, 2014 were approved as written.

OLD BUSINESS

DEVELOPMENT SERVICES COMMITTEE

Bill Woeste, Chairman; Adam Jones, Vice Chairman, Mike Snyder, Member

Ordinance to amend Chapters 1133 and 1165 of the Zoning Code of Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio relative to the definitions and principal permitted and conditional uses in the C-3 General Business District, and C-3A, General Business District Modified, Zoning Districts.

The second reading of this ordinance was held pending a recommendation from the Planning Commission.

NEW BUSINESS

COMMUNITY & PUBLIC RELATIONS COMMITTEE

Mike Snyder, Chairman; Bill Woeste, Vice Chairman, Debbie Pennington, Member

Simple Motion: Motion to approve the November and December 2014 meeting schedule as detailed in the Council Letter 11(A)(1).

Councilmember Snyder, seconded by Councilmember Jones, moved to approve the November and December meeting schedule. Motion carried 7-0. SIMPLE MOTION NO. 21-14. APPROVED 7-0.

PUBLIC SAFETY COMMITTEE

Adam Jones, Chairman; Marty Judd, Vice Chairman, Terry Senger, Member

Simple Motion: Motion to approve liquor permit application in the name of Lake Country Distributing, Inc. dba Miles of Golf, 6400 Dixie Highway, Fairfield, OH 45014. (Permit Classes: D1 and D2)

Councilmember Jones, seconded by Councilmember Senger, moved to approve a liquor permit application in the name of Lake Country Distributing, Inc. dba Miles of Golf. Motion carried 7-0. SIMPLE MOTION NO. 22-14. APPROVED 7-0.

Ordinance to authorize the City Manager to enter into a Mutual Aid Agreement through the Butler County Hazardous Materials Cooperative Board and declaring an emergency.

Councilmember Adam Jones, seconded by Councilmember Terry Senger moved to read the following ordinance by title only. Motion Carried 7-0.

Background: City Manager Pizzano recommended a mutual aid agreement with Butler County Hazardous Materials Cooperative Board. This is a standard agreement in the event of a hazardous materials spill in Fairfield. Legislative Action: Councilmember Jones presented the first reading of this ordinance.

Councilmember Adam Jones, seconded by Councilmember Mike Snyder moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 7-0. Councilmember Adam Jones, seconded by Councilmember Marty Judd moved to adopt. Motion Carried 7-0. ORDINANCE NO. 88-14. APPROVED 7-0.

DEVELOPMENT SERVICES COMMITTEE

Bill Woeste, Chairman; Adam Jones, 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 amended concept plan for the Village Green Planned Unit Development and the Final Development Plan for City Center Place Lifestyle Condominiums.

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

Background: City Manager Pizzano recommended an ordinance to amend the Zoning Map for the Village Green Planned Unit Development and the Final Development Plan for City Center Place Lifestyle Condominiums. This will be the first reading and the public hearing will take place on October 14. Legislative Action: Councilmember Woeste presented the first reading of this ordinance.

PUBLIC WORKS COMMITTEE

Chad Oberson, Chairman; Mike Snyder, Vice Chairman, Bill Woeste, Member

Ordinance to authorize the City Manager to enter into an engineering and construction agreement with the Hamilton County Board of Commissioners and Engineer for the project known as John Gray Road Improvements between Winton Road and Pleasant Avenue and declaring an emergency.

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

Background: City Manager Pizzano recommended an engineering and construction agreement with Hamilton County for the John Gray Road Improvements Project. The cost of the project will be divided equally between Fairfield and Hamilton County, with the exception of moving a water main that belongs to Fairfield. The city will pay the full cost of moving that water main. Legislative Action: Councilmember Oberson presented the first reading of this ordinance.

Councilmember Chad Oberson, seconded by Councilmember Debbie Pennington moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 7-0. Councilmember Chad Oberson, seconded by Councilmember Marty Judd moved to adopt . Motion Carried 7-0. ORDINANCE NO. 89-14. APPROVED 7-0.

PUBLIC UTILITIES COMMITTEE

Marty Judd, Chairman; Chad Oberson, Vice Chairman, Adam Jones, Member

Ordinance to authorize the City Manager to enter into a contract with Insituform Technologies, LLC for the inversion re-lining of sanitary sewer lines.

Councilmember Marty Judd, seconded by Councilmember Debbie Pennington moved to read the following ordinance by title only. Motion Carried 7-0.

Background: City Manager Pizzano recommended a contract with Insituform Technologies for inversion re-lining of sanitary sewer lines. This is a process that saves the city money by extending the life of the sewer lines, instead of replacing the line. Legislative Action: Councilmember Judd presented the first reading of this ordinance.

Councilmember Marty Judd, seconded by Councilmember Chad Oberson moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 7-0. Councilmember Marty Judd, seconded by Councilmember Bill Woeste moved to adopt . Motion Carried 7-0. ORDINANCE NO. 90-14. APPROVED 7-0.

FINANCE & BUDGET COMMITTEE

Terry Senger, Chairman; Debbie Pennington, Vice Chairman, Chad Oberson, Member

Councilmember Terry Senger, seconded by Councilmember Debbie Pennington moved to read the following three (3) ordinances by title only. Motion Carried 7-0.

Ordinance to reconcile accounts.

Background: City Manager Pizzano recommended an ordinance to reconcile accounts. This is done routinely to keep the accounts balanced. Legislative Action: Councilmember Senger presented the first reading of this ordinance.

Councilmember Terry Senger, seconded by Councilmember Bill Woeste moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 7-0. Councilmember Terry Senger, seconded by Councilmember Mike Snyder moved to adopt . Motion Carried 7-0. ORDINANCE NO. 91-14. APPROVED 7-0.

Contractual Appropriations - \$133,000 inversion re-lining of sanitary sewer lines

Background: City Manager Pizzano recommended the contractual appropriation for the inversion re-lining of sanitary sewer lines. Legislative Action: Councilmember Senger presented the first reading of this ordinance.

Councilmember Terry Senger, seconded by Councilmember Marty Judd moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 7-0. Councilmember Terry Senger, seconded by Councilmember Marty Judd moved to adopt . Motion Carried 7-0. ORDINANCE NO. 92-14. APPROVED 7-0.

Non-Contractual Appropriations - \$29,900 Gold Star Family Memorial Monument for Veterans Memorial Park; \$44,400 Phase I of Irrigation Field Controller and Rotor Replacement Project at Fairfield South Trace Golf Course

Background: City Manager Pizzano recommended non-contractual appropriations for a Gold Star Family Memorial Monument for Veteran's Memorial Park and phase I of an irrigation project at Fairfield South Trace Golf Course. Legislative Action: Councilmember Senger presented the first reading of this ordinance. He thanked City Manager Pizzano, Parks and Recreation Director Bell and Fire Chief Bennett for their hard work in researching and selecting this monument for the park. He stated that this will be a great addition to the park, as well, as provide an opportunity for residents to learn more about Gold Star Families.

Councilmember Terry Senger, seconded by Councilmember Adam Jones moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 7-0. Councilmember Terry Senger, seconded by Councilmember Bill Woeste moved to adopt . Motion Carried 7-0. ORDINANCE NO. 93-14. APPROVED 7-0.

Meeting Schedule

Clerk Wilson read the following meeting schedule:

- Tuesday, October 14 Regular Meeting, 7:00 p.m.
- Monday, October 27 Regular Meeting, 7:00 p.m.
- Monday, November 10 Regular Meeting, 7:00 p.m.

Executive Session of Council (if needed)

Council adjourned to Executive Session at 7:40 PM.

Adjournment

The Regular Meeting of Council adjourned at 8:50 PM.

ATTEST:

Clerk of Council

Mayor's Approval

Date Approved _____



Public Hearing

September 22, 2014



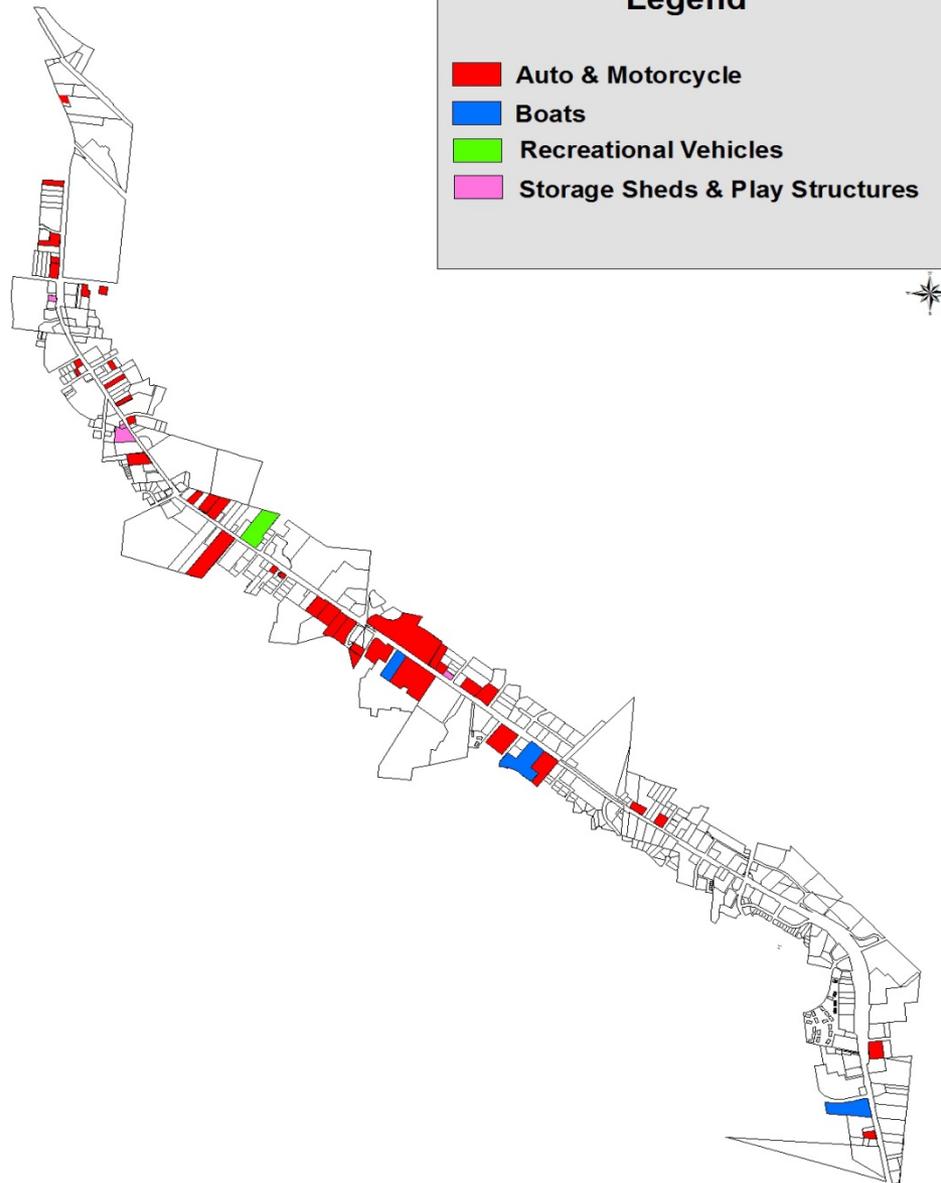
Background

- Update the zoning ordinances every couple of years; last update was 1 1/2 years ago.
- Changes were recommended by the Planning Commission and by past cases from the Board of Zoning Appeals.
- The changes this year center around permitted uses and conditional uses in the C-3 and C3-A zoning districts.

C-3 & C-3A Zoning Districts



Route 4 Sales Lots



Used Auto Sales Areas

Access & Circulation Issues



Encroachment



Re-use of business

Storage Shed/Barn & Play Structure Sales/Display Areas



Chapter 1165 C-3 General Business District Motor Vehicle Sales Area

- Modify zoning from principal permitted to conditional use for vehicle sales, boats and recreational vehicles.
- All existing sales lots, new and used, existing at the time of any change in zoning are “grandfathered.”
- 1165.02 Conditional Uses
 - **MOTOR VEHICLE, BOAT, RECREATIONAL VEHICLE OR TRAILER SALES AREAS. SUBJECT TO THE FOLLOWING CONDITIONS AS DETERMINED BY THE PLANNING COMMISSION:**
 - (1) **INGRESS, EGRESS AND INTERNAL CIRCULATION.**
 - (2) **SIGHT DISTANCE AND VISIBILITY.**
 - (3) **SETBACK FROM RIGHT-OF-WAY, SIDEWALK OR EDGE OF PAVEMENT.**
 - (4) **PERIMETER CURBING, BUFFER AREA, PARKING LOT STRIPING AND SIMILAR AESTHETIC ATTRIBUTES.**

Chapter 1165 C-3 General Business District Storage and Play Structure Sales Areas

- Modify zoning from principal permitted to conditional use for storage sheds barns, and play structure sales and display areas.
- All sales shed lots existing at the time of any change in zoning are “grandfathered.”

- 1165.02 Conditional Uses
 - **STORAGE SHED OR BARN OR PLAY STRUCTURE SALES OR DISPLAY AREAS. SUBJECT TO THE FOLLOWING CONDITIONS AS DETERMINED BY THE PLANNING COMMISSION:**
 - (1) ACCESS AND INTERNAL CIRCULATION.
 - (2) SIGHT DISTANCE AND VISIBILITY.
 - (3) SETBACK FROM RIGHT-OF-WAY, SIDEWALK OR EDGE OF PAVEMENT.
 - (4) LOT COVERAGE AND SIMILAR AESTHETIC ATTRIBUTES.



Process

- Public Hearing – September 22, 2014
- Planning Commission – Wednesday, September 24, 2014 @ 6:00 PM
- Second Reading – Tuesday, October 14, 2014 @ 7:00 PM
- Third Reading – Monday, October 27, 2014 @ 7:00 PM



Questions and Comments