

MINUTES

REGULAR MEETING OF COUNCIL

January 12, 2009

Call to Order

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

Roll Call

Clerk Morsch called the roll of Council. Present members were Councilmember Abbott, Councilmember Rhodus, Councilmember Meyers, Councilmember Judd, Councilmember Snyder, Councilmember Oler and Councilmember Senger. Councilmember Oler, Seconded by Councilmember Judd moved to excuse Councilmember Rhodus. Motion Carried 6-0.

Prayer & Pledge

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

Request for Executive Session

Councilmember Judd, seconded by Councilmember Snyder, moved for an executive session to discuss pending and imminent litigation and appointment of personnel. A roll call vote was taken by the clerk. The executive session was approved by a 6-0 vote.

Special Presentations and Citizens Comments

City Manager Arthur Pizzano recognized the many employees involved during the wind storm on September 14, 2008 with a joint fourth quarter 2008 STAR award.

Mayor /Council Reports

Mayor D'Epifanio reminded everyone that Council meetings will be held at the Community Arts Center during the Council Chambers remodeling.

Mayor D'Epifanio recognized the Fairfield Fire Department for once again teaming with Meijer, Fairfield West Baptist Church and the community to give bicycles and helmets to area children. He noted that over the past five years, over 500 bicycles have been given away as a part of this project.

Councilmember Meyers stated final results for the recycling challenge have not been received. He further thanked Councilmembers and City staff for their efforts and participation in the 2009 goal setting session.

Councilmember Abbott stated the three focus areas from the goal setting session were property maintenance, crime prevention and protection, and core metrics around the key functions of the city. He stated our income tax revenues exceeded our estimated numbers by \$80,000 and the 2009 budget is steady.

Councilmember Senger commented in 2008 building permit fees for commercial and industrial property exceeded those fees collected in 2007. He stated in a difficult economy it shows resilience in the local community. He thanked everyone involved for their efforts related to the 2008 windstorm including those involved with documentation for the FEMA reimbursement of over \$400,000.

Approval of Minutes

The minutes from the Regular Meeting of December 8, 2008 and the Special Meeting of December 15, 2008 were approved as written.

NEW BUSINESS

COMMUNITY AND PUBLIC RELATIONS COMMITTEE

OKI Appointment: Legislative Action: Councilmember Snyder, seconded by Councilmember Oler made a simple motion confirming the appointment of Councilmember Michael D. Snyder as Fairfield's representative on the Board of Directors of the Ohio-Kentucky-Indiana Regional Council of Governments for 2009. Motion Carried 6-0.

Butler County Emergency Management Agency Advisory Council for 2009: Background: Councilmember Oler explained due to changes at the Butler County Emergency Management Agency and the time commitment involved, it is suggested that Mayor D'Epifanio be appointed instead of City Manager Pizzano. **Legislative Action:** Councilmember Snyder, seconded by Councilmember Judd, moved to amend the simple motion appointing City Manager Arthur Pizzano to the Butler County Emergency Management Agency Advisory Council for 2009. Motion Carried 6-0. Councilmember Snyder, seconded by Councilmember Abbott, moved to appoint Mayor Ronald D'Epifanio to the Butler County Emergency Management Agency Advisory Council for 2009. Motion Carried 6-0.

PUBLIC SAFETY COMMITTEE

Liquor Permit: Background: City Manager Pizzano explained the resident who was originally objecting to this permit has withdrawn his objection. **Legislative Action:** Councilmember Oler, seconded by Councilmember Snyder, moved to withdraw the request for a hearing on the liquor permit application in the name of Krish Food Mart LLC, DBA Ameristop Food Mart 29115, 6330 Pleasant Avenue (Permit Class: C1,C2, D6). Motion Carried 6-0.

PUBLIC WORKS COMMITTEE

Sidewalk Repair: Background: City Manager Pizzano stated this is the fifteenth year for the annual sidewalk replacement program. He stated we inspect each area of the city on a four year rotational basis. He stated this year there were 535 locations marked in the community in which sidewalks are in need of repair. **Legislative Action:** Councilmember Judd, seconded by Councilmember Oler, moved to read the following resolution by title only. Motion Carried 6-0. Councilmember Judd presented the first reading of a resolution declaring necessity of repairing sidewalks (including aprons). Councilmember Judd, seconded by Councilmember Abbott, moved to suspend the rules requiring three readings of the resolution. Rules Suspended 6-0. Councilmember Judd, seconded by Councilmember Senger, moved for adoption. RESOLUTION NO. 01-09 ADOPTED 6-0.

PARKS, RECREATION & ENVIRONMENT COMMITTEE

Lease of Golf Carts: Background: City Manager Pizzano recommended an agreement with the E-Z-GO, Division of Textron, Inc. for the lease of golf carts for our municipal golf courses. He stated this is actually a revenue producer with the city getting a percentage of the revenue that is gained from this private company which provides the carts. Mr. Pizzano stated this year we are able to enhance the percentage of revenue that we have collected in previous years. **Legislative Action:** Councilmember Meyers, seconded by Councilmember Senger, moved to read the following ordinance by title only. Motion Carried 6-0. Councilmember Meyers presented the first reading of an ordinance to authorize the City Manager to enter into an agreement with E-Z-GO Division of Textron, Inc. for the lease of golf carts. Councilmember Meyers, seconded by Councilmember Abbott, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 6-0. Councilmember Meyers recognized the Parks and Recreation staff involved for their efforts in negotiating this agreement. He commented that special needs golf carts will be offered for the first time. Councilmember Meyers, seconded by Councilmember Abbott, moved for adoption. ORDINANCE NO. 1-09 ADOPTED 6-0.

DEVELOPMENT SERVICES COMMITTEE

Reading's (2) by Title Only: Councilmember Senger, seconded by Councilmember Oler, moved to read the following two ordinances by title only. Motion Carried 6-0.

Highway Appearance Improvement and Limited Public Use Easement: Background: City Manager Pizzano recommended an ordinance to accept a highway appearance improvement and limited public use easement along Dixie Highway. Legislative Action: Councilmember Senger presented the first reading of an ordinance to authorize the City Manager to accept a highway appearance improvement and limited public use easement along Dixie Highway. Mr. Steve Barrett, 1605 Parliament Court, stated his disapproval of improvements to an individual's private property. Mr. Barrett questioned the necessity of an easement on this property and the city's return on investment. Development Services Director Tim Bachman explained the criteria for use of the redevelopment fund as listed in the Capital Improvement Plan is to partner with large scale redevelopment projects. Mr. Bachman stated this is available to any large scale redevelopment project in the City. Ordinance approved for first reading only.

Contract with Landform Services, Inc.: Background: City Manager Pizzano recommended a contract with Landform Services, Inc. for highway appearance improvements along Dixie Highway. Legislative Action: Councilmember Senger presented the first reading of an ordinance to authorize the City Manager to enter into a contract with Landform Services, Inc. for highway appearance improvements along Dixie Highway. Ordinance approved for first reading only.

FINANCE & BUDGET COMMITTEE

Reading's (5) by Title Only: Councilmember Abbott, seconded by Councilmember Snyder, moved to read the following five ordinances by title only. Motion Carried 6-0.

Wage and Salary Ordinance: Background: City Manager Pizzano recommended an amendment of the Wage and Salary Ordinance to upgrade a part time position to a full time position for an EMS Privacy Officer. He briefly described this position. Legislative Action: Councilmember Abbott presented the first reading of an ordinance establishing salaries for certain Exempt and Salaried Employees of the City of Fairfield, Ohio and repealing previous ordinances and declaring an emergency. Councilmember Abbott, seconded by Councilmember Snyder, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 6-0. Councilmember Abbott, seconded by Councilmember Snyder, moved for adoption. ORDINANCE NO. 2-09 ADOPTED AS AN EMERGENCY 6-0.

City of Fairfield Cafeteria Plan for Health and Benefits: Background: City Manager Pizzano recommended an implementation of the City's Cafeteria Plan for health and other benefits to the existing Health Savings Accounts (HSA). Legislative Action: Councilmember Abbott presented the first reading of an ordinance approving and authorizing the City Manager and Finance Director to implement the City of Fairfield Cafeteria Plan for health and other benefits under Section 125 and other applicable sections of the Internal Revenue Code and declaring an emergency. Councilmember Abbott, seconded by Councilmember Meyers, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 6-0. Councilmember Abbott, seconded by Councilmember Meyers, moved for adoption. ORDINANCE NO. 3-09 ADOPTED AS AN EMERGENCY 6-0.

Year End Transfers: Legislative Action: Councilmember Abbott presented the first reading of an ordinance to amend Ordinance No. 154-07 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, 2008, and ending December 31, 2008." City Manager Pizzano explained this ordinance appropriates \$1,140,000 to reconcile accounts which have exceeded the original appropriations for operations. Councilmember Abbott, seconded by Councilmember Oler, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 6-0. Councilmember Abbott, seconded by Councilmember Senger, moved for adoption. ORDINANCE NO. 4-09 ADOPTED 6-0.

2009 Budget Amendment (Contractual Items): Legislative Action - Councilmember Abbott presented the first reading of an ordinance to amend Ordinance No. 161-08 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, 2009, and ending December 31, 2009." City Manager Pizzano explained the following contractual appropriations: \$111,538 for highway appearance improvements along Dixie Highway. Councilmember Abbott, seconded by Councilmember Meyers, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 6-0. Councilmember Abbott, seconded by Councilmember Meyers, moved for adoption. ORDINANCE NO. 5-09 ADOPTED 6-0.

2009 Budget Amendments (Non-Contractual Items): Legislative Action - Councilmember Abbott presented the first reading of an ordinance to amend Ordinance No. 161-08 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, 2009, and ending December 31, 2009." City Manager Pizzano explained the following non-contractual appropriations: \$64,748 for geotechnical services for S. Gilmore/Winton Road Project; \$24,987 for replacement shingles for salt storage barn; \$80,000 for Business District Program with the Fairfield Chamber of Commerce; and \$6,995 for one (1) special needs golf cart. Councilmember Abbott, seconded by Councilmember Meyers, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 6-0. Councilmember Abbott, seconded by Councilmember Meyers, moved for adoption. Councilmember Meyers stated one special needs golf cart is sufficient for now and we will see how things go. ORDINANCE NO. 6-09 ADOPTED 6-0.

Meeting Notices

Monday, January 26	Council-Manager Briefing, 6 PM; Regular Meeting, 7 PM
Monday, February 9	Council-Manager Briefing, 6 PM; Regular Meeting, 7 PM

Executive Session

Council recessed to executive session at 7:45 p.m. to discuss pending and imminent litigation and the purchase of real estate.

Regular Meeting Reconvenes

The Regular Meeting reconvened at approximately 8:45 p.m. No announcements were made as a result of the executive session of Council.

Adjournment

The Regular Meeting adjourned at 8:45 p.m.

ATTEST:

Clerk of Council

Mayor's Approval

Date Approved _____