Mitch Rhodus
Mayor

Tim Meyers
Councilmember, At-Large

Matt Davidson
Councilmember, At-Large

Gwen Brill
Councilmember, At-Large

Leslie Besl
Councilmember, 1st Ward

Dale Paullus
Councilmember, 2nd Ward

Terry Senger
Councilmember, 3rd Ward

Adam Kraft
Councilmember, 4th Ward

CITY OF FAIRFIELD CITY COUNCIL
REGULAR MEETING AGENDA
MONDAY, DECEMBER 11, 2023 7:00 PM
5350 PLEASANT AVENUE, FAIRFIELD, OH 45014

Guidelines for Citizen Comments: Thank you for your interest and participation in city government. Fairfield City Council's Guidelines for Citizen Comments describe the rules for addressing City Council. The guidelines are posted in the Council Chambers.

ADA Notice: The City of Fairfield is pleased to provide accommodations to disabled individuals or groups and encourage full participation in city government. Should special accommodations be required, please contact the Clerk of Council at 867-5383 at least 48 hours in advance of the meeting.

1. COUNCIL-MANAGER BRIEFING

A. 6:00 PM - Energy Aggregation & Safety Study for Ross Road and Woodridge Boulevard

2. BUSINESS MEETING CALL TO ORDER

3. PRAYER/PLEDGE OF ALLEGIANCE

A. Councilmember Leslie Besl

4. ROLL CALL

5. AGENDA MODIFICATIONS

6. EXECUTIVE SESSION REQUESTS

7. SPECIAL PRESENTATIONS

a. Proclamation to Councilmember Terry Senger

8. CITIZEN COMMENTS

9. COUNCIL REPORTS

10. PUBLIC HEARING(S)

11. APPROVAL OF MINUTES

a. Regular Meeting held December 4, 2023

12. OLD BUSINESS

None.

13. NEW BUSINESS

Motion to read all New Business by title only.

A. DEVELOPMENT SERVICES

City Manager Scott Timmer - Report

Councilmember Matt Davidson

1. Ordinance affirming the designation of the Community Improvement Corporation of Fairfield as the City's agency for development in the City and authorizing grants totaling $2,250,000 to be made to the Community Improvement Corporation of Fairfield for public purposes, and declaring an emergency.

   - Legislation - First Reading
   - Motion - Suspend Second and Third Readings
   - Motion - Adoption

B. PARKS, RECREATION & ENVIRONMENT

City Manager Scott Timmer - Report

Councilmember Gwen Brill

1. Ordinance to authorize the City Manager to execute the Ohio's Urban Forestry Grant application and agreement and declaring an emergency.

   - Legislation - First Reading
   - Motion - Suspend Second and Third Readings
   - Motion - Adoption

C. PUBLIC UTILITIES

City Manager Scott Timmer - Report

Councilmember Adam Kraft

1. Ordinance to approve and adopt a plan of operation and governance for natural gas governmental aggregation and declaring an emergency.

   - Legislation - First Reading
   - Motion - Suspend Second and Third Readings
   - Motion - Adoption

2. Ordinance to approve and adopt a plan of operation and governance for electric governmental aggregation and declaring an emergency.

- Legislation - First Reading
- Motion - Suspend Second and Third Readings
- Motion - Adoption

D. FINANCE & BUDGET

Councilmember Tim Meyers

1. Ordinance establishing salaries for certain exempt and salaried employees of the City of Fairfield, Ohio, to repeal Ordinance No. 90-23 and all amendments thereto and declaring an emergency.

   - Legislation - First Reading
   - Motion - Suspend Second and Third Readings
   - Motion - Adoption

2. Ordinance to amend Ordinance No. 155-22 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, 2023, and ending December 31, 2023." - Supplemental Appropriations.

   - Legislation - First Reading
   - Motion - Suspend Second and Third Readings
   - Motion - Adoption

3. Ordinance to amend Ordinance No. 155-22 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, 2023, and ending December 31, 2023."
   Contractual Appropriations: $2,250,000 for Community Improvement Corporation grant.

   - Legislation - First Reading
   - Motion - Suspend Second and Third Readings
   - Motion - Adoption

14. MEETING SCHEDULE

A. Monday, December 18 - Oath of Office, 6:00 PM

B. Monday, January 8 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM

C. Monday, January 22 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM

15. EXECUTIVE SESSION OF COUNCIL (IF NEEDED)

16. ADJOURNMENT

City of Fairfield
Minutes
Regular Meeting of City Council
December 4, 2023

Minutes Acceptance: Minutes of Dec 4, 2023 7:00 PM (Approval of Minutes)

Council-Manager Briefing

A. None.

Business Meeting Call to Order

Mayor Rhodus called the meeting to order at 7:00 PM.

Prayer/Pledge of Allegiance

Councilmember Brill led in prayer and Pledge of Allegiance.

Roll Call

Councilmembers present included:

Attendee Name	Title	Status	Arrived
Tim Meyers	Councilmember, At-Large	Present	
Matt Davidson	Councilmember, At-Large	Present	
Gwen Brill	Councilmember, At-Large	Present	
Leslie Besl	Councilmember, 1st Ward	Present	
Dale Paullus	Councilmember, 2nd Ward	Present	
Terry Senger	Councilmember, 3rd Ward	Present	
Adam Kraft	Councilmember, 4th Ward	Present	
Mitch Rhodus	Mayor	Present	

Agenda Modifications

None.

Executive Session Requests

Councilmember Meyers, seconded by Councilmember Davidson, moved for Executive Session to discuss the status of collective bargaining with public employees regarding their wages, hours and other terms and conditions of their employment. Roll call vote. Motion carried 7-0.

Special Presentations

a. Parade of Lights Community Award

Councilmember Brill announced the Community Award winner for the Parade of Lights as BHI General Contracting.

Citizen Comments

None.

Council Reports

Public Hearing(s)

2024 Operating Budget Public Hearing

Mayor Rhodus opened the public hearing at 7:10 PM. Clerk Wilson read the hearing notice. Vice Mayor Meyers thanked staff for the level of preparation that went into the 2024 Operating Budget. Mayor Rhodus closed the public hearing at 7:13 PM.

Approval of Minutes

The Regular Meeting Minutes of November 27, 2023 were approved as written and submitted.

OLD BUSINESS

Development Services

Councilmember Matt Davidson

Resolution adopting the 2023 revised edition of the City of Fairfield Tax Incentive Guidelines, establishing policies and procedures for tax incentive programs, and superseding all previous tax incentive guideline documents and policies.

Recommendation:
It is recommended that City Council approve this resolution to adopt the revised Tax Incentive Guidelines.

Councilmember Davidson presented the third reading of this resolution.

RESOLUTION NO. 13-23. APPROVED 7-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Matt Davidson, Councilmember, At-Large
SECONDER:	Tim Meyers, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Public Safety

Councilmember Dale Paullus

Motion to amend Exhibit A of the ordinance.

Councilmember Paullus made a motion to amend the exhibit on the ordinance to include a 9-month moratorium instead of an indefinite ban.

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Dale Paullus, Councilmember, 2nd Ward
SECONDER:	Tim Meyers, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Motion to Suspend Second and Third Readings

Councilmember Paullus presented the second reading of this ordinance.

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Councilmember Brill stated that she read the new law several times and there is a lot to digest out of it. She feels that it is best to give the state time to put its regulations in place before the city takes and action on allowing dispensaries.

Councilmember Davidson presented slides to support his opinion that the voters have already spoken on the issue and the city has no right to ban dispensaries - see attached. He stated that he has read the legislation, as well. He said he also did his own research by posting on Facebook and speaking to the people he interacts with to try to get an idea of what everyone wants. He said that anyone he spoke to or that commented on his Facebook posts that voted Yes on Issue 2 wants a dispensary in Fairfield. He said the people that told him they did not want a dispensary are the ones that voted No. He said that given that Issue 2 passed by a 58% vote in Fairfield, which is no where near right down the middle and is a statement of what the citizen want, he does not feel that it is appropriate for Council to make legislation banning dispensaries in the city. He stated that the amount of tax revenue is subject to change, however, there is no doubt that there will be tax revenue that the city would benefit from unless the city has a ban in place to prohibit dispensaries. A prohibition will not stop residents from going to other municipalities to get marijuana, so why would the city give that revenue to another jurisdiction? He went through a list of reasons that he has heard about why the city shouldn't have marijuana, as well as his rebuttals to those reasons, which are listed in the attached slides.

Councilmember Meyers stated that he appreciated the well thought out argument from Councilmember Davidson, however, local control was part of Issue 2 and those that voted Yes voted in favor of the city making regulations on what would be allowed or not allowed in Fairfield. He stated that he applauds Council for taking this issue seriously and speaking to residents about their opinions. He said the uncertainties are why he believes a moratorium is an appropriate action to take at this time. He stated that at least five of the six other cities in the state that he has information on have also instituted a moratorium to take the time necessary to evaluate the specifics of the new law. He stated that a dispensary does not line up with what residents told him they want to see in the city during his campaign for office; he said they want restaurants and entertainment. He also does not see how a dispensary lines up with the strategic goals that were developed at the retreat earlier in the year.

Mayor Rhodus explained changes that have been introduced today at the state level that would completely change the way the issue develops in the state.

Councilmember Besl thanked Councilmember Davidson for the presentation and asked that residents step up to the mic and let their opinion be heard because many on Council have not heard from people on the issue. She stated that her opinion is that passing Issue 2 is different than saying people want it in their back yard and until she hears from more residents, her thought is that taking a 9 month period to evaluate the issue is a good idea.

Councilmember Paullus stated that he asked for a temporary ban to give time to find out what the state is going to do.

Councilmember Senger asked for a show of hands from the audience that supported open use of marijuana and how many supported a ban. The majority of people supported the ban. He stated

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that during his military career, he saw numerous military members ruin a career for testing positive. He stated that he feels he needs more justification to make marijuana open for use.

Councilmember Kraft stated that he would like to see more preparedness from the state before putting issues like this in front of people. He said that he feels the state put the city at a disadvantage by not giving more information prior to the new law being put out in front of voters. He sees this issue from the federal level down and it is a source of frustration for him and others.

Councilmember Davidson stated that the show of hands of those in favor of open use has already been established by the vote. He stated that those that raised their hand that they support a ban are not the ones that voted Yes on Issue 2. He stated that he did his due diligence by posting on Facebook for feedback and talking to people he is around on a daily basis. He said that it's going to be here no matter what the vote is because Issue 2 passed. He doesn't think the changes at the state level will be enough to change any of the yes voters' minds about marijuana being legal. He stated that no one disagrees that residents want more restaurants and entertainment, but this does not prevent that and will clean up blighted areas.

Councilmember Meyers stated that yes, Issue 2 is done and no one disputes that, however, part of Issue 2 includes what the city is doing tonight and that is making decisions on whether or not to allow it in the city.

Robert Kramer, 5690 Genevieve Place - he stated that this is the best of times in the City and there is brilliance in the City Manager's Office and he doesn't want to see it messed up by selling marijuana in Fairfield. He doesn't want to see more impaired drivers in Fairfield.

Terry White, 20 Travis Walk - stated he appreciates everything Council is doing. He shared his concerns about societal cost and would like City Council to not allow recreational marijuana in the City. He stated that we should not have the shops because it may be a gateway drug, it poses risk to adolescents, adverse effects of mental health and anxiety, driver impairment, risk of early heart and stroke issues, increased emergency room use, risk of those using at a younger age with memory. Why would the city want to put young people at risk?

Dona Canaan, 5073 W. Scioto Drive - the ban will not affect her day-to-day life, however, the voters have spoken and she feels it sends the wrong message that the City would silence them. She does not feel it is an emergency situation since it could be 12 months before the state has anything in place. She feels that silencing the vote will hinder future efforts for public safety and school levies.

Gail Sinclair, 1576 Congress Hill Lane - resident for over 40 years; Issue 2 passed by 57% and 35 of 37 precincts supported it. She is in full support of a dispensary in the City and it is Council's responsibility to listen to their constituents. She stated that Council is voted for by the majority of residents, just as Issue 2 was.

Will Arlidge, 626 Casey Court - he voted No on Issue 2 because of the constitutionality of it. He stated that based on the regulations, he would not be included in the people eligible to grow and sell marijuana. He stated that he is convinced that most people only voted Yes because it would

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legalize marijuana but he doesn't know if we want that in Fairfield. He would like to see the City invest in rehab centers.

Jennifer Delahaney, 5417 Chateau Way - mother of 3 young kids and a nurse; she is against it here. She moved back after a divorce and will not live here if it is brought to the City. She stated that it will bring the city down.

Michael Best, 130 Hidden Hills Drive - he is here to make sure the vote is honored. He doesn't like the vote but it should be honored. He is in support of taking a pause and minimize the impact as much as possible.

Scott Lepsky, 7 Carousel Circle - he feels it is important, as a long-term volunteer for the City's planning and zoning divisions, that the City has time to put restrictions in place because they do not currently exist. It is important to evaluate what we do know and have time to learn what we do not know. He stated that staff needs time to put restrictions in place, just as is done with every other business in the City.

Mike Deffinger, 435 Gregorian Drive - was on a drug task force as a police officer and has seen what drugs can do to people. He said he agrees with people in the audience and he voted against Issue 2. He does not want to see it sold in Fairfield.

Nancy Terrell, 120 Hidden Hills Drive - has done research on the adverse effects, especially on youth. She doesn't want to see something like this in Fairfield that could ruin the lives of young people and adults in the City.

Jeff Butterfield, 7394 Bales Street, Liberty Township - Fairfield business owner of Butter Buds. He thinks it is important for people to educate themselves on the good and bad that the plant can do to people's lives. He understands there are a lot of what-ifs and that Columbus did a terrible job at presenting it. His opinion is that it is the worst written bill in all 24 states that have legalized it.

Daniel Williams, Fairfield Township - graduate of Fairfield High School; he thinks the biggest consideration is where is this coming from? He thinks the legalization is coming from the people whose lives are being ruined just for having it. He is not in support of a ban or moratorium.

Councilmember Besl stated that she spoke to her daughter and her daughter's friends and was surprised to hear that they do not want to see marijuana dispensaries in the city.

Councilmember Meyers stated his son does not want to see cultivation in the city and a dispensary should be owned by a resident.

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RESULT:	**CARRIED [6 TO 1]**
MOVER:	Dale Paullus, Councilmember, 2nd Ward
SECONDER:	Tim Meyers, Councilmember, At-Large
AYES:	Meyers, Brill, Besl, Paullus, Senger, Kraft
NAYS:	Davidson

Ordinance to amend Chapter 739 of Ordinance 166-84, the Codified Ordinances of Fairfield, Ohio relative to Medical Marijuana and Adult Use Cannabis Control and declaring an emergency.

Recommendation:
It is recommended that City Council adopt an ordinance to amend Chapter 739 of the General Offenses Code to enact Adult Use Cannabis Control. Suspension of the rules is requested so that the amendments can be effective prior to the effective date of O.R.C. Chapter 3780. Legislation sponsored by Councilmember Tim Meyers.

ORDINANCE NO. 160-23. APPROVED 6-1.

RESULT:	**ADOPTED [6 TO 1]**
MOVER:	Dale Paullus, Councilmember, 2nd Ward
SECONDER:	Terry Senger, Councilmember, 3rd Ward
AYES:	Meyers, Brill, Besl, Paullus, Senger, Kraft
NAYS:	Davidson

Public Works

Councilmember Terry Senger

Ordinance to authorize the City Manager to enter into a contract with Choice One Engineering for engineering services needed for Winton Road Improvements Project – Resor to Oak Tree

Recommendation:
It is recommended that the City Council authorize an appropriation of $64,800.00 be made from the Street Fund and that Council authorize the City Manager to enter into a contract with Choice One Engineering for the engineering services needed to perform the Winton Road Improvements - Resor to Oak Tree.

Councilmember Senger presented the third reading of this ordinance.

ORDINANCE NO. 161-23. APPROVED 7-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Terry Senger, Councilmember, 3rd Ward
SECONDER:	Dale Paullus, Councilmember, 2nd Ward
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

NEW BUSINESS

Councilmember Besl, seconded by Councilmember Kraft, moved to read all New Business by title only. Motion carried 7-0.

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Development Services

City Manager Scott Timmer - Report

Councilmember Matt Davidson

Motion to Suspend Second and Third Readings

Councilmember Davidson presented the first reading of this ordinance.

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Matt Davidson, Councilmember, At-Large
SECONDER:	Adam Kraft, Councilmember, 4th Ward
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Ordinance to authorize the City Manager to execute a Development Agreement with Kevin S. Ashcraft relative to façade improvements at 5120 Pleasant Avenue within Fairfield's Town Center area, and declaring an emergency.

Recommendation:
It is recommended that City Council suspend the rules requiring a second and third reading of this ordinance and pass as an emergency.

ORDINANCE NO. 162-23. APPROVED 7-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Matt Davidson, Councilmember, At-Large
SECONDER:	Gwen Brill, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Motion to Suspend Second and Third Readings

Councilmember Davidson presented the first reading of this ordinance.

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Matt Davidson, Councilmember, At-Large
SECONDER:	Gwen Brill, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Ordinance to authorize the City Manager to execute an Economic Development Agreement with the Cincinnati Center for Autism, to provide a forgivable loan to support the reoccupation of a vacant building at 100 Commercial Drive within the Route 4 corridor, and declaring an emergency.

Recommendation:
It is recommended that City Council suspend the rules requiring a second and third reading of this ordinance and pass as an emergency.

ORDINANCE NO. 163-23. APPROVED 7-0.

Minutes Acceptance: Minutes of Dec 4, 2023 7:00 PM (Approval of Minutes)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Matt Davidson, Councilmember, At-Large
SECONDER:	Tim Meyers, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Public Works

City Manager Scott Timmer - Report

Councilmember Terry Senger

Motion to Suspend Second and Third Readings

Councilmember Senger presented the first reading of this ordinance.

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Terry Senger, Councilmember, 3rd Ward
SECONDER:	Dale Paullus, Councilmember, 2nd Ward
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Ordinance to authorize the City Manager to enter into a contract with Insight Pipe Contracting LLC for the 2023 Storm Sewer Lining in the Lighthouse-Roesch-Route 4 Area and declaring an emergency.

Recommendation:
It is recommended that funding be appropriated in the amount of $126,322.00 from the Capital Improvement Fund for the various lining of storm sewers. It is also recommended that City Council direct the preparation of legislation authorizing the City Manager to enter into a contract with Insight Pipe Contracting, LLC. for the 2023 lining of storm sewers.

ORDINANCE NO. 164-23. APPROVED 7-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Terry Senger, Councilmember, 3rd Ward
SECONDER:	Adam Kraft, Councilmember, 4th Ward
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Finance & Budget

City Manager Scott Timmer - Report

Councilmember Tim Meyers

Motion to Suspend Second and Third Readings

Vice Mayor Meyers presented the first reading of this resolution.

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Tim Meyers, Councilmember, At-Large
SECONDER:	Matt Davidson, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Resolution establishing the Active Transportation Fund (Fund 415) and declaring an emergency.

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Recommendation:
It is necessary for City Council to pass a resolution in order to establish the Active Transportation Fund in order to account for all revenue and expenditures generated by the implementation of the Fairfield Connects Plan.

RESOLUTION NO. 14-23. APPROVED 7-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Tim Meyers, Councilmember, At-Large
SECONDER:	Gwen Brill, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Motion to Suspend Second and Third Readings

Vice Mayor Meyers presented the first reading of this ordinance.

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Tim Meyers, Councilmember, At-Large
SECONDER:	Matt Davidson, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

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. 58-23 and all amendments thereto and declaring an emergency.

Recommendation:
FINANCIAL IMPACT:

Funding is provided under the auspices of the approved 2023 Operating Budget.

BACKGROUND/SYNOPSIS:
The labor agreements IAFF Local 4010 expired March 31, 2023. An agreement was recently reached and the Collective Bargaining Agreement (CBA) was signed. The CBA provide for a general wage increase for all members of the bargaining unit a 1% increase in base wages effective April 1, 2023.

The CBA also called for a reorganization of the Fire Department staffing structure with the addition of three positions: Fire Apparatus Operator, Battalion Chief and Life Safety Inspector. The new ranking structure provides for three (3) Battalion Chiefs, three (3) Captains, three (3) Lieutenants, Nine (9) Fire Apparatus Operators, Forty-Five (45) Firefighter/Paramedics and One (1) Life Safety Inspector. This will provide greater flexibility for the Fire Department to address the needs of the community..

RECOMMENDATION:

It is recommended that City Council approve this Ordinance, suspending the rules and declaring an emergency to allow for the expeditious implementation of the new rates and allow the reorganization of the positions described above.

ORDINANCE NO. 165-23. APPROVED 7-0.

Minutes Acceptance: Minutes of Dec 4, 2023 7:00 PM (Approval of Minutes)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Tim Meyers, Councilmember, At-Large
SECONDER:	Gwen Brill, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Motion to Suspend Second and Third Readings

Vice Mayor Meyers presented the first reading of this ordinance.

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Tim Meyers, Councilmember, At-Large
SECONDER:	Dale Paullus, Councilmember, 2nd Ward
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

An Ordinance to make estimated appropriations for the expenses and expenditures of the City of Fairfield, Ohio during the period beginning January 1, 2024, through December 31, 2024.

ORDINANCE NO. 166-23. APPROVED 7-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Tim Meyers, Councilmember, At-Large
SECONDER:	Gwen Brill, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Motion to Suspend Second and Third Readings

Vice Mayor Meyers presented the first reading of this ordinance.

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Tim Meyers, Councilmember, At-Large
SECONDER:	Matt Davidson, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Ordinance to amend Ordinance No. 155-22 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, 2023, and ending December 31, 2023."

Recommendation:
It is recommended that City Council suspend the rules requiring a second and third reading of this Ordinance and adopt the appropriations listed above.

ORDINANCE NO. 167-23. APPROVED 7-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Tim Meyers, Councilmember, At-Large
SECONDER:	Gwen Brill, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Motion to Suspend Second and Third Readings

Vice Mayor Meyers presented the first reading of this ordinance.

Minutes Acceptance: Minutes of Dec 4, 2023 7:00 PM (Approval of Minutes)

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Tim Meyers, Councilmember, At-Large
SECONDER:	Gwen Brill, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Ordinance to amend Ordinance No. 155-22 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, 2023, and ending December 31, 2023."

Recommendation:
It is recommended that City Council suspend the rules requiring a second and third reading of this Ordinance and adopt the appropriations listed above.

ORDINANCE NO. 168-23. APPROVED 7-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Tim Meyers, Councilmember, At-Large
SECONDER:	Gwen Brill, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Meeting Schedule

Clerk Wilson read the following meeting schedule:

A. Monday, December 11 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM

B. Monday, December 18 - Oath of Office, 6:00 PM

C. Monday, January 8 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM

Executive Session of Council (if needed)

Council recessed to Executive Session at 8:55 PM.

16. ADJOURNMENT

The Regular Meeting adjourned at 9:18 PM.

ATTEST:

_____
Clerk of Council

_____
Mayor's Approval

Date Approved_____

Minutes Acceptance: Minutes of Dec 4, 2023 7:00 PM (Approval of Minutes)

Why Council Should Support the Will of the Voters

Minutes Acceptance: Minutes of Dec 4, 2023 7:00 PM (Approval of Minutes)

Precinct	Ballots Cast	Registered Voters	State Issue 2			
			Yes	Yes %	No	No %
FAIR1WD1	179	456	87	49.4%	89	50.6%
FAIR2WD1	367	1,137	200	58.1%	144	41.9%
FAIR3WD1	273	922	182	68.7%	83	31.3%
FAIR4WD1	262	796	173	68.1%	81	31.9%
FAIR5WD1	257	651	164	66.7%	82	33.3%
FAIR6WD1	278	1,082	208	75.9%	66	24.1%
FAIR7WD1	322	729	206	65.6%	108	34.4%
FAIR8WD1	185	666	106	59.9%	71	40.1%
FAIR9WD1	261	511	129	52.0%	119	48.0%
FAIR1WD2	391	791	230	62.7%	137	37.3%
FAIR2WD2	322	705	213	68.7%	97	31.3%
FAIR3WD2	296	782	167	58.2%	120	41.8%
FAIR4WD2	158	738	99	64.7%	54	35.3%
FAIR5WD2	289	732	151	55.3%	122	44.7%
FAIR6WD2	300	770	168	59.4%	115	40.6%
FAIR7WD2	273	911	179	68.6%	82	31.4%
FAIR8WD2	70	382	50	72.5%	19	27.5%
FAIR1WD3	346	631	175	54.3%	147	45.7%
FAIR2WD3	327	865	201	63.4%	116	36.6%
FAIR3WD3	381	644	190	51.2%	181	48.8%
FAIR4WD3	374	643	187	54.2%	158	45.8%
FAIR5WD3	469	891	256	57.4%	190	42.6%
FAIR6WD3	344	694	183	56.0%	144	44.0%
FAIR7WD3	387	761	209	56.8%	159	43.2%
FAIR8WD3	275	652	151	60.9%	97	39.1%
FAIR9WD3	294	857	193	67.5%	93	32.5%
FAIR10WD3	350	710	203	61.7%	126	38.3%
FAIR11WD3	462	761	173	40.5%	254	59.5%
FAIR1WD4	278	612	164	61.4%	103	38.6%
FAIR2WD4	553	1,112	261	51.0%	251	49.0%
FAIR3WD4	376	804	183	51.5%	172	48.5%
FAIR4WD4	375	1,023	192	53.9%	164	46.1%
FAIR5WD4	398	768	202	53.4%	176	46.6%
FAIR6WD4	459	857	221	49.9%	222	50.1%
FAIR7WD4	389	777	239	63.7%	136	36.3%
FAIR8WD4	428	767	248	60.2%	164	39.8%
FAIR9WD4	397	702	198	52.4%	180	47.6%
FAIR10WD4	410	738	175	44.8%	216	55.2%

- 34/38 Precinct's voted in Favor of Issue 2
- Only two Precinct's decided by less than five votes. Those were two of the 4 voting against.

State Issue 2 - Summary				
	Yes	No	Yes (%)	No (%)
Ward 1	1,455	843	63.3%	36.7%
Ward 2	1,257	746	62.8%	37.2%
Ward 3	2,121	1,665	56.0%	44.0%
Ward 4	2,083	1,784	53.9%	46.1%
Fairfield	6,916	5,038	57.9%	42.1%
Hamilton	8,405	4,880	63.3%	36.7%
Middletown	6,401	3,736	63.1%	36.9%
Monroe	2,725	2,079	56.7%	43.3%
Oxford	2,240	962	70.0%	30.0%
Fairfield Township	4,231	3,621	53.9%	46.1%
Liberty Township	8,918	7,762	53.5%	46.5%
Ross	1,704	1,729	49.6%	50.4%
West Chester Township	12,410	9,811	55.8%	44.2%
Butler County	64,223	48,410	57.0%	43.0%
State of Ohio	2,183,734	1,649,384	57.0%	43.0%

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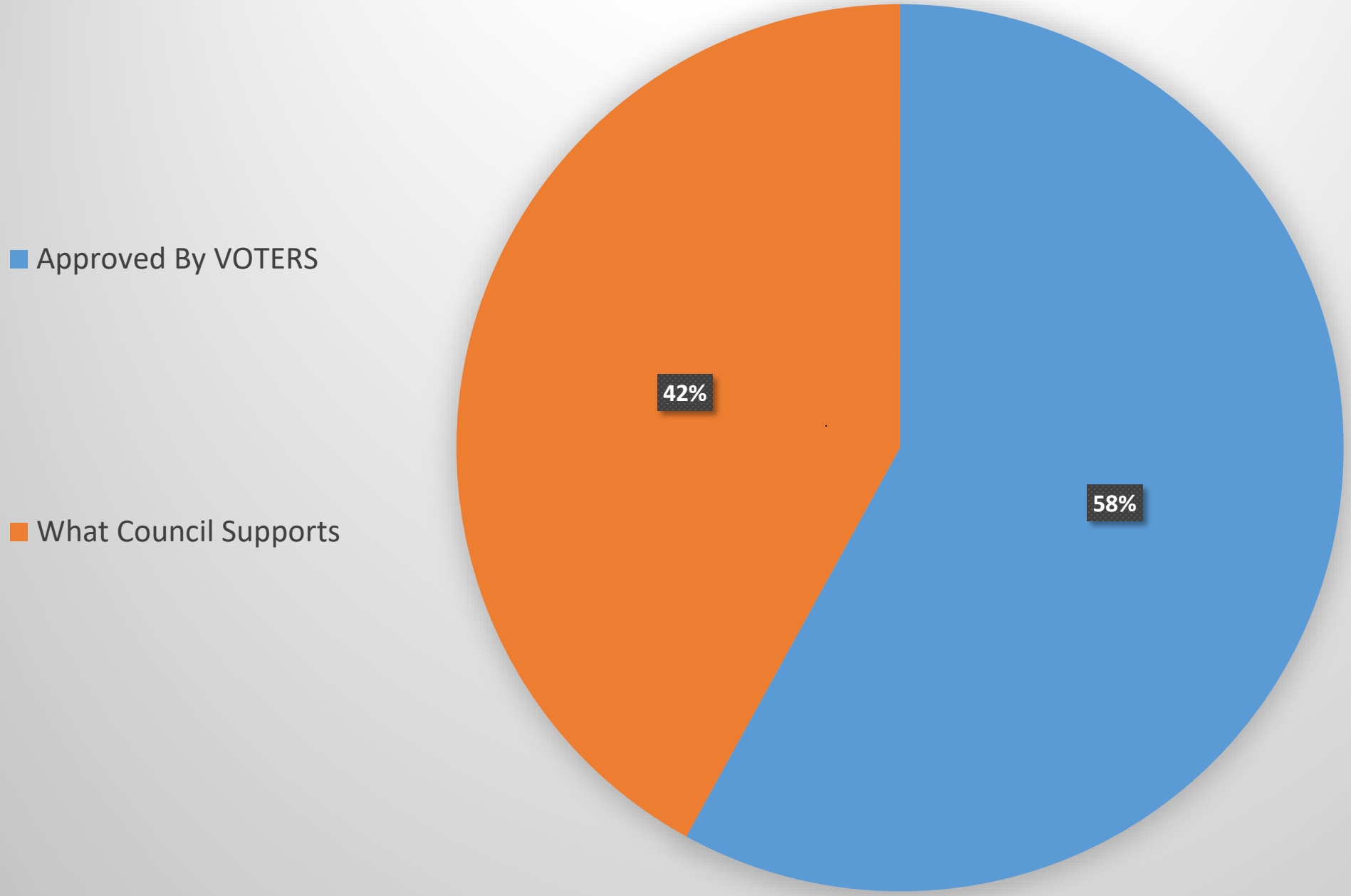
VOTES



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Tax Revenue

- This is the specific language for the host community fund created under the state treasury in ORC 3780.22:
- *"(2) Thirty-six per cent to the host community cannabis fund for the benefit of municipal corporations or townships that have adult use dispensaries, and the municipal corporations or townships may use such funds for any approved purpose. Distributions to municipal corporations or townships shall be based on the percentage of adult use tax attributable to each municipal corporation or township"*

*The amount of tax revenue is subject to change.

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- This fund, as currently established through the language passed in Issue 2, would provide funding **only to municipalities and townships with operating adult use dispensaries within their jurisdiction**, based on the percentage of adult use tax attributable to retail sales at the dispensaries.

- In the event a community exercise their right to pass resolution prohibiting operation of adult use dispensaries within their jurisdiction, then the community will cease generating the retail sales upon which the host community funding is based and forego their eligibility to receive state support under the fund.

- **A prohibition on retail sales on marijuana in a community would mean they receive $0 in host community funding. A prohibition with a certain community would not disallow residents from purchasing marijuana in another jurisdiction. In this case, the taxed proceeds from their retail activity would go toward the host community funding allocation of the municipality or township in which the marijuana was purchased.**

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- Ohio State Moritz College of Law projected: “While predicting future tax revenue is always subject to unforeseen circumstances, our center estimates that by year five of operation, Ohio could see between **$276 million to $403 million in annual tax revenues** if the tax structure is not altered by the General Assembly.

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Reasons I have heard for a Prohibition

1. No More VAPE stores
2. Don’t want them on every corner
3. No More Blight
4. None of that Stinky stuff on our streets
5. Harmful to the kids
6. Don’t want that stuff in our city
7. Higher Crime Rates
8. Cash only
9. Will bring “Druggies”
10. Uncertainties

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1. No More VAPE Stores
2. Not on Every Corner

- Vape Stores are not regulated at the State, Federal or Local level. That is why there are so many, and why they are able to be fast and loose with their operations.
- Issue 2 created an entire new government agency called the Division of Cannabis Control, which will put very strict regulations and control on dispensaries.
- There will only be 50 Dispensary only Licenses provided throughout the ENTIRE STATE of Ohio at the onset.
- We as a City can pass an ordinance allowing only ONE.

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3. No More Blight

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OHIO
CANNABIS
CO.

Sunnyside

Minutes Acceptance: Minutes of Dec 4, 2023 7:00 PM (Approval of Minutes)

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4. None of that Stinky stuff on our streets
5. Harmful to the kids
6. Don’t want that stuff it our city

- **A prohibition within a certain community would not disallow residents from purchasing marijuana in another jurisdiction.**
- **Regardless of our vote tonight. It will be legal to grow Marijuana Plants in ones own Home on Wednesday in the City of Fairfield.**
- **It will be legal to possess up to 2.5 Ounces of Marijuana in the City of Fairfield, regardless of our vote.**
- **It will be legal to consume any form of Marijuana in the City of Fairfield, no matter how we vote.**

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7. Higher Crime Rates

- Monroe, Ohio
- Seven Mile, Ohio
- Lebanon, Ohio

Those three cities have Medical Marijuana and have no statistics showing an increase in crime. Again, if the crime increases because of legalization, that means nothing to what action we can take as a council.

There is no statistical data showing a correlation between a dispensary in a city and increase crime.

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8. Cash Only

- Because of legalities with Marijuana being illegal Federally, all locations will be cash only. This causes fear of those dispensaries having large amounts of cash and the possibility of being robbed.

- Are we going to outlaw banks in the City of Fairfield?

- The operations will have secured locations because of this, and they will move their money through secure means.

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9. Will Bring “Druggies”

- Again, Issue 2 passed in Ohio. Marijuana will be legal everywhere, no matter a ban in the City of Fairfield.
- I’ve personally spoken with officials in Cities from other States who have said after having a dispensary in their City, they have zero data showing an increase in hard drug users within their city, they have actually seen a decrease in Court cases involving drug use.
- What is sold at a dispensary will not be “cheap”

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10. Uncertainties

- An argument for a prohibition has been the uncertainties with the law.
- This is not a reason to take action prohibiting businesses from our city.
- If a potential company began looking for a place to open a dispensary, they would not bother looking to a city that has already taken action to hold off on allowing any dispensary or one with a current ban. It will be difficult enough to obtain a license from the state, therefore they will not deal with a city government who opposes the will of its own citizens.

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Lastly

- Our political System is a Representative Democracy. Voters elect legislators to make policy decisions and enact laws on our behalf, which the legislators do by taking action during open public meetings. Except through the exercise of initiative and referendum the citizens do not practice direct democracy. The essence of the legislative process is the give and take of different interests and the search for compromises acceptable to the majority.
- This is what we are elected to do and what we practice on a biweekly basis at our meetings.
- This situation tonight is atypical, as the citizens of Fairfield exercised the power of initiative and referendum to practice direct democracy and we are attempting to usurp their voices.
- Voting in favor of a prohibition, a ban, or a moratorium of any kind, would simply be telling the Citizens of Fairfield: Your Vote Doesn’t Count and Doesn’t Matter.

City Council Ordinance
Regular Meeting - December 11, 2023

Submitted by: Nathaniel Kaelin, Economic Development Manager
Submitting Department: Development Services

Subject:
Community Improvement Corporation Designation and Grant

Legislation Title:
Ordinance affirming the designation of the Community Improvement Corporation of Fairfield as the City's agency for development in the City and authorizing grants totaling $2,250,000 to be made to the Community Improvement Corporation of Fairfield for public purposes, and declaring an emergency.

Recommendation:
It is recommended that City Council suspend the rules requiring a second and third reading of this ordinance and pass as an emergency.

Background/Synopsis:
The Community Improvement Corporation of Fairfield ("Fairfield CIC") was established in 1967 and reorganized in 2022 to facilitate real estate-related projects within the City. The Fairfield CIC is expected to play a role in prioritizing and executing projects within the Route 4 corridor completed as part of the revitalization projects partially funded by a $3 million grant of American Rescue Plan Act (ARPA) funding from Butler County. Additionally, the Fairfield CIC is envisioned to take a lead role in redevelopment projects in the Town Center and/or other areas of the City.

The Fairfield CIC has requested two grants of funding from the City to allow the organization to begin project implementation. Approval of this ordinance would affirm that the Fairfield CIC acts as a development agency on behalf of the City and provides a grant of $1,650,000 from the Transformative Economic Development (TED) Fund and a grant of $600,000 from the ARPA funding from Butler County.

Financial Impact:
A grant of $1,650,000 will be made from the City's Transformative Economic Development (TED) Fund and a grant of $600,000 will be made from the Butler County ARPA funds.

Emergency Provision Explanation:
It is recommended that City Council suspend the rules requiring a second and third reading of this ordinance and pass as an emergency.

Rule Suspension Requested:
Yes

Emergency Provision Needed:
Yes

Attachments:
1. Community Improvement Corporation-Ord

ORDINANCE NO. _____

ORDINANCE AFFIRMING THE DESIGNATION OF THE COMMUNITY IMPROVEMENT CORPORATION OF FAIRFIELD AS THE CITY'S AGENCY FOR DEVELOPMENT IN THE CITY AND AUTHORIZING GRANTS TOTALING $2,250,000 TO BE MADE TO THE COMMUNITY IMPROVEMENT CORPORATION OF FAIRFIELD FOR PUBLIC PURPOSES AND DECLARING AN EMERGENCY.

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

Section 1. This Council hereby affirms the designation of the Community Improvement Corporation of Fairfield as the City's agency for development in the City and authorizes grants totaling $2,250,000 to be made to the Community Improvement Corporation of Fairfield for public purposes in accordance with the agreement on file in the office of the City Manager.

Section 2. This Ordinance is hereby declared to be an emergency measure necessary for the urgent benefit and protection of the City and its inhabitants for the reason that the public improvement projects begin as soon as possible; wherefore, this ordinance 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 Ordinance has been duly published by posting and summary publication as provided by Charter.

_____
Clerk of Council

Active Clients\City of Fairfield\Ordinances\2023\Community Improvement Corporation-Ord

Attachment: Community Improvement Corporation-Ord (3761 : Community Improvement Corporation Designation and Grant)

City Council Ordinance
Regular Meeting - December 11, 2023

Submitted by: Alisha Wilson, Clerk
Submitting Department: Parks

Subject:
Ohio Urban Foresty Grant Application & Agreement

Legislation Title:
Ordinance to authorize the City Manager to execute the Ohio's Urban Forestry Grant application and agreement and declaring an emergency.

Recommendation:
It is recommended that City Council authorize the preparation of legislation, with rules suspension and emergency provision, authorizing the City Manager to execute an application and agreement for a grant to fund long-term growth and development of local urban and community forestry program in the City of Fairfield.

Background/Synopsis:

It is necessary for City Council to authorize the City Manager to execute a grant application and agreement with Ohio Department of Natural Resources, Division of Forestry for financial assistance to continue to build Fairfield's urban forestry program via a public tree inventory and subsequent management plan for the City of Fairfield.

The work will include inventory of existing public trees along streets and landscaped areas of public parks and a two-year management plan for the two census blocks identified by the environmental justice zones, cyclical pruning and removal when necessary. Special care will be given to Oakwood Park, which struggles with water overflow as well as invasive honeysuckle.

If approved, ODNR would be funding 100% of the project, which is estimated at $208,000. This is a reimbursement grant, so the City will need to allocate the funds and receive reimbursement from ODNR as the project is completed.

Financial Impact:

No immediate financial impact.

Emergency Provision Explanation:

The final application is due to ODNR by December 29, 2023; therefore a suspension of the rules and emergency provision are being requested.

Rule Suspension Requested:

Yes

Emergency Provision Needed:
Yes

Attachments:
1. ODNRGrant
2. Ohio Urban Forestry Grant-Ord

OHIO'S URBAN FORESTRY GRANT PROGRAM
ESTABLISHED PROGRAMS 2023
INFLATION REDUCTION ACT FUNDING

Federal Grant ID: 23-DG-11094200-363

SUBMISSION INSTRUCTIONS AND TIMELINE

Government agencies and nonprofit organizations are eligible to submit proposals for consideration under this competition. Funds supplied by the USDA Forest Service are intended to substantially invest in the long-term growth and development of local urban and community forestry programs.

This specific RFP is intended to benefit communities with designated disadvantaged populations with existing, well-established urban forestry programs.

PLEASE SUBMIT APPLICATIONS TO urban.forestry@dnr.ohio.gov NO LATER THAN DECEMBER 29, 2023. Supporting documents may be included with the application form. Applicants will be notified of funding status by January 31, 2023. Projects must be completed by April 1, 2028.

ELIGIBILITY

A requirement of this subaward program (per federal grant requirements) is a focus on disadvantaged communities as defined by The Council On Environmental Quality's Climate and Economic Justice Screening Tool (CEJST). Many communities have at least a portion of their municipality defined as disadvantaged and are encouraged to apply. Projects funded through this opportunity will receive a full match waiver, with the requirement that 100% of the program benefits are delivered to disadvantaged communities.

If a portion of the project is proposed to take place outside of a census tracts identified as disadvantaged by the CEJST tool, the applicant should describe how the project will benefit a disadvantaged population, using an alternative government-sponsored tool such as EPA Environmental Justice and Screening Mapping Tool (EJScreen), EPA EnviroAtlas Interactive Map, Opportunity Zones, or other government sponsored vulnerability tools which inform metrics applicable to the scope of work. Proposed work in disadvantaged communities outside of CEJST census tracts is subject to DOF approval.

GRANT PROGRAM GOALS

- To contract with local governments or non-profits for the purchase and planting of trees for public benefits.
- To restore community tree canopy with large-stature trees and promote species diversity.
- To reduce stormwater runoff, maximize filtration of overland flow, and improve watershed health.
- To enhance the quality of life in participating cities, villages, and townships.
- To promote urban forestry benefits through the proper planting and care of trees.
- To strengthen and support existing comprehensive community tree care programs.
- To ensure that urban forests provide communities with clean air and water, increased property values, wildlife habitat, and reduced erosion, stormwater runoff, and energy demands.

Attachment: ODNRGrant (3765 : Ohio Urban Foresty Grant Application & Agreement)

- To promote Ohio's nursery, arboriculture, and landscape industries through tree purchase and installation contracts.
- To increase the capacity of Ohio communities to effectively manage and grow their urban forest canopy.
- To advance the mission of the Justice40 Initiative and support disadvantaged communities experiencing low tree canopy and environmental justice.
- To build sustainable urban forestry programs.
- To mitigate urban heat islands

GENERAL INFORMATION

ELIGIBLE PROGRAM ACTIVITIES

Professional staff – Full or part-time staff or contractual staff to implement any program activity noted below. Funds can be for new or existing staff.

Planning – Funding for staff or contractors to complete an urban forest management plan, tree inventory, operations review, tree risk assessment, Master Planting Design, specification development, and tree related ordinance review and development.

Risk mitigation – Funding to support high-risk tree removal and/or pruning on public property. Must be supported by professional based tree risk assessment data and/or a risk management plan. Projects funding tree removals must include tree planting at no less than a 1-to-1 ratio.

Proactive maintenance - Applicants may apply for funds to conduct mature tree pruning, young tree training and care, and tree and soil protection measures.

Site Preparation - Funding category for site preparation prior to tree planting. Eligible activities include soil amendment (the recipe), suspended pavement/soil cell, hardscape removal, and stump grinding.

Training – Funds for staff to attend urban forestry related trainings, or to fund trainings for staff and/or volunteers delivered by contractors, or to develop training programs.

Tree planting and establishment - Grant applicants may apply for tree planting and establishment on public property. All tree planting projects will be required to conform to the USDA Forest Service Eastern Region Tree Planting Guidelines. All trees must be selected, planted, and maintained according to the ONLA & Division of Forestry Tree Planting Specifications, American National Standards Institute (ANSI) Z60.1 and A300 Standards, and the ISA Best Management Practices. Planting on private property is an eligible expense but the applicant must demonstrate there is a clear long-term public benefit and measures in place to maximize likelihood of establishment and long-term survival.

Urban Food Forests - Grant applicants may apply for funding to support creation of urban food forests in disadvantaged communities.

Urban Wood Utilization – Grant applicants may apply for funding to support utilization of urban wood.

Extreme Heat Mitigation – Grant applicants may apply for funding to complete urban forestry projects designed to mitigate urban heat island effects in communities.

Attachment: ODNRGrant (3765 : Ohio Urban Foresty Grant Application & Agreement)

Scott Walker Management
Tree Inventory for
City

Attachment: ODNRGrant (3765 : Ohio Urban Foresty Grant Application & Agreement)

OHIO'S URBAN FORESTRY GRANT PROGRAM
ESTABLISHED PROGRAMS 2023
INFLATION REDUCTION ACT FUNDING

Federal Grant ID: 23-DG-11094200-363

INELIGIBLE ACTIVITIES

Any activity not supporting a disadvantaged or underserved area as defined by the Climate and Economic Justice Screening Tool (CEJST) or equivalent analysis (subject to DOF approval)

Land acquisition or Construction– Funds from this grant cannot be directly used to purchase real property or construct buildings.

Utility infrastructure upgrades – The grant can be used to support any defined eligible activity in conjunction with these upgrades, but not utility upgrades or relocations.

Street or sidewalk upgrades – The grant can be used to support any defined eligible activity in conjunction with these upgrades, but not the sidewalk, street maintenance, or similar hard infrastructure upgrades themselves unless specifically designed for tree establishment (e.g. suspended pavement system).

Subawards – Subawards are not allowed unless approved by the DOF Urban Forestry Administrator in writing.

Equipment – As defined by federal regulations 2 CFR Part 200, generally any one-single item with a purchase value of over $5,000 which has a useful life of over 1-year.

TIMELINE

These grants will be scheduled to end by the state biennium, June 30, 2025 as required by state law. Extensions will be offered if requested assuming projects are on track. The division anticipates that many of these awarded grants will require extensions. Federal funds will be available from this grant until April 1, 2028.

- Grant requests may range from $55,000 to $500,000 for projects benefiting 100,000 or less in population based on census tracts. Up to 1,000,000 for projects benefiting over 100,000 in population.
- Federal grant monies awarded under this program will be paid only upon evidence of project completion and approval of eligible expenses.
- All tree plantings must conform to the USDA Forest Service Eastern Region Tree Planting Guidelines.
- All trees must be selected, planted, and maintained according to the ONLA & Division of Forestry Tree Planting Specifications, American National Standards Institute (ANSI) Z60.1 and A300 Standards, and the ISA Best Management Practices.
- Subcontracted firms must have appropriate insurance and Workers Compensation. All subcontractors must have written contracts. No contracts may exceed $30,000 in total without the expressed written approval of the DOF's urban forestry administrator.
- If grant funds are utilized for pruning, ANSI standard A300 must be followed.
- If grant funds are utilized for tree removals, applicants must explain the evaluation criteria (e.g., utilize an ISA TRAQ certified arborist evaluation)
- Application approval will be based on evaluation criteria and previous grant performance.
- ODNR reserves the right to suggest modifications to the scope of work and reduce grant awards as necessary.
- At least a portion of the funds must be used for tree planting
- The U.S. Forest Service and Inflation Reduction Act will be acknowledged as a funding source for work performed under this grant, including any future signage requirements.

Attachment: ODNRGrant (3765 : Ohio Urban Foresty Grant Application & Agreement)

- **Applications MUST include:**
  - A signed statement from a designated community official (Mayor, Manager, Administrator, Service Director, etc.) certifying responsibility for the maintenance for any public tree planting. If this is a multi-community grant, please include this information for each entity.
  - A letter of support from the local tree board/commission. In the absence of a tree commission, a support letter from the full-time urban forester may substitute.
  - An authorizing resolution by council for municipal governments, Board of Directors for non-profit agencies, or equivalent entity. If this is a multi-community grant, please include this information for each entity.
  - The community's Unique Entity ID (UEI). If this is a multi-community grant, only the lead applicant information is required.
  - The community's State of Ohio Supplier ID Number. If this is a multi-community grant, only the lead applicant information is required.
  - Completed application form.
- Non-profit organization applications must also include:
  - A copy of the IRS letter of determination indicating non-profit status.
  - Documented permission from the land-owning authority (e.g., city, village, township) where the project will be performed.

Applicants are encouraged to follow the Tree Commission Academy's Disciplined Investment Strategy when applying for programmatic work. Adhering to the strategy's budget priorities will ensure that over time all trees in a community will be safe, healthy, long-lived, and cost effective. Budget priorities in order from highest to lowest priority include professional staffing, resource assessment and planning, risk mitigation, proactive maintenance, site preparation, and tree planting. Applicants are encouraged to provide documentation of, or apply for, higher priority elements of a sustainable urban forestry program when applying for programmatic elements lower on the priority scale. For example, should an applicant seek to fund high-risk tree removal, they are encouraged to provide documentation of or apply for funding a tree risk assessment to inform the work necessary in the lower priority element.

EVALUATION CRITERIA

The DOF will evaluate each submission based on community need (based on disadvantaged status and prior urban forestry grant awards), tree equity score (per American Forests tree equity data), budget proposal, the proposal's long-term impact on community tree cover, and the depth and breadth of the community's existing urban forestry program as explained in the grant application and related attachments. A risk assessment will be completed for each community based on information available to ODNR and past performance on grant agreements.

Applicants for this grant are expected to have a detailed scope of work. Comprehensive planning documents are typically longer and more detailed than can be expressed in the space provided in this application, so please reference those documents and attach them for additional clarity.

Attachment: ODNRGrant (3765 : Ohio Urban Foresty Grant Application & Agreement)

The DOF may, at its sole discretion, request the applicant modify the application prior to award. In all cases the final application will be incorporated into the grant subaward agreement.

If you have questions regarding the types of planting projects or components that may be considered, please contact your Regional Urban Forester or email Columbus staff at urban.forestry@dnr.ohio.gov.

MONITORING & REIMBURSEMENT PROCESS

All grants are awarded on a reimbursement basis. Reimbursements may be requested no more often than quarterly. Reimbursements must be requested in a manner and form provided by the division including a narrative report on grant progress and expenditures.

Regional urban foresters, or other designees, will meet with grant recipients at least quarterly to monitor grant progress. Recipients are expected to take programmatic and technical direction from the regional urban forester. All reimbursement requests must be approved by division's urban forestry administrator.

Two meetings will be held to explain the grant program and requirements on Microsoft Teams. Attendance for applicants is not required.

@ 1PM on November 14th

OR

@ 9AM on November 17th

Attachment: ODNRGrant (3765 : Ohio Urban Foresty Grant Application & Agreement)

URBAN GRANT PROGRAM
APPLICATION FORM

Grant Applicant: _____

Unique Entity ID# _____ **State of Ohio Supplier ID#** _____

Project Lead: Provide the contact information of the grant administrator for the project.

Name: _____

Email: _____

Phone: _____

Address: _____

_____

_____

Funding Requested: $_____ **County:**_____

Population impacted by grant activities: _____

Census tracts (11 digits) in project:
Utilize the Explore the map - Climate & Economic Justice Screening Tool (geoplatform.gov)

Attachment: ODNRGrant (3765 : Ohio Urban Foresty Grant Application & Agreement)

URBAN GRANT PROGRAM
APPLICATION FORM

Scope of Work: Provide a detailed narrative that addresses the grant program goals and relevant evaluation criteria including a focus on benefiting underserved neighborhoods identified with low urban tree canopy and high urban heat island effect.

Attachment: ODNRGrant (3765 : Ohio Urban Foresty Grant Application & Agreement)

URBAN GRANT PROGRAM
APPLICATION FORM

Scope of work (continued)

Attachment: ODNRGrant (3765 : Ohio Urban Foresty Grant Application & Agreement)

URBAN GRANT PROGRAM
APPLICATION FORM

How does your proposed project align with a local or regional plan (urban forest management, climate action, watershed, green infrastructure, tree equity, etc.).

Does the community(ies) where the project will take place have a legally responsible department and citizen commission charged with the development and administration of a comprehensive community tree care program? If a citizen commission is not currently established, will one be established during the grant period?

Attachment: ODNRGrant (3765 : Ohio Urban Foresty Grant Application & Agreement)

How will hazard tree removal projects utilize a properly qualified professional to assess the threat to public safety? How will removal projects incorporate replanting efforts (only for projects including funds for removals)?

How will trees planted during the project be maintained throughout the establishment period? How are species selected for each site? How does the project increase species diversity? How are public utilities considered? Describe site preparation efforts. How will planting sites be selected to provide maximum public benefits?

Attachment: ODNRGrant (3765 : Ohio Urban Foresty Grant Application & Agreement)

URBAN GRANT PROGRAM
APPLICATION FORM

Describe how you have or plan to engage local citizens to gather input, identify interests and needs of the community, and bring underrepresented viewpoints into decision making processes. Include information on engagement methods and how information will be used in decision making and implementation.

Budget: Complete the budget table and budget explanation that outlines the proposal request. Include leveraged funds that will be utilized in the project but are not part of the grant request. Leveraged funds can include in-kind services, supplies, or equipment use. Reference the DOF subaward grant manual for an explanation of each category. Describe who will work on the grant, what supplies will be purchased, and what portion of the project will be contracted. **THE DIVISION OF FORESTRY OBTAINED A MATCH WAIVER FOR THIS GRANT THAT IS PASSED ALONG TO ALL GRANT RECIPIENTS. NO MATCHING FUNDS ARE REQUIRED.** Leveraged funds are not a scoring criterion but may help in explaining overall community commitment to urban forestry.

Budget Items	Funding Request ($)	Leveraged Funds ($)	Budget Detail/ Source of Leverage
Personnel			
Fringe			
Supplies			
Contractual			
Travel			
Volunteer			
Other			
Indirect			
TOTAL			

Attachment: ODNRGrant (3765 : Ohio Urban Foresty Grant Application & Agreement)

URBAN GRANT PROGRAM
APPLICATION FORM

Budget Explanation: Provide additional information that will help clarify your budget request. For example, partner contributions or details on expected expenditures. Explain how this funding will leverage existing resources.

Checklist for a completed application:

- ☐ Letter of support from tree commission
- ☐ Authorizing council resolution
- ☐ State of Ohio Supplier ID Number
- ☐ Existing relevant tree ordinance(s) and/or sample agreements for private properties
- ☐ Unique Entity ID (UEI) with *active* registration status in SAM.gov
- ☐ Signed statement certifying responsibility for maintenance

IF ANY OF THESE ITEMS ARE MISSING YOUR APPLICATION MAY BE EXCLUDED FROM CONSIDERATION.

OPTIONAL ATTACHMENTS

- ☐ Master Planting Design
- ☐ City urban forest plan
- ☐ Summary of Risk Management / Tree Risk Assessment information
- ☐ i-Tree Landscape analysis summary
- ☐ Budget detail information
- ☐ Organization chart showing key project members
- ☐ Gantt Chart showing project timelines

Attachment: ODNRGrant (3765 : Ohio Urban Foresty Grant Application & Agreement)

URBAN GRANT PROGRAM
APPLICATION FORM

NONDISCRIMINATION DISCLOSURE

In accordance with federal law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, disability, and reprisal or retaliation for prior civil rights activity. (Not all prohibited bases apply to all programs.)

Persons with disabilities who require alternative means of communication for program information (e.g., braille, large print, audiotape, American Sign Language, etc.) should contact the responsible state or local agency that administers the program or USDA's target center at (202) 720-2600 (voice and TTY) or contact USDA through the federal relay service at (800) 877-8339. Additionally, program information is also available in languages other than English.

To file a complaint alleging discrimination, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html , or at any USDA office or write a letter addressed to USDA and provided in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250- 9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov. This institution is an equal opportunity provider.

Attachment: ODNRGrant (3765 : Ohio Urban Foresty Grant Application & Agreement)

December 7, 2023

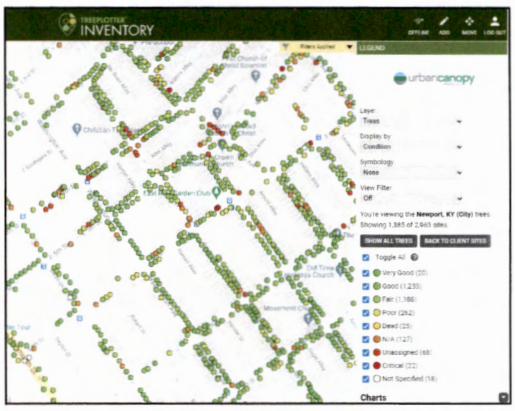
Derek Baxter
City of Fairfield
411 Wessel Drive
Fairfield, OH 45014

RE: Proposal for Inventory & Management Plan

Dear Derek & Amanda:

As discussed, this proposal presents the methodology and costs for undertaking a grant funded project to continue to build Fairfield's urban forestry program via a public tree inventory and subsequent management plan for the City of Fairfield.

Task 1. Inventory of Public Trees



UCW will inventory existing public trees along streets and in landscaped areas of City parks, excluding the public golf course.

During the inventory, the trees will be assessed by International Society of Arboriculture (ISA) Certified Arborists with ISA Tree Risk Assessment Qualification, and will be located and mapped using GIS technology via the TreePlotter application (see screen shot at right). UCW's Arborists will ensure each tree mapped includes a GIS-based mapped location, reflects the current conditions and maintenance requirements of the trees, and results in an inventory database up to arboricultural standards. Data collected will include species, tree size (DBH), size of tree lawn, condition, and any recommended maintenance needed.

The City can purchase their own license for TreePlotter software and provide UCW staff access, which will allow the City of Fairfield to see inspection data and monitor the progress of the inventory, then update and manipulate tree data as tree plantings, prunings, or removals change the data.

Deliverables: Once data collection is complete, it will remain accessible for as long as the City maintains a license to the software, or can be exported at any time. Report will also be exported as data (in Excel and shapefile formats) for future use.

Attachment: ODNRGrant (3765 : Ohio Urban Foresty Grant Application & Agreement)

Cost: Time & Materials basis at $100/hour, estimated $12,000 - $16,000
The cost for this task includes field work, quality control check of data, GIS mapping and preparing data deliverables. The first inventory is always difficult to estimate, as the number of trees is unknown. Work will be charged on a Time & Materials basis at our hourly rate of $100/hr.

Additional Cost: Five years of TreePlotter inventory software, at $4,000 a year. *Additional: $20,000*

Timing. To determine overall tree health and any insect and disease issues, this work is better accomplished during the leaf-on season.

Task 2. Two-Year Management Plan

At the completion of the inventory data collection and after quality control checks, a two-year management plan will be developed for the City of Fairfield for the two census blocks identified by the environmental justice zones. This report will include a brief summary report of the overall inventory findings via data charts on number of trees by condition class, size, genus and species frequencies, etc. It will also describe a two-year management plan with an overall approach to proactive care, a prioritized list of maintenance needed based on both risk, general recommendations for potential insect and disease issues and management, and any future planting recommendations. Cyclical pruning to include clearance and crown cleaning, as well as removal when necessary.

Special care will be given to Oakwood Park, an important neighborhood park in the environmental justice zones that struggles with water overflow as well as invasive honeysuckle. A portion of the planting funds will be dedicated to this park for a volunteer tree planting day with species specialized to handle extra water. A second day of volunteer work can be scheduled as a bioblitz to remove invasive honeysuckle and replant with more appropriate understory plants. Both planting and the bioblitz provide opportunities for lots of community outreach and education.

Deliverables: Written report, delivered in electronic format.

Cost: $4,000

Additional Budgeting Information for Grant Proposal

As discussed, there are additional items to include in the grant proposal that would likely be done by a third party or city staff. UCW has provided estimates for this work below based on our knowledge today and experience. These should only be considered general estimates for planning purposes.

Tree Maintenance. Contractual pruning and removal work needed for maintenance of trees can be averaged at $200/tree when done in large quantities. Without inventory data provided total number and sizes of trees, it is difficult to estimate costs. We suggest planning for 1,000 trees to start.
Suggested Estimate: $125,000-150,000

Attachment: ODNRGrant (3765 : Ohio Urban Foresty Grant Application & Agreement)

Tree Planting in CEJST Areas. For plantings in Oakwood Park and other disadvantaged parts of the community, UCW is providing an estimate for the installation of 50-70 trees.
Suggested Estimate: $10,000-15,000

Invasives Removal in CEJST Areas. There is a significant amount of invasives (primarily honeysuckle) in Oakwood Park. A volunteer event to remove these invasives is a great opportunity to both engage and educate the community, as well as improve the hydrology and ecology. Follow-up planting with replacement native plants is also suggested. This can be organized either by the city or an external contractor.
Suggested Estimate: $1,500-3,000.

The final page of this proposal includes a recommended map and text to include in your grant application as well.

We are excited for the possibility to continue working with the City of Fairfield. Please contact us if you have any questions or would like to edit this proposal in any way - 859-750-4340 or via email at Cassandra@UrbanCanopyWorks.com.

Sincerely,

Rachel Comte, Principal
Certified Arborist/TRAQ - OH-6296A

Cassandra Homan, Urban Forestry Consultant
Certified Arborist/TRAQ - KY-9878A

Attachment: ODNRGrant (3765 : Ohio Urban Foresty Grant Application & Agreement)

Arborist Disclosure Statement: Arborists are tree specialists who use their education, knowledge, training, and experience to examine trees, assess their condition, and recommend measures to enhance the beauty and health of trees, while attempting to reduce risk. Clients may choose to accept or disregard the recommendations of the arborist, or to seek additional advice.

Arborists cannot detect every condition that could possibly lead to the failure of a tree. Trees are living organisms that fail in ways that cannot always be predicted. Conditions are often hidden within trees and below ground, and can develop quickly after an inspection. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments cannot be guaranteed.

Important: Know and understand that this assessment (as defined by and following the protocols of ANSI A300, Part 9) is confined to the designated subject tree(s), and that this consultation was performed in the interest of facts of the tree(s) without prejudice to or for any other service or any interested party.

Limited Warranty. Urban Canopy Works, LLC ("UCW") provides this Limited Warranty as a condition of providing the services outlined in the agreement between the parties, including any bids, orders, contracts, or understandings between the parties (collectively the "Services").

UCW provides the Services utilizing applicable standard industry practices and based on the facts and conditions known at the point in time the Services are performed. Facts and conditions related to the subject of the Services may change over time. UCW cannot predict or determine developments concerning the subject of the Services and will not be liable for any developments, changes, or conditions that occur, including, but not limited to, decay or damage by the elements, persons or implements, insect infestation, deterioration, conditions not discoverable using the means and methods used to perform the Services, or acts of God or nature or otherwise. If a visual inspection is utilized, visual inspection does not include aerial or subterranean inspection, testing, or analysis.

UCW will not be liable for the discovery or identification of non-visually observable, latent, dormant, or hidden conditions or hazards, and does not guarantee that items will be healthy or safe under all circumstances or for a specified period of time, or that remedial treatments will remedy a defect or condition.

UCW may have reviewed publicly available or other third-party records or conducted interviews, and has assumed the genuineness of such documents and statements. UCW disclaims any liability for errors, omissions, or inaccuracies resulting from or contained in any information obtained from any third-party or publicly available source.

To the extent permitted by law, UCW does not make and expressly disclaims any warranties or representations of any kind, express or implied, with respect to completeness, accuracy, or current nature of the information contained in the Services or the reports or findings resulting therefrom beyond that expressly contracted for by UCW in the agreements between the parties, including but not limited to, performing diagnosis or identifying hazards or conditions not within the scope of the Services or not readily discoverable using applicable standard industry practices. UCW disclaims any warranty of fitness for any particular purpose. UCW's warranty is limited to one year from the date Services are performed. UCW's liability for any claim, damage, or loss, whether direct, indirect, special, consequential, or otherwise, caused by or related to the Services shall be limited to the Services expressly contracted to be performed by UCW.

Attachment: ODNRGrant (3765 : Ohio Urban Foresty Grant Application & Agreement)

Map for Grant Application

UCW recommends using this map below in the grant application, and notating somewhere what this shows, and what percentage of Fairfield is in this area (unless that number is really small - looks like it would be close to one-third?). Also, be sure to identify those areas by their census tract number 39017010906 (left), 39017010909 (right) so the grant reviewer can easily identify them.

Map of City of Fairfield (OH) with CEJST Areas Highlighted

Suggested Caption: The Climate and Economic Justice Screen Tool (CEJST) identifies disadvantaged census tracts that are overburdened and underserved. The City of Fairfield includes two census tracts highlighted in this tool - 39017010906 (left), 39017010909 (right) - accounting for xx% of the City.

Attachment: ODNRGrant (3765 : Ohio Urban Foresty Grant Application & Agreement)

ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE OHIO'S URBAN FORESTRY GRANT APPLICATION AND AGREEMENT AND DECLARING AN EMERGENCY.

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

Section 1. The City Manager is hereby authorized to execute the Ohio's Urban Forestry Grant application and agreement in accordance with the application agreement on file in the office of the City Manager.

Section 2. This Ordinance is hereby declared to be an emergency measure necessary for the urgent benefit and protection of the City and its inhabitants for the reason that the application is due by December 29, 2023; wherefore, this ordinance 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 Ordinance has been duly published by posting and summary publication as provided by Charter.

_____
Clerk of Council

Active Clients\City of Fairfield\Ordinances\2023\Ohio Urban Forestry Grant-Ord

Attachment: Ohio Urban Forestry Grant-Ord (3765 : Ohio Urban Forestry Grant Application & Agreement)

City Council Ordinance
Regular Meeting - December 11, 2023

Submitted by: Adam Sackenheim,
Submitting Department: Public Utilities

Subject:
Ordinance to adopt and approve a plan of operation for governmental natural gas aggregation

Legislation Title:
Ordinance to approve and adopt a plan of operation and governance for natural gas governmental aggregation and declaring an emergency.

Recommendation:
It is recommended that City Council adopt and approve a plan of operation and governance as regards to natural gas governmental aggregation, pursuant to Section 4929.26, Ohio Revised Code

Background/Synopsis:

The Ohio Legislature has enacted natural gas deregulation legislation which authorizes the legislative authorities of municipal corporations, townships and counties to aggregate automatically, pursuant to Section 4929.26 of the Ohio Revised Code, subject to opt-out provisions, competitive natural gas service for the retail natural gas loads located in the respective jurisdictions and to enter into service agreements to facilitate the sale and purchase of the service for the natural gas loads.

Governmental energy aggregation provides an opportunity for residential and small business customers collectively to participate in the potential benefits of natural gas deregulation through lower natural gas rates as well as energy rate stability which they would not otherwise be able to have individually.

On November 7, 2023, the majority of voters in the City of Fairfield voted “yes” on giving City Council the authority to explore starting energy aggregation programs with opt-out provisions pursuant to Section 4929.26, Ohio Revised Code for the residents, businesses and other natural gas customers in the City.

The next step in program development is the adoption and approval of a Plan of Operation and Governance for natural gas governmental aggregation (attached).

Financial Impact:

None.

Emergency Provision:

This is deemed an emergency measure necessary for immediate preservation of the health, safety, and welfare of the citizens of the City and shall take effect immediately. The reason for the emergency is to meet the requirements for certification as a governmental aggregator in order to commence a natural gas aggregation program as soon as possible.

Rule Suspension Requested:
Yes

Emergency Provision Needed:
Yes

Attachments:
1. City of Fairfield - Natural Gas - Ordinance to Adopt Plan of Operations - 12112023 (2)
2. City of Fairfield - Public Notice - Plan of Operation - Natural Gas
3. Natural Gas Aggregation-Ord

CITY OF FAIRFIELD, OHIO

ORDINANCE_____

AN ORDINANCE TO ADOPT A PLAN OF OPERATION AND GOVERNANCE FOR NATURAL GAS GOVERNMENTAL AGGREGATION

WHEREAS, the City of Fairfield, City Council (hereinafter "Council") seeks to establish a governmental aggregation program with opt-out provisions pursuant to Section 4929.26, Ohio Revised Code (the "Aggregation Program") for the residents, businesses, and other natural gas customers in the City of Fairfield (hereinafter "City", as permitted by law; and

WHEREAS, the Council has developed a Natural Gas Aggregation Program Plan of Operation and Governance ("Plan of Operation") in accordance with the governmental aggregation provisions of Sections 4901 and 4929.26 of the Ohio Revised Code and the Rules for Formation and Operation of Natural Gas Governmental Aggregations; and

WHEREAS, the Council now intends to file for certification as a Governmental Aggregator, which requires that the Council first adopt its Plan of Operation and Governance; and

WHEREAS, the Council has determined this Ordinance is in the best interest of the City's residents and promotes the general welfare of said citizenry;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL, CITY OF FAIRFIELD, STATE OF OHIO:

SECTION I

This Council adopts and approves a Plan of Operation and Governance as regards Natural Gas Governmental Aggregation as attached hereto (see Exhibit A).

SECTION II

This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION III

This Ordinance is hereby declared to be an emergency measure necessary for immediate preservation of the health, safety, and welfare of the citizens of the City and shall take effect immediately. The reason for the emergency is to meet the requirements for certification as a

Attachment: City of Fairfield - Natural Gas - Ordinance to Adopt Plan of Operations - 12112023 (2) (3740 : Ordinance to adopt and approve a

governmental aggregator in order to enter into service agreements to purchase natural gas supplies at a strategic buying opportunity.

Passed this _____ day of _____, 20___.

Attachment: City of Fairfield - Natural Gas - Ordinance to Adopt Plan of Operations - 12112023 (2) (3740 : Ordinance to adopt and approve a

PUBLIC NOTICE:

PUBLIC HEARING ON THE CITY OF FAIRFIELD NATURAL GAS AGGREGATION PROGRAM PLAN OF OPERATION AND GOVERNANCE

The City Council of the City of Fairfield will hold two public hearings on the City's Natural Gas Aggregation Program Plan of Operation and Governance ("Plan"). The hearings will be held December 3, 2023, at 12:15pm and 5:15pm. Both hearings will take place in Council Chambers at 5350 Pleasant Avenue Fairfield, OH 45014.

On November 7, 2023, the City of Fairfield voters authorized the City to aggregate retail natural gas loads in the City and for that purpose to enter into service agreements to facilitate for those loads the purchase and sale of natural gas, such aggregation to occur automatically except where any eligible person opts out. The City intends to form a governmental natural gas aggregation program ("Program") for the purchase of natural gas on behalf of the City residents and to submit its Plan to the Public Utilities Commission of Ohio ("PUCO") pursuant to PUCO Regulation and Ohio law. The City shall develop an opt-out natural gas aggregation program following the procedures set forth in Ohio Revised Code Section 4929.26.

Subject to the final approval of the City Council, the City will enter into a Natural Gas Supply Agreement with the selected supplier. The Supply Agreement may provide a fixed rate, a capped rate and/or a variable rate for eligible customers, which is expected to provide more price certainty and stability than the rates currently offered by the local natural gas distribution utility(ies). The contract rate is anticipated to begin on or after April 2024 and to continue for a term not to exceed 36 months.

All eligible customers of the local natural gas distribution utility(ies) who do not opt out of the Program will be included in the City's aggregate. All customers eligible to be included in the City's aggregate will receive a Notice by mail regarding their right to opt out of the Program. The Notice will explain the rates, terms and conditions, and general information regarding the Program. If a customer does not wish to be included in the Program, the customer will have 21 days to opt out of the Program free of charge by returning an enclosed post card or calling the indicated toll-free telephone number.

New customers moving into the City will be given the opportunity to opt out in future mailings. Customers moving within the City will retain their status under the Program.

Aggregate customers will continue to receive one bill from their local natural gas distribution utility.

Attachment: City of Fairfield - Public Notice - Plan of Operation - Natural Gas (3740 : Ordinance to adopt and approve a plan of operation for

ORDINANCE NO. _____

ORDINANCE TO APPROVE AND ADOPT A PLAN OF OPERATION AND GOVERNANCE FOR NATURAL GAS GOVERNMENTAL AGGREGATION AND DECLARING AN EMERGENCY.

WHEREAS, the City of Fairfield, City Council (hereinafter "Council") seeks to establish a governmental aggregation program with opt-out provisions pursuant to Section 4929.26, Ohio Revised Code (the "Aggregation Program") for the residents, businesses, and other natural gas customers in the City of Fairfield (hereinafter "City", as permitted by law; and

WHEREAS, the Council has developed a Natural Gas Aggregation Program Plan of Operation and Governance ("Plan of Operation") in accordance with the governmental aggregation provisions of Sections 4901 and 4929.26 of the Ohio Revised Code and the Rules for Formation and Operation of Natural Gas Governmental Aggregations; and

WHEREAS, the Council now intends to file for certification as a Governmental Aggregator, which requires that the Council first adopt its Plan of Operation and Governance; and

WHEREAS, the Council has determined this Ordinance is in the best interest of the City's residents and promotes the general welfare of said citizenry;

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

Section 1. This Council approves and adopts a Plan of Operation and Governance regarding Natural Gas Governmental Aggregation as attached hereto (see Exhibit A).

Section 2. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 3. This Ordinance is hereby declared to be an emergency measure necessary for the urgent benefit and protection of the City and its inhabitants for the reason that the requirements for certification as a governmental aggregator be met soon in order to enter into service agreements to purchase natural gas supplies at a strategic buying opportunity; wherefore, this ordinance shall take effect immediately upon its passage.

Passed _____ _____
Mayor's Approval

Posted _____

First Reading _____ Rules Suspended _____

Attachment: Natural Gas Aggregation-Ord (3740 : Ordinance to adopt and approve a plan of operation for governmental natural gas

Second Reading _____ Emergency _____

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

Active Clients\City of Fairfield\Ordinances\2023\Natural Gas Aggregation-Ord

Attachment: Natural Gas Aggregation-Ord (3740 : Ordinance to adopt and approve a plan of operation for governmental natural gas

City Council Ordinance
Regular Meeting - December 11, 2023

Submitted by: Adam Sackenheim,
Submitting Department: Public Utilities

Subject:
Ordinance to adopt and approve a plan of operation for governmental electric aggregation

Legislation Title:
Ordinance to approve and adopt a plan of operation and governance for electric governmental aggregation and declaring an emergency.

Recommendation:
It is recommended that City Council adopt and approve a plan of operation and governance as regards to electric governmental aggregation, pursuant to Section 4928.20, Ohio Revised Code

Background/Synopsis:

The Ohio Legislature has enacted electric deregulation legislation which authorizes the legislative authorities of municipal corporations, townships and counties to aggregate automatically, pursuant to Section 4928.20 of the Ohio Revised Code, subject to opt-out provisions, competitive electric service for the retail electric loads located in the respective jurisdictions and to enter into service agreements to facilitate the sale and purchase of the service for the electric loads.

Governmental energy aggregation provides an opportunity for residential and small business customers collectively to participate in the potential benefits of electric deregulation through lower electric rates as well as energy rate stability which they would not otherwise be able to have individually.

On November 7, 2023, the majority of voters in the City of Fairfield voted “yes” on giving City Council the authority to explore starting energy aggregation programs with opt-out provisions pursuant to Section 4928.20, Ohio Revised Code for the residents, businesses and other electric customers in the City.

The next step in program development is the adoption and approval of a Plan of Operation and Governance for electric governmental aggregation (attached).

Financial Impact:

None.

Emergency Provision:

This is deemed an emergency measure necessary for immediate preservation of the health, safety, and welfare of the citizens of the City and shall take effect immediately. The reason for the emergency is to meet the requirements for certification as a governmental aggregator in order to commence an electric aggregation program as soon as possible.

Rule Suspension Requested:
Yes

Emergency Provision Needed:
Yes

Attachments:
1. City of Fairfield - Electric - Ordinance to Adopt Plan of Operations - 12112023 (1)
2. City of Fairfield - ELECTRIC - Plan of Operations
3. Electric Aggregation-Ord

Attachment: City of Fairfield - Electric - Ordinance to Adopt Plan of Operations - 12112023 (1) (3739 : Ordinance to adopt and approve a plan of

CITY OF FAIRFIELD, OHIO

ORDINANCE_____

AN ORDINANCE TO ADOPT A PLAN OF OPERATION AND GOVERNANCE FOR ELECTRIC GOVERNMENTAL AGGREGATION

WHEREAS, the City of Fairfield, City Council (hereinafter "Council") seeks to establish a governmental aggregation program with opt-out provisions pursuant to Section 4928.20, Ohio Revised Code (the "Aggregation Program") for the residents, businesses, and other electric customers in the City of Fairfield (hereinafter "City", as permitted by law; and

WHEREAS, the Council has developed an Electric Aggregation Program Plan of Operation and Governance ("Plan of Operation") in accordance with the governmental aggregation provisions of Sections 4901 and 4928.20 of the Ohio Revised Code and the Rules for Formation and Operation of Electric Governmental Aggregations; and

WHEREAS, the Council now intends to file for certification as a Governmental Aggregator, which requires that the Council first adopt its Plan of Operation and Governance; and

WHEREAS, the Council has determined this Ordinance is in the best interest of the City's residents and promotes the general welfare of said citizenry;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL, CITY OF FAIRFIELD, STATE OF OHIO:

SECTION I

This Council adopts and approves a Plan of Operation and Governance as regards Electric Governmental Aggregation as attached hereto (see Exhibit A).

SECTION II

This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION III

This Ordinance is hereby declared to be an emergency measure necessary for immediate preservation of the health, safety, and welfare of the citizens of the City and shall take effect

immediately. The reason for the emergency is to meet the requirements for certification as a governmental aggregator in order to commence an electric aggregation program as soon as possible.

Passed this _____ day of _____, 20__.

Attachment: City of Fairfield - Electric - Ordinance to Adopt Plan of Operations - 12112023 (1) (3739 : Ordinance to adopt and approve a plan of

CITY OF FAIRFIELD, BUTLER COUNTY, OHIO

PLAN OF OPERATION AND GOVERNANCE

ELECTRIC GOVERNMENTAL AGGREGATION

For More Information Contact:

City of Fairfield, Ohio
Fairfield Municipal Buildings
5350 Pleasant Avenue
Fairfield, OH 45014

Attachment: City of Fairfield - ELECTRIC - Plan of Operations (3739 : Ordinance to adopt and approve a plan of operation for governmental

CITY OF FAIRFIELD, BUTLER COUNTY, OHIO

PLAN OF OPERATION AND GOVERNANCE

Electric Governmental Aggregation

Introduction. On November 7, 2023, a majority of the voters in the City of Fairfield, Butler County, OH approved a referendum that authorized the City of Fairfield ("the Community") to pursue Automatic Governmental Aggregation. After the Community held two public hearings on the matter, the Community approved this Plan of Operation and Governance as prescribed by Section 4928.20(C) of the Ohio Revised Code. The Community has developed this Plan of Operation and Governance ("Plan of Operation") in accordance with the governmental aggregation provisions in Sections 4901:1-21-16 Ohio Administrative Code. Once certified as a Governmental Aggregator, the Community will be authorized to combine multiple retail electric customer loads within its geographic boundaries (the "Aggregation") for the purpose of facilitating the purchase of electric supply in Ohio's competitive retail electric market.

Governmental Aggregation Services. The Community, as a Governmental Aggregator, will serve as purchasing agent for the Aggregation. As purchasing agent, the Governmental Aggregator shall (i) select a Competitive Retail Electric Service Provider ("Provider") to supply the Aggregation, (ii) negotiate the terms of supply between the Provider and each Aggregation participant, and (iii) oversee the enrollment procedures administered by the Provider.

The Contract. The supply contract negotiated by the Governmental Aggregator for the Aggregation (the "Contract") shall be for firm, full requirements supply. Each Aggregation participant will be individually bound to the Provider by the terms of the Contract and will be solely responsible for payment and performance. The electric supply charges for the Aggregation will be included in the Contract that will be negotiated by the Governmental Aggregator. All electric supply charges will be fully and prominently disclosed in consumer enrollment materials (such as the Opt-out Notice), available on the Provider's website, and available by calling the Provider's toll-free customer service telephone number. The surcharge authorized under Section 4928.20 of the Revised Code will not be charged.

Eligibility, Opt-out Disclosures, and Pooling Accounts. The Community will work with the Provider to adhere to the requirements of Section 4901:1-21-17 of the Ohio Administrative Code in creation of the opt-out disclosure. The Community, or a party authorized by the Community, will request from the local electric distribution utility (the "Utility") a list of all customers residing within the Community's boundaries, including those who have opted off the pre-enrollment list. Per Section 4901:1-21-17(D)(1)(a), the list will include an updated list of names, addresses, account numbers, rate codes, percentage of income plan (PIPP) codes, load data and other related customer information, consistent with information that is available to Providers. The following customers are not eligible: customers already under contract with a certified electric services company; customers that have a special contract with the Utility; customers that are not located within the Governmental Aggregator's boundaries; customers on PIPP, customers that have opted out of the aggregation, and mercantile customers that have not provided affirmative consent. It is the intention of the Community to offer its Aggregation Program to all eligible residential and non-mercantile customers in all customer classifications and in all

Attachment: City of Fairfield - ELECTRIC - Plan of Operations (3739 : Ordinance to adopt and approve a plan of operation for governmental

rate categories. The Community realizes that factors such as consumption patterns and peak demand impact rate classes differently. Consequently, some customers may not benefit from a particular rate offer. Therefore, all customers will be afforded the opportunity to opt-out of the Program at least every three (3) years without paying a switching fee. Using this list of eligible accounts, the Provider, with the assistance of the Governmental Aggregator, will review the list to verify that the eligible accounts are located within the geographic boundaries of the Community and that an area within the Community boundaries has not been inadvertently filtered from the list. The Provider will also remove from the eligible list those customers who appear on the "do not aggregate" list as stated under division (c) of Section 4928.21 of the Revised Code. Within thirty (30) days of receipt of the list from the utility, the Provider, with assistance from the Governmental Aggregator, will prepare and mail an "Opt-out Notice" to each account that remains on the eligible list after it has been reduced as noted above. The Opt-out Notice will inform the eligible account holder that the Governmental Aggregator has formed an automatic (or "Opt-out") aggregation, provide the price for the electric supply to the Aggregation and other terms and conditions of service, and explain how the account holder can decline participation in the Aggregation.

As required by 4901:1-21-17 of the Ohio Administrative Code, the Opt-out Notice will indicate that the account holder has twenty-one (21) days to affirmatively respond by telephoning a toll-free number or returning a postcard to the Provider that is included in the Opt-out Notice.

The Provider will receive all Opt-out requests and any Opt-out Notices that were undeliverable by mail and will remove those accounts from the eligible account list. Upon completion of the twenty-one (21) day Opt-out period, the Provider will notify the Utility of the remaining accounts that will form the Aggregation, and through an electronic data interchange transaction, enroll the Aggregation. Upon enrollment, each participant will receive an enrollment notice from the Utility that will indicate that the enrollee may rescind its participation in the Aggregation by contacting the Utility within seven (7) calendar days.

In addition to the initial twenty-one (21) day Opt-out period, each participant will be provided an opportunity to opt-out at least every three years without paying an early termination fee.

Billing. Aggregation participants will receive a single, monthly bill from the Utility, which will include charges from the Provider for its electric supply, as well as the Utility distribution charges. Aggregation participants will be billed according to their Utility billing cycle.

Credit, Collections and Deposits. The Utility's credit and collection policy and policies regarding deposits will apply to the Aggregation participants and shall be administered by the Utility. Neither the Governmental Aggregator, nor the Provider will implement additional policies with respect to credit, deposits, and collections.

Concerns and Complaints. Aggregation participants will have multiple means of communicating concerns and reporting complaints. As a general rule, concerns regarding service reliability and billing should be directed to the Utility. The Utility will continue to read meters, handle billing, and generally have the most information about the physical service to a location or account. Questions regarding the administration of the Aggregation should be directed to the Provider. The Provider's customer service

Attachment: City of Fairfield - ELECTRIC - Plan of Operations (3739 : Ordinance to adopt and approve a plan of operation for governmental

center will, at a minimum, be available by telephone Monday through Friday between the hours of 8:00 am to 7:00 pm ET. Any unresolved disputes should be directed to the Public Utilities Commission of Ohio and/or the Ohio Consumers Council. As a convenience, below is a list of helpful toll-free telephone numbers.

Nature of Complaint	Contact	Phone Number
Outages/Emergencies	Duke Energy Ohio	1-800-544-6900
Service turn on/off	Duke Energy Ohio	1-800-544-6900
Billing Disputes	Duke Energy Ohio	1-800-544-6900
Price/Joining/Leaving Program	Supplier Customer Service	TBD
Program Regulatory Questions	Supplier Customer Service	TBD
Unresolved Disputes	Public Utilities Commission	1-800-686-7826
Unresolved Disputes	Ohio Consumers Council	1-877-742-5622

The Provider will attempt to resolve all customer complaints in a timely and good faith manner. The Provider shall investigate and provide a status report to the customer when the complaint is made directly to them and/or the Community within three (3) business days following the Provider's receipt of the complaint. Or in the case of a Public Utilities Commission of Ohio ("PUCO") complaint the Provider will investigate and provide a status report to the customer and PUCO staff within three (3) business days following Provider's receipt of the complaint. If an investigation into a complaint received from the customer or a complaint referred to by the PUCO is not completed within ten (10) business days, then a status report will be given to the customer, and, if applicable, the PUCO. These status reports will be given every three (3) business days until the investigation is complete, unless the action that must be taken takes longer than three (3) business days and the customer has been notified. Final results of a PUCO-referred complaint will be provided to the PUCO either orally (phone) or in writing (e-mail, written correspondence), no later than three (3) business days after the investigation is completed. The final results will be provided in writing to the customer no later than three (3) business days after the investigation is completed. Customers retain the right to contact the PUCO regarding complaints and disputes. All customers have the right to contact the PUCO by writing to Public Utilities Commission of Ohio, ATTN: IAD, 180 E. Broad St., Columbus, OH 43215-3793; by fax to (614) 752-8351; through their website at www.puc.state.oh.us or by calling toll free (800) 686-7826 (VOICE) or 7-1-1 (TTY-TDD). Records of customer complaints will be retained for two (2) years after the occurrence of the complaint. A copy of the complaint record will be provided to the PUCO within three (3) business days, if requested.

Moving Within the Community. Aggregation participants who move from one location to another within the Community boundaries and retains the same account number, will remain an Aggregation participant and will receive the same price they would have received if their location had not moved.

An Aggregation participant who moves from one location to another within the Community boundaries and is assigned a new account number may enroll their new account in the Aggregation and receive the same price as they would have received if their location had not moved, provided the new account is eligible for Aggregation. An Aggregation participant who moves within the Community and receives a new account number may be dropped from the Aggregation by the Utility, but they will not be charged an early termination fee from the Provider. If a participant is dropped from the Aggregation due

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to a move within the Community, the participant must contact the Provider to be re-enrolled within 60 days of being dropped.

Moving Outside of the Community. An Aggregation participant who moves out of the Community boundaries will no longer be eligible to participate in the Aggregation, but they will not be charged an early termination fee from the Provider.

Enrolling After the Opt-out Period. Residential and small business accounts located within the Community's boundaries that were initially eligible to join the Aggregation but chose to opt-out of the Aggregation, or otherwise were not included in the Aggregation, may join the Aggregation after the expiration of the initial Opt-Out Period by contacting the Provider. The rate for those joining the Aggregation after the expiration of the Opt-out Period may be different from the rate negotiated for the Aggregation by the Government Aggregator.

If the Provider is able to offer to newly eligible customers the same price that is provided to the current Aggregation participants, the Provider may refresh the Aggregation by providing those who move into the Community the opportunity to be included automatically, rather than waiting until the next pricing term of the Contract. The process for refreshing the Aggregation with new enrollments would follow the process noted above for determining eligibility, providing Opt-out Notices, and pooling the accounts. (Current Aggregation participants and those who previously declined participation would not receive the Opt-out Notice intended only for newly eligible customers.)

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ORDINANCE NO. _____

ORDINANCE TO APPROVE AND ADOPT A PLAN OF OPERATION AND GOVERNANCE FOR ELECTRIC GOVERNMENTAL AGGREGATION AND DECLARING AN EMERGENCY.

WHEREAS, the City of Fairfield, City Council (hereinafter "Council") seeks to establish a governmental aggregation program with opt-out provisions pursuant to Section 4928.20, Ohio Revised Code (the "Aggregation Program") for the residents, businesses, and other electric customers in the City of Fairfield (hereinafter "City", as permitted by law; and

WHEREAS, the Council has developed an Electric Aggregation Program Plan of Operation and Governance ("Plan of Operation") in accordance with the governmental aggregation provisions of Sections 4901 and 4928.20 of the Ohio Revised Code and the Rules for Formation and Operation of Electric Governmental Aggregations; and

WHEREAS, the Council now intends to file for certification as a Governmental Aggregator, which requires that the Council first adopt its Plan of Operation and Governance; and

WHEREAS, the Council has determined this Ordinance is in the best interest of the City's residents and promotes the general welfare of said citizenry;

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

Section 1. This Council approves and adopts a Plan of Operation and Governance regarding Electric Governmental Aggregation as attached hereto (see Exhibit A).

Section 2. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 3. This Ordinance is hereby declared to be an emergency measure necessary for the urgent benefit and protection of the City and its inhabitants for the reason that the requirements for certification as a governmental aggregator be met soon in order to commence an electric aggregation program as soon as possible; wherefore, this ordinance shall take effect immediately upon its passage.

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

Attachment: Electric Aggregation-Ord (3739 : Ordinance to adopt and approve a plan of operation for governmental electric aggregation)

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

Active Clients\City of Fairfield\Ordinances\2023\Electric Aggregation-Ord

Attachment: Electric Aggregation-Ord (3739 : Ordinance to adopt and approve a plan of operation for governmental electric aggregation)

City Council Ordinance
Regular Meeting - December 11, 2023

Submitted by: Carol Mayhall,
Submitting Department: City Manager's Office

Subject:
Amendment of the Unclassified Employees Pay Plan Ordinance

Legislation Title:
Ordinance establishing salaries for certain exempt and salaried employees of the City of Fairfield, Ohio, to repeal Ordinance No. 90-23 and all amendments thereto and declaring an emergency.

Recommendation:
It is recommended that City Council approve this Ordinance eliminating the Neighborhood Development Manager position from the Unclassified Pay Plan, suspending the rules and declaring an emergency.

Background/Synopsis:
Administration has been analyzing the success and viability of the Neighborhood Development Program for the past eight months. Based on comprehensive review of the program outcomes, the decision was made to eliminate the program effective December 1, 2023. This action calls for the elimination the Neighborhood Development Manager position from the Unclassified Pay Plan. Key elements of the program are being evaluated and tasks which are capable of being re-assigned will be absorbed by existing personnel.

Financial Impact:
Elimination of the Neighborhood Development Manager position would be an approximate savings of $98,000 per year.

Emergency Provision Explanation:
It is recommended that City Council approve this Ordinance eliminating the Neighborhood Development Manager position from the Unclassified Pay Plan, suspending the rules and declaring an emergency.

Rule Suspension Requested:
Yes

Emergency Provision Needed:
Yes

Attachments:

1. Unclassified Service Pay Plan and Position List effective 12-11-23

ORDINANCE NO. _____

ORDINANCE ESTABLISHING SALARIES FOR CERTAIN EXEMPT AND SALARIED EMPLOYEES OF THE CITY OF FAIRFIELD, OHIO, TO REPEAL ORDINANCE NO. 90-23 AND ALL AMENDMENTS THERETO AND DECLARING AN EMERGENCY.

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

Section l. Ordinance No. 90-23 and all other prior ordinances inconsistent herewith, are hereby repealed.

Section 2. The attached position list, which is incorporated herein by reference, is hereby adopted. The existing salaries for the positions set forth in the attached salary structure shall be within the ranges as shown and are effective April 1, 2023.

Section 3. The City Manager is authorized to hire up to one additional person for each position authorized in this ordinance to allow for overlap training and transitioning. Generally, such instances would occur when a current employee has given notice of retirement or resignation and a replacement, not currently employed by the City, is able to be hired before the departure of the employee. Such training overlaps would be of short duration, generally, not to exceed 60 days.

Section 4. The City Manager is hereby authorized to grant performance-based wage increases, lump sum achievement awards and equity pay adjustments for employees within the job classifications listed on the Unclassified Service Pay Plan structure attached, within the confines of the ranges shown. Base wage increases awarded by percentage shall not exceed a total of $100,000.00. Base wage lump sum increases awarded by percentage, lump sum achievement awards and equity pay adjustments shall not exceed a total of $100,000. All increases and adjustments shall be effective as approved by the City Manager.

Section 5.. This Ordinance is hereby declared to be an emergency measure necessary for the urgent benefit and protection of the City and its inhabitants so that the recommended changes can take effect in a timely manner, wherefore this Ordinance 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 Ordinance has been duly published by posting and summary publication as provided by Charter.

_____
Clerk of Council

Attachment: Unclassified Service Pay Plan and Position List effective 12-11-23 [Revision 1] (3762 : Amendment of the Unclassified Employees

UNCLASSIFIED SERVICE PAY PLAN
POSITION LIST

Pay Grade	Position Title	Annual Minimum	Annual Maximum
1	Secretary to Mayor Parks & Recreation Coordinator (3) Secretary to Director of Development Services Secretary to Director of Public Utilities Administrative Assistant Clerk of Council (PT) Body Camera Analyst EMS Privacy Officer	$41,277.60	$68,520.82
	Help Desk Technician* Payroll Administrator Human Resources Coordinator Accountant Code Enforcement Supervisor Golf Course Superintendent Landscape Coordinator Parks & Recreation Manager (2) Tax Analyst (2)	$50,565.01	$83,954.00
3	Network Analyst* G.I.S. Analyst* CALEA Accreditation Manager Golf Operations Manager Juvenile Diversion Counselor Risk/Safety Coordinator Communications Manager Construction Manager [~~Neighborhood Development Manager~~] Engineer	$61,939.28	$96,108.06
4	Senior Network Analyst* Accounting Supervisor Economic Development Manager Fleet/Facilities Superintendent Income Tax Administrator Planning Manager Parks & Recreation Superintendent (2) Streets & Grounds Superintendent Utility Collection Supervisor Human Resources Manager	$71,593.81	$115,967.07

Attachment: Unclassified Service Pay Plan and Position List effective 12-11-23 [Revision 1] (3762 : Amendment of the Unclassified Employees

5	City Engineer* Information Technology Manager* Superintendent of Building Inspection and Zoning Superintendent of Public Utilities - Field Operations Superintendent of Public Utilities - Treatment Deputy Fire Chief (3) Major/Deputy Police Chief (3)	$83,495.36	$135,275.92
6	Director of Development Services Director of Finance Director of Parks and Recreation Director of Public Utilities Director of Public Works Fire Chief Police Chief	$97,392.26	$146,076.94
14	Assistant City Manager	$105,189.14	$157,772.16

* S.T.E.M. positions- point factored in one pay grade lower but assigned to one pay grade higher for salary range

Attachment: Unclassified Service Pay Plan and Position List effective 12-11-23 [Revision 1] (3762 : Amendment of the Unclassified Employees

City Council Ordinance
Regular Meeting - December 11, 2023

Submitted by: Chris Hacker,
Submitting Department: Finance

Subject:
Supplemental Appropriations

Legislation Title:
Ordinance to amend Ordinance No. 155-22 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, 2023, and ending December 31, 2023." - Supplemental Appropriations.

Recommendation:
It is necessary for City Council to pass appropriations to reconcile accounts. It is recommended that City Council authorize and direct the preparation of legislation amending the annual operating budget.

Background/Synopsis:

At the end of each fiscal year, the Finance Department analyzes all Personnel and Other Fixed cost line items to determine adequacy for fiscal year end. Supplemental appropriations are requested to ensure no unauthorized expenditures occur during closeout. Additional appropriations are being sought in the following funds:

From:	Unappropriated General Fund…		$5,190,000
To:	10014521-211000	Salaries & Wages…	$45,000
To:	10041221-211000	Salaries & Wages…	$15,000
To:	10013023-233100	Legal Services…	$30,000
To:	10012527-271000	Transfer To (413 Park Development)	$2,000,000
To:	10012527-271000	Transfer To (415 Active Transportation)	$3,000,000
To:	10012527-271000	Transfer To (705 Fleet)	$100,000
From:	Unappropriated WC JEDD Fund…		$495,000
To:	70721127-271000	Transfer To (OUT)	$65,000

To:	70721127-275002	Refunds - JEDD Tax	$7,500
To:	70721127-275003	Refunds - JEDD West Chester	$422,500
From:	Unappropriated Water Revenue Fund…		$115,000
To:	60161121-211000	Salaries & Wages…	$10,000
To:	60161221-211000	Salaries & Wages…	$50,000
To:	60121223-239800	Bank Charges…	$25,000
To:	60161323-233900	Other Professional Services…	$30,000
From:	Unappropriated Sewer Revenue Fund…		$200,000
To:	62062321-211000	Salaries & Wages…	$200,000
From:	Unappropriated Recreational Facilities Fund…		$80,000
To:	64051521-211000	Salaries & Wages…	$80,000
From:	Unappropriated Special Assessment Fund…		$70,000
To:	50116026-262000	Payment of Principal…	$70,000
From:	Unappropriated Solid Waste Management Fund…		$100,000
To:	620623023-231500	Solid Waste Disposal…	$100,000
From:	Unappropriated Fire Levy Fund…		$140,000
To:	20332021-211000	Salaries & Wages…	$140,000

Financial Impact:
Supplemental appropriations are required in the following amounts: Unappropriated General Fund - $5,190,000; Unappropriated West Chester JEDD Fund - $495,000; Unappropriated Water Revenue Fund - $115,000; Unappropriated Sewer Revenue Fund - $200,000; Unappropriated Recreational Facilities Fund - $80,000; Unappropriated Special Assessment Fund - $70,000; Unappropriated Solid Waste Management Fund - $100,000; Unappropriated Fire Levy Fund - $140,000.

Emergency Provision Explanation:

Rule Suspension Requested:
Yes

Emergency Provision Needed:
No

Attachments:
Supplemental Appropriations Ordinance

Rule Suspension Requested:
Yes

Emergency Provision Needed:
No

Attachments:
1. Supplemental 12-11-Ord

ORDINANCE NO. _____

ORDINANCE TO AMEND ORDINANCE NO. 155-22 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, 2023, AND ENDING DECEMBER 31, 2023."

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

Section 1. Ordinance No. 155-22, the 2023 Appropriation Ordinance, is hereby amended in the following respects:

From:	**Unappropriated General Fund**	**$5,190,000**
To:	10014521-211000 Salaries & Wages	$45,000
To:	10041221-211000 Salaries & Wages	$15,000
To:	10013023-233100 Legal Services	$30,000
To:	10012527-271000 Transfer To (413 Park Development)	$2,000,000
To:	10012527-271000 Transfer To (415 Active Transportation)	$3,000,000
To:	10012527-271000 Transfer To (705 Fleet)	$100,000
From:	**Unappropriated WC JEDD Fund**	**$495,000**
To:	70721127-271000 Transfer To (OUT)	$65,000
To:	70721127-275002 Refunds - JEDD Tax	$7,500
To	70721127-275003 Refunds - JEDD West Chester	$422,500
From:	**Unappropriated Water Revenue Fund**	**$115,000**
To:	60161121-211000 Salaries & Wages	$10,000
To:	60161221-211000 Salaries & Wages	$50,000
To:	60121223-239800 Bank Charges	$25,000
To:	60161323-233900 Other Professional Services	$30,000
From:	**Unappropriated Sewer Revenue Fund**	**$200,000**
To:	62062321-211000 Salaries & Wages	$200,000
From:	**Unappropriated Recreational Facilities Fund**	**$80,000**
To:	64051521-211000 Salaries & Wages	$80,000

Attachment: Supplemental 12-11-Ord (3763 : Supplemental Appropriations)

From:	**Unappropriated Special Assessment Fund**	**$70,000**
To:	50116026-262000 Payment of Principal	$70,000
From:	**Unappropriated Solid Waste Management Fund**	**$100,000**
To:	620623023-231500 Solid Waste Disposal	$100,000
From:	**Unappropriated Fire Levy Fund**	**$140,000**
To:	20332021-211000 Salaries & Wages	$140,000

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

Active Clients\City of Fairfield\Ordinances\2023\Supplemental 12-11-Ord

Attachment: Supplemental 12-11-Ord (3763 : Supplemental Appropriations)

City Council Ordinance
Regular Meeting - December 11, 2023

Submitted by: Alisha Wilson, Clerk
Submitting Department: Clerk

Subject:
Contractual Appropriations

Legislation Title:
Ordinance to amend Ordinance No. 155-22 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, 2023, and ending December 31, 2023."

Recommendation:
It is recommended that City Council suspend the rules requiring a second and third reading of this Ordinance and adopt the appropriations listed above.

Background/Synopsis: Please refer to specific Council Communications for full description of these items.

$2,250,000 for Community Improvement Corporation grant.

Financial Impact: $2,250,000.00 from noted funding source.

Rule Suspension Requested:
Yes

Emergency Provision Needed:
No

Attachments:
1. Contractual 12-11-Ord

ORDINANCE NO. _____

ORDINANCE TO AMEND ORDINANCE NO. 155-22 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, 2023, AND ENDING DECEMBER 31, 2023."

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

Section 1. Ordinance No. 155-22, the 2023 Appropriation Ordinance, is hereby amended in the following respects:

From:	**Unappropriated Transformative Economic Development Fund**	**$1,650,000**
To:	41416027-271500 Funding Grants *(TED Transfer to CIC for property purchase)*	$1,650,000
From:	**Unappropriated Butler County ARPA Fund**	**$600,000**
To:	26816027-271500 Funding Grants *(ARPA Transfer to CIC for property purchase)*	$600,000

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

Active Clients\City of Fairfield\Ordinances\2023\Contractual 12-11-Ord

Attachment: Contractual 12-11-Ord (3764 : Contractual Appropriations)