

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 5, 2022 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 - Pleasant Avenue & Fairfield Connects
- 2. BUSINESS MEETING CALL TO ORDER**
- 3. PRAYER/PLEDGE OF ALLEGIANCE**
 - A. Councilmember Gwen Brill
- 4. ROLL CALL**
- 5. AGENDA MODIFICATIONS**
- 6. EXECUTIVE SESSION REQUESTS**
- 7. SPECIAL PRESENTATIONS**
 - a. 2022 Parade of Lights Community Entry Winner
 - b. Oath of Office - Fire Department
- 8. CITIZEN COMMENTS**
- 9. PUBLIC HEARING(S)**
 - a. Public Hearing - 2023 Operating Budget
- 10. APPROVAL OF MINUTES**

- a. Regular Meeting held November 28, 2022

11. OLD BUSINESS AND REPORTS

A. COMMUNITY & PUBLIC RELATIONS

Councilmember Leslie Besl

B. DEVELOPMENT SERVICES

Councilmember Matt Davidson

C. PARKS, RECREATION AND ENVIRONMENT

Councilmember Gwen Brill

D. PUBLIC SAFETY

Councilmember Dale Paullus

1. Letter in response to Citizen Petition regarding Coyotes

E. PUBLIC UTILITIES

Councilmember Adam Kraft

F. PUBLIC WORKS

Councilmember Terry Senger

G. FINANCE & BUDGET

Councilmember Tim Meyers

12. NEW BUSINESS

Motion to read all New Business by title only.

A. DEVELOPMENT SERVICES

Councilmember Matt Davidson

1. Resolution to authorize the City Manager to execute a Right-of-Way Encroachment License and Maintenance Agreement with Koch Foods of Cincinnati, LLC permitting installation and maintenance of physical improvements within the existing right-of-way of Commerce Center Drive and declaring an emergency.
 - Legislation - First Reading
 - Motion - Suspend Second and Third Readings
 - Motion - Adoption

B. PUBLIC SAFETY

Councilmember Dale Paullus

1. Simple Motion: Motion to not request a hearing regarding a liquor permit application in the name of Rossmory LLC dba Jiffy Mart, 5353 Dixie Highway, Unit F, Fairfield, OH 45014 (Permit Class C1, C2 & D6).

C. 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. 34-22 and all amendments thereto and declaring an emergency.
 - Legislation - First Reading
 - Motion - Suspend Second and Third Readings
 - Motion - Adoption
2. An Ordinance to make estimated appropriations for the expenses and expenditures of the City of Fairfield, Ohio during the period beginning January 1, 2023, through December 31, 2023.
 - Legislation - First Reading
 - Motion - Suspend Second and Third Readings
 - Motion - Adoption
3. Ordinance to amend Ordinance No. 148-21 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, 2022, and ending December 31, 2022.” - Supplemental Appropriations.
 - Legislation - First Reading
 - Motion - Suspend Second and Third Readings
 - Motion - Adoption
4. Ordinance to amend Ordinance No. 148-21 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, 2022, and ending December 31, 2022.”
Non-Contractual Appropriations: \$15,000 for pressure reducing water valve
 - Legislation - First Reading
 - Motion - Suspend Second and Third Readings
 - Motion - Adoption

13. MEETING SCHEDULE

- A. Monday, December 12 - Regular Meeting 7:00 PM
- B. Monday, January 9 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM
- C. Monday, January 23 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM

14. EXECUTIVE SESSION OF COUNCIL (IF NEEDED)

15. ADJOURNMENT



Fairfield City Council
November 25, 2022

Public Hearing Notice

City of Fairfield Budget Hearing
Proposed 2023 Operating Budget

The City of Fairfield will hold a Public Hearing beginning at 7:00 p.m. on Monday, December 5, 2022, in the Council Chambers of the Fairfield Municipal Building, 5350 Pleasant Avenue, Fairfield, Ohio. The purpose of the hearing is to receive written and oral comments from the public concerning the proposed annual operating budget for the year 2023 and the use of funds contained in the proposed budget which is summarized below.

A copy of this information, the entire budget and additional background materials are available for public inspection weekdays from 8:00 a.m. to 5:00 p.m. at the Fairfield Municipal Building, 5350 Pleasant Avenue, Fairfield, Ohio, in the offices of the Finance Director and the Clerk of Council.

Alisha Wilson
Clerk of Council

For insertion in the Journal News Friday, November 25, 2022

**City of Fairfield
Minutes
Regular Meeting of City Council
November 28, 2022**

Council-Manager Briefing

Planning & Zoning Code Update

Vice Mayor Meyers called the briefing to order at 6:00 PM. Councilmembers present: Leslie Besl, Dale Paullus, Terry Senger, Adam Kraft, Tim Meyers, Matt Davidson and Gwen Brill. Mayor Rhodus also present.

Staff members present: Scott Timmer, Greg Kathman, Erin Lynn, Steve Wolterman, Alisha Wilson, Laurie Murphy, Nick Dill, Steve Maynard, Carol Mayhall, Chris Hacker, Adam Sackenheim and Tom Wagner.

Development Services Director Kathman and Planning Manager Lynn presented the Planning & Zoning Code Update. See attached slides.

Business Meeting Call to Order

Prayer/Pledge of Allegiance

Councilmember Davidson 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

Minutes Acceptance: Minutes of Nov 28, 2022 7:00 PM (Approval of Minutes)

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

Special Presentations

None.

Citizen Comments

None.

Public Hearing(s)

None.

Approval of Minutes

Councilmember Meyers, seconded by Councilmember Brill, moved to amend the minutes of the November 14, 2022 meeting to reflect that Councilmember Davidson recused himself from the vote on the legislation for indigent legal representation. Motion carried 7-0.

OLD BUSINESS AND REPORTS

Community & Public Relations

Councilmember Leslie Besl

Development Services

Councilmember Matt Davidson

Parks, Recreation and Environment

Councilmember Gwen Brill

Public Safety

Councilmember Dale Paullus

Discussion of response to petition to Council regarding coyotes

Councilmember Paullus, seconded by Councilmember Brill, moved to approve the draft letter in response to the petition regarding coyotes in the city and direct that it be sent to Mrs. Jarvis. Motion carried 7-0.

Public Utilities

Councilmember Adam Kraft

Public Works

Councilmember Terry Senger

Finance & Budget

Councilmember Tim Meyers

Minutes Acceptance: Minutes of Nov 28, 2022 7:00 PM (Approval of Minutes)

NEW BUSINESS

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

Parks, Recreation and Environment

Councilmember Gwen Brill

Motion to Suspend Second and Third Readings

Councilmember Brill presented the first reading of this ordinance.

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

Ordinance to authorize the City Manager to execute a Contract Addendum with SwimSafe Pool Management, Inc. for the services provided in relation to the comprehensive risk management and operations of the City of Fairfield Municipal Pool and declaring an emergency

ORDINANCE NO. 148-22. APPROVED 7-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gwen Brill, Councilmember, At-Large
SECONDER:	Leslie Besl, Councilmember, 1st Ward
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Motion to Suspend Second and Third Readings

Councilmember Brill presented the first reading of this ordinance.

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

Ordinance to authorize the City Manager to enter into an agreement with the MetroParks of Butler County for the in-kind partnership for nature programming and declaring an emergency

ORDINANCE NO. 149-22. APPROVED 7-0.

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

Public Utilities

Councilmember Adam Kraft

Motion to Suspend Second and Third Readings

Minutes Acceptance: Minutes of Nov 28, 2022 7:00 PM (Approval of Minutes)

Councilmember Kraft presented the first reading of this ordinance.

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

Ordinance to authorize the City Manager to enter into a contract with Moody's of Dayton Inc. for the installation of a new raw water supply well at the City's Water Treatment Plant and declaring an emergency.

Recommendation:

It is recommended that City Council authorize the City Manager to enter into a contract with Moody's of Dayton Inc. and appropriate funding in the amount of \$435,600.00 for the installation of a new raw water supply well at the City's Water Treatment Plant. Rules suspension is requested in order to expedite the project.

ORDINANCE NO. 150-22. APPROVED 7-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Adam Kraft, Councilmember, 4th Ward
SECONDER:	Dale Paullus, Councilmember, 2nd Ward
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Senger, Kraft

Finance & Budget

Councilmember Tim Meyers

Motion to Suspend Second and Third Readings

Councilmember 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

Ordinance to amend Ordinance No. 148-21 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, 2022, and ending December 31, 2022." - Supplemental Appropriation

Recommendation:

It is recommended that City Council authorize and direct the preparation of legislation amending the annual operating budget for 2022.

ORDINANCE NO. 151-22. APPROVED 7-0.

Minutes Acceptance: Minutes of Nov 28, 2022 7:00 PM (Approval of Minutes)

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

Motion to Suspend Second and Third Readings

Councilmember 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. 148-21 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, 2022, and ending December 31, 2022.”

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. 152-22. APPROVED 7-0.

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

Motion to Suspend Second and Third Readings

Councilmember 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. 148-21 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, 2022, and ending December 31, 2022.”

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. 153-22. APPROVED 7-0.

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

Meeting Schedule

Clerk Wilson read the following meeting schedule:

- A. Monday, December 5 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM
- B. Monday, December 12 - Regular Meeting 7:00 PM
- C. Monday, January 9 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM

Executive Session of Council (if needed)

Council recessed to Executive Session at 7:25 PM.

15. ADJOURNMENT

The Regular Meeting adjourned at 8:00 PM.

ATTEST:

Clerk of Council

Mayor's Approval

Date Approved _____

Minutes Acceptance: Minutes of Nov 28, 2022 7:00 PM (Approval of Minutes)

Planning and Zoning Code Update

Council-Manager Briefing
November 28, 2022





Recommendations

- Enhanced landscaping and buffering standards
- Revise parking regs to prevent excessive parking lots
- Address sign height and sign clutter
- Greater design standards
- Encourage new developments to incorporate public gathering places or pocket parks



Update Process

What have we done?

1. Project Initiation
2. Code Diagnosis and Outline
3. Drafting of the Regulations
 - a) Module 1: Zoning Districts and Uses
 - b) Module 2: Development and Design Standards
 - c) Module 3: Subdivision Standards
 - d) Module 4: Administration, General Provisions, Review Procedures, and Definitions
4. Adoption and Final Production

Project Initiation

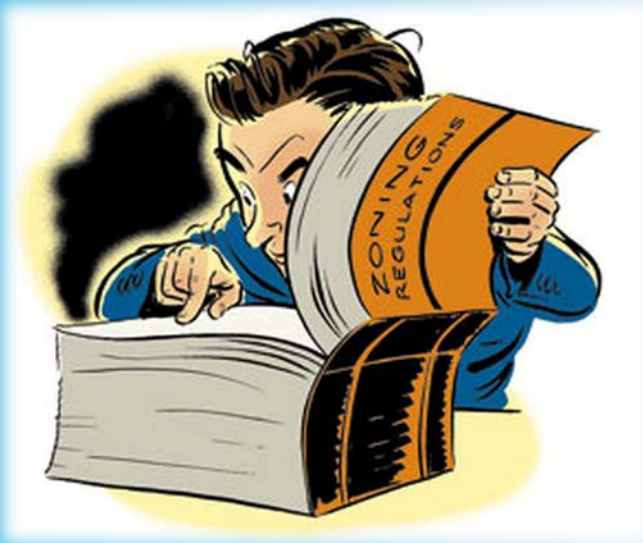
- Work Sessions with Consultant
- Advisory Committee Meeting
- Board of Zoning Appeals (BZA)
- Planning Commission



Code Diagnosis & Outline

Detailed documentation of the strengths and weaknesses of the current City of Fairfield Planning and Zoning Code

- *Analysis of the Current Regulations*
- *Proposed Code Outline*



Advisory Committee



- Matt Davidson – City Council & Planning Commission
- Steve DeSalvo – Design Review Committee
- Don Hassler – Planning Commission
- Scott Lepsky- Planning Commission & BZA
- Missy O’Brien – Planning Commission
- Dale Paullus – City Council
- Kert Radel – Fairfield Chamber
- Tony Rawe – BZA
- Erin Simons – BZA
- Terry White – Fairfield Forward Committee
- Bill Woeste – Resident
- Steve Wolterman – Law Department
- Staff: Greg Kathman, Nathaniel Kaelin, Erin Lynn, Lee Rosato

Review of Modules 1 & 2

1. Project Initiation
2. Code Diagnosis and Outline
3. Drafting of the Regulations
 - a) Module 1: Zoning Districts and Uses
 - b) Module 2: Development and Design Standards
 - c) Module 3: Subdivision Standards
 - d) Module 4: Administration, General Provisions, Review Procedures, and Definitions
4. Adoption and Final Production

Module 1: Zoning Districts and Uses ✓

Module 1 included the drafting of the following:

- Titles/categories of permitted uses
- Use definitions
- Use table and allowances
- Use standards



Use Table

The proposed code has incorporated a use table to make finding what uses are permitted in what district easier for staff and the public.

existing

1149.01 PRINCIPAL PERMITTED USES.

No building, structure or land shall be erected, altered, enlarged or used which is arranged or designed for other than one of the following uses, except as provided herein and in Chapter 1198.

- (a) Agricultural. Agriculture, but not including animal and poultry husbandry and dairying.
- (b) Residential. One-family dwellings.
- (c) Institutional. Churches; schools and libraries. See conditional uses relative to school and church activities.
- (d) Essential Services. As defined in Section 1133.01(a)(36).
(Ord. 94-84. Passed 7-9-84.)

1149.02 CONDITIONAL USES.

The following uses shall be permitted only if expressly authorized by the Planning Commission.

- (a) Tourist Homes. Tourist homes and rooming and boarding houses when located on and having access from a federal or State highway or a principal thoroughfare.
- (b) Day-care Center.
- (c) Recreational. Noncommercial recreation facilities; swimming pools subject to the provisions of Chapter 1193.
- (d) Institutional. Hospitals and/or clinics; colleges for academic instruction.
- (e) Club. Noncommercial clubs and lodges.
- (f) Utility. Public utility building necessary for the furnishing of adequate service to the area but not including general offices, garages, warehouses or outdoor storage yards.

proposed

Table 1132.3 -1: Agricultural and Residential Districts - Use Table							
USE	A-1	R-0	R-1	R-2	R-3	R-4	SECTION
Agricultural/Residential							
Agriculture	P	PS	PS				XXXX
Dwelling, Single-Family Attached				PS	P	P	XXXX
Dwelling, Single-Family Detached	P	P	P	P	P	P	
Dwelling, Two-Family				P	P	P	
Dwelling, Multi-Family Small Scale				PS	PS	PS	XXXX
Dwelling, Multi-Family Large Scale					PS	PS	XXXX
Residential Facility, Small	P	P	P	P	P	P	
Residential Facility, Medium					C	C	XXXX
Residential Treatment Facility, Small	P	P	P	P	P	P	
Residential Treatment Facility, Medium					C	C	XXXX

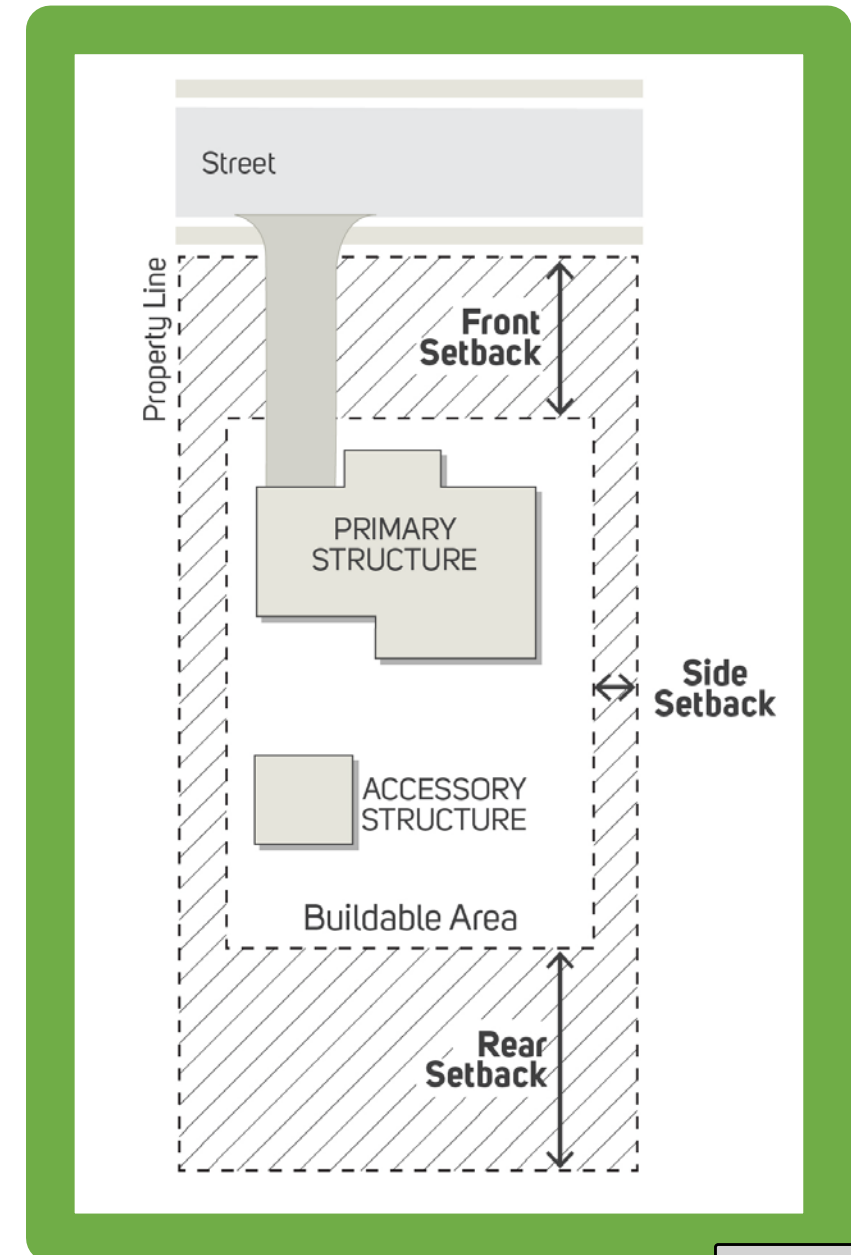
Module 2: Development and Design Standards

Module 2 included the drafting of the following:

- Dimensional Standards ✓
- Special Districts and Overlays ✓
- Parking ✓
- Landscaping ✓
- Fences ✓
- Lighting ✓
- **Signage**

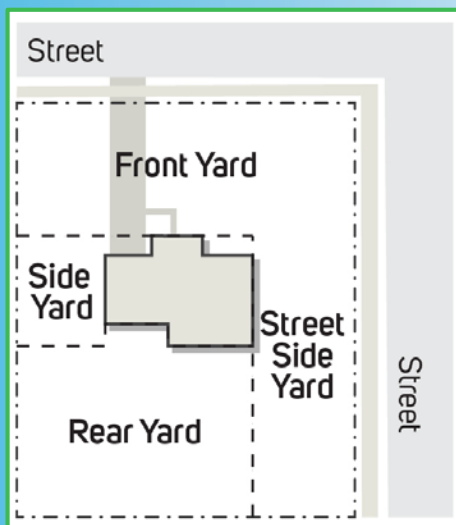
Dimensional Standards

- Lot Area
- Lot Width
- Density
- Setbacks
- Height
- Accessory Structure Setbacks/Height

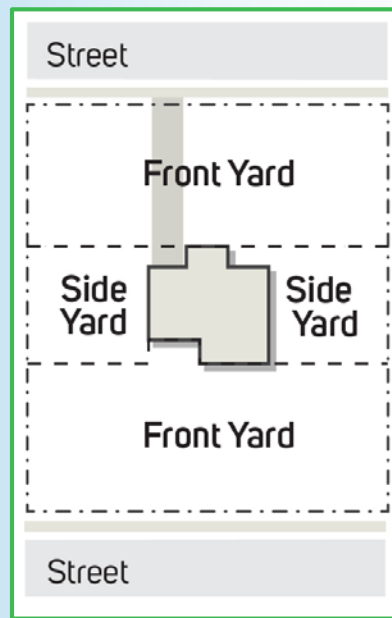


Dimensional Standards

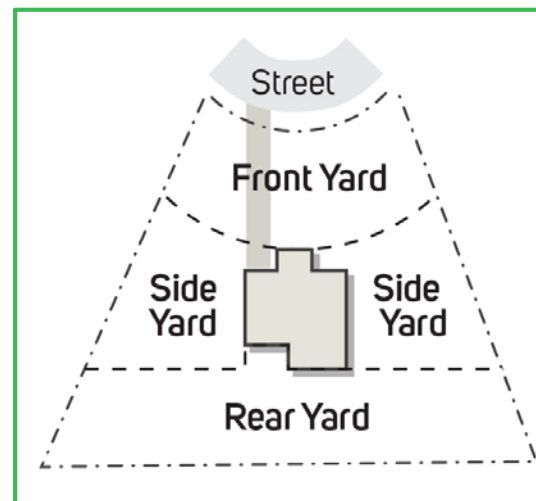
- Yard and height exceptions
- Types of lots and specific requirements



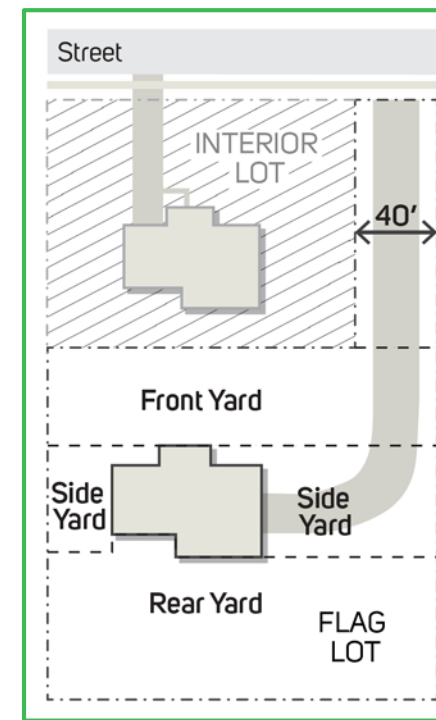
Corner Lot



Double Frontage Lot



Cul-de-sac Lot



Flag Lot

Overlay Districts

- Overlay districts provide additional development guidance for new and expanded structures above and beyond the standard zoning regulations.
- Proposing four overlay districts per the recommendations of the Comprehensive Plan.
- Each overlay district will have specified development guidance for: parking, access, circulation, building design and materials, signage, landscaping, and buffering.



Overlay Districts



Route 4 – without guidelines

Building Design
and Materials



Town Center - with guidelines

Parking

- Updated method for determining the # of parking spaces required 🌿
- Right Size - minimum and maximum requirements
- New EV charging regulations – to allow, not require 🌿
- Bioswales for stormwater runoff – encouraged 🌿
- New stacking space requirements for drive-thru uses



Landscaping

- New applicability requirements
- Updated screening requirements
- New information for:
 - Plant species – native (drought resistant)
 - Planting and installation requirements
- New requirements for tree preservation
- New requirements for parking lot landscaping

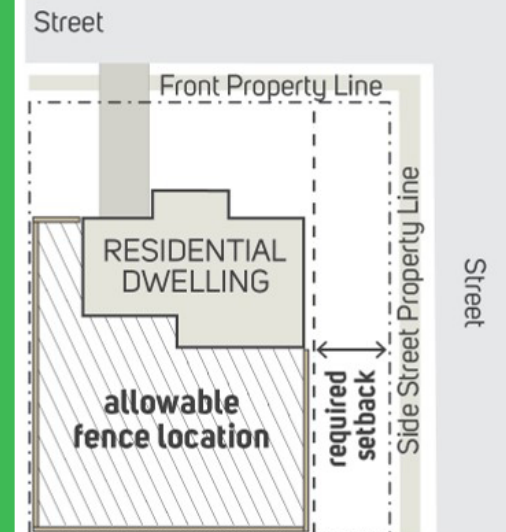


Fencing

- Clarification of fence types and location

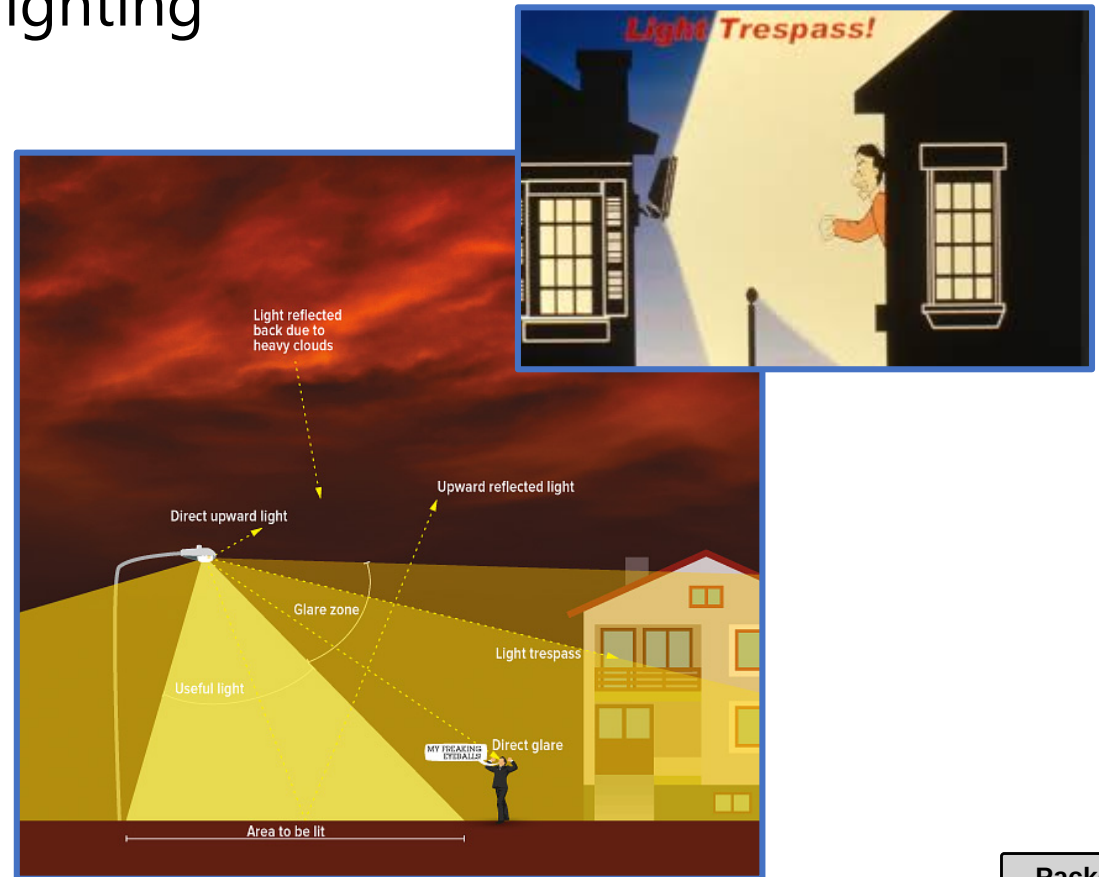


Corner Lots



Lighting

- New outdoor lighting section added to the code
- Identifies specific prohibited and exempt lights
- Regulations for the design of outdoor lighting including:
 - Height
 - Style
 - Allowable light levels
 - Color and glare



Signage

- Stakeholder meeting
- December 7
- Advisory Committee meeting
- December 8
- Key Highlights:
 - Compliance with case law and supreme court cases
 - Digital reader boards
 - Pole signs



Signage

- Pole signs?

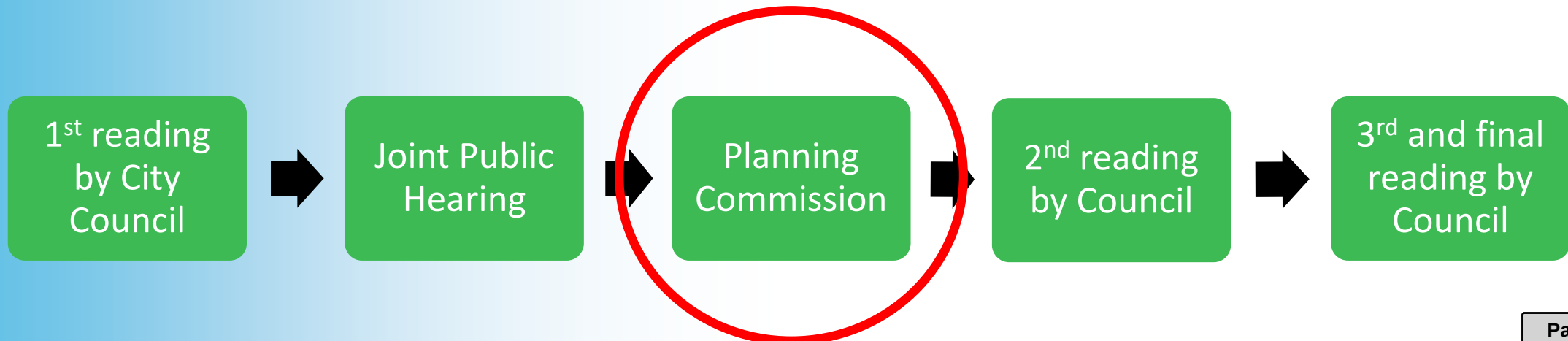


Proposed Key Changes

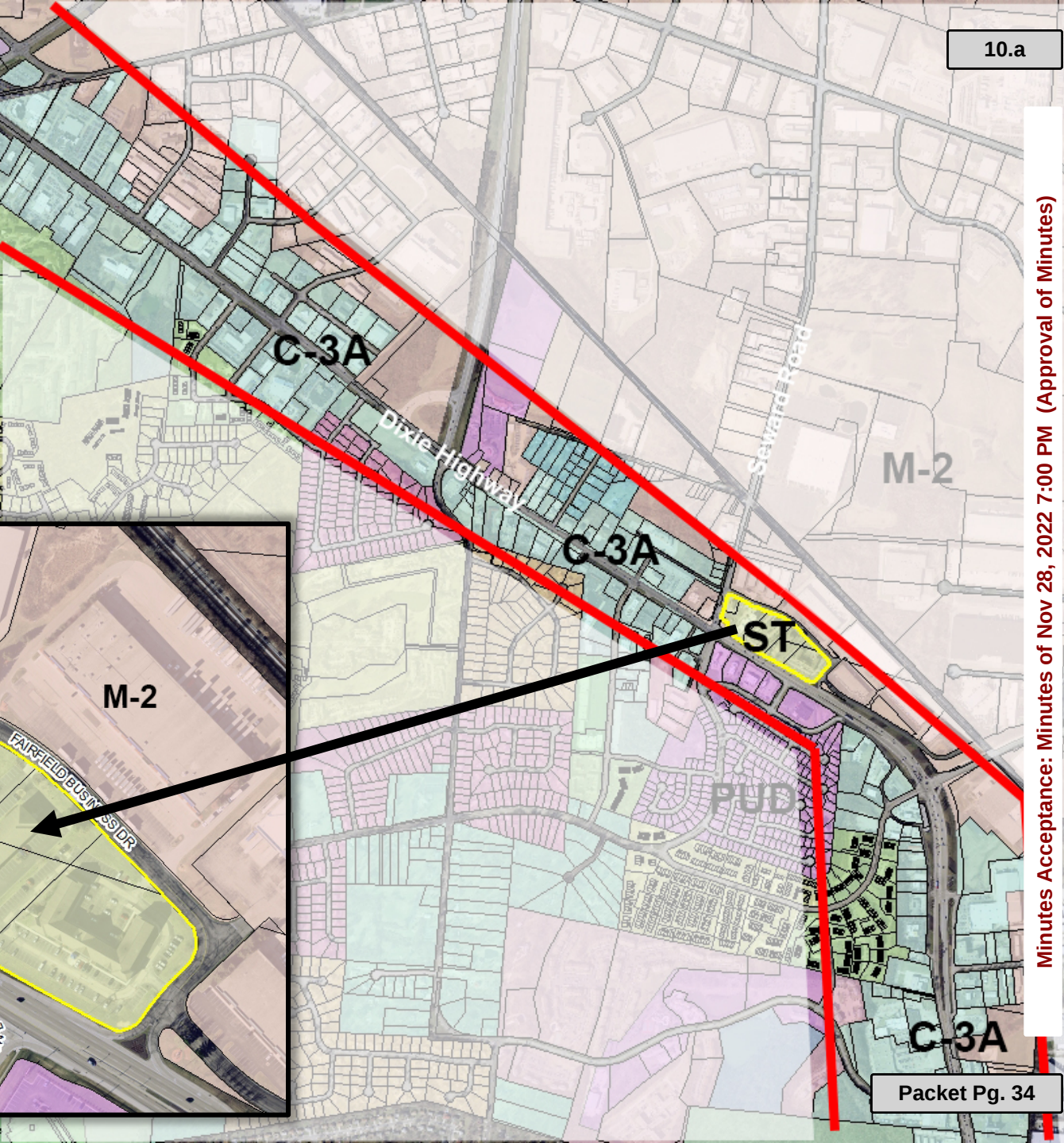
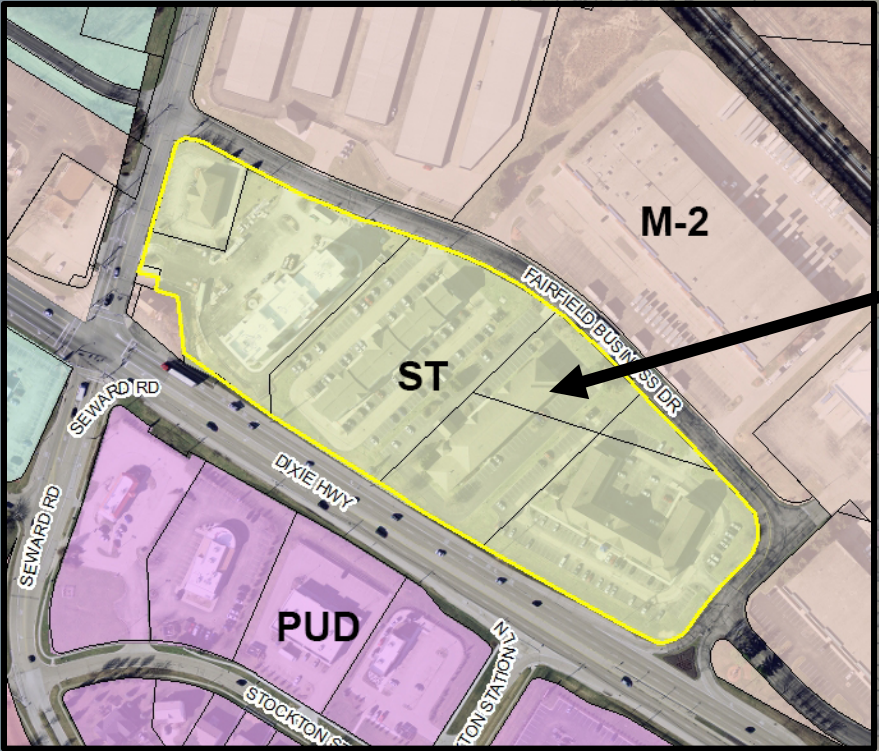
1. PUD Final Development Plan Approval Process
2. Removal of Two Zoning Districts
 - ST, Service Transition
 - D-1A, Downtown Modified
3. Design Review Committee Status

Planned Unit Development (PUD)

- What is a PUD? A deviation from standard zoning districts
- 2- step process:
 - 1) Concept Plan – changes the zoning; general overview
 - 2) Final Development Plan – specific details
- What is the EXISTING approval process for both Concept and Final Plan approval?



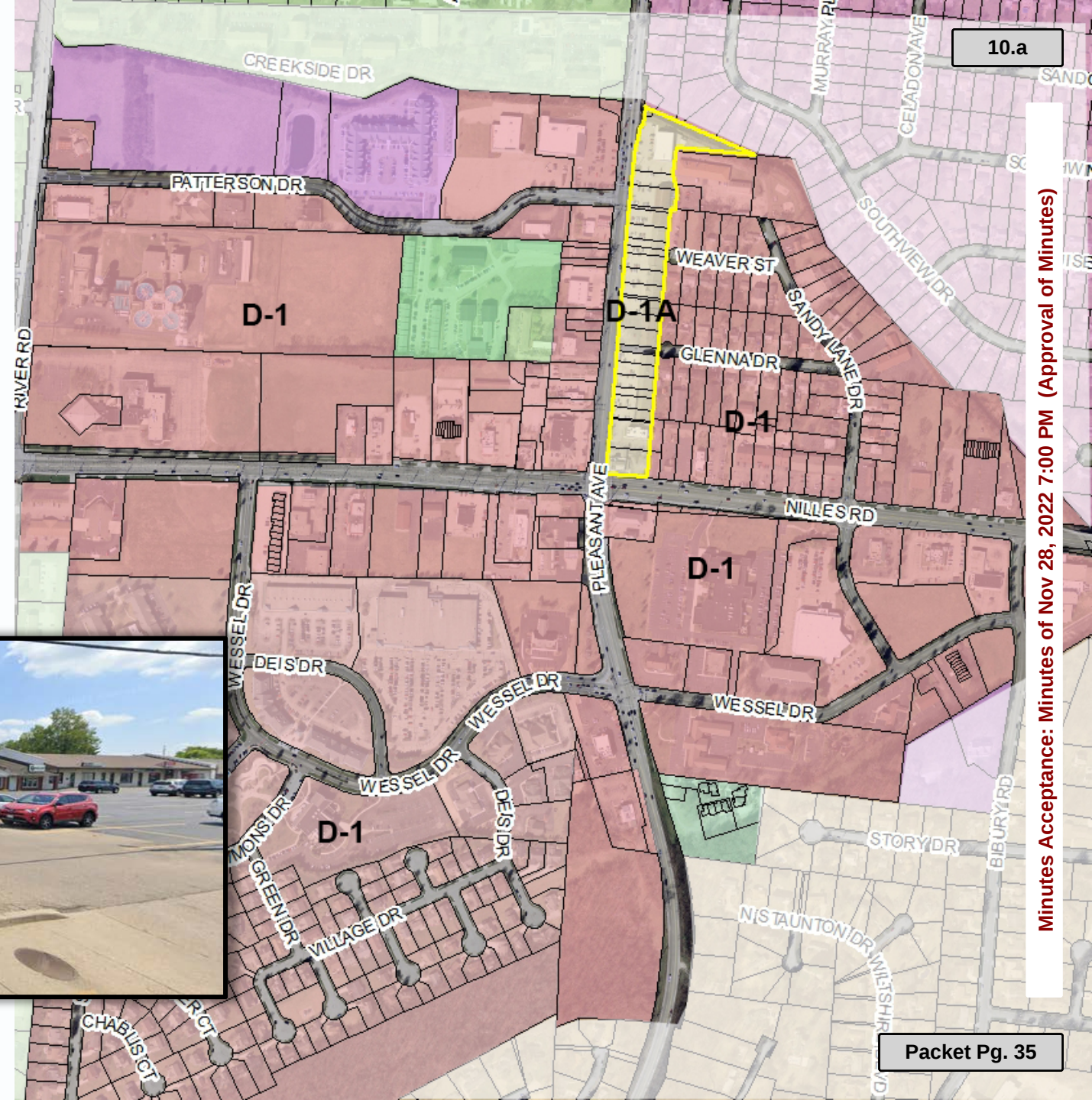
ST, Service Transition Zoning District



D-1A, Downtown Modified Zoning District



Reigert Square



10.a

Minutes Acceptance: Minutes of Nov 28, 2022 7:00 PM (Approval of Minutes)

Design Review Committee

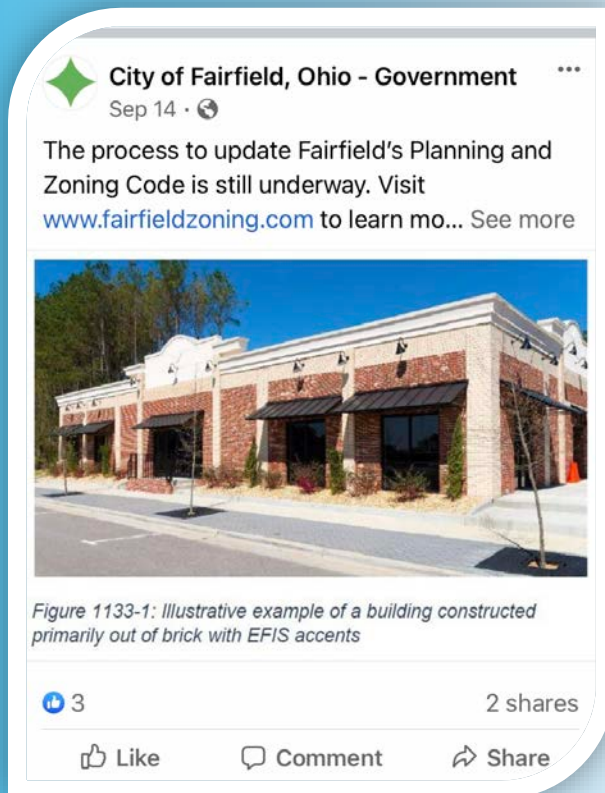
- Created in 1990s
- D-1 Zoning District
- Review site and architectural design of all new developments and building improvements
- Shift in committee membership
- Shift in type and quantity of projects
- New zoning code guidelines

City Council representative
Planning Commission representative
Development Services Director
Building Superintendent
Resident
Downtown Business Operator (2)
Downtown Business Operator Or Resident (2)

Minutes Acceptance: Minutes of Nov 28, 2022 7:00 PM (Approval of Minutes)

Public Outreach

- Online information and engagement
 - www.fairfieldzoning.com
- Stakeholder interviews
- Open House
- Newsletter articles
- Facebook posts
- City website



Remaining Schedule

- **November/December 2022** – Signs
- **December 2022** – Subdivision Regulations
- **January 2023** – Administration, Procedures, and Definitions
- **February 2023** – Consolidated Code & Public Review
- **March 2023** – Start Adoption Process

QUESTIONS OR COMMENTS

5350 Pleasant Avenue
Fairfield, OH 45014
www.fairfielddoh.gov



November 29, 2022

Mrs. Liz Jarvis
2440 Clara Bea Lane
Fairfield, OH 45014

Re: Citizen Petition

Dear Mrs. Jarvis:

As Clerk of Council of the City of Fairfield, I have been instructed to send this letter to you explaining the views of the majority of the Council on the matters set forth in the petition which you presented to Council on November 14, 2022.

Members of Council share your concern about coyotes appearing in neighborhoods in Fairfield and the danger they pose to dogs and other domestic pets. This concern has been brought to Council in the past and the City is interested in exploring ways to mitigate concerns. In pursuit of this, the City Council has invited Brett Beatty, Wildlife Management Supervisor from the Ohio Department of Natural Resources to come to the Council Manager Briefing meeting on January 9, 2023 at 6:00 p.m. at the City Building, 5350 Pleasant Avenue, Fairfield, OH 45014. At the meeting, Council hopes to learn effective methods to both alleviate the problem by programs to reduce the population within the City and ways to educate our residents about how to protect their household pets. We invite you and all other concerned residents to attend the Council meeting. After conclusion of the meeting, Council may consider alternatives recommended by Mr. Beatty or such action as they feel is in the best interest of our residents.

Sincerely,

A handwritten signature in cursive script that reads "Alisha Wilson".

Alisha Wilson
Clerk of Council
City of Fairfield, Ohio

Attachment: PetitionResponseLetter.Coyotes.112922 (3386 : Letter in response to Citizen Petition regarding Coyotes)



City Council Resolution
Regular Meeting - December 5, 2022

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

Subject:

Koch Foods Right-of-Way Encroachment License

Legislation Title:

Resolution to authorize the City Manager to execute a Right-of-Way Encroachment License and Maintenance Agreement with Koch Foods of Cincinnati, LLC permitting installation and maintenance of physical improvements within the existing right-of-way of Commerce Center Drive 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:

Koch Foods, a private company operating locally at 4100 Port Union Road, is a vertically integrated poultry products manufacturer. The company began operating in Fairfield in 1999 and has seen steady growth and multiple expansions. Koch Foods is the city's largest public utilities user and the city's largest industrial employer.

The existing Koch Foods facility (Plant A) accommodates seven chicken/protein production lines. Koch Foods is currently erecting a second manufacturing building (Plant B) on an 18.1 acre parcel directly north of its existing campus at 635 Commerce Center Drive, and has initially committed to construct three additional production lines. Investment in this expansion project is expected to exceed \$250 million.

The 18.1 acre parcel is contiguous to and accessible via the public Commerce Center Drive right-of-way. However, the public street ends in a cul-de-sac approximately 450 feet short of the private property line. To provide ingress and egress to the 18.1 acre parcel and Plant B, Koch Foods has constructed a driveway, sidewalk, and related improvements through the public right-of-way to connect with the cul-de-sac. Koch Foods also proposes to install a guard building and business signage within the right-of-way.

Approval of this resolution would authorize the City Manager to enter into a Right-of-Way Encroachment License and Maintenance Agreement that will permit the physical improvements to remain in the public right-of-way and require Koch Foods to maintain the improvements in good repair in perpetuity. Upon termination of the agreement, Koch Foods will be required to remove these physical improvements.

Financial Impact:

Construction of a private driveway and related improvements will allow Koch Foods to complete and operate its \$250 million Plant B facility, providing additional jobs, income tax, and property tax to the community. The private driveway also relieves the City of the responsibility to construct and maintain a public street extension, providing annual cost savings to the City.

Emergency Provision Explanation:

Emergency approval of the ordinance is requested to ensure that the Company can proceed with its aggressive development schedule.

Rule Suspension Requested:

Yes

Emergency Provision Needed:

Yes

Attachments:

1. Encroachment License Merged - Koch Foods v2
2. Koch Foods-Res

RIGHT-OF-WAY ENCROACHMENT LICENSE & MAINTENANCE AGREEMENT (Koch Foods / Commerce Center Drive)

This Right-of-Way Encroachment License & Maintenance Agreement (this "AGREEMENT") is made and entered into this ____ day of _____, 2022, between KOCH FOODS OF CINCINNATI, LLC, a corporation organized under the laws of Ohio, having its principal office at 1300 Higgins Road, Park Ridge, Illinois 60068 ("LICENSEE"), and the CITY OF FAIRFIELD, OHIO, a municipal corporation organized under the laws of Ohio, having its administrative offices at 5350 Pleasant Avenue, Fairfield, OH 45014 (the "CITY").

RECITALS

A. LICENSEE is the owner responsible for the maintenance of certain real property located within the City of Fairfield, Butler County, Ohio, legally described in Exhibit "A", attached hereto ("Licensee's Property").

B. The CITY is the owner of the public right-of-way adjacent to Licensee's Property known as Commerce Center Drive ("Right of Way").

C. LICENSEE desires to use a portion of the Right of Way for the installation of a driveway, sidewalk, guard building, business signage, and related appurtenances that allow for ingress and egress to and from Licensee's Property. The portion of the Right of Way to be used for such purpose is shown on Exhibit "B", attached hereto (the "Encroachment Area").

D. CITY has agreed to grant to LICENSEE a temporary and nonexclusive personal privilege to use the Encroachment Area in accordance with and subject to the terms, conditions and limitations of this AGREEMENT.

In consideration of the matters described above, and of the mutual benefits and obligations set forth in this AGREEMENT, the parties agree as follows:

SECTION ONE - GRANT OF LICENSE. CITY grants to LICENSEE a temporary and nonexclusive personal privilege and permission to enter upon the Right of Way and to use the Encroachment Area, subject to the terms, conditions and limitations of this AGREEMENT. The rights granted in this AGREEMENT shall be subject to all existing utility easements, if any, located within the Right of Way, or any other easements, conditions, covenants or restrictions of record.

SECTION TWO - TERM. This AGREEMENT shall commence as of the date of this AGREEMENT and shall continue until terminated in accordance with the terms of this AGREEMENT.

SECTION THREE - NO INTEREST IN LAND. LICENSEE acknowledges and agrees that this AGREEMENT does not create an interest or estate in the Right of Way. The CITY retains legal possession of the full boundaries of its right-of-way and this AGREEMENT merely grants the personal privilege to use the Encroachment Area for and during the term of this AGREEMENT.

SECTION FOUR - NO VESTED RIGHT. Notwithstanding any expenditure by LICENSEE this AGREEMENT shall not be construed to create an assignment coupled with an interest or any vested rights in the Right of Way.

SECTION FIVE - LIMITED SCOPE OF LICENSE. LICENSEE shall not have the right to expand the Encroachment Area or change LICENSEE'S use of the Encroachment Area without the CITY'S prior written consent.

SECTION SIX – ASSIGNMENT. The LICENSE granted to LICENSEE by this AGREEMENT may only be transferred or assigned to a purchaser or other subsequent owner of Licensee's Property. Any other transfer or assignment shall only be valid with the CITY'S prior written consent.

SECTION SEVEN – TERMINATION. This AGREEMENT may be terminated by either party for any reason or no reason upon giving three hundred sixty days' written notice. City agrees that termination of this Agreement shall not limit or affect Licensee's use of the Right of Way for access to and from Licensee's property. In the event of termination of this AGREEMENT, LICENSEE shall not be entitled to receive any compensation or reimbursement for any costs or expenses incurred by LICENSEE.

SECTION EIGHT - REMOVAL OF ENCROACHMENTS ON TERMINATION. At such time as this AGREEMENT is terminated, LICENSEE shall remove, at LICENSEE'S sole cost and expense, any and all improvements owned or maintained by LICENSEE in the Right of Way. In addition, LICENSEE shall remove, at its sole cost and expense, any encroachments if the CITY determines that such removal is necessary or convenient for the installation, repair or replacement of any utilities or other public improvements in the Right of Way, or if the CITY determines that any such encroachments interfere with pedestrian or vehicular traffic, public utilities, or constitute a safety hazard. If LICENSEE fails to exercise its duties under this paragraph, the CITY shall have the right to remove the encroachments or improvements and restore the Right of Way. LICENSEE shall reimburse the CITY its full cost and expense for any such removal or restoration.

SECTION NINE – INSURANCE. LICENSEE shall maintain a policy or policies of comprehensive general liability coverage which includes its use of the Right of Way on an occurrence basis from an insurance company licensed with the State of Ohio or other insurer approved by LICENSEE with at least \$4,000,000.00 single limit coverage on all risks. The insurance shall apply as primary insurance with respect to any other insurance or self-insurance programs afforded to the CITY. There shall be no endorsement or modification of this insurance to make it excess over other available insurance; alternatively, if the insurance states that it is excess or prorated, it shall be endorsed to be primary with respect to the CITY.

SECTION TEN - CONSTRUCTION AND MAINTENANCE. LICENSEE agrees that the improvements described in this AGREEMENT shall be erected and maintained at all times in a safe, neat, sightly and good physical condition and in accordance with all requirements of the Codified Ordinances of the City of Fairfield, Ohio, as amended. During the term of this AGREEMENT, LICENSEE shall, at LICENSEE'S sole cost and expense, maintain the Encroachment Area and any improvements on the Encroachment Area in good condition and in compliance with any applicable requirements of law. The CITY shall be the sole judge of the quality of the construction and maintenance and, upon written notice of the CITY stating in general terms how and in what manner maintenance is required, LICENSEE shall be required to perform such maintenance. If LICENSEE fails to do so, then the CITY shall have the right to perform such maintenance, the full and complete cost of which shall be borne by LICENSEE. LICENSEE agrees to reimburse the CITY its full cost and expense for any such maintenance.

SECTION ELEVEN - INDEMNIFICATION. To the fullest extent permitted by law, LICENSEE agrees to indemnify, defend and save the CITY, its officers, agents, servants, employees, boards and commissions harmless from and against:

A. Any and all claims, loss or damage (including reasonable attorneys' fees) to LICENSEE'S encroaching improvements or any property belonging to or rented by LICENSEE, its officers, servants, agents or employees, which may be stolen, destroyed, or in any way damaged by any cause.

B. Any claims, suits, judgments, costs, attorneys' fees, loss, liability, damage or other relief, including but not limited to workers' compensation claims, to any person or property in any way resulting from or arising out of the existence of this AGREEMENT or the existence, maintenance, use or location of LICENSEE'S encroaching improvements within the Right of Way. In the event of any action against the CITY, its officers, agents, servants, employees, boards or commissions covered by the foregoing duty to indemnify, defend and hold harmless, such action shall be defended by legal counsel of the CITY'S choosing.

C. Any loss, liability, claim or suit arising from the foreclosure, or attempted foreclosure, of a mechanic's or materialmen's lien for goods delivered to LICENSEE or work performed by or for LICENSEE upon or at the Encroachment Area or Licensee's property. Such indemnification shall include the CITY'S reasonable attorneys' fees incurred in connection with any such loss, claim or suit. The provisions of this paragraph shall survive any termination or expiration of this AGREEMENT.

SECTION TWELVE – NOTICES. Any notice required or permitted under this AGREEMENT shall be in writing and shall be sufficient if personally delivered or mailed by certified mail, return receipt requested, addressed as follows:

- A. If to the CITY:
City of Fairfield, Ohio

5350 Pleasant Avenue
 Fairfield, OH 45014
 Attention: Scott W. Timmer, City Manager

- B. If to LICENSEE:
 KOCH FOODS OF CINCINNATI, LLC
 1300 Higgins Road
 Park Ridge, Illinois 60068
 Attention: Todd Jurek, VP Supply Chain

Notices mailed in accordance with the provisions of this SECTION shall be deemed to have been given on the fifth business day following mailing. Notices personally delivered shall be deemed to have been given upon delivery.

SECTION THIRTEEN - GOVERNING LAW. This AGREEMENT shall be subject to and governed by the laws of Ohio. Venue for the resolution of any disputes or the enforcement of any rights arising out of or in connection with this AGREEMENT shall be in the Court of Common Pleas, Butler County, Ohio.

SECTION FOURTEEN – ASSIGNMENT. This AGREEMENT may not be assigned without the express written consent of each of the parties to this AGREEMENT.

SECTION FIFTEEN - ENTIRE AGREEMENT. This AGREEMENT and its exhibits constitute the entire agreement and understanding of the parties and supersedes any prior agreement or understanding relating to the subject matter of this AGREEMENT.

SECTION SIXTEEN – MODIFICATION. This AGREEMENT may be changed, modified or amended only by a duly authorized written instrument executed by both parties to this AGREEMENT.

SECTION SEVENTEEN - AUTHORITY OF THE CITY. This AGREEMENT is authorized pursuant to *[citation of statute]*, as amended.

The parties have executed this AGREEMENT this ____ day of _____, 2022.

CITY OF FAIRFIELD, OHIO

KOCH FOODS OF CINCINNATI, LLC

By: _____
 Scott W. Timmer, City Manager

By: _____
 Todd Jurek
 Vice President Supply Chain

Exhibit A

File # 2022-00001510

Page: 7 of 7

BK 9791 PG 1354

Exhibit A

Legal Description

LEGAL DESCRIPTION

18.771 ACRES

Situated in Section 16, Town 2, Range 2, BTM, being Part of Lot 7304, City of Fairfield, Butler County, Ohio, and being part of the lands conveyed to Port Union Farms, Inc. in DB 1366 Page 288, the boundary of which being more particularly described as follows:

Beginning at a found 5/8" iron pin found at the northeast corner of Lot 14146 of Fairfield Commerce Center East, Section Five, as recorded in OR 9330 Page 1506;

Thence along the south line of a 29.460 acre tract conveyed to Duke Realty, Ohio in OR 7985 Page 587, S74°06'34"E, a distance of 467.71 feet to the northwest corner of a 17.022 acre tract conveyed to LIT Industrial LTD, in OR 9060 Page 1630 witness a found 5/8" iron pin lying 0.5 feet south and 0.4 feet west;

Thence along the west line of said 17.022 acre tract and in part along the west line of Lot 14057, S01°17'25"W, a distance of 1222.71 feet to the northeast corner of Lot 14075 of the replat of Part Lot 7304 and Lot 14058 Fairfield Commerce Center East Section One-A as recorded in OR 8511 Page 1288, witness a found 5/8" iron pin lying 0.3 west;

Thence along the north line of said Lot 14075, N88°42'33"W, a distance of 807.07 feet to the southwest corner of Lot 14074 of Fairfield Commerce Center East Section Four as recorded in OR 8511 Page 2350 witness a found 5/8" iron pin lying 0.4 feet west;

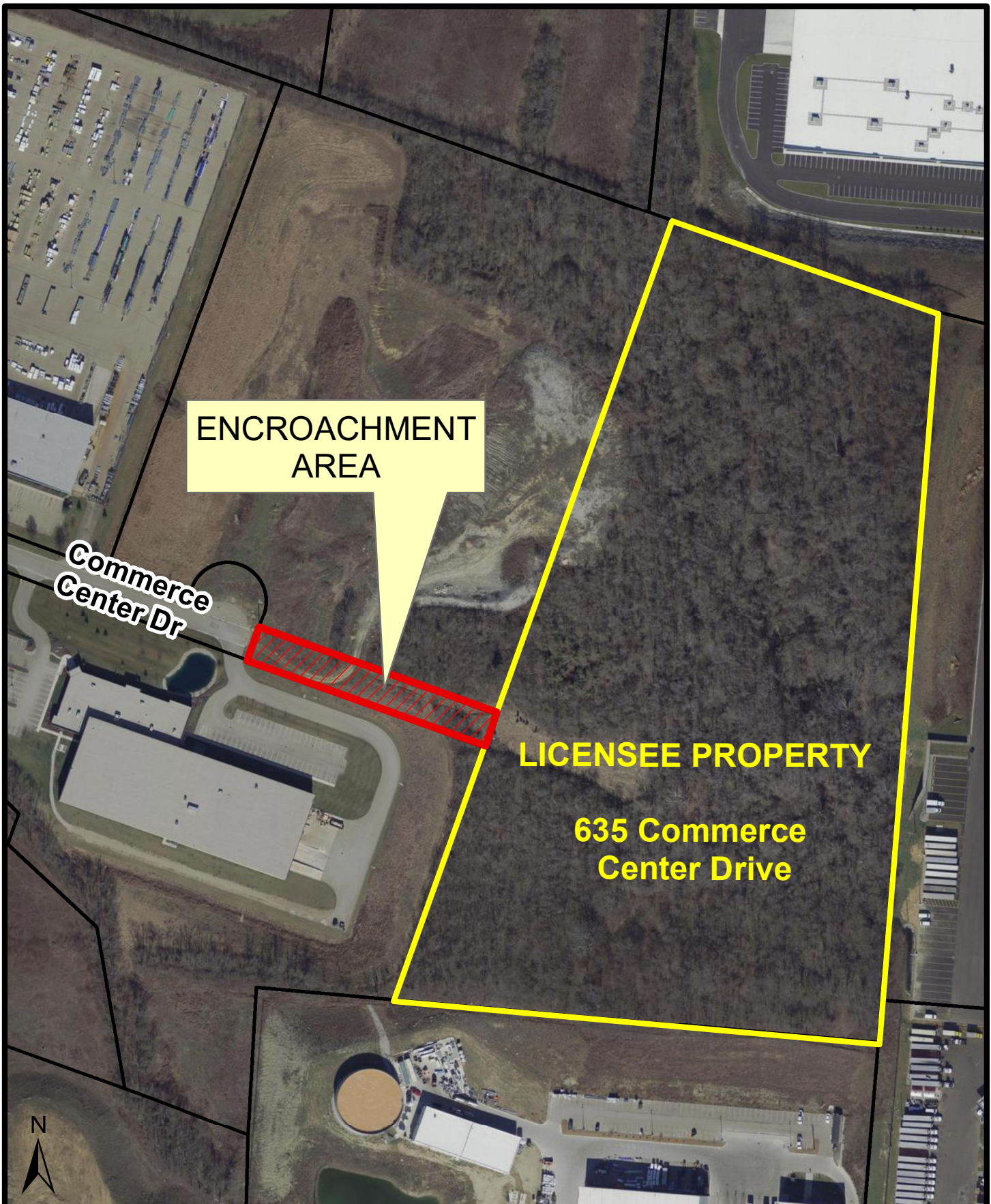
Thence along the east line of said Lot 14074 and the east line of the aforesaid Lot 14146, N16°06'02"E, a distance of 1386.66 feet to the Point of Beginning.

Containing 18.771 acres, more or less, and being subject to easements, restrictions and rights of way of record.

The above description is based on a field survey performed by The Kleingers Group under the direct supervision of Randy C. Wolfe, Ohio Professional Surveyor No. 8033.

EXHIBIT B

Right of Way Encroachment Area



Attachment: Encroachment License Merged - Koch Foods v2 (3375 : Koch Foods Right-of-Way Encroachment License)

RESOLUTION NO. _____

RESOLUTION TO AUTHORIZE THE CITY MANAGER TO EXECUTE A RIGHT-OF-WAY ENCROACHMENT LICENSE AND MAINTENANCE AGREEMENT WITH KOCH FOODS OF CINCINNATI, LLC PERMITTING INSTALLATION AND MAINTENANCE OF PHYSICAL IMPROVEMENTS WITHIN THE EXISTING RIGHT-OF-WAY OF COMMERCE CENTER DRIVE AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary for Koch Foods to construct and operate facilities in the public right-of-way of Commerce Center Drive for the benefit of its expanded business operations; and

WHEREAS, an appropriate agreement has been prepared to permit such use of the public right-of-way.

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

Section 1. The City Manager is hereby authorized to execute a Right-of-Way Encroachment License and Maintenance Agreement with Koch Foods of Cincinnati, LLC permitting installation and maintenance of physical improvements within the existing right-of-way of Commerce Center Drive in accordance with the agreement on file in the office of the City Manager.

Section 2. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare and for the urgent benefit and protection of the City and its inhabitants for the reason that the company can proceed with its aggressive development schedule; wherefore, this Resolution shall take effect immediately upon its passage.

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

Attachment: Koch Foods-Res (3375 : Koch Foods Right-of-Way Encroachment License)

ATTEST:

Clerk of Council

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

Clerk of Council

Active Clients\City of Fairfield\Ordinances\2022\Koch Foods-Res

Attachment: Koch Foods-Res (3375 : Koch Foods Right-of-Way Encroachment License)



City Council Action Item
Regular Meeting - December 5, 2022

Submitted by: Alisha Wilson, Clerk

Submitting Department: Clerk

Subject:

RossmarY Liquor Permit

Legislation Title:

Simple Motion: Motion to not request a hearing regarding a liquor permit application in the name of RossmarY LLC dba Jiffy Mart, 5353 Dixie Highway, Unit F, Fairfield, OH 45014 (Permit Class C1, C2 & D6).

Recommendation:

It is recommended that City Council request, by simple motion, that **no hearing be held** on the liquor permit application in the name of RossmarY LLC dba Jiffy Mart, 5353 Dixie Highway, Unit F, Fairfield, OH 45014 (Permit Class C1, C2 & D6).

Background/Synopsis: The City of Fairfield is in receipt of an application from the Ohio Division of Liquor Control for a C1, C2 & D6 permit for the above liquor permit applicant. Background checks from the Building and Zoning Division and Police Department are attached for Council and staff's review.

Financial Impact: No financial impact.

Rule Suspension Requested:

Emergency Provision Needed:

Attachments:

1. RossmarY.LiquorPermit

**DEPARTMENTAL
CORRESPONDENCE**

TO: Steve Maynard, Police Chief
Greg Kathman, Development Services Director

FROM: Alisha Wilson, Clerk of Council

DATE: November 14, 2022

SUBJECT: REQUEST FOR BACKGROUND CHECK – LIQUOR PERMIT

Attached is a liquor permit application in the name of Rossmary LLC dba Jiffy Mart, 5353 Dixie Highway, Unit F, Fairfield, OH 45014 (Permit Classes: C1, C2 & D6).

Please complete the necessary background check and submit your findings to me **no later than 11:00 AM on Monday, December 5, 2022** for the item to be added to Council's Regular Meeting agenda of Monday, December 12, 2022. If you are unable to meet this deadline, please let me know as soon as possible so that I may request a 30-day extension.

Thank you for your assistance.

c: Scott Timmer, City Manager
File

Attachment: Rossmary Liquor Permit (3387 : Rossmary Liquor Permit)

NOTICE TO LEGISLATIVE
AUTHORITYOHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

7534820		TRFO		ROSSMARY LLC DBA JIFFY MART 5353 DIXIE HWY UNIT F FAIRFIELD OHIO 45014
PERMIT NUMBER		TYPE		
06	01	2019		
ISSUE DATE				
11	08	2022		
FILING DATE				
C1	C2	D6		
PERMIT CLASSES				
09	011	A	F28700	
TAX DISTRICT		RECEIPT NO.		

FROM 11/10/2022

9122545				TWO AMERICAN BROTHERS LLC DBA JIFFY MART 5353 DIXIE HWY UNIT F FAIRFIELD OHIO 45014
PERMIT NUMBER		TYPE		
06	01	2019		
ISSUE DATE				
11	08	2022		
FILING DATE				
C1	C2	D6		
PERMIT CLASSES				
09	011			
TAX DISTRICT		RECEIPT NO.		



MAILED 11/10/2022

RESPONSES MUST BE POSTMARKED NO LATER THAN. 12/12/2022

IMPORTANT NOTICEPLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

A TRFO 7534820

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title) - ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council☐ Township Fiscal OfficerCLERK OF FAIRFIELD CITY COUNCIL
5350 PLEASANT AV
FAIRFIELD OHIO 45014



Department of Commerce

Rev 2/10/2021

12.B.1.a

Mike DeWine, Governor
Jon Husted, Lt. Governor

Division of Liquor Control
Sheryl Maxfield, Director

Dear Local Legislative Authority Official:

Please find enclosed the legislative notice that is being sent to you regarding the applied for liquor permit as captioned on the notice. You **must**, within 30 days from the "mailed" date listed on the notice under the bar code:

- Notify the Division whether you object and want a hearing; or
- Ask for your one-time only, 30-day extension.
 - Any requests for a one-time, 30-day extension will be reviewed by the Division upon timely receipt. If granted, your additional 30-days runs from the expiration of the original 30-day period.

To be considered **timely**, your above response **must** be faxed, emailed, or mailed to the Division no later than the postmark deadline date given on the form. To speed up processing times and reduce paper, the Division respectfully asks that you either fax or email your response. Please send your response to:

FAX: (614) 644 – 3166

EMAIL: LiquorLicensingMailUnit@com.state.oh.us

MAIL: Ohio Division of Liquor Control
Attn: Licensing Unit
6606 Tussing Road
PO Box 4005
Reynoldsburg, Ohio 43068-9005

Please note that the Division is no longer sending ownership information with this legislative notice. If you want to know who owns the applied for permit you can find that information in two ways:

- Go to https://www.comapps.ohio.gov/liqr/liqr_apps/PermitLookup/PermitHolderOwnership.aspx and enter the permit number listed on the legislative notice; or
- Contact your police department or your county sheriff if you are a township fiscal officer or county clerk. The Division sends the applicable law enforcement agency the pertinent ownership information when it notifies them of the permit application.

Thank you in advance for your cooperation,

Division Licensing Section

Licensing Section
6606 Tussing Road
Reynoldsburg, OH 43068-9009

Fax 614-728-1281
TTY/TDD 800-750-0750
com.ohio.gov

An Equal Opportunity Employer and Service Provider

Attachment: Rossmory.LiquorPermit (3387 : Rossmory Liquor Permit)

FAIRFIELD

O H I O

DEPARTMENTAL CORRESPONDENCE

Date: 11/15/2022

To: Alisha Wilson, Clerk of Council

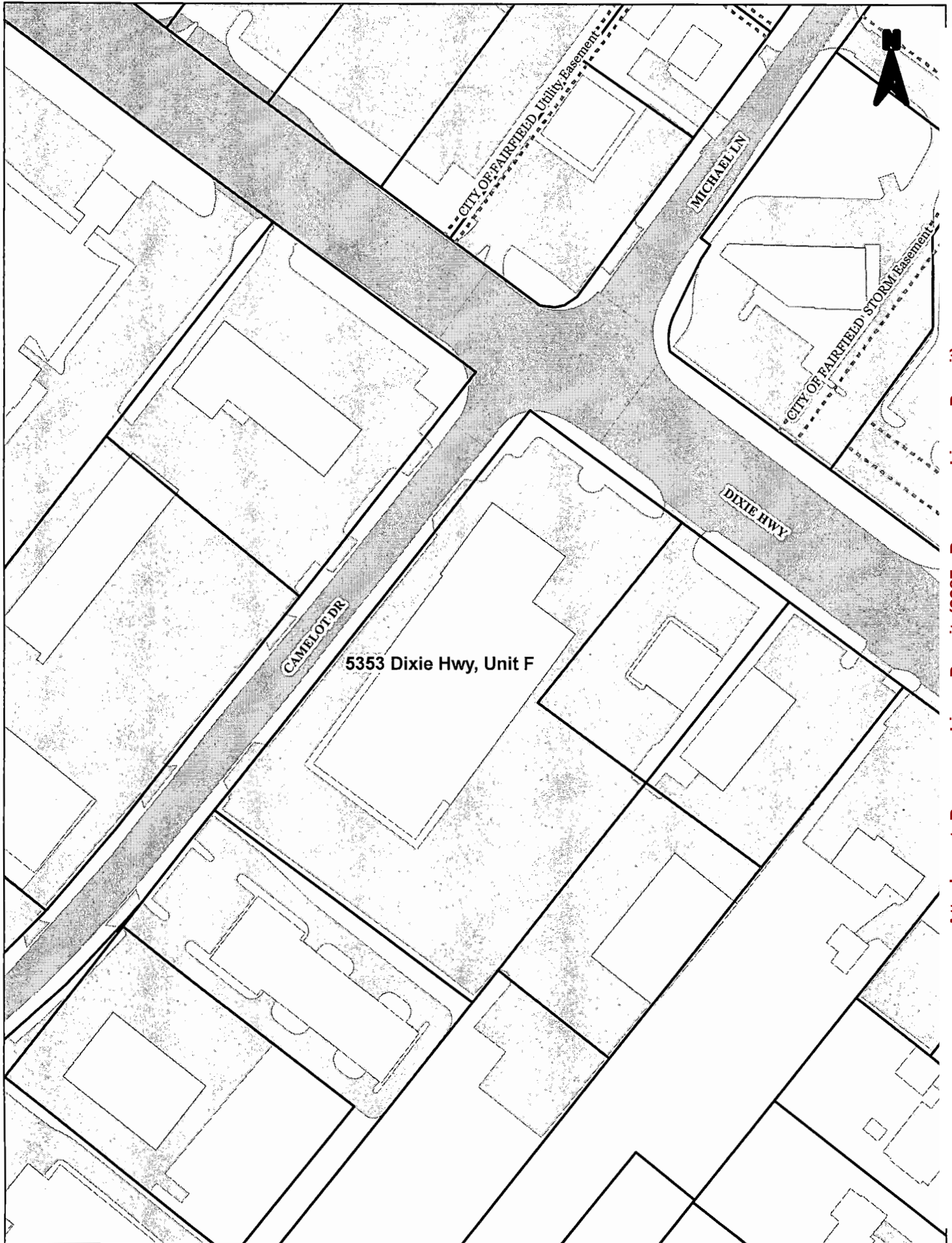
From: Greg Kathman, Development Services Director



Subject: Liquor Permit Application

The business at 5353 Dixie Hwy, Unit F in the name of Rossmory LLC and doing business as Jiffy Mart, is in the C-3-A, General Business District Modified. A retail store is a permitted use within the C-3A zoning district. The consumption of alcohol on-site would require Conditional Use approval from the Planning Commission.

Attachment: Rossmory.LiquorPermit (3387 : Rossmory Liquor Permit)



Attachment: Rossmary.LiquorPermit (3387 : Rossmary Liquor Permit)

NAME OF ESTABLISHMENT Rossmory LLC

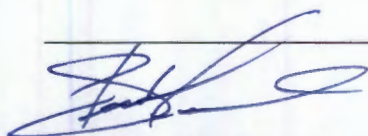
ADDRESS dba Jiffy Mart

5353 Dixie Highway, Unit F

Fairfield, OH 45014

- | | YES | NO |
|---|--------------------------|-------------------------------------|
| 1. Is there a conviction record of the applicant, any partner, member, officer director, manager or any shareholder owning 5% or more of the capital stock, for felonies or other crimes relating to his ability to operate a liquor establishment? | ☐ | ☒ |
| 2. Is there a prior unfavorable enforcement record of applicant and/or operation in disregard for laws, regulations or local ordinances? | ☐ | ☒ |
| 3. Is there misrepresentation of material fact by applicant in making application to the Department? | ☐ | ☒ |
| 4. Is there an inability of law enforcement authorities and of authorized agents of the Department to gain ready entrance to the permit premise; or location of permit premise at such distance from the road or street as to be isolated from police or other observation? | ☐ | ☒ |
| 5. Will the place substantially and adversely interfere with the public decency, sobriety, peace, or good order of the neighborhood in which it is located? | ☐ | ☒ |
| 6. Will the place substantially and adversely interfere with the normal orderly conduct of a church, library, public playground, school or township park? | ☐ | ☒ |
| 7. Will the granting or transferring of a permit substantially interfere with the morals, safety, or welfare of the public? | ☐ | ☒ |
| 8. Will there be adverse effects of saturation of the area in relation to the number of existing permits, and will there be any adverse conditions in the area? | ☐ | ☒ |

REMARKS:



Stephen B. Maynard
Chief of Police

HEARING REQUESTED: Yes ☐ No ☒

Date: November 30, 2022

Attachment: Rossmory.LiquorPermit (3387 : Rossmory Liquor Permit)



City Council Ordinance
Regular Meeting - December 5, 2022

Submitted by: Laurie Murphy,
 Submitting Department: City Manager's Office

Subject:

Unclassified Service Pay Plan

Legislation Title:

Ordinance establishing salaries for certain exempt and salaried employees of the City of Fairfield, Ohio, to repeal Ordinance No. 34-22 and all amendments thereto and declaring an emergency.

Recommendation:

It is jointly recommended by the City Manager's Office and Finance Director that City Council approve this Ordinance and eliminate the recently vacated position of Financial Services Manager from the Unclassified Pay Plan; reassign the substantive duties of the eliminated position to the Utility Collections Supervisor and Accounting Supervisor; reclassify the positions of Utility Collections Supervisor and Accounting Supervisor in Pay Grade 9 based on a re-point factoring of the positions due to the assignment of additional substantive duties; re-establish the unclassified position of Accountant in Pay Grade 6; and authorize the City Manager to fill the Accountant position.

Background/Synopsis:

This Ordinance is to approve the restructuring of the Finance Department due to the resignation of the Financial Services Manager. An evaluation was conducted to assess the operational needs and demands of the department in order to create efficiencies and meet organizational goals. As noted in the Ordinance, the restructuring of the Department would eliminate the Financial Services Manager position from the Unclassified Pay Plan and re-distribute the essential duties and responsibilities of that position to the Utility Collections Supervisor and Accounting Supervisor. This distribution of additional substantive duties and review of comparable positions warrants a re-point factoring and reclassification of the Utility Collections Supervisor and Accounting Supervisor positions to Pay Grade 9. Incumbent employees will receive equity adjustments based on additional duties and responsibilities. Re-establishing the Accountant position fills the departmental needs to have a position in a lower classification that will assist the Department with accounting, auditing and financial functions and serve as designated assistant and back-up to the Payroll Administrator. The maximum range of Pay Grade 6 is \$79,956.24.

The number of positions in the Finance Department will remain unchanged.

A review was conducted of a Construction Superintendent position in the Public Works Department. The position will be reclassified due to removal of certain duties and responsibilities to better align with the Departmental goals. The position title will be re-named to Construction

Manager and the position re-point factored in Pay Grade 8.

Financial Impact:

Funding was requested in the proposed 2023 operating budget for the Financial Services Manager position which is in Pay Grade 10. The former employee was earning \$86,665 when she resigned. The Pay Grade has a maximum range of \$110,441.88. Based on market considerations, it is anticipated a new hire Accountant will earn approximately \$60,000, which is a \$26,665 reduction in personnel wage costs. Estimated equity increases will potentially add approximately \$8,300. Thus, the net savings associated with the restructure of the Department is over \$18,000.

Funding was requested for the position of Engineer in Pay grade 8 and the position will not be filled at this time. Since the Construction Manager will now also be in Pay Grade 8, there is a negative financial impact to budget.

Emergency Provision Explanation:

It is recommended that City Council approve this Ordinance, suspending the rules and declaring an emergency, to allow for the expeditious implementation of the Finance Department restructure due to the resignation of the Financial Services Manager and reclassification of the Construction Superintendent position in the Public Utilities Department for reasons of alignment with Departmental goals and operational efficiency.

Rule Suspension Requested:

Yes

Emergency Provision Needed:

Yes

Attachments:

1. ORDINANCE- Finance Department Re-organization 2022
2. Unclassified Service Pay Plan Position List 12-5-22 Agenda

ORDINANCE NO. _____

ORDINANCE ESTABLISHING SALARIES FOR CERTAIN EXEMPT AND
SALARIED EMPLOYEES OF THE CITY OF FAIRFIELD, OHIO, TO REPEAL
ORDINANCE NO, 34-22 AND ALL AMENDMENTS THERETO AND
DECLARING AN EMERGENCY.

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

- Section 1. Ordinance No. 34-22, 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 shown.
- 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 increases, achievement awards and equity pay adjustments for employees within the job classifications listed on the Unclassified Service Pay Structure attached, within the confines of the ranges shown. Such pay adjustments shall not exceed a total of \$135,000.00. 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 for the reason that the changes to the Unclassified Service Pay Plan, Position List 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

**UNCLASSIFIED SERVICE PAY PLAN
POSITION LIST**

Pay Grade	Position Title	Annual Minimum	Annual Maximum
1	Secretary to Mayor	\$39,312.00	\$57,002.40
2	Parks & Recreation Coordinator (3) Secretary to Director of Development Services Secretary to Director of Public Utilities	\$42,063.84	\$60,999.12
3	Administrative Assistant Clerk of Council (FT) EMS Privacy Officer Help Desk Technician	\$45,012.24	\$65,257.92
4	Payroll Administrator	\$48,157.20	\$69,822.48
5	G.I.S. Analyst Human Resources Coordinator	\$51,520.56	\$74,714.64
6	ACCOUNTANT Code Enforcement Supervisor Golf Course Superintendent Landscape Coordinator Network Analyst Parks & Recreation Manager (2) Tax Analyst (2)	\$55,146.00	\$79,956.24
7	[Accounting Supervisor] CALEA Accreditation Manager Golf Operations Manager Juvenile Diversion Counselor Risk/Safety Coordinator Senior Network Analyst [Utility Collections Supervisor]	\$58,989.84	\$85,547.28
8	Communications Manager CONSTRUCTION MANAGER Neighborhood Development Manager Engineer	\$63,117.60	\$91,531.44
9	ACCOUNTING SUPERVISOR [Construction Superintendent] Economic Development Manager Fleet/Facilities Superintendent Income Tax Administrator Planning Manager Parks & Recreation Superintendent (2) Streets & Grounds Superintendent UTILITY COLLECTION SUPERVISOR	\$68,184.48	\$102,254.88
10	City Engineer [Financial Services Manager] Human Resources Manager Information Technology Manager	\$73,622.64	\$110,444.88

Attachment: Unclassified Service Pay Plan Position List 12-5-22 Agenda (3381 : Unclassified Service Pay Plan)

11	Superintendent of Building Inspection and Zoning Superintendent of Public Utilities - Field Operations Superintendent of Public Utilities - Treatment	\$79,519.44	\$119,290.08
12	Deputy Fire Chief (2) Major/Deputy Police Chief (3)	\$85,874.88	\$128,834.16
13	Director of Development Services Director of Finance Director of Parks and Recreation Director of Public Utilities Director of Public Works Fire Chief Police Chief	\$92,754.48	\$139,120.80
14	Assistant City Manager	\$100,180.08	\$150,259.20



City Council Ordinance
Regular Meeting - December 5, 2022

Submitted by: Chris Hacker,
 Submitting Department: Finance

Subject:

2023 Annual Operating Budget

Legislation Title:

An Ordinance to make estimated appropriations for the expenses and expenditures of the City of Fairfield, Ohio during the period beginning January 1, 2023, through December 31, 2023.

Recommendation:

Background/Synopsis:

The proposed budget represents this coming year's plan for generating revenues and funding expenditures sufficient to implement specific programs, functions, and activities during the 2023 fiscal year. The budget is the City's primary fiscal planning document. Its major goal is to provide sound fiscal administration.

Financial Impact:

City expenditures, which include the departmental budgets, debt service and fund transfers as contained in the 2023 Operating Budget presented at the Council-Manager Briefings on October 24, and November 14, 2022, total \$88,399,546. Revisions were made reducing expenditures in Street Construction, Maintenance and Repair (-\$512,620), Golf Operations, (-\$197,500), and Golf Maintenance (-\$225,000), a \$935,120 total reduction. The total expenditures with the revisions are \$87,464,426, and estimated revenues for this period total \$102,030,744.

Emergency Provision Explanation:

N/A

Rule Suspension Requested:

Yes

Emergency Provision Needed:

No

Attachments:

1. 4-2023_AppropriationOrdinance_Binder_Revised

Ordinance Number -

AN ORDINANCE TO MAKE ESTIMATED APPROPRIATIONS FOR THE EXPENSES AND OTHER EXPENDITURES OF THE CITY FAIRFIELD, OHIO DURING THE PERIOD BEGINNING JANUARY 1, 2023 AND ENDING DECEMBER 31, 2023.

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

Section 1. That to provide for the estimated expenses and other expenditures of the City of Fairfield, Ohio during the beginning January 1, 2023 and ending December 31, 2023, the following sums are hereby set aside and appropriated as follows, TO WIT:

Section 2. That sums are hereby appropriated from the various funds of the City to accounts of the City for the purposes therein described as follows:

FROM: UNAPPROPRIATED FUND 100 - GENERAL FUND		34,645,662.00
TO: 110 CITY COUNCIL		232,081.00
Personnel	207,706.00	
Other	24,375.00	
TO: 115 MAYOR		20,324.00
Personnel	11,324.00	
Other	9,000.00	
TO: 120 CITY MANAGER		657,509.00
Personnel	619,059.00	
Other	38,450.00	
TO: 125 GENERAL SERVICES		5,852,507.00
Personnel	67,437.00	
Other	5,785,070.00	
TO: 130 LAW DIRECTOR		584,100.00
Personnel	500.00	
Other	583,600.00	
TO: 145 HUMAN RESOURCES		422,287.00
Personnel	267,487.00	
Other	154,800.00	
TO: 150 PLANNING & ECONOMIC DEVL		634,202.00
Personnel	573,202.00	
Other	61,000.00	
TO: 155 BUILDING & ZONING INSPECTION		917,977.00
Personnel	818,747.00	
Other	99,230.00	
TO: 160 SPECIAL APPROPRIATION		0.00
Personnel	0.00	
Other	0.00	
TO: 210 FINANCE ADM & ACCOUNTING		751,072.00
Personnel	715,827.00	
Other	35,245.00	
TO: 211 INCOME TAX		742,071.00

	Personnel	639,071.00	
	Other	103,000.00	
TO: 213	INFORMATION TECHNOLOGY		675,803.00
	Personnel	589,753.00	
	Other	86,050.00	
TO: 310	POLICE		15,002,365.00
	Personnel	13,897,565.00	
	Other	1,104,800.00	
TO: 315	MUNICIPAL COURT		1,934,605.00
	Personnel	1,617,905.00	
	Other	316,700.00	
TO: 316	JUSTICE CENTER		989,000.00
	Personnel	0.00	
	Other	989,000.00	
TO: 410	PUBLIC WORKS ADMINISTRATION		1,016,924.00
	Personnel	824,824.00	
	Other	192,100.00	
TO: 412	MUNICIPAL BUILDING		450,593.00
	Personnel	237,439.00	
	Other	213,154.00	
TO: 510	PARKS & RECREATION ADM		1,908,491.00
	Personnel	1,186,891.00	
	Other	721,600.00	
TO: 512	PARKS MAINTENANCE OPERATIONS		1,853,751.00
	Personnel	1,091,751.00	
	Other	762,000.00	
TO: 513	MARSH PARK FISHING LAKE		0.00
	Personnel	0.00	
	Other	0.00	
TO: 530	COMMUNITY ARTS CENTER		0.00
	Personnel	0.00	
	Other	0.00	
	TOTAL GENERAL FUND		<u><u>34,645,662.00</u></u>

FROM: UNAPPROPRIATED FUND 201 - STREET CONST, MAINT & REPAIR		<u><u>3,446,795.00</u></u>
TO: 420	STREETS & TRANSPORTATION	3,446,795.00
	Personnel	1,766,760.00
	Other	1,680,035.00
	TOTAL STREET CONST, MAINT & REPAIR	<u><u>3,446,795.00</u></u>

FROM: UNAPPROPRIATED FUND 202 - STATE HIGHWAY IMP		<u><u>152,175.00</u></u>
TO: 420	STREETS & TRANSPORTATION	152,175.00
	Personnel	152,175.00
	Other	0.00

TOTAL STATE HIGHWAY IMP		152,175.00	
FROM: UNAPPROPRIATED FUND 203 - FIRE LEVY			11,301,823.00
TO: 320	FIRE SUPPRESSION		11,301,823.00
	Personnel	10,150,434.00	
	Other	1,151,389.00	
TO: 330	PARAMEDIC PREVENTION		0.00
	Personnel	0.00	
	Other	0.00	
TOTAL FIRE LEVY		11,301,823.00	
FROM: UNAPPROPRIATED FUND 205 - COUNTY MOTOR VEHICLE			0.00
TO: 160	SPECIAL APPROPRIATION		0.00
	Personnel	0.00	
	Other	0.00	
TO: 160	SPECIAL APPROPRIATIONS		0.00
	Personnel	0.00	
	Other	0.00	
TOTAL COUNTY MOTOR VEHICLE		0.00	
FROM: UNAPPROPRIATED FUND 206 - TAX RECREATION			0.00
TO: 160	SPECIAL APPROPRIATIONS		0.00
	Personnel	0.00	
	Other	0.00	
TOTAL TAX RECREATION		0.00	
FROM: UNAPPROPRIATED FUND 211 - LAW ENFORCEMENT			30,000.00
TO: 310	POLICE		30,000.00
	Personnel	0.00	
	Other	30,000.00	
TOTAL LAW ENFORCEMENT		30,000.00	
FROM: UNAPPROPRIATED FUND 212 - MUNICIPAL MOTOR VEHICLE			329,713.00
TO: 420	STREETS & TRANSPORTATION		329,713.00
	Personnel	329,713.00	
	Other	0.00	
TOTAL MUNICIPAL MOTOR VEHICLE		329,713.00	
FROM: UNAPPROPRIATED FUND 213 - LAW ENFORCEMENT & EDU			30,000.00
TO: 310	POLICE		30,000.00

Personnel	0.00	
Other	30,000.00	
TOTAL LAW ENFORCEMENT & EDU	<u>30,000.00</u>	
FROM: UNAPPROPRIATED FUND 214 - DRUG & ALCOHOL TREATMENT		<u>40,000.00</u>
TO: 315 MUNICIPAL COURT	40,000.00	
Personnel	0.00	
Other	40,000.00	
TOTAL DRUG & ALCOHOL TREATMENT	<u>40,000.00</u>	
FROM: UNAPPROPRIATED FUND 215 - LOCAL LAW ENFORCE BLOCK		<u>0.00</u>
TO: 160 SPECIAL APPROPRIATION	0.00	
Personnel	0.00	
Other	0.00	
TO: 310 POLICE	0.00	
Personnel	0.00	
Other	0.00	
TOTAL LOCAL LAW ENFORCE BLOCK	<u>0.00</u>	
FROM: UNAPPROPRIATED FUND 216 - PROBATION SERVICES		<u>520,924.00</u>
TO: 315 MUNICIPAL COURT	520,924.00	
Personnel	434,424.00	
Other	86,500.00	
TOTAL PROBATION SERVICES	<u>520,924.00</u>	
FROM: UNAPPROPRIATED FUND 217 - COURT COMPUTER		<u>130,000.00</u>
TO: 315 MUNICIPAL COURT	130,000.00	
Personnel	0.00	
Other	130,000.00	
TOTAL COURT COMPUTER	<u>130,000.00</u>	
FROM: UNAPPROPRIATED FUND 218 - SPECIAL PROJECTS		<u>147,919.00</u>
TO: 315 MUNICIPAL COURT	147,919.00	
Personnel	79,919.00	
Other	68,000.00	
TOTAL SPECIAL PROJECTS	<u>147,919.00</u>	
FROM: UNAPPROPRIATED FUND 219 - MEDIATION SERVICES		<u>5,000.00</u>
TO: 315 MUNICIPAL COURT	5,000.00	

Personnel	0.00	
Other	5,000.00	
TOTAL MEDIATION SERVICES	<u>5,000.00</u>	
FROM: UNAPPROPRIATED FUND 220 - TAX INCREMENT EQUIVALENT		<u>1,000.00</u>
TO: 160 TAX INCREMENT EQUIVALENT	1,000.00	
Personnel	0.00	
Other	1,000.00	
TOTAL TAX INCREMENT EQUIVALENT	<u>1,000.00</u>	
FROM: UNAPPROPRIATED FUND 221 - INDIGENT DRIVER INTERLOCK		<u>20,000.00</u>
TO: 315 INDIGENT DRIVER INTERLOCK	20,000.00	
Personnel	0.00	
Other	20,000.00	
TOTAL INDIGENT DRIVER INTERLOCK	<u>20,000.00</u>	
FROM: UNAPPROPRIATED FUND 301 - GENERAL BOND RETIREMENT		<u>1,009,280.00</u>
TO: 160 SPECIAL APPROPRIATION	1,009,280.00	
Personnel	0.00	
Other	1,009,280.00	
TOTAL GENERAL BOND RETIREMENT	<u>1,009,280.00</u>	
FROM: UNAPPROPRIATED FUND 401 - STREET IMPROVEMENT		<u>1,016,430.00</u>
TO: 160 SPECIAL APPROPRIATION	1,016,430.00	
Personnel	0.00	
Other	1,016,430.00	
TOTAL STREET IMPROVEMENT	<u>1,016,430.00</u>	
FROM: UNAPPROPRIATED FUND 402 - CAPITAL IMPROVEMENT		<u>826,350.00</u>
TO: 160 SPECIAL APPROPRIATION	826,350.00	
Personnel	0.00	
Other	826,350.00	
TOTAL CAPITAL IMPROVEMENT	<u>826,350.00</u>	
FROM: UNAPPROPRIATED FUND 407 - WATER EXPANSION		<u>5,000.00</u>
TO: 160 SPECIAL APPROPRIATION	5,000.00	
Personnel	0.00	
Other	5,000.00	
TOTAL WATER EXPANSION	<u>5,000.00</u>	

FROM: UNAPPROPRIATED FUND 408 - SEWER EXPANSION		10,000.00
TO: 160 SPECIAL APPROPRIATION	10,000.00	
Personnel	0.00	
Other	10,000.00	
TOTAL SEWER EXPANSION	10,000.00	

FROM: UNAPPROPRIATED FUND 409 - FLOOD PROTECTION		0.00
TO: 160 SPECIAL APPROPRIATION	0.00	
Personnel	0.00	
Other	0.00	
TOTAL FLOOD PROTECTION	0.00	

FROM: UNAPPROPRIATED FUND 410 - STATE ISSUE I		10,000.00
TO: 160 SPECIAL APPROPRIATION	10,000.00	
Personnel	0.00	
Other	10,000.00	
TOTAL STATE ISSUE I	10,000.00	

FROM: UNAPPROPRIATED FUND 411 - DOWNTOWN DEVELOPMENT		0.00
TO: 160 SPECIAL APPROPRIATION	0.00	
Personnel	0.00	
Other	0.00	
TOTAL DOWNTOWN DEVELOPMENT	0.00	

FROM: UNAPPROPRIATED FUND 413 - PARK DEVELOPMENT FUND		0.00
TO: 160 SPECIAL APPROPRIATION	0.00	
Personnel	0.00	
Other	0.00	
TOTAL PARK DEVELOPMENT FUND	0.00	

FROM: UNAPPROPRIATED FUND 501 - SPECIAL ASSESSMENT		299,808.00
TO: 160 SPECIAL APPROPRIATION	299,808.00	
Personnel	0.00	
Other	299,808.00	
TOTAL SPECIAL ASSESSMENT	299,808.00	

FROM: UNAPPROPRIATED FUND 601 - WATER REVENUE		7,516,556.00
TO: 212 UTILITY COLLECTION	367,184.00	

	Personnel	207,696.00	
	Other	159,488.00	
TO: 610	PUBLIC UTILITY ADMINISTRATION		223,919.00
	Personnel	101,669.00	
	Other	122,250.00	
TO: 611	WATER SUPERVISION		968,830.00
	Personnel	344,952.00	
	Other	623,878.00	
TO: 612	WATER PUMPING TREATMENT		2,455,850.00
	Personnel	1,047,150.00	
	Other	1,408,700.00	
TO: 613	WATER DISTRIBUTION & MAINT		1,430,023.00
	Personnel	905,833.00	
	Other	524,190.00	
TO: 619	WATER DEBT SERVICE		2,070,750.00
	Personnel	0.00	
	Other	2,070,750.00	
	TOTAL WATER REVENUE		<u>7,516,556.00</u>
FROM: UNAPPROPRIATED FUND 602 - WATER BOND & INTEREST			<u>1,320,750.00</u>
TO: 619	WATER DEBT SERVICE	1,320,750.00	
	Personnel	0.00	
	Other	1,320,750.00	
	TOTAL WATER BOND & INTEREST		<u>1,320,750.00</u>
FROM: UNAPPROPRIATED FUND 603 - WATER BOND REDEMPTION			<u>0.00</u>
TO: 619	WATER DEBT SERVICE	0.00	
	Personnel	0.00	
	Other	0.00	
	TOTAL WATER BOND REDEMPTION		<u>0.00</u>
FROM: UNAPPROPRIATED FUND 604 - WATER REPLACEMENT & IMP			<u>10,000.00</u>
TO: 160	SPECIAL APPROPRIATION	10,000.00	
	Personnel	0.00	
	Other	10,000.00	
TO: 619	WATER DEBT SERVICE		0.00
	Personnel	0.00	
	Other	0.00	
	TOTAL WATER REPLACEMENT & IMP		<u>10,000.00</u>

FROM: UNAPPROPRIATED FUND 605 - WATER SURPLUS		5,000.00
TO: 160	SPECIAL APPROPRIATION	5,000.00
	Personnel	0.00
	Other	5,000.00
TOTAL WATER SURPLUS		5,000.00

FROM: UNAPPROPRIATED FUND 606 - WATER GUARANTEED TRUST		65,000.00
TO: 212	UTILITY COLLECTION	65,000.00
	Personnel	0.00
	Other	65,000.00
TOTAL WATER GUARANTEED TRUST		65,000.00

FROM: UNAPPROPRIATED FUND 620 - SEWER REVENUE		8,346,094.00
TO: 212	UTILITY COLLECTION	2,222,246.00
	Personnel	169,933.00
	Other	2,052,313.00
TO: 610	PUBLIC UTILITY ADMINISTRATION	184,269.00
	Personnel	101,669.00
	Other	82,600.00
TO: 621	SEWER SUPERVISION	1,181,692.00
	Personnel	520,152.00
	Other	661,540.00
TO: 622	SEWER PLANT	1,934,659.00
	Personnel	1,073,695.00
	Other	860,964.00
TO: 623	SEWER COLLECTION & MAINT	1,290,980.00
	Personnel	1,024,730.00
	Other	266,250.00
TO: 629	SEWER DEBT SERVICE	1,532,248.00
	Personnel	0.00
	Other	1,532,248.00
TOTAL SEWER REVENUE		8,346,094.00

FROM: UNAPPROPRIATED FUND 621 - SEWER BOND & INTEREST		532,248.00
TO: 629	SEWER DEBT SERVICE	532,248.00
	Personnel	0.00
	Other	532,248.00
TOTAL SEWER BOND & INTEREST		532,248.00

FROM: UNAPPROPRIATED FUND 622 - SEWER BOND REDEMPTION		0.00
TO: 629	SEWER DEBT SERVICE	0.00

Personnel	0.00	
Other	0.00	
TOTAL SEWER BOND REDEMPTION	<u>0.00</u>	
FROM: UNAPPROPRIATED FUND 623 - SEWER REPLACEMENT & IMP		201,536.00
TO: 160 SEWER REPLACEMENT & IMP	201,536.00	
Personnel	0.00	
Other	201,536.00	
TOTAL SEWER REPLACEMENT & IMP	<u>201,536.00</u>	
FROM: UNAPPROPRIATED FUND 624 - SEWER SURPLUS		20,000.00
TO: 160 SPECIAL APPROPRIATION	20,000.00	
Personnel	0.00	
Other	20,000.00	
TOTAL SEWER SURPLUS	<u>20,000.00</u>	
FROM: UNAPPROPRIATED FUND 630 - SOLID WASTE MANAGEMENT		2,634,190.00
TO: 212 UTILITY COLLECTION	0.00	
Personnel	0.00	
Other	0.00	
TO: 630 SOLID WASTE MANAGEMENT	2,634,190.00	
Personnel	0.00	
Other	2,634,190.00	
TOTAL SOLID WASTE MANAGEMENT	<u>2,634,190.00</u>	
FROM: UNAPPROPRIATED FUND 640 - RECREATIONAL FACILITIES		1,893,731.00
TO: 511 AQUATIC CENTER OPERATIONS	255,000.00	
Personnel	0.00	
Other	255,000.00	
TO: 514 AQUATIC CENTER DEBT	0.00	
Personnel	0.00	
Other	0.00	
TO: 515 GOLF PRO SHOP	771,580.00	
Personnel	315,180.00	
Other	456,400.00	
TO: 520 GOLF MAINTENANCE	867,151.00	
Personnel	384,624.00	
Other	482,527.00	
TOTAL RECREATIONAL FACILITIES	<u>1,893,731.00</u>	
FROM: UNAPPROPRIATED FUND 641 - RECREATION ACTIVITY		442,499.00
TO: 510 PARKS & RECREATION ADM	442,499.00	

Personnel	295,999.00	
Other	146,500.00	
TOTAL RECREATION ACTIVITY	442,499.00	
FROM: UNAPPROPRIATED FUND 702 - EMPLOYEES BENEFITS		7,270,000.00
TO: 160 SPECIAL APPROPRIATION	7,270,000.00	
Personnel	7,235,000.00	
Other	35,000.00	
TOTAL EMPLOYEES BENEFITS	7,270,000.00	
FROM: UNAPPROPRIATED FUND 705 - MUNICIPAL GARAGE SERVICES		1,188,342.00
TO: 430 FLEET MANAGEMENT	1,188,342.00	
Personnel	722,142.00	
Other	466,200.00	
TOTAL MUNICIPAL GARAGE SERVICES	1,188,342.00	
FROM: UNAPPROPRIATED FUND 706 - COMPENSATED LEAVE		0.00
TO: 160 COMPENSATED LEAVE	0.00	
Personnel	0.00	
Other	0.00	
TOTAL COMPENSATED LEAVE	0.00	
FROM: UNAPPROPRIATED FUND 707 - WEST CHESTER JEDD I		2,040,601.00
TO: 211 WEST CHESTER JEDD 1	2,040,601.00	
Personnel	0.00	
Other	2,040,601.00	
TOTAL WEST CHESTER JEDD I	2,040,601.00	
TOTAL APPROPRIATIONS		87,464,426.00

Section 3. That the Finance Director is hereby directed to make payment from any of the foregoing appropriations upon receiving proper certification and vouchers approved by board or officers authorized by law to approve the same or an ordinance or resolution of Council to make expenditures; provided that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or ordinance. Provided further, that an appropriation for contingencies can only be expended for the purposes constituting a legal obligation against the City, and for no other purposes other than those covered by the specific appropriations herein made.

Section 4. That this Ordinance shall take effect at the earliest period allowed by law and is hereby declared to be necessary for the orderly fiscal management of said City and in order to assure the proper payment of financial obligations of the City of Fairfield, Ohio including salaries and wages of employees and is necessary for the general welfare of the citizens and shall take effect immediately upon its passage.

Passed _____

Mayor's Approval

Posted _____

Rules Suspended _____

First Reading _____

Second Reading _____

Third Reading _____

ATTEST: _____
Clerk of Council

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

Clerk of Council



City Council Ordinance
Regular Meeting - December 5, 2022

Submitted by: Chris Hacker,
 Submitting Department: Finance

Subject:

Supplemental Appropriations

Legislation Title:

Ordinance to amend Ordinance No. 148-21 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, 2022, and ending December 31, 2022." - 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...		\$5,328,936
To: 10016023-233900	Other Professional Services	\$ 88,936
To: 10012527-271000	Transfer To (705 Garage)	\$ 75,000
To: 10041221-211000	Salaries & Wages	\$ 15,000
To: 10031623-237500	Sustenance of Prisoners	\$ 125,000
To: 10012527-271000	Transfer To (414 TED)	\$5,000,000
To: 10012527-271000	Transfer To (707 WC JEDD)	\$ 25,000
From: Unappropriated Solid Waste Management Fund:		\$120,000
To: 63063023-231500	Solid Waste Disposal	\$120,000
From: Unappropriated Fire Levy Fund...		\$420,000
To: 20332021-211000	Salaries & Wages	\$400,000
To: 20332024-244100	Supplies to Maintain Equipment	\$ 20,000

From: Unappropriated Water Revenue Fund...	\$200,000
To: 60161221-211000 Salaries & Wages	\$200,000
From: Unappropriated Sewer Revenue Fund...	\$130,000
To: 62062121-211000 Salaries & Wages	\$ 30,000
To: 62062321-211000 Salaries & Wages	\$100,000
From: Unappropriated Employee Benefits Trust Fund...	\$360,000
To: 70216021-214000 Hospitalization	\$360,000

Financial Impact:

Supplemental appropriations are required in the following amounts: Unappropriated Employee Benefits Trust Fund - \$360,000; Unappropriated Water Revenue Fund - \$200,000; Unappropriated Sewer Revenue Fund - \$130,000; Unappropriated General Fund - \$5,328,936; Unappropriated Fire Levy Fund - \$420,000; Unappropriated Solid Waste Management Fund - \$120,000.

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 App 12-5-Ord

ORDINANCE NO. _____

ORDINANCE TO AMEND ORDINANCE NO. 148-21 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, 2022, AND ENDING DECEMBER 31, 2022."

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

Section 1. Ordinance No. 148-21, the 2022 Appropriation Ordinance, is hereby amended in the following respects:

From:	Unappropriated General Fund	\$5,328,936
To:	10016023-233900 Other Professional Services	\$88,936
To:	10012527-271000 Transfer To (705 Garage)	\$75,000
To:	10041221-211000 Salaries & Wages	\$15,000
To:	10031623-237500 Sustenance of Prisoners	\$125,000
To:	10015257-271000 Transfer To (414 TED)	\$5,000,000
To:	10012527-271000 Transfer To (707 WC JEDD)	\$25,000
From:	Unappropriated Solid Waste Management Fund	\$120,000
To:	63063023-231500 Solid Waste Disposal	\$120,000
From:	Unappropriated Fire Levy Fund	\$420,000
To:	20332021-211000 Salaries & Wages	\$400,000
To:	20332024-244100 Supplies to Maintain Equipment	\$20,000
From:	Unappropriated Water Revenue Fund	\$200,000
To:	60161221-211000 Salaries & Wages	\$200,000
From:	Unappropriated Sewer Revenue Fund	\$130,000
To:	62062121-211000 Salaries & Wages	\$30,000
To:	62062321-211000 Salaries & Wages	\$100,000

Attachment: Supplemental App 12-5-Ord (3378 : Supplemental Appropriations)

From: Unappropriated Employee Benefits Trust Fund \$360,000

To: 70216021-2140100 Hospitalization \$360,000

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\2022\Supplemental App 12-5-Ord

Attachment: Supplemental App 12-5-Ord (3378 : Supplemental Appropriations)



City Council Ordinance
Regular Meeting - December 5, 2022

Submitted by: Alisha Wilson, Clerk
 Submitting Department: Clerk

Subject:

Non-Contractual Appropriations

Legislation Title:

Ordinance to amend Ordinance No. 148-21 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, 2022, and ending December 31, 2022."

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.

\$15,000 for pressure reducing water valve

Financial Impact: \$15,000.00 from noted funding source.

Rule Suspension Requested:

Yes

Emergency Provision Needed:

No

Attachments:

1. NonContractualAppropriations.120522
2. Non Contractual 12-5-Ord



City Council Information Item
Regular Meeting - December 5, 2022

Submitted by: Matt Young,
 Submitting Department: Public Utilities

Subject:

Pressure Reducing Water Valve

Legislation Title:

Pressure Reducing Water Valve

Background/Synopsis:

Fairfield's Water Distribution System is interconnected with Greater Cincinnati Water Works' (GCWW) system in 2 locations. One location is on Ross Road and the second location is on Meijer Drive. These interconnections allow for operational redundancy in the case of critical need.

The Meijer Drive interconnection vault allows Fairfield to purchase water from GCWW's system during an emergency event as outlined in the Department's Contingency Plan. Currently, there is an approximate 25 psi pressure differential between GCWW's system and Fairfield's system; the GCWW system is the higher-pressure system. Once installed, this new Pressure Reducing Valve (PRV) will reduce GCWW pressure to match the Fairfield system. The PRV will allow for the vault to be open and operational without putting stress on Fairfield's distribution system. This water system improvement project may be especially beneficial if Fairfield would ever need to take water from the GCWW system for an extended period of time. As this vault is nearest to Mercy Hospital, this interconnection is a critical component of our Contingency Plan.

This appropriation is for the purchase of the valve only. Staff is currently designing a vault for this valve and plans to install the valve in 2023.

Financial Impact:

An appropriation in the amount of \$15,000.00 is being requested for the purchase of new Pressure Reducing Valve and freight for the Meijer Drive Water System Interconnection. 2022 funding for this project is included in the approved 2022-2026 Capital Improvement Program (CIP) under project 2WT05 – Replace Process Equipment. The funding source is the Replacement and Improvement Fund (604).

Attachments:

1. City of Fairfield Pressure Reducing Valve Ross Valve 09.22 (002)

Ross Valve Manufacturing Co
79 102nd Street

Troy NY 12180-1125
Phone: (518) 274-0961 Fax: (518) 274-0210
Website: www.rossvalve.com



12.C.4.a	
Quote	QT01034323
Date	9/1/2022
Master No.	84,1

Terms: 0%0/NET30
Quoted by:
EVAN ROSS

Attn: Jim Steele

Fax:

Page: _____ of _____

QUOTE FORM

Bill To: 775

Job:

Rawdon Myers, Inc. @
300 Milford Pkwy

Fairfield, OH

Milford OH 45150
United States of America

Phone: (513) 965-5300 Ext. 0000

Fax: (513) 965-5314 Ext. 0000

Quantity	Item Number	Description	Unit Price	Ext. Price
1.00	12 1 125	12", 300mm, Model 40WR, Reducing Valve, 125#	\$ 13,895.00	\$ 13,895.00

12", Ross Model 40WR, Pressure Reducing Valve, ANSI Class 125# Flanges, Cast Iron Body & Covers (ASTM Specification A-126, Class B), Bronze Internals (No Lead ASTM Specification B-584) with 300 Series Stainless Steel Stem, Seat Ring and Seat Fasteners, Globe Full-Ported Piston Style Construction, Rigid Red Brass Control Piping and Copper Alloy C Control Fittings, Internal/External NSF 61 Coating on all Ferrous Surfaces. Approximate Shipping Weight: 1405 lbs.
Approx Del: 8 - 12 Weeks

1.00 TERMS

\$ 0.00

\$ 0.

- Price listed is your NET COST EX-Works Factory at Troy, NY where Freight is included
- Shipment is via UPS/LTL Truck Ground Service unless otherwise requested - All LTL trucks shipments via an enclosed trailer with the consignee responsible to unload goods from the nose of a 53 foot trailer.
- Tailgate deliveries, flatbed deliveries and 24 hr prior notification is not included
- Payment is due Net 30 days upon invoice date

F.O.B. Troy, NY. Thank you for supporting US Manufacturing.

Offer valid for 60 days, unless otherwise stated.

RETAINERS NOT ALLOWED.

We accept Visa, Mastercard, Discover & American Express.

Pricing in U.S. Dollars

**** ISO 9001 CERTIFIED ****

"Integrating over 130 years of experience with the technology of today."

Subtotal	\$ 13,895.00
Misc	\$ 0.00
Tax	\$ 0.00
Approx. Freight	\$ 0.00
Trade Discount	\$ 0.00
Total	

Packet Pg. 82

Attachment: NonContractualAppropriations.120522 (3380 : Non-Contractual Appropriations)

ORDINANCE NO. _____

ORDINANCE TO AMEND ORDINANCE NO. 148-21 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, 2022, AND ENDING DECEMBER 31, 2022."

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

Section 1. Ordinance No. 148-21, the 2022 Appropriation Ordinance, is hereby amended in the following respects:

From:	Unappropriated Water Replacement & Improvement Fund	\$15,000
	60416025-252000 Improvements Other Than	
To:	Building	\$15,000
	<i>(Replace Process Equipment 2WT05)</i>	

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