

**City of Fairfield
Minutes
Regular Meeting of City Council
November 27, 2023**

Council-Manager Briefing

A. None.

Business Meeting Call to Order

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

Prayer/Pledge of Allegiance

Councilmember Matt 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

Vice Mayor Meyers, seconded by Councilmember Davidson, moved to add an ordinance to the agenda regarding the IAFF collective bargaining agreement. Motion carried 7-0.

Executive Session Requests

Councilmember Davidson, seconded by Councilmember Brill, 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

Municipal Court 2024 Operating Budget

Judge Joyce Campbell presented the Municipal Court budget for 2024. See attached slides. Following her presentation, Mayor Rhodus presented her with a proclamation in recognition of her work with the National Alliance on Mental Illness and the work she has done to help those people that appear before her in court and are suffering from mental illness to receive the assistance they need to get better.

Citizen Comments

None.

Public Hearing(s)

None.

Approval of Minutes

The Regular Meeting Minutes of November 13, 2023 were approved as written and submitted.

OLD BUSINESS AND REPORTS

Community & Public Relations

Councilmember Leslie Besl

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 second reading of this ordinance.

RESULT:	SECOND READING
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Next: 12/4/2023 7:00 PM

Parks, Recreation and Environment

Councilmember Gwen Brill

Public Safety

Councilmember Dale Paullus

Public Utilities

Councilmember Adam Kraft

Public Works

Councilmember Terry Senger

Resolution to Adopt 2023 Butler County Hazard Mitigation Plan

Recommendation:

It is recommended that City Council pass a resolution to adopt Butler County's Hazard Mitigation Plan.

Councilmember Senger presented the third reading of this ordinance.

ORDINANCE NO. 156-23. 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

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 second reading of this ordinance.

RESULT:	SECOND READING	Next: 12/4/2023 7:00 PM
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Finance & Budget

Councilmember Tim Meyers

Ordinance to amend Chapter 181, Income Tax, Sections 181.062, 181.094, and 181.10 of Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio.

Recommendation:

It is recommended that City Council adopt the changes to Section 181 - Income Tax, as submitted.

Vice Mayor Meyers presented the third reading of this ordinance.

ORDINANCE NO. 156-23. 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

NEW BUSINESS

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

Public Safety

Councilmember Dale Paullus

Simple Motion: Motion to not request a hearing regarding a liquor permit application in the name of Laxmi Drive Thru LLC, dba Kwik N Kold, 730 Nilles Road, 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 Laxmi Drive Thru LLC, dba Kwik N Kold, 730 Nilles Road, Fairfield, OH 45014 (Permit Class C1, C2 & D6).

SIMPLE MOTION NO. 17-23. APPROVED 7-0.

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

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.

Councilmember Paullus presented the first reading of this ordinance.

Councilmember Paullus, seconded by Councilmember Meyers, moved to suspend the second and third readings of this ordinance. Councilmember Paullus then stated that he felt the motion should be open to discussion prior to a vote and deferred to Law Director Steve Wolterman for some explanation. Mr. Wolterman explained that the state legislation will take effect on December 7, so the city can choose to enact legislation as an emergency to take effect prior to that date. He explained that the legislation can restrict what is allowed under the state legislation within the City of Fairfield regarding adult use cannabis operators. He does not have a clear answer on whether or not it is necessary; he feels that there will be much more information come from the state as the legislation is implemented, however, he is also concerned that if the City does not take action, there may be something that is missed in the current legislation. He stated that there are provisions that conflict and are unclear, so he recommended a conservative approach while the state takes time to add to, amend and revise the legislation to make it easier to understand. He recommended a prohibition on all of it for now and then take action to change it later, if desired, which he said a lot of other cities are also doing. Councilmember Besl stated that she appreciated the explanation, however, she feels that it's important to take at least a week to let residents weigh in on the issue prior to suspending the rules. Mr. Wolterman explained the difference between the suspension of the rules and emergency provision, so that everyone understood the difference in the two and how they impact the legislation. Councilmember Davidson stated that he did not feel it was necessary to take any action on this issue right now. He stated that there is a long timeframe until licenses are issued and there will be a limited amount of those licenses for the first 24 months. He does not foresee any licenses issued for at least 8 months due to the amount of time it will take for the state to set up the process and oversight. Councilmember Paullus stated that there was no problem with issuing a moratorium on vape shops and he also supports this legislation. Councilmember Senger stated that he didn't feel it was necessary to suspend the rules tonight because there is still time to do that next week and have the legislation in place prior to December 7. Councilmember Kraft stated that he understands the need to take action, however, he agrees that waiting a week to receive feedback is appropriate. Vice Mayor Meyers stated that he feels it is important to move forward with this legislation. He stated that he does not see a difference between marijuana dispensaries and vape shops. Councilmember Brill agreed with Vice Mayor Meyers that she doesn't see a difference between dispensaries and vape shops, however, she also doesn't see a problem with waiting until December 4 but action does need to be taken on December 4. Councilmember Besl stated that she feels this is a more controversial issue than vape shops and there might not be any feedback, but that residents deserve the opportunity to speak. Councilmember Davidson stated that he agrees with Councilmember Besl and that vape shops are completely different than dispensaries. He stated that he has been inside of a dispensary and had to show an ID just to walk into the building, as well as two additional security checkpoints, which is not the case with vape shops. Police Chief Maynard stated that ID checks are typically conducted at the point of sale in a vape shop, not at the door. Vice Mayor Meyers said that he does not disagree that the two are different but that there are too many unknowns to not get ahead of it conservatively and then backtrack as more information is received. He conceded to not suspend the rules tonight and hold off until December 4th. Councilmember Paullus withdrew his motion to suspend the rules based on the discussion.

RESULT: FIRST READING Next: 12/4/2023 7:00 PM

Finance & Budget

Councilmember Tim Meyers

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

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

ORDINANCE NO. 157-23. 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:	Adam Kraft, Councilmember, 4th Ward
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. 158-23. 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 second reading of this ordinance.

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

Ordinance to authorize the City Manager to enter into a contract with the International Association of Firefighters (IAFF), Local 4010 for wages, hours and terms and conditions of employment for the Fire Department Bargaining Unit and declaring an emergency.

Recommendation:

It is recommended that City Council authorize the City Manager to execute the contract with IAFF.

ORDINANCE NO. 159-23. 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 4 - Regular Meeting 7:00 PM
- B. Monday, December 11 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM
- C. Monday, December 18 - Oath of Office, 6:00 PM

Executive Session of Council (if needed)

None - no longer needed.

15. ADJOURNMENT

The Regular Meeting adjourned at 8:25 PM.

ATTEST:

Clerk of Council

Mayor's Approval

Date Approved_____

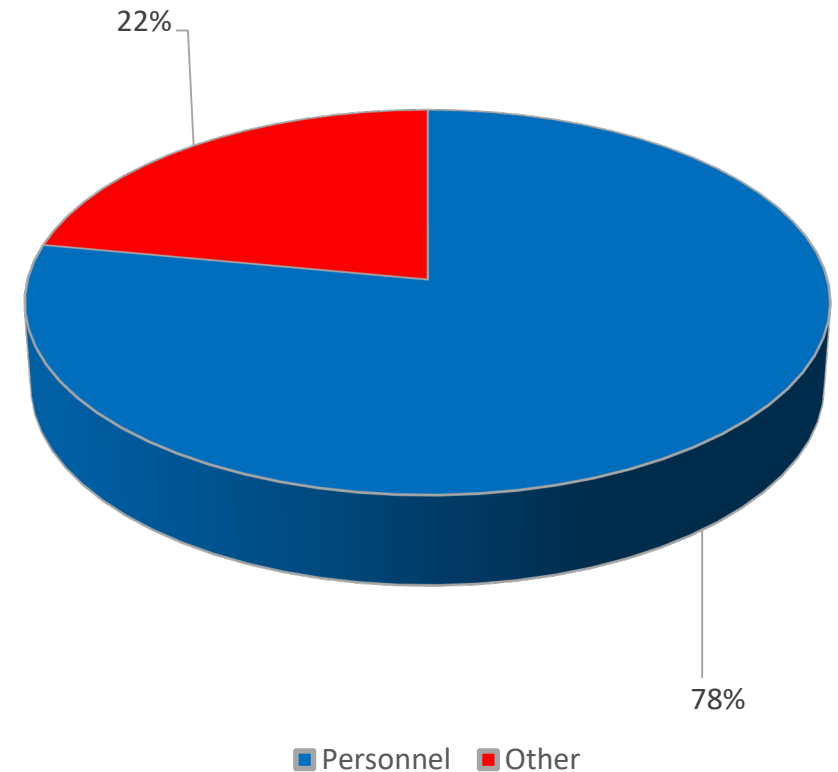


Municipal Court
2024 Operating Budget

Municipal Court

- Funding Sources
 - ✓ General Fund
 - ✓ Special Revenue Funds
- Expenditures
 - ✓ Municipal Court - General Fund - **\$2,121,870**
 - Personnel – Up 11.37%
 - Non-Personnel – Up 1.04%
 - ✓ Probation Services – Special Revenue Fund - **\$570,650**
 - Personnel – Up 11.43%
 - Non-Personnel – No Change
 - ✓ Other Funds – All Special Revenue Funds - **\$348,740**
 - Personnel – Up 6.79%
 - Non-Personnel – No Change

\$3,061,448 – Up 8.68%



Attachment: Municipal Court Operating Budget (3759 : Municipal Court Operating Budget)

