

**City of Fairfield
Minutes
Regular Meeting of City Council
August 12, 2019**

Council-Manager Briefing

6:30 PM - 2020 Census Preview

Mayor Miller called the briefing to order at 6:30 PM. Councilmembers present: Leslie Besl, Craig Keller, Debbie Pennington, Tim Abbott and Bill Woeste. Staff members present: Mark Wendling, Dan Wendt, Alisha Wilson, Greg Kathman, Tiphonie Howard, Amy Mays, Scott Timmer, Steve Wolterman, Dave Butsch and Adam Sackenheim.

Council heard a presentation from Carolyn Tepe, Partnership Specialist, regarding the 2020 Census and preparations currently underway to conduct the census.

Business Meeting Call to Order

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

Prayer/Pledge of Allegiance

Mayor Miller led in prayer and the Scooby Doo's led the Pledge of Allegiance.

Roll Call

Councilmembers present included:

Attendee Name	Title	Status	Arrived
Ron D'Epifanio	Council Member at Large	Present	
Chad Oberson	Council Member at Large	Excused	
Bill Woeste	Council Member at Large	Present	
Leslie Besl	Council Member, 1st Ward	Present	
Craig W. Keller	Council Member, 2nd Ward	Present	
Debbie Pennington	Council Member, 3rd Ward	Present	
Tim Abbott	Council Member, 4th Ward	Present	
Steve Miller	Mayor	Present	

Councilmember Woeste, seconded by Councilmember Abbott, moved to excuse Councilmember Oberson. Motion carried 6-0.

Agenda Modifications

None

Executive Session Requests

Councilmember Abbott, seconded by Councilmember Pennington, moved for Executive Session to discuss pending and imminent litigation and purchase of property. Motion carried 6-0.

Special Presentations and Citizen Comments

a. Fire Lieutenant Oath of Office - Lt. Joe Byers

Councilmember D'Epifanio administered the Oath of Office for Fire Lt. Joe Byers.

b. Ron D'Epifanio's Scooby Doo's, Therapeutic Recreation Adult Softball League, Joe Nuxhall Miracle Fields

Mayor Miller presented the Scooby Doo's with recognition certificates and Keys to the City for their championship win in the Therapeutic Recreation Adult Softball League at the Joe Nuxhall Miracle League.

c. Proclamation - Joshua Higgins & Greg Uhler

Mayor Miller presented proclamations and Keys to the City to Mr. Higgins and Mr. Uhler for their heroic actions in saving the life of Charlie Fisher when he suffered a heart attack.

d. YMCA Update - Ed O'Brien, Fairfield Family YMCA Branch Executive Director

Mr. O'Brien gave a brief update of the YMCA and their involvement in the community.

Public Hearing(s)

Approval of Minutes

The Regular Meeting Minutes of July 8, 2019 were approved as written and submitted.

OLD BUSINESS AND REPORTS

Community & Public Relations Committee

Leslie Besl, Chair; Debbie Pennington, Vice Chair; Craig Keller, Member

Development Services Committee

Bill Woeste, Chair; Tim Abbott, Vice Chair; Ron D'Epifanio, Member

Parks, Recreation and Environment Committee

Craig Keller, Chair; Bill Woeste, Vice Chair; Debbie Pennington, Member

Public Safety Committee

Ron D'Epifanio, Chair; Craig Keller, Vice Chair; Tim Abbott, Member

Public Works Committee

Chad Oberson, Chair; Ron D'Epifanio, Vice Chair; Bill Woeste, Member

Public Utilities Committee

Debbie Pennington, Chair; Chad Oberson, Vice Chair; Leslie Besl, Member

Finance & Budget Committee

Tim Abbott, Chair; Leslie Besl, Vice Chair; Chad Oberson, Member

NEW BUSINESS

Development Services Committee

Bill Woeste, Chair; Tim Abbott, Vice Chair; Ron D'Epifanio, Member

Motion to Read by Title Only

Motion to read one resolution and one ordinance by title only.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Bill Woeste, Council Member at Large
SECONDER:	Tim Abbott, Council Member, 4th Ward
AYES:	D'Epifanio, Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	Oberson

Resolution approving the Ward Boundary Review Commission Report and recommendation to make no changes to the boundaries of the four wards and amend the City Charter to require a decennial review.

Recommendation:

A resolution approving the Ward Boundary Review Commission's report that recommends no changes be made to the political ward boundaries and that the City Charter be amended to require a decennial review.

It is recommended that City Council approve this report at the August 12, 2019 meeting.

Councilmember Woeste presented the first reading of this ordinance.

RESULT:	FIRST READING	Next: 9/9/2019 7:00 PM
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Ordinance to authorize the City Manager to execute the Cooperation Agreement for the Butler County CDBG Entitlement Program for the program years 2020-2022 and declaring an emergency.

Recommendation:

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

ORDINANCE NO. 76-19. APPROVED 6-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bill Woeste, Council Member at Large
SECONDER:	Craig W. Keller, Council Member, 2nd Ward
AYES:	D'Epifanio, Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	Oberson

Motion to Suspend Second and Third Readings

Councilmember Woeste presented the first reading of this ordinance.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Bill Woeste, Council Member at Large
SECONDER:	Debbie Pennington, Council Member, 3rd Ward
AYES:	D'Epifanio, Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	Oberson

Public Safety Committee

Ron D'Epifanio, Chair; Craig Keller, Vice Chair; Tim Abbott, Member

Simple Motion: Motion to not request a hearing regarding a liquor permit application in the name of Absana, LLC, 5059 Camelot Drive, Fairfield, OH 45014 (Permit Class C1 & C2).

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 Absana, LLC, 5059 Camelot Drive, Fairfield, OH 45014 (Permit Class C1 & C2).

SIMPLE MOTION NO. 15-19. APPROVED 6-0.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ron D'Epifanio, Council Member at Large
SECONDER:	Bill Woeste, Council Member at Large
AYES:	D'Epifanio, Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	Oberson

Public Works Committee

Chad Oberson, Chair; Ron D'Epifanio, Vice Chair; Bill Woeste, Member

Motion to Read by Title Only

Motion to read the following two ordinances by title only.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Ron D'Epifanio, Council Member at Large
SECONDER:	Debbie Pennington, Council Member, 3rd Ward
AYES:	D'Epifanio, Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	Oberson

Ordinance to authorize an agreement with the Ohio Director of Transportation for Bridge Inspection Services and declaring an emergency.

Recommendation:

It is recommended that the City Council authorize the City Manager to enter into a preliminary legislation agreement with the Ohio Department of Transportation for Bridge Inspection Program Services.

ORDINANCE NO. 77-19. APPROVED 6-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ron D'Epifanio, Council Member at Large
SECONDER:	Bill Woeste, Council Member at Large
AYES:	D'Epifanio, Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	Oberson

Motion to Suspend Second and Third Readings

Councilmember D'Epifanio presented the first reading of this ordinance.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Ron D'Epifanio, Council Member at Large
SECONDER:	Tim Abbott, Council Member, 4th Ward
AYES:	D'Epifanio, Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	Oberson

Ordinance to authorize the City Manager to enter into a contract with Lebanon Ford, Inc. for the purchase of two (2) staff vehicles for the Police Department.

Recommendation:

It is recommended that the City Council authorize and direct the preparation of legislation authorizing the appropriation of funding in the amount of \$79,422 from the Capital Improvement Fund for the purchase of (2) staff vehicles for the Police Department. It is further recommended that City Council authorize and direct the preparation of legislation authorizing the City Manager to enter into a contract with Lebanon Ford Inc., Lebanon, Ohio for the purchase of these vehicles.

ORDINANCE NO. 78-19. APPROVED 6-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ron D'Epifanio, Council Member at Large
SECONDER:	Debbie Pennington, Council Member, 3rd Ward
AYES:	D'Epifanio, Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	Oberson

Motion to Suspend Second and Third Readings

Councilmember D'Epifanio presented the first reading of this ordinance.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Ron D'Epifanio, Council Member at Large
SECONDER:	Tim Abbott, Council Member, 4th Ward
AYES:	D'Epifanio, Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	Oberson

Public Utilities Committee

Debbie Pennington, Chair; Chad Oberson, Vice Chair; Leslie Besl, Member

Motion to Read by Title Only

Motion to read the following three ordinances by title only.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Debbie Pennington, Council Member, 3rd Ward
SECONDER:	Craig W. Keller, Council Member, 2nd Ward
AYES:	D'Epifanio, Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	Oberson

Ordinance to authorize the City Manager to enter into a contract with Mohon Blastings & Coatings to repaint WTP Clarifier #4 in 2019, with City option to contract with Mohon Blastings & Coatings to repaint Clarifier #3 in 2020.

Recommendation:

It is recommended that City Council authorize the City Manager to enter into a contract with Mohon Blasting & Coating, LLC and appropriate project funding in the total amount of \$220,000.00 for the project known as 'Re-Paint Existing Water Treatment Plant Clarifier No. 4'. It is recommended that this authorization include the City option to contract with Mohon next year to rehabilitate clarifier No. 3.

ORDINANCE NO. 79-19. APPROVED 6-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Debbie Pennington, Council Member, 3rd Ward
SECONDER:	Craig W. Keller, Council Member, 2nd Ward
AYES:	D'Epifanio, Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	Oberson

Motion to Suspend Second and Third Readings

Councilmember Pennington presented the first reading of this ordinance.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Debbie Pennington, Council Member, 3rd Ward
SECONDER:	Tim Abbott, Council Member, 4th Ward
AYES:	D'Epifanio, Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	Oberson

Ordinance to authorize the City Manager to enter into a contract with Smithcorp, Inc. for the Seward Road Water Main Replacement Project and declaring an emergency.

Recommendation:

It is recommended that City Council authorize the City Manager to enter a contract with Smithcorp Inc., and appropriate project funding in the amount of \$860,000.00 for the Seward Road Water Main Replacement Project. Rules suspension is being requested in order to expedite the project.

ORDINANCE NO. 80-19. APPROVED 6-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Debbie Pennington, Council Member, 3rd Ward
SECONDER:	Tim Abbott, Council Member, 4th Ward
AYES:	D'Epifanio, Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	Oberson

Motion to Suspend Second and Third Readings

Councilmember Pennington presented the first reading of this ordinance.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Debbie Pennington, Council Member, 3rd Ward
SECONDER:	Bill Woeste, Council Member at Large
AYES:	D'Epifanio, Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	Oberson

Ordinance to authorize the City Manager to enter into a contract with TOMCO2 Systems for the replacement and upgrade of the Carbon Dioxide Storage and Gas Feed System 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 TOMCO2 Systems, Loganville, GA, and appropriate total project funding in the amount of \$530,000.00 (\$475,000 contractual; \$55,000 non-contractual - various vendors) for the Carbon Dioxide System Improvement Project at the City's Water Treatment Plant. Rules suspension is requested in order to expedite the project.

ORDINANCE NO. 81-19. APPROVED 6-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Debbie Pennington, Council Member, 3rd Ward
SECONDER:	Craig W. Keller, Council Member, 2nd Ward
AYES:	D'Epifanio, Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	Oberson

Motion to Suspend Second and Third Readings

Councilmember Pennington presented the first reading of this ordinance.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Debbie Pennington, Council Member, 3rd Ward
SECONDER:	Tim Abbott, Council Member, 4th Ward
AYES:	D'Epifanio, Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	Oberson

Finance & Budget Committee

Tim Abbott, Chair; Leslie Besl, Vice Chair; Chad Oberson, Member

Motion to Read by Title Only

Motion to read the following seven ordinances by title only.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Tim Abbott, Council Member, 4th Ward
SECONDER:	Debbie Pennington, Council Member, 3rd Ward
AYES:	D'Epifanio, Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	Oberson

Ordinance to amend Section 163.01 of Chapter 163, Employee Provisions, of Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio and declaring an emergency.

Recommendation:

It is recommended that City Council adopt an amendment to Codified Ordinance 163.01 on *Vacations*.

ORDINANCE NO. 82-19. APPROVED 6-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tim Abbott, Council Member, 4th Ward
SECONDER:	Debbie Pennington, Council Member, 3rd Ward
AYES:	D'Epifanio, Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	Oberson

Motion to Suspend Second and Third Readings

Councilmember Abbott presented the first reading of this ordinance.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Tim Abbott, Council Member, 4th Ward
SECONDER:	Bill Woeste, Council Member at Large
AYES:	D'Epifanio, Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	Oberson

An ordinance determining to reduce and recertify special assessments levied for the purpose of constructing certain improvements and declaring an emergency.

Recommendation:

It is necessary for the City Council to pass an ordinance to reduce special assessments levied for the purposes of constructing certain improvements at the Cincinnati Mall.

It is recommended that Council authorize and direct the preparation of legislation to reduce the special assessments levied for the purpose of constructing certain improvements at the parking garage located at the Cincinnati Mall. In order to meet the special assessment deadline of September 9, 2019 by Butler County, a suspension of the rules and emergency are requested.

ORDINANCE NO. 83-19. APPROVED 6-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tim Abbott, Council Member, 4th Ward
SECONDER:	Craig W. Keller, Council Member, 2nd Ward
AYES:	D'Epifanio, Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	Oberson

Motion to Suspend Second and Third Readings

Councilmember Abbott presented the first reading of this ordinance.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Tim Abbott, Council Member, 4th Ward
SECONDER:	Debbie Pennington, Council Member, 3rd Ward
AYES:	D'Epifanio, Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	Oberson

Ordinance levying special assessments for the repair of sidewalks (including aprons) in the City of Fairfield, Ohio and declaring an emergency.

Recommendation:

It is recommended that City Council authorize and direct the preparation of legislation to levy the assessments for the repair of sidewalks against lands and lots benefited by such improvements. The legislation will require the emergency clause since unpaid assessments will be billed to the property owners to allow 30 days for payment before certifying the outstanding balance to the County Auditor and issuing bonds.

ORDINANCE NO. 84-19. APPROVED 6-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tim Abbott, Council Member, 4th Ward
SECONDER:	Debbie Pennington, Council Member, 3rd Ward
AYES:	D'Epifanio, Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	Oberson

Motion to Suspend Second and Third Readings

Councilmember Abbott presented the first reading of this ordinance.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Tim Abbott, Council Member, 4th Ward
SECONDER:	Bill Woeste, Council Member at Large
AYES:	D'Epifanio, Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	Oberson

Ordinance to authorize the City Manager to enter into a services agreement with Creative Microsystems, Inc DBA Civica for an Authority Tax System for use by the Income Tax Division and declaring an emergency.

Recommendation:

Ordinance to authorize the City Manager to enter into a services agreement with Creative Microsystems, Inc DBA Civica Authority Tax System for use by the Income Tax Division for comprehensive income tax operations as well as additional features for online tax filings and payments and declaring an emergency.

ORDINANCE NO. 85-19. APPROVED 6-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tim Abbott, Council Member, 4th Ward
SECONDER:	Debbie Pennington, Council Member, 3rd Ward
AYES:	D'Epifanio, Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	Oberson

Motion to Suspend Second and Third Readings

Councilmember Abbott presented the first reading of this ordinance.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Tim Abbott, Council Member, 4th Ward
SECONDER:	Bill Woeste, Council Member at Large
AYES:	D'Epifanio, Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	Oberson

Ordinance to Amend Ordinance no. 127-18 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, 2019 and ending December 31, 2019." - Supplemental Appropriations - Transfers of Monies

Recommendation:

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

ORDINANCE NO. 86-19. APPROVED 6-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tim Abbott, Council Member, 4th Ward
SECONDER:	Debbie Pennington, Council Member, 3rd Ward
AYES:	D'Epifanio, Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	Oberson

Motion to Suspend Second and Third Readings

Councilmember Abbott presented the first reading of this ordinance.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Tim Abbott, Council Member, 4th Ward
SECONDER:	Craig W. Keller, Council Member, 2nd Ward
AYES:	D'Epifanio, Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	Oberson

Ordinance to amend Ordinance No. 127-18 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, 2019, and ending December 31, 2019."

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. 87-19. APPROVED 6-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tim Abbott, Council Member, 4th Ward
SECONDER:	Bill Woeste, Council Member at Large
AYES:	D'Epifanio, Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	Oberson

Motion to Suspend Second and Third Readings

Councilmember Abbott presented the first reading of this ordinance.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Tim Abbott, Council Member, 4th Ward
SECONDER:	Bill Woeste, Council Member at Large
AYES:	D'Epifanio, Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	Oberson

Ordinance to amend Ordinance No. 127-18 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, 2019, and ending December 31, 2019.”

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. 88-19. APPROVED 6-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tim Abbott, Council Member, 4th Ward
SECONDER:	Craig W. Keller, Council Member, 2nd Ward
AYES:	D'Epifanio, Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	Oberson

Motion to Suspend Second and Third Readings

Councilmember Abbott presented the first reading of this ordinance.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Tim Abbott, Council Member, 4th Ward
SECONDER:	Debbie Pennington, Council Member, 3rd Ward
AYES:	D'Epifanio, Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	Oberson

Meeting Schedule

Clerk Wilson read the following meeting schedule:

- A. Monday, September 9 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM
- B. Monday, September 23 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM
- C. Tuesday, October 15 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM

Executive Session of Council (if needed)

Council adjourned to Executive Session at 7:50 PM.

14. ADJOURNMENT

The Regular Meeting adjourned at .

The Regular Meeting adjourned at 8:15 PM.

ATTEST:

Clerk of Council

Mayor's Approval

Date Approved_____