

**City of Fairfield
Minutes
Regular Meeting of City Council
April 10, 2023**

Council-Manager Briefing

A. No briefing.

Business Meeting Call to Order

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

Prayer/Pledge of Allegiance

Councilmember Besl 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	Excused	
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	Excused	

Councilmember Kraft, seconded by Councilmember Senger, moved to excuse Councilmember Davidson and Mayor Rhodus. Motion carried 6-0.

Agenda Modifications

None.

Executive Session Requests

Councilmember Paullus, seconded by Councilmember Senger, moved for Executive Session to discuss the status of negotiations with public employees regarding their wages, hours and other terms and conditions of their employment, as well as confidential information related to request for economic development assistance. Roll call vote. Motion carried 6-0.

Special Presentations

a. Proclamation - National Public Safety Telecommunicators Week

Councilmember Besl presented the National Public Safety Telecommunications Week Proclamation to Dispatcher Angel Drew and thanked the dispatch center staff for their professionalism and commitment to the safety of the residents and visitors of the City of Fairfield.

Citizen Comments

1. Liz Jarvis, 2440 Clara Bea Lane

Ms. Jarvis requested an update regarding the coyote management plan. City Manager Timmer explained that the plan was posted as final with the updates and feedback obtained from the previous meetings. He stated that the incident report is live on the website and app, and can also be printed. He stated that the City is in the process of contacting individuals that have indicated that they want to help, as well as scheduling education sessions.

Ms. Jarvis asked if the schedule would be published in the flyer and if there are any plans to do anything about the coy dog. Mr. Timmer stated that if there is enough lead time when the schedule is finalized, it will be included in the flyer and there are not currently any plans regarding the coy dog.

Vice Mayor Meyers reiterated that the plan is not legislative and will be adapted as necessary. Ms. Jarvis requested an update to be listed on the agenda since there is no current legislation in process. Vice Mayor Meyers stated that this topic is still on the top of the minds of Council, even though there is no legislation on the agenda.

2. Rep. Jennifer Gross

Rep. Gross thanked the City for the opportunity to serve as their Representative to the State House and stated that anyone is free to contact her with any needs. She invited everyone to attend her Town Hall meetings each month. The next one will be on April 24, 5:30 PM at the Community Arts Center and she rotates between communities each month. She also invited anyone to send an email to rep45@ohiohouse.gov to be signed up for her newsletter.

Public Hearing(s)

None.

Approval of Minutes

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

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

Public Utilities

Councilmember Adam Kraft

Public Works

Councilmember Terry Senger

Finance & Budget

Councilmember Tim Meyers

NEW BUSINESS

Councilmember Besl, seconded by Councilmember Paullus, moved to read all New Business by title only. Motion carried 6-0.

Development Services

Councilmember Matt Davidson

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, Brill, Besl, Paullus, Senger, Kraft
EXCUSED:	Davidson

Ordinance vacating a portion of a fifty foot (50') utility easement on parts of Lot 14189 in the City of Fairfield, Butler County, Ohio and declaring an emergency.

Recommendation:

It is recommended that Council suspend the second and third readings and pass as an emergency.

ORDINANCE NO. 61-23. APPROVED 6-0.

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

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:	Adam Kraft, Councilmember, 4th Ward
AYES:	Meyers, Brill, Besl, Paullus, Senger, Kraft
EXCUSED:	Davidson

Ordinance to authorize the City Manager to enter into an agreement with Ascent Specialities, LLC for the purchase and installation of a Kwik Wall dividing wall system in the Community Arts Center Community Room.

Recommendation:

It is recommended that City Council authorize an appropriation of \$67,800.00 from the Capital Fund (\$64,187.60 with \$3,612.40 for contingencies and other Community Arts Center needs) for the purchase of Community Arts Center upgrades and improvements.

ORDINANCE NO. 62-23. APPROVED 6-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gwen Brill, Councilmember, At-Large
SECONDER:	Terry Senger, Councilmember, 3rd Ward
AYES:	Meyers, Brill, Besl, Paullus, Senger, Kraft
EXCUSED:	Davidson

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:	Dale Paullus, Councilmember, 2nd Ward
AYES:	Meyers, Brill, Besl, Paullus, Senger, Kraft
EXCUSED:	Davidson

Ordinance to authorize the City Manager to enter into a contract with Prodigy Building Solutions, LLC for the Gilbert Park Pickleball Courts Project and declaring an emergency.

Recommendation:

It is recommended that City Council authorize an appropriation of \$175,000.00 from the Capital Improvement Fund. It is further recommended that the City Council authorize and direct the preparation of legislation authorizing the City Manager to enter into a contract with Prodigy Building Solutions, LLC, West Chester, Ohio for this project.

ORDINANCE NO. 63-23. APPROVED 6-0.

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

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:	Adam Kraft, Councilmember, 4th Ward
AYES:	Meyers, Brill, Besl, Paullus, Senger, Kraft
EXCUSED:	Davidson

Ordinance to authorize the City Manager to enter into a contract with Landscape Structures Inc. and Forever Lawn of Ohio Inc. for the Village Green Playground Project and declaring an emergency.

Recommendation:

It is recommended that City Council authorize an appropriation of \$600,000.00 (\$500,000.00 from American Rescue Plan Act and \$100,000.00 from the Parks Recreation Fund) among two vendors as detailed in the financial impact section.

ORDINANCE NO. 64-23. APPROVED 6-0.

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

Public Safety

Councilmember Dale Paullus

Simple Motion: Motion to not request a hearing regarding a liquor permit application in the name of Michaels Billiards Inc. dba Michaels Billiards, 6625 Dixie Highway, Unit K, Fairfield, OH 45014 (Permit Class D5 & 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 Michaels Billiards Inc. dba Michaels Billiards, 6625 Dixie Highway, Unit K, Fairfield, OH 45014 (Permit Class D5 & D6).

SIMPLE MOTION NO. 6-23. APPROVED 6-0.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dale Paullus, Councilmember, 2nd Ward
SECONDER:	Leslie Besl, Councilmember, 1st Ward
AYES:	Meyers, Brill, Besl, Paullus, Senger, Kraft
EXCUSED:	Davidson

Motion to Suspend Second and Third Readings

Councilmember Paullus presented the first reading of this ordinance.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Dale Paullus, Councilmember, 2nd Ward
SECONDER:	Leslie Besl, Councilmember, 1st Ward
AYES:	Meyers, Brill, Besl, Paullus, Senger, Kraft
EXCUSED:	Davidson

Ordinance to authorize the City Manger to enter into a professional services agreement with Axon Enterprise, Inc. to provide Auto Tagging CAD Integration and declaring an emergency.

Recommendation:

It is recommended that Council authorize the City Manager to enter into a professional services agreement with Axon Enterprise located at 17800 N. 85th St. Scottsdale, Arizona 85255, to provide Auto Tagging CAD Integration for our Body and In-Car Cameras systems for the cost of \$32,350.08.

ORDINANCE NO. 65-23. APPROVED 6-0.

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

Motion to Suspend Second and Third Readings

Councilmember Paullus presented the first reading of this ordinance.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Dale Paullus, Councilmember, 2nd Ward
SECONDER:	Leslie Besl, Councilmember, 1st Ward
AYES:	Meyers, Brill, Besl, Paullus, Senger, Kraft
EXCUSED:	Davidson

Ordinance to authorize the City Manager to enter into a purchasing agreement with Alternative Support Apparatus, LC dba ASAP - Off Road Specialty Vehicles for the purchase of an EMS Utility Task Vehicle and declaring an emergency.

Recommendation:

It is recommended that Council authorize the City Manager to enter into a purchasing agreement with ASAP - Off-Road Specialty Vehicles located at 5609 Gundy Drive, Midvale, Ohio 44653 for the purchase of a MedStat UTV EMS vehicle.

ORDINANCE NO. 66-23. APPROVED 6-0.

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

Motion to Suspend Second and Third Readings

Councilmember Paullus presented the first reading of this ordinance.

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

Resolution to accept and approve the material terms of the proposed settlement with Teva, Allergen, CVS, Walgreens & Walmart pursuant to the One Ohio Memorandum of Understanding and consisten with the terms of the National Opioid Settlement Agreement and authorize the Law Director or the City Manager to execute the Settlement Participation Form and declaring an emergency.

Recommendation:

It is recommended that Council adopt a resolution approving the proposed settlement with Teva, Allergen, CVS, Walgreens & Walmart ("Pharmacy Defendants"). The settlement is explained in the attached Exhibit 1.

RESOLUTION NO. 3-23. APPROVED 6-0.

Andy Barlow, 4643 Pleasant Avenue, asked what the "emergency" means for legislation. Law Director Wolterman explained that it allows the City to act quickly, such as to ensure pricing and supply availability.

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

Public Works

Councilmember Terry Senger

Motion to Suspend Second and Third Readings

Councilmember Senger presented the first reading of this ordinance.

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

Ordinance to authorize the City Manager to enter into a contract with Prus Construction for the proposed sidewalk along Busway Lane and North Gilmore Road (between the Freshman School and Crossroads Middle School)

Recommendation:

It is recommended that funding be appropriated in the amount of \$384,300.00 as described in the

financial impact section for the proposed sidewalk project. It is also recommended that City Council direct the preparation of legislation authorizing the City Manager to enter into a construction contract with Prus Construction for this project.

ORDINANCE NO. 67-23. APPROVED 6-0.

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

Finance & Budget

Councilmember Tim Meyers

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:	Dale Paullus, Councilmember, 2nd Ward
AYES:	Meyers, Brill, Besl, Paullus, Senger, Kraft
EXCUSED:	Davidson

Ordinance to authorize the City Manager to enter into a contract with ICB Audio Video Technology for the replacement of the audio/video system in Council Chambers and declaring an emergency.

ORDINANCE NO. 68-23. APPROVED 6-0.

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

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:	Leslie Besl, Councilmember, 1st Ward
AYES:	Meyers, Brill, Besl, Paullus, Senger, Kraft
EXCUSED:	Davidson

Ordinance establishing salaries for certain exempt and salaried employees of the City of Fairfield, Ohio, to repeal Ordinance No. 30-23 and all amendments thereto and declaring an emergency.

Recommendation:

It is recommended that City Council approve this Ordinance adding a third Deputy Fire Chief to the Unclassified Pay Plan, suspending the rules and declaring an emergency.

ORDINANCE NO. 69-23. APPROVED 6-0.

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

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:	Dale Paullus, Councilmember, 2nd Ward
AYES:	Meyers, Brill, Besl, Paullus, Senger, Kraft
EXCUSED:	Davidson

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. 70-23. APPROVED 6-0.

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

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:	Leslie Besl, Councilmember, 1st Ward
AYES:	Meyers, Brill, Besl, Paullus, Senger, Kraft
EXCUSED:	Davidson

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. 71-23. APPROVED 6-0.

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

Meeting Schedule

Clerk Wilson read the following meeting schedule:

- A. Monday, April 24 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM
- B. Monday, May 8 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM
- C. Monday, May 22 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM

Executive Session of Council (if needed)

Council recessed to Executive Session at 7:45 PM.

15. ADJOURNMENT

The Regular Meeting adjourned at 9:02 PM.

ATTEST:

Clerk of Council

Mayor's Approval

Date Approved_____