

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

Debbie Pennington
Councilmember, 3rd Ward

Adam Kraft
Councilmember, 4th Ward

**CITY OF FAIRFIELD CITY COUNCIL
REGULAR MEETING AGENDA
MONDAY, APRIL 8, 2024 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. 6:30 PM - Disparate Population Discussion
- 2. BUSINESS MEETING CALL TO ORDER**
- 3. PRAYER/PLEDGE OF ALLEGIANCE**
 - Councilmember Leslie Besl
- 4. ROLL CALL**
- 5. AGENDA MODIFICATIONS**
- 6. EXECUTIVE SESSION REQUESTS**
- 7. SPECIAL PRESENTATIONS**
 - a. Development Services Department - Flavors of Fairfield
- 8. CITIZEN COMMENTS**
- 9. COUNCIL REPORTS**
- 10. PUBLIC HEARING(S)**
 - a. Joint Public Hearing - Optimized Senior Living PUD

11. APPROVAL OF MINUTES

- a. Regular Meeting held March 25, 2024

12. OLD BUSINESS

A. DEVELOPMENT SERVICES

Councilmember Matt Davidson

1. Ordinance amending Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, Section 1141.02, the City of Fairfield, Ohio, Zoning Map by approving the concept and final development plan for the Optimized Senior Living Planned Unit Development on approximately 5.6 acres of land on three parcels located at 6131 and 6151 River Road.
 - Legislation - Hold Second Reading, pending Planning Commission recommendation

13. NEW BUSINESS

Motion to read all New Business by title only.

A. COMMUNITY & PUBLIC RELATIONS

Councilmember Tim Meyers

1. Simple Motion: Motion to approve the following 2024 Boards/Commissions Appointments effective April 1, 2024: Kent Ernsting - Environmental Commission (term expires 3/31/27) Vivian Paul - Environmental Commission (term expires 3/31/27) Jeremy Powell - Environmental Commission (term expires 3/31/27) Dona Canaan - Environmental Commission (term expires 3/31/27) Roy Cohen - Environmental Commission (partial term expires 3/31/26) Mark Pennington - Environmental Commission (partial term expires 3/31/25)

B. FINANCE & BUDGET

City Manager Scott Timmer - Report

Councilmember Gwen Brill

1. Ordinance authorizing the issuance of not to exceed \$1,500,000 of various purpose bond anticipation notes, series 2024, by the City of Fairfield, Ohio, in anticipation of the issuance of bonds, and declaring an emergency.
 - Legislation - First Reading
 - Motion - Suspend Second and Third Readings
 - Motion - Adoption
2. Ordinance authorizing the issuance of not to exceed \$4,334,000 of various purpose bond anticipation notes, series 2017, 2019, 2021 and 2023 renewal, by the City of Fairfield, Ohio, in anticipation of the issuance of bonds, and declaring an emergency.

- Legislation - First Reading
 - Motion - Suspend Second and Third Readings
 - Motion - Adoption
3. Ordinance authorizing the issuance of not to exceed \$5,834,000 of various purpose bond anticipation notes, by the City of Fairfield, Ohio, in anticipation of the issuance of bonds, and declaring an emergency.
- Legislation - First Reading
 - Motion - Suspend Second and Third Readings
 - Motion - Adoption
4. Ordinance establishing salaries for certain exempt and salaried employees of the City of Fairfield, Ohio, to repeal Ordinance No. 27-24 and all amendments thereto.
- Legislation - First Reading
 - Motion - Suspend Second and Third Readings
 - Motion - Adoption
5. Ordinance to amend Ordinance No. 166-23 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, 2024, and ending December 31, 2024.”
- Contractual Appropriations: \$38,000 for additional work for existing Public Works contract - re-line a portion of Public Utilities sanitary sewer line S164.
- Legislation - First Reading
 - Motion - Suspend Second and Third Readings
 - Motion - Adoption
6. Ordinance to amend Ordinance No. 166-23 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, 2024, and ending December 31, 2024.”
- Non-Contractual Appropriations: \$14,564 for Livescan Fingerprint Scanner; \$8,900 for water tower inspections; \$65,000 for personal protective equipment replacement (Fire); \$40,000 for replacement hose and fire equipment; \$17,511 for battery powered forklift; \$34,960 for sidewalk repairs; \$11, 676 for picnic table replacement; \$34,960 for trip hazard sidewalk repair.
- Legislation - First Reading
 - Motion - Suspend Second and Third Readings
 - Motion - Adoption

14. MEETING SCHEDULE

- A. Monday, April 22 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM
- B. Monday, May 13 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM

C. Tuesday, May 28 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM

15. EXECUTIVE SESSION OF COUNCIL (IF NEEDED)

16. ADJOURNMENT



Fairfield City Council
March 29, 2024

Public Hearing Notice

All property owners and citizens of Fairfield, Ohio are hereby notified that a joint public hearing between the Planning Commission and City Council has been scheduled for 7:00 PM on Monday, April 8, 2024 at the Fairfield Municipal Building at 5350 Pleasant Avenue, Fairfield Ohio, 45014. The purpose of the hearing is to solicit citizen input regarding the submission of a Concept and Final Development Plan for a Planned Unit Development (PUD) for a senior assisted living facility. The property is currently zoned A-1, Agricultural and Estate Residence District.

Parties that wish to review the application may do so by visiting the Development Services Department located at the Fairfield Municipal Building or on the Development Services page on the City website at www.fairfield-city.org/devservices. Questions may be directed to the Department by telephone at (513) 867-5345 or via e-mail at development@fairfieldoh.gov. The Department is open Monday through Friday, between the hours of 8:00 AM and 5:00 PM.

Alisha Wilson
Clerk of Council

For insertion in the Journal News Friday, March 29, 2024

Attachment: JPH Notice - Optimized PUD (3890 : Joint Public Hearing - Optimized Senior Living PUD)

**City of Fairfield
Minutes
Regular Meeting of City Council
March 25, 2024**

Council-Manager Briefing

Sustainability Plan Update

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

Staff members present: Scott Timmer, Adam Sackenheim, Erin Lynn, Alisha Wilson, Steve Wolterman, Laurie Murphy, Greg Kathman, Ben Mann, Mandi Brock, Steve Maynard, Tom Lakamp, Carol Mayhall and Chris Hacker.

Public Utilities Director Adam Sackenheim and Planning Manager Erin Lynn presented an update on the City's Sustainability Plan. See attached slides.

Business Meeting Call to Order

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

Prayer/Pledge of Allegiance

Councilmember Gwen Brill

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	
Debbie Pennington	Councilmember, 3rd Ward	Present	
Adam Kraft	Councilmember, 4th Ward	Present	
Mitch Rhodus	Mayor	Present	

Agenda Modifications

None.

Executive Session Requests

None.

Minutes Acceptance: Minutes of Mar 25, 2024 7:00 PM (Approval of Minutes)

Special Presentations

a. Proclamation - Safe Prom & Graduation

Mayor Rhodus presented the Safe Prom & Graduation Proclamation to Fairfield Prevention Coalition. Students from the coalition presented information and initiatives to promote a safe, drug and alcohol free prom and graduation season.

b. Peggy Emmerson, Fairfield Chamber of Commerce

Mrs. Emmerson gave an update regarding the career fair coming up on April 18 at Fairfield High School and the Quarterly Business Roundtable on April 25.

c. Fire Department Presentation

Councilmember Paullus recognized Fire Chief Tom Lakamp and the Fire Department for an award from Miami Valley Risk Management Association, the city's loss and casualty insurance provider.

Citizen Comments

None.

Council Reports

Public Hearing(s)

None.

Approval of Minutes

The Special Meeting Minutes of March 9, 2024 and Regular Meeting Minutes of March 11, 2024 were approved as written and submitted.

OLD BUSINESS

Development Services

Councilmember Matt Davidson

Motion to amend for formatting and grammatical errors.

Councilmember Davidson presented the third reading of this ordinance.

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

Ordinance to repeal existing Chapters 1101 through 1199 (Subdivision Regulations and Zoning Code) of Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, and adopt the new City of Fairfield Planning and Zoning Code as part of Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio.

Recommendation:

It is recommended that City Council have a first reading on this ordinance at the February 12, 2024 meeting, set the joint public hearing date for February 26, 2024, and await the written

recommendation from the Planning Commission.

ORDINANCE NO. 30-24. APPROVED 7-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Matt Davidson, Councilmember, At-Large
SECONDER:	Debbie Pennington, Councilmember, 3rd Ward
AYES:	Meyers, Davidson, Brill, Besl, Paullus, Pennington, Kraft

Motion to Suspend Third Reading

Councilmember Davidson presented the second reading of this ordinance.

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

Ordinance amending Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, Section 1141.02, the City of Fairfield, Ohio, Zoning Map.

Recommendation:

It is recommended that City Council have a first reading on this item at the February 26, 2024 meeting, set the public hearing date for March 11, 2024 and await the written recommendation from the Planning Commission.

ORDINANCE NO. 31-24. APPROVED 7-0.

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

Motion to Suspend Third Reading

Councilmember Davidson presented the second reading of this ordinance.

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

Ordinance amending Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, Section 1141.02, the City of Fairfield, Ohio, Zoning Map.

Recommendation:

It is recommended that City Council have a first reading on this item at the February 26, 2024 meeting, set the joint public hearing date for March 11, 2024 and await the written recommendation from the Planning Commission.

ORDINANCE NO. 32-24. APPROVED 7-0.

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

Public Works

Councilmember Adam Kraft

Resolution continuing a general policy of the City of Fairfield, Ohio regarding property erosion along streams, creeks, rivers and other watercourses.

Recommendation:

It is staff's recommendation that Council pass a resolution continuing the general policy of the City of Fairfield regarding property erosion along streams, creeks, rivers, and other watercourses.

RESOLUTION NO. 5-24. APPROVED 7-0.

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

NEW BUSINESS

Councilmember Besl, seconded by Councilmember Davidson, moved to read all New Business by title only.

Development Services

City Manager Scott Timmer - Report

Councilmember Matt Davidson

Motion to Suspend Second and Third Readings

Councilmember Davdison presented the first reading of this resolution.

RESULT: CARRIED [UNANIMOUS]
MOVER: Matt Davidson, Councilmember, At-Large
SECONDER: Debbie Pennington, Councilmember, 3rd Ward
AYES: Meyers, Davidson, Brill, Besl, Paullus, Pennington, Kraft

Resolution to amend Resolution No. 9-23 to extend the moratorium on the consideration and/or granting of any zoning, occupancy, building or other permits or applications relating to vape stores within the City of Fairfield and declaring an emergency.

Recommendation:

It is recommended that the City adopt the resolution extending the moratorium relating to new vape stores within the City of Fairfield until June 11, 2024.

RESOLUTION NO. 6-24. APPROVED 7-0.

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

Ordinance amending Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, Section 1141.02, the City of Fairfield, Ohio, Zoning Map by approving the concept and final development plan for the Optimized Senior Living Planned Unit Development on approximately 5.6 acres of land on three parcels located at 6131 and 6151 River Road.

Recommendation:

It is recommended that City Council have the first reading on this item at the March 25, 2024 meeting, set the joint public hearing for April 8, and await the written recommendation from the Planning Commission.

Councilmember Davidson presented the first reading of this ordinance and set the joint public hearing date for April 8, 2024.

RESULT: FIRST READING Next: 4/8/2024 7:00 PM

Public Safety

City Manager Scott Timmer - Report

Councilmember Dale Paullus

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

Ordinance to authorize the City Manager to execute the Staffing for Adequate Fire and Emergency Response (SAFER) Grant Application and Agreement with FEMA for funding nine (9) new firefighters and declaring an emergency

Recommendation:

It is recommended that City Council authorize the preparation of legislation, with rules suspension and emergency provision, authorizing the City Manager to execute and file the application for financial assistance and enter into an agreement for a grant to fund nine new firefighters for 36 months.

ORDINANCE NO. 33-24. APPROVED 7-0.

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

Public Works

City Manager Scott Timmer - Report

Councilmember Adam Kraft

Motion to Suspend Second and Third Readings

Councilmember Kraft presented the first reading of this ordinance.

RESULT: CARRIED [UNANIMOUS]
MOVER: Adam Kraft, Councilmember, 4th Ward
SECONDER: Debbie Pennington, Councilmember, 3rd Ward
AYES: Meyers, Davidson, Brill, Besl, Paullus, Pennington, Kraft

Ordinance to authorize the City Manager to enter into a contract with Oberson's Nursery & Landscapes, LLC for the 2024-2026 Street Sweeping Services

Recommendation:

It is recommended that City Council authorize the City Manager to enter into a contract with Oberson's Nursery & Landscapes, LLC of Hamilton, Ohio for a period of three (3) years at the attached prices.

ORDINANCE NO. 34-24. APPROVED 7-0.

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

Motion to Suspend Second and Third Readings

Councilmember Kraft presented the first reading of this ordinance.

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

Ordinance to authorize the City Manager to enter into a contract with Capital Electric Line Builders, LLC for the 2024-2026 Traffic Signal Maintenance and declaring an emergency.

Recommendation:

It is recommended that City Council authorize the City Manager to enter into a contract with the Capital Electric Line Builders, LLC of Dayton, Ohio for Traffic Signal Maintenance Services for a period of three (3) years at the attached prices.

ORDINANCE NO. 35-24. APPROVED 7-0.

Minutes Acceptance: Minutes of Mar 25, 2024 7:00 PM (Approval of Minutes)

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

Motion to Suspend Second and Third Readings

Councilmember Kraft presented the first reading of this ordinance.

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

Ordinance to authorize the City Manager to enter into a contract with Prodigy Building Solutions, LLC for the replacement of HVAC equipment at the Justice Center and declaring an emergency.

Recommendation:

It is recommended that the City Council authorize and direct the preparation of legislation authorizing the appropriation of funding in the amount of \$825,000 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. 36-24. APPROVED 7-0.

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

Motion to Suspend Second and Third Readings

Councilmember Kraft presented the first reading of this ordinance.

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

Ordinance to authorize the City Manager to enter into a contact with Choice One Engineering for Ross Road and Woodridge Boulevard Intersection Improvement Design

Recommendation:

It is recommended that City Council authorize the City Manager to enter into a contract with Choice One Engineering to design the improvements to the intersection of Ross Road and Woodridge Boulevard and further recommends that City Council authorize funding in the amount shown in the Financial Impact section.

ORDINANCE NO. 37-24. APPROVED 7-0.

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

Motion to Suspend Second and Third Readings

Councilmember Kraft presented the first reading of this ordinance.

RESULT: CARRIED [UNANIMOUS]
MOVER: Adam Kraft, Councilmember, 4th Ward
SECONDER: Debbie Pennington, Councilmember, 3rd Ward
AYES: Meyers, Davidson, Brill, Besl, Paullus, Pennington, Kraft

Ordinance to authorize the City Manager to execute and file the Safe Streets and Roads for All – Action Plan Grant Application and agreement and declaring an emergency.

Recommendation:

It is recommended that City Council authorize the preparation of legislation, with rules suspension and emergency provision, authorizing the City Manager to execute and file the application for financial assistance, and enter into an agreement for a grant to fund a portion of the Safe Streets and Roads for All - Action Plan project should the grant application be selected for funding.

ORDINANCE NO. 38-24. APPROVED 7-0.

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

Finance & Budget

City Manager Scott Timmer - Report

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: Tim Meyers, Councilmember, At-Large
AYES: Meyers, Davidson, Brill, Besl, Paullus, Pennington, Kraft

Ordinance to establish salaries and hourly rates for certain Municipal Court employees of the City of Fairfield, Ohio and to authorize and limit the numbers and types of certain Municipal Court employees to repeal Ordinance No.178-23 and all amendments thereto and declaring an emergency.

Recommendation:

It is recommended that City Council approve this ordinance, suspending the rules and declaring an emergency to allow for the expeditious implementation of Court employees wage increases.

ORDINANCE NO. 39-24. APPROVED 7-0.

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

Ordinance to establish salaries and hourly rates for certain salaried and hourly employees of the City of Fairfield, Ohio and to authorize and limit the numbers and types of certain employees, to repeal Ordinance No. 177-23 and all amendments thereto and declaring an emergency.

Recommendation:

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

ORDINANCE NO. 40-24. APPROVED 7-0.

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

Ordinance to amend Ordinance No. 166-23 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, 2024, and ending December 31, 2024” - Supplemental Appropriations.

Recommendation:

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

ORDINANCE NO. 41-24. APPROVED 7-0.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Gwen Brill, Councilmember, At-Large
SECONDER: Dale Paullus, Councilmember, 2nd Ward
AYES: Meyers, Davidson, Brill, Besl, Paullus, Pennington, 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: Debbie Pennington, Councilmember, 3rd Ward
AYES: Meyers, Davidson, Brill, Besl, Paullus, Pennington, Kraft

Ordinance to amend Ordinance No. 166-23 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, 2024, and ending December 31, 2024.”

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. 42-24. APPROVED 7-0.

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

Ordinance to amend Ordinance No. 166-23 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, 2024, and ending December 31, 2024.”

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. 43-24. APPROVED 7-0.

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

Meeting Schedule

Clerk Wilson read the following meeting schedule:

- A. Monday, April 8 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM
- B. Monday, April 22 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM
- C. Monday, May 13 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM

Executive Session of Council (if needed)

None.

16. ADJOURNMENT

The Regular Meeting adjourned at 7:42 PM.

ATTEST:

Clerk of Council

Mayor's Approval

Date Approved _____

Minutes Acceptance: Minutes of Mar 25, 2024 7:00 PM (Approval of Minutes)

**COUNCIL- MANAGER
BRIEFING**

March 25, 2024

Ver. 03.18

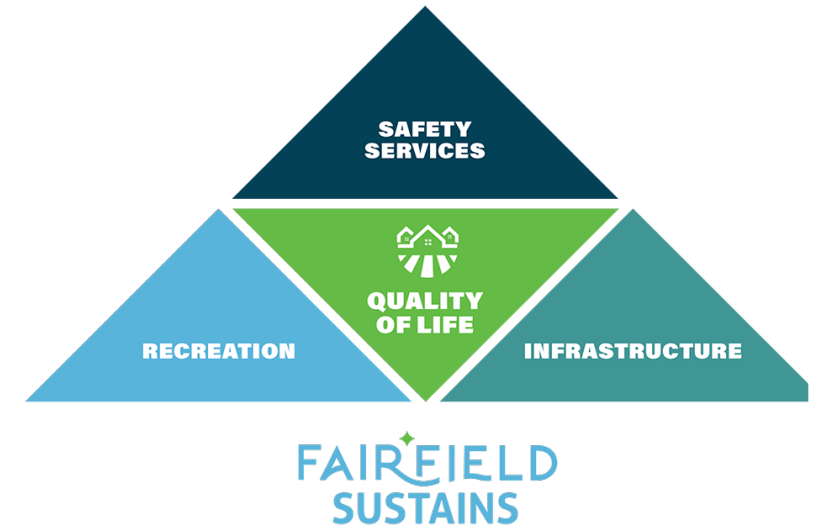
SUSTAINABILITY PLAN UPDATE

IN PARTNERSHIP WITH:



PROJECT OVERVIEW

- Develop a localized Sustainability Plan for the City of Fairfield
- Funded from America Rescue Planning
- Provide superior **quality of life** for all residents and businesses
- Improve livability by reducing the impact of city operations on **natural resources** and the environment
- Integrate **operational efficiencies**, value/cost savings, process improvements





PROJECT HISTORY



Minutes Acceptance: Minutes of Mar 25, 2024 7:00 PM (Approval of Minutes)



GOALS & FRAMEWORK(S)

- **Business sustainability** - support business practice adoption
- **Residential sustainability** - ease participation for residents
- **Decarbonization goals** - carbon reduction projects, opportunity identification and ranking with costs, risks & ROI metrics
- **Building & zoning codes** - incorporate & promote sustainability
- **Green Infrastructure** - recommendations for opportunity areas
- **Efficiency** - municipal operations specified to departmental level
- **Financial operating structure** - updates to rank, prioritize and support sustainable projects and consider in procurement of goods & services
- **Macro level review** of how recommended sustainability plan equates to city wide operational efficiencies, ROI and improved quality of life
- **Fairness in public policy** as related to sustainability initiatives

PLAN TIMELINE AND KEY MILESTONES

JUNE-JULY



**Baseline
Review &
Information
Gathering**

JULY-AUG



**Data
Analysis &
Forecasts**

SEPT-APR



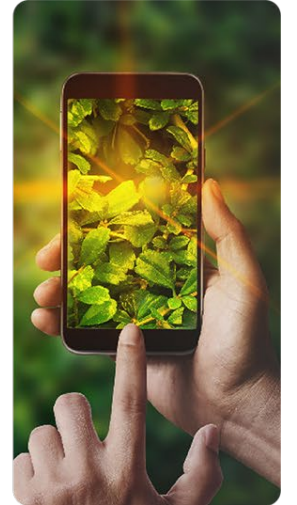
**Community
Outreach &
Engagement**

FEB-MAR



**Draft Goals,
Frameworks
& Strategies**

APR-MAY



**Draft & Final
Sustainability
Plan**

Minutes Acceptance: Minutes of Mar 25, 2024 7:00 PM (Approval of Minutes)

COMMUNITY OUTREACH & ENGAGEMENT

Engagement primary activities

- Biweekly Coordination with Project Team
- (8) Interviews with Council & Mayor (Intro, Goals)
- (3) Department Leadership (Kickoff, Ideation, Strategy Refinement)
- (3) Environmental Committee (Intro, Ideation, Strategy Refinement)
- (3) Special Council Work Sessions ((Kickoff, Ideation, Strategy Refinement)
- Miami University Graduate Student Research Engagement
- Community Promotion - City website, Facebook, Fairfield Flyer
- Community Survey - Broadly Distributed, Multiple Channels

Website (*City*)

Facebook (*City, Resident's page, Fairfield City Schools*)

Fairfield Flyer

Utility Bill Inserts

Religious & Civic Organizations

Business Newsletter

Chamber Newsletter

Chamber Dinner

Halloween on the Green

High School Environmental Science Class

City Employees

Boards and Commissions

Neighborhood Meetings

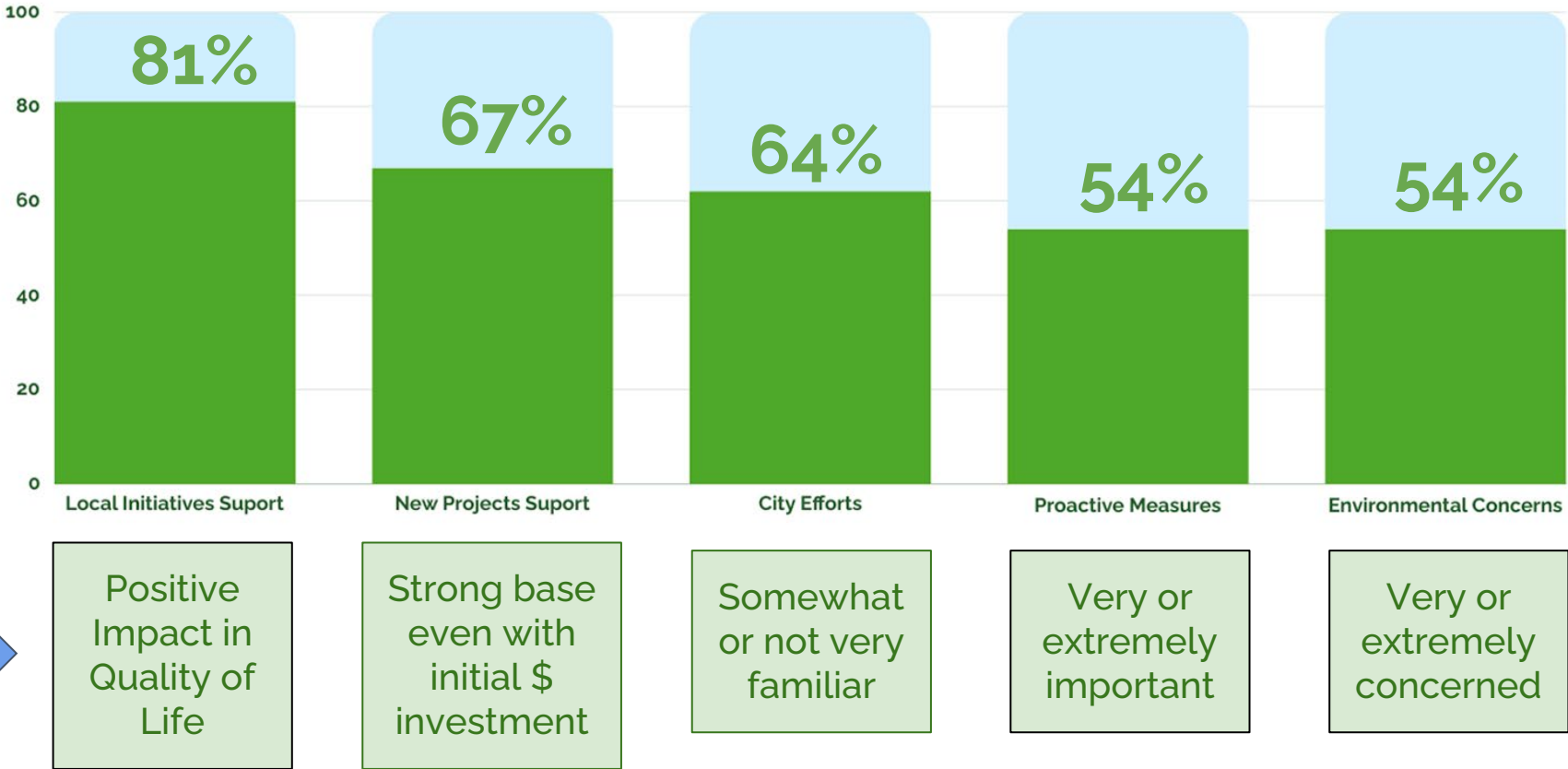
55 Plus Senior Group

Fairfield SURVEY

What is the community's perception of Environment, Sustainability & City?
Questions 1-2, 4-5, 7



The Community's
opinion about
sustainability:



Minutes Acceptance: Minutes of Mar 25, 2024 7:00 PM (Approval of Minutes)

Fairfield SURVEY

What is quality of life?

Question 9

Nature and Recreation

Maintaining and enhancing parks and green spaces

Safety and Public Services

Well-maintained and secure community

Economic and Community Development

Desire for a thriving, connected community with robust local commerce

Environmental and Health Concerns

Concerns about clean water, air quality, and environmental sustainability are evident

Infrastructure Importance

Investments in these areas would be positively received by the community.



Fairfield SURVEY

Top Ranked Strategies

Questions 11-15





**Identify Goals &
Set Targets**



STRATEGY **FOCUS AREAS**

MOBILITY & TRANSPORTATION

Create a more walkable, bikeable, transit friendly community through connectivity

BUILDINGS & ENERGY

Increase renewable energy, local solar, energy efficiency and electrification

RESOURCE CONSERVATION

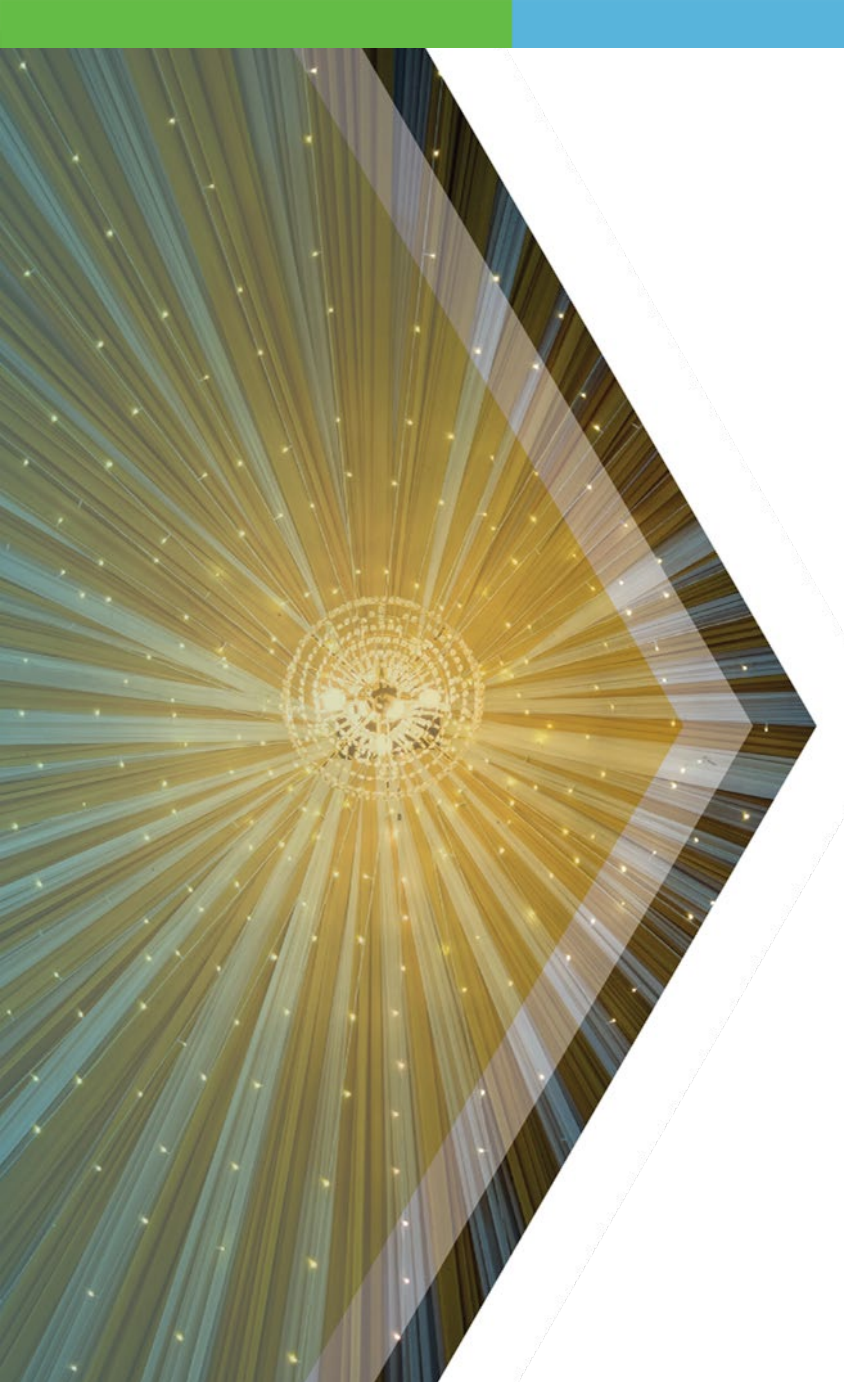
Increase waste reduction, recycling & diversion; Encourage water conservation & efficiency

NATURE & GREEN COMMUNITY

Preserve green space & parks; protect natural systems, groundwater & stormwater mgmt

COMMUNITY & BUSINESS RESILIENCE

Improve quality of life through sustainability for residents and businesses



HIGH IMPACT ACTIONS

- Leverage **Energy Aggregation** for Renewable Energy
- Continue **Municipal RECs** (100% renewable energy)
- Onsite **Municipal Solar**; Community solar
- Proactive **Energy Efficiency** Implementation
- Lead by Example - **City Demonstration Projects**
- Robust Implementation of **Fairfield Connects**
- **Electrify** Fleet, Off-road Vehicles, Equipment, Tools
- **Waste Diversion Plan** (WCS, set goal, expand programs)
- Pilot **Food Scrap Organics** Collection
- Citywide Tree Inventory and **Urban Forestry Action Plan**
- Launch **Green Business Recognition Program**
- **Education**, Outreach, Technical Assistance to **Drive Adoption**

GOALS

Reduce energy emissions from electricity by 50% by 2030 and 100% by 2055 community-wide

ENERGY & BUILDINGS

STRATEGIES

Leverage energy aggregation to achieve 50%, 70%, 100% carbon-free energy

Increase **municipal on-site solar** by 2030

Encourage **community solar** among residents and businesses

SELECTED ACTIONS

Continue **100% renewable energy for all municipal** operations

Achieve **50% renewable energy power procurement by 2025**, Add 100% option in next procurement cycle (2027); Increase to **70% 2030** and **100% carbon-free energy by 2035**

Conduct **solar siting study** to guide municipal on-site renewable energy installations; Partner with Miami University

Upgrade **cobra head street lights and traffic signals to LED** or other energy-efficient technologies. Accelerate end of life post head light replacements

U.S. IS RAPIDLY DECARBONIZING

25

STATES HAVE
GHG TARGETS OR
CLEAN ENERGY
GOALS

600

LOCAL GOVERNMENTS
HAVE DEVELOPED
CLIMATE ACTION
PLANS

**40
MILLION**

PEOPLE OR 12%
OF THE POPULATION
LIVE IN CITIES WITH
CLIMATE ACTION
PLANS

60%

OF FORTUNE 500
COMPANIES
HAVE SET
CLIMATE AND
ENERGY GOALS

FEDERAL
GOVERNMENT
WILL PROCURE

100%

CARBON POLLUTION-FREE
24/7 ELECTRICITY
BY 2030

\$100B

PER YEAR NEEDED
IN CLEAN ENERGY
INVESTMENT TO REACH
90% CLEAN ENERGY
BY 2035

2/3

OF CAR SALES
WILL BE ELECTRIC
BY 2040

U.S. GHG
REDUCTION TARGET OF
50-52%

BY 2030

MOBILITY & TRANSPORTATION



GOALS

Reduce vehicle miles traveled (VMT) emissions by 20% by 2030 and 30% by 2055

STRATEGIES

Create a more walkable & bikeable City through robust implementation of *Fairfield Connects*

Convert **25% of non-emergency City fleet to (EVs), hybrid or clean fuels** by 2030

Proactively support **community EV expansion and readiness**

SELECTED ACTIONS

Establish dedicated **Active Transportation Fund** to invest in infrastructure development, smart growth, education, incentives and connectivity enhancements in line w/ *Fairfield Connects*.

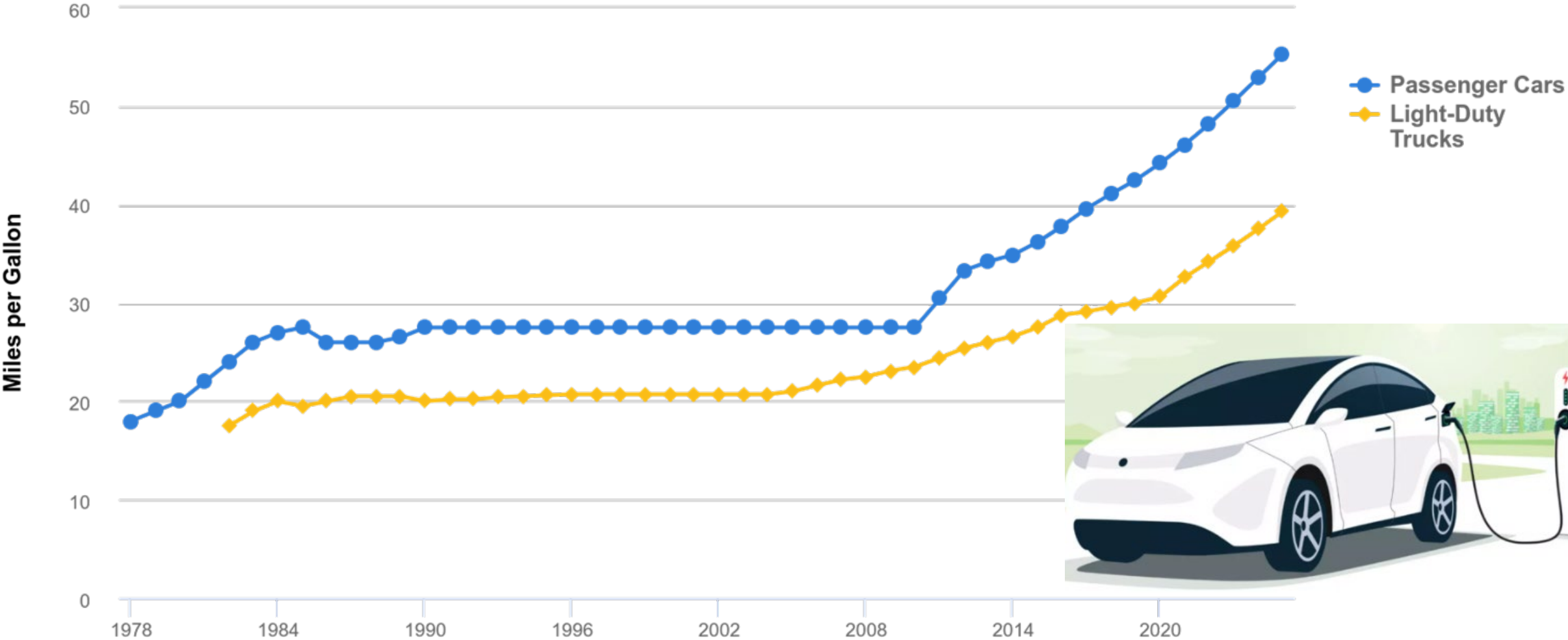
Seize funding opportunities by proactively pursuing federal, state, local grant and related opportunities by monitoring and applying for relevant grants as outlined in Plan.

Develop a **Zero Emission Vehicle (ZEV) Study for 100% Municipal Fleet conversion by 2055** pertaining right sizing, replacement schedule, costs, infrastructure needs, optimal charging locations, and funding opportunities. Partner with Mian University.

Expand ZEV Study to include a **Community Assessment** for charging infrastructure optimization, code enhancements and other strategies to encourage EV adoption for residents and businesses.

Conduct study to assess and set targets including replacement schedule for **off-road vehicles, tools, machinery, e** **electrification by 2030.**

Vehicle Fuel Efficiency (CAFE) Requirements by Year



Last updated: September 2013
Printed on: March 14

Minutes Acceptance: Minutes of Mar 25, 2024 7:00 PM (Approval of Minutes)

RESOURCE CONSERVATION

GOALS

Achieve a 10% increase in waste reduction and diversion by 2030

Encourage Community Water Conservation

STRATEGIES

Advance Sustainable Waste Management Planning

Enhance Organics Collection Diversion

Strengthen Current Diversion Programs

Advance Targeted Waste Management Solutions

SELECTED ACTIONS

Complete **Waste Characterization Study (WCS)** and **Waste Reduction and Diversion Plan by 2027**

Launch **pilot food scrap organics** collection program **by 2026**

Enhance and expand **existing recycling, green-waste and leaf pickup** diversion programs

Develop **new targeted waste management programming** to increase diversion

Adopt **Environmentally Preferable Purchasing Policy (EPPP)** for municipal operations to maximize source reduction and guide sustainable procurement **by 2025**

NATURE & GREEN COMMUNITY

GOALS

**Preserve and Strategically
Develop Sustainable
Landscapes &
Communitywide Culture
of Sustainability**

STRATEGIES

Preserve, expand and enhance 935 acres of existing publicly managed parks and greenspace.

Demonstrate Leadership in Sustainability by Modeling Best Practices in City Operations by **2030**

SELECTED ACTIONS

Citywide **Tree Inventory and Urban Forestry Action Plan (UFAC)** by 2028

Secure funding and **implement UFAC**, inventory and complementary initiatives

Continue City's active leadership in **Stormwater Collaborative** and **Groundwater Consortium** and **Tree City USA**

Lead by example with **City Demonstration Projects** for sustainable practices, landscaping, water catchment, porous surfaces, stormwater protection, at City parks, buildings, facilities

BUSINESS & COMMUNITY RESILIENCE

GOALS

Enhance Quality of Life
through Sustainability

Embrace Sustainability as
Core Aspect of Community
Identity & Value

STRATEGIES

Actively **Lead by Example in City Operations** to Demonstrate Sustainable Practices.

Actively **Encourage Sustainability Practice Adoption** Among Residents & Businesses By Removing Barriers to Participation.

SELECTED ACTIONS

Establish a **City Sustainability Coordinator** position to actively oversee and administer the implementation of this Plan across all focus areas, departments and community sectors

Establish **educational programming to train residents and businesses** in sustainable practice adoption and easily connect additional available resources and services

Actively monitor, pursue and **secure grant** or other funding to **support resilient natural systems** through such efforts as stream protection, wetlands or riparian restoration, erosion control, etc.

GOALS

Enhance Business &
Community Resilience to
Environmental Changes

BUSINESS & COMMUNITY RESILIENCE

STRATEGIES

Promote Business Resilience through Sustainability Practice Adoption

Promote Community Resilience Adaptation & Preparedness

SELECTED ACTIONS

Develop and implement **green business recognition program by 2025**; Recruit, award and promote green businesses

Utilize **economic development resources to target and transform commercial areas** through beautification, bike paths, low-impact landscaping, green corridors and privately managed pocket parks

Continue to **actively address historical flooding concerns** through active stormwater and floodplain management and inspection activities. Utilize annual capital investments to monitor and improve stormwater maintenance and infrastructure.

Partner with Butler County Emergency Response and Pre-Disaster Mitigation effort to integrate resilience into community emergency response and preparedness efforts, including environmental resiliency.

RESOURCES FOR SUCCESS

- Establish Sustainability Coordinator
- Proactively Secure Grant Funding
- Fund Dedicated Active Transportation Fund
- Establish Dedicated Sustainability Fund
- Strategic Use of Economic Development Funds
- Lead by Example - Demonstration, Policy
- Prioritize Sustainability in SOPs, Policies, Purchasing (EPPP)
- Education, Outreach, Technical Assistance

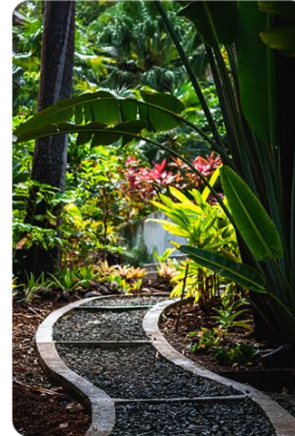
NEXT STEPS

APRIL 2024



Draft
Plan

MAY 2024



Obtain
Feedback
on
Draft Plan

SUMMER 2024



Present
and
Adopt Final
Plan

ONGOING



Implement
and
Track

Thank you!



PRESENTED BY:  blue strike



City Council Ordinance
Regular Meeting - April 8, 2024

Submitted by: Erin Lynn, Planning Manager
 Submitting Department: Development Services

Subject:

Optimized Senior Living PUD

Legislation Title:

Ordinance amending Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, Section 1141.02, the City of Fairfield, Ohio, Zoning Map by approving the concept and final development plan for the Optimized Senior Living Planned Unit Development on approximately 5.6 acres of land on three parcels located at 6131 and 6151 River Road.

Recommendation:

It is recommended that City Council have the first reading on this item at the March 25, 2024 meeting, set the joint public hearing for April 8, and await the written recommendation from the Planning Commission.

Background/Synopsis:

The applicant, Optimized Senior Living, is proposing to operate an assisted living facility for senior citizens at the former One Way Farm property. The entire 12-acre property consists of five parcels, three in the city and two in Fairfield Township. There is an administrative building located in the city and two residential buildings in Fairfield Township that have access to River Road. In addition, there are two non-residential metal buildings and a picnic shelter located on the property in Fairfield Township.

The applicant proposes to construct a 3,800 square foot addition to the existing 5,700 square foot administration building to house 24 residents. The building will also include a common living, dining and kitchen area, an office, a hair salon, and housekeeping services. Plans call for the building to be staffed twenty-four hours a day to support the residents.

The applicant is also requesting approval to construct two one-story buildings in the future on undeveloped land just south of the administration building. Each new building would house 16 residents and have a common living, dining, and kitchen area, and would also be staffed twenty-four hours a day.

The two residential buildings located in Fairfield Township will be renovated for memory care units housing up to six residents in each building. The two metal buildings, also located in Fairfield Township, will be renovated. One will be used for an adult daycare center and the other will be used for storage and administration purposes. It is anticipated that Fairfield Township will require similar approvals for the project. City staff will collaborate with Fairfield Township to ensure a common vision for the project in both communities.

Financial Impact:

None. This is a land use decision.

Emergency Provision Explanation:

NA

Rule Suspension Requested:

No

Emergency Provision Needed:

No

Attachments:

1. Optimized senior living aerial_CC_3.25.24
2. council site plan
3. OPTIMIZED SENIOR LIVING-ORD

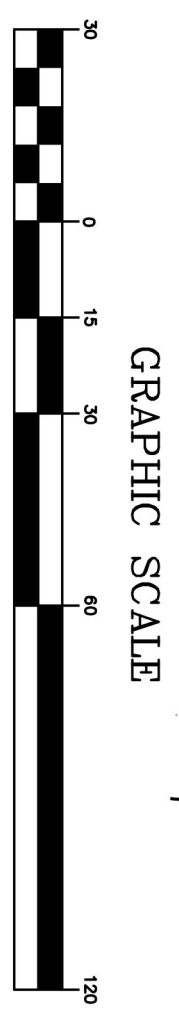
Proposed Change in Zoning From A-1 to RUD

12.A.1.a



Attachment: Optimized senior

Packet Pg. 42



Abercrombie & Associates, Inc.
Civil Engineering + Surveying
8111 Cheviot Road, Suite 200
Cincinnati, Ohio 45247
513-385-5757
www.abercrombie-associates.com

24-0023

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1

Sheet Title	PRELIMINARY SITE PLAN
Project Title	OPTIMIZED SENIOR LIVING PART LOT 304 CITY OF FAIRFIELD SECTION-9, TOWN-1, RANGE-2 FAIRFIELD TOWNSHIP, BUTLER COUNTY, OHIO

REVISIONS
DWG: DATA\RB-PRLM

Date	3-11-24
Drawn By	C.A.
Checked By	C.A.
Scale	1"=30'

**OPTIMIZED SENIOR LIVING
6131 RIVER RD**

ORDINANCE NO. _____

ORDINANCE AMENDING ORDINANCE NO. 166-84, THE CODIFIED ORDINANCES OF FAIRFIELD, OHIO, SECTION 1141.02, THE CITY OF FAIRFIELD, OHIO, ZONING MAP BY APPROVING THE CONCEPT AND FINAL DEVELOPMENT PLAN FOR THE OPTIMIZED SENIOR LIVING PLANNED UNIT DEVELOPMENT ON APPROXIMATELY 5.6 ACRES OF LAND ON THREE PARCELS LOCATED AT 6131 AND 6151 RIVER ROAD.

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

Section 1. The official Zoning Map of the City of Fairfield, Ohio, which is incorporated into Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio, Section 1141.02, is hereby amended by changing the zoning classification of three parcels (A0700-010-000-016, A0700-010-000-056, A0700-010-000-067) consisting of 5.6 acres located at 6131 and 6151 River Road from its present A-1, Agricultural and Estate Residence District classification by approving the concept and final development plan for the Optimized Senior Living Planned Unit Development, a copy of which plan, including the written terms and conditions which constitute a material part thereof, is on file in the office of the Clerk of Council and is incorporated herein by reference.

Section 2. The Director of Development Services is hereby directed to change the official Zoning Map of the City of Fairfield, Ohio in accordance with this ordinance.

Section 3. 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

Attachment: OPTIMIZED SENIOR LIVING-ORD (3863 : Optimized Senior Living PUD)

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\2024\OPTIMIZED SENIOR LIVING-ORD

Attachment: OPTIMIZED SENIOR LIVING-ORD (3863 : Optimized Senior Living PUD)



City Council Action Item
Regular Meeting - April 8, 2024

Submitted by: Alisha Wilson, Clerk
 Submitting Department: Clerk

Subject:

2024 Boards/Commissions Appointments - Environmental Commission

Legislation Title:

Simple Motion: Motion to approve the following 2024 Boards/Commissions Appointments effective April 1, 2024: Kent Ernsting - Environmental Commission (term expires 3/31/27) Vivian Paul - Environmental Commission (term expires 3/31/27) Jeremy Powell - Environmental Commission (term expires 3/31/27) Dona Canaan - Environmental Commission (term expires 3/31/27) Roy Cohen - Environmental Commission (partial term expires 3/31/26) Mark Pennington - Environmental Commission (partial term expires 3/31/25)

Recommendation:

It is recommended that City Council, via simple motion, appoint the following residents to serve on the various boards and commissions **effective April 1, 2024:**

Kent Ernsting - Environmental Commission (term expires 3/31/27)
 Vivian Paul - Environmental Commission (term expires 3/31/27)
 Jeremy Powell - Environmental Commission (term expires 3/31/27)
 Dona Canaan - Environmental Commission (term expires 3/31/27)
 Roy Cohen - Environmental Commission (partial term expires 3/31/26)
 Mark Pennington - Environmental Commission (partial term expires 3/31/25)

Background/Synopsis: Each year on March 31, positions become available on Fairfield's various boards and commissions due to expiring terms of office. Advertising for the March 31 vacancies began on December 11, 2023 and concluded on January 19, 2024. City Council passed legislation on March 11, 2024 to increase the number of appointments on the Environmental Commission to a range of 9-12 members. The members of the Parks & Recreation Board interviewed candidates at their meetings in February and March and made the recommendations listed in the motion on March 20, 2024. They have recommended that the 3 additional appointments have staggered terms to coincide with the terms of current members, so 2 of the appointments are recommended as partial terms to start.

Rule Suspension Requested:

Emergency Provision Needed:



City Council Ordinance
Regular Meeting - April 8, 2024

Submitted by: Chris Hacker,
Submitting Department: Finance

Subject:

\$1.5 Million BAN Issuance

Legislation Title:

Ordinance authorizing the issuance of not to exceed \$1,500,000 of various purpose bond anticipation notes, series 2024, by the City of Fairfield, Ohio, in anticipation of the issuance of bonds, and declaring an emergency.

Recommendation:

It is necessary for City Council to authorize the issuance of \$1.50 million in various purpose Bond Anticipation for the Water Distribution system improvements for the Public Utilities Department. It is recommended that City Council authorize and direct the preparation of legislation to issue \$1.50 million on various purpose Bond Anticipation Notes (BAN). It is estimated that the rate of interest will be in the range of 3.50 to 4.00 percent. To accommodate the pricing of the BAN, a suspension of the second and third readings is requested. The settlement of the new BAN is April 16, 2024.

Background/Synopsis:

The combining of two issuances into one allows the City to take advantage of better interest rates, reducing the interest expense to the City while allowing the projects tied to the funding to continue. In 2017, the City issued \$5 million in BANs for Water and Wastewater system improvements, an additional \$2 million in 2019, another \$1 million in 2021, and \$1.26 million in 2023 for Water Distribution system improvements. The City will pay \$1,142,975 toward those BANs and will renew the remaining \$4,334,000. The 2024 new issuance of \$1.50 million is for Water Treatment Plant Process Equipment improvements.

Financial Impact:

The issuance of the \$5.834 million in BANs will allow the Water Distribution Division System Improvements projects for the Public Utilities Department specified in the 2024-2028 Capital Improvement Program to proceed. The City anticipates favorable interest rates due to our strong Aa1 bond rating.

Emergency Provision Explanation:

Accommodate bond pricing requirements.

Rule Suspension Requested:

Yes

Emergency Provision Needed:

Yes

Attachments:

1. \$1.5M City of Fairfield Water System Improvement BANS Legis(42013666.1)

CERTIFICATE OF MEMBERSHIP

The undersigned, Finance Director of the City of Fairfield, County of Butler, Ohio, hereby certifies that the following were the officers and members of Council during the period when proceedings were taken authorizing the issuance of not to exceed \$1,500,000 Water System Improvement Bond Anticipation Notes, dated the date of their issuance:

Mayor	<u>Mitch Rhodus</u>
Finance Director	<u>Chris Hacker</u>
City Manager	<u>Scott Timmer</u>
Clerk of Council	<u>Alisha Wilson</u>
Member of Council	<u>Leslie Besl</u>
Member of Council	<u>Dale Paullus</u>
Member of Council	<u>Debbie Pennington</u>
Member of Council	<u>Adam Kraft</u>
Member of Council	<u>Gwen Brill</u>
Member of Council	<u>Matt Davidson</u>
Member of Council	<u>Tim Meyers</u>
Law Director	<u>John Clemmons</u>
	 <u>Finance Director</u>

TRANSCRIPT CERTIFICATE

The undersigned, Clerk of Council of said City of Fairfield, hereby certifies that the following is a true and complete transcript of all proceedings relating to the authorization and issuance of the above identified notes.

Clerk of Council

Attachment: \$1.5M City of Fairfield Water System Improvement BANS Legis(42013666.1) (3878 : \$1.5 Million BAN Issuance)

**CERTIFICATE AS TO MAXIMUM MATURITY OF
BONDS AND BOND ANTICIPATION NOTES**

The undersigned, being the fiscal officer of the City of Fairfield, Ohio, within the meaning of Section 133.01 of the Uniform Public Securities Law of the Ohio Revised Code, hereby certifies to the City Council that the estimated life of the improvements financed with the proceeds of the sale of not to exceed \$1,500,000 of bonds, for the purpose of making improvements to the municipal water system consisting of replacing chlorine/fluoride feed systems, is at least five (5) years and that the maximum maturity of said bonds, in accordance with Section 133.20 of the Uniform Public Securities Law of the Ohio Revised Code, is forty (40) years, and the maximum maturity of notes issued in anticipation thereof is twenty (20) years.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of _____, 2024.

Finance Director

ORDINANCE NO.**ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$1,500,000 OF WATER SYSTEM IMPROVEMENT BOND ANTICIPATION NOTES, BY THE CITY OF FAIRFIELD, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS, AND DECLARING AN EMERGENCY.**

WHEREAS, the fiscal officer of the City has estimated the life or period of usefulness of the improvements as at least five (5) years, and certified the maximum maturity of the bonds to be issued to finance the same as forty (40) years, and of notes issued in anticipation thereof as twenty (20) years;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Fairfield (hereinafter called the "City"), Butler County, Ohio:

SECTION 1. That it is hereby declared necessary to issue bonds of the City of Fairfield, County of Butler, Ohio, in the principal amount of not to exceed \$1,500,000 bearing interest estimated at six per centum (6%) per annum and maturing over a period of forty (40) years, for the purpose of making improvements to the municipal water system consisting of replacing chlorine/fluoride feed systems.

SECTION 2. That it is hereby determined that notes (hereinafter called the "Notes") in the principal amount of not to exceed \$1,500,000 shall be issued in anticipation of the issuance of said bonds.

SECTION 3. That the Notes shall be dated their date of issuance, shall bear interest at the rate not to exceed five and one half percent (5.50%) per annum, payable at maturity, shall mature not later than one year from the date of issuance, and shall be of the denomination or denominations as may be requested by the purchaser or purchasers thereof all as determined by the Finance Director or the City Manager without further action by this Council, except that the denominations shall be \$100,000 or any integral multiple of \$1,000 in excess of \$100,000. The terms of such Notes, which shall be in compliance with Chapter 133 of the Ohio Revised Code, shall be set forth in the Certificate of Award setting forth the final terms of the Notes (the "Certificate of Award"), which is hereby authorized and which shall be executed by the City Manager or the Finance Director without further action by this council.

SECTION 4. That the Notes shall be executed by the City Manager and the Finance Director and may but shall not be required to bear the seal of the corporation. The Notes shall be designated "Water System Improvement Bond Anticipation Notes, Series 2024" and shall be payable at a bank or trust company designated by the Finance Director or City Manager and the purchaser, and shall express upon their face the purpose for which they are issued and that they are issued in pursuance of this Ordinance.

SECTION 5. That the City Manager and Finance Director, or either of them, is hereby authorized to combine these notes with one other issue of notes authorized under separate legislation for the purpose of constructing and providing for the projects into single consolidated

issue of notes for the purposes of their sale as a single issue. If so combined: the consolidated issue of notes shall be known as “Various Purpose Limited Tax General Obligation Bond Anticipation Notes, Series 2024”; such consolidation issue shall be dated, mature, bear interest, be executed, and be denominated in a manner consistent with the provisions of this Ordinance relating to the notes authorized herein. The proceeds from the sale of such consolidated issue shall be apportioned, deposited and credited in accordance with the amount of notes authorized by this Ordinance and the amount of notes authorized by the Ordinance providing for the issuance of: and not to exceed \$4,334,000 Various Purpose Bond Anticipation Notes, Series 2023, 2024 Renewal.

SECTION 6. That the Notes shall be sold at public or private sale by the Finance Director at not less than ninety-seven percent of the par value of such Notes together with interest thereon, if any. The proceeds from such sale, except accrued interest thereon, shall be paid into the proper funds and used for the purpose aforesaid and for no other purpose. Accrued interest, if any, received on sale of said Notes shall be transferred to the bond retirement fund to be applied to the payment of principal of and interest on said Notes in the manner provided by law.

Notwithstanding the above, the Council and the Finance Director are hereby directed to withhold delivery of the notes, and to refuse to accept payment therefor, unless and until the original purchaser delivers to the City acknowledgement that the City has not prepared an official statement for the sale of the notes and the notes and the sale thereof is expected to be exempt from CFR §240.15c2-12 by being issued in denominations of \$100,000 or greater and be being sold to no more than 35 accredited investors or maturing in nine months or less.

The City Manager or the Finance Director is hereby directed to report to this Council as soon after the sale and award of such notes as is reasonably feasible, the interest rate for such notes.

SECTION 7. That the Notes shall be the full general obligations of the City, and the full faith, credit and revenue of the City are hereby pledged for the prompt payment of the same.

SECTION 8. That during the period while the Notes run there shall be levied upon all of the taxable property in the City, within applicable limitations, in addition to all other taxes, a direct tax annually, not less than that which would have been levied if bonds had been issued without the prior issue of the Notes; said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof.

The funds derived from said tax levy hereby required shall be placed in a separate and distinct fund and, together with interest collected on the same, shall be irrevocably pledged for the payment of the principal and interest of the Notes, or the notes in anticipation of which they are issued, when and as the same fall due; provided, however, to the extent other City revenues are available for such purpose said tax shall not be levied therefor.

SECTION 9. That this Council, for and on behalf of the City, hereby covenants that it will restrict the use of the Notes hereby authorized in such manner and to such extent, if any, and take such other action as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute obligations the interest on which is

subject to federal income taxation or “arbitrage bonds” under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the “Code”) and the regulations prescribed thereunder. The Finance Director or any other officer having responsibility with respect to the issuance of said Notes is authorized and directed to give an appropriate certificate on behalf of the City, on the date of delivery of said Notes for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder.

These Notes are hereby designated “tax-exempt obligations” for the purposes set forth in Section 265(b)(3) of the Code.

SECTION 10. That this Council hereby authorizes and directs the Finance Director or the City Manager to take any and all actions which may be necessary to issue the notes in book-entry-only form or in such form as will render the notes eligible for the services of the Depository Trust Company, New York, New York without further action by this Council, including execution of all documents necessary therefore.

SECTION 11. All appropriate officers of the City are further authorized to make, execute, acknowledge and deliver such agreements, financing statements, closing certificates and other instruments or documents as are, in the opinion of bond counsel, necessary to carry out the purposes of this ordinance.

SECTION 12. The firm of Dinsmore & Shohl LLP is hereby engaged as the City’s “bond counsel” pursuant to the engagement letter on file with the City.

SECTION 13. The City Manager or the Finance Director is hereby authorized to apply, if he deems it appropriate, for a rating on the Notes from either Standard & Poor's Corporation or Moody's Investors Service, and to pay the fee or premium for said rating to the extent authorized by law and approved by bond counsel.

SECTION 14. That the Finance Director is hereby directed to forward a certified copy of this Ordinance to the County Auditor.

SECTION 15. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION 16. That this ordinance is hereby declared to be an emergency measure for the necessary preservation of the public peace, health, safety and welfare or for the urgent benefit or protection of the inhabitants of the City of Fairfield, and for the reason that the immediate issuance of said Note is necessary to provide funds to provide for the orderly financing of the project to which the Note relates, including obtaining a favorable interest rate, and shall take effect immediately upon its passage, pursuant to Section 4.07(A) of the Charter of the City of Fairfield (hereafter called the “Charter”).

SECTION 17. That the Clerk of Council is hereby directed to cause this ordinance to be published or posted within ten days after its passage, as required by Section 4.13(A) of the Charter, any publication to be made in the Journal News, a newspaper of circulation in the City.

ADOPTED: _____, 2024.

Mayor

Clerk of Council

CERTIFICATE

The undersigned, Clerk of Council, Fairfield, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. ____ adopted _____, 2024.

Clerk of Council

CERTIFICATE

The undersigned, Finance Director, Fairfield, Ohio, hereby certifies that Ordinance No. ____ was filed with the County Auditor of Butler County, Ohio, on _____, 2024.

Finance Director

RECEIPT

The undersigned, County Auditor of the Butler County, Ohio, acknowledges receipt of Ordinance No. ____ of the City of Fairfield, Ohio, on _____, 2024.

County Auditor



City Council Ordinance
Regular Meeting - April 8, 2024

Submitted by: Chris Hacker,
 Submitting Department: Finance

Subject:

\$4,334,000 BAN Renewal

Legislation Title:

Ordinance authorizing the issuance of not to exceed \$4,334,000 of various purpose bond anticipation notes, series 2017, 2019, 2021 and 2023 renewal, by the City of Fairfield, Ohio, in anticipation of the issuance of bonds, and declaring an emergency.

Recommendation:

It is necessary for City Council to authorize the issuance of \$4,334,000 of various purpose bond anticipation notes (BANs). This is a renewal of the 2017, 2019, 2021 and 2023 notes for Water and Wastewater System Improvements. It is recommended that City Council authorize and direct the preparation of legislation to issue \$4,334,000 in various purpose Bond Anticipation Notes. It is estimated that the rate of interest will be in the range of 3.5 to 4.00 percent. To accommodate the pricing of the BAN, a suspension of the second and third readings is requested. The settlement of the new BAN will be on April 16, 2024.

Background/Synopsis:

In 2017, the City issued \$5 million in BANs for Water and Wastewater system improvements, an additional \$2 million in 2019, another \$1 million in 2021, and \$1.26 million in 2023 for Water Distribution system improvements. The City will pay \$1,142,975 toward those BANs and will renew the remaining \$4,334,00.

Financial Impact:

The issuance of the \$4,334,000 in BANs is a renewal of the Water Distribution Division System Improvements projects for the Public Utilities Department specified in the 2017-2021, 2019-2023, 2021-2025, and 2023-2027 Capital Improvement Programs. The City anticipates favorable interest rates due to our strong, Aa1 bond rating.

Emergency Provision Explanation:

Accommodate bond pricing requirements.

Rule Suspension Requested:

Yes

Emergency Provision Needed:

Yes

Attachments:

1. \$4.334M City of Fairfield Various Purpose BANS 2024 Renewal Ordinance(41883423.1)

CERTIFICATE OF MEMBERSHIP

The undersigned, Finance Director of the City of Fairfield, County of Butler, Ohio, hereby certifies that the following were the officers and members of Council during the period when proceedings were taken authorizing the issuance of not to exceed \$4,334,000 Various Purpose Bond Anticipation Notes, Series 2023, 2024 Renewal, dated the date of their issuance:

Mayor	<u>Mitch Rhodus</u>
Finance Director	<u>Chris Hacker</u>
City Manager	<u>Scott Timmer</u>
Clerk of Council	<u>Alisha Wilson</u>
Member of Council	<u>Leslie Besl</u>
Member of Council	<u>Dale Paullus</u>
Member of Council	<u>Debbie Pennington</u>
Member of Council	<u>Adam Kraft</u>
Member of Council	<u>Gwen Brill</u>
Member of Council	<u>Matt Davidson</u>
Member of Council	<u>Tim Meyers</u>
Law Director	<u>John Clemmons</u>
	<u>Finance Director</u>

TRANSCRIPT CERTIFICATE

The undersigned, Clerk of Council of said City of Fairfield, hereby certifies that the following is a true and complete transcript of all proceedings relating to the authorization and issuance of the above identified notes.

Clerk of Council

Attachment: \$4.334M City of Fairfield Various Purpose BANS 2024 Renewal Ordinance(41883423.1) (3876 : \$4,334,000 BAN Renewal)

**CERTIFICATE AS TO MAXIMUM MATURITY OF
BONDS AND BOND ANTICIPATION NOTES**

The undersigned, being the fiscal officer of the City of Fairfield, Ohio, within the meaning of Section 133.01 of the Uniform Public Securities Law of the Ohio Revised Code, hereby certifies to the City Council that the estimated life of the improvements financed with the proceeds of the sale of not to exceed \$4,334,000 of bonds, for the purpose of refinancing notes originally issued for the purposes of (i) constructing improvements to the water system, including replacing the water line on State Route 4; and (ii) making improvements to the waste water system, including installing a new motor control system; and (iii) constructing improvements to the water system, including water main replacements; and (iv) making water improvements including water main replacement at Winton and Resor Road; and (v) replacing water meters on John Gray Road, is at least five (5) years and that the maximum maturity of said bonds, in accordance with Section 133.20 of the Uniform Public Securities Law of the Ohio Revised Code, is forty (40) years, and the maximum maturity of notes issued in anticipation thereof is nineteen (19) years.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of _____, 2024.

Finance Director

ORDINANCE NO.**ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$4,334,000 OF VARIOUS PURPOSE BOND ANTICIPATION NOTES, SERIES 2023, 2024 RENEWAL, BY THE CITY OF FAIRFIELD, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS, AND DECLARING AN EMERGENCY.**

WHEREAS, the fiscal officer of the City has estimated the life or period of usefulness of the improvements as at least five (5) years, and certified the maximum maturity of the bonds to be issued to finance the same as forty (40) years, and of notes issued in anticipation thereof as nineteen (19) years;

WHEREAS, the City has previously issued bond anticipation notes which are outstanding in the amount of \$5,260,000, which are about to mature and which should be renewed in a reduced amount;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Fairfield (hereinafter called the "City"), Butler County, Ohio:

SECTION 1. That it is hereby declared necessary to issue bonds of the City of Fairfield, County of Butler, Ohio, in the principal amount of not to exceed \$4,334,000 bearing interest estimated at six per centum (6%) per annum and maturing over a period of forty (40) years, for the purpose of refinancing notes originally issued for the purposes of (i) constructing improvements to the water system, including replacing the water line on State Route 4; and (ii) making improvements to the waste water system, including installing a new motor control system; and (iii) constructing improvements to the water system, including water main replacements; and (iv) making water improvements including water main replacement at Winton and Resor Road; and (v) replacing water meters on John Gray Road.

SECTION 2. That it is hereby determined that notes (hereinafter called the "Notes") in the principal amount of not to exceed \$4,334,000 shall be issued in anticipation of the issuance of said bonds.

SECTION 3. That the Notes shall be dated their date of issuance, shall bear interest at the rate not to exceed five and one half percent (5.50%) per annum, payable at maturity, shall mature not later than one year from the date of issuance, and shall be of the denomination or denominations as may be requested by the purchaser or purchasers thereof all as determined by the Finance Director or the City Manager without further action by this Council, except that the denominations shall be \$100,000 or any integral multiple of \$1,000 in excess of \$100,000. The terms of such Notes, which shall be in compliance with Chapter 133 of the Ohio Revised Code, shall be set forth in the Certificate of Award setting forth the final terms of the Notes (the "Certificate of Award"), which is hereby authorized and which shall be executed by the City Manager or the Finance Director without further action by this council.

SECTION 4. That the Notes shall be executed by the City Manager and the Finance Director and may but shall not be required to bear the seal of the corporation. The Notes shall be

designated “Various Purpose Bond Anticipation Notes, Series 2023, 2024 Renewal,” and shall be payable at a bank or trust company designated by the Finance Director or City Manager and the purchaser, and shall express upon their face the purpose for which they are issued and that they are issued in pursuance of this Ordinance.

SECTION 5. That the City Manager and Finance Director, or either of them, is hereby authorized to combine these notes with one other issue of notes authorized under separate legislation for the purpose of constructing and providing for the projects into single consolidated issue of notes for the purposes of their sale as a single issue. If so combined: the consolidated issue of notes shall be known as “Various Purpose Limited Tax General Obligation Bond Anticipation Notes, Series 2024”; such consolidation issue shall be dated, mature, bear interest, be executed, and be denominated in a manner consistent with the provisions of this Ordinance relating to the notes authorized herein. The proceeds from the sale of such consolidated issue shall be apportioned, deposited and credited in accordance with the amount of notes authorized by this Ordinance and the amount of notes authorized by the Ordinance providing for the issuance of: and not to exceed \$1,500,000 Water System Improvement Bond Anticipation Notes, Series 2024.

SECTION 6. That the Notes shall be sold at public or private sale by the Finance Director at not less than ninety-seven percent of the par value of such Notes together with interest thereon, if any. The proceeds from such sale, except accrued interest thereon, shall be paid into the proper funds and used for the purpose aforesaid and for no other purpose. Accrued interest, if any, received on sale of said Notes shall be transferred to the bond retirement fund to be applied to the payment of principal of and interest on said Notes in the manner provided by law.

Notwithstanding the above, the Council and the Finance Director are hereby directed to withhold delivery of the notes, and to refuse to accept payment therefor, unless and until the original purchaser delivers to the City acknowledgment that the City has not prepared an official statement for the sale of the notes and the notes and the sale thereof is expected to be exempt from CFR §240.15c2-12 by being issued in denominations of \$100,000 or greater and be being sold to no more than 35 accredited investors or maturing in nine months or less.

The City Manager or the Finance Director is hereby directed to report to this Council as soon after the sale and award of such notes as is reasonably feasible, the interest rate for such notes.

SECTION 7. That the Notes shall be the full general obligations of the City, and the full faith, credit and revenue of the City are hereby pledged for the prompt payment of the same.

SECTION 8. That during the period while the Notes run there shall be levied upon all of the taxable property in the City, within applicable limitations, in addition to all other taxes, a direct tax annually, not less than that which would have been levied if bonds had been issued without the prior issue of the Notes; said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof.

The funds derived from said tax levy hereby required shall be placed in a separate and distinct fund and, together with interest collected on the same, shall be irrevocably pledged for the

payment of the principal and interest of the Notes, or the notes in anticipation of which they are issued, when and as the same fall due; provided, however, to the extent other City revenues are available for such purpose said tax shall not be levied therefor.

SECTION 9. That this Council, for and on behalf of the City, hereby covenants that it will restrict the use of the Notes hereby authorized in such manner and to such extent, if any, and take such other action as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute obligations the interest on which is subject to federal income taxation or “arbitrage bonds” under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the “Code”) and the regulations prescribed thereunder. The Finance Director or any other officer having responsibility with respect to the issuance of said Notes is authorized and directed to give an appropriate certificate on behalf of the City, on the date of delivery of said Notes for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder.

These Notes are hereby designated “tax-exempt obligations” for the purposes set forth in Section 265(b)(3) of the Code.

SECTION 10. That this Council hereby authorizes and directs the Finance Director or the City Manager to take any and all actions which may be necessary to issue the notes in book-entry-only form or in such form as will render the notes eligible for the services of the Depository Trust Company, New York, New York without further action by this Council, including execution of all documents necessary therefore.

SECTION 11. All appropriate officers of the City are further authorized to make, execute, acknowledge and deliver such agreements, financing statements, closing certificates and other instruments or documents as are, in the opinion of bond counsel, necessary to carry out the purposes of this ordinance.

SECTION 12. The firm of Dinsmore & Shohl LLP is hereby engaged as the City’s “bond counsel” pursuant to the engagement letter on file with the City.

SECTION 13. The City Manager or the Finance Director is hereby authorized to apply, if he deems it appropriate, for a rating on the Notes from either Standard & Poor's Corporation or Moody's Investors Service, and to pay the fee or premium for said rating to the extent authorized by law and approved by bond counsel.

SECTION 14. That the Finance Director is hereby directed to forward a certified copy of this Ordinance to the County Auditor.

SECTION 15. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION 16. That this ordinance is hereby declared to be an emergency measure for the necessary preservation of the public peace, health, safety and welfare or for the urgent benefit or

protection of the inhabitants of the City of Fairfield, and for the reason that the immediate issuance of said Note is necessary to provide funds to provide for the orderly refinancing of the project to which the Note relates, including obtaining a favorable interest rate, and shall take effect immediately upon its passage, pursuant to Section 4.07(A) of the Charter of the City of Fairfield (hereafter called the "Charter").

SECTION 17. That the Clerk of Council is hereby directed to cause this ordinance to be published or posted within ten days after its passage, as required by Section 4.13(A) of the Charter, any publication to be made in the Journal News, a newspaper of circulation in the City.

ADOPTED: _____, 2024.

Mayor

Clerk of Council

CERTIFICATE

The undersigned, Clerk of Council, Fairfield, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. ____ adopted _____, 2024.

Clerk of Council

CERTIFICATE

The undersigned, Finance Director, Fairfield, Ohio, hereby certifies that Ordinance No. ____ was filed with the County Auditor of Butler County, Ohio, on _____, 2024.

Finance Director

RECEIPT

The undersigned, County Auditor of the Butler County, Ohio, acknowledges receipt of Ordinance No. ____ of the City of Fairfield, Ohio, on _____, 2024.

County Auditor



City Council Ordinance
Regular Meeting - April 8, 2024

Submitted by: Chris Hacker,
 Submitting Department: Finance

Subject:

\$5.834 Million BAN Combining

Legislation Title:

Ordinance authorizing the issuance of not to exceed \$5,834,000 of various purpose bond anticipation notes, by the City of Fairfield, Ohio, in anticipation of the issuance of bonds, and declaring an emergency.

Recommendation:

It is recommended the City council authorize and direct the preparation of legislation to issue \$5.834 million in various purpose Bond Anticipation Notes (BANs). It is estimated that the rate of interest will be in the range of 3.50 to 4.00 percent. To accommodate the pricing of the BAN, a suspension of the second and third readings is requested. The settlement of the new BAN will be on April 16, 2024.

Background/Synopsis:

The combining of two issuances into one allows the City to take advantage of better interest rates, reducing the interest expense to the City while allowing the projects tied to the funding to continue. In 2017, the City issued \$5 million in BANs for Water and Wastewater system improvements, an additional \$2 million in 2019, another \$1 million in 2021, and \$1.26 million in 2023 for Water Distribution system improvements. The City will pay \$1,142,975 toward those BANs and will renew the remaining \$4,334,000. The 2024 new issuance of \$1.50 million is for Water Treatment Plant Process Equipment improvements.

Financial Impact:

The issuance of the \$5.834 million in BANs will allow the Water Distribution Division System Improvements projects for the Public Utilities Department specified in the 2024-2028 Capital Improvement Program to proceed. The City anticipates favorable interest rates due to our strong Aa1 bond rating.

Emergency Provision Explanation:

Accommodate bond pricing requirements.

Rule Suspension Requested:

Yes

Emergency Provision Needed:

Yes

Attachments:

1. \$5.834M City of Fairfield Various Purpose BANS Combining Legis(42013820.1)

CERTIFICATE OF MEMBERSHIP

The undersigned, Finance Director of the City of Fairfield, County of Butler, Ohio, hereby certifies that the following were the officers and members of Council during the period when proceedings were taken authorizing the issuance of not to exceed \$5,834,000 Various Purpose Bond Anticipation Notes, Series 2024, dated the date of their issuance:

Mayor	<u>Mitch Rhodus</u>
Finance Director	<u>Chris Hacker</u>
City Manager	<u>Scott Timmer</u>
Clerk of Council	<u>Alisha Wilson</u>
Member of Council	<u>Leslie Besl</u>
Member of Council	<u>Dale Paullus</u>
Member of Council	<u>Debbie Pennington</u>
Member of Council	<u>Adam Kraft</u>
Member of Council	<u>Gwen Brill</u>
Member of Council	<u>Matt Davidson</u>
Member of Council	<u>Tim Meyers</u>
Law Director	<u>John Clemmons</u>
	 <u>Finance Director</u>

TRANSCRIPT CERTIFICATE

The undersigned, Clerk of Council of said City of Fairfield, hereby certifies that the following is a true and complete transcript of all proceedings relating to the authorization and issuance of the above identified notes.

Clerk of Council

**CERTIFICATE AS TO MAXIMUM MATURITY OF
BONDS AND BOND ANTICIPATION NOTES**

The undersigned, being the fiscal officer of the City of Fairfield, Ohio, within the meaning of Section 133.01 of the Uniform Public Securities Law of the Ohio Revised Code, hereby certifies to the City Council that the estimated life of the improvements financed with the proceeds of the sale of not to exceed \$5,834,000 of bonds, for the purposes of (a) refinancing notes originally issued for the purposes of (i) constructing improvements to the water system, including replacing the water line on State Route 4; and (ii) making improvements to the waste water system, including installing a new motor control system; and (iii) constructing improvements to the water system, including water main replacements; and (iv) making water improvements including water main replacement at Winton and Resor Road; and (v) replacing water meters on John Gray Road (\$4,334,000); and (b) making improvements to the municipal water system consisting of replacing chlorine/fluoride feed systems (\$1,500,000), is at least five (5) years and that the maximum maturity of said bonds, in accordance with Section 133.20 of the Uniform Public Securities Law of the Ohio Revised Code, is forty (40) years, and the maximum maturity of notes issued in anticipation thereof is twenty (20) years.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of _____, 2024.

Finance Director

ORDINANCE NO.**ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$5,834,000 OF VARIOUS PURPOSE BOND ANTICIPATION NOTES, SERIES 2024, BY THE CITY OF FAIRFIELD, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS, AND DECLARING AN EMERGENCY.**

WHEREAS, the fiscal officer of the City has estimated the life or period of usefulness of the improvements as at least five (5) years, and certified the maximum maturity of the bonds to be issued to finance the same as forty (40) years, and of notes issued in anticipation thereof as twenty (20) years;

WHEREAS, this Council has previously adopted two separate ordinances which authorized notes issues in an aggregate principal amount of not to exceed \$5,834,000 for the purposes of (a) refinancing notes originally issued for the purposes of (i) constructing improvements to the water system, including replacing the water line on State Route 4; and (ii) making improvements to the waste water system, including installing a new motor control system; and (iii) constructing improvements to the water system, including water main replacements; and (iv) making water improvements including water main replacement at Winton and Resor Road; and (v) replacing water meters on John Gray Road (\$4,334,000); and (b) making improvements to the municipal water system consisting of replacing chlorine/fluoride feed systems (\$1,500,000); and

WHEREAS, the City Council now desires to combine the separate note issuances into a single note issue to achieve certain cost savings;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Fairfield (hereinafter called the "City"), Butler County, Ohio:

SECTION 1. That it is hereby declared necessary to issue bonds of the City of Fairfield, County of Butler, Ohio, in the principal amount of not to exceed \$5,834,000 bearing interest estimated at six per centum (6%) per annum and maturing over a period of forty (40) years, for the purposes of (a) refinancing notes originally issued for the purposes of (i) constructing improvements to the water system, including replacing the water line on State Route 4; and (ii) making improvements to the waste water system, including installing a new motor control system; and (iii) constructing improvements to the water system, including water main replacements; and (iv) making water improvements including water main replacement at Winton and Resor Road; and (v) replacing water meters on John Gray Road (\$4,334,000); and (b) making improvements to the municipal water system consisting of replacing chlorine/fluoride feed systems (\$1,500,000).

SECTION 2. That it is hereby determined that notes (hereinafter called the "Notes") in the principal amount of not to exceed \$5,834,000 shall be issued in anticipation of the issuance of said bonds.

SECTION 3. That the Notes shall be dated their date of issuance, shall bear interest at the rate not to exceed five and one half percent (5.50%) per annum, payable at maturity, shall mature

not later than one year from the date of issuance, and shall be of the denomination or denominations as may be requested by the purchaser or purchasers thereof all as determined by the Finance Director or the City Manager without further action by this Council, except that the denominations shall be \$100,000 or any integral multiple of \$1,000 in excess of \$100,000. The terms of such Notes, which shall be in compliance with Chapter 133 of the Ohio Revised Code, shall be set forth in the Certificate of Award setting forth the final terms of the Notes (the "Certificate of Award"), which is hereby authorized and which shall be executed by the City Manager or the Finance Director without further action by this council.

SECTION 4. That the Notes shall be executed by the City Manager and the Finance Director and may but shall not be required to bear the seal of the corporation. The Notes shall be designated "Various Purpose Bond Anticipation Notes, Series 2024," and shall be payable at a bank or trust company designated by the Finance Director or City Manager and the purchaser, and shall express upon their face the purpose for which they are issued and that they are issued in pursuance of this Ordinance.

SECTION 5. The proceeds from the sale of such consolidated issue shall be apportioned and credited in accordance with Section 133.32 of the Revised Code to the respective purposes and funds in accordance with the amount of bonds authorized by this ordinance and the amount of bonds authorized by the ordinances providing for the issuance of: not to exceed \$4,334,000 Various Purpose Bond Anticipation Notes, Series 2023, 2024 Renewal; and not to exceed \$1,500,000 Water System Improvement Bond Anticipation Notes, Series 2024.

SECTION 6. That the Notes shall be sold at public or private sale by the Finance Director at not less than ninety-seven percent of the par value of such Notes together with interest thereon, if any. The proceeds from such sale, except accrued interest thereon, shall be paid into the proper funds and used for the purpose aforesaid and for no other purpose. Accrued interest, if any, received on sale of said Notes shall be transferred to the bond retirement fund to be applied to the payment of principal of and interest on said Notes in the manner provided by law.

Notwithstanding the above, the Council and the Finance Director are hereby directed to withhold delivery of the notes, and to refuse to accept payment therefor, unless and until the original purchaser delivers to the City acknowledgement that the City has not prepared an official statement for the sale of the notes and the notes and the sale thereof is expected to be exempt from CFR §240.15c2-12 by being issued in denominations of \$100,000 or greater and be being sold to no more than 35 accredited investors or maturing in nine months or less.

The City Manager or the Finance Director is hereby directed to report to this Council as soon after the sale and award of such notes as is reasonably feasible, the interest rate for such notes.

SECTION 7. That the Notes shall be the full general obligations of the City, and the full faith, credit and revenue of the City are hereby pledged for the prompt payment of the same.

SECTION 8. That during the period while the Notes run there shall be levied upon all of the taxable property in the City, within applicable limitations, in addition to all other taxes, a direct tax annually, not less than that which would have been levied if bonds had been issued without the prior issue of the Notes; said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers in the same manner and at the

same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof.

The funds derived from said tax levy hereby required shall be placed in a separate and distinct fund and, together with interest collected on the same, shall be irrevocably pledged for the payment of the principal and interest of the Notes, or the notes in anticipation of which they are issued, when and as the same fall due; provided, however, to the extent other City revenues are available for such purpose said tax shall not be levied therefor.

SECTION 9. That this Council, for and on behalf of the City, hereby covenants that it will restrict the use of the Notes hereby authorized in such manner and to such extent, if any, and take such other action as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute obligations the interest on which is subject to federal income taxation or “arbitrage bonds” under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the “Code”) and the regulations prescribed thereunder. The Finance Director or any other officer having responsibility with respect to the issuance of said Notes is authorized and directed to give an appropriate certificate on behalf of the City, on the date of delivery of said Notes for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder.

These Notes are hereby designated “tax-exempt obligations” for the purposes set forth in Section 265(b)(3) of the Code.

SECTION 10. That this Council hereby authorizes and directs the Finance Director or the City Manager to take any and all actions which may be necessary to issue the notes in book-entry-only form or in such form as will render the notes eligible for the services of the Depository Trust Company, New York, New York without further action by this Council, including execution of all documents necessary therefore.

SECTION 11. All appropriate officers of the City are further authorized to make, execute, acknowledge and deliver such agreements, financing statements, closing certificates and other instruments or documents as are, in the opinion of bond counsel, necessary to carry out the purposes of this ordinance.

SECTION 12. The firm of Dinsmore & Shohl LLP is hereby engaged as the City’s “bond counsel” pursuant to the engagement letter on file with the City.

SECTION 13. The City Manager or the Finance Director is hereby authorized to apply, if he deems it appropriate, for a rating on the Notes from either Standard & Poor's Corporation or Moody's Investors Service, and to pay the fee or premium for said rating to the extent authorized by law and approved by bond counsel.

SECTION 14. That the Finance Director is hereby directed to forward a certified copy of this Ordinance to the County Auditor.

SECTION 15. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION 16. That this ordinance is hereby declared to be an emergency measure for the necessary preservation of the public peace, health, safety and welfare or for the urgent benefit or protection of the inhabitants of the City of Fairfield, and for the reason that the immediate issuance of said Note is necessary to provide funds to provide for the orderly financing and refinancing of the projects to which the Note relates, including obtaining a favorable interest rate, and shall take effect immediately upon its passage, pursuant to Section 4.07(A) of the Charter of the City of Fairfield (hereafter called the "Charter").

SECTION 17. That the Clerk of Council is hereby directed to cause this ordinance to be published or posted within ten days after its passage, as required by Section 4.13(A) of the Charter, any publication to be made in the Journal News, a newspaper of circulation in the City.

ADOPTED: _____, 2024.

Mayor

Clerk of Council

CERTIFICATE

The undersigned, Clerk of Council, Fairfield, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. ____ adopted _____, 2024.

Clerk of Council

CERTIFICATE

The undersigned, Finance Director, Fairfield, Ohio, hereby certifies that Ordinance No. ____ was filed with the County Auditor of Butler County, Ohio, on _____, 2024.

Finance Director

RECEIPT

The undersigned, County Auditor of the Butler County, Ohio, acknowledges receipt of Ordinance No. ____ of the City of Fairfield, Ohio, on _____, 2024.

County Auditor



City Council Ordinance
Regular Meeting - April 8, 2024

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

Subject:

Unclassified Wage Ordinance

Legislation Title:

Ordinance establishing salaries for certain exempt and salaried employees of the City of Fairfield, Ohio, to repeal Ordinance No. 27-24 and all amendments thereto.

Recommendation:

That Council adopt the recommended adjustment of the two allocations of funds provided to the City Manager to award performance-based wage increases and other lump sum wage, merit, and equity adjustments to unclassified personnel.

Background/Synopsis:

Background

Council conducted a comprehensive review of the Unclassified Service Pay Plan and various unclassified positions in January of 2023. Council authorized the revision of the Pay Grades and Pay Ranges to adapt to changing market influences and inflation in Ordinance No. 30-23.

Since the adoption of the new Pay Plan, it has been modified and has evolved to meet the organizational goals of the City. Inflationary factors continue to impact wage needs and demands of bargaining and non-bargaining unit personnel. Union wages continue to automatically increase annually, and sometimes more often due to step increases, without regard to performance. However, wage increases for unclassified personnel are performance based.

In order to maintain continuity of wage equity between bargaining and non-bargaining personnel, the City Manager's allocation amounts for unclassified personnel wage increases should be increased to bridge the gap.

Synopsis

It is recommended Council adopt the proposed allocation adjustments to maintain the integrity of the Compensation and Pay Plan and to establish appropriate and fair salaries for certain exempt and salaried employees of the City of Fairfield. The allocation amounts should be applicable to unclassified wage increases that are effective April 1, 2024.

Financial Impact:

Partial funding is provided under the auspices of City Council's previously approved 2024

Budget, based on the previous allocations of \$100,000/\$100,000. It is proposed the City Manager be authorized two allocations, in the amount of \$150,000 each, to be utilized as follows: 1) to award performance-based, base wage percentage increases and 2) to award other lump sum wages, merit and equity adjustments. Legislation will be submitted by the Finance Department in support of an additional appropriation upon the passage of this Ordinance.

Emergency Provision Explanation:

It is recommended that City Council approve this Ordinance, suspending the rules and declaring an emergency, for the reason that the City Manager needs the necessary allotments for the award of wage increases to unclassified personnel which are effective April 1, 2024.

Rule Suspension Requested:

Yes

Emergency Provision Needed:

Yes

Attachments:

1. Unclassified Wage Ordinance

ORDINANCE NO. _____

ORDINANCE ESTABLISHING SALARIES FOR CERTAIN EXEMPT AND
SALARIED EMPLOYEES OF THE CITY OF FAIRFIELD, OHIO, TO
REPEAL ORDINANCE NO. 27-24 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. 27-24 and all other prior ordinances inconsistent herewith, are hereby repealed.
- Section 2. The attached position list, which is incorporated herein by reference, is hereby adopted. The existing salaries for the positions set forth in the attached salary structure shall be within the ranges as shown and are effective April 1, 2024.
- Section 3. The City Manager is authorized to hire up to one additional person for each position authorized in this ordinance to allow for overlap training and transitioning. Generally, such instances would occur when a current employee has given notice of retirement or resignation and a replacement, not currently employed by the City, is able to be hired before the departure of the employee. Such training overlaps would be of short duration, generally, not to exceed 60 days.
- Section 4. The City Manager is hereby authorized to grant performance-based wage increases, lump sum achievement awards and equity pay adjustments for employees within the job classifications listed on the Unclassified Service Pay Plan structure attached, within the confines of the ranges shown. Base wage increases awarded by percentage shall not exceed a total of \$150,000. Lump sum increases awarded by percentage, lump sum achievement awards, and equity pay adjustments shall not exceed a total of \$150,000. All increases and adjustments shall be effective as approved by the City Manager.
- Section 5. This Ordinance is hereby declared to be an emergency measure necessary for the urgent benefit and protection of the City and its inhabitants so that the recommended changes can take effect in a timely manner, wherefore this Ordinance shall take effect immediately upon its passage.

Passed _____

Mayor's Approval _____

Posted _____

First Reading _____

Rules Suspended _____

Second Reading _____

Emergency _____

Third Reading _____

ATTEST:

Clerk of Council

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

Clerk of Council

Attachment: Unclassified Wage Ordinance (3875 : Unclassified Wage Ordinance)

**UNCLASSIFIED SERVICE PAY PLAN
POSITION LIST**

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

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

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



City Council Ordinance
Regular Meeting - April 8, 2024

Submitted by: Alisha Wilson, Clerk
Submitting Department: Clerk

Subject:

Contractual Appropriations

Legislation Title:

Ordinance to amend Ordinance No. 166-23 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, 2024, and ending December 31, 2024."

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.

\$38,000 for additional work for existing Public Works contract - re-line a portion of Public Utilities sanitary sewer line S164.

Financial Impact: \$38,000.00 from noted funding source.

Rule Suspension Requested:

Yes

Emergency Provision Needed:

No

Attachments:

1. ContractualAppropriations.040824
2. CONTRACTUAL 4-8-ORD



City Council Ordinance
Regular Meeting - April 8, 2024

Submitted by: Matt Young,
 Submitting Department: Public Utilities

Subject:

Additional work requested for Public Works Contract 2023-32

Legislation Title:

Additional work requested for Public Works Contract 2023-32 to re-line a portion of Public Utilities sanitary sewer line S164.

Recommendation:

It is recommended that City Council authorize an appropriation in the amount of \$38,000.00 for additional contractor services to line approximately 597 lineal feet of sanitary sewer S164 in conjunction with Public Works' project 2023-32 - '2023 STORM SEWER REHABILITATION VIA PVC LINING. Rules suspension is requested in order to expedite the project.

Background/Synopsis:

The proposed work includes re-lining sanitary sewers that are in good overall structural condition to correct broken and cracked pipes and joints, and to address lines experiencing root intrusion. Re-lining is a process that installs a new interior lining surface within the pipe, and bridges over breaks, cracks and joints in the line. This process extends the service life of an existing sewer without having to replace the line.

Contractor work will be performed under existing City Council-approved contract 2023-32 - **2023 STORM SEWER REHABILITATION VIA PVC LINING** by Insight Pipe Contracting, LLC.

Financial Impact:

Funding for this project was included in the 2024-2028 Capital Improvement Program under project 4WW01. The funding source is 623 – Sewer Replacement and Improvement fund. A small amount of contingency funding is also requested for this project.

Rule Suspension Requested:

Yes

Emergency Provision Needed:

No

Attachments:

1. Insight quote

Matt Young

From: Jeremiah Pullinger <jeremiah.pullinger@insightpipe.com>
Sent: Tuesday, March 26, 2024 12:33 PM
To: Matt Young; Michael Holliday
Cc: Nicholas Dill; Adam Sackenheim
Subject: RE: Fairfield Additional Pipe Lining

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hey Matt,

You'd be looking at: 597lf of 12" @ \$63.00/lf=\$37,611.00.

Depending on how soon this could be approved, we could get this pre-inspection work scheduled pretty quickly so we can order the liner. Thank you and I apologize for the delay!

Thank you,
 Jeremiah

From: Matt Young <MYoung@fairfield-city.org>
Sent: Monday, March 25, 2024 4:02 PM
To: Michael Holliday <MHolliday@fairfield-city.org>; Jeremiah Pullinger <jeremiah.pullinger@insightpipe.com>
Cc: Nicholas Dill <NDill@fairfield-city.org>; Adam Sackenheim <ASackenheim@fairfield-city.org>
Subject: RE: Fairfield Additional Pipe Lining

Jeremiah,

Just checking in to see if your group has had a chance to look at this?

Thanks,

Matt Young
Superintendent
 City of Fairfield, Ohio
 5021 Groh Lane
513-858-8328

From: Michael Holliday <MHolliday@fairfield-city.org>
Sent: Wednesday, March 13, 2024 1:24 PM
To: Jeremiah Pullinger <jeremiah.pullinger@insightpipe.com>
Cc: Nicholas Dill <NDill@fairfield-city.org>; Matt Young <MYoung@fairfield-city.org>
Subject: RE: Fairfield Additional Pipe Lining

Jeremiah,

Attachment: ContractualAppropriations.040824 (3889 : Contractual Appropriations)

Our utility department is considering having some spans of sanitary sewer lined as well. Would you be able to provide a price to line the following spans? See below picture for reference.

S164-16 to S164-15: 12" concrete sanitary main, approx. 256 LF

S164-15 to S164-14: 12" concrete sanitary main, approx. 262 LF

S164-14 to S164-13: 12" concrete sanitary main, approx. 79 LF

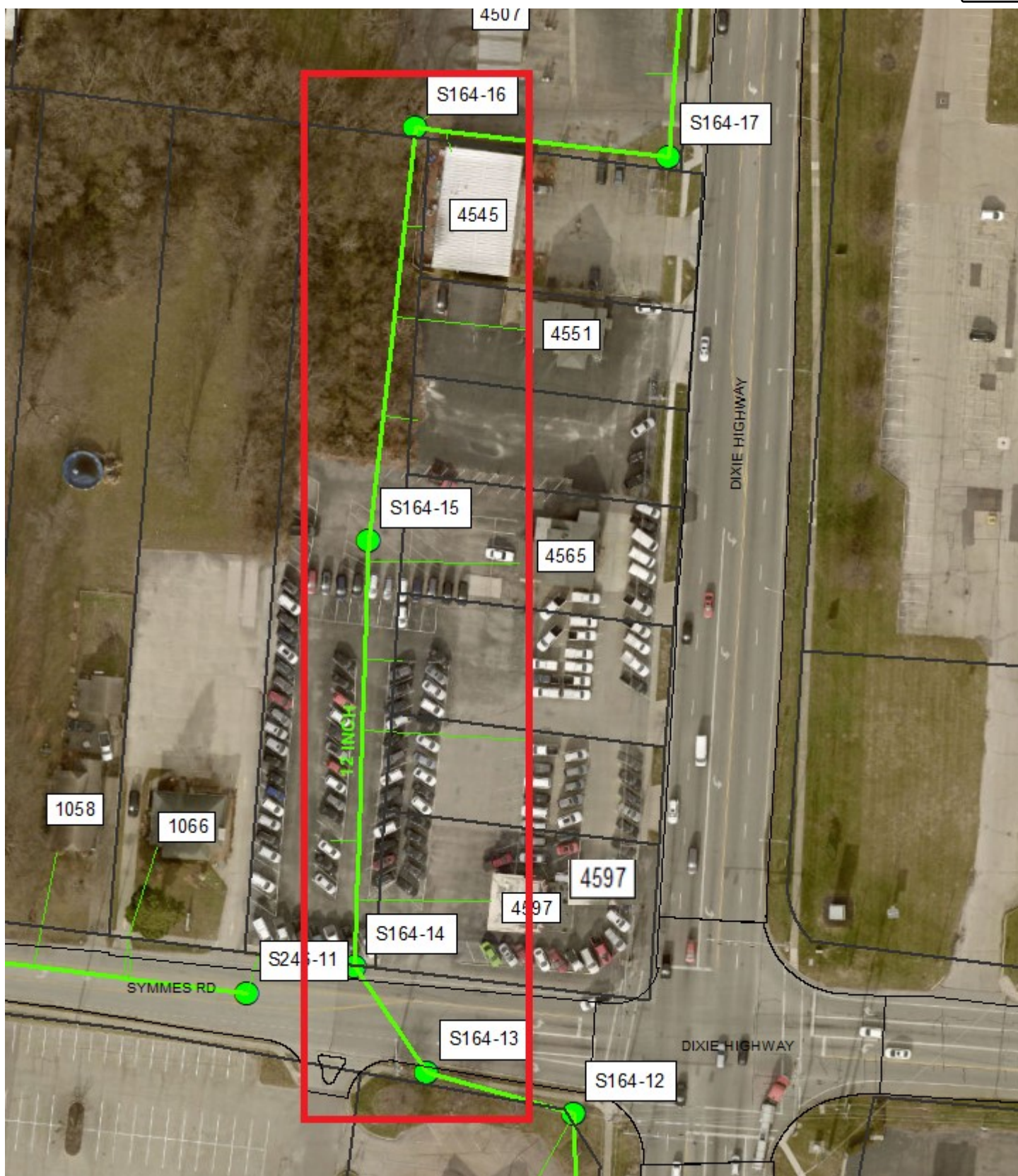
The properties from 1066 Symmes to the intersection, as well as from 4565 Dixie to 4597 Dixie have been purchased, consolidated, and cleared for a private development project. 4565 Dixie, 4597 Dixie, and 1066 Symmes have been demolished and the utilities abandoned. The laterals in the span S164-15 to S164-14 would not need to be cut out. We would need to cut the laterals out after lining for 4545 and 4551 Dixie Highway, and possibly the stub shown just south of 4551 Dixie. Bypass pumping would be required.

Our crews intend to clean and camera the spans this week to assess the pipe conditions, and determine if lining would be necessary ahead of the upcoming construction project. If it would be necessary, we would like to include the work as a change order to our current storm lining project. If you have any questions, please let me know.

Thank you,

Michael Holliday

Attachment: Contractual Appropriations.040824 (3889 : Contractual Appropriations)



Michael Holliday
Construction Inspector
 City of Fairfield, Ohio
 8870 North Gilmore Road
 City of Fairfield, Ohio
513-867-4211

Attachment: Contractual Appropriations.040824 (3889 : Contractual Appropriations)



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From: Jeremiah Pullinger <jeremiah.pullinger@insightpipe.com>

Sent: Friday, February 9, 2024 10:09 AM

To: Nicholas Dill <NDill@fairfield-city.org>

Cc: Michael Holliday <MHolliday@fairfield-city.org>

Subject: Re: Fairfield Additional Pipe Lining

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Great! Let's move forward with it!

Sent from my iPhone

On Feb 9, 2024, at 9:25 AM, Nicholas Dill <NDill@fairfield-city.org> wrote:

Jeremiah,

Going back through my records, it appears the 70' pipe is dirtier than the others and will take some extra effort. In my mind, and if it works for you, that can justify the same price as the shorter pipes. Let us know after you have a chance to inspect next week. Assuming you're on board, we'll plan to do this extra work.

Nick

Nicholas Dill, P.E.

City Engineer

City of Fairfield, Ohio

8870 N. Gilmore Road

Fairfield, Ohio 45014

513-867-4221

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www.fairfieldoh.gov

Attachment: ContractualAppropriations.040824 (3889 : Contractual Appropriations)

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<image006.jpg>

<image009.png>

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From: Jeremiah Pullinger <jeremiah.pullinger@insightpipe.com>

Sent: Friday, February 9, 2024 8:41 AM

To: Nicholas Dill <NDill@fairfield-city.org>

Cc: Michael Holliday <MHolliday@fairfield-city.org>

Subject: RE: Fairfield Additional Pipe Lining

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Hey Nick,

Our estimator is out until next Thursday. However, I think I can figure this out. Taking the highest price of 12" we have on the contract (due to them being short liners) at \$156.00/LF, we would be looking at \$24,960 for the add-ons. I'm comfortable giving you that price. The ONLY change I could foresee that I wouldn't know for sure until end of next week would be the two additional lines on page 4 may require some traffic control for lining portion, which we would probably do as a lump sum charge. Depending on what we need, I think the most it would be (let's say we need flaggers + arrow board) might be around \$2,000-\$2,500 give or take. If you're comfortable with that being a possible add-on charge around that much, I say we get them televised and can get a price figured out for traffic after we televise when my estimator returns.

Thank you,
Jeremiah

From: Nicholas Dill <NDill@fairfield-city.org>

Sent: Thursday, February 08, 2024 3:22 PM

To: Jeremiah Pullinger <jeremiah.pullinger@insightpipe.com>

Cc: Michael Holliday <MHolliday@fairfield-city.org>

Subject: Fairfield Additional Pipe Lining

Jeremiah,

Three of the four additional pipes we were looking at are all on the plan pages you have:

11398 to 10006 (12" CMP, approx. 70') – Page 4

11399 to 11400 (12" CMP, approx. 33') – Page 4

11390 to 11391 (12" CMP, approx. 30') – Page 6

The last one is on the attached extra page.

11380 to 11379 (12" CMP, approx. 27') – Page 7/Extra page

If you could take a look at these next week and provide pricing, that would be great. Based on your bid unit prices, I was thinking you'd be pretty close to \$25,000.

Thanks!

Nick

Nicholas Dill, P.E.

City Engineer

City of Fairfield, Ohio

8870 N. Gilmore Road

Fairfield, Ohio 45014

513-867-4221

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www.fairfieldoh.gov

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Attachment: ContractualAppropriations.040824 (3889 : Contractual Appropriations)

ORDINANCE NO. _____

ORDINANCE TO AMEND ORDINANCE NO. 166-23 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, 2024, AND ENDING DECEMBER 31, 2024."

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

Section 1. Ordinance No. 166-23, the 2024 Appropriation Ordinance, is hereby amended in the following respects:

From:	Unappropriated Sewer Replacement & Improvement Fund	\$38,000
To:	62316025-252000 Improvements other than Building (Sanitary Sewer Lining 4WW01)	\$38,000

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\2024\CONTRACTUAL 4-8-ORD

Attachment: CONTRACTUAL 4-8-ORD (3889 : Contractual Appropriations)



City Council Ordinance
Regular Meeting - April 8, 2024

Submitted by: Alisha Wilson, Clerk
 Submitting Department: Clerk

Subject:

Non-Contractual Appropriations

Legislation Title:

Ordinance to amend Ordinance No. 166-23 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, 2024, and ending December 31, 2024.”

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 item:

\$14,564 for Livescan Fingerprint Scanner;
 \$8,900 for water tower inspections;
 \$65,000 for personal protective equipment replacement (Fire);
 \$40,000 for replacement hose and fire equipment;
 \$17,511 for battery powered forklift;
 \$34,960 for sidewalk repairs;
 \$11, 676 for picnic table replacement;
 \$34,960 for trip hazard sidewalk repair.

Financial Impact: \$227,571.00 from noted funding source.

Rule Suspension Requested:

Yes

Emergency Provision Needed:

No

Attachments:

1. NonContractualAppropriations.040824
2. NONCONTRACTUAL 4-8-ORD



City Council Ordinance
Regular Meeting - April 8, 2024

Submitted by: Steve Maynard,
 Submitting Department: Police

Subject:

Livescan Fingerprint Scanner

Legislation Title:

Ordinance to authorize the City Manager to enter into a purchasing agreement with DataWorks Plus to purchase a new LiveScan Plus Fingerprint Scanner and declaring an emergency.

Recommendation:

It is recommended that Council authorize the City Manger to enter into a purchasing agreement with DataWorks Plus, 768 North Pleasantburg Drive Greenville, SC 29607, for the purchase of a LiveScan Plus Fingerprint scanner for the price of \$14,563.75.

Background/Synopsis: Our current LiveScan fingerprint machine has reached end of life and will need to be replaced.

Financial Impact: \$14,563.75 from the CIP. Project #4PD02.

Emergency Provision Explanation: In order to facilitate the replacement of our current system in a timely manner.

Rule Suspension Requested:

Yes

Emergency Provision Needed:

Yes



City Council Information Item
Regular Meeting - April 8, 2024

Submitted by: Adam Sackenheim,
 Submitting Department: Public Utilities

Subject:

Water Tower inspections

Legislation Title:

Water Tower inspections

Background/Synopsis:

The City of Fairfield owns and operates six (6) elevated water storage tanks, with a total combined storage capacity of over eight (8) million gallons (MG).

Tanks are inspected on a routine basis to evaluate structural and coating (paint) integrity, and to plan for future capital rehabilitation projects.

The requested appropriation is for the inspection of both the Hunter Tank in Harbin Park and the Mack Tank on Retha Drive. The inspections will be “wet” inspections, performed by Dixon Engineers, using Remote Operated Vehicles (ROV) units, which are basically underwater drones. Cost estimates and work scopes are attached for review.

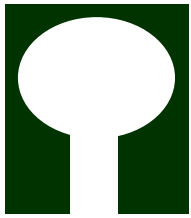
Financial Impact:

An appropriation in the amount of \$8900.00 is being requested for water tower inspection services.

2024 Funding for this project is included in the approved 2024-2028 Capital Improvement Program (CIP) under project number 4WT12 – Water Tower Maintenance. The funding source is the Water Replacement and Improvement Fund (604).

Attachments:

1. 500M Spheroid (Mack) ROV Maintenance Proposal Worksheet
2. 3MMG Standpipe (Hunter) Maintenance Proposal Worksheet



DIXON

**ENGINEERING & INSPECTION SERVICES
FOR THE COATING INDUSTRY**

789 Lafayette Road
Medina, OH 44256
Telephone: (330) 983-0062
Fax: (330) 725-0512

13.B.6.a

January 25, 2024

Mr. Adam Sackenheim, Public Utilities Director
City of Fairfield
5021 Grohl Lane
Fairfield, OH 45014

Subject: Inspection Services Proposal for 500,000 Gallon Spheroid Tank

Dear Mr. Sackenheim:

Enclosed is a maintenance proposal for an ROV inspection of the 500,000-gallon spheroid. The Basis of Payment for an ROV inspection is Lump Sum for travel, inspection, and report.

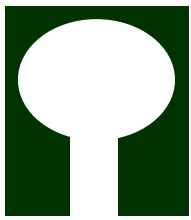
Our Proposal/Contract form consists of the Contract Provisions and Schedules A, B, and C. Schedule A includes a detailed Scope of Services for both the Owner and DIXON. Schedule B includes fees and terms of payment. Schedule C provides billing rates for additional services that may be provided during the inspection. The Proposal/Contract form becomes a Contract when the proposal is accepted and signed by the Owner, and then signed by DIXON.

We appreciate the opportunity to submit this proposal. If you have any questions, please feel free to contact me at (859) 325-0664 or mikebottom@dixonengineering.net.

FOR DIXON ENGINEERING, INC.,

Mike Bottom
Project Manager

Enclosure



DIXON

ENGINEERING & INSPECTION SERVICES
FOR THE COATING INDUSTRY

789 Lafayette Road
Medina, OH 44256
Telephone: (330) 983-0062
Fax: (330) 725-0512

13.B.6.a

**SHORT FORM OF AGREEMENT
BETWEEN OWNER AND DIXON
FOR PROFESSIONAL SERVICES
*500,000 Gallon Spheroid, (Mack), #35-09-03-01***

THIS IS AN AGREEMENT effective as of _____ ("Effective Date") between City of Fairfield, Ohio ("Owner") and Engineer ("Dixon Engineering, Inc.").

1.01 SIGNATURES:

Mike Bottom, Project Manager

January 25, 2024

PROPOSED by DIXON (not a contract until approved by Project Manager or Officer)

Proposal Date

CONTRACT Approved by Owner

Position

Date

CO SIGNATURE (If Required)

Date

CONTRACT APPROVED by DIXON PROJECT MANAGER

Date

Address for OWNER'S receipt of Notices

Address for DIXON'S receipt of Notices

789 Lafayette Road
Medina, OH 44256

1.02 CONTRACT/PROPOSAL:

- A. Signatures acknowledge that this Contract consists of 9 pages.
- B. Owner's Project, of which DIXON's services under this Agreement are a part, is generally identified as follows: 500,000 Gallon Spheroid Tank ("Project").
- C. DIXON's services under this Agreement are generally identified as follows, and further definition of Services by both Owner and DIXON are included as Maintenance Inspection Services (ROV) per Schedule A

Owner and DIXON further agree as follows:

2.01 BASIC AGREEMENT:

- A. DIXON shall provide or furnish the Services set forth in this Agreement. Services are delineated for both the Owner and DIXON in Schedule A – Scope of Services. If authorized by Owner, or if required because of changes in the Project, DIXON shall furnish services in addition to those set forth above (“Additional Services”).
- B. DIXON shall complete its Services within a reasonable period of time.
- C. If, through no fault of DIXON, such periods of time or dates are changed, or the orderly and continuous progress of DIXON’s Services is impaired, or DIXON’s Services are delayed or suspended, then the time for completion of DIXON’s Services, and the rates and amounts of DIXON’s compensation, shall be adjusted equitably.

3.01 PAYMENT PROCEDURES:

- A. Invoices: DIXON will prepare invoices in accordance with its standard invoicing practices and submit the invoices to Owner on a monthly basis. Invoices are due and payable within 30 days of receipt. Additional financial terms are found in Schedule B.
- B. Payment: As compensation for DIXON providing or furnishing Services and Additional Services, Owner shall pay DIXON as set forth in Paragraphs 3.01 (Payment Procedures), 3.02 (Basis of Payment), and 3.03 (Additional Services). If Owner disputes an invoice, either as to amount or entitlement, then Owner shall promptly advise DIXON in writing of the specific basis for doing so, may withhold only that portion so disputed, and must pay the undisputed portion.

3.02 BASIS OF PAYMENT:

- A. Owner shall pay DIXON for services as follows:
 1. Lump Sum amount of **Four Thousand, Four Hundred, and Fifty Dollars (\$4,450.00)**. See Schedule B for cost breakdown of services.

3.03 ADDITIONAL SERVICES: For Additional Services, Owner shall pay DIXON an amount equal to the cumulative hours charged in providing the Additional Services by each of DIXON’s employees, times standard hourly rates for each applicable billing classification; plus, reimbursement of expenses incurred in connection with providing the Additional Services and DIXON’s consultants’ charges, if any. DIXON's standard hourly rates and terms are attached as Schedule C.

4.01 ATTACHMENTS:

1. Schedule A – Scope of Work of both the Owner and DIXON.
2. Schedule B – Cost breakdown per phase of Work and Additional Terms of Payments.
3. Schedule C – DIXON Employee Billable Rates and Terms.

SCHEDULE A
Maintenance Inspection (ROV)
500,000 Gallon Spheroid, (Mack), #35-09-03-01
Fairfield, Ohio

A. Scope of Services Performed by Owner (ROV):

1. Provide scheduling for mutually agreeable inspection date.
2. Provide access to DIXON personnel to all areas scheduled for inspection.
3. Provide insurance for Owner's personnel. They are not covered by DIXON's insurance.
4. Perform chlorine residuals and bacteriological testing after completion of the inspection.
5. Fill the tank to the normal high water operating level and if possible, isolate it from the system while the ROV is in the tank. If it is not possible to isolate the tank, keep inlet or outlet flow rates to a minimum. This is necessary to minimize turbulence and increase the chance of clear video being recorded.

B. Scope of Services Performed by DIXON (ROV):

1. Inspect the tank's interior coating for remaining intactness and anticipated life. Submerged surfaces to be inspected by remotely operated vehicle (ROV). Review all interior girders and appurtenances for possible structural damage from icing or corrosion.
2. Review all interior surfaces for corrosion and/or damage and qualify damage for repairs. All repairs are to be quantified by extrapolation of a measured area. All quantities are estimates (usually high) because corrosion will continue between inspection and repair.
3. Inspect the exterior coating for remaining intactness and anticipated life.
4. Review all exterior appurtenances for damage due to corrosion.
5. Review the exterior of the exposed foundations.
6. Review all safety requirements for ladders, cages, etc.
7. Review all health requirements of the tank, including screening of the vent, overflow pipe, and other possible contamination sources. Notification of failed areas will be provided to the Owner on site.
8. Prepare a report documenting all items found and recommendations for repair, including budgetary items. The engineering report is to include conclusions and recommendations, base report, and digital photographs with descriptions, and an edited inspection video on flash drive.

Attachment: NonContractualAppropriations.040824 [Revision 1] (3887 : Non-Contractual Appropriations)

SCHEDULE B
Maintenance Inspection (ROV)
500,000 Gallon Spheroid, (Mack), #35-09-03-01
Fairfield, Ohio

1. Payment for Items 1 through 8, travel time, and preparation of report as outlined in Schedule A – Scope of Services Performed by DIXON is a lump sum amount of \$4,450.00.
2. All DIXON service invoices which are outstanding more than sixty (60) days from invoice date shall be assessed (DIXON's favor) one percent (1%) per month interest from date thirty days after invoice date.

Attachment: NonContractualAppropriations.040824 [Revision 1] (3887 : Non-Contractual Appropriations)

SCHEDULE C
Kentucky, Ohio, Pennsylvania, and West Virginia
Employee Billable Rates and Terms

<u>Labor Class</u>	<u>Per Hour</u>	<u>Overtime Rate</u>
Principal.....	\$400.00	
Officer/Associate.....	\$200.00	
Project Manager.....	\$206.00	\$309.00
Engineer.....	\$212.00	\$318.00
CWI Welding RPR.....	\$206.00 – \$226.00	\$309.00 – \$339.00
DIXON Level 3 or AMPP certified Level 3 RPR	\$143.00 – \$188.00	\$215.00 – \$282.00
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<u>Expenses</u>	<u>Metropolitan</u>	<u>Out-State</u>
Mileage.....	\$0.80/mile + tolls	\$0.70/mile
Lodging.....	\$185.00 per diem	\$185.00 per diem
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FEES EFFECTIVE THROUGH: December 31, 2024

(Revised: 9/28/2023)

Attachment: NonContractualAppropriations.040824 [Revision 1] (3887 : Non-Contractual Appropriations)

Owner and DIXON further agree as follows:

5.01 TERMINATION:

- A. The obligation to continue performance under this Agreement may be terminated:
 1. For cause,
 - a. By either party upon 30 days written notice in the event of substantial failure by the other party to perform in accordance with the Agreement's terms through no fault of the terminating party. Failure to pay DIXON for its services is a substantial failure to perform and a basis for termination.
 - b. By DIXON:
 - 1) upon seven days written notice if Owner demands that DIXON furnish or perform services contrary to DIXON's responsibilities as a licensed professional: or
 - 2) upon seven days written notice if DIXON's Services are delayed for more than 90 days for reasons beyond DIXON's control, or as the result of the presence at the Site of undisclosed Constituents of Concern, as set forth in Paragraph 7.01.I.
 - c. DIXON shall have no liability to the Owner on account of a termination for cause by DIXON.
 - d. Notwithstanding the foregoing, this Agreement will not terminate as a result of a substantial failure under Paragraph 5.01.A.1.a if the party receiving such notice begins, within seven days of receipt of such notice, to correct its substantial failure to perform and proceeds diligently to cure such failure within no more than 30 days of receipt of notice; provided, however, that if and to the extent such substantial failure cannot be reasonably cured within such 30 day period, and if such party has diligently attempted to cure the same and thereafter continues diligently to cure the same, then the cure period provided for herein shall extend up to, but in no case more than, 60 days after the date of receipt of the notice.
 2. For convenience, by Owner effective upon DIXON's receipt of written notice from Owner.
- B. In the event of any termination under Paragraph 5.01, DIXON will be entitled to invoice Owner and to receive full payment for all Services and Additional Services performed or furnished in accordance with this Agreement, plus reimbursement of expenses incurred through the effective date of termination in connection with providing the Services and Additional Services
- C. Effective Date of Termination: The terminating party under Paragraph 5.01.A.1 may set the effective date of termination at a time up to 30 days later than otherwise provided to allow DIXON to demobilize personnel and equipment from the Site, to complete tasks whose value would otherwise be lost, to prepare notes as to the status of completed and uncompleted tasks, and to assemble Project materials in orderly files. Costs associated with any further work that is needed to prevent adverse impact on the project are to be negotiated and considered Additional Services.

6.01 SUCCESSORS, ASSIGNS, AND BENEFICIARIES:

- A. Owner and DIXON are hereby bound and the successors, executors, administrators, and legal representatives of Owner and DIXON (and to the extent permitted by Paragraph 6.01.B the assigns of Owner and DIXON) are hereby bound to the other party to this Agreement and to the successors, executors, administrators, and legal representatives (and said assigns) of such other party, in respect of all covenants, agreements, and obligations of this Agreement.
- B. Neither Owner nor DIXON may assign, sublet, or transfer any rights under or interest in this Agreement without the written consent of the other party, except to the extent that any

assignment, subletting, or transfer is mandated by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement.

- C. Unless expressly provided otherwise, nothing in this Agreement shall be construed to create, impose, or give rise to any duty owed by Owner or DIXON to any Constructor, other third-party individual or entity, or to any surety for or employee of any of them. All duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit of Owner and DIXON and not for the benefit of any other party.

7.01 GENERAL CONSIDERATIONS:

- A. The standard of care for all professional related services performed or furnished by DIXON under this Agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. DIXON makes no warranties, express or implied, under this Agreement or otherwise, in connection with any services performed or furnished by DIXON. Subject to the foregoing standard of care, DIXON and its consultants may use or rely upon design elements and information ordinarily or customarily furnished by others, including, but not limited to, specialty contractors, manufacturers, suppliers, and the publishers of technical standards.
- B. DIXON shall not at any time supervise, direct, control, or have authority over any Constructor's work, nor shall DIXON have authority over or be responsible for the means, methods, techniques, sequences, or procedures of construction selected or used by any Constructor, or the safety precautions and programs incident thereto, for security or safety at the Project site, nor for any failure of a Constructor to comply with laws and regulations applicable to such Constructor's furnishing and performing of its work. DIXON shall not be responsible for the acts or omissions of any Constructor.
- C. DIXON neither guarantees the performance of any Constructor nor assumes responsibility for any Constructor's failure to furnish and perform its work without regard to DIXON's relation to that Work.
- D. DIXON's opinions (if any) of probable construction cost are to be made on the basis of DIXON's experience, qualifications, and general familiarity with the construction industry. However, because DIXON has no control over the cost of labor, materials, equipment, or services furnished by others, or over contractors' methods of determining prices, or over competitive bidding or market conditions, DIXON cannot and does not guarantee that proposals, bids, or actual construction cost will not vary from opinions of probable construction cost prepared by DIXON. If Owner requires greater assurance as to probable construction cost, then Owner agrees to obtain an independent cost estimate.
- E. DIXON shall not be responsible for any decision made regarding the construction contract requirements, or any application, interpretation, clarification, or modification of the construction contract documents other than those made by DIXON or its consultants.
- F. All documents prepared or furnished by DIXON are instruments of service, and DIXON retains an ownership and property interest (including the copyright and the right of reuse) in such documents, whether or not the Project is completed. Owner shall have a limited license to use the documents on the Project, extensions of the Project, and for related uses of the Owner, subject to receipt by DIXON of full payment due and owing for all Services and Additional Services relating to preparation of the documents and subject to the following limitations:

1. Owner acknowledges that such documents are not intended or represented to be suitable for use on the Project unless completed by DIXON, or for use or reuse by Owner or others on extensions of the Project, on any other project, or for any other use or purpose, without written verification or adaptation by DIXON.
 2. Any such use or reuse, or any modification of the documents, without written verification, completion, or adaptation by DIXON, as appropriate for the specific purpose intended, will be at Owner's sole risk and without liability or legal exposure to DIXON or to its officers, directors, members, partners, agents, employees, and consultants.
 3. Owner shall indemnify and hold harmless DIXON and its officers, directors, members, partners, agents, employees, and consultants from all claims, damages, losses, and expenses, including attorneys' fees, arising out of or resulting from any use, reuse, or modification of the documents without written verification, completion, or adaptation by DIXON; and such limited license to Owner shall not create any rights in third parties.
- G. Owner and DIXON may transmit, and shall accept, Project-related correspondence, documents, text, data, drawings, information, and graphics, in electronic media or digital format, either directly, or through access to a secure Project website, in accordance with a mutually agreeable protocol.
- H. To the fullest extent permitted by law, Owner and DIXON (1) waive against each other, and the other's employees, officers, directors, members, agents, insurers, partners, and consultants, any and all claims for or entitlement to special, incidental, indirect, or consequential damages arising out of, resulting from, or in any way related to this Agreement or the Project, and (2) agree that DIXON's total liability to Owner under this Agreement shall be limited to \$100,000 or the total amount of compensation received by DIXON, whichever is greater.
1. Limitation of Liability: DIXON and Owner agree that they shall each be responsible for their own negligence and that neither party shall, under any circumstances, be responsible for the negligent acts or omissions of the other party.
 2. Percentage Share of Negligence: To the fullest extent permitted by law, a party's total liability to the other party and anyone claiming by, through, or under the other party for any cost, loss, or damages caused in part by the negligence of the party and in part by the negligence of the other party or any other negligent entity or individual, shall not exceed the percentage share that the party's negligence bears to the total negligence of Owner, and all other negligent entities and individuals.
- I. The parties acknowledge that DIXON's Services do not include any services related to unknown or undisclosed Constituents of Concern. If DIXON or any other party encounters, uncovers, or reveals an unknown or undisclosed Constituent of Concern, then DIXON may, at its option and without liability for consequential or any other damages, suspend performance of Services on the portion of the Project affected thereby until such portion of the Project is no longer affected, or terminate this Agreement for cause if it is not practical to continue providing Services.
1. Constituents of Concern normally associated with coating projects can be hidden or occur because of the Work. These include metals and organic solvents. These materials are still considered as Constituents of Concern only they are known or anticipated. But these constituents of concern, including lead, chrome, cadmium, mercury, and coating solvents shall not be a trigger for project termination by either DIXON or Owner.
- J. Owner and DIXON agree to negotiate each dispute between them in good faith during the 30 days after notice of dispute. If Owner/DIXON negotiations are unsuccessful in resolving the dispute,

then the dispute shall be negotiated by a third party agreeable to both parties and the neutral negotiator's determination shall be legally binding on both parties.

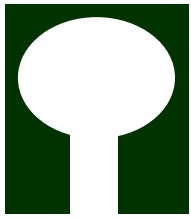
- K. This Agreement is to be governed by the law of the state in which the Project is located.
- L. DIXON's Services and Additional Services do not include: (1) serving as a "municipal advisor" for purposes of the registration requirements of Section 975 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (2010) or the municipal advisor registration rules issued by the Securities and Exchange Commission; (2) advising Owner, or any municipal entity or other person or entity, regarding municipal financial products or the issuance of municipal securities, including advice with respect to the structure, timing, terms, or other similar matters concerning such products or issuances; (3) providing surety bonding or insurance-related advice, recommendations, counseling, or research, or enforcement of construction insurance or surety bonding requirements; or (4) providing legal advice or representation.

8.01 TOTAL AGREEMENT:

- A. This Agreement (including any expressly incorporated attachments), constitutes the entire agreement between Owner and DIXON and supersedes all prior written or oral understandings. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

9.01 DEFINITIONS:

- A. Constructor – Any person or entity (not including the DIXON, its employees, agents, representatives, and consultants), performing or supporting construction activities relating to the Project, including but not limited to contractors, subcontractors, suppliers, Owner's work forces, utility companies, construction managers, testing firms, shippers, and truckers, and the employees, agents, and representatives of any or all of them.
- B. Constituent of Concern – Asbestos, petroleum, radioactive material, polychlorinated biphenyls (PCBs), hazardous waste, and any substance, product, waste, or other material of any nature whatsoever that is or becomes listed, regulated, or addressed pursuant to (a) the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. §§9601 et seq. ("CERCLA"); (b) the Hazardous Materials Transportation Act, 49 U.S.C. §§5101 et seq.; (c) the Resource Conservation and Recovery Act, 42 U.S.C. §§6901 et seq. ("RCRA"); (d) the Toxic Substances Control Act, 15 U.S.C. §§2601 et seq.; (e) the Clean Water Act, 33 U.S.C. §§1251 et seq.; (f) the Clean Air Act, 42 U.S.C. §§7401 et seq.; or (g) any other federal, State, or local statute, law, rule, regulation, ordinance, resolution, code, order, or decree regulating, relating to, or imposing liability or standards of conduct concerning, any hazardous, toxic, or dangerous waste, substance, or material.



DIXON

**ENGINEERING & INSPECTION SERVICES
FOR THE COATING INDUSTRY**

1104 Third Avenue
Lake Odessa, MI 48849
Telephone: (616) 374-3221
Fax: (616) 374-7116

13.B.6.a

January 25, 2024

Mr. Adam Sackenheim, Public Utilities Director
City of Fairfield
5021 Groh Lane
Fairfield, OH 40514

Subject: Inspection Services Proposal for 3,000,000 Gallon Steel Standpipe

Dear Mr. Sackenheim:

Enclosed is a maintenance proposal for an ROV inspection of the 3,000,000-gallon steel standpipe. The Basis of Payment for an ROV inspection is Lump Sum for travel, inspection, and report.

Our Proposal/Contract form consists of the Contract Provisions and Schedules A, B, and C. Schedule A includes a detailed Scope of Services for both the Owner and DIXON. Schedule B includes fees and terms of payment. Schedule C provides billing rates for additional services that may be provided during the inspection. The Proposal/Contract form becomes a Contract when the proposal is accepted and signed by the Owner, and then signed by DIXON.

We appreciate the opportunity to submit this proposal. If you have any questions, please feel free to contact me at (859) 325-0664 or mikebottom@dixonengineering.net.

FOR DIXON ENGINEERING, INC.,

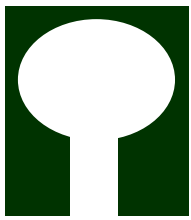
Mike Bottom
Project Manager

Enclosure

**Members: Society of Protective Coatings • American Water Works Association
Consulting Engineers Council**

Packet Pg. 101

Attachment: NonContractualAppropriations.040824 [Revision 1] (3887 : Non-Contractual Appropriations)



DIXON

ENGINEERING & INSPECTION SERVICES
FOR THE COATING INDUSTRY

13.B.6.a

1104 Third Avenue
Lake Odessa, MI 48849
Telephone: (616) 374-3227
Fax: (616) 374-7116

SHORT FORM OF AGREEMENT
BETWEEN OWNER AND DIXON
FOR PROFESSIONAL SERVICES

3,000,000 Gallon Steel Standpipe, (Hunter), #35-09-03-02

THIS IS AN AGREEMENT effective as of _____ ("Effective Date") between City of Fairfield, Ohio ("Owner") and Engineer ("Dixon Engineering, Inc.").

1.01 SIGNATURES:

Mike Bottom, Project Manager

January 25, 2024

PROPOSED by DIXON (not a contract until approved by Project Manager or Officer)

Proposal Date

CONTRACT Approved by Owner

Position

Date

CO SIGNATURE (If Required)

Date

CONTRACT APPROVED by DIXON PROJECT MANAGER

Date

Address for OWNER'S receipt of Notices

Address for DIXON'S receipt of Notices

1104 Third Avenue

Lake Odessa, MI 48849

1.02 CONTRACT/PROPOSAL:

- A. Signatures acknowledge that this Contract consists of 9 pages.
- B. Owner's Project, of which DIXON's services under this Agreement are a part, is generally identified as follows: 3,000,000 Gallon Steel Standpipe ("Project").
- C. DIXON's services under this Agreement are generally identified as follows, and further definition of Services by both Owner and DIXON are included as Maintenance Inspection Services (ROV) per Schedule A

Owner and DIXON further agree as follows:

2.01 BASIC AGREEMENT:

- A. DIXON shall provide or furnish the Services set forth in this Agreement. Services are delineated for both the Owner and DIXON in Schedule A – Scope of Services. If authorized by Owner, or if required because of changes in the Project, DIXON shall furnish services in addition to those set forth above (“Additional Services”).
- B. DIXON shall complete its Services within a reasonable period of time.
- C. If, through no fault of DIXON, such periods of time or dates are changed, or the orderly and continuous progress of DIXON’s Services is impaired, or DIXON’s Services are delayed or suspended, then the time for completion of DIXON’s Services, and the rates and amounts of DIXON’s compensation, shall be adjusted equitably.

3.01 PAYMENT PROCEDURES:

- A. Invoices: DIXON will prepare invoices in accordance with its standard invoicing practices and submit the invoices to Owner on a monthly basis. Invoices are due and payable within 30 days of receipt. Additional financial terms are found in Schedule B.
- B. Payment: As compensation for DIXON providing or furnishing Services and Additional Services, Owner shall pay DIXON as set forth in Paragraphs 3.01 (Payment Procedures), 3.02 (Basis of Payment), and 3.03 (Additional Services). If Owner disputes an invoice, either as to amount or entitlement, then Owner shall promptly advise DIXON in writing of the specific basis for doing so, may withhold only that portion so disputed, and must pay the undisputed portion.

3.02 BASIS OF PAYMENT:

- A. Owner shall pay DIXON for services as follows:
 1. Lump Sum amount of **Four Thousand, Four Hundred, and Fifty Dollars (\$4,450.00)**. See Schedule B for cost breakdown of services.

3.03 ADDITIONAL SERVICES: For Additional Services, Owner shall pay DIXON an amount equal to the cumulative hours charged in providing the Additional Services by each of DIXON’s employees, times standard hourly rates for each applicable billing classification; plus, reimbursement of expenses incurred in connection with providing the Additional Services and DIXON’s consultants’ charges, if any. DIXON's standard hourly rates and terms are attached as Schedule C.

4.01 ATTACHMENTS:

1. Schedule A – Scope of Work of both the Owner and DIXON.
2. Schedule B – Cost breakdown per phase of Work and Additional Terms of Payments.
3. Schedule C – DIXON Employee Billable Rates and Terms.

SCHEDULE A
Maintenance Inspection (ROV)
3,000,000 Gallon Steel Standpipe, (Hunter), #35-09-03-02
Fairfield, Ohio

A. Scope of Services Performed by Owner (ROV):

1. Provide scheduling for mutually agreeable inspection date.
2. Provide access to DIXON personnel to all areas scheduled for inspection.
3. Provide insurance for Owner's personnel. They are not covered by DIXON's insurance.
4. Perform chlorine residuals and bacteriological testing after completion of the inspection.
5. Fill the tank to the normal high water operating level and if possible, isolate it from the system while the ROV is in the tank. If it is not possible to isolate the tank, keep inlet or outlet flow rates to a minimum. This is necessary to minimize turbulence and increase the chance of clear video being recorded.

B. Scope of Services Performed by DIXON (ROV):

1. Inspect the tank's interior coating for remaining intactness and anticipated life. Submerged surfaces to be inspected by remotely operated vehicle (ROV). Review all interior girders and appurtenances for possible structural damage from icing or corrosion.
2. Review all interior surfaces for corrosion and/or damage and qualify damage for repairs. All repairs are to be quantified by extrapolation of a measured area. All quantities are estimates (usually high) because corrosion will continue between inspection and repair.
3. Inspect the exterior coating for remaining intactness and anticipated life.
4. Review all exterior appurtenances for damage due to corrosion.
5. Review the exterior of the exposed foundations.
6. Review all safety requirements for ladders, cages, etc.
7. Review all health requirements of the tank, including screening of the vent, overflow pipe, and other possible contamination sources. Notification of failed areas will be provided to the Owner on site.
8. Prepare a report documenting all items found and recommendations for repair, including budgetary items. The engineering report is to include conclusions and recommendations, base report, and digital photographs with descriptions, and an edited inspection video on flash drive.

SCHEDULE B
Maintenance Inspection (ROV)
3,000,000 Gallon Steel Standpipe, (Hunter), #35-09-03-02
Fairfield, Ohio

1. Payment for Items 1 through 8, travel time, and preparation of report as outlined in Schedule A – Scope of Services Performed by DIXON is a lump sum amount of \$**4,450.00**.
2. All DIXON service invoices which are outstanding more than sixty (60) days from invoice date shall be assessed (DIXON's favor) one percent (1%) per month interest from date thirty days after invoice date.

Attachment: NonContractualAppropriations.040824 [Revision 1] (3887 : Non-Contractual Appropriations)

SCHEDULE C
Kentucky, Ohio, Pennsylvania, and West Virginia
Employee Billable Rates and Terms

<u>Labor Class</u>	<u>Per Hour</u>	<u>Overtime Rate</u>
Principal.....	\$400.00	
Officer/Associate.....	\$200.00	
Project Manager.....	\$206.00	\$309.00
Engineer.....	\$212.00	\$318.00
CWI Welding RPR.....	\$206.00 – \$226.00	\$309.00 – \$339.00
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FEES EFFECTIVE THROUGH: December 31, 2024

(Revised: 9/28/2023)

Attachment: NonContractualAppropriations.040824 [Revision 1] (3887 : Non-Contractual Appropriations)

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 - 2) upon seven days written notice if the DIXON's Services are delayed for more than 90 days for reasons beyond DIXON's control, or as the result of the presence at the Site of undisclosed Constituents of Concern, as set forth in Paragraph 7.01.I.
 - c. DIXON shall have no liability to Owner on account of a termination for cause by DIXON.
 - d. Notwithstanding the foregoing, this Agreement will not terminate as a result of a substantial failure under Paragraph 5.01.A.1.a if the party receiving such notice begins, within seven days of receipt of such notice, to correct its substantial failure to perform and proceeds diligently to cure such failure within no more than 30 days of receipt of notice; provided, however, that if and to the extent such substantial failure cannot be reasonably cured within such 30 day period, and if such party has diligently attempted to cure the same and thereafter continues diligently to cure the same, then the cure period provided for herein shall extend up to, but in no case more than, 60 days after the date of receipt of the notice.
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- B. Neither Owner nor DIXON may assign, sublet, or transfer any rights under or interest in this Agreement without the written consent of the other party, except to the extent that any assignment, subletting, or transfer is mandated by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement.
- C. Unless expressly provided otherwise, nothing in this Agreement shall be construed to create, impose, or give rise to any duty owed by Owner or DIXON to any Constructor, other third-party individual or entity, or to any surety for or employee of any of them. All duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit of Owner and DIXON and not for the benefit of any other party.

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- A. The standard of care for all professional related services performed or furnished by DIXON under this Agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. DIXON makes no warranties, express or implied, under this Agreement or otherwise, in connection with any services performed or furnished by DIXON. Subject to the foregoing standard of care, DIXON and its consultants may use or rely upon design elements and information ordinarily or customarily furnished by others, including, but not limited to, specialty contractors, manufacturers, suppliers, and the publishers of technical standards.
- B. DIXON shall not at any time supervise, direct, control, or have authority over any Constructor's work, nor shall DIXON have authority over or be responsible for the means, methods, techniques, sequences, or procedures of construction selected or used by any Constructor, or the safety precautions and programs incident thereto, for security or safety at the Project site, nor for any failure of a Constructor to comply with laws and regulations applicable to such Constructor's furnishing and performing of its work. DIXON shall not be responsible for the acts or omissions of any Constructor.
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 2. Any such use or reuse, or any modification of the documents, without written verification, completion, or adaptation by DIXON, as appropriate for the specific purpose intended, will be at Owner's sole risk and without liability or legal exposure to DIXON or to its officers, directors, members, partners, agents, employees, and consultants.
 3. Owner shall indemnify and hold harmless DIXON and its officers, directors, members, partners, agents, employees, and consultants from all claims, damages, losses, and expenses, including attorneys' fees, arising out of or resulting from any use, reuse, or modification of the documents without written verification, completion, or adaptation by DIXON; and such limited license to Owner shall not create any rights in third parties.
- G. Owner and DIXON may transmit, and shall accept, Project-related correspondence, documents, text, data, drawings, information, and graphics, in electronic media or digital format, either directly, or through access to a secure Project website, in accordance with a mutually agreeable protocol.
- H. To the fullest extent permitted by law, Owner and DIXON (1) waive against each other, and the other's employees, officers, directors, members, agents, insurers, partners, and consultants, any and all claims for or entitlement to special, incidental, indirect, or consequential damages arising out of, resulting from, or in any way related to this Agreement or the Project, and (2) agree that DIXON's total liability to Owner under this Agreement shall be limited to \$100,000 or the total amount of compensation received by DIXON, whichever is greater.
1. Limitation of Liability: DIXON and Owner agree that they shall each be responsible for their own negligence and that neither party shall, under any circumstances, be responsible for the negligent acts or omissions of the other party.
 2. Percentage Share of Negligence: To the fullest extent permitted by law, a party's total liability to the other party and anyone claiming by, through, or under the other party for any cost, loss, or damages caused in part by the negligence of the party and in part by the negligence of the other party or any other negligent entity or individual, shall not exceed the percentage share that the party's negligence bears to the total negligence of Owner, and all other negligent entities and individuals.
- I. The parties acknowledge that DIXON's Services do not include any services related to unknown or undisclosed Constituents of Concern. If DIXON or any other party encounters, uncovers, or reveals an unknown or undisclosed Constituent of Concern, then DIXON may, at its option and without liability for consequential or any other damages, suspend performance of Services on the portion of the Project affected thereby until such portion of the Project is no longer affected, or terminate this Agreement for cause if it is not practical to continue providing Services.
1. Constituents of Concern normally associated with coating projects can be hidden or occur because of the Work. These include metals and organic solvents. These materials are still considered as Constituents of Concern only they are known or anticipated. But these constituents of concern, including lead, chrome, cadmium, mercury, and coating solvents shall not be a trigger for project termination by either DIXON or Owner.

- J. Owner and DIXON agree to negotiate each dispute between them in good faith during the 30 days after notice of dispute. If Owner/DIXON negotiations are unsuccessful in resolving the dispute, then the dispute shall be negotiated by a third party agreeable to both parties and the neutral negotiator's determination shall be legally binding on both parties.
 - K. This Agreement is to be governed by the law of the state in which the Project is located.
 - L. DIXON's Services and Additional Services do not include: (1) serving as a "municipal advisor" for purposes of the registration requirements of Section 975 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (2010) or the municipal advisor registration rules issued by the Securities and Exchange Commission; (2) advising Owner, or any municipal entity or other person or entity, regarding municipal financial products or the issuance of municipal securities, including advice with respect to the structure, timing, terms, or other similar matters concerning such products or issuances; (3) providing surety bonding or insurance-related advice, recommendations, counseling, or research, or enforcement of construction insurance or surety bonding requirements; or (4) providing legal advice or representation.
- 8.01 TOTAL AGREEMENT:
- A. This Agreement (including any expressly incorporated attachments), constitutes the entire agreement between Owner and DIXON and supersedes all prior written or oral understandings. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument.
- 9.01 DEFINITIONS:
- A. Constructor – Any person or entity (not including the DIXON, its employees, agents, representatives, and consultants), performing or supporting construction activities relating to the Project, including but not limited to contractors, subcontractors, suppliers, Owner's work forces, utility companies, construction managers, testing firms, shippers, and truckers, and the employees, agents, and representatives of any or all of them.
 - B. Constituent of Concern – Asbestos, petroleum, radioactive material, polychlorinated biphenyls (PCBs), hazardous waste, and any substance, product, waste, or other material of any nature whatsoever that is or becomes listed, regulated, or addressed pursuant to (a) the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. §§9601 et seq. ("CERCLA"); (b) the Hazardous Materials Transportation Act, 49 U.S.C. §§5101 et seq.; (c) the Resource Conservation and Recovery Act, 42 U.S.C. §§6901 et seq. ("RCRA"); (d) the Toxic Substances Control Act, 15 U.S.C. §§2601 et seq.; (e) the Clean Water Act, 33 U.S.C. §§1251 et seq.; (f) the Clean Air Act, 42 U.S.C. §§7401 et seq.; or (g) any other federal, State, or local statute, law, rule, regulation, ordinance, resolution, code, order, or decree regulating, relating to, or imposing liability or standards of conduct concerning, any hazardous, toxic, or dangerous waste, substance, or material.



City Council Ordinance
Regular Meeting - April 8, 2024

Submitted by: Thomas Lakamp,
 Submitting Department: Fire

Subject:

Personal Protective Equipment Replacement

Legislation Title:

Personal Protective Clothing Replacement

Recommendation:

The funding will be used to purchase personal protective equipment from multiple vendors and will replace those items currently approaching the end of their service life. The National Fire Protection Association mandates the majority of this equipment to be replaced after ten years from the date of manufacture. The personal protective equipment covered in this legislation will be bunker coats, bunker pants, helmets, hoods, and gloves. Total funding requested for this project is \$65,000

Background/Synopsis:

This request is for the purchase of personal protective clothing to equip new firefighters and to replace personal protective clothing that is approaching its end of service life (10 years). This PPE will provide protection for the firefighters to enter Immediately Dangerous to Life and Health (IDLH) atmospheres to conduct firefighting and search and rescue. This personal protective clothing is identical to the protective equipment previously purchased to provide uniformity across the department.

Financial Impact:

\$65,000.00 from the Capital Improvement Fund, project 4FD04

Emergency Provision Explanation:

To provide for the health and safety of firefighters and the public.

Rule Suspension Requested:

Yes

Emergency Provision Needed:

Yes



City Council Ordinance
Regular Meeting - April 8, 2024

Submitted by: Thomas Lakamp,
 Submitting Department: Fire

Subject:

Replacement Hose and Fire Equipment

Legislation Title:

Replacement Hose and Fire Equipment

Recommendation:

This request is for the purchase of fire hose and other firefighting equipment from multiple vendors that has or is approaching the end of its service life. This equipment is being replaced due to the cost of repairs, or its inability to be repaired. An appropriation of \$40,000 is requested for this project.

Background/Synopsis:

This request is for the purchase of fire hose and other firefighting equipment that is approaching its end of service life (10 years). The National Fire Protection Association mandates the majority of this equipment to be replaced after ten years from the date of manufacture

Financial Impact:

\$40,000.00 from the Capital Improvement Fund, project 4FD01

Emergency Provision Explanation:

To provide for the health and safety of firefighters and the public.

Rule Suspension Requested:

Yes

Emergency Provision Needed:

Yes



City Council Ordinance
Regular Meeting - April 8, 2024

Submitted by: Amanda Brock,
 Submitting Department: Parks

Subject:

Battery Powered Forklift

Legislation Title:

Non-contractual Appropriation for the purchase of Battery Powered Forklift for Park Maintenance.

Recommendation:

It is recommended that City Council authorize an appropriation of \$17,510.20 from the Capital Fund for the purchase of an ST3200 Electric Forklift as detailed in the attached quotation.

Background/Synopsis:

This project is to purchase an ST3200 Battery Powered Forklift that will be used at the CAC and at multiple buildings throughout the Park Maintenance department to help with loading and unloading of materials when needed.

The funding for this project is programmed in the 2024-2028 CIP as 4PR13 Parks Equipment.

Financial Impact:

\$17,510.20 from the Capital Fund.

Emergency Provision Explanation:

Not applicable

Rule Suspension Requested:

No

Emergency Provision Needed:

No

Attachments:

1. Scan from PrimeLink

Alisha Wilson

From: PrimeLink C9070 <ParksScanner@fairfieldoh.gov>
Sent: Wednesday, March 27, 2024 8:49 AM
To: Amanda Brock
Subject: Scan from PrimeLink
Attachments: 03272024084829-0001.pdf

Please open the attached document. It was scanned and sent to you using PrimeLink.

Number of Images: 3
Attachment File Type: PDF

Device Name: PrimeLink C9070
Device Location:

Attachment: NonContractualAppropriations.040824 [Revision 1] (3887 : Non-Contractual Appropriations)



City Council Ordinance
Regular Meeting - April 8, 2024

Submitted by: Amanda Brock,
 Submitting Department: Parks

Subject:

Non-Contractual Appropriation for Picnic Tables for Park Maintenance

Legislation Title:

Non-contractual Appropriation for picnic tables for Park Maintenance

Recommendation:

It is recommended that City Council authorize an appropriation of \$11,675.50 from the Capital Fund for the purchase of new picnic tables as detailed in the attached quote.

Background/Synopsis:

This project is to purchase 10 new 6ft picnic tables made of recycled plastic to replace some of the outdated wooden ones we currently have in some of our shelters, throughout various Parks.

The funding for this project is programmed in the 2024-2028 as CIP 4PR09.

Financial Impact:

\$11,675.50 from the Capital Fund as CIP 4PR09.

Emergency Provision Explanation:

Not applicable

Rule Suspension Requested:

No

Emergency Provision Needed:

No

Attachments:

1. Quote Bundle - 63364 - Standard Picnic Tables 2024 (03-04-24) (1)



WHAT CAN YOU EXPECT NEXT?

DOWN PAYMENT

If a down payment is required, our Accounting team will send you an invoice within 3-5 business days of approving your order confirmation. You will need to make any necessary payments at that time. Prompt response and payment will help ensure timely completion of your order. Down payments are typically required when

- You're A New Customer
- You're An Existing Customer That Has Not Ordered in 5 Years
- The Terms Are Not Net 30
- The Order is Over \$5,000

RELEASED TO PRODUCTION

Your order will be added to our production schedule after approvals are final, including payment, if terms apply. Status updates are available upon request throughout the production process.

**Revisions or cancellations made after final approval must be submitted in writing, and additional fees may apply.*

DISCUSSING THE DETAILS

Please reach out to your Sales Rep or Customer Success Specialist to clarify shipping terms or best determine your location's delivery needs.

SHIPPED WITH CARE

Freight is routinely delivered on a 53' long trailer. Urban areas, residential neighborhoods, or schools typically require transferring to a smaller delivery truck for final delivery. Depending upon the size of your order and the capabilities of your receiving location, different delivery options may be necessary.

- Volume shipments are typically contact-less, wherein you are responsibly for removing your products from the truck.
- LTL (less than truckload) shipments are typically offloaded by the driver.

All shipping methods may experience unplanned delays (weather, local/government events, acts of god). The Prestwick Group will try to account for possible delays, but cannot provide guarantees and are not responsible for late deliveries.

SCHEDULING DELIVERY

Our third-party carries will call to confirm their estimated delivery window. If you require a specific date and time for delivery, please notify your Sales Rep or Customer Success Specialist. **If a delivery appointment or phone notification is NOT needed, please specify receiving hours.**

- Call Ahead - Included at No Charge
- Delivery Appointment - \$50
- Liftgate (motorized platform on the back of the truck) - \$100
- Driver Assistance (includes liftgate and driver offload) - \$190

**Additional services, such as inside delivery, unpackaging, placement, etc., may be available for an additional premium.*

SHIPMENT & NOTIFICATION

Once your items are ready for shipment, we will provide you with tracking information. All items are dispatched from our headquarters in Sussex, WI. The estimated transit time is approximately 2-4 days, depending on the destination.

Please note any rips, holes, or damages to the packaging on the carrier's paperwork when signing for the shipment. **Report shipping damage within 48 hours** of accepting delivery to your Customer Success Team or Sales Rep.

- Postponing expressed on-site requests may result in storage fees.
- Returned orders will have associated shipping fees assessed upon reshipment.
- Addition of services after shipment or inability to reach noted contact may result in storage fees with the carrier and delayed receipt.



Scan or go to prestwick-group.com/faq/ for answers to frequently asked questions, care & maintenance recommendations, and brief shipping info. Please reach out to our Customer Success team for assistance. We're always happy to help!



QUOTE: 63364 - Standard Picnic Tables 2024 (189179)

Account Name		City of Fairfield-OH	Ship Via		-	Rep		7GOV1
Contact Name		Mandi Brock	Terms		Net 30	Created By		Ryn Soper
Phone		513-867-5348	PO Number		-	Created Date		2/29/24
Email		abrock@fairfield-city.org	Tracking Email		-	Expiration Date		3/30/24
Bill To: abrock@fairfield-city.org City of Fairfield-OH 411 Wessel Drive Fairfield, Ohio 45014 United States			Ship To: City of Fairfield-OH 411 Wessel Drive Fairfield, Ohio 45014 United States			Shipping Contact Information: Full Name Mandi Brock Phone Number 513-867-5348		

Qty.	Product	Short Description – Full details outlined on product spec sheets when applicable	Unit Price	Line Total
10	FURNITURE	0-4276-DS - TABLE-PICNIC-6FT-TAN TOP/BLACK BASE	\$1,139.00	\$11,390.00
Subtotal			\$11,390.00	
MR-Disc		CUSTOMER DISCOUNT (CONTINGENT ON MEETING THE PAYMENT TERMS)	-\$569.50	
S/H		SHIPPING & HANDLING - **ADDITIONAL SERVICES AVAILABLE UPON REQUEST (CHARGES MAY APPLY)** ji 3/4/24	\$855.00	
Grand Total			\$11,675.50	

Per US tax law, we're required to collect sales tax in the majority of states. If applicable, sales tax will be applied upon invoice.

My signature on this quote verifies that I have approved this order and all information is accurate.

SIGNATURE

DATE

Company Address
W248N5499 Executive Drive
Sussex, Wisconsin 53089
USA

Phone (800) 505-7926
Organization (Fax) 888-868-7184



City Council Ordinance
Regular Meeting - April 8, 2024

Submitted by: Ben Mann,
 Submitting Department: Public Works

Subject:

Trip Hazard Sidewalk Repair Via Cutting and additional funding for 2024 Sidewalk Program

Legislation Title:

Trip Hazard Sidewalk Repair Via Cutting and additional funding for 2024 Sidewalk Program

Recommendation:

It is recommended that City Council authorize an appropriation of \$34,960.00 from the General Fund for sidewalk repairs

Background/Synopsis:

This project is to perform the repair of sidewalk without removing entire concrete blocks. Precision Concrete Cutting uses cutting rather than grinding for a cleaner, neater, and quicker process. This process is a green solution that has less impact on landfills and also has less disruption to the public.

This project is to be used in conjunction with this year's Sidewalk Replacement Program. It is the City's intent to use this method whenever practical in an effort to save residents money and to limit inconvenience.

This process has been used for the last several years as part of our sidewalk program and this company has performed cuts in all four wards. The process has been widely accepted with very little negative feedback. The process was used originally by the City in 2013 to perform nearly 100 cuts in the Village Green Park area and a few other locations near the Municipal building, annex building, etc. Precision has been performing sidewalk cutting for residents as part of the City's Sidewalk Program since 2014. This method brings sidewalk into ADA compliance while making these sidewalks safer and more accessible for our residents. This work will be done with far less disruption than with traditional concrete removal and replacement.

Staff has identified 328 trip hazards to be cut with this method this year. The cutting method will result in a savings of more than 50% for most sidewalk block replacements. The City will send out a letter to residents advising them if their property will be one in which a block can be cut instead of replaced. The City will employ the cutting method when applicable unless the owner directs us to replace the block instead. Property owners have 60 days in which to complete the replacement themselves or to notify Public Works that they would like to pay the additional expense for replacement rather than use the cutting method.

Staff has procured a quote from Precision Concrete Cutting for their proprietary process and

worked with them to obtain the best price possible for City residents. Precision has agreed to a price of \$70.00 per cut for 2024.

The project is programmed in the 2024-2028 CIP as 4PW16 for \$160,000.00 which was already appropriated to Prus.

Financial Impact:

\$34,960.00 from the General Fund.

(\$22,960.00 for Precision Concrete Cutting and \$12,000.00 for Prus Construction)

Emergency Provision Explanation:

Not applicable

Rule Suspension Requested:

No

Emergency Provision Needed:

No

Attachments:

1. City of Fairfield 2024



Contact: Al Schwecke
Phone: 513-900-7364
als@safesidewalks.com

SIDEWALK TRIP HAZARD REPAIR PROPOSAL:



2024

Sidewalk Project



Presented to: Ben Mann
January 2024



EXECUTIVE SUMMARY

Precision Concrete Cutting uses proprietary and patented cutting technology to repair trip hazards. Our work is guaranteed to offer the following benefits:

- **Cost Savings** - Remove trip hazards at a fraction of the cost of other methods.
- **ADA Compliance** - Approved and compliant with ADA standards.
- **Clean** - No mess left behind. No resident complaints.
- **Safety** - Decrease liability on your pedestrian walkways, increase safety.
- **Detailed Reporting** - Invoices show measurements, locations, and cost for each hazard.
- **Low Impact** - Average removal time is 20 minutes, no sidewalk closures.
- **Full Service Contractor** - Complete GIS integration, mapping, etc.



ENVIRONMENTAL IMPACT EXAMPLE: As a member of the U.S. Green Building Council (USGBC) we are proud of the fact that we reduce the impact to landfills and the environment as a result of our service.

Removing and replacing 100 panels would result in approximately 118,500 pounds or 59 tons of concrete being removed (average panel weight of 1185 pounds).

Using Precision Concrete Cutting for 100 trip hazards results in 0.3 tons of concrete removed and recycled, approximately 141 gallons of gasoline saved, and a reduction of 1.3 metric tons of Co2.

The information in this summary is confidential, and is to be used only by the intended recipient and Precision Concrete Cutting in evaluating the project. Any copying or unauthorized disclosure of this information is prohibited.



TOTAL ESTIMATE AMOUNT (2024)

Ben Mann - City Engineer

- 5350 Pleasant Ave.
- Fairfield, OH 45014
- (513) 867-4213
- bmann@fairfield-city.org

All Hazards-1/2” and Above

- 1:12 Slope Ratio
- Dust Abatement Used
- ADA Compliance
- 100% Clean-up / Waste Removal
- 328 Trip Hazards
- \$70.00/Hazard

Time Frame:

- 3-4 Weeks (est.)

\$22,960.00

All options will be performed using our patented saw cutting technique resulting in an edge to edge repair of the sidewalk with a completely planar slope.

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PRECISION CONCRETE CUTTING REPAIRS



Before



After Precision Concrete Cutting has completely and smoothly removed the trip hazard.

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PRECISION CONCRETE CUTTING REPAIRS



Before



After Precision Concrete Cutting has completely and smoothly removed the trip hazard.

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ORDINANCE NO. _____

ORDINANCE TO AMEND ORDINANCE NO. 166-23 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, 2024, AND ENDING DECEMBER 31, 2024."

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

Section 1. Ordinance No. 166-23, the 2024 Appropriation Ordinance, is hereby amended in the following respects:

From:	Unappropriated Water Replacement & Improvement Fund	\$8,900
To:	60416023-233900 Other Professional Services (Water Tower Inspections 4WT12)	\$8,900
From:	Unappropriated Capital Improvement Fund	\$148,751
To:	40216025-253200 Capital Equipment (Livescan Fingerprinting Equipment 4PD02 [\$14,564]) (Fire Hose and Equipment 4FD01 [\$40,000])	\$54,564
To:	40216024-242200 Wearing Equipment (Fire Department Personal Protective Equipment 4FD04)	\$65,000
To:	40216025-253100 Automotive Equipment (Batter Powered Forklift 4PR13)	\$17,511
To:	40216024-241200 Non-Capital Equipment (Picnic Tables 4PR09)	\$11,676
From:	Unappropriated General Fund	\$34,960
To:	10016025-252000 Improvements other than Building (Sidewalk Repairs 4PW16)	\$34,960

Section 2. This Ordinance shall take effect at the earliest period allowed by law.

Passed _____

Mayor's Approval

Attachment: NONCONTRACTUAL 4-8-ORD (3887 : Non-Contractual Appropriations)

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\2024\NONCONTRACTUAL 4-8-ORD

Attachment: NONCONTRACTUAL 4-8-ORD (3887 : Non-Contractual Appropriations)