

Steve Miller
Mayor

Mark Scharringhausen
Council Member at Large

Chad Oberson
Council Member at Large

Bill Woeste
Council Member at Large



Leslie Besl
Council Member, 1st Ward

Dale Paullus
Councilmember, 2nd Ward

Terry Senger
Councilmember, 3rd Ward

Tim Abbott
Council Member, 4th Ward

**CITY OF FAIRFIELD CITY COUNCIL
REGULAR MEETING AGENDA
MONDAY, MARCH 22, 2021 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. 5:30 PM - 2021-2025 Capital Improvement Program Budget
- 2. BUSINESS MEETING CALL TO ORDER**
- 3. PRAYER/PLEDGE OF ALLEGIANCE**
- 4. ROLL CALL**
- 5. AGENDA MODIFICATIONS**
- 6. EXECUTIVE SESSION REQUESTS**
- 7. SPECIAL PRESENTATIONS AND CITIZEN COMMENTS**
 - a. Kyle Weidner Proclamation
 - b. Fire Department Oath of Office - Evan Miller, Firefighter/Paramedic
- 8. PUBLIC HEARING(S)**
- 9. APPROVAL OF MINUTES**
 - a. Regular Meeting held March 8, 2021
- 10. OLD BUSINESS AND REPORTS**

A. COMMUNITY & PUBLIC RELATIONS COMMITTEE

Dale Paullus, Chair; Leslie Besl, Vice Chair; Terry Senger, Member

B. DEVELOPMENT SERVICES COMMITTEE

Bill Woeste, Chair; Tim Abbott, Vice Chair; Mark Scharringhausen, Member

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 Revised Concept Plan and Final Development Plan for the Hypershine Carwash portion of the Meijer-Gilmore Road Planned Unit Development.
 - Legislation - Second Reading held pending Planning Commission recommendation

C. PARKS, RECREATION AND ENVIRONMENT COMMITTEE

Leslie Besl, Chair; Dale Paullus, Vice Chair; Tim Abbott, Member

D. PUBLIC SAFETY COMMITTEE

Mark Scharringhausen, Chair; Terry Senger, Vice Chair; Dale Paullus, Member

E. PUBLIC WORKS COMMITTEE

Chad Oberson, Chair; Mark Scharringhausen, Vice Chair; Bill Woeste, Member

1. Ordinance to authorize the Acting City Manager to enter into a contract with Barrett Paving Materials, Inc. for the 2021 Asphalt Paving and Resurfacing Project
 - Legislation - Second Reading

F. PUBLIC UTILITIES COMMITTEE

Terry Senger, Chair; Chad Oberson, Vice Chair; Leslie Besl, Member

G. FINANCE & BUDGET COMMITTEE

Tim Abbott, Chair; Bill Woeste, Vice Chair; Chad Oberson, Member

1. Ordinance to amend Ordinance No. 109-20 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, 2021, and ending December 31, 2021." Supplemental Appropriation
 - Legislation - Second Reading

11. NEW BUSINESS

Motion to read all New Business by title only.

A. COMMUNITY & PUBLIC RELATIONS COMMITTEE

Dale Paullus, Chair; Leslie Besl, Vice Chair; Terry Senger, Member

1. Simple Motion: Motion to approve the following 2021 Boards/Commissions Appointments effective April 1, 2021: Trisha Lutterbie - Cultural Arts Advisory

Commission (term expires 3/31/24) Victoria Bailey - Cultural Arts Advisory
Commission (term expires 3/31/24) Vivian Crooks - Cultural Arts Advisory
Commission (term expires 3/31/24) Patricia Ott - Environmental Commission (term expires 3/31/24) Jeremy Powell - Environmental Commission (term expires 3/31/24)
Kent Ernsting - Environmental Commission (term expires 3/31/24)

B. DEVELOPMENT SERVICES COMMITTEE

Bill Woeste, Chair; Tim Abbott, Vice Chair; Mark Scharringhausen, Member

1. Ordinance to authorize the Acting City Manager to Execute a Development Agreement with TL Property Rental, LLC and Nilles Holdings, LLC relative to the properties located at 465 & 479 Nilles Road and declaring an emergency
 - Legislation - First Reading
 - Motion - Suspend Second and Third Readings
 - Motion - Adoption

C. PUBLIC SAFETY COMMITTEE

Mark Scharringhausen, Chair; Terry Senger, Vice Chair; Dale Paullus, Member

1. Simple Motion: Motion to not request a hearing regarding a liquor permit application in the name of Carusoscincy LLC, 6765 Dixie Highway, Fairfield, OH 45014 (Permit Class D1, D2, D3 & D6).

D. PUBLIC WORKS COMMITTEE

Chad Oberson, Chair; Mark Scharringhausen, Vice Chair; Bill Woeste, Member

1. Ordinance to Authorize the Acting City Manager to enter into a contract with SCA of Ohio, LLC for a period of three (3) years for the 2021-2023 Street Sweeping Services Contract
 - Legislation - First Reading
 - Motion - Suspend Second and Third Readings
 - Motion - Adoption
2. Ordinance to authorize the Acting City Manager to enter into a contract with Capital Electric Line Builders for traffic signal maintenance services for a period of three (3) years and declaring an emergency.
 - Legislation - First Reading
 - Motion - Suspend Second and Third Readings
 - Motion - Adoption

E. FINANCE & BUDGET COMMITTEE

Tim Abbott, Chair; Bill Woeste, Vice Chair; Chad Oberson, Member

1. Ordinance authorizing the issuance of not to exceed \$1,000,000 of various purpose bond anticipation notes, series 2021, 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 \$4,600,000 of various purpose bond anticipation notes, series 2017 and series (2019) 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 \$5,600,000 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 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. 27-21 and all amendments thereto and declaring an emergency.
 - Legislation - First Reading
 - Motion - Suspend Second and Third Readings
 - Motion - Adoption
5. Ordinance to amend Ordinance No. 109-20 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, 2021, and ending December 31, 2021.”
Contractual Appropriations: \$59,768 for purchase of road salt (existing contract - Cargill, Inc.); \$125,000 for 2021 Sidewalk Program (existing contract - Prus Construction).
 - Legislation - First Reading
 - Motion - Suspend Second and Third Readings
 - Motion - Adoption
6. Ordinance to amend Ordinance No. 109-20 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, 2021, and ending December 31, 2021.”
Non-Contractual Appropriations: \$4,000 for 6" EQ Basin Valve Replacement;

\$15,000 for Fire Hydrant replacement; \$110,000 for 5742 River Road improvements (various vendors); \$14,300 for Muskopf Booster Pump Station Variable Frequency Drives; \$30,000 for North Spent Lime Sludge Pumps; \$25,000 for 2021 Sidewalk Program trip hazard sidewalk repair via cutting; \$11,720 for concrete repairs at Wastewater Plant.

- Legislation - First Reading
- Motion - Suspend Second and Third Readings
- Motion - Adoption

12. MEETING SCHEDULE

- A. Monday, April 12th - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM
- B. Monday, April 26th - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM
- C. Monday, May 10th - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM

13. EXECUTIVE SESSION OF COUNCIL (IF NEEDED)

14. ADJOURNMENT

**City of Fairfield
Minutes
Regular Meeting of City Council
March 8, 2021**

Council-Manager Briefing

Parks & Recreation Update

Business Meeting Call to Order

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

Prayer/Pledge of Allegiance

Councilmember Oberson led in prayer and Pledge of Allegiance.

Roll Call

Councilmembers present included:

Attendee Name	Title	Status	Arrived
Mark Scharringhausen	Council Member at Large	Present	
Chad Oberson	Council Member at Large	Present	
Bill Woeste	Council Member at Large	Present	
Leslie Besl	Council Member, 1st Ward	Present	
Dale Paullus	Councilmember, 2nd Ward	Present	
Terry Senger	Councilmember, 3rd Ward	Present	
Tim Abbott	Council Member, 4th Ward	Present	
Steve Miller	Mayor	Present	

Agenda Modifications

None.

Executive Session Requests

Councilmember Abbott, seconded by Councilmember Senger, moved for Executive Session to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee or official; to consider the purchase of property for public purposes, the sale of property at competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit-for-use property; to confer regarding pending or imminent court action. Motion carried 7-0.

Special Presentations and Citizen Comments

- a. Joe Bellomo, owner of 5411 Southgate

Minutes Acceptance: Minutes of Mar 8, 2021 7:00 PM (Approval of Minutes)

Mr. Bellomo addressed Council regarding utility billing issues he has experienced with his apartment complex. He stated that he was not made aware of an unusually large bill because the utilities are not in his name, they are in the tenants name. He requested that the landlord be made aware of those types of bills before the problem continues for 2 months, because if the tenant moves out, the landlord is stuck with the bill. Public Utilities Director Adam Sackenheim informed him that there are new protocols in place that will alert the landlord when the balance on the account reaches \$250. Councilmember Oberson requested that amount to be lowered to \$125.01, however, Mr. Sackenheim stated that places a large administrative burden on the billing staff.

b. George Wilson

Mr. Wilson addressed Council regarding a warning ticket he received several years ago, in which he feels he was racially profiled. Mayor Miller informed him that the issue had been investigated and no wrongdoing was found on the officer's part, so the issue would no longer be discussed.

Public Hearing(s)

Joint Public Hearing - Hypershine Car Wash

Mayor Miller opened the Joint Public Hearing at 7:20 PM. Clerk Wilson read the meeting notice. Planning Commission members in attendance: Bill Woeste, Martin Medler, Melissa O'Brien, Scott Lepsky and Gwen Ritchie. Commissioner Lepsky, seconded by Commissioner O'Brien, moved to excuse Commissioners Hassler and Begley. Motion carried 5-0. Planning Manager Erin Lynn presented the plans for the Hypershine Car Wash located in the Meijer PUD. See attached slides. Councilmember Scharringhausen requested that Planning Commission review the plans and determine if this is the best use for the space. Councilmember Oberson stated that he felt it would be a great spot to add the electric vehicle charging station and that he thinks the business will do well, but that it is not a difficult building to get rid of if it doesn't do well in that location. Mayor Miller closed the public hearing at 7:35 PM.

Approval of Minutes

The Special Meeting Minutes of February 20, 2021 and Regular Meeting Minutes of February 22, 2021 were approved as written and submitted.

OLD BUSINESS AND REPORTS

Community & Public Relations Committee

Dale Paullus, Chair; Leslie Besl, Vice Chair; Terry Senger, Member

Development Services Committee

Bill Woeste, Chair; Tim Abbott, Vice Chair; Mark Scharringhausen, Member

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 Revised Concept Plan and Final Development Plan for the Hypershine Carwash portion of the Meijer-Gilmore Road Planned Unit Development.

Recommendation:

It is recommended that City Council have a first reading on this item at the February 22, 2021 meeting, set a joint public hearing for March 8, and await the written recommendation from the Planning Commission.

Second reading was held pending Planning Commission recommendation.

RESULT:	TABLED [UNANIMOUS]	Next: 3/22/2021 7:00 PM
AYES:	Scharringhausen, Oberson, Woeste, Besl, Paullus, Senger, Abbott	

Parks, Recreation and Environment Committee

Leslie Besl, Chair; Dale Paullus, Vice Chair; Tim Abbott, Member

Public Safety Committee

Mark Scharringhausen, Chair; Terry Senger, Vice Chair; Dale Paullus, Member

Public Works Committee

Chad Oberson, Chair; Mark Scharringhausen, Vice Chair; Bill Woeste, Member

Public Utilities Committee

Terry Senger, Chair; Chad Oberson, Vice Chair; Leslie Besl, Member

Finance & Budget Committee

Tim Abbott, Chair; Bill Woeste, Vice Chair; Chad Oberson, Member

NEW BUSINESS

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

Community & Public Relations Committee

Dale Paullus, Chair; Leslie Besl, Vice Chair; Terry Senger, Member

Simple Motion: Motion to approve the following 2021 Boards/Commissions Appointments effective April 1, 2021: Mark Rhodus - Board of Zoning Appeals (term ending 3/31/26) Rick Fox - Civil Service Commission (term ending 3/31/24) Kert Radel - Design Review Committee (term ending 3/31/23) Zachery Ketring - Design Review Committee (term ending 3/31/23) Daniel Prior - Parks & Recreation Board (term ending 3/31/24) Gwen Ritchie - Parks & Recreation Board (term ending 3/31/24) Don Hassler - Planning Commission (term ending 3/31/25) Scott Lepsky - Planning Commission (term ending 3/31/25) Kevin Corey - Income Tax Review Board (3/31/23) Ingrid Anderson - Income Tax Review Board (3/31/23)

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, 2021:**

Mark Rhodus - Board of Zoning Appeals (term ending 3/31/26)
 Rick Fox - Civil Service Commission (term ending 3/31/24)
 Kert Radel - Design Review Committee (term ending 3/31/23)
 Zachery Ketring - Design Review Committee (term ending 3/31/23)
 Daniel Prior - Parks & Recreation Board (term ending 3/31/24)
 Gwen Ritchie - Parks & Recreation Board (term ending 3/31/24)
 Don Hassler - Planning Commission (term ending 3/31/25)
 Scott Lepsky - Planning Commission (term ending 3/31/25)
 Kevin Corey - Income Tax Review Board (3/31/23)

Ingrid Anderson - Income Tax Review Board (3/31/23)

SIMPLE MOTION NO. 3-21. APPROVED 7-0.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dale Paullus, Councilmember, 2nd Ward
SECONDER:	Tim Abbott, Council Member, 4th Ward
AYES:	Scharringhausen, Oberson, Woeste, Besl, Paullus, Senger, Abbott

Public Works Committee

Chad Oberson, Chair; Mark Scharringhausen, Vice Chair; Bill Woeste, Member

Ordinance to authorize the Acting City Manager to enter into a contract with Barrett Paving Materials, Inc. for the 2021 Asphalt Paving and Resurfacing Project

Recommendation:

The staff recommends that City Council authorize the City Manager to enter into a contract with Barrett Paving for the 2021 Asphalt Paving and Resurfacing Project at the unit prices indicated.

It is further recommended that City Council authorize and direct the preparation of legislation for the appropriation of funding in the amount of \$1,800,000.00 from the Street Improvement Fund for this project with \$700,000 being reimbursable from OPWC.

Councilmember Oberson presented the first reading of this ordinance.

RESULT:	FIRST READING Next: 3/22/2021 7:00 PM
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Finance & Budget Committee

Tim Abbott, Chair; Bill Woeste, Vice Chair; Chad Oberson, Member

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. 6-21 and all amendments thereto and declaring an emergency.

Recommendation:

It is recommended that City Council amend the Non-Exempt Wage and Salary Ordinance to add additional Full-Time Dispatch positions and reduce Part-Time Dispatch positions. Rules suspension and adoption as well as the emergency provision are requested.

ORDINANCE NO. 26-21. APPROVED 7-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tim Abbott, Council Member, 4th Ward
SECONDER:	Dale Paullus, Councilmember, 2nd Ward
AYES:	Scharringhausen, Oberson, Woeste, Besl, Paullus, Senger, Abbott

Motion to Suspend Second and Third Readings

Councilmember Abbott presented the first reading of this ordinance.

Minutes Acceptance: Minutes of Mar 8, 2021 7:00 PM (Approval of Minutes)

RESULT: CARRIED [UNANIMOUS]
MOVER: Tim Abbott, Council Member, 4th Ward
SECONDER: Bill Woeste, Council Member at Large
AYES: Scharringhausen, Oberson, Woeste, Besl, Paullus, Senger, Abbott

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. 26-21 and all amendments thereto and declaring an emergency.

Recommendation:

It is recommended that City Council amend the Non-Exempt Wage and Salary Ordinance to add additional Police Officer positions. Rules suspension and adoption as well as the emergency provision are requested.

ORDINANCE NO. 27-21. APPROVED 7-0.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Tim Abbott, Council Member, 4th Ward
SECONDER: Chad Oberson, Council Member at Large
AYES: Scharringhausen, Oberson, Woeste, Besl, Paullus, Senger, Abbott

Motion to Suspend Second and Third Readings

Councilmember Abbott presented the first reading of this ordinance.

RESULT: CARRIED [UNANIMOUS]
MOVER: Tim Abbott, Council Member, 4th Ward
SECONDER: Chad Oberson, Council Member at Large
AYES: Scharringhausen, Oberson, Woeste, Besl, Paullus, Senger, Abbott

Ordinance to amend Ordinance No. 109-20 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, 2021, and ending December 31, 2021.” Supplemental Appropriation

Recommendation:

It is necessary for City Council to pass appropriations to reconcile accounts. It is recommended that City Council authorize and direct the preparation of legislation amending the annual operating budget.

Councilmember Abbott presented the first reading of this ordinance.

RESULT: FIRST READING Next: 3/22/2021 7:00 PM

Ordinance to amend Ordinance No. 109-20 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, 2021, and ending December 31, 2021.”

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. 28-21. APPROVED 7-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tim Abbott, Council Member, 4th Ward
SECONDER:	Chad Oberson, Council Member at Large
AYES:	Scharringhausen, Oberson, Woeste, Besl, Paullus, Senger, Abbott

Motion to Suspend Second and Third Readings

Councilmember Abbott presented the first reading of this ordinance.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Tim Abbott, Council Member, 4th Ward
SECONDER:	Chad Oberson, Council Member at Large
AYES:	Scharringhausen, Oberson, Woeste, Besl, Paullus, Senger, Abbott

Ordinance to amend Ordinance No. 109-20 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, 2021, and ending December 31, 2021.”

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. 29-21. APPROVED 7-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tim Abbott, Council Member, 4th Ward
SECONDER:	Dale Paullus, Councilmember, 2nd Ward
AYES:	Scharringhausen, Oberson, Woeste, Besl, Paullus, Senger, Abbott

Motion to Suspend Second and Third Readings

Councilmember Abbott presented the first reading of this ordinance.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Tim Abbott, Council Member, 4th Ward
SECONDER:	Bill Woeste, Council Member at Large
AYES:	Scharringhausen, Oberson, Woeste, Besl, Paullus, Senger, Abbott

Meeting Schedule

Clerk Wilson read the following meeting schedule:

- A. Monday, March 15 - Special Meeting, 6:00 PM
- B. Monday, March 22 - Council-Manager Briefing, 5:30 PM; Regular Meeting 7:00 PM
- C. Monday, March 29 - Special Meeting, 6:00 PM

Executive Session of Council (if needed)

Council recessed to Executive Session at 7:45 PM.

14. ADJOURNMENT

Minutes Acceptance: Minutes of Mar 8, 2021 7:00 PM (Approval of Minutes)

The Regular Meeting adjourned at 8:43 PM.

ATTEST:

Clerk of Council

Mayor's Approval

Date Approved_____

Minutes Acceptance: Minutes of Mar 8, 2021 7:00 PM (Approval of Minutes)

HARBIN PARK MASTER PLAN

PHASE I UPDATE



Harbin Park – Phase I Update

- Historical Snapshot
- 2014 Master Plan – Needs Assessment
- Conceptual Plan for Renovations
- 2021 Customer Satisfaction Survey
- Current Design and Engineering Plan
- Next Steps
- Questions



How did we get to where we are today?

- 1974 (cir): Fetters Farm sold to the City.
- July 1, 1976: The first 5-year plan was approved for the Fairfield Municipal Park at a cost of \$312,368.35 (equivalent to \$1,466,413.20 in today's dollars).
 - Included shelters, trails, playgrounds and restrooms.
- 2014: Identified needs for a multi-phase renovation program in the Department's 10-year Master Plan.
- 2016: Harbin Park renovation program developed.
- 2019: Applied for funding assistance from the state.
- 2020: Awarded \$700,000 from the State Capital Grant.
- Currently: Nearing the completion of the engineering and design of the first phase of the project.



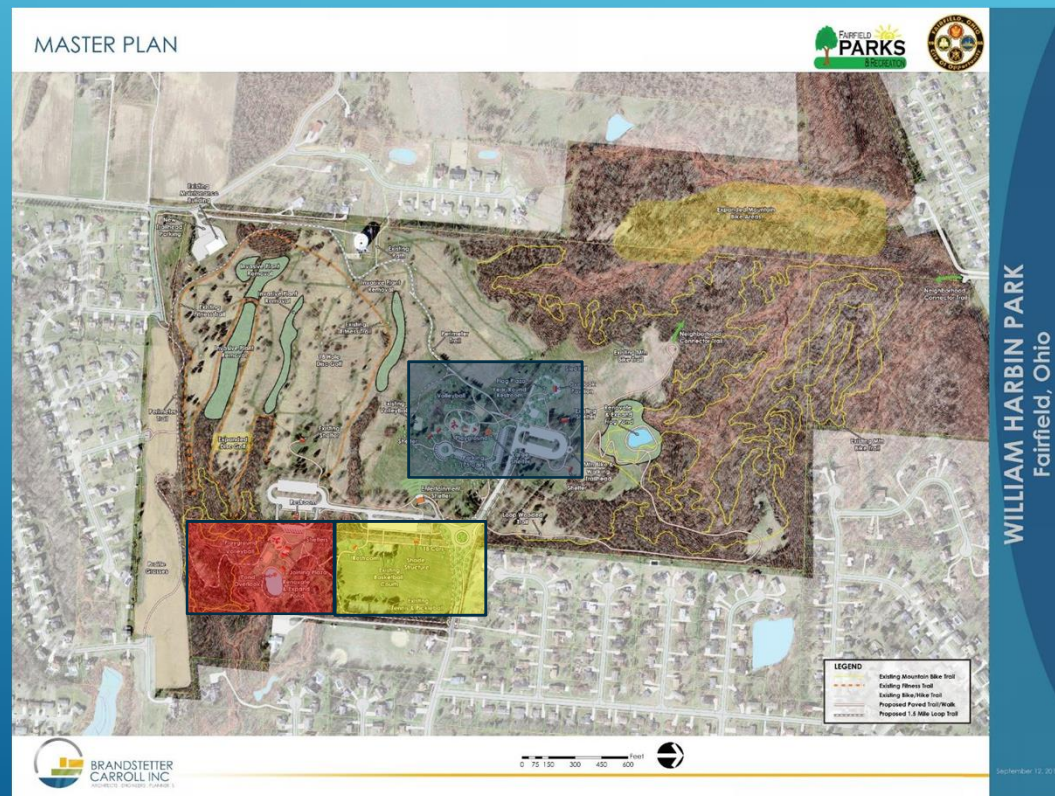
2014 Master Planning

- In conjunction with the community and users of Harbin Park, the needs were assessed by Department Staff.
 - Goal was to identify what areas and amenities were highest priority for updates.
- Top five amenities were addressed as “critically” important to upgrade:
 - Playgrounds
 - Shelters
 - Walking/Biking/Jogging Paths
 - Restrooms
 - Disc Golf

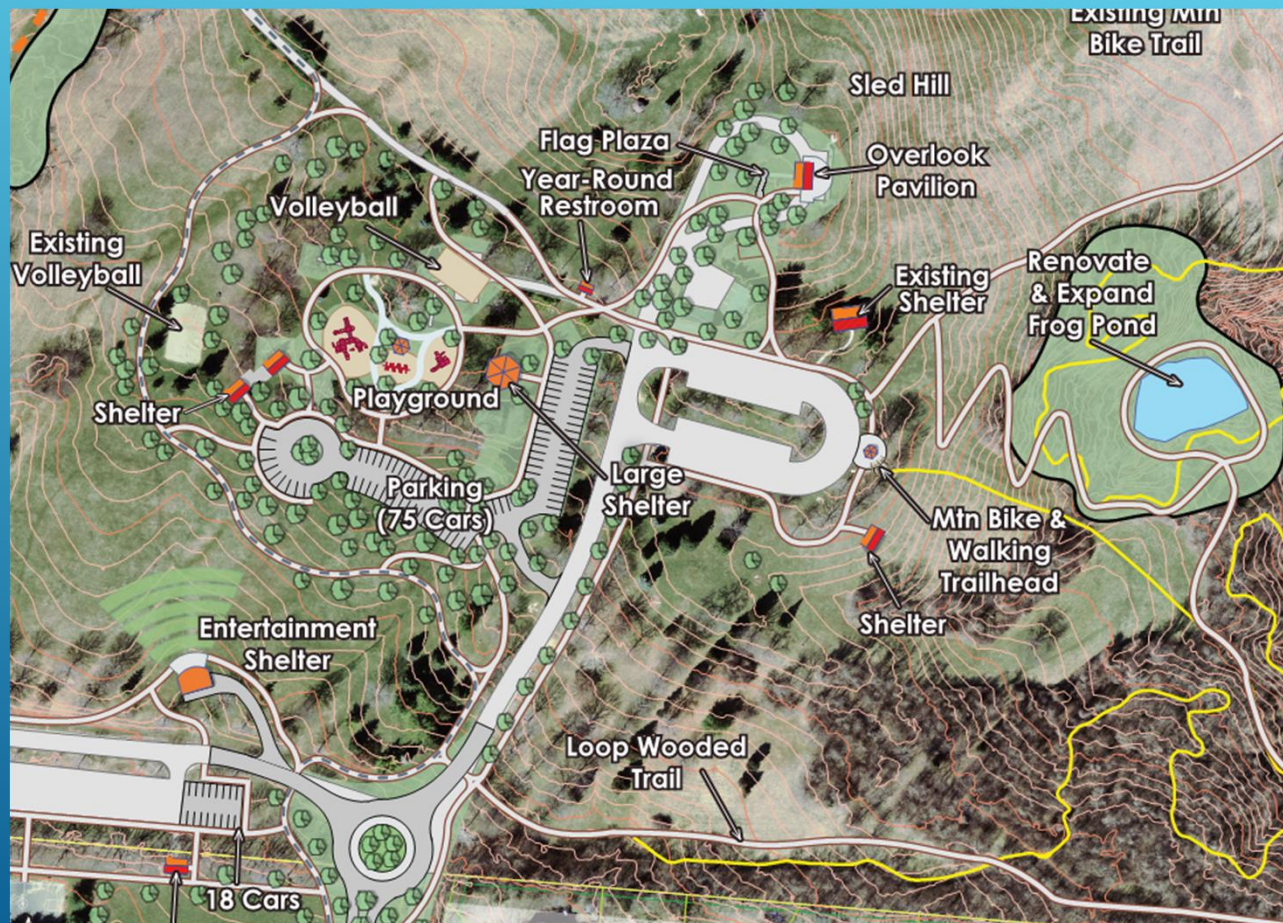


2016 Conceptual Plan Designed

- Addressed concepts for renovations with a focus on the five areas that were identified.
- Architects designed a multi-phased project that consisted of three major phases.



Conceptual Plan Design – Overlook Area (Phase I)



Conceptual Plan Design – Lower Picnic Area (Phase II)



Conceptual Plan Design – Entry/Field Area (Phase III)



2021 Customer Satisfaction Survey

- Satisfaction survey conducted to review potential changes in community needs.
- Top amenities most valuable to residents and their families:
 - Walking/Biking Paths (72.3%)
 - Restrooms (59%)
 - Playgrounds (44.9%)
 - Picnic Shelters (37.2%)

Q4. Which of the following park amenities are the most valuable to you and your family? (Check all that apply)

Answer Choices	Responses
Walk/Bike Paths	72.33%
Restrooms	59.07%
Parking	48.60%
Playgrounds	44.88%
Outdoor Concert Venue	41.63%
Open Space/Lawn Area	38.60%
Picnic Shelters	37.21%
Community Gardens	17.91%
Dog Off-Leash Areas	12.79%
Disc Golf	11.86%
BBQ Grill	9.07%
Ball Diamond	8.14%
Mountain Bike Trails	8.14%
Basketball Courts	7.44%
Soccer Field	6.98%
Pickleball Courts	6.28%
Tennis Courts	6.05%
Sand Volleyball Courts	2.33%
Other (please specify)	

Where we are today - Shelters



Engineering Plan Design – Overlook Area (Pavilion)





Where we are today - Playground



Where we are today - Playground



Engineering Plan Design – Overlook Area (Playscape)



Erick Cook Children's Discovery Area

Engineering Plan Design – Overlook Area (Playscape)



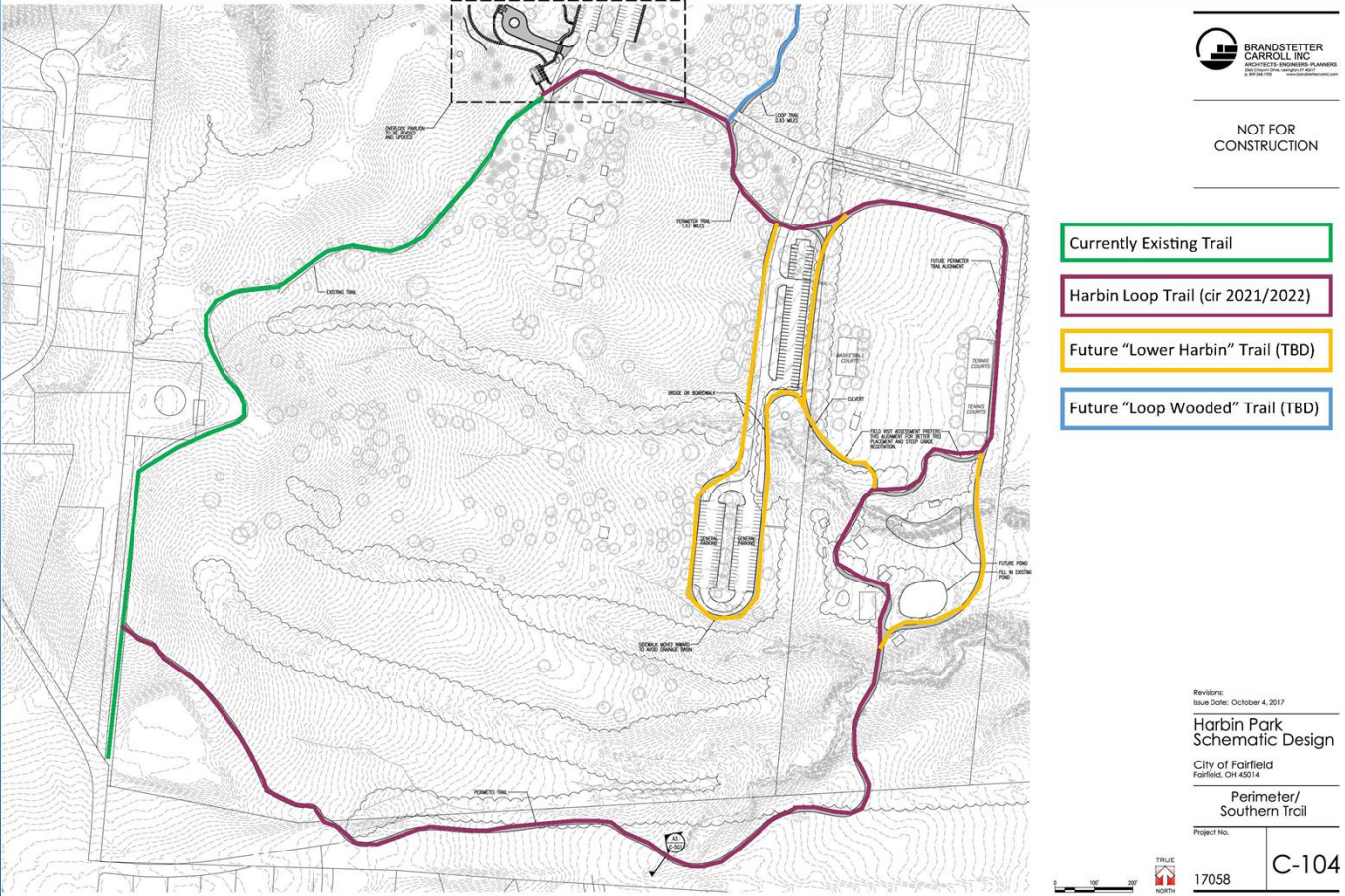
Where we are today - Restrooms



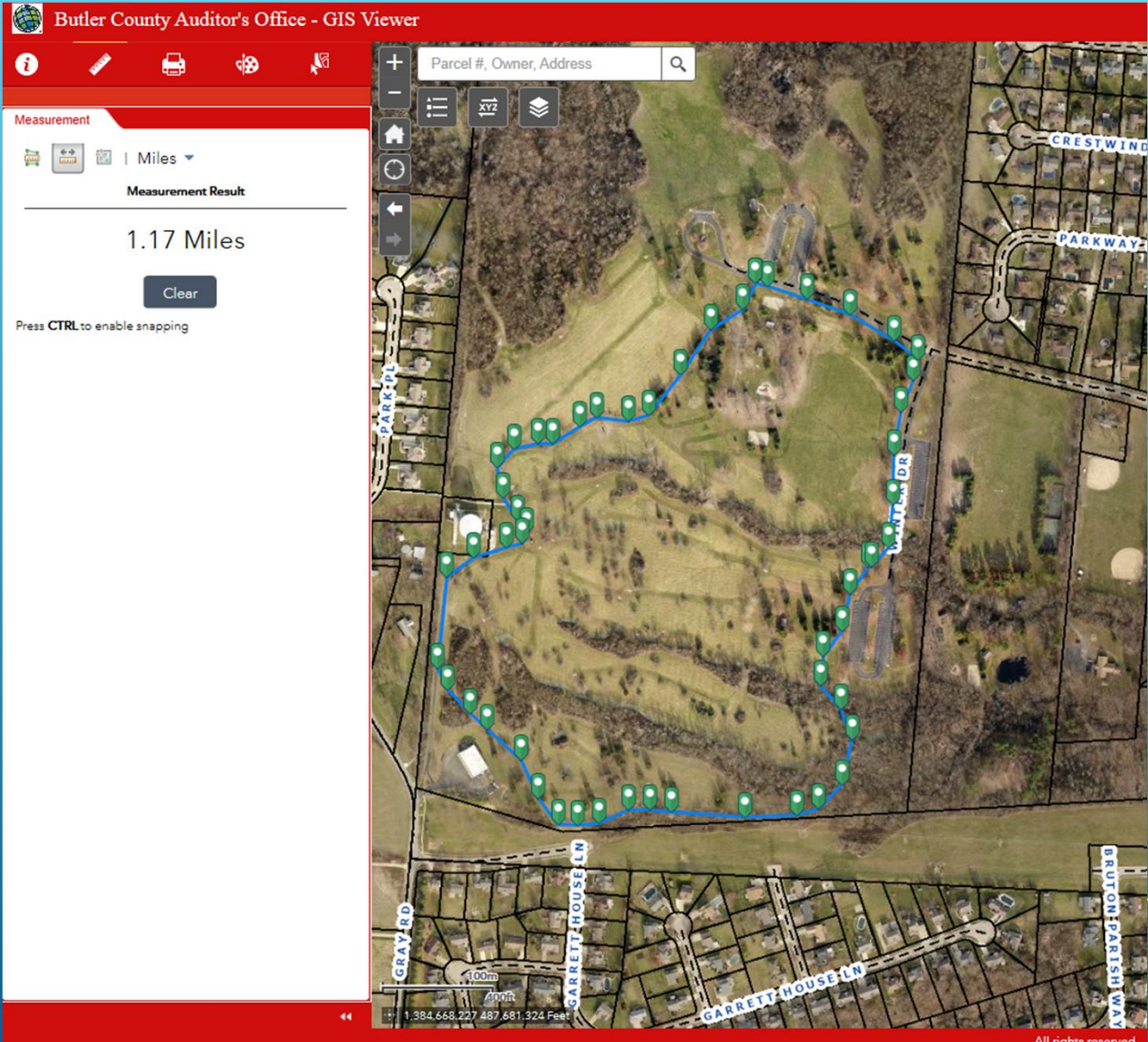
Engineering Plan Design – Overlook Area (Restrooms)



Engineering Plan Design – Perimeter Loop



Minutes Acceptance: Minutes of Mar 8, 2021 7:00 PM (Approval of Minutes)



Minutes Acceptance: Minutes of Mar 8, 2021 7:00 PM (Approval of Minutes)

Next Steps

- Finish engineering and design of Phase I plans.
- Parks Board and Council approval.
- Break ground/Construction.
- Phase I Grand Opening celebration!



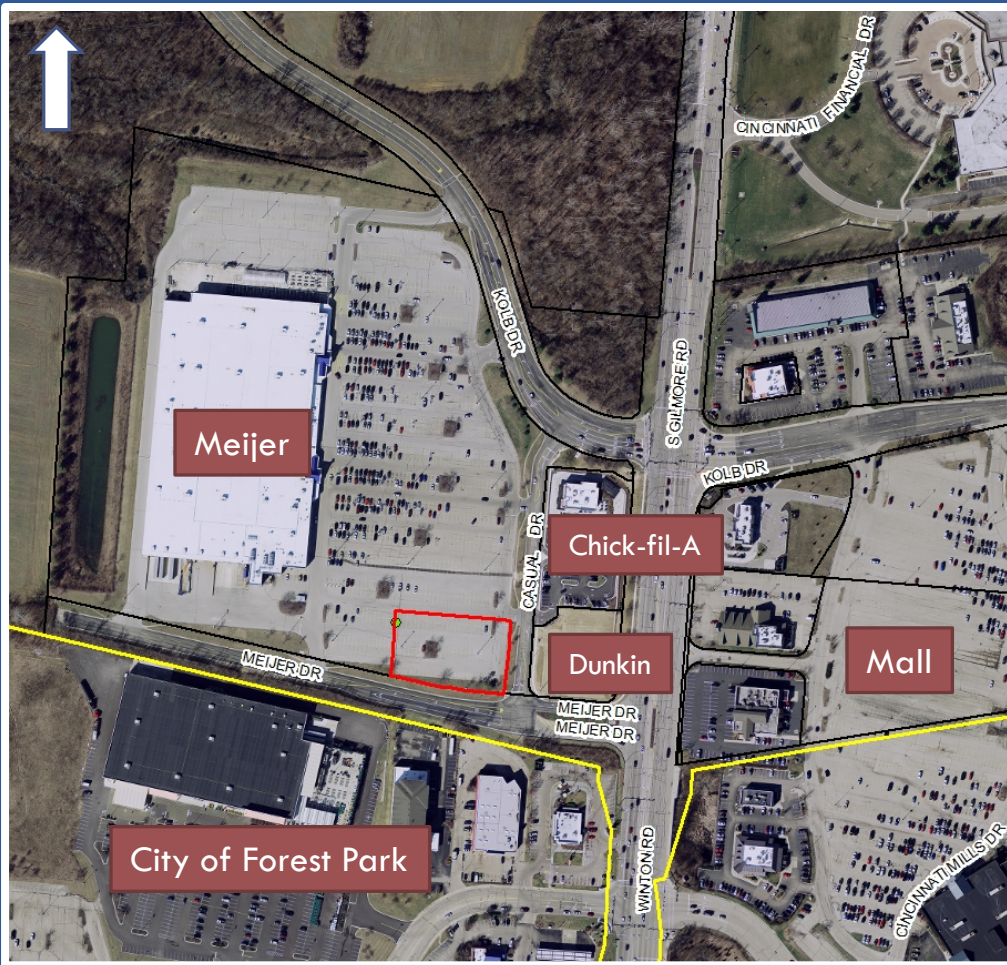
QUESTIONS?



PUBLIC HEARING

March 8, 2021

HYPERSHINE CAR WASH FINAL DEVELOPMENT PLAN



Hypershine Car Wash



View of site looking toward Meijer



View of site looking East toward South Gilmore



Hypershine Car Wash



North
Elevation

Exit – East Elevation (Casual Drive)



South Elevation

Entrance – West Elevation
(Meijer Store)

Schedule

- Public Hearing – March 8 at 7:00 PM
 - Planning Commission – March 10 at 6:00 PM
 - Second Reading – March 22 at 7:00 PM
 - Third Reading – April 12 at 7:00 PM
-
- Note: If Planning Commission delays their decision to a second meeting, the Council meetings will be delayed accordingly.

Comments Or Questions?



City Council Ordinance
Regular Meeting - March 22, 2021

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

Subject:

Hypershine Carwash Final Development Plan

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 Revised Concept Plan and Final Development Plan for the Hypershine Carwash portion of the Meijer-Gilmore Road Planned Unit Development.

Recommendation:

It is recommended that City Council have a first reading on this item at the February 22, 2021 meeting, set a joint public hearing for March 8, and await the written recommendation from the Planning Commission.

Background/Synopsis:

The property is currently part of the Meijer-Gilmore Road Planned Unit Development (PUD) that was approved in 1995. The proposal is to locate the automated carwash in a corner of the Meijer parking lot. The business is proposed to sit behind the Dunkin' (currently under construction) with no direct frontage on South Gilmore Road. The 3,300 square foot facility will have 28 parking spaces devoted to customers for post wash detailing. Meijer will lose approximately 90 parking spaces, but more than the minimum required will be retained.

Financial Impact:

None. This is a land use decision.

Emergency Provision Explanation:

NA

Rule Suspension Requested:

No

Emergency Provision Needed:

No

Attachments:

1. Hypershine aerial
2. Deluxe Brick Building
3. Hypershine CarWash-Ord

Hypershine Car Wash



Attachment: Hypershine aerial (1739 : Hypershine Carwash Final Development Plan)



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 REVISED CONCEPT PLAN AND FINAL DEVELOPMENT PLAN FOR THE HYPERSHINE CARWASH PORTION OF THE MEIJER-GILMORE ROAD PLANNED UNIT DEVELOPMENT.

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 approving the revised concept plan and final development plan for the Hypershine Carwash portion of the Meijer-Gilmore Road 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 which are 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: Hypershine CarWash-Ord (1739 : Hypershine Carwash Final Development Plan)

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\2021\Hypershine CarWash-Ord

Attachment: Hypershine CarWash-Ord (1739 : Hypershine Carwash Final Development Plan)



City Council Ordinance
Regular Meeting - March 22, 2021

Submitted by: Ben Mann,
 Submitting Department: Public Works

Subject:

Street Resurfacing contract for the 2021 Asphalt Paving and Resurfacing Project

Legislation Title:

Ordinance to authorize the Acting City Manager to enter into a contract with Barrett Paving Materials, Inc. for the 2021 Asphalt Paving and Resurfacing Project

Recommendation:

The staff recommends that City Council authorize the City Manager to enter into a contract with Barrett Paving for the 2021 Asphalt Paving and Resurfacing Project at the unit prices indicated.

It is further recommended that City Council authorize and direct the preparation of legislation for the appropriation of funding in the amount of \$1,800,000.00 from the Street Improvement Fund for this project with \$700,000 being reimbursable from OPWC.

Background/Synopsis:

This project was programmed in the 2021-2025 C.I.P. under 1PW06 and will resurface approximately 23.5 lane miles of roadway which meets Council's annual goal for the paving program.

City Council has historically approved funding for an annual street paving program for work done in conjunction with the Concrete Curb Replacement Program. The Public Works Department has developed a program for budgeting and scheduling needed overlays of streets in relation to several factors including deterioration, age, ride-ability, etc.

The following are the areas scheduled for repaving this year:

Kolb Drive (West)	(Mack to South Gilmore)
Kolb Drive (East)	(South Gilmore to Corp Limit)
Meijer Drive	(South Gilmore to Terminus)
Casual Drive	(Meijer to Kolb)
Resor Road	(Bridge near Point Pleasant Park to Reswin)
Resor Service Drive (West)	(West of Augusta)
Resor Service Drive (East)	(East of Augusta)
Pleasantdale Terrace	(River to Terminus)
Miamidale Drive	(River to Terminus)

Countrydale Court	(Pleasantdale to Terminus)
Fairdale Drive	(Pleasantdale to Miami Dale)
River Road Service Drive	(Terminus to Terminus)
Seward Road	(1850' North of Symmes to Tylersville)
Dee Alva Drive	(Potomac to Scioto)
Charlene Avenue	(Wabash to Scioto)
Patricia Drive	(West Scioto to Dee Alva)
Ann Court	(Dee Alva to Terminus)
Dorshire Drive	(River to Terminus)
East/West Scioto Drive	(Dee Alva to Patricia)
Sandstone Drive	(Suwannee to West Scioto)
Limestone Drive	(Suwannee to West Scioto)
Coolbrook Drive	(Suwannee to Terminus)
Mississippi Drive	(Suwannee to River)
Suwannee Drive	(River to Terminus)
Wabash Drive	(River to Dee Alva)
Potomac Drive	(River to Dee Alva)
St. Lawrence Drive	(River to East/West Scioto)
Tallawanda Drive	(River to Mississippi)
Celadon Avenue	(Magie to Symmes)
Walter Avenue	(Pleasant to 400' East of Celadon)
Vinnedge Avenue	(Pleasant to 400' East of Celadon)
Wyoming Avenue	(Pleasant to Terminus)
Blackburn Avenue	(Pleasant to Celadon)
Benchway Court	(Mack to Terminus)
UDF/White Castle Service Drive	(North Gilmore to Terminus of Public)
Schiering Drive	(Groh to Suwannee)
Ponderosa Drive	(Groh to Suwannee)
La Monte Drive	(Ponderosa to Terminus)

*Public Works Facility Parking Lot

** Intersection of Mack/Winton and Intersection of River/River Circle

Public Works advertised this project and bids were opened on February 22, 2021 for the 2021 Asphalt Paving and Resurfacing Project. Three (3) bids were received. The complete bid results are attached.

The lowest and best bidder is Barrett Paving.

Financial Impact:

The financial impact of the project is the requested funding of \$1,800,000.00 (\$1,626,975.44 base

bid and a contingency of \$173,024.56).

Approximately \$1,100,000.00 will come from the Street Improvement Fund and \$700,000.00 of this work will be reimbursable from an Ohio Public Works Commission Grant.

Emergency Provision Explanation:

None requested.

Rule Suspension Requested:

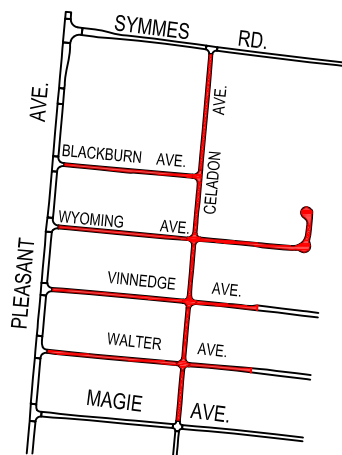
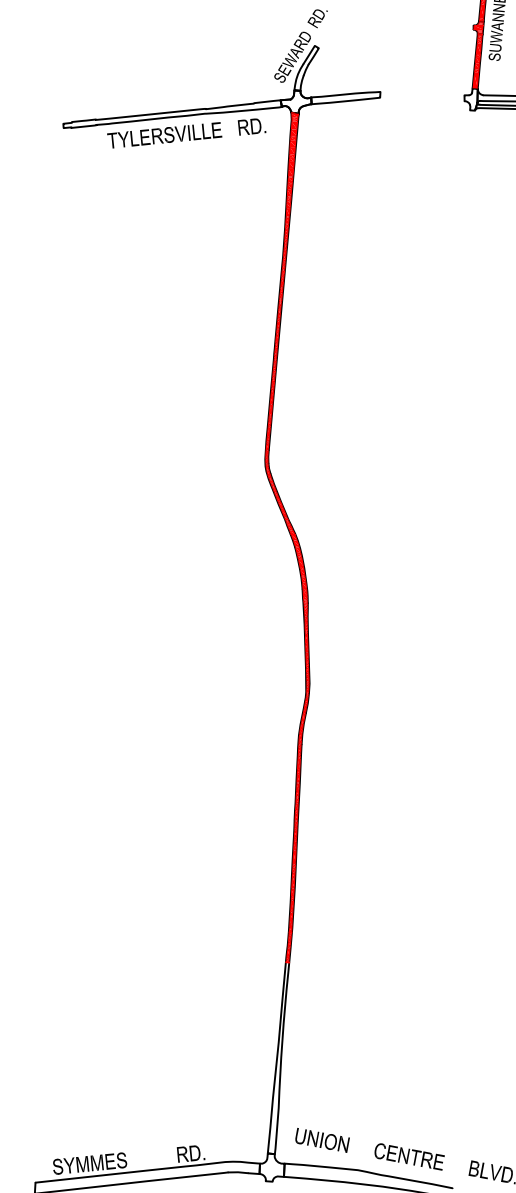
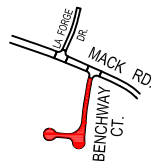
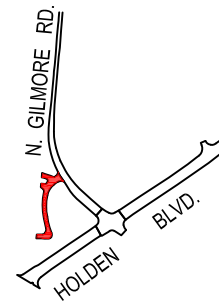
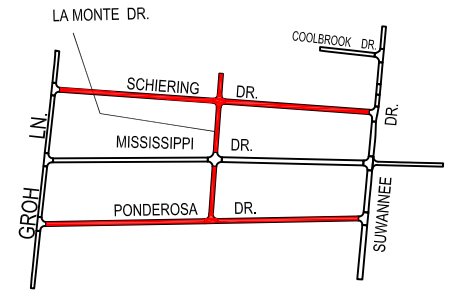
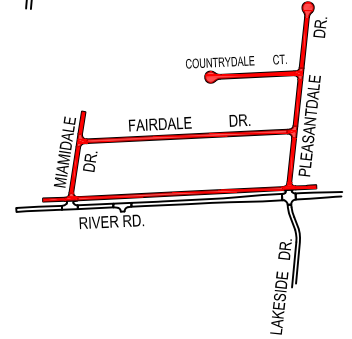
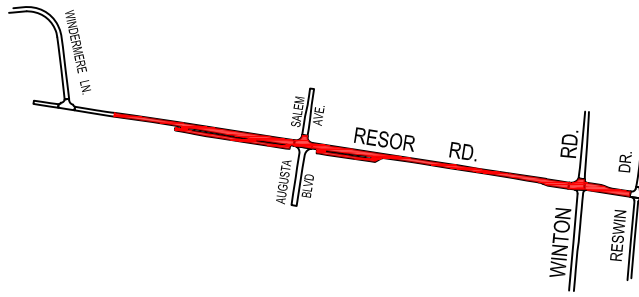
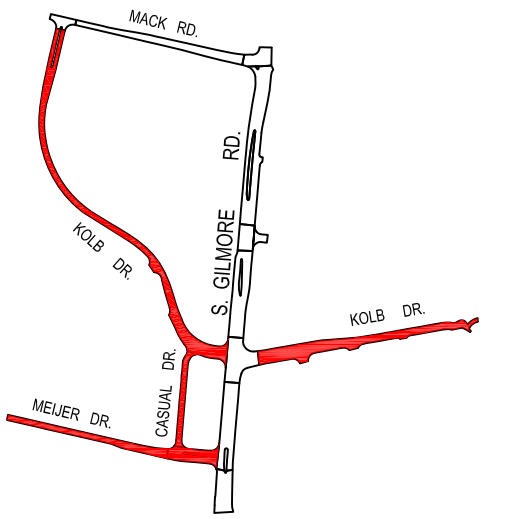
No

Emergency Provision Needed:

No

Attachments:

1. 2021 Overlay Program
2. 2021 Bid Results
3. Barrett Paving-Ord



CITY OF FAIRFIELD				
8870 North Gilmore Road · Fairfield, Ohio (513) 867-4200				
NO.	DATE	REVISIONS	BY	
SCALE	DESIGN-LAYOUT	DRAWN	CHECKED	
N.T.S.	NWC	NWC	BAM	

TITLE SHEET		JOB
2021 Asphalt Paving & Resurfacing Locations FAIRFIELD, OHIO		DA
		9/9, --
		SHEET NO.
Packet Pg. 50		

City of Fairfield
Bid Tabulation for "2021 Asphalt Resurfacing Project"
Bid Opening: February 22, 2021
Engineer's Estimate: \$1,928,367.00

				BIDDER (Name/Address/Phone)					
				Mt Pleasant Blacktopping 3199 Production Dr Fairfield, OH 45014 513-874-3777		John R Jurgenson Co 11641 Mosteller Rd Cincinnati, OH 45241 513-771-0820		Barrett Paving Materials Inc 3751 Commerce Dr Franklin, OH 45005 513-422-4662	
ODOT Item #	Description	Est. Qty.	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
254	Full Width Street Planing: 1-1/2" (typical depth of cut)	169,436	Sq Yds.	\$ 1.60	\$ 271,097.60	\$ 1.65	\$ 279,569.40	\$ 1.20	\$ 203,323.20
254	Parking Lot Planing: 1-1/2" (Public Works Parking Lot)	6,688	Sq Yds.	\$ 1.60	\$ 10,700.80	\$ 1.90	\$ 12,707.20	\$ 2.75	\$ 18,392.00
441	Asphalt Surface Course, Type 1, PG 64-22 (448)	13,283	Tons	\$ 90.00	\$ 1,195,470.00	\$ 73.50	\$ 976,300.50	\$ 68.50	\$ 909,885.50
441	Asphalt Surface Course, Type 1, PG64-22 (448) - PW Parking Lot	569	Tons	\$ 90.00	\$ 51,210.00	\$ 74.00	\$ 42,106.00	\$ 86.00	\$ 48,934.00
442	Asphalt Surface Course, 12.5 mm Type A, PG 70-22 (448)	1,120	Tons	\$ 100.00	\$ 112,000.00	\$ 91.25	\$ 102,200.00	\$ 78.00	\$ 87,360.00
301	Asphalt Concrete Base PG 64-22	100	Tons	\$ 140.00	\$ 14,000.00	\$ 72.85	\$ 7,285.00	\$ 65.00	\$ 6,500.00
442	Asphalt Intermediate Course Type 1, PG 64-22 (448)	100	Tons	\$ 89.00	\$ 8,900.00	\$ 74.45	\$ 7,445.00	\$ 75.00	\$ 7,500.00
611	Adjustment of Manholes to grade, as per plan	131	Each	\$ 390.00	\$ 51,090.00	\$ 450.00	\$ 58,950.00	\$ 550.00	\$ 72,050.00
638	Adjustment of Valve Boxes to grade	90	Each	\$ 390.00	\$ 35,100.00	\$ 285.00	\$ 25,650.00	\$ 375.00	\$ 33,750.00
SPEC	Asphalt Rejuvenating Agent	107,400	Sq Yds.	\$ 1.10	\$ 118,140.00	\$ 0.94	\$ 100,956.00	\$ 0.94	\$ 100,956.00
253	Full Depth Asphalt Repairs	1,000	Sq Yds.	\$ 40.00	\$ 40,000.00	\$ 75.25	\$ 75,250.00	\$ 64.00	\$ 64,000.00
409	Sawing and Sealing Asphalt Pavement Joints (Seward Bridge)	68	Feet	\$ 36.00	\$ 2,448.00	\$ 35.00	\$ 2,380.00	\$ 45.00	\$ 3,060.00
621	RPM	268	Each	\$ 30.00	\$ 8,040.00	\$ 22.65	\$ 6,070.20	\$ 27.30	\$ 7,316.40
621	RPM Removed	572	Each	\$ 3.00	\$ 1,716.00	\$ 8.49	\$ 4,856.28	\$ 5.90	\$ 3,374.80
642	Parking Lot Stall (4" White)	1,168	Feet	\$ 2.00	\$ 2,336.00	\$ 1.10	\$ 1,284.80	\$ 1.79	\$ 2,090.72
644	Channel Line (8")	3,965	Feet	\$ 1.40	\$ 5,551.00	\$ 1.32	\$ 5,233.80	\$ 1.32	\$ 5,233.80
644	Center Line (Double Yellow)	2.66	Mile	\$ 4,300.00	\$ 11,438.00	\$ 3,907.00	\$ 10,392.62	\$ 3,907.00	\$ 10,392.62
644	Center Line (Broken & Solid)	1.38	Mile	\$ 4,300.00	\$ 5,934.00	\$ 3,860.00	\$ 5,326.80	\$ 3,860.00	\$ 5,326.80
644	Arrow	88	Each	\$ 75.00	\$ 6,600.00	\$ 70.00	\$ 6,160.00	\$ 70.00	\$ 6,160.00
644	Island Ball	1	Each	\$ 190.00	\$ 190.00	\$ 175.00	\$ 175.00	\$ 175.00	\$ 175.00
644	Yield Bar	40	Feet	\$ 25.00	\$ 1,000.00	\$ 26.30	\$ 1,052.00	\$ 26.30	\$ 1,052.00
644	Railroad Crossing Legend	2	Each	\$ 385.00	\$ 770.00	\$ 350.00	\$ 700.00	\$ 350.00	\$ 700.00
644	Stop Bar (24")	491	Feet	\$ 5.00	\$ 2,455.00	\$ 4.38	\$ 2,150.58	\$ 4.38	\$ 2,150.58
644	Crosswalk Line (12")	1,941	Feet	\$ 2.75	\$ 5,337.75	\$ 2.19	\$ 4,250.79	\$ 2.19	\$ 4,250.79
644	Edge Line (4" White)	2.45	Mile	\$ 2,125.00	\$ 5,206.25	\$ 1,930.00	\$ 4,728.50	\$ 1,930.00	\$ 4,728.50
644	Dotted Line (4" White)	90	Feet	\$ 1.90	\$ 171.00	\$ 1.75	\$ 157.50	\$ 1.75	\$ 157.50
644	Dotted Line (8" White)	124	Feet	\$ 1.90	\$ 235.60	\$ 1.75	\$ 217.00	\$ 1.75	\$ 217.00
644	Transverse Line (12" White)	74	Feet	\$ 4.80	\$ 355.20	\$ 4.38	\$ 324.12	\$ 4.38	\$ 324.12
644	Transverse Line (24" White)	20	Feet	\$ 4.80	\$ 96.00	\$ 4.38	\$ 87.60	\$ 4.38	\$ 87.60
644	Transverse Line (24" Yellow)	330	Feet	\$ 4.80	\$ 1,584.00	\$ 4.38	\$ 1,445.40	\$ 4.38	\$ 1,445.40
614	Work Zone Center Line (Double Yellow), Class III, 642 Paint	2.37	Mile	\$ 1,075.00	\$ 2,547.75	\$ 1,474.00	\$ 3,493.38	\$ 1,074.00	\$ 2,545.38
614	Work Zone Center Line (Broken & Solid), Class III, 642 Paint	1.05	Mile	\$ 9,000.00	\$ 9,450.00	\$ 1,874.00	\$ 1,967.70	\$ 1,074.00	\$ 1,127.70
614	Work Zone Channelizing Line (4"), Class III, 642 Paint	3,426	Feet	\$ 0.60	\$ 2,055.60	\$ 0.60	\$ 2,055.60	\$ 0.60	\$ 2,055.60
646	Removal of Pavement Markings (Resor Road Bridges)	745	Feet	\$ 2.00	\$ 1,490.00	\$ 2.61	\$ 1,944.45	\$ 2.61	\$ 1,944.45
646	Centerline (Double Yellow) (Resor Road Bridges)	0.46	Mile	\$ 9,900.00	\$ 4,554.00	\$ 8,993.00	\$ 4,136.78	\$ 8,993.00	\$ 4,136.78
646	Edge Line (4" White) (Resor Road Bridges)	0.95	Mile	\$ 4,950.00	\$ 4,702.50	\$ 4,496.00	\$ 4,271.20	\$ 4,496.00	\$ 4,271.20
Total Base Bid Amount					\$ 1,993,972.05		\$ 1,763,281.20		\$ 1,626,975.44

These bids will be reviewed by the Public Works Department, and a recommendation will be made to Council.
There is no guarantee that the contract will be awarded to the lowest bidder. Contracts are awarded to the bidder deemed to be the best and the lowest.

Attachment: 2021 Bid Results (1745 : Street Resurfacing contract for the 2021 Asphalt Paving and Resurfacing Project)

ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE ACTING CITY MANAGER
TO ENTER INTO A CONTRACT WITH BARRETT PAVING
MATERIALS, INC. FOR THE 2021 ASPHALT AND
RESURFACING PROJECT.

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

Section 1. The Acting City Manager is hereby authorized to enter into a contract with Barrett Paving Materials, Inc. for the 2021 Asphalt and Resurfacing Project in accordance with the bids on file in the office of the City Manager.

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\2021\Barrett Paving-Ord

Attachment: Barrett Paving-Ord (1745 : Street Resurfacing contract for the 2021 Asphalt Paving and Resurfacing Project)



City Council Ordinance
Regular Meeting - March 22, 2021

Submitted by: Scott Timmer, Director of Finance
 Submitting Department: Finance

Subject:

Supplemental Appropriations

Legislation Title:

Ordinance to amend Ordinance No. 109-20 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, 2021, and ending December 31, 2021." Supplemental Appropriation

Recommendation:

It is necessary for City Council to pass appropriations to reconcile accounts. It is recommended that City Council authorize and direct the preparation of legislation amending the annual operating budget.

Background/Synopsis:

As a result of thorough review of the training and education needs of the different departments the following budget requests are submitted for consideration:

From: Unappropriated General Fund...		\$10,000
To: 10031022-221000	Training & Business Expenses	\$10,000
From: Unappropriated Fire Levy Fund...		\$27,000
To: 20332022-221000	Training & Business Expenses	\$ 5,000
To: 20332022-221001	Education	\$22,000

Fire Department

Based on the average training expense between 2017 and 2019, an additional \$5,000 would be necessary to meet the needs of the Fire Department. Additionally, when analyzing the succession plan within the department, restoration of the \$20,000 for education is necessary plus an additional \$2,000. There are four individuals currently pursuing degrees in an effort to prepare them for advanced roles within the department.

Police Department

The education line item was reduced to \$0 in 2020 and Police requests that an additional \$10,000 be added. There are two individuals interested in pursuing degree programs.

Financial Impact:

Total budgetary impact:

- General Fund – Increase \$10,000
- Fire Levy Fund – Increase \$27,000

Emergency Provision Explanation:**Rule Suspension Requested:**

Yes

Emergency Provision Needed:

No

Attachments:

1. Supplemental Appropriation-Ord

ORDINANCE NO. _____

ORDINANCE TO AMEND ORDINANCE NO. 109-20 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, 2021, AND ENDING DECEMBER 31, 2021.”

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

Section 1. Ordinance No. 109-20, the 2021 Appropriation Ordinance, is hereby amended in the following respects:

From: Unappropriated General Fund \$10,000

To: 10031022-221000 Training & Business Expenses \$10,000

From: Unappropriated Fire Levy Fund \$27,000

To: 20332022-221000 Training & Business Expenses \$5,000

To: 20332022-221001 Education \$22,000

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\2021\Supplemental Appropriation-Ord

Attachment: Supplemental Appropriation-Ord (1747 : Supplemental Appropriations)



City Council Action Item
Regular Meeting - March 22, 2021

Submitted by: Alisha Wilson, Clerk
 Submitting Department: Clerk

Subject:

2021 Boards/Commissions Appointments

Legislation Title:

Simple Motion: Motion to approve the following 2021 Boards/Commissions Appointments effective April 1, 2021: Trisha Lutterbie - Cultural Arts Advisory Commission (term expires 3/31/24) Victoria Bailey - Cultural Arts Advisory Commission (term expires 3/31/24) Vivian Crooks - Cultural Arts Advisory Commission (term expires 3/31/24) Patricia Ott - Environmental Commission (term expires 3/31/24) Jeremy Powell - Environmental Commission (term expires 3/31/24) Kent Ernsting - Environmental Commission (term expires 3/31/24)

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, 2021:**

Trisha Lutterbie - Cultural Arts Advisory Commission (term expires 3/31/24)
 Victoria Bailey - Cultural Arts Advisory Commission (term expires 3/31/24)
 Vivian Crooks - Cultural Arts Advisory Commission (term expires 3/31/24)
 Patricia Ott - Environmental Commission (term expires 3/31/24)
 Jeremy Powell - Environmental Commission (term expires 3/31/24)
 Kent Ernsting - Environmental Commission (term expires 3/31/24)

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 9, 2020 and concluded on January 29, 2021. The members of Parks and Recreation Board interviewed applicants on March 16, 2021 and submitted the named recommendations for approval.

Rule Suspension Requested:

Emergency Provision Needed:



City Council Ordinance
Regular Meeting - March 22, 2021

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

Subject:

Authorizing the City Manager to Execute a Development Agreement relative to 465 & 479 Nilles Rd

Legislation Title:

Ordinance to authorize the Acting City Manager to Execute a Development Agreement with TL Property Rental, LLC and Nilles Holdings, LLC relative to the properties located at 465 & 479 Nilles Road and declaring an emergency

Recommendation:

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

Background/Synopsis:

The city has been working with property owners at 465 and 479 Nilles Road to improve the appearance and condition of the adjacent properties. These properties are located in the Town Center area and were developed more than 40 years ago.

The 465 Nilles parcel is owned by TL Property Rental, LLC and has three current tenants: Sunoco, Snip Tease, and Fairfield Pub. The 479 Nilles parcel is owned by Nilles Holdings, LLC and is occupied by Pfefferle Auto Service.

The 479 Nilles parcel is a flag-shaped lot that largely sits behind 465 Nilles parcel except for a shared driveway on the eastern side of both properties. These properties were subdivided prior to current zoning regulations, leaving 479 Nilles without viable options for signage. In the absence of viable signage at the street, Pfefferle Auto has been utilizing a box truck as a de facto sign. This agreement would require permanent removal of the box truck.

Both property owners have committed to make improvements in their respective properties, including new pavement, curbs, and landscaping. The city has worked with the property owners to develop a plan for a common shopping center sign, which would provide all four businesses with adequate signage that is compliant with zoning and provides a positive aesthetic for the Town Center area.

This ordinance authorizes the City Manager to enter into a Development Agreement with TL Property Rental, LLC and Nilles Holdings, LLC relative to the signage project. The city would contribute roughly one-third of the cost of the shopping center sign should the property owners fulfill commitments to make improvements to both properties and bring both properties into zoning compliance. The agreement also requires the property owners to record an easement to ensure the

proper maintenance of the new signage.

Financial Impact:

TL Property Rental, LLC and Nilles Holdings, LLC plan to improve the appearance and condition of the two properties within the Town Center area, including the provision of signage for the four businesses located at properties. The property improvements and signage project represent an investment of approximately \$53,000. The agreement commits the city to contributing up to \$9,000 towards the cost of the shopping center sign.

Emergency Provision Explanation:

Emergency approval of the ordinance is requested to ensure the property owners can proceed with the proposed improvements, resulting in earlier benefits for the four businesses and the Town Center area.

Rule Suspension Requested:

Yes

Emergency Provision Needed:

Yes

Attachments:

1. 465-79 Nilles - Draft Development Agreement
2. 465-79 Nilles - Draft Easement Agreement
3. 465-79 Nilles - Location Map
4. TL Property Rental-Ord

DEVELOPMENT AGREEMENT

465 Nilles Road Signage Improvements

THIS Development Agreement, “Agreement” effective _____, 2021, is entered into by and among the City of Fairfield, Ohio, an Ohio municipal corporation with its principal office located at 5350 Pleasant Avenue, Fairfield, Ohio 45014 (hereinafter referred to as “City”); TL Property Rental LLC, 6278 Casey Court, Fairfield, Ohio 45014 (hereinafter referred to as “TL Property”); and Nilles Holdings, LLC, 479 Nilles Road, Fairfield, Ohio 45014 (hereinafter referred to as “Nilles Holdings”).

WITNESSETH

WHEREAS, TL Property is the owner of the property at 465 Nilles Road and Nilles Holding is the owner of the property at 479 Nilles Road; and

WHEREAS, the City, TL Property, and Nilles Holdings are desirous of improving the appearance and condition of the adjacent properties located at 465 and 479 Nilles Road in the Town Center area of the City of Fairfield; and

WHEREAS, the properties were subdivided prior to current zoning requirements leaving the four existing businesses located at both properties have insufficient signage and the nature of the property at 479 Nilles Road does not provide for viable signage to be installed on the property; and

WHEREAS, the City, TL Property, and Nilles Holdings have developed a plan to install a common shopping center sign located on the 465 Nilles Road property to serve the businesses located at both properties (hereinafter referred to as the “Project”); and

WHEREAS, the City seeks to improve the appearance of the Town Center area in order to support the growth of local businesses and to improve the economic welfare of the City and its

citizens, in furtherance of the public purposes enunciated in Article VIII, Section 13 of the Ohio Constitution and Section 718.15 and 718.151 of the Ohio Revised Code; and

WHEREAS, TL Property and Nilles Holdings have agreed to make additional investments in the properties owned by each during calendar year 2021;

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefits to be derived by the parties from the execution hereof, the parties herein agree as follows:

1. Investment Commitments

(a) The City commits to providing a grant of \$4,500 to each TL Property and Nilles Holdings to be used for the Project. The City also commits to install a new concrete curb at the base of the new sign installed as part of the Project, as shown in Exhibit A.

(b) TL Property commits to improving and maintaining the parking lot located at 465 Nilles Road, including installing a new pavement overlay and concrete curbing, for an estimated cost of \$30,000. TL Property also commits to contribute \$9,500 towards the total cost of the Project, including the \$4,500 City grant and \$5,000 of its own funding.

(c) Nilles Holdings commits to installing and maintaining landscaping at the base of the new shopping center sign installed as part of the Project, for an estimated cost of \$1,000. Nilles Holdings also commits to contribute \$12,500 towards the total cost of the Project, including the \$4,500 City grant and \$8,000 of its own funding.

(d) TL Property will be responsible to work with business tenants to customize the blank sign panels installed as part of the Project, at the expense of the business tenants or other entity as determined by TL Property. The City will not contribute toward the tenant signage.

2. Project Execution and Timeline

(a) The City has obtained and shared with TL Property and Nilles Holdings two contractor proposals for the Project: 1) the first proposal is shown in Exhibit C and includes coordination of permits and design approval for the Project, demolition of the existing sign, installation of new foundations, and erection of the new shopping center sign and 2) the second proposal is shown in Exhibit D and includes the construction of brick columns at around the base of the supporting posts of the shopping center sign.

(b) TL Property will enter into the contracts for the Project and pay contractors for completed work. TL Property will utilize the contractors and design from the proposals as described in Section 2 (a) and shown in Exhibit B unless TL Property receives written approval from the City and Nilles Holdings to change the contractor or design, or in the event that the City's Design Review Board, the City's Board of Zoning Appeals, or other regulatory authority request changes and TL Property receives approval from the City and Nilles Holdings to change the design.

(c) TL Property, with assistance of the City and the contractor, will seek all required approvals prior to construction of the Project. This includes receipt of a building permit and approval of the Project by the City's Design Review Board and the City's Board of Zoning Appeals. The City will waive all permit and application fees for these approvals.

(d) No later than June 30, 2021, TL Property and Nilles Holdings shall record the easement described in Section 3 (a).

(e) Upon both completion of all approval processes as described in Section 2 (c) above and the submission of documentation that the easement as described in Section 3 (a) has been recorded, the City agrees to issue payments for the full amount of City grant funds provided in Section 1 (a) to both Nilles Holdings and TL Property.

(f) Nilles Holdings agrees to pay TL Property \$6,250 (one-half of its \$12,500 contribution to the Project) within 30 days of receipt of City grant funds. TL Property will order construction of the sign upon receipt of such funds from Nilles Holdings and agrees to use such funds towards the 50% deposit required by the project contractor.

(g) Upon completion of the installation of all components of the shopping center sign, Nilles Holdings agrees to pay TL Property \$6,250 (the remainder of its contribution to the Project) within 30 days of receipt of an invoice from TL Property requesting such payment.

(h) Completion of the installation of all components of the shopping center sign shall be completed no later than September 30, 2021. If installation will not or is not completed by this date, TL Property shall provide regular notice to the City and Nilles Holdings of the project status and reason(s) for any delays, until such time as the installation is complete.

(i) TL Property agrees to grant to City a temporary easement for the purposes of removing existing curb and replacing it with new asphalt or concrete curb in the area surrounding the new sign.

3. Signage Easement & Ongoing Maintenance

(a) TL Property and Nilles Holdings agree to execute and record a permanent, non-exclusive easement, as shown in Exhibit F, that grants the property at 479 Nilles Road with rights in perpetuity to have business signage at 465 Nilles Road. The same shall be recorded at the Butler County Recorder's Office and a copy provided to the City, prior to distribution of the City grant funds described in Section 1 (c).

(b) Following completion of the Project, the City will have no obligation toward the Project or ongoing maintenance, or any other obligations under this Agreement.

4. Related Commitments

(a) When the existing sign is removed, TL Property agrees to permanently remove and never replace the non-compliant banner advertising Fairfield Pub currently attached to the existing sign. TL agrees that no additional signage will be installed in the future, including the parking of vehicles with signage, except as provided by City zoning and approved by the City.

(b) Within 30 days of completion of the Project, Nilles Property agrees to permanently remove and never replace the non-compliant box truck advertising Pfefferle Tire and currently parked on the driveway to 479 Nilles Road. TL agrees that no additional signage will be installed in the future, including the parking of vehicles with signage, except as provided by City zoning and approved by the City.

5. Remedy

(a) Should TL Property and Nilles Holdings fail to complete the recording of an easement as described in Section 3 (a) on or before June 30, 2021, the City has the right to renegotiate the Agreement or exit as a party to the Agreement.

(b) If TL Property and Nilles Holdings fail to complete the Project by December 31, 2021 and the City has distributed grant funds as described in Section 1 (c), the City may request repayment of all or a portion of the grant funds. TL Property and Nilles Holdings agree to repay the amount of City grant funds, as requested on an invoice issued by the City, within 30 days of receipt of such invoice.

(c) For the purposes of this Agreement, completion of the Project means that installation of all components of the shopping center sign has been completed and TL Property has invoiced Nilles Holdings for the remainder payment as described in Section 2 (g).

6. Additional Terms

(a) Governing Law. This Agreement shall be governed by the laws of the State of Ohio as to all matters, including, but not limited to, matters of validity, construction, effect and performance.

(b) Forum and Venue. All actions regarding this Agreement shall be brought in any state or federal court of competent subject matter jurisdiction in Butler County, Ohio.

(c) Entire Document. This Agreement and its exhibits and any documents referred to herein constitute the complete understanding of the parties and merge and supersede any and all other discussions, agreements and understandings, either oral or written, between the parties with respect to the subject matter hereof. Notwithstanding any representations to the contrary, or other facts, the parties are not bound to the provisions of this Agreement prior to full and final execution of this document by all parties.

(d) Severability. If any provision of this Agreement is held to be prohibited by or invalid under applicable law, such provision shall be ineffective only to the extent of such prohibition or invalidity, without invalidating the remainder of this Agreement.

(e) Assignment. Neither this Agreement nor any rights, duties, or obligations described herein shall be assigned or subcontracted by TL Property or Nilles Holdings without the prior express written consent of City. Notwithstanding the foregoing, this Agreement may be assigned without prior consent of City, but upon prior written notice to City, in the following instance: by TL Property or Nilles Holdings in the event of the sale of all or substantially all of the assets of TL Property or Nilles Holdings, or to any successor of TL Property or Nilles Holdings by merger, consolidation, joint venture, reorganization or similar change, or to any entity which controls, is controlled by, or is under common control with TL Property or Nilles Holdings.

(f) Successor in Interest. Each and all of the terms and conditions of this Agreement shall extend to and bind and inure to the benefit of not only TL Property or Nilles Holdings, but to any and all successors and assigns.

(g) Notices. All notices, consents, demands, requests and other communications given hereunder shall be in writing and shall be deemed duly given if personally delivered or sent by mail, registered or certified, to the addresses set forth hereunder, or to such other address as a party hereto may designate in written notice transmitted in accordance with this provision.

City

City Manager
City of Fairfield
5350 Pleasant Avenue
Fairfield, Ohio 45014

TL Property

Thanh Luong
TL Property Rental LLC
6278 Casey Court
Fairfield, Ohio 45014

Nilles Holdings

Christopher Pfefferle
Nilles Holdings, LLC
479 Nilles Road
Fairfield, Ohio 45014

IN WITNESS WHEREOF, the City of Fairfield, Ohio, by Donald G. Bennett, its Acting City Manager, and pursuant to Ordinance _____, has caused this instrument to be executed this ____ day of _____, 2021; TL Property Rental, LLC, by Thanh Luong, its _____; and Nilles Holdings, LLC by Christopher Pfefferle, its _____, has caused this instrument to be executed this ____ day of _____, 2021.

Witness: City of Fairfield

Donald G. Bennett
Acting City Manager

Witness: TL Property Rental, LLC

Thanh Luong
Owner

Witness: Nilles Holdings, LLC

Christopher Pfefferle
Owner

Approved as to Form:

John H. Clemmons
Fairfield City Law Director

Approved as to Content:

Gregory Kathman
Fairfield Development Services Director

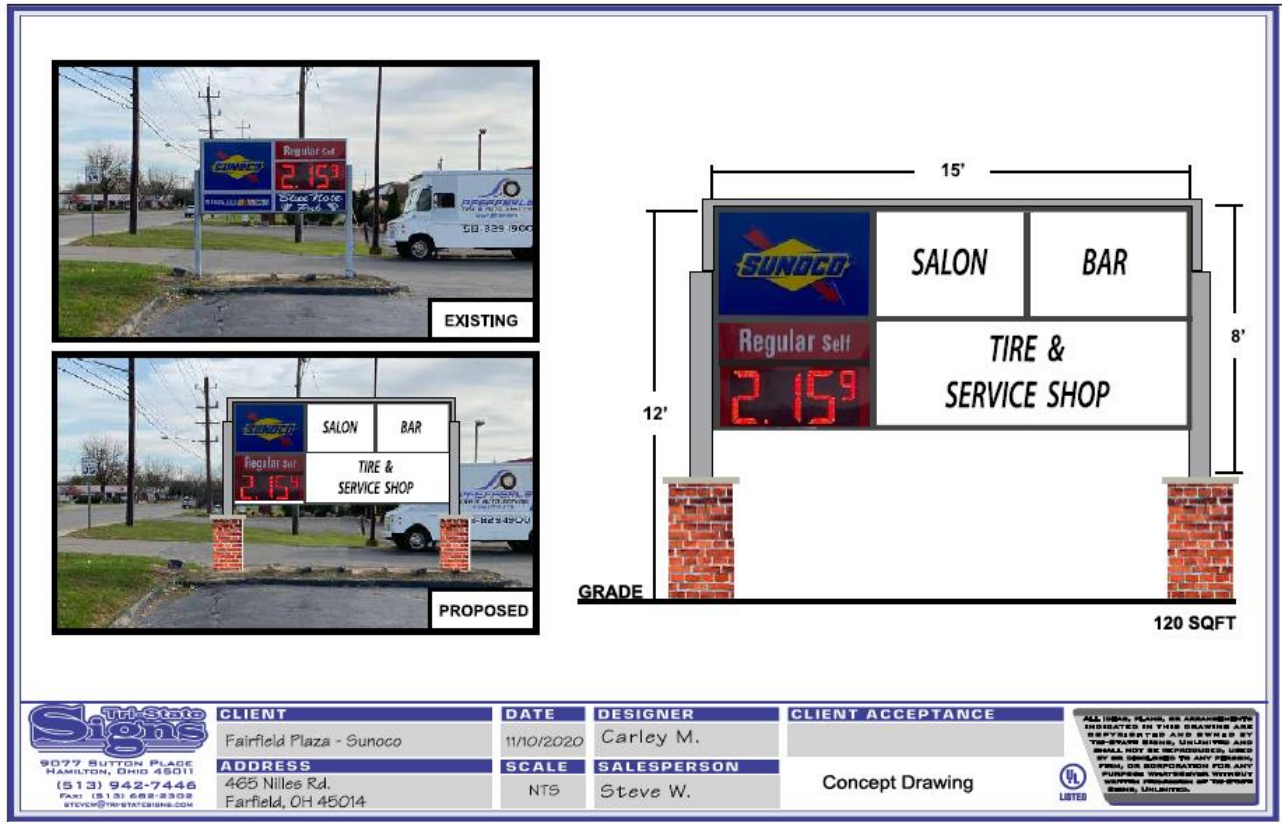
EXHIBIT A
PROJECT AREA



Attachment: 465-79 Nilles - Draft Development Agreement (1769 : Authorizing the City Manager to Execute a Development Agreement relative to

EXHIBIT B

PROJECT DESIGN



Attachment: 465-79 Nilles - Draft Development Agreement (1769 : Authorizing the City Manager to Execute a Development Agreement relative to

EXHIBIT C
SIGN CONTRACTOR ESTIMATE

BRICK CONTRACTOR ESTIMATE

12

EXHIBIT F
DRAFT EASEMENT

**NONEXCLUSIVE SIGN EASEMENT, MAINTENANCE, & RESTRICTIVE
COVENANT AGREEMENT**

THIS NONEXCLUSIVE SIGN EASEMENT AGREEMENT (the “Easement Agreement”) is made this ____ day of _____, 2021, by and between **TL Property Rental LLC** an Ohio limited liability company with its tax address of 6278 Casey Court, Fairfield, Ohio 45014 (hereinafter referred to as “Grantor”); and **Nilles Holdings, LLC**, an Ohio limited liability company with its tax address of 479 Nilles Road, Fairfield, Ohio 45014 (hereinafter referred to as “Grantee”). Grantor and Grantee are together hereinafter referred to as the “Parties.”

RECITALS

A. Grantor is the fee simple owner of a parcel of land at 465 Nilles Road in the City of Fairfield, Butler County, Ohio. Said parcel of land is hereinafter referred to as the “TL Parcel.” The TL Parcel is legally described on the attached Exhibit A.

B. Grantee is the fee simple owner of a parcel of land at 479 Nilles Road in the City of Fairfield, Butler County, Ohio. Said parcel of land is hereinafter referred to as the “Pfefferle Parcel.”

C. Grantor has agreed to grant Nilles Holding a non-exclusive easement over, under and across that portion of the TL Parcel legally described in Exhibit B and approximately depicted on Exhibit C attached hereto (hereinafter referred to as the “Easement Area”), in order for Grantee to install and maintain sign panel(s) for the business(es) operating on the Pfefferle Parcel, substantially in keeping with the design and dimensions attached hereto to Exhibit D (hereinafter referred to as the “Consolidated Sign”) (and for Grantee maintenance, repair, and replacement of its sign panel(s) on such sign), to provide the business(es) operating on the TL Parcel and Pfefferle Parcel with visibility along Nilles Road.

NOW THEREFORE, in consideration of the foregoing Recitals, the execution of this Easement Agreement by the Parties hereto, the mutual covenants and agreements contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties hereto, it is agreed as follows:

1. Grant of Easement. Grantor grants to Grantee (for the benefit of the Pfefferle Parcel), a perpetual, nonexclusive easement over and across the Easement Area, for the sole purpose of permitting the construction of the Consolidated Sign and for Grantee maintenance, repair, and replacement of Grantee panel on the Consolidated Sign.

Grantor, as owner of the TL Parcel, shall have rights to at least three (3) panel positions (both sides) on the Consolidated Sign for the purpose of advertising the business(es) operating on the TL Parcel (each in the initial position as shown on Exhibit C) and Grantee shall have rights to one (1) panel position measuring at least ____ square feet (both sides) of the Consolidated Sign for the purpose of advertising the business(es) operating on the Pfefferle Parcel. Notwithstanding the foregoing, and in the event that the Consolidated Sign materially varies from that depicted on Exhibit C, prior to installation, the plans for the Consolidated Sign shall be subject to Grantee's prior written approval, which shall not be unreasonably withheld, conditioned, or delayed.

2. Encumbrances. Grantee agrees that in consideration herein shall not park or store vehicles or other materials within the access easement area in the front ~220 feet of the Pfefferle Parcel, as fully described in the easement over Lot. No 10676, City of Fairfield. In addition, the easements herein granted to Grantee are made subject to all covenants, conditions, restrictions, encumbrances, and easements of record and all zoning ordinances and applicable government regulation. Grantee acknowledges that Grantor may grant other easements or encumbrances over and across the Easement Area that do not interfere with Grantee use of the Easement Area in accordance with this Easement Agreement. Grantee acknowledges that Grantor does not represent or warrant that such easements, encumbrances, ordinances, and regulations allow for Grantee intended use of the Easement Area.

3. Construction. Grantor shall, at the shared expense of Grantor and Grantee as agreed, be responsible for construction of the Consolidated Sign and related improvements, including removal of the existing sign. Grantor agrees that all construction of the Consolidated Sign shall be performed in a good and workmanlike manner, with first-class materials and in accordance with agreed-upon plans. During completion of the Consolidated Sign, Grantor shall be responsible for regularly cleaning the Easement Area and affected portions of the TL Parcel or Pfefferle Parcel of dirt and debris caused by construction activities.

4. Maintenance. The Consolidated Sign shall be installed in good order and internally illuminated via photocell by Grantor, in conformity with all governmental regulations. Grantor will provide regular and ongoing maintenance of the Consolidated Sign. Maintenance shall include repair of any damage or deterioration, full replacement if damaged or deteriorated beyond repair, repainting as necessary, and other general maintenance to ensure the functionality and aesthetic condition of the sign is maintained. Grantor shall be responsible for all sign maintenance, with the exception of the replacement of light bulbs that illuminate all panels within the Consolidated Sign. Grantee shall be responsible for the timely replacement of light bulbs.

5. Electricity Costs. Grantor, at its expense, will make all utility payments related to electric costs of the Consolidated Sign.

6. Insurance Requirements. At all times during this Easement Agreement, Grantor shall purchase and maintain commercial general liability insurance sufficient to cover damage or replacement of the Consolidated Sign if damaged by a motor vehicle, act of God, or other reason.

IN WITNESS WHEREOF, Grantor has caused its name to be subscribed by its duly authorized representative on this _____ day of _____, 2021.

GRANTOR, TL Property Rental LLC

a limited liability corporation
of the State of Ohio

By: _____

Thanh Luong, Owner

Date: _____, 2021

GRANTEE, Nilles Holdings, LLC

a limited liability corporation
of the State of Ohio

By: _____

Christopher Pfefferle, Owner

Date: _____, 2021

[Acknowledgements on Next Page]

ACKNOWLEDGMENTS

STATE OF OHIO

COUNTY OF BUTLER

The foregoing instrument was acknowledged before me this _____ day of _____, 2021 by _____, the _____ of _____, a _____ of the State of Ohio, on behalf of the Board.

Notary Public

STATE OF OHIO

COUNTY OF BUTLER

The foregoing instrument was acknowledged before me this _____ day of _____, 2021 by _____, the _____, a _____, on behalf of the Board.

Notary Public

465 & 479 Nilles Road

11.B.1.c



Attachment: 465-79 Nilles - Location Map (1769 : Authorizing the City Manager to Execute a Development Agreement relative to 465 & 479 Nilles

ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE ACTING CITY MANAGER TO EXECUTE A DEVELOPMENT AGREEMENT WITH TL PROPERTY RENTAL, LLC AND NILLES HOLDINGS, LLC RELATIVE TO THE PROPERTIES LOCATED AT 465 & 479 NILLES ROAD AND DECLARING AN EMERGENCY.

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

Section 1. The Acting City Manager is hereby authorized to execute a Development Agreement with TL Property Rental, LLC and Nilles Holdings, LLC relative to the properties located at 465 & 479 Nilles Road in accordance with the agreement on file in the office of the City Manager.

Section 2. This Ordinance is hereby declared to be an emergency measure necessary for the urgent benefit and protection of the City and its inhabitants for the reason that the property owners can proceed with the proposed improvements to their property during construction season; 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



City Council Action Item
Regular Meeting - March 22, 2021

Submitted by: Alisha Wilson, Clerk
Submitting Department: Clerk

Subject:

Carusoscincy LLC Liquor Permit

Legislation Title:

Simple Motion: Motion to not request a hearing regarding a liquor permit application in the name of Carusoscincy LLC, 6765 Dixie Highway, Fairfield, OH 45014 (Permit Class D1, D2, D3 & D6).

Recommendation:

It is recommended that City Council request, by simple motion, that **no hearing be held** on the liquor permit application in the name of Carusoscincy LLC, 6765 Dixie Highway, Fairfield, OH 45014 (Permit Class D1, D2, D3 & D6).

Background/Synopsis: The City of Fairfield is in receipt of an application from the Ohio Division of Liquor Control for an D1, D2, D3 & D6 permit for the above liquor permit applicant. Background checks from the Building and Zoning Division and Police Department are attached for Council and staff's review.

Financial Impact: No financial impact.

Rule Suspension Requested:

Emergency Provision Needed:

Attachments:

1. LiquorPermitApp.Carusoscincy
2. LiquorPermitApp.Carusoscincy.DevSrvReport
3. LiquorPermitApp.Carusoscincy.PDReport

DEPARTMENTAL CORRESPONDENCE

City
of
Fairfield



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

FROM Alisha Wilson, Clerk of Council *AW*

SUBJECT Request for Background Check – Liquor Permit

DATE 3/3/21

Attached is a liquor permit application in the name of Carusoscincy LLC, 6765 Dixie Highway, Fairfield, OH 45014 (Permit Classes: D1, D2, D3 & D6).

Please complete the necessary background check and submit your findings to me **no later than 11:00 AM on Monday, March 15, 2021.**

This item will be added to Council's Regular Meeting agenda of Monday, March 22, 2021.

Thank you for your assistance.

c: Don Bennett, Acting City Manager
File

Attachment: LiquorPermitApp.Carusoscincy (1771 : Carusoscincy LLC Liquor Permit)

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

TO

1287006			TRFO	CARUSOSCINCY LLC 6765 DIXIE HWY FAIRFIELD OHIO 45014
PERMIT NUMBER			TYPE	
06	01	2018		
ISSUE DATE				
04	17	2019		
FILING DATE				
D1	D2	D3	D6	
PERMIT CLASSES				
09	011	A	F22235	
TAX DISTRICT		RECEIPT NO.		

FROM 02/23/2021

81155460002				SHTEIWI INC DBA SPINNING FORK 6765 DIXIE HWY FAIRFIELD OHIO 45014
PERMIT NUMBER			TYPE	
06	01	2018		
ISSUE DATE				
04	17	2019		
FILING DATE				
D1	D2	D3	D6	
PERMIT CLASSES				
09	011			
TAX DISTRICT		RECEIPT NO.		



MAILED 02/23/2021

RESPONSES MUST BE POSTMARKED NO LATER THAN.

03/26/2021

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.
REFER TO THIS NUMBER IN ALL INQUIRIES A TRFO 1287006

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

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

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

(Signature)

(Title) - ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council☐ Township Fiscal Officer

CLERK OF FAIRFIELD CITY COUNCIL
5350 PLEASANT AV
FAIRFIELD OHIO 45014

Attachment: LiquorPermitApp.Carososcincy (1771 : Carusoscincy LLC Liquor Permit)



Department of Commerce

Rev 2/10/2021

Mike DeWine, Governor
Jon Husted, Lt. Governor

Division of Liquor Control
Sheryl Maxfield, Director

Dear Local Legislative Authority Official:

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

- Notify the Division whether you object and want a hearing or not; or
- Ask for your one-time only, 30-day extension.
 - Any requests for a one-time, 30-day extension will be reviewed by the Division upon timely receipt. If granted, your additional 30-days runs from the expiration of the original 30-day period.

To be considered **timely**, your above response **must** be:

FAXED to the Division no later than 30 days after the "mailed" date (this is the date listed after the "responses must be postmarked no later than." You can fax your response to: (614) 644 – 3166

EMAILED to the Division no later than 30 days after the "mailed" date (this is the date listed after the "responses must be postmarked no later than." You can email your response to: LiquorLicensingMailUnit@com.state.oh.us

POSTMARKED, if mailed, no later than the date listed on the notice after "responses must be postmarked no later than." You can mail your response to

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

In an effort to speed up processing times and reduce paper, the Division respectfully asks that you either fax or email the above notice. In a similar effort, please note that the Division is no longer sending ownership information with this legislative notice. If you want to know who owns the applied for permit you can find that information in two ways:

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

Licensing Section
6606 Tussing Road
Reynoldsburg, OH 43068-9009

Fax 614-728-128
TTY/TDD 800-750-075
com.ohio.gov

FAIRFIELD

O H I O

DEPARTMENTAL CORRESPONDENCE

Date: 3/4/2021

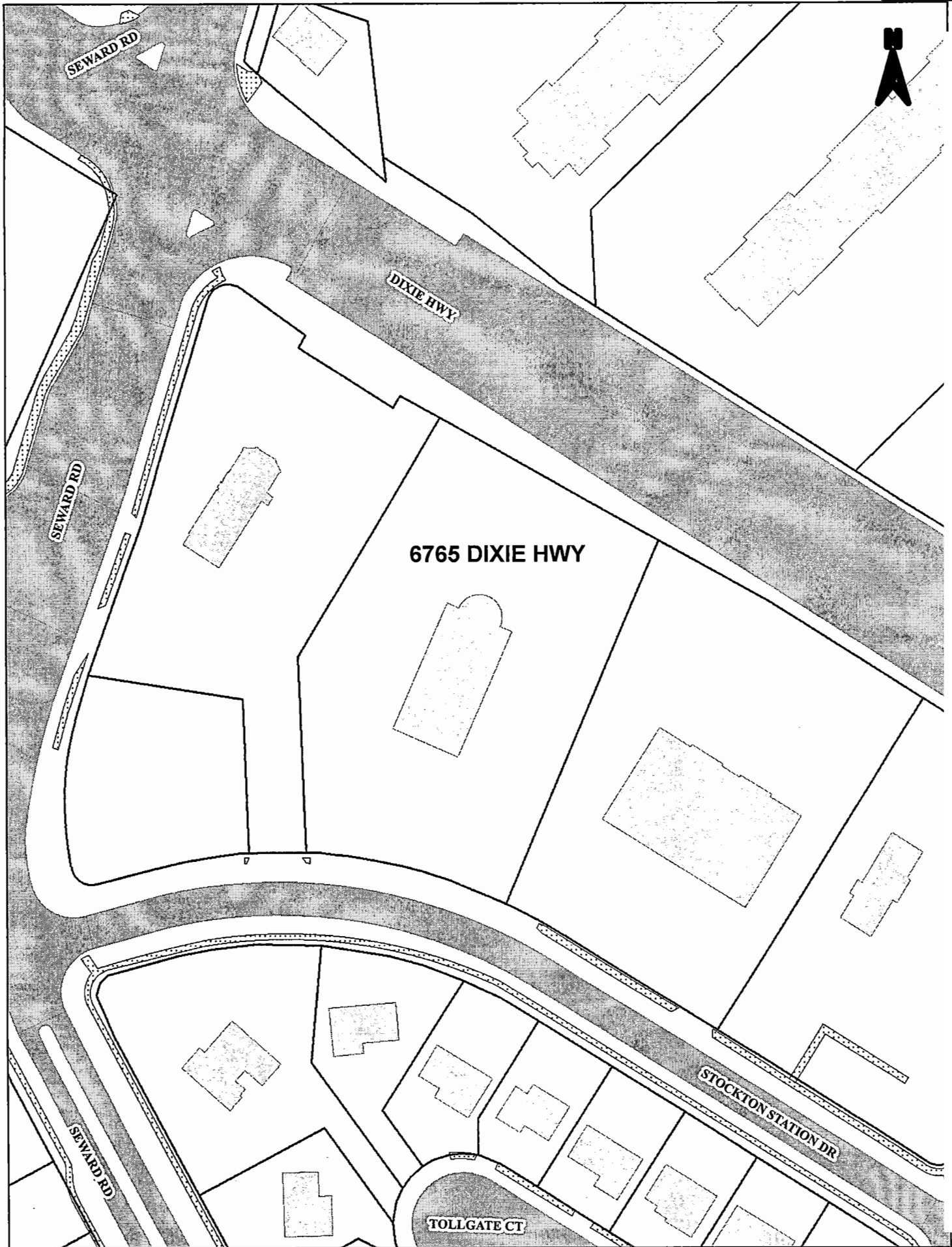
To: Alisha Wilson, Clerk of Council

From: Greg Kathman, Development Services Director *GK*

Subject: Liquor Permit Application

The business located at 6765 Dixie Highway, in the name of Carusoscincy LLC is in a PUD, Planned Unit Development Zoning District and is a permitted use as a restaurant. Should the applicant wish to operate this facility as a tavern, night club or entertainment facility solely or in conjunction with the restaurant, a Conditional Use Permit must be secured through the Planning Commission.

Attachment: LiquorPermitApp.Carusoscincy.DevSrvReport (1771 : Carusoscincy LLC Liquor Permit)



Attachment: LiquorPermitApp.Carososcincy.DevSrvReport (1771 : Carusoscincy LLC Liquor Permit)

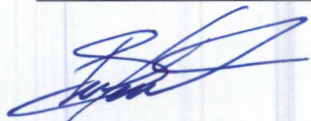
NAME OF ESTABLISHMENT Carusoscincy LLC

ADDRESS 6765 Dixie Hwy

Fairefield, OH 45014

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

REMARKS:



Stephen B. Maynard
Chief of Police

HEARING REQUESTED: Yes ☐ No ☒

Date: March 15, 2021

Attachment: LiquorPermitApp.Carusoscincy.PDRReport (1771 : Carusoscincy LLC Liquor Permit)



City Council Ordinance
Regular Meeting - March 22, 2021

Submitted by: Ben Mann,
 Submitting Department: Public Works

Subject:

2021-2023 Street Sweeping Services Contract Award

Legislation Title:

Ordinance to Authorize the Acting City Manager to enter into a contract with SCA of Ohio, LLC for a period of three (3) years for the 2021-2023 Street Sweeping Services Contract

Recommendation:

It is recommended that City Council authorize the City Manager to enter into a contract with SCA of OH, LLC of West Chester, Ohio for a period of three (3) years at the attached prices.

Background/Synopsis:

The City has a need for street sweeping services. This will be a unit price contract including labor rates, both regular and overtime hours as well as equipment rental. The contractor is required to have qualified personnel and proper equipment as required to perform street sweeping services in the City.

The City of Fairfield has approximately 128 miles of roadway to be swept (approximately 256 curb miles) and 16 public parking lots.

Public Works advertised for bids on February 12th and 19th. Bids were opened on March 1, 2021 and due to the specialized nature of the work, only two bids were received. City staff reviewed the bids submitted and it was determined that SCA of OH, LLC of West Chester, Ohio was the lowest and best bidder. The bid results are attached.

Financial Impact:

The funding for street sweeping services is included in the Public Works operating budget.

Emergency Provision Explanation:

Rules Suspension is requested in order to ensure continuous operations with the current contract which expires at the end of May.

Rule Suspension Requested:

Yes

Emergency Provision Needed:

No

Attachments:

1. 2021-2023 Street Sweeping Bid Results
2. 11x17 Street Sweeping
3. SCA of Ohio LLC-Ord

City of Fairfield

Bid Tabulation for "Street Sweeping Services"

Bid Opening: March 1, 2021, City of Fairfield Council Chambers

SCA of OH, LLC 10136 Mosteller Lane West Chester, OH 45069 216-777-2750	DSS Sweeping Service 1520 Nicholas Road Dayton, OH 45417 937-262-0123
--	--

Base Bid	Bid Unit	1st Yr	2nd Yr	3rd Yr	1st Yr	2nd Yr	3rd Yr
Price Per Linear Foot of Street	Ln. Ft.	\$ 0.01339	\$ 0.01339	\$ 0.01339	\$ 0.0131	\$ 0.0131	\$ 0.0131
Price Per Square Foot of Parking Lot	Surface Sq. Ft.	\$ 0.005047	\$ 0.005047	\$ 0.005047	\$ 0.0046	\$ 0.0046	\$ 0.0046
Emergency Services / Hourly Rate	Hourly Rate	\$ 135.00	\$ 135.00	\$ 135.00	\$ 125.00	\$ 125.00	\$ 125.00

Pricing Schedule	1st Yr	2nd Yr	3rd Yr	1st Yr	2nd Yr	3rd Yr
Weekly Sweeps (Red)	\$ 13,222.50	\$ 13,663.25	\$ 14,104.00	\$ 14,198.00	\$ 14,553.00	\$ 14,917.00
Bi-Weekly Sweeps (Yellow)	\$ 21,013.00	\$ 22,285.90	\$ 23,004.80	\$ 23,148.00	\$ 23,727.00	\$ 24,320.00
Monthly Sweeps (Green)	\$ 27,054.75	\$ 27,342.78	\$ 28,224.80	\$ 28,325.00	\$ 29,033.00	\$ 29,759.00
Parking Lots (13) (Green)	\$ 2,550.00	\$ 2,635.00	\$ 2,720.00	\$ 2,741.00	\$ 2,810.00	\$ 2,880.00
Bi-Monthly Sweeps (Blue)	\$ 10,599.75	\$ 10,953.07	\$ 11,306.40	\$ 11,377.00	\$ 11,661.00	\$ 11,953.00
Parking Lots (3) (Blue)	\$ 600.00	\$ 620.00	\$ 640.00	\$ 705.00	\$ 723.00	\$ 741.00
Totals:	\$ 75,040.00	\$ 77,500.00	\$ 80,000.00	\$ 80,494.00	\$ 82,507.00	\$ 84,570.00

These bids will be reviewed by the Public Works Department, and a recommendation will be made to Council. There is no guarantee that the contract will be awarded to the lowest bidder. Contracts are awarded to the bidder deemed to be the best and the lowest bidder.

Attachment: 2021-2023 Street Sweeping Bid Results (1758 : 2021-2023 Street Sweeping Services Contract Award)

CITY OF FAIRFIELD 8870 North Gilmore Road · Fairfield, Ohio · (513) 867-4200 <table><tr><td>NO.</td><td>DATE</td><td colspan="2">REVISIONS</td><td>BY</td></tr><tr><td>SCALE N.T.S.</td><td>DESIGN-LAYOUT NWC</td><td>DRAWN NWC</td><td colspan="2">CHECKED</td></tr></table>		NO.	DATE	REVISIONS		BY	SCALE N.T.S.	DESIGN-LAYOUT NWC	DRAWN NWC	CHECKED		TITLE SHEET STREET SWEEPING MAP FAIRFIELD, OHIO	JOB NO. DATE 1/20/21 SHEET NO. 1/4	11.D.1.b
NO.	DATE	REVISIONS		BY										
SCALE N.T.S.	DESIGN-LAYOUT NWC	DRAWN NWC	CHECKED											

●

Weekly

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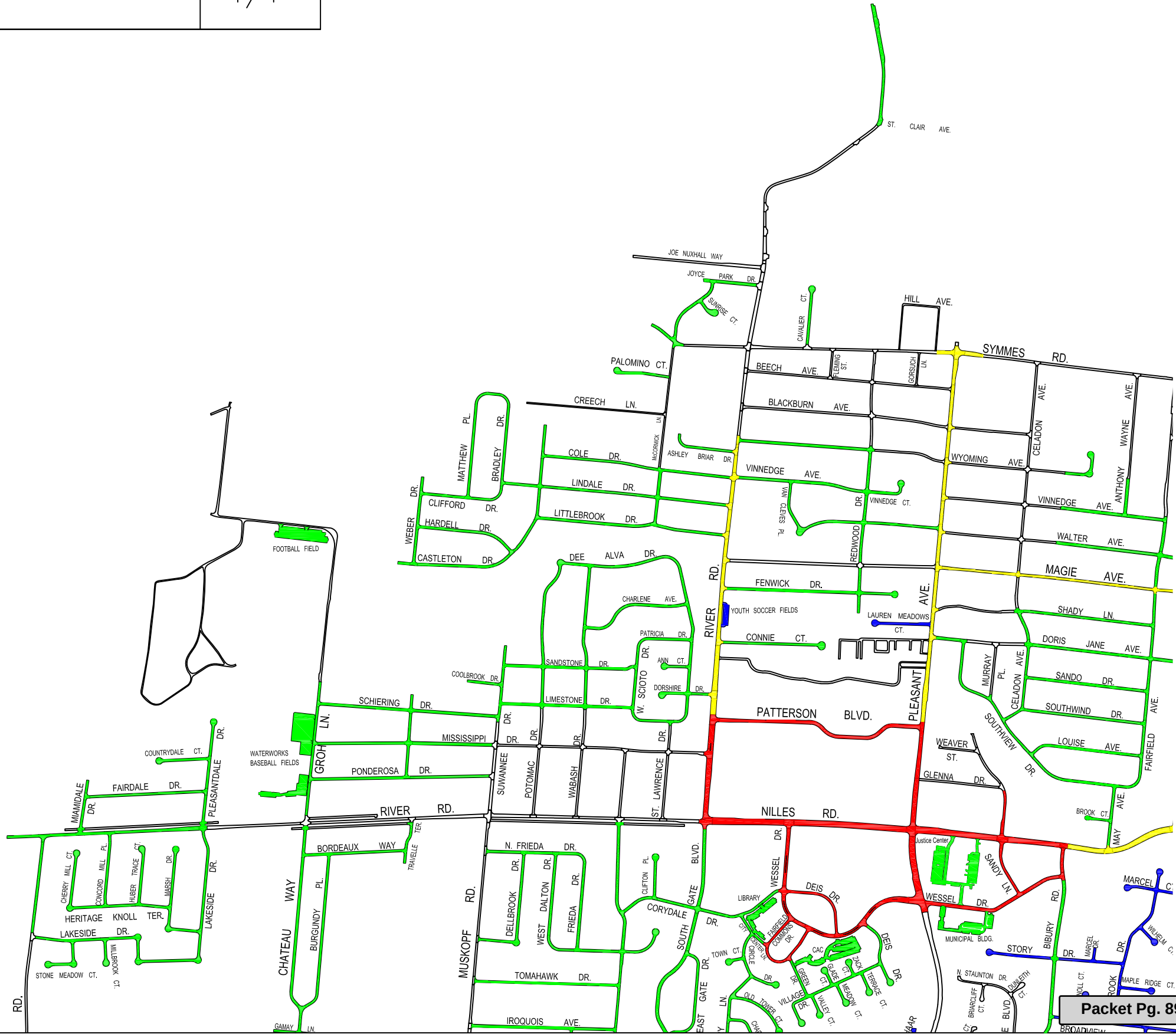
Monthly

●

Bi-Weekly

●

Bi-Monthly





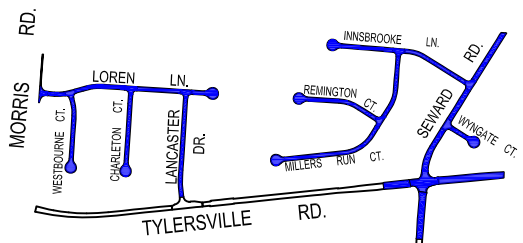
TITLE SHEET

Attachment: 11x17 Street Sweeping (1758 : 2021-2023 Street Sweeping Services Contract Award)

8870 North Gilmore Road . Fairfield, Ohio . (513) 867-4200

NO.	DATE	REVISIONS	BY
SCALE	DESIGN-LAYOUT	DRAWN	CHECKED
N.T.S.	NWC	NWC	

STREET SWEEPING MAP		DATE
FAIRFIELD, OHIO		1/20/21
		SHEET NO.
		2/4

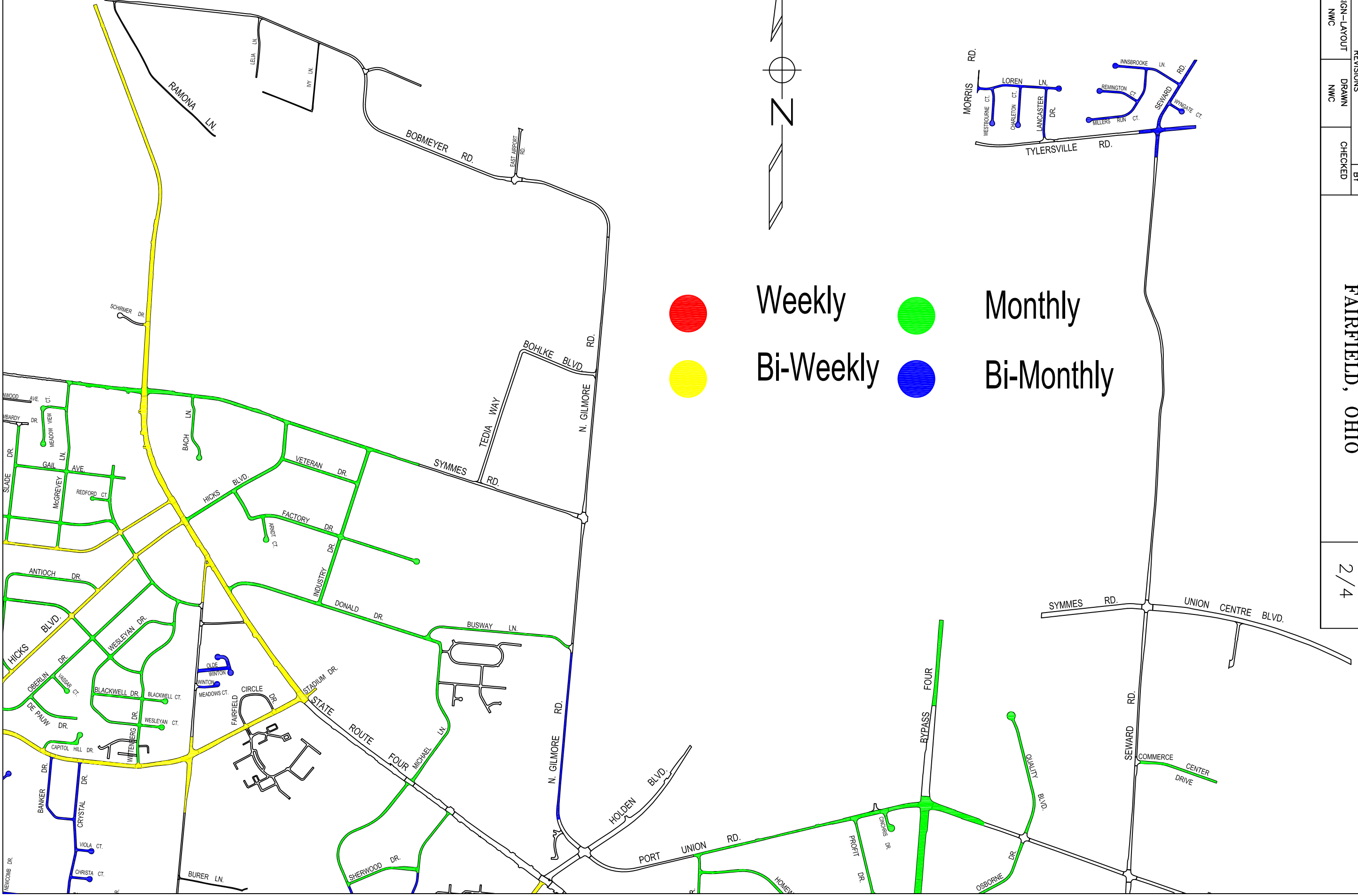


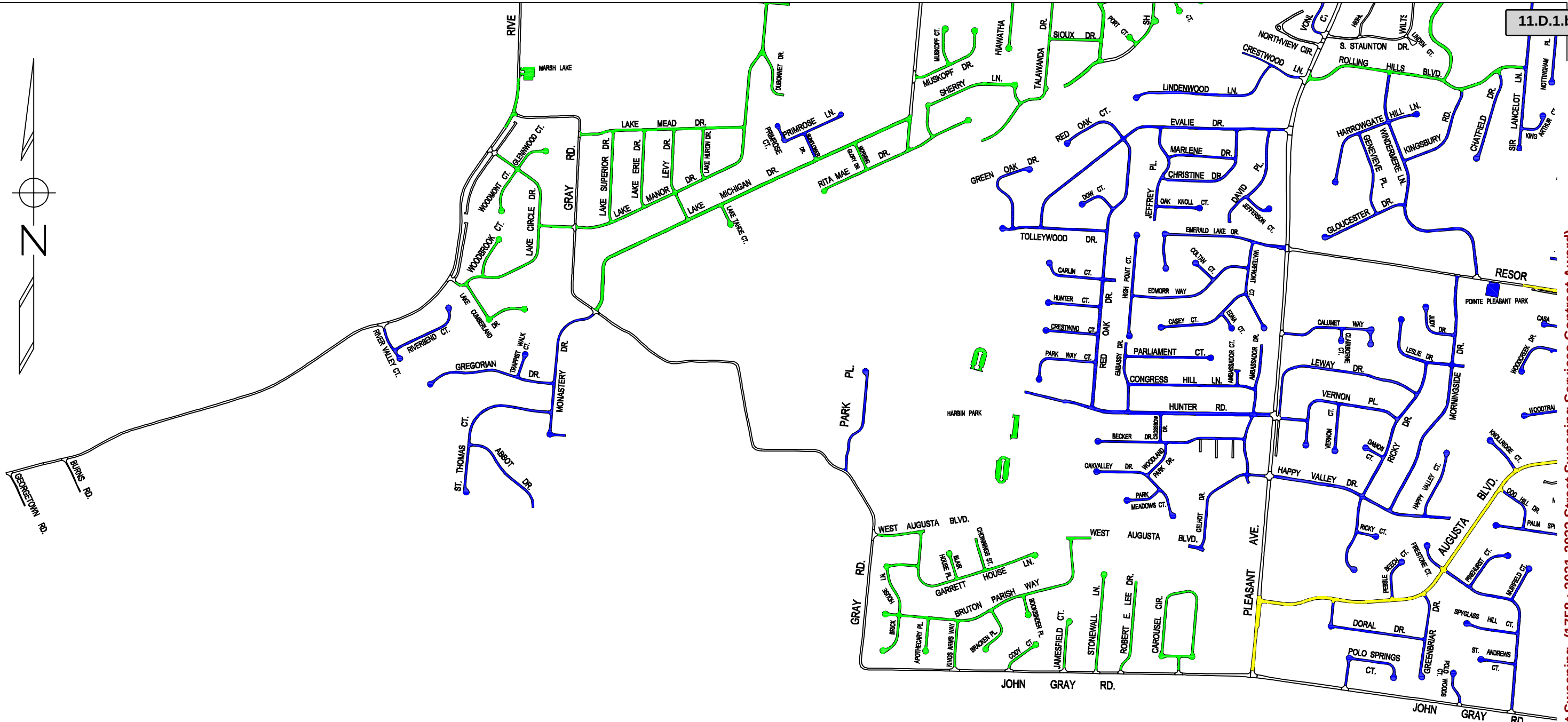
Weekly

Monthly

Bi-Weekly

Bi-Monthly





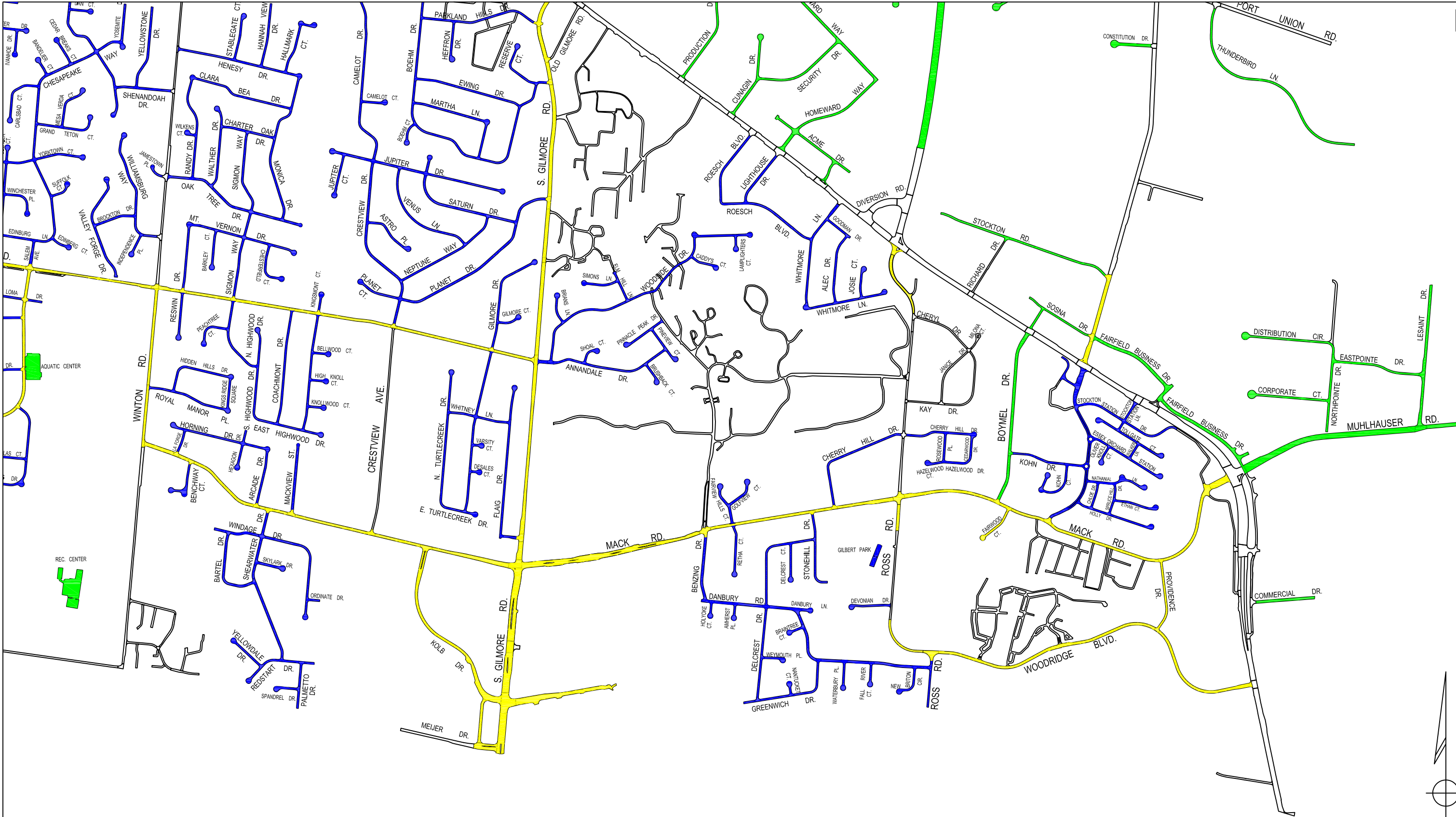
<u>CITY OF FAIRFIELD</u>				TITLE SHEET		JOB NO.		
8870 North Gilmore Road . Fairfield, Ohio . (513) 867-4200						DATE		
				STREET SWEEPING MAP		1/20/21		
						SHEET NO.		
						3/4		
NO.	DATE	REVISIONS		BY	FAIRFIELD, OHIO			
SCALE N.T.S.		DESIGN-LAYOUT NWC		DRAWN NWC				
				CHECKED				

Weekly

Bi-Weekly

Monthly

Bi-Monthly



CITY OF FAIRFIELD



8870 North Gilmore Road · Fairfield, Ohio · (513) 867-4200

NO.	DATE	REVISIONS	BY
SCALE N.T.S.	DESIGN-LAYOUT NWC	DRAWN NWC	CHECKED

TITLE SHEET

STREET SWEEPING MAP

FAIRFIELD, OHIO

JOB NO.

DATE
1/20/21

SHEET NO.
4/4

●

Weekly

●

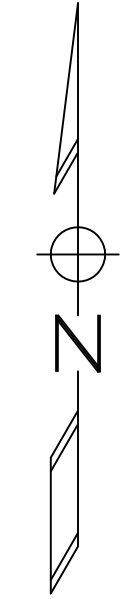
Monthly

●

Bi-Weekly

●

Bi-Monthly



ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE ACTING CITY MANAGER
TO ENTER INTO A CONTRACT WITH SCA OF OHIO, LLC FOR
A PERIOD OF THREE (3) YEARS FOR THE 2021-2023 STREET
SWEEPING SERVICES CONTRACT.

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

Section 1. The Acting City Manager is hereby authorized to enter into a contract with SCA of Ohio, LLC for a period of three (3) years for the 2021-2023 Street Sweeping Services Contract in accordance with the bid on file in the office of the City Manager.

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\2021\SCA of Ohio, LLC-Ord

Attachment: SCA of Ohio LLC-Ord (1758 : 2021-2023 Street Sweeping Services Contract Award)



City Council Ordinance
Regular Meeting - March 22, 2021

Submitted by: Ben Mann,
 Submitting Department: Public Works

Subject:

2021-2023 Traffic Signal Maintenance Contract Award

Legislation Title:

Ordinance to authorize the Acting City Manager to enter into a contract with Capital Electric Line Builders for traffic signal maintenance services for a period of three (3) years 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 for Traffic Signal Maintenance Services for a period of three (3) years at the attached prices.

Background/Synopsis:

The City continues to have a need for traffic signal maintenance services. This will be a time and material contract including labor rates, both regular and overtime hours as well as equipment rental and equipment purchase. The contractor is required to have qualified personnel as well as specific controller testing equipment as required to perform various repair services to the traffic signals in the City.

Public Works advertised for bids on February 12th and 19th. Bids were opened on March 1, 2021 and due to the specialized nature of the work, only one bid was received. City staff reviewed the various equipment and labor rates and it was determined that Capital Electric was the most qualified bidder.

The current contract for Traffic Signal Maintenance is also with Capital Electric Line Builders.

Financial Impact:

No financial impact at this time. Funding is approved with the Public Works operating budget.

Emergency Provision Explanation:

Rules Suspension and Emergency Provision are requested in order to ensure operations are adequately maintained with the current contract which expires on April 10th.

Rule Suspension Requested:

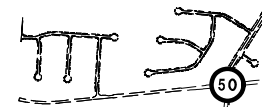
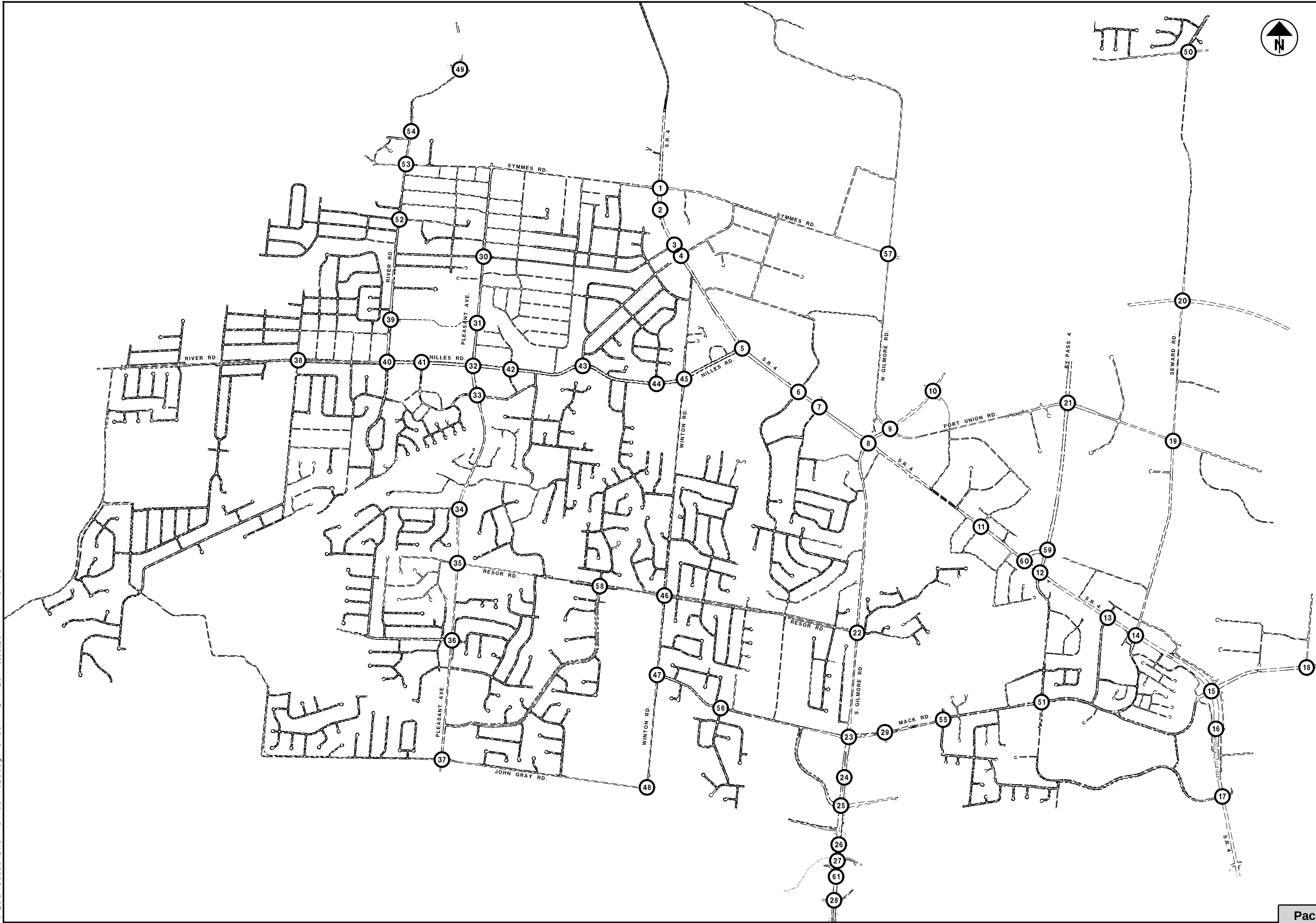
Yes

Emergency Provision Needed:

Yes

Attachments:

1. City Signal Map
2. 2021-2023 Traffic Signal Maintenance Bid Results
3. Capital Electric-Ord



City of Fairfield
 Bid Tabulation for "2021-2022-2023 Traffic Signal Maintenance"
 Bid Opening: March 1, 2021

Capital Electric Line Builders
 3050 Encrete Lane
 Dayton, OH 45439
 937-424-2550

Labor By Class		1 Yr			2 Yr			3 Yr		
		Rates	Hours	Total	Rates	Hours	Total	Rates	Hours	Total
1	Journeyman Lineman/Tech (Regular Time)	82.84	20.00	1,656.80	85.39	20.00	1,707.80	87.45	20.00	1,749.00
2	Journeyman Lineman/Tech (OT - 1 1/2)	124.25	10.00	1,242.50	128.09	10.00	1,280.90	131.17	10.00	1,311.70
3	Journeyman Lineman/Tech (Double Time)	153.25	10.00	1,532.50	157.97	10.00	1,579.70	161.78	10.00	1,617.80
4	Lineman Foreman/Tech (Regular Time)	89.36	400.00	35,744.00	92.11	400.00	36,844.00	94.33	400.00	37,732.00
5	Lineman Foreman/Tech (OT - 1 1/2)	134.04	40.00	5,361.60	138.16	40.00	5,526.40	141.49	40.00	5,659.60
6	Lineman Foreman/Tech (Double Time)	165.31	40.00	6,612.40	170.40	40.00	6,816.00	174.51	40.00	6,980.40
7	General Foreman Line/Tech (Regular Time)	89.36	20.00	1,787.20	92.11	20.00	1,842.20	94.33	20.00	1,886.60
8	General Foreman Line/Tech (OT - 1 1/2)	134.04	10.00	1,340.40	138.16	10.00	1,381.60	141.49	10.00	1,414.90
9	General Foreman Line/Tech (Double Time)	165.31	10.00	1,653.10	170.40	10.00	1,704.00	174.51	10.00	1,745.10
10	Groundman (Regular)	57.93	20.00	1,158.60	59.74	20.00	1,194.80	61.22	20.00	1,224.40
	ESTIMATED YEAR TOTAL			58,089.10			59,877.40			61,321.50

Equipment Description		1 Yr			2 Yr			3 Yr		
		Rates	Hours	Total	Rates	Hours	Total	Rates	Hours	Total
1	Service Van with Bucket	16.00	200.00	3,200.00	16.00	200.00	3,200.00	16.00	200.00	3,200.00
2	Bucket Truck	25.00	300.00	7,500.00	25.00	300.00	7,500.00	25.00	300.00	7,500.00
3	Line Truck with Auger, Digger	45.00	20.00	900.00	45.00	20.00	900.00	45.00	20.00	900.00
4	Concrete Saw Truck	59.00	20.00	1,180.00	59.00	20.00	1,180.00	59.00	20.00	1,180.00
5	Backhoe with Trailer	41.00	10.00	410.00	41.00	10.00	410.00	41.00	10.00	410.00
6	Dump Truck	32.00	10.00	320.00	32.00	10.00	320.00	32.00	10.00	320.00
7	Air Compressor	8.00	10.00	80.00	8.00	10.00	80.00	8.00	10.00	80.00
8	Arrow Board	6.00	20.00	120.00	6.00	20.00	120.00	6.00	20.00	120.00
	ESTIMATED YEARLY TOTAL			13,710.00			13,710.00			13,710.00
11	TOTAL FOR YEAR	71,799.10			73,587.40			75,031.50		
	GRAND TOTAL							220,418.00		

These bids will be reviewed by the Public Works Department, and a recommendation will be made to Council. There is no guarantee that the contract will be awarded to the lowest bidder. Contracts are awarded to the bidder deemed to be the best and the lowest.

Attachment: 2021-2023 Traffic Signal Maintenance Bid Results (1757 : 2021-2023 Traffic Signal Maintenance Contract Award)

ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE ACTING CITY MANAGER
TO ENTER INTO A CONTRACT WITH CAPITAL ELECTRIC
LINE BUILDERS FOR TRAFFIC SIGNAL MAINTENANCE
SERVICES FOR A PERIOD OF THREE (3) YEARS AND
DECLARING AN EMERGENCY.

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

Section 1. The Acting City Manager is hereby authorized to enter into a contract with Capital Electric Line Builders for Traffic Signal Maintenance Services for a period of three (3) years in accordance with the bid on file in the office of the City Manager.

Section 2. This Ordinance is hereby declared to be an emergency measure necessary for the urgent benefit and protection of the City and its inhabitants for the reason that the operations are adequately maintained with the current contract which expires on April 10, 2021; 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

Active Clients\City of Fairfield\Ordinances\2021\Capital Electric-Ord

Attachment: Capital Electric-Ord (1757 : 2021-2023 Traffic Signal Maintenance Contract Award)



City Council Ordinance
Regular Meeting - March 22, 2021

Submitted by: Scott Timmer, Director of Finance
 Submitting Department: Finance

Subject:

\$1 Million BAN Issuance

Legislation Title:

Ordinance authorizing the issuance of not to exceed \$1,000,000 of various purpose bond anticipation notes, series 2021, by the City of Fairfield, Ohio, in anticipation of the issuance of bonds, and declaring an emergency.

Recommendation:

It is necessary for the City Council to authorize the issuance of \$1 million in various purpose Bond Anticipation for the Distribution System Improvements for the Public Utilities Water Division. It is recommended that Council authorize and direct the preparation of legislation to issue \$1 million in Various Purpose Bond Anticipation Notes (BAN). It is estimated that the rate of interest will be in the range of 0.2 to 1%. To accommodate the pricing of the BAN on April 13, a suspension of the second and third readings is requested. The settlement of the new BAN will be on April 27, 2021.

Background/Synopsis:

In the 2021-2025 Capital Improvement Program and the active water rate study, major distribution system improvements were identified as a priority for the Public Utilities Department. The water main replacement and improvements at Winton Rd and Resor Rd are currently estimated to cost \$1 million.

Financial Impact:

Issuing of the \$1 million in BANs will allow the Public Utilities Water Division Distribution System Improvements project as specified in the 2021-2025 Capital Improvement Program to proceed. The City anticipates the interest rate will be low due to our bond rating of Aa1. The short-term issuance will add to the City's nominal debt load of \$15.6 million.

Emergency Provision Explanation:

To accommodate bond pricing requirements.

Rule Suspension Requested:

Yes

Emergency Provision Needed:

Yes

Attachments:

1. \$1M City of Fairfield Water Improvement BANS Legis_(20697269)_(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 \$1,000,000 Water Improvement Bond Anticipation Notes, dated the date of their issuance:

Mayor	
Finance Director	
City Manager	
Clerk of Council	
Member of Council	
Member of Council	
Member of Council	
Member of Council	
Member of Council	
Member of Council	
Member of Council	
Law Director	
	Finance Director

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 \$1,000,000 of bonds, for the purpose of making water improvements including water main replacement at Winton and Resor 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 twenty (20) years.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of _____, 2021.

Finance Director

ORDINANCE NO.**ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$1,000,000 OF WATER 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 \$1,000,000 bearing interest estimated at five per centum (5%) per annum and maturing over a period of forty (40) years, for the purpose of making water improvements including water main replacement at Winton and Resor Road.

SECTION 2. That it is hereby determined that notes (hereinafter called the "Notes") in the principal amount of not to exceed \$1,000,000 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 four percent (4%) 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 \$5,000 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 Improvement Bond Anticipation Notes," 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 issues 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 2021”; 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 Ordinances providing for the issuance of: and not to exceed \$4,600,000 Various Purpose Bond Anticipation Notes, Series 2019, 2021 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 a certificate acknowledging that the Original Purchaser will sell the notes to no more than 35 persons, each of whom the Original Purchaser reasonably believes (i) has such knowledge and experience in financial and business matters that it is capable of evaluating the merits and risks of the prospective investment and (ii) is not purchasing for more than one account or with a view to distributing the notes.

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 9. 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 10. 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 11. 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 12. 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 13. That the Finance Director is hereby directed to forward a certified copy of this Ordinance to the County Auditor.

SECTION 14. 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 15. 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 16. 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: _____, 2021.

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 _____, 2021.

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 _____, 2021.

Finance Director

RECEIPT

The undersigned, County Auditor of the Butler County, Ohio, acknowledges receipt of Ordinance No. ____ of the City of Fairfield, Ohio, on _____, 2021.

County Auditor

The Council of the City of Fairfield, Ohio, met in regular session, at ____m., on the ____ day of _____, 2021, in Council Chambers, with the following members present:

There was presented and read to Council Ordinance No. ____, entitled:

**ORDINANCE AUTHORIZING THE ISSUANCE OF
NOT TO EXCEED \$1,000,000 OF WATER
IMPROVEMENT BOND ANTICIPATION NOTES,
BY THE CITY OF FAIRFIELD, OHIO, IN
ANTICIPATION OF THE ISSUANCE OF BONDS,
AND DECLARING AN EMERGENCY.**

M _____ moved to suspend the rule requiring each ordinance or resolution to be read on three different days. M _____ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

M _____ then moved that Ordinance No. ____ be adopted. M_____. _____ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

The ordinance was declared adopted _____, 2021.

CERTIFICATE

The undersigned, Clerk of Council of said city, hereby certifies that the foregoing is a true and correct extract from the minutes of a meeting of the council of said city, held on the ____ day of _____, 2021, to the extent pertinent to consideration and adoption of the above-entitled legislation.

Clerk of Council



City Council Ordinance
Regular Meeting - March 22, 2021

Submitted by: Scott Timmer, Director of Finance
 Submitting Department: Finance

Subject:

\$4.6 Million BAN Renewal

Legislation Title:

Ordinance authorizing the issuance of not to exceed \$4,600,000 of various purpose bond anticipation notes, series 2017 and series (2019) 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 \$4,600,000 of various purpose bond anticipation notes (BANs). This is a renewal of the 2017 and 2019 note for the Water and Waste Water System Improvements.

It is recommended that Council authorize and direct the preparation of legislation to issue \$4.6 million in Various Purpose Bond Anticipation Notes. It is estimated that rate of interest will be in the range of 0.2 to 1%. To accommodate the pricing of the BAN on April 13, a suspension of the second and third readings is requested. The settlement of the new BAN will be on April 27, 2021.

Background/Synopsis:

In 2017, the City issued \$5 million in BANs for the Water and Waste Water System Improvements. In 2019, the City issued an additional \$2 million in BANs for the Water System Improvements. The City will be paying \$500,000 towards the initial BAN, \$200,000 towards the 2019 BAN and renewing the remaining \$4.6 million. The 2017 Water System Improvements were for the Route 4 water main replacement and the Waste Water System Improvements were for replacement of the motor control center at the Sewer Plant. The 2019 Water System Improvements were for Donald Drive, Mack Road, Ross Road, and Seward Road.

Financial Impact:

Issuing of the \$4.6 million Various Purpose Bond Anticipation Notes (BANs) is a renewal of the Water and Waste Water Improvement projects specified in the 2017-2021 Capital Improvement Program and 2019-2023 Capital Improvement Program. The City anticipates the interest rate will be low due to our bond rating of Aa1. This short-term issuance will bring the City's nominal debt load of \$15.6 million

Emergency Provision Explanation:

Bond pricing dates requirements.

Rule Suspension Requested:

Yes

Emergency Provision Needed:

Yes

Attachments:

1. \$4.6M City of Fairfield Various Purpose BANS 2021 Renewal Legis_(20696566)_(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 \$4,600,000 Various Purpose Bond Anticipation Notes, Series 2019, 2021 Renewal, dated the date of their issuance:

Mayor	_____
Finance Director	_____
City Manager	_____
Clerk of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Law Director	_____

	Finance Director

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 \$4,600,000 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, 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 eighteen (18) years.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of _____, 2021.

Finance Director

ORDINANCE NO.**ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$4,600,000 OF VARIOUS PURPOSE BOND ANTICIPATION NOTES, SERIES 2019, 2021 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 eighteen (18) years;

WHEREAS, the City has previously issued bond anticipation notes which are outstanding in the amount of \$5,300,000, which are about to mature and which should be renewed in a reduced amount of \$4,600,000;

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 \$4,600,000 bearing interest estimated at five per centum (5%) 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.

SECTION 2. That it is hereby determined that notes (hereinafter called the "Notes") in the principal amount of not to exceed \$4,600,000 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 four percent (4%) 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 \$5,000 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 2019, 2021 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 issues 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 2021"; 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 Ordinances providing for the issuance of: not to exceed \$1,000,000 Water Improvement Bond Anticipation Notes.

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 a certificate acknowledging that the Original Purchaser will sell the notes to no more than 35 persons, each of whom the Original Purchaser reasonably believes (i) has such knowledge and experience in financial and business matters that it is capable of evaluating the merits and risks of the prospective investment and (ii) is not purchasing for more than one account or with a view to distributing the notes.

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 9. 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 10. 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 11. 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 12. 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 13. That the Finance Director is hereby directed to forward a certified copy of this Ordinance to the County Auditor.

SECTION 14. 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 15. 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 16. 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: _____, 2021.

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 _____, 2021.

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 _____, 2021.

Finance Director

RECEIPT

The undersigned, County Auditor of the Butler County, Ohio, acknowledges receipt of Ordinance No. ____ of the City of Fairfield, Ohio, on _____, 2021.

County Auditor

The Council of the City of Fairfield, Ohio, met in regular session, at .m., on the _____ day of _____, 2021, in Council Chambers, with the following members present:

There was presented and read to Council Ordinance No. _____, entitled:

ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$4,600,000 OF VARIOUS PURPOSE BOND ANTICIPATION NOTES, SERIES 2019, 2021 RENEWAL, BY THE CITY OF FAIRFIELD, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS, AND DECLARING AN EMERGENCY.

M _____ moved to suspend the rule requiring each ordinance or resolution to be read on three different days. M _____ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

M _____ then moved that Ordinance No. _____ be adopted. M_____. _____ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

The ordinance was declared adopted _____, 2021.

CERTIFICATE

The undersigned, Clerk of Council of said city, hereby certifies that the foregoing is a true and correct extract from the minutes of a meeting of the council of said city, held on the _____ day of _____, 2021, to the extent pertinent to consideration and adoption of the above-entitled legislation.

Clerk of Council



City Council Ordinance
Regular Meeting - March 22, 2021

Submitted by: Scott Timmer, Director of Finance
 Submitting Department: Finance

Subject:

\$5.6 Million BAN Combining

Legislation Title:

Ordinance authorizing the issuance of not to exceed \$5,600,000 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 that Council authorize and direct the preparation of legislation to issue \$5.6 million in Various Purpose Bond Anticipation Notes (BAN). It is estimated that the rate of interest will be nominal given the City's strong Aa1 bond rating. To accommodate the pricing of the BAN on April 13, a suspension of the second and third readings is requested. The settlement of the new BAN will be on April 27, 2021.

Background/Synopsis:

As in the past, combining of two issues into one issue allows the City to take advantage of better interest rates, which reduces the interest expense for the City while allowing the projects tied to the funding to continue. In 2017, the City issued \$5 million in BANs for the Water and Waste Water System Improvements. In 2019, the City issued an additional \$2 million in BANs for the Water System Improvements. The City will be paying \$500,000 towards the initial BAN, \$200,000 towards the 2019 BAN and renewing the remaining \$4.6 million. The 2017 Water System Improvements were for the Route 4 water main replacement and the Waste Water System Improvements were for replacement of the motor control center at the Sewer Plant. The 2019 Water System Improvements were for Donald Drive, Mack Road, Ross Road, and Seward Road. The 2021 Water System Improvements are for Winton Road and Resor Road and are currently estimated to cost \$1 million.

Financial Impact:

Issuing of the \$5.6 million in BANs will allow the Public Utilities Water Division Distribution System Improvements project as specified in the 2021-2025 Capital Improvement Program to proceed. The City anticipates the interest rate will be low due to our bond rating of Aa1. The short-term issuance will add to the City's nominal debt load of \$15.6 million.

Emergency Provision Explanation:

To accommodate bond pricing requirements.

Rule Suspension Requested:

Yes

Emergency Provision Needed:

Yes

Attachments:

1. \$5.6M City of Fairfield Various Purpose BANS Combining Legis_(20697889)_(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 \$5,600,000 Various Purpose Bond Anticipation Notes, Series 2021, dated the date of their issuance:

Mayor	_____
Finance Director	_____
City Manager	_____
Clerk of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Member of Council	_____
Law Director	_____

	Finance Director

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 \$5,600,000 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 (\$1,980,000); and (ii) making improvements to the waste water system, including installing a new motor control system (\$1,020,000); and (iii) constructing improvements to the water system, including water main replacements (\$1,600,000); and (b) making water improvements including water main replacement at Winton and Resor Road (\$1,000,000) , 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 _____, 2021.

Finance Director

ORDINANCE NO.**ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$5,600,000 OF VARIOUS PURPOSE BOND ANTICIPATION NOTES, SERIES 2021, 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 \$5,600,000 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 (\$1,980,000); and (ii) making improvements to the waste water system, including installing a new motor control system (\$1,020,000); and (iii) constructing improvements to the water system, including water main replacements (\$1,600,000); and (b) making water improvements including water main replacement at Winton and Resor Road (\$1,000,000); 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 \$5,600,000 bearing interest estimated at five per centum (5%) 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 (\$1,980,000); and (ii) making improvements to the waste water system, including installing a new motor control system (\$1,020,000); and (iii) constructing improvements to the water system, including water main replacements (\$1,600,000); and (b) making water improvements including water main replacement at Winton and Resor Road (\$1,000,000).

SECTION 2. That it is hereby determined that notes (hereinafter called the "Notes") in the principal amount of not to exceed \$5,600,000 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 four percent (4%) 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 \$5,000 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 2021," 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 \$4,600,000 Various Purpose Bond Anticipation Notes, Series 2019, 2021 Renewal; and not to exceed \$1,000,000 Water Improvement Bond Anticipation Notes.

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 a certificate acknowledging that the Original Purchaser will sell the notes to no more than 35 persons, each of whom the Original Purchaser reasonably believes (i) has such knowledge and experience in financial and business matters that it is capable of evaluating the merits and risks of the prospective investment and (ii) is not purchasing for more than one account or with a view to distributing the notes.

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 9. 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 10. 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 11. 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 12. 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 13. That the Finance Director is hereby directed to forward a certified copy of this Ordinance to the County Auditor.

SECTION 14. 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 15. 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 16. 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: _____, 2021.

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 _____, 2021.

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 _____, 2021.

Finance Director

RECEIPT

The undersigned, County Auditor of the Butler County, Ohio, acknowledges receipt of Ordinance No. ____ of the City of Fairfield, Ohio, on _____, 2021.

County Auditor

The Council of the City of Fairfield, Ohio, met in regular session, at .m., on the _____ day of _____, 2021, in Council Chambers, with the following members present:

There was presented and read to Council Ordinance No. _____, entitled:

**ORDINANCE AUTHORIZING THE ISSUANCE OF
NOT TO EXCEED \$5,600,000 OF VARIOUS
PURPOSE BOND ANTICIPATION NOTES, SERIES
2021, BY THE CITY OF FAIRFIELD, OHIO, IN
ANTICIPATION OF THE ISSUANCE OF BONDS,
AND DECLARING AN EMERGENCY.**

M _____ moved to suspend the rule requiring each ordinance or resolution to be read on three different days. M _____ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

M _____ then moved that Ordinance No. _____ be adopted. M_____. _____ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

The ordinance was declared adopted _____, 2021.

CERTIFICATE

The undersigned, Clerk of Council of said city, hereby certifies that the foregoing is a true and correct extract from the minutes of a meeting of the council of said city, held on the _____ day of _____, 2021, to the extent pertinent to consideration and adoption of the above-entitled legislation.

Clerk of Council



City Council Ordinance
Regular Meeting - March 22, 2021

Submitted by: Carol Mayhall,
 Submitting Department: City Manager's Office

Subject:

Classified Employees Wage Ordinance

Legislation Title:

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. 27-21 and all amendments thereto and declaring an emergency.

Recommendation:

This is a request for City Council to amend the Wage and Salary Ordinance for certain Classified employees.

Background/Synopsis:

The current collective bargaining agreement with the Fraternal Order of Police (FOP), Lodge #166 provides for a 2.5 % wage increase for all members of the bargaining unit effective April 1, 2021, and the collective bargaining agreement with the American Federation of State, County and Municipal Employees (AFSCME) provides a 2% increase effective April 1, 2021. In addition, the Part-Time Firefighter/Paramedic wages are increase by 2% in order to be competitive with other communities.

Financial Impact:

Funding is provided under the auspices of the approved 2021 Operating Budget.

Emergency Provision Explanation:

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

Rule Suspension Requested:

Yes

Emergency Provision Needed:

Yes

Attachments:

1. Hourly Ord 4-1-2021

ORDINANCE NO. _____

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. 27-21 AND ALL AMENDMENTS THERETO AND DECLARING AN EMERGENCY.

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

Sec. 1 Ordinance No. 27-21 and all amendments thereto and all other ordinances inconsistent herewith are hereby repealed as the respective sections of this Ordinance become effective as stated in Section 14 hereof. Changes from Ordinance No. 27-21 are shown in bold, with deletions in brackets.

Sec. 2 The salaries and hourly rates and related information contained herein are applicable only to those positions authorized in this Ordinance.

Sec. 3 The terms of the agreements of each bargaining unit of the City shall apply to all members of the bargaining unit, whether or not they are members of the union which represents that bargaining unit.

Sec. 4 All rates establish by this Ordinance shall either be the maximum authorized rate or the range for each respective position as shown.

Sec.5 In the department of General Government are the following classifications of jobs and rates of pay:

A. Civil Service Commission

One (1) Clerk of Commission (PT)		12.00-22.00 per hour
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B. Special Appropriations

One (1) Clerk I	[20.61-24.23]	21.03-24.71 PER HOUR
Two (2) Clerks (PT)		8.80-18.63 per hour

C. City Council

One (1) Clerk of Council (PT)		29,175-36,410 per annum
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Sec. 6 In the Department of Development Services there are the following classifications of jobs and rates of pay.

A. Division of Building and Zoning Inspection

One (1) Building Inspector*	[34.90-36.33]	35.60-37.06 PER HOUR
One (1) Heating Inspector*	[34.90-36.33]	35.60-37.06 PER HOUR
One (1) Electrical Inspector*	[34.90-36.33]	35.60-37.06 PER HOUR
One (1) Clerk II	[24.94-26.50]	25.44-27.03 PER HOUR
One (1) Clerk I	[20.61-24.23]	21.03-24.71 PER HOUR
Three (3) Zoning Inspector/Clerks	[24.94-26.50]	25.44-27.03 PER HOUR
One (1) Zoning Inspector/Clerk (PT)		8.80-18.63 per hour
One (1) Plans Reviewer (PT)		8.80-37.07 per hour
One (1) Electrical Inspector (PT/TEMP)		8.80-37.07 per hour

*Additional certifications in Building, Heating and/or Electrical other than that required in classification, add \$1.00 per hour.

Sec. 7 In the Finance Department are the following classifications of jobs and rates of pay:

A. Finance Administration/Financial Services

Two (2) Account Clerk II*	[24.94-26.50]	25.44-27.03 PER HOUR
Four (4) Account Clerk I	[20.61-24.23]	21.03-23.69 PER HOUR
Three (3) Clerk (PT)		8.80-18.63 per hour

B. Income Tax

One (1) Account Clerk II*	[24.94-26.50]	25.44-27.03 PER HOUR
Four (4) Account Clerk I	[20.61-24.23]	21.03-23.69 PER HOUR
One (1) Clerks (PT)		8.80-18.63 per hour

*Crew Leader position established to receive an additional \$.50 per hour.

Sec. 8 In the Police Department are the following classifications of jobs and rates of pay:

Ten (10) Sergeants	[44.48-48.03]	45.60-49.24 PER HOUR
Forty-Nine (49) Police Officers*	[27.72-42.70]	28.49-43.76 PER HOUR
Ten (16) Dispatchers **/****	[23.23-27.06]	23.69-27.60 PER HOUR
Eight (8) Dispatchers (PT)	[23.23-27.06]	23.69-27.60 PER HOUR
Four (4) Clerk II***	[24.94-26.50]	25.44-27.03 PER HOUR
Four (4) Clerk I	[20.61-24.23]	21.03-24.71 PER HOUR
One (1) Body Camera Analyst (PT)		12.00-24.60 per hour
One (1) Animal Control Officer	[21.12-24.76]	21.55-25.25 PER HOUR
One (1) Animal Control Officer (PT)	[21.12-24.76]	21.55-25.25 PER HOUR
One (1) Park Ranger****	[25.73-27.92]	26.25-28.48 PER HOUR
Five (5) Park Rangers (PT)	[25.73-27.92]	26.25-28.48 PER HOUR
Three (3) Police Services Aides (PT)		12.00-27.84 per hour
One (1) Receptionist (PT)		8.80-18.63 per hour

* A Police Officer assigned as Field Training Officer for a new Officer will be paid an additional \$2.00 per hour for hours worked in the company of the new Officer as long as the Field Training Officer remains responsible for the training of the new Officer.

** Dispatchers assigned training responsibilities will be paid an additional \$.50 per hour for the duration of the assignment.

*** Crew Leader position established to receive an additional \$.50 per hour.

**** Appointed Dispatch Foreman will be paid \$[31.83] 33.12 per hour.

Sec. 9 In the Fire Department are the following classifications of jobs and rates of pay:

Three (3) Captains***		34.99-37.18 per hour
Six (6) Lieutenants**/*** (See note below)		31.44-34.41 per hour
Twenty-Three (23) Firefighter/Paramedics */** (See note below)		20.26-31.95 per hour
Three (3) Captains (PT)		12.00-21.56 per hour
One (1) Lieutenant (PT)		12.00-19.58 per hour
One (1) Training Coordinator (PT)		12.00-25.17 per hour
One (1) Asst. Training Coordinator (PT)		8.80-19.58 per hour
Seventy-Five (75) Firefighter/EMT (PT)****	[17.15-19.41]	17.49-19.80 PER HOUR
Two (2) Safety Inspectors (PT)		12.00-20.06 per hour
One (1) Clerk II	[24.94-26.50]	25.44-27.03 PER HOUR

* Additional \$1.75 per hour paid when serving as Station Supervisor.

** Additional \$2.00 per hour paid when serving as Acting Captain.

*** Includes eligibility for a \$.50 merit bonus.

**** Additional \$.50 per hour when assigned to Medic Unit.

Note – The number of Fire personnel for these two (2) positions are per Letter of Understanding with IAFF effective 4/1/17 to 3/31/2020.

Sec. 10 In the Department of Public Works are the following classifications of jobs and rates of pay:

A. Construction Services

One (1) Clerk II	[24.94-26.50]	25.44-27.03 PER HOUR
One (1) Construction Inspector*		34.07-35.44 per hour
Two (2) Sidewalk Inspectors (PT)		8.80-18.63 per hour

*Construction Inspectors shall be compensated for one Water License and/or one Wastewater License achieved as follows:

Class I Water Distribution	\$.25	Class I Wastewater Collection	\$.25
Class II Water Distribution	\$.50	Class II Wastewater Collection	\$.50

B. Engineering Services

One (1) GIS-GPS Mapping Technician/Traffic Analyst		34.08-35.44 per hour
--	--	----------------------

C. Municipal Building Maintenance

One (1) Custodial Worker*	[21.61-23.99]	22.48-24.96 PER HOUR
One (1) Maintenance Worker/Laborer**	[23.29-32.40]	23.75-33.04 PER HOUR
One (1) Maintenance Electrician		27.46-32.92 per hour

*Crew Leader position established to receive an additional \$.50 per hour.

**Crew Leader positions established to receive an additional \$.50 per hour. Maintenance Worker/Laborer required to maintain proficiency on three or more pieces of equipment shall be compensated an additional \$.30 per hour while maintaining those proficiencies. A Maintenance Worker/Laborer required to maintain an Ohio Department of Agriculture Public Operator Spraying License, a National Swimming Pool Foundation Certified Pool/Spa Operator License, or an NRPA/OPRA National Playground Safety Inspector Certification will be compensated an additional \$.40 per hour.

D. Division of Streets and Transportation

Twenty-Two (22) Maintenance Worker/Laborers **/**	[23.29-32.40]	23.75-33.04 PER HOUR
Four (4) Laborers (Temp/PT)		8.80-18.63 per hour
One (1) Clerk II	[24.94-26.50]	25.44-27.03 PER HOUR

**Crew Leader positions established to receive an additional \$.50 per hour. Maintenance Worker/Laborer required to maintain proficiency on three or more pieces of equipment shall be compensated an additional \$.30 per hour while maintaining those proficiencies. A Maintenance Worker/Laborer required to maintain an Ohio Department of Agriculture Public Operator Spraying License, a National Swimming Pool Foundation Certified Pool/Spa Operator License, or an NRPA/OPRA National Playground Safety Inspector Certification will be compensated an additional \$.40 per hour.

***Traffic Signal Technician appointed by management to receive an additional \$1.00 per hour.

E. Municipal Garage

Four (4) Mechanics*	[26.16-30.71]	26.56-31.17 PER HOUR
One (1) Clerk II	[24.94-26.50]	25.44-27.03 PER HOUR

* Mechanic Foreman position to receive an additional \$1.45 per hour and Crew Leader position to receive an additional \$.50 per hour.

Sec. 11 In the Department of Parks & Recreation there are the following classifications of jobs and rates of pay.

A. Administration and Recreation

One (1) Clerk II**	[24.94-26.50]	25.44-27.03 PER HOUR
One (1) Clerk I	[20.61-24.23]	21.03-24.71 PER HOUR
Five (5) Clerks (PT)		8.80-18.63 per hour
Six (6) Recreation Programmers (PT)		8.80-21.42 per hour
One (1) Farmer's Market Supervisor (PT)		8.80-21.42 per hour
Four (4) Facility Attendants (PT)		8.80-18.63 per hour
Five (5) Cashiers (PT)		8.80-18.63 per hour
Forty (40) Recreation Leaders (PT)		8.80-18.63 per hour

**Crew Leader position(s) established to receive an additional \$.50 per hour.

B. Parks and Recreation Maintenance

Eight (8) Maintenance Worker/Laborers**	[23.29-32.40]	23.75-33.04 PER HOUR
Sixteen (16) Laborers (Temp/PT)		8.80-18.63 per hour

**Crew Leader positions established to receive an additional \$.50 per hour. Maintenance Worker/Laborer required to maintain proficiency on three or more pieces of equipment shall be compensated an additional \$.30 per hour while maintaining those proficiencies. A Maintenance Worker/Laborer required to maintain an Ohio Department of Agriculture Public Operator Spraying License, a National Swimming Pool Foundation Certified Pool/Spa Operator License, or an NRPA/OPRA National Playground Safety Inspector Certification will be compensated an additional \$.40 per hour.

C. Marsh Fishing Lake

One (1) Fishing Lake Supervisor (PT)		8.80-21.42 per hour
Eight (8) Cashiers (PT)		8.80-18.63 per hour

D. Recreation Center – Swimming Pool

One (1) Pool Supervisor (Temp)		8.80-21.42 per hour
Two (2) Senior Lifeguards (Temp)		8.80-18.63 per hour
Forty-Four (44) Lifeguards (Temp)		8.80-18.63 per hour
Two (2) Cashiers (PT)		8.80-18.63 per hour

E. Recreation Center – Golf Course

One (1) Turf Mechanic/Maintenance Worker	[24.71-30.70]	25.21-31.32 PER HOUR
One (1) Greenskeeper*	[28.74-31.42]	29.32-32.04 PER HOUR
Seventeen (17) Laborers (Temp/PT)		8.80-18.63 per hour
Four (4) Pro Shop Supervisors (PT)		8.80-21.42 per hour
Fifty (50) Cashiers (PT)		8.80-18.63 per hour

*Crew Leader position established to receive an additional \$.50 per hour.

**Crew Leader position(s) established to receive an additional \$.50 per hour. Maintenance Worker/Laborer required to maintain proficiency on three or more pieces of equipment shall be compensated an additional \$.30 per hour while maintaining those proficiencies. A Maintenance Worker/Laborer required to maintain an Ohio Department of Agriculture Public Operator Spraying License, a National Swimming Pool Foundation Certified Pool/Spa Operator License, or an NRPA/OPRA National Playground Safety Inspector Certification will be compensated an additional \$.40 per hour.

Sec. 12 In the Department of Public Utilities are the following classifications of jobs and rates of pay:

A. Wastewater Division

One (1) Clerk II	[24.94-26.50]	25.44-27.03 PER HOUR
Two (2) Laboratory Technicians **** (55% of wages charged to Sewer Fund; 45% charged to Water Fund.)		23.89-34.91 per hour
One (1) Construction Inspector*		34.07-35.44 per hour
Sixteen (16) Operator/Maintenance Workers */***		24.19-33.79 per hour
One (1) Maintenance Electrician		27.46-32.92 per hour
Two (2) Laborers (PT)		8.80-18.63 per hour

*Construction Inspectors shall be compensated for one Water License and/or one Wastewater License achieved as follows:

Class I Water Distribution	\$.25	Class I Wastewater Collection	\$.25
Class II Water Distribution	\$.50	Class II Wastewater Collection	\$.50

***Chief Operator, Maintenance Foreman and Collection Foreman to receive \$1.50 over their regular rate of pay. Assistant Collection Foreman and Assistant Maintenance Foreman to receive \$.75 per hour added to their regular rate of pay. Crew Leader position(s) established to receive an additional \$.30 per hour.

****Laboratory Technicians with Class III Water Plant Operator License or Voluntary Wastewater Lab Certifications to receive an additional \$.50 per hour each. Lab Supervisor to receive \$1.25 per hour in addition to regular rate of pay.

B. Water Division

One (1) Clerk II	[24.94-26.50]	25.44-27.03 PER HOUR
Three (3) Meter Readers**/**** (55% of wages charged to Water Fund; 45% charged to Sewer Fund.)	[26.11-27.49]	26.63-28.04 PER HOUR
Fifteen (15) Operator/Maintenance Workers */****	[24.71-33.75]	25.21-34.43 PER HOUR
One (1) Maintenance Electrician		27.46-32.92 per hour
Two (2) Laborers (PT)		8.80-18.63 per hour

*Chief Operator and Foreman positions to receive \$1.45 over their regular rate of pay.

**Crew Leader position(s) established to receive an additional \$.50 per hour.

***An employee in the Meter Reader classification in the Water Division shall be compensated for one Water Supply License and/or one Water Distribution License as follows, unless one license should supersede the other, then the employee's hourly rate will only reflect the license(s) that are current.

Class I Water Supply	\$0.50	Class I Water Distribution	\$.25
Class II Water Supply	\$1.00	Class II Water Distribution	\$.50
Class III Water Supply	\$1.50		

Sec. 13 There shall be established a labor pool of temporary or part-time employees who will be eligible to work at any time within the duration of this Ordinance. These temporary/part-time employees may work in any City department and their wages will be charged to the department to which they are assigned. The following temporary or part-time positions are established.

Twenty-Five (25) Employees (Temp or PT)	8.80-18.63 per hour
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Sec. 14 The salaries, rates and conditions established by Sections 5-13 of this Ordinance shall be effective from and after the dates specified in the Union contracts for employees included in bargaining units and at the earliest date allowed by law, for all other employees. Until the rates are changed, the former rates shall apply. Notwithstanding any other provisions of this Ordinance, an employee

under the age of sixteen (16) may be paid a wage rate less than the Ohio Minimum Wage Rate provided such rate is not less than that established under the Fair Labor Standards Act or its successor law.

Sec. 15 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.

Sec. 16 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



City Council Ordinance
Regular Meeting - March 22, 2021

Submitted by: Alisha Wilson, Clerk
 Submitting Department: Clerk

Subject:

Contractual Appropriations

Legislation Title:

Ordinance to amend Ordinance No. 109-20 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, 2021, and ending December 31, 2021."

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.

\$59,768 for purchase of road salt (existing contract - Cargill, Inc.);
 \$125,000 for 2021 Sidewalk Program (existing contract - Prus Construction).

Financial Impact: \$184,768.00 from noted funding source.

Rule Suspension Requested:

Yes

Emergency Provision Needed:

No

Attachments:

1. ContractualAppropriations.032221
2. Contractual 3-22-Ord



City Council Ordinance
Regular Meeting - March 22, 2021

Submitted by: Ben Mann,
 Submitting Department: Public Works

Subject:

Approval of funding for purchase of additional road salt from Cargill, Incorporated

Legislation Title:

Approval of funding for purchase of additional road salt from Cargill, Incorporated

Recommendation:

It is recommended that City Council authorize and direct the preparation of legislation for funding in the amount of \$59,768 from the Street Construction, Maintenance, & Repair Fund for the purchase of road salt.

Background/Synopsis:

The purchase of road salt is made under the existing contract in conjunction with the Butler County Engineer's Office.

The Public Works Department, in order to obtain better pricing and service, has participated in bidding submitted in conjunction with the Butler County Engineer's Office for the City's salt purchases. The county contract for 2020 includes Butler County Engineer's Office, Butler County Water and Sewer, as well as participating Cities, Villages, and Townships within Butler County.

The Butler County contract was awarded to Cargill, Incorporated at the price of \$74.71 per ton for road salt dumped at our Public Works facility. This cost was an increase of only 2% from the \$73.21 per ton price in 2019. The price was \$62.98 in 2018. The price was \$58.73 per ton in 2017. The price was \$68.42 per ton in 2016, \$74.19 per ton in 2015, \$66.71 per ton in 2014 and \$64.22 per ton in 2013. Cargill, Inc. has been the low bidder since 2013.

Financial Impact:

Funding for routine purchases of road salt during the snow season is included in the operating budget for the Public Works Street Division.

\$59,768 is being requested from the Street Construction, Maintenance, & Repair Fund. An additional 800 tons is estimated to fully stock the salt barn at \$74.71 per ton.

Emergency Provision Explanation:

None requested.

Rule Suspension Requested:

No

Emergency Provision Needed:

No



City Council Ordinance
Regular Meeting - March 22, 2021

Submitted by: Ben Mann,
 Submitting Department: Public Works

Subject:

Trip Hazard Sidewalk Repair Via Cutting – 2021 Sidewalk Program

Legislation Title:

Trip Hazard Sidewalk Repair Via Cutting – 2021 Sidewalk Program

Recommendation:

It is recommended that City Council authorize an appropriation of \$25,000.00 from the General Fund for sidewalk repair by Precision Concrete.

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 394 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 \$60.00 per cut for 2021.

The project is programmed in the 2021-2025 CIP as 1PW16.

Financial Impact:

\$25,000.00 from the General Fund (\$23,640.00 with a contingency of \$1,360.00).

Emergency Provision Explanation:

None requested.

Rule Suspension Requested:

No

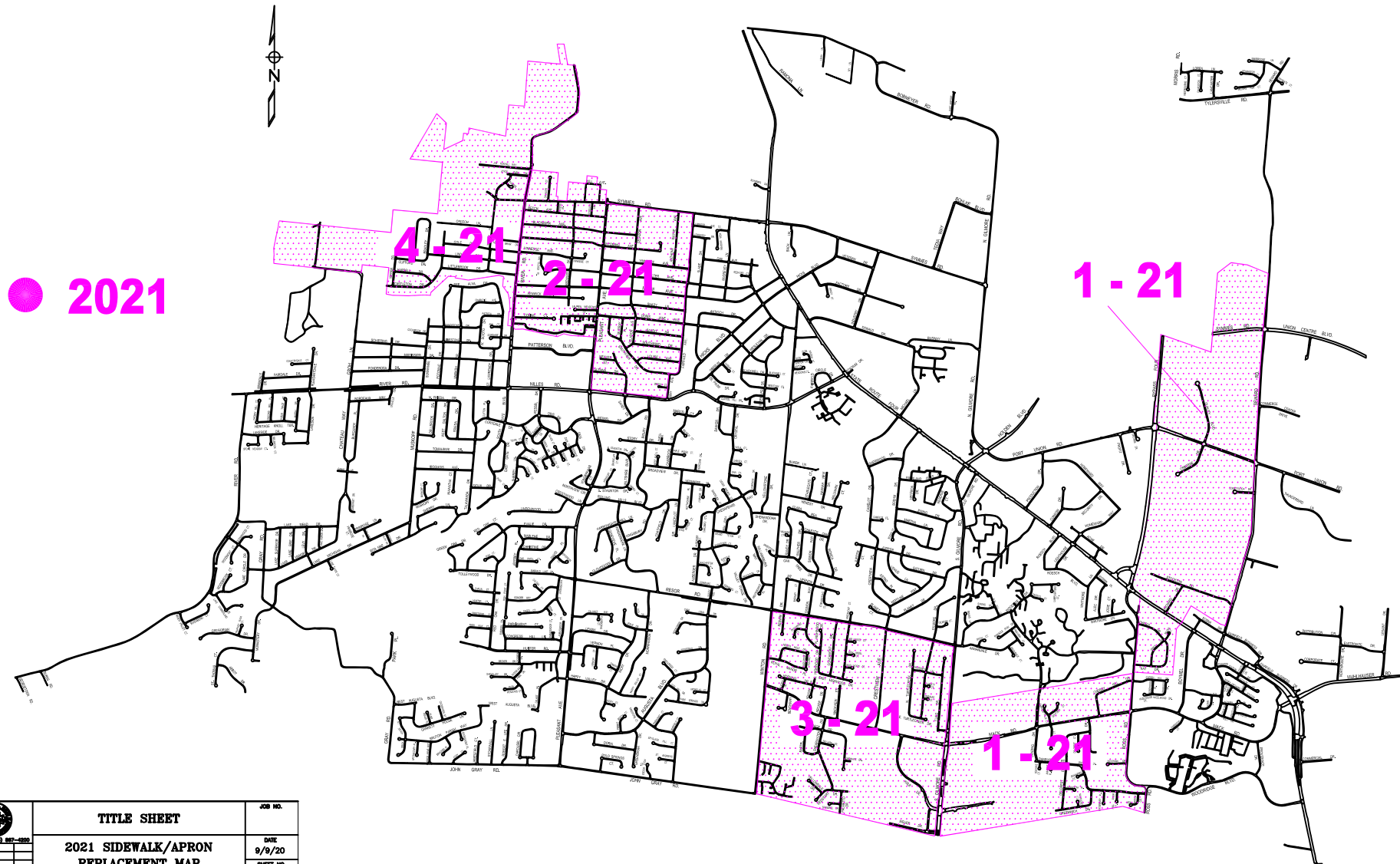
Emergency Provision Needed:

No

Attachments:

1. 2021 Sidewalk Program

Sidewalk Replacement Program



CITY OF FAIRFIELD		TITLE SHEET		JOB NO.
2021 North Orange Road Fairfield, Ohio 43103-5857-5858		2021 SIDEWALK/APRON REPLACEMENT MAP		DATE 9/9/20
NO. DATE REVISIONS BY		FAIRFIELD, OHIO		SHEET NO. 1/1
SCALE	DESIGN-APPROVAL	DRAWN	CHECKED	
1/2" = 1'	NSC	NSC		

Attachment: ContractualAppropriations.032221 [Revision 1] (1773 : Contractual Appropriations)

ORDINANCE NO. _____

ORDINANCE TO AMEND ORDINANCE NO. 109-20 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, 2021, AND ENDING DECEMBER 31, 2021.”

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

Section 1. Ordinance No. 109-20, the 2021 Appropriation Ordinance, is hereby amended in the following respects:

From: Unappropriated General Fund \$125,000

To: 10012523-233900 Other Professional Services \$125,000
(2021 Annual Sidewalk/Apron Program 1PW16)

**From: Unappropriated Street Construction, \$59,768
Maintenance & Repair Fund**

To: 20142024-248100 Road Salt & Chemicals \$59,768

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

Attachment: Contractual 3-22-Ord [Revision 1] (1773 : Contractual Appropriations)

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\2021\Contractual 3-22-Ord

Attachment: Contractual 3-22-Ord [Revision 1] (1773 : Contractual Appropriations)



City Council Ordinance
Regular Meeting - March 22, 2021

Submitted by: Alisha Wilson, Clerk
 Submitting Department: Clerk

Subject:

Non-Contractual Appropriations

Legislation Title:

Ordinance to amend Ordinance No. 109-20 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, 2021, and ending December 31, 2021."

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.

\$4,000 for 6" EQ Basin Valve Replacement;
 \$15,000 for Fire Hydrant replacement;
 \$110,000 for 5742 River Road improvements (various vendors);
 \$14,300 for Muskopf Booster Pump Station Variable Frequency Drives;
 \$30,000 for North Spent Lime Sludge Pumps;
 \$25,000 for 2021 Sidewalk Program trip hazard sidewalk repair via cutting;
 \$11,720 for concrete repairs at Wastewater Plant.

Financial Impact: \$210,020.00 from noted funding source.

Rule Suspension Requested:

Yes

Emergency Provision Needed:

No

Attachments:

1. NonContractualAppropriations.032221
2. NonContractual 3-22-Ord



City Council Information Item
Regular Meeting - March 22, 2021

Submitted by: Jason Hunold,
 Submitting Department: Public Utilities

Subject:

6" EQ Basin Valve Replacement

Legislation Title:

6" EQ Basin Valve Replacement

Background/Synopsis:

In the mid 1990's the Wastewater Division constructed a Relief Sewer System, a twenty-five (25) Million Gallon a Day (MGD) Lift Station and Flow Equalization Basins in order to meet regulatory obligations. This Relief Sewer System is used to divert extraneous wastewater flow, caused by heavy rainfall, to the City's Broadview Lift Station. The Broadview Lift Station is utilized to pump the wastewater to the Wastewater Treatment Plant's equalization basins where the wastewater can then be introduced to the treatment process when flows subside and when plant operational staff deem necessary. The basins are equipped with a total of six (12) valves, three 6" inch valves and three 12" inch valves which are used to control wastewater flow to the wastewater plant. The three (3) 6" inch valves have exceeded their life expectancy and are in need of replacement. Wastewater Division staff will replace the valves in-house. A proposal for the replacement of the valves is attached for review.

Financial Impact:

An appropriation in the amount of \$4,000.00 is being requested for the purchase of replacement valves for the Wastewater Division's Equalization Basins.

Funding for this project was included in the approved 2020-2024 Capital Improvement Program (CIP) under project number 1WW21, EQ Basin Valve Replacement. The funding source is the Sewer Replacement & Improvement Fund. The project is also included in the draft 2021-2025 CIP budget under project number 1WW15, EQ Basin Valve Replacement, pending Council approval.

Attachments:

1. Fairfield OH WWTP 6 inch Plug Valves 03.21



300 Milford Parkway • Milford, OH 45150
(513) 965-5300 Phone • (513) 965-5314 Fax • (800) 543-7180 Toll-free
www.rawdonmyers.com

March 10, 2021

City of Fairfield, OH WWTP

Attn: Randy Hassler

Re: DeZURIK Plug Valves

We are pleased to quote as follows:

Qty. (3) 6" DeZurik plug valve, cast iron body and resilient coated plug, nickel seat, with 2" operating nut
...\$862.00 net ea.

Qty. (3) Set of 304 Stainless Steel 2" Nut Couplings for Schedule 10 Pipe (2.375" OD / 2.157" ID)
...\$365.00 net ea.

Qty. (3) Set of Cast Iron 2" Nut Couplings for Schedule 10 Pipe (2.375" OD / 2.157" ID)
...\$105.00 net ea.

Prices include delivery by RMI truck.

Please let me know if you have any questions.

Best Regards,

Jim Steele
Rawdon Myers, Inc.

Attachment: NonContractualAppropriations.032221 (1772 : Non-Contractual Appropriations)



City Council Information Item
Regular Meeting - March 22, 2021

Submitted by: Matt Young,
Submitting Department: Public Utilities

Subject:

Fire hydrant appropriation

Legislation Title:

Fire hydrant appropriation

Background/Synopsis:

This project is designed to replace fire hydrants that are older and/or hydrants that are difficult to repair due to obsolete replacement parts. Older hydrants are identified via routine asset evaluations, and/or when roadway or other capital improvement projects are performed. A number of fire hydrants are also replaced as needed due to traffic accidents.

The appropriation will provide a source of revenue to purchase replacement fire hydrants through the City's normal purchasing procedures. Two quotes were received and are attached for Council review. The City proposes to procure the equipment from Ferguson Waterworks, which provided the lowest and best quote.

Financial Impact:

An appropriation in the amount of \$15,000.00 is being requested for the purchase of fire hydrants for the Water Division. 2021 funding for this project was included in the 2020-2024 Capital Improvement Program (CIP), under project 1WT09 REPLACE FIRE HYDRANTS and also the 2021-2025 CIP pending council approval. The funding source is the Water Surplus Fund.

Attachments:

1. 2021 Hydrants - Ferguson and Core - Main



FEL-CINCINNATI, OH WW (F528)
11860 MOSTELLER ROAD
CINCINNATI, OH 45241-1525

Phone: 513-942-2525
Fax: 513-942-2533

Deliver To:
From: Bryan Melcher
Comments:

11.E.6.a

08:15:47 FEB 22 2021

Page 1 of 1

FEL-FERGUSON WATERWORKS #527

Price Quotation
Phone: 513-942-2525
Fax: 513-942-2533

Bid No: B439256
Bid Date: 02/22/21
Quoted By: BEM

Cust Phone: 513-867-5300
Terms: NET 10TH PROX

Customer: CITY OF FAIRFIELD
5021 GROH LANE
FAIRFIELD, OH 45014

Ship To: CITY OF FAIRFIELD
5021 GROH LANE
FAIRFIELD, OH 45014

Cust PO#:

Job Name: 15K MUE HYDS

Item	Description	Quantity	Net Price	UM	Total
MA423LAOLRSTZY	5-1/4 A423 HYD 4'6 OL L/A STZ YEL	7	2142.700	EA	14998.90
Net Total:					\$14998.90
Tax:					\$0.00
Freight:					\$0.00
Total:					\$14998.90

Quoted prices are based upon receipt of the total quantity for immediate shipment (48 hours). SHIPMENTS BEYOND 48 HOURS SHALL BE AT THE PRICE IN EFFECT AT TIME OF SHIPMENT UNLESS NOTED OTHERWISE. QUOTES FOR PRODUCTS SHIPPED FOR RESALE ARE NOT FIRM UNLESS NOTED OTHERWISE.

CONTACT YOUR SALES REPRESENTATIVE IMMEDIATELY FOR ASSISTANCE WITH DBE/MBE/WBE/SMALL BUSINESS REQUIREMENTS.

Seller not responsible for delays, lack of product or increase of pricing due to causes beyond our control, and/or based upon Local, State and Federal laws governing type of products that can be sold or put into commerce. This Quote is offered contingent upon the Buyer's acceptance of Seller's terms and conditions, which are incorporated by reference and found either following this document, or on the web at <https://www.ferguson.com/content/website-info/terms-of-sale>
Govt Buyers: All items are open market unless noted otherwise.

LEAD LAW WARNING: It is illegal to install products that are not "lead free" in accordance with US Federal or other applicable law in potable water systems anticipated for human consumption. Products with *NP in the description are NOT lead free and can only be installed in non-potable applications. Buyer is solely responsible for product selection.



HOW ARE WE DOING? WE WANT YOUR FEEDBACK!

Scan the QR code or use the link below to
complete a survey about your bids:

<https://survey.medallia.com/?bidsorder&fc=528&on=15755>

Packet Pg. 148

Attachment: NonContractualAppropriations.032221 (1772 : Non-Contractual Appropriations)



Bid Proposal for FAIRFIELD FIRE HYDRANT

CITY OF FAIRFIELD WATER DEPT

Bid Date: 02/19/2021

Core & Main 1686762

Core & Main

3165 Production Dr

Fairfield, OH 45014

Phone: 513-942-1395

Fax: 513-942-1396

Seq#	Qty	Description	Units	Price	Ext Price
10	6	A423 4'6" FAIRFIELD OH YELLOW 5-1/4VO 6MJ 3W W/STORZ 423-541287	EA	2,357.50	14,145.00
				Sub Total	14,145.00
				Tax	0.00
				Total	14,145.00

Branch Terms:

UNLESS OTHERWISE SPECIFIED HEREIN, PRICES QUOTED ARE VALID IF ACCEPTED BY CUSTOMER AND PRODUCTS ARE RELEASED BY CUSTOMER FOR MANUFACTURE WITHIN THIRTY (30) CALENDAR DAYS FROM THE DATE OF THIS QUOTATION. CORE & MAIN LP RESERVES THE RIGHT TO INCREASE PRICES UPON THIRTY (30) CALENDAR DAYS' NOTICE TO ADDRESS FACTORS, INCLUDING BUT NOT LIMITED TO, GOVERNMENT REGULATIONS, TARIFFS, TRANSPORTATION, FUEL AND RAW MATERIAL COSTS. DELIVERY WILL COMMENCE BASED UPON MANUFACTURER LEAD TIMES. ANY MATERIAL DELIVERIES DELAYED BEYOND MANUFACTURER LEAD TIMES MAY BE SUBJECT TO PRICE INCREASES AND/OR APPLICABLE STORAGE FEES. THIS BID PROPOSAL IS CONTINGENT UPON BUYER'S ACCEPTANCE OF SELLER'S TERMS AND CONDITIONS OF SALE, AS MODIFIED FROM TIME TO TIME, WHICH CAN BE FOUND AT: <https://coreandmain.com/TandC/>

Attachment: NonContractualAppropriations.032221 (1772 : Non-Contractual Appropriations)

Qty 7

\$16,502.5



City Council Ordinance
Regular Meeting - March 22, 2021

Submitted by: Tiphany Howard,
 Submitting Department: Parks

Subject:

Improvement and Related Funds for 5742 River Road Property

Legislation Title:

Insert Legislation Title

Recommendation:

It is necessary for City Council to authorize the City Manager to release the remaining funds of \$110,000 in the CIP project 1PR20 for the completion of the property improvements and other acquisition expenses.

Background/Synopsis:

The 5742 River Road Acquisition has received grant funding from the OPWC District 10 which will cover approximately 70% of the total project cost (\$300,000) which has been scheduled and approved in the Capital Improvement Plan as project 1PR20. The remaining funding of \$110,000 includes site improvements and acquisition expenses in addition to the \$190,000 purchase cost. The remaining funds for site improvements will not exceed \$50,000 for any one item, therefore a formal bidding process will not be necessary.

Financial Impact:

The remaining \$110,000.00 from the Capital Fund, Project 1PR20 of the \$300,000 that was programmed.

Emergency Provision Explanation:

In order for the contract to be executed and preparations to begin site improvements, a suspension of rules and emergency provision is being requested.

Rule Suspension Requested:

Yes

Emergency Provision Needed:

Yes

Attachment: NonContractualAppropriations.032221 (1772 : Non-Contractual Appropriations)



City Council Information Item
Regular Meeting - March 22, 2021

Submitted by: Jason Hunold,
Submitting Department: Public Utilities

Subject:

Muskopf BPS VFD

Legislation Title:

Muskopf BPS VFD

Background/Synopsis: The Water Distribution System is constructed with three (3) Booster Pump Stations (BPS) which are utilized to distribute water to designated pressure zones and elevated storage tanks. These stations have been constructed with pumps, controls and various pumping components, valves, check valves, etc. The Water Division is currently making Distribution System improvements promoting automated operation of the system. The need exists to install Variable Frequency Drives (VFD's) at the Muskopf BPS in order to automate the operation of the station and to provide a safety measure to help prevent a surge in back pressure during power outages. Public Utility staff will install the VFD's in-house. A cost estimate for the VFD's is attached for review.

Financial Impact: An appropriation in the amount of \$14,300.00 is being requested for the purchase of Variable Frequency Drives for the Muskopf Booster Pump Station.

Funding for this project was included in the approved 2020-2024 Capital Improvement Program (CIP) under project 1WT08, Booster Pump Station Improvements. The project is also included in the draft 2021-2025 CIP budget, pending City Council approval. The funding source is the Water Replacement and Improvement Fund.

Attachments:

1. Muskopf VFDs

F.D. LAWRENCE ELECTRIC CO.

ELECTRICAL DISTRIBUTION, AUTOMATION AND LIGHTING EQUIPMENT

THE F.D. LAWRENCE ELECTRIC CO.
 5582 LIMABURG ROAD
 BURLINGTON, KY 41005
 Phone 859-283-5550
 Fax 859-283-2137

QUOTE TO:

CITY OF FAIRFIELD
 ATTN FINANCE DEPT
 5350 PLEASANT AVE
 FAIRFIELD, OH 45014

SHIP TO:

CITY OF FAIRFIELD
 ATTN FINANCE DEPT
 5350 PLEASANT AVE
 FAIRFIELD, OH 45014



11.E.6.a

Quotation

EXPIRATION DATE	QUOTE NUMBER
04/18/2021	S100697628
THE F.D. LAWRENCE ELECTRIC CO. 5582 LIMABURG ROAD BURLINGTON, KY 41005 Phone 859-283-5550 Fax 859-283-2137	PAGE NO.
	1 of 1

CUSTOMER NUMBER	CUSTOMER PO NUMBER	JOB NAME / RELEASE NUMBER	SALESPERSON		
1137	Q-Soft Starter Replacement		RODGERS BASTIN		
WRITER		SHIP VIA	TERMS	SHIP DATE	FREIGHT ALLOWED
Vern Bastin		OT OUR TRUCK	PASS ALONG 10TH	03/04/2021	No
ORDER QTY	DESCRIPTION			UNIT PRICE	EXT PRICE
2ea	SQD ATV630D90N4 ATV630 IP21/TYPE1 460V - 125HP NORMAL DUTY / 100HP HEAVY DUTY			6147.160/ea	12294.32
2ea	SQD VW3A1112 REMOTE MTG KIT			63.673/ea	127.35
2ea	SQD VW3A1104R30 3M CABLE REM 61/71			33.416/ea	66.83
2ea	TCI SLK11 - Lug Kit for Line Reactor Nonstock Item at FDL			51.540/ea	103.08
2ea	SQD VFD-PLC STARTUP SERVICE Nonstock Item at FDL Factory Authorized Start up by FDL gives additional 2 yr warranty from the date of Start-up.			300.000/ea	600.00
2ea	TCI KDRG3H - 480VOLT 5% LINE REACTOR 125HP Nonstock Item at FDL			552.661/ea	1105.32
Taxes not included, they will be included on invoices when applicable!				Subtotal	14296.90
				S&H Charges	0.00
				Amount Due	14296.90

Attachment: NonContractualAppropriations.032221 (1772 : Non-Contractual Appropriations)



City Council Information Item
Regular Meeting - March 22, 2021

Submitted by: Jason Hunold,
 Submitting Department: Public Utilities

Subject:

North Spent Lime Sludge Pumps

Legislation Title:

North Spent Lime Sludge Pumps

Background/Synopsis:

The Water Division's North Spent Lime Wemco Torque-Flow Sludge pumps are failing and in need of immediate replacement. Water Division Staff desires to procure identical-model Wemco pumps for system compatibility purposes. City staff will perform the replacement of the pumps in house.

The City of Fairfield Water Treatment Plant utilizes the Lime Softening water treatment process to soften raw water withdrawn from the Great Miami Buried Valley Aquifer. Slaked lime, in the form of calcium hydroxide, is added to raw water in the treatment plant's clarifiers, to increase the pH of the water in order to remove mineral hardness (calcium and magnesium) via chemical precipitation. The residual spent lime, in slurry form, is pumped from the clarifiers to the City's three (3) onsite lime sludge lagoons where the material dries to a semi-solid state. The material is ultimately beneficially reused as a flue gas desulfurization agent at a coal-fired power generation facility.

The City proposes to procure the replacement pumps from Sullivan Environmental Technologies, per the attached quote and sole source procurement letter. The City will procure two SFD4-V pumps as listed on the attached quote.

Financial Impact:

An appropriation in the amount of \$30,000.00 is being requested for the replacement of the Water Division's North Spent Lime Sludge pumps.

Funding for this project was included in the approved 2020-2024 Capital Improvement Program (CIP) under project 1WT04, Pump Overhaul/Replacement Program. The project is also included in the draft 2021-2025 CIP budget, pending City Council approval. The funding source is the Water Surplus Fund.

Attachments:

1. Complete Trillium Quote

2. Sole Source - Fairfield, OH



If you wish to place an order
please address to "Trillium Pumps USA Inc. C/O Sullivan Environmental Technologies" and forward to this office for
processing.

****All PO's must state End User name and address if different from shipping****

Customer:	Jason Hunold / Fairfield, OH WTP	<u>Price Quote</u> <u>12/17/2020</u>
Phone/Fax:		
Email:		

<i>Manufacturer:</i>		Trillium (Wemco)			
Item	Qty	Description	Unit Price	Ext. Price	Avail.
1	2	SFD4-V Horizontal Screw Flow Pump	\$14,141.00	\$28,282.00	12-14 weeks
2	2	SFE5-H Horizontal Screw Flow Pump	\$20,402.00	\$40,804.00	12-14 weeks
3	1	Estimated Freight	\$1,308.00	\$1,308.00	
See Attached for Complete Details					
Sullivan Environmental Technologies, Inc.			Total: \$70,394.00		

Prices quoted are FOB factory, freight prepay and add. Terms are Net 30 days. Pricing valid for 60 days and exclude any applicable taxes.

Trillium Pumps USA Inc



Quotation Summary

03 Sep 2020

Sullivan Environmental Technologies
309 Artillery Park Dr.
Ft. Mitchell, KY 41017

Quotation number: 1229919
Revision:

Attn:

Project: Fairfield, OH Screw-Flow Replacements

Your reference:

The following is a price summary for this quotation. Please see item specific pages for more details.

Item number	Service	Size	Unit Price	Unit Freight	Qty	Extended Price
001: Complete Pump Package Replacement	SN 98X19013 & 98X19015	SFD4-V Horizontal	\$ 14,141	\$ 308	2	\$ 28,898
002: Complete Pump Package Replacement	SN 8310224-1 & 8310224-2	SFE5-H Horizontal	\$ 20,402	\$ 346	2	\$ 41,496
Grand Total						\$ 70,394

PUMP FEATURES: All Trillium Pumps USA INC are designed to reduce maintenance costs through greater pump reliability and improved mean time between failure.

SCOPE OF SUPPLY: Only that material detailed in this quotation is being offered. No assumptions should be made that anything not specifically specified is included.

QUALITY STANDARDS: Trillium Pumps USA INC is an ISO 9001:2015 certified plant.

VALIDITY: This offer is valid for 60 days from date issued. Quoted prices will be held firm through shipment if order is released for manufacture within 60 days from order entry date.

PRICE: Price quoted is for all items purchased at one time. In the event of a partial order, we will review and adjust accordingly.

SHIPMENT: Approximately 12-14 weeks after receipt of approved purchase order and/or final approval of submittal and drawings.

START-UP: Not included.

TERMS AND CONDITIONS: This quotation is conditioned on Buyer's acceptance of the Seller's General Terms and Conditions of Sale (attached hereto as GSD-30, Rev 10.2019) and Seller's Warranty (attached hereto as GSD-31, Rev 10.2019). Any modification to these terms and conditions may result in a price and/or delivery impact.

PAYMENT TERMS: 100% Net 30 days (subject to credit approval). Purchase orders must be made out to Trillium Pumps USA INC.

Attachment: NonContractualAppropriations.032221 (1772 : Non-Contractual Appropriations)

Customer Price Sheet

Customer	Sullivan Environmental Technologies	Size / Stages	SFD4-V Horizontal / 1
Item number	001: Complete Pump Package Replacement	Pump speed	1,720
Customer reference		Quote number	1229919

Totals

Grand Total	\$ 28,898	Lead Time Total	N/A
Pump	\$ 28,898	Total unit weight	423.0 lb

Pump

Qty	Description	Unit Price	Extended Price
2	<i>SFD4-V Horizontal</i> Wet End Pump Options Cast Iron Case Liner Material High Chrome Liner (non-regulable) Grooved Liner Buna Wet End O-rings Steel Pump Hardware High Chrome Impeller Bearing Frame Bearing Frame Cast Iron Bearing Frame BFDOW Bearing Frame Pump Sealing Pump sealing Seal Type: Tandem Mechanical Seal AES Tandem Mechanical Seal Cast iron seal housing Driver Motors Trillium Supplied Motor: Trillium Supplied Motor 10HP 215T 1800RPM Premium Efficiency TEFC Horizontal motor All motors are sized and selected in accordance with Hydraulic Institute Grade 2 - 2B performance test acceptance grades and tolerances which adds 8% to the rated horsepower requirement of the pump. This calculation has not changed the rated horsepower or efficiency shown on the Performance Data Sheet. View the link for more information from Hydraulic Institute. Motor manufacturer - Trillium Standard Baseplate and Drive Belt Drive Baseplate - Side Mount Steel Baseplate Trillium Standard Baseplate Design Steel Baseplate Hardware Fiberglass/Polyethylene Guards SN 98X19013 Right Hand Side Mount Motor SN 98X19015 Left Hand Side Mount Motor Belts and Sheaves Variable Speed Belts and Sheaves - Stationary Control Protective Coatings Paint type Epoxy 2 Coat Paint - Blue (Prime and Top Coat) Unless otherwise noted all motors will receive top coat only of specified paint	\$ 14,449	\$ 28,898

Attachment: NonContractualAppropriations.032221 (1772 : Non-Contractual Appropriations)

Pump

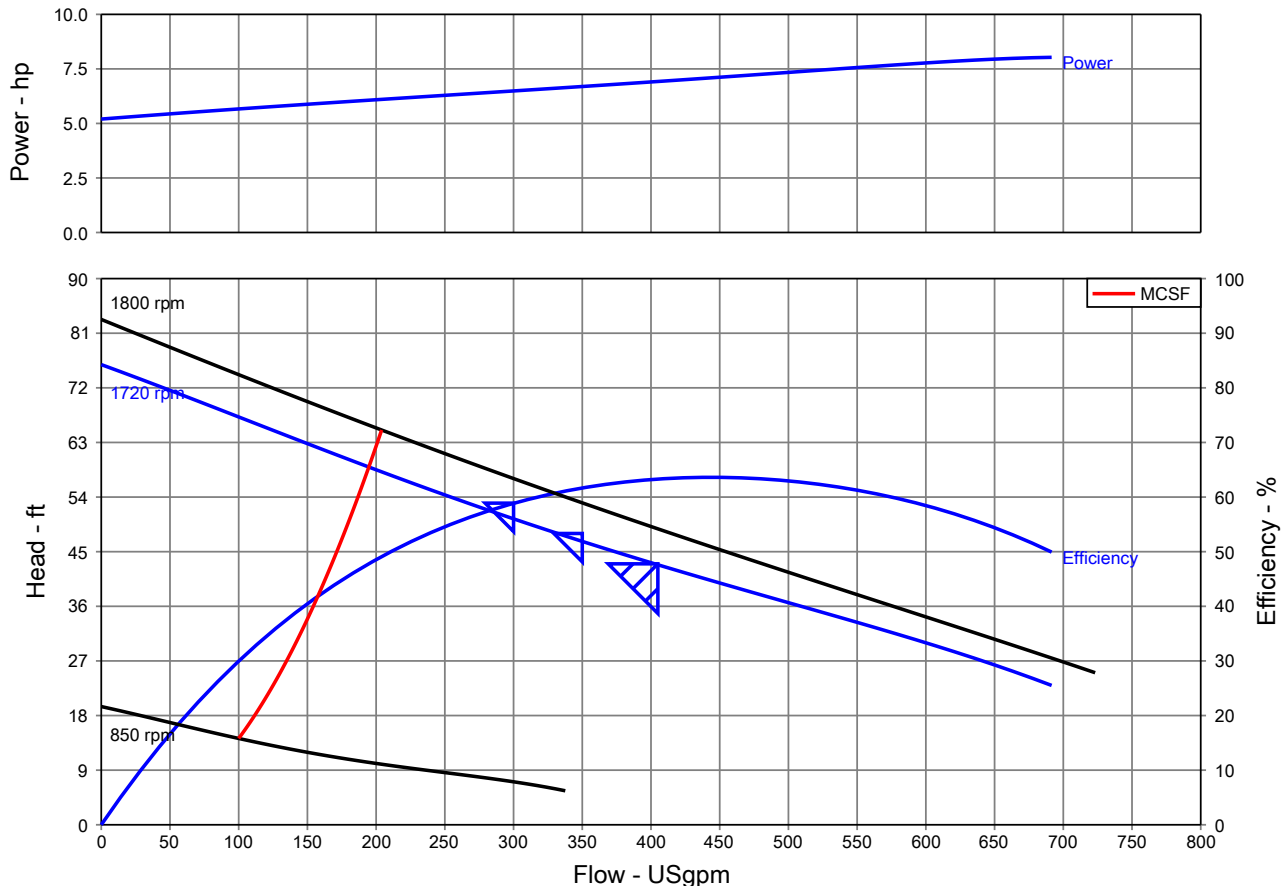
Qty	Description	Unit Price	Extended Price
	Packing & Shipping Shipping No Boxing Trillium Decision Carrier Freight Rates Freight Rates - Ohio: Ohio Material Testing Material Testing No Hardness Testing No Non-Destructive Testing Testing Testing No Testing Estimated Weights Bareshaft Pump: 243.0 lb Baseplate: 0.00 lb Driver: 180.0 lb Misc. Weight: 0.00 lb Misc. Weight: 0.00 lb Misc. Weight: 0.00 lb Total Per Unit Weight: 423.0 lb		

Attachment: NonContractualAppropriations.032221 (1772 : Non-Contractual Appropriations)

Pump Performance Datasheet

Customer	: Sullivan Environmental Technologies	Quote number	: 1229919
Customer reference	:	Size	: SFD4-V Horizontal
Item number	: 001: Complete Pump Package Replacement	Stages	: 1
Service	: SN 98X19013 & 98X19015	Based on curve number	: P25-D95
Quantity	: 2	Date last saved	: 03 Sep 2020 10:55 AM

Operating Conditions		Liquid	
Flow, rated	: 405.0 USgpm	Liquid type	: User defined
Differential head / pressure, rated (requested)	: 43.00 ft	Additional liquid description	:
Differential head / pressure, rated (actual)	: 42.98 ft	Solids diameter, max	: 0.00 in
Suction pressure, rated / max	: 0.00 / 0.00 psi.g	Solids concentration, by volume	: 0.00 %
NPSH available, rated	: Ample	Temperature, max	: 68.00 deg F
Site Supply Frequency	: 60 Hz	Fluid density, rated / max	: 1.000 / 1.000 SG
Performance		Viscosity, rated	: 1.00 cP
Speed criteria	: Synchronous	Vapor pressure, rated	: 0.00 psi.a
Speed, rated	: 1720 rpm	Material	
Speed, maximum	: 1800 rpm	Material selected	: Standard
Speed, minimum	: 850 rpm	Pressure Data	
Efficiency	: 63.29 %	Maximum working pressure	: 18.55 psi.g
NPSH required / margin required	: - / 0.00 ft	Maximum allowable working pressure	: 130.0 psi.g
Ns (imp. eye flow) / Nss (imp. eye flow)	: 2,237 / - US Units	Maximum allowable suction pressure	: N/A
MCSF	: 195.0 USgpm	Hydrostatic test pressure	: N/A
Head maximum, rated speed	: 75.83 ft	Driver & Power Data (@Max density)	
Head rise to shutoff	: 76.99 %	Driver sizing specification	: Rated power
Flow, best eff. point	: 444.0 USgpm	Margin over specification	: 0.08 %
Flow ratio, rated / BEP	: 91.22 %	Service factor	: 1.00
Speed ratio (rated / max)	: 95.56 %	Power, hydraulic	: 4.38 hp
Head ratio (rated speed / max speed)	: 87.86 %	Power, rated	: 6.92 hp
Cq/Ch/Ce/Cn [ANSI/HI 9.6.7-2010]	: 1.00 / 1.00 / 1.00 / 1.00	Power, maximum, rated diameter	: 8.03 hp
Selection status	: Acceptable	Minimum recommended motor rating	: 7.50 hp / 5.59 kW



Attachment: NonContractualAppropriations.032221 (1772 : Non-Contractual Appropriations)

C

B

A

D

C

DRAWING NO.

794

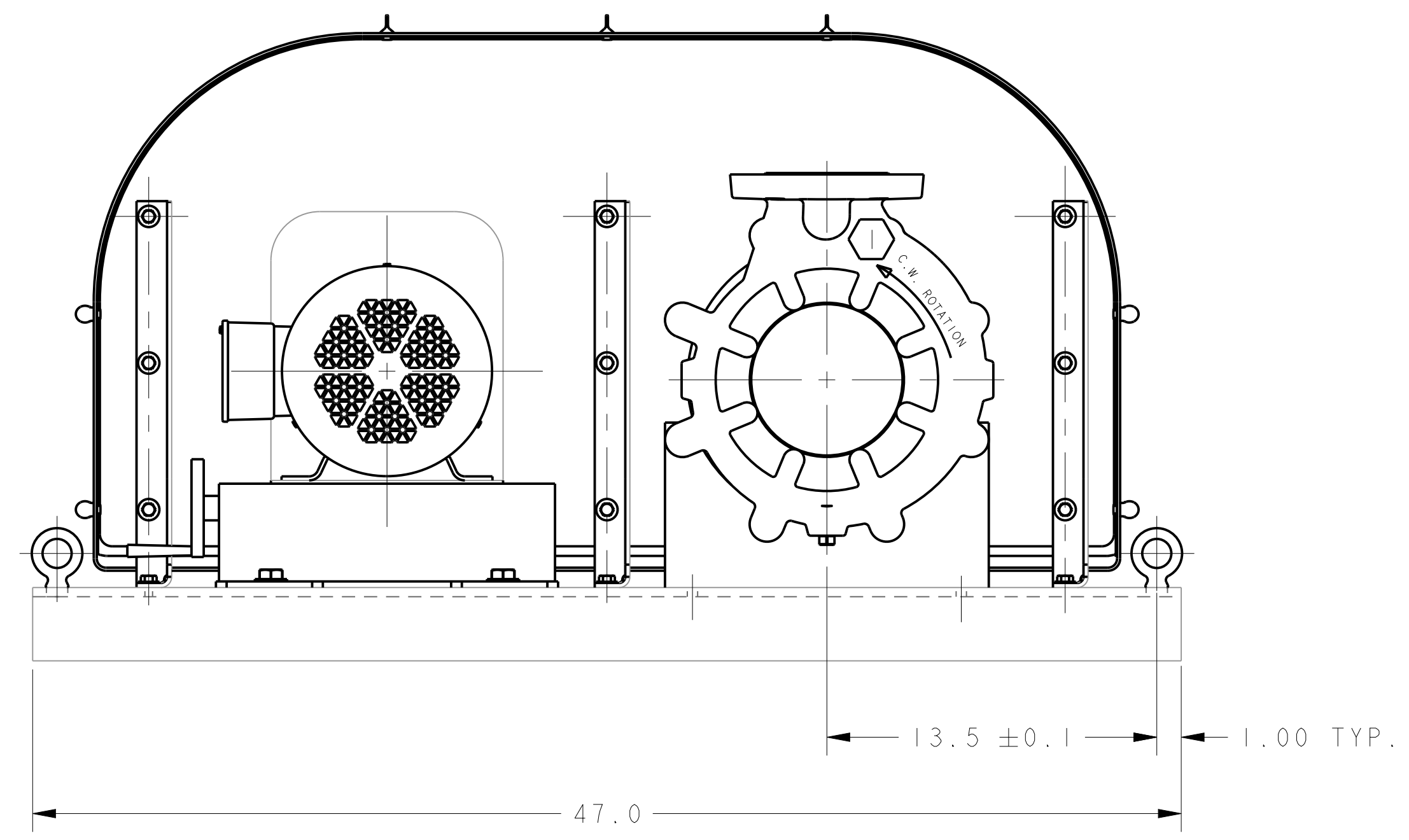
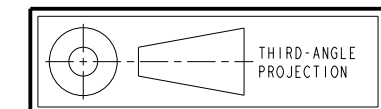
A

 CLOCKWISE ROTATION VIEWED FROM DRIVE END.

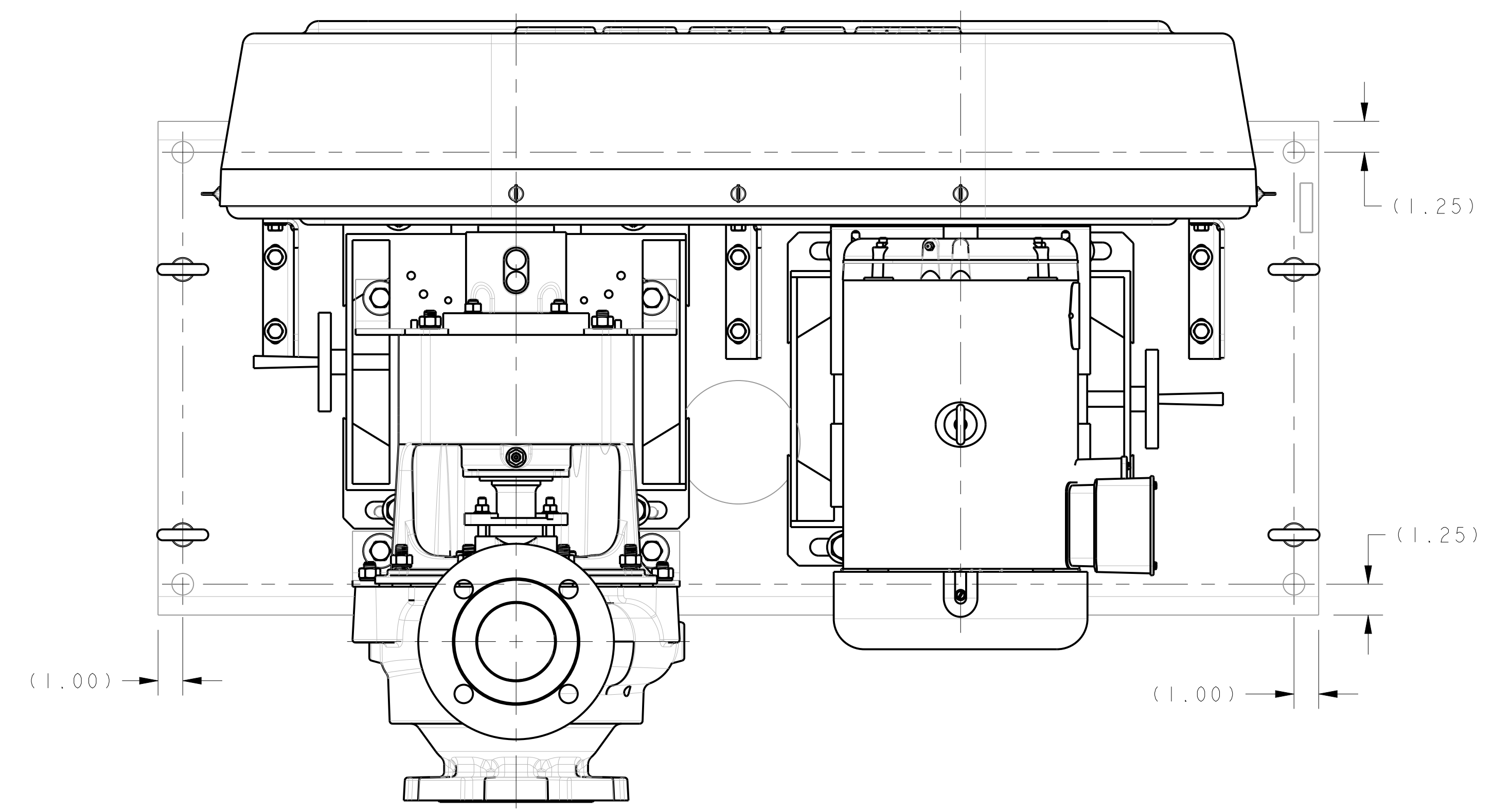
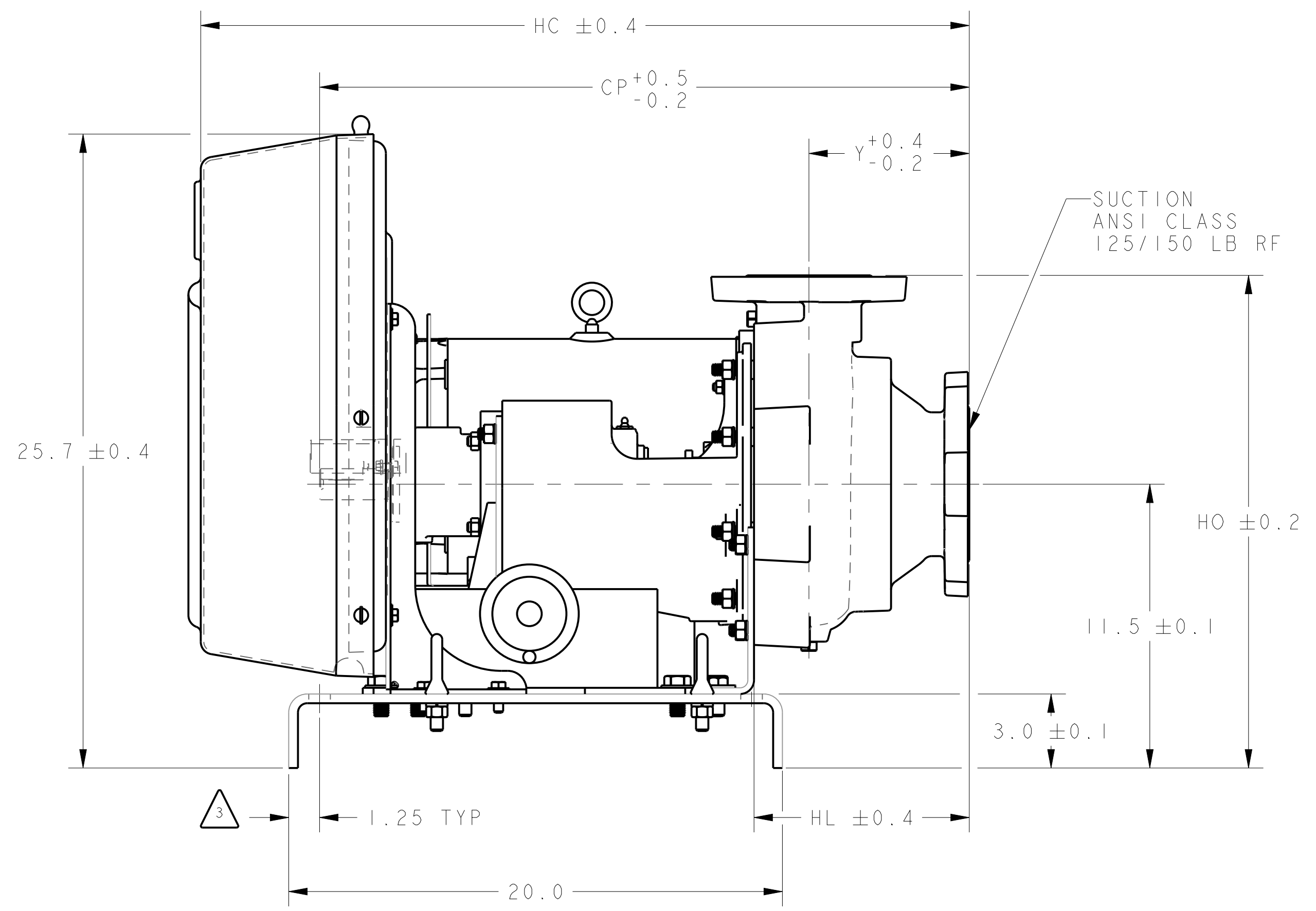
3 -L: LEFT HAND ARRANGEMENT
-R: RIGHT HAND ARRANGEMENT

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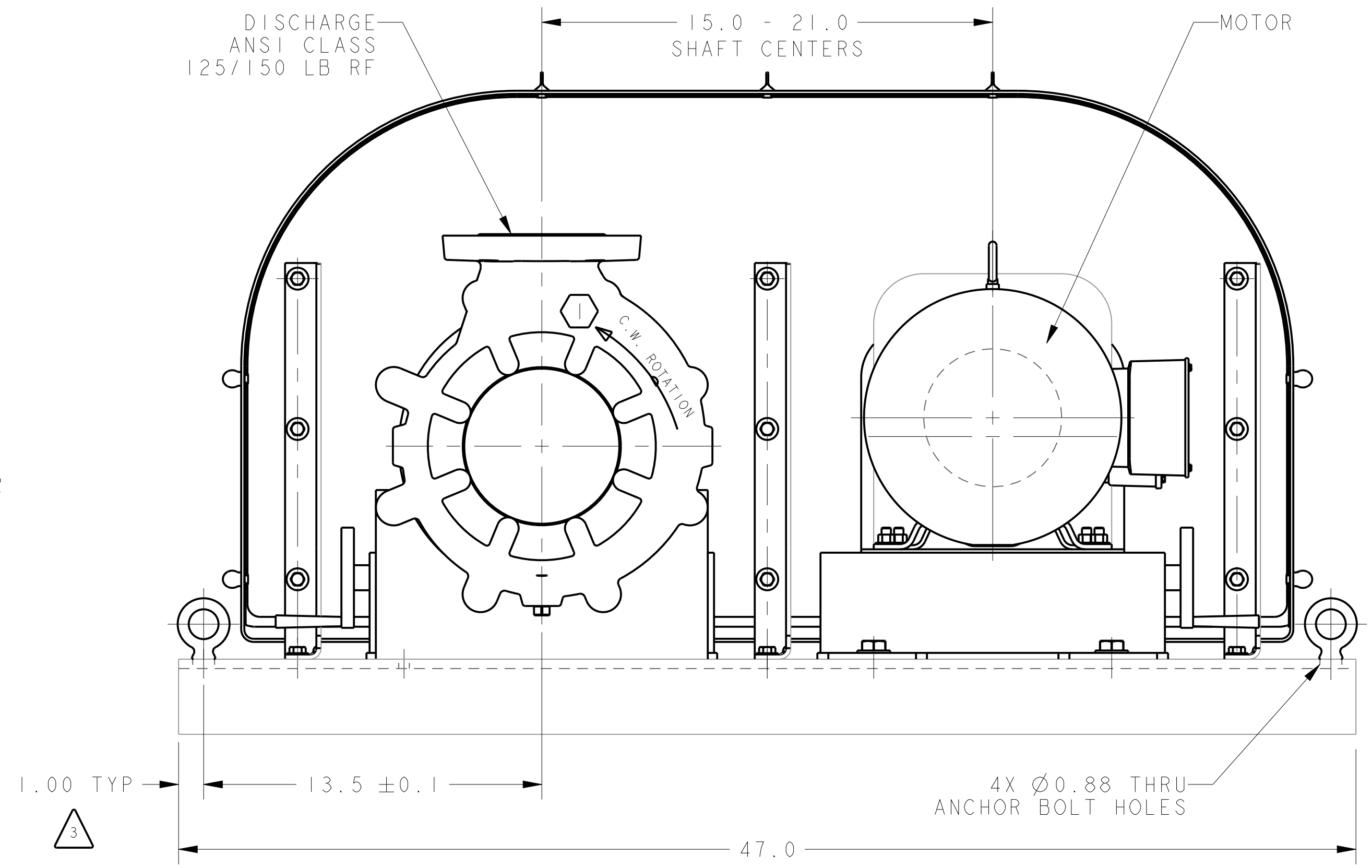
CUSTOMER		 TRILLIUM FLOW TECHNOLOGIES™		WEMCO® ROTO-JET®	
USER				GENERAL ARRANGEMENT, SFD3 & SFD4 BFDOS, BFD2S, BFD2W & BFDOW BRG. FRAME 143T-215T MOTOR FRAMES S/M, FIBERGLASS GUARD WEMCO SCREW-FLOW PUMP	
SERIAL NO.					
CUSTOMER ORDER NUMBER		EPS SALES SHEET NO.		CAD. NO. 79425-1	
				SHEET 1 OF 2	
DRAWN BY JCH		DATE 1/30/98		SCALE SIZE DWG NO.	
CHECKED BRD		DATE 2/2/98		NTS D 79425	
APPROVED BRD		DATE 2/2/98		REVISION 4	



OPTIONAL RIGHT HAND ARRANGEMENT



STANDARD LEFT HAND ARRANGEMENT



		WEMCO® ROTO-JET®	
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© COPYRIGHT 2019 TRILLIUM PUMPS USA SLC LLC. ALL RIGHTS RESERVED.			
CAD NO.	79425-1	SHEET 2 OF 2	
SCALE	1/4	SIZE	D
DWG NO.	79425		REVISION
			4

Customer Price Sheet

Customer	Sullivan Environmental Technologies	Size / Stages	SFE5-H Horizontal / 1
Item number	002: Complete Pump Package Replacement	Pump speed	1,670
Customer reference		Quote number	1229919

Totals

Grand Total	\$ 41,496	Lead Time Total	N/A
Pump	\$ 41,496	Total unit weight	576.0 lb

Pump

Qty	Description	Unit Price	Extended Price
2	<i>SFE5-H Horizontal</i> Wet End Pump Options Cast Iron Case Liner Material High Chrome Liner (regulable) Grooved Liner Buna Wet End O-rings Steel Pump Hardware High Chrome Impeller Bearing Frame Bearing Frame Cast Iron Bearing Frame BFE2W Bearing Frame Pump Sealing Pump sealing Seal Type: Tandem Mechanical Seal AES Tandem Mechanical Seal Cast iron seal housing Driver Motors Trillium Supplied Motor: Trillium Supplied Motor 10HP 215T 1800RPM Premium Efficiency TEFC Horizontal motor All motors are sized and selected in accordance with Hydraulic Institute Grade 2 - 2B performance test acceptance grades and tolerances which adds 8% to the rated horsepower requirement of the pump. This calculation has not changed the rated horsepower or efficiency shown on the Performance Data Sheet. View the link for more information from Hydraulic Institute. Motor manufacturer - Trillium Standard Baseplate and Drive Belt Drive Baseplate - Side Mount Steel Baseplate Trillium Standard Baseplate Design Steel Baseplate Hardware Fiberglass/Polyethylene Guards SN 8310224-1 Left Hand Side Mount Motor SN 8310224-2 Right Hand Side Mount Motor Belts and Sheaves Variable Speed Belts and Sheaves - Stationary Control Protective Coatings Paint type Epoxy 2 Coat Paint - Blue (Prime and Top Coat) Unless otherwise noted all motors will receive top coat only of specified paint	\$ 20,748	\$ 41,496

Attachment: NonContractualAppropriations.032221 (1772 : Non-Contractual Appropriations)

Pump

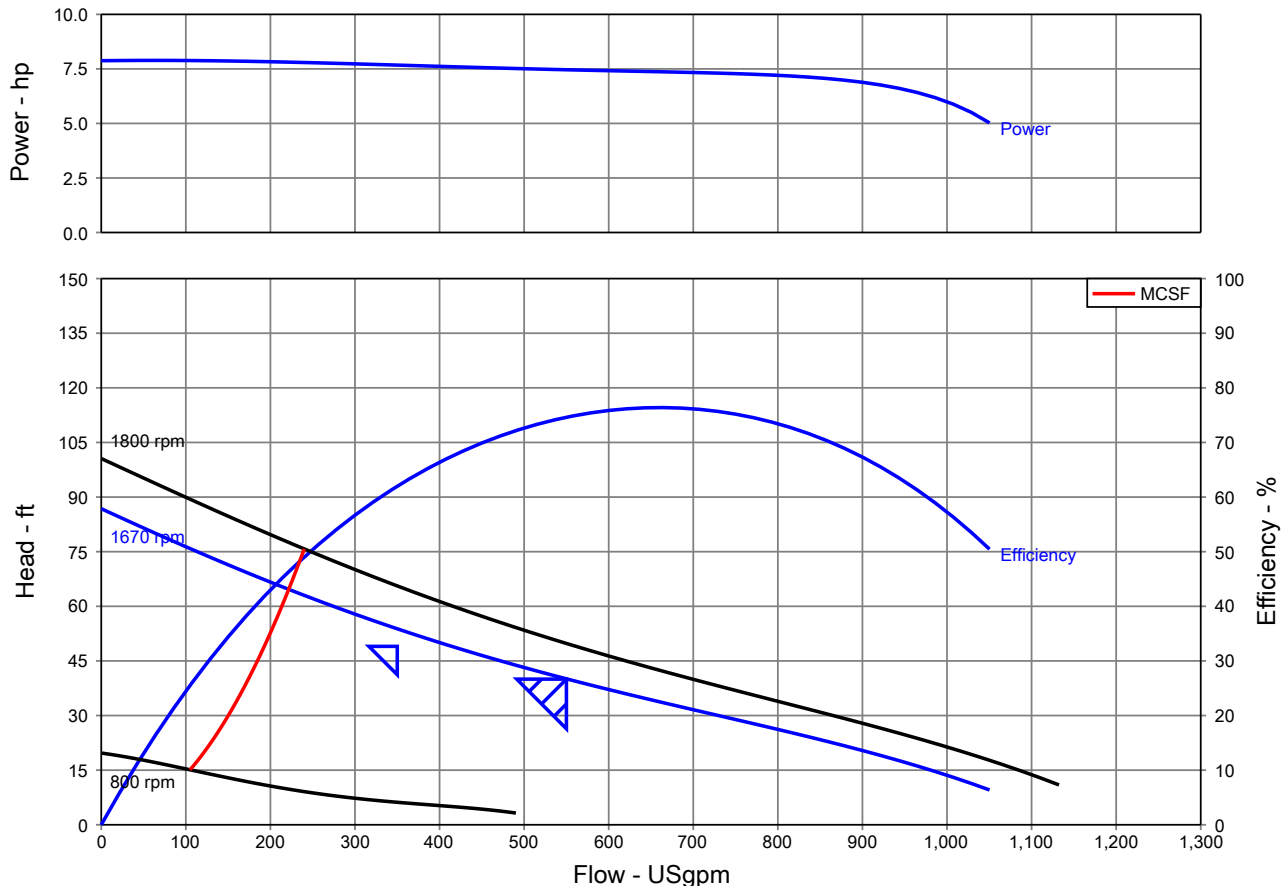
Qty	Description	Unit Price	Extended Price
	Packing & Shipping Shipping No Boxing Trillium Decision Carrier Freight Rates Freight Rates - Ohio: Ohio Material Testing Material Testing No Hardness Testing No Non-Destructive Testing Testing Testing No Testing Estimated Weights Bareshaft Pump: 396.0 lb Baseplate: 0.00 lb Driver: 180.0 lb Misc. Weight: 0.00 lb Misc. Weight: 0.00 lb Misc. Weight: 0.00 lb Total Per Unit Weight: 576.0 lb		

Attachment: NonContractualAppropriations.032221 (1772 : Non-Contractual Appropriations)

Pump Performance Datasheet

Customer	: Sullivan Environmental Technologies	Quote number	: 1229919
Customer reference	:	Size	: SFE5-H Horizontal
Item number	: 002: Complete Pump Package Replacement	Stages	: 1
Service	: SN 8310224-1 & 8310224-2	Based on curve number	: P25-D102
Quantity	: 2	Date last saved	: 03 Sep 2020 10:47 AM

Operating Conditions		Liquid	
Flow, rated	: 550.0 USgpm	Liquid type	: User defined
Differential head / pressure, rated (requested)	: 40.00 ft	Additional liquid description	:
Differential head / pressure, rated (actual)	: 40.14 ft	Solids diameter, max	: 0.00 in
Suction pressure, rated / max	: 0.00 / 0.00 psi.g	Solids concentration, by volume	: 0.00 %
NPSH available, rated	: Ample	Temperature, max	: 68.00 deg F
Site Supply Frequency	: 60 Hz	Fluid density, rated / max	: 1.000 / 1.000 SG
Performance		Viscosity, rated	: 1.00 cP
Speed criteria	: Synchronous	Vapor pressure, rated	: 0.00 psi.a
Speed, rated	: 1670 rpm	Material	
Speed, maximum	: 1800 rpm	Material selected	: Standard
Speed, minimum	: 800 rpm	Pressure Data	
Efficiency	: 74.61 %	Maximum working pressure	: 17.35 psi.g
NPSH required / margin required	: - / 0.00 ft	Maximum allowable working pressure	: - psi.g
Ns (imp. eye flow) / Nss (imp. eye flow)	: 2,994 / - US Units	Maximum allowable suction pressure	: N/A
MCSF	: 222.3 USgpm	Hydrostatic test pressure	: N/A
Head maximum, rated speed	: 86.80 ft	Driver & Power Data (@Max density)	
Head rise to shutoff	: 116.58 %	Driver sizing specification	: Rated power
Flow, best eff. point	: 660.4 USgpm	Margin over specification	: 0.08 %
Flow ratio, rated / BEP	: 83.28 %	Service factor	: 1.00
Speed ratio (rated / max)	: 92.78 %	Power, hydraulic	: 5.57 hp
Head ratio (rated speed / max speed)	: 80.49 %	Power, rated	: 7.46 hp
Cq/Ch/Ce/Cn [ANSI/HI 9.6.7-2010]	: 1.00 / 1.00 / 1.00 / 1.00	Power, maximum, rated diameter	: 7.89 hp
Selection status	: Acceptable	Minimum recommended motor rating	: 7.50 hp / 5.59 kW



Packet Pg. 165



Trillium Pumps USA, Inc. (Seller)

GENERAL TERMS and CONDITIONS of SALE

1. **SCOPE:** Unless otherwise agreed in writing, Seller's Acceptance of Buyer's purchase order is conditioned upon Buyer accepting these terms and conditions. Seller shall produce and vend its equipment in accordance with the following provisions.

Seller's Scope of Supply shall be limited to supplying those Goods (i) listed in Buyer's Purchase Order, and (ii) tendered in Seller's Proposal and (iii) described (including deviations/exceptions) in its Approved Submittals. Goods so supplied shall be accepted as fulfilling Seller's obligation to Buyer to supply Goods under Buyer's Purchase Order.

Seller shall supply only those safety devices, if any, described in the order or in its proposal and drawings, and shall comply with those provisions of the federal Occupational Health and Safety Act of 1970. Buyer and Seller shall have identified safety device items as specifically applicable to the manufacture of the goods.

2. **PRICES:** All prices are based on an Ex-Works shipping term. Prices do not include any federal, state, or local sales, use, or other taxes. Taxes may be added to the price.
3. **PAYMENT TERMS:** Unless otherwise agreed, all invoices are due and payable in full, net-30 days from the date of shipment or notification of readiness to ship, whichever occurs first. Credit terms are subject to Buyer's creditworthiness, which shall be determined solely by Seller.

Late payments shall be charged interest at the rate of 1.5% per month or the highest rate allowable under law, whichever is less. Buyer shall pay the full amount due, regardless of any payment schedule between Buyer and its customer.

If Buyer is in default of any payment Seller may offset any monies of Buyer available to Seller or in Seller's possession; declare all payments for completed work immediately due and payable; stop all further work until payments are brought current, and/or require advance payment for future shipments.

4. **SECURITY INTEREST:** To the extent allowable under applicable law, Seller retains a security interest in, and right of repossession, to the goods until Buyer has paid in full. Buyer will not encumber, nor permit others to encumber, the goods by any liens or security instruments. In the event legal action is necessary to enforce Buyer's obligations under any order, Seller shall be entitled to recover its court costs and reasonable attorney's fees if it prevails. Buyer shall provide insurance for Seller's benefit to protect Seller's interest against loss or damage until the goods are fully paid for.
5. **SHIPMENTS, TRANSFER OF TITLE/RISK, AND DELIVERY SCHEDULE:** Unless otherwise agreed in the order, shipment shall be EXW (Incoterms 2010). Title to goods shall pass upon payment in full. Risk shall transfer upon delivery. Buyer and Seller shall mutually establish the equipment ship date(s) and understand that these may change as required by construction and manufacturing schedules, and any requested change in schedules shall require Seller's agreement. Buyer must provide Seller all necessary information and instructions regarding its requested delivery schedule, including any required drawing approvals, and Seller shall use reasonable efforts to meet the shipment dates in the order. However, any such dates are estimates only and are neither guaranteed nor a term of this agreement. Seller shall have no liability to Buyer or its customer for any damages, whether direct or indirect, for any delay in shipment or delivery, regardless of the severity of the delay.
6. **TERMINATION:** In the event Buyer elects to terminate this agreement for its convenience, Buyer shall pay Seller all amounts properly due for the goods and/or services provided before the date of termination plus (i) any costs and expenses actually incurred or irrevocably committed to in good faith related to any goods and/or services not yet provided under the purchase order and (ii) any costs, losses, and expenses actually incurred directly resulting from the termination.
7. **DELAYS AND SUSPENSION:** If Buyer requests a suspension, or delays Seller's work, Buyer shall pay Seller all reasonable and necessary costs incurred due to the suspension or delay, including storage, demobilization and re-mobilization costs, plus Seller's overhead and reasonable profit, incurred as a result of the suspension and, if the suspension or delay continues for more than 30 days, Buyer shall make an interim payment for work completed. Additionally, all charges and risks for storage, disposition, and/or resumption of work shall be borne solely by Buyer.
8. **STORAGE:** In the event Buyer requires storage of equipment after completion of Work, and prior to shipment, Buyer agrees to the terms of Seller's "Bill and Hold Agreement", and shall pay the storage charges up to a maximum of one-and-a-half percent (1.5%) of the Purchase Order value per month of storage.

Attachment: Non Contractual Appropriations.032221 (1772 : Non-Contractual Appropriations)

9. **TEST REPORTS:** If applicable, Buyer shall obtain the project engineer's approval of test reports within two weeks from submission. In no instance, however, shall delay approval be grounds to withhold payment for completed work or delay shipment of the goods. In the event Buyer requires an extension of time to receive approval, the provisions of sections 7 and 8 shall apply.
10. **FORCE MAJEURE:** Seller shall not be liable to Buyer nor be deemed to have defaulted under or breached this agreement for Seller's delay in fulfilling any of its obligations under this agreement if such delay is caused by events beyond its reasonable control (Force Majeure). Seller shall give Buyer notice within a reasonable time of the Force Majeure event and shall use reasonable efforts to end the delay and minimize the effects of Force Majeure. Should there ever be any time of performance, it shall be automatically extended for a time period equal to the period of Force Majeure and its consequences.
11. **WARRANTY:** In accordance with its Limited Warranty (GSD-31), Seller warrants its products to be free from defects in materials and workmanship when operated under the normal conditions for which the products were designed. Seller makes no other warranties, express or implied through GSD-31, and disclaims all implied warranties including, without limitation, any warranty of fitness for a particular purpose, merchantability, and any implied warranty that could arise from course of dealing or usage of trade. Seller also disclaims all statutory warranties.
12. **PATENTS AND INTELLECTUAL PROPERTY:** Buyer agrees that it shall indemnify the Seller against all claims, demands, damages, penalties, costs and expenses to which the Seller may become liable by reason of any infringement or alleged infringement of a patent or patents arising out of performance of this order if the equipment is constructed in accordance with Buyer's detailed drawings or designs submitted to Seller.

All devices, processes, confidential information, designs (including drawings, plans and specifications), inventions (whether patented or not), ideas, concepts, equipment, technology, improvements, estimates, prices, notes, electronic data and other documents or information prepared or disclosed by Seller, and all related intellectual property rights in and to Seller's property and improvements thereof, ("Seller's Intellectual Property"), shall remain exclusively owned by Seller. Seller grants Buyer a revocable, non-exclusive, non-transferable license to use any such material solely for Buyer's and Owner's operation and maintenance of the goods and services. Such license shall exclude the right to reproduce, have reproduced, or sell such intellectual property. Buyer shall not disclose any such material to third parties (other than the Owner) without Seller's prior written consent.

13. **LIMITATION OF LIABILITY:** NOTWITHSTANDING ANYTHING ELSE IN THE AGREEMENT TO THE CONTRARY, SELLER SHALL NOT BE LIABLE, WHETHER IN CONTRACT, WARRANTY, FAILURE OF A REMEDY TO ACHIEVE ITS INTENDED OR ESSENTIAL PURPOSES, TORT (INCLUDING NEGLIGENCE), STRICT LIABILITY, INDEMNITY, OR ANY OTHER LEGAL THEORY FOR LOSS OF USE, REVENUE, SAVINGS, OR PROFIT; COSTS OF CAPITAL; SUBSTITUTE USE OR PERFORMANCE, INDIRECT, SPECIAL, LIQUIDATED, PUNITIVE, EXEMPLARY, COLLATERAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES; CLAIMS BY BUYER FOR DAMAGES OF BUYER'S CUSTOMERS; OR ANY OTHER LOSSES OR COSTS OF SIMILAR TYPE. "Consequential Damages" shall mean loss or deferral of production, loss of product, loss of use, exclusion, and loss of revenue, profit or anticipated profit, cost of capital, overhead, cost of substitute products or services, downtime costs, increased cost of working, loss of contract or business interruption, facility, vessel or rig downtime, costs related to cleanup, removal, release or response to any hazardous material, inability to use property and equipment, losses resulting from failure to meet other contractual commitments, claims of a party's customers for any of the foregoing, and special, incidental, punitive, and speculative damages, as well as indirect losses or damages of any type no matter how characterized.

SELLER'S AGGREGATE LIABILITY TO BUYER FOR ALL CLAIMS ARISING OUT OF OR RELATED TO GOODS SOLD OR SERVICES PROVIDED OR OTHERWISE RELATED TO THIS AGREEMENT, WHETHER IN CONTRACT, TORT (INCLUDING NEGLIGENCE), STRICT PRODUCT LIABILITY OR OTHERWISE, SHALL NOT EXCEED FIFTY PERCENT (50%) OF THE TOTAL VALUE OF THE ORDER UNDER WHICH THE CLAIM AROSE. THE FOREGOING LIMITATION SHALL APPLY EVEN IF THE BUYER'S REMEDIES UNDER THIS AGREEMENT FAIL OF THEIR ESSENTIAL PURPOSE.

14. **CHANGES AND BACK CHARGES:** Seller shall not be obligated to make any changes in or additions to the scope of the work unless Seller and Buyer first agree in writing to the details of the change and any resulting price, schedule, or other contractual modifications. Any change to any law, rule, regulation, order, code, standard, or requirement which requires any change hereunder shall entitle Seller to an equitable adjustment in the price and time of performance.

Buyer agrees not to return goods or back charges for labor, materials, or other costs incurred in modification, adjustment, service, or repair of goods unless previously approved in writing by an authorized agent of Seller.

15. **CHANGES IN DESIGN:** Upon written notification to Buyer, Seller may modify the design and construction of the goods in order to incorporate improvements or to substitute material equal, or superior, to that originally specified. No charge shall be made to the Buyer for modifications made at Seller's option.
16. **DUAL USE ITEMS:** In accordance with current U.S. government export rules, items made from Hastelloy C-22 alloy, Hastelloy C-276 alloy, and Inconel 718 alloy, forming part of any order fall into the category of "dual-use," for which Seller is required to obtain an export license. If an order includes a dual-use alloy, the order will not be considered accepted until the U.S. government has issued an export license. Furthermore, the delivery schedule for any good requiring regulatory approval shall only start once Seller has obtained such approval. If the government denies an export license the order will be considered to have been terminated by Force Majeure.

17. **PROPRIETARY INFORMATION:** All information furnished by Seller is solely for Buyer's use in connection with the maintenance and operation of the goods and shall not be disclosed to any third party without Seller's prior, written consent.
18. **GOVERNING LAW:** This agreement shall be interpreted in accordance with the laws of the State of Utah, U.S.A., without regard to its conflicts of laws rules. The application of the United Nations Convention on Contracts for the International Sale of Goods is excluded. Buyer shall irrevocably and unconditionally consent to, and submit themselves to, the exclusive jurisdiction of the state or federal courts of Salt Lake County, Utah, as the exclusive jurisdiction and venue for the resolution of conflicts arising from or pursuant to this agreement.
19. **INDEMNITY:** Seller shall indemnify, defend and hold Buyer harmless from any claim, cause of action, or liability incurred by Buyer as a result of third party claims for personal injury, death, or damage to tangible property, to the extent caused by Seller's negligence. Seller shall have the sole authority to direct the defense of and settle any indemnified claim. Seller's indemnification is conditioned on Buyer (a) promptly, within the Warranty Period, notifying seller of any claim, and (b) providing reasonable cooperation in defense of any claim.
20. **U.S. EXPORT COMPLIANCE:** Furthermore, as Buyer acknowledges that Seller is required to comply with applicable export laws and regulations relating to the sale, exportation, transfer, assignment, disposal, and the usage of the goods provided under the order, including any export license requirements. Buyer agrees that such goods shall not at any time directly or indirectly be used, exported, sold, transferred, assigned, or otherwise disposed of in such a manner that will result in non-compliance of such applicable export laws and regulations. It shall be a condition of Seller's continuing performance of its obligations that compliance with such export laws and regulations be maintained at all times. The buyer agrees to comply with all applicable export laws and regulations of the U.S. Commerce, Treasury, State and Defense Departments, or other agencies regulating exports from the United States. Buyer agrees it will not export, re-export, or permit the re-export of any Seller good to an ultimate destination of restricted and/or embargoed country listed by the Departments of State, Treasury, Commerce, Defense, and/or individuals on the Directorate of Defense Trade Controls' Debarred List and Nonproliferation Sanction List, Bureau of Industry and Security's Denied Person's List, Entity List and Unverified List, and the Office of Foreign Assets Control's Specially Designated Nations List or any other U.S. government list; nor will Buyer's Customer export, re-export, or permit the re-export of any Seller good for any prohibited uses under the U.S. export laws.

To the extent that Buyer subcontracts its services or utilized agents or third-parties with respect to the provision of the Services to Seller, Purchase shall incorporate the obligations of this provision with respect to export compliance into its respective subcontracts and agreements with such sub-contracted agents and third-parties. All contracts entered into by Buyer with agents, affiliates, or third-parties must also include a specific requirement to comply with all laws and regulations (including U.S. export laws).

BUYER AGREES TO INDEMNIFY AND HOLD SELLER HARMLESS FROM ANY AND ALL COSTS, LIABILITIES, PENALTIES, SANCTIONS AND FINES RELATED TO NON-COMPLIANCE WITH APPLICABLE EXPORT LAWS AND REGULATIONS.

21. **ENTIRE AGREEMENT:** This proposal expresses the entire agreement between the parties hereto and supersedes any previous communications, representations, or agreements, whether oral or written, and is not subject to modification except in writing, signed by an authorized officer of each party.



Trillium Pumps USA, Inc. (Seller)

LIMITED WARRANTY

COVERAGE: Seller warrants its products to be free from defects in materials and workmanship when operated under the normal conditions for which the products were designed.

WARRANTY PERIOD: This warranty covers a period of twelve (12) months from the date product was placed into service, or eighteen (18) months from the date of shipment, whichever occurs first.

REMEDIES: If the product fails due to defective materials or workmanship within the warranty period, Trillium's sole obligation after verification of the defect, shall be, at its discretion, the repair or replacement of the product. **THIS PARAGRAPH PROVIDES THE EXCLUSIVE REMEDIES FOR ALL CLAIMS BASED ON FAILURE OF OR DEFECT IN A PRODUCT, WHETHER THE FAILURE OR DEFECT ARISES BEFORE, DURING, OR AFTER THE APPLICABLE WARRANTY PERIOD AND WHETHER A CLAIM, HOWEVER DESCRIBED, IS BASED ON CONTRACT, WARRANTY, INDEMNITY, TORT (INCLUDING NEGLIGENCE), STRICT LIABILITY, OR OTHERWISE, AND IS SUBJECT TO ALL LIMITATIONS OF LIABILITY FOUND HERE OR ELSEWHERE IN THE TERMS AND CONDITIONS.**

OWNER'S OBLIGATIONS: Owner shall notify Seller of any alleged defect within ten (10) days of its discovery. Verification of the alleged defect is required. **The Owner may choose to have the alleged defect verified at the Owner's site, at the Seller's authorized facility, or at Seller's factory.** **At Owner's site:** Owner must verify the defect by providing Seller with satisfactory evidence of the defect, including all relevant data and documentation needed to make an assessment. If a defect is confirmed, Seller will deliver replacement parts (or Goods), freight prepaid. **At Seller's authorized facility / factory:** Owner must return allegedly defective parts or Goods for inspection, freight prepaid, to an authorized service center designated by Seller, or to Seller's factory. If the defect is confirmed, Seller will deliver repaired or replaced parts or Goods, freight prepaid, and reimburse the prepaid freight that Owner paid to deliver the defective parts or Goods. In all instances above, repaired or replaced parts or Goods shall remain under warranty for the unexpired portion of the original Warranty Period. If Seller determines that a claim is not, in fact, covered by this warranty, Seller shall make available to Buyer its labor, repair, or replacement services at its then-standard rates.

EXCLUSIONS: This warranty does not apply to consumable items that are normally replaced during maintenance; and defects resulting from improper installation, operation, maintenance, storage, neglect, or accident. This warranty does not cover any expense for repairs or alterations performed outside Seller's factory without Seller's prior authorization. Equipment and accessories not manufactured by Seller are warranted only by the original manufacturer's warranty. Seller shall not be liable for costs of removal, transportation, or reinstallation of

products. Seller shall not be liable for any consequential, special, incidental, or indirect damages or delays resulting from or related to defective products.

SELLER MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, AND DISCLAIMS ALL IMPLIED WARRANTIES INCLUDING, WITHOUT LIMITATION, ANY WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE, MERCHANTABILITY, AND ANY IMPLIED WARRANTY THAT COULD ARISE FROM COURSE OF DEALING OR USAGE OF TRADE. SELLER ALSO DISCLAIMS ALL STATUTORY WARRANTIES.



March 2, 2021

Jason Hunold - Public Utilities Superintendent
4799 Groh Lane
Fairfield, OH 45014

Subject: **Sole Source Letter – Sullivan Environmental Technologies**

Dear Mr. Hunold

Thank you for your inquiry regarding WEMCO pumps and equipment.

Trillium Pumps USA, Inc. in Salt Lake City, Utah is the only manufacturer and sole source for WEMCO TORQUE-FLOW recessed impeller pumps, WEMCO HYDROGRITTER grit separation systems, WEMCO Screw Centrifugal pumps and Prerostal PreRotation systems, WEMCO CHOP FLOW chopper pumps, WEMCO NON-CLOG pumps, WEMCO WSP SELF-PRIMER pumps and parts for all above listed WEMCO equipment. For assistance and complete information on all WEMCO pumps, equipment, and parts, please contact our exclusive Municipal Representative in your area:

Sullivan Environmental Technologies
2146 Chamber Center Drive
Fort Mitchell, KY 41017
Telephone: (859) 426-5178
Fax: (859) 426-5177

WEMCO Pump is a product line of Trillium Pumps USA, Inc. Our Federal I.D. Number, 77-0298303.

Thank you again for the opportunity to serve you.

Sincerely,

A handwritten signature in black ink that reads "Michael S. Howard".

Michael S. Howard
Regional Sales Manager | Municipal

E-mail: mike.howard@trilliumflow.com

Attachment: NonContractualAppropriations.032221 (1772 : Non-Contractual Appropriations)



City Council Ordinance
Regular Meeting - March 22, 2021

Submitted by: Ben Mann,
 Submitting Department: Public Works

Subject:

Trip Hazard Sidewalk Repair Via Cutting – 2021 Sidewalk Program

Legislation Title:

Trip Hazard Sidewalk Repair Via Cutting – 2021 Sidewalk Program

Recommendation:

It is recommended that City Council authorize an appropriation of \$25,000.00 from the General Fund for sidewalk repair by Precision Concrete.

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 394 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 \$60.00 per cut for 2021.

The project is programmed in the 2021-2025 CIP as 1PW16.

Financial Impact:

\$25,000.00 from the General Fund (\$23,640.00 with a contingency of \$1,360.00).

Emergency Provision Explanation:

None requested.

Rule Suspension Requested:

No

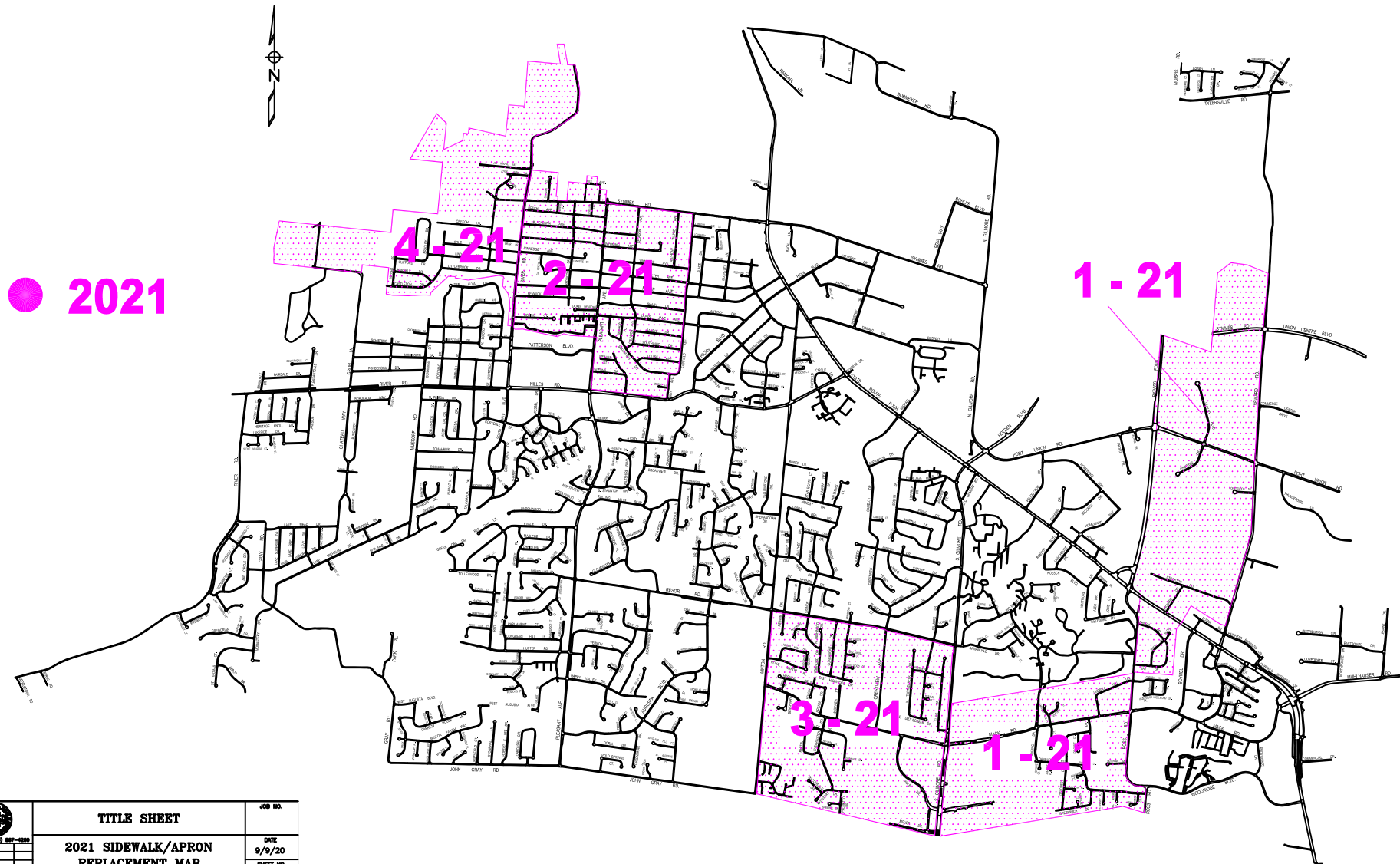
Emergency Provision Needed:

No

Attachments:

1. 2021 Sidewalk Program

Sidewalk Replacement Program



CITY OF FAIRFIELD		TITLE SHEET		JOB NO.
1070 North Orange Road Fairfield, Ohio 43103-5857-1000		2021 SIDEWALK/APRON REPLACEMENT MAP FAIRFIELD, OHIO		DATE 9/9/20
NO.	DATE	REVISIONS	BY	SHEET NO.
SCALE	DESIGN-APPROVAL	DRAWN	CHECKED	1/1
1/2" = 1'	NSC	NSC		

Attachment: NonContractualAppropriations.0322221 (1772 : Non-Contractual Appropriations)



City Council Information Item
Regular Meeting - March 22, 2021

Submitted by: Jason Hunold,
Submitting Department: Public Utilities

Subject:

Wastewater Plant Concrete Repairs

Legislation Title:

Wastewater Plant Concrete Repairs

Background/Synopsis:

The walls of the waste-activated sludge holding tanks at the Wastewater Treatment Plant are showing stress from age and the elements, as they are cracked and failing in several areas. The Wastewater Division has obtained a price quote from Composite Industrial Group for concrete repairs of these tanks. Composite Industrial Group is to supply all labor, equipment and materials required to repair the tanks. A service proposal by Composite Industrial Group is attached for review.

Financial Impact:

An appropriation in the amount of \$11,720.00 is being requested for the Wastewater Treatment Plant Concrete Repairs.

Funding for this project was included in the approved 2020-2024 Capital Improvement Program (CIP) under project number 1WW07, Wastewater Plant Concrete/Masonry Repair. The funding source is the Sewer Replacement & Improvement Fund. The project is also included in the draft 2021-2025 CIP budget, pending Council approval.

Attachments:

1. City of Fairfield WWTP Sludge Tank Wall Repairs Proposal 3-2021

Composite

INDUSTRIAL GROUP

4400 Roudebush Lane | PO Box 112 | Batavia, OH 45103
 513 732 1123 | 888 732 1125 | Fax: 513 732 1124
 Email: Office@CompositeIndustrial.com | CompositeIndustrial.com

7/30/2020 Original
 3/1/2021 Updated

Jason Hunold
 City of Fairfield WWTP
 4799 Groh Lane
 Fairfield, Ohio 45014
 (513) 858-8348
jhunold@fairfield-city.org

PROPOSAL – SLUDGE TANK WALL REPAIRS

This proposal has been generated for Jason Hunold and all interested parties at The City of Fairfield on behalf of Composite Industrial Group, Inc., and Mark Albright (Belzona Technical Consultant).

Job Description

Composite Industrial Group, Inc. will supply all labor, equipment, and materials to rebuild a spalling concrete wall on the Sludge Tank.

Scope of Work

1. All deteriorated concrete and debris will be removed with hand/power tools and the underlying surface will be abraded to promote long term adhesion with the Belzona coating system.
2. **Belzona® 4141 (Magma Build)** and suitable forming/shoring materials will be used to restore lost concrete.
3. **Belzona® 4511 (Magma Flex Hi-Build)** will be used to restore the expansion joint located under the walkway grating.
4. **Belzona® 5122 (Clear Cladding)** will be used to seal the concrete adjacent to the repair area for further protection.
5. All materials will be thoroughly mixed and applied following the manufacturer's current written specifications.
6. All applied materials will be inspected for uniformity and finish and shall be allowed to cure as directed by the manufacturer's current written specifications.

Your Industrial Coatings Experts

Attachment: NonContractualAppropriations.032221 (1772 : Non-Contractual Appropriations)

Timeline

This project is estimated to require three (3) working days for completion. Additional time may be required for unfavorable weather.

Price to Complete

\$11,720⁰⁰

If our project is stopped or delayed by others or by plant operations, additional costs will be incurred and may require additional billing.

Quality Control

Composite Industrial Group, Inc. is an authorized applicator for Belzona[®] materials. We only employ skilled and qualified blasters and applicators who are thoroughly experienced in this field of specialized work. All employees are routinely trained for jobsite safety as well as completing periodic skill training assessments. A competent supervisor will be on-site to ensure the application is done correctly and completed on time. Composite Industrial Group, Inc. is trained by NACE International for coating application and inspection and we regularly inspect our work to ensure a quality finished product. Photos of the project may be taken before, during and upon completion as part of our quality control and record keeping procedures.

Customer Responsibilities

1. Allow full, uninterrupted access to the sludge tank and adjacent areas for the time allotted with an allowance for extended daily hours.
2. Supply a suitable dumpster for all trash and debris.
3. Supply clean water (garden hose spigot) for pressure washing.
4. Supply 120-volt electricity.

If you have any questions or comments regarding this proposal, please feel free to contact Mark Albright at (513) 315-9400 or our office at (513) 732-1123.

Sincerely,



Tony Parrott
Project Manager
NACE Coating Inspector Level 2-Certified (#28681)
tony@compositeindustrial.com

Your Industrial Coatings Experts



ORDINANCE NO. _____

ORDINANCE TO AMEND ORDINANCE NO. 109-20 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, 2021, AND ENDING DECEMBER 31, 2021.”

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

Section 1. Ordinance No. 109-20, the 2021 Appropriation Ordinance, is hereby amended in the following respects:

From:	Unappropriated General Fund	\$25,000
To:	10012523-233900 Other Professional Services (2021 Annual Sidewalk/Apron Program-Trip Hazard Repair 1PW16)	\$25,000
From:	Unappropriated Capital Improvement Fund	\$110,000
To:	40216025-252000 Improvements Other Than Building (Site Work at 5742 River Road (Various Vendors) 1PR20)	\$110,000
From:	Unappropriated Water Replacement & Improvement Fund	\$14,300
To:	60416025-252000 Improvements Other Than Building (Booster Station Improvements 1WT08)	\$14,300
From:	Unappropriated Water Surplus Fund	\$45,000
To:	60516025-252000 Improvements Other Than Building (Fire Hydrant Replacements 1WT09 (\$15,000); Pump Overhaul & Replacement Program 1WT04 (\$30,000))	\$45,000

Attachment: NonContractual 3-22-Ord (1772 : Non-Contractual Appropriations)

From: Unappropriated Sewer Replacement & Improvement Fund \$15,720

To: 62316025-252000 Improvements Other Than Building \$15,720
*(EQ Basin Valve Replacement 1WW15 (\$4,000);
Wastewater Plant Concrete Repairs 1WW07 (\$11,720))*

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\2021\NonContractual 3-22-Ord

Attachment: NonContractual 3-22-Ord (1772 : Non-Contractual Appropriations)