

**City of Fairfield
Minutes
Regular Meeting of City Council
March 11, 2024**

Council-Manager Briefing

A. No briefing.

Business Meeting Call to Order

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

Prayer/Pledge of Allegiance

A. Councilmember Matt Davidson

Roll Call

Councilmembers present included:

Attendee Name	Title	Status	Arrived
Tim Meyers	Councilmember, At-Large	Present	
Matt Davidson	Councilmember, At-Large	Present	
Gwen Brill	Councilmember, At-Large	Present	
Leslie Besl	Councilmember, 1st Ward	Present	
Dale Paullus	Councilmember, 2nd Ward	Excused	
Debbie Pennington	Councilmember, 3rd Ward	Present	
Adam Kraft	Councilmember, 4th Ward	Present	
Mitch Rhodus	Mayor	Present	

Councilmember Davidson, seconded by Councilmember Meyers, moved to excuse Councilmember Paullus. Motion carried 6-0.

Agenda Modifications

None.

Executive Session Requests

Councilmember Davidson, seconded by Councilmember Meyers, moved for Executive Session to discuss the status of negotiations with public employees regarding their wages, hours and other terms and conditions of their employment, as well as the sale or disposition of public property. Roll call vote. Motion carried 6-0.

Special Presentations

a. Police Department Oath of Office

Mayor Rhodus administered the oath of office to Sgt. Kevin Mack and Officers Kaitlyn Pennekamp and Thomas Buttelwerth.

b. Mid-American Soccer Classic

John Harmon, Fairfield Optimist Club, gave an overview of changes made to improve the MASC tournament. Changes include additional fields and improved signage.

Citizen Comments

None.

Council Reports

Public Hearing(s)

Joint Public Hearing - Zoning Change: Service Transition/Industrial District & Industrial District to General Business District Modified

Mayor Rhodus opened the Joint Public Hearing at 7:30 PM. Planning Commission members present: Martin Medler, Melissa O'Brien, Don Hassler, Scott Lepsky, Matt Davidson, Gwen Ritchie and Doug Robertson. Clerk Wilson read the Public Hearing Notice. Planning Manager Erin Lynn presented the proposed zoning changes. See attached slides. Mayor Rhodus closed the Joint Public Hearing at 7:37 PM.

Joint Public Hearing - Zoning Change: Downtown District Modified to Downtown District

Mayor Rhodus opened the Joint Public Hearing at 7:37 PM. Planning Commission members present: Martin Medler, Melissa O'Brien, Don Hassler, Scott Lepsky, Matt Davidson, Gwen Ritchie and Doug Robertson. Clerk Wilson read the Public Hearing Notice. Planning Manager Erin Lynn presented the proposed zoning changes. See attached slides. Mayor Rhodus closed the Joint Public Hearing at 7:43 PM.

Approval of Minutes

The Regular Meeting Minutes of February 26, 2024 were approved as written and submitted.

OLD BUSINESS

Development Services

Councilmember Matt Davidson

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

Recommendation:

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

Councilmember Davidson presented the second reading of this ordinance.

RESULT: SECOND READING

Next: 3/25/2024 7:00 PM

Ordinance to amend Chapters 901, 953, and 717 of Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio relative to Trees and Plantings, Solid Waste Disposal and Garbage and Refuse Disposal.

Recommendation:

It is recommended that City Council have a first reading on this ordinance at the February 12, 2024 meeting. Since these changes are not part of the Planning and Zoning Code, Council does not need a written recommendation from the Planning Commission.

Councilmember Davidson presented the third reading of this ordinance.

ORDINANCE NO. 23-24. APPROVED 6-0.

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

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

Recommendation:

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

Second reading held pending Planning Commission recommendation.

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

Next: 3/25/2024 7:00 PM

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

Recommendation:

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

Second reading held pending Planning Commission recommendation.

RESULT: **TABLED [UNANIMOUS]**

Next: 3/25/2024 7:00 PM

MOVER: Matt Davidson, Councilmember, At-Large

AYES: Meyers, Davidson, Brill, Besl, Pennington, Kraft

EXCUSED: Paullus

Public Works

Councilmember Adam Kraft

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

Recommendation:

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

Councilmember Kraft presented the second reading of this ordinance.

RESULT: **SECOND READING**

Next: 3/25/2024 7:00 PM

NEW BUSINESS

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

Community & Public Relations

Councilmember Tim Meyers

Simple Motion: Motion to approve the following nominations to the Charter Review

Commission: Mark Wilhelm, 1st Ward (by Councilmember Leslie Besl) Edward Swain, 2nd Ward (by Councilmember Dale Paullus) Teresa Durbin, 3rd Ward (by Councilmember Debbie Pennington) Lori Brown, 4th Ward (by Councilmember Adam Kraft) Terry White, At-Large (by Councilmember Tim Meyers) Don Moser, At-Large (by Councilmember Matt Davidson) Ron Snell, At-Large (by Councilmember Gwen Brill)

Recommendation:

It is recommended that City Council, via simple motion, appoint the following residents to serve on the Charter Review Commission:

Mark Wilhelm, 1st Ward (by Councilmember Leslie Besl)
Edward Swain, 2nd Ward (by Councilmember Dale Paullus)
Teresa Durbin, 3rd Ward (by Councilmember Debbie Pennington)
Lori Brown, 4th Ward (by Councilmember Adam Kraft)
Terry White, At-Large (by Councilmember Tim Meyers)
Don Moser, At-Large (by Councilmember Matt Davidson)
Ron Snell, At-Large (by Councilmember Gwen Brill)

SIMPLE MOTION NO. 8-24. APPROVED 6-0.

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

Parks, Recreation and Environment

City Manager Scott Timmer - Report

Councilmember Leslie Besl

Motion to Suspend Second and Third Readings

Councilmember Besl presented the first reading of this ordinance.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Leslie Besl, Councilmember, 1st Ward
SECONDER:	Adam Kraft, Councilmember, 4th Ward
AYES:	Meyers, Davidson, Brill, Besl, Pennington, Kraft
EXCUSED:	Paullus

Ordinance to amend Chapter 170, Section 170.01 of Ordinance 166-84, the Codified Ordinances of Fairfield, Ohio relative to Environmental Commission membership and terms and declaring an emergency.

Recommendation:

It is recommended that City Council adopt an ordinance to amend Chapter 170, Section 170.01 to increase the number of members of the City of Fairfield Environmental Commission to (ie between 9 and 12 members). Suspension of the rules is requested so that the amendment will be effective for the appointment of additional members to the committee by April 1, 2024.

ORDINANCE NO. 24-24. APPROVED 6-0.

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

Public Works

City Manager Scott Timmer - Report

Councilmember Adam Kraft

Motion to Suspend Second and Third Readings

Councilmember Kraft presented the first reading of this ordinance.

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

Ordinance to authorize the City Manager to enter into a contract with John R. Jurgensen Co. for the South Gilmore Road Project

Recommendation:

It is recommended that City Council approve legislation for an appropriation of funding for the amounts shown above.

It is also recommended that City Council direct the preparation of legislation authorizing the City Manager to enter into a contract with John R. Jurgensen for the BUT-TR 99-0.50 (PID 114393) South Gilmore Road Project.

ORDINANCE NO. 25-24. APPROVED 6-0.

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

Finance & Budget

City Manager Scott Timmer - Report

Councilmember Gwen Brill

Motion to Suspend Second and Third Readings

Councilmember Brill presented the first reading of this resolution.

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

Resolution to approve and adopt the City of Fairfield, Ohio 2024-2028 Capital Improvement Program

Recommendation:

It is recommended that City Council pass a resolution to authorize and direct the preparation of legislation adopting the 2024-2028 Capital Improvement Program.

RESOLUTION NO. 5-24. APPROVED 6-0.

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

Motion to Suspend Second and Third Readings

Councilmember Brill presented the first reading of this ordinance.

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

Ordinance to amend section 163.18 Pers Pickup of Chapter 163, Employee Provisions, of Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio and declaring an emergency.

Recommendation:

It is recommended that City Council adopt an amendment to Codified Ordinance 163.18.

ORDINANCE NO. 26-24. APPROVED 6-0.

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

Motion to Suspend Second and Third Readings

Councilmember Brill presented the first reading of this ordinance.

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

Ordinance establishing salaries for certain exempt and salaried employees of the City of Fairfield, Ohio, to repeal Ordinance No. 173-23 and all amendments thereto and declaring an emergency.

Recommendation:

It is recommended that City Council approve this Ordinance adding a third Tax Analyst and a Development Specialist to the Unclassified Pay Plan, suspending the rules and declaring an emergency.

ORDINANCE NO. 27-24. APPROVED 6-0.

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

Motion to Suspend Second and Third Readings

Councilmember Brill presented the first reading of this ordinance.

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

Ordinance to amend Ordinance No. 166-23 entitled “An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2024, and ending December 31, 2024.”

Recommendation:

It is recommended that City Council suspend the rules requiring a second and third reading of this Ordinance and adopt the appropriations listed above.

ORDINANCE NO. 28-24. APPROVED 6-0.

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

Motion to Suspend Second and Third Readings

Councilmember Brill presented the first reading of this ordinance.

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

Ordinance to amend Ordinance No. 166-23 entitled “An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2024, and ending December 31, 2024.”

Recommendation:

It is recommended that City Council suspend the rules requiring a second and third reading of this Ordinance and adopt the appropriations listed above.

ORDINANCE NO. 29-24. APPROVED 6-0.

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

Meeting Schedule

Clerk Wilson read the following meeting schedule:

- A. Monday, March 25 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM
- B. Monday, April 8 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM
- C. Monday, April 22 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM

Executive Session of Council (if needed)

Council recessed to Executive Session at 7:55 PM. Council reconvened open session at 8:33 PM.

Councilmember Brill, seconded by Councilmember Davidson, made a motion to amend the agenda to consider the recommendation of the fact finder in negotiations with the IUOE, Local 20 bargaining unit. Motion carried 6-0.

PLACEHOLDER - Simple Motion: Motion to reject the Fact-Finding Report and Recommendation in 2023-MED-01-0065 City of Fairfield and International Union of Operating Engineers, Local 20, and directing the City Manager to submit the Employer Certification of Fact Finding Vote to SERB and the Representative of the IUOE, Local 20 bargaining unit.

SIMPLE MOTION NO. 9-24. APPROVED 6-0.

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

16. ADJOURNMENT

The Regular Meeting adjourned at 8:36 PM.

ATTEST:

Clerk of Council

Mayor's Approval

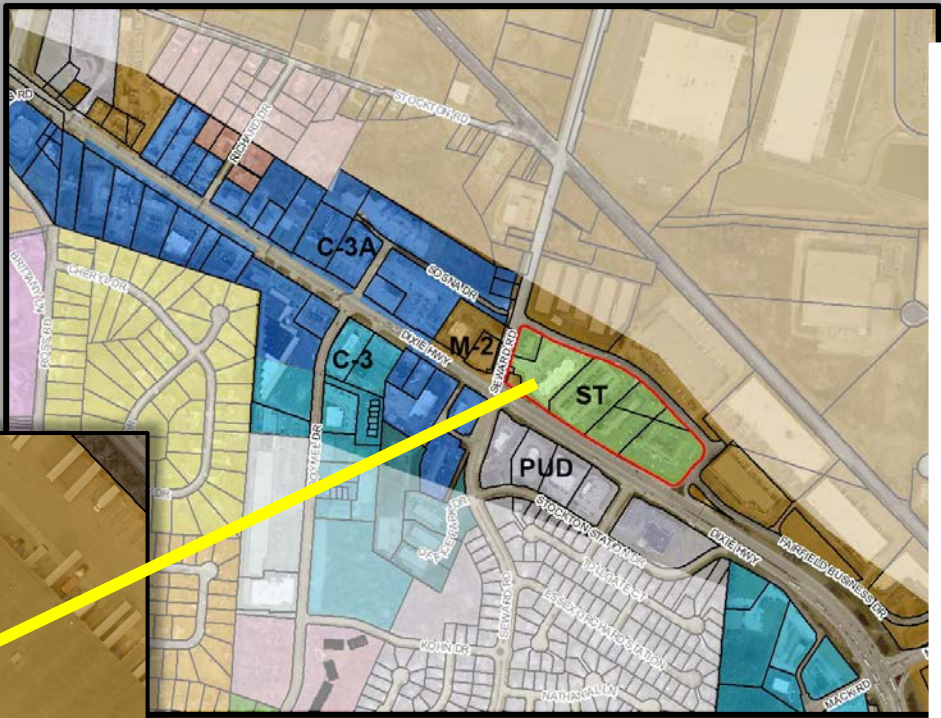
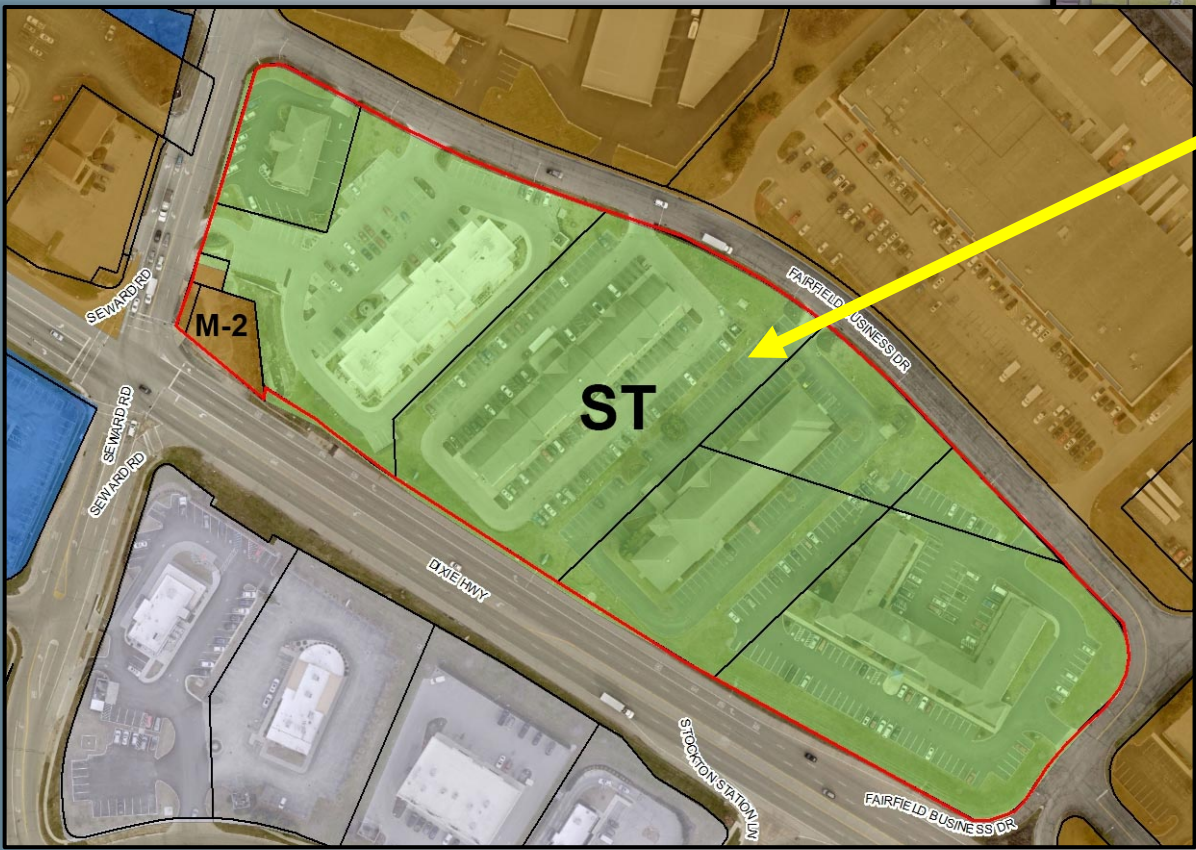
Date Approved _____

Change in Zoning from ST & M-2 to C-3A

Public Hearing
March 11, 2024



ST, Service Transition Zoning District



ST, Service Transition Zoning District



Attachment: 3-11-24 ST and D-1A rezoning (3849 : Joint Public Hearing - Service

Adoption Meeting Schedule

- **February 26, 2024** – 1st Reading
- **March 11, 2024** – Joint Public Hearing
- **March 13, 2024** – Planning Commission
- **March 25, 2024** – 2nd Reading, Suspend 3rd Reading & Adoption

QUESTIONS OR COMMENTS

Change in Zoning from D-1A to D-1

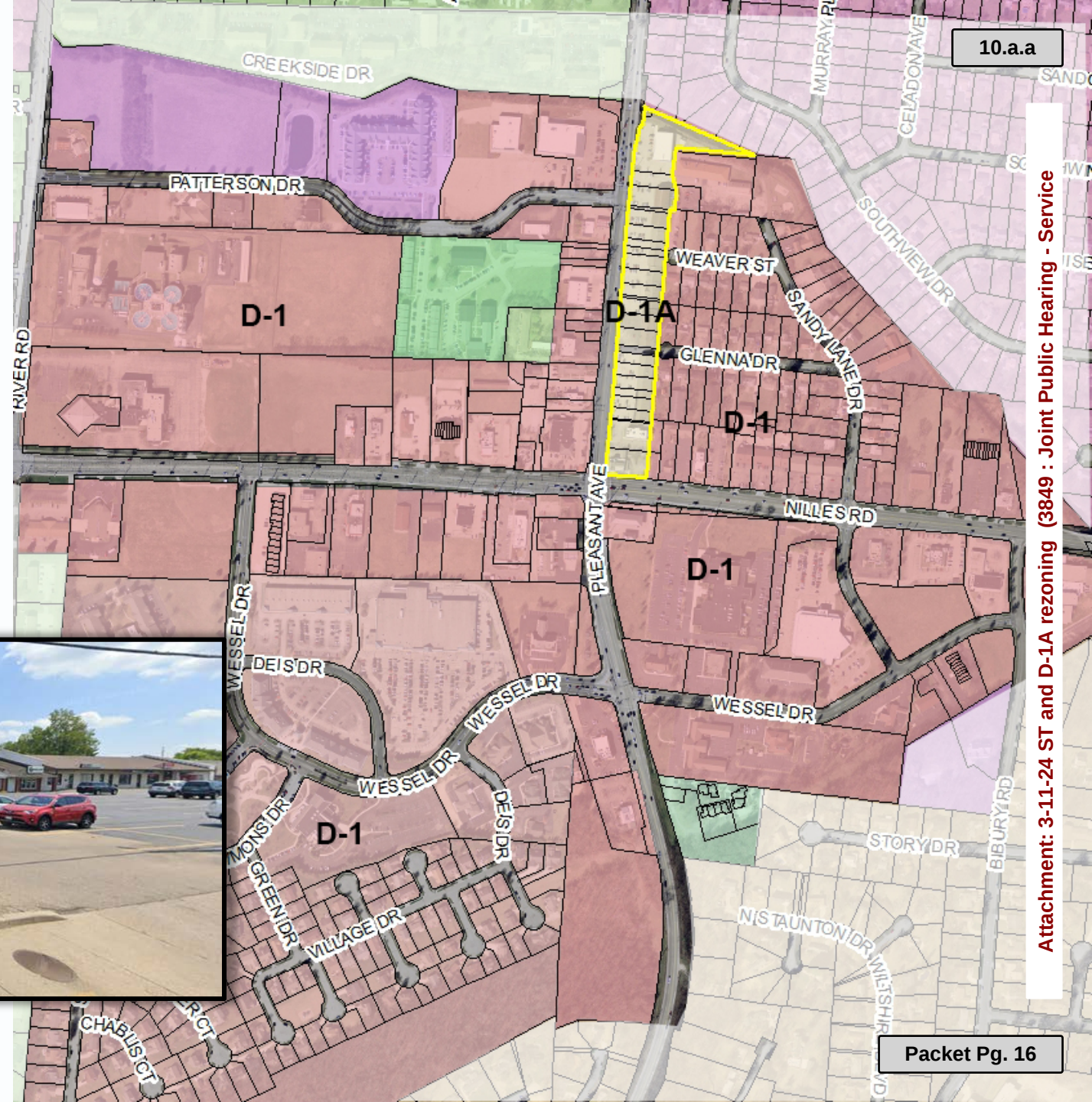
Public Hearing
March 11, 2024



D-1A, Downtown Modified Zoning District



Reigert Square



10.a.a

Attachment: 3-11-24 ST and D-1A rezoning (3849 : Joint Public Hearing - Service

D-1 Downtown District

	D-1 District	D-1A District
Minimum Lot Width	75 feet	None
Front Yard Setback	25 feet	90 Feet

(A) Downtown (D-1) District

Table 1150.03 -1: D-1 Dimensional Regulations

Min. Lot Area	Min. Lot Width	Min. Front Yard Setback	Min. Side Yard Setback	Min. Rear Yard Setback	Min. Parking Lot Setback	Max. Height	Max. Accessory Height
10,000 sq. ft.	75 feet ⁴	25 feet ⁴	None ¹	None ¹	5 feet ⁵	50 feet	20 feet ²

Terminology: min. = minimum, max. = maximum, sq.ft. = square feet

- 1) The minimum side and rear yard setbacks are 10 feet for any property is adjacent to an A or R District.
- 2) The maximum height of an accessory structure is 20 feet or the height of the principal structure, whichever is less.
- 3) Any lot legally existing on the effective date of Ordinance No. 130-94 (effective September 26, 1994) shall continue as a legally conforming lot and shall not be subject to or limited by the provisions of Section [1170.16 \(C\)](#).
- 4)

Parcels located on the east side of Pleasant Avenue and north of Nilles Road that contain a primary structure that complies with the 90 foot front yard setback required under the former D-1A District on the effective date of Ordinance No. 130-94 (effective September 26, 1994) shall continue to have no minimum lot width requirement and shall have a minimum front yard setback of 90 feet.
- 5) Additional parking lot setback regulations are located in Section [1151.04 \(C\)](#).

Adoption Meeting Schedule

- **February 26, 2024** – 1st Reading
- **March 11, 2024** – Joint Public Hearing
- **March 13, 2024** – Planning Commission
- **March 25, 2024** – 2nd Reading, Suspend 3rd Reading & Adoption

QUESTIONS OR COMMENTS