Mitch Rhodus
Mayor

Tim Meyers
Councilmember, At-Large

Matt Davidson
Councilmember, At-Large

Gwen Brill
Councilmember, At-Large

Leslie Besl
Councilmember, 1st Ward

Dale Paullus
Councilmember, 2nd Ward

Terry Senger
Councilmember, 3rd Ward

Tim Abbott
Councilmember, 4th Ward

CITY OF FAIRFIELD CITY COUNCIL
REGULAR MEETING AGENDA
MONDAY, FEBRUARY 14, 2022 7:00 PM
5350 PLEASANT AVENUE, FAIRFIELD, OH 45014

Guidelines for Citizen Comments: Thank you for your interest and participation in city government. Fairfield City Council's Guidelines for Citizen Comments describe the rules for addressing City Council. The guidelines are posted in the Council Chambers.

ADA Notice: The City of Fairfield is pleased to provide accommodations to disabled individuals or groups and encourage full participation in city government. Should special accommodations be required, please contact the Clerk of Council at 867-5383 at least 48 hours in advance of the meeting.

1. COUNCIL-MANAGER BRIEFING

A. 6:00 PM - Planning & Zoning Code Update; See-Click-Fix Presentation

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. Oath of Office - Scott Timmer, City Manager

8. PUBLIC HEARING(S)

9. APPROVAL OF MINUTES

a. Special Meeting Minutes - January 15, 2022

b. Regular Meeting held January 24, 2022

10. OLD BUSINESS AND REPORTS

A. <u>COMMUNITY & PUBLIC RELATIONS COMMITTEE</u>

Leslie Besl, Chair; Gwen Brill, Vice Chair; Tim Abbott, Member

B. <u>DEVELOPMENT SERVICES COMMITTEE</u>

Matt Davidson, Chair; Terry Senger, Vice Chair; Dale Paullus, 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 concept plan for the 5846 Pleasant Avenue Planned Unit Development.

   - Planning Commission denied approval of rezoning application (see attached)
   - Legislation - Second Reading

C. <u>PARKS, RECREATION AND ENVIRONMENT COMMITTEE</u>

Gwen Brill, Chair; Matt Davidson, Vice Chair; Leslie Besl, Member

D. <u>PUBLIC SAFETY COMMITTEE</u>

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

E. <u>PUBLIC WORKS COMMITTEE</u>

Terry Senger, Chair; Tim Meyers, Vice Chair; Matt Davidson, Member

1. Resolution declaring necessity of repairing sidewalks (including aprons).

   - Legislation - Third Reading
   - Motion - Adoption

F. <u>PUBLIC UTILITIES COMMITTEE</u>

Dale Paullus, Chair; Tim Abbott, Vice Chair; Tim Meyers, Member

G. <u>FINANCE & BUDGET COMMITTEE</u>

Tim Abbott, Chair; Gwen Brill, Vice Chair; Terry Senger, Member

11. NEW BUSINESS

Motion to read all New Business by title only.

A. <u>DEVELOPMENT SERVICES COMMITTEE</u>

Matt Davidson, Chair; Terry Senger, Vice Chair; Dale Paullus, Member

1. Ordinance to authorize the City Manager to enter into an amended contract with West Chester Township and City of Springdale for the West Chester Township JEDD-1 Project.

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

B. <u>PUBLIC SAFETY COMMITTEE</u>

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

1. Simple Motion: Motion to not request a hearing regarding a liquor permit application in the name of Bob Evans Restaurants LLC dba Bob Evans Restaurant 358, 510 Kolb Drive, Fairfield, OH 45014 (Permit Class D1, D2 & D6).

2. Update of the Traffic and General Offenses Codes of the City of Fairfield Codified Ordinances.

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

C. PUBLIC WORKS COMMITTEE

Terry Senger, Chair; Tim Meyers, Vice Chair; Matt Davidson, Member

1. Ordinance to authorize the City Manager to enter into a one (1) year contract with Prus Construction of Cincinnati, Ohio for the 2022 Sidewalk/Apron Replacement Program.

   - Legislation - First Reading

2. Ordinance to authorize the City Manager to enter into a three (3) year contract with Davey Tree Expert Company for Landscaping Maintenance.

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

D. FINANCE & BUDGET COMMITTEE

Tim Abbott, Chair; Gwen Brill, Vice Chair; Terry Senger, Member

1. Ordinance to amend Ordinance No. 148-21 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, 2022, and ending December 31, 2022."
   Contractual Appropriations: $137,000 for 2022 Sidewalk/Apron Replacement Program; $69,235 for landscaping maintenance contract.

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

2. Ordinance to amend Ordinance No. 148-21 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, 2022, and ending December 31, 2022."
   Non-Contractual Appropriations: $39,951 for water main improvements for Winton Hills Subdivision; $15,000 for purchase of fire hydrants; $14,000 for Water Treatment Plant electrical improvements; $14,000 for Wastewater Treatment Plant electrical improvements; $8,000 for manhole castings; $15,000 for purchase of

water valve boxes.

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

12. MEETING SCHEDULE

A. Monday, February 28th - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM

B. Monday, March 7th - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM

C. Monday, March 28th - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM

13. EXECUTIVE SESSION OF COUNCIL (IF NEEDED)

14. ADJOURNMENT

MINUTES

Fairfield City Council
Special Meeting of Council
January 15, 2022

Call to Order
Vice Mayor Tim Abbott called the Special Meeting of January 15, 2022 to order at the Fairfield Municipal Building, 5350 Pleasant Avenue at 8:55 AM. Councilmembers present were Leslie Besl, Dale Paullus, Terry Senger, Tim Abbott, Tim Meyers and Matt Davidson. Councilmember Davidson, seconded by Councilmember Besl, moved to excuse Councilmember Brill and Mayor Rhodus. Motion carried 6-0.

Executive Session
Vice Mayor Abbott, seconded by Councilmember Davidson, made a motion for Executive Session to consider the appointment of public officials and to prepare for, conduct, or review negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment. Motion carried 6-0. Council recessed to executive session at 8:57 AM. Council resumed open session at 11:10 AM.

Open Session
Finance Director Jake Burton presented financial information related to the proposed fire levy. See attached slides.

Vice Mayor Abbott, seconded by Councilmember Besl, made a motion to modify the agenda with the addition of a resolution. Motion carried 6-0.

Councilmember Meyers, seconded by Councilmember Paullus, moved to read the legislation by title only. Motion carried 6-0. Councilmember Meyers presented the first reading of the resolution:

Resolution declaring the necessity of the replacement of two existing levies and an additional levy in excess of the ten-mill limitation and requesting the County Auditor to certify the total current tax valuation of the City of Fairfield and the dollar amount of the revenue that would be generated by a specified number of mills and declaring an emergency.

Councilmember Meyers, seconded by Councilmember Davidson, moved to suspend the second and third readings of the resolution. Motion carried 6-0. Councilmember Meyers, seconded by Councilmember Paullus, moved to adopt. Motion carried 6-0. RESOLUTION NO. 1-22. APPROVED 6-0.

Adjournment
Councilmember Meyers, seconded by Councilmember Besl, moved to adjourn the meeting. Motion carried 6-0. The meeting adjourned at 12:09 PM.

ATTEST:

_____
Clerk of Council

APPROVED:

_____
Mayor

Date approved: _____

Attachment: Special Meeting Minute - BCInterviews.FireLevy011522 (3094 : Special Meeting Minutes - January 15, 2022)

FAIRFIELD

OHIO

Fire Levy Discussion

Attachment: Special Meeting Minute - BCInterviews.FireLevy011522 (3094 : Special

City of Fairfield Demographics

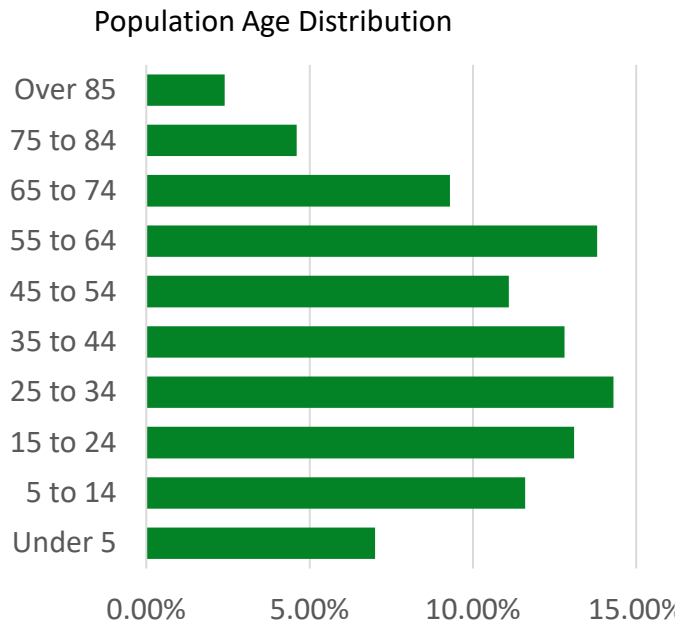
Household Income Income Level	Percentage
Less than $10k	4.4%
$10,000 to $14,999	3.6%
$15,000 to $24,999	8.0%
$25,000 to $49,999	23.5%
$50,000 to $74,999	21.6%
$75,000 to $99,999	14.2%
$100,000 to $149,999	16.4%
$150,000 to $199,999	4.3%
$200,000 or more	4.0%

2020 Population:

44,907

5.6% since 2010

United States Census 2020



Housing Information:

Median Household Income: $60,340

Owner-occupied rate: 61.7%

Median Value: $159,300

Age Breakdown:

Persons over 65: 16.4%

Persons under 18: 22.5%

Persons between 19-64: 61.1%

Attachment: Special Meeting Minute - BCInterviews.FireLevy011522 (3094 : Special

Fire Levy Fund – Funding Options

- Property Tax Levy
- Income Tax/Income Tax Levy
- General Fund Annual Supplement

Attachment: Special Meeting Minute - BCInterviews.FireLevy011522 (3094 : Special

Property Tax Levy

- Pros
  - ✓ Continuation of current funding mechanism
  - ✓ Low economic volatility
- Cons
  - ✓ Additional tax to City of Fairfield residents, greater impact on fixed income residents
  - ✓ Tax burden on homeowners only

With Proposed Staffing

Years	Millage	Annual Revenue	Homeowner Cost	Additional Cost
1	6.50	$ 7,897,967	$ 341.25	$ 51.25
2	7.50	$ 9,113,039	$ 393.75	$ 103.75
3	8.00	$ 9,720,575	$ 420.00	$ 130.00
4	8.25	$ 10,024,343	$ 433.13	$ 143.13
5	9.00	$ 10,935,647	$ 472.50	$ 182.50
6	9.25	$ 11,239,415	$ 485.63	$ 195.63
7	9.50	$ 11,543,183	$ 498.75	$ 208.75
8	9.75	$ 11,846,951	$ 511.88	$ 221.88
9	10.00	$ 12,150,719	$ 525.00	$ 235.00
10	10.25	$ 12,454,487	$ 538.13	$ 248.13

With Current Staffing

Years	Millage	Annual Revenue	Homeowner Cost	Additional Cost
1	6.00	$ 7,290,431	$ 315.00	$ 25.00
2	7.00	$ 8,505,503	$ 367.50	$ 77.50
3	7.50	$ 9,113,039	$ 393.75	$ 103.75
4	7.75	$ 9,416,807	$ 406.88	$ 116.88
5	8.00	$ 9,720,575	$ 420.00	$ 130.00
6	8.25	$ 10,024,343	$ 433.13	$ 143.13
7	8.40	$ 10,206,604	$ 441.00	$ 151.00
8	8.50	$ 10,328,111	$ 446.25	$ 156.25
9	8.75	$ 10,631,879	$ 459.38	$ 169.38
10	9.00	$ 10,935,647	$ 472.50	$ 182.50

Attachment: Special Meeting Minute - BCInterviews.FireLevy011522 (3094 : Special

Income Tax Increase/Income Tax Levy

- Pros
  - ✓ No impact on 65+ retirees
  - ✓ Spreads burden to all who utilize services including non-residents working within the City & to resident home owners and tenants
  - ✓ Potentially no impact on many residents who work in a City with a higher income tax rate
- Cons
  - ✓ Economic volatility
  - ✓ Additional tax to those who work in the City of Fairfield, a Township, or another City with an income tax rate of 1.50% or lower

Years Funded	Income Tax Increase	Estimated Collections	Total Funding (+ 7.15 mills)	Additional Tax (based on 50k)
1	0.10%	2,166,667	8,466,667	$50.00
3	0.15%	3,250,000	9,550,000	$75.00
5	0.20%	4,333,333	10,633,333	$100.00
8	0.25%	5,416,667	11,716,667	$125.00
12	0.30%	6,500,000	12,800,000	$150.00
15	0.35%	7,583,333	13,883,333	$175.00
18	0.40%	8,666,667	14,966,667	$200.00
21	0.45%	9,750,000	16,050,000	$225.00
24	0.50%	10,833,333	17,133,333	$250.00

Attachment: Special Meeting Minute - BCInterviews.FireLevy011522 (3094 : Special

General Fund Annual Supplement

- Pros
  - ✓ No additional taxes
- Cons
  - ✓ Reduced funding for other high-priority items (Police, Capital Improvements, Street Improvements, Development Fund)
  - ✓ Annually reduces General Fund balance significantly

- Year-End Fund Balance

2022 -	$ 27,114,625
2023 -	$ 27,364,925
2024 -	$ 24,121,657
2025 -	$ 20,162,603
2026 -	$ 15,441,958
2027 -	$ 9,970,389
2028 -	$ 3,869,796
2029 -	$ (2,855,538)

Attachment: Special Meeting Minute - BCInterviews.FireLevy011522 (3094 : Special

Rates of Taxation in Butler County, Ohio - Tax Year 2020

	County	School	JVS	TWP	MUNI	Park	Library	Gross		Income Tax	School Tax
Fairfield Corporation-FrFld CSD	**9.220**	**63.300**	**1.930**	**-**	**8.440**	**0.700**	**0.750**	**84.340**		**1.50%**	**0.00%**
Fairfield Township-FrFld CSD	9.220	63.300	1.930	11.090	-	0.700	0.750	86.990		0.00%	0.00%
Hamilton Corporation-Hamilton CSD	9.220	52.810	1.930	-	10.710	0.700	0.750	76.120		2.00%	0.00%
Hanover Township-Talawanda CSD	9.220	52.810	1.930	7.970	-	0.700	0.750	73.380		0.00%	0.00%
Oxford Township-Talawanda CSD	9.220	54.800	1.930	13.590	-	0.700	0.750	80.990		0.00%	1.00%
Oxford Corporation-Talawanda CSD	9.220	54.800	1.930	0.240	6.900	0.700	0.750	74.540		2.00%	1.00%
West Chester Township-Lakota LSD	9.220	68.640	1.930	18.590	-	0.700	0.750	99.830		0.00%	0.00%
Liberty Township-Lakota LSD	9.220	68.640	1.930	15.090	-	0.700	0.750	96.330		0.00%	0.00%
Ross Twp-Ross LSD	9.220	49.230	1.930	12.220	-	0.700	0.750	74.050		0.00%	1.25%
Middletown Corporation-Middletown CSD	9.220	50.140	1.930	-	6.900	0.700	0.750	69.640		2.00%	0.00%
Madison Twp-Madison LSD	9.220	38.040	1.930	5.260	-	0.700	0.750	55.900		2.00%	0.50%
Trenton Corporation-Edgewood CSD	9.220	49.370	1.930	-	12.990	0.700	0.750	74.960		1.50%	0.00%

** 8.44 "MUNI" millage includes 7.15 for Fire Levies (4.65 from 2000 & 2.5 from 2016) and 1.29 inside millage for General Fund **

Attachment: Special Meeting Minute - BCInterviews.FireLevy011522 (3094 : Special

FAIRFIELD

OHIO

Fire Levy Discussion

Attachment: Special Meeting Minute - BCInterviews.FireLevy011522 (3094 : Special

City of Fairfield
Minutes
Regular Meeting of City Council
January 24, 2022

Council-Manager Briefing

Proposed Fire Levy

Mayor Rhodus called the briefing to order at 5:00 PM. Councilmembers present: Dale Paullus, Terry Senger, Tim Abbott, Tim Meyers, Matt Davidson and Gwen Brill.

Staff members present: Don Bennett, Jake Burton, Tom Wagner, Randy McCreadie, Steve Maynard, Ben Mann, Adam Sackenheim, Tiphanie Mays, Greg Kathman, Steve Wolterman and Carol Mayhall.

Fire Department staff Don Bennett, Tom Wagner and Randy McCreadie presented the Fire Department staffing plan. Finance Director Burton presented financial information for the proposed Fire Levy. See attached slides.

Business Meeting Call to Order

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

Prayer/Pledge of Allegiance

Councilmember Senger led in prayer and Pledge of Allegiance.

Roll Call

Councilmembers present included:

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

Councilmember Davidson, seconded by Councilmember Abbott, moved to excuse Councilmember Besl. Motion carried 6-0.

Agenda Modifications

Councilmember Meyers, seconded by Councilmember Abbott, moved to add a resolution for placement of the Fire Levy to the agenda. Motion carried 6-0.

Executive Session Requests

Councilmember Abbott, seconded by Councilmember Paullus, moved for Executive Session to discuss the dismissal, demotion, discipline of a public employee or official, the status of collective bargaining with public employees and pending or imminent litigation. Motion carried 6-0.

Special Presentations and Citizen Comments

a. Public Safety Oath of Office

Mayor Rhodus adminstered the oath of office to new Firefighter/Paramedics and welcomed them to the City. Deputy Chief McCreadie introduced each of the firefigters and their support person that would pin their badge on their uniform.

b. Steve Barrett, 1605 Parliament Court

Mr. Barrett addressed Council regarding his opposition to the proposed Fire Levy. He stated that he agrees that the Fire Department should be supported and the changes should be made, but disagrees with the method being presented. He feels there is room in the budget to support the needs of the Fire Department and it should be prioritized over other projects.

Public Hearing(s)

None.

Approval of Minutes

The Regular Meeting Minutes of January 10, 2022 were approved as written and submitted.

OLD BUSINESS AND REPORTS

Community & Public Relations Committee

Leslie Besl, Chair; Gwen Brill, Vice Chair; Tim Abbott, Member

Development Services Committee

Matt Davidson, Chair; Terry Senger, Vice Chair; Dale Paullus, 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 concept plan for the 5846 Pleasant Avenue Planned Unit Development.

Recommendation:
It is recommended that City Council have a first reading on this item at the December 13, 2021 meeting and set the joint public hearing date for January 10, 2022.

The second reading of this ordinance was held pending Planning Commission recommendation.

RESULT:	**TABLED [UNANIMOUS]**	**Next: 2/14/2022 7:00 PM**
AYES:	Meyers, Davidson, Brill, Paullus, Senger, Abbott	
EXCUSED:	Besl	

Parks, Recreation and Environment Committee

Gwen Brill, Chair; Matt Davidson, Vice Chair; Leslie Besl, Member

Public Safety Committee

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

Public Works Committee

Terry Senger, Chair; Tim Meyers, Vice Chair; Matt Davidson, Member

Resolution declaring necessity of repairing sidewalks (including aprons).

Recommendation:
It is recommended that City Council authorizes and directs the preparation of a Resolution of Necessity for the sidewalk/driveway apron repairs.

Councilmember Senger presented the second reading of this resolution.

RESULT:	**SECOND READING**	**Next: 2/14/2022 7:00 PM**

Public Utilities Committee

Dale Paullus, Chair; Tim Abbott, Vice Chair; Tim Meyers, Member

Finance & Budget Committee

Tim Abbott, Chair; Gwen Brill, Vice Chair; Terry Senger, Member

Ordinance to Amend Subsection 143.06, Promotions in the Police Department, of Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio.

Recommendation:
It is recommended that Council adopt the promotional process outlined in this ordinance.

Councilmember Abbott presented the third reading of this ordinance.

ORDINANCE NO. 6-22. APPROVED 6-0.

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

NEW BUSINESS

Minutes Acceptance: Minutes of Jan 24, 2022 7:00 PM (Approval of Minutes)

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

Community & Public Relations Committee

Leslie Besl, Chair; Gwen Brill, Vice Chair; Tim Abbott, Member

Simple Motion: Motion to approve the following 2022 Boards/Commissions Appointments effective January 24, 2022: Alex Saurber - Board of Zoning Appeals (term expires 3/31/24) Tonya Charles - Civil Service Commission (term expires 3/31/22)

Recommendation:
It is recommended that City Council, via simple motion, appoint the following residents to serve on the various boards and commissions **effective January 24, 2022**:

Alex Saurber - Board of Zoning Appeals (term expires 3/31/24)
Tonya Charles - Civil Service Commission (term expires 3/31/22)

SIMPLE MOTION NO. 4-22. APPROVED 6-0.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Gwen Brill, Councilmember, At-Large
SECONDER:	Tim Abbott, Councilmember, 4th Ward
AYES:	Meyers, Davidson, Brill, Paullus, Senger, Abbott
EXCUSED:	Besl

Development Services Committee

Matt Davidson, Chair; Terry Senger, Vice Chair; Dale Paullus, Member

1. Nathaniel Kaelin, Economic Development Manager

   Mr. Kaelin reviewed the projects related to the legislation being presented to Council. He explained the city's role in the Brownfield remediation project so that the former Fairfield Cleaners property will be cleaned up and a convenant not to sue may be issued for possible future tenants to feel secure in leasing the property. The property owner will provide the 25% match and the city will incur minimal administrative costs. Mr. Kaelin also explained the three items of legislation related to the PACE Project at InnoMark Communications for their eligible building improvements to the roof and HVAC that will improve energy efficiency. This project will support InnoMark's $800,000 investment, as well as provide another tool for the city to offer other businesses.

Motion to Suspend Second and Third Readings

Councilmember Davidson presented the first reading of this ordinance.

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Matt Davidson, Councilmember, At-Large
SECONDER:	Tim Meyers, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Paullus, Senger, Abbott
EXCUSED:	Besl

Ordinance to authorize submission of an application to the Ohio Department of Development's Brownfield Remediation Program for environmental remediation activities at the former Fairfield Cleaners property at 1099 Magie Avenue, including authorizing the Acting City Manager to execute associated documents and enter into a contract for professional services with Patriot Engineering and Environmental, Inc., and declaring an emergency.

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

ORDINANCE NO. 7-22. APPROVED 6-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Matt Davidson, Councilmember, At-Large
SECONDER:	Tim Meyers, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Paullus, Senger, Abbott
EXCUSED:	Besl

Motion to Suspend Second and Third Readings

Councilmember Davidson presented the first reading of this resolution.

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

A Resolution approving the Petition for Special Assessments for Special Energy Improvement Projects under Ohio Revised Code Chapter 1710 and declaring the necessity of acquiring, constructing, and improving certain public improvements in the City of Fairfield in cooperation with the Fairfield, Liberty, Monroe Energy Special Improvement District 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.

RESOLUTION NO. 2-22. APPROVED 6-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Matt Davidson, Councilmember, At-Large
SECONDER:	Tim Meyers, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Paullus, Senger, Abbott
EXCUSED:	Besl

Motion to Suspend Second and Third Readings

Councilmember Davidson presented the first reading of this ordinance.

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Matt Davidson, Councilmember, At-Large
SECONDER:	Tim Meyers, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Paullus, Senger, Abbott
EXCUSED:	Besl

An Ordinance determining to proceed with the acquisition, construction, and improvement of certain public improvements in the City of Fairfield in cooperation with the Fairfield, Liberty, Monroe Energy Special Improvement District, and declaring it an emergency.

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

ORDINANCE NO. 8-22. APPROVED 6-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Matt Davidson, Councilmember, At-Large
SECONDER:	Tim Meyers, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Paullus, Senger, Abbott
EXCUSED:	Besl

Motion to Suspend Second and Third Readings

Councilmember Davidson presented the first reading of this ordinance.

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Matt Davidson, Councilmember, At-Large
SECONDER:	Tim Abbott, Councilmember, 4th Ward
AYES:	Meyers, Davidson, Brill, Paullus, Senger, Abbott
EXCUSED:	Besl

An Ordinance levying special assessments for the purpose of acquiring, constructing, and improving certain public improvements in the City of Fairfield in cooperation with the Fairfield, Liberty, Monroe Energy Special Improvement District, approving an Energy Project Cooperative Agreement and a Special Assessment Agreement, and declaring it an emergency.

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

ORDINANCE NO. 9-22. APPROVED 6-0.

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

Public Safety Committee

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

Motion to Suspend Second and Third Readings

Councilmember Meyers presented the first reading of this resolution.

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Tim Meyers, Councilmember, At-Large
SECONDER:	Tim Abbott, Councilmember, 4th Ward
AYES:	Meyers, Davidson, Brill, Paullus, Senger, Abbott
EXCUSED:	Besl

Resolution declaring the amount of taxes that may be raised by levy at the maximum rate authorized by law without a vote of the electors to be insufficient and declaring the necessity of the replacement of two (2) existing levies and an increased levy in excess of such rate for the purpose of providing funds for the operational and capital expenses of the Fire Department of the City of Fairfield, Ohio and other purposes authorized under Ohio Revised Code §5705.19(I) and declaring an emergency.

RESOLUTION NO. 3-22. APPROVED 6-0.

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

Public Utilities Committee

Dale Paullus, Chair; Tim Abbott, Vice Chair; Tim Meyers, Member

Motion to Suspend Second and Third Readings

Councilmember Paullus presented the first reading of this ordinance.

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

Ordinance to authorize the Acting City Manager to enter into a contract with Dixon Engineering for professional engineering and inspection services associated with the Seward Road 0.5 MG tank rehabilitation project.

Recommendation:
It is recommended that City Council authorize the Acting City Manager to enter into a contract with Dixon Engineering and appropriate $64,250.00 for engineering and inspection services associated with the Seward Road 0.5 MG tank rehab project.

ORDINANCE NO. 10-22. APPROVED 6-0.

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

Motion to Suspend Second and Third Readings

Councilmember Paullus presented the first reading of this ordinance.

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Dale Paullus, Councilmember, 2nd Ward
SECONDER:	Tim Abbott, Councilmember, 4th Ward
AYES:	Meyers, Davidson, Brill, Paullus, Senger, Abbott
EXCUSED:	Besl

Ordinance to authorize the Acting City Manager to enter into a contract with Clearcreek Coatings, Ltd. for the Seward Road 0.5 Million Gallon Storage Tower "Cleaning, Repairing, and Painting Project."

Recommendation:
It is recommended that City Council authorize the City Manager to enter into a contract with Clearcreek Coatings Ltd., and appropriate project funding in the amount of $474,800.00 for the Seward Road 0.5 Million Gallon Water Storage Tower Cleaning, Repairing and Painting Project.

ORDINANCE NO. 11-22. APPROVED 6-0.

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

Finance & Budget Committee

Tim Abbott, Chair; Gwen Brill, Vice Chair; Terry Senger, Member

Motion to Suspend Second and Third Readings

Councilmember Abbott presented the first reading of this ordinance.

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Tim Abbott, Councilmember, 4th Ward
SECONDER:	Dale Paullus, Councilmember, 2nd Ward
AYES:	Meyers, Davidson, Brill, Paullus, Senger, Abbott
EXCUSED:	Besl

Ordinance to amend Ordinance No. 148-21 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, 2022, and ending December 31, 2022." - Supplemental Appropriations

Recommendation:
It is recommended that City Council authorize and direct the preparation of legislation amending the annual operating budget for 2022.

ORDINANCE NO. 12-22. APPROVED 6-0.

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

Motion to Suspend Second and Third Readings

Councilmember Abbott presented the first reading of this ordinance.

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Tim Abbott, Councilmember, 4th Ward
SECONDER:	Matt Davidson, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Paullus, Senger, Abbott
EXCUSED:	Besl

Ordinance to amend Ordinance No. 148-21 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, 2022, and ending December 31, 2022."

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. 13-22. APPROVED 6-0.

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

Motion to Suspend Second and Third Readings

Councilmember Abbott recused himself from the consideration of this item and left the room.

Councilmember Brill presented the first reading of this ordinance.

RESULT:	**CARRIED [5 TO 0]**
MOVER:	Gwen Brill, Councilmember, At-Large
SECONDER:	Dale Paullus, Councilmember, 2nd Ward
AYES:	Meyers, Davidson, Brill, Paullus, Senger
EXCUSED:	Besl
RECUSED:	Abbott

Ordinance to amend Ordinance No. 148-21 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, 2022, and ending December 31, 2022."

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. 14-22. APPROVED 5-0.

RESULT:	**ADOPTED [5 TO 0]**
MOVER:	Gwen Brill, Councilmember, At-Large
SECONDER:	Matt Davidson, Councilmember, At-Large
AYES:	Meyers, Davidson, Brill, Paullus, Senger
EXCUSED:	Besl
RECUSED:	Abbott

Meeting Schedule

Clerk Wilson read the following meeting schedule:

A. Monday, February 14th - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM

B. Monday, February 28th - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM

C. Monday, March 14th - 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.

14. ADJOURNMENT

The Regular Meeting adjourned at 8:35 PM.

ATTEST:

_____
Clerk of Council

_____
Mayor's Approval

Date Approved_____

Fairfield Fire Department Staffing Analysis

DEFINING THE CURRENT AND FUTURE NEEDS OF THE FIRE DEPARTMENT

Minutes Acceptance: Minutes of Jan 24, 2022 7:00 PM (Approval of Minutes)

Fairfield Fire Department
Significant Benchmarks

- Established in 1955 - Formerly Fairfield Twp. Fire Department.
- 1955 to 1973 – Staffed strictly by volunteer personnel
- 1973 - Established a paid on call system for volunteer personnel.
- 1981 – Paramedic Levy passed by referendum.
- 1983 – Initiated paramedic services through a contract agency known as I.S.P.I.
- 1985 – Implemented a part time system covering weekdays 06:00 -18:00.
- 1990 – 24 hour coverage with part time personnel.
- 1993 – Hired three full time Captains to oversee 24 hour operations staffed entirely by part time personnel.
- 1999 – Hired 9 career firefighter / paramedics
- 2000 - Hired 3 career firefighter / paramedics
- 2001 – Hired 9 career firefighter / paramedics
- 2006 – Terminated paramedic contract
- 2020 – 27 FF/PM, 3 Fire Captains, 2 Deputy Fire Chiefs, and 48 part time personnel
- 2021 – 36 FF/PM, 3 Fire Captains, 2 Deputy Fire Chiefs, and 36 part time personnel.

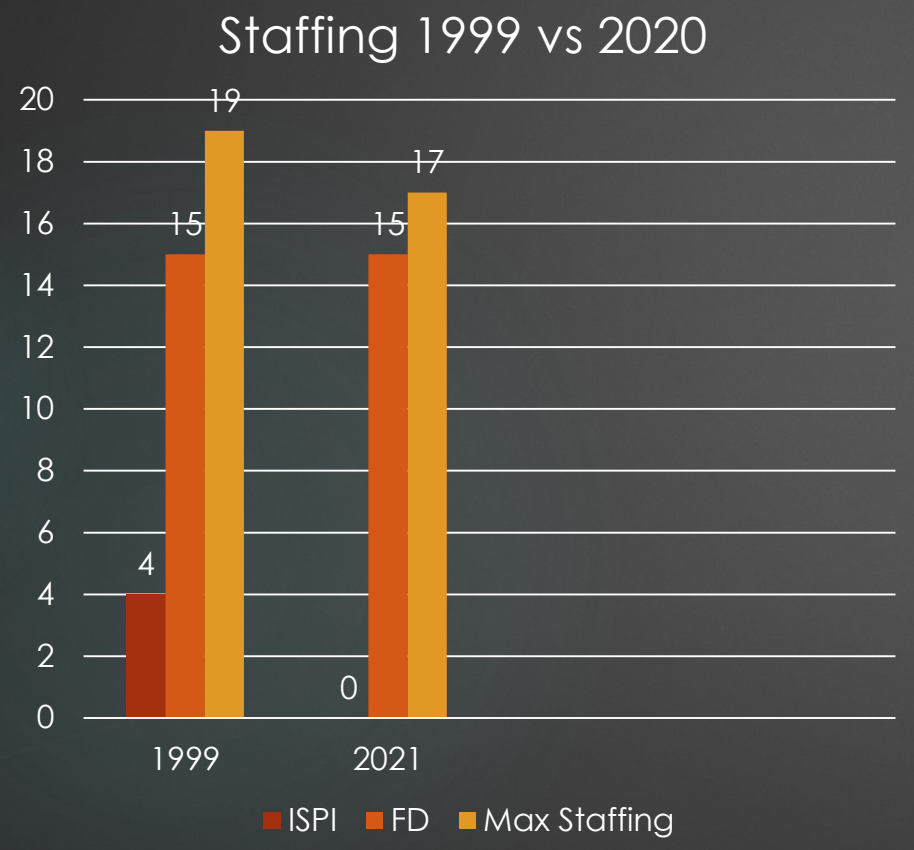
Kramer and Associates Report

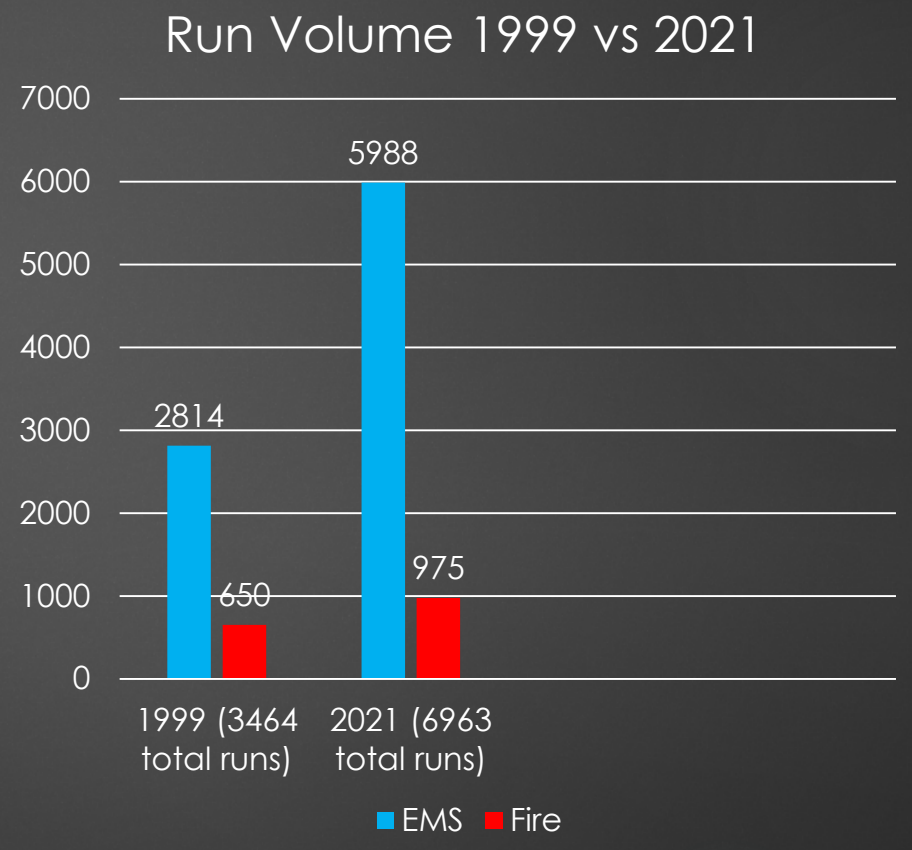
- Consulting firm hired by the City in 1999 to evaluate the current level of fire and emergency medical services provided by the City.
- Evaluated services based on the population served, NFPA 1500, NFPA 1710, and services provided in cities of like size and population.
- At the time of the report, paramedic services were provided solely by I.S.P.I. a contract paramedic service who provided 4 personnel each day.
- The final report was presented to the City at a Council Briefing providing the City with four recommendations.
- It was decided that increasing the on-duty staffing to 15 using a combination career and part time staffing model was the most appropriate. Considering the presence of 4 personnel from I.S.P.I. the true total of on-duty personnel was 19.

Kramer and Associates Report

- In 2006, the contract with I.S.P.I. was not renewed and the delivery of ALS emergency medical services became the responsibility of the fire department.
- With the departure of I.S.P.I. on-duty personnel was reduced from 19 to 15.
- *"Any decision involving additional personnel should logically include an analysis of the operating procedures to see if a more equitable balance can be obtained between firefighting operations and paramedic services"*
- *"Due to the uncertain future of part-time personnel and the inability to retain high quality control standards with most part-time personnel who can be persuaded to work, it is recommended that Fairfield consider expanding only with full time personnel, but retain the existing part-time personnel as long as they are willing to serve"*

Statistics Reflected in the Kramer Report





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Insurance Services Office, Inc.
ISO – Class 2

- ISO is a nationally recognized service that evaluates the level of public fire protection provided by municipalities.
- The public protection classification is used by various insurance companies and underwriters to determine the cost of coverage for both residential and commercial properties.
- The Public Protection Classification reflects not only the operations of the Fire Department, but also Emergency Communications, Water Supply, and Community Risk Reduction.
- The most recent ISO Inspection was completed in May of 2016.
- Emergency Communications makes up 10% of the ISO Classification which received 8.60 credit out of a possible 10.
- Water makes up 40% of the ISO Classification which received 38.59 credit out of a possible 40.

Insurance Services Office, Inc.
ISO – Class 2

- Fire Department Operations make up 50% of the ISO Classification which received a 34.40 credit out of a possible 50.
- Communications and Water received a 47.19 credit out of a possible 50.
- There are two areas of the current ISO report that speak to the needs of the Fire Department.
- Deployment refers to the location of fire stations and the ability to locate fire apparatus within a 1.5 mile response area and 2.5 mile response area for aerials.
- The department received 5.97 out of 10 possible credits for the location of the existing three fire stations.
- Personnel refers to the staffing of fire apparatus in accordance with NFPA 1710. The department received 7.34 out of a possible 15 credits.

Current Staffing Model

- The department operates as a combination fire department meaning that staffing is provided by a combination of career and part time personnel.
- Currently part time personnel make up 33% of our daily personnel with 6 personnel scheduled each shift.
- Initially part time personnel were individuals who transitioned from paid on call to part time status working assigned shifts. The majority of which were older individuals with full time employment in the private sector.
- For over ten years we have experienced a "revolving door" with part time personnel working solely to achieve full time employment in the fire service.
- The frequency at which part time personnel leave negatively impacts the department's ability to maintain an acceptable level of experience to fill essential positions.

Essential Positions vs Availability of Qualified Personnel

- Q31/ Q32 – Apparatus Operator / Officer's Position / Firefighter (6)
- ALS 31/ ALS 32 – Career paramedic (2)
- Medic 31 / Medic 32 / Medic 33 – Paramedic (3) EMT-B (Class 4) (3)
- D-33- Shift Supervisor/Captain (1)
- Total Number of Qualified Personnel needed to fill the essential positions. (15)
- With Engine 33 In-Service (18)

	Full-time personnel- 24 hours/every 3rd day
1	**Unit 3 - Capt Ruhl**
2	Lt. Korte 42
3	Lt Viers 69
4	Lt. Gibbs 54
5	M. Brown 49
6	S. Colvin 41
7	B. Gerrety 65
8	M. Weiss 99
9	A. Wilkens 62
10	C. Simpson 38
11	E. Toney 92
12	G. Fuller 25
13	A. Lammert 97

	Part-time personnel- 24 hours/every 6th day	
	24 A	24 B
14	J. Campbell 57	C. Christo 31
15	C. Solomon 24	A. Foley 88
16	M. Schueler 84	B. Baum 75
17	J. Ulrey 10 4/7/22	K. Stafford 81
18	OPEN	Z. Duggins 39 4/10/22

Color Key
FF/Medic
FF/EMT
Open Shift
90 Days/Orientation
In Medic School

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Immediate vs Long Term Recommendations

- Both Immediate and Long Term Recommendations are contingent on identifying a sustainable funding source.
- Immediate recommendations are as follows:
- Implement steps to maintain staffing at 18 per shift.
- Fill essential positions with overtime when there is a lack of qualified personnel to fill the essential positions.
- Overtime is recommended only as a temporary solution to the staffing issue.
- Long term recommendations are as follows:
- Upon establishing a sustainable funding source add 18 additional career personnel beginning with 6 in 2022, 3 in 2023, 2024, 2025, and 2026.
- In 2022, add 3 Lieutenants promoted from existing personnel without increasing staffing.
- The proposed Lieutenants would be line officers to address the absence of a line officer at Station 33.

Response Times and Staffing

Deputy Chief Wagner

Response Times & Staffing

Structure Fire Response

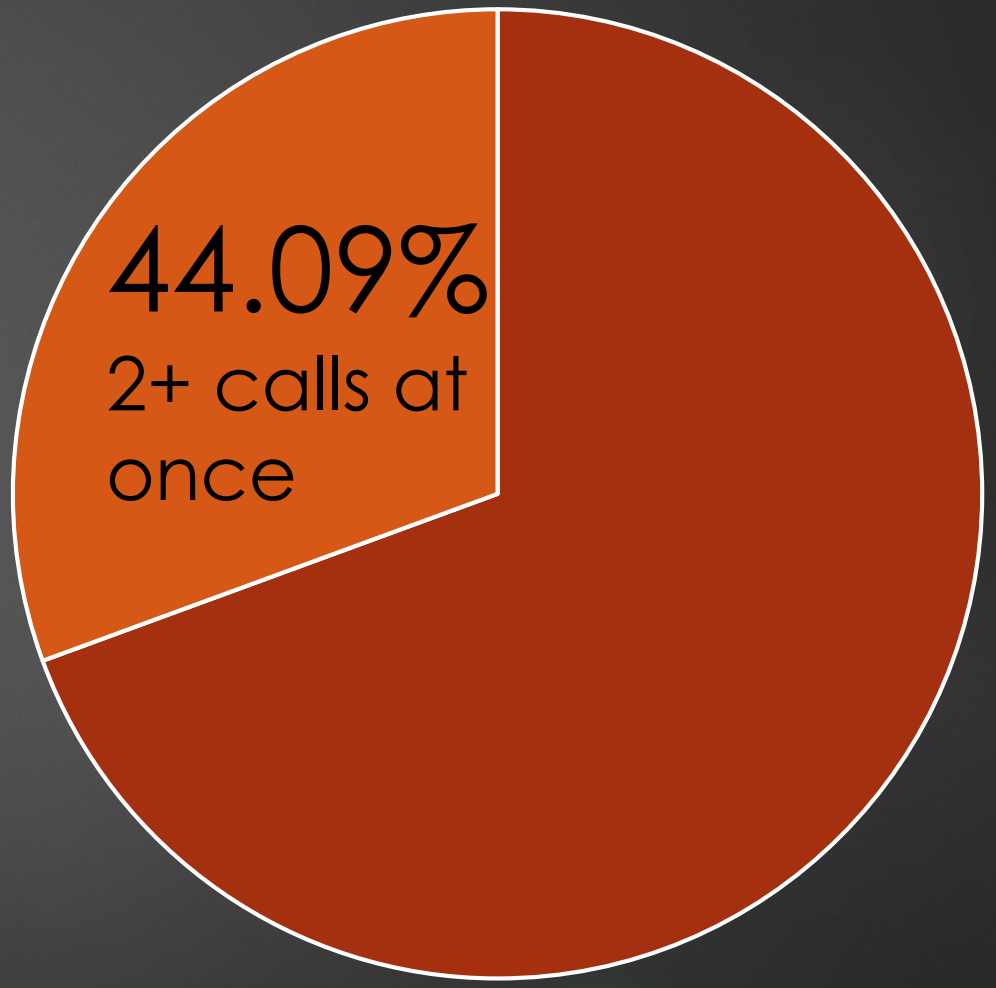
- All on-duty personnel respond, unless they are on an emergency medical call.
- If all units are available and staffing is at (>/=15) personnel: Quint 31, Quint 32, Engine 33, District 33, Medic 31 and Medic 32 respond
- If at quarters, Medic 33 is taken out-of-service on structure fires and personnel cross staff Engine 33.
- If there are (17) FF's on-duty, E-33 will have (4) personnel and (1) on Rescue 33.

Response Times & Staffing

- If staffing is at (15) and Medic 33 is on a call, Engine 33 is out-of-service. One FF brings Rescue 33.
- A mutual aid fire engine is automatically dispatched on the 1st alarm to backfill Engine 33.
- Once there is confirmation that there is a fire, a 2nd alarm request will bring additional mutual aid units
- In 2021, Engine 33 has been out-of-service due to lack of staffing nearly 22% of the time (M-33 made 1923 runs in 2021).
- We ceased mandatory overtime to (17) due to employee burnout and fatigue issues.

Simultaneous Emergency Calls

Simultaneous Calls: 2684 or 44.09% of the time



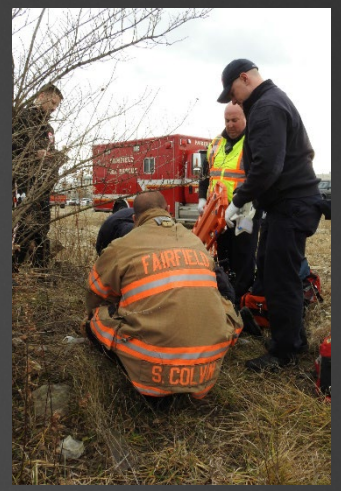
EMS impact on fire operations

2021 Run Volume

- 6963 total calls for service
- 5988 EMS calls (typical call lasts 30 to 60 minutes)
- 975 fire-related calls
- Almost a 12% increase over 2020
- Nearly 22% of all EMS calls are to nursing homes, senior living facilities & dialysis clinics

Each EMS response requires (3) personnel – (2) on a medic transport unit and (1) on the ALS unit

Since we use these personnel to also cross-staff our fire apparatus, we have fewer personnel responding on fires calls which leads to inexperience issues



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Why is staffing important?

- Firefighting is inherently dangerous and unpredictable
- NIOSH identified inexperience and years on the job, not age, as a correlation with greater mortality when studying Line of Duty Deaths (LODD) among several contributing factors
- OSHA – "Two In-Two Out" rule

Why is staffing important?

- MAYDAY – When a FF is lost, disoriented, trapped, fell or out of air
- LODDs have occurred locally in Cincinnati, Colerain and Hamilton among others
- CFD study shows most MAYDAYs occur 7-9 minutes after the arrival of the first fire apparatus
- The majority of MAYDAYs occur during residential fires, not large commercial structures. 41.6% occur in single family and 19.8% occur in multi-family occupancies.

Why is staffing important?

According to Underwriters Laboratory (UL):

- (30) years ago, you had up to 17 minutes to escape a house fire
- Today, you have 3-5 minutes. Why?
- Open floor plans provide oxygen but no barriers
- Synthetic materials burn faster than natural products
- Light weight construction

Why is staffing important?

How do we combat this?

- Prevention is key - Education about smoke detectors, home escape plans, cooking safety, chimney safety, fire extinguishers, code enforcement, etc.

- Staffing - Ensuring the fire department responds quickly and with sufficient initial staffing can help prevent injuries or deaths

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Response Times & NFPA-1710

NFPA-1710 minimum benchmark criteria:

- 1st arriving engine should be on-scene in 4:00 minutes from going en-route
- 2nd arriving engine should be on-scene in 6:00 minutes from going en-route with (4) FFs
- The remainder of the 1st alarm assignment should be on-scene in 8:00 minutes from going en-route

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Single family homes

For this presentation, we will only focus on single family homes and garden apartments

- NFPA-1710 defines a single family home as 2000 square feet or less, one or two stories, no basement and no exposures
- Exposures are adjacent houses, structures, vehicles, etc. where fire could spread

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Single family home fires

For a fire in a single family home, NFPA-1710 recommends having a total effective, minimum response force of (**16**) personnel, (**17**) if an aerial device is used, on the 1st alarm.

Incident Commander – (1)

Pump Operator – (1)

1st hoseline – (3)

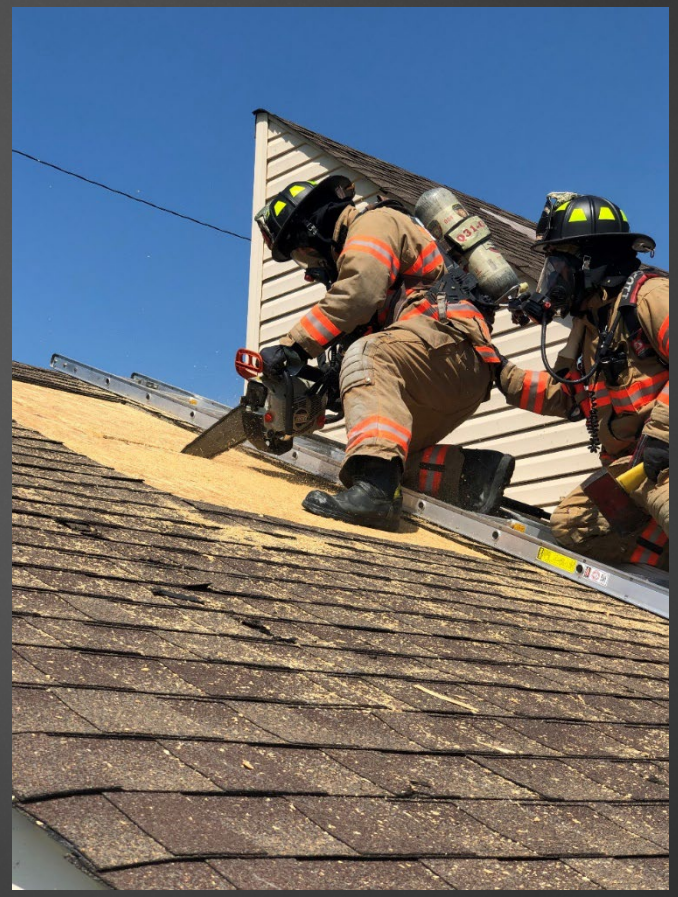
Back-up hoseline (3)

Search & Rescue team – (2)

Ground ladders & Ventilation team – (2)

Rapid Intervention Team – (4)

Aerial Device Operator – (1)



Apartment (multi-family) fires

NFPA defines an apartment as 1200 square foot, 3-story

For a fire in a single family home, NFPA-1710 recommends having a total effective, minimum response force of (**27**) personnel, (**28**) if an aerial device is used, on the 1st alarm.

Incident Commander/Accountability/Safety – (2)

Pump Operator – (2)

1st hoseline – (3)

2nd hoseline – (3)

3rd hoseline (3)

Search & Rescue team #1 – (2)

Search & Rescue team #2 – (2)

Ground ladders & Ventilation team #1 – (2)

Ground ladders & Ventilation team #2 – (2)

Rapid Intervention Team – (4)

Aerial Device Operator – (1)

EMS crew – (2)

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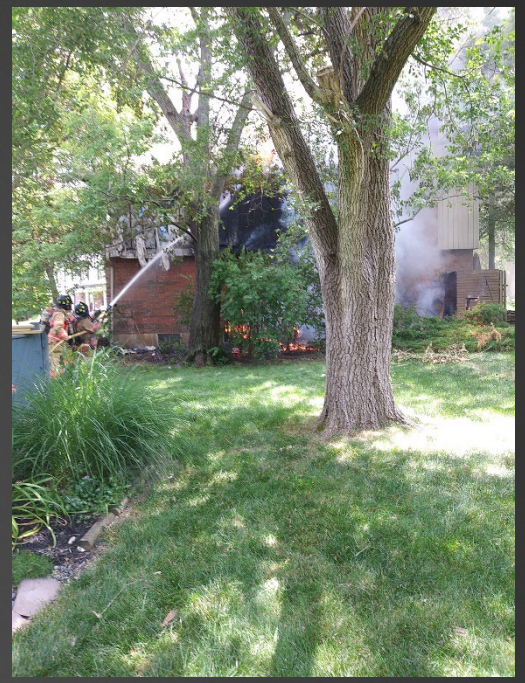
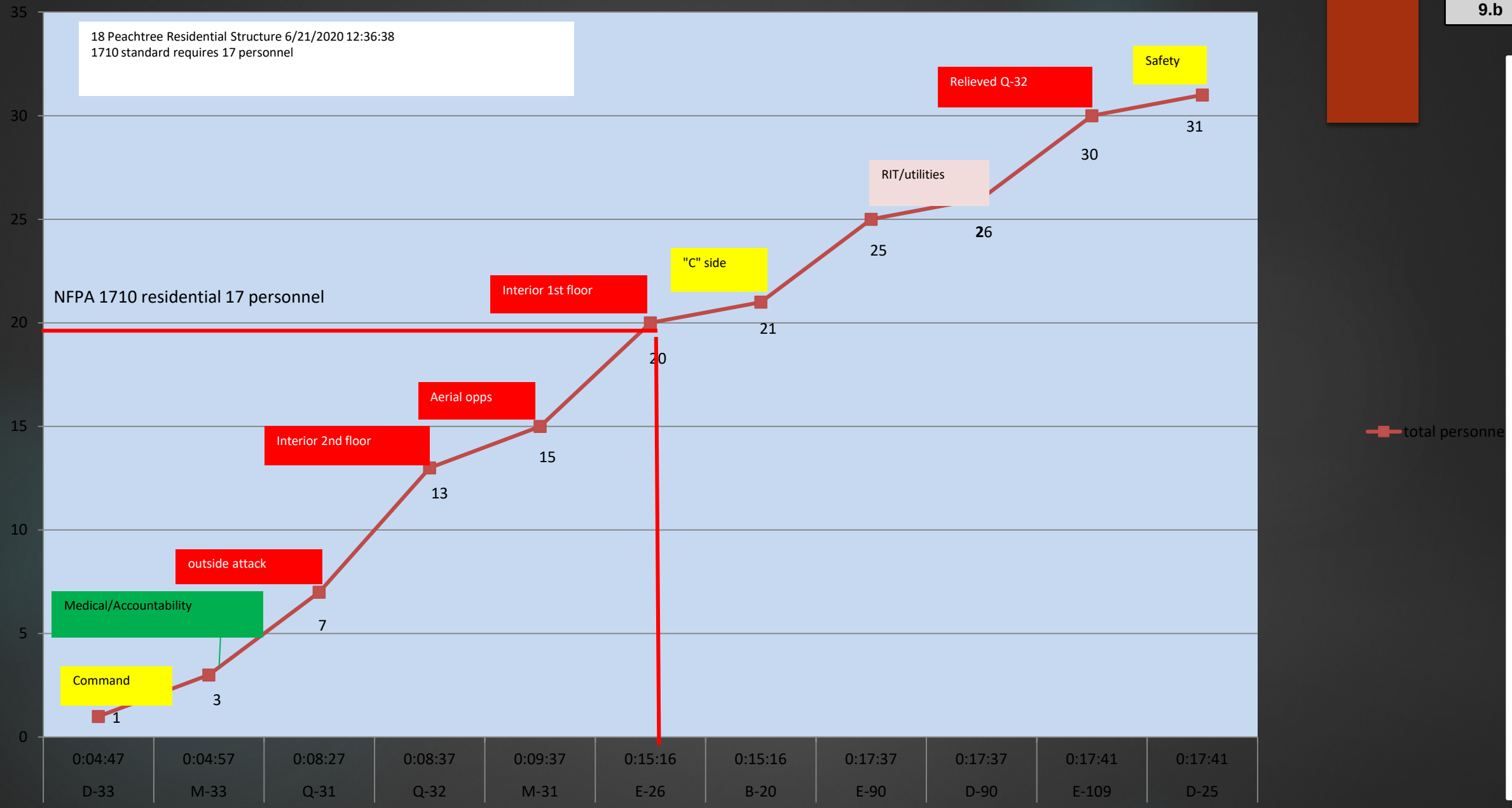
Structure Fires 1/1/18 – 12/31/21

- There have been approximately (260) reported structure fires during this 4 year timeframe
- Estimated $7,752,790 in property & content damage including three apartment buildings, a restaurant and a home being complete losses
- (9) civilian injuries, (1) civilian fatality and (3) FF injuries
- We did **not** meet the NFPA-1710 staff/response time recommendations on any large, confirmed fires
- We will look at three examples…

Residential Fire – 6/21/20

- Dispatched at 12:38 pm
- E-33 was the closest engine but was out-of-service due to staffing
- M-33 & D-33 arrived first. Q-31 arrived nearly 3:30 later, delaying suppression
- Took 15+ minutes to get (17) personnel on the scene with mutual aid
- 2 alarm fire
- House was considered a complete loss and demolished on 9/2 - $200K+ in property & content damage. Now a vacant lot.
- Siding on the house next door was also damaged by heat (exposure)





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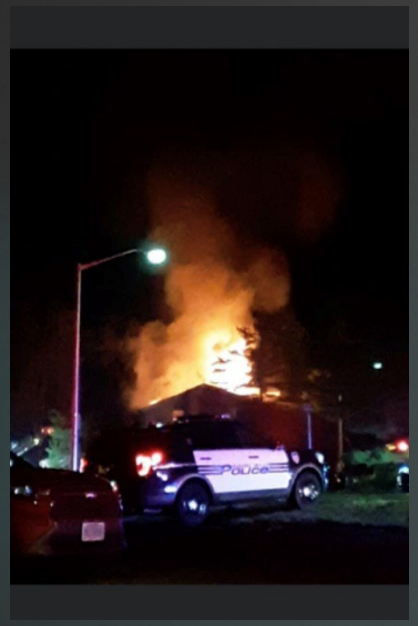
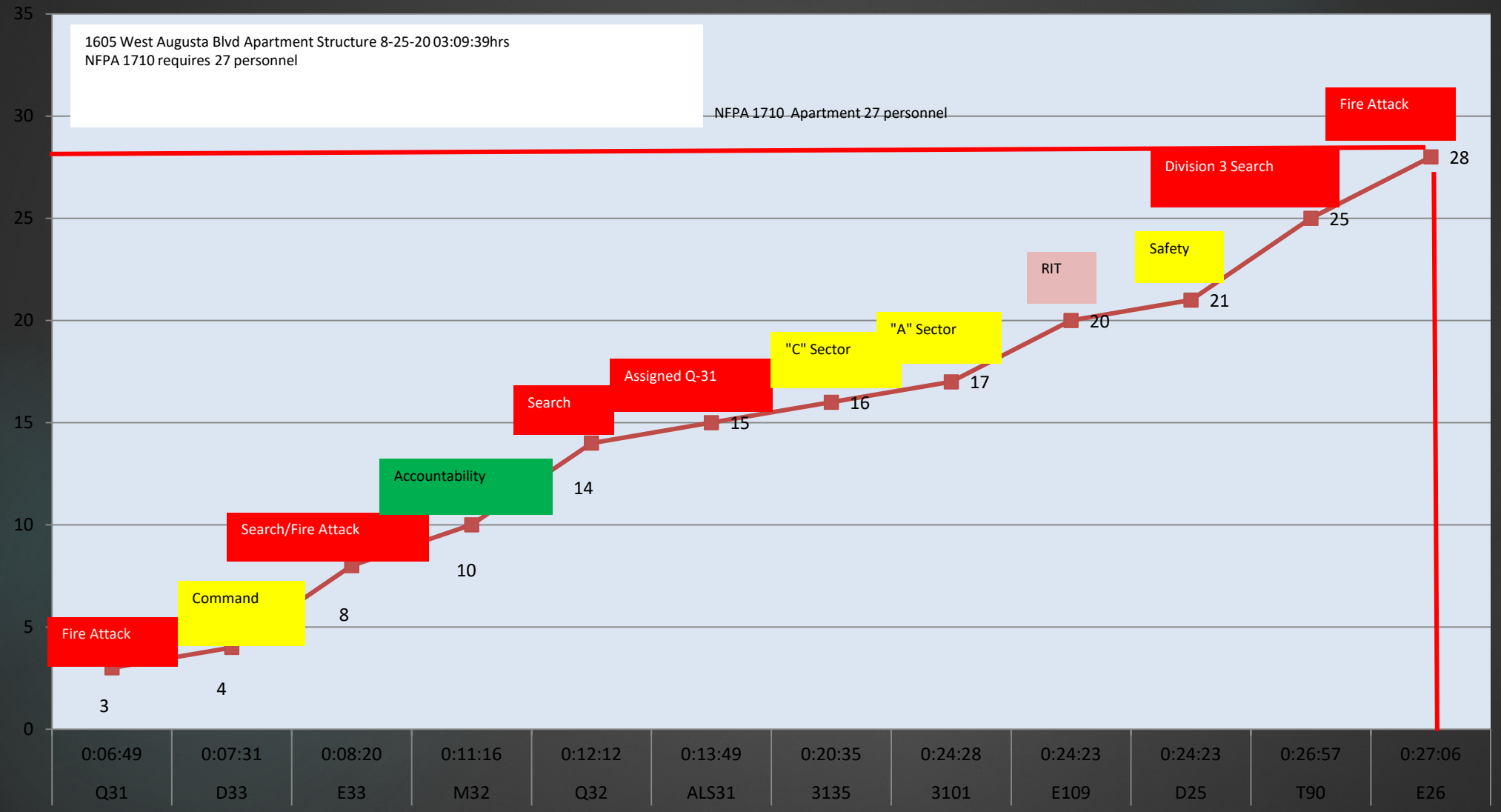
Multi-family Fire – 8/25/20



- Dispatched at 3:09 am
- Staffing was at 16 but M31 & ALS31 were on an EMS call leaving only 13 personnel
- E-33 was staffed and arrived :50 after Q-31 allowing interior suppression efforts (life safety)
- 3 alarm fire due to high humidity and FF fatigue issues
- Building is a complete loss
- Took 27 minutes to assemble 28 personnel



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Residential Fire – 11/18/21

- Dispatched at 4:16 PM
- Address is in Station 33's district
- Riding lawn mower on fire inside the garage
- E-33 was out-of-service due to staffing at 15
- First arriving units on the scene were Rescue 33 in under 2:00 minutes (1 person)and then medic units coming back from the hospital.
- Q-31 put first water on the fire (6:00+ minutes from dispatch). Damage limited to the garage & vehicles inside.
- Did not meet NFPA-1710 standard

How would additional career firefighters benefit us?

- Adding (18) career firefighters would continue to move us in the right direction of trying to meet the recommendation on single family home fires
- E-33 would be in-service consistently to better serve the residents in that area with faster response times, suppression capability and added EMS first responder capability (if M-33 is on a call already)
- It would provide additional personnel to perform critical life saving and suppression efforts earlier in the incident
- It would increase the experience level of personnel operating on the scene of a fire

Possible future impacts on delivery of Fire & EMS Services

- Almost a 12% increase in runs from 2020-2021. We see that trend continuing
- Elderly population (falls accounted for 15.1% of all calls in 2021)as people are living at home longer vs assisted living or nursing homes
- Aging housing stock in some neighborhoods – both owner occupied and rental
- Household sizes increasing and some illegal subdividing of rental houses occurring

Part Time Personnel Recruitment and Retention

Deputy Chief McCreadie

Years of experience is declining in Part-time personnel

- The number of experienced part-time staff has steadily declined from 9/2015 to 9/2020
  - In 9/2015, 25 of 48 PT personnel had greater than 2 years' experience (52.1%)
  - In 9/2020, 14 of 48 PT personnel had greater than 2 years' experience (29.2%)
  - In 1/2022, only 9 of 36 PT personnel had greater than 2 years' experience (25%)
- Experience is important because it leads to more efficient and safe operations of the department

Career Opportunities Impacting Retention of Part Time Personnel

- Career opportunities have become available in Southwest Ohio and across the country at an unprecedented rate.
  - Retirements are occurring at a rapid pace due to the DROP program and other factors
  - Departments who are currently filling vacancies and/or creating additional career positions.
    - **Hamilton Fire Department= 12**
    - Columbus Fire Department= 200
    - **Cincinnati Fire Department= 120**
    - Ross Township FD= 4
    - **Fairfield Township FD= 6**
    - **Montgomery FD= going all full-time**
    - **Dayton Fire Department= just posted job opportunity**
    - **Liberty Township FD= pursuing going all full-time**
    - **Springdale FD= 4**
    - West Chester FD= just posted job opportunity
    - Evendale FD= posted job opportunity in December 2021

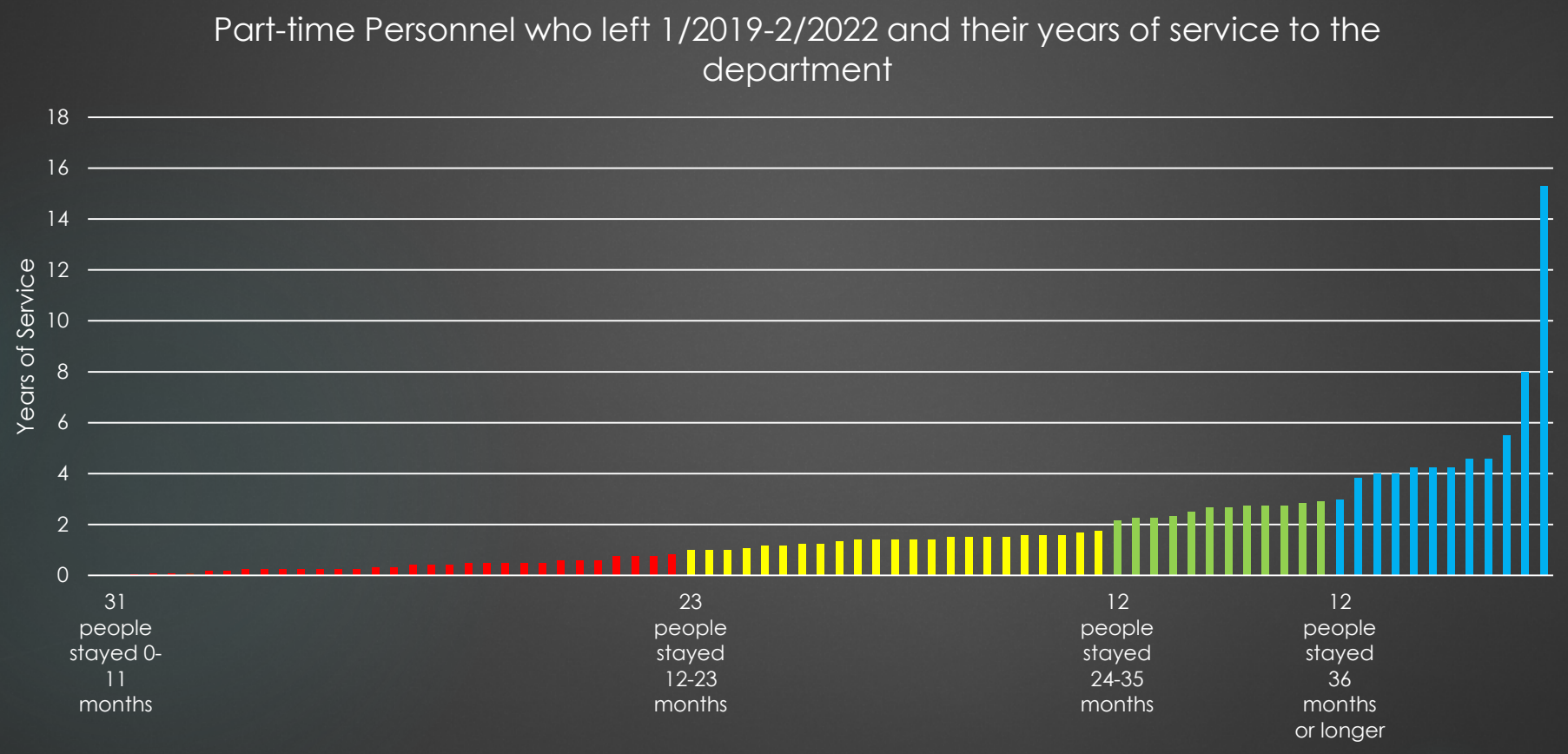
Career Opportunities Impacting Retention of Part Time Personnel

- The availability of career opportunities has led to a lack of qualified candidates to fill the vacancies in the part time ranks.
- The employment of part time personnel has become highly competitive in this region.
- The majority of the candidates for part time employment are recent graduates of local vocational schools 18-20 years of age with no experience.
- The average length of stay of a part time FF/EMT is **10 months**.
- Since 2015, the department has had to hire 148 part-time personnel to replace those who have left

Career Opportunities Impacting Retention of Part Time Personnel

- From 1/2019 to 2/2022, 78 total part-time personnel left this department
  - 46 who were hired after 1/2019, 32 who were hired before 1/2019
- Where did they go?
  - **61 left for full-time fire service jobs (77.9%)**
  - 15 left for full-time private sector jobs (19.5%)
  - 2 left to attend paramedic school (2.6%)
- Currently the department has 8 part time openings, and 0 applications on file
- Schools are just now starting their spring firefighter and EMT classes
  - Will not be completed until August at the earliest

Longevity of Part Time Employees



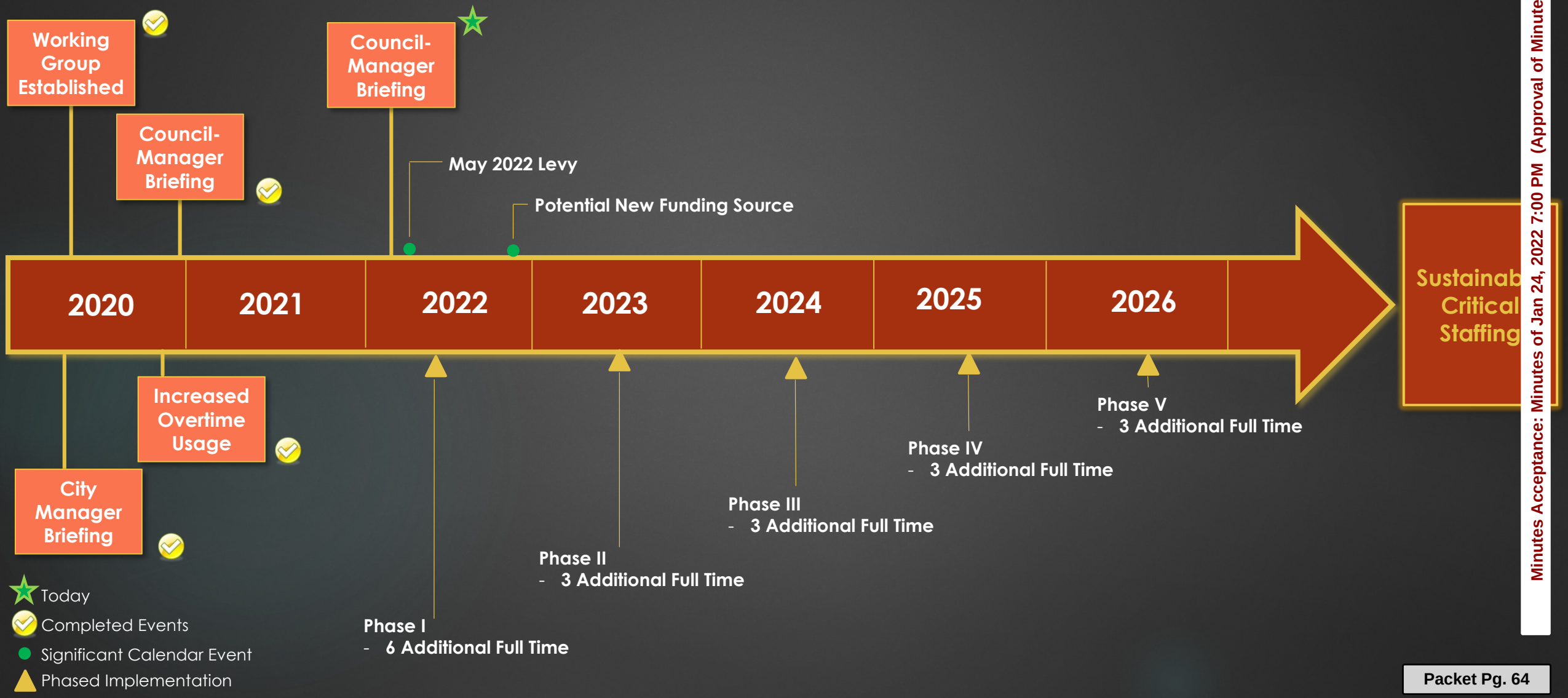
Historic Efforts to Incentivize Part Time Employment

- Over the years the department has tried several incentive programs to recruit and retain part time personnel
  - $1000 bonus for part time personnel who worked the maximum of 1560 hours a year
    - No longer viable due to the Affordable Care Act restrictions on PT hours
  - Allowed PT personnel to attend medic school while on-duty with pay
    - One of the first departments in this area to use this model to recruit and retain
    - No longer viable due to the need to maintain adequate staffing of units without incurring overtime
    - No longer viable because the compensable hours counted towards the Affordable Care Act limitation.

Efforts to Incentivize Part Time Employment

- Unpaid time off if requested 45 days in advance
  - No longer viable due to the need to maintain adequate staffing of units
- Public Employee Retirement Benefits
  - Discontinued by P.E.R.S. part time employees began contributing to Social Security.
- Paid sick leave
  - Discontinued by the City in the early 1990's.
- 12 hour shifts
  - No longer viable due to the industry shifting to 24 hours every sixth day
- Previous generation of PT personnel had private sector FT jobs and worked as firefighter/EMTs.
  - They wanted to contribute to the community in which they lived
  - They did not seek career positions in the fire service.

Milestones


Working Group Established
Council-Manager Briefing
Council-Manager Briefing
May 2022 Levy
Potential New Funding Source
2020
2021
2022
2023
2024
2025
2026
Sustainab
Critical
Staffing
Increased Overtime Usage
City Manager Briefing
Phase V
- 3 Additional Full Time
Phase IV
- 3 Additional Full Time
Phase III
- 3 Additional Full Time
Phase II
- 3 Additional Full Time
Phase I
- 6 Additional Full Time
Today
Completed Events
Significant Calendar Event
Phased Implementation

FAIRFIELD

OHIO

Fire Levy Discussion

General Fund Supplement – Property Tax

GENERAL FUND BALANCES PER MILLAGE								
	Current 7.15	9.25	9	8.75	8.5	8.25	8	Replacement 7.15
2022	27,114,625	27,114,625	27,114,625	27,114,625	27,114,625	27,114,625	27,114,625	27,114,625
2023	27,364,925	27,364,925	27,364,925	27,364,925	27,364,925	27,364,925	27,364,925	27,364,925
2024	24,121,657	27,364,925	27,364,925	27,364,925	27,364,925	27,364,925	27,364,925	27,169,190
2025	20,162,603	27,364,925	27,364,925	27,364,925	27,364,925	27,364,925	27,364,925	25,163,512
2026	15,441,958	27,364,925	27,364,925	27,364,925	27,364,925	27,364,925	26,320,925	22,396,243
2027	9,970,389	27,364,925	27,364,925	27,364,925	26,669,698	25,226,800	23,783,902	18,878,049
2028	3,869,796	27,364,925	27,186,085	25,812,288	24,080,811	22,349,333	20,617,856	14,730,832
2029	(2,855,538)	26,927,353	24,907,296	22,887,239	20,867,192	18,847,125	16,827,068	9,958,874

Minutes Acceptance: Minutes of Jan 24, 2022 7:00 PM (Approval of Minutes)

General Fund Supplement – Income Tax

GENERAL FUND BALANCES PER INCOME TAX RATE INCREASE				
	0.10%	0.15%	0.20%	0.25%
2022	27,114,625	27,114,625	27,114,625	27,114,625
2023	27,364,925	27,364,925	27,364,925	27,364,925
2024	26,512,439	27,364,925	27,364,925	27,364,925
2025	24,720,052	27,301,576	27,364,925	27,364,925
2026	22,166,074	25,957,850	27,364,925	27,364,925
2027	18,861,171	23,736,280	27,364,925	27,364,925
2028	14,927,245	20,885,687	26,843,909	27,364,925
2029	10,368,579	17,410,354	24,451,908	27,364,925

Minutes Acceptance: Minutes of Jan 24, 2022 7:00 PM (Approval of Minutes)

City Council Ordinance
Regular Meeting - February 14, 2022

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

Subject:
5846 Pleasant Avenue Rezoning

Legislation Title:
Ordinance amending Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, Section 1141.02, the City of Fairfield, Ohio, Zoning Map by approving the concept plan for the 5846 Pleasant Avenue Planned Unit Development.

Recommendation:
It is recommended that City Council have a first reading on this item at the December 13, 2021 meeting and set the joint public hearing date for January 10, 2022.

Background/Synopsis:
The property currently consists of six lots, five of which have direct frontage on Pleasant Avenue. The applicant is proposing to build a residential development consisting of 10 single-family lots. The development will consist of eight buildable lots, one open space lot, and one lot with an existing house that that will remain. The sizes and dimensions of the lots are smaller than the minimum size permitted in Fairfield. One street with a cul-de-sac is proposed.

Financial Impact:
None. This is a land use decision.

Emergency Provision Explanation:
NA

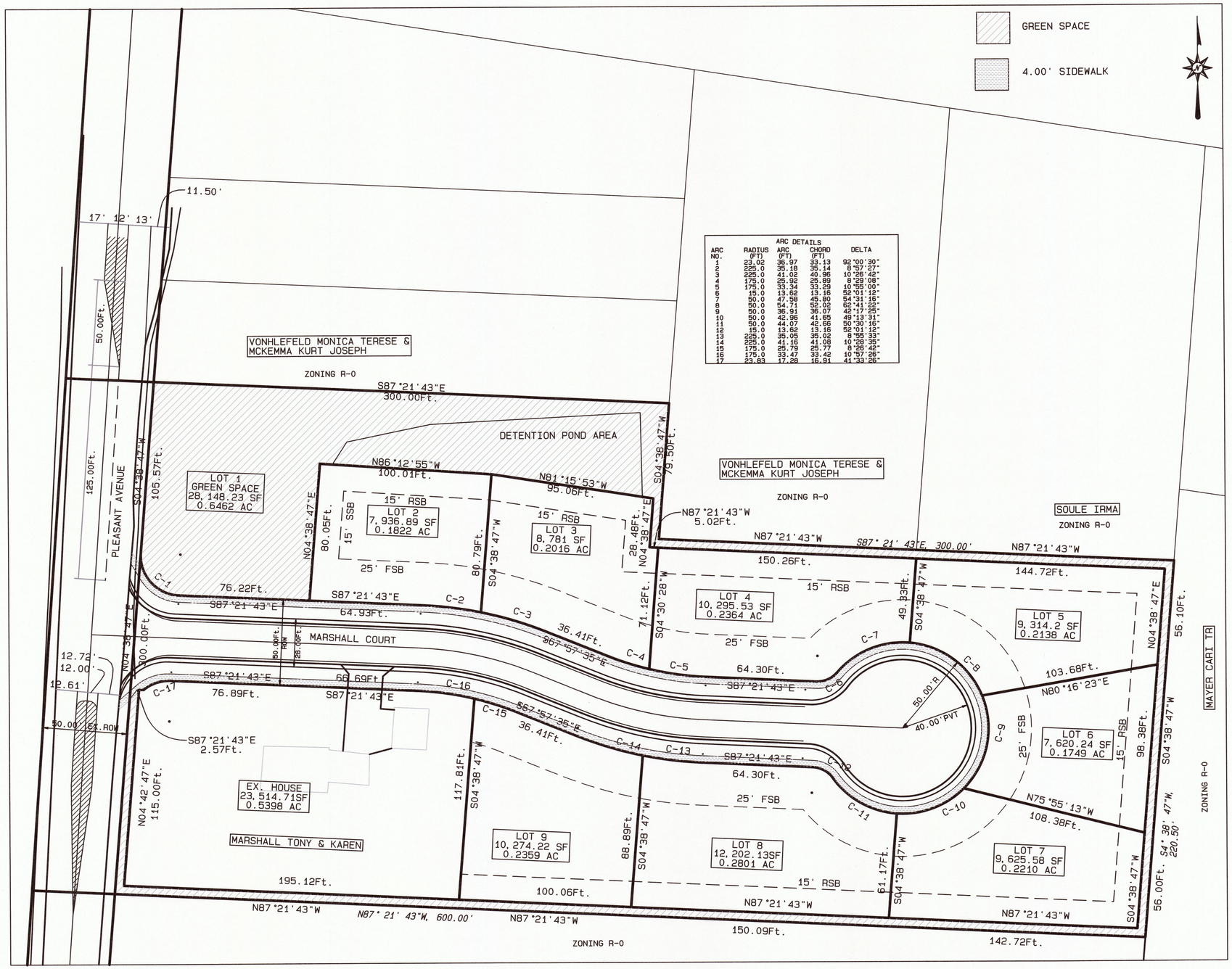
Rule Suspension Requested:
No

Emergency Provision Needed:
No

Attachments:
1. 5846 Pleasant Ave PUD_aerial map
2. 5846 PLEASANT PUD site plan_11.22.21
3. 5846 Pleasant Ave PUD-Ord
4. PC memo to Council-SL

5846 Pleasant Avenue Subdivision PUD Request

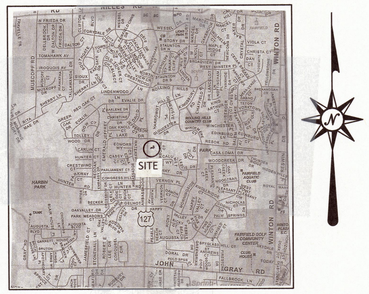
Attachment: 5846 Pleasant Ave PUD_aerial map (3042 : 5846 Pleasant Avenue Rezoning)



ARC DETAILS

ARC NO.	RADIUS (FT)	ARC (FT)	CHORD (FT)	DELTA
1	23.02	36.97	33.13	92°00'30"
2	225.0	35.18	35.14	8°57'27"
3	225.0	41.02	40.96	10°26'42"
4	175.0	25.92	25.89	8°29'08"
5	175.0	33.34	33.29	10°55'00"
6	15.0	13.62	13.16	52°01'12"
7	50.0	47.58	45.80	54°31'16"
8	50.0	54.71	52.02	62°41'22"
9	50.0	36.91	36.07	42°17'25"
10	50.0	42.96	41.65	49°13'31"
11	50.0	44.07	42.66	50°30'16"
12	15.0	13.62	13.16	52°01'12"
13	225.0	35.05	35.02	8°55'33"
14	225.0	41.16	41.08	10°28'35"
15	175.0	25.79	25.77	8°26'42"
16	175.0	33.47	33.42	10°57'26"
17	23.83	17.28	16.91	41°33'26"

CONCEPT PUD PLAN 5846 PLEASANT AVENUE SUBDIVISION



VICINITY MAP (N. T. S.)

GENERAL NOTES:

1. NO FEMA FLOOD PLAIN EXISTS AT THE SITE
2. EXISTING RESIDENCE AND GARAGE BUILDING TO REMAIN
3. SUBDIVISION TO BE BUILT IN ONE PHASE
4. CONSTRUCTION IS PLANNED FOR 2022
5. ALL UTILITIES TO BE INSTALLED UNDERGROUND
6. CONCRETE SIDEWALKS TO BE INSTALLED BOTH SIDES OF THE STREET
7. WATER AND SEWER TO BE PROVIDED BY THE CITY OF FAIRFIELD
8. UTILITIES SUCH AS ELECTRIC AND CABLE TO BE INSTALLED BY DUKE ENERGY
9. ALL CONSTRUCTION WORK TO BE PERFORMED IN ACCORDANCE WITH THE CITY FAIRFIELD REGULATIONS
10. A HOME OWNERS ASSOCIATION WILL BE ESTABLISHED FOR MAINTAINANCE OF THE SUBDIVISION
11. A MINIMUM 5' GREEN SPACE HAS BEEN PROVIDED AROUND THE PERIMETER OF THE SUBDIVISION TOGETHER WITH A LARGE LOT DEDICATED AS GREEN SPACE IN THE FRONT NORTHWEST CORNER OF THE SITE.
12. PROPOSED ZONING= R-PUD, EXISTING ZONING= R-O

PROJECT SUMMARY

TOTAL PARCEL AREA= 3.525 ACRES
TOTAL NO. OF LOTS = 9
MINIMUM FRONTAGE AT BUILDING LINE= 68'
MINIMUM LOT AREA = 7,500 SQ. FT. (0.17 ACRES)
GREEN SPACE = 0.659 ACRES (18.03%)
OVERALL DENSITY = 2.51 LOTS/ACRE
EX. ZONING= R-O
PROPOSED ZONING = R-PUD

STREET DATA AND BUILDING SETBACKS

PROPOSED 5846 PLEASANT AVENUE SUBDIVISION
DEDICATED RIGHT OF WAY = 0.6509 ACRES
STREET LENGTH = 478.27 L. F.

EXISTING PLEASANT AVENUE DEDICATED
RIGHT OF WAY WITHIN PARCEL LIMITS= 0.3419 ACRES
ROAD LENGTH = 299.82 L. F.

SETBACK DATA:
FRONT YARD SETBACK (FSB) = 25'
BACK YARD SET BACK (BSB) = 15'
SIDE YARD SET BACK (SSB) MINIMUM = 7.5'
SIDE YARD SET BACK (SSB) TOTAL = 15'

PROPOSED PLEASAND AVENUE LEFT TURN LANE STRIPING PARAMETERS:

DECELERATION LENGTH = 50'
STOPPING AND STORAGE LENGTH= 125'
MINIMUM LANE WITH = 11'

OWNERS:

TONY AND KAREN MARSHALL
5846 PLEASANT AVENUE
FAIRFIELD, OHIO 45140

STATE OF OHIO
OLUSEGUN AKOMOLEDE
E-57457
REGISTERED
PROFESSIONAL ENGINEER

11/17/21

PRELIMINARY PUD PLOT PLAN

DRAWING	5846 PLEASANT AVENUE SUBDIVISION	ULTRA TECHNIC SERVICES, INC.	Designed By: OGA	TONY AND KAREN MARSHALL
REV.: DATE: 11-17-21	5846 PLEASANT AVENUE	6531 WEST CHESTER ROAD	Drawn By: OGA	5846 PLEASANT AVENUE
Sheet 1 of 1	FAIRFIELD, OHIO 45150	WEST CHESTER, OHIO 45069	Checked By: -	FAIRFIELD OHIO 45140
		TEL.: 513-755-7879, FAX: 513-755-8923	Approved By: -	TEL.: 859-393-5159
		E-MAIL: AKOMOLEDE@AOL.COM		

Attachment: 5846 PLEASANT PUD site plan_11.22.21 (3042 : 5846 Pleasant Avenue Rezoning)

ORDINANCE NO._____

ORDINANCE AMENDING ORDINANCE NO. 166-84, THE CODIFIED ORDINANCES OF FAIRFIELD, OHIO, SECTION 1141.02, THE CITY OF FAIRFIELD, OHIO, ZONING MAP BY APPROVING THE CONCEPT PLAN FOR THE 5846 PLEASANT AVENUE 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 changing the zoning classification of the 3.5 acres of land on the east side of Pleasant Avenue, approximately 200 feet south of Resor Road, located at 5846 Pleasant Avenue and being lots 3128, 3129, 3130 (2 parts), 3131 and 3132 of the City of Fairfield from its present R-O, One-Family Residence District, classification by approving the concept plan for the 5846 Pleasant Avenue 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: 5846 Pleasant Ave PUD-Ord (3042 : 5846 Pleasant Avenue Rezoning)

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\5846 Pleasant Ave PUD-Ord

Attachment: 5846 Pleasant Ave PUD-Ord (3042 : 5846 Pleasant Avenue Rezoning)

FAIRFIELD
OHIO

DEPARTMENTAL CORRESPONDENCE

To: Mayor Rhodus and City Councilmembers

From: Scott Lepsky, Planning Commission Chairperson

Subject: Planning Commission Recommendation

Date: January 27, 2022

Please be advised at the Planning Commission meeting held on Wednesday, January 26, 2022, the Planning Commission voted 4-0 against recommending approval of the proposed Planned Unit Development Concept Plan for a single-family subdivision located at 5846 Pleasant Avenue on approximately 3.4 acres of land. The Commission felt the proposed project was not compatible with the Fairfield Forward Comprehensive Plan with regard to Goal HN1 ("Protect and preserve existing residential neighborhoods") and Policy HN1 1.1 ("Require that infill housing is compatible with the surrounding housing and with the general characteristics of the neighborhood, including setback, scale and materials") as well as section 1145.07 (Architectural Standards for Principal Residential Structures on Infill Parcels) of the City of Fairfield Codified Ordinance. The Commission stated that the proposed small lots and small setbacks were incompatible with the surrounding larger lots located in the southeast Pleasant and Resor area and differed too much from the existing R-0 zoning requirements. In addition, the Commission was concerned about traffic safety along Pleasant Avenue and about the financial viability of the developer's projections.

Scott Lepsky, Chairperson
Fairfield Planning Commission

Attachment

CC: Don Bennett, Acting City Manager
Alisha Wilson, Clerk of Council
Greg Kathman, Development Services Director
Ben Mann, Public Works Director
John Clemmons, Law Director
Planning Commission Members (7)

Attachment: PC memo to Council-SL (3042 : 5846 Pleasant Avenue Rezoning)

City Council Ordinance
Regular Meeting - February 14, 2022

Submitted by: Ben Mann,
Submitting Department: Public Works

Subject:
Resolution of Necessity to require repair and/or replacement of sidewalks

Legislation Title:
Resolution declaring necessity of repairing sidewalks (including aprons).

Recommendation:
It is recommended that City Council authorizes and directs the preparation of a Resolution of Necessity for the sidewalk/driveway apron repairs.

Background/Synopsis:

The City has completed the process of sidewalk inspection thereby requiring repair and/or replacement of sidewalks for 2022 by the abutting property owners.

This is an ongoing program that was implemented in 1994 to inspect sidewalks and approach aprons citywide. The program was designed to complete inspections of all city sidewalks on a four (4) year rotating basis. Marking of sidewalks and aprons citywide has been completed for the 2022 program year. There are approximately 526 property locations marked for repair or replacement (15 of these are City responsibility while the other 511 are resident/business owner responsibility). There are approximately 5,700 Square Feet of 4" (sidewalk), 4,000 Square Feet of 7" (driveway aprons) concrete, and 300 Square Feet of 9" (commercial driveway aprons) concrete marked for replacement. There are 398 locations currently marked for repair via the cutting method. The cutting method has been used for many years now as part of the sidewalk project and has proved an effective method for limiting damage to the adjacent lawn and inconvenience to the residents while also being a cost saving measure for the property owners.

In order to begin the assessment and notification process, it is necessary for City Council to pass a Resolution of Necessity to require repair of sidewalks and driveway aprons located in designated areas of all four wards that have not already been repaired by the abutting property owners.

Notices are sent out to the affected property owners, giving them a minimum of 60 days in which to complete the replacement. The property owner has two options, either have the work completed prior to the end of the 60-day notice, or have the city's contractor complete the work. Should the property owner have the city's contractor perform the work, payment is made via an invoice from the city or charged to the owner's property tax duplicate.

With this early notification, the property owner will have more than the 60-day time frame to complete the work, before the city's contractor begins work, if they so desire. At this time, the

city's contractor is anticipated to begin work sometime during the May/June timeframe.

Financial Impact:

No financial impact at this time.

Emergency Provision Explanation:

Not applicable.

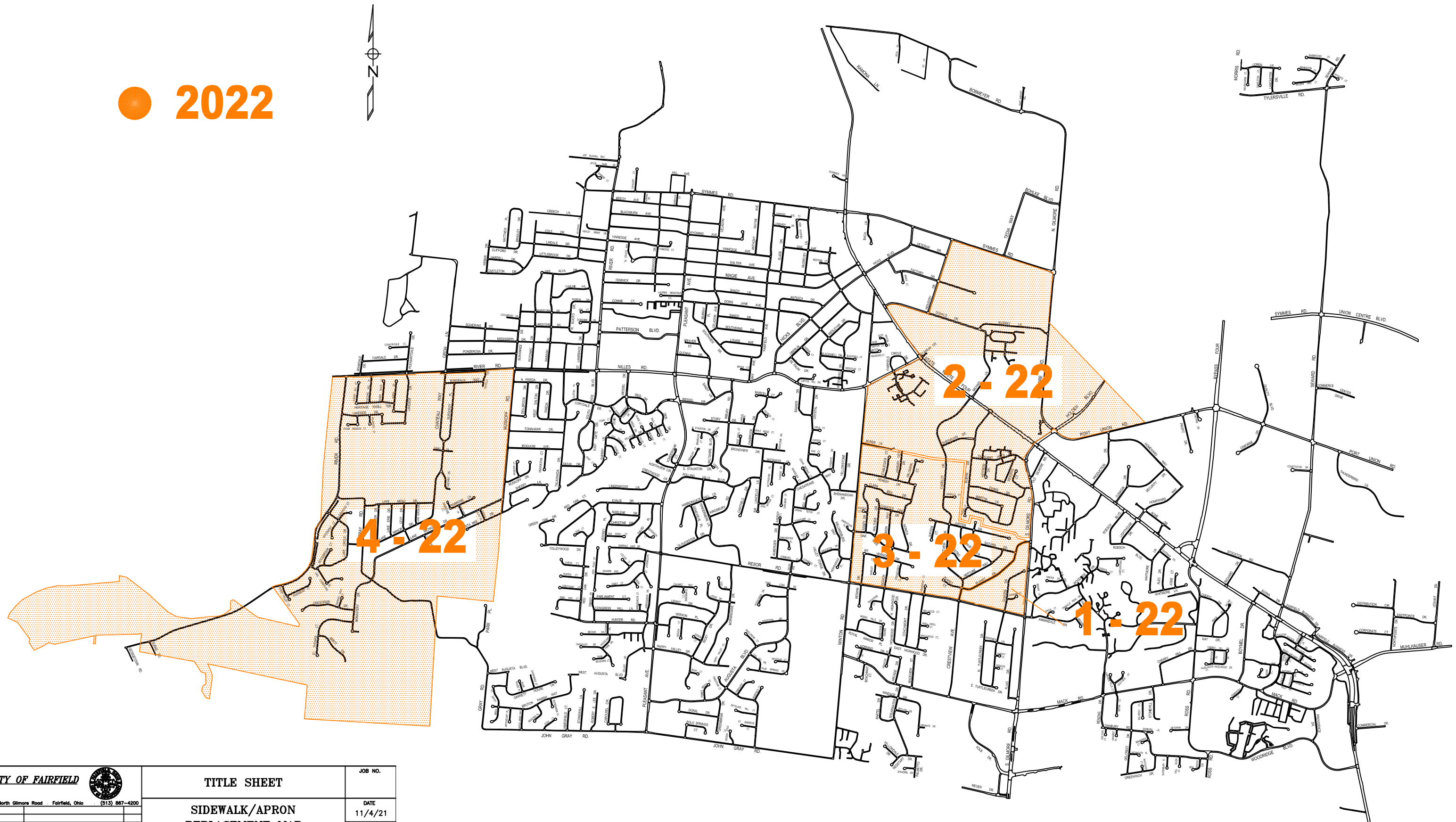
Rule Suspension Requested:
No

Emergency Provision Needed:
No

Attachments:
1. 2022 Sidewalk Program Map
2. Sidewalk-Res

Sidewalk Replacement Program

2022


N
2 - 22
3 - 22
4 - 22
1 - 22
SYMMES RD.
PATTERSON BLVD.
NILES RD.
RIVER RD.
RESOR RD.
MACK RD.
JOHN GRAY RD.
PLEASANT AVE
WINTON RD
S. GILMORE RD.
ROSS RD
WOODRIDGE BLVD.
UNION CENTRE BLVD.
TYLERSVILLE RD.
BYPASS FOUR
POST UNION RD
BOWMEL DR
MUHLHAUSER RD.
ROBMEYER RD.
BERKLEY BLVD
N. GILMORE RD
TEDNA WAY
SAMONA LN.
MORRIS RD.
EDWARD RD.
WEST AUGUSTA BLVD.
AUGUSTA BLVD.
OBSERVATORY AVE
E. FUNTLEWISH DR.
S. FAIRVIEW
HOLTON BLVD.
PORT UNION RD.
COMMERCE CENTER DR.
COMMERCIAL DR.
DISTRIBUTION DR.
EASTPOINTE DR.
CORPORATE DR.
CORPORATION DR.
LEGACY DR.
ANNANDALE
ROBSCH BLVD.
HOLT DR.
NEUBY DR.
PARK PL
GRAY RD.
HOLLY DR.
SHADRIC DR.
PALMETTO DR.
GREENHAVEN DR.
MONTGOMERY RD.
MAGNOLIA DR.
CHESTNUT DR.
BRONALD DR.
CRESTVIEW DR.
ROSS RD.
DECOVA DR.
WOODRIDGE DR.
COMMERCIAL DR.
KAY DR.
HAZELWOOD DR.
HAZELWOOD BLVD.
WHITLAKE DR.
LAKE DR.
WHITLAKE LN.
ROBSCH BLVD.
ROBSCH DR.
SOUTHGATE DR.
SOUTHGATE BLVD.
SOUTHGATE CT.
SOUTHGATE PL.
SOUTHGATE DR

RESOLUTION NO. _____

RESOLUTION DECLARING NECESSITY OF REPAIRING SIDEWALKS (INCLUDING APRONS).

WHEREAS, the Public Works Director has heretofore prepared plans, specifications and an estimate of cost for the repair of certain sidewalks (including aprons) at the locations hereinafter set forth; and

WHEREAS, said plans, specifications and estimate of cost are now on file in the office of the Clerk of Council;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fairfield, Ohio, that:

Section 1. It is necessary to repair certain sidewalks (including aprons) in the City of Fairfield, Ohio, at the addresses of the abutting properties which are shown in the cost estimates prepared by the Public Works Director and which cost estimates are on file in the office of the Clerk of Council and are incorporated herein by reference.

Section 2. The plans, specifications and estimate of cost for said repair now on file in the office of the Clerk of Council be and the same hereby are approved.

Section 3. The owners of each lot and parcel of land bounding and abutting upon the proposed sidewalks shall repair that portion of said sidewalks (including aprons) which abuts his/her property, in accordance with the plans and specifications now on file in the office of the Clerk of Council within thirty (30) days after service of notice of the passage of this resolution.

Section 4. In the event any such abutting property owner does not complete the repair of that portion of such sidewalks (including aprons) which abut his/her property in accordance with said plans and specifications and within the time period as hereinbefore prescribed, then this Council shall cause the same to be done and the entire cost thereof shall be assessed upon the property of such abutting property owner.

Section 5. The Clerk of Council be and she hereby is authorized and directed to serve notice of the passage of this resolution upon the owners of the lots and lands abutting upon said sidewalks (including aprons) in the manner provided by law.

Attachment: Sidewalk-Res (3052 : Resolution of Necessity to require repair and/or replacement of sidewalks)

Section 6. This Resolution 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 Resolution has been duly published by posting and summary publication as provided by Charter.

_____
Clerk of Council

Active Clients\City of Fairfield\Ordinances\2022\Sidewalk-Res

Attachment: Sidewalk-Res (3052 : Resolution of Necessity to require repair and/or replacement of sidewalks)

City Council Ordinance
Regular Meeting - February 14, 2022

Submitted by: Greg Kathman,
Submitting Department: Development Services

Subject:
Amendment to West Chester Township JEDD-1 Contract

Legislation Title:
Ordinance to authorize the City Manager to enter into an amended contract with West Chester Township and City of Springdale for the West Chester Township JEDD-1 Project.

Recommendation:
It is recommended that Council suspend the second and third readings and pass the Ordinance authorizing the City Manager to execute the Amendment.

Background/Synopsis:
In May 2009, the City entered into a Joint Economic Development District (JEDD) contract with West Chester Township and the City of Springdale entitled West Chester Township JEDD-1. Pursuant to the terms of the contract, the City of Springdale is no longer a contracting party.

The JEDD contract stipulates that the Board of Directors of the JEDD meet quarterly. The JEDD Board, which includes Development Services Director Greg Kathman, desires to reduce the number of required meetings from four quarterly meetings to two meetings per year. The JEDD is well established and does not require much administrative oversight at this point. The Board retains the ability to call a special meeting at any time in addition to the proposed two required annual meetings should a need arise.

Making this change to the frequency of Board meetings requires approval of an Amendment by both the City of Fairfield and West Chester Township.

Financial Impact:
None.

Emergency Provision Explanation:

Rule Suspension Requested:
Yes

Emergency Provision Needed:
No

Attachments:

1. First Amendment West Chester Township JEDD
2. West Chester Jedd-Ord

This First Amendment to the West Chester Township JEDD-1 Joint Economic Development District Contract ("Amendment") is made and entered into as of _____, 2022, by and between the Township of West Chester, Butler County, Ohio (the "Township") and the City of Fairfield, Butler County, Ohio (the "City") (the Township and the City herein the "Contracting Parties")

Recitals

A. The Township, the City, and the City of Springdale, Ohio ("Springdale") entered into the JEDD-1 Joint Economic Development District Contract (the "Contract") as of May 30, 2009.

B. Pursuant to the terms of the Contract, Springdale is no longer a party to the Contract.

C. Pursuant to the terms of the Contract, the Contract may be amended by agreement and approval of the Contracting Parties.

D. The Contracting Parities desire to amend the Contract to reduce the required meetings per year to twice a year rather than quarterly.

NOW THEREFORE in consideration of the mutual promises and covenants set forth in this Amendment, the City and the Township agree as follows:

Section 1. That the first paragraph of Section 9, which reads as follows:

Powers, Duties, Functions. The Board shall meet at least once each calendar quarter on a date determined by the Board, provided that the first meeting of the Board shall be within 30 days after this Contract becomes effective, on a date agreed to by the Contracting Parties. The Board shall adopt procedures for holding and conducting regular and special meetings. The Board shall establish a mailing address and shall hold its meetings at the Township Administration Building unless otherwise determined by the Board from time to time.

is hereby amended to read as follows:

Powers, Duties, Functions. The Board shall meet at least twice each calendar year on dates determined by the Board, provided that the first meeting of the Board shall be within 30 days after this Contract becomes effective, on a date agreed to by the Contracting Parties. The Board shall adopt procedures for holding and conducting regular and special meetings. The Board shall establish a mailing address and shall hold its meetings at the Township Administration Building unless otherwise determined by the Board from time to time.

Section 2. Except as amended hereby the Contract is hereby approved, confirmed and ratified, and all terms, conditions, covenants and warranties contained in the contract except as otherwise provided herein, shall continue in full force and effect.

Section 3. The Contract as amended by this Amendment (together the "Amended Contract") constitutes the entire agreement between the City and the Township in respect of the

subject matter hereof. The Amended Contract may be further modified only by a written agreement approved and executed by the City and the Township in accordance with the Amended Contract.

Section 4. This Amendment has been approved by the Township by Resolution No. ____ adopted on _____, 2022, and has been approved by the City by Ordinance No. _____ adopted on _____, 2022.

Section 5. This Amendment has been executed by the parties in several counterparts each of which shall be deemed to be an original copy.

Section 6. If any provision of this Amendment or any application thereof shall be invalid or unenforceable, the remainder of this Amendment and any other application of such provision shall not be affected thereby.

Section 7. This Amendment shall be governed by and construed in accordance with the laws of the State of Ohio.

In Witness Whereof, the parties have executed this First Amendment to West Chester Township JEDD-1 Joint Economic Development District Contract by their authorized officers on the dates of the respective acknowledgments but as of the date first written hereinabove.

West Chester Township,
Butler County, Ohio

By: _____

Name: _____

Title: _____

City of Fairfield,
Butler County, Ohio

By:_____

Name: _____

Title: _____

Approved as to Form

_____
City Solicitor

FISCAL OFFICER'S CERTIFICATE

The undersigned, Fiscal Officer of West Chester Township, Butler County, Ohio (the "Issuer") under the foregoing First Amendment to the West Chester JEDD-1 Joint Economic Development District Contract, hereby certifies that the moneys required to meet the obligations of the Issuer during the year 2022 under the aforesaid Agreement have been lawfully appropriated by the board of the Issuer for such purposes and are in the treasury of the Issuer or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This certificate is given in compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.

Dated: _____, 2022 _____

Fiscal Officer

Attachment: First Amendment West Chester Township JEDD (3084 : Amendment to West Chester Township JEDD-1 Contract)

FINANCE DIRECTOR'S CERTIFICATE

The undersigned, Finance Director of the City of Fairfield, Ohio (the "Issuer") under the foregoing First Amendment to the West Chester JEDD-1 Joint Economic Development District Contract, hereby certifies that the moneys required to meet the obligations of the Issuer during the year 2022 under the aforesaid Agreement have been lawfully appropriated by the board of the Issuer for such purposes and are in the treasury of the Issuer or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This certificate is given in compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.

Dated: _____, 2022 _____

Finance Director

ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AMENDED CONTRACT WITH WEST CHESTER TOWNSHIP AND CITY OF SPRINGDALE FOR THE WEST CHESTER TOWNSHIP JEDD-1 PROJECT.

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

Section 1. The City Manager is hereby authorized to enter into an amended contract with West Chester Township and City of Springdale for the West Chester Township Jedd-1 project in accordance with the amendment 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\2022\WC Township Jedd-Ord

Attachment: West Chester Jedd-Ord (3084 : Amendment to West Chester Township JEDD-1 Contract)

City Council Action Item
Regular Meeting - February 14, 2022

Submitted by: Alisha Wilson, Clerk
Submitting Department: Clerk

Subject:
Bob Evans Liquor Permit

Legislation Title:
Simple Motion: Motion to not request a hearing regarding a liquor permit application in the name of Bob Evans Restaurants LLC dba Bob Evans Restaurant 358, 510 Kolb Drive, Fairfield, OH 45014 (Permit Class D1, D2 & 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 Bob Evans Restaurants LLC dba Bob Evans Restaurant 358, 510 Kolb Drive, Fairfield, OH 45014 (Permit Class D1, D2 & D6).

Background/Synopsis: The City of Fairfield is in receipt of an application from the Ohio Division of Liquor Control for a D1, D2 & 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. LiquorPermit.BobEvans

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 **01/12/22**

Attached is a liquor permit application in the name of Bob Evans Restaurants LLC dba Bob Evans Restaurant 358, 510 Kolb Drive, Fairfield, OH 45014 (Permit Classes: D1, D2 & D6).

Please complete the necessary background check and submit your findings to me **no later than 11:00 AM on Monday, February 7, 2022.**

This item will be added to Council's Regular Meeting agenda of Monday, February 14, 2022.

Thank you for your assistance.

c: Don Bennett, Acting City Manager
File

Attachment: LiquorPermit.BobEvans (3091 : Bob Evans Liquor Permit)

NOTICE TO LEGISLATIVE AUTHORITY

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

TO

03207030425 PERMIT NUMBER	NEW TYPE	BOB EVANS RESTAURANTS LLC DBA BOB EVANS RESTAURANT 358 510 KOLB DR FAIRFIELD OH 45014
ISSUE DATE		
01 02 2022 FILING DATE		
D1 PERMIT CLASSES		
09 TAX DISTRICT 011	A	D24628 RECEIPT NO.

FROM 01/05/2022

PERMIT NUMBER	TYPE	
ISSUE DATE		
FILING DATE		
PERMIT CLASSES		
TAX DISTRICT		RECEIPT NO.

MAILED 01/05/2022 RESPONSES MUST BE POSTMARKED NO LATER THAN. 02/07/2022

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 NEW 0320703-0425
(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

DLC 4052

Attachment: LiquorPermit.BobEvans (3091 : Bob Evans Liquor Permit)

Rev 2/10/2021

Ohio | Department of Commerce

Division of Liquor Control

Mike DeWine, Governor
Jon Husted, Lt. Governor

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.

Attachment: LiquorPermit.BobEvans (3091 : Bob Evans Liquor Permit)

City of Fairfield

January 12, 2022

Ohio Division of Liquor Control
6606 Tussing Road
PO Box 4005
Reynoldsburg, OH 43068-9005

RE: Liquor Permit No. 03207030425

Dear Sir/Madam:

I am writing to request an extension on this liquor permit application. The notice was received on Monday, January 10, 2022 and the next City Council meeting prior to the postmark deadline is January 24, 2022. This does not give the Police Department enough time to complete their background check. Please let me know if you have any questions.

Sincerely,

Alisha Wilson
Clerk of Council

Office of Mayor and City Council
5350 Pleasant Avenue, Fairfield, OH 45014
Phone: (513) 867-5383 Fax: (513) 867-5329
www.fairfield-city.org

Attachment: LiquorPermit.BobEvans (3091 : Bob Evans Liquor Permit)

Ohio | Department of Commerce

Division of Liquor Control

Mike DeWine, Governor
Jon Husted, Lt. Governor

Sheryl Maxfield, Director

January 19, 2022

CLERK OF FAIRFIELD CITY COUNCIL
5350 PLEASANT AV
FAIRFIELD OHIO 45014

Re: **NEW D1 D2 D6 PERMIT #03207030425**
BOB EVANS RESTAURANTS LLC
DBA BOB EVANS RESTAURANT 358
510 KOLB DR
FAIRFIELD OH 45014

Dear Legislative Authority:

In reference to the above captioned application, and your request, a 30-day extension has been granted from **2/7/2022 to 3/10/2022**.

If you should have any questions concerning this matter, please feel free to contact this office at the below address or phone number.

Licensing Processing Section

LG

Rev. 6-06

Licensing New or Transfer Section
6606 Tussing Road
PO Box 4005
Reynoldsburg, OH 43068-9005 U.S.A.
liquorlicensingmailunit@com.state.oh.us

614 | 644 3155
Fax 614 | 644 3166
TTY/TDD 800 | 750 0750
www.com.ohio.gov/liqr

An Equal Opportunity Employer and Service Provider

Attachment: LiquorPermit.BobEvans (3091 : Bob Evans Liquor Permit)

FAIRFIELD
OHIO

DEPARTMENTAL CORRESPONDENCE

Date: 1/18/2022

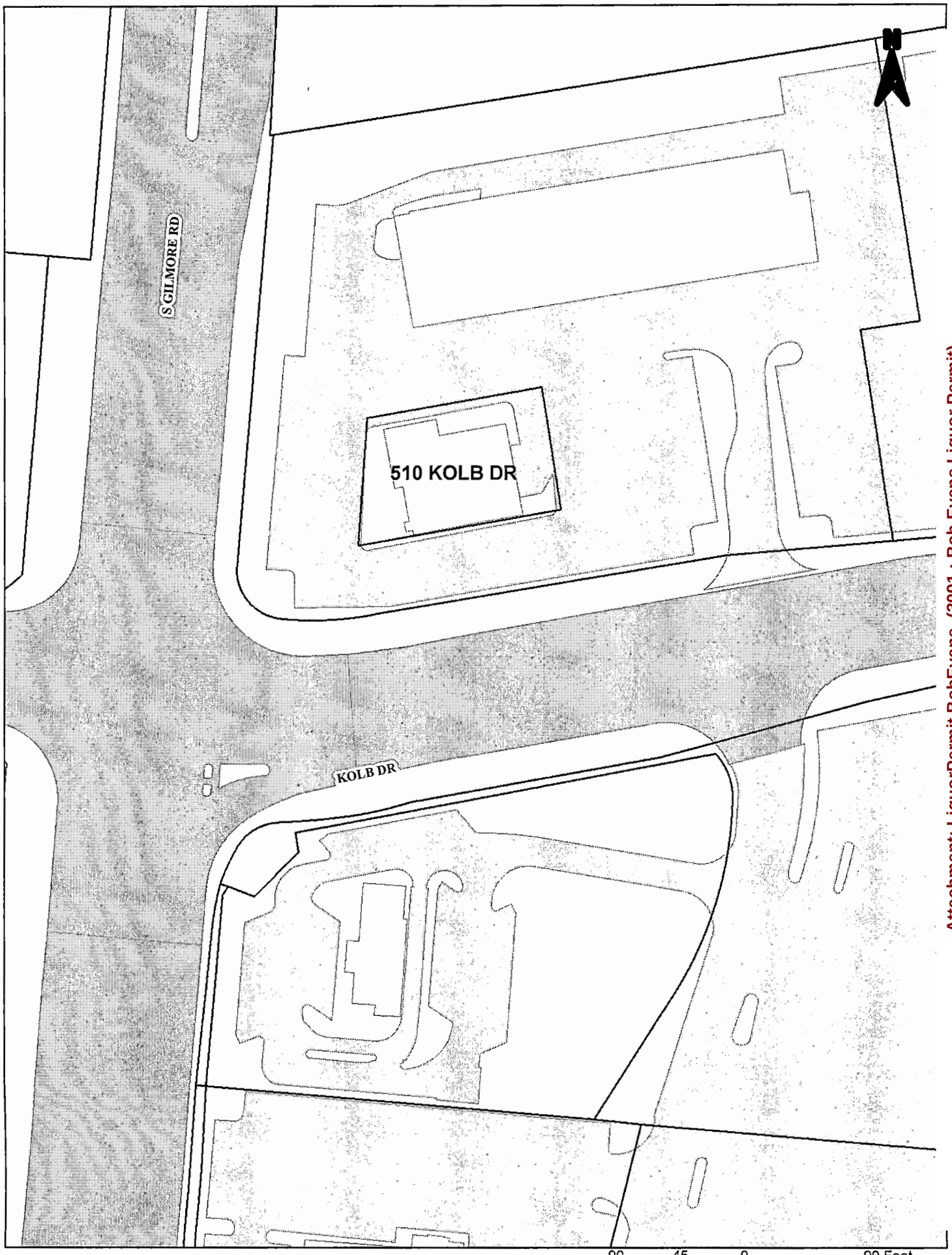
To: Alisha Wilson, Clerk of Council

From: Greg Kathman, Development Services Director GK

Subject: Liquor Permit Application

The business located at 510 Kolb Dr., in the name of Bob Evans Restaurants LLC and doing business as Bob Evans Restaurant 358 is in the C-2, Central Business Zoning District and is a permitted use as a restaurant.

Attachment: LiquorPermit.BobEvans (3091 : Bob Evans Liquor Permit)



Date: 1/18/2022

Attachment: LiquorPermit.BobEvans (3091 : Bob Evans Liquor Permit)

NAME OF ESTABLISHMENT Bob Evans Restaurants LLC

ADDRESS DBA Bob Evans Restaurant 358

510 Kolb Dr

Fairfield, 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: January 31, 2022

Attachment: LiquorPermit.BobEvans (3091 : Bob Evans Liquor Permit)

City Council Ordinance
Regular Meeting - February 14, 2022

Submitted by: John Clemmons,
Submitting Department: Legal

Subject:
Updated of the Traffic & General Offenses Codes

Legislation Title:
Update of the Traffic and General Offenses Codes of the City of Fairfield Codified Ordinances.

Recommendation:
It is recommended that Council adopt an ordinance to update the Traffic and General Offenses Codes.

Background/Synopsis:
The Traffic and General Offenses Codes were last updated in December, 2020.

Financial Impact:
This update is included in the annual budget at approximately $10,000.00 per year for our codified ordinance service company.

Emergency Provision Explanation:
Suspension of rules is requested so that the amendments can be effective as soon as possible after state law changes.

Rule Suspension Requested:
Yes

Emergency Provision Needed:
No

Attachments:
1. Codified-ord
2. Codified Ord-Ex A

ORDINANCE NO. _____

ORDINANCE TO ADOPT NEW SECTIONS 301.183, 371.13 AND 371.14, REPEAL SECTION 533.07 AND AMEND VARIOUS OTHER SECTIONS OF THE TRAFFIC AND GENERAL OFFENSES CODES OF ORDINANCE NO. 166-84, THE CODIFIED ORDINANCES OF FAIRFIELD, OHIO.

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

Section 1. New sections 301.183, 371.13 and 371.14 are hereby adopted, Section 533.07 is hereby repealed and Sections 301.22, 301.51, 331.211, 331.37, 333.03, 335.02, 335.021, 335.04, 335.09, 351.03, 373.10, 373.16, 501.99, 505.071,509.07, 513.01, 521.08, 525.13, 529.01, 529.07, 533.08, 533.09, 533.091, 533.10, 537.02, 541.04, 541.05, 541.051, 545.03, 545.09, 549.02, 549.06 and 553.06 of the Traffic and General Offenses Codes of Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio are hereby amended to read as follows:

See attached Exhibit "A" which is incorporated herein by reference.

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\2022\Codified- Ord

Attachment: Codified-ord (3088 : Updated of the Traffic & General Offenses Codes)

301.183 LOW-SPEED MICROMOBILITY DEVICE.

"LOW-SPEED MICROMOBILITY DEVICE" MEANS A DEVICE WEIGHING LESS THEN 100 POUNDS THAT HAS HANDLEBARS, IS PROPELLED BY AN ELECTRIC MOTOR OR HUMAN POWER, AND HAS AN ATTAINABLE SPEED ON A PAVED LEVEL SURFACE OF NOT MORE THAN TWENTY MILES PER HOUR WHEN PROPELLED BY THE ELECTRIC MOTOR. (ORC 4511.01(WWW))

301.22 PEDESTRIAN.

"Pedestrian" means any natural person afoot. **THE TERM INCLUDES A PERSONAL DELIVERY DEVICE AS DEFINED IN OHIO R.C. 4511.513 UNLESS THE CONTEXT CLEARLY SUGGESTS OTHERWISE.** (ORC 4511.01(X))

301.51 VEHICLE.

"Vehicle" means every device, including a motorized bicycle **AND AN ELECTRIC BICYCLE**, in, upon or by which any person or property may be transported or drawn upon a street or highway, except that "vehicle" does not include any motorized wheelchair, any electric personal assistive mobility device, or any **LOW-SPEED MICROMOBILITY** device, or any device, other than a bicycle, that is moved by human power. (ORC 4511.01(A)[~~; Ord. 87-05. Passed 5-9-05.~~])

331.211 REPORT OF VEHICLE FAILING TO YIELD RIGHT OF WAY TO PUBLIC SAFETY VEHICLE.

[No changes to this Section until Paragraph (d).]

(d) As used in this section:

(1) "License plate" includes any temporary [~~license placard~~] **MOTOR VEHICLE LICENSE REGISTRATION** issued under Ohio R.C. 4503.182 or similar law of another jurisdiction.

(2) "Public safety vehicle" does not include an unmarked public safety vehicle or a vehicle used by a public law enforcement officer or other person sworn to enforce the criminal and traffic laws of the State or a vehicle used by the Motor Carrier Enforcement Unit for the enforcement of orders and rules of the Public Utilities Commission.

(ORC 4511.454; Ord. 101-16. Passed 12-5-16.)

[No further changes to this Section.]

331.37 DRIVING UPON SIDEWALKS, STREET LAWNS OR CURBS.

(a) **(1)** No person shall drive any vehicle, other than a bicycle or an electric bicycle if the motor is not engaged, upon a sidewalk or sidewalk area except upon a permanent or duly authorized temporary driveway. [~~(ORC 4511.711; Ord. 123-19. Passed 12-9-19.)~~]

(2) THIS PROHIBITION DOES NOT APPLY TO A LAW ENFORCEMENT OFFICER, OR OTHER PERSON SWORN TO ENFORCE THE CRIMINAL AND TRAFFIC

Attachment: Codified Ord-Ex A (3088 : Updated of the Traffic & General Offenses Codes)

LAWS OF THE STATE, USING AN ELECTRIC BICYCLE WITH THE MOTOR ENGAGED WHILE IN THE PERFORMANCE OF THE OFFICER'S DUTIES.

(3) NOTHING IN THIS SECTION SHALL BE CONSTRUED AS PROHIBITING LOCAL AUTHORITIES FROM REGULATING THE OPERATION OF BICYCLES OR ELECTRIC BICYCLES, EXCEPT THAT NO LOCAL AUTHORITY MAY REQUIRE THAT BICYCLES OR ELECTRIC BICYCLES BE OPERATED ON SIDEWALKS. (ORC 4511.711(A))

[No further changes to this Section.]

333.03 MAXIMUM SPEED LIMITS; ASSURED CLEAR DISTANCE AHEAD.

[No changes to this Section until Paragraph (b).]

(b) It is prima-facie lawful, in the absence of a lower limit declared or established pursuant to Ohio R.C. 4511.21 by the Ohio Director of Transportation or Council, for the operator of a motor vehicle to operate the same at a speed not exceeding the following:

(1) A. Twenty miles per hour in school zones during school recess and while children are going to or leaving school during the opening or closing hours, and when twenty miles per hour school speed limit signs are erected; except, that on controlled-access highways and expressways, if the right-of-way line fence has been erected without pedestrian opening, the speed shall be governed by subsection (b)(4) hereof and on freeways, if the right-of-way line fence has been erected without pedestrian opening, the speed shall be governed by subsection (b)(7) hereof. The end of every school zone may be marked by a sign indicating the end of the zone. Nothing in this section or in the manual and specifications for a uniform system of traffic control devices shall be construed to require school zones to be indicated by signs equipped with flashing or other lights, or giving other special notice of the hours in which the school zone speed limit is in effect.

B. As used in this section, "school" means **ALL OF THE FOLLOWING:**

1. [~~a~~]**A**ny school chartered under Ohio R.C. 3301.16**;** [~~and~~]

2. [~~a~~]**A**ny nonchartered school that during the preceding year filed with the Department of Education in compliance with **O.A.C. §** [~~rule~~] 3301-35-08 [~~of the Ohio Administrative Code~~], a copy of the school's report for the parents of the school's pupils certifying that the school meets [~~Ohio~~] **STATE** minimum standards for nonchartered, nontax-supported schools and presents evidence of this filing to the jurisdiction from which it is requesting the establishment of a school zone**;**[~~.~~]

3. ANY SPECIAL ELEMENTARY SCHOOL THAT IN WRITING REQUESTS THE COUNTY ENGINEER TO CREATE A SCHOOL ZONE AT THE LOCATION OF THE SCHOOL. UPON RECEIPT

Attachment: Codified Ord-Ex A (3088 : Updated of the Traffic & General Offenses Codes)

OF SUCH WRITTEN REQUEST, THE COUNTY ENGINEER SHALL CREATE A SCHOOL ZONE AT THAT LOCATION BY ERECTING APPROPRIATE SIGNS;

4. ANY PRESCHOOL EDUCATION PROGRAM OPERATED BY AN EDUCATIONAL SERVICE CENTER THAT IS LOCATED ON A STREET OR HIGHWAY WITH A SPEED LIMIT OF FORTY-FIVE MILES PER HOUR OR MORE, WHEN THE EDUCATIONAL SERVICE CENTER IN WRITING REQUESTS THAT THE COUNTY ENGINEER CREATE A SCHOOL ZONE AT THE LOCATION OF THAT PROGRAM. UPON RECEIPT OF SUCH A WRITTEN REQUEST, THE COUNTY ENGINEER SHALL CREATE A SCHOOL ZONE AT THAT LOCATION BY ERECTING THE APPROPRIATE SIGNS.

[No further changes to this Section.]

335.02 PERMITTING OPERATION WITHOUT VALID LICENSE; ONE LICENSE PERMITTED.

(a) No person shall permit the operation of a motor vehicle upon any public or private property used by the public for purposes of vehicular travel or parking knowing the operator does not have a valid driver's license issued to the operator by the Registrar of Motor Vehicles **OR A DEPUTY REGISTRAR** under Ohio R.C. Chapter 4507 or a valid commercial driver's license issued under Ohio R.C. Chapter 4506.

(b) **(1)** No person shall receive a driver's license, or a motorcycle operator's endorsement of a driver's or commercial driver's license, **TEMPORARY INSTRUCTION PERMIT, OR IDENTIFICATION CARD** unless and until [~~he~~] **THE PERSON** surrenders to the Registrar **OR A DEPUTY REGISTRAR** all valid licenses**, TEMPORARY INSTRUCTION PERMITS, AND IDENTIFICATION CARDS** issued to [~~him~~] **THE PERSON** by another jurisdiction recognized by [~~the State of Ohio~~] **THIS STATE**. [~~No person shall be permitted to have in his possession more than one valid license at any time. (ORC 4507.02; Ord. 145-09. Passed 12-14-09.)~~]

(2) THE REGISTRAR SHALL REPORT THE CANCELLATION OF A LICENSE, TEMPORARY INSTRUCTION PERMIT, OR IDENTIFICATION CARD TO THE ISSUING AUTHORITY, TOGETHER WITH INFORMATION THAT THE LICENSE, TEMPORARY INSTRUCTION PERMIT, OR IDENTIFICATION CARD IS NOW ISSUED IN THIS STATE. THE REGISTRAR OR A DEPUTY REGISTRAR SHALL DESTROY ANY SUCH LICENSE, TEMPORARY INSTRUCTION PERMIT, OR IDENTIFICATION CARD THAT IS NOT RETURNED TO THE ISSUING AUTHORITY.

(3) NO PERSON SHALL POSSESS MORE THAN ONE VALID LICENSE, TEMPORARY INSTRUCTION PERMIT, OR IDENTIFICATION CARD AT ANY TIME. (ORC 4507.02(A))

[No further changes to this Section.]

Attachment: Codified Ord-Ex A (3088 : Updated of the Traffic & General Offenses Codes)

335.021 OHIO DRIVER'S LICENSE REQUIRED FOR IN STATE RESIDENTS.

(a) Any person who becomes a resident of this State, within thirty days of becoming a resident, shall surrender any driver's license**, TEMPORARY INSTRUCTION PERMIT, OR IDENTIFICATION CARD** issued by another state to the Registrar of Motor Vehicles or a Deputy Registrar. If such a person intends to operate a motor vehicle upon the public roads or highways, the person shall apply for a **TEMPORARY INSTRUCTION PERMIT OR** driver's license in this State. If the person fails to apply for a driver's license **OR TEMPORARY INSTRUCTION PERMIT** within thirty days of becoming a resident, the person shall not operate any motor vehicle in this [~~M~~]**m**unicipality under a license **OR PERMIT** issued by another state.

[No further changes to this Section.]

335.04 CERTAIN ACTS PROHIBITED.

[No changes to this Section until Paragraph (a)(5).]

(a) …….

(5) In any application for an identification card, driver's or commercial driver's license, temporary instruction permit or commercial driver's license temporary instruction permit, or any renewal**, REPRINT,** or duplicate thereof, knowingly conceal a material fact, or present any physician's statement required under Ohio R.C. 4507.08 or 4507.081 when knowing the same to be false or fictitious.

[No further changes to this Section.]

335.09 DISPLAY OF LICENSE PLATES OR VALIDATION STICKERS; REGISTRATION.

(a) (1) No person who is the owner or operator of a motor vehicle shall fail to display in plain view on the rear of the motor vehicle a license plate that displays the distinctive number and registration mark assigned to the motor vehicle by the Ohio Director of Public Safety, including any county identification sticker and any validation sticker **WHEN REQUIRED BY AND** issued under Ohio R.C. 4503.19 and 4503.191. **HOWEVER A COMMERCIAL TRACTOR SHALL DISPLAY THE LICENSE PLATE ON THE FRONT OF THE COMMERCIAL TRACTOR.**

(2) The license plate shall be securely fastened so as not to swing, and shall not be covered by any material that obstructs its visibility.

(3) No person to whom a temporary **MOTOR VEHICLE** license [~~placard~~] **REGISTRATION** [~~or windshield sticker~~] has been issued for the use of a motor vehicle under Ohio R.C. 4503.182, and no operator of that motor vehicle, shall fail to display the temporary **MOTOR VEHICLE** license [~~placard~~] **REGISTRATION** in plain view from the rear of the vehicle either in the rear window or on an external rear surface of the motor vehicle[~~, or fail to display the windshield sticker in plain view on the rear window of~~

Attachment: Codified Ord-Ex A (3088 : Updated of the Traffic & General Offenses Codes)

~~the motor vehicle. No temporary license placard or windshield sticker shall be covered by any material that obstructs its visibility. (ORC 4503.21(A))~~]

(4) NO PERSON SHALL COVER A TEMPORARY MOTOR VEHICLE LICENSE REGISTRATION BY ANY MATERIAL THAT OBSTRUCTS ITS VISIBILITY. (ORC 4503.21(A))

(b) (1) Whoever violates subsection (a) of this section is guilty of a minor misdemeanor.

(2) The offense**S** established under subsection (a) of this section [~~is a~~] **ARE** strict liability offense**S** and Ohio R.C. 2901.20 does not apply. The designation of [~~this~~] **THESE** offense**S** as [~~a~~] strict liability offense**S** shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense. (ORC 4503.21(B), (C)[~~; Ord. 103-20. Passed 11-23-20.~~])

351.03 PROHIBITED STANDING OR PARKING PLACES.

[No changes to this Section until Paragraph (b).]

(b) A person [~~shall be~~] **IS** permitted, without charge or restriction, to stand or park on a sidewalk, a motor-driven cycle or motor scooter that has an engine not larger than [~~one hundred and fifty~~] **150** cubic centimeters, **A LOW-SPEED MICROMOBILITY DEVICE**, or a bicycle or electric bicycle, provided that the motor-driven cycle, motor scooter, **LOW-SPEED MICROMOBILITY DEVICE**, bicycle or electric bicycle does not impede the normal flow of pedestrian traffic. This **SUBSECTION** [~~division~~] does not authorize any person to operate a vehicle in violation of Section 331.37**, OR ANY SUBSTANTIALLY EQUIVALENT MUNICIPAL ORDINANCE**. [~~(Ord. 123-19. Passed 12-9-19.)~~]

[No further changes to this Section.]

371.13 OPERATION OF PERSONAL DELIVERY DEVICE ON SIDEWALKS AND CROSSWALKS.

(a) AS USED IN THIS SECTION:

(1) "ELIGIBLE ENTITY" MEANS A CORPORATION, PARTNERSHIP, ASSOCIATION, FIRM, SOLE PROPRIETORSHIP, OR OTHER ENTITY ENGAGED IN BUSINESS.

(2) "PERSONAL DELIVERY DEVICE" MEANS AN ELECTRICALLY POWERED DEVICE TO WHICH ALL OF THE FOLLOWING APPLY:

A. THE DEVICE IS INTENDED PRIMARILY TO TRANSPORT PROPERTY AND CARGO ON SIDEWALKS AND CROSSWALKS.

B. THE DEVICE WEIGHS LESS THAN 250 POUNDS EXCLUDING ANY PROPERTY OR CARGO BEING CARRIED IN THE DEVICE.

C. THE DEVICE HAS A MAXIMUM SPEED OF TEN MILES PER HOUR.

D. THE DEVICE IS EQUIPPED WITH TECHNOLOGY THAT ENABLES THE OPERATION OF THE DEVICE WITH ACTIVE CONTROL OR MONITORING BY A PERSON, WITHOUT ACTIVE CONTROL OR

Attachment: Codified Ord-Ex A (3088 : Updated of the Traffic & General Offenses Codes)

MONITORING BY A PERSON, OR BOTH WITH OR WITHOUT ACTIVE CONTROL OR MONITORING BY A PERSON.

(3) "PERSONAL DELIVERY DEVICE OPERATOR" MEANS AN AGENT OF AN ELIGIBLE ENTITY WHO EXERCISES DIRECT PHYSICAL CONTROL OVER, OR MONITORING OF, THE NAVIGATION AND OPERATION OF A PERSONAL DELIVERY DEVICE. THE PHRASE DOES NOT INCLUDE, WITH RESPECT TO A DELIVERY OR OTHER SERVICE RENDERED BY A PERSONAL DELIVERY DEVICE, THE PERSON WHO REQUESTS THE DELIVERY OR SERVICE. THE PHRASE ALSO DOES NOT INCLUDE A PERSON WHO ONLY ARRANGES FOR AND DISPATCHES A PERSONAL DELIVERY DEVICE FOR A DELIVERY OR OTHER SERVICE.

(b) AN ELIGIBLE ENTITY MAY OPERATE A PERSONAL DELIVERY DEVICE ON SIDEWALKS AND CROSSWALKS SO LONG AS ALL OF THE FOLLOWING REQUIREMENTS ARE MET:

(1) THE PERSONAL DELIVERY DEVICE IS OPERATED IN ACCORDANCE WITH ALL REGULATIONS, IF ANY, ESTABLISHED BY EACH LOCAL AUTHORITY WITHIN WHICH THE PERSONAL DELIVERY DEVICE IS OPERATED.

(2) A PERSONAL DELIVERY DEVICE OPERATOR IS ACTIVELY CONTROLLING OR MONITORING THE NAVIGATION AND OPERATION OF THE PERSONAL DELIVERY DEVICE.

(3) THE ELIGIBLE ENTITY MAINTAINS AN INSURANCE POLICY THAT INCLUDES GENERAL LIABILITY COVERAGE OF NOT LESS THAN ONE HUNDRED THOUSAND DOLLARS ($100,000) FOR DAMAGES ARISING FROM THE OPERATION OF THE PERSONAL DELIVERY DEVICE BY THE ELIGIBLE ENTITY AND ANY AGENT OF THE ELIGIBLE ENTITY.

(4) THE DEVICE IS EQUIPPED WITH ALL OF THE FOLLOWING:

A. A MARKER THAT CLEARLY IDENTIFIES THE NAME AND CONTACT INFORMATION OF THE ELIGIBLE ENTITY OPERATING THE PERSONAL DELIVERY DEVICE AND A UNIQUE IDENTIFICATION NUMBER;

B. A BRAKING SYSTEM THAT ENABLES THE PERSONAL DELIVERY DEVICE TO COME TO A CONTROLLED STOP;

C. IF THE PERSONAL DELIVERY DEVICE IS BEING OPERATED BETWEEN SUNSET AND SUNRISE, A LIGHT ON BOTH THE FRONT AND REAR OF THE PERSONAL DELIVERY DEVICE THAT IS VISIBLE IN CLEAR WEATHER FROM A DISTANCE OF AT LEAST 500 FEET TO THE FRONT AND REAR OF THE PERSONAL DELIVERY DEVICE WHEN DIRECTLY IN FRONT OF LOW BEAMS OF HEADLIGHTS ON A MOTOR VEHICLE.

(c) NO PERSONAL DELIVERY DEVICE OPERATOR SHALL ALLOW A PERSONAL DELIVERY DEVICE TO DO ANY OF THE FOLLOWING:

(1) FAIL TO COMPLY WITH TRAFFIC OR PEDESTRIAN CONTROL DEVICES AND SIGNALS;

(2) UNREASONABLY INTERFERE WITH PEDESTRIANS OR TRAFFIC;

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(3) TRANSPORT ANY HAZARDOUS MATERIAL THAT WOULD REQUIRE A PERMIT ISSUED BY THE PUBLIC UTILITIES COMMISSION;

(4) OPERATE ON A STREET OR HIGHWAY, EXCEPT WHEN CROSSING THE STREET OR HIGHWAY WITHIN A CROSSWALK.

(d) A PERSONAL DELIVERY DEVICE HAS ALL OF THE RIGHTS AND OBLIGATIONS APPLICABLE TO A PEDESTRIAN UNDER THE SAME CIRCUMSTANCES, EXCEPT THAT A PERSONAL DELIVERY DEVICE SHALL YIELD THE RIGHT-OF-WAY TO HUMAN PEDESTRIANS ON SIDEWALKS AND CROSSWALKS.

(e) (1) NO PERSON SHALL OPERATE A PERSONAL DELIVERY DEVICE UNLESS THE PERSON IS AUTHORIZED TO DO SO UNDER THIS SECTION AND COMPLIES WITH THE REQUIREMENTS OF THIS SECTION.

(2) AN ELIGIBLE ENTITY IS RESPONSIBLE FOR BOTH OF THE FOLLOWING:

A. ANY VIOLATION OF THIS SECTION THAT IS COMMITTED BY A PERSONAL DELIVERY DEVICE OPERATOR; AND

B. ANY OTHER CIRCUMSTANCE, INCLUDING A TECHNOLOGICAL MALFUNCTION, IN WHICH A PERSONAL DELIVERY DEVICE OPERATES IN A MANNER PROHIBITED BY DIVISIONS (c)(1) TO (c)(4) OF THIS SECTION.

(ORC 4511.513)

371.14 LOW-SPEED MICROMOBILITY DEVICES.

(a) (1) A LOW-SPEED MICROMOBILITY DEVICE MAY BE OPERATED ON THE PUBLIC STREETS, HIGHWAYS, SIDEWALKS, AND SHARED-USE PATHS, AND MAY BE OPERATED ON ANY PORTIONS OF ROADWAYS SET ASIDE FOR THE EXCLUSIVE USE OF BICYCLES IN ACCORDANCE WITH THIS SECTION.

(2) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, THOSE SECTIONS OF THIS TITLE THAT BY THEIR NATURE COULD APPLY TO A LOW-SPEED MICROMOBILITY DEVICE DO APPLY TO THE DEVICE AND THE PERSON OPERATING IT WHENEVER IT IS OPERATED UPON ANY PUBLIC STREET, HIGHWAY, SIDEWALK, OR SHARED-USE PATH, OR UPON ANY PORTION OF A ROADWAY SET ASIDE FOR THE EXCLUSIVE USE OF BICYCLES.

(b) NO OPERATOR OF A LOW-SPEED MICROMOBILITY DEVICE SHALL DO ANY OF THE FOLLOWING:

(1) FAIL TO YIELD THE RIGHT-OF-WAY TO ALL PEDESTRIANS AT ALL TIMES;

(2) FAIL TO GIVE AN AUDIBLE SIGNAL BEFORE OVERTAKING AND PASSING A PEDESTRIAN;

(3) OPERATE THE DEVICE AT NIGHT UNLESS THE DEVICE OR ITS OPERATOR IS EQUIPPED WITH OR WEARING BOTH OF THE FOLLOWING:

A. A LAMP POINTING TO THE FRONT THAT EMITS A WHITE LIGHT VISIBLE FROM A DISTANCE OF NOT LESS THAN 500 FEET;

B. A RED REFLECTOR FACING THE REAR THAT IS VISIBLE FROM ALL DISTANCES FROM 100 FEET TO 600 FEET WHEN DIRECTLY IN

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FRONT OF LAWFUL LOWER BEAMS OF HEAD LAMPS ON A MOTOR VEHICLE.

(c) (1) NO PERSON WHO IS UNDER SIXTEEN YEARS OF AGE SHALL RENT A LOW-SPEED MICROMOBILITY DEVICE.

(2) NO PERSON SHALL KNOWINGLY RENT A LOW-SPEED MICROMOBILITY DEVICE TO A PERSON WHO IS UNDER SIXTEEN YEARS OF AGE.

(3) NO PERSON SHALL KNOWINGLY RENT A LOW-SPEED MICROMOBILITY DEVICE ON BEHALF OF A PERSON WHO IS UNDER SIXTEEN YEARS OF AGE.

(d) NO PERSON SHALL OPERATE A LOW-SPEED MICROMOBILITY DEVICE AT A SPEED GREATER THAN TWENTY MILES PER HOUR.

(e) (1) WHOEVER VIOLATES THIS SECTION IS GUILTY OF A MINOR MISDEMEANOR.

(2) UNLESS A MENS REA IS OTHERWISE SPECIFIED IN THIS SECTION, AN OFFENSE ESTABLISHED UNDER THIS SECTION IS A STRICT LIABILITY OFFENSE AND OHIO R.C. 2901.20 DOES NOT APPLY. THE DESIGNATION OF THAT OFFENSE AS A STRICT LIABILITY OFFENSE SHALL NOT BE CONSTRUED TO IMPLY THAT ANY OTHER OFFENSE, FOR WHICH THERE IS NO SPECIFIED DEGREE OF CULPABILITY, IS NOT A STRICT LIABILITY OFFENSE.

(f) NOTWITHSTANDING SUBSECTION (a)(1) OF THIS SECTION, THE MUNICIPALITY, MAY DO ANY OF THE FOLLOWING:

(1) REGULATE OR PROHIBIT THE OPERATION OF LOW-SPEED MICROMOBILITY DEVICES ON PUBLIC STREETS, HIGHWAYS, SIDEWALKS, AND SHARED-USE PATHS, AND PORTIONS OF ROADWAYS SET ASIDE FOR THE EXCLUSIVE USE OF BICYCLES, UNDER ITS JURISDICTION;

(2) INCLUDE LOW-SPEED MICROMOBILITY DEVICES THAT ARE ADAPTED TO EXPAND ACCESS FOR PEOPLE WITH VARIOUS PHYSICAL LIMITATIONS INTO A SHARED BICYCLE, SHARED ELECTRIC BICYCLE, OR SIMILAR VEHICLE SHARING PROGRAM, UNDER ITS JURISDICTION;

(3) REQUIRE THE OWNER OR OPERATOR OF A LOW-SPEED MICROMOBILITY DEVICE RENTAL SERVICE OR LOW-SPEED MICROMOBILITY DEVICE SHARING PROGRAM TO MAINTAIN COMMERCIAL GENERAL LIABILITY INSURANCE RELATED TO THE OPERATION OF THE DEVICES, WITH LIMITS OF UP TO ONE MILLION DOLLARS ($1,000,000) PER OCCURRENCE AND TWO MILLION DOLLARS ($2,000,000) PER AGGREGATE.

(ORC 4511.514)

373.10 MOTORIZED BICYCLE OPERATION, EQUIPMENT AND LICENSE.

(a) No person shall operate a motorized bicycle upon any street or highway or any public or private property used by the public for purposes of vehicular travel or parking, unless all of the following conditions are met:

(1) The person is fourteen or fifteen years of age and holds a valid probationary motorized bicycle license issued after the person has passed

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the test provided for in Ohio R.C. 4511.521, or the person is sixteen years of age or older and holds either a valid commercial driver's license issued under Ohio R.C. Chapter 4506, or a driver's license issued under Ohio R.C. Chapter 4507, or a valid motorized bicycle license issued after the person has passed the test provided for in Ohio R.C. 4511.521, except that if a person is sixteen years of age, has a valid probationary motorized bicycle license and desires a motorized bicycle license, the person is not required to comply with the testing requirements provided for in Ohio R.C. 4511.521;

(2) The motorized bicycle is equipped in accordance with rules adopted by the Ohio Director of Public Safety and is in proper working order;

(3) The person, if under eighteen years of age, is wearing a protective helmet on the person's head with the chin strap properly fastened, and the motorized bicycle is equipped with a rear-view mirror; **AND**

(4) The person operates the motorized bicycle when practicable within three feet of the right edge of the roadway obeying all traffic rules applicable to vehicles.[~~; and~~]

[~~(5) The motorized bicycle displays on the rear of such bicycle the current license plate or validation sticker furnished by the Ohio Director of Public Safety under Ohio R.C. 4503.191.~~]

(b) No person operating a motorized bicycle shall carry another person upon the motorized bicycle.

(c) THE PROTECTIVE HELMET AND REARVIEW MIRROR REQUIRED BY SUBSECTION (a)(3) OF THIS SECTION SHALL, ON AND AFTER JANUARY 1, 1985, CONFORM WITH RULES ADOPTED BY THE OHIO DIRECTOR OF PUBLIC SAFETY.

[~~(c)~~]**(d)** Whoever violates this section is guilty of a minor misdemeanor.

(ORC 4511.521[~~; Ord. 123-19. Passed 12-9-19.~~])

373.16 ELECTRIC BICYCLES.

(a) (1) The operation of a class 1 electric bicycle and a class 2 electric bicycle is permitted on a path set aside for the exclusive use of bicycles or on a shared-use path, unless the Municipality by resolution, ordinance, or rule prohibits the use of a class 1 electric bicycle or class 2 electric bicycle on such a path.

(2) No person shall operate a class 3 electric bicycle on a path set aside for the exclusive use of bicycles or a shared-use path unless that path is within or adjacent to a highway or the Municipality by resolution, ordinance, or rule authorizes the use of a class 3 electric bicycle on such a path.

(3) No person shall operate a class 1 electric bicycle, a class 2 electric bicycle or a class 3 electric bicycle on a path that is intended to be used primarily for mountain biking, hiking, equestrian use, or other similar uses, or any other single track or natural surface trail that has historically been reserved for nonmotorized use, unless the Municipality by resolution, ordinance or

rule authorizes the use of a class 1 electric bicycle, a class 2 electric bicycle, or a class 3 electric bicycle on such a path.

(4) SUBSECTIONS (a)(2) AND (a)(3) OF THIS SECTION DO NOT APPLY TO A LAW ENFORCEMENT OFFICER, OR OTHER PERSON SWORN TO ENFORCE THE CRIMINAL AND TRAFFIC LAWS OF THE STATE, USING AN ELECTRIC BICYCLE WHILE IN THE PERFORMANCE OF THE OFFICER'S DUTIES.

[No further changes to this Section.]

501.99 PENALTIES FOR MISDEMEANORS.

(a) Financial Sanctions. In addition to imposing court costs pursuant to Ohio R.C. 2947.23, the court imposing a sentence upon an offender for a misdemeanor committed under the Codified Ordinances, including a minor misdemeanor, may sentence the offender to any financial sanction or combination of financial sanctions authorized under this section. If the court in its discretion imposes one or more financial sanctions, the financial sanctions that may be imposed pursuant to this section include, but are not limited to, the following:

(1) Restitution.

A. Unless the misdemeanor offense is a minor misdemeanor or could be disposed of by the traffic violations bureau serving the court under Traffic Rule 13, restitution by the offender to the victim of the offender's crime or any survivor of the victim, in an amount based on the victim's economic loss. The court may not impose restitution as a sanction pursuant to this section if the offense is a minor misdemeanor or could be disposed of by the traffic violations bureau serving the court under Traffic Rule 13. If the court requires restitution, the court shall order that the restitution be made to the victim in open court or to the adult probation department that serves the jurisdiction or the clerk of the court on behalf of the victim.

B. If the court imposes restitution, the court shall determine the amount of restitution to be paid by the offender. If the court imposes restitution, the court may base the amount of restitution it orders on an amount recommended by the victim, the offender, a presentence investigation report, estimates or receipts indicating the cost of repairing or replacing property, and other information, provided that the amount the court orders as restitution shall not exceed the amount of the economic loss suffered by the victim as a direct and proximate result of the commission of the offense. **IF THE COURT IMPOSES RESTITUTION FOR THE COST OF ACCOUNTING OR AUDITING DONE TO DETERMINE THE EXTENT OF ECONOMIC LOSS, THE COURT MAY ORDER RESTITUTION FOR ANY AMOUNT OF THE VICTIM'S COSTS OF ACCOUNTING OR AUDITING PROVIDED THAT THE AMOUNT OF RESTITUTION IS REASONABLE AND DOES NOT EXCEED THE VALUE OF PROPERTY**

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OR SERVICES STOLEN OR DAMAGED AS A RESULT OF THE OFFENSE. If the court decides to impose restitution, the court shall hold an evidentiary hearing on restitution if the offender, victim or survivor disputes the amount of restitution. If the court holds an evidentiary hearing, at the hearing the victim or survivor has the burden to prove by a preponderance of the evidence the amount of restitution sought from the offender.

C. All restitution payments shall be credited against any recovery of economic loss in a civil action brought by the victim or any survivor of the victim against the offender. No person may introduce evidence of an award of restitution under this section in a civil action for purposes of imposing liability against an insurer under Ohio R.C. 3937.18.

D. If the court imposes restitution, the court may order that the offender pay a surcharge, of not more than five per cent of the amount of the restitution otherwise ordered, to the entity responsible for collecting and processing restitution payments.

E. The victim or survivor may request that the prosecutor in the case file a motion, or the offender may file a motion, for modification of the payment terms of any restitution ordered. If the court grants the motion, it may modify the payment terms as it determines appropriate.

[~~(Ord. 102-11. Passed 10-11-11.)~~]

[No further changes to this Section.]

505.071 CRUELTY TO COMPANION ANIMALS.

[No changes to this Section until Paragraph (f).]

(f) NOTWITHSTANDING ANY SECTION OF THE OHIO REVISED CODE THAT OTHERWISE PROVIDES FOR THE DISTRIBUTION OF FINE MONEYS, THE CLERK OF COURT SHALL FORWARD ALL FINES THE CLERK COLLECTS THAT ARE SO IMPOSED FOR ANY VIOLATION OF THIS SECTION TO THE TREASURER OF THE MUNICIPALITY, WHOSE COUNTY HUMANE SOCIETY OR LAW ENFORCEMENT AGENCY IS TO BE PAID THE FINE MONEY AS DETERMINED UNDER THIS SECTION. THE TREASURER SHALL PAY THE FINE MONEYS TO THE COUNTY HUMANE SOCIETY OR THE COUNTY, TOWNSHIP, MUNICIPAL CORPORATION, OR STATE LAW ENFORCEMENT AGENCY IN THIS STATE THAT PRIMARILY WAS RESPONSIBLE FOR OR INVOLVED IN THE INVESTIGATION AND PROSECUTION OF THE VIOLATION. IF A COUNTY HUMANE SOCIETY RECEIVES ANY FINE MONEYS UNDER THIS SECTION, THE COUNTY HUMANE SOCIETY SHALL USE THE FINE MONEYS EITHER TO PROVIDE THE TRAINING THAT IS REQUIRED FOR HUMANE SOCIETY AGENTS UNDER OHIO R.C. 1717.061 OR TO PROVIDE ADDITIONAL TRAINING FOR HUMANE SOCIETY AGENTS. (ORC 959.131)

[~~(f)~~]**(g)** (1) Whoever violates subsection (b) hereof is guilty of a misdemeanor of the first degree on a first offense. On each subsequent offense such person is guilty of a felony and shall be prosecuted under appropriate State law.

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(2) Whoever violates subsection (c) hereof is guilty of a misdemeanor of the second degree on a first offense and a misdemeanor of the first degree on each subsequent offense.

(3) Whoever violates subsection (d) hereof is guilty of a misdemeanor of the first degree.

(4) A. A court may order a person who is convicted of or pleads guilty to a violation of this section to forfeit to an impounding agency, as defined in Ohio R.C. 959.132, any or all of the companion animals in that person's ownership or care. The court also may prohibit or place limitations on the person's ability to own or care for any companion animals for a specified or indefinite period of time.

B. A court may order a person who is convicted of or pleads guilty to a violation of this section to reimburse an impounding agency for the reasonably necessary costs incurred by the agency for the care of a companion animal that the agency impounded as a result of the investigation or prosecution of the violation, provided that the costs were not otherwise paid under Ohio R.C. 959.132.

(5) If a court has reason to believe that a person who is convicted of or pleads guilty to a violation of this section suffers from a mental or emotional disorder that contributed to the violation, the court may impose as a community control sanction or as a condition of probation a requirement that the offender undergo psychological evaluation or counseling. The court shall order the offender to pay the costs of the evaluation or counseling.

(ORC 959.99; Ord. 101-16. Passed 12-5-16.)

509.07 MAKING FALSE ALARMS.

(a) No person shall do any of the following:

(1) Initiate or circulate a report or warning of an alleged or impending fire, explosion, crime or other catastrophe, knowing that the report or warning is false and likely to cause public inconvenience or alarm;

(2) Knowingly cause a false alarm of fire or other emergency to be transmitted to or within any organization, public or private, for dealing with emergencies involving a risk of physical harm to persons or property;

(3) Report to any law enforcement agency an alleged offense or other incident within its concern, knowing that such offense did not occur.

(4) INITIATE OR CIRCULATE A REPORT OR WARNING OF AN ALLEGED OR IMPENDING FIRE, EXPLOSION, CRIME, OR OTHER CATASTROPHE, KNOWING THAT THE REPORT OR WARNING IS FALSE AND LIKELY TO IMPEDE THE OPERATION OF A CRITICAL INFRASTRUCTURE FACILITY.

(b) This section does not apply to any person conducting an authorized fire or emergency drill. (ORC 2917.32)

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(c) Whoever violates this section is guilty of making false alarms, a misdemeanor of the first degree. If a violation of this section results in economic harm of one thousand dollars ($1,000) or more, or if a violation of this section pertains to a purported, threatened, or actual use of a weapon of mass destruction, making false alarms is a felony and shall be prosecuted under appropriate State law. (Ord. 102-11. Passed 10-11-11.)

(d) Any act that is a violation of this section and any other section of the Codified Ordinances may be prosecuted under this section, the other section, or both sections.

(e) As used in this section:

(1) "CRITICAL INFRASTRUCTURE FACILITY" HAS THE SAME MEANING AS IN OHIO R.C. 2911.21.

(2) "[~~e~~]**E**conomic harm" and "weapon of mass destruction" have the same meanings as in Section 509.06. (ORC 2917.32)
[~~(Ord. 184-02. Passed 11-11-02.)~~]

513.01 DEFINITIONS.

[No changes to this Section until Paragraph (x).]

(x) "Hashish."

(1) [~~The~~] **A** resin or a preparation of the resin **TO WHICH BOTH OF THE FOLLOWING APPLY:**

A. IT IS contained in **OR DERIVED FROM ANY PART OF THE PLANT OF THE GENUS CANNABIS,** [~~marihuana,~~] whether in solid form or in a liquid concentrate, liquid extract or liquid distillate form.

B. IT HAS A DELTA-9 TETRAHYDROCANNABINOL CONCENTRATION OF MORE THAN 0.3%.

(2) THE TERM DOES NOT INCLUDE A HEMP BYPRODUCT IN THE POSSESSION OF A LICENSED HEMP PROCESSOR UNDER OHIO R.C. CHAPTER 928, PROVIDED THAT THE HEMP BYPRODUCT IS BEING PRODUCED, STORED, AND DISPOSED OF IN ACCORDANCE WITH RULES ADOPTED UNDER OHIO R.C. 928.03.

[No further changes to this Section until Paragraph (rr)(22).]

(rr) …….

(22) A person registered as a registered **ENVIRONMENTAL HEALTH SPECIALIST** [~~sanitarian~~] under Ohio R.C. Chapter 4736;

[No further changes to this Section.]

521.08 LITTERING AND DEPOSIT OF GARBAGE, RUBBISH, JUNK, ETC.

(a) No person [~~shall~~], regardless of intent, **SHALL** [~~throw, drop, discard, place or~~] deposit litter or cause litter to be [~~thrown, dropped, discarded, placed or~~] deposited on any public property, on private property not owned by [~~him~~] **THE PERSON**, or in or on waters of the State, [~~the~~] **OR** Municipality**,** [~~or waters not owned by him,~~] unless **ONE OF THE FOLLOWING APPLIES** [~~the person has~~]:

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(1) **THE PERSON IS** [~~Been~~] directed to do so by a public official as part of a litter collection drive[~~.~~]**;**

(2) **EXCEPT AS PROVIDED IN SUBSECTION (b) HEREOF, THE PERSON** [~~Thrown, dropped, discarded, placed or~~] deposit**S**[~~ed~~] the litter in a litter receptacle in a manner that prevents its being carried away by the elements; or

(3) **THE PERSON IS** [~~Been~~] issued a permit or license covering the litter pursuant to Ohio R.C. Chapter 3734 or 6111.

[~~(Ord. 158-95. Passed 11-13-95.)~~]

(b) NO PERSON, WITHOUT PRIVILEGE TO DO SO, SHALL KNOWINGLY DEPOSIT LITTER, OR CAUSE IT TO BE DEPOSITED, IN A LITTER RECEPTACLE LOCATED ON ANY PUBLIC PROPERTY OR ON ANY PRIVATE PROPERTY NOT OWNED BY THE PERSON, UNLESS ONE OF THE FOLLOWING APPLIES:

(1) THE LITTER WAS GENERATED OR LOCATED ON THE PROPERTY ON WHICH THE LITTER RECEPTACLE IS LOCATED.

(2) THE PERSON IS DIRECTED TO DO SO BY A PUBLIC OFFICIAL AS PART OF A LITTER COLLECTION DRIVE.

(3) THE PERSON IS DIRECTED TO DO SO BY A PERSON WHOM THE PERSON REASONABLY BELIEVES TO HAVE THE PRIVILEGE TO USE THE LITTER RECEPTACLE.

(4) THE LITTER CONSISTS OF ANY OF THE FOLLOWING:

A. THE CONTENTS OF A LITTER BAG OR CONTAINER OF A TYPE AND SIZE CUSTOMARILY CARRIED AND USED IN A MOTOR VEHICLE;

B. THE CONTENTS OF AN ASH TRAY OF A TYPE CUSTOMARILY INSTALLED OR CARRIED AND USED IN A MOTOR VEHICLE;

C. BEVERAGE CONTAINERS AND FOOD SACKS, WRAPPINGS AND CONTAINERS OF A TYPE AND IN AN AMOUNT THAT REASONABLY MAY BE EXPECTED TO BE GENERATED DURING ROUTINE COMMUTING OR BUSINESS OR RECREATIONAL TRAVEL BY A MOTOR VEHICLE;

D. BEVERAGE CONTAINERS, FOOD SACKS, WRAPPINGS, CONTAINERS AND OTHER MATERIALS OF A TYPE AND IN AN AMOUNT THAT REASONABLY MAY BE EXPECTED TO BE GENERATED DURING A ROUTINE DAY BY A PERSON AND DEPOSITED IN A LITTER RECEPTACLE BY A CASUAL PASSERBY.

(c) (1) AS USED IN SUBSECTION (b)(1) HEREOF, "PUBLIC PROPERTY" INCLUDES ANY PRIVATE PROPERTY OPEN TO THE PUBLIC FOR THE CONDUCT OF BUSINESS, THE PROVISION OF A SERVICE, OR UPON THE PAYMENT OF A FEE BUT DOES NOT INCLUDE ANY PRIVATE PROPERTY TO WHICH THE PUBLIC OTHERWISE DOES NOT HAVE A RIGHT OF ACCESS.

(2) AS USED IN SUBSECTION (b)(4) HEREOF, "CASUAL PASSERBY" MEANS A PERSON WHO DOES NOT HAVE DEPOSITING LITTER IN A LITTER RECEPTACLE AS THE PERSON'S PRIMARY REASON FOR TRAVELING TO OR BY THE PROPERTY ON WHICH THE LITTER RECEPTACLE IS LOCATED.

(d) AS USED IN THIS SECTION:

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(1) "AUXILIARY CONTAINER" MEANS A BAG, CAN, CUP, FOOD OR BEVERAGE SERVICE ITEM, CONTAINER, KEG, BOTTLE, OR OTHER PACKAGING TO WHICH ALL OF THE FOLLOWING APPLY:

A. IT IS DESIGNED TO BE EITHER SINGLE USE OR REUSABLE.

B. IT IS MADE OF CLOTH, PAPER, PLASTIC, FOAMED OR EXPANDED PLASTIC, CARDBOARD, CORRUGATED MATERIAL, ALUMINUM, METAL, GLASS, POSTCONSUMER RECYCLED MATERIAL, OR SIMILAR MATERIALS OR SUBSTANCES, INCLUDING COATED, LAMINATED, OR MULTILAYERED SUBSTRATES.

C. IT IS DESIGNED FOR CONSUMING, TRANSPORTING, OR PROTECTING MERCHANDISE, FOOD, OR BEVERAGES FROM OR AT A FOOD SERVICE OPERATION, RETAIL FOOD ESTABLISHMENT, GROCERY, OR ANY OTHER TYPE OF RETAIL, MANUFACTURING, OR DISTRIBUTION ESTABLISHMENT.

(2) "DEPOSIT" MEANS TO THROW, DROP, DISCARD, OR PLACE.

(3)[~~(b)~~] [~~As used in this section~~] "[~~l~~]**L**itter" [~~means~~] **INCLUDES** garbage, trash, waste, rubbish, ashes, cans, drums, bottles, wire, oil, paper, cartons, boxes, scrap pieces of wood, concrete pieces, pieces of brick or concrete blocks, pieces of drywall, construction debris of any type, automobile or truck parts, furniture, glass, leaves, yard waste **AUXILIARY CONTAINERS**, or anything else of an unsightly or unsanitary nature.
[~~(Ord. 127-03. Passed 8-11-03.)~~]

(4) "LITTER RECEPTACLE" MEANS A DUMPSTER, TRASH CAN, TRASH BIN, GARBAGE CAN, OR SIMILAR CONTAINER IN WHICH LITTER IS DEPOSITED FOR REMOVAL. (ORC 3767.32)

(e)[~~(c)~~] No person shall cause or allow litter to be collected or remain in any place to the damage or prejudice of others or of the public, or unlawfully obstruct, impede, divert, corrupt or render unwholesome or impure, any natural watercourse.

[~~(d) No person shall throw, drop, discard, place or deposit litter in any dumpster or receptacle not owned by that person without the permission of the owner of the dumpster or receptacle or his/her authorized agent.~~]

(f)[~~(e)~~] Whoever violates **ANY PROVISION OF** subsection**S** (a) [~~or~~] **TO** (d) hereof, is guilty of a misdemeanor of the third degree. The sentencing court may, in addition to or in lieu of the penalty provided in this subsection require a person who violates subsection (a) [~~or~~] **TO** (d) hereof to remove litter from any public or private property, [~~dumpster or receptacle,~~] or [~~from~~] **IN OR ON** any waters.

(g)[~~(f)~~] Whoever violates subsection [~~(c)~~] **(e)** hereof is guilty of a minor misdemeanor. [~~(Ord. 158-95. Passed 11-13-95.)~~]

525.13 INTERFERING WITH CIVIL RIGHTS.

(a) No public servant, under color of [~~his~~] **THE PUBLIC SERVANT'S** office, employment or authority, shall knowingly deprive, or conspire or attempt to deprive any person of a constitutional or statutory right.

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(b) Whoever violates this section is guilty of interfering with civil rights, a misdemeanor of the first degree.
(ORC 2921.45)

529.01 DEFINITIONS.

FOR THE PURPOSE OF THIS CHAPTER, THE FOLLOWING DEFINITIONS SHALL APPLY UNLESS THE CONTEXT CLEARLY INDICATES OR REQUIRES A DIFFERENT MEANING.

(a) "ALCOHOL". ETHYL ALCOHOL, WHETHER RECTIFIED OR DILUTED WITH WATER OR NOT, WHATEVER ITS ORIGIN MAY BE, AND INCLUDES SYNTHETIC ETHYL ALCOHOL. THE TERM DOES NOT INCLUDE DENATURED ALCOHOL AND WOOD ALCOHOL.

(b) "AT RETAIL". FOR USE OR CONSUMPTION BY THE PURCHASER AND NOT FOR RESALE.

(c) "BEER".

(1) INCLUDES ALL BEVERAGES BREWED OR FERMENTED WHOLLY OR IN PART FROM MALT PRODUCTS AND CONTAINING ONE-HALF OF ONE PERCENT (0.5%) OR MORE OF ALCOHOL BY VOLUME.

(2) BEER, REGARDLESS OF THE PERCENT OF ALCOHOL BY VOLUME, IS NOT INTOXICATING LIQUOR FOR PURPOSES OF THIS CODE, THE OHIO REVISED CODE, OR ANY RULES ADOPTED UNDER IT.

(d) "CIDER". ALL LIQUIDS THAT ARE FIT TO USE FOR BEVERAGE PURPOSES THAT CONTAIN ONE-HALF OF ONE PERCENT (0.5%) OF ALCOHOL BY VOLUME, BUT NOT MORE THAN SIX PERCENT (6%) OF ALCOHOL BY WEIGHT THAT ARE MADE THROUGH THE NORMAL ALCOHOLIC FERMENTATION OF THE JUICE OF SOUND, RIPE APPLES, INCLUDING, WITHOUT LIMITATION, FLAVORED, SPARKLING, OR CARBONATED CIDER AND CIDER MADE FROM PURE CONDENSED APPLE MUST.

(e) "HOTEL". THE SAME MEANING AS IN OHO R.C. 3731.01, SUBJECT TO THE EXCEPTIONS MENTIONED IN OHIO R.C. 3731.03.

(f) "INTOXICATING LIQUOR" AND "LIQUOR". ALL LIQUIDS AND COMPOUNDS, OTHER THAN BEER, CONTAINING ONE HALF OF ONE PERCENT (0.5%) OR MORE OF ALCOHOL BY VOLUME WHICH ARE FIT TO USE FOR BEVERAGE PURPOSES, FROM WHATEVER SOURCE AND BY WHATEVER PROCESS PRODUCED, BY WHATEVER NAME CALLED, AND WHETHER THEY ARE MEDICATED, PROPRIETARY, OR PATENTED. THE TERMS INCLUDE CIDER AND ALCOHOL, AND ALL SOLIDS AND CONFECTIONS WHICH CONTAIN ONE-HALF OF ONE PERCENT (0.5%) OR MORE OF ALCOHOL BY VOLUME.

(g) "LOW-ALCOHOL BEVERAGE". ANY BREWED OR FERMENTED MALT PRODUCT OR ANY PRODUCT MADE FROM THE FERMENTED JUICES OF GRAPES, FRUITS, OR OTHER AGRICULTURAL PRODUCTS THAT CONTAINS EITHER NO ALCOHOL OR LESS THAN ONE-HALF OF ONE PERCENT (0.5%) OF ALCOHOL BY VOLUME. THE BEVERAGES DESCRIBED IN THIS

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DEFINITION DO NOT INCLUDE A SOFT DRINK SUCH AS ROOT BEER, BIRCH BEER, OR GINGER BEER.

(h) "MANUFACTURE". ALL PROCESSES BY WHICH BEER OR INTOXICATING LIQUOR IS PRODUCED, WHETHER BY DISTILLATION, RECTIFYING, FORTIFYING, BLENDING, FERMENTATION, BREWING, OR IN ANY OTHER MANNER.

(i) "MANUFACTURER". ANY PERSON ENGAGED IN THE BUSINESS OF MANUFACTURING BEER OR INTOXICATING LIQUOR.

(j) "MIXED BEVERAGES". INCLUDE BOTTLED AND PREPARED CORDIALS, COCKTAILS, HIGHBALLS, AND SOLIDS AND CONFECTIONS THAT ARE OBTAINED BY MIXING ANY TYPE OF WHISKEY, NEUTRAL SPIRITS, BRANDY, GIN OR OTHER DISTILLED SPIRITS WITH, OR OVER, CARBONATED OR PLAIN WATER, PURE JUICES FROM FLOWERS AND PLANTS, AND OTHER FLAVORING MATERIALS. THE COMPLETED PRODUCT SHALL CONTAIN NOT LESS THAN ONE-HALF OF ONE PERCENT (0.5%) OF ALCOHOL BY VOLUME AND NOT MORE THAN TWENTY-ONE PERCENT (21%) OF ALCOHOL BY VOLUME. THE PHRASE INCLUDES THE CONTENTS OF A POD.

(k) "PERSON". INCLUDES FIRMS AND CORPORATIONS.

(l) "POD". MEANS A SEALED CAPSULE MADE FROM PLASTIC, GLASS, ALUMINUM, OR A COMBINATION THEREOF TO WHICH ALL OF THE FOLLOWING APPLY:

(1) THE CAPSULE CONTAINS INTOXICATING LIQUOR OF MORE THAN TWENTY-ONE PERCENT (21%) OF ALCOHOL BY VOLUME.

(2) THE CAPSULE ALSO CONTAINS A CONCENTRATED FLAVORING MIXTURE.

(3) THE CONTENTS OF THE CAPSULE ARE NOT READILY ACCESSIBLE OR INTENDED FOR CONSUMPTION UNLESS CERTAIN MANUFACTURER'S PROCESSING INSTRUCTIONS ARE FOLLOWED.

(4) THE INSTRUCTIONS INCLUDE RELEASING THE CONTENTS OF THE CAPSULE THROUGH A MACHINE SPECIFICALLY DESIGNED TO PROCESS THE CONTENTS.

(5) AFTER BEING PROPERLY PROCESSED ACCORDING TO THE MANUFACTURER'S INSTRUCTIONS, THE FINAL PRODUCT PRODUCED FROM THE CAPSULE CONTAINS NOT LESS THAN ONE-HALF OF ONE PERCENT (0.5%) OF ALCOHOL BY VOLUME AND NOT MORE THAN TWENTY-ONE PERCENT (21%) OF ALCOHOL BY VOLUME.

(m) "RESTAURANT". A PLACE LOCATED IN A PERMANENT BUILDING PROVIDED WITH SPACE AND ACCOMMODATIONS WHEREIN, IN CONSIDERATION OF THE PAYMENT OF MONEY, HOT MEALS ARE HABITUALLY PREPARED, SOLD, AND SERVED AT NOON AND EVENING, AS THE PRINCIPAL BUSINESS OF THE PLACE. THE TERM DOES NOT INCLUDE

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PHARMACIES, CONFECTIONERY STORES, LUNCH STANDS, NIGHTCLUBS, AND FILLING STATIONS.

(n) "SALE" AND "SELL". THE EXCHANGE, BARTER, GIFT, OFFER FOR SALE, SALE, DISTRIBUTION, AND DELIVERY OF ANY KIND, AND THE TRANSFER OF TITLE OR POSSESSION OF BEER AND INTOXICATING LIQUOR EITHER BY CONSTRUCTIVE OR ACTUAL DELIVERY BY ANY MEANS OR DEVICES WHATEVER, INCLUDING THE SALE OF BEER OR INTOXICATING LIQUOR BY MEANS OF A CONTROLLED ACCESS ALCOHOL AND BEVERAGE CABINET PURSUANT TO OHIO R.C. 4301.21. SUCH TERMS DO NOT INCLUDE THE MERE SOLICITATION OF ORDERS FOR BEER OR INTOXICATING LIQUOR FROM THE HOLDERS OF PERMITS ISSUED BY THE DIVISION OF LIQUOR CONTROL AUTHORIZING THE SALE OF THE BEER OR INTOXICATING LIQUOR, BUT NO SOLICITOR SHALL SOLICIT ANY ORDERS UNTIL THE SOLICITOR HAS BEEN REGISTERED WITH THE DIVISION PURSUANT TO OHIO R.C. 4303.25.

(o) "SEALED CONTAINER". ANY CONTAINER HAVING A CAPACITY OF NOT MORE THAN 128 FLUID OUNCES, THE OPENING OF WHICH IS CLOSED TO PREVENT THE ENTRANCE OF AIR.

(p) "SPIRITUOUS LIQUOR". ALL INTOXICATING LIQUORS CONTAINING MORE THAN TWENTY-ONE PERCENT (21%) OF ALCOHOL BY VOLUME. THE PHRASE DOES NOT INCLUDE THE CONTENTS OF A POD.

(q) "VEHICLE". ALL MEANS OF TRANSPORTATION BY LAND, BY WATER, OR BY AIR, AND EVERYTHING MADE USE OF IN ANY WAY FOR SUCH TRANSPORTATION.

(r) "WINE". ALL LIQUIDS FIT TO USE FOR BEVERAGE PURPOSES CONTAINING NOT LESS THAN ONE-HALF OF ONE PERCENT (0.5%) OF ALCOHOL BY VOLUME AND NOT MORE THAN TWENTY-ONE PERCENT (21%) OF ALCOHOL BY VOLUME, WHICH IS MADE FROM THE FERMENTED JUICES OF GRAPES, FRUITS, OR OTHER AGRICULTURAL PRODUCTS. EXCEPT AS PROVIDED IN OHIO R.C. 4301.01(B)(3), THE TERM DOES NOT INCLUDE CIDER.

(ORC 4301.01, 4301.244)

[~~As used in the Codified Ordinances:~~

~~(a) "Alcohol" means ethyl alcohol, whether rectified or diluted with water or not, whatever its origin may be, and includes synthetic ethyl alcohol. Such term excludes denatured alcohol and wood alcohol. (Ord. 184-02. Passed 11-11-02.)~~

~~(b) "Intoxicating liquor" and "liquor" include all liquids and compounds, other than beer as defined in subsection (c) hereof, containing one-half of one percent (0.5%) or more of alcohol by volume which are fit to use for beverage purposes, from whatever source and by whatever process produced, by whatever name called and whether they are medicated, proprietary or patented. Such phrase includes cider and alcohol and all solids and confections which contain one-half of one percent or more of alcohol by volume.~~
~~(Ord. 104-14. Passed 11-24-14.)~~

~~(c) (1) "Beer" includes all beverages brewed or fermented wholly or in part from~~

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~~malt products and containing one-half of one percent (0.5%) or more of alcohol by volume.~~
~~(ORC 4301.01)~~

~~(2) Beer, regardless of the percent of alcohol by volume, is not intoxicating liquor for purposes of this chapter.~~
~~(ORC 4301.244; Ord. 101-16. Passed 12-5-16.)~~

~~(d) "Person" includes firms and corporations. (ORC 4301.01)~~

~~(e) "Low alcohol beverage" means any brewed or fermented malt product, or any product made from the fermented juices of grapes, fruits, or other agricultural products, that contains either no alcohol or less than one-half of one percent (0.5%) of alcohol by volume. The beverages described in subsection (e) hereof do not include a soft drink such as root beer, birch beer, or ginger beer.~~
~~(Ord. 184-02. Passed 11-11-02.)~~]

529.07 OPEN CONTAINER PROHIBITED.

[No changes to this Section until Paragraph (h).]

(h) (1) AS USED IN THIS SECTION, "ALCOHOLIC BEVERAGE" HAS THE SAME MEANING AS IN OHIO R.C. 4303.185.

(2) AN ALCOHOLIC BEVERAGE IN A CLOSED CONTAINER BEING TRANSPORTED UNDER OHIO R.C. 4303.185 TO ITS FINAL DESTINATION IS NOT AN OPEN CONTAINER FOR THE PURPOSES OF THIS SECTION IF CLOSED CONTAINER IS SECURELY SEALED IN SUCH A MANNER THAT IT IS VISIBLY APPARENT IF THE CLOSED CONTAINER HAS BEEN SUBSEQUENTLY OPENED OR TAMPERED WITH AFTER SEALING. (ORC 4301.62)

(i)[~~(h)~~] Whoever violates this section is guilty of a minor misdemeanor.
(ORC 4301.99(A)[~~; Ord. 101-16. Passed 12-5-16.~~])

533.08 PROCURING.

(a) No person, knowingly and for gain, shall do either of the following:

(1) Entice or solicit another to patronize a prostitute or brothel;

(2) Procure a prostitute for another to patronize, or take or direct another at his or her request to any place for the purpose of patronizing a prostitute.

(b) No person, having authority or responsibility over the use of premises, shall knowingly permit such premises to be used for the purpose of engaging in sexual activity for hire.

(c) Whoever violates [~~this~~] **SUB**section **(a) OR (b) OF THIS SECTION** is guilty of procuring. Except as otherwise provided in this subsection (c), procuring is a misdemeanor of the first degree. If the prostitute who is procured, patronized or otherwise involved in a violation of subsection (a)(2) of this section is under [~~sixteen~~] **EIGHTEEN** years of age at the time of the violation, regardless of whether the offender who violates subsection (a)(2) of this section knows the prostitute's age, or if a prostitute who engages in sexual activity for hire in premises used in violation of subsection (b) of this section is under [~~sixteen~~] **EIGHTEEN** years of age at the time of the violation, regardless of whether the offender who violates subsection (b) of this section

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knows the prostitute's age, procuring is a felony and shall be prosecuted under appropriate state law. [~~If the prostitute who is procured, patronized or otherwise involved in a violation of subsection (a)(2) of this section is sixteen or seventeen years of age at the time of the violation or if a prostitute who engages in sexual activity for hire in premises used in violation of subsection (b) of this section is sixteen or seventeen years of age at the time of the violation, procuring is a felony and shall be prosecuted under appropriate state law.~~
~~(Ord. 103-12. Passed 11-26-12.)~~]

(d) NO PERSON SHALL RECKLESSLY INDUCE, ENTICE, OR PROCURE ANOTHER TO ENGAGE IN SEXUAL ACTIVITY FOR HIRE IN EXCHANGE FOR THE PERSON GIVING ANYTHING OF VALUE TO THE OTHER PERSON.

(e) AS USED IN SUBSECTION (d) OF THIS SECTION, "SEXUAL ACTIVITY FOR HIRE" MEANS AN IMPLICIT OR EXPLICIT AGREEMENT TO PROVIDE SEXUAL ACTIVITY IN EXCHANGE FOR ANYTHING OF VALUE PAID TO THE PERSON ENGAGING IN SUCH SEXUAL ACTIVITY, TO ANY PERSON TRAFFICKING THAT PERSON, OR TO ANY PERSON ASSOCIATED WITH EITHER SUCH PERSON.

(f) WHOEVER VIOLATES SUBSECTION (d) OF THIS SECTION IS GUILTY OF ENGAGING IN PROSTITUTION, A MISDEMEANOR OF THE FIRST DEGREE. IN SENTENCING THE OFFENDER UNDER THIS SUBSECTION, THE COURT SHALL REQUIRE THE OFFENDER TO ATTEND AN EDUCATION OR TREATMENT PROGRAM AIMED AT PREVENTING PERSONS FROM INDUCING, ENTICING, OR PROCURING ANOTHER TO ENGAGE IN SEXUAL ACTIVITY FOR HIRE IN EXCHANGE FOR THE PERSON GIVING ANYTHING OF VALUE TO THE OTHER PERSON AND, NOTWITHSTANDING THE FINE SPECIFIED IN OHIO R.C. 2929.28(A)(2)(a) FOR A MISDEMEANOR OF THE FIRST DEGREE, THE COURT MAY IMPOSE UPON THE OFFENDER A FINE OF NOT MORE THAN ONE THOUSAND FIVE HUNDRED DOLLARS ($1,500).
(ORC 2907.231)

533.09 SOLICITING.

(a) No person shall **KNOWINGLY** solicit another [~~who is eighteen years of age or older~~] to engage [~~with such other person~~] in sexual activity for hire **IN EXCHANGE FOR THE PERSON RECEIVING ANYTHING OF VALUE FROM THE OTHER PERSON**. [~~(Ord. 104-14. Passed 11-24-14.)~~]

(b) NO PERSON, WITH KNOWLEDGE THAT THE PERSON HAS TESTED POSITIVE AS A CARRIER OF A VIRUS THAT CAUSES ACQUIRED IMMUNODEFICIENCY SYNDROME, SHALL ENGAGE IN CONDUCT IN VIOLATION OF SUBSECTION (a) OF THIS SECTION.

[~~(b) Whoever violates this section is guilty of soliciting, a misdemeanor of the third degree.~~

~~(c) If a person is convicted of or pleads guilty to a violation of any provision of this section or an attempt to commit a violation of any provision of this section, and if the person, in committing or attempting to commit the violation, was in, was on, or used a motor vehicle, the court, in addition to or independent of all other penalties imposed for the violation, shall impose upon the offender a class six suspension of the person's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege from the range specified in division (A)(6) of Ohio R.C. 4510.02. In lieu of imposing upon the~~

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~~offender the class six suspension, the court instead may require the offender to perform community service for a number of hours determined by the court.~~
~~(Ord. 103-12. Passed 11-26-12.)~~]

(c)[~~(d)~~] As used in **SUBSECTION (a) OF** this section, "[~~s~~]**S**exual [~~a~~]**A**ctivity for [~~h~~]**H**ire" means an implicit or explicit agreement to provide sexual activity in exchange for anything of value paid to the person engaging in such sexual activity, to any person trafficking that person, or to any person associated with either such person. [~~(Ord. 104-14. Passed 11-24-14.)~~]

(d) (1) WHOEVER VIOLATES SUBSECTION (a) OF THIS SECTION IS GUILTY OF SOLICITING. SOLICITING IS A MISDEMEANOR OF THE THIRD DEGREE.

(2) WHOEVER VIOLATES SUBSECTION (b) OF THIS SECTION IS GUILTY OF ENGAGING IN SOLICITATION AFTER A POSITIVE HIV TEST, A FELONY TO BE PROSECUTED UNDER APPROPRIATE STATE LAW. (ORC 2907.24)

533.091 LOITERING TO ENGAGE IN SOLICITATION.

(a) No person, with purpose to solicit another to engage in sexual activity for hire and while in or near a public place, shall do any of the following:

(1) Beckon to, stop or attempt to stop another;

(2) Engage or attempt to engage another in conversation;

(3) Stop or attempt to stop the operator of a vehicle or approach a stationary vehicle;

(4) If the offender is the operator of or a passenger in a vehicle, stop, attempt to stop, beckon to, attempt to beckon to, or entice another to approach or enter the vehicle of which the offender is the operator or in which the offender is the passenger;

(5) Interfere with the free passage of another.

(b) NO PERSON, WITH KNOWLEDGE THAT THE PERSON HAS TESTED POSITIVE AS A CARRIER OF A VIRUS THAT CAUSES ACQUIRED IMMUNODEFICIENCY SYNDROME, SHALL ENGAGE IN CONDUCT IN VIOLATION OF SUBSECTION (a) OF THIS SECTION.

(c)[~~(b)~~] As used in **SUBSECTION (a) OF** this section:

[~~(1) "Vehicle" has the same meaning as in Ohio R.C. 4501.01.~~]

(1)[~~(2)~~] "Public [~~p~~]**P**lace**.**" [~~m~~]**M**eans any of the following:

A. A street, road, highway, thoroughfare, bikeway, walkway, sidewalk, bridge, alley, alleyway, plaza, park, driveway, parking lot, or transportation facility[~~;~~].

B. A doorway or entrance way to a building that fronts on a place described in subsection [~~(b)(2)~~]**(c)(1**)A. **OF THIS DEFINITION.** [~~hereof;~~]

C. A place not described in subsection [~~(b)(2)~~]**(c)(1)**A. or B. **OF THIS DEFINITION** [~~hereof~~] that is open to the public.

(2) "VEHICLE". HAS THE SAME MEANING AS IN OHIO R.C. 4501.01.

(d)[~~(c)~~] (1) Whoever violates subsection (a) hereof is guilty of loitering to engage in solicitation, a misdemeanor of the third degree.

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(2) WHOEVER VIOLATES SUBSECTION (b) OF THIS SECTION IS GUILTY OF LOITERING TO ENGAGE IN SOLICITATION AFTER A POSITIVE HIV TEST, A FELONY TO BE PROSECUTED UNDER APPROPRIATE STATE LAW.
(ORC **2907.24,** 2907.241[~~; Ord. 200-98. Passed 11-9-98.~~])

533.10 PROSTITUTION.

(a) No person shall engage in sexual activity for hire.

(b) NO PERSON, WITH KNOWLEDGE THAT THE PERSON HAS TESTED POSITIVE AS A CARRIER OF A VIRUS THAT CAUSES ACQUIRED IMMUNODEFICIENCY SYNDROME, SHALL ENGAGE IN SEXUAL ACTIVITY FOR HIRE.

(c)[~~(b)~~]**(1)** Whoever violates **SUBSECTION (a) OF** this section is guilty of prostitution, a misdemeanor of the third degree.

(2) WHOEVER VIOLATES SUBSECTION (b) OF THIS SECTION IS GUILTY OF ENGAGING IN PROSTITUTION AFTER A POSITIVE HIV TEST, A FELONY TO BE PROSECUTED UNDER APPROPRIATE STATE LAW.
(ORC 2907.25)

537.02 VEHICULAR HOMICIDE AND MANSLAUGHTER.

[No changes to this Section until Paragraph (g).]

(g) The court imposing a sentence upon an offender for any violation of this section also shall impose a suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege from the range specified in division (B) of Ohio R.C. 4510.02 that is equivalent in length to the suspension required for a violation of Ohio R.C. 2903.06 **OR DIVISION (A) OR (B) OF OHIO R.C. 4511.19** under similar circumstances. **(ORC 4510.07)**
[~~(Ord. 139-07. Passed 11-19-07.)~~]

541.04 CRIMINAL MISCHIEF.

[No changes to this Section until Paragraph (a)(7).]

(a) …….

(7) WITHOUT PRIVILEGE TO DO SO, KNOWINGLY DESTROY OR IMPROPERLY TAMPER WITH A CRITICAL INFRASTRUCTURE FACILITY.

(b) AS USED IN THIS SECTION:

(1) "CRITICAL INFRASTRUCTURE FACILITY". HAS THE SAME MEANING AS IN OHIO R.C. 2911.21.

(2) "IMPROPERLY TAMPER". MEANS TO CHANGE THE PHYSICAL LOCATION OR THE PHYSICAL CONDITION OF THE PROPERTY.

(3)[~~(b)~~] [~~As used in this section,~~] "[~~s~~]**S**afety [~~d~~]**D**evice" means any fire extinguisher, fire hose or fire axe, or any fire escape, emergency exit or emergency escape equipment, or any life line, life-saving ring, life preserver or life boat or raft, or any alarm, light, flare, signal, sign or notice intended to warn of

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danger, or emergency, or intended for other safety purposes, or any guard railing or safety barricade, or any traffic sign or signal, or any railroad grade crossing sign, signal or gate, or any first aid or survival equipment, or any other device, apparatus, or equipment intended for protecting or preserving the safety of persons or property.

(c) (1) Whoever violates this section is guilty of criminal mischief, and shall be punished as provided in subsection (c)(2)**,** [~~or~~] **(c)**(3)**, OR (c)(4)** of this section.

(2) Except as otherwise provided in this subsection, criminal mischief committed in violation of subsection (a)(1), **(a)**(2), **(a)**(3), **(a)**(4) or **(a)**(5) of this section is a misdemeanor of the third degree. Except as otherwise provided in this [~~subsection~~] **DIVISION**, if the violation of subsection (a)(1), **(a)**(2), **(a)**(3), **(a)**(4) or **(a)**(5) of this section creates a risk of physical harm to any person, criminal mischief committed in violation of subsection (a)(1), **(a)**(2), **(a)**(3), **(a)**(4) or **(a)**(5) of this section is a misdemeanor of the first degree. If the property involved in the violation of subsection (a)(1), **(a)**(2), **(a)**(3), **(a)**(4) or **(a)**(5) of this section is an aircraft, an aircraft engine, propeller, appliance, spare part, fuel, lubricant, hydraulic fluid, any other equipment, implement, or material used or intended to be used in the operation of an aircraft, or any cargo carried or intended to be carried in an aircraft **AND IF THE VIOLATION CREATES ANY RISK OF PHYSICAL HARM TO ANY PERSON, OR IF THE AIRCRAFT IN QUESTION IS AN OCCUPIED AIRCRAFT,** criminal mischief committed in violation of subsection (a)(1), **(a)**(2), **(a)**(3), **(a)**(4) or **(a)**(5) of this section is a felony and shall be prosecuted under appropriate State law.

(3) Except as otherwise provided in this subsection, criminal mischief committed in violation of subsection (a)(6) of this section is a misdemeanor of the first degree. If the value of the computer, computer system, computer network, computer software, computer program or data involved in the violation of subsection (a)(6) of this section or the loss to the victim resulting from the violation is one thousand dollars **($1,000)** or more, or if the computer, computer system, computer network, computer software, computer program or data involved in the violation of subsection (a)(6) [~~of this section~~] is used or intended to be used in the operation of an aircraft and the violation creates a risk of physical harm to any person, **OR IF THE AIRCRAFT IN QUESTION IS AN OCCUPIED AIRCRAFT,** criminal mischief committed in violation of subsection (a)(6) of this section is a felony and shall be prosecuted under appropriate State law.

(4) CRIMINAL MISCHIEF COMMITTED IN VIOLATION OF SUBSECTION (a)(7) OF THIS SECTION IS A FELONY TO BE PROSECUTED UNDER APPROPRIATE STATE LAW.

(ORC 2909.07)

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541.05 CRIMINAL TRESPASS.

(a) No person, without privilege to do so, shall do any of the following:

(1) Knowingly enter or remain on the land or premises of another;

(2) Knowingly enter or remain on the land or premises of another, the use of which is lawfully restricted to certain persons, purposes, modes or hours, when the offender knows the offender is in violation of any such restriction or is reckless in that regard;

(3) Recklessly enter or remain on the land or premises of another, as to which notice against unauthorized access or presence is given by actual communication to the offender, or in a manner prescribed by law, or by posting in a manner reasonably calculated to come to the attention of potential intruders, or by fencing or other enclosure manifestly designed to restrict access;

(4) Being on the land or premises of another, negligently fail or refuse to leave upon being notified by signage posted in a conspicuous place or otherwise being notified to do so by the owner or occupant, or the agent or servant of either.

(5) KNOWINGLY ENTER OR REMAIN ON A CRITICAL INFRASTRUCTURE FACILITY.

(b) It is no defense to a charge under this section that the land or premises involved was owned, controlled or in custody of a public agency.

(c) It is no defense to a charge under this section that the offender was authorized to enter or remain on the land or premises involved when such authorization was secured by deception. [~~(ORC 2911.21; Ord. 87-05. Passed 5-9-05.)~~]

(d) (1) Whoever violates this section is guilty of criminal trespass[~~,~~]**. CRIMINAL TRESPASS IN VIOLATION OF SUBSECTION (a)(1), (a)(2), (a)(3) OR (a)(4) OF THIS SECTION IS** a misdemeanor of the fourth degree. **CRIMINAL TRESPASS IN VIOLATION OF SUBSECTION (a)(5) OF THIS SECTION IS A MISDEMEANOR OF THE FIRST DEGREE.**

(2) Notwithstanding Section 501.99, if the person, in committing the violation of this section, used a snowmobile, off-highway motorcycle, or all-purpose vehicle, the court shall impose a fine of two times the usual amount imposed for the violation.

(3) If an offender previously has been convicted of or pleaded guilty to two or more violations of this section or a substantially equivalent municipal ordinance, or state law, and the offender, in committing each violation, used a snowmobile, off-highway motorcycle, or all-purpose vehicle, the court, in addition to or independent of all other penalties imposed for the violation, may impound the certificate of registration of that snowmobile or off-highway motorcycle or the certificate of registration and license plate of that all-purpose vehicle for not less than sixty days. In such a case, Ohio R.C. 4519.47 applies.

(e) As used in **SUBSECTIONS (a) THROUGH (e) OF** this section:

(1) "All-[~~p~~]**P**urpose [~~v~~]**V**ehicle," "[~~o~~]**O**ff-[~~h~~]**H**ighway [~~m~~]**M**otorcycle" and "[~~s~~]**S**nowmobile"**.** [~~h~~]**H**ave the same meaning**S** as in **OHIO R.C. 4519.01.** [~~Section 375.01 of the Traffic Code.~~]

(2) "CRITICAL INFRASTRUCTURE FACILITY". MEANS:

A. ONE OF THE FOLLOWING, IF COMPLETELY ENCLOSED BY A FENCE OR OTHER PHYSICAL BARRIER THAT IS OBVIOUSLY DESIGNED TO EXCLUDE INTRUDERS, OR IF CLEARLY MARKED WITH SIGNS THAT ARE REASONABLY LIKELY TO COME TO THE ATTENTION OF POTENTIAL INTRUDERS AND THAT INDICATE ENTRY IS FORBIDDEN WITHOUT SITE AUTHORIZATION:

1. A PETROLEUM OR ALUMINA REFINERY;

2. AN ELECTRIC GENERATING FACILITY, SUBSTATION, SWITCHING STATION, ELECTRICAL CONTROL CENTER, OR ELECTRIC TRANSMISSION AND DISTRIBUTION LINES AND ASSOCIATED EQUIPMENT;

3. A CHEMICAL, POLYMER, OR RUBBER MANUFACTURING FACILITY;

4. A WATER INTAKE STRUCTURE, WATER TREATMENT FACILITY, WASTE WATER FACILITY, DRAINAGE FACILITY, WATER MANAGEMENT FACILITY, OR ANY SIMILAR WATER OR SEWAGE TREATMENT SYSTEM AND ITS WATER AND SEWAGE PIPING;

5. A NATURAL GAS COMPANY FACILITY OR INTERSTATE NATURAL GAS PIPELINE, INCLUDING A PIPELINE INTERCONNECTION, A NATURAL GAS COMPRESSOR STATION AND ASSOCIATED FACILITIES, CITY GATE OR TOWN BORDER STATION, METERING STATION, ABOVE-GROUND PIPING, REGULATOR STATION, VALVE SITE, DELIVERY STATION, FABRICATED ASSEMBLY, OR ANY OTHER PART OF A NATURAL GAS STORAGE FACILITY INVOLVED IN THE GATHERING, STORAGE, TRANSMISSION, OR DISTRIBUTION OF GAS;

6. A TELECOMMUNICATIONS CENTRAL SWITCHING OFFICE OR REMOTE SWITCHING FACILITY OR AN EQUIVALENT NETWORK FACILITY THAT SERVES A SIMILAR PURPOSE;

7. WIRELINE OR WIRELESS TELECOMMUNICATIONS INFRASTRUCTURE, INCLUDING TELECOMMUNICATIONS TOWERS AND TELEPHONE POLES AND LINES, INCLUDING FIBER OPTIC LINES;

8. A PORT, TRUCKING TERMINAL, OR OTHER FREIGHT TRANSPORTATION FACILITY;

9. A GAS PROCESSING PLANT, INCLUDING A PLANT USED IN THE PROCESSING, TREATMENT, OR FRACTIONATION OF NATURAL GAS OR NATURAL GAS LIQUIDS;

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10. A TRANSMISSION FACILITY USED BY A FEDERALLY LICENSED RADIO OR TELEVISION STATION;
11. A STEEL-MAKING FACILITY THAT USES AN ELECTRIC ARC FURNACE TO MAKE STEEL;
12. A FACILITY IDENTIFIED AND REGULATED BY THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY'S CHEMICAL FACILITY ANTI-TERRORISM STANDARDS PROGRAM UNDER 6 C.F.R. PART 27;
13. A DAM THAT IS REGULATED BY THE STATE OR FEDERAL GOVERNMENT;
14. A CRUDE OIL OR REFINED PRODUCTS STORAGE AND DISTRIBUTION FACILITY, INCLUDING VALVE SITES, PIPELINE INTERCONNECTIONS, PUMP STATION, METERING STATION, BELOW- OR ABOVE-GROUND PIPELINE, OR PIPING AND TRUCK LOADING OR OFF-LOADING FACILITY;
15. A VIDEO SERVICE NETWORK AND BROADBAND INFRASTRUCTURE, INCLUDING ASSOCIATED BUILDINGS AND FACILITIES, VIDEO SERVICE HEADENDS, TOWERS, UTILITY POLES, AND UTILITY LINES SUCH AS FIBER OPTIC LINES. AS USED IN THIS DIVISION, "VIDEO SERVICE NETWORK" HAS THE SAME MEANING AS IN OHIO R.C. 1332.21.
16. ANY ABOVE-GROUND PORTION OF AN OIL, GAS, HAZARDOUS LIQUID OR CHEMICAL PIPELINE, TANK, OR OTHER STORAGE FACILITY;
17. ANY ABOVE-GROUND PORTION OF A WELL, WELL PAD, OR PRODUCTION OPERATION;
18. A LAYDOWN AREA OR CONSTRUCTION SITE FOR PIPE AND OTHER EQUIPMENT INTENDED FOR USE ON AN INTERSTATE OR INTRASTATE NATURAL GAS OR CRUDE OIL PIPELINE;
19. ANY MINING OPERATION, INCLUDING ANY PROCESSING EQUIPMENT, BATCHING OPERATION, OR SUPPORT FACILITY FOR THAT mining operation.

B. WITH RESPECT TO A VIDEO SERVICE NETWORK OR BROADBAND OR WIRELESS TELECOMMUNICATIONS INFRASTRUCTURE, THE ABOVE-GROUND PORTION OF A FACILITY INSTALLED IN A PUBLIC RIGHT-OF-WAY ON A UTILITY POLE OR IN A CONDUIT;

C. ANY RAILROAD PROPERTY;

D. AN ELECTRONIC ASSET OF ANY OF THE FOLLOWING:

1. AN ELECTRIC LIGHT COMPANY THAT IS A PUBLIC UTILITY UNDER OHIO R.C. 4905.02;

Attachment: Codified Ord-Ex A (3088 : Updated of the Traffic & General Offenses Codes)

2. AN ELECTRIC COOPERATIVE, AS DEFINED IN OHIO R.C. 4928.01;

3. A MUNICIPAL ELECTRIC UTILITY, AS DEFINED IN OHIO R.C. 4928.01;

4. A NATURAL GAS COMPANY THAT IS A PUBLIC UTILITY UNDER OHIO R.C. 4905.02;

5. A TELEPHONE COMPANY THAT IS A PUBLIC UTILITY UNDER OHIO R.C. 4905.02;

6. A VIDEO SERVICE PROVIDER, INCLUDING A CABLE OPERATOR, AS THOSE TERMS ARE DEFINED IN OHIO R.C. 1332.21.

(3) "ELECTRONIC ASSET". INCLUDES, BUT IS NOT LIMITED TO, THE HARDWARE, SOFTWARE, AND DATA OF A PROGRAMMABLE ELECTRONIC DEVICE; ALL COMMUNICATIONS, OPERATIONS, AND CUSTOMER DATA NETWORKS; AND THE CONTENTS OF THOSE DATA NETWORKS.

(4)[~~(2)~~] "Land or [~~p~~]**P**remises"**.** [~~i~~]Includes any land, building, structure, or place belonging to, controlled by, or in custody of another, and any separate enclosure or room, or portion thereof.

(5) "PRODUCTION OPERATION, WELL, AND WELL PAD". HAVE THE SAME MEANINGS AS IN OHIO R.C. 1509.01.

(ORC 2911.21[~~; Ord. 145-09. Passed 12-14-09.~~])

541.051 AGGRAVATED TRESPASS.

(a) **(1)** No person shall enter or remain on the land or premises of another with purpose to commit on that land or those premises a misdemeanor, the elements of which involve causing physical harm to another person or causing another person to believe that the offender will cause physical harm to [~~him~~] **THAT PERSON** .

(2) NO PERSON SHALL ENTER OR REMAIN ON A CRITICAL INFRASTRUCTURE FACILITY WITH PURPOSE TO DESTROY OR TAMPER WITH THE FACILITY.

(b) Whoever violates this section is guilty of aggravated trespass[~~,~~]**. AGGRAVATED TRESPASS IN VIOLATION OF SUBSECTION (a)(1) OF THIS SECTION IS** a misdemeanor of the first degree. **AGGRAVATED TRESPASS IN VIOLATION OF SUBSECTION (a)(2) OF THIS SECTION IS A FELONY TO BE PROSECUTED UNDER APPROPRIATE STATE LAW.**

(c) AS USED IN THIS SECTION, "CRITICAL INFRASTRUCTURE FACILITY" HAS THE SAME MEANING AS IN OHIO R.C. 2911.21. (ORC 2911.211[~~; Ord. 170-93. Passed 12-13-93.~~])

545.03 PROPERTY EXCEPTIONS AS FELONY OFFENSE.

Regardless of the value of the property involved, and regardless of whether the offender has previously been convicted of a theft offense, the provisions of Section 545.05 or 545.18 do not apply if the property involved is any of the following:

(a) A credit card;

Attachment: Codified Ord-Ex A (3088 : Updated of the Traffic & General Offenses Codes)

(b) A printed form for a check or other negotiable instrument, that on its face identifies the drawer or maker for whose use it is designed or identifies the account on which it is to be drawn, and that has not been executed by the drawer or maker or on which the amount is blank;

[~~(c) A firearm or dangerous ordnance as defined in Ohio R.C. 2923.11;~~]

(c)[~~(d)~~] A motor vehicle identification license plate as prescribed by Ohio R.C. 4503.22, a temporary **MOTOR VEHICLE** license [~~placard~~] **REGISTRATION** [~~or windshield sticker~~] as prescribed by Ohio R.C. 4503.182, or any comparable **TEMPORARY MOTOR VEHICLE** license **REGISTRATION** [~~plate, placard or sticker~~] as prescribed by the applicable law of another state or the United States;

(d)[~~(e)~~] A blank form for a certificate of title or a manufacturer's or importer's certificate to a motor vehicle, as prescribed by Ohio R.C. 4505.07;

(e)[~~(f)~~] A blank form for any license listed in Ohio R.C. 4507.01(A).

(ORC 2913.71) [~~(Ord. 144-96. Passed 10-15-96.)~~]

545.09 PASSING BAD CHECKS.

(a) As used in this section:

(1) "Check" includes any form of debit from a demand deposit account, including, but not limited to any of the following:

A. A check, bill of exchange, draft, order of withdrawal, or similar negotiable or nonnegotiable instrument;

B. An electronic check, electronic transaction, debit card transaction, check card transaction, substitute check, web check, or any form of automated clearing house transaction.

(2) "Issue a check" means causing any form of debit from a demand deposit account.

(b) No person, with purpose to defraud, shall issue or transfer or cause to be issued or transferred a check or other negotiable instrument, knowing that it will be dishonored or knowing that a person has ordered or will order stop payment on the check or other negotiable instrument.

(c) For purposes of this section, a person who issues or transfers a check or other negotiable instrument is presumed to know that it will be dishonored, if either of the following occurs:

(1) The drawer had no account with the drawee at the time of issue or the stated date, whichever is later.

(2) The check or other negotiable instrument was properly refused payment for insufficient funds upon presentment within thirty days after issue or the stated date, whichever is later, and the liability of the drawer, indorser or any party who may be liable thereon is not discharged by payment or satisfaction within ten days after receiving notice of dishonor.

[~~(d) For purposes of this section, a person who issues or transfers a check, bill of exchange or other draft is presumed to have the purpose to defraud if the drawer fails to comply~~

Attachment: Codified Ord-Ex A (3088 : Updated of the Traffic & General Offenses Codes)

~~with Ohio R.C. 1349.16 by doing any of the following when opening a checking account intended for personal, family or household purposes at a financial institution:~~

~~(1) Falsely stating that the drawer has not been issued a valid driver's or commercial driver's license or identification card issued under Ohio R.C. 4507.50;~~

~~(2) Furnishing such license or card, or another identification document that contains false information;~~

~~(3) Making a false statement with respect to the drawer's current address or any additional relevant information reasonably required by the financial institution.~~]

(d)[~~(e)~~] In determining the value of the payment for purposes of subsection [~~(f)~~]**(e)** of this section, the court may aggregate all checks and other negotiable instruments that the offender issued or transferred or caused to be issued or transferred in violation of subsection (a) of this section within a period of one hundred eighty consecutive days.
[~~(Ord. 133-06. Passed 10-23-06.)~~]

(e)[~~(f)~~] Whoever violates this section is guilty of passing bad checks. Except as otherwise provided in this subsection, passing bad checks is a misdemeanor of the first degree. If the check or checks or other negotiable instrument or instruments are issued or transferred to a single vendor or single other person for the payment of one thousand dollars ($1,000) or more or if the check or checks or other negotiable instrument or instruments are issued or transferred to multiple vendors or persons for the payment of one thousand five hundred dollars ($1,500) or more, passing bad checks is a felony and shall be prosecuted under appropriate State law.
(ORC 2913.11) [~~(Ord.102-11. Passed 10-11-11.)~~]

549.02 CARRYING CONCEALED WEAPONS.

[No changes to this Section until Paragraph (h).]

(h) FOR PURPOSES OF THIS SECTION, "DEADLY WEAPON" OR "WEAPON" DOES NOT INCLUDE ANY KNIFE, RAZOR, OR CUTTING INSTRUMENT IF THE INSTRUMENT WAS NOT USED AS A WEAPON. (ORC 2923.12)

549.06 UNLAWFUL TRANSACTIONS IN WEAPONS.

(a) No person shall do any of the following:

[~~(1) Manufacture, possess for sale, sell or furnish to any person other than a law enforcement agency for authorized use in police work, any brass knuckles, cestus, billy, blackjack, sandbag, switchblade knife, springblade knife, gravity knife or similar weapon;~~]

(1)[~~(2)~~] When transferring any dangerous ordnance to another, negligently fail to require the transferee to exhibit such identification, license or permit showing the transferee to be authorized to acquire dangerous ordnance pursuant to Ohio R.C. 2923.17, or negligently fail to take a complete record of the transaction and forthwith forward a copy of such record to the

Attachment: Codified Ord-Ex A (3088 : Updated of the Traffic & General Offenses Codes)

sheriff of the county or safety director or police chief of the municipality where the transaction takes place;
[~~(Ord. 123-19. Passed 12-9-19.)~~]

(2)[~~(3)~~] Knowingly fail to report to law enforcement authorities forthwith the loss or theft of any firearm or dangerous ordnance in the person's possession or under the person's control.

(b) Whoever violates this section is guilty of unlawful transactions in weapons. **A** [~~V~~]**v**iolation of subsection[~~s~~] (a)(1) [~~or (2)~~] hereof is a misdemeanor of the second degree. **A** [V]**v**iolation of subsection (a)**(2)**[~~(3)~~] hereof is a misdemeanor of the fourth degree. (ORC 2923.20)

553.06 RAILROAD VANDALISM.

[No changes to this Section until Paragraph (d).]

[~~(d) No person, without privilege to do so, shall knowingly enter or remain on the land or premises of a railroad company.~~]

(d)[~~(e)~~] Whoever violates subsection (a) of this section is guilty of railroad vandalism. Whoever violates subsection (b) of this section is guilty of criminal trespass on a locomotive, engine, railroad car or other railroad vehicle. Whoever violates subsection (c) of this section is guilty of interference with the operation of a train.

Except as otherwise provided in this subsection, railroad vandalism; criminal trespass on a locomotive, engine, railroad car, or other railroad vehicle; and interference with the operation of a train each is a misdemeanor of the first degree. If the violation of subsection (a), (b) or (c) of this section causes serious physical harm to property, creates a substantial risk of physical harm to any person, causes physical harm to any person, or serious physical harm to any person, the violation is a felony and shall be prosecuted under appropriate State law.

[~~Whoever violates subsection (d) of this section is guilty of criminal trespass on the land or premises of a railroad company, a misdemeanor of the fourth degree.~~
~~(ORC 2909.10; Ord. 31-04. Passed 2-23-04.)~~]

(e)[~~(a)~~] **NO PERSON SHALL KNOWINGLY DEFACE, DAMAGE, OBSTRUCT, REMOVE OR OTHERWISE IMPAIR THE OPERATION OF ANY RAILROAD GRADE CROSSING WARNING SIGNAL OR OTHER PROTECTIVE DEVICE, INCLUDING ANY GATE, BELL, LIGHT, CROSSBUCK, STOP SIGN, YIELD SIGN, ADVANCE WARNING SIGN, OR ADVANCE PAVEMENT MARKING.**

(f)[~~(b)~~] **WHOEVER VIOLATES THIS SECTION IS GUILTY OF RAILROAD GRADE CROSSING DEVICE VANDALISM. EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, RAILROAD GRADE CROSSING DEVICE VANDALISM IS A MISDEMEANOR OF THE FIRST DEGREE. IF THE VIOLATION OF THIS SECTION CAUSES SERIOUS PHYSICAL HARM TO PROPERTY, CREATES A SUBSTANTIAL RISK OF PHYSICAL HARM TO ANY PERSON, CAUSES PHYSICAL HARM TO ANY PERSON, OR CAUSES SERIOUS PHYSICAL HARM TO ANY PERSON, RAILROAD GRADE CROSSING DEVICE VANDALISM IS A FELONY AND SHALL BE PROSECUTED UNDER APPROPRIATE STATE LAW. (ORC 2909.10, 2909.101)**

[~~553.07 GRADE CROSSING DEVICE VANDALISM.~~] REPEALED

[~~(a) No person shall knowingly deface, damage, obstruct, remove or otherwise impair the operation of any railroad grade crossing warning signal or other protective device, including~~

Attachment: Codified Ord-Ex A (3088 : Updated of the Traffic & General Offenses Codes)

~~any gate, bell, light, crossbuck, stop sign, yield sign, advance warning sign, or advance pavement marking.~~

~~(b) Whoever violates this section is guilty of railroad grade crossing device vandalism. Except as otherwise provided in this subsection, railroad grade crossing device vandalism is a misdemeanor of the first degree. If the violation of this section causes serious physical harm to property, creates a substantial risk of physical harm to any person, causes physical harm to any person, or causes serious physical harm to any person, railroad grade crossing device vandalism is a felony and shall be prosecuted under appropriate State law.~~

~~(ORC 2909.101; Ord. 31-04. Passed 2-23-04.)]~~

City Council Ordinance
Regular Meeting - February 14, 2022

Submitted by: Ben Mann,
Submitting Department: Public Works

Subject:
2022 Sidewalk/Apron Replacement Program

Legislation Title:
Ordinance to authorize the City Manager to enter into a one (1) year contract with Prus Construction of Cincinnati, Ohio for the 2022 Sidewalk/Apron Replacement Program.

Recommendation:
The staff recommends that City Council authorize the City Manager to enter into a one (1) year contract with Prus Construction of Cincinnati, Ohio for the 2022 Sidewalk/Apron Replacement at the unit prices indicated. The recommendation to exercise the year 2 option is to be determined.

It is further recommended that City Council authorize and direct the preparation of legislation for the appropriation of funding in the amount of $137,000.00 from the General Fund for the 2022 portion of this project.

Background/Synopsis:

The sidewalk replacement program was implemented to complete inspections of all city sidewalks on a four (4) year rotational basis.

This is an ongoing program that was implemented in 1994 to inspect sidewalks and approach aprons citywide. The program was designed to complete inspections of all city sidewalks on a four (4) year rotating basis. Marking of sidewalks and aprons citywide has been completed for the 2022 program year. There are approximately 526 property locations marked for repair or replacement (16 of these are City responsibility while the rest are resident/business owner responsibility). There are approximately 5,690 Square Feet of 4" (sidewalk), 3,990 Square Feet of 7" (driveway aprons) concrete, and 320 Square Feet of 9” (commercial driveway aprons) concrete marked for replacement. There are 398 locations currently marked for repair via the cutting method. The cutting method was used for the last several years as part of the sidewalk project and has proved an effective method for limiting damage to the adjacent lawn and inconvenience to the residents while also being a cost saving measure for the property owners. The funding for the cutting will be requested in a separate letter and is done by a different contractor.

The property owners are notified by certified mail that they have sixty days to perform the work themselves, seek an independent contractor on their own, or have the city’s contractor perform the work. If they choose to use the City contractor, the property owners are required to reimburse the City by either invoice payment or through an assessment on their property taxes collected over a five (5) year period.

The project was advertised on January 14 and January 21. A bid opening was held on January 31, 2022 for which five (5) bids were received. The bid results are attached.

The lowest and best bidder is Prus Construction Company of Cincinnati, Ohio.

Financial Impact:

$137,000.00 ($126,027.50 for the sidewalk plus a contingency of $10,972.50) from the General Fund.

Emergency Provision Explanation:

Not applicable.

Rule Suspension Requested:
No

Emergency Provision Needed:
No

Attachments:
1. 2022 Sidewalk and Apron Repair and Replacement Program Bid Results
2. 2022 Sidewalk Program Map
3. Prus Construction-Ord

City of Fairfield
Bid Tabulation for "2022 Sidewalk & Apron Repair and Replacement Program"
Bid Opening: January 31, 2022, City of Fairfield Council Chambers
Estimate - $121,055.00 1 yr.

Hendy Inc.	**R.A. Miller Construction**	**Prus Construction**
7968 Wesselman Rd. Cleves, OH 45002 513-353-4400	4148 Augspurger Rd. Hamilton, OH 45011 513-896-5011	5325 Wooster Pike Cincinnati, OH 45226 513-321-7774

Description	Bid Unit	Unit Cost Yr 1	Unit Cost Yr 2	Unit Cost Yr 1	Unit Cost Yr 2	Unit Cost Yr 1	Unit Cost Yr 2
Concrete Sidewalks - 4" (approx. 5, 690 S.F.)	Surface Sq. Ft.	$ 11.00	$ 12.00	$ 13.50	$ 14.15	$ 11.00	$ 12.25
Concrete Driveway Aprons /Approaches - 7" (approx. 3,990 S.F.)	Surface Sq. Ft.	$ 12.00	$ 13.00	$ 14.00	$ 14.75	$ 11.25	$ 12.50
Concrete Driveway Aprons /Approaches - 9" (approx. 320 S.F.)	Surface Sq. Ft.	$ 14.00	$ 15.00	$ 15.00	$ 15.75	$ 15.00	$ 16.50
Curb Ramps (with truncated domes) (approx. 5 each)	Each	$ 655.00	$ 800.00	$ 400.00	$ 600.00	$ 500.00	$ 550.00
Modified Type 6 Curb (Lawn curb) (approx. 50 feet)	Foot	$ 39.00	$ 44.00	$ 25.00	$ 30.00	$ 25.00	$ 27.50
Concrete Curb & Gutter (miscellaneous) (approx. 200 feet)	Foot	$ 64.00	$ 70.00	$ 50.00	$ 52.00	$ 50.00	$ 55.00
Total Base Bid (Yr. 1 Only)		$132,975.00		$150,725.00		$126,027.50	

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: 2022 Sidewalk and Apron Repair and Replacement Program Bid Results (3086 : 2022

City of Fairfield
Bid Tabulation for "2022 Sidewalk & Apron Repair
Bid Opening: January 31, 2022, City of Fairfield Co
Estimate - $121,055.00 1 yr.

		Adleta Construction PO Box 15872 Cincinnati, OH 45014 513-554-1469		**Ohio Heavy Equipment** 260 Osborne Dr. Fairfield, OH 45014 513-965-6600	
Description	Bid Unit	**Unit Cost Yr 1**	**Unit Cost Yr 2**	**Unit Cost Yr 1**	**Unit Cost Yr 2**
Concrete Sidewalks - 4" (approx. 5, 690 S.F.)	Surface Sq. Ft.	$ 16.33	$ 17.97	$ 11.00	$ 12.00
Concrete Driveway Aprons /Approaches - 7" (approx. 3,990 S.F.)	Surface Sq. Ft.	$ 18.92	$ 20.81	$ 11.75	$ 12.75
Concrete Driveway Aprons /Approaches - 9" (approx. 320 S.F.)	Surface Sq. Ft.	$ 21.46	$ 23.60	$ 14.25	$ 15.50
Curb Ramps (with truncated domes) (approx. 5 each)	Each	$ 2,279.81	$ 2,507.79	$ 625.00	$ 700.00
Modified Type 6 Curb (Lawn curb) (approx. 50 feet)	Foot	$ 41.62	$ 45.78	$ 37.00	$ 42.00
Concrete Curb & Gutter (miscellaneous) (approx. 200 feet)	Foot	$ 53.07	$ 58.38	$ 55.00	$ 62.00
Total Base Bid (Yr. 1 Only)		$199,369.75		$130,007.50	

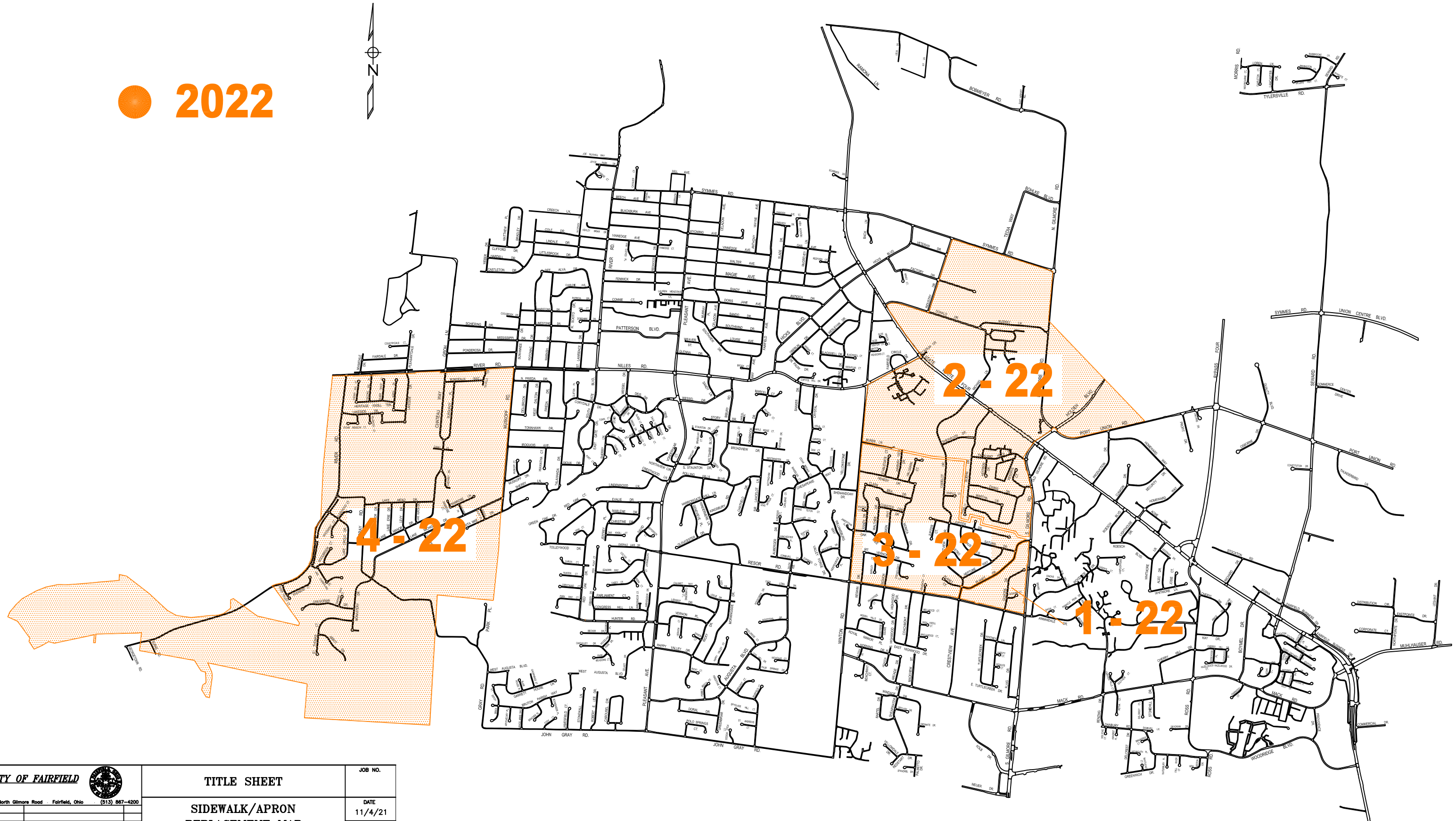
These bids will be reviewed by the Public Works Department, and a recommendation will be made to Council. There is no guarantee that the contract will be awarded to the lowest bidder. Contracts are awarded to the bidder deemed to be the best and the lowest bidder.

Attachment: 2022 Sidewalk and Apron Repair and Replacement Program Bid Results (3086 : 2022

Attachment: 2022 Sidewalk Program Map (3086 : 2022 Sidewalk/Apron Replacement Program)

Sidewalk Replacement Program

2022



CITY OF FAIRFIELD	TITLE SHEET	JOB NO.
5870 North Gilmore Road Fairfield, Ohio (513) 867-4200	SIDEWALK/APRON REPLACEMENT MAP FAIRFIELD, OHIO	DATE 11/4/21
NO. DATE REVISIONS BY		SHEET NO. 1/1
SCALE N.T.S / DESIGN-LAYOUT NWC / DRAWN NWC / CHECKED		

ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A ONE (1) YEAR CONTRACT WITH PRUS CONSTRUCTION FOR THE 2022 SIDEWALK/APRON REPLACEMENT PROGRAM.

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

Section 1. The City Manager is hereby authorized to enter into a one (1) year contract with Prus Construction for the 2022 Sidewalk/Apron Replacement Program in accordance with the contract 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\2022\Prus Construction-Ord

Attachment: Prus Construction-Ord (3086 : 2022 Sidewalk/Apron Replacement Program)

City Council Ordinance
Regular Meeting - February 14, 2022

Submitted by: Ben Mann,
Submitting Department: Public Works

Subject:
Landscaping Maintenance Contract Award

Legislation Title:
Ordinance to authorize the City Manager to enter into a three (3) year contract with Davey Tree Expert Company for Landscaping Maintenance.

Recommendation:
It is recommended that City Council direct the legislation authorizing the City Manager to enter into a contract with the Davey Tree Expert Company for a three (3) year term. Funding is requested in the amount of $69,235.00 from the Capital Improvements Fund for the first year of the contract.

Background/Synopsis:

The Public Works Department advertised for bids on January 14, 2022 and January 21, 2022. Bids were opened on January 31, 2022 and two (2) proposals were received (see attached).

In review of the bids submitted the lowest and best bidder was the Davey Tree Expert Company.

The project is programmed in the current 2022-2026 CIP as 2PW08.

The 2019-2021 contract was with TR Gear Landscaping for a total contract of $202,977 ($67,659 per year). The 2016-2018 contract was with TR Gear Landscaping for a total contract of $208,575 ($69,525 per year). The 2013-2015 contract was with TR Gear Landscaping for a total contract of $226,539 ($75,513/year). The 2010-2012 contract was with TR Gear Landscaping for a total contract of $233,757 ($77,919/year). The first contract the City let for this work was for the period from 2007-2009 and was with PMG Landscaping for a total contract of $279,000 ($93,000 per year).

The recommended bidder is slightly more than the current 3-year contract.

The new contract will begin April 1, 2022.

The three landscaping areas are Route 4 South (Seward Road to Woodridge Boulevard), Route 4 North (Symmes Road to the Railroad overpass), and Patterson Drive (Pleasant Avenue to River Road).

Financial Impact:

$69,235.00 for the first year of the contract.

Funding for this contract will be provided from the Capital Improvements Fund and is listed in the Capital Improvement Program as item 2PW08 Landscape Maintenance Program.

Emergency Provision Explanation:

The current contract will expire on March 31 so for continuity of operations, a suspension of rules is being requested.

Rule Suspension Requested:
Yes

Emergency Provision Needed:
No

Attachments:
1. 2022-2024 Bid Results - Landscape Maintenance Contract
2. PLANS
3. Davey Tree Expert-Ord

City of Fairfield
Bid Tabulation for: 2022-2024 Landscape Care and Maintenance - State Route 4 & Patterson Blvd Streetscape

Bid Opening: January 31, 2022, City of Fairfield Council Chambers
Engineer's Estimate: $95,000.00

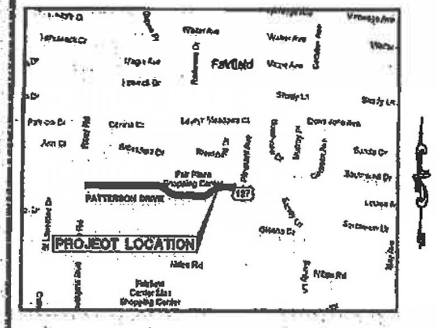
T.R. Gear Landscaping	The Davey Tree Expert Co.
3300 Port Union Rd. Fairfield, OH 45014 513-860-3300	1500 N. Mantua St. Kent, OH 44240 800-445-8733

Description	Year 1	Year 2	Year 3	Year 1	Year 2	Year 3
South Route 4 (South of Seward Rd.)	$ 65,305.00	$ 67,264.00	$ 69,282.00	$ 60,660.00	$ 60,660.00	$ 60,660.00
North Route 4 (North of Symmes Rd.)	$ 3,327.00	$ 3,427.00	$ 3,530.00	$ 3,490.00	$ 3,490.00	$ 3,490.00
Patterson Drive	$ 2,410.00	$ 2,482.00	$ 2,556.00	$ 5,085.00	$ 5,085.00	$ 5,085.00
Total	$ 71,042.00	$ 73,173.00	$ 75,368.00	$ 69,235.00	$ 69,235.00	$ 69,235.00

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.

PATTERSON DRIVE STREETSCAPE IMPROVEMENTS

CITY OF FAIRFIELD
BUTLER COUNTY, OHIO



VICINITY MAP
~~NOT TO SCALE~~

PROJECT DESCRIPTION

THIS PROJECT INCLUDES STREETSCAPE IMPROVEMENTS OF APPROX. 2,400 LINEAL FEET OF PATTERSON DRIVE. THE PROJECT INVOLVES PROPOSED LANDSCAPED MEDIANS, STREET TREES, GATEWAY FEATURE, LEFT TURN LANES AND PAVEMENT OVERLAY. ASSOCIATED IMPROVEMENTS INCLUDE THE ADDITION AND/OR MODIFICATION OF PAVEMENT MARKINGS, SIGNAGE, AND STORM SEWER.

2010 SPECIFICATIONS

THE STANDARD SPECIFICATIONS OF THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION, INCLUDING CHANGES AND SUPPLEMENTAL SPECIFICATIONS LISTED IN THE PROPOSAL SHALL GOVERN THIS PROJECT.

No irrigation system installed with this project.

INDEX OF SHEETS

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DETAIL SHEET 3
GENERAL NOTES 4
GENERAL SUMMARY 5
PLAN 6–8
TRAFFIC CONTROL 9–11
LANDSCAPE PLAN 12–16

LEGEND

- LIGHT POLE
- UTILITY POLE
- GUY WIRE
- TRAFFIC SIGNAL BOX
- TRAFFIC SIGNAL POLE
- GAS VALVE
- FIRE HYDRANT
- WATER VALVE
- WATER METER
- TELEPHONE BOX
- SIGN (1 POST)
- SIGN (2 POST)
- TREE
- BUSH

—X—X— FENCE LINE
—W—W— WATERLINE
—G—G— UNDERGROUND GASLINE
—E—E— UNDERGROUND ELECTRIC
—UT—UT— UNDERGROUND TELEPHONE
CONCRETE
FLOW DIRECTION
—P/L— PROPERTY LINE

NOTE:
UNDERGROUND UTILITIES ARE PLOTTED FROM A COMPILATION OF RECORD INFORMATION AND SURFACE INDICATIONS OF UNDERGROUND STRUCTURES. ALL UTILITIES MAY NOT BE SHOWN. EXACT LOCATIONS CANNOT BE VERIFIED. PLEASE NOTIFY THE OHIO UTILITY PROTECTION SERVICE AT 1-800-362-2764 BEFORE ANY PERIOD OF EXCAVATION OR CONSTRUCTION ACTIVITY.

DUKE ENERGY
THE GAS FACILITIES INFORMATION CONTAINED ON THESE PRINTS MAY CONTAIN DATED MATERIAL. PLEASE DESTROY THIS COPY WHEN WORK IS COMPLETED.

GAS FACILITY NOTES
THIS PRINT SHOWS APPROXIMATE GAS FACILITY LOCATIONS AND DEPTHS AND IS PROVIDED TO COMPLY WITH STATUTORY REGULATIONS. THIS INFORMATION SHOULD BE USED ONLY FOR PLANNING, NOT CONSTRUCTION. ALL GAS FACILITY DEPTHS NOTED ARE APPROXIMATE DEPTHS RECORDED AT THE TIME OF INSTALLATION. ANY RESULTING GRADE CHANGES MAY CAUSE THE EXISTING DEPTH TO BE DIFFERENT. EXTREME CARE MUST BE TAKEN TO ENSURE SAFE EXCAVATION WHEN APPROACHING KNOWN OR SUSPECTED GAS FACILITIES. ALL GAS SERVICES WERE INSTALLED AT A MINIMUM OF 1'-6" OF COVER.

2 WORKING DAYS
BEFORE YOU DIG
CALL TOLL FREE 800-362-2764
OHIO UTILITIES PROTECTION SERVICE

CONSTRUCTION NOTES
GAS FACILITIES ARE TO BE KEPT IN SERVICE AT ALL TIMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DAMAGES TO GAS FACILITIES DURING OR AS A RESULT OF CONSTRUCTION. ALL DAMAGE TO GAS FACILITIES REQUIRING ADJUSTMENTS, RELOCATIONS AND/OR REPAIRS AT THE CONTRACTOR'S COST. THE CONTRACTOR SHALL SHEET AND SHORE ALL EXCAVATIONS AS REQUIRED TO CONTINUOUSLY SUPPORT GAS FACILITIES WITHIN THE ZONE OF INFLUENCE (AS DETERMINED BY THE NATURAL ANGLE OF REPOSE OF THE SOIL). DAMAGE TO BURIED GAS FACILITIES MAY BE CAUSED BY HEAVY CONSTRUCTION EQUIPMENT CROSSINGS. CONTACT THE GAS DISTRIBUTION ENGINEERING DEPARTMENT FOR DETAILS ON HOW TO PROTECT THE GAS FACILITIES FROM DAMAGE. THE CONTRACTOR IS RESPONSIBLE FOR PROTECTION AGAINST DAMAGE TO THE COATING OR WRAPPING OF STEEL WELDED GAS MAINS. WHERE CAST IRON OR SIMILAR GAS FACILITIES ARE EXPOSED OR OTHERWISE INTERFERED WITH B THE CONTRACTOR, THEY MAY BE REINFORCED OR REPLACED BY DUKE ENERGY BASED ON ITS REQUIREMENTS.

FOR GAS DISTRIBUTION ENGINEERING NOTIFICATION, AGREEMENTS AND OFFICIAL ~~CORRESPONDENCE, ADDRESS TO:~~

JOHN T. STENGER, P.E.
GAS DISTRIBUTION ENGINEERING
P.O. BOX 960, ROOM 460A
CINCINNATI, OH 45201-0960

APPROVED _____
ERIN DONOVAN, PLANNING MANAGER — DATE
CITY OF FAIRFIELD, OH

STANDARD CONSTRUCTION DRAWINGS										SUPPLEMENTAL SPECIFICATIONS
BP-3.1	7/15/04	DM-1.4	4/21/06	TC-41.40	7/15/04					
BP-4.1	7/15/04	DM-4.4	7/19/02	TC-41.50	7/15/04					
BP-5.1	7/28/00			TC-42.20	7/15/04	TC-71.15	1/21/05			
BP-7.1	1/15/07	HW-1.1	1/21/05							
				TC-65.10	1/21/05					
CB-3.1	7/15/05	GR-1.1	7/15/04	TC-65.11	1/21/05					
CB-2.2	7/15/05	GR-2.1	1/15/04							PLAN INSERT SHEETS
		GR-4.2	4/15/05	TC-71.10	1/21/05					
MH-1.2	1/25/06			TC-73.10	1/19/01					
		TC-21.10	1/19/01							
DM-1.1	4/21/06	TC-22.20	1/19/01							
DM-1.2	10/21/05									
						MT-105.10	10/15/02			

ENGINEER'S SEAL: TED CASTO E-74422
SIGNED _____
DATE 4/23/10

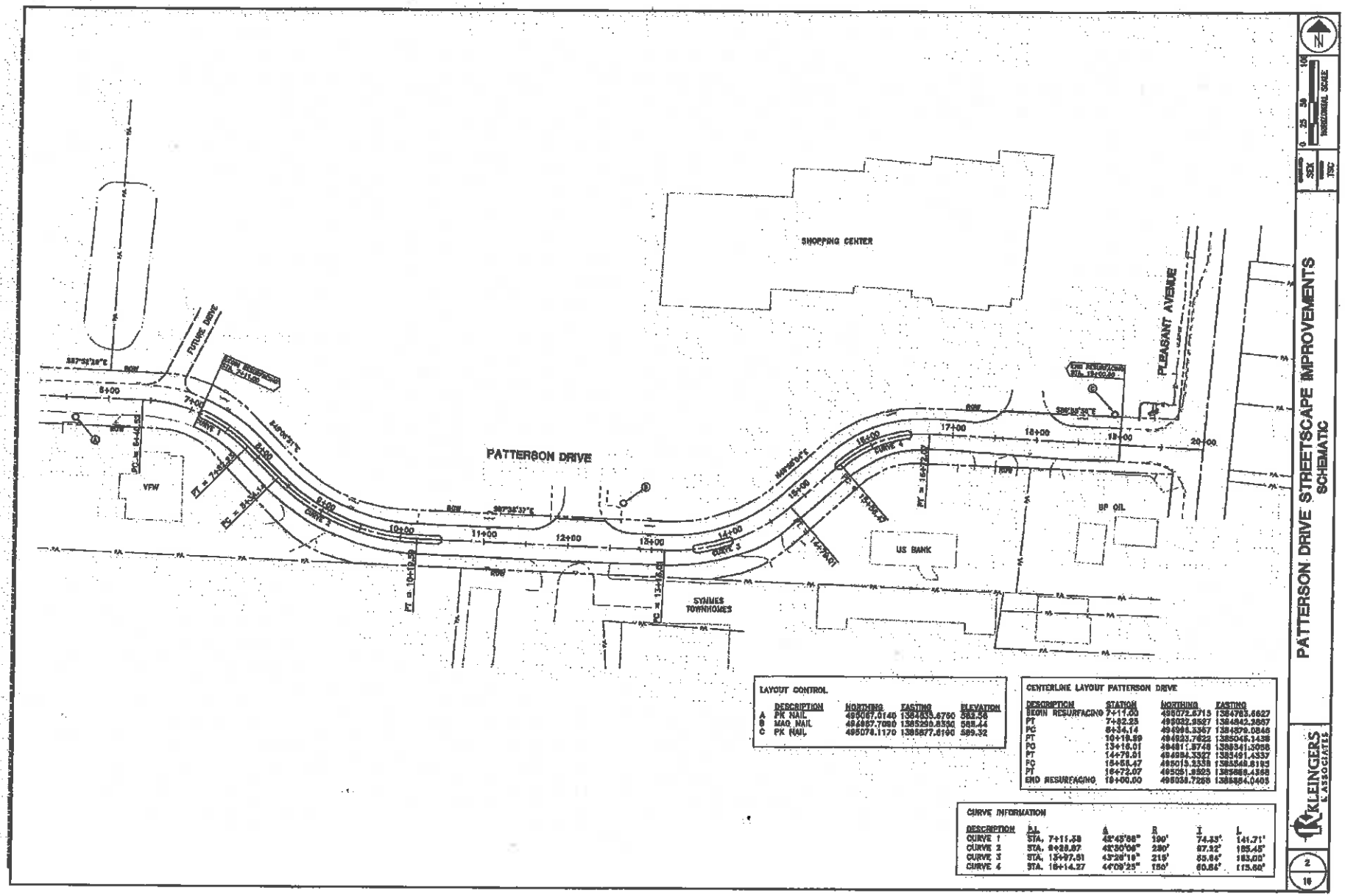
LANDSCAPE ARCHITECT'S SEAL: STATE OF OHIO LYNNE NIECHWITZ 1219
SIGNED _____
DATE 4/23/10

PLANS PREPARED BY
KLEINGERS & ASSOCIATES

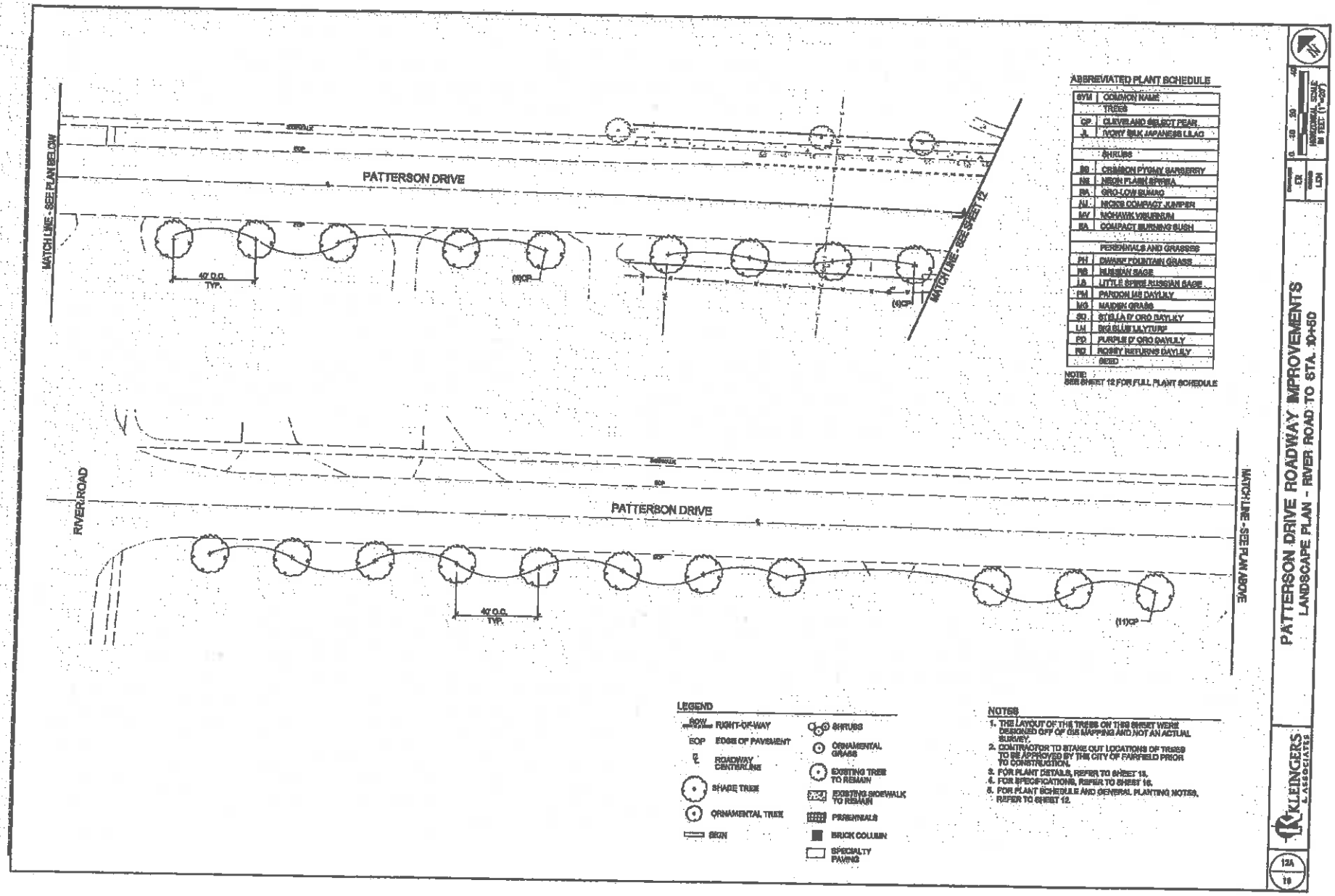
PATTERSON DRIVE
STREETSCAPE IMPROVEMENTS

1
10

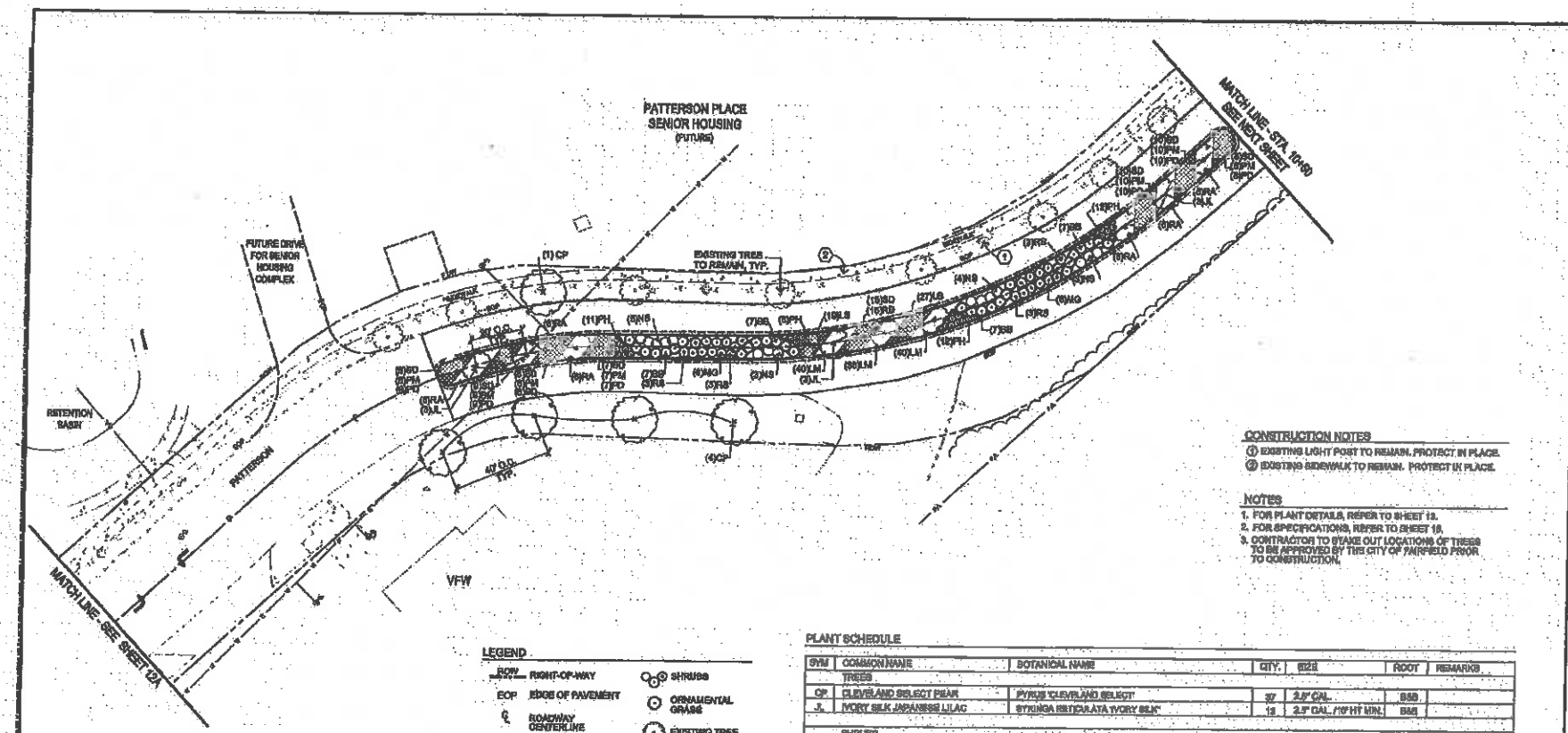
Attachment: PLANS (3085 : Landscaping Maintenance Contract Award)



Attachment: PLANS (3085 : Landscaping Maintenance Contract Award)



Attachment: PLANS (3085 : Landscaping Maintenance Contract Award)



CONSTRUCTION NOTES

1. EXISTING LIGHT POST TO REMAIN. PROTECT IN PLACE.
2. EXISTING SIDEWALK TO REMAIN. PROTECT IN PLACE.

NOTES

1. FOR PLANT DETAILS, REFER TO SHEET 13.
2. FOR SPECIFICATIONS, REFER TO SHEET 19.
3. CONTRACTOR TO STAKE OUT LOCATIONS OF TREES TO BE APPROVED BY THE CITY OF FAIRFIELD PRIOR TO CONSTRUCTION.

LEGEND

- RIGHT-OF-WAY
- EDGE OF PAVEMENT
- ROADWAY CENTERLINE
- SHADE TREE
- ORNAMENTAL TREE
- SIGN
- SHRUBS
- ORNAMENTAL GRASS
- EXISTING TREE TO REMAIN
- EXISTING SIDEWALK TO REMAIN
- PERENNIALS
- BRICK COLUMN
- SPECIALTY PAVING

PLANT SCHEDULE

SYM	COMMON NAME	BOTANICAL NAME	QTY.	SIZE	ROOT	REMARKS
	TREES					
CP	CLEVELAND SELECT PEAR	PYRUS 'CLEVELAND SELECT'	37	2.5" CAL.	B&B	
JL	IVORY SILK JAPANESE LILAC	SYRINGA RETICULATA 'IVORY SILK'	13	2.5" CAL. /10' HT MIN.	B&B	
	SHRUBS					
BS	CRIMSON PYGMY BARBERRY	BERBERIS X 'CRIMSON PYGMY'	47	#3	CONT.	
NS	NEON FLASH SPIREA	SPIRAEA 'NEON FLASH'	63	#3	CONT.	
RA	GRO-LOW SUMAC	RHUS AROMATICA 'GRO-LOW'	57	#2	CONT.	
NJ	NICK'S COMPACT JUNIPER	JUNIPERUS X PFITZERIANA 'NICK'S COMPACT'	5	#2	CONT.	
MV	MOHAWK VIBURNUM	VIBURNUM X 'MOHAWK'	13	#3	CONT.	
EA	COMPACT BURNING BUSH	EUONYMUS ALATUS COMPACTA	15	#5	CONT.	
	PERENNIALS AND GRASSES					
PH	DWARF FOUNTAIN GRASS	PENNISETUM ALOPECUROIDES 'HAMELN'	43	#2	CONT.	
RS	RUSSIAN SAGE	PEROVSKIA ATRIPLICIFOLIA	92	#2	CONT.	
LS	LITTLE SPIRE RUSSIAN SAGE	PEROVSKIA ATRIPLICIFOLIA 'LITTLE SPIRE'	48	#2	CONT.	
PM	PARDON ME DAYLILY	HEMEROCALLIS 'PARDON ME'	88	#2	CONT.	
MG	MAIDEN GRASS	MISCANTHUS SINENSIS 'GRACILLIMUS'	32	#2	CONT.	
SD	STELLA D' ORO DAYLILY	HEMEROCALLIS X 'STELLA DE ORO'	121	#2	CONT.	
LM	BIG BLUE LILYTURF	LIRIOPE MUSCARI 'BIG BLUE'	110	#2	CONT.	
PO	PURPLE D' ORO DAYLILY	HEMEROCALLIS X 'PURPLE D' ORO'	88	#2	CONT.	
RD	ROSEY RETURN DAYLILY	HEMEROCALLIS X 'ROSEY RETURN'	29	#2	CONT.	
	SEED - SEE SPECIFICATIONS					

GENERAL PLANTING NOTES

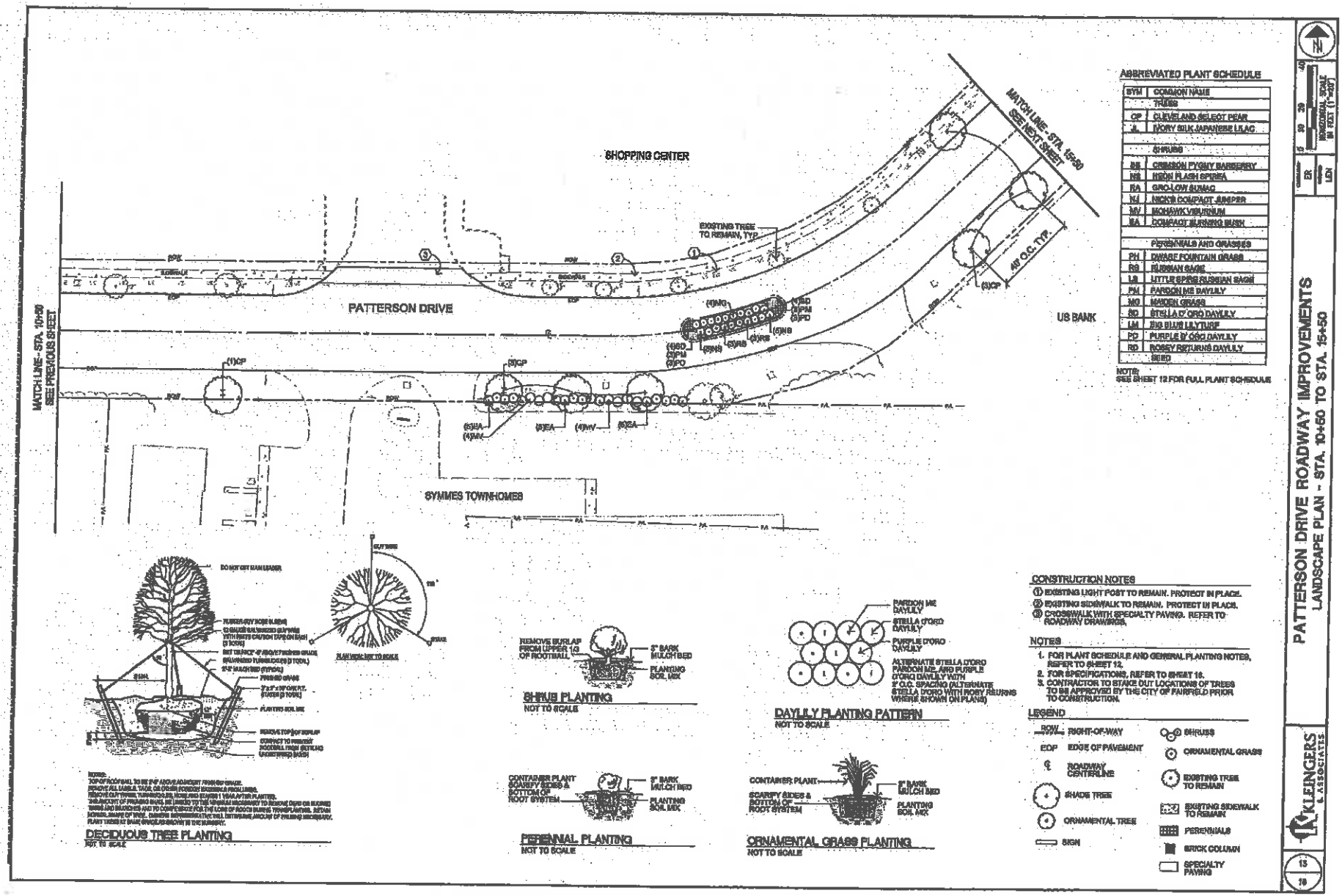
1. EACH CONTRACTOR IS RESPONSIBLE FOR LOCATING AND PROTECTING ALL EXISTING UTILITIES.
2. ALL SHRUB MASSES TO BE INCORPORATED BY A CONTINUOUS MULCH BED TO LIMITS SHOWN AND AS SPECIFIED. MULCH BEDS TO HAVE A NEAT, EDGED APPEARANCE.
3. ALL PROPER PRECAUTIONS SO AS NOT TO DISTURB OR DAMAGE SUBSURFACE IMPROVEMENTS SHALL BE OBSERVED. THE CONTRACTOR SHALL CONTACT THE OHIO UTILITIES PROTECTION SERVICE (OUPS) 48 HOURS PRIOR TO ANY EXCAVATION OR DIGGING TO ENSURE THE LOCATION OF UNDERGROUND UTILITY LOCATIONS. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO PROTECT SUCH UNDERGROUND UTILITIES.
4. ALL AREAS DISTURBED BY CONSTRUCTION SHALL BE RESTORED, FINE GRADED, AND SEEDED.
5. CONTRACTOR TO STAKE OUT LOCATIONS OF TREES TO BE APPROVED BY THE CITY OF FAIRFIELD PRIOR TO CONSTRUCTION.
6. ALL TREES WITHIN A SPECIES SHALL HAVE MATCHING FORM. THE CONTRACTOR SHALL ENSURE THAT ALL NEWLY PLANTED TREES ARE PERFECTLY ALIGNED AND SET PLUMB WITH PROPER RELATIONSHIP TO THE SURROUNDING GRADE, CONFIRM FINISHED GRADE PRIOR TO PLANTING.
7. ALL PLANT MATERIAL SHALL BE OF THE SIZE AND TYPE SPECIFIED. IF SUBSTITUTIONS ARE APPROVED BY THE OWNER'S REPRESENTATIVE, THE SIZE AND GRADING STANDARDS SHALL CONFORM TO THOSE OF THE AMERICAN ASSOCIATION OF NURSERYMEN.
8. THE PRICE FOR ALL MULCH, FERTILIZER, HERBICIDE, WATERING, PLANTS, AND ANY SEEDING AND STRAWING THAT MUST OCCUR BASED ON NEW PLANTING/CONSTRUCTION SHALL BE INCIDENTAL TO ITEM 691 LANDSCAPE PLANTINGS.
9. TREE GATOR BAGS WILL BE PROVIDED BY THE CITY, AND INSTALLED BY THE CONTRACTOR FOR ALL TREES. CONTRACTOR IS ALSO RESPONSIBLE FOR WATERING.

PATTERSON DRIVE ROADWAY IMPROVEMENTS
LANDSCAPE PLAN - STA. 5+50 TO STA. 10+50

KLEINGERS & ASSOCIATES

HORIZONTAL SCALE: 1" = 20'

Attachment: PLANS (3085 : Landscaping Maintenance Contract Award)



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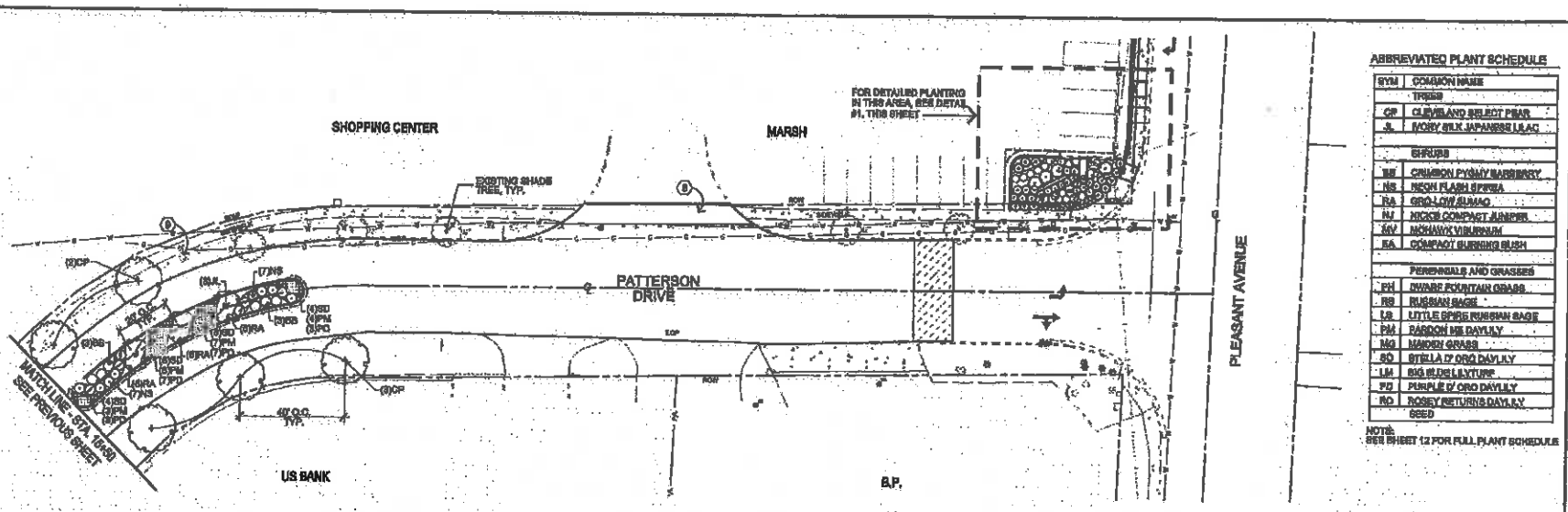
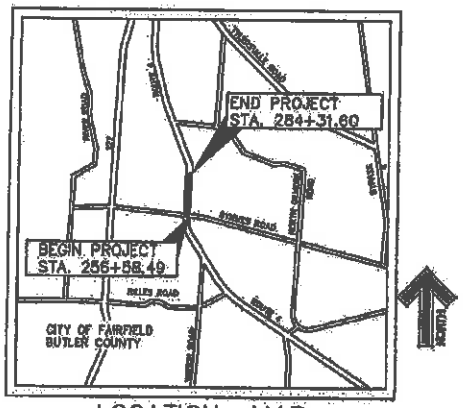


Attachment: PLANS (3085 : Landscaping Maintenance Contract Award)



LOCATION MAP

LATITUDE: N39°21'04" LONGITUDE: W84°32'31"

PORTION TO BE IMPROVED
OTHER ROADS

DESIGN & LEGAL SPEEDS
SR 4 DESIGN SPEED: 40 MPH
SR 4 LEGAL SPEED: 35 MPH

STATE OF OHIO
DEPARTMENT OF TRANSPORTATION
BUT–FAIRFIELD LANDSCAPING
(MAINTENANCE PROJECT)
CITY OF FAIRFIELD
BUTLER COUNTY, OHIO

INDEX OF SHEETS

TITLE SHEET	1
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WATER LINE EXTENSION & LANDSCAPE PLAN	7–8
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IRRIGATION ALTERNATE	13

PROJECT DESCRIPTION

LANDSCAPE & IRRIGATION MAINTENANCE OF .52 MILES OF STATE ROUTE 4 IN THE CITY OF FAIRFIELD, BUTLER COUNTY IN ACCORDANCE WITH PLANS AND SPECIFICATIONS.

2008 SPECIFICATIONS

THE STANDARD SPECIFICATIONS OF THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION, INCLUDING CHANGES AND SUPPLEMENTAL SPECIFICATIONS LISTED IN THE PROPOSAL SHALL GOVERN THIS IMPROVEMENT.

PROJECT EARTH DISTURBED AREA= N/A
(MAINTENANCE PROJECT)
ESTIMATED CONTRACTOR EARTH DISTURBED AREA= N/A
(MAINTENANCE PROJECT)
NOTICE OF INTENT EARTH DISTURBED AREA= N/A
(MAINTENANCE PROJECT)

Irrigation system for this project has been abandoned.

I HEREBY APPROVE THESE PLANS AND DECLARE THAT THE MAKING OF THIS IMPROVEMENT WILL NOT REQUIRE THE CLOSING TO TRAFFIC OF THE HIGHWAY AND THAT PROVISIONS FOR THE MAINTENANCE AND SAFETY OF TRAFFIC WILL BE AS SET FORTH ON THE PLANS AND ESTIMATES.

FINAL TRACINGS SUBMITTAL 11.12.2009

UNDERGROUND UTILITIES
2 WORKING DAYS
BEFORE YOU DIG
CALL...800–362–2764 (Toll Free)
OHIO UTILITIES PROTECTION SERVICE (OUPS)
CALL...800–925–0988 (Toll Free)
OHIO OIL & GAS PRODUCERS UNDERGROUND PROTECTION SERVICE (OGPUPS)
NON–MEMBERS MUST BE CALLED DIRECTLY

PLAN PREPARED BY:
McGill Smith Punshon, Inc.
Engineers • Architects • Surveyors • Landscape Architects • Planners

ENGINEER'S SEAL
STATE OF OHIO DOUGLAS ALLEN SMITH E-61621 PROFESSIONAL ENGINEER
SIGNED:
DATE: 11/12/09

LANDSCAPE ARCHITECT'S SEAL
STATE OF OHIO DANIEL J. FRANK 932 LANDSCAPE ARCHITECT
SIGNED:
DATE: 11.12.09

STANDARD CONSTRUCTION DRAWINGS

BP-7.1	7-12-02	LA-1.2	1-18-08	MT-96.31	4-17-09
				MT-98.10	4-20-01
				MT-101.10	1-18-08

SUPPLEMENTAL SPECIFICATIONS

659.800	4-18-10
659.832	4-17-09

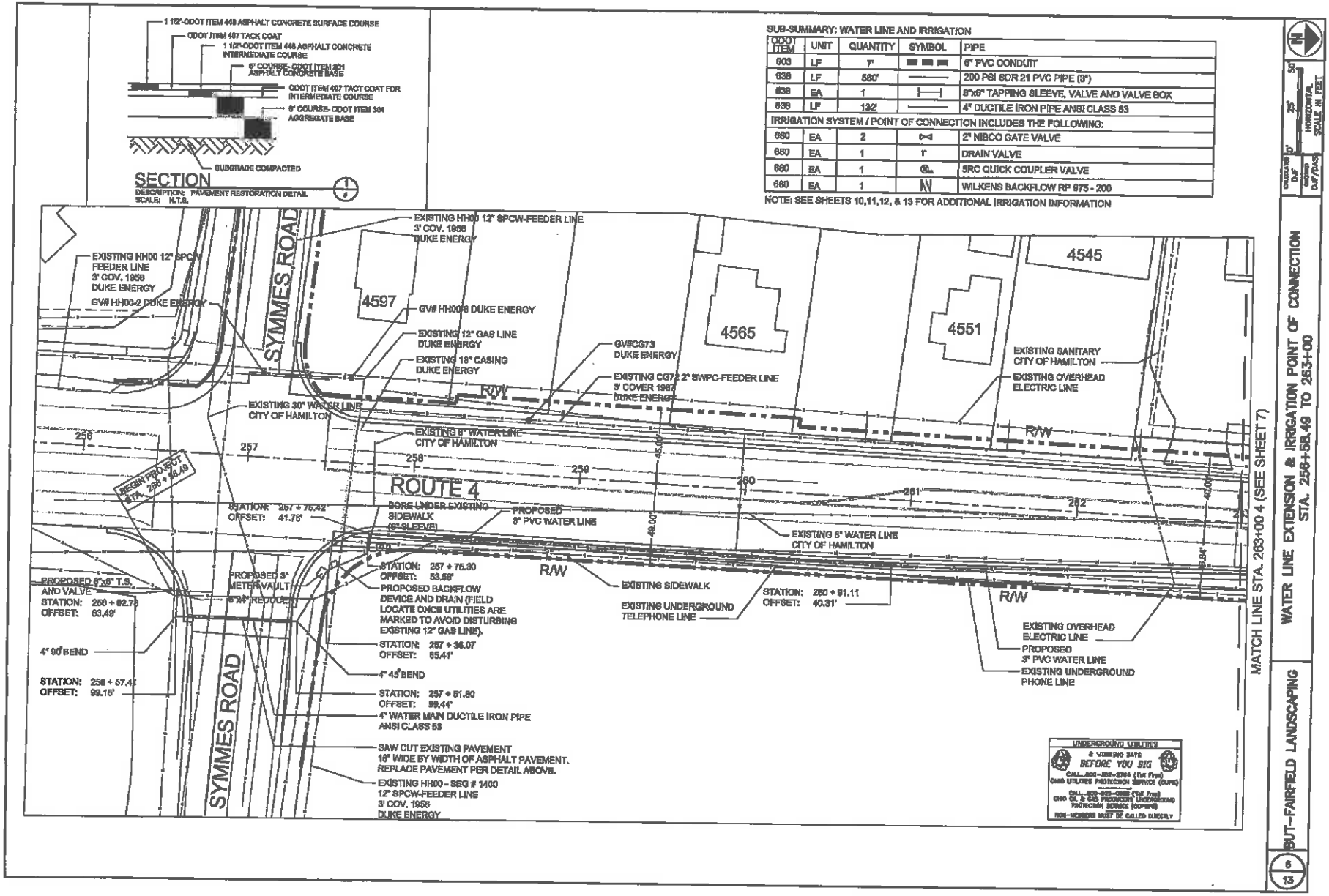
SPECIAL PROVISIONS

APPROVED _____
DATE _____ DISTRICT DEPUTY DIRECTOR

APPROVED _____
DATE _____ DIRECTOR, DEPARTMENT OF TRANSPORTATION

FEDERAL PROJECT NO. E090220
PID NO. 85222
CONSTRUCTION PROJECT NO.
RAILROAD INVOLVEMENT NONE
BUT–FAIRFIELD LANDSCAPING
1 / 13

Attachment: PLANS (3085 : Landscaping Maintenance Contract Award)



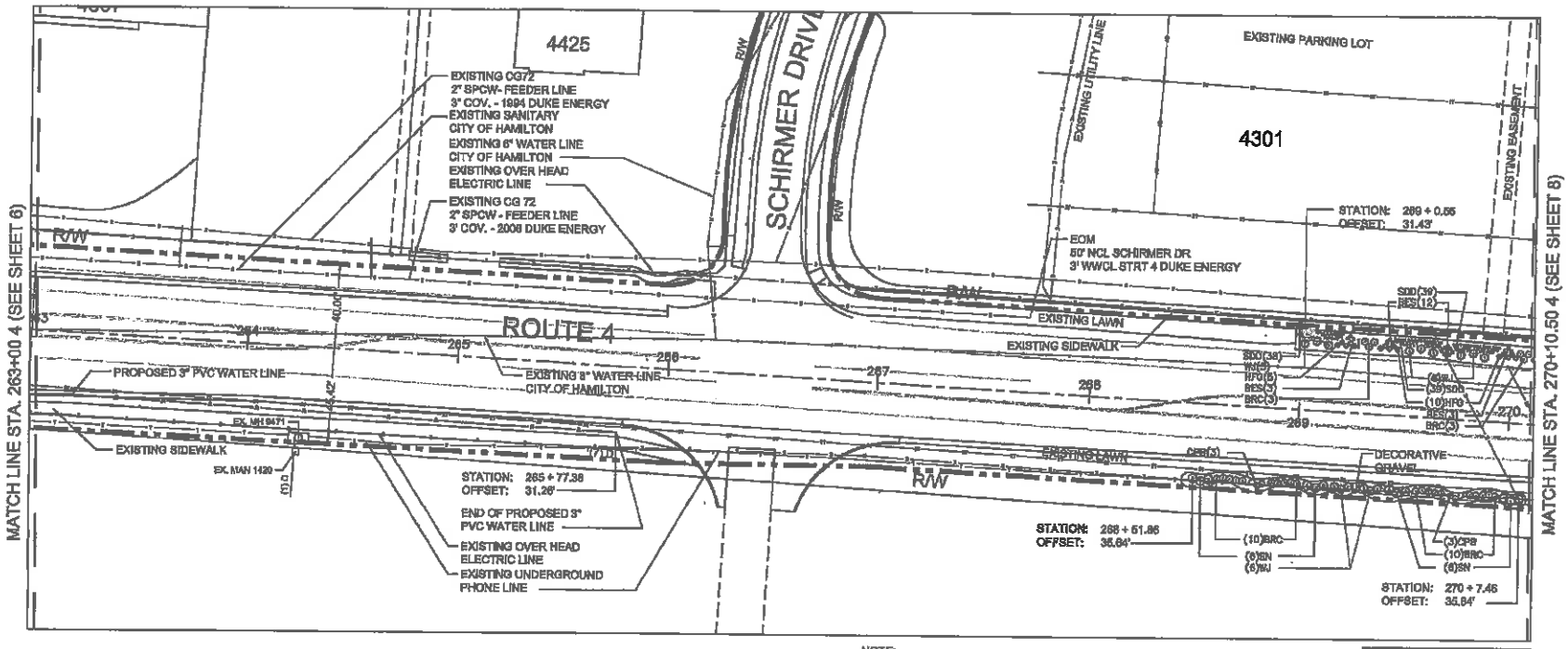
Attachment: PLANS (3085 : Landscaping Maintenance Contract Award)

SUB-SUMMARY: LANDSCAPING

ODOT ITEM	SYMBOL	QTY	BOTANICAL NAME	COMMON NAME	SIZE/NOTE
	DECIDUOUS SHRUBS				
661	BRC	28	Aronia arbutifolia 'Brilliantissima'	Brilliant Red Chokeberry	#5 CONT. 3.00' O.C.
661	CPB	6	Berberis thunbergii 'Crimson Pygmy'	Crimson Pygmy Barberry	#3 CONT. 2.67' O.C.
661	SN	12	Spiraea nipponica 'Snow Mound'	Snowmound Spirea	#3 CONT. 3.75' O.C.
	EVERGREEN SHRUBS				
661	WJ	15	Juniperus horizontalis 'Wiltoni'	Wilton Blue Rug Juniper	#3 CONT. 5.67' O.C.
	ORNAMENTAL GRASSES				
661	HPG	15	Pennisetum alopecuroides 'Hamelin'	Hamelin Dwarf Fountain Grass	#2 CONT. 2.00' O.C.
	PERENNIALS				
661	SDD	116	Hemerocallis 'Stella de Oro'	Stella de Oro Daylily	#1 CONT. 1.33' O.C.
661	BES	18	Rudbeckia fulgida 'Goldstum'	Goldstum Black-eyed Susan	#1 CONT. 1.33' O.C.

SUB-SUMMARY: WATER LINE

ODOT ITEM	UNIT	QUANTITY	SYMBOL	PIPE
638	LF	280'	———	200 PSI SDR 21 PVC PIPE (3")



NOTE:
UNDERGROUND TELEPHONE LINE RUNS UNDER THE PROPOSED LANDSCAPE BEDS FROM STATION 268+45RT TO STATION 270+10RT; USE CAUTION WHEN WORKING IN THIS AREA.

UNDERGROUND UTILITIES
II WORKING DAYS
BEFORE YOU DIG
CALL 800-362-2764 (Toll Free)
OHIO UTILITIES PROTECTION SERVICE (OUPS)
CALL 800-925-8888 (Toll Free)
OHIO OIL & GAS PRODUCERS UNDERGROUND PROTECTION SERVICE (OOPUPS)
REM-MEMBERS MUST BE CALLED DIRECTLY

N

HORIZONTAL SCALE IN FEET 0' 25' 50

CALCULATED DJF
DRAWN DJF/DAS

WATER LINE EXTENSION & LANDSCAPE PLAN
STA. 263+00 TO 270+10.50

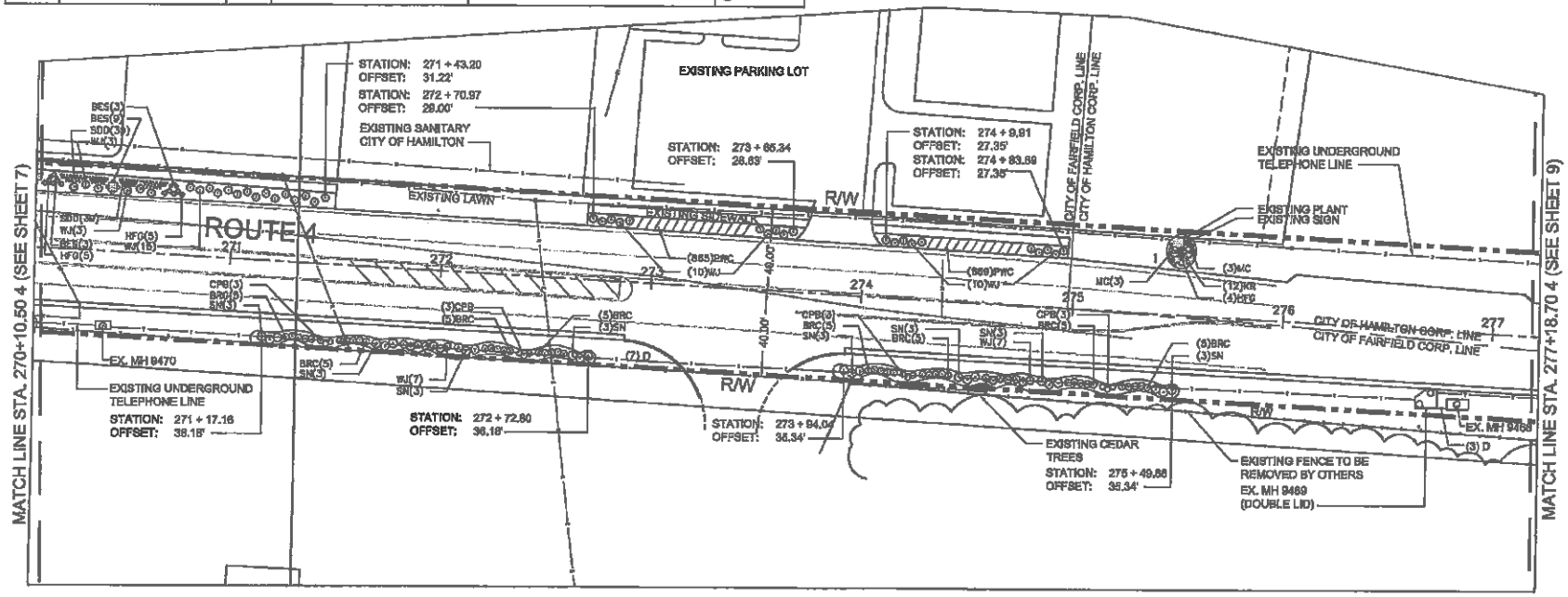
BUT-FAIRFIELD LANDSCAPING

7
13

Attachment: PLANS (3085 : Landscaping Maintenance Contract Award)

SUB-SUMMARY: LANDSCAPING

ODOT ITEM	SYMBOL	QTY	BOTANICAL NAME	COMMON NAME	SIZE/NOTE
	DECIDUOUS SHRUBS				
661	BRC	40	Aronia arbutifolia 'Brilliantissima'	Brilliant Red Chokeberry	#5 CONT. 3.00' O.C.
661	CPB	12	Berberis thunbergii 'Crimson Pygmy'	Crimson Pygmy Barberry	#3 CONT. 2.50' O.C.
661	KR	12	Rosa hybrida 'Knockout' TM	Knockout Rose	#3 CONT. 2.50' O.C.
661	SN	24	Spiraea nipponica 'Snow Mound'	Snowmound Spirea	#3 CONT. 3.75' O.C.
	EVERGREEN SHRUBS				
661	WJ	55	Juniperus horizontalis 'Wiltoni'	Wilton Blue Rug Juniper	#3 CONT. 5.67' O.C.
	ORNAMENTAL GRASSES				
661	HFG	14	Pennisetum alopecuroides 'Hamelin'	Hamelin Dwarf Fountain Grass	#2 CONT. 2.00' O.C.
	PERENNIALS				
661	MC	6	Coreopsis verticillata 'Moonbeam'	Moonbeam Coreopsis	#1 CONT. 1.33' O.C.
661	SDD	78	Hemerocallis 'Stella de Oro'	Stella de Oro Daylily	#1 CONT. 1.33' O.C.
661	BES	16	Rudbeckia fulgida 'Goldstrum'	Goldstrum Black-eyed Susan	#1 CONT. 1.33' O.C.
	GROUND COVERS				
661	PWC	1,634	Euonymus fortunei 'Coloratus'	Purple-leaf Winter Creeper	2 1/4" Peat Pots @ 6" O.C.



NOTE:
UNDERGROUND TELEPHONE LINE RUNS UNDER THE PROPOSED LANDSCAPE BEDS FROM STATION 271+10RT TO STATION 272+75RT AND FROM STATION 273+65RT TO STATION 275+50RT USE CAUTION WHEN WORKING IN THESE AREAS.

UNDERGROUND UTILITIES
2 WORKING DAYS
BEFORE YOU DIG
CALL 800-362-2764 (Toll Free)
OHIO UTILITIES PROTECTION SERVICE (OUPS)
CALL 800-223-0960 (Toll Free)
OHIO OIL & GAS PRODUCERS UNDERGROUND PROTECTION SERVICE (OOPUPS)
NON-MEMBERS MUST BE CALLED DIRECTLY

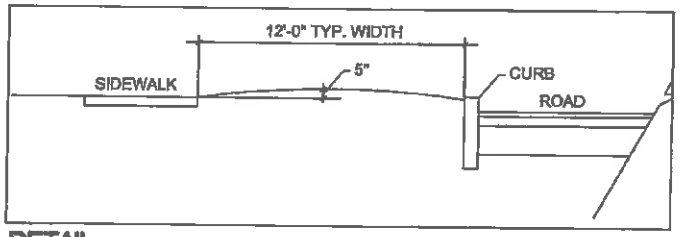
N
0' 25' 50'
HORIZONTAL SCALE IN FEET
CALCULATED DJF
CHECKED DJF/DMS

WATER LINE EXTENSION & LANDSCAPE PLAN
STA. 270+10.50 TO 277+18.70

BUT–FAIRFIELD LANDSCAPING

13

Attachment: PLANS (3085 : Landscaping Maintenance Contract Award)

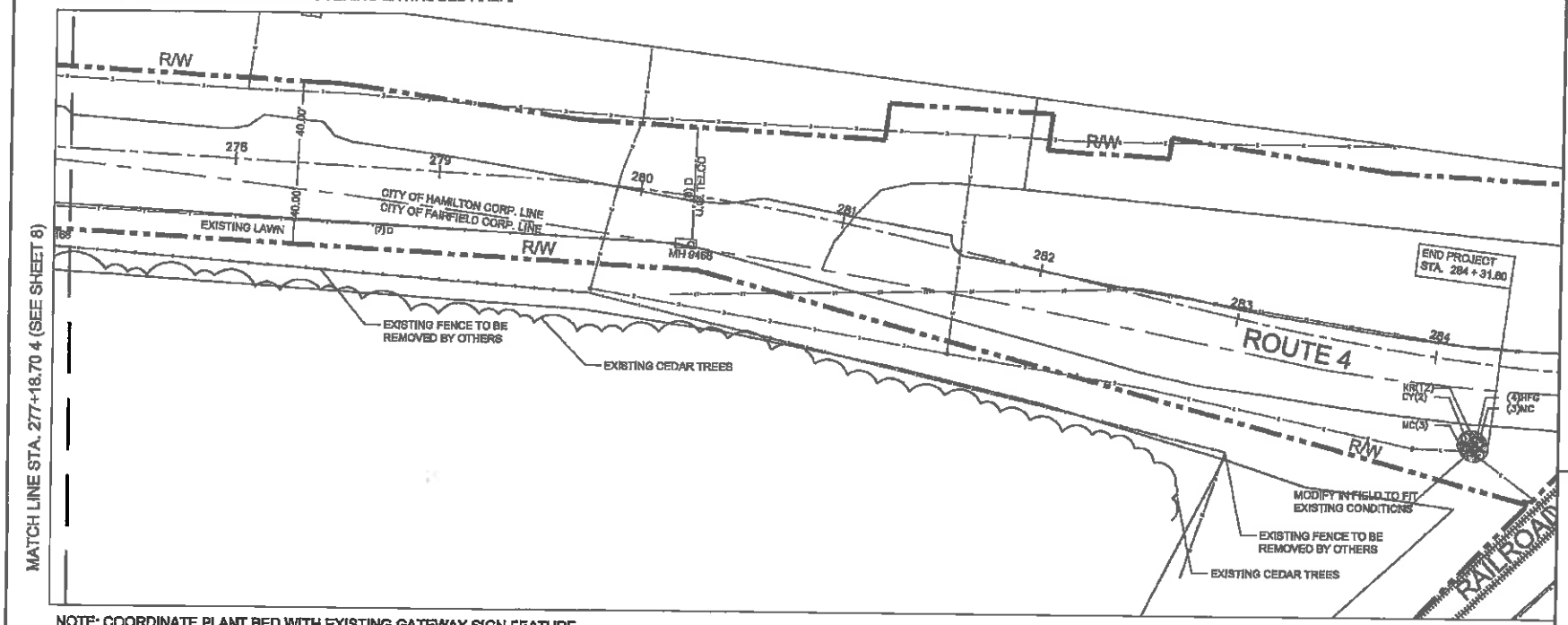


DETAIL

DESCRIPTION: TYPICAL PLANTING BED PROFILE
SCALE: N.T.S.
NOTE: THERE SHALL BE A 2" CROWN OF TOPSOIL IN THE CENTER OF THE PLANT BED WITH 3" OF MULCH COVERING ENTIRE BED AREA.

SUB-SUMMARY: LANDSCAPING

ODOT ITEM	SYMBOL	QTY	BOTANICAL NAME	COMMON NAME	SIZE/NOTE
	DECIDUOUS SHRUBS				
661	KR	12	Rosa hybrida 'Knockout' TM	Knockout Rose	#3 CONT. 2.50' O.C.
661	EVERGREEN SHRUBS				
	CY	2	Taxus cuspidata 'Capita'	Capitate Yew	30"-36" B&B
	ORNAMENTAL GRASSES				
661	HFG	4	Pennisetum alopecuroides 'Hamelin'	Hamelin Dwarf Fountain Grass	#2 CONT. 2.00' O.C.
	PERENNIALS				
661	MC	6	Coreopsis verticillata 'Moonbeam'	Moonbeam Coreopsis	#1 CONT. 1.33' O.C.



NOTE: COORDINATE PLANT BED WITH EXISTING GATEWAY SIGN FEATURE.

UNDERGROUND UTILITIES
2 WORKING DAYS
BEFORE YOU DIG
CALL 800-362-2764 (Toll Free)
OHIO UTILITIES PROTECTION SERVICE (OUPS)
CALL 800-925-0988 (Toll Free)
OHIO OIL & GAS PRODUCERS UNDERGROUND PROTECTION SERVICE (OOPUPS)
NON-MEMBERS MUST BE CALLED DIRECTLY

CALCULATED DJF
CHECKED DJF/DMS
0' 25' 50
HORIZONTAL SCALE IN FEET

LANDSCAPE PLAN
STA. 277+18.70 TO 284 +31.60

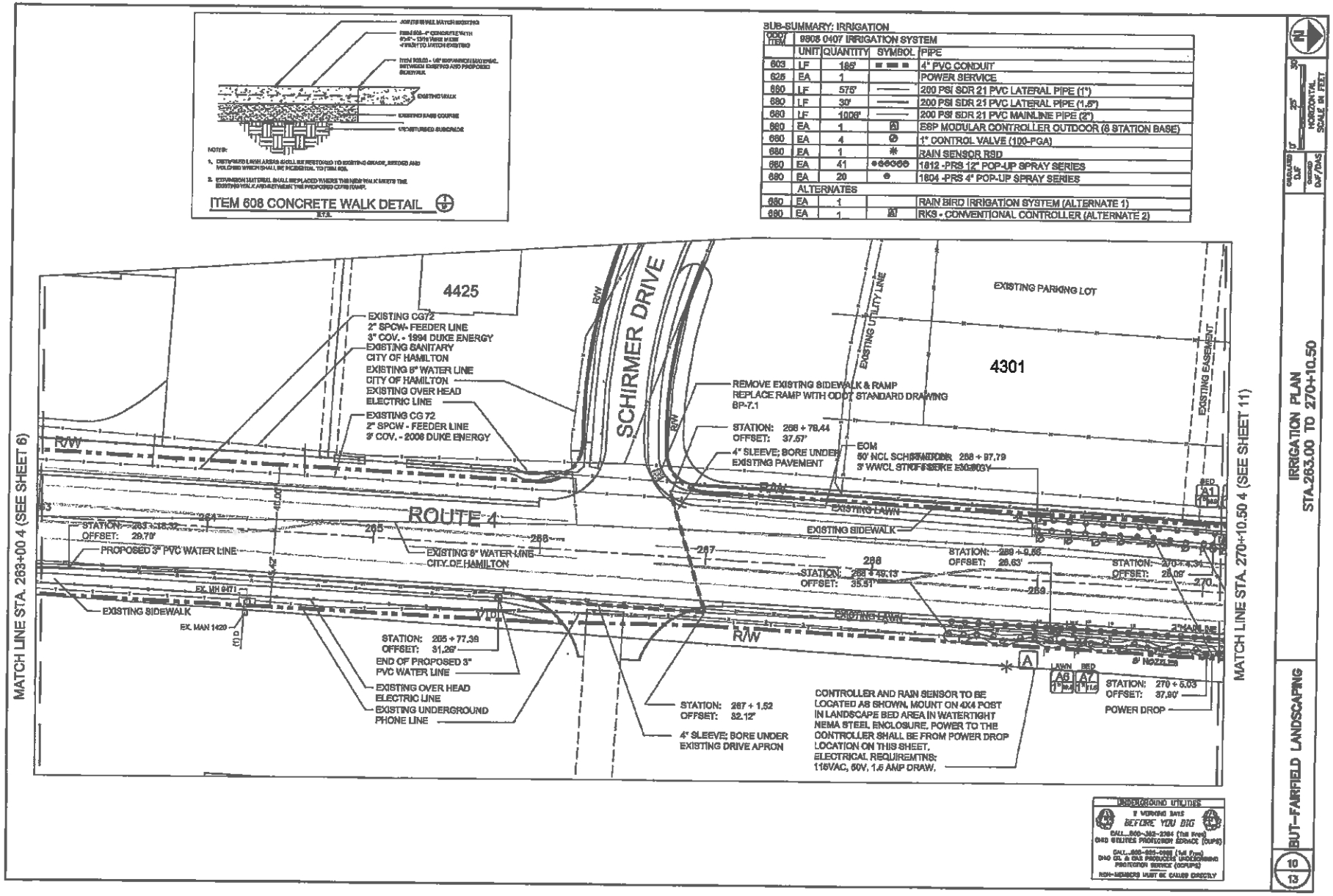
BUT-FAIRFIELD LANDSCAPING

13 | 9

Attachment: PLANS (3085 : Landscaping Maintenance Contract Award)

SUB-SUMMARY: IRRIGATION

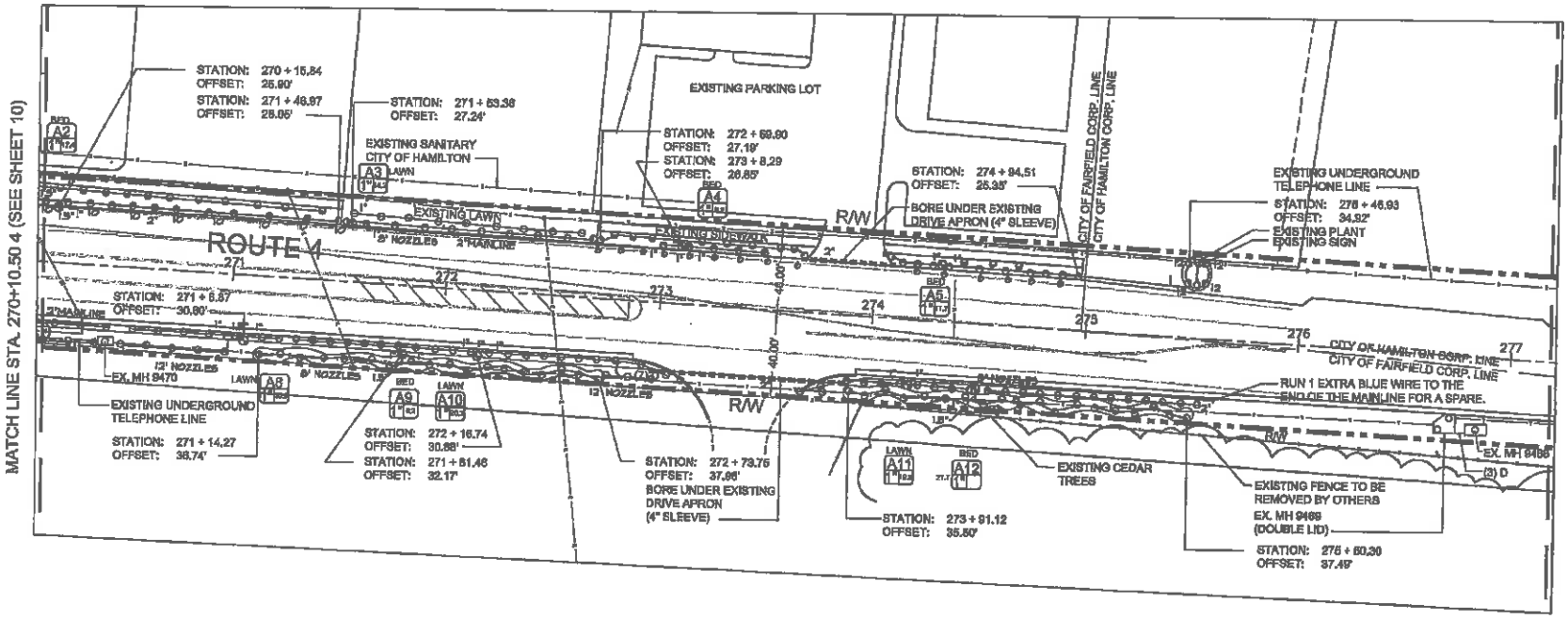
CODE/ ITEM	9908 0407 IRRIGATION SYSTEM			
	UNIT	QUANTITY	SYMBOL	PIPE
603	LF	185'		4" PVC CONDUIT
625	EA	1		POWER SERVICE
680	LF	575'		200 PSI SDR 21 PVC LATERAL PIPE (1")
680	LF	30'		200 PSI SDR 21 PVC LATERAL PIPE (1.5")
680	LF	1008'		200 PSI SDR 21 PVC MAINLINE PIPE (2")
680	EA	1		ESP MODULAR CONTROLLER OUTDOOR (8 STATION BASE)
680	EA	4		1" CONTROL VALVE (100-PGA)
680	EA	1		RAIN SENSOR RSD
680	EA	41		1812 -PRS 12" POP-UP SPRAY SERIES
680	EA	20		1804 -PRS 4" POP-UP SPRAY SERIES
	ALTERNATES			
680	EA	1		RAIN BIRD IRRIGATION SYSTEM (ALTERNATE 1)
680	EA	1		RKS - CONVENTIONAL CONTROLLER (ALTERNATE 2)



Attachment: PLANS (3085 : Landscaping Maintenance Contract Award)

SUB-SUMMARY: IRRIGATION

0001 ITEM	9808 0407 IRRIGATION SYSTEM			
	UNIT	QUANTITY	SYMBOL	PIPE
603	LF	140'		4" PVC CONDUIT
680	EA	1711'		200 PSI SDR 21 PVC LATERAL PIPE (1")
680	EA	90'		200 PSI SDR 21 PVC LATERAL PIPE (1.5")
680	EA	975'		200 PSI SDR 21 PVC MAINLINE PIPE (2")
680	EA	9		1" CONTROL VALVE (100-PGA)
680	EA	94		1812 -PRS 12" POP-UP SPRAY SERIES
680	EA	85		1804 -PRS 4" POP-UP SPRAY SERIES



IRRIGATION PLAN
STA.270+10.50 TO 277+16.70

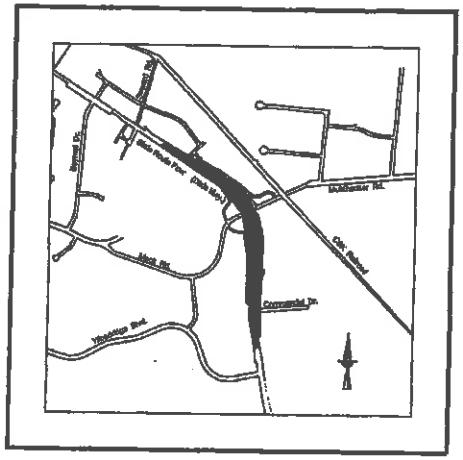
BUT–FAIRFIELD LANDSCAPING

11
13

Attachment: PLANS (3085 : Landscaping Maintenance Contract Award)

1/7

STATE ROUTE FOUR
STREETSCAPE MAINTENANCE PLAN



VICINITY MAP - NTS

Note: These drawings are included in the contract to designate the limits of the maintenance area and provide information as to plant types and quantities only.

Some beds have been reduced. Overall plant material is less than what is shown on original plans.

REVISIONS		
NO	REVISION DATE	INITIALS
1	XX-XX-XX	XXX
2		
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CITY OF FAIRFIELD

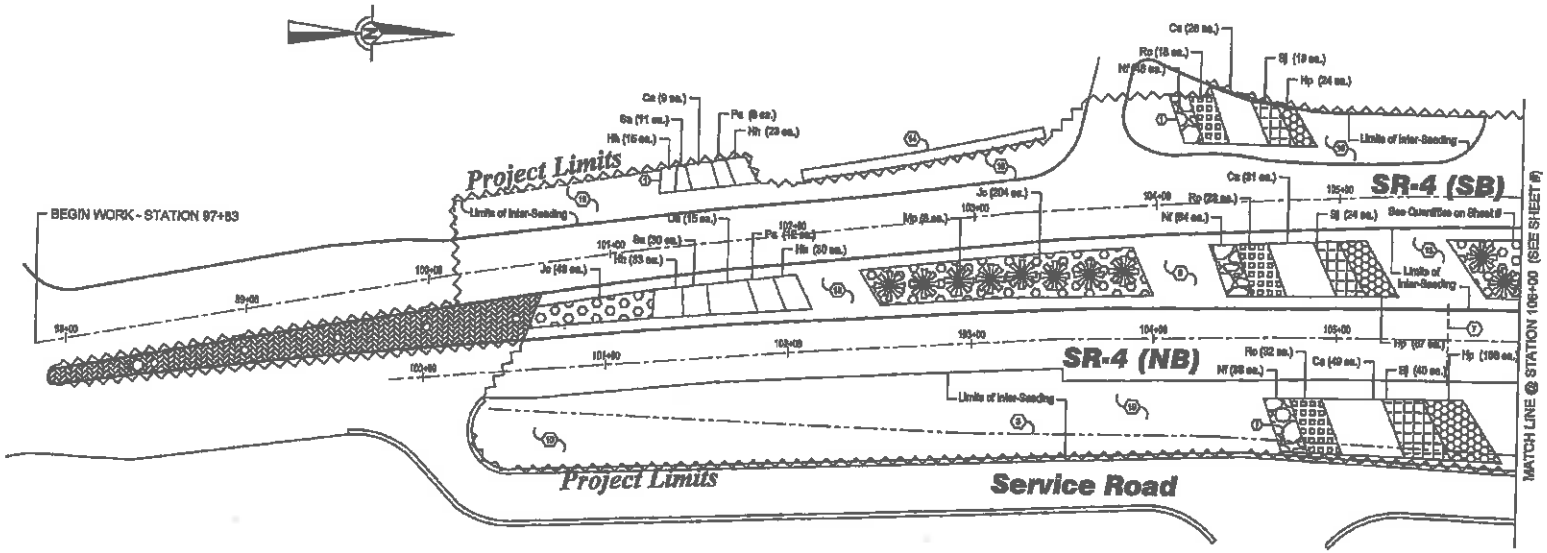
SR-4 Streetscape Maintenance Plan

DESIGNED JVB | SCALE NTS | PROJECT NO. A-06015

DATE July, 2006 | DRAWN BY XXX

Attachment: PLANS (3085 : Landscaping Maintenance Contract Award)

2/7



CONSTRUCTION NOTES

1. PLANT BED AREA, TYPICAL. FILL WITH TOPSOIL. MINIMUM DEPTH SHALL BE 6". EDGE OF PLANT BED TO BE A SMOOTH, CONTINUOUS LINE WITH A NEAT EDGED APPEARANCE, TYPICAL.
2. PAVERS. PAVERLOCK OXFORD SERIES TUMBLED PAVERS OR APPROVED EQUAL. COLOR: HAMPTON BLEND. PATTERN: MUSTER 8.
3. RIGHT OF WAY / PROPERTY LINE.
4. N/A
5. N/A
6. N/A
7. IRRIGATION SLEEVE.
8. SEEDING AND MULCHING, TYPICAL.
9. N/A
10. INTER-SEEDING AREA, TYPICAL.
11. EXISTING CURB TO REMAIN, TYPICAL. PROTECT IN PLACE.
12. PAVER BAND. PAVERLOCK OXFORD SERIES TUMBLED RECTANGLE OR APPROVED EQUAL. PATTERN: SOLDIER COURSE. COLOR: HAMPTON BLEND.
13. FILL ENTIRE MEDIAN AREA WITH TOPSOIL, MINIMUM DEPTH TO BE 1'. TOPSOIL TO BE APPLIED TO CREATE A SMOOTH FINISH SURFACE WITH NO RUTS.
14. EXISTING DRAINAGE STRUCTURE. PROTECT IN PLACE.
15. APPROXIMATE LOCATION OF EXISTING PLANT MATERIAL. PROTECT ALL PLANTINGS ADJACENT TO SERVICE ROADS.

GENERAL NOTES

A. TREES LOCATED BETWEEN STATIONS 102+00 AND 106+00, MUST BE LOCATED 18' CLEAR OF THE PAINTED EDGE LINE, TYPICAL.
B. PLANTS AND TREES TO BE LOCATED ON CENTER AND ALIGNED IN A STRAIGHT, CONTINUOUS LINE, TYPICAL. THE CONTINUOUS LINES ARE BASED ON THE OUTSIDE EDGE OF THE PLANT ZONE AREA.
C. N/A
D. PLANT BED AREAS IN THE MEDIAN SHALL BE LOCATED 5' OFF THE BACKS OF CURB, TYPICAL UNLESS OTHERWISE NOTED.
E. ALL PLANT BEDS SHALL BE INCORPORATED BY MULCH BEDS FROM EDGE TO EDGE OF THE PLANT BED AREA. MULCH BEDS SHALL HAVE A NEAT EDGED APPEARANCE.
F. DIMENSIONS OF PLANT BED AREAS LOCATED ALONG THE EDGES OF SR-4 ARE FROM THE EDGE OF PAVEMENT, TYPICAL UNLESS OTHERWISE NOTED.
G. PLANT BEDS TO ALIGN WITH EDGES OF PAVEMENT OR CURBS (WHERE APPLICABLE) TYPICAL.
H. MOW AREAS THAT ARE TO BE INTER-SEEDED IMMEDIATELY PRIOR TO INTER-SEEDING OPERATION.

SYMBOL	KEY	ITEM DESCRIPTION	BOTANICAL NAME	COMMON NAME	CONDITION	C/C SPACING	QUANTITY
		Seeding and Mulching, Class 1					1,130 Sq. Yd.
		Inter-seeding	Lawn Mixture - Class 1				3,180 Sq. Yd.
	Sa	Perennials, As Per Plan	Sedum X 'Autumn Joy'	Autumn Joy Sedum	1 Gal. Container	2.5 ft.	143
	Hh	Perennials, As Per Plan	Hemerocallis 'Happy Returns'	Happy Returns Daylily	1 Gal. Container	2.5 ft.	315
	Hp	Perennials, As Per Plan	Hemerocallis 'Pardon Me'	Pardon Me Daylily	1 Gal. Container	2.5 ft.	199
	Nf	Perennials, As Per Plan	Nepeta X Faassenii	Catmint	1 Gal. Container	2 ft.	220
	Pa	Perennials, As Per Plan	Perovskia Atriplicifolia	Russian Sage	#2 Container	4 ft.	65
	Rc	Deciduous Shrub, 2 ft. Height, As Per Plan	Rosa Carefree Delight	Carefree Delight Rose	Container	4 ft.	78
	Sj	Deciduous Shrub, 2 ft. Height, As Per Plan	Spiraea Japonica	Little Princess Spiraea	Container	4 ft.	82
	Ha	Perennials, As Per Plan	Hemerocallis 'Stella D'Oro'	Stella D'Oro Daylily	1 Gal. Container	2.5 ft.	262
	Ca	Planting, Misc.: Ornamental Grass	Calamagrostis X Acutiflora 'Karl Forester'	Feather Reed Grass	#3 Container	4.5 ft.	189
	Jc	Planting, Misc.: Evergreen Shrub	Juniperis Conferta 'Blue Pacific'	Blue Pacific Juniper	1 Gal. Container	4 ft.	252
	Mp	Deciduous Tree, 1-1/2" Caliper, As Per Plan	Malus 'Prairiefire'	Prairiefire Crabapple	B & B	15 ft.	8
		Landscape Watering, As Per Plan					3.5M Gals.
		Topsoil Furnished and Placed					1,009 Cu. Yd.
		Mowing					30M Sq. Ft.
		Mulch					171 Cu.Yd.
		Special - Misc.: Fertilizer Packets					1,218
		Special - Misc.: Pavers					3,765 Sq. Ft.
		Special - Misc.: Planters					3
		Special - Misc.: Baskets					4
		Special - Misc.: Signage					1

REVISIONS		
NO	REVISION DATE	INITIALS
1	XX-XX-XX	XXX
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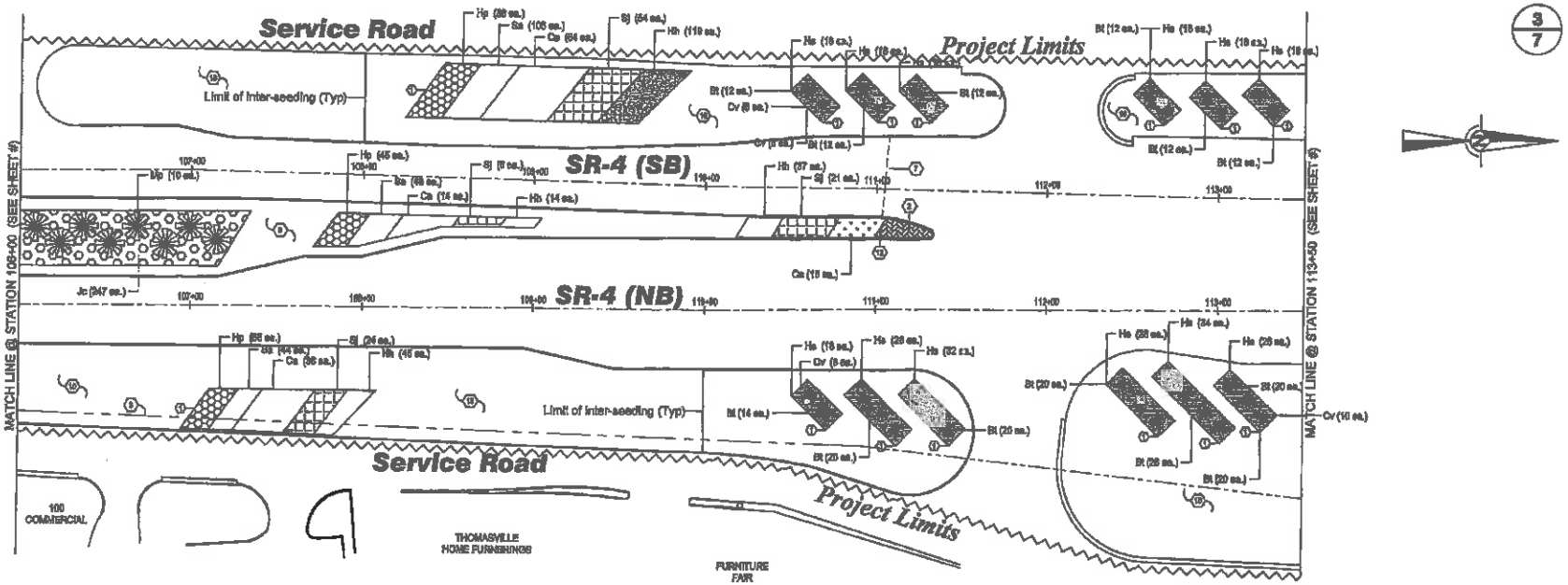
CITY OF FAIRFIELD

SR-4 Streetscape Maintenance Plan

DRAWN: JVB | DATE: July, 2008 | SCALE: NTS | DRAWING: XXX | A-06018

Attachment: PLANS (3085 : Landscaping Maintenance Contract Award)



CONSTRUCTION NOTES

1. PLANT BED AREA, TYPICAL. FILL WITH TOPSOIL. MINIMUM DEPTH SHALL BE 6". EDGE OF PLANT BED TO BE A SMOOTH, CONTINUOUS LINE WITH A NEAT EDGED APPEARANCE, TYPICAL.
2. PAVERS. PAVERLOCK OXFORD SERIES TUMBLED PAVERS OR APPROVED EQUAL. COLOR: HAMPTON BLEND. PATTERN: MUSTER 8.
3. RIGHT OF WAY / PROPERTY LINE.
4. N/A
5. N/A
6. N/A
7. IRRIGATION SLEEVE.
8. SEEDING AND MULCHING, TYPICAL.
9. N/A
10. INTER-SEEDING AREA, TYPICAL.
11. EXISTING CURB TO REMAIN, TYPICAL. PROTECT IN PLACE.
12. PAVER BAND. PAVERLOCK OXFORD SERIES TUMBLED RECTANGLE OR APPROVED EQUAL. PATTERN: SOLDIER COURSE. COLOR: HAMPTON BLEND.
13. FILL ENTIRE MEDIAN AREA WITH TOPSOIL, MINIMUM DEPTH TO BE 1'. TOPSOIL TO BE APPLIED TO CREATE A SMOOTH FINISH SURFACE WITH NO RUTS.
14. EXISTING DRAINAGE STRUCTURE. PROTECT IN PLACE.
15. APPROXIMATE LOCATION OF EXISTING PLANT MATERIAL. PROTECT ALL PLANTINGS ADJACENT TO SERVICE ROADS.

GENERAL NOTES

A. TREES LOCATED BETWEEN STATIONS 105+00 AND 107+50, STATIONS 112+00 AND 113+50 NORTHBOUND, AND STATIONS 110+00 AND 111+50 SOUTHBOUND MUST BE LOCATED 10' CLEAR OF THE PAINTED EDGE LINE, TYPICAL.
B. TREES LOCATED BETWEEN STATIONS 110+00 AND 111+50 NORTHBOUND, AND STATIONS 112+50 AND 113+50 SOUTHBOUND MUST BE LOCATED 20' CLEAR OF THE PAINTED EDGE LINE, TYPICAL.
C. PLANTS AND TREES TO BE LOCATED ON CENTER AND ALIGNED IN A STRAIGHT, CONTINUOUS LINE, TYPICAL. THE CONTINUOUS LINES ARE BASED ON THE OUTSIDE EDGE OF THE PLANT ZONE AREA.
D. PLANT BED AREAS IN THE MEDIAN SHALL BE LOCATED 6" OFF THE BACKS OF CURB, TYPICAL UNLESS OTHERWISE NOTED.
E. ALL PLANT BEDS SHALL BE INCORPORATED BY MULCH BEDS FROM EDGE TO EDGE OF THE PLANT BED AREA. MULCH BEDS SHALL HAVE A NEAT EDGED APPEARANCE.
F. DIMENSIONS OF PLANT BED AREAS LOCATED ALONG THE EDGES OF SR-4 ARE FROM THE EDGE OF PAVEMENT, TYPICAL UNLESS OTHERWISE NOTED.
G. PLANT BEDS TO ALIGN WITH EDGES OF PAVEMENT OR CURBS (WHERE APPLICABLE) TYPICAL.
H. MOW AREAS THAT ARE TO BE INTER-SEEDED IMMEDIATELY PRIOR TO INTER-SEEDING OPERATION.

PLANT LEGEND

SYMBOL	KEY	ITEM DESCRIPTION	BOTANICAL NAME	COMMON NAME	CONDITION	C/C SPACING	QUANTITY
		Topsoil Furnished and Placed					760 Cu. Yd.
		Seeding and Mulching, Class 1	Lawn Mixture				760 Cu. Yd.
		Inter-seeding	Lawn Mixture - Class 1				760 Cu. Yd.
	Sa	Perennials, As Per Plan	Sedum X 'Autumn Joy'	Autumn Joy Sedum	1 Gal. Container	2.5 ft.	197
	Hh	Perennials, As Per Plan	Hemerocallis 'Happy Returns'	Happy Returns Daylily	1 Gal. Container	2.5 ft.	215
	Hp	Perennials, As Per Plan	Hemerocallis 'Pardon Me'	Pardon Me Daylily	1 Gal. Container	2.5 ft.	188
	Hs	Perennials, As Per Plan	Hemerocallis 'Stella D'Oro'	Stella D'Oro Daylily	1 Gal. Container	2.5 ft.	262
	Sj	Deciduous Shrub, 2 ft. Height, As Per Plan	Spiraea Japonica	Little Princess Spiraea	Container	4 ft.	105
	Bt	Deciduous Shrub, 2 ft. Height, As Per Plan	Berberis Thunbergii Atropurpurea	Crimson Pygmy Barberry	Container	4 ft.	194
	Ca	Planting, Misc.: Ornamental Grass	Calamagrostis X Acutiflora 'Karl Forester'	Feather Reed Grass	#3 Container	4.5 ft.	129
	Jc	Planting, Misc.: Evergreen Shrub	Juniperis Conferta 'Blue Pacific'	Blue Pacific Juniper	1 Gal. Container	4 ft.	247
	Mp	Deciduous Tree, 1-1/2" Caliper, As Per Plan	Malus 'Prairiefire'	Prairiefire Crabapple	B & B	15 ft.	10
	Cv	Deciduous Tree, 1-1/2" Caliper, As Per Plan	Crataegus C. Viridis 'Winter King'	Winter King Hawthorne	B & B	15 ft.	30
		Mowing					98M Sq. Ft.
		Mulch					180 Cu.Yd.
		Special - Misc.: Pavers					275 Sq. Ft.
		Special - Misc.: Fertilizer Packets					1,430
		Landscape Watering, As Per Plan					4.2M Gals.

REVISIONS		
NO	REVISION DATE	INITIALS
1	XX-XX-XXX	XXX
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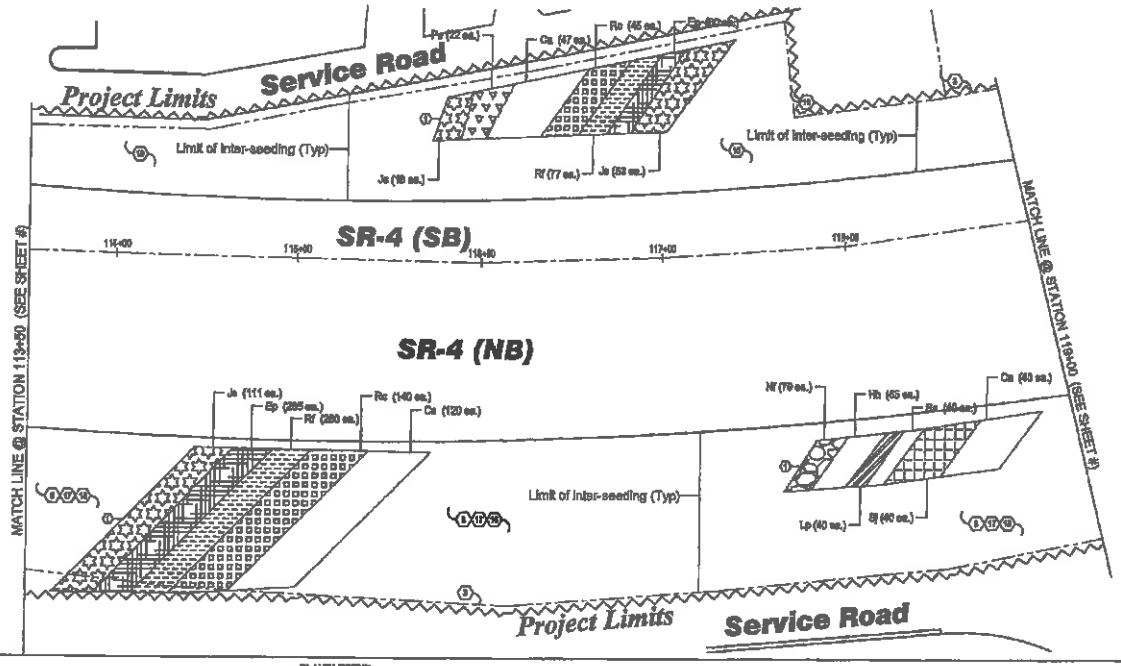
CITY OF FAIRFIELD

SR-4 Streetscape Maintenance Plan

DESIGNED: JVB | SCALE: NTS | DRAWING NO. A-06017
DATE: July, 2006 | REVISED: XXX

Attachment: PLANS (3085 : Landscaping Maintenance Contract Award)



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CONSTRUCTION NOTES

1. PLANT BED AREA, TYPICAL. FILL WITH TOPSOIL. MINIMUM DEPTH SHALL BE 6". EDGE OF PLANT BED TO BE A SMOOTH, CONTINUOUS LINE WITH A NEAT EDGED APPEARANCE, TYPICAL.
2. PAVERS. PAVERLOCK OXFORD SERIES TUMBLED PAVERS OR APPROVED EQUAL. COLOR: HAMPTON BLEND, PATTERN: MUSTER 8.
3. RIGHT OF WAY / PROPERTY LINE.
4. N/A
5. N/A
6. N/A
7. IRRIGATION SLEEVE.
8. SEEDING AND MULCHING, TYPICAL.
9. N/A
10. INTER-SEEDING AREA, TYPICAL.
11. EXISTING CURB TO REMAIN, TYPICAL. PROTECT IN PLACE.
12. PAVER BAND. PAVERLOCK OXFORD SERIES TUMBLED RECTANGLE OR APPROVED EQUAL. PATTERN: SOLDIER COURSE. COLOR: HAMPTON BLEND.
13. FILL ENTIRE MEDIAN AREA WITH TOPSOIL, MINIMUM DEPTH TO BE 1'. TOPSOIL TO BE APPLIED TO CREATE A SMOOTH FINISH SURFACE WITH NO RUTS.
14. EXISTING DRAINAGE STRUCTURE. PROTECT IN PLACE.
15. APPROXIMATE LOCATION OF EXISTING PLANT MATERIAL. PROTECT ALL PLANTINGS ADJACENT TO SERVICE ROADS.

GENERAL NOTES

A. TREES LOCATED BETWEEN STATIONS 105+00 AND 107+50, STATIONS 112+00 AND 113+00 NORTHBOUND, AND STATIONS 110+00 AND 111+00 SOUTHBOUND MUST BE LOCATED 19' CLEAR OF THE PAINTED EDGE LINE, TYPICAL.

B. TREES LOCATED BETWEEN STATIONS 110+00 AND 111+50 NORTHBOUND, AND STATIONS 112+50 AND 113+50 SOUTHBOUND MUST BE LOCATED 29' CLEAR OF THE PAINTED EDGE LINE, TYPICAL.

C. PLANTS AND TREES TO BE LOCATED ON CENTER, AND ALIGNED IN A STRAIGHT, CONTINUOUS LINE, TYPICAL. THE CONTINUOUS LINES ARE BASED ON THE OUTSIDE EDGE OF THE PLANT ZONE AREA.

D. PLANT BED AREAS IN THE MEDIAN SHALL BE LOCATED 6' OFF THE BACKS OF CURB, TYPICAL UNLESS OTHERWISE NOTED.

E. ALL PLANT BEDS SHALL BE INCORPORATED BY MULCH BEDS FROM EDGE TO EDGE OF THE PLANT BED AREA. MULCH BEDS SHALL HAVE A NEAT EDGED APPEARANCE.

F. DIMENSIONS OF PLANT BED AREAS LOCATED ALONG THE EDGES OF SR-4 ARE FROM THE EDGE OF PAVEMENT, TYPICAL UNLESS OTHERWISE NOTED.

G. PLANT BEDS TO ALIGN WITH EDGES OF PAVEMENT OR CURBS (WHERE APPLICABLE) TYPICAL.

H. MOW AREAS THAT ARE TO BE INTER-SEEDED IMMEDIATELY PRIOR TO INTER-SEEDING OPERATION.

PLANT LEGEND

SYMBOL	KEY	ITEM DESCRIPTION	BOTANICAL NAME	COMMON NAME	CONDITION	C/C SPACING	QUANTITY
		Topsoil Furnished and Placed					585 Cu. Yd.
		Seeding and Mulching, Class 1	Lawn Mixture				4,738 Cu. Yd.
		Inter-seeding	Lawn Mixture - Class 1				2,648 Cu. Yd.
	Lp	Perennials, As Per Plan	Liatris Punctata	Blazing Star	1 Gal. Container	2.5 ft.	40
	Sa	Perennials, As Per Plan	Sedum X 'Autumn Joy'	Autumn Joy Sedum	1 Gal. Container	2.5 ft.	40
	Hh	Perennials, As Per Plan	Hemerocallis 'Happy Returns'	Happy Returns Daylily	1 Gal. Container	2.5 ft.	65
	Hp	Perennials, As Per Plan	Hemerocallis 'Pardon Me'	Pardon Me Daylily	1 Gal. Container	2.5 ft.	188
	Ep	Perennials, As Per Plan	Echinacea Purpurea 'Magnus'	Purple Coneflower	1 Gal. Container	2.5 ft.	325
	Rf	Perennials, As Per Plan	Rudbeckia Fulgida Var. Sullivantii 'Goldstrum'	Black Eyed Susan	1 Gal. Container	2.5 ft.	337
	Nf	Perennials, As Per Plan	Nepeta X Faassenii	Catmint	1 Gal. Container	2 ft.	79
	Pa	Perennials, As Per Plan	Perovskia Atriplicifolia	Russian Sage	#2 Container	4 ft.	22
	Rc	Deciduous Shrub, 2 ft. Height, As Per Plan	Rosa Carefree Delight	Carefree Delight Rose	Container	4 ft.	185
	Sj	Deciduous Shrub, 2 ft. Height, As Per Plan	Spiraea Japonica	Little Princess Spiraea	Container	4 ft.	40
	Ca	Planting, Misc.: Ornamental Grass	Calamagrostis X Acutiflora 'Karl Forester'	Feather Reed Grass	#3 Container	4.5 ft.	207
	Je	Planting, Misc.: Evergreen Shrub	Juniperus Sabina 'Broadmoor'	Broadmoor Juniper	18" Wide Container	4 ft.	182
		Mowing					25M Sq. Ft.
		Mulch					170 Cu.Yd.
		Special - Misc.: Pavers					275 Sq. Ft.
		Special - Misc.: Fertilizer Packets					1,228
		Landscape Watering, As Per Plan					3.4M Gals.

REVISIONS		
NO	REVISION DATE	INITIALS
1	XXXXXXX	XXX
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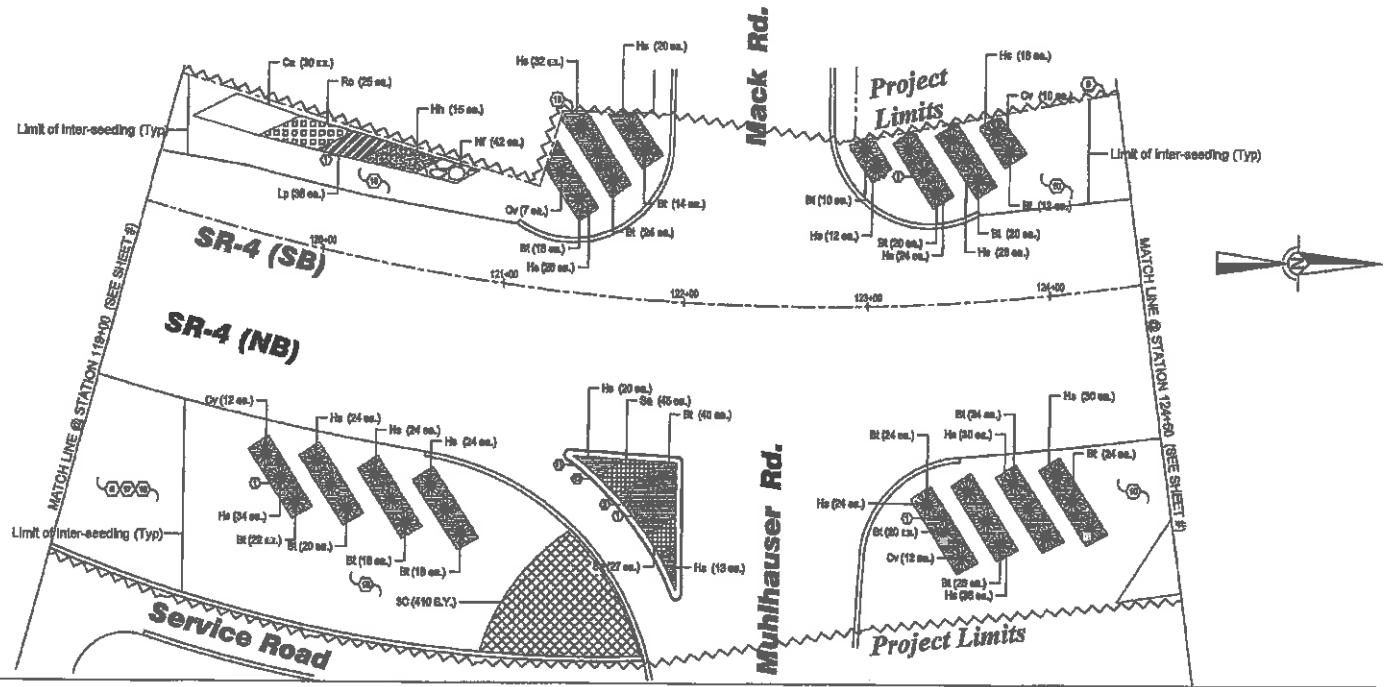
CITY OF FAIRFIELD

SR-4 Streetscape Maintenance Plan

DRAWN JVB | CHK NTS | DATE July, 2006 | DWG NO. XXX | A-06018

Attachment: PLANS (3085 : Landscaping Maintenance Contract Award)



CONSTRUCTION NOTES

1. PLANT BED AREA, TYPICAL. FILL WITH TOPSOIL. MINIMUM DEPTH SHALL BE 6". EDGE OF PLANT BED TO BE A SMOOTH, CONTINUOUS LINE WITH A NEAT EDGED APPEARANCE, TYPICAL.
2. PAVERS. PAVERLOCK OXFORD SERIES TUMBLED PAVERS OR APPROVED EQUAL. COLOR: HAMPTON BLEND. PATTERN: MUSTER 6.
3. RIGHT OF WAY / PROPERTY LINE.
4. N/A
5. N/A
6. N/A
7. IRRIGATION SLEEVE.
8. SEEDING AND MULCHING, TYPICAL.
9. N/A
10. INTER-SEEDING AREA, TYPICAL.
11. EXISTING CURB TO REMAIN, TYPICAL. PROTECT IN PLACE.
12. PAVER BAND. PAVERLOCK OXFORD SERIES TUMBLED RECTANGLE OR APPROVED EQUAL. PATTERN: SOLDIER COURSE. COLOR: HAMPTON BLEND.
13. FILL ENTIRE MEDIAN AREA WITH TOPSOIL. MINIMUM DEPTH TO BE 1'. TOPSOIL TO BE APPLIED TO CREATE A SMOOTH FINISH SURFACE WITH NO RUTS.
14. EXISTING DRAINAGE STRUCTURE. PROTECT IN PLACE.
15. APPROXIMATE LOCATION OF EXISTING PLANT MATERIAL. PROTECT ALL PLANTINGS ADJACENT TO SERVICE ROADS.

GENERAL NOTES

A. TREES LOCATED BETWEEN STATIONS 105+00 AND 107+50, STATIONS 112+00 AND 113+50 NORTHBOUND, AND STATIONS 110+50 AND 111+50 SOUTHBOUND MUST BE LOCATED 10' CLEAR OF THE PAINTED EDGE LINE, TYPICAL.
B. TREES LOCATED BETWEEN STATIONS 110+00 AND 111+50 NORTHBOUND, AND STATIONS 112+50 AND 113+50 SOUTHBOUND MUST BE LOCATED 20' CLEAR OF THE PAINTED EDGE LINE, TYPICAL.
C. PLANTS AND TREES TO BE LOCATED ON CENTER AND ALIGNED IN A STRAIGHT, CONTINUOUS LINE, TYPICAL. THE CONTINUOUS LINES ARE BASED ON THE OUTSIDE EDGE OF THE PLANT ZONE AREA.
D. PLANT BED AREAS IN THE MEDIAN SHALL BE LOCATED 6" OFF THE BACKS OF CURB, TYPICAL UNLESS OTHERWISE NOTED.
E. ALL PLANT BEDS SHALL BE INCORPORATED BY MULCH BEDS FROM EDGE TO EDGE OF THE PLANT BED AREA. MULCH BEDS SHALL HAVE A NEAT EDGED APPEARANCE.
F. DIMENSIONS OF PLANT BED AREAS LOCATED ALONG THE EDGES OF SR-4 ARE FROM THE EDGE OF PAVEMENT, TYPICAL UNLESS OTHERWISE NOTED.
G. PLANT BEDS TO ALIGN WITH EDGES OF PAVEMENT OR CURBS (WHERE APPLICABLE) TYPICAL.
H. MOW AREAS THAT ARE TO BE INTER-SEEDED IMMEDIATELY PRIOR TO INTER-SEEDING OPERATION.

PLANT LEGEND

SYMBOL	KEY	ITEM DESCRIPTION	BOTANICAL NAME	COMMON NAME	CONDITION	O/C SPACING	QUANTITY
		Topsoil Furnished and Placed					375 Cu. Yd.
		Seeding and Mulching, Class 1	Lawn Mixture				2,931 Cu. Yd.
		Inter-seeding	Lawn Mixture - Class 1				2,530 Cu. Yd.
	3C	Seeding and Mulching, Class 3C	Crown Vetch				
	Lp	Perennials, As Per Plan	Liatris Punctata	Blazing Star	1 Gal. Container	2.5 ft.	38
	Sa	Perennials, As Per Plan	Sedum X 'Autumn Joy'	Autumn Joy Sedum	1 Gal. Container	2.5 ft.	72
	Hh	Perennials, As Per Plan	Hemerocallis 'Happy Returns'	Happy Returns Daylily	1 Gal. Container	2.5 ft.	45
	Hs	Perennials, As Per Plan	Hemerocallis 'Stella D' Oro'	Stella D' Ore Daylily	1 Gal. Container	2.5 ft.	429
	Ep	Perennials, As Per Plan	Echinacea Purpurea "Magnus"	Purple Coneflower	1 Gal. Container	2.5 ft.	325
	Rf	Perennials, As Per Plan	Rudbeckia Fulgida Var. Sullvantii 'Goldstrum'	Black Eyed Susan	1 Gal. Container	2.5 ft.	337
	Nf	Perennials, As Per Plan	Nepeta X Faassenii	Catmint	1 Gal. Container	2 ft.	42
	Rc	Deciduous Shrub, 2 ft. Height, As Per Plan	Ross Carefree Delight	Carefree Delight Rose	Container	4 ft.	25
	Bt	Deciduous Shrub, 2 ft. Height, As Per Plan	Berberis Thunbergii Atropurpurea	Crimson Pygmy Berberry	Container	4 ft.	334
	Ca	Planting, Misc.: Ornamental Grass	Calamagrostis X Acutiflora 'Karl Forester'	Feather Reed Grass	#3 Container	4.5 ft.	30
	Cv	Deciduous Tree, 1~1/2" Caliper, As Per Plan	Crataegus C. Viridis 'Winter King'	Winter King Hawthorne	B & B	15 ft.	41
		Mowing					23M Sq. Ft.
		Mulch					110 Cu.Yd.
		Special - Misc.: Pavers					800 Sq. Ft.
		Special - Misc.: Fertilizer Packets					880
		Landscape Watering, As Per Plan					2.6M Gals.

REVISIONS		
NO	REVISION DATE	INITIALS
1	XX-XX-XXX	XXX
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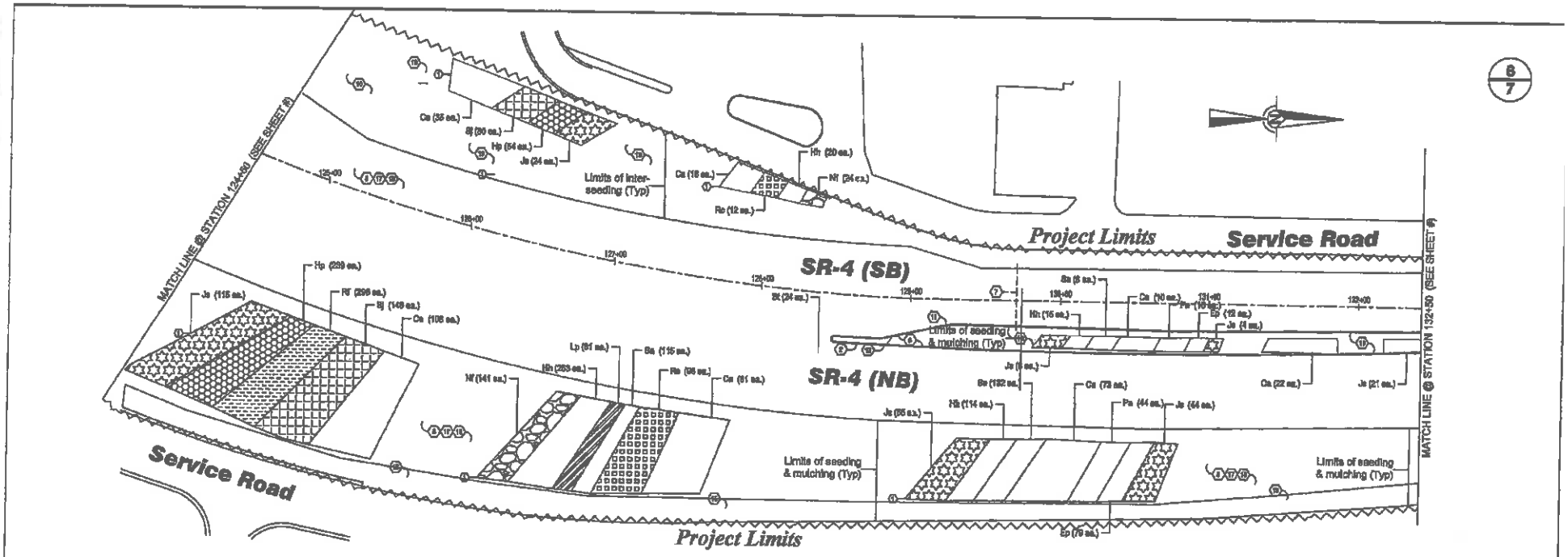
CITY OF FAIRFIELD

SR-4 Streetscape Maintenance Plan

DRAWN: JVB | DATE: July, 2006 | SCALE: NTS | DRAWING: XXX | A-06019

Attachment: PLANS (3085 : Landscaping Maintenance Contract Award)



CONSTRUCTION NOTES

1. PLANT BED AREA, TYPICAL. FILL WITH TOPSOIL. MINIMUM DEPTH SHALL BE 6". EDGE OF PLANT BED TO BE A SMOOTH, CONTINUOUS LINE WITH A NEAT EDGED APPEARANCE, TYPICAL.
2. PAVERS. PAVERLOCK OXFORD SERIES TUMBLED PAVERS OR APPROVED EQUAL. COLOR: HAMPTON BLEND. PATTERN: MUSTER 8.
3. RIGHT OF WAY / PROPERTY LINE.
4. N/A
5. N/A
6. N/A
7. IRRIGATION SLEEVE.
8. SEEDING AND MULCHING, TYPICAL.
9. N/A
10. INTER-SEEDING AREA, TYPICAL.
11. EXISTING CURB TO REMAIN, TYPICAL. PROTECT IN PLACE.
12. PAVER BAND. PAVERLOCK OXFORD SERIES TUMBLED RECTANGLE OR APPROVED EQUAL. PATTERN: SOLDIER COURSE. COLOR: HAMPTON BLEND.
13. FILL ENTIRE MEDIAN AREA WITH TOPSOIL, MINIMUM DEPTH TO BE 1'. TOPSOIL TO BE APPLIED TO CREATE A SMOOTH FINISH SURFACE WITH NO RUTS.
14. EXISTING DRAINAGE STRUCTURE. PROTECT IN PLACE.
15. APPROXIMATE LOCATION OF EXISTING PLANT MATERIAL. PROTECT ALL PLANTINGS ADJACENT TO SERVICE ROADS.
16. N/A
17. ADDITIONAL SCALPING SHOULD OCCUR IN THE SEEDING AND MULCHING AREA LOCATED BETWEEN STATIONS 125+00 AND 132+00 ON THE NORTHBOUND EDGE OF THE AND MULCHING AREA LOCATED BETWEEN STATIONS
18. FILL SEEDING AND MULCHING AREA WITH TOPSOIL TO A MINIMUM DEPTH OF 2". TOPSOIL SHOULD BE APPLIED TO CREATE A FINISH SURFACE WITH NO RUTS.
19. CLEAR AND GRUB THE AREA LOCATED BETWEEN STATIONS 125+00 AND 127+00 ON THE SOUTHBOUND EDGE OF S.R. 4.

GENERAL NOTES

A. TREES LOCATED BETWEEN STATIONS 106+00 AND 107+00, STATIONS 112+00 AND 115+50 NORTHBOUND, AND STATIONS 110+50 AND 111+50 SOUTHBOUND MUST BE LOCATED 19' CLEAR OF THE PAINTED EDGE LINE, TYPICAL.

B. TREES LOCATED BETWEEN STATIONS 110+00 AND 111+50 NORTHBOUND, AND STATIONS 112+50 AND 115+50 SOUTHBOUND MUST BE LOCATED 26' CLEAR OF THE PAINTED EDGE LINE, TYPICAL.

C. PLANTS AND TREES TO BE LOCATED ON CENTER AND ALIGNED IN A STRAIGHT, CONTINUOUS LINE, TYPICAL. THE CONTINUOUS LINES ARE BASED ON THE OUTSIDE EDGE OF THE PLANT ZONE AREA.

D. PLANT BED AREAS IN THE MEDIAN SHALL BE LOCATED 8' OFF THE BACKS OF CURB, TYPICAL UNLESS OTHERWISE NOTED.

E. ALL PLANT BEDS SHALL BE INCORPORATED BY MULCH BEDS FROM EDGE TO EDGE OF THE PLANT BED AREA. MULCH BEDS SHALL HAVE A NEAT EDGED APPEARANCE.

F. DIMENSIONS OF PLANT BED AREAS LOCATED ALONG THE EDGES OF SR-4 ARE FROM THE EDGE OF PAVEMENT, TYPICAL UNLESS OTHERWISE NOTED.

G. PLANT BEDS TO ALIGN WITH EDGES OF PAVEMENT OR CURBS (WHERE APPLICABLE) TYPICAL.

H. MOW AREAS THAT ARE TO BE INTER-SEEDED IMMEDIATELY PRIOR TO INTER-SEEDING OPERATION.

PLANT LEGEND

SYMBOL	KEY	ITEM DESCRIPTION	BOTANICAL NAME	COMMON NAME	CONDITION	C/C SPACING	QUANTITY
		Topsoil Furnished and Placed					901 Cu. Yd.
		Seeding and Mulching, Class 1	Lawn Mixture				3,615 Cu. Yd.
		Inter-seeding	Lawn Mixture - Class 1				2,431 Cu. Yd.
		Mowing					22M Sq. Ft.
	Lp	Perennials, As Per Plan	Liatris Punctata	Blazing Star	1 Gal. Container	2.5 ft.	81
	Sa	Perennials, As Per Plan	Sedum X 'Autumn Joy'	Autumn Joy Sedum	1 Gal. Container	2.5 ft.	256
	Hh	Perennials, As Per Plan	Hemerocallis 'Happy Returns'	Happy Returns Daylily	1 Gal. Container	2.5 ft.	402
	Hp	Perennials, As Per Plan	Hemerocallis 'Pardon Me'	Pardon Me Daylily	1 Gal. Container	2.5 ft.	293
	Ep	Perennials, As Per Plan	Echinacea Purpurea "Magnus"	Purple Coneflower	1 Gal. Container	2.5 ft.	91
	Rf	Perennials, As Per Plan	Rudbeckia Fulgida Var. Sullivantii 'Goldstrum'	Black Eyed Susan	1 Gal. Container	2.5 ft.	296
	Nf	Perennials, As Per Plan	Nepeta X Faassenii	Catmint	1 Gal. Container	2 ft.	195
	Pa	Perennials, As Per Plan	Perovskia Atriplicifolia	Russian Sage	#2 Container	4 ft.	54
	Rc	Deciduous Shrub, 2 ft. Height, As Per Plan	Rosa Carefree Delight	Carefree Delight Rose	Container	4 ft.	110
	Sj	Deciduous Shrub, 2 ft. Height, As Per Plan	Spiraea Japonica	Little Princess Spiraea	Container	4 ft.	176
	Ca	Planting, Misc.: Ornamental Grass	Calamagrostis X Acutiflora 'Karl Foerster'	Feather Reed Grass	#3 Container	4.5 ft.	345
	JS	Planting, Misc.: Evergreen Shrub	Juniperus Sabina 'Broadmoor'	Broadmoor Juniper	18" Wide Container	4 ft.	271
		Mulch					283 Cu.Yd.
		Special - Misc.: Pavers					110 Sq. Ft.
		Special - Misc.: Fertilizer Packets					1,804
		Landscape Watering, As Per Plan					5.3M Gals.

REVISIONS

NO.	REVISION DATE	DRAWN BY
1	XX-XX-XX	XXX
2		
3		
4		
5		

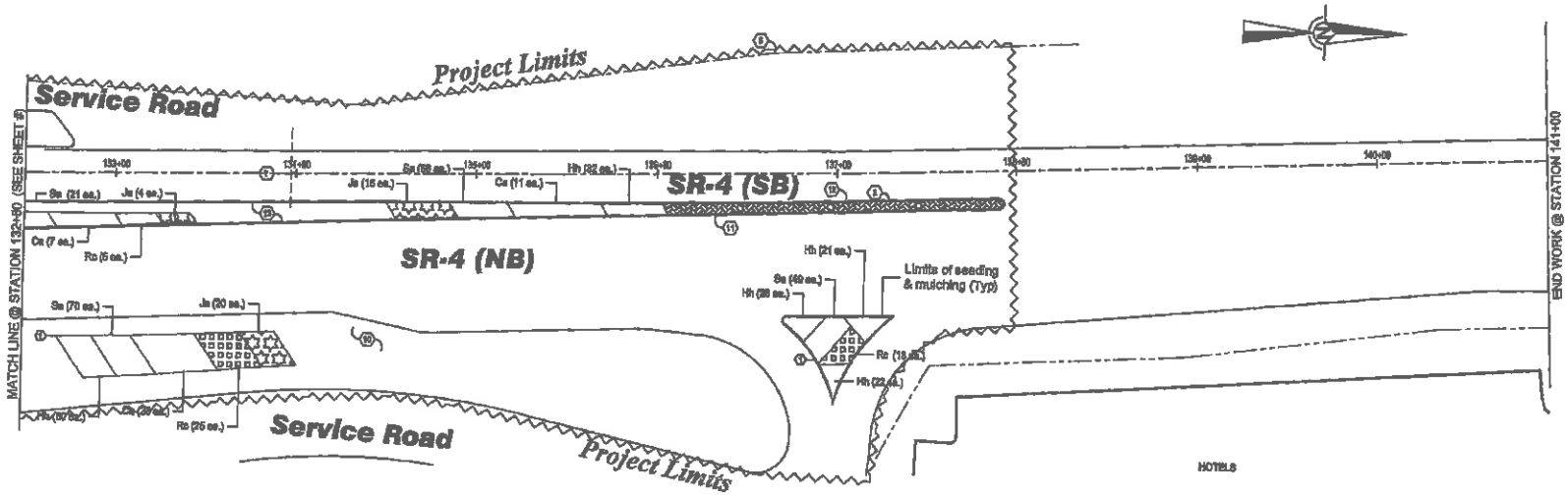
CITY OF FAIRFIELD

SR-4 Streetscape Maintenance Plan

DRAWN BY: JVB | SCALE: NTS | DRAWING NO.: A-06020

DATE: July, 2008 | DESIGNED: XXX

Attachment: PLANS (3085 : Landscaping Maintenance Contract Award)



CONSTRUCTION NOTES

1. PLANT BED AREA, TYPICAL. FILL WITH TOPSOIL. MINIMUM DEPTH SHALL BE 6". EDGE OF PLANT BED TO BE A SMOOTH, CONTINUOUS LINE WITH A NEAT EDGED APPEARANCE, TYPICAL.
2. PAVERS. PAVERLOCK OXFORD SERIES TUMBLED PAVERS OR APPROVED EQUAL. COLOR: HAMPTON BLEND. PATTERN: MUSTER 5.
3. RIGHT OF WAY / PROPERTY LINE.
4. N/A
5. N/A
6. N/A
7. IRRIGATION SLEEVE.
8. SEEDING AND MULCHING, TYPICAL.
9. N/A
10. INTER-SEEDING AREA, TYPICAL.
11. EXISTING CURB TO REMAIN, TYPICAL. PROTECT IN PLACE.
12. PAVER BAND. PAVERLOCK OXFORD SERIES TUMBLED RECTANGLE OR APPROVED EQUAL. PATTERN: SOLDIER COURSE. COLOR: HAMPTON BLEND.
13. FILL ENTIRE MEDIAN AREA WITH TOPSOIL, MINIMUM DEPTH TO BE 1'. TOPSOIL TO BE APPLIED TO CREATE A SMOOTH FINISH SURFACE WITH NO RUTS.
14. EXISTING DRAINAGE STRUCTURE. PROTECT IN PLACE.
15. APPROXIMATE LOCATION OF EXISTING PLANT MATERIAL. PROTECT ALL PLANTINGS ADJACENT TO SERVICE ROADS.
16. REMOVE ANY EXISTING SHRUBS IN THE TRIANGULAR MEDIAN AREA.

GENERAL NOTES

A. TREES LOCATED BETWEEN STATIONS 106+00 AND 107+60, STATIONS 112+00 AND 113+60 NORTHBOUND, AND STATIONS 110+60 AND 111+60 SOUTHBOUND MUST BE LOCATED 10' CLEAR OF THE PAINTED EDGE LINE, TYPICAL.

B. TREES LOCATED BETWEEN STATIONS 110+00 AND 111+50 NORTHBOUND, AND STATIONS 112+60 AND 113+60 SOUTHBOUND MUST BE LOCATED 20' CLEAR OF THE PAINTED EDGE LINE, TYPICAL.

C. PLANTS AND TREES TO BE LOCATED ON CENTER AND ALIGNED IN A STRAIGHT, CONTINUOUS LINE, TYPICAL. THE CONTINUOUS LINES ARE BASED ON THE OUTSIDE EDGE OF THE PLANT ZONE AREA.

D. PLANT BED AREAS IN THE MEDIAN SHALL BE LOCATED 6' OFF THE BACKS OF CURB, TYPICAL UNLESS OTHERWISE NOTED.

E. ALL PLANT BEDS SHALL BE INCORPORATED BY MULCH BEDS FROM EDGE TO EDGE OF THE PLANT BED AREA. MULCH BEDS SHALL HAVE A NEAT EDGED APPEARANCE.

F. DIMENSIONS OF PLANT BED AREAS LOCATED ALONG THE EDGES OF SR-4 ARE FROM THE EDGE OF PAVEMENT, TYPICAL UNLESS OTHERWISE NOTED.

G. PLANT BEDS TO ALIGN WITH EDGES OF PAVEMENT OR CURBS (WHERE APPLICABLE) TYPICAL.

H. MOW AREAS THAT ARE TO BE INTER-SEEDED IMMEDIATELY PRIOR TO INTER-SEEDING OPERATION.

PLANT LEGEND

SYMBOL	KEY	ITEM DESCRIPTION	BOTANICAL NAME	COMMON NAME	CONDITION	C/C SPACING	QUANTITY
		Topsoil Furnished and Placed					250 Cu. Yd.
		Seeding and Mulching, Class 1	Lawn Mixture				220 Cu. Yd.
		Inter-seeding	Lawn Mixture - Class 1				2,140 Cu. Yd.
	Sa	Perrenials, As Per Plan	Sedum X 'Autumn Joy'	Autumn Joy Sedum	1 Gal. Container	2.5 ft.	176
	Hh	Perrenials, As Per Plan	Hemerocallis 'Happy Returns'	Happy Returns Daylily	1 Gal. Container	2.5 ft.	161
	Rc	Deciduous Shrub, 2 ft. Height, As Per Plan	Rose Carefree Delight	Carefree Delight Rose	Container	4 ft.	43
	Ca	Planting, Misc.: Ornamental Grass	Calamagrostis X Acutiflora 'Karl Foerster'	Feather Reed Grass	#3 Container	4.5 ft.	53
	JS	Planting, Misc.: Evergreen Shrub	Juniperus Sabina 'Broadmoor'	Broadmoor Juniper	18" Wide Container	4 ft.	40
		Mowing					23M Sq. Ft.
		Mulch					55 Cu.Yd.
		Special - Misc.: Pavers					990 Sq. Ft.
		Special - Misc.: Fertilizer Packets					272
		Landscape Watering, As Per Plan					0.9M Gals.

REVISIONS		
NO	REVISION DATE	INITIALS
1	XX-XX-XX	XXX
2		
3		
4		
5		

CITY OF FAIRFIELD

SR-4 Streetscape Maintenance Plan

DRAWN BY: JVB | SCALE: NTS
DATE: July, 2006 | CHECKED BY: XXX | DRAWING NO. A-06021

Attachment: PLANS (3085 : Landscaping Maintenance Contract Award)

ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A THREE (3) YEAR CONTRACT WITH DAVEY TREE EXPERT COMPANY FOR LANDSCAPING MAINTENANCE.

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

Section 1. The City Manager is hereby authorized to enter into a three (3) year contract with Davey Tree Expert Company for landscaping maintenance in accordance with the contract 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\2022\Davey Tree Expert-Ord

Attachment: Davey Tree Expert-Ord (3085 : Landscaping Maintenance Contract Award)

City Council Ordinance
Regular Meeting - February 14, 2022

Submitted by: Alisha Wilson, Clerk
Submitting Department: Clerk

Subject:
Contractual Appropriations

Legislation Title:
Ordinance to amend Ordinance No. 148-21 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, 2022, and ending December 31, 2022."

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.

$137,000 for 2022 Sidewalk/Apron Replacement Program;
$69,235 for landscaping maintenance contract.

Financial Impact: $206,235.00 from noted funding source.

Rule Suspension Requested:
Yes

Emergency Provision Needed:
No

Attachments:
1. Contractual 2-15-Ord

ORDINANCE NO. _____

ORDINANCE TO AMEND ORDINANCE NO. 148-21 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, 2022, AND ENDING DECEMBER 31, 2022."

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

Section 1. Ordinance No. 148-21, the 2022 Appropriation Ordinance, is hereby amended in the following respects:

From:	**Unappropriated General Fund**	**$137,000**
To:	10012523-233900 Other Professional Services *(2022 Annual Sidewalk/Apron Replacement Program 2PW16)*	$137,000
From:	**Unappropriated Capital Improvement Fund**	**$69,235**
To:	40216025-252600 Grounds & Median Improvements *(2022 Landscape Maintenance 2PW08)*	$69,235

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 2-15-Ord (3090 : 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\2022\Contractual 2-14-Ord

City Council Ordinance
Regular Meeting - February 14, 2022

Submitted by: Alisha Wilson, Clerk
Submitting Department: Clerk

Subject:
Non-Contractual Appropriations

Legislation Title:
Ordinance to amend Ordinance No. 148-21 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, 2022, and ending December 31, 2022."

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.

$39,951 for water main improvements for Winton Hills Subdivision;
$15,000 for purchase of fire hydrants;
$14,000 for Water Treatment Plant electrical improvements;
$14,000 for Wastewater Treatment Plant electrical improvements;
$8,000 for manhole castings;
$15,000 for purchase of water valve boxes.

Financial Impact: $105,951.00 from noted funding source.

Rule Suspension Requested:
Yes

Emergency Provision Needed:
No

Attachments:
1. NonContractualAppropriations.021422
2. NonContractual 2-15-Ord

City Council Information Item
Regular Meeting - February 14, 2022

Submitted by: Matt Young,
Submitting Department: Public Utilities

Subject:
Appropriation for water main improvements for the Winton Hills Subdivision

Legislation Title:
Water main improvements - Winton Hills Subdivision

Background/Synopsis: This appropriation is requested to allow for the installation of a water main to feed the Winton Hills Subdivision. Currently this subdivision is fed from the City's 20" Transmission Main. During recent and adjacent contract work, this 20" main experienced multiple breaks that impacted the surrounding area illuminating the need for a secondary connection. The contractor (JW Brennan Excavating – Contract 2021-001) agreed to honor contract pricing to provide a secondary feed to the Winton Hills from the distribution system near Mack Road and Arcade Drive.

Financial Impact: An appropriation in the amount of $39,950.18 is being requested for the installation of a water main to the Winton Hills subdivision. Funding for the project is included in the approved 2021-2025 Capital Improvement Program, under project 2WT10, Small Water Line Improvements. The funding sources is the Water Replacement Fund.

Attachments:
1. Shearwater Drive Connection

Attachment: NonContractualAppropriations.021422 (3089 : Non-Contractual Appropriations)

J.W. Brennan Excavating, LLC

PO Box 782
Ross, OH 45061-0782
Cell: (513) 407-3303
Phone: (513) 738-0360
Fax: (513) 894-0571

Invoice

Date	Invoice #
1/12/2022	6346

Bill To
City of Fairfield Public Works Dept Attn: Matt Young 5021 Groh Lane Fairfield OH 45014

Job
Mack & Arcade Dr

Terms: Net 15

Description	Hours	Rate	Amount
Additional Connection at Mack and Arcade		37,950.00	37,950.00
12/16/21- Extra Time		888.00	888.00
12/27/21- FH Extra		820.00	820.00
12/28/21-1/5/22- 8" Storm Extra		292.18	292.18

Thank you for your business.

Total $39,950.18

Attachment: NonContractualAppropriations.021422 (3089 : Non-Contractual Appropriations)

City Council Information Item
Regular Meeting - February 14, 2022

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. 2022 funding for this project was included in the 2021-2025 Capital Improvement Program (CIP), under project 2WT09 REPLACE FIRE HYDRANTS. The funding source is the Water Surplus Fund.

Attachments:
1. FAIRFIELD HYDRANTS - JW_FAIRFIELD_OH_Bid#_2158399_1-20-2022_0217_PM (002)
2. 2022 Hydrants - Ferguson

Attachment: NonContractualAppropriations.021422 (3089 : Non-Contractual Appropriations)

Bid Proposal for FAIRFIELD HYDRANTS - JW

CITY OF FAIRFIELD WATER DEPT
Job Location: FAIRFIELD, OH
Bid Date: 01/21/2022
Core & Main 2158399

Core & M
3165 Production
Fairfield, OH 45C
Phone: 513-942-13
Fax: 513-942-13

Seq#	Qty	Description	Units	Price	Ext Price
		DUE TO CURRENT SUPPLY CHAIN DISRUPTIONS, MATERIALS			
		ARE SUBJECT TO PRICING AT TIME OF SHIPMENT. MATERIAL			
		AVAILABILITY AND TIMELINESS OF SHIPMENTS CANNOT BE			
		GUARANTEED. THIS TERM SUPERSEDES ALL OTHER			
		CONTRACTUAL PROVISIONS.			
10	0	A423 4'6" FAIRFIELD OH RED 5-1/4VO 6MJ 3W W/STORZ 423-543004	EA	2,811.00	0.(
20	5	A423 4'6" FAIRFIELD OH YELLOW 5-1/4VO 6MJ 3W W/STORZ 423-541287	EA	2,811.00	14,055.(
				Sub Total	**14,055.(**
				Tax	0.(
				Total	**14,055.0**

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 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/OI 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.021422 (3089 : Non-Contractual Appropriations)

City Council Information Item
Regular Meeting - February 14, 2022

Submitted by: Jason Hunold,
Submitting Department: Public Utilities

Subject:
Water Treatment Plant Electrical Improvements

Legislation Title:
Water Treatment Plant Electrical Improvements

Background/Synopsis:

Critical electrical components downstream of Motor Control Centers within various Water Division operational areas are in need of replacement and/or upgrade in order to meet current electrical codes. Components will be procured from various City-approved vendors as needed. The Department's Maintenance Electrician will be performing the work on the critical components.

Financial Impact:

An appropriation in the amount of $14,000.00 is being requested for the purchase of various electrical components, on an as needed basis, for the Water Division. 2022 Funding for this project was included in the approved 2021-2025 Capital Improvement Program (CIP) under project number 2WT16, Electrical Improvements. The funding source is the Water Replacement and Improvement Fund (604).

Attachment: NonContractualAppropriations.021422 (3089 : Non-Contractual Appropriations)

City Council Information Item
Regular Meeting - February 14, 2022

Submitted by: Jason Hunold,
Submitting Department: Public Utilities

Subject:
Wastewater Treatment Plant Electrical Improvements

Legislation Title:
Wastewater Treatment Plant Electrical Improvements

Background/Synopsis:

Various electrical components downstream of the Wastewater Division's new Motor Control Centers are in need of replacement and/or upgrade. Components will be procured from various City-approved vendors as needed. The Division's Maintenance Electrician will be performing the work on the critical components.

Financial Impact:

An appropriation in the amount of $14,000.00 is being requested for the purchase of various electrical components, on an as needed basis, for the Wastewater Division. 2022 Funding for this project was included in the approved 2021-2025 Capital Improvement Program (CIP) under project number 2WW11, Electrical Improvements. The funding source is the Sewer Surplus Fund (624).

Attachment: NonContractualAppropriations.021422 (3089 : Non-Contractual Appropriations)

City Council Information Item
Regular Meeting - February 14, 2022

Submitted by: Matt Young,
Submitting Department: Public Utilities

Subject:
Manhole Castings

Legislation Title:
Manhole Castings

Background/Synopsis: This funding is being requested as part of an on-going infrastructure improvement effort in conjunction with the Public Works Division's annual street overlay program. Existing manhole castings and covers were installed when the original Sanitary Collection System was constructed and are in need of replacement. Staff requested quotations from two vendors; Core and Main and Neenah Foundry. Neenah foundry was unresponsive.

Financial Impact: An appropriation in the amount of $8,000.00 is requested for the purchase of replacement manhole castings in conjunction with the City's 2022 Street Resurfacing program.

2022 funding for this project is included in the approved 2021-2025 Capital Improvement Program (CIP) under project number 2WW01, Sanitary Sewer Rehabilitation. The funding source is the Sewer Replacement and Improvement Fund.

It is recommended that City Council authorize an appropriation in the amount of $8,000.00 from the Sewer Replacement and Improvement Fund for the purchase of manhole castings necessary for the City's Street Resurfacing program.

Attachments:
1. FAIRFEILD CASTINGS 2022_Bid#_2168860_1-27-2022_1109_AM

Attachment: NonContractualAppropriations.021422 (3089 : Non-Contractual Appropriations)

Bid Proposal for FAIRFEILD CASTINGS 2022

CITY OF FAIRFIELD ST DEPT
Bid Date: 01/27/2022
Core & Main 2168860

Core & M
3165 Production
Fairfield, OH 450
Phone: 513-942-13
Fax: 513-942-13

Seq#	Qty	Description	Units	Price	Ext Price
		DUE TO CURRENT SUPPLY CHAIN DISRUPTIONS, MATERIALS			
		ARE SUBJECT TO PRICING AT TIME OF SHIPMENT. MATERIAL			
		AVAILABILITY AND TIMELINESS OF SHIPMENTS CANNOT BE			
		GUARANTEED. THIS TERM SUPERSEDES ALL OTHER			
		CONTRACTUAL PROVISIONS.			
10	20	EJ 1600Z1 FRAME	EA	173.45	3,469.(
20	2	EJIW 00302010 3020Z FRAME	EA	163.50	327.(
30	22	1600-58 GSKT SOLID "SANITARY"	EA	167.75	3,690.!
				Sub Total	**7,486.!**
				Tax	0.(
				Total	**7,486.5**

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 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/OI 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.021422 (3089 : Non-Contractual Appropriations)

City Council Information Item
Regular Meeting - February 14, 2022

Submitted by: Matt Young,
Submitting Department: Public Utilities

Subject:
Water valve box appropriation

Legislation Title:
Water valve box appropriation

Background/Synopsis:

This project is designed to replace existing water main valve boxes and covers that were installed when the City's Water Distribution System was originally constructed. Many of these boxes and covers are within City roads (in pavement), and many are in need of replacement. To minimize disruption to the general public and traffic flows, valve boxes and covers will be replaced in a strategic fashion in conjunction with street resurfacing work coordinated by the City's Public Works Department.

Staff solicited two quotations, and received one complete quotation (attached) from Ferguson Waterworks for the valve boxes and supporting materials to coincide with the City's 2022 Street Resurfacing Project.

Financial Impact:

An appropriation in the amount of $15,000.00 is being requested for the purchase of valve boxes and related materials for the Water Division. 2022 funding is included in the approved 2021-2025 Capital Improvement Program project 2WT19 – VALVE BOXES AND COVERS.

Attachments:
1. VALVE BOXES - VALVES - COUPLINGS -Ferguson

Attachment: NonContractualAppropriations.021422 (3089 : Non-Contractual Appropriations)

ORDINANCE NO. _____

ORDINANCE TO AMEND ORDINANCE NO. 148-21 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, 2022, AND ENDING DECEMBER 31, 2022."

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

Section 1. Ordinance No. 148-21, the 2022 Appropriation Ordinance, is hereby amended in the following respects:

From:	**Unappropriated Water Replacement & Improvement Fund**	**$14,000**
To:	60416025-252000 Improvements Other Than Building *(Electrical Improvements 2WT16)*	$14,000
From:	**Unappropriated Water Surplus Fund**	**$69,951**
To:	60516025-252000 Improvements Other Than Building *(Small Water Line Improvements (Winton Hills Subdivision) 2WT10 ($39,951); Fire Hydrant Replacements 2WT09 ($15,000))*	$54,951
To:	60516025-252000 Improvements Other Than Building *(Valve Boxes and Covers 2WT19)*	$15,000
From:	**Unappropriated Sewer Replacement and Improvement Fund**	**$8,000**
To:	62316025-252000 Improvements Other Than Buildings *(Manhole Castings 2WW01)*	$8,000

Attachment: NonContractual 2-15-Ord (3089 : Non-Contractual Appropriations)

From:	**Unappropriated Sewer Surplus Fund**	**$14,000**
To:	62416025-252000 Improvements Other Than Building *(Electrical Improvements 2WW11)*	$14,000

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\2022\NonContractual 2-14-Ord

Attachment: NonContractual 2-15-Ord (3089 : Non-Contractual Appropriations)