

Steve Miller
Mayor

Ron D'Epifanio
Council Member at Large

Chad Oberson
Council Member at Large

Bill Woeste
Council Member at Large



Leslie Besl
Council Member, 1st Ward

Craig Keller
Council Member, 2nd Ward

Debbie Pennington
Council Member, 3rd Ward

Tim Abbott
Council Member, 4th Ward

**CITY OF FAIRFIELD CITY COUNCIL
REGULAR MEETING AGENDA
MONDAY, JANUARY 28, 2019 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 - Ohio Recycling Contamination Grant Presentation with Anne Fiehrer-Flaig, Executive Director of Butler County Recycling & Solid Waste
- B. 6:30 PM - Parks & Recreation Structure Update

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. Recognition of Myles MacBeth & Dispatcher Amanda Robinette
- b. Proclamation for Joan Schwab's 90th Birthday

8. PUBLIC HEARING(S)

9. APPROVAL OF MINUTES

- a. Regular Meeting held January 14, 2019

10. OLD BUSINESS AND REPORTS

A. COMMUNITY & PUBLIC RELATIONS COMMITTEE

Leslie Besl, Chair; Debbie Pennington, Vice Chair; Craig Keller, Member

B. DEVELOPMENT SERVICES COMMITTEE

Bill Woeste, Chair; Tim Abbott, Vice Chair; Ron D'Epifanio, 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 an amendment to the Final Development Plan for the Symmes and Pleasant Planned Unit Development.

- Legislation - Third Reading tabled to February 11, 2019

C. PARKS, RECREATION AND ENVIRONMENT COMMITTEE

Craig Keller, Chair; Bill Woeste, Vice Chair; Debbie Pennington, Member

D. PUBLIC SAFETY COMMITTEE

Ron D'Epifanio, Chair; Craig Keller, Vice Chair; Tim Abbott, Member

E. PUBLIC WORKS COMMITTEE

Chad Oberson, Chair; Ron D'Epifanio, Vice Chair; Bill Woeste, Member

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

- Legislation - Second Reading

2. Ordinance to authorize the City Manager to enter into a contract with TR Gear Landscaping for a three (3) year term for the landscape care and maintenance for the State Route 4 & Patterson Blvd. streetscape.

- Legislation - Second Reading

F. PUBLIC UTILITIES COMMITTEE

Debbie Pennington, Chair; Chad Oberson, Vice Chair; Leslie Besl, Member

G. FINANCE & BUDGET COMMITTEE

Tim Abbott, Chair; Leslie Besl, Vice Chair; Chad Oberson, Member

11. NEW BUSINESS

A. DEVELOPMENT SERVICES COMMITTEE

Bill Woeste, Chair; Tim Abbott, Vice Chair; Ron D'Epifanio, 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 changing the current Frederic's Corporation Planned Unit Development Plant to M-2, General Industrial District.

- Motion - Read by Title Only (Optional)
- Legislation - First Reading
- Set Public Hearing for February 11, 2019

B. PUBLIC SAFETY COMMITTEE

Ron D'Epifanio, Chair; Craig Keller, Vice Chair; Tim Abbott, Member

1. Simple Motion: Motion to not request a hearing regarding a liquor permit application in the name of JSSizemore LLC dba Cobblestone Tavern, 4735-37 Dixie Highway & Patio, Fairfield, OH 45014 (Permit Class D5 & D6).

C. PUBLIC WORKS COMMITTEE

Chad Oberson, Chair; Ron D'Epifanio, Vice Chair; Bill Woeste, Member

1. Ordinance to authorize the City Manager to execute a grant of easement to Duke Energy Ohio, Inc. for electric and/or telecommunication overhead lines and related appurtenances to facilitate the River Road and Gray Road project improvements and declaring an emergency.
 - Motion - Read by Title Only (Optional)
 - Legislation - First Reading
 - Motion - Suspend Second and Third Readings
 - Motion - Adoption
2. Ordinance to authorize the City Manager to execute a contract with Sunesis Construction for the bridge maintenance improvements project.
 - Motion - Read by Title Only (Optional)
 - Legislation - First Reading

D. FINANCE & BUDGET COMMITTEE

Tim Abbott, Chair; Leslie Besl, Vice Chair; Chad Oberson, Member

1. Ordinance to amend Ordinance No. 127-18 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, 2019, and ending December 31, 2019."

Contractual Appropriations: \$520,000 for bridge maintenance

 - Motion - Read by Title Only (Optional)
 - Legislation - First Reading
 - Motion - Suspend Second and Third Readings
 - Motion - Adoption
2. Ordinance to amend Ordinance No. 127-18 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, 2019, and ending December 31, 2019."

Non-Contractual Appropriations: \$41,000 for rehabilitation of water well #7

- Motion - Read by Title Only (Optional)
- Legislation - First Reading
- Motion - Suspend Second and Third Readings
- Motion - Adoption

12. MEETING SCHEDULE

- A. Monday, February 11 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM
- B. Monday, February 25 - Council-Manager Briefing, 6:30 PM; Regular Meeting 7:00 PM
- C. Monday, March 11 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM

13. EXECUTIVE SESSION OF COUNCIL (IF NEEDED)

14. ADJOURNMENT

**City of Fairfield
Minutes
Regular Meeting of City Council
January 14, 2019**

Council-Manager Briefing

A. Briefing cancelled. Rescheduled for January 28, 2019 at 6:00 PM.

Business Meeting Call to Order

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

Prayer/Pledge of Allegiance

Councilmember Besl led in prayer and Pledge of Allegiance.

Roll Call

Councilmembers present included:

Attendee Name	Title	Status	Arrived
Ron D'Epifanio	Council Member at Large	Excused	
Chad Oberson	Council Member at Large	Excused	
Bill Woeste	Council Member at Large	Present	
Leslie Besl	Council Member, 1st Ward	Present	
Craig W. Keller	Council Member, 2nd Ward	Present	
Debbie Pennington	Council Member, 3rd Ward	Present	
Tim Abbott	Council Member, 4th Ward	Present	
Steve Miller	Mayor	Present	

Councilmember Keller, seconded by Councilmember Abbott, moved to excuse Councilmembers D'Epifanio and Oberson. Motion carried 5-0.

Agenda Modifications

None.

Executive Session Requests

Councilmember Abbott, seconded by Councilmember Woeste, moved for Executive Session to consider confidential information related to negotiations with other political subdivisions respecting requests for economic development assistance. Motion carried 5-0.

Special Presentations and Citizen Comments

None.

Public Hearing(s)

Minutes Acceptance: Minutes of Jan 14, 2019 7:00 PM (Approval of Minutes)

None.

Approval of Minutes

- a. The Regular Meeting minutes of December 10, 2018 were approved as written and submitted.

OLD BUSINESS AND REPORTS

Development Services Committee

Bill Woeste, Chair; Tim Abbott, Vice Chair; Ron D'Epifanio, 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 an amendment to the Final Development Plan for the Symmes and Pleasant Planned Unit Development.

Recommendation:

It is recommended that City Council have a first reading on this item at the November 26, 2018 meeting, set the public hearing date for December 3 and await the written recommendation from the Planning Commission.

Development Services Director Greg Kathman provided a brief update regarding the proposed ordinance and results of Planning Commission's decision. Councilmember Woeste presented the second reading of this ordinance.

RESULT:	SECOND READING	Next: 1/28/2019 7:00 PM
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NEW BUSINESS

Parks, Recreation and Environment Committee

Craig Keller, Chair; Bill Woeste, Vice Chair; Debbie Pennington, Member

Motion to Read by Title Only

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Craig W. Keller, Council Member, 2nd Ward
SECONDER:	Debbie Pennington, Council Member, 3rd Ward
AYES:	Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	D'Epifanio, Oberson

Ordinance to authorize the City Manager to enter into a contract with Vermont Systems, Inc. for the purchase of RecTrac Registration/POS Software to be used by the Parks and Recreation Department and declaring an emergency.

Recommendation:

It is recommend that City Council authorize the appropriation for the purchase of RecTrac Registration/POS Software, for use by the Parks and Recreation Department from Vermont Systems, Incorporated.

ORDINANCE NO. 1-19. APPROVED 5-0.

Minutes Acceptance: Minutes of Jan 14, 2019 7:00 PM (Approval of Minutes)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Craig W. Keller, Council Member, 2nd Ward
SECONDER: Bill Woeste, Council Member at Large
AYES: Woeste, Besl, Keller, Pennington, Abbott
EXCUSED: D'Epifanio, Oberson

Motion to Suspend Second and Third Readings

Councilmember Keller presented the first reading of this ordinance.

RESULT: CARRIED [UNANIMOUS]
MOVER: Craig W. Keller, Council Member, 2nd Ward
SECONDER: Tim Abbott, Council Member, 4th Ward
AYES: Woeste, Besl, Keller, Pennington, Abbott
EXCUSED: D'Epifanio, Oberson

Public Safety Committee

Ron D'Epifanio, Chair; Craig Keller, Vice Chair; Tim Abbott, Member

Simple Motion: Motion to not request a hearing regarding a liquor permit application in the name of NicFusion, LLC, Hot & Spicy, 4623 Dixie Highway, Fairfield, OH 45014 (Permit Class D1, D2, & D3).

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 NicFusion, LLC, Hot & Spicy, 4623 Dixie Highway, Fairfield, OH 45014 (Permit Class D1, D2, & D3).

SIMPLE MOTION NO. 1-19. APPROVED 5-0.

RESULT: APPROVED [UNANIMOUS]
MOVER: Craig W. Keller, Council Member, 2nd Ward
SECONDER: Debbie Pennington, Council Member, 3rd Ward
AYES: Woeste, Besl, Keller, Pennington, Abbott
EXCUSED: D'Epifanio, Oberson

Motion to Read by Title Only

RESULT: CARRIED [UNANIMOUS]
MOVER: Craig W. Keller, Council Member, 2nd Ward
SECONDER: Leslie Besl, Council Member, 1st Ward
AYES: Woeste, Besl, Keller, Pennington, Abbott
EXCUSED: D'Epifanio, Oberson

Ordinance to authorize the City Manager to enter into an agreement with Motorola Solutions for the purchase of new radios for the Police and Fire Departments and declaring an emergency.

Recommendation:

Per the November 26, 2018 City of Fairfield Council-Manager Briefing, legislation was crafted to authorize the City Manager to enter an agreement with Motorola Solutions to purchase new

radios for the Police and Fire Departments.

ORDINANCE NO. 2-19. APPROVED 5-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Craig W. Keller, Council Member, 2nd Ward
SECONDER:	Tim Abbott, Council Member, 4th Ward
AYES:	Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	D'Epifanio, Oberson

Motion to Suspend Second and Third Readings

Councilmember Keller presented the first reading of this ordinance.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Craig W. Keller, Council Member, 2nd Ward
SECONDER:	Tim Abbott, Council Member, 4th Ward
AYES:	Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	D'Epifanio, Oberson

Public Works Committee

Chad Oberson, Chair; Ron D'Epifanio, Vice Chair; Bill Woeste, Member

Motion to Read by Title Only

Motion to read the following resolution and two (2) ordinances by title only.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Bill Woeste, Council Member at Large
SECONDER:	Tim Abbott, Council Member, 4th Ward
AYES:	Woeste, Besl, Keller, Pennington, Abbott
EXCUSED:	D'Epifanio, Oberson

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 Woeste presented the first reading of this resolution.

RESULT:	FIRST READING Next: 1/28/2019 7:00 PM
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Ordinance to authorize the City Manager to enter into a contract with TR Gear Landscaping for a three (3) year term for the landscape care and maintenance for the State Route 4 & Patterson Blvd. streetscape.

Recommendation:

It is recommended that City Council direct the legislation authorizing the City Manager to enter into a contract with TR Gear Landscaping for a three (3) year term. Funding is requested in the amount of \$67,659.00 from the Capital Improvements Fund for the first year of the contract.

Councilmember Woeste presented the first reading of this ordinance.

Minutes Acceptance: Minutes of Jan 14, 2019 7:00 PM (Approval of Minutes)

RESULT: **FIRST READING** **Next: 1/28/2019 7:00 PM**

Ordinance to authorize the City Manager to enter into a contract with Stantec Consulting Services, Inc. for the City of Fairfield LOMA Development Project and declaring an emergency.

Recommendation:

It is recommended that City Council authorize the City Manager to enter into a contract with Stantec Consulting Services Inc. The contract will be for the project described as City of Fairfield LOMA Development.

ORDINANCE NO. 3-19. APPROVED 5-0.

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Bill Woeste, Council Member at Large
SECONDER: Tim Abbott, Council Member, 4th Ward
AYES: Woeste, Besl, Keller, Pennington, Abbott
EXCUSED: D'Epifanio, Oberson

Motion to Suspend Second and Third Readings

Councilmember Woeste presented the first reading of this ordinance.

RESULT: **CARRIED [UNANIMOUS]**
MOVER: Bill Woeste, Council Member at Large
SECONDER: Leslie Besl, Council Member, 1st Ward
AYES: Woeste, Besl, Keller, Pennington, Abbott
EXCUSED: D'Epifanio, Oberson

Finance & Budget Committee

Tim Abbott, Chair; Leslie Besl, Vice Chair; Chad Oberson, Member

Motion to Read by Title Only

Motion to read two (2) ordinances by title only.

RESULT: **CARRIED [UNANIMOUS]**
MOVER: Tim Abbott, Council Member, 4th Ward
SECONDER: Craig W. Keller, Council Member, 2nd Ward
AYES: Woeste, Besl, Keller, Pennington, Abbott
EXCUSED: D'Epifanio, Oberson

Ordinance to amend Ordinance No. 127-18 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, 2019, and ending December 31, 2019.”

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. 4-19. APPROVED 5-0.

Minutes Acceptance: Minutes of Jan 14, 2019 7:00 PM (Approval of Minutes)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Tim Abbott, Council Member, 4th Ward
SECONDER: Debbie Pennington, Council Member, 3rd Ward
AYES: Woeste, Besl, Keller, Pennington, Abbott
EXCUSED: D'Epifanio, Oberson

Motion to Suspend Second and Third Readings

Contractual Appropriations: \$67,659 for Landscaping Maintenance Contract; \$75,000 for Parks & Recreation Software Upgrade; \$603,147 for Public Safety Radio Replacement.

Councilmember Abbott presented the first reading of this ordinance.

RESULT: CARRIED [UNANIMOUS]
MOVER: Tim Abbott, Council Member, 4th Ward
SECONDER: Bill Woeste, Council Member at Large
AYES: Woeste, Besl, Keller, Pennington, Abbott
EXCUSED: D'Epifanio, Oberson

Ordinance to amend Ordinance No. 127-18 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, 2019, and ending December 31, 2019.”

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. 5-19. APPROVED 5-0.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Tim Abbott, Council Member, 4th Ward
SECONDER: Leslie Besl, Council Member, 1st Ward
AYES: Woeste, Besl, Keller, Pennington, Abbott
EXCUSED: D'Epifanio, Oberson

Motion to Suspend Second and Third Readings

Non-Contractual Appropriations: \$110,000 for 2019 Grounds, Entry-ways & Landscaping Program (multiple vendors); \$10,240 for Harbin Park Geotechnical Engineering.

Councilmember Abbott presented the first reading of this ordinance.

RESULT: CARRIED [UNANIMOUS]
MOVER: Tim Abbott, Council Member, 4th Ward
SECONDER: Bill Woeste, Council Member at Large
AYES: Woeste, Besl, Keller, Pennington, Abbott
EXCUSED: D'Epifanio, Oberson

Meeting Schedule

Clerk Wilson read the following meeting schedule:

- A. Monday, January 28 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM
- B. Monday, February 11 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM
- C. Monday, February 25 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM

Executive Session of Council (if needed)

Council adjourned to Executive Session at 7:25 PM.

14. ADJOURNMENT

The Regular Meeting adjourned at 7:40 PM.

ATTEST:

Clerk of Council

Mayor's Approval

Date Approved_____

Minutes Acceptance: Minutes of Jan 14, 2019 7:00 PM (Approval of Minutes)



City Council Ordinance
Regular Meeting - January 28, 2019

Submitted by: Erin Lynn,
 Submitting Department: Development Services

Subject:

Amendment to Symmes and Pleasant PUD

Legislation Title:

Ordinance amending Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, Section 1141.02, the City of Fairfield, Ohio, Zoning Map, by approving an amendment to the Final Development Plan for the Symmes and Pleasant Planned Unit Development.

Recommendation:

It is recommended that City Council have a first reading on this item at the November 26, 2018 meeting, set the public hearing date for December 3 and await the written recommendation from the Planning Commission.

Background/Synopsis:

An amendment to the Final Development Plan for the Symmes and Pleasant Planned Unit Development (PUD) to allow a grocery store to operate on 0.45 acres of land located at 4630 Pleasant Avenue. The PUD was originally approved in 2001 for a Walgreens drug store and Poteete Chiropractor. The grocery store is proposing to locate in the 2,200 square foot vacant chiropractor office building.

Financial Impact:

None. This is a land use decision.

Emergency Provision Explanation:

NA

Rule Suspension Requested:

No

Emergency Provision Needed:

No

Attachments:

1. Pleasant grocery map
2. Zoning-Ord
3. Grocery Store Rec Memo Minutes 12.12.18

HILL AVE

10.B.1.a

City of
Hamilton

SYMMES RD

GORSUCH ST

PLEASANT AVE

BEECH AVE

Attachment

Packet Pg. 13

BLACKBURN AVE

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 AN AMENDMENT TO THE FINAL DEVELOPMENT PLAN FOR THE SYMMES AND PLEASANT PLANNED UNIT DEVELOPMENT.

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

Section 1. The official Zoning Map of the City of Fairfield, Ohio, which is incorporated into Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio, Section 1141.02, is hereby amended by approving an amendment to the Final Development Plan for the Symmes and Pleasant Planned Unit Development to allow a grocery store to operate on 0.45 acres of land located at 4630 Pleasant Avenue in accordance with the amended Final Development Plan on file in the offices of the Clerk of Council and Department of Development Services.

Section 2. The Director of Development Services is directed to amend the official Zoning Map of the City of Fairfield, Ohio as approved in Section 1. above.

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

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

Clerk of Council

DEPARTMENTAL CORRESPONDENCE

City
of
Fairfield



TO Honorable Mayor and City Council
FROM Greg Kathman, Development Services Director

SUBJECT Final Development Plan – Grocery Store at 4630 Pleasant Ave.

DATE 1-4-19

On December 12, 2018 Planning Commission voted 6-1 to recommend denial of an application to modify the Final Development Plan to the Symmes and Pleasant Planned Unit Development (PUD) to allow a grocery store in a small building located at 4630 Pleasant Avenue, behind the Walgreen's store. The Final Development Plan, approved in 2001, permitted a chiropractor office in this building. The office building has been vacant for several years and was recently purchased with the intention of opening a retail grocery store.

Attached is Planning Commission's official recommendation to deny the application as well as a copy of the December 12, 2018 meeting minutes. I recommend that Council review these documents so as to better understand the information presented and the discussion held at the meeting. I expect that the applicant will attend the upcoming Council meetings to state his case for approval and that some neighbors opposing the proposal will also attend.

Should City Council decide to not accept the Planning Commission recommendation and approve the modifications to the Final Development Plan, staff recommends the following conditions of approval be included.

Possible Conditions of Approval

1. The proceeding terms and conditions of approval shall be codified in a Development Agreement to be executed by the Owner and the City.
2. All requirements stated in the existing Development Agreement dated October 5, 2001 that apply to this parcel shall remain in effect and be followed by the applicant, unless expressly modified hereto.
3. The approval is for a grocery store only. Approval is given only to the current property/business owner, Narayan Dhungel, and shall not be transferable with the business.
4. The site shall be maintained so as to be in compliance with the approved landscape plan dated September 6, 2001. Plants that are missing or dead shall be replaced by May 1, 2019. New mulch is to be installed annually in all landscape beds. The beds are to be kept free of weeds.
5. The existing privacy fencing on the east and south perimeter of this parcel shall be repaired as necessary and shall be maintained in good condition at all times.
6. The grocery store hours of operations shall not extend later than 9:00 p.m., seven days per week. Later hours of operation are not permitted without prior Planning Commission approval.

Attachment: Grocery Store Rec Memo Minutes 12.12.18 (1094 : Amendment to Symmes and Pleasant PUD)

7. Deliveries to the grocery store shall not occur outside the hours of 9:00 a.m. and 9:00 p.m.
8. There shall be no on-site cooking or meal preparation.
9. No outdoor sales or storage/display of merchandise is permitted.
10. All trash containers/dumpsters shall be located east of the building and shall be located in a solid wood privacy fence enclosure.
11. No window signage is permitted on the side of the building facing Pleasant Avenue. Only one "OPEN" sign is permitted at the building entrance on the north elevation. No other electronic or internally illuminated signs are permitted.
12. The existing brick sign base shall be used for the proposed ground sign. The ground sign shall not be internally illuminated. The ground sign and any future signage requires Planning Commission approval. The ground sign requires a building permit from the Building and Zoning Division.
13. The only approved modifications to the building shall be the entrance modification on the north elevation and the new window on the west elevation. The area below the window shall be replaced with brick to match the existing building. Such modifications require a building permit from the Building and Zoning Division.
14. No display racks or merchandise is permitted in front of the proposed west elevation window. If merchandise is located in front of the remaining windows, the blinds are to remain closed.

**DEPARTMENTAL
CORRESPONDENCE****City
of
Fairfield**

TO Mayor Miller and City Councilmembers

FROM Scott Lepsky, Chairman, Planning Commission

SUBJECT PLANNING COMMISSION RECOMMENDATION

DATE 12/12/18

Please be advised at the Planning Commission meeting held on Wednesday, December 12, 2018, the Planning Commission voted 6-1 to deny approval of the request to modify the Symmes and Pleasant PUD to allow the operation of a grocery store at 4630 Pleasant Ave., lot no. 13142.

Scott Lepsky, Chairman
Fairfield Planning Commission

cc: Mark T. Wendling, City Manager
Alisha Wilson, Clerk of Council
John Clemmons, Law Director

Attachment: Grocery Store Rec Memo Minutes 12.12.18 (1094 : Amendment to Symmes and Pleasant PUD)

Planning Commission Meeting
 December 12, 2018
 Page 1 of 6

MINUTES OF A REGULAR VOTING MEETING OF THE
FAIRFIELD PLANNING COMMISSION
DECEMBER 12, 2018

Scott Lepsky called the Regular Meeting of the Fairfield Planning Commission to order.
 Members present: Scott Lepsky, Don Hassler, Dean Langevin, Bill Woeste, Brian Begley, and Dale Paullus. Motion to excuse Terry Senger carried unanimously. (Mr. Senger arrived at 6:05)

MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting, held November 14, 2018 were approved unanimously.

OLD BUSINESS

NEW BUSINESS

Building Façade Approval – 5823 Olde Winton Ln. – Olde Winton Subdivision

A new house is being constructed in the subdivision. The front elevation includes cultured stone, brick veneer and shake siding. It does not have any bump-outs and there is no basement. The garage is accessed through the rear alley.

Scott Lepsky, seconded by Dale Paullus, motioned to approve building façade with the following conditions:

1. A white decorative fence shall be installed in the front yard.
2. One tree shall be planted by the Builder.
3. Any utility box located in the front yard shall be screened from view.

Motion carried 7-0.

Building Façade Approval – 5880 Olde Winton Ln. – Olde Winton Subdivision

The house being constructed will be on an irregular shaped corner lot and is one of the last available lots in the subdivision. There will be a brick knee wall and horizontal siding that will extend to the side of the house facing Olde Winton Court. More windows and bump-outs were added to the elevation along the street side yard to balance out that side of the house and make it

Planning Commission Meeting
December 12, 2018
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more visually appealing. The builder also plans to add picket fencing along a portion of that side. John Boyle, from JNB Custom Homes was in attendance and spoke. The development agreement for the Olde Winton subdivision requires a two car garage, but because of the irregular shape of the lot and the narrowness of the rear portion of the lot, Mr. Boyle requested a waiver to allow a one car garage. He submitted to the Commission the original floor plan of the home, which proposed a two car garage, but about 200 less square footage of living space. Three people previously looked at that floor plan to buy the house, but ended up walking away from the deal because of the smaller area of living space. The house with the new floor plan is already sold and the new owner is happy with the oversized one car garage.

Rex Richardson, Olde Winton resident and HOA board member, was present and spoke. He said that Mr. Boyle has been a big help completing the subdivision and has been very responsive to any issues that have surfaced. He discussed the subject lot. He said it was a difficult lot and at one time he talked about converting the lot to a park, but the neighborhood association voted against it. He noted that about 70% of the neighborhood is single car users; the one car garage should not be a problem.

Scott Lepsky, seconded by Dean Langevin, motioned to approve a waiver to the Development Agreement to allow a one car garage. The building façade was approved with the following conditions:

1. A white decorative fence shall be installed in the front yard.
2. One tree shall be planted by the Builder.
3. Any utility box located in the front yard shall be screened from view.

Motion carried 7-0.

Modification to PUD – 4630 Pleasant Ave. – Grocery Store

Erin Donovan-Lynn, Planning Manager, provided a report summarizing the history of this property and the current application. The original PUD was established in 2001, and this building was originally approved as a chiropractor's office. The building has been vacant for at least 4 years. The surrounding properties are mostly zoned R-1, with a small amount of C-2 and C-3A at the intersection of Pleasant Avenue and Symmes Road. There are 13 parking spaces; 9-10 are required for a grocery store use. The site has perimeter screening consisting of a privacy fence and trees. The building modifications that are proposed include adding a door to the front of the building to change the location of the customer entrance and adding more windows on the west

Planning Commission Meeting
December 12, 2018
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side of the building to provide more light. No building signage is proposed on the side facing Pleasant Ave. The floorplan was discussed. The configuration of the restrooms and former waiting area for the chiropractor's office requires the applicant to have the retail area on the west side of the building, which is why the additional door is being added to the front of the building. The added windows are intended to provide more natural light. Ms. Donovan-Lynn asked that the Commission consider not allowing window signage or shelving and merchandise to be seen through the windows. She discussed keeping the existing blinds closed on the remaining building windows if merchandise could be seen through the windows. Signage would be required to be similar to the existing and be approved through Planning Commission. The signage must be non-internally illuminated, since it is next to residential. The items in the existing Development Agreement would apply, plus any additional conditions of approval.

Ronald Roberto, Remax agent representing the applicant, was in attendance and spoke. The applicant plans to use 1000 square feet of the building for retail space, with the rest used for storage.

Jim Howell, resident at 4619 Pleasant Ave., spoke. He has lived there since 1978 and knows the history of the site. It was originally built as a chiropractic office that was open during daytime hours. He believes the area will decline if a grocery store moves in. He would prefer to see an office type use, and doesn't think they should "settle" on this use just to get someone in the building.

Don Bond, 4643 Pleasant Ave., spoke. He said all of his comments from the Public Hearing still stand. He is also concerned that the wall the applicant wants to remove is load bearing and adding a door will put stress on the wall and could collapse the roof. Lee Rosato, Fairfield Building Official, was in attendance. He has reviewed the plans, submitted by a registered design professional, and the plans appear to be sufficient. Mr. Hassler stated they were not there to discuss the building itself, they were supposed to be discussing the use and zoning. He doesn't support the approval of the grocery store. The office building is a buffer between the commercial and residential uses.

Harry Bown, 4627 Pleasant Ave., spoke. He said the building was constructed as a buffer between Walgreens and the residential areas. He wants to see a business type use with daytime hours and thinks a grocery store would be detrimental to the area. Janet Bown spoke. She thinks a grocery store will draw "undesirables" later at night. She doesn't want a convenience store around the homes in the area.

Planning Commission Meeting
 December 12, 2018
 Page 4 of 6

Mr. Roberto spoke again. He said he is hearing that the owners would like to see an empty, deteriorating building rather than his client's business. The proposed store has fewer hours than the Walgreens next door with which they share a parking lot. Walgreens is open until 10:00 pm. The owner wants to relocate to Fairfield and be a part of the community. The building itself is still there to provide a buffer. Mr. Woeste discussed the sale of the building. The sale closed about two months ago. The property is zoned PUD, but a map that was on the city web site incorrectly showed the property zoned C-2 PUD. Mr. Roberto stated the store would have been allowed in a C-2 district. Mr. Woeste asked if he contacted the City to find out what was stated in the PUD before the sale was finalized and Mr. Roberto said no.

Mr. Senger stated that he did not want any signage on the Pleasant Ave. side of the building at all. He was okay with a non-illuminated "Open" sign on the north side of the building near the door. He also thinks all the windows on Pleasant Ave. should not show any shelving or merchandise inside; he wants the outside of the business to maintain a professional appearance. Mr. Woeste said he wants to support small businesses; the building has been vacant for some time. He is concerned that the restrictions will not allow them to be successful. Mr. Hassler said he wants to listen to the neighbors and they do not support the grocery store. Mr. Lepsky said he understands wanting to be business friendly, but the building was not intended to be a 7 day a week, 9 am to 9 pm retail store, nor was the PUD written to include a grocery store.

Ms. Donovan-Lynn read the following suggested conditions of approval:

1. The proceeding terms and conditions of approval shall be codified in a Development Agreement to be executed by the Owner and the City.
2. All requirements stated in the existing Development Agreement dated October 5, 2001 that apply to this parcel shall remain in effect and be followed by the applicant, unless expressly modified hereto.
3. The approval is for a grocery store only. Approval is given only to the current property/business owner, Narayan Dhungel, and shall not be transferable with the business.
4. The site shall be maintained so as to be in compliance with the approved landscape plan dated September 6, 2001. Plants that are missing or dead shall be replaced by May 1, 2019. New mulch is to be installed annually in all landscape beds. The beds are to be kept free of weeds.
5. The existing privacy fencing on the east and south perimeter of this parcel shall be repaired as necessary and shall be maintained in good condition at all times.
6. The grocery store hours of operations shall not extend later than 9:00 p.m., seven days

- per week. Later hours of operation are not permitted without prior Planning Commission approval.
7. Deliveries to the grocery store shall not occur outside the hours of 9:00 a.m. and 9:00 p.m.
 8. There shall be no on-site cooking or meal preparation.
 9. No outdoor sales or storage/display of merchandise is permitted.
 10. All trash containers/dumpsters shall be located east of the building and shall be located in a solid wood privacy fence enclosure.
 11. No window signage is permitted on the side of the building facing Pleasant Avenue. Only one "OPEN" sign is permitted at the building entrance on the north elevation. No other electronic or internally illuminated signs are permitted.
 12. The existing brick sign base shall be used for the proposed ground sign. The ground sign shall not be internally illuminated. The ground sign and any future signage requires Planning Commission approval. The ground sign requires a building permit from the Building and Zoning Division.
 13. The only approved modifications to the building shall be the entrance modification on the north elevation and the new window on the west elevation. The area below the window shall be replaced with brick to match the existing building. Such modifications require a building permit from the Building and Zoning Division.
 14. No display racks or merchandise is permitted in front of the proposed west elevation window. If merchandise is located in front of the remaining windows, the blinds are to remain closed.

The applicant agreed to all of the conditions. Mr. Senger asked that #11 be changed to reflect the "Open" sign color should be white. Mr. Woeste asked Mr. Howell if he was aware of the conditions of approval and happy with them. Mr. Howell stated that he was pleased with some of the conditions; as they addressed some of his concerns he stated at the Public Hearing, but he still doesn't see the need for the store if they are selling the same things as Walgreens and as the other two Nepalese stores in the area. He would be concerned if they did not succeed and another similar business would move in. Mr. Bond stated they should have checked with the city first before they made the purchase. Steve Wolterman, city attorney, explained that the approval would be for this owner only, and any future user would have to get approval. However, if approved, they are setting a precedent and it would more difficult to deny a future similar user approval. He informed everyone that the vote tonight was just a recommendation to City Council and that no final decision was going to be made at this meeting. Council will make the final decision on whether to adopt or reject their recommendation. There was discussion regarding other areas in the city where there are commercial uses abutting residential uses. Reigert Square,

Planning Commission Meeting
December 12, 2018
Page 6 of 6

Village Green, and the Mack and Gilmore area were discussed.

Terry Senger, seconded by Brian Begley, motioned to recommend approval of the modification to the PUD, with the change to #11 that the sign be white in color. A roll call vote was taken; motion failed 3-4, with Scott Lepsky, Don Hassler, Dean Langevin, and Dale Paullus dissenting.

Scott Lepsky, seconded by Dale Paullus, motioned to recommend denial of the modification to the PUD. A roll call vote was taken; motion passed 6-1, Brian Begley dissenting.

The recommendation to deny the modification to the PUD will be sent to City Council. City Council is expected to have a second reading on January 14, 2019, and a third and final reading and vote on January 28, 2019.

REPORTS/STUDIES/GENERAL DISCUSSION

Dale Paullus reported that the Parks Board approved ordinances for engineering for Phase 1 of Harbin Park and the Marsh Park addition.

Motion to cancel the December 26, 2018 meeting carried unanimously.

Motion to adjourn carried unanimously.

Scott Lepsky, Chairman

Lynda McGuire, Secretary



City Council Resolution Regular Meeting - January 28, 2019

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 2019 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 2019 program year. There are approximately 995 property locations marked for repair or replacement (33 of these are City responsibility while the other 962 are resident/business owner responsibility). There are approximately 15,775 Square Feet of 4" (sidewalk), 14,750 Square Feet of 7" (driveway aprons) concrete, and 7,800 Square Feet of 9" (commercial driveway aprons) concrete marked for replacement. There are 585 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.

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:

None requested.

Rule Suspension Requested:

No

Emergency Provision Needed:

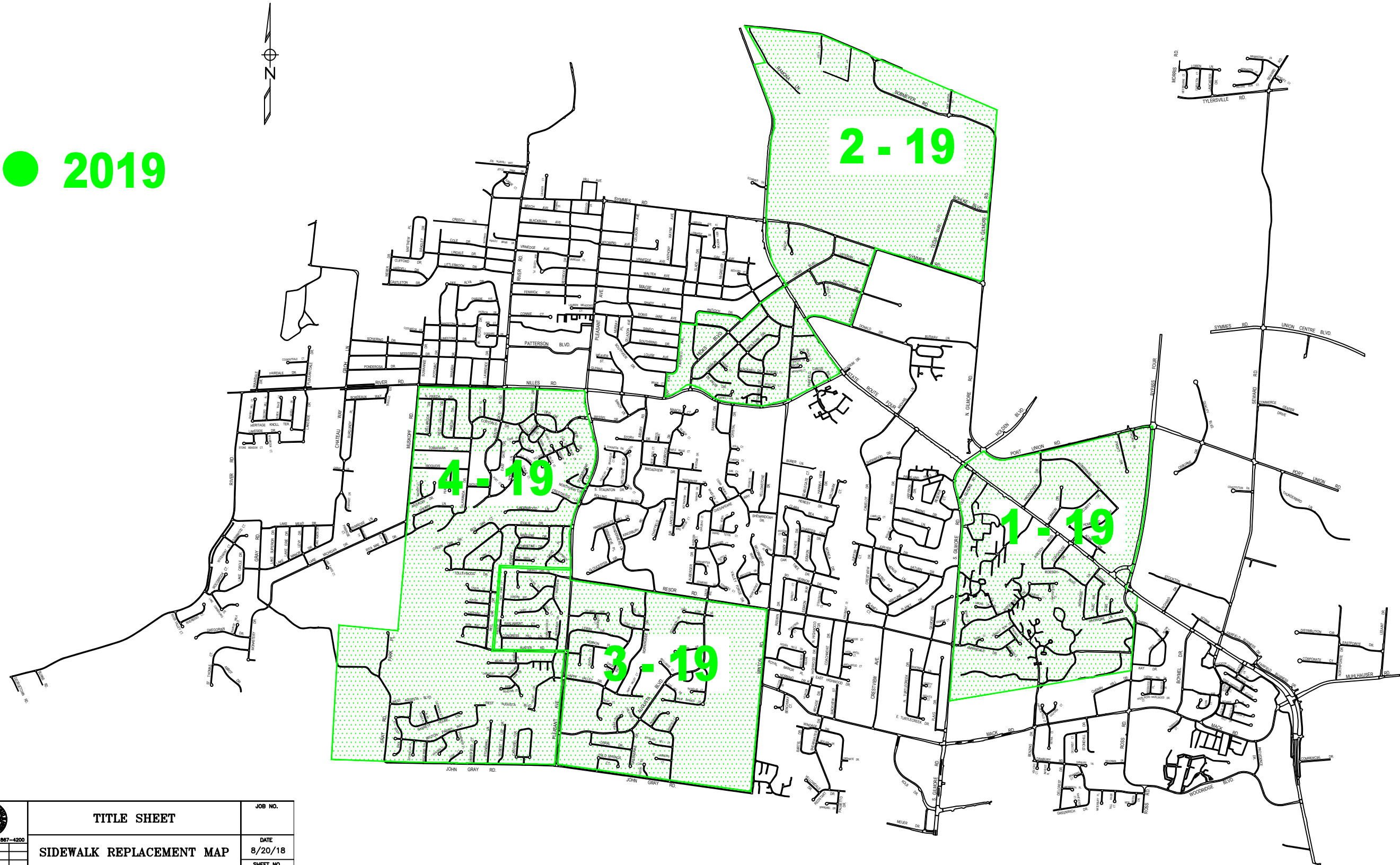
No

Attachments:

1. 2019 Sidewalk Map
2. Sidewalk Repair and Replace-Res

Sidewalk Replacement Program

● 2019



CITY OF FAIRFIELD 570 North Gilmore Road • Fairfield, Ohio • (513) 867-4200		TITLE SHEET		JOB NO.
		SIDEWALK REPLACEMENT MAP		DATE 8/20/18
		FAIRFIELD, OHIO		SHEET NO. 1/1
NO.	DATE	REVISIONS		BY
SCALE	DESIGN-LAYOUT	NWC	DRAWN	CHECKED
N.T.S				

Attachment: 2019 Sidewalk Map (1111 : Resolution of Necessity to require repair and/or replacement of sidewalks)

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.
- 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\2019\Sidewalk Repair and Replace-Res

Attachment: Sidewalk Repair and Replace-Res (1111 : Resolution of Necessity to require repair and/or replacement of sidewalks)



City Council Ordinance
Regular Meeting - January 28, 2019

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 contract with TR Gear Landscaping for a three (3) year term for the landscape care and maintenance for the State Route 4 & Patterson Blvd. streetscape.

Recommendation:

It is recommended that City Council direct the legislation authorizing the City Manager to enter into a contract with TR Gear Landscaping for a three (3) year term. Funding is requested in the amount of \$67,659.00 from the Capital Improvements Fund for the first year of the contract.

Background/Synopsis:

The Public Works Department advertised for bids on December 14, 2018 and December 21, 2018. Bids were opened on December 31, 2018 and two (2) proposals were received (see attached).

In review of the bids submitted the lowest and best bidder was T.R. Gear Landscaping for a total contract of \$202,977 (\$67,659 per year).

The project is programmed in the current 2018-2022 CIP as 9PW08.

The 2016-2018 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 \$5,598 less than the current 3-year contract. The new contract will begin April 1, 2019. 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:

\$67,659.00 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 9PW08 Grounds, Entryways and Landscaping Program.

Emergency Provision Explanation:

None requested.

Rule Suspension Requested:

No

Emergency Provision Needed:

No

Attachments:

1. 2019 Landscape Care and Maintenance
2. TR Gear Landscaping-Ord

City of Fairfield**Bid Tabulation for: Landscape Care and Maintenance - State Route 4 & Patterson Blvd Streetscape****Bid Opening: December 31, 2018, City of Fairfield Council Chambers****Engineer's Estimate: \$95,000.00**

T.R. Gear Landscaping 3300 Port Union Rd. Fairfield, OH 45014	K&R Lawn and Landscaping 611 Maple Ave Hamilton, OH 45011
--	--

Description	Year 1	Year 2	Year 3	Year 1	Year 2	Year 3
South Route 4 (South of Seward Rd.)	\$ 62,195.00	\$ 62,195.00	\$ 62,195.00	\$ 65,982.00	\$ 65,982.00	\$ 65,982.00
North Route 4 (North of Symmes Rd.)	\$ 3,178.00	\$ 3,178.00	\$ 3,178.00	\$ 3,273.00	\$ 3,273.00	\$ 3,273.00
Patterson Drive	\$ 2,286.00	\$ 2,286.00	\$ 2,286.00	\$ 2,355.00	\$ 2,355.00	\$ 2,355.00

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.

ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TR GEAR LANDSCAPING FOR A THREE (3) YEAR TERM FOR THE LANDSCAPE CARE AND MAINTENANCE FOR THE STATE ROUTE 4 & PATTERSON BLVD. STREETScape.

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 contract with TR Gear Landscaping for a three (3) year term for the landscape care and maintenance for the State Route 4 & Patterson Blvd. Streetscape in accordance with the bid on file in the office of the City Manager.

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

Passed	_____	_____
		Mayor's Approval
Posted	_____	
First Reading	_____	Rules Suspended _____
Second Reading	_____	
Third Reading	_____	

ATTEST:

Clerk of Council

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

Clerk of Council

Active Clients\City of Fairfield\Ordinances\2019\TR Gear Landscaping-Ord

Attachment: TR Gear Landscaping-Ord (1114 : Landscaping Maintenance Contract Award)



City Council Ordinance
Regular Meeting - January 28, 2019

Submitted by: Erin Lynn,
 Submitting Department: Development Services

Subject:

Change in Zoning from PUD, Planned Unit Development to M-2, General Industrial District

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 changing the current Frederic's Corporation Planned Unit Development Plant to M-2, General Industrial District.

Recommendation:

It is recommended that City Council have a first reading on this item at the January 28, 2019 meeting, set the joint public hearing date for February 11, and await the written recommendation from the Planning Commission.

Background/Synopsis:

An ordinance approving a change in zoning from PUD, Planned Unit Development, to M-2, General Industrial District, for Lots 9540, 9541, 9542 and PT 9543 located at 4235 Muhlhauser Road.

The site was rezoned from M-2 to PUD in 1993 to allow for the Frederic Corporation Learning and Development Center, which proposed an office/warehouse, training facility/beauty school, daycare center and a dormitory. The office/warehouse was utilized until the mid-2000s while the other uses never came to fruition. The property was purchased in 2013 by the current owner. It is surrounded on all sides by M-2 zoning.

The site is currently owned by JTF Construction and operated as a contractors yard. It consists of six lots with five curb-cuts and contains a 20,000 square foot office/warehouse building. The site also contains a former green house. Two other buildings on site were demolished over 10 years ago for various reasons.

The applicant proposes to construct a +/- 10,000 square foot building west of the existing building. An existing equipment lot will be located between the two buildings. Rezoning to M-2 will allow these improvements and other future improvements to proceed without requiring continual modifications to the PUD.

Financial Impact:

None. This is a land use decision.

Emergency Provision Explanation:

Rule Suspension Requested:

No

Emergency Provision Needed:

No

Attachments:

1. rezoning aerial_council letter
2. PUD-Ord

4235 Muhlhauser Road - Rezoning



Attachment: rezoning aerial_council letter (1121 : Change in Zoning from PUD, Planned Unit Development to M-2, General Industrial District)

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 CHANGING THE CURRENT FREDERIC'S CORPORATION PLANNED UNIT DEVELOPMENT PLAN TO M-2, GENERAL INDUSTRIAL DISTRICT.

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 Lots 9540, 9541, 9542 and part lot 9543 located at 4235 Muhlhauser Road from its present Frederic's Corporation Planned Unit Development classification to M-2, General Industrial District.

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

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\2019\PUD-Ord

Attachment: PUD-Ord (1121 : Change in Zoning from PUD, Planned Unit Development to M-2, General Industrial District)



City Council Action Item
Regular Meeting - January 28, 2019

Submitted by: Alisha Wilson, Clerk
 Submitting Department: Clerk

Subject:

Cobblestone Tavern Liquor Permit

Legislation Title:

Simple Motion: Motion to not request a hearing regarding a liquor permit application in the name of JSSizemore LLC dba Cobblestone Tavern, 4735-37 Dixie Highway & Patio, Fairfield, OH 45014 (Permit Class D5 & D6).

Recommendation:

It is recommended that City Council request, by simple motion, that **no hearing be held** on the liquor permit application in the name of JSSizemore LLC dba Cobblestone Tavern, 4735-37 Dixie Highway & Patio, Fairfield, OH 45014 (Permit Class D5 & D6).

Background/Synopsis: The City of Fairfield is in receipt of an application from the Ohio Division of Liquor Control for a D5 & 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. Cobbleston.LiquorReport
2. Cobblestone.DSReport
3. CobblestoneTavern.PDReport

DEPARTMENTAL CORRESPONDENCE

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

FROM Alisha Wilson, Clerk of Council *AW*

City
of
Fairfield



SUBJECT Request for Background Check – Liquor Permit

DATE 1/8/2019

Attached is a liquor permit application in the name of JSSizemore LLC dba Cobblestone Tavern, 4735-37 Dixie Highway & Patio, Fairfield, OH 45014 (Permit Classes: D5 & D6).

Please complete the necessary background check and submit your findings to me **no later than 10:00 AM on Monday, January 21, 2019.**

This item will be added to Council's Regular Meeting agenda of Monday, January 28, 2019.

Thank you for your assistance.

c: Mark Wendling, City Manager
File

Attachment: Cobbleston.LiquorReport (1126 : Cobblestone Tavern Liquor Permit)

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

TO

4403899			TRFO	JSSIZEMORE LLC
PERMIT NUMBER			TYPE	DBA COBBLESTONE TAVERN
06	01	2017	4735-37 DIXIE HWY & PATIO	
ISSUE DATE			FAIRFIELD OH 45014	
01	02	2019		
FILING DATE				
D5	D6	PERMIT CLASSES		
09	011	A	F21610	
TAX DISTRICT		RECEIPT NO.		

FROM 01/04/2019

2850899				4737 DIXIE HIGHWAY LLC
PERMIT NUMBER			TYPE	4735-37 DIXIE HWY & PATIO
06	01	2017	FAIRFIELD OH 45014	
ISSUE DATE				
01	02	2019		
FILING DATE				
D5	D6	PERMIT CLASSES		
09	011			
TAX DISTRICT		RECEIPT NO.		



MAILED 01/04/2019

RESPONSES MUST BE POSTMARKED NO LATER THAN.

02/04/2019

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.
 REFER TO THIS NUMBER IN ALL INQUIRIES **A TRFO 4403899**

(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

Commerce Division of Liquor Control : Web Database Search

OWNERSHIP DISCLOSURE INFORMATION

This online service will allow you to obtain ownership disclosure information for issued and pending retail liquor permit entities within the State of Ohio.

Searching Instructions

Enter the known information and click the "Search" button. **For best results, search only ONE criteria at a time.** If you try to put too much information and it does not match exactly, the search will return a message "No records to display".

The information is sorted based on the Permit Number in ascending order.

To do another search, click the "Reset" button.

SEARCH CRITERIA**Permit Number**

4403899

Permit Name / DBA**Member / Officer Name****Search****Reset****Main Menu**

Member/Officer Name	Shares/Interest	Office Held
Permit Number: 4403899; Name: JSSIZEMORE LLC; DBA: DBA COBBLESTONE TAVERN; Address: 4735-37 DIXIE HWY & PATIO FAIRFIELD 45014		
KATHLEENE GETZ	5% VOTING	
JULIE SIZEMORE	MANAGE MEM	

- [Ohio.Gov](#)
- [Ohio Department of Commerce](#)

[Commerce Home](#) | [Press Room](#) | [CPI Policy](#) | [Privacy Statement](#) | [Public Records Request Policy](#) | [Disclaimer](#) | [Employment](#) | [Contacts](#)

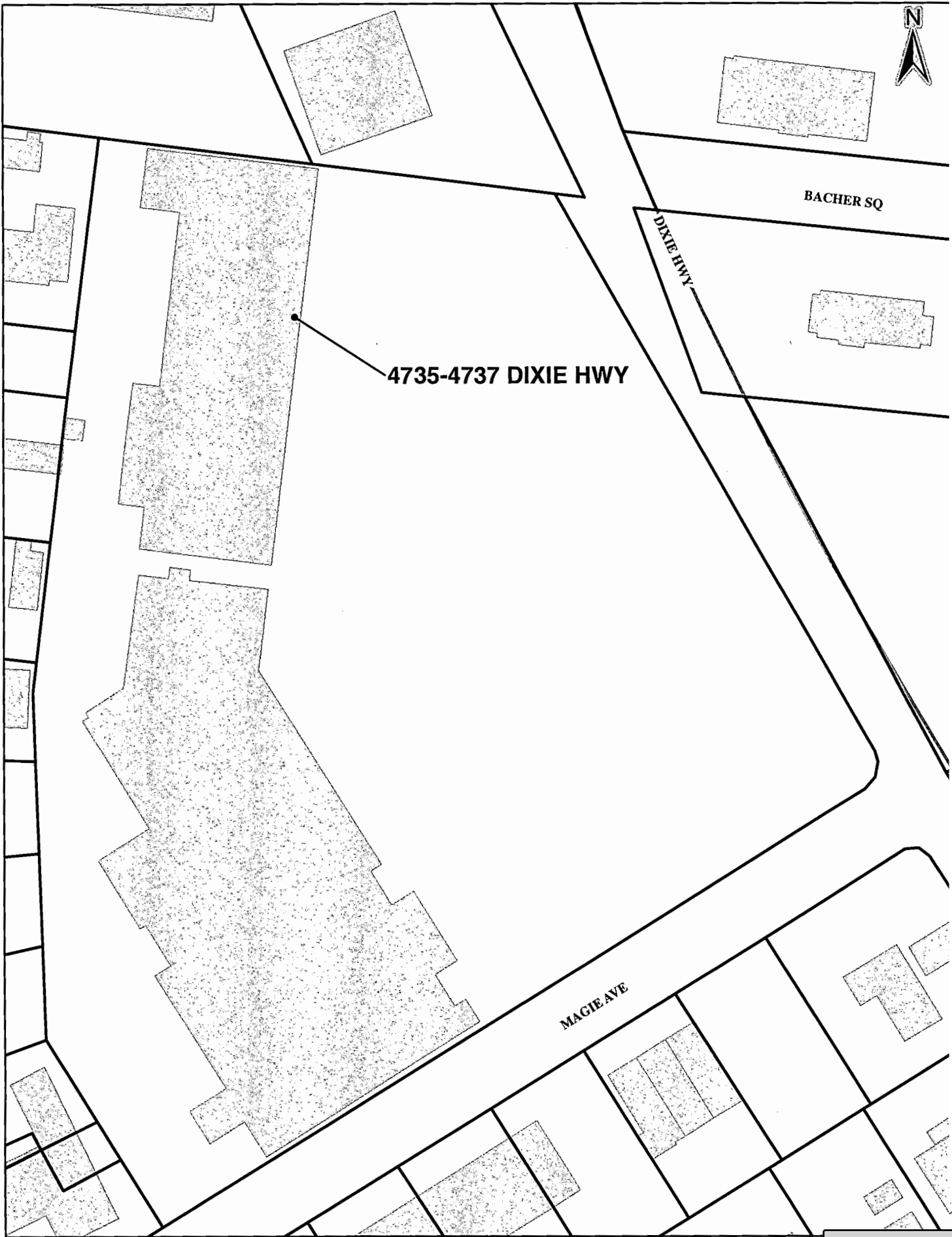
Attachment: Cobbleston.LiquorReport (1126 : Cobblestone Tavern Liquor Permit)

**DEPARTMENTAL
CORRESPONDENCE****City
of
Fairfield**TO Alisha Wilson, Clerk of CouncilFROM Greg Kathman, Development Services Director *GK*SUBJECT Liquor Permit ApplicationDATE 1/9/19

The business located at 4735-37 Dixie Hwy & Patio, Fairfield, Ohio, in the name of JSSizemore LLC and doing business as Cobblestone Tavern, is in the C-3, General Business District and is a permitted use.

Attachment: Cobblestone.DSReport (1126 : Cobblestone Tavern Liquor Permit)

4735-4537 DIXIE HWY



Attachment: Cobblestone.DSReport (1126 : Cobblestone Tavern Liquor Permit)

NAME OF ESTABLISHMENT JSSizemore LLC

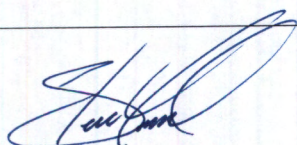
ADDRESS DBA Cobblestone Tavern

4735-37 Dixie Hwy & Patio

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 17, 2019

Attachment: CobblestoneTavern.PDRReport (1126 : Cobblestone Tavern Liquor Permit)



City Council Ordinance
Regular Meeting - January 28, 2019

Submitted by: Ben Mann,
 Submitting Department: Public Works

Subject:

Duke Easement for Overhead Lines for the River and Gray Project Improvements.

Legislation Title:

Ordinance to authorize the City Manager to execute a grant of easement to Duke Energy Ohio, Inc. for electric and/or telecommunication overhead lines and related appurtenances to facilitate the River Road and Gray Road project improvements and declaring an emergency.

Recommendation:

It is recommended that the City Council authorize the City Manager to sign the easement for the compensation offered. This easement is for the utility relocation that is needed in conjunction with the River Road and Gray Road Improvements.

Background/Synopsis:

The final design for a roundabout improvement at the River Road and Gray Road intersection requires the relocation of Duke's existing overhead facilities on River Road. Duke will relocate this line at their expense within City right of way. Duke desires a small easement (approximately 10' x 15') beyond the existing right of way for future maintenance and protection of these facilities.

Plans are to add a modern roundabout similar to those constructed by the Butler County Engineer's Office. Work will include performing necessary base repairs, drainage improvements, a combination of curb and ditch improvements and the overlay of the entire road as well as landscaping and LED lighting by Duke Energy. This improvement is being driven by scheduled park improvements at Marsh Lake, the Dog Park, and the future Bike Trail between them.

State funding from the Ohio Public Works Commission has been secured and will be combined with local funding for construction in the summer of 2019.

Financial Impact:

Duke Energy of Ohio (DEO) will purchase from the City for \$1.00.

Emergency Provision Explanation:

In order to start the process of utility relocation as soon as possible, a suspension of rules and emergency provision is being requested.

Rule Suspension Requested:

Yes

Emergency Provision Needed:

Yes

Attachments:

1. 2019 Duke Easement for River and Gray
2. Picture of Existing River and Gray Intersection
3. Overhead Lines-Ord

GRANT OF EASEMENT

Pt. Parcel # A0700010000032

In consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, **CITY OF FAIRFIELD, OHIO**, an Ohio municipal corporation (hereinafter referred to as "Grantor"), hereby grant(s) unto **DUKE ENERGY OHIO, INC.**, an Ohio corporation, with a mailing address of 139 East Fourth Street, Cincinnati, OH 45202 and its successors and assigns (hereinafter referred to as "Grantee"), a perpetual, non-exclusive easement to construct, reconstruct, operate, patrol, maintain, repair, replace, relocate, add to, modify and remove electric and/or telecommunication overhead line or lines, including but not limited to, all necessary and convenient supporting structures such as towers, poles, wires, cables, guy wires with anchors, grounding systems, counterpoises, and all other appurtenances, fixtures and equipment (hereinafter referred to as the "Facilities") for the transmission and distribution of electrical energy, and for technological purposes (including but not limited to telecommunications), in, upon, over, along, under, through and across the following described real estate:

Situate in the State of Ohio, County of Butler, and the City of Fairfield, Section 9, Town 1, Range 2 (Between the Miamis), and containing 3.287 acres more or less, as conveyed to **CITY OF FAIRFIELD, OHIO** from ANN M. HENRY, married and NANCY R. HELM, unmarried, by Warranty Deed dated December 29, 2016 and recorded in **Official Record Book 8987, Page 617 (File Number 2017-00000354)** in the Office of the Recorder of Butler County, Ohio (hereinafter referred to as "Grantor's Property"); and being more particularly described as follows:

Said easement being that area indicated, relative to landmarks and property lines, as described and shown on a survey drawing marked Exhibit "A", attached hereto and becoming a part hereof (hereinafter referred to as the "Easement Area").

This easement grant shall include, but not be limited to, the following respective rights and duties of Grantor and Grantee:

1. Grantee shall have the right of ingress and egress over the Easement Area, and over the adjoining land of Grantor's Property (using lanes, driveways, and adjoining public roads where practical as determined by Grantee).

2. Grantee shall have the right to cut down, clear, trim, remove, and otherwise control any trees, shrubs, overhanging branches, and/or other vegetation upon or over the Easement Area. Grantee shall also have the right to cut down, clear, trim, remove, and otherwise control any trees, shrubs, overhanging branches, and/or other vegetation which are adjacent to the Easement Area but only to the extent such vegetation may endanger, as reasonably determined by Grantee, the safe or reliable operation of the Facilities, or where such vegetation is trimmed consistent with generally accepted arboricultural practices.

3. Grantee shall have the right to allow third parties to attach equipment to Grantee's Facilities, and any such equipment shall include but not be limited to, wires, cables, and other fixtures; provided, that Grantor shall pursue any claim with the third party and not Grantee, if any such claim arises out of any third party's attachment.

4. To the best of Grantor's knowledge, the Easement Area and the adjoining land of Grantor's Property have never been used to release, discharge, generate or store any toxic, hazardous, corrosive, radioactive or otherwise harmful substance or material.

5. Grantor shall not place, or permit the placement of, any obstructions which may interfere with the exercise of the rights granted herein to Grantee. Grantee shall have the right to remove any such obstruction.

6. Grantee shall have the right to pile dirt and other material and to operate equipment upon the surface of the Easement Area and the adjoining land of Grantor's Property, but only during those times when Grantee is constructing, reconstructing, maintaining, repairing, replacing, relocating, adding to, modifying, or removing the Facilities.

7. Excluding the removal of vegetation and obstructions as provided herein, any physical damage to the surface area of the Easement Area and the adjoining land of Grantor's Property resulting from the exercise of the rights granted herein to Grantee, shall be promptly paid by Grantee, or repaired or restored by Grantee to a condition which is reasonably close to the condition it was in prior to the damage, all to the extent such damage is caused by Grantee or its contractors or employees. In the event that Grantee does not, in the opinion of Grantor, satisfactorily repair any damage, Grantor must, within ninety (90) days after such damage occurs, file a claim for such damage with Grantee at (a) 139 East Fourth Street, Cincinnati, OH 45202, Attn: Right of Way Services, or (b) by contacting an authorized Right of Way Services representative of Grantee.

8. Grantor shall have the right to use the Easement Area and the adjoining land of Grantor's Property in any manner which is consistent with the rights granted herein to Grantee, and shall comply with all applicable codes when making use of the land near the Facilities.

9. Notwithstanding anything to the contrary contained herein, Grantor shall not without the prior written consent of Grantee (a) construct or install, or permit the construction or installation of any building, house, or other above-ground structure, or portion thereof, upon the Easement Area; or (b) excavate or place, or permit the excavation or placement of any dirt or other material upon or below the Easement Area; or (c) cause, by excavation or placement of material, either on or off the Easement Area, a pond, lake, or similar containment vehicle that would result in the retention of water in any manner within the Easement Area.

10. Grantor warrants that it has the necessary authority and title to Grantor's Property to grant this easement to Grantee, and shall defend and hold Grantee harmless from the claim of any third party that Grantor does not have such authority or title.

11. The respective rights and duties herein of Grantor and Grantee shall inure to the benefit of, and shall be binding upon the respective successors, assigns, heirs, personal representatives, lessees, licensees, and/or tenants of Grantor and Grantee. Easement, Grantor and Grantee, as used herein, shall be deemed to be plural, when required to be so. The exercise of any or all of the rights and privileges of Grantee set forth herein, shall be at the sole discretion of Grantee.

[Signature page(s) follow.]

IN WITNESS WHEREOF, Grantor has caused this Grant of Easement to be signed by its duly authorized representative(s), effective the ____ day of _____, 2019.

CITY OF FAIRFIELD, OHIO,
an Ohio municipal corporation
Grantor

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

STATE OF _____)
) SS:
COUNTY OF _____)

Personally appeared before me this day _____, _____, (a) duly authorized representative(s) of Grantor and acknowledged the signing of this Grant of Easement by _____ to be a voluntary act and deed for and on behalf of Grantor, and having been duly sworn/affirmed, state(s) that any representations contained therein are true to the best of _____ personal knowledge.

WITNESS my hand and notarial seal, this ____ day of _____, 2019.

My Commission Expires: _____

Signed Name: _____

My County of Residence: _____

Printed Name: _____

This Instrument Prepared by Lindi S. Vernick, Esq., 425 Walnut Street, Suite 1800, Cincinnati, Ohio 45202.

For Grantee's Internal Use:

Line Name/No 5767

R/W Tract No:

Job Control # 29209598

LU#1708558

Prep/Chk: DRF

Dwg/Fac Ref.: BT111-T5

Prepared Date: 12/27/2018

Berding Surveying



GPS Surveying • 3D Laser Scanning

EXHIBIT "A" DUKE ENERGY OHIO, INC EASEMENT

Description for: City of Fairfield
- 0.0033 ACRES (LU #1708558)
Location: CITY OF FAIRFIELD, BUTLER COUNTY, OHIO

Situated in Section 9, Town 1, Range 2, City of Fairfield, Butler County, Ohio and being part of Lot 320 of the City of Fairfield and being more particularly described as follows:

BEGINNING at a point in the east right of way line of River Road, said point being North 01°47'38" East, 164.91 feet from the intersection of the existing right of way line of River Road and the existing north right of way line Gray Road,

Thence along said east line, North 01°47'38" East, 10.42 feet;

Thence leaving said east line through the lands of the grantor the following three (3) courses;

- 1) South 71°52'35" East, 15.89 feet,
- 2) South 18°07'25" West, 10.00 feet,
- 3) North 71°52'35" West, 12.96 feet to the **POINT OF BEGINNING**.

Containing 0.0033 Acres, Subject to legal highways and easements of record.

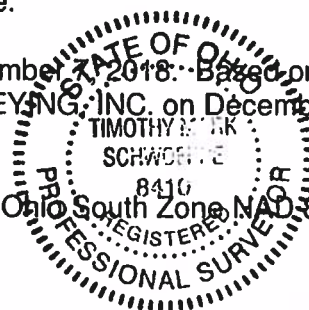
Being part of those lands conveyed to the City of Fairfield as recorded in Book 8987, Page 617 of the Butler County Recorder's Office and further identified as Parcel A0700010000032 of the Butler County Auditor's Office.

Prepared by G.J. BERDING SURVEYING, INC. December 7, 2018. Based on an Easement Exhibit prepared by G.J. BERDING SURVEYING, INC. on December 7, 2018 and attached hereto.

Bearings based upon State Plane coordinate system, Ohio South Zone, NAD 83 (2011).

Tim Schwoeppe
 Tim Schwoeppe, PS 8410

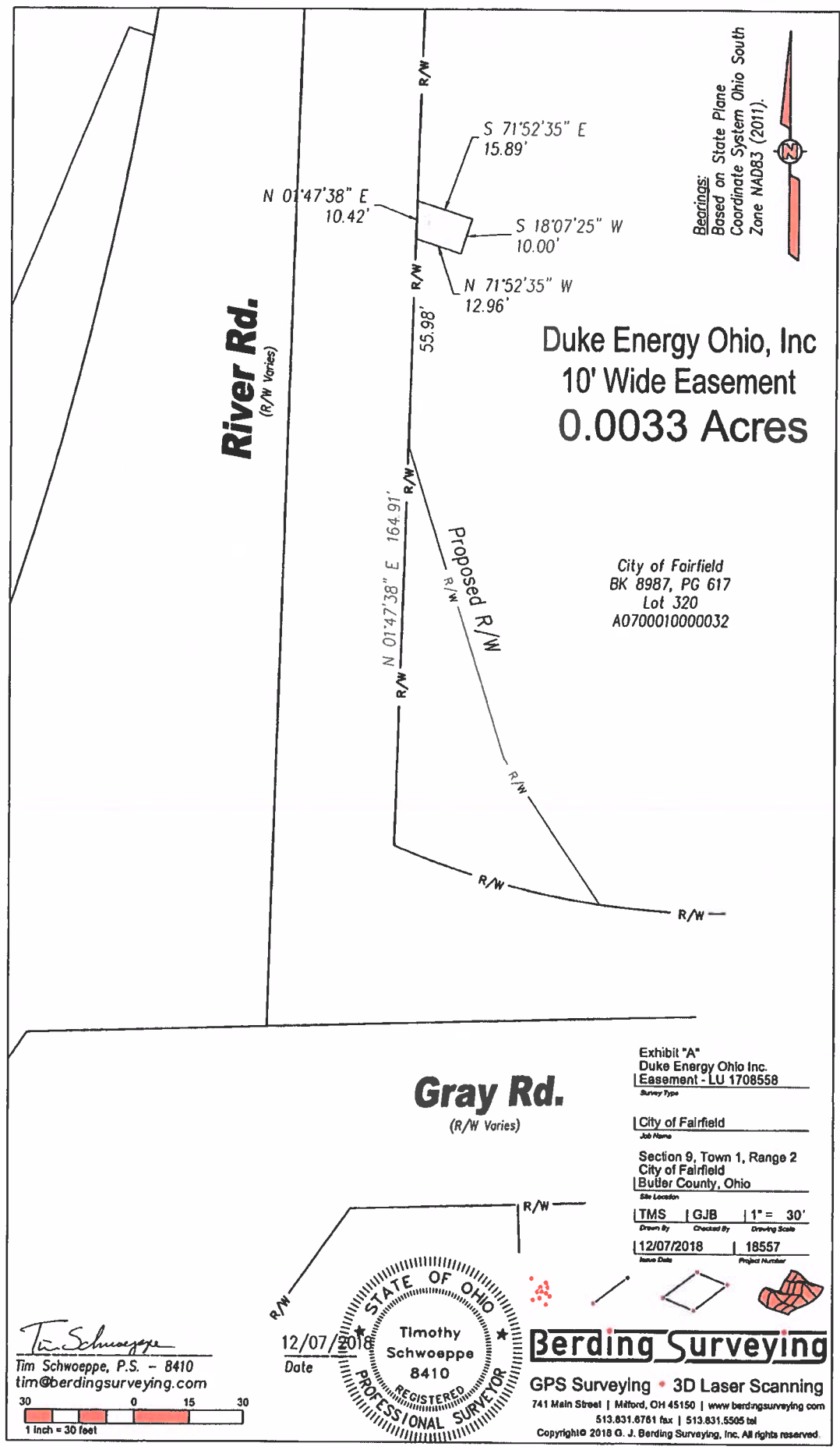
12/07/2018
 Date



G.J. Berding Surveying, Inc.

741 Main Street • Milford, OH 45150 • 513 831 5505 tel • 513 831 6761 fax • www.berdingsurveying.com

Attachment: 2019 Duke Easement for River and Gray (1120 : Duke Easement for Overhead Lines for the River and Gray Project Improvements.)



Attachment: 2019 Duke Easement for River and Gray (1120 : Duke Easement for Overhead Lines for the River and Gray Project Improvements.)



ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO EXECUTE A GRANT OF EASEMENT TO DUKE ENERGY OHIO, INC. FOR ELECTRIC AND/OR TELECOMMUNICATION OVERHEAD LINES AND RELATED APPURTENANCES TO FACILITATE THE RIVER ROAD AND GRAY ROAD PROJECT IMPROVEMENTS AND DECLARING AN EMERGENCY.

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

Section 1. The City Manager is hereby authorized to execute a Grant of Easement to Duke Energy Ohio, Inc. for electric and/or telecommunication overhead lines and related appurtenances to facilitate the River Road and Gray Road Project Improvements in accordance with the Grant of Easement file in the office of the City Manager.

Section 2. This Ordinance is hereby declared to be an emergency measure necessary for the urgent benefit and protection of the City and its inhabitants for the reason that Duke Energy Ohio, Inc. can start the process of utility relocation as soon as possible for the River Road and Gray Road Project Improvements; wherefore, this ordinance shall take effect immediately upon its passage.

Passed	_____	_____	_____
		Mayor's Approval	
Posted	_____		
First Reading	_____	Rules Suspended	_____
Second Reading	_____	Emergency	_____
Third Reading	_____		

ATTEST:

Clerk of Council

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

Clerk of Council

Active Clients\City of Fairfield\Ordinances\2018\Overhead Lines-Ord

Attachment: Overhead Lines-Ord (1120 : Duke Easement for Overhead Lines for the River and Gray Project Improvements.)



City Council Ordinance
Regular Meeting - January 28, 2019

Submitted by: Ben Mann,
 Submitting Department: Public Works

Subject:

Construction Award for Bridge Maintenance Improvements

Legislation Title:

Ordinance to authorize the City Manager to execute a contract with Sunesis Construction for the bridge maintenance improvements project.

Recommendation:

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

It is also recommended that City Council direct the preparation of legislation authorizing the City Manager to enter into a contract with Sunesis Construction for the Bridge Maintenance Improvements Project.

Background/Synopsis:

The City contracted with Burgess and Niple to complete final design and cost estimates for an improvement to four municipal bridges. Bids were higher than expected due to current economic conditions (bids have been higher for others in the area particularly on labor intensive items). Staff is recommending that we move forward with work on the bridges listed above in order to take advantage of and fulfill our commitment to the Ohio Public Works Commission funding.

The bridges considered for improvements are Resor Road Bridge (SFN 0963259) near Point Pleasant Park, Resor Road Bridge (SFN 0963305) near North Trace, and Winton Road Bridge (SFN 0963321) near the Fire Station. Both Resor bridges were most recently rated as a 6 (rating on a scale of 0-9 with 5 and above considered satisfactory operating condition), while the Winton bridge was rated as a 5. The funding is scheduled in the existing Capital Improvement Program for 2019 as 9PW31.

Plans and specifications were advertised for bid on November 30 and December 7, 2018. A public bid opening was held on December 17, 2018. Two (2) bids were received, opened and publicly read. The lowest and best bidder was Sunesis Construction of West Chester, Ohio.

Financial Impact:

Total funding of \$520,000.00 (\$481,137.81 base bid and \$38,862.19 contingency). \$275,000 in OPWC funding and \$245,000 from the Street Improvement Fund.

Emergency Provision Explanation:

None.

Rule Suspension Requested:

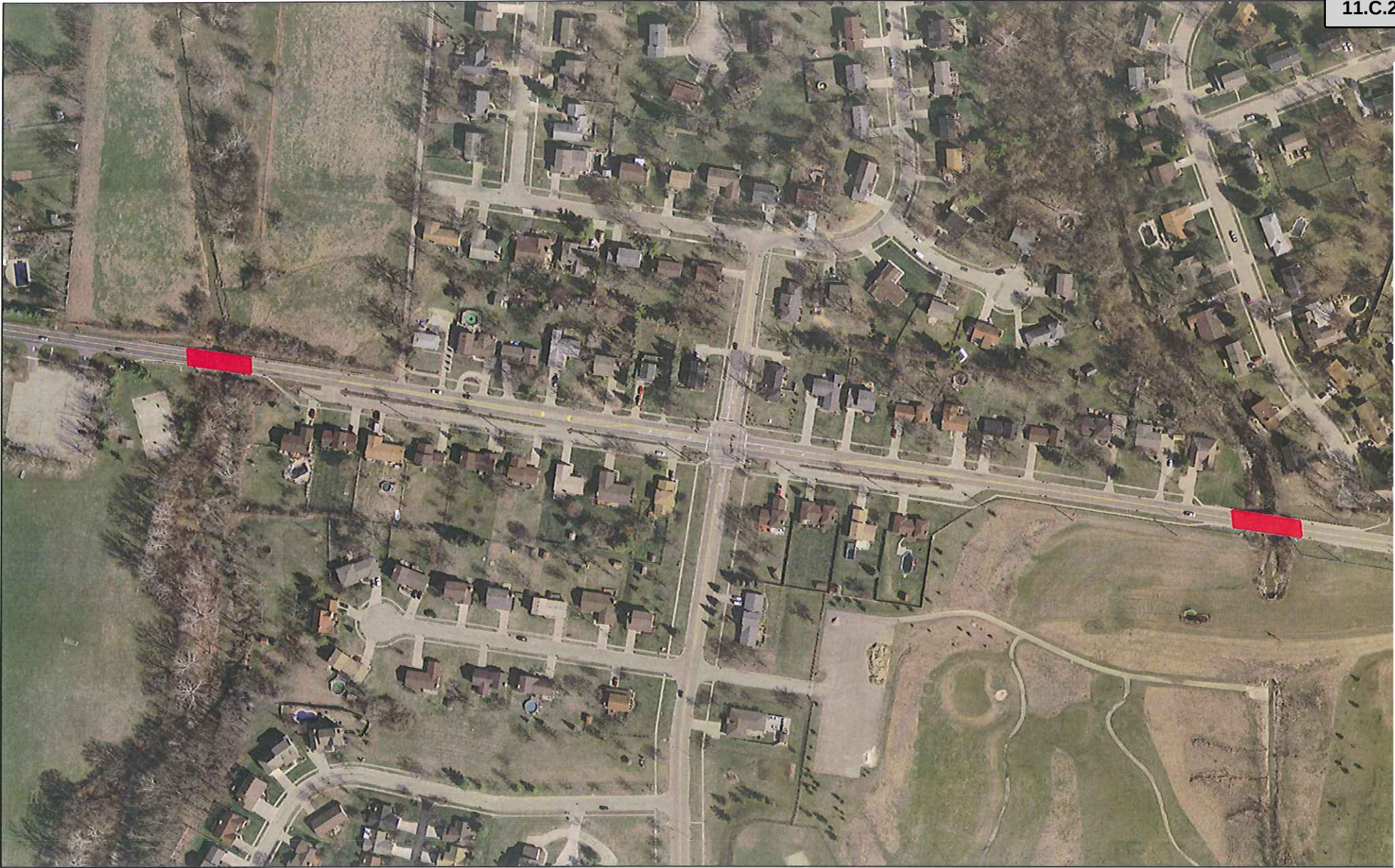
No

Emergency Provision Needed:

No

Attachments:

1. Fairfield Bridge Maintenance Project - 3 Bridge Exhibit
2. Bridge Rehabilitations - Bid Results - Revised
3. Sunesis Construction-Ord



Bridge Rehabilitation - Resor Rd

1 in = 250 ft





Bridge Rehabilitation - Winton Rd

1 in = 100 ft



City of Fairfield
 Bid Tabulation for
 Bridge Rehabilitations (Happy Valley Drive, Resor Road, Winton Road)
 Bid Opening: Monday, December 17, 2018
 Engincer's Estimate: \$394,005.75

Description	Prus Construction 5325 Wooster Rd. Cincinnati, OH 45226 513-321-7774		Sunesis Construction 2610 Crescentville Rd. West Chester, OH 45069 513-326-6000	
	Total Price		Total Price	
Bridge BUT-HAPPY-00.35	\$	152,190.00	\$	101,511.03
Bridge BUT-WINTON-00.50	\$	94,890.00	\$	61,962.81
Bridge BUT-RESOR-00.40	\$	226,773.60	\$	196,865.24
Bridge BUT-RESOR-00.80	\$	257,296.70	\$	222,543.76
Total Base Bid Amount	\$	731,150.30	\$	582,882.84

Revised \$ 578,960.30 \$ 481,137.81

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.

ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT
WITH SUNESIS CONSTRUCTION FOR THE BRIDGE MAINTENANCE
IMPROVEMENTS PROJECT.

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

Section 1. The City Manager is hereby authorized to execute a contract with Sunesis Construction for the Bridge Maintenance Improvements Project in accordance with the bid on file in the office of the City Manager.

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

Passed	_____	_____
		Mayor's Approval
Posted	_____	
First Reading	_____	Rules Suspended _____
Second Reading	_____	
Third Reading	_____	

ATTEST:

Clerk of Council

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

Clerk of Council

Active Clients\City of Fairfield\Ordinances\2019\Sunesis Construction-Ord

Attachment: Sunesis Construction-Ord (1122 : Construction Award for Bridge Maintenance Improvements)



City Council Ordinance
Regular Meeting - January 28, 2019

Submitted by: Alisha Wilson, Clerk
 Submitting Department: Clerk

Subject:

Contractual Appropriations

Legislation Title:

Ordinance to amend Ordinance No. 127-18 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, 2019, and ending December 31, 2019.”

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 a description of these items.

Financial Impact: \$520,000 for bridge maintenance

Rule Suspension Requested:

Yes

Emergency Provision Needed:

No

Attachments:

1. Contractual 1-23-Ord

ORDINANCE NO. _____

ORDINANCE TO AMEND ORDINANCE NO. 127-18 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, 2019, AND ENDING DECEMBER 31, 2019."

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

Section 1. Ordinance No. 127-18, the 2019 Appropriation Ordinance, is hereby amended in the following respects:

From:	Unappropriated Street Improvement Fund	\$245,000
To:	40116025-252000 Improvements Other Than Building (Bridge Maintenance Work 9PW31)	\$245,000
From:	Unappropriated State Issue I Fund	\$275,000
To:	41016025-252000 Improvements Other Than Building (Bridge Maintenance Work 9PW31)	\$275,000

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



City Council Ordinance
Regular Meeting - January 28, 2019

Submitted by: Alisha Wilson, Clerk
 Submitting Department: Clerk

Subject:

Non-Contractual Appropriations

Legislation Title:

Ordinance to amend Ordinance No. 127-18 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, 2019, and ending December 31, 2019.”

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 a description of these items.

Financial Impact: \$41,000 for rehabilitation of water well #7

Rule Suspension Requested:

Yes

Emergency Provision Needed:

No

Attachments:

1. NonContractualAppropriations.012819
2. NonContractual 1-23-Ord



City Council Ordinance
Regular Meeting - January 28, 2019

Submitted by: Adam Sackenheim,
 Submitting Department: Public Utilities

Subject:

Contract with Moody's of Dayton and related appropriations for the rehabilitation of water well #7

Legislation Title:

Contract with Moody's of Dayton, Inc. and appropriation of \$41,000 for the rehabilitation of raw water supply well #7 at the City's Water Treatment Plant

Recommendation:

It is recommended that City Council authorize the City Manager to enter into a contract with Moody's of Dayton, Inc., and appropriate project funding in the amount of \$41,000 for the cleaning and rehabilitation of raw water supply well #7.

Background/Synopsis:

Fairfield's Water Division pumps, treats and distributes about 5.5 million gallons of drinking water each day. Fairfield utilizes six raw water / ground water production wells to supply water to its Water Treatment Plant. This project will clean and rehabilitate raw water supply well number 7, one of the City's most critical wells. Depending on the condition of the well, rehabilitation efforts may include but are not limited to pump replacement, motor replacement and shaft replacement.

The project was prepared for formal competitive bidding with two bids received and opened on January 7, 2019. Staff recommends the project be awarded to Moody's of Dayton, Inc. – which supplied the lowest and best bid. Bids are summarized on the attached sheet for Council review. A contractual appropriation is requested for Moody's of Dayton, Inc. in the amount of \$41,000.00 (which includes contingency).

Rules suspension is requested in order to expedite the work.

Financial Impact:

Funding for this project is included in the Council-approved 2018-2022 Capital Improvement Program (CIP) budget, under project 9WT01 – Maintain Raw Water Production Wells. The project will also be included in the 2019-2023 CIP budget, pending Council approval. The funding source is the Water Surplus fund.

Emergency Provision Explanation:

Rule Suspension Requested:

Yes

Emergency Provision Needed:

No

Attachments:

1. Water Well 7 Rehabilitation

City of Fairfield Bid Tabulation
Water Well #7 Rehabilitation
Bid Opening: January 7, 2019
Engineer's Estimate: \$35,000.00

				Moody's of Dayton, Inc. 4359 Infirmary Road Miamisburg, OH 45342-1231 937-859-4482		National Water Services LLC 524 NE 3rd St, PO Box 230 Paoli, IN 47454 812-723-2108	
Item	Description	Est. Qty.	Unit	Unit Price	Total Price	Unit Price	Total Price
1	Mobilization/Demobilization			\$ 500.00	\$ 500.00	\$ 1,500.00	\$ 1,500.00
2	Pump Test Before and After Well Rehabilitation	2	Each	\$ 500.00	\$ 1,000.00	\$ 297.50	\$ 595.00
3	Video Inspection Before and After Well Rehabilitation	2	Each	\$ 700.00	\$ 1,400.00	\$ 400.00	\$ 800.00
4	Removal/Reinstallation of Pump & Pump Assembly			\$ 3,000.00	\$ 3,000.00	\$ 795.00	\$ 795.00
5	Replace Pump Assembly	1	Each	\$ 4,500.00	\$ 4,500.00	\$ 5,671.00	\$ 5,671.00
6	Removal/Reinstallation of Motor Assembly			\$ 250.00	\$ 250.00	\$ 780.00	\$ 780.00
7	Replace Motor Assembly	1	Each	\$ 4,500.00	\$ 4,500.00	\$ 6,200.00	\$ 6,200.00
8	Clean and Inspect Column Sections and Couplings			\$ 900.00	\$ 900.00	\$ 225.00	\$ 225.00
9	Replace Epoxy Coated Column Section	12	Each	\$ 500.00	\$ 6,000.00	\$ 489.58	\$ 5,874.96
10	Replace 416 Series Stainless Steel Shaft Section/Coupling	12	Each	\$ 250.00	\$ 3,000.00	\$ 508.42	\$ 6,101.04
11	Replace Shaft Spiders	12	Each	\$ 100.00	\$ 1,200.00	\$ 206.67	\$ 2,480.04
12	Well Rehabilitation per Specifications			\$ 11,000.00	\$ 11,000.00	\$ 12,000.00	\$ 12,000.00
13	Technical Report Furnished After Well Rehabilitation			\$ 50.00	\$ 50.00	\$ 200.00	\$ 200.00
14	<u>Alternate Section Unit Cost Section</u>						
14-A	Basic Motor Rehabilitation	1	Each	\$ 2,000.00	\$ 2,000.00	\$ 3,084.00	\$ 3,084.00
14-B	Basic Rehabilitation of Pump Assembly	1	Each	\$ 2,500.00	\$ 2,500.00	\$ 4,997.00	\$ 4,997.00
14-C	Sandblast and Epoxy Coat Existing Column Pipe/Coupling	12	Each	\$ 900.00	\$ 10,800.00	\$ 208.53	\$ 2,502.36
Total Total Base Bid Amount					\$ 37,300.00		\$ 43,222.04

Attachment: NonContractualAppropriations.012819 (1128 : Non-Contractual Appropriations)

ORDINANCE NO. _____

ORDINANCE TO AMEND ORDINANCE NO. 127-18 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, 2019, AND ENDING DECEMBER 31, 2019."

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

Section 1. Ordinance No. 127-18, the 2019 Appropriation Ordinance, is hereby amended in the following respects:

From:	Unappropriated Water Surplus Fund	\$41,000
To:	60516025-252000 Improvements Other Than Building <i>(Rehabilitation of Raw Water Supply Well #7 9WT01)</i>	\$41,000

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\2019\NonContractual 1-23-Ord

Attachment: NonContractual 1-23-Ord (1128 : Non-Contractual Appropriations)