Steve Miller
Mayor

Mark Scharringhausen
Council Member at Large

Chad Oberson
Council Member at Large

Bill Woeste
Council Member at Large

Leslie Besl
Council Member, 1st Ward

Dale Paullus
Councilmember, 2nd Ward

Terry Senger
Councilmember, 3rd Ward

Tim Abbott
Council Member, 4th Ward

CITY OF FAIRFIELD CITY COUNCIL
REGULAR MEETING AGENDA
MONDAY, JANUARY 25, 2021 7:00 PM
5350 PLEASANT AVENUE, FAIRFIELD, OH 45014

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

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

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1. COUNCIL-MANAGER BRIEFING

A. No briefing.

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

8. PUBLIC HEARING(S)

9. APPROVAL OF MINUTES

a. Regular Meeting held January 11, 2021

b. Special Meeting Minutes - January 19, 2021

10. OLD BUSINESS AND REPORTS

A. COMMUNITY & PUBLIC RELATIONS COMMITTEE

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

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

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

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

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

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

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

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

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

1. Resolution declaring necessity of repairing sidewalks (including aprons)
   - Legislation - Second Reading

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

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

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

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

11. NEW BUSINESS

Motion to read New Business by title only.

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

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

1. Ordinance to authorize the Acting City Manager to execute and file an Ohio Public Works Commission (OPWC) Clean Ohio Grant Application and Agreement for the purchase of the 5742 River Road Property and declaring an emergency
   - Legislation - First Reading
   - Motion - Suspend Second and Third Readings
   - Motion - Adoption

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

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

1. Ordinance to amend section 925.08(a)(5) of Ordinance No. 166-84 of the Codified Ordinances of Fairfield, Ohio, relative to the Sanitary Sewer Irrigation Credit program
   - Legislation - First Reading

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

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

1. Resolution approving the amended agreement and by-laws for the Miami Valley Risk Management Association and authorizing the Acting City Manager to execute the same.
    - Legislation - First Reading
    - Motion - Suspend Second and Third Readings
    - Motion - Adoption

2. Ordinance to authorize the Acting City manager to execute a claims run out and master group agreement with Dental Care Plus, Inc. AKA Dental Care Plus Group and declaring an emergency.
    - Legislation - First Reading
    - Motion - Suspend Second and Third Readings
    - Motion - Adoption

3. Ordinance to amend Ordinance No. 109-20 entitled "An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2021, and ending December 31, 2021." - Supplemental Appropriations
    - Legislation - First Reading
    - Motion - Suspend Second and Third Readings
    - Motion - Adoption

4. Ordinance to amend Ordinance No. 109-20 entitled "An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2021, and ending December 31, 2021."
    Contractual Appropriations: $65,566 for Rita Mae and Muskopf Drive Relief Storm Sewer contingency
    - Legislation - First Reading
    - Motion - Suspend Second and Third Readings
    - Motion - Adoption

5. Ordinance to amend Ordinance No. 109-20 entitled "An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2021, and ending December 31, 2021."
    Non-Contractual Appropriations: $20,000 for sanitary sewer flow modeling; $22,206 for Raw Water Well 6 Pump; $10,000 for water system modeling and engineering services; $32,000 for manhole castings; $3,000 for water valve box; $15,000 for drainage improvement on Groh Lane.
    - Legislation - First Reading
    - Motion - Suspend Second and Third Readings
    - Motion - Adoption

12. MEETING SCHEDULE

A. Monday, February 1 - Special Meeting 6:00 PM

B. Monday, February 8 - Council-Manager Briefing 6:00 PM; Regular Meeting 7:00 PM

C. Tuesday, February 16 - Special Meeting 6:00 PM

13. EXECUTIVE SESSION OF COUNCIL (IF NEEDED)

14. ADJOURNMENT

City of Fairfield
Minutes
Regular Meeting of City Council
January 11, 2021

Council-Manager Briefing

Summer Sewer Irrigation Credit Program

Mayor Miller called the briefing to order at 6:30 PM. Councilmembers present: Leslie Besl, Dale Paullus, Terry Senger, Tim Abbott, Chad Oberson and Bill Woeste.

Staff members present: Don Bennett, Steve Wolterman, Adam Sackenheim, Alisha Wilson, Tiphanie Howard, Greg Kathman, Scott Timmer, Carol Mayhall, Ben Mann and Steve Maynard.

Public Utilities Director Adam Sackenheim presented an overview of the Summer Sewer Irrigation Credit Program and recommendations for extending the program. See attached slides.

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

Councilmember Oberson, seconded by Councilmember Senger, moved to excuse Councilmember Scharringhausen. Motion carried 6-0.

Agenda Modifications

None.

Executive Session Requests

None.

Special Presentations and Citizen Comments

None.

Public Hearing(s)

None.

Approval of Minutes

The Special Meeting Minutes of December 11, 2020 and the Regular Meeting Minutes of December 14, 2020 were approved as written and submitted.

OLD BUSINESS AND REPORTS

Community & Public Relations Committee

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

1. Special Meeting of Council

   Councilmember Paullus brought up scheduling a special meeting to discuss the search for a new City Manager. The meeting was scheduled for Tuesday, January 19 at 6 PM.

Development Services Committee

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

Parks, Recreation and Environment Committee

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

Public Safety Committee

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

Public Works Committee

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

Public Utilities Committee

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

Finance & Budget Committee

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

NEW BUSINESS

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

Parks, Recreation and Environment Committee

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

Motion to Suspend Second and Third Readings

Councilmember Besl presented the first reading of this ordinance.

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Leslie Besl, Council Member, 1st Ward
SECONDER:	Dale Paullus, Councilmember, 2nd Ward
AYES:	Oberson, Woeste, Besl, Paullus, Senger, Abbott
EXCUSED:	Scharringhausen

Ordinance to authorize the City Manager to enter into a contract with SwimSafe Pool Management, Inc. for Operation of the City of Fairfield Municipal Pool and declaring an emergency.

ORDINANCE NO. 1-21. APPROVED 6-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Leslie Besl, Council Member, 1st Ward
SECONDER:	Chad Oberson, Council Member at Large
AYES:	Oberson, Woeste, Besl, Paullus, Senger, Abbott
EXCUSED:	Scharringhausen

Public Works Committee

Chad Oberson, Chair; Mark Scharringhausen, Vice Chair; Bill Woeste, 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 Oberson presented the first reading of this resolution.

RESULT:	**FIRST READING Next: 1/25/2021 7:00 PM**

Ordinance to authorize the Acting City Manager to execute an application and agreement for a OEPA diesel mitigation grant for two (2) plow trucks for the Public Works Department.

Recommendation:
It is recommended that City Council authorize the City Manager to execute an OEPA Diesel Mitigation grant for financial assistance.

ORDINANCE NO. 2-21. APPROVED 6-0.

Minutes Acceptance: Minutes of Jan 11, 2021 7:00 PM (Approval of Minutes)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Chad Oberson, Council Member at Large
SECONDER:	Bill Woeste, Council Member at Large
AYES:	Oberson, Woeste, Besl, Paullus, Senger, Abbott
EXCUSED:	Scharringhausen

Motion to Suspend Second and Third Readings

Councilmember Oberson presented the first reading of this ordinance.

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Chad Oberson, Council Member at Large
SECONDER:	Bill Woeste, Council Member at Large
AYES:	Oberson, Woeste, Besl, Paullus, Senger, Abbott
EXCUSED:	Scharringhausen

Ordinance to authorize the City Manager to enter into an LPA Agreement with the Ohio Department of Transportation (ODOT) for financial assistance for Route 4 Improvements known as BUT/HAM-SR 4-0.00/9.97 (PID 110415) and declaring an emergency.

Recommendation:
It is recommended that City Council authorize the preparation of legislation, with rules suspension and emergency provision, authorizing the City Manager to execute the LPA agreement with ODOT for the City to administer engineering and construction of the BUT/HAM-SR 4-0.00/9.97 (PID 110415) project.

ORDINANCE NO. 3-21. APPROVED 6-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Chad Oberson, Council Member at Large
SECONDER:	Dale Paullus, Councilmember, 2nd Ward
AYES:	Oberson, Woeste, Besl, Paullus, Senger, Abbott
EXCUSED:	Scharringhausen

Motion to Suspend Second and Third Readings

Councilmember Oberson presented the first reading of this ordinance.

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

Public Utilities Committee

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

Ordinance to authorize the City Manager to enter into a contract with JW Brennan Excavating, LLC for the Resor Road and Winton Road Water Main Replacement Project and declaring an emergency.

Recommendation:
It is recommended that City Council authorize the City Manager to enter a contract with JW Brennan

Excavating LLC., and appropriate project funding in the amount of $997,000.00 for the Resor Road and Winton Road Water Main Replacement Project. Rules suspension is being requested in order to expedite the project.

ORDINANCE NO. 4-21. APPROVED 6-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Terry Senger, Councilmember, 3rd Ward
SECONDER:	Chad Oberson, Council Member at Large
AYES:	Oberson, Woeste, Besl, Paullus, Senger, Abbott
EXCUSED:	Scharringhausen

Motion to Suspend Second and Third Readings

Councilmember Senger presented the first reading of this ordinance.

RESULT:	**CARRIED [UNANIMOUS]**
MOVER:	Terry Senger, Councilmember, 3rd Ward
SECONDER:	Tim Abbott, Council Member, 4th Ward
AYES:	Oberson, Woeste, Besl, Paullus, Senger, Abbott
EXCUSED:	Scharringhausen

Finance & Budget Committee

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

Ordinance to authorize the Acting City Manager to execute an amended claims administration, stop loss and run out agreement for the medical and prescription claims with Humana for the period beginning January 1, 2021 through July 31, 2021 and declaring an emergency.

Recommendation:
It is recommended that an ordinance to authorize the Acting City Manager to execute an amended agreement for health benefit administration, stop loss and run out agreement with Humana for the period beginning January 1, 2021 through July 31, 2021 be adopted.

ORDINANCE NO. 5-21. APPROVED 6-0.

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

Motion to Suspend Second and Third Readings

Councilmember Abbott presented the first reading of this ordinance.

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

Ordinance to establish salaries and hourly rates for certain salaried and hourly employees of the City of Fairfield, Ohio and to authorize and limit the numbers and types of certain employees, to repeal Ordinance No. 99-20 and all amendments thereto and declaring an emergency.

Recommendation:
It is recommended that City Council amend the Non-Exempt Wage and Salary Ordinance to adjust the wage range in certain part-time positions. Rules suspension and adoption as well as the emergency provision are requested.

ORDINANCE NO. 6-21. APPROVED 6-0.

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

Motion to Suspend Second and Third Readings

Councilmember Abbott presented the first reading of this ordinance.

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

Ordinance to amend Ordinance No. 109-20 entitled “An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2021, and ending December 31, 2021.”

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

ORDINANCE NO. 7-21. APPROVED 6-0.

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

Motion to Suspend Second and Third Readings

Councilmember Abbott presented the first reading of this ordinance.

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

<u>Ordinance to amend Ordinance No. 109-20 entitled "An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2021, and ending December 31, 2021."</u>

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. 8-21. APPROVED 6-0.

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

<u>Motion to Suspend Second and Third Readings</u>

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:	Oberson, Woeste, Besl, Paullus, Senger, Abbott
EXCUSED:	Scharringhausen

Meeting Schedule

Clerk Wilson read the following meeting schedule:

A. Monday, January 25 - Council-Manager Briefing, 6:00 PM; Regular Meeting, 7:00 PM

B. Monday, February 8 - Council-Manager Briefing, 6:00 PM; Regular Meeting, 7:00 PM

C. Monday, February 22 - Council-Manager Briefing, 6:00 PM; Regular Meeting, 7:00 PM

Executive Session of Council (if needed)

None.

14. ADJOURNMENT
The Regular Meeting adjourned at 7:20 PM.

ATTEST:

Minutes Acceptance: Minutes of Jan 11, 2021 7:00 PM (Approval of Minutes)

____
Clerk of Council

____
Mayor's Approval

Date Approved____________________

FAIRFIELD
PUBLIC UTILITIES

Summer Sewer Irrigation Credit (SSIC) Program Review

Council-Manager Briefing: 1/11/2021
Adam M. Sackenheim, Utilities Director

Minutes Acceptance: Minutes of Jan 11, 2021 7:00 PM (Approval of Minutes)

Agenda – Summer Sewer Irrigation Credit (SSIC) Program

- Program overview and history
- Examples
- Financial considerations
- Neighboring jurisdictions
- Potential program modifications
- Open discussion and next steps

Minutes Acceptance: Minutes of Jan 11, 2021 7:00 PM (Approval of Minutes)

Program Overview and History

ORDINANCE NO. 111-10

ORDINANCE TO AMEND SUBSECTION 925.08(a)(5) OF ORDINANCE NO. 166-84, THE CODIFIED ORDINANCES OF FAIRFIELD, OHIO, RELATIVE TO THE SANITARY SEWER IRRIGATION CREDIT.

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

Section 1. Subsection 925.08(a)(5) of Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, is hereby amended to read as follows:

925.08 USER CHARGE ESTABLISHED.
(a) Charges Established; Classes; Computation.
[NOTE: No changes to this section until paragraph (5)]
(5) Irrigation credit. A special sewer rate structure for residential domestic service accounts will be used during the summer months ([~~April,~~] May, June, July, August and September) in determining sewer charges to account for water used for outside or other irrigation purposes and not returned to the City Sanitary Sewer System. The special rate will eliminate sewer charges for all domestic residential service water in excess of one hundred and [~~twenty-five~~] **FIFTY** percent ([~~125~~]**150**%) of the average monthly water amount used during the previous winter season (November, December, January and February) for that account. In the event that a complete winter season average cannot be established, an amount of 7,500 gallons per month will be used in establishing a base winter season monthly average. (Ord. 65-02. Passed 3-25-02.)
[NOTE: No further changes to this Section.]

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

Passed	12/20/10	Mayor's Approval	
Posted	12/7/10		
First Reading	11/8/10	Rules Suspended	
Second Reading	11/22/10		
Third Reading	12/6/10		

- Originally established in 1999
  - ✓ Single family residential only
  - ✓ 4 month sewer credit (May → August)
  - ✓ Credit given on summer water usage in excess of 125% of average winter use
- Amended in 2002
  - ✓ 6 month sewer credit (added April & September)
- Amended in 2010
  - ✓ 5 month sewer credit (eliminated April)
  - ✓ Credit given on summer water usage in excess of 150% of average winter use

Minutes Acceptance: Minutes of Jan 11, 2021 7:00 PM (Approval of Minutes)

SSIC Examples

November charge …	6,000
December charge …	7,500
January charge …….	8,000
February charge …..	6,800 +
	28,300

Total 4-month usage	28,300
Number of months	÷ 4
	7,075

Average Usage	7,075
	x 1.50
Volume 1.50 times winter aveage	10,612.50

Summer Irrigation Credit

This diagram illustrates the method used in determining the credit amount a Fairfield resident will receive on their sewer bill during the summer months.

Questions concerning the irrigation credit may be directed to the Utility Billing Office at 513-867-5370

Usage from May through September in excess of 10,613 gallons per month will result in no charges for sewer usage exceeding this amount.

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SSIC Examples

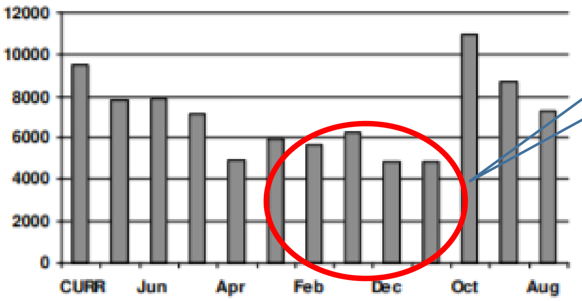
City of Fairfield
Utility Billing & Collections
5350 Pleasant Ave. Fairfield, OH 45014
Phone: (513) 867-5370
Hours: Monday-Friday 8:00am-5:00pm
www.fairfieldoh.gov

Service Address	
6362 GREENBRIAR DRIVE	
From	To
07/24/2020	08/26/2020
Billing Address	

SACKENHEIM, ADAM
6362 GREENBRIAR DR
FAIRFIELD OH 45014

Account Number	111816
Customer ID	112668
Due Date	10/07/2020
Amount Due	**$103.09**
Amount Due After Due Date	$113.40

Water usage history in gallons



Winter Average:
5350 gallons

5350 x 1.5 =
8025 gallons

Service	Previous Reading	Current Reading	Usage/Gallons	Read Type	Charges
SEWER			8025		47.76
WATER	133000	142500	9500	A	42.19
TRASH					13.14

Minutes Acceptance: Minutes of Jan 11, 2021 7:00 PM (Approval of Minutes)

Financial Considerations

With SSIC threshold at…	**150%**
Accounts receiving credit:	2131
Total credit value:	$213,386.00
Average credit per account:	$100.00
% of accounts credited:	17.70%

Note: SSICs are automatically applied.

***Customers may, at their discretion, install a water-only irrigation meter, or a sewer "deduct" meter, to ensure no sewer charges are incurred on irrigation usage.

Neighboring Jurisdictions

	SSIC program?	Duration:	Threshold:
Fairfield	Yes	5 months	150%
Oxford	No	-	-
Hamilton	Yes	5 months	125%
BCWS	Yes	5 months	100%
Dayton	No	-	-
Middletown	No	-	-
Cincinnati	Yes	9 months	100%
Greene County	No	-	-

Minutes Acceptance: Minutes of Jan 11, 2021 7:00 PM (Approval of Minutes)

Potential Program Modifications

- Ordinance Changes?
  - ✓ Adjustment of "threshold"
    - From 150% to 125% or 100%
  - ✓ Program extension through October

- Policy Changes?
  - ✓ New Pool Fill and Pool Repair / Liner Replacement Policy
    - Current policy requires copy of invoice of work performed

Minutes Acceptance: Minutes of Jan 11, 2021 7:00 PM (Approval of Minutes)

Potential Program Modifications

-1.8% of 2021 O&M budget ($69,900)

-9% of O&M budget ($352,500)

- Adjustment to SSIC program "threshold":

With SSIC threshold at...	150%	125%	100%
Accounts receiving credit:	2131	3261	6460
Total credit value:	$213,386.00	$283,277.00	$565,904.00
Average credit per account:	$100.00	$87.00	$88.00
% of accounts credited:	17.70%	27%	53.50%

- SSIC program extension through October:
  - ✓ -1.1% of O&M budget ($42,700) at 150%
  - ✓ -1.4% of O&M budget ($56,650) at 125%

- Policy changes on pool fills / pool repairs?

Minutes Acceptance: Minutes of Jan 11, 2021 7:00 PM (Approval of Minutes)

Open Discussion and Next Steps

- Staff Recommendations
- Council Decisions
- Timelines

QUESTIONS?

Minutes Acceptance: Minutes of Jan 11, 2021 7:00 PM (Approval of Minutes)

MINUTES

Fairfield City Council
Special Meeting of Council
January 19, 2021

Call to Order
Vice Mayor Leslie Besl called the Special Meeting of January 19, 2021 to order at the Fairfield Municipal Building, 5350 Pleasant Avenue at 6:00 PM. Councilmembers present were Leslie Besl, Dale Paullus, Terry Senger, Tim Abbott, Mark Scharringhausen, and Bill Woeste. Councilmember Abbott, seconded by Councilmember Paullus, moved to excuse Councilmember Oberson and Mayor Miller. Motion carried 6-0.

Vice Mayor Besl opened the discussion for Council's thoughts on how to proceed to fill the City Manager vacancy. She deferred to Councilmember Scharringhausen to start the discussion.

Councilmember Scharringhausen stated that this is the third time he has gone through this process and each time, the process has looked a little different. He stated that he thinks everyone is in agreement to conduct a nationwide search, although there might be different thoughts about conducting the search internally or hiring a search firm to assist in the process. He stated that it would be beneficial to issue RFP to receive input from search firms to review the proposals of how they could assist. He stated that a nationwide search is important, because one of our most successful City Managers came from the middle of the country, however, local talent should also be considered because there is a benefit to someone with knowledge of Ohio Revised Code.

Councilmember Woeste stated that he agrees with Councilmember Scharringhausen. There are two questions he would ask any candidate – 1) why do you want to be the City Manager of Fairfield? And 2) What do you know about Fairfield? He stated that Art Pizzano was the right person at the right time because he was a planner and now the city needs an administrator.

Councilmember Abbott agreed with Councilmember Scharringhausen's approach, as well, and agreed that the city has already been contacted by some very good firms. He said that the city should go through the RFP process. He would like to discuss timeframe and not rush into hiring someone right away. He stated that Acting City Manager Don Bennett is doing a great job and thanked him for stepping into the role. He feels there should be a 4-6 month timeframe for the search to ensure that the next City Manager has all of the qualities that Fairfield needs, including a strong financial background.

Councilmember Senger stated that he also agreed with what had already been said. He doesn't have a strong preference of how the process works to gather resumes, but he would like to get a packet of 50-100 resumes and let Council take it from there.

Councilmember Paullus stated that he feels it would be best to hire a firm and he agrees that Council should not rush to hire.

Vice Mayor Besl asked how many firms have contacted the city and Acting City Manager Bennett stated that there have been two firms that have reached out shortly after the vacancy occurred. He stated that one is a management consultant under Lou Farmer and the other is Pradco, who he is not sure if they can assist in the actual search, but they do a detailed evaluation of candidates and their fit to the position. He stated that the last time a firm was used was for Mr. Pizzano's appointment, which was over 20 years ago, and he is confident that the market has changed.

Vice Mayor Besl summarized that everyone seems to be in agreement that Council needs to see what is available to them in terms of search firms and go from there. Councilmember Scharringhausen asked that Law Director Steve Wolterman work with HR Manager Carol Mayhall to write the RFQ and send it out.

Executive Session
Councilmember Abbott, seconded by Councilmember Paullus, made a motion for Executive Session to consider the appointment, employment, dismissal, discipline, promotion or compensation of a public employee or official. Vice Mayor Besl took a roll call vote. Motion carried 6-0. Council recessed to executive session at 6:14 PM. Council resumed open session at 6:32 PM.

Adjournment
Councilmember Senger, seconded by Councilmember Scharringhausen, moved to adjourn the meeting. Motion carried 6-0. The meeting adjourned at 6:33 PM.

ATTEST:

____
Clerk of Council

APPROVED:

______________________________ Date approved: ____________________
Mayor

Attachment: Special Meeting Minute Notes - CityManagerSearch.011921 (1727 : Special Meeting Minutes - January 19, 2021)

City Council Ordinance
Regular Meeting - January 25, 2021

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 2020 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 2020 program year. There are approximately 957 property locations marked for repair or replacement (21 of these are City responsibility while the other 936 are resident/business owner responsibility). There are approximately 7,997 Square Feet of 4" (sidewalk), 4,092 Square Feet of 7" (driveway aprons) concrete, and 4,458 Square Feet of 9” (commercial driveway aprons) concrete marked for replacement. There are 606 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:

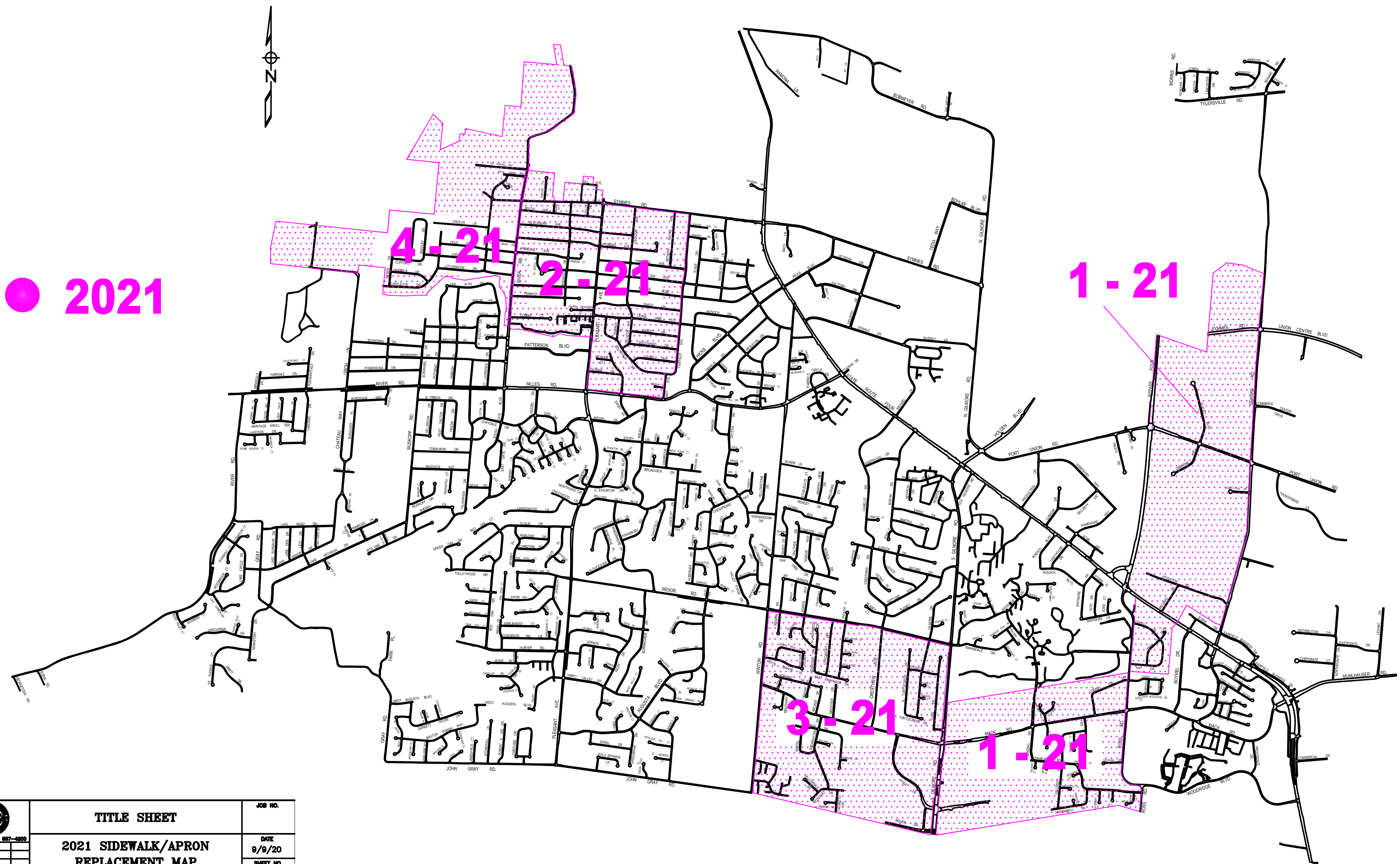
None requested.

Rule Suspension Requested:
No

Emergency Provision Needed:
No

Attachments:
1. 2021 Sidewalk Program
2. Sidewalk-Res

Sidewalk Replacement Program



CITY OF FAIRFIELD

TITLE SHEET

JOB NO.

2021 SIDEWALK/APRON REPLACEMENT MAP FAIRFIELD, OHIO

DATE 9/9/20

SHEET NO. 1/1

NO. DATE REVISIONS BY

SCALE N.T.S

DESIGN-LAYOUT NWC

DRAWN NWC

CHECKED

Attachment: 2021 Sidewalk Program (1696 : Resolution of Necessity to require repair and/or replacement

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\2021\Sidewalk-Res

City Council Ordinance
Regular Meeting - January 25, 2021

Submitted by: Ben Mann,
Submitting Department: Public Works

Subject:
Clean Ohio - Grant Application for Purchase of the 5742 River Road

Legislation Title:
Ordinance to authorize the Acting City Manager to execute and file an Ohio Public Works Commission (OPWC) Clean Ohio Grant Application and Agreement for the purchase of the 5742 River Road Property and declaring an emergency

Recommendation:
It is recommended that City Council authorize the preparation of legislation authorizing the City Manager to execute and file the application for financial assistance, and enter into an agreement with OPWC for a grant to fund a portion of the 5742 River Road Property Acquisition.

Background/Synopsis:

It is necessary for City Council to authorize the City Manager to execute a grant application with OPWC for financial assistance for the purchase of the residential property at 5742 River Road. This project is for purchase of approximately 1 acre adjacent to the existing Water Works Park property.

The filing of the grant application is necessary for the purchase of property. This property location will be a useful addition to the existing park area and will provide a nice entryway area off of River Road for the park and future multi-use trail.

The 5742 River Road Acquisition project will be programmed in the current 2021-2025 CIP being developed now as 1PR23. If approved, OPWC District 10 would be funding up to 75% of the acquisition expenses (approximately $219,000). The local share would be 25% (approximately $73,000) of the project. The total Clean Ohio project cost is around $292,000 which includes site improvements and acquisition expenses in addition to the $190,000 purchase cost.

Financial Impact:

$10,000.00 from the Capital Improvement Fund for earnest money. Additional funding would be requested separately if the grant is awarded.

Emergency Provision Explanation:

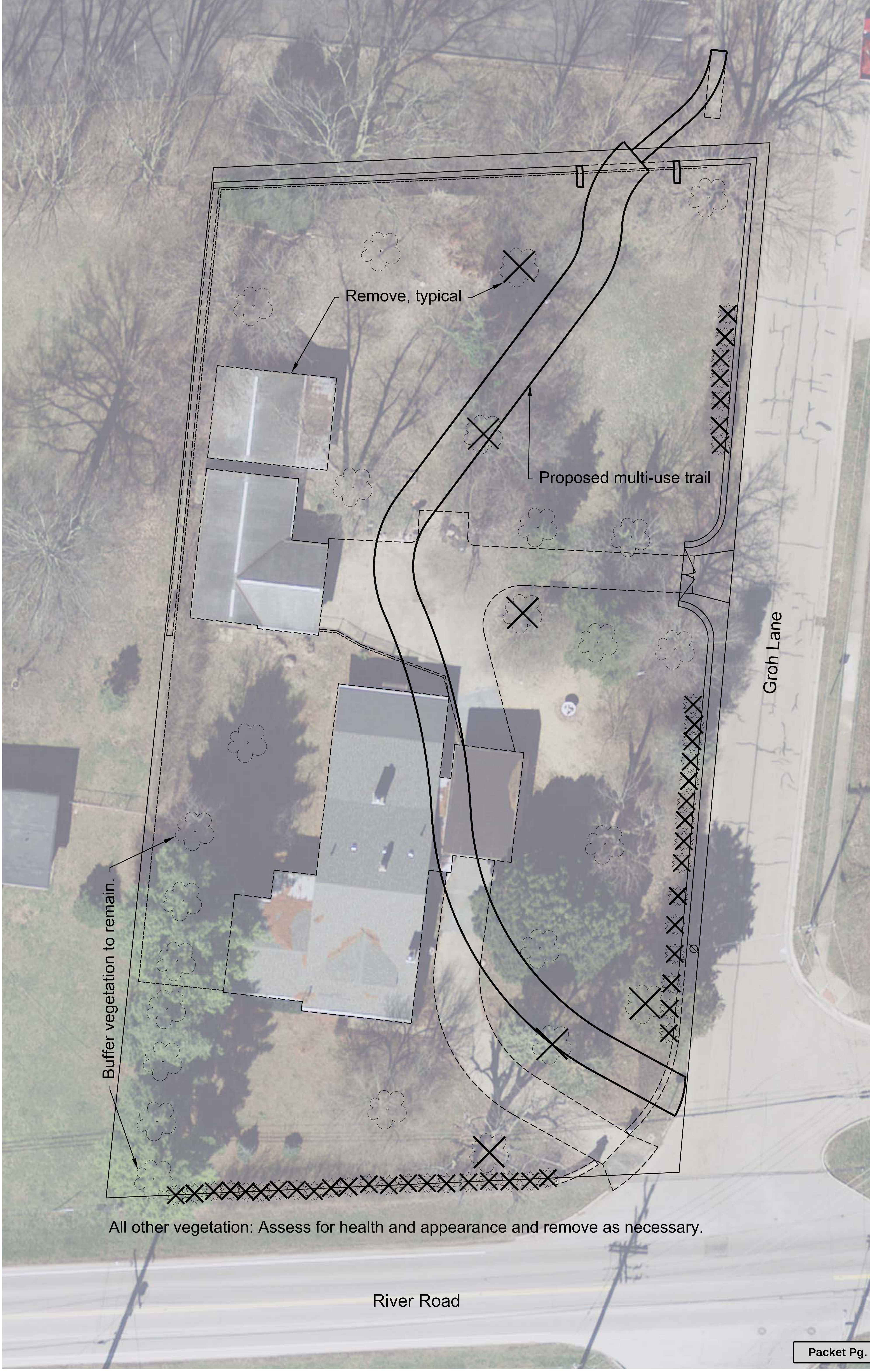
The final application is due by February 4th, therefore a suspension of the rules and emergency provisions are being requested.

Rule Suspension Requested:
Yes

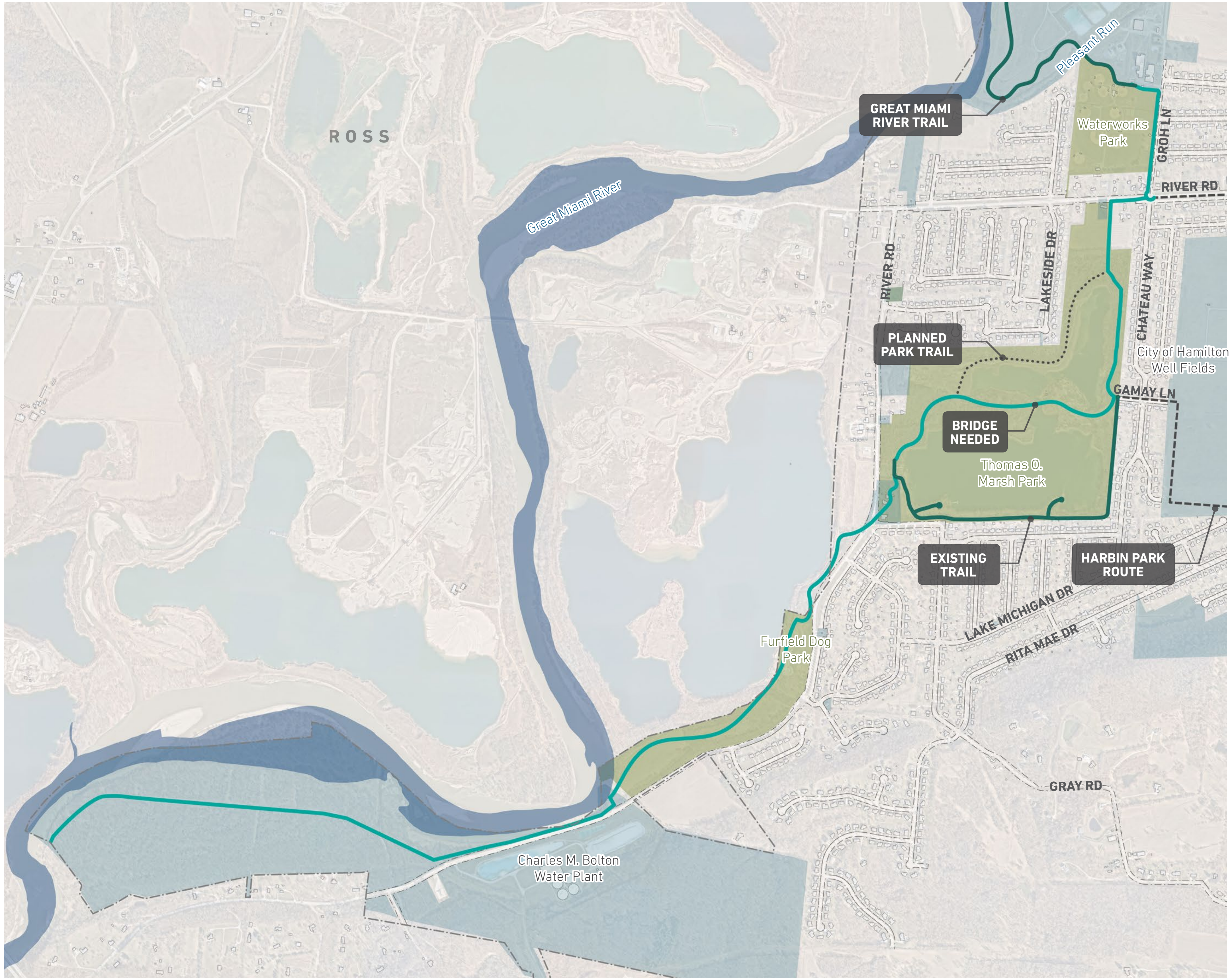
Emergency Provision Needed:
Yes

Attachments:
1. 5742 River Road 11 x 17 (1)
2. Pages from 20 0820 Fairfield Connects Final Report - web-2
3. Ohio Public Works Commission-Ord

5742 River Road - Site Plan - Clean Ohio Grant



MAJOR ROUTES



GREAT MIAMI RIVER TRAIL EXTENSION

Facility Type:

Multi-Use Path

Notes

- This route focuses on the Great Miami River Trail (GMRT) as it aligns through the City of Fairfield.
- This highlights the part of the larger GMRT that the City of Fairfield will be spearheading through implementation.
- This will be a multi-use path to keep consistency with the majority of the regional GMRT.
- The Groh Lane segment may be built as part of GMRT or as part of River Road West. For the purposes of this plan, it is included with GMRT funding.
- Exact route layout at the southern end to be coordinated with Hamilton County and GCWW.

LEGEND

- Proposed Multi-Use Path
- Existing Multi-Use Path
- Planned Park Trail
- Other Major Route
- Signalized Crossing
- Publicly-Owned Parcel
- Park / Green Space

0' 250' 500' 1000' N

Attachment: Pages from 20 0820 Fairfield Connects Final Report - web-2 (1716 : Clean Ohio - Grant Application for Purchase of the 5742 River

ORDINANCE NO. __________

ORDINANCE TO AUTHORIZE THE ACTING CITY MANAGER TO EXECUTE AND FILE AN OHIO PUBLIC WORKS COMMISSION (OPWC) CLEAN OHIO GRANT APPLICATION AND AGREEMENT FOR THE PURCHASE OF THE 5742 RIVER ROAD PROPERTY AND DECLARING AN EMERGENCY.

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

Section 1. The Acting City Manager is hereby authorized to execute and file an Ohio Public Works Commission (OPWC) Clean Ohio grant application and agreement for the purchase of the 5742 River Road property in accordance with the application and agreement on file in the office of the City Manager.

Section 2. This Ordinance is hereby declared to be an emergency measure necessary for the urgent benefit and protection of the City and its inhabitants for the reason that the grant application is due February 4, 2021; wherefore, this ordinance shall take effect immediately upon its passage.

Passed __________________ __________________________________

Mayor's Approval

Posted __________________

First Reading __________________ Rules Suspended ________________

Second Reading __________________ Emergency ________________

Third Reading __________________

ATTEST:

____

Clerk of Council

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

____

Clerk of Council

Active Clients\City of Fairfield\Ordinances\2021\Ohio Public Works Commission-Ord

City Council Ordinance
Regular Meeting - January 25, 2021

Submitted by: Adam Sackenheim,
Submitting Department: Public Utilities

Subject:
Ordinance to update the City's Summer Sewer Irrigation Credit Program

Legislation Title:
Ordinance to amend section 925.08(a)(5) of Ordinance No. 166-84 of the Codified Ordinances of Fairfield, Ohio, relative to the Sanitary Sewer Irrigation Credit program

Recommendation:
It is recommended that City Council authorize an amendment to the City's Summer Sewer Irrigation Credit program under Chapter 925.08(a)(5) of the Codified Ordinances of the City of Fairfield, Ohio.

Background/Synopsis:

The City's Summer Sewer Irrigation Credit (SSIC) program was established in 1999 and updated in 2002 and again in 2010. In summary, the program creates a special sewer rate structure for residential domestic service accounts used during the summer months in determining sewer charges to account for water used for outside or other irrigation purposes not returned to the City's sanitary sewer system. The rate eliminates sewer charges for all domestic residential service water in excess of 150% of the average monthly water amount used during the previous winter season for that account.

The proposed program amendment will extend into October the special summer sewer rate structure. With the proposed change, the special rate structure for "summer months" will be in effect for billing periods May through October.

Financial Impact:

The financial impact of this proposed program amendment is estimated as a revenue loss to the Wastewater Division of approximately $50,000 per year.

After reviewing revenues and expenditures and cash flow projections, the City's Public Utilities Department and Finance Department are confident that this proposed program modification will not jeopardize the current sewer rate schedule, effective 2021-2025.

Emergency Provision Explanation:

Not applicable.

Rule Suspension Requested:
No

Emergency Provision Needed:
No

Attachments:
1. Ordinance to amend 925.08.a.5
2. Sanitary Sewer Irrigation-Ord

Ordinance No. ____

Ordinance to amend subsection 925.08(a)(5) of Ordinance No. 166-84 of the Codified Ordinances of Fairfield, Ohio, relative to the sanitary sewer irrigation credit program.

Be it ordained by the Council of the City of Fairfield, Ohio, that:

Section 1. Subsection 925.08(a)(5) of Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, is hereby amended to read as follows:

925.08 USER CHARGE ESTABLISHED.

(a) <u>Charges Established; Classes: Computation:</u>

[*NOTE: No changes to this section until paragraph (5)*]

5. <u>Irrigation credit.</u> A special sewer rate structure for residential domestic service accounts will be used during the summer months (May, June, July, August**, [~~and~~]** September **AND OCTOBER**) in determining sewer charges to account for water used for outside or other irrigation purposes and not returned to the City Sanitary Sewer System. The special rate will eliminate sewer charges for all domestic residential service water in excess of one hundred and fifty percent (150%) of the average monthly water amount used during the previous winter season (November, December, January and February) for that account. In the event that a complete winter season average cannot be established, an amount of 7,500 gallons per month will be used in establishing a base winter season monthly average. (Ord. 25-14. Passed 4-14-14.)

[*NOTE: No further changes to this section*]

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

Attachment: Ordinance to amend 925.08.a.5 (1721 : Ordinance to update the City's Summer Sewer Irrigation Credit Program)

ORDINANCE NO. __________

ORDINANCE TO AMEND SUBSECTION 925.08(a)(5) OF ORDINANCE NO. 166-84 OF THE CODIFIED ORDINANCES OF FAIRFIELD, OHIO, RELATIVE TO THE SANITARY SEWER IRRIGATION CREDIT PROGRAM.

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

Section 1. Subsection 925.08(a)(5) of Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, is hereby amended to read as follows:

925.08 USER CHARGE ESTABLISHED.
(a) Charges Established; Classes: Computation:
[*NOTE: No changes to this section until paragraph (5)*]
(5) Irrigation credit. A special sewer rate structure for residential domestic service accounts will be used during the summer months (May, June, July, August**, [~~and~~]** September **AND OCTOBER**) in determining sewer charges to account for water used for outside or other irrigation purposes and not returned to the City Sanitary Sewer System. The special rate will eliminate sewer charges for all domestic residential service water in excess of one hundred and fifty percent (150%) of the average monthly water amount used during the previous winter season (November, December, January and February) for that account. In the event that a complete winter season average cannot be established, an amount of 7,500 gallons per month will be used in establishing a base winter season monthly average. (Ord. 25-14. Passed 4-14-14.)
[*NOTE: No further changes to this section*]

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 ______________________

Attachment: Sanitary Sewer Irrigation-Ord (1721 : Ordinance to update the City's Summer Sewer Irrigation Credit Program)

ATTEST:

Clerk of Council

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

Clerk of Council

Active Clients\City of Fairfield\Ordinances\2021\Sanitary Sewer Irrigation-Ord

Attachment: Sanitary Sewer Irrigation-Ord (1721 : Ordinance to update the City's Summer Sewer Irrigation Credit Program)

FAIRFIELD OHIO

City Council Resolution
Regular Meeting - January 25, 2021

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

Subject:
MVRMA Agreement & Bylaws Amendment

Legislation Title:
Resolution approving the amended agreement and by-laws for the Miami Valley Risk Management Association and authorizing the Acting City Manager to execute the same.

Recommendation:
It is recommended for City Council to approve a Resolution approving the amended agreement and by-laws for the Miami Valley Risk Management Association (MVRMA).

Background/Synopsis:
Submitted with this memo is the Amended Agreement and Bylaws of the Miami Valley Risk Management Association for approval by the governing bodies of the members of the Association.

The MVRMA Agreement and Bylaws was executed by each member city upon admission to the Association and represents the contract between the pool and its members.

The Agreement and Bylaws was adopted effective December 1, 1988, upon the formation of the pool and has been amended five times subsequently, most recently in 2002. Amendments require a recommendation by at least 2/3 of the Board of Trustees and an approving resolution approved by the governing bodies of at least 2/3 of the members.

An ad hoc committee appointed by the President recently undertook a thorough review of the Agreement and Bylaws. The committee, consisting of Bill Kucera of Beavercreek, Emily Christian of Miamisburg, Ginger Adams of Sidney and John Green of Tipp City, recommended various revisions to the document. The Board of Trustees recommended the amended document for approval at its December 21, 2020 meeting.

The recommended changes fall into two categories: 1) improvements in wording including grammatical changes, 2) clarifications of the document's intent, and 3) substantive changes. The substantive changes, in general, reflect the evolution of the pool. A summary of the changes has been attached.

Financial Impact:
None

Emergency Provision Explanation:

Rule Suspension Requested:
Yes

Emergency Provision Needed:
No

Attachments:
1. AMENDED AGREEMENT AND BYLAWS - 12-21-20 Board Recommendation
2. Memo to Members re Agr & Bylaws Jan-21
3. Miami Valley Risk Management-Res

AMENDED AGREEMENT AND BYLAWS

OF

MIAMI VALLEY RISK MANAGEMENT ASSOCIATION, INC.

Effective December 1, 1988

Amended: February 15, 1990

Amended: May 20, 1991

Amended: July 10, 1995

Amended: February 14, 1997

Amended: May 28, 2002

As Recommended by the Board of Trustees 12/21/20

1:11:1

Attachment: AMENDED AGREEMENT AND BYLAWS - 12-21-20 Board Recommendation (1718 : MVRMA Agreement & Bylaws Amendment)

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Attachment: AMENDED AGREEMENT AND BYLAWS - 12-21-20 Board Recommendation (1718 : MVRMA Agreement & Bylaws Amendment)

Attachment: AMENDED AGREEMENT AND BYLAWS - 12-21-20 Board Recommendation (1718 : MVRMA Agreement & Bylaws Amendment)

AGREEMENT AND BYLAWS OF

MIAMI VALLEY RISK MANAGEMENT ASSOCIATION, INC.

ARTICLE I. PURPOSE

The purpose of this Agreement is to establish and maintain a joint self-insurance pool under Chapter 2744.081 of the Ohio Revised Code for the public purpose of enabling the subscribing political subdivisions to obtain insurance coverage, to provide methods for paying claims, and to provide for a formalized, jointly administered self-insurance pool for members of the Miami Valley Risk Management Association, Inc. Specifically, the Association is intended to qualify as an instrumentality of its members used by such members in the exercise of an essential governmental function within the meaning of §115(1) of the Internal Revenue Code of1986, as amended. The foregoing activities of the Association are intended to perform such essential governmental function for the members at a cost which is lower than would be obtainable by the members acting separately. This Agreement shall constitute such a joint self-insurance pool (the "Pool"). It is contemplated that the members will cause to be formed and contract with a not-for-profit corporation to be known as Miami Valley Risk Management Association, Inc. (the "Association") for purposes of administering the Pool. This Agreement shall constitute the bylaws of the Association and shall also constitute an agreement between the Pool and the Association.

A copy of the Articles of Incorporation of the Association is attached hereto as Appendix A and is hereby incorporated herein.

As set forth in this Agreement, the members of the Pool shall also be members of the Association. The members of the association shall appoint the Board of Trustees of the Association.

Attachment: AMENDED AGREEMENT AND BYLAWS - 12-21-20 Board Recommendation (1718 : MVRMA Agreement & Bylaws Amendment)

The Association shall utilize the funds contributed by the members to defend and protect the members against certain stated liabilities or losses and to otherwise do all things necessary to fulfill the purposes of the Association and exercise its powers on behalf of the members as set forth in this Agreement, the laws of the State of Ohio governing not-for-profit corporations and the Pool and such other powers and duties as may be assigned to it by the members. Included within the powers of the Association is the right to purchase Excess Insurance, Stop Loss Insurance and Reinsurance to supplement to the Pool's funds.

All funds contributed to the Pool are funds directly derived from the members all of which are and will be political subdivisions within the State of Ohio. It is the intent of the parties to this Agreement that, to the fullest extent possible, the scope of risk management undertaken by them through the Pool using governmental funds shall not waive, on behalf of any political subdivision or public officials or employees, any defenses or immunities provided to political subdivisions or their public officials or employees as provided by Ohio law. Specifically, the members of the Association intend to effect no waiver of immunities through their contribution of public funds retained within the Pool and not used to purchase Excess Insurance Stop Loss Insurance or Reinsurance. It is further intended by the members that the Association shall make no profit and that the funds contributed by the members and utilized by the Association to fulfill its purposes and obligations shall not be considered income to the Association.

ARTICLE II. DEFINITIONS

ASSOCIATION – A not-for-profit corporation known as Miami Valley Risk Management Association, Inc. created pursuant to the Agreement and pursuant to Chapter 1702 of the Ohio Revised Code for the purpose of administering the Pool. This Agreement and Bylaws shall constitute the Bylaws of the Association.

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BOARD OF TRUSTEES – Those persons who, from time to time, are duly appointed and serving as the Board of Trustees of the Association and having the powers and duties described in Article V.

CLAIMS ADMINISTRATOR – A person or group of persons under the supervision of the Executive Director, who are employed either as employees or independent contractors to administer the claims made against the members and to perform such other duties which may be assigned by the Board of Trustees.

EXCESS INSURANCE – Insurance purchased by the Association on behalf of the members and the Pool which covers losses in excess of a stated amount or specified primary insurance or self-insurance.

Deleted: from an insurance company providing ce coverage for losses over a present amount up to a pr maximum amount of coverage

EXECUTIVE DIRECTOR – A person or group of persons designated by the Association to perform certain duties related to Risk Management and administration of claims made against the members.

JOINT SELF-INSURANCE – A self-insurance program in which political subdivisions agree to contribute annual and, when required, supplementary payments to support the Risk Management program, the Pool and administration of the Pool.

MEMBERS – The political subdivisions which initially subscribe to or such political subdivisions as later subscribe to the intergovernmental joint self-insurance pool established by this Agreement and which shall also be members of the Association until termination of membership as hereinafter provided.

Attachment: AMENDED AGREEMENT AND BYLAWS - 12-21-20 Board Recommendation (1718 : MVRMA Agreement & Bylaws Amendment)

POOL – The legal entity established pursuant to Section 2744.081 of the Ohio Revised Code by the members for the public purpose of enabling the members to obtain insurance or to provide for a formalized, jointly administered self-insurance fund for the members.

POOL CONTRIBUTION FACTOR – Each member's required portion of the costs of and the contributions to the Pool and the Association expressed as a percentage of total costs and contributions. The procedure to be used and the items to be considered in determining a Pool Contribution Factor for each member together with the current Pool Contribution Factor are determined by the Board of Trustees pursuant to Article V(i)(6). The members' Pool Contribution Factors shall be reviewed and established preliminarily in September each year and revised again and adopted as part of the annual association budget in December each year.

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REGULAR ANNUAL PAYMENT – The total annual contribution computed using the relevant Pool Contribution Factor of each member set forth and established in the annual Association Budget for any particular fiscal year for payment of all estimated costs, whether fixed, variable, or otherwise classified, regardless of the amount billed or paid therefore.

REINSURANCE – An agreement in which the reinsurer, in consideration of a premium paid to it, agrees to indemnify the Association, in accordance with the terms, conditions and limits of the reinsurance agreement for part or all of the claim liabilities assumed under the coverage documents issued by the Association.

RISK MANAGEMENT – The process of assessing exposures to loss and implementing actions that will avoid or minimize the adverse effects of losses.

Attachment: AMENDED AGREEMENT AND BYLAWS - 12-21-20 Board Recommendation (1718 : MVRMA Agreement & Bylaws Amendment)

SELF-INSURANCE – The amount of coverage provided by the Association, which falls between the members' deductible and the limits of any insurance policies obtained by the Association.

SELF-INSURANCE LOSS FUND – The fund or funds established by the Association for the payment of claims within the Self-Insurance level.

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STOP LOSS INSURANCE – Insurance purchased by the Association on behalf of the members and the Pool from an insurance company providing certain coverage up to a contracted amount for otherwise uninsured losses.

ARTICLE III. POWERS AND DUTIES OF THE ASSOCIATION

The powers of the Association to perform and accomplish the purposes set forth herein and in its Articles of Incorporation shall, within the budgetary limits established, the procedures and provisions set forth in this Agreement and the Articles of Incorporation of the Association, be the following:

1) To retain independent contractors including, without limitation, attorneys, accountants and insurance service providers or administrators, and to employ agents or employees;
2) To lease or purchase real property and to purchase or lease equipment, machinery, or personal property necessary for the carrying out of the purposes of the Association;
3) To carry out educational and other programs relating to Risk Management;
4) To oversee the collection of funds for, and to administer the Pool;
5) To borrow money and to incur indebtedness to accomplish the purposes of the Association, including the power to incur debt to pay claims made against the Pool,

Attachment: AMENDED AGREEMENT AND BYLAWS - 12-21-20 Board Recommendation (1718 : MVRMA Agreement & Bylaws Amendment)

the members or the Association, and to issue and grant such security interests in the assets of the Pool or the Association as are deemed necessary or appropriate by the Board of Trustees to accomplish the foregoing;

6) To purchase Excess Insurance, Stop Loss Insurance and Reinsurance on behalf of and for benefit of the Pool;

7) To establish reasonable and necessary loss reduction and prevention procedures to be followed by the members;

8) To provide Risk Management services;

Deleted: ,

9) To provide defense of and settlement of claims;

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10) Solely within the budgetary limits established by the members, to carry out such other activities as are necessarily implied or required to be carried out under the purposes of the Association specified herein, under Ohio law, or the Articles of Incorporation of the Association and to perform any and all other activities which are not inconsistent with the provisions of Chapter 1702 and Section 2744.081 of the Ohio Revised Code, including without limitations, the exercise of all powers of the Pool and the members authorized now or hereafter by Ohio Revised Code Chapter 2744, or otherwise.

ARTICLE IV. MEMBERSHIP IN ASSOCIATION; TERM OF MEMBERSHIP;

(a) After the initial one (1) year term of the Association, the members may extend the term of the Association for individual extended terms, each of which may not be for less than one (1) year. Adoption by the Board of Trustees of the final budget pursuant to Article VIII(b) shall constitute such extension for the upcoming fiscal year.

Attachment: AMENDED AGREEMENT AND BYLAWS - 12-21-20 Board Recommendation (1718 : MVRMA Agreement & Bylaws Amendment)

(b) So long as the Association shall continue in existence, any new member joining the Association shall remain a member for the remaining period of the then current term. Any member of the Association may withdraw from the Association at the end of any fiscal year of the Association upon giving at least sixty (60) days' prior written notice. Such notice shall be addressed to the President of the Association and shall be accompanied by a resolution or ordinance of the governing body of the member determining to withdraw from the Association. To the extent that there are surplus operating funds in the Association, which are allocable to such withdrawing member, such surplus operating funds shall be distributed to the withdrawing member, after taking into proper account reserves for future liabilities pursuant to this agreement. Pursuant to Article VIII(f), the withdrawing member shall not receive a distribution of surplus funds held for the payment of claims if such distribution was approved by the Board of Trustees subsequent to the member's withdrawal. When any member withdraws from the Association, at a time when the Association shall continue in operation, the withdrawing member shall continue to hold membership on the Board of Trustees, but only for the purpose of voting on matters affecting its limited continuing interest in the Association for such years as it was a member of the Association.

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(c) The Association will commence its operations and its initial one (1) year term at 12:01 a.m. on December 1, 1988. After the date of commencement of operations of the Association, new members may be admitted only in the manner set forth in this Agreement and upon such other terms and conditions as may be determined by the then existing members and the Board of Trustees.

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Attachment: AMENDED AGREEMENT AND BYLAWS - 12-21-20 Board Recommendation (1718 : MVRMA Agreement & Bylaws Amendment)

ARTICLE V. BOARD OF TRUSTEES OF THE ASSOCIATION

a) The Association shall have a Board of Trustees who shall serve in accordance with Ohio not-for-profit corporation laws. Each member shall be entitled to one (1) representative on the Board of Trustees and an alternate representative to serve when the Trustee appointed by that member is unable to carry out his or her duties as Trustee. Unless otherwise designated by resolution or ordinance of the governing body of a member, the Trustee and alternate Trustee shall be the Chief Administrative Officer of the member, whether the Mayor, City Manager or Executive Administrator, and/or the appointees thereof. Once such appointments are made known to the Association, the persons appointed shall remain in office until the Association receives evidence of the appointment of their successors. The Association shall be the judge of the proper appointment of members of the Board of Trustees and alternates and shall utilize in case of dispute general principles of Ohio law. No Trustee or alternate Trustee need to be an elected official of the member.

b) The Board of Trustees shall annually select a President, who shall preside at all meetings of the Board of Trustees. In the absence of an Executive Director, the President shall be the Chief Executive Officer of the Association unless the Board of Trustees appoints another person to serve as Interim Chief Executive Officer.

c) The Board of Trustees shall determine the general policy of the Association which policy shall be followed by the Association officers, agents, employees and independent contractors employed by the Association. Among other duties, it shall have the responsibility for:

1) Hiring of the Executive Director, agents, and independent contractors;

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2) Setting of all compensation for all persons, firms and corporations employed by the Association;

3) Setting of fidelity bonding requirements for employees or other persons other than those set forth herein;

4) Recommending amendments to the Bylaws of the Association;

5) Approving the acceptance of new members;

6) Expelling members;

7) Approving and amending the annual budget of the Association;

8) Resolving disputes over the scope of pooled self-insurance coverage provided by the Association;

9) Approving educational and other programs relating to risk reduction;

10) Approving reasonable and necessary loss reduction and prevention procedures to be followed by all members;

11) Approving the Pool Contribution formula and procedure and revisions thereto;

12) Approving the Regular Annual Payment and supplementary payments to the Pool for each member;

13) Establishing such rules and regulations regarding the payout of funds from the Pool as shall from time to time seem appropriate, including the determination of persons who may settle claims against the Pool or the members and monetary levels at which such persons may settle claims; and

14) Performing such other duties as shall be necessary to carry out the purpose of the Association under these Bylaws, the Articles of Incorporation, this Agreement and

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Ohio law and such other responsibilities, powers and duties as may be assigned by the members.

15) Unless a term of employment or contract is specifically approved by the Board of Trustees, all employment and contracts shall be at the will and pleasure of the Board of Trustees and subject to termination without cause.

d) Each Trustee shall be entitled to one (1) vote on the Board of Trustees. Voting shall be conducted by voice vote, except those matters which, under the Bylaws require a 2/3 majority of all the Trustees on the Board to approve for passage. A roll call vote shall be required in these instances where one (1) or more Trustees shall request a roll call vote.

e) Trustees shall serve on the Board at the pleasure of each member's appointing authority, for as long or short a period as the appointing authority determines. In the event that a vacancy occurs in the Board of Trustees, the member which had appointed the Trustee whose seat became vacant shall designate a successor to fill the vacancy. The failure of a member to designate or appoint a Trustee or the failure of that Trustee to participate shall not affect the responsibilities or duties of a member under this Agreement and Bylaws.

f) The Board of Trustees shall have the power to establish both standing and ad hoc committees. The President may also establish ad hoc committees which do not conflict with those established by the Board of Trustees. Unless the Board of Trustees shall establish some other procedure, the selection of Trustees who shall serve on such committees and chair them shall reside with the President. The President may appoint nonvoting persons who are not Trustees to serve on committees of the Association. The Board of Trustees may assign to a committee the authority to authorize the expenditure of

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funds and to settle claims or suits brought against members within the scope of coverage provided by the Association. The President, Executive Director or Claims Administrator may also be granted such authority. The Board of Trustees may authorize the establishment of an Executive Committee. The Board of Trustees may accord to the Executive Committee the authority to approve expenditures, authorize settlement of claims and suits and take such other action as shall be specifically delegated to it.

g) The Board of Trustees may establish rules governing its own conduct and procedure not inconsistent with these Bylaws.

h) A quorum shall consist of two-thirds (2/3) of the Board of Trustees. Except as provided in Subsections (i) and (j), herein, or elsewhere in these Bylaws, a simple majority of a quorum shall be sufficient to pass upon all matters.

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i) A two-thirds (2/3) vote of all the Trustees on the Board of Trustees shall be required for the following matters:

1) Expulsion of a member.

2) Establishment and amendment of budgets or scope of loss coverage.

3) Changes in the amount of a member's deductible.

4) Returns to members of unused loss funds.

5) Any establishment of or changes in a member's Regular Annual Payment.

6) The establishment or changes to the Pool Contribution Factor formula and procedure.

7) Calls for supplementary payments.

8) Termination of the Association.

9) Admission of new members.

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10) Such other matters as the Board of Trustees by a two-thirds (2/3) vote may establish within its rules to require a two-thirds (2/3) vote.

j) An approving Resolution passed by the governing bodies of at least two-thirds (2/3) of the members after recommendation by two-thirds (2/3) of all Trustees on the Board of Trustees shall be required in order to amend the Association's Agreement and Bylaws.

k) No one serving on the Board of Trustees shall receive any salary or other payment from the Association for serving on the Board of Trustees. Any salary or compensation for serving on the Board of Trustees shall be paid by each member separate and apart from this Agreement. However, a Board of Trustees member may be reimbursed pursuant to the policy of the Board of Trustees as may be amended from time to time for expenses incurred on behalf of the Association.

ARTICLE VI. MEETINGS OF THE BOARD OF TRUSTEES

Regular meetings of the Board of Trustees shall be held at least quarterly. The dates of regular meetings of the Board shall be established prior to the beginning of each fiscal year. Any item of business may be considered at a regular meeting. Special meetings of the Board of Trustees may be called by the President or by a simple majority of the Trustees. Five (5) days' written notice of regular meetings and three (3) days' written notice of special meetings shall be given to each Trustee. An agenda specifying the subjects to be considered shall accompany such notice. Business conducted at special meetings shall be limited to those items specified in the agenda.

To the extent not contrary to these Bylaws, and except as modified by the Board of Trustees, Roberts Rules of Order, latest edition, shall govern all meetings of the Board of

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Trustees. Minutes of all regular and special meetings of the Board of Trustees shall be provided to all members.

ARTICLE VII. OFFICERS OF THE ASSOCIATION

The Association shall have a President, Vice President, Treasurer and Secretary and such other officers as may be determined necessary to the Board of Trustees. The office of Treasurer and Secretary may be held by the same person. The officers shall be elected annually by the Board of Trustees to hold offices for a term of one (1) year. The Board of Trustees shall fill any vacancies which may occur in such offices for the remainder of the term.

The President of the Board of Trustees shall preside at all meetings of the Board of Trustees. In the absence of an Executive Director, the President or Interim Chief Executive Officer appointed by the Board of Trustees, shall be the Chief Executive Officer of the Association and shall in general supervise and control the day-to-day operations of the Association and shall carry out the policies of the Association as established in these Bylaws and by the Board of Trustees. The President may request information from any officer of the Association or any employee or independent contractor of the Association. The President shall vote on all matters that come before the Board or Committees on which the President serves. The President shall be a nonvoting ex-officio member of all committees of the Association on which the President does not directly serve. The President shall have such other powers as are set forth in these Bylaws and such other powers as he may be given from time to time by action of the Board. Without limitation, the President or, at the direction of the Board, the Executive Director shall:

1) Sign, with such other person authorized by the Board of Trustees, any instruments which the Board of Trustees has authorized to be executed and, in general perform

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all duties incident to the office of the President and such other duties as may be prescribed by the Board of Trustees from time to time.

2) Prepare a proposed annual budget, proposed Regular Annual Payments to be made by the members, and where required, supplementary payments to be paid by the members and submit such proposals to the Board of Trustees.

3) Where necessary, make recommendations regarding policy decisions, the creation of other Association officers and the employment of agents and independent contractors.

4) At each regular meeting of the Board of Trustees and at such other times as he shall be required to do so, he shall present a full report of his activities and the fiscal condition of the Association.

5) Report or cause reports to be made quarterly to all members on all claims filed and payouts made.

6) Within the constraints of the approved or amended budget, hire all employees and expend funds for administrative expenses.

The Vice President shall carry out all duties of the President during the absence or inability of the President to perform such duties and shall carry out such other functions as are assigned from time to time by the President.

The Treasurer, or, at the direction of the Board, the Executive Director shall:

1) Have charge and custody of and be responsible for all funds and securities of the Association, receive and give receipts for moneys due and payable to the Association from any source whatsoever; deposit all such moneys in the name of the Association in such banks, savings and loan associations or

other depositories as shall be selected by the Board of Trustees; invest the funds of the Association as are not immediately required in such securities as the Board of Trustees shall specifically or generally select from time to time; and maintain the financial books and records of the Association; provided, however, that all investments of Association funds shall be made only in those securities which may be purchased by the Association under Ohio or other applicable law and within policies established by the Board of Trustees.

2) In general, perform all the duties incident to the office of Treasurer and such other duties as from time to time may be assigned to him by the President or the Board of Trustees.

The Secretary, or his designee, shall keep the minutes of the meetings of the Board of Trustees; see that all notices of meetings are duly given in accordance with the provisions of these regulations, and as required by applicable law, provided, however, that any persons calling such meetings may, at their options, themselves give such notice; be custodian of the corporate records; and, in general, perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned by the Board of Trustees.

The Association may purchase such fidelity bonds, or equivalent insurance policy(ies), as may be determined to be appropriate by the Board of Trustees to assure the fidelity of the President, Vice President, Treasurer, Secretary, and any other officer, committee member, or employee who shall have the right to authorize the transfer or payment of Association funds. Without amendment of these Bylaws, the Board of Trustees, by motion, may increase or decrease the amount of such bonds or change the persons covered thereby.

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ARTICLE VIII. FISCAL YEAR; FINANCIAL MATTERS;

RISK MANAGEMENT POOL

a) The fiscal year of the Association shall commence on January 1, and end on December 31.

b) The Board of Trustees shall approve a preliminary budget for the administration of the Association during the upcoming fiscal year by September 30 of each year. The Board of Trustees shall approve a final budget for the administration of the Association during the upcoming fiscal year by December 31 of each year. Copies of all preliminary and final budgets shall be promptly distributed to each Trustee and to any additional persons designated by the members. In adopting a final budget, the Board of Trustees shall also determine the amount of Regular Annual Payments to be made by each member. Failure of the Board of Trustees to approve a preliminary or final budget within the times set forth within this Section shall not relieve the members of the obligations to make Regular Annual Payments or supplementary payments to the Association as long as such budgets are finally adopted and the members are given at least (30) days after the passage of the final budget in which to make payments to the Association.

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c) Annually, the Board of Trustees shall, after reviewing the updated underwriting information or audited information (when required by the Board of Trustees) submitted from each member, establish a Pool Contribution Factor for each member in accordance with the formula and procedure set forth pursuant to Article V(c)(11). Notice of this Pool Contribution Factor shall be sent to each member. If a member wishes to contest the

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determination, it may request a hearing before the Board of Trustees. The decision by the Board of Trustees after such a hearing shall be final unless the Board of Trustees shall be found by a court to have committed a clear abuse of discretion.

d) Budgets, which shall specify the Regular Annual Payment for each member, may be amended at any time by two-thirds (2/3) vote of the Board of Trustees. Calls for supplementary payments may be made by the Board of Trustees by two-thirds (2/3) vote of the Board of Trustees. The Board of Trustees may make calls for supplementary payments from members, including withdrawn or expelled members, for the years of their membership. The payment of such Regular Annual Payments and supplementary payments shall be made within a time specified in notices to the members giving not less than thirty (30) days to make such payments. Supplementary payments shall be required by the Board of Trustees only in a situation in which there is a reasonable concern that the amounts remaining from the Regular Annual Payments will not be sufficient to meet the responsibilities of the Association. Members shall be responsible for supplementary payments during the entire life of the Association and any later period when claims or expense need to be paid which are attributable to any year of membership during which the event out of which the expense or claim occurred.

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e) The Board of Trustees may permit the Regular Annual Payments or supplementary payments to be made on a periodic basis as determined by the Board of Trustees. The amount of such Regular Annual Payments and any supplementary payments required shall be based upon the Pool Contribution Factor established annually. The funds derived through application of the Pool Contribution Factor shall be sufficient to annually produce a sum of money within the Pool adequate in amount to fund the purchase of Excess

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Insurance, Stop Loss Insurance and/or Reinsurance, the administrative expenses of the Association and to create adequate reserves for the scope of Risk Management set forth herein and as may be determined by the members.

f) If for any year during which the Association was in existence, all claims known or unknown have either been paid or provision has been made for such payment, the Board of Trustees as then constituted may, at its sole discretion, distribute part or all of any surplus funds held for the payment of claims attributable to that year. Such distribution shall be made to the members which constituted the membership of the Pool in that prior year, provided, however, that such members must also be members of the Pool in the year in which such distribution is made, after first deducting therefrom reasonable administrative and other non-allocated costs incurred by the Association in the processing of the claims in years other than the one in which the claim was made. The distribution among the members shall be in the same proportion to the total as was their Regular Annual Payment, for the respective year, to the Regular Annual Payments of all members for that year. Such surplus funds shall be distributed in accordance with a policy approved by the Board.

g) The Association shall provide to the members an annual audit of the financial affairs of the Association in accordance with generally accepted auditing standards. The audit shall be conducted by a certified public accounting firm. The annual audit report shall be delivered to such person or persons as may be designated by each member.

h) As required by law or as otherwise determined necessary by its Board of Trustees, the Association shall, on an annual basis, employ a person or company who, as an independent contract, shall prepare an actuarial audit of the affairs of the Association. Such actuarial audit shall be authorized within a reasonable period of time after the end of

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each fiscal year. The entity chosen to carry out the actuarial audit shall be one which specializes in the performance of an audit of this nature. The audit may be a part of the financial audit of the Association. The Board of Trustees may, from time to time, direct the preparation of a report on the adequacy of the pooled funds maintained by the Association in relationship to claims made and those actuarially expected to be made in the future.

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ARTICLE IX. SCOPE OF LOSS PROTECTION

Deleted: <#>The Board of Trustees, utilizing som[e] other than the Treasurer to carry out this function, s[hall] cause on an annual basis an analysis to be made of [the] extent to which the pooled funds of the Association invested in a manner so as to reasonably assure the[ir] security and availability for the payment of claims [and] other expenses. An analysis shall also be undertak[en of the] extent to which the investment of such funds has pr[oduce]d interest revenues which provide a reasonable return upon the investments made. In analyzing this matt[er] national indices or other similar standards shall be [use]d. Unless these analyses are specifically directed by t[he Boa]rd of Trustees to be conducted in another manner, the[y shall] be carried out in the manner chose by the President ...

The Association shall provide loss protection by providing adequate funding to the Self-Insurance Loss Fund, and purchasing Excess Insurance, Stop Gap Loss Insurance and Reinsurance for the benefit of its members. The intent of this Agreement and Bylaws shall be that except to the extent to which the scope of coverage provided by the Association is specifically expanded by action of the Board of Trustees and its members, the members herein do not intend to utilize the Self-Insurance Loss Fund of the Association to cover matters for which Excess Insurance, Reinsurance or Stop Loss Insurance coverage is contemporaneously provided.

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By entering into this Agreement and Bylaws, each member agrees to be bound by a decision by a majority vote of the Board of Trustees of the Association that a particular matter presented to the Association for defense and indemnification is or is not within the scope of coverage provided by the Association. Any member may request that the Board of Trustees take official action to affirm or reverse a decision by the President, Executive Director or other officer, employee or independent contractor of the Association that a particular matter is or is not within the scope of coverage provided herein. The member requesting such a consideration by the Board of Trustees shall have a full opportunity to explain the position being urged by the member. The decision of the Board of Trustees of the Association shall be final in the absence of a clear abuse of its discretion, but the Association may institute legal proceedings to further resolve the issue by final judicial determination.

The Executive Director, after having reviewed a claim forwarded to the Association for coverage, shall be permitted to decline to provide coverage for such claim if, in his opinion, the claim is not within the scope of coverage afforded herein. The Executive Director may also agree to accept the claim and provide a defense but may reserve the right of the Association to withdraw from the defense or to refuse to provide indemnification against the claim in the event that it is later determined that the claim is not properly within the scope of protection accorded by the Association.

ARTICLE X. INSURANCE

The Association may purchase Excess Insurance and Reinsurance. Unless otherwise directed by the Board, said purchase shall be from a company approved or authorized by the Department of Insurance to write such coverage in Ohio.

In addition to the Excess Insurance coverage and/or Reinsurance, the Association may obtain Stop Loss Insurance such that in the event that the Association should in any single year expend a maximum aggregate sum set from time to time by the Board of Trustees for the payment of claims, the stop loss protection would pay additional claims above that amount to a certain maximum annual amount. In lieu of purchasing Stop Loss Insurance, the Board of Trustees may elect to self insure this coverage by establishing a separate fund from member contributions, as determined by Board policy.

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The sequence of the obligations of the members, the Association and the insurer for a claim resulting in liability within the scope of the Self-Insurance, Excess Insurance, Reinsurance and Stop Loss Insurance to be provided is as follows:

The member's deductible established by the Board of Trustees pursuant to Article V(i)(3) shall first be paid for any valid claim. The next payment will come from the Association in accordance with the scope of loss protection set forth in Article IX. In the event the Association shall have determined in a particular year to create a Self-Insurance Loss Fund from Regular Annual Payments which shall produce a sum less than the amount at which the Excess Insurance, Reinsurance and Stop Loss Insurance shall commence coverage, and if additional funds are required, the Association may call for supplementary payments attributable to that year. The next level of responsibility shall be assumed by the excess insurer and/or reinsurer. In the event that a single loss should exceed the amount of coverage provided by the Self-Insurance Loss Fund, and the Excess Insurance and/or Reinsurance, then the payment of such uncovered valid loss shall be the obligation of the individual member or members against which the claim was made. This sequence of obligations shall apply to all claims within the scope of coverage of the Pool and the Association from its inception on December 1, 1988, and shall apply to all members for those claim years during which they were members. The Association shall make payments from the Self-Insurance Loss Fund, Excess Insurance, Reinsurance and Stop Loss Insurance proceeds in the order in which the judgments against a member or the Association have been entered or settlements of claims have been reached.

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Notwithstanding the obligation of the member to pay the Regular Annual Payments and the Supplemental payments assessed pursuant to this Agreement, no member shall be liable to the Association for any amount in excess of the amounts payable pursuant to this Agreement and otherwise. No member shall, in any way, be liable for the payment of the claims and judgments against any of the other members.

ARTICLE XI. OBLIGATIONS OF MEMBERS

The obligations of the members of the Association shall be as follows:

1) To appropriate or budget for and, when necessary, to levy for and to promptly pay all Regular Annual Payments and supplementary or other payments to the Pool at such times and in such amounts as shall be established by the Board of Trustees within the scope of this Agreement. Any delinquent payments shall be paid with a penalty as determined by Board policy.
2) To allow the Association reasonable access to all facilities of the members and all records, including but not limited to, financial records which relate to the purpose of powers of the Association.
3) To allow attorneys employed by the Association to represent the member in investigation, settlement discussions and all levels of litigation arising out of any claim made against the member within the scope of loss protection furnished by the Association.
4) To provide full cooperation to the Association's attorneys, claims adjusters, the Executive Director and any agent, employee, officer or independent contractor of the Association relating to the purpose and powers of the Association.

5) To follow in its operations all loss reduction and prevention procedures established by the Association within its purpose and powers.
6) To furnish to the Association updated underwriting information of all revenues and expenditures received by the member for any fiscal year of the member for which figures are requested by the Association and to furnish any other information required by the Association to assist it in making its determination of a Pool Contribution Factor, which information may include, but is not limited to, providing information about the members' properties. When requested by the Board of Trustees, the member shall provide the Association with the above-stated information in a form satisfactory to the Board of Trustees.
7) To report to the Claims Administrator as follows:
   i. To report immediately, but in no event more than two (2) business days after receipt, a statutory notice of claim, a summons and complaint or other pleading before a court or agency for which overage from the Association is sought.
   ii. To report, within ten (10) calendar days after receipt, a written demand for monetary relief for which coverage from the Association is sought.
   iii. To report at the earliest practicable moment any information of an occurrence received by the member and from which the member could reasonably conclude that coverage from the Association will be sought.

In the event the terms set forth above are not submitted to the Claims Administrator within the time period set forth above, the Board of Trustees of the Association, by a vote of a majority of a quorum of the Board of Trustees, at a regular or special meeting, any in whole or in apart decline to provide a defense to the member or to utilize the funds of the Association

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for the payment of losses or damages incurred. In reaching its decision, the Board of Trustees shall consider whether and to what extent the Association was prejudiced in its ability to investigate and defend the claim due to the failure of the member to promptly furnish notice of the claim to the Claims Administrator. In the absence of fraud or a clear abuse of discretion, the decision of the Board of Trustees shall be final.

ARTICLE XII. LIABILITY OF TRUSTEES OR OFFICERS

The Association shall indemnify any Trustee or officer or any former Trustee or officer of the Association against reasonable expenses, judgments, decrees, fines, penalties or amounts paid in settlement actually and necessarily incurred by him in connection with the defense of any pending or threatened action, suit, or proceeding, criminal or civil, to which he is or may be made a party by reason of being or having been such Trustee or officer, provided it is determined in the manner hereinafter set forth: (a) that such Trustee or officer was not, and is not adjudicated to have been, negligent or guilty of misconduct in the performance of his duty to the Association; (b) that he acted in good faith in what he reasonably believed to be the best interest of the Association; (c) that, in any matter the subject of a criminal action, suit, or proceeding, he had no reasonable cause to believe that his conduct was unlawful; and (d) in case of settlement, that the amount paid in the settlement was reasonable. Such determination shall be made either: (a) by the Board of Trustees acting at a meeting at which a quorum consisting of Trustees who are not parties to or threatened with any such action, suit or proceeding is present; or (b) in the event of settlement, by a written opinion of independent legal counsel selected by the Board of Trustees.

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Funds to cover expenses with respect to any pending or threatened action, suit, or proceeding, may be advanced by the Association prior to the final disposition thereof upon receipt of an undertaking by or on behalf of the recipient to repay such amounts unless it shall ultimately be determined that he is entitled to indemnification hereunder.

The indemnity herein above provided for shall not be deemed to be exclusive of: (a) any other rights to which any person may be entitled under any agreement, any insurance acquired with funds in the Pool or provided by the Association, or otherwise; (b) any immunity, qualified or otherwise, afforded a Trustee or officer pursuant to Chapter 1702 and Section 2305.38 of the Ohio Revised Code; or (c) the power of the Association to indemnify any person who is or was an employee of the Association to the same extent and in the same situations and subject to the same determinations as are herein above set forth with respect to a Trustee or officer. The Association may purchase and maintain insurance on behalf of any person who is or was a Trustee, officer, or employee against any liability asserted against him or incurred by him in any such capacity or arising out of his status as such whether or not the Association would have the power to indemnify him against such liability under the provisions of this Article XII.

ARTICLE XIII. ADDITIONAL INSURANCE

The Association through the distribution of the minutes of the Board of Trustees or through other means shall inform all members of the scope and amount of Excess Insurance, Stop Loss Insurance or Reinsurance in force from time to time. Membership in the Association shall not preclude any member from purchasing any insurance coverage above those amounts purchased by the Association. The Association may make its facilities

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available to advise members of the types of additional or different coverages available to units of local government.

ARTICLE XIV. OPTIONAL DEFENSE BY MEMBERS

Whenever the Association proposes to settle any pending claim or suit where the amount of that proposed settlement shall exceed Twenty-Five Thousand Dollars, the member involved and all members shall be given advance notice of that settlement. Such notice may be given by the establishment of a reserve amount in excess of Twenty-Five Thousand Dollars, provided the amount of the settlement does not exceed the amount reserved. The officers and employees of the Association shall, however, endeavor to give specific oral or written notice to the member involved of the exact amount of any proposed settlement in excess of Ten Thousand Dollars at least ten (10) days prior to the date at which the Association proposes to bind itself to pay such settlement amount. It is recognized by the members that under some circumstances the Association may not be able to given ten (10) days prior oral or written notice of the proposed settlement. The officers, employees or independent contracts of the Association shall attempt to give the member as much notice of the settlement as is possible under the circumstances of each case.

In the event the members should disagree with the amount at which the Association proposes to settle a case or claim, that member through its Law Director, Chief Administrative officer, Trustee or alternate Trustee may notify the Executive Director of the Association that the member exercises its right to prevent the Association from reaching a settlement at the agreed upon amount. The Executive Director may require that such information be transmitted in writing. In the event the Association does not settle a case based upon the objection of the member, the Association shall continue to provide a defense to the defendants unless the member should desire to itself undertake the defense. In the event the case or claim is eventually resolved through a settlement or judgement in an amount less than the amount at which the case could have been previously settled by the Association, then the member which has undertaken the costs of its own defense shall be entitled to its actual costs, including attorneys' fees, up to the level at which the case could have been settled by the Association. To the extent the case or claim is resolved through settlement or judgement at an amount greater than that at which the case or claim could have been previously settled by the Association, the member shall be obligated for its actual costs, including attorneys' fees, and the portion of the settlement or judgment which exceeds the amount at which the case could have been settled by the Association. If the member wishes to have the Association continue to provide the defense, the member shall be obligated for any additional costs incurred by the Association, including attorneys' fees, and that portion of the settlement or judgment which exceeds the amount at which the case could have been settled by the Association. The Association may require periodic supplementary payments from the member. The member shall pay its portion of the judgment or settlement directly to the plaintiff, and the Association shall not be required to pay the member's portion of such judgment or settlement.

The Association may establish the amount at which it could have settled the case through a written settlement offer by the plaintiff or through other competent evidence of the availability of the settlement at a particular sum.

To the extent that payment shall be made with funds derived from Excess Insurance or Stop Loss Insurance or other insurance, the provisions of this Article XIV shall prevail when not contrary to those insurance contracts.

ARTICLE XV. CONTRACTUAL OBLIGATION

This document shall constitute a contract among those political subdivisions which become members of the Pool and between the Pool and the Association. The obligations and responsibilities of the members set forth herein, including the obligation to take no action inconsistent with these Bylaws as originally written or validly amended, shall remain a continuing obligation and responsibility of the member. The terms of this Agreement may be enforced in a court of law by the Association or any of its members.

The consideration for the duties herewith imposed upon the members to take certain actions and refrain from certain other actions shall be based upon the mutual promises and agreements of the members set forth herein. This Agreement and Bylaws may be executed in duplicate originals and their adoption by political subdivisions shall be evidenced by a certified copy of an ordinance or resolution passed in accordance with law. Provided, however, that except to the extent of the limited financial contributions to the Association agreed to herein or such additional obligations as may arise through amendments to this Agreement or these Bylaws, no member agrees to contracts herein to be held responsible for any claims in tort or contract made against any other member. The contract parties intend in the creation of the Pool and Association to establish an organization for joint risk management only within the scope herein set out and have not herein created as between any members any relationship of surety, indemnification or responsibility for the debts of or claims against any member.

ARTICLE XVI. EXPULSION OF MEMBERS

By the vote of two-thirds (2/3) of the entire membership of the Board of Trustees, any member may be expelled. Such expulsion may be carried out for one or more of the following reasons:

(a) Failure to make any Regular Annual Payments or other payments due to the Association when due;

(b) Failure to undertake or continue loss reduction and prevention procedures adopted by the Association;

(c) Failure to allow the association reasonable access to all facilities of the member and all records which relate to the purpose or powers of the Association;

(d) Failure to provide full cooperation to the Association's attorneys, claims adjusters, the Executive Director and any agent, employee, officer or independent contract of the Association relating to the purpose and powers of the Association; or

(e) Failure to carry out any obligation of a member which impairs the ability of the Association to carry out its purpose or powers.

No member may be expelled except after notice from the Association of the alleged failure along with a reasonable opportunity of not less than thirty (30) days to cure the alleged failure, provided, however, that if the failure is a failure to make a Regular Annual Payment or other payment due the Association, such a failure must be cured within ten (10) days of the due date of such payment. The member may request a hearing before the Board of Trustees before any decision is made as to whether the expulsion shall take place. The Board of

Attachment: AMENDED AGREEMENT AND BYLAWS - 12-21-20 Board Recommendation (1718 : MVRMA Agreement & Bylaws Amendment)

Trustees shall set the date for a hearing which shall not be less than ten (10) days after the expiration of the time to cure has passed. A decision by the Board of Trustees to expel a member after notice and hearing and a failure to cure the alleged effect shall be final unless the Board of Trustees shall be found by a court to have committed a clear abuse of discretion. The Board of Trustees may establish the date at which the expulsion of the member shall be effective at any time not less than sixty (60) days after the vote expelling the member has been made by the Board of Trustees. If the motion to expel the member or a subsequent motion does not state the time at which the expulsion shall take place, such expulsion shall take place sixty (60) days after the date of the vote by the Board of Trustees expelling the member.

After expulsion, the former member shall continue to be fully obligated for its portion of any claim against the assets of the Pool which was created during the term of its membership along with any other unfulfilled obligation as if it was still a member of the Association. The expelled member shall, after expulsion, no longer be entitled to participate or vote on the Board of Trustees.

ARTICLE XVII. TERMINATION OF THE ASSOCIATION

If, sixty (60) days prior to the conclusion of any fixed term of the Association, the Board of Trustees does not vote to continue the existence of the Association, then the Association shall cease its existence at the close of the then current fiscal year. Under those circumstances, the Board of Trustees shall continue to meet on such a schedule as shall be necessary to carry out the winding up of the affairs of the Association. It is contemplated that the Board of Trustees may be required to continue to hold meetings for some substantial period of time in order to accomplish this task.

Attachment: AMENDED AGREEMENT AND BYLAWS - 12-21-20 Board Recommendation (1718 : MVRMA Agreement & Bylaws Amendment)

All members of the Association, including those which have withdrawn or been expelled, shall remain fully obligated for the payment of supplementary payments attributable to years during which they were members of the Association. Such supplementary payments may include but are not limited to sums sufficient to pay claims, retain reserve levels and pay for continuing claims administration. In addition, all members shall continue to be responsible for all other obligations of membership attributable to such prior years.

After all claims and liabilities have been properly paid or reserves established for the payment of any such claims, any surplus funds of the Association shall then be distributed to the members in proportion to their interest in such surplus funds.

ARTICLE XVIII. COUNTERPARTS

This Agreement may be executed in separate counterparts, each of which shall constitute an original but all of which when taken together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and executed this Agreement and Bylaws this _______________ day of _______________________, 20_______, at _____________________County, Ohio, Pursuant to the authority of ordinances or resolutions as hereinafter certified.

Approved as to Legal Form:

By ___________________________

(Name)

Law Director

City of _____________________________

By ________________________________

(Name)

(Office)

Pursuant to Ordinance / Resolution No. ____________ Passed on ____/____/_________

CERTIFICATION

I hereby certify that the money required to meet this contract has been lawfully appropriated for such purpose and is in the treasury or in the process of collection to the credit to this fund free from any previous obligation or certification as required by Ohio Revised Code §§5705.01 to 5705.47.

____

(Name)

Director of Finance

1:11:36

MEMORANDUM

January 5, 2021

TO: Board of Trustees

FROM: Thomas Judy, Executive Director

SUBJECT: Member Approval of Amended Agreement and Bylaws

Submitted with this memo is the Amended Agreement and Bylaws of the Miami Valley Risk Management Association for approval by the governing bodies of the members of the Association.

The MVRMA Agreement and Bylaws was executed by each member city upon admission to the Association and represents the contract between the pool and its members.

The Agreement and Bylaws was adopted effective December 1, 1988, upon the formation of the pool and has been amended five times subsequently, most recently in 2002. Amendments require a recommendation by at least 2/3 of the Board of Trustees and an approving resolution approved by the governing bodies of at least 2/3 of the members.

An ad hoc committee appointed by the President recently undertook a thorough review of the Agreement and Bylaws. The committee, consisting of Bill Kucera of Beavercreek, Emily Christian of Miamisburg, Ginger Adams of Sidney and John Green of Tipp City, recommended various revisions to the document. The Board of Trustees recommended the amended document for approval at its December 21, 2020 meeting.

The recommended changes fall into two categories: 1) improvements in wording including grammatical changes, 2) clarifications of the document's intent, and 3) substantive changes. In my opinion, the substantive changes, in general, reflect the evolution of the pool. The clarifications and substantive changes are summarized on the following pages:

MVRMA Amended Agreement and Bylaws – Summary of Recommend Changes – December 2020

	Article / Page	Current	Proposed	Comments
1	Article II (p. 1:11:7)	Pool Contribution Formula (PCF) is "set forth in Appendix B."	PCF to be "determined by the Board."	Gives the Board flexibility to change the formula. Per Article V(i)(6), such changes require a 2/3 majority of the Board.
2	Article IV(a) (p. 1:11:9)	Members may extend the term of the Association for terms beyond the initial year of operation.	Added that the adoption of the annual budget constitutes extension of the Association term for the upcoming year.	Provides a mechanism to extend the term of the Association. Current Bylaws provide no such mechanism.
3	Article IV(b) (p. 1:11:10)	Article IV(b) authorizes distribution of "surplus operating funds" to withdrawn members. However, per Article VIII(f), withdrawn members may not participate in distribution of surplus claims funds.	Added reference in Article IV(b) to Article VIII(f).	The reference in Article IV to Article VIII links to two sections to make it clearer to the reader that, although a withdrawn member may receive a distribution of surplus operating funds, they do not participate in refunds of surplus claims funds
4	Article V(b) & Article VII (p. 1:11:11 & p. 1:11:16)	In the absence of the Executive Director, the President of the Board of Trustees serves as the CEO.	Added authority for the Board to appoint an Interim CEO in lieu of the President.	Gives the Board the flexibility to appoint another individual in the event the President cannot, or does not wish to, serve as CEO.
5	Article V(c)(5) (p.1:11:12)	Duties of the Board include "**Recommending** the acceptance of new members."	Changed to "**Approving** the acceptance of new members."	Clarifies that no further approval beyond the Board of Trustees is necessary to admit a new member.
6	Article V(c)(11) & Article V(i)(6) (p. 1:11:12 & p.1:11:14)		Grants Board the authority to approve the Pool Contribution Formula (PCF) and changes thereto.	See #1 above
7	Article VII (p. 1:11:18)	Association may purchase fidelity bonds for the officers, employees, committee members, etc.	Added authority to use "equivalent insurance policy" in lieu of bonds.	Gives the option to purchase a crime policy in lieu of bonds.

Attachment: Memo to Members re Agr & Bylaws Jan-21 (1718 : MVRMA Agreement & Bylaws Amendment)

	Article / Page	Current	Proposed	Comments
8	Article VIII(f) (p. 1:11:21)	Trustees may distribute surplus funds after all claims have been paid or provided for.	Added clarifying language.	
9	Article VIII(h) (p. 1:11:21)	All contractors, including attorneys, shall provide a semiannual reporting of the status of their work.	Deleted	This requirement is not necessary. Other reporting mechanisms are in place.
10	Article VIII (p. 1:11:22)	The Board shall contract with someone to prepare an analysis of the investment program	Deleted	Committee believed this to be unnecessary due to Finance Committee oversight of the investment program in accordance with the Cash & Investment Policy.
11	Article X (p. 1:11:24)	The members' deductible is the first $2,500 of any claim.	The Board may establish the amount of the members' deductibles.	Provides flexibility to the Board to revise the deductible as circumstances warrant.

Attachment: Memo to Members re Agr & Bylaws Jan-21 (1718 : MVRMA Agreement & Bylaws Amendment)

RESOLUTION NO. ___________

RESOLUTION APPROVING THE AMENDED AGREEMENT AND BY-LAWS FOR THE MIAMI VALLEY RISK MANAGEMENT ASSOCIATION AND AUTHORIZING THE ACTING CITY MANAGER TO EXECUTE THE SAME.

WHEREAS, the City of Fairfield is a member of the Miami Valley Risk Management Association (MVRMA) for purposes of property and liability risk coverage; and

WHEREAS, it is proposed by the MVRMA Board of Trustees that the by-laws and member agreements of MVRMA be amended and re-executed.

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

Section 1. The amended Agreement and By-Laws for the Miami Valley Risk Management Association are approved and the Acting City Manager is authorized to execute the same in accordance with the amended agreement and by-laws on file in the office of the Acting City Manager.

Section 2. 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

Attachment: Miami Valley Risk Management-Res (1718 : MVRMA Agreement & Bylaws Amendment)

City Council Ordinance
Regular Meeting - January 25, 2021

Submitted by: John Clemmons,
Submitting Department: Legal

Subject:
Ordinance to authorize an agreement for dental care insurance benefits

Legislation Title:
Ordinance to authorize the Acting City manager to execute a claims run out and master group agreement with Dental Care Plus, Inc. AKA Dental Care Plus Group and declaring an emergency.

Recommendation:
It is recommended to adopt an ordinance with rules suspension and the emergency clause to authorize an agreement with Dental Care Plus, Inc. AKA Dental Care Plus Group for dental care insurance benefits and claims run out administration.

Background/Synopsis:
Beginning January 1, 2021, the non-represented and AFSCME bargaining unit employees began health and dental benefits coverage with the Butler Health Plan (BHP). This agreement will provide dental insurance benefits for the remaining bargaining units and claims run out administration for those employees whose dental coverage moved to BHP.

Financial Impact:
The new agreement for dental insurance benefits will result in an annual cost reduction of $10,673.00 for the City and the employees covered by the new agreement.

Emergency Provision Explanation:
Rules suspension and the emergency clause are requested in order for dental care benefits for employees to continue uninterrupted and claims run out to be administered in a timely manner.

Rule Suspension Requested:
Yes

Emergency Provision Needed:
Yes

Attachments:
1. Dental Care-Ord

ORDINANCE NO. __________

ORDINANCE TO AUTHORIZE THE ACTING CITY MANAGER TO EXECUTE A CLAIMS RUN OUT AND MASTER GROUP AGREEMENT WITH DENTAL CARE PLUS, INC. AKA DENTAL CARE PLUS GROUP AND DECLARING AN EMERGENCY.

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

Section 1. The Acting City Manager is hereby authorized to execute a claims run out and master group agreement with Dental Care Plus, Inc. aka Dental Care Plus Group for the period beginning January 1, 2021 in accordance with the agreement on file in the office of the City Manager. This ordinance is authorized as an emergency without competitive bidding because of the immediate need for claims administration and claims run out services.

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 there is an immediate need for claims administration and claims run out services for dental claims; wherefore, this ordinance shall take effect immediately upon its passage.

Passed ____________________ ______________________________
Mayor's Approval

Posted ____________________

First Reading ____________________ Rules Suspended ______________

Second Reading ____________________ Emergency ______________

Third Reading ____________________

ATTEST:

____
Clerk of Council

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

____
Clerk of Council

Active Clients\City of Fairfield\Ordinances\2021\Dental Care-Ord

Attachment: Dental Care-Ord (1724 : Ordinance to authorize an agreement for dental care insurance benefits)

City Council Ordinance
Regular Meeting - January 25, 2021

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

Subject:
Supplemental Appropriations - Budget Amendment

Legislation Title:
Ordinance to amend Ordinance No. 109-20 entitled "An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2021, and ending December 31, 2021." - Supplemental Appropriations

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

Background/Synopsis:
Upon ratification of the agreement between the City of Fairfield and the American Federation of State, County and Municipal Employees (AFSCME) Council #8, Local 3646, the following budgetary changes are required. Provisions in the agreement were changed from an allowance method to a reimbursement method, and increased from $200 to $225, thus causing a change in the annual operating budget. Amounts will be decreased in Personnel related line items and correspondingly increased in Other related line items. The net financial impact of this change is $1,451.

Additionally, with the Pool Operation Contract, items in the Personnel related line items were decreased and the Other Professional Services line item increased to account for the contractual costs to operate the Aquatic Center. The net financial impact of this section is $0.

From:	**Unappropriated General Fund**	**325**
From:	10015521-219002-WEARING APPAREL ALLOWANCE	(800)
To:	10015524-242200-WEARING APPAREL SUPPLIES	900
From:	10041221-219002-WEARING APPAREL ALLOWANCE	(400)
To:	10041224-242200-WEARING APPAREL SUPPLIES	450
From:	10051221-219002-WEARING APPAREL ALLOWANCE	(1,400)
To:	10051224-242200-WEARING APPAREL SUPPLIES	1,575

From:	**Unappropriated Street Const, Repair, and Maint Fund**	**525**
From:	20142021-219002-WEARING APPAREL ALLOWANCE	(4,200)
To:	20142024-242200-WEARING APPAREL SUPPLIES	4,725
From:	**Unappropriated Water Revenue Fund**	**417**
From:	60161121-219002-WEARING APPAREL ALLOWANCE	(330)
To:	60161124-242200-WEARING APPAREL SUPPLIES	372
From:	60161221-219002-WEARING APPAREL ALLOWANCE	(1,400)
To:	60161224-242200-WEARING APPAREL SUPPLIES	1,575
From:	60161321-219002-WEARING APPAREL ALLOWANCE	(1,600)
To:	60161324-242200-WEARING APPAREL SUPPLIES	1,800
From:	**Unappropriated Sewer Revenue Fund**	**34**
From:	62062121-219002-WEARING APPAREL ALLOWANCE	(270)
To:	62062124-242200-WEARING APPAREL SUPPLIES	304
From:	**Unappropriated Recreational Facilities Fund**	**50**
From:	64052021-219002-WEARING APPAREL ALLOWANCE	(400)
To:	64052024-242200-WEARING APPAREL SUPPLIES	450
From:	64051121-211000-SALARY AND WAGES	(103,250)
From:	64051121-212100-PUBLIC EMPLOYEES RETIREMENT	(14,455)
From:	64051121-213000-WORKERS COMPENSATION	(362)
From:	64051121-214500-MEDICARE	(6)
To:	64051123-233900-OTHER PROFESSIONAL SERVICES	118,073
From:	**Unappropriated Municipal Garage Services Fund**	**100**
From:	70543021-219002-WEARING APPAREL ALLOWANCE	(800)
To:	70543024-242200-WEARING APPAREL SUPPLIES	900

Financial Impact:
Net financial impact of this ordinance is $1,451. The changes are increases and corresponding decreases due to changes in collective bargaining agreements and contractual services for the Aquatic Center.

Emergency Provision Explanation:

Rule Suspension Requested:
Yes

Emergency Provision Needed:
No

Attachments:
1. Supplemental 1-25-Ord

ORDINANCE NO. __________

ORDINANCE TO AMEND ORDINANCE NO. 109-20 ENTITLED "AN ORDINANCE TO MAKE ESTIMATED APPROPRIATIONS FOR THE EXPENSES AND OTHER EXPENDITURES OF THE CITY OF FAIRFIELD, OHIO, DURING A PERIOD BEGINNING JANUARY 1, 2021, AND ENDING DECEMBER 31, 2021."

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

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

From:	**Unappropriated General Fund**	**$325**
From:	10015521-219002- Wearing Apparel Allowance	($800)
To:	10015524-242200-Wearing Apparel Supplies	900
From:	10041221-219002-Wearing Apparel Allowance	($400)
To:	10041224-242200-Wearing Apparel Supplies	$450
From:	10051221-219002-Wearing Apparel Allowance	($1,400)
To:	10051224-242200-Wearing Apparel Supplies	$1,575
From:	**Unappropriated Street Const, Repair, and Maint Fund**	**$525**
From:	20142021-219002-Wearing Apparel Allowance	($4,200)
To:	20142024-242200-Wearing Apparel Supplies	$4,725
From:	**Unappropriated Water Revenue Fund**	**$417**
From:	60161121-219002-Wearing Apparel Allowance	($330)
To:	60161124-242200-Wearing Apparel Supplies	$372
From:	60161221-219002-Wearing Apparel Allowance	($1,400)
To:	60161224-242200-Wearing Apparel Supplies	$1,575
From:	60161321-219002-Wearing Apparel Allowance	($1,600)
To:	60161324-242200-Wearing Apparel Supplies	$1,800

Attachment: Supplemental 1-25-Ord (1717 : Supplemental Appropriations - Budget Amendment)

From:	**Unappropriated Sewer Revenue Fund**	**$34**
From:	6206212-219002-Wearing Apparel Allowance	($270)
To:	62062124-242200-Wearing Apparel Supplies	$304
From:	**Unappropriated Recreational Facilities Fund**	**$50**
From:	64052021-219002-Wearing Apparel Allowance	($400)
To:	64052024-242200-Wearing Apparel Supplies	$450
From:	64051121-211000-Salary and Wages	($103,250)
From:	64051121-212100-Public Employees Retirement	($14,455)
From:	64051121-213000-Workers Compensation	($362)
From:	64051121-214500-Medicare	($6)
To:	64051123-233900-Other Professional Services	$118,073
From:	**Unappropriated Municipal Garage Services Fund**	**$100**
From:	70543021-219002-Wearing Apparel Allowance	($800)
To:	70543034-242200-Wearing Apparel Supplies	$900

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: Supplemental 1-25-Ord (1717 : Supplemental Appropriations - Budget Amendment)

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

Clerk of Council

Active Clients\City of Fairfield\Ordinances\2021\Supplemental 1-25-Ord

Attachment: Supplemental 1-25-Ord (1717 : Supplemental Appropriations - Budget Amendment)

City Council Ordinance

Regular Meeting - January 25, 2021

Submitted by: Alisha Wilson, Clerk
Submitting Department: Clerk

Subject:
Contractual Appropriations

Legislation Title:
Ordinance to amend Ordinance No. 109-20 entitled "An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2021, and ending December 31, 2021."

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

Background/Synopsis: Please refer to specific Council Communications for full description of these items.

$65,566 for Rita Mae and Muskopf Drive Relief Storm Sewer contingency

Financial Impact: $65,566.00 from noted funding source.

Rule Suspension Requested:
Yes

Emergency Provision Needed:
No

Attachments:
1. ContractualAppopriation.012521
2. Contractual 1-25-Ord

City Council Ordinance
Regular Meeting - January 25, 2021

Submitted by: Ben Mann,
Submitting Department: Public Works

Subject:
Appropriation for Rita Mae and Muskopf Drive Relief Storm Sewer

Legislation Title:
Carry-over of Contingency for 2020 Rita Mae and Muskopf Drive Relief Storm Sewer Improvement Project

Recommendation:
It is recommended that City Council approve legislation for an appropriation of funding for the amounts shown in the Financial Impact.

Background/Synopsis:

It is necessary for City Council to approve legislation for an appropriation of funding for the contingency for the construction contract to Majors Enterprises Inc. for the construction of the 2020 Rita Mae and Muskopf Drive Relief Storm Sewer Improvement Project.

It is likely that this project will come in under budget but there is work being added within the existing detention basin and there is still the potential that unforeseen work will still arise so we would like to keep the previously approved contingency until the project is completed.

This project is for the installation of approximately 1500 feet of 36" diameter relief storm sewer running the entire length of Rita Mae Drive. Work will include installation of the concrete storm sewer, backfill of the trench, complete repaving of the street from curb to curb, and replacement of any concrete disturbed by the project. Additionally, work will be done on the upstream end to widen the existing channel area. Work will be done at the downstream end within the existing Lake Michigan detention basin to make the basin easier and more practical to maintain by widening existing channels through the basin and protecting the outlet from debris.

On the western side of the City, residential development has occurred over the past several decades in the vicinity of Muskopf Road. Residential areas along Lake Michigan Drive and Rita Mae Drive were constructed to the west of Muskopf Road in the mid to late 1990s, and residential areas along Muskopf Drive, Sherry Lane, and Rite Mae Drive were constructed to the east of Muskopf Road beginning around 2005. The topography of the residential development is extremely flat. The development was constructed adjacent to a very steep hillside with an elevation difference of approximately 200 feet. Several ravines convey storm water runoff from upstream residential areas and from the hillside before discharging into the storm sewer system along Muskopf Road. During heavy rainfall events, the hillside generates a significant volume of storm water runoff and corresponding sediment and debris, which periodically overwhelms the City's storm infrastructure system. As a result, some of the local streets experience flooding during periods of heavy rainfall, which results in the deposition of sediment on the roadway pavement. Local residents have contacted the City regarding the sedimentation nuisance, which also results in labor-intensive maintenance for City staff to remove the sediment from the streets. In an effort to address this recurring issue, the City hired Strand Associates, Inc. to identify alternatives to improve the local storm water management by rerouting the sediment load from the contributing drainage area.

Financial Impact:

Total contingency funding for Majors Enterprises Inc. is for $65,565.90.

Funding requested is $65,565.90 from the Capital Fund (this was appropriated last year but was not encumbered in 2020).

Emergency Provision Explanation:

None requested.

Rule Suspension Requested:
No

Emergency Provision Needed:
No

Attachments:
1. Property Owner Letter with exhibits

City of Fairfield

May 6, 2020

Re: Rita Mae Relief Storm Sewer – Anticipated Construction Summer / Fall 2020

Dear Property Owner:

The City of Fairfield Public Works Department previously sent you a notification that we were evaluating storm water management alternatives near Muskopf Road, Rita Mae Drive, and Lake Michigan Drive in an effort to improve storm water drainage. We have completed a design for a relief storm sewer, primarily on Rita Mae Drive. The new storm sewer will carry the water directly to the large detention basin at the end of Rita Mae, just past the cul de sac. This will more efficiently convey storm water runoff and sediment that currently impacts the storm system and local roadways during and following rainfall events. The purpose of the project is to reduce the frequency of drainage and sedimentation issues that have impacted the area in recent years.

The City hired Strand Associates, Inc. to evaluate alternatives and develop the design of storm water improvements. They have helped us select and design an alternative that will minimize impacts and achieve the purpose outlined above. It is the intent of the Public Works Department to bid and construct this project in late summer and early fall. We plan to get this project started relatively soon but would like to make sure we have given property owners a chance to ask questions and give input on any effect there may be to their property, parking, inconvenience from construction, etc.

Staff will make themselves available to show plans and get input from residents, either individually or in small groups. A schematic of the relief sewer design is included to give you an idea of what is designed. Restoration of the street including concrete repairs, grass restoration, and an asphalt overlay of Rita Mae is included in the funding for this project.

If you would like to schedule a time for the City's engineering staff to visit or if you have any comments or questions, please contact Nicholas Dill, City of Fairfield, at (513) 867-4221 or ndill@FairfieldOH.gov.

We sincerely appreciate your cooperation and assistance so that this worthwhile project can be completed at the earliest possible date.

Respectfully,

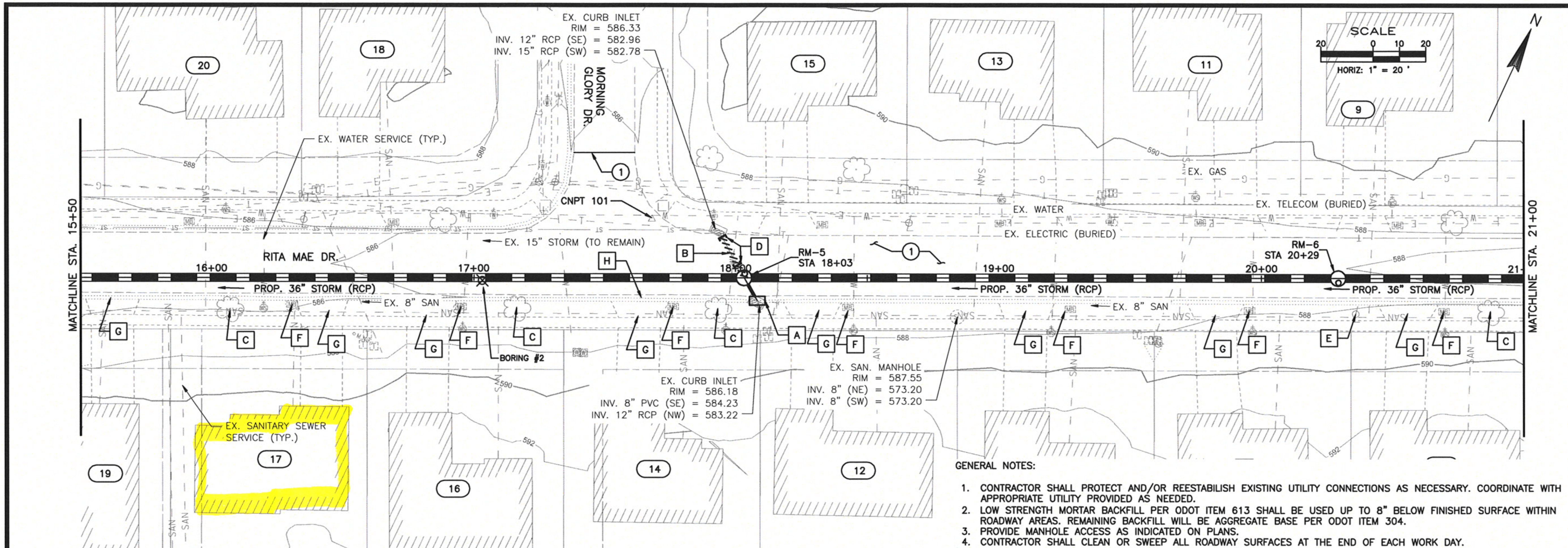
Nicholas W Dill

Nicholas Dill, P.E.
Engineer

Enclosure

C: Mayor and City Council
Mark Wendling, City Manager
Ben Mann, City Engineer

Attachment: ContractualAppopriation.012521 (1722 : Contractual Appropriations)



GENERAL NOTES:

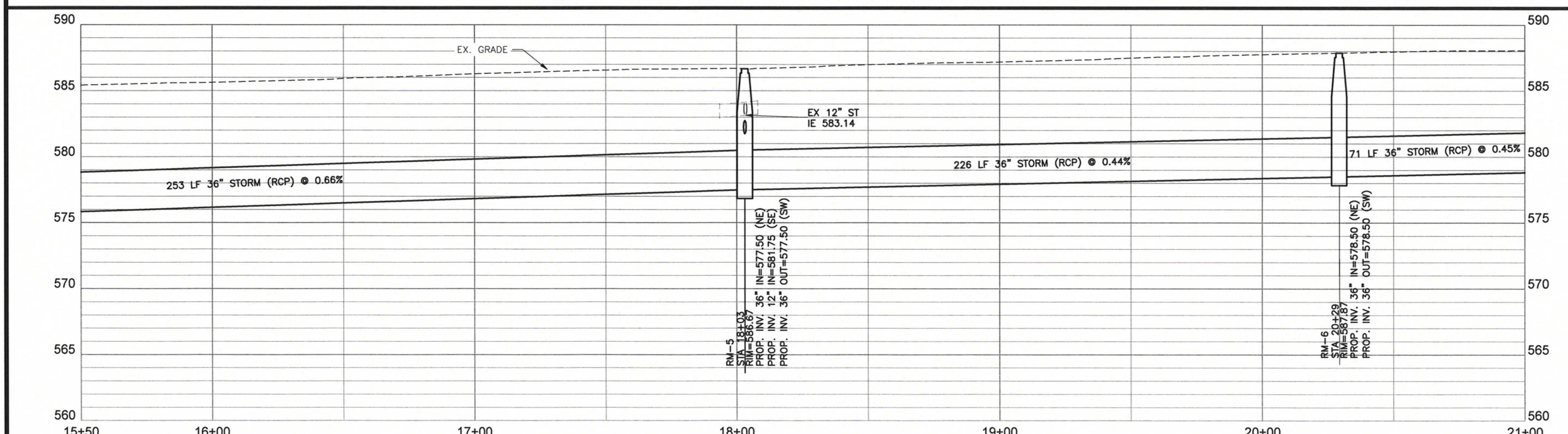
1. CONTRACTOR SHALL PROTECT AND/OR REESTABILISH EXISTING UTILITY CONNECTIONS AS NECESSARY. COORDINATE WITH APPROPRIATE UTILITY PROVIDED AS NEEDED.
2. LOW STRENGTH MORTAR BACKFILL PER ODOT ITEM 613 SHALL BE USED UP TO 8" BELOW FINISHED SURFACE WITHIN ROADWAY AREAS. REMAINING BACKFILL WILL BE AGGREGATE BASE PER ODOT ITEM 304.
3. PROVIDE MANHOLE ACCESS AS INDICATED ON PLANS.
4. CONTRACTOR SHALL CLEAN OR SWEEP ALL ROADWAY SURFACES AT THE END OF EACH WORK DAY.

KEY NOTES:

(1) PLANING AND RESURFACING EXISTING ASPHALT ROADWAY PER ODOT ITEM 254 AND 441 FROM RITA MAE DRIVE TERMINUS TO INTERSECTION OF RITA MAE AND MUSKOPF DRIVE, SEE PLANS FOR EXTENTS.

DEMOLITION NOTES:

- A — EXISTING STRUCTURE TO BE ABANDONED OR REMOVED AS NECESSARY.
- B — SEAL AND ABANDON EXISTING SEWER, REMOVE AS NECESSARY.
- C — LIMIT IMPACT TO AND PROTECT EXISTING TREE AS FEASIBLE, REMOVE AS NECESSARY WITH PERMISSION FROM THE CITY, ONLY.
- D — BULKHEAD EXISTING SEWER. CAP ENDS WITH MIN. 18" CONCRETE.
- E — EXISTING LIGHT/UTILITY POLE TO BE REMOVED AND REPLACED AS NECESSARY. CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION WITH UTILITY.
- F — EXISTING MAILBOX TO BE REMOVED AS NECESSARY DURING CONSTRUCTION AND REINSTALLED.
- G — EXISTING CONCRETE DRIVE TO BE REMOVED AND REPLACED TO NEXT CONCRETE JOINT, AS NECESSARY.
- H — EXISTING CURB AND GUTTER TO BE REMOVED AND REPLACED AS NECESSARY.



File: S:\CIN\1000--1099\1078\010\Drawings\CAD\Civil 3D\1078.010\Sheets\1078010 Muskopf Sewer Design Plan and Profile.dwg Time: Mar 31, 2020 - 2:30pm

STATE OF OHIO
ADAM WILLIAM ATHMER
PROFESSIONAL ENGINEER
3/31/2020

DATE:
REVISIONS
NO.

RM PLAN AND PROFILE - 2
RITA MAE DRIVE

MUSKOPF ROAD AND RITA MAE DRIVE STORM SEWER IMPROVEMENTS

CITY OF FAIRFIELD
FAIRFIELD, OH

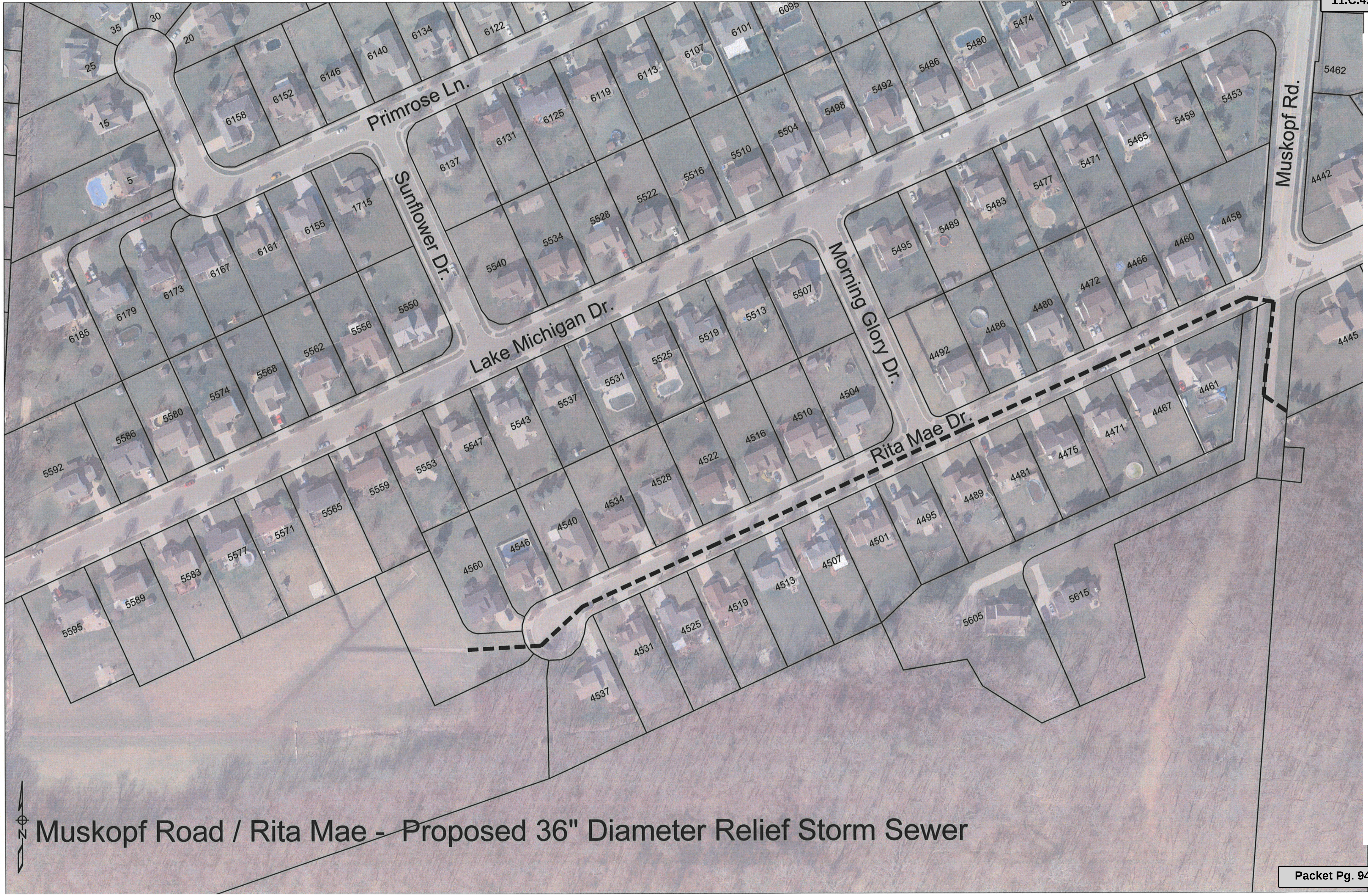
JOB NO.
1078.010

PROJECT MGR.
CHRISTOPHER RUST, P.E.

STRAND ASSOCIATES®

SHEET
C1.02
6 OF 10

Attachment: ContractualAppropriation.012521 (1722 : Contractual Appropriations)



Muskopf Road / Rita Mae - Proposed 36" Diameter Relief Storm Sewer

Attachment: ContractualAppropriation.012521 (1722 : Contractual Appropriations)

ORDINANCE NO. __________

ORDINANCE TO AMEND ORDINANCE NO. 109-20 ENTITLED "AN ORDINANCE TO MAKE ESTIMATED APPROPRIATIONS FOR THE EXPENSES AND OTHER EXPENDITURES OF THE CITY OF FAIRFIELD, OHIO, DURING A PERIOD BEGINNING JANUARY 1, 2021, AND ENDING DECEMBER 31, 2021."

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

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

From:	**Unappropriated Capital Improvement Fund**	**$65,566**
To:	40216025-252000 Improvements Other Than Building *(Muskopf Storm Sewer - Contingency 1PW55)*	$65,566

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

Passed __________________ ______________________________
Mayor's Approval

Posted __________________

First Reading __________________ Rules Suspended ______________

Second Reading __________________

Third Reading __________________

ATTEST:

____
Clerk of Council

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

____
Clerk of Council

Active Clients\City of Fairfield\Ordinances\2021\Contractual 1-25-Ord

Attachment: Contractual 1-25-Ord (1722 : Contractual Appropriations)

City Council Ordinance
Regular Meeting - January 25, 2021

Submitted by: Alisha Wilson, Clerk
Submitting Department: Clerk

Subject:
Non-Contractual Appropriations

Legislation Title:
Ordinance to amend Ordinance No. 109-20 entitled "An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2021, and ending December 31, 2021."

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

Background/Synopsis: Please refer to specific Council Communications for full description of these items.

$20,000 for sanitary sewer flow modeling;
$22,206 for Raw Water Well 6 Pump;
$10,000 for water system modeling and engineering services;
$32,000 for manhole castings;
$3,000 for water valve box;
$15,000 for drainage improvement on Groh Lane.

Financial Impact: $102,206.00 from noted funding source.

Rule Suspension Requested:
Yes

Emergency Provision Needed:
No

Attachments:
1. NonContractualAppropriations.012521
2. Non Contractual 1-25-Ord

City Council Information Item
Regular Meeting - January 25, 2021

Submitted by: Adam Sackenheim,
Submitting Department: Public Utilities

Subject:
Sanitary Sewer Flow Modeling

Legislation Title:
Sanitary Sewer Flow Modeling

Background/Synopsis:

Funding is being requested in order to utilize collected flow monitoring data to update the Wastewater Division's Sewer Collection System Hydraulic Model. Model results and simulations help the Division prioritize future Capital Improvement Projects addressing sewer capacity issues.

Modeling work this year will focus on sewer capacity issues along Seward Road between Port Union Road and Symmes Road – at least in part related to the planned Koch Foods expansion project. The Wastewater Division recommends Strand Engineers to perform the model work; a proposal is attached for review.

Financial Impact:

An appropriation in the amount of $20,000.00 is being requested for hydraulic modeling of the City's sanitary collection system by Strand Engineers.

2021 funding for this project is included in the approved 2020-2024 Capital Improvement Program under project number 1WW12, Sanitary Sewer Flow Modeling. The funding source is the Sewer Surplus Fund.

Attachments:
1. Sanitary Sewer Model Support Services 2021_Strand Draft Proposal

Attachment: NonContractualAppropriations.012521 (1723 : Non-Contractual Appropriations)

Strand Associates, Inc.®
615 Elsinore Place, Suite 320
Cincinnati, OH 45202
(P) 513.861.5600

January 5, 2021

Mr. Matt Young, Public Utilities Superintendent
City of Fairfield, Ohio
5021 Groh Lane
Fairfield, OH 45014

Re: Engineering Services
Hydraulic Modeling Support Services

Dear Mr. Young:

On behalf of Strand Associates, Inc.® (Engineer), thank you for the opportunity to submit this Proposal to continue to provide hydraulic modeling support services for the sanitary sewer hydraulic model for the City of Fairfield, Ohio (Owner).

Scope of Services

Owner has requested assistance to update the hydraulic model provided by Owner as part of an on-going effort to review the condition of the sanitary sewer system and overall system capacity. Proposed services can be described as follows.

1. Evaluate up to five locations in Owner's sanitary sewer system for the installation of low flow monitors. Locations will be identified with Owner using Owner's geographic information system data.

2. Review the flow monitoring data collected by Owner for a period of three months to assess data quality and document potential discrepancies in the data.

3. Review the flow data for average daily flows, diurnal patterns, and wet weather contributions during rainfall events.

4. Calibrate the sanitary sewer model for the peak flow, total volume, and shape of flow monitoring hydrographs from the data collected by Owner.

5. Simulate the 10-year, 24-hour design storm to assess sanitary sewer capacity throughout Owner's sanitary sewer model.

6. Review future flow projections related to the proposed expansion of the Koch Foods facility at 4100 Port-Union Road using the hydraulic model.

7. Evaluate up to four alternatives to address potential capacity issues, if any, in the sanitary sewer system caused by the additional flow from Koch Foods using the hydraulic model.

8. Provide an opinion of probable construction cost for the alternatives evaluated.

9. Prepare a letter summarizing the analysis.

10. Attend up to three meetings to discuss the results of the analyses.

Attachment: NonContractualAppropriations.012521 (1723 : Non-Contractual Appropriations)

Service Elements Not Included

The following services are not included in this Proposal. If such services are required, they shall be provided as noted.

1. Additional Site Visits and/or Meetings: Additional Owner-required site visits or meetings will be provided through an amendment to this Proposal or through a separate proposal with Owner.

2. Drawings and Specifications: Final design services including drawings and specifications, if provided by Engineer, will be performed under a subsequent proposal with Owner.

3. Flood Studies: Any services involved in performing flood and floodway studies, if required, will be provided through a separate proposal with Owner.

4. Preparation for and/or Appearance in Litigation on Behalf of Owner: This type of Service by Engineer will be provided through a separate proposal with Owner.

Compensation

Owner shall compensate Engineer for Services a lump sum of $20,000.

The lump sum will not be exceeded without prior notice to and agreement by Owner but may be adjusted for time delays, time extensions, amendments, or changes in the **Scope of Services**. Any adjustments will be negotiated based on Engineer's increase or decrease in costs caused by delays, extensions, amendments, or changes.

Schedule

Services will begin upon receipt of a purchase order, which is anticipated the week of January 25, 2021. Services are scheduled for completion on December 31, 2021.

Standard of Care

The Standard of Care for all Services performed or furnished by Engineer under this Proposal will be the care and skill ordinarily used by members of Engineer's profession practicing under similar circumstances at the same time and in the same locality. Engineer makes no warranties, express or implied, under this Proposal or otherwise, in connection with Engineer's Services.

Owner's Responsibilities

1. Assist Engineer by placing at Engineer's disposal all available information pertinent to this project including previous reports, previous drawings and specifications, and any other data relative to the scope of this project.

2. Furnish to Engineer, as required by Engineer for performance of Services as part of this Proposal, data prepared by or services of others obtained or prepared by Owner relative to the scope of this project, such as soil borings, probings and subsurface explorations, and laboratory tests and inspections of samples, all of which Engineer may rely upon in performing Services under this Proposal.

3. Provide access to the site(s) as required for Engineer to perform Services under this Proposal.

Attachment: NonContractualAppropriations.012521 (1723 : Non-Contractual Appropriations)

4. Guarantee access to and make all provisions for Engineer to enter upon public and private lands as required for Engineer to perform Services under this Proposal.

5. Examine all reports, sketches, estimates, special provisions, drawings, and other documents presented by Engineer and render, in writing, decisions pertaining thereto within a reasonable time so as not to delay Engineer's performance.

6. Provide all legal services as may be required for the development of this project.

7. Pay all permit and plan review fees payable to regulatory agencies.

Opinion of Probable Cost

Any opinions of probable cost prepared by Engineer are supplied for Owner's general guidance only. Engineer has no control over competitive bidding or market conditions and cannot guarantee the accuracy of such opinions as compared to contract bids or actual costs to Owner.

Changes

1. Owner may make changes within the general scope of this Proposal in the Services to be performed. If such changes cause an increase or decrease in Engineer's cost or time required for performance of any Services under this Proposal, an equitable adjustment will be made and this Proposal will be modified in writing accordingly.

2. No services for which additional compensation will be charged by Engineer will be furnished without the written authorization of Owner. The fee established herein will not be exceeded without agreement by Owner but may be adjusted for time delays, time extensions, amendments, or changes in the **Scope of Services**.

3. If there is a modification of Agency requirements relating to the Services to be performed under this Proposal subsequent to the date of execution of this Proposal, the increased or decreased cost of performance of the Services provided for in this Proposal will be reflected in an appropriate modification of this Proposal.

Extension of Services

This Proposal may be extended for additional Services upon Owner's authorization. Extension of Services will be provided for a lump sum or an hourly rate plus expenses.

Payment

Owner shall make monthly payments to Engineer for Services performed in the preceding month based upon monthly invoices. Nonpayment 30 days after the date of receipt of invoice may, at Engineer's option, result in assessment of a 1 percent per month carrying charge on the unpaid balance.

Nonpayment 45 days after the date of receipt of invoice may, at Engineer's option, result in suspension of Services upon five calendar days' notice to Owner. Engineer will have no liability to Owner, and Owner agrees to make no claim for any delay or damage as a result of such suspension caused by any breach of this Proposal by Owner. Upon receipt of payment in full of all outstanding sums due from Owner, or curing of such other breach which caused Engineer to suspend Services, Engineer will resume Services and there will be an equitable adjustment to the remaining project schedule and compensation as a result of the suspension.

Attachment: NonContractualAppropriations.012521 (1723 : Non-Contractual Appropriations)

Data Provided by Others

Engineer is not responsible for the quality or accuracy of data nor for the methods used in acquisition or development of any such data where such data is provided by or through Owner, contractor, or others to Engineer and where Engineer's Services are to be based upon such data. Such data includes, but is not limited to, soil borings, groundwater data, chemical analyses, geotechnical testing, reports, calculations, designs, drawings, specifications, record drawings, contractor's marked-up drawings, and topographical surveys.

Termination

This Proposal may be terminated with cause in whole or in part in writing by either party subject to a two-week notice and the right of the party being terminated to meet and discuss the termination before the termination takes place. Engineer will be paid for all completed or obligated Services up to the date of termination.

Third-Party Beneficiaries

Nothing contained in this Proposal creates a contractual relationship with or a cause of action in favor of a third party against either Owner or Engineer. Engineer's services under this Proposal are being performed solely for Owner's benefit, and no other party or entity shall have any claim against Engineer because of this Proposal or the performance or nonperformance of services hereunder. Owner and Engineer agree to require a similar provision in all contracts with contractors, subcontractors, subconsultants, vendors, and other entities involved in this project to carry out the intent of this provision.

Dispute Resolution

Except as may be otherwise provided in this Proposal, all claims, counterclaims, disputes, and other matters in question between Owner and Engineer arising out of or relating to this Proposal or the breach thereof will be decided first by mediation, if the parties mutually agree, or with a bench trial in a court of competent jurisdiction within the State of Ohio.

Terms and Conditions

The terms and conditions of this Proposal will apply to the Services defined in the **Scope of Services**. Owner-supplied purchase order is for processing payment only; terms and conditions on the purchase order shall not apply to these Services.

We thank you for the opportunity to provide our services for this project. If you have any comments or questions, please call me at your convenience at 513-861-5600.

Sincerely,

STRAND ASSOCIATES, INC.®

Justin Kuhbander

Justin M. Kuhbander, P.E.

JMK:ppp\R:\CIN\Documents\Agreements\F\Fairfield, City of (OH)\SanitarySewerModelSupport.2021\Agr\1078.014.Prpsl.docx

Attachment: NonContractualAppropriations.012521 (1723 : Non-Contractual Appropriations)

City Council Information Item
Regular Meeting - January 25, 2021

Submitted by: Jason Hunold,
Submitting Department: Public Utilities

Subject:
Raw Water Well 6 Pump

Legislation Title:
Raw Water Well 6 Pump

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. The pump for Raw Water Well #6 has failed and is in need of immediate emergency repair.

The Water Division proposes to utilize Moody's of Dayton, Inc. for the emergency repair of the Raw Water Well #6 pump. A proposal is attached for review.

Rules suspension is requested in order to expedite the work.

Financial Impact:

An appropriation in the amount of $22,206.00 is being requested for the emergency repair of the Raw Water Well #6 pump.

Funding for this project was included in the approved 2020-2024 Capital Improvement Program (CIP) under project 0WT01, Maintain Raw Water Production Wells. The project is also included in the draft 2021-2025 CIP budget as project 0WT01, pending Council approval. The funding source is the Water Surplus Fund

Emergency Provision Explanation:

Emergency provision is needed due to the critical and time-sensitive nature of this water pumping equipment, and the regulatory and operational need for water system redundancy.

Attachments:
1. Fairfield Well 6 2021 Repairs

Attachment: NonContractualAppropriations.012521 (1723 : Non-Contractual Appropriations)

MOODY'S of Dayton, Inc.

4359 INFIRMARY ROAD
MIAMISBURG, OHIO 45342-1231
PHONE AC 937-859-4482
FAX AC 937-859-4522
www.moodysofdayton.com

January 5, 2021

City of Fairfield
5021 Groh Lane
Fairfield, OH 45014

Subject: Well 6 Repairs with New Pump

Attention: Mr. Jason Hunold

The motor required guide bearing replacement and regular service. The pump needed to be rebuilt, a new impeller is needed. The column needed to be pressure washed and the shafts needed straightened and three needed replaced. Three new pieces of column pipe are needed as their faces are thin and show thin spots behind the threads (quoting all new as requested).

Following are the costs to repair the pump, motor, and column assembly:

1	Ls	Motor repair………………………………..…	$ 2,680.00
1	Ea	Pump rebuild including wear rings, bushings, fasteners, etc., as required..…..	$ 3,916.00
1	Ea	Repair discharge head assembly..……………...	$ 985.00
3	Ea	10 ft column pipe replacement @ $1,200.00/Ea..….	$ 3,600.00
3	Ea	10 ft ss shafting replacement @ $750.00/Ea..…..	$ 2,250.00
2	Ea	5 ft ss shafting replacement @ $450.00/Ea..…..	$ 900.00
35	Hrs	Clean columns and shafts, straighten shafts, etc @ $85.00/hr...……………………...	$ 2,975.00
1	Ls	Re-installation and flow testing………………..	$ 4,900.00
		TOTAL REPAIR COST	$22,206.00

Thank you for the opportunity to serve the City of Fairfield.

Respectfully,

Michael Spicer
Vice President/Geologist

ACCEPTED BY:______________________________ DATE:________________

Attachment: NonContractualAppropriations.012521 (1723 : Non-Contractual Appropriations)

FAIRFIELD
OHIO

City Council Information Item

Regular Meeting - January 25, 2021

Submitted by: Adam Sackenheim,
Submitting Department: Public Utilities

Subject:
Appropriation for water system modeling and engineering services

Legislation Title:
Appropriation in the amount of $10,000.00 is being requested for engineering / water system modeling services for the Water Division

Background/Synopsis:

Engineering services are necessary to assist City staff in the evaluation of real or proposed changes in the water distribution system. To evaluate changes to the water system as a result of such things as the addition of a new major industrial water customer or the replacement of old water mains, the City utilizes third party technical support to perform computer-aided hydraulic model runs. The results of these modeling efforts inform the City of the likely impact to the public water system of said changes. Priority issues evaluated through modeling efforts include water pressure changes, fire flow changes, and overall water demand changes.

2021 modeling work will focus at least in part on the impact of a Koch Foods' expansion scenario.

Engineering services will be performed by Ramboll, per the attached proposal.

Financial Impact:

An appropriation in the amount of $10,000 is being requested for engineering and water system modeling services for the City's Water Division. Funding for this project was included in the approved 2020-2024 Capital Improvement Program (CIP) under 1WT13 'Water Computer Modeling'. The funding source is the Water Expansion Fund.

Attachments:
1. Oncall water model services letter proposal_010621

Attachment: NonContractualAppropriations.012521 (1723 : Non-Contractual Appropriations)

RAMBOLL

WATER

Mr. Adam M. Sackenheim
Public Utilities Director
City of Fairfield, OH
5021 Groh Lane
Fairfield, Ohio 45014
513-896-8153

"On-Call" Water System Modeling and Planning Services

Dear Mr. Sackenheim,

Date: January 6, 2021

As requested, Ramboll (formerly O'Brien & Gere) is pleased to provide the City of Fairfield Public Utilities Department (PUD) with this proposal for "on-call" water system modeling and planning services as requested by the PUD. Engineering services provided under this proposal may include modeling analyses for the following:

- Water improvements for proposed developments
- Pipe and pump sizing for water replacements
- Fire hydrant flow requests and estimates
- New water capital projects in the existing system
- Water system operational studies
- Updating water model to include new projects and corrections to existing information
- Water quality and water age analyses
- Valving and pressure zone boundary analyses

Ramboll
4201 Mitchellville Road
Suite 500
Bowie, MD 20716
USA

T 301-731-5622
F 301-805-5984
https://ramboll.com

Payment for this work will be based on time and materials expended up to an upset limit of $9,660. A breakdown of the funding requested ($9,660) is shown in the attached spreadsheet. Ramboll will notify the PUD when efforts under this approach the billing limit, so that the PUD can authorize additional funding.

We propose to perform this work as a Purchase Order between the City of Fairfield PUD and Ramboll. The fee for services as set forth and described above shall be invoiced monthly on a Time and Materials (T&M) basis. The fee estimate for this purchase order request is **$9,660** (see attached).

We very much appreciate the opportunity to provide further engineering services to the City of Fairfield PUD. Should you have questions or concerns about the information in this proposal, please contact Thomas Dumm at (301) 748-9516 (Thomas.Dumm@Ramboll.com)

Attachment: NonContractualAppropriations.012521 (1723 : Non-Contractual Appropriations)

Yours sincerely

Thomas Dumm
SME/TECHNICAL MANAGER-2
072-WTR MUNICIPAL ENGINEERING RES

M 301-748-9516
thomas.dumm@ramboll.com

Attachment
Fee Breakdown Sheet

cc, w/att: OBG – George Rest, Narayan Venkatesan, file

Attachment: NonContractualAppropriations.012521 (1723 : Non-Contractual Appropriations)

RAMBOLL

City of Fairfield, OH										File No.:				
Professional Engineering Services										Prepared By: TED				
Cost Proposal - On-call Water Modeling and Planning Services										Reviewed By: TED				
Ramboll										*Rev, Last Update: 0, 1/5/21*				
On-call Modeling Services														
				Program Director, Officer 1, Officer 2	Mng Egr, Mng Sci, Proj Mgr 2; Sr Tech Director	Mng Egr, Mng Sci, Proj Mgr 1; Tech Director	Mng Assoc, Proj Assoc, Tech Assoc; E / S / Arch 3	Sr Proj Engr, Sr Proj Dsg, Sr Proj Sci, Sr Sci, Sr Dsg, Sr Engr	Proj Egr, Proj Sci, Proj Dsgnr; Eng / Sci / Arch 2	Dsg Egr, Designer, Scientist; Eng Tech 3	Staff Egr, Staff Sci, Staff Dsg; E / S / A 1; Admin 3	Dsg Draft, Technician, Sr/D Sec/OA	Tech Drft, Reg/Of Sec, Proj Cont Adm	
		Hr Rate ('19-20)	-	$235	$202	$191	$164	$157	$130	$117	$92	$80	$67	
Engineering Services			Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Total
As-requested On-call Modeling and Planning Services					10	40								50
	Total Hours		0	0	10	40	0	0	0	0	0	0	0	50
	Labor		$0	$0	$2,020	$7,640	$0	$0	$0	$0	$0	$0	$0	$9,660
	Avg Rate	$193												
Direct Expenses			Markup	Unit	Unit Cost	Qty	Cost	Notes						
Routine Directs - phone, fax, postage, mileage, photos, copies			2%	LS		*$0*	$0							
Other Direct Expenses - travel, reproduction, shipping			5%	LS		*$0*	$0							
Equipment		CAD, GIS		Hours	$15	0	$0							
		Field	5%	LS		$0	$0							
Technical Services		Others	10%	LS		$0	$0							
		Affiliates	0%	LS		$0	$0							
	Direct													$0
Total Fee - Task Proposal														**$9,660**

3/3

Attachment: NonContractualAppropriations.012521 (1723 : Non-Contractual Appropriations)

City Council Information Item
Regular Meeting - January 25, 2021

Submitted by: Matt Young,
Submitting Department: Public Utilities

Subject:
Manhole Castings

Legislation Title:
Manhole Castings

Background/Synopsis: The 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 three vendors (copies attached) and recommends that the manhole castings be purchased from Neenah Foundry, which is the vendor who provided the lowest and best quotation.

Financial Impact: An appropriation in the amount of $32,000.00 is being requested for the purchase of replacement manhole castings in conjunction with the City's 2021 street overlay program.

2021 funding for this project is included in the approved 2020-2024 Capital Improvement Program (CIP) under project number 1WW01, 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 $32,000.00 from the Sewer Replacement and Improvement Fund for the purchase of manhole castings necessary for the City's street overlay program.

Attachments:
1. 2021 Overlay Castings - NEENAH
2. 2021 Overlay Castings - Ferguson
3. 2021 Overlay Castings - Core and Main

Attachment: NonContractualAppropriations.012521 (1723 : Non-Contractual Appropriations)

QUOTATION
Q00043439

NEENAH FOUNDRY
Since 1872

CITY OF FAIRFIELD
PUBLIC WORKS-STREET 5350 PLEASANT AVE
FAIRFIELD, OH 45014
US

2121 Brooks Avenue
Neenah, WI 54956
PHONE: (513) 426-1928 | FAX: (920) 729-3661
shane.cotter@neenahenterprises.com

Attn:	Jason Turner
Phone:	(513) 867-4200
Mobile Phone:	
Email:	jlturner@fairfield-city.org

Date:	Jan 4, 2021
Job Name:	2021 Overlay Sanitary Sewer
Job Location:	OH Fairfield
Bid Date:	Jan 8, 2021

We are pleased to submit the following quotation in accordance with your request.

Line	Quantity	Catalog	Description	Sales Price	Total Price
1	125 SETS	1767	FRAME--TYPE-A--MACHINED SEAT--GI CLASS 35B--ON 32 IN. B.C., AA 25, BB 1, 3 STACKING LUGS SOLID PLATEN LD--TYPE-C--MACHINED SELF-SEAL--GI CLASS 35B--24-3/4 X 1--'SANITARY SEWER'	$250.00	$31,250.00

Quotation Comments:
**Delivered Complete in Single Shipment

TOTAL ESTIMATED WEIGHT: 35,750 lbs
(Excluding Skids)

TOTAL QUOTATION VALUE: $31,250.00
(Freight Included)

TERMS & CONDITIONS

Neenah Foundry Terms & Conditions apply and are available upon request. Castings furnished unpainted. Quantities are approximate, changes could alter unit prices. Estimated Shipping & Handling based on above quantities shipping in one complete shipment. Any order submitted pursuant to this quotation shall not result in a contract until it is accepted and acknowledged in writing by Neenah Foundry Company (SELLER).

Prices are valid on orders entered within 30 days from date of quotation, with shipment at earliest availability. All orders are subject to review of buyer's credit status. Standard terms for qualified customers are Net 30 Days. Prices do not include tax. If tax exempt, please provide a sales tax exemption certificate at time of order or any applicable tax will be charged.

FOB Origin - Freight Included

NEENAH FOUNDRY COMPANY

BY ______________________

Shane Cotter
District Sales Manager

Attachment: NonContractualAppropriations.012521 (1723 : Non-Contractual Appropriations)

FERGUSON WATERWORKS

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

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

Deliver To:
From: **Mark Forster**
Comments:

10:23:41 JAN 04 2021

FEL-FERGUSON WATERWORKS #527
Price Quotation
Phone: 513-942-2525
Fax: 513-942-2533

Bid No: B435383
Bid Date: 01/04/21
Quoted By: MDF

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

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

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

Cust PO#: QUOTE - CASTINGS

Job Name: 2021 OVERLAY

Item	Description	Quantity	Net Price	UM	Total
E00160014	HD M/HOLE FRAME	125	145.220	EA	18152.50
E00160062	SAN SWR M/HOLE CVR	125	111.060	EA	13882.50

Net Total:	$32035.00
Tax:	$0.00
Freight:	$0.00
Total:	$32035.00

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

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

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

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

HOW ARE WE DOING? WE WANT YOUR FEEDBACK!
Scan the QR code or use the link below to
complete a survey about your bids:
https://survey.medallia.com/?bidsorder&fc=528&on=15755

Attachment: NonContractualAppropriations.012521 (1723 : Non-Contractual Appropriations)

Bid Proposal for FAIRFIELD CASTINGS 2021

CUSTOMER

CITY OF FAIRFIELD ST DEPT
5350 PLEASANT AVE
FAIRFIELD, OH 45014

Job
FAIRFIELD CASTINGS 2021
Bid Date: 01/28/2020
Bid #: 1615915

CONTACT

Sales Representative
Jarod Wuestefeld
(M) 513-615-6783
(T) 513-942-1395
(F) 513-942-1396
Jarod.Wuestefeld@coreandmain.com

Core & Main
3165 Production Dr
Fairfield, OH 45014
(T) 513-942-1395

NOTES

Attachment: NonContractualAppropriations.012521 (1723 : Non-Contractual Appropriations)

Bid Proposal for FAIRFIELD CASTINGS 2021

CITY OF FAIRFIELD ST DEPT
Bid Date: 01/28/2020
Core & Main 1615915

Core & Ma
3165 Production
Fairfield, OH 450
Phone: 513-942-13
Fax: 513-942-13

Seq#	Qty	Description	Units	Price	Ext Price
10	125	1600Z 7-1/4 FRAME ASPH COATED	EA	143.00	17,875.(
		00160014			
30	125	1600A SOLID COVER SAN SEWER	EA	109.50	13,687.!
		00160062			
				Sub Total	**31,562.!**
				Tax	0.(
				Total	**31,562.5**

Branch Terms:

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

Attachment: NonContractualAppropriations.012521 (1723 : Non-Contractual Appropriations)

City Council Information Item
Regular Meeting - January 25, 2021

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 overlay work coordinated by the City's Public Works Department.

Staff requested quotations from two vendors (quotes attached) and recommends that the valve boxes and covers be purchased from Core and Main, the vendor which provided the lowest and best quotation.

Financial Impact:

An appropriation in the amount of $3,000.00 is being requested for the purchase of valve boxes and covers for the Water Division. 2021 funding is included in the approved 2020-2024 Capital Improvement Program (CIP), under project 1WT19 – VALVE BOXES AND COVERS.

Attachments:
1. 2021 Overlay VBs - Core and Main
2. 2021 Overlay VBs - Ferguson

Attachment: NonContractualAppropriations.012521 (1723 : Non-Contractual Appropriations)

CORE&MAIN

Bid Proposal for FAIRFIELD VALVE BOX PARTS HD

FAIRFIELD CITY - WATER DEPT
Bid Date: 01/06/2021
Core & Main 1622720

Core & Mai
3165 Production D
Fairfield, OH 4501
Phone: 513-942-139
Fax: 513-942-139

Seq#	Qty	Description	Units	Price	Ext Price
10	20	HEAVY DUTY 16T IMP VBOX TOP TYLER 502159	EA	40.00	800.00
20	50	5-1/4 VB LID M/WATER HEAVY IMP	EA	20.00	1,000.00
50		**THEY DON'T MAKE A 14" HD**			
60		**EXT.**			
70	15	14 VLV BOX EXT IMP	EA	45.00	675.00
90		**24" HD EXT.**			
~~100~~	~~15~~	~~#60-SC 24 VB EXT IMP~~	~~EA~~	~~87.00~~	~~1,305.00~~
				Sub Total	~~**3,780.00**~~
				Tax	0.00
				Total	~~**3,780.00**~~

$ 2475.00

Branch Terms:

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

Attachment: NonContractualAppropriations.012521 (1723 : Non-Contractual Appropriations)

FERGUSON WATERWORKS

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

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

Deliver To:
From: Bryan Melcher
Comments:

14:05:10 JAN 07 2021

FEL-FERGUSON WATERWORKS #527
Price Quotation
Phone: 513-942-2525
Fax: 513-942-2533

Bid No: B435623
Bid Date: 01/06/21
Quoted By: BEM

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

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

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

Cust PO#: BLUEBIRD RD PROJECT

Job Name: VLV BOX, LIDS, EXT'S

Item	Description	Quantity	Net Price	UM	Total
E85507016	16 SC VLV BX TS DOM	20	46.000	EA	920.00
E06800001	5-1/4 VLV BX LID WTR W/1-1/2 SKT	50	17.750	EA	887.50
E85606018	14 VLV BX EXT SCRW TYPE #58	15	47.750	EA	716.25

Net Total:	$2523.75
Tax:	$0.00
Freight:	$0.00
Total:	$2523.75

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

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

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

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

HOW ARE WE DOING? WE WANT YOUR FEEDBACK!
Scan the QR code or use the link below to
complete a survey about your bids:
https://survey.medallia.com/?bidsorder&fc=528&on=15755

Attachment: NonContractualAppropriations.012521 (1723 : Non-Contractual Appropriations)

City Council Ordinance
Regular Meeting - January 25, 2021

Submitted by: Ben Mann,
Submitting Department: Public Works

Subject:
Drainage Improvement on Groh Lane

Legislation Title:
Drainage Improvement on Groh Lane between River Road and Ponderosa Drive

Recommendation:
It is recommended that funding be appropriated from the Capital Improvement Fund in the amount of $15,000.00 from the Capital Improvement Fund for the proposed drainage improvement project.

Background/Synopsis:

This area is an older residential section of the City that was developed without storm sewer and only sporadic drywells. In general, the flat terrain drains relatively well but several drywells have been added in the right of way over the years to improve the drainage situation. The City has hired contractors in the last 10-15 years to make some drainage improvements in this area. Drywells in this area have also been replaced by City forces. This project will replace an existing failed drywell with a deeper drywell in nearly the same location.

The City's drainage crew has and will continue to replace many of the older cinder block and brick drywells. In this area, the need for a deeper excavation in order to add to the drainage system warrants some help from an outside contractor.

Last year, prices were solicited from two contractors and two proposals were received. The lowest and best bidder was by Saar Excavating, LLC. The project funding for this work is in the Capital Improvements Program for 2020-2024 under 1PW03. This is only part of what is usually approved by Council for this item so staff believes that this will still allow Council the ability to make adjustment to the Capital budget if it is deemed necessary.

Financial Impact:

$15,000.00 from the Capital Improvement Fund for the labor, material, and equipment to install a drywell on Potomac Drive.

Emergency Provision Explanation:

Not required.

Rule Suspension Requested:

Attachment: NonContractualAppropriations.012521 (1723 : Non-Contractual Appropriations)

No

Emergency Provision Needed:
No

Attachments:
1. 2020 Groh Lane Drywell Replacement

Attachment: NonContractualAppropriations.012521 (1723 : Non-Contractual Appropriations)

FAIRFIELD
PUBLIC WORKS

Exhibit
City of Fairfield - Butler County, Ohio

NOT TO SCALE

Attachment: NonContractualAppropriations.012521 (1723 : Non-Contractual Appropriations)

ORDINANCE NO. __________

ORDINANCE TO AMEND ORDINANCE NO. 109-20 ENTITLED "AN ORDINANCE TO MAKE ESTIMATED APPROPRIATIONS FOR THE EXPENSES AND OTHER EXPENDITURES OF THE CITY OF FAIRFIELD, OHIO, DURING A PERIOD BEGINNING JANUARY 1, 2021, AND ENDING DECEMBER 31, 2021."

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

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

From:	**Unappropriated Capital Improvement Fund**	**$15,000**
To:	40216025-252500 Drainage Improvements *(2021 Annual Drainage Improvements - External 1PW03)*	$15,000
From:	**Unappropriated Water Expansion Fund**	**$10,000**
To:	40716023-233300 Engineering Services *(Water Computer Modeling / Engineering 1WT13)*	$10,000
From:	**Unappropriated Water Surplus Fund**	**$25,206**
To:	60516025-252000 Improvements Other Than Building *(Raw Water Well 6 Emergency Repair 1WT01 ($22,206); Water Valve Boxes and Covers 1WT19 ($3,000))*	$25,206
From:	**Unappropriated Sewer Replacement and Improvement Fund**	**$32,000**
To:	62316025-252000 Improvements Other Than Buildings *(Manhole Castings 1WW01)*	$32,000

Attachment: Non Contractual 1-25-Ord (1723 : Non-Contractual Appropriations)

From:	**Unappropriated Sewer Surplus Fund**	**$20,000**
To:	62416023-233300 Engineering Services *(Engineering Services for Hydraulic Modeling 1WW12)*	$20,000

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

Passed __________________ ______________________________

Mayor's Approval

Posted __________________

First Reading __________________ Rules Suspended _______________

Second Reading __________________

Third Reading __________________

ATTEST:

____

Clerk of Council

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

____

Clerk of Council

Active Clients\City of Fairfield\Ordinances\2021\Non Contractual 1-25-Ord

Attachment: Non Contractual 1-25-Ord (1723 : Non-Contractual Appropriations)