

Mitch Rhodus
Mayor

Tim Meyers
Councilmember, At-Large

Matt Davidson
Councilmember, At-Large

Gwen Brill
Councilmember, At-Large



Leslie Besl
Councilmember, 1st Ward

Dale Paullus
Councilmember, 2nd Ward

Debbie Pennington
Councilmember, 3rd Ward

Adam Kraft
Councilmember, 4th Ward

**City of Fairfield City Council
Regular Meeting Agenda
Monday, December 9, 2024 6:00 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.

Council-Manager Briefing

Business Meeting Call to Order

Prayer/Pledge of Allegiance

Roll Call

Agenda Modifications

Executive Session Requests

Special Presentations

1. Proclamation in honor of Dave Hensley, Electrical Inspector
2. Police Department Oath of Office
3. Environmental Commission "Friends of the Forest" Award Presentation
4. Miami University College Promise Presentation

Citizen Comments

Council Reports

Public Hearing(s)

1. 2025 Operating Budget

2. Joint Public Hearing - Jungle Jim's Rezoning

Approval of Minutes

1. Regular Meeting Minutes - November 25, 2024

Old Business

1. Development Services

- a. Ordinance amending Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, Section 1130.01(B)(2), the City of Fairfield, Ohio, Zoning Map by approving the concept plan for the Whispering Hill Planned Unit Development.
 - Legislation - Third Reading
 - Motion - Adoption
- b. Ordinance amending Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, Section 1130.01(B)(2), the City of Fairfield, Ohio, Zoning Map.
 - Hold second reading pending Planning Commission recommendation

New Business - Motion to Read All New Business by Title Only

1. Development Services

- a. Ordinance to authorize the City Manager to execute a Job Creation Incentive Grant Economic Development Agreement with Schneider Electric USA, Inc.; Schneider Electric IT Corporation; and Schneider Electric IT Mission Critical Services, Inc. for the creation of new jobs and payroll at its facility on Union Centre Boulevard, and declaring an emergency.
 - Legislation - First reading
 - Motion - Suspend second and third readings
 - Motion - Adoption
- b. Ordinance to authorize the City Manager to execute, accept and administer a grant from the Ohio Department of Transportation (ODOT) Office of Jobs and Commerce and a grant from the Ohio Department of Development (ODOD) 629 Roadway Development program for improvements to Seward Road at the railroad crossing, and declaring an emergency.
 - Legislation - First reading
 - Motion - Suspend second and third readings
 - Motion - Adoption
- c. Ordinance to authorize the City Manager to execute a Utility Easement agreement for Wawa Redevelopment and declaring an emergency.

- Legislation - First reading
- Motion - Suspend second and third readings
- Motion - Adoption

2. Public Safety

- a. Ordinance to authorize the City Manager to enter into a Mutual Police Aid Agreement with Forest Park and Springdale and declaring an emergency.

- Legislation - First reading
- Motion - Suspend second and third readings
- Motion - Adoption

- b. Ordinance to authorize the City Manager to execute the Assistance to Firefighters Grant Application and Agreement for personal protective equipment (PPE) for all firefighters and declaring an emergency.

- Legislation - First reading
- Motion - Suspend second and third readings
- Motion - Adoption

3. Public Works

- a. Ordinance to authorize the City Manager to enter into a contract with Insight Pipe Contracting, LLC for the 2024 Storm Sewer Lining project and declaring an emergency.

- Legislation - First reading
- Motion - Suspend second and third readings
- Motion - Adoption

4. Finance & Budget

- a. Ordinance to amend Section 163.01 Vacations of Chapter 163, Employee Provisions, of Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio and declaring an emergency.

- Legislation - First reading
- Motion - Suspend second and third readings
- Motion - Adoption

- b. An Ordinance to make estimated appropriations for the expenses and expenditures of the City of Fairfield, Ohio, during the period beginning January 1, 2025, and ending December 31, 2025.

- Legislation - First reading
- Motion - Suspend second and third readings

- Motion - Adoption
- c. Ordinance to amend Ordinance No. 166-23 entitled “An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2024, and ending December 31, 2024.” - Supplemental Appropriations.
- Legislation - First reading
 - Motion - Suspend second and third readings
 - Motion - Adoption
- d. Ordinance to amend Ordinance No. 166-23 entitled “An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2024, and ending December 31, 2024.”
Contractual appropriations: \$133,596 for 2024 Storm Sewer Lining (Public Works)
- Legislation - First reading
 - Motion - Suspend second and third readings
 - Motion - Adoption
- e. Ordinance to amend Ordinance No. 166-23 entitled “An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2024, and ending December 31, 2024.”
Non-Contractual Appropriations: \$74,450 total (see attached for detail)
- Legislation - First reading
 - Motion - Suspend second and third readings
 - Motion - Adoption

\$35,000 - IT Division - Video Surveillance and Security Equipment

\$10,000 - IT Division - Network Management Systems

\$14,850 - Water Division - Spare Programmable Logic Controll

\$2,000 - Water Division Well 8 Wireless Communication Components

\$12,600 - Wastewater Division Broadview Pump Station Instrumentation
Replacement

Meeting Schedule

Monday, January 13 - Council-Manager Briefing, 6:00 PM; Regular Meeting, 7:00 PM

Monday, January 27 - Council-Manager Briefing, 6:00 PM; Regular Meeting, 7:00 PM

Monday, February 10 - Council-Manager Briefing, 6:00 PM; Regular Meeting, 7:00 PM

Executive Session of Council (if Needed)

Adjournment



Fairfield City Council
November 29, 2024

Public Hearing Notice

City of Fairfield Budget Hearing
Proposed 2025 Operating Budget

The City of Fairfield will hold a Public Hearing beginning at 6:00 p.m. on Monday, December 9, 2024, in the Council Chambers of the Fairfield Municipal Building, 5350 Pleasant Avenue, Fairfield, Ohio. The purpose of the hearing is to receive written and oral comments from the public concerning the proposed annual operating budget for the year 2025 and the use of funds contained in the proposed budget which is summarized below.

A copy of this information, the entire budget and additional background materials are available for public inspection weekdays from 8:00 a.m. to 5:00 p.m. at the Fairfield Municipal Building, 5350 Pleasant Avenue, Fairfield, Ohio, in the offices of the Finance Director and the Clerk of Council.

Alisha Wilson
Clerk of Council

For insertion in the Journal News Friday, November 29, 2024



Fairfield City Council
November 29, 2024

Public Hearing Notice

All property owners and citizens of Fairfield, Ohio are hereby notified that a joint public hearing between the Planning Commission and City Council has been scheduled for 6:00 PM on Monday, December 9, 2024 at the Fairfield Municipal Building at 5350 Pleasant Avenue, Fairfield Ohio, 45014. The purpose of the hearing is to solicit citizen input regarding the submission of a rezoning request for 8686 Michael Lane, Parcel ID A0700006000125 & A0700006000128. The request is to rezone the parcel from M-2, General Industrial Zoning District, to SE, Suburban Entertainment District.

Parties that wish to review the application may do so by visiting the Development Services Department located at the Fairfield Municipal Building or on the Development Services page on the City website at www.fairfield-city.org/devservices. Questions may be directed to the Department by telephone at (513) 867-5345 or via e-mail at development@fairfieldoh.gov. The Department is open Monday through Friday, between the hours of 8:00 AM and 5:00 PM.

Alisha Wilson
Clerk of Council

For insertion in the Journal News Friday, November 29, 2024



**Fairfield City Council
November 29, 2024**

Public Hearing Notice

All property owners and citizens of Fairfield, Ohio are hereby notified that a joint public hearing between the Planning Commission and City Council has been scheduled for 6:00 PM on Monday, December 9, 2024 at the Fairfield Municipal Building at 5350 Pleasant Avenue, Fairfield Ohio, 45014. The purpose of the hearing is to solicit citizen input regarding the submission of a rezoning request for 5390 Dixie Highway, Parcel ID A0700006000239. The request is to rezone the parcel from C-3, General Business Zoning District, to SE, Suburban Entertainment District.

Parties that wish to review the application may do so by visiting the Development Services Department located at the Fairfield Municipal Building or on the Development Services page on the City website at www.fairfield-city.org/devservices. Questions may be directed to the Department by telephone at (513) 867-5345 or via e-mail at development@fairfieldoh.gov. The Department is open Monday through Friday, between the hours of 8:00 AM and 5:00 PM.

Alisha Wilson
Clerk of Council

For insertion in the Journal News Friday, November 29, 2024

**City of Fairfield
Minutes
Regular Meeting of City Council
November 25, 2024**

Council-Manager Briefing

A. None

Business Meeting Call to Order

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

Prayer/Pledge of Allegiance

Councilmember Matt Davidson led in prayer and Pledge of Allegiance.

Roll Call

Councilmembers present included:

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

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

Agenda Modifications

None.

Executive Session Requests

Councilmember Meyers, seconded by Councilmember Davidson, made a motion for Executive Session to discuss the purchase of property for public use. Roll call vote. Motion carried 6-0.

Special Presentations

None.

Citizen Comments

Mike Cain, 2058 Spyglass Hill Court
Frank Rose, 6283 Firestone Drive

Mr. Cain and Mr. Rose addressed Council regarding an issue with a neighbor that has been brought to the City's attention. They stated that there is a court order issued regarding a lot of ongoing property maintenance issues. The property owner parks anything and everything in the yard, and did not remove it when told it was a violation. He only moved everything to the driveway and covered it in plastic. City feels he has complied with the order to put the items on a hard surface, however, vehicles have been moved back to the grass. Pictures and drone video has been supplied to the city to show the mess. Originally reported July 17, 2023. Property owner is Tom Campbell on 6265 Firestone. Development Services Director Greg Kathman spoke with the residents to try to address their concerns and explain the process regarding property maintenance and court orders.

Council Reports

Mayor Rhodus - Light Up Fairfield parade was phenomenal and heard a lot of positive feedback from residents

Councilmember Brill - Great job to all the Parks team for a wonderful parade!

Councilmember Meyers - Announced the winter edition of the Fairfield Flyer available online; noted applications will be accepted for Boards and Commissions through January 17, 2025, upcoming community blood drive, and article regarding Special Needs Registry and Business Registry with Fairfield Police Department.

Councilmember Kraft - South Gilmore Road paving and sidewalk on Route 4 projects ongoing

Councilmember Pennington - Kudos to the Parks Department for the parade!

Councilmember Besl - Thanked the Parks Department for making the City look so good. Announced that there are many Christmas and holiday events going on through December, so be sure to check the website and flyer for more information.

Public Hearing(s)

None.

Approval of Minutes

The Regular Meeting Minutes of November 11, 2024 were approved as written and submitted.

OLD BUSINESS

Development Services

Councilmember Matt Davidson

Motion to amend per Planning Commission recommendation

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

Ordinance amending Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, Section 1130.01(B)(2), the City of Fairfield, Ohio, Zoning Map by approving the concept plan for the Whispering Hill Planned Unit Development.

Recommendation:

It is recommended that City Council have a first reading on this item at the October 28, 2024 meeting and set the joint public hearing date for November 11, 2024.

Councilmember Davidson presented the second reading of this ordinance.

RESULT:	TABLED [UNANIMOUS]	Next: 12/9/2024 6:00 PM
AYES:	Meyers, Davidson, Brill, Besl, Pennington, Kraft	
EXCUSED:	Paullus	

Motion to remove from table

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

Ordinance to authorize the City Manager to execute a Restricted Fund Agreement with the Fairfield Community Foundation to establish a Fairfield public art fund for public mural and sculpture installation and maintenance, authorize a grant in the amount of \$75,000 to be made to the fund for establishing a mural program and piloting two murals in the Town Center, and declaring an emergency.

Recommendation:

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

Councilmember Davidson, seconded by Councilmember Meyers, motioned to remove from the agenda. He stated that Council does want to look into revitalization of the Town Center area and while this is a good idea, it needs more information. Motion carried 6-0.

RESULT:	WITHDRAWN
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Finance & Budget

Councilmember Gwen Brill

Motion to remove from table

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

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

Recommendation:

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

Councilmember Brill, seconded by Councilmember Davidson, motioned to remove from the agenda. Motion carried 6-0.

RESULT:	WITHDRAWN
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NEW BUSINESS

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

Development Services

City Manager Scott Timmer - Report

Councilmember Matt Davidson

Ordinance amending Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, Section 1130.01(B)(2), the City of Fairfield, Ohio, Zoning Map.

Recommendation:

It is recommended that City Council have a first reading on these items at the November 25, 2024 meeting, set a joint public hearing date for December 9, and await the written recommendation from the Planning Commission.

Councilmember Davidson presented the first reading of this ordinance and set the Joint Public Hearing date for December 9, 2024.

RESULT:	FIRST READING	Next: 12/9/2024 6:00 PM
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Public Safety

City Manager Scott Timmer - Report

Councilmember Dale Paullus

Motion to Suspend Second and Third Readings

Councilmember Meyers presented the first reading of this ordinance.

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

Ordinance adopting the Ohio Department of Health model Emergency Action Plan for the use of Automated External Defibrillators (AEDs) developed pursuant to Section 3701.851 of the Ohio Revised Code and declaring an emergency.

Recommendation:

It is recommended by the City Manager’s Office that City Council approve this Ordinance and adopt of the Department of Health’s Model Emergency Action Plan for the Use of an Automated External Defibrillator (“AED”) device.

ORDINANCE NO. 146-24. APPROVED 6-0.

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

Finance & Budget

City Manager Scott Timmer - Report

Councilmember Gwen Brill

Motion to Suspend Second and Third Readings

Councilmember Brill presented the first reading of this ordinance.

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

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

Recommendation:

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

ORDINANCE NO. 147-24. APPROVED 6-0.

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

Motion to Suspend Second and Third Readings

Councilmember Brill presented the first reading of this ordinance.

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

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

Recommendation:

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

ORDINANCE NO. 148-24. APPROVED 6-0.

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

Motion to Suspend Second and Third Readings

Councilmember Brill presented the first reading of this ordinance.

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

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

Recommendation:

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

ORDINANCE NO. 149-24. APPROVED 6-0.

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

Meeting Schedule

Clerk Wilson read the following meeting schedule:

- A. Monday, December 9 - Regular Meeting 6:00 PM
- B. Monday, January 13 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM
- C. Monday, January 27 - Council-Manager Briefing, 6:00 PM; Regular Meeting 7:00 PM

Executive Session of Council (if needed)

Council recessed to Executive Session at 7:34 PM.

16. ADJOURNMENT

The Regular Meeting adjourned at 8:55 PM.

ATTEST:

Clerk of Council

Mayor's Approval

Date Approved _____

City Council Ordinance
Regular Meeting - November 25, 2024

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

Subject:
Whispering Hill

Legislation Title:
Ordinance amending Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, Section 1130.01(B)(2), the City of Fairfield, Ohio, Zoning Map by approving the concept plan for the Whispering Hill Planned Unit Development.

Recommendation:
It is recommended that City Council have a first reading on this item at the October 28, 2024 meeting and set the joint public hearing date for November 11, 2024.

Background/Synopsis:
The applicant, M/I Homes, is proposing to build a residential development named Whispering Hill consisting of 68 owner-occupied paired villas. Each residential unit will be located on its own lot with the common area maintained by a homeowner's association. Entrance to the development is located at the northern end of the property off of South Gilmore Road. A retention basin (pond) is proposed along with a walking trail that traverses the site.

The property, formerly known as Benzing Estates, was rezoned from B-1, Institutions and Office District to PUD in 2022 to construct 24 single-family houses and 40 paired villas. Since 2022 the project has received two extensions of the Concept Development Plan. The applicant, M/I Homes, is under contract with the property owner to purchase the site pending approval of a new Concept Development Plan.

The Planning and Zoning Code states that a substantial change to the basic design, density, use circulation or open space requirements of an approved PUD is considered a major amendment to a PUD and requires review as a new Concept Development Plan.

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

Emergency Provision Explanation:
NA

Rule Suspension Requested:
No

Emergency Provision Needed:

No

Attachments:

1. Whispering Hill_council letter aerial_10.28.24
2. Whispering Hill Concept Plan 10.11.24
3. WHISPERING HILL PUD-ORD
4. EXHIBIT A WHISPERING HILL-ORD
5. Whispering Hill PUD-SL 11.13.24





RANCH DUPLEX
44'
4800 s.f.
25'
0*, 7.5'
15'
10'
34 (68 Lots)

1. Sanitary to be tied into City of Fairfield System.
2. Water to be installed and connected to City of Fairfield System.
3. Electric to be supplied by Duke Energy.
4. All utilities shall be underground.
5. Decorative street lights shall be provided.
6. All public streets to be constructed according to City of Fairfield standards and specifications.
7. Contours furnished from aerial photography based on U.S.G.S. datum.
8. A homeowners association will be established to provide maintenance for the development.
9. A minimum 25' open space buffer has been provided around the entire development boundary.
10. Existing Zoning: R-PUD



ORDINANCE NO. _____

ORDINANCE AMENDING ORDINANCE NO. 166-84, THE CODIFIED ORDINANCES OF FAIRFIELD, OHIO, SECTION 1130.01(B)(2), THE CITY OF FAIRFIELD, OHIO, ZONING MAP BY APPROVING THE CONCEPT PLAN FOR THE WHISPERING HILL PLANNED UNIT DEVELOPMENT.

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

Section 1. The official Zoning Map of the City of Fairfield, Ohio, which is incorporated into Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio, Section 1130.01(B)(2), is hereby amended by changing the zoning classification of Part Lot 464 being approximately 17.9706 acres of land on the east side of South Gilmore Road, approximately 600 feet north of Mack Road as more particularly described on Exhibit "A" attached hereto and incorporated herein by reference from its present Benzing Planned Unit Development Concept plan by approving the concept plan for the Whispering Hill Planned Unit Development, a copy of which plan, including the written terms and conditions which constitute a material part thereof, is on file in the office of the Clerk of Council and which are incorporated herein by reference.

Section 2. The Director of Development Services is hereby directed to change the official Zoning Map of the City of Fairfield, Ohio in accordance with this ordinance.

Section 3. This ordinance shall take effect at the earliest period allowed by law.

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

ATTEST:

Clerk of Council

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

Clerk of Council

**EXHIBIT A**

Date: May 4, 2022
Description: Part of Lot #464
17.9706 Acres
Location: City of Fairfield
Butler County, Ohio



Situated in the State of Ohio, Between the Miamis, Section 20, Town 2, Range 2, City of Fairfield, Butler County and being 17.9706 Acres of land in part of Lot #464 of the designated list of lots of the City of Fairfield and being in part of the lands of Benzing, LLC as recorded in Official Record 9701, Page 1630 of the Butler County, Ohio Recorder's Office and being further described as follows:

Commencing at found MAG Spike at the southwest corner of said Part of Lot #464 and being on the westerly line of said Section 20; thence, leaving the southwest corner of said Part of Lot #464 and with the westerly line of said Section 20, North 04° 52' 23" East, 719.66 feet to a set iron pin; thence, leaving the westerly line of said Section 20, North 85° 07' 40" East, (passing a found 5/8" iron pin, capped "Bayer Becker" at 82.25 feet), a total of 90.00 feet to a found 5/8" iron pin (capped "Bayer Becker") on the easterly right of way of South Gilmore Road and being the **True Point of Beginning**;

thence, with the easterly right of way of said South Gilmore Road for the following two courses:

- 1) North 04° 52' 23" East, 970.48 feet to a found 5/8" iron pin (capped "Bayer Becker");
- 2) North 04° 50' 39" East, 24.87 feet to a found 5/8" iron pin (capped "Bayer Becker") on the southerly boundary of Lot #9549 and being the lands of Twin Lake Homeowners Association as recorded in Deed Book 1695, Page 395;

thence, leaving the easterly right of way of said South Gilmore Road and with the southerly boundary extended of said Lot #9549 and with the southerly boundary of Twin Lakes Subdivision, 8th addition as recorded in Plat Envelope 795, Pages A-D and with the southerly boundary of Twin Lakes Subdivision, 7th addition as recorded in Plat Envelope 787, Pages C-D and with southerly boundary of Twin Lakes Subdivision, 6th addition as recorded in Plat Envelope 781, Pages A-B and with southerly boundary of Twin Lakes Subdivision, 5th addition as recorded in Plat Envelope 772, Pages A-B, North 79° 10' 22" East, 735.80 feet to a found 5/8" iron pin (no cap) on the northwest corner of Part of Lot #464 of the lands of The Sisters of Mercy as recorded in Deed Book 1221, Page 171;

thence, leaving the southerly boundary of said Twin Lakes Subdivision, 5th addition and with the westerly boundary of said Part of Lot #464 of said lands of The Sisters of Mercy, South 04° 17' 31" West, 1194.52 feet to a set 5/8" iron pin;

thence, leaving the westerly boundary of said Part of Lot #464 of said lands of The Sisters of Mercy and on a new division line through said lands of Benzing, LLC, North 85° 07' 40" West, 720.45 feet to the **True Point of Beginning** containing 782,798 square feet or 17.9706 Acres of land, more or less, and being subject to all legal highways, easements, restrictions and agreements of record.



The above description was prepared from a field survey prepared by Bayer Becker, Jeffery O. Lambert, Professional Surveyor #7568 in the State of Ohio, May 4, 2022. The Plat of which is recorded in Volume 63, Page 40 of the Butler County Engineer's Record of Land Surveys.

Basis of Bearings: Survey Volume 62, Page 181. Fieldwork Completed on May 4, 2022.

Prior Deed Reference: Official Record 9701, Page 1630.

All iron pins set are 5/8" diameter by 30" long rebar with a plastic cap stamped "Bayer Becker".

APPROVED
BCEO
BY ML SP
5-31-22





DEPARTMENTAL CORRESPONDENCE

To: Mayor Rhodus and City Councilmembers
From: Scott Lepsky, Planning Commission Chairman
Subject: Planning Commission Recommendation
Date: 11/15/24

Please be advised that at the Planning Commission meeting held on Wednesday, November 13, 2024, the Planning Commission voted 5-0 to recommend approval, with conditions, of the Concept Development Plan for the Whispering Hill PUD. Please see the attached conditions of approval.

A handwritten signature in blue ink, appearing to read "Scott Lepsky", is written over a faint, larger version of the same signature.

Scott Lepsky, Chairman
Fairfield Planning Commission

cc: Scott Timmer, City Manager
Alisha Wilson, Clerk of Council
Steve Wolterman, Law Department

CONDITIONS OF APPROVAL

1. The development is required to follow the subdivision platting procedures located in the Planning and Zoning Code. The Final Development Plan shall also be the Preliminary Plat for the subdivision.
 2. The paired villas are to be varied in order to avoid long stretches of straight lines. Each paired villa should be designed so the garages are off-set in order to avoid a "garage-dominated" appearance.
 3. The entire development shall be maintained by a homeowner's association, including all privately-owned individual lots.
 4. A tree preservation plan shall be submitted with the Final Development Plan application. The applicant shall preserve as much of the existing vegetation on site as possible. The existing vegetation along the north property line shall remain.
 5. A landscape plan shall be submitted with the Final Development Plan application, which includes the following items:
 - a) Landscaping at the entrance of the development along with a subdivision sign. This should include screening for Lot 68 to provide a buffer from South Gilmore Road.
 - b) Landscape screening along Lots 38-39 to buffer the lots from South Gilmore Road.
 - c) Landscape screening along the east property line to provide a buffer from Mercy Health Fairfield Hospital. The applicant shall work with Development Services Staff to determine the best type of screening that is compatible with the final grade.
 - d) A street tree plan shall be designed in collaboration with Development Services Staff to determine the best locations.
 - e) Compliance with all other requirements outlined in the Planning and Zoning Code.
 6. The retention basin shall have a decorative fountain to provide aeration.
 7. The existing farm fence along South Gilmore Road shall be removed.
 8. A ten foot wide public sidewalk easement connecting the cul-de-sac to South Gilmore Road shall be shown on the Final Development Plan.
 9. A public sanitary sewer easement along South Gilmore Road from the existing public sanitary manhole on the site south to the parcel located at the northeast corner of South Gilmore and Mack Roads shall be shown on the Final Development Plan.
 10. A public utility easement from the Whispering Hill Drive right-of-way to the north property line shall be shown on the Final Development Plan. The applicant shall work with staff for further review of the easement location.
 11. The applicant shall work with staff for further review of the cul-de-sac radii and potential fire lane parking restrictions for inclusion on Final Development Plan.
- Recommended transportation-related conditions of approval**
12. Whispering Hill Drive, at the intersection with South Gilmore, should be at a higher elevation than South Gilmore to help improve sight distance. Additionally, site distance easements should be dedicated at the corner to ensure the best visibility remains in the future.
 13. A left turn lane into the development shall be striped by the developer.
 14. Due to the limited site distance in this section of South Gilmore, roadway signage should be installed by the developer warning drivers of the subdivision entrance.
 15. In conformance with Fairfield Connects, the city-wide connectivity plan, a five-foot sidewalk should be constructed along the entire length of South Gilmore Road.

City Council Ordinance
Regular Meeting - November 25, 2024

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

Subject:

Rezoning from C-3 & M-2 to SE

Legislation Title:

Ordinance amending Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, Section 1130.01(B)(2), the City of Fairfield, Ohio, Zoning Map.

Recommendation:

It is recommended that City Council have a first reading on these items at the November 25, 2024 meeting, set a joint public hearing date for December 9, and await the written recommendation from the Planning Commission.

Background/Synopsis:

The applicants (WJDC, LLC and Bonaminio Family LP) own a commercial campus of over 40 acres of land zoned SE. The campus consists of Jungle Jim's International Market, Oscar Event Center, two retail centers, and other commercial establishments. The applicants are requesting to rezone additional property they own within and near the campus, so the entire development is under one zoning classification. The following is an overview of both rezoning requests:

1. **Request to change the zoning of 11,000 square feet from C-3 to SE.** This area is located off of Michael Lane just east of GE Credit Union and is used as a driveway entrance to Jungle Jim's International Market. The zoning of the area is a remnant of the previous use (nonconforming single-family) and was not included in the original rezoning in 2003 from C-3 to SE.
2. **Request to change the zoning of 9.3 acres from M-2 to SE.** This area is located off of Michael Lane between the Fairfield Acres Mobile Home Park and Jungle Jim's International Market. The site had operated as a radio station with five radio towers located on site. The applicant purchased the property in June 2024 and has since removed all structures located on site.

The purpose of the SE Zoning District is to promote and protect certain land area for entertainment and commercial uses that are unique in nature and attract visitor from around the region. The minimum district size for the SE is 40 acres, which may be a combination of several lots under common ownership or operation.

Financial Impact:

None. This is a land use decision.

Emergency Provision Explanation:

NA

Rule Suspension Requested:

No

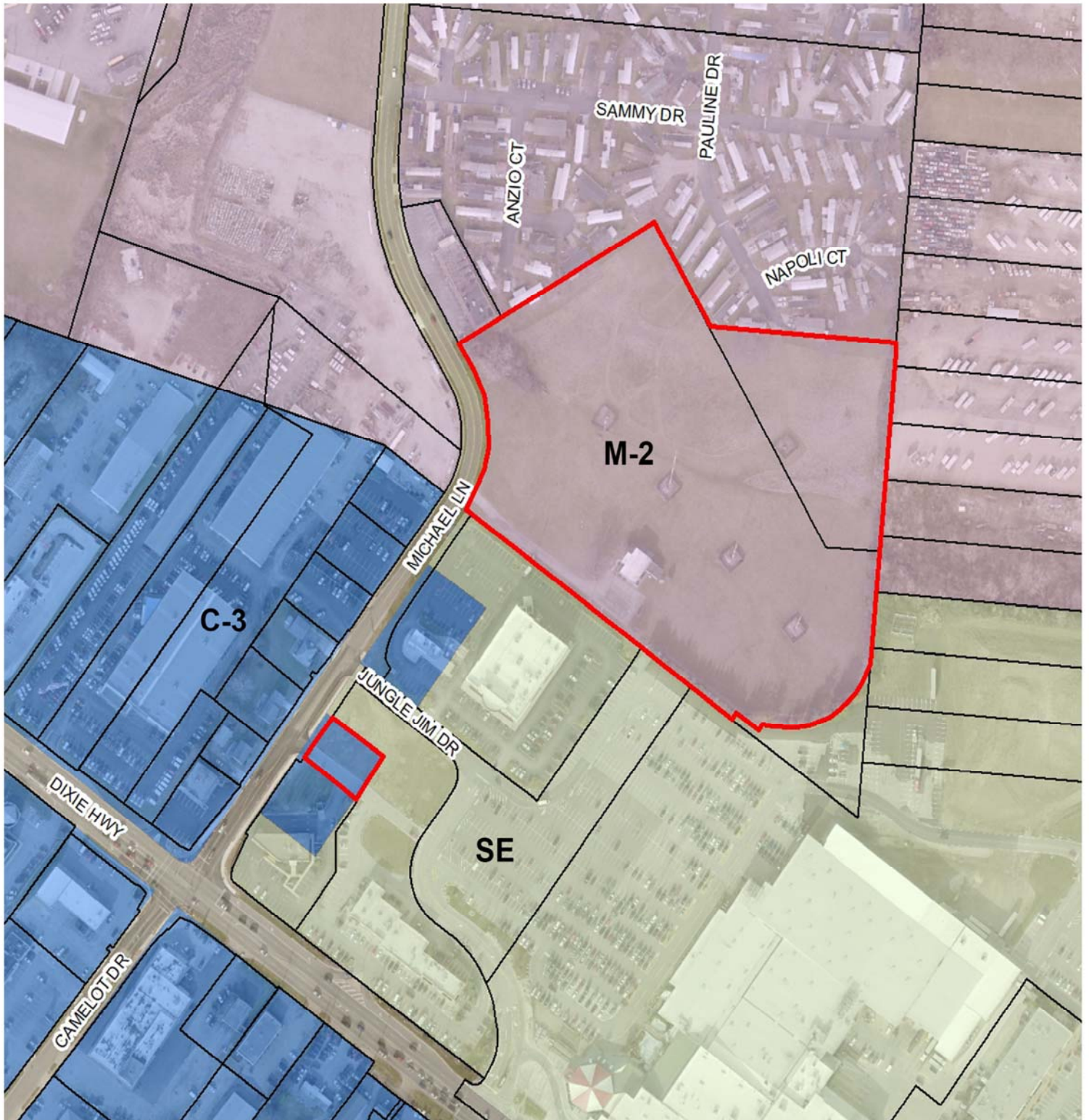
Emergency Provision Needed:

No

Attachments:

1. Jungle rezoning map
2. ZONING CHANGE-ORD
3. EXHIBIT A ZONING CODE-ORD

Change in Zoning from C-3 and M-2 to SE



ORDINANCE NO. _____

ORDINANCE AMENDING ORDINANCE NO. 166-84, THE CODIFIED ORDINANCES OF FAIRFIELD, OHIO, SECTION 1130.01(B)(2), THE CITY OF FAIRFIELD, OHIO, ZONING MAP.

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

- Section 1. The official Zoning Map of the City of Fairfield, Ohio, which is incorporated into Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio, Section 1130.01(B)(2), is hereby amended by changing the zoning classification of part of Lot 71, being approximately 9.45 acres of land and part of Lot 71, being approximately 2.0 acres of land on the east side of Michael Lane as more particularly described on Exhibit “A” attached hereto and incorporated herein by reference from its present M-2, General Industrial District to SE, Suburban Entertainment District and changing the zoning classification of part of Lot 14047, being approximately 11,000 square feet of land, being the portion of Lot 14047 currently zoned C-3, General Commercial, as visually depicted on Exhibit “B” attached hereto and incorporated herein by reference from its present C-3, General Commercial District to SE, Suburban Entertainment District.
- Section 2. The Director of Development Services is hereby directed to change the official Zoning Map of the City of Fairfield, Ohio in accordance with this ordinance.
- Section 3. This Ordinance shall take effect at the earliest period allowed by law.

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

ATTEST:

Clerk of Council

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

Clerk of Council

BK 10097 PG 1493

SURVEY REQUIRED
NEXT TRANSFERML
06.12.2024**Exhibit A**
Legal Description**Tract I**

Situated in the City of Fairfield, Butler County, Ohio being part of Lot Number 71 as shown on the Revised List of Lots for said City, and is bounded and described as follows:

Beginning at a point in the center of Michael Lane found by measuring North 54° 43' West 25.00 feet from the Northwest corner of Lot Number 734 (said lot being previously known as Lot Number 7 of Michael Lane Subdivision recorded in Plat Envelope 277, Page B, Plat Records, Butler County, Ohio); thence along a curve bearing to the left, having a radius of 200.00 feet, a distance of 231.08 feet, subtended by a chord N. 2° 15' E., 218.44 feet; thence North 59° 09' East 25.00 feet; thence North 30° 51' West 59.59 feet; thence North 59° 09' East 434.96 feet; thence South 30° 51' E. 668.50 feet; thence South 86° 00' East 101.63 feet; thence South 4° 00' West 480 feet; thence North 54° 43' West 960 feet to the point of beginning, containing 10.00 acres.

Save and Except

Situated in the City of Fairfield, Butler County, Ohio being part of Lot Number 71 as shown on the Revised List of Lots for said City, and is bounded and described as follows:

Beginning at the southeasterly corner of Part Lot Number 71 (said point also being the southwesterly corner of Lot Number 90 in the City of Fairfield, Butler County, Ohio); thence along the southerly line of Part Lot Number 71 (and the northerly line of Lot Number 11892 in the City of Fairfield, Butler County, Ohio), North 53° 49' 43" West 300.00 feet; thence North 36° 10' 17" East 15.00 feet; thence South 53° 49' 43" East 53.00 feet; thence North 36° 10' 17" East 15.00 feet; thence along a curve in a northeasterly direction, having a radius of 162 feet, a distance of 259.51 feet (chord bearing North 62° 04' East 232.64 feet); thence along the easterly line of Part Lot Number 71 (and the westerly line of Lot Numbers 88, 89 and 90 in the City of Fairfield, Butler County, Ohio), South 4° 53' 17" West 280.00 feet to the point of beginning, containing 0.550 acres of land, and being subject to any easement and restrictions of record.

Description of Roadway and Storm Sewer Easement

Situated in the City of Fairfield, Butler County, Ohio being part of Lot Number 71 as shown on the Revised List of Lots for said City, and is bounded and described as follows:

Beginning at a point in the southerly line of Part Lot Number 71 (said point also being the northeasterly corner Lot Number 94 in the City of Fairfield, Butler County, Ohio); thence along the southerly line of Part Lot Number 71 (and the northerly line of Lot Numbers 94, 95 and 96 in the City of Fairfield, Butler County, Ohio), North 53° 49' 43" 220.00 feet; thence North 36° 10' 17" East 15.00 feet; thence South 53° 49' 43" East 220.00 feet; thence South 36° 10' 17" West 15.00 feet to the point of beginning.

This description is prepared by Donald P. McCool, Registered Survey Number 5604 in Ohio.



By ML at 4:00 pm, May 06, 2024

A plat of survey of the herein described real estate is recorded in Volume 34, Page 100 of the Butler County, Ohio Engineer's Record of Land Surveys.

Parcel Nos. A0700-006.000-125 and A0700-006.000-125T
Address: 8686 Michael Ln., Fairfield, OH 45014

Tract II

Situated in the City of Fairfield, Butler County, Ohio, being part of Lot Number 71 as shown on the Revised List of Lots for said City, and is bounded and described as follows:

Beginning at a point in the east line of said Lot Number 71, found by measuring from the southeast corner of said Lot Number 71, North 3° 56.5' East 480.00 feet; thence from said beginning point and continuing along the east line of said Lot Number 71 North 3° 56.5' East 375.36 feet; thence North 86° 00' West 362.62 feet; thence South 30° 51' East 457.39 feet; thence South 86° 00' East 101.63 feet to the point of beginning, containing 2.000 acres of land and being subject to any easements of record.

Parcel Nos. A0700-006.000-128 and A0700-006.000-128T
Address: Michael Ln., Fairfield, OH 45014



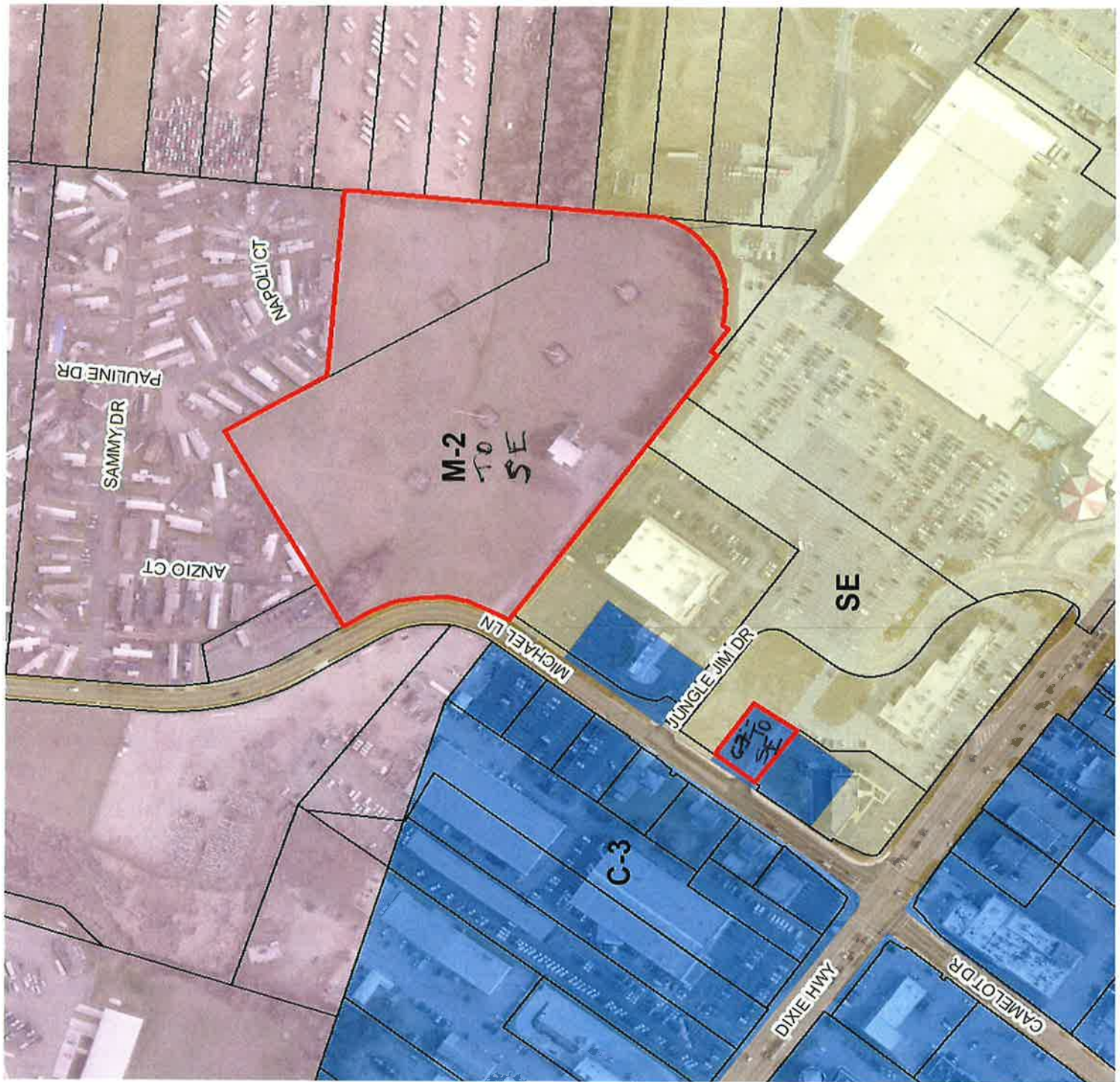


EXHIBIT B



**City Council Communication
Regular Meeting - December 9, 2024**

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

Subject:

Job Creation Incentive for Schneider Electric

Legislation Title:

Ordinance to authorize the City Manager to execute a Job Creation Incentive Grant Economic Development Agreement with Schneider Electric USA, Inc.; Schneider Electric IT Corporation; and Schneider Electric IT Mission Critical Services, Inc. for the creation of new jobs and payroll at its facility on Union Centre Boulevard, and declaring an emergency.

- Legislation - First reading
- Motion - Suspend second and third readings
- Motion - Adoption

Recommendation:

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

Discussion:

Schneider Electric is a Fortune Global 500 company headquartered in France that specializes in energy management and automation. Schneider Electric has operated a manufacturing operation within 225,000 square feet of leased space at 5855 Union Centre Boulevard in Fairfield since 2018. The Fairfield facility currently has 169 employees and an annual payroll exceeding \$9.25 million. Schneider Electric now plans to make substantial investments to the Fairfield facility in response to changes in technology and consumer markets.

Should this project proceed, the total investment is estimated at \$25 million, including \$9 million in building improvements and \$16 million in machinery and equipment. Schneider will retain and increase wages for the existing 169 full-time jobs and will create at least 100 new full-time jobs within three years of completion of construction, for a total of 269 full-time employees. Anticipated total future payroll is expected to equal or exceed approximately \$15.1 million.

Approval of the ordinance would authorize the City Manager to enter into a Job Creation Incentive (JCI) agreement. The JCI agreement would provide the company with an annual grant of up to 36% of the new municipal income tax collected from the increased payroll at the site for a term of eight years. Fairfield City Council established the structure for the JCI program as part of the City of Fairfield Tax Incentive Guidelines approved in December 2023. The proposed

agreement aligns with and is the first JCI agreement proposed following these guidelines.

Financial Impact:

Schneider Electric is planning to make substantial investments at its manufacturing facility. This growth will increase income tax revenue and create new jobs in the City of Fairfield.

Emergency Provision:

Yes - Emergency approval is recommended to ensure the project can proceed on schedule and that local incentives will align with approval of state incentives for the project.

Rule Suspension Requested:

Yes

ATTACHMENTS:

1. Job Creation Incentive Agreement - Schneider
2. SCHNEIDER ELECTRIC-ORD

**JOB CREATION INCENTIVE GRANT
ECONOMIC DEVELOPMENT AGREEMENT**

Between the
CITY OF FAIRFIELD
And
SCHNEIDER ELECTRIC

This **Job Creation Incentive Grant Economic Development Agreement** (this "Agreement") is made and entered into this _____ day of _____, 2024 ("Effective Date"), by and between the **CITY OF FAIRFIELD, OHIO** ("City"), a municipal corporation duly organized and validly existing under the Constitution and laws of the State of Ohio, and **Schneider Electric USA, Inc, Schneider Electric IT Corporation, and Schneider Electric IT Mission Critical Services, Inc.**, all Delaware corporations authorized to do business in the State of Ohio, located at One Boston Place, Suite 2700, Boston, MA 02108 (collectively the "Grantee"), under the authority of City of Fairfield Ordinance _____.

RECITALS

A. Grantee presently leases approximately 225,000 square feet of office and industrial space located at 5855 Union Centre Boulevard in Fairfield (the "Project Site"). Grantee plans to and will execute a lease extension for the Project Site for a term of 10 years. Grantee desires to invest a total project cost of \$25,000,000, which includes approximately \$9,000,000 in building improvements and \$16,000,000 in machinery/equipment at the Project Site (the "Project").

B. Grantee currently employs 169 Full Time Equivalent Employees with an estimated annual payroll of \$9,258,725 at the Project Site. Following the Project, with this investment, Grantee plans to retain the existing Full Time Equivalent Employees and create or relocate 100 new Full-Time Equivalent Employees with an additional estimated annual payroll of \$5,500,000 at the Project Site.

C. The City desires to improve the economic welfare of the people of the City of Fairfield and therefore desires to encourage Grantee to make this investment in the Project, increase employment and maintain operations within the City of Fairfield.

D. The City is authorized to make annual incentive payments to the Grantee, as further described herein, and subject to annual appropriation, based on a calculation of the amount of the New Annual Municipal Income Tax generated by new employees employed in the City by Grantee.

E. The City intends to grant to Grantee a jobs growth incentive with annual payments as memorialized in this Agreement to induce Grantee to locate its workforce in the City.

F. On December_____, 2024, Fairfield City Council passed ordinance _____ authorizing the City to enter into this Agreement for the benefit and improvement of the economic welfare of the City's citizens as authorized in Article VIII, Section 13 of the Ohio Constitution.

NOW THEREFORE, in consideration of the mutual covenants contained in this Agreement the parties to this Agreement incorporate the above Recitals into this agreement as obligations of each and further agree as follows:

Section 1. Definitions

“Grantee’s Baseline Annual Municipal Income Tax” has been calculated based upon the total amount of City of Fairfield Municipal Income Tax paid by the Grantee annually, on average, net of refunds filed for by employees of Grantee prior to the Project. Grantee’s Baseline Municipal Income Tax does not include corporate net profits taxes paid to the City. The Parties agree that for the purposes of this Agreement, the Grantee’s Baseline Annual Municipal Income Tax is \$135,000.

“Full-time Equivalent Employees” means the number of employees determined by dividing the total number of compensated hours worked in a work week by permanent paid employees (whether full-time or part-time) at the Project Site by forty (40) hours, provided that the hours included in the calculation may not exceed forty (40) hours per week for any individual employee.

"Non-Tax Revenues" means all monies of the City, which are not monies raised by taxation, to the extent available for the purpose of making the annual payments required hereunder, including, but not limited to the following: (a) grants from the United States of America and the State; (b) payments in lieu of taxes now or hereafter authorized by State statute to the extent not pledged to pay debt charges on the City’s indebtedness; (c) fines and forfeitures which are deposited in the City’s General Fund; (d) fees deposited in the City’s General Fund for services provided and from properly imposed licenses and permits; (e) investment earnings on the City’s General Fund; (f) investment earnings on other funds of the City that are credited to the City’s General Fund; (g) proceeds from the sale of assets which are deposited in the City’s General Fund; (h) gifts and donations; and (i) all rental payments which are deposited in the City’s General Fund.

“Term” means the period beginning January 1, 2026, and ending on December 31, 2033.

“Grantee’s New Annual Municipal Income Tax” means the total amount of City of Fairfield Income Tax paid by Grantee to the City for total payroll in each year of the Term, net of refunds filed by employees of Grantee as of June 1 of the succeeding year, and less the Grantee’s Baseline Annual Municipal Income Tax. Grantee’s New Annual Municipal Income Tax does not include corporate net profits taxes paid to the City.

Section 2. Project Job Creation Pledge

A. On or before December 31, 2025, Grantee will complete the Project. Grantee warrants and represents that sufficient funding, in addition to this incentive, has been obtained or secured to complete the Project.

B. Grantee will continue to employ 169 Full Time Equivalent Employees at the Project Site and on or before December 31, 2028 will hire or relocate from areas outside of the City of Fairfield at least 100 new Full-time Equivalent Employees at the Project Site with a total payroll for such new Full Time Equivalent Employees equal to or greater than \$5,500,000, that when combined with wage growth of retained employees will increase Grantee's New Annual Municipal Income tax to an amount in excess of \$90,000.

Section 3. Incentive Payments

A. In consideration for Grantee's Project Job Creation Pledge, as stated in Section 2 above, and subject to the terms and conditions of this Agreement, the City agrees to pay to Grantee, as a grant from the City's Non-Tax Revenues, a sum equal to the percentage of the New Annual Municipal Income Tax from Grantee as follows:

- (i) for each calendar year of the Term for which Grantee's New Annual Municipal Income Tax exceeds \$90,000, Grantee will pay to Grantee 36% (thirty-six percent) of Grantee's New Annual Municipal Income Tax.
- (ii) for each calendar year of the Term for which Grantee's New Annual Municipal Income Tax is greater than \$67,500 but \$90,000 or less, 34% (thirty-four percent) of Grantee's New Annual Municipal Income Tax.
- (iii) for each calendar year of the Term for which Grantee's New Annual Municipal Income Tax is greater than \$45,000 but \$67,500 or less, 32% (thirty-two percent) of Grantee's New Annual Municipal Income Tax.
- (iv) For each calendar year of the Term for which Grantee's New Annual Municipal Income Tax is greater than \$22,500 but \$45,000 or less, 30% (thirty percent) of Grantee's New Annual Municipal Income Tax.
- (v) If Grantee's New Annual Municipal Income Tax is \$22,500 or less for any calendar year, then Grantee is ineligible to receive the City Job Creation Incentive Grant for that year.
- (vi) Notwithstanding the above, for calendar years 2026-2027 (payable 2027-2028), regardless of the amount of Grantee's New Annual Municipal Income Tax, City will pay to Grantee 36% (thirty-six percent) of Grantee's New Annual Municipal Income Tax.

Said grant (hereinafter the "Incentive Payment") shall be paid to the Grantee on an annual basis on or before June 30th of the succeeding year for the preceding calendar year.

B. Exhibit A includes a projection of the anticipated Incentive Payments over the Term based on the assumption that Grantee will increase employment as expected. Actual Annual Incentive Payments will be based upon the calculations in paragraph A.

C. In order to qualify for the Incentive Payment, the Chief Financial Officer of Grantee, on or before May 1st of each year, shall certify to the City for the prior year and City shall verify to its reasonable satisfaction, the following:

1. The total number of Full Time Equivalent employees employed by Grantee at the Project Site;
2. The total payroll for all Full Time Equivalent Employees of Grantee at the Project Site;
3. Grantee's withholding tax return for the prior Term year; and
4. Any other documentation requested by the City to verify compliance with this Agreement.

D. In order to qualify for the Incentive Payment, by June 1st of each year of the Term, Grantee must not be delinquent on any portion of its municipal taxes, including employee withholding, business net profits, or utility payments due and owing to the City.

E. Upon certification and verification that an Incentive Payment is to be made to Grantee in a specified amount, the City shall, on or before June 30th of the calendar year following the Term year specified for Incentive Payment, make the Incentive Payment to Grantee in the form of a check. The City's Income Tax Division may share cumulative employee refund information with the City's Development Services Department as necessary to calculate the Incentive Payment.

F. Incentive Payments under this Agreement are contingent upon appropriation of funds authorizing the expenditure of monies sufficient to make such payment and the certification of the Finance Director of the availability of funds. Notwithstanding anything in this Agreement to the contrary, the obligations of the City under this Agreement shall not be general obligations of the City and Grantee shall have no right to have excises or taxes levied by the City for the City's performance of any obligations under this Agreement. Consistent with Section 13 of Article VIII of the Ohio Constitution, any payments or advances required to be made by the City under this Agreement shall be made solely from the City's Non-Tax Revenues.

G. Nothing herein shall be construed as requiring the City to use or apply to the payment of Incentive Payments payable hereunder any funds or revenues from any source other than Non-Tax Revenues; provided, however, that nothing herein shall be deemed to prohibit the City of its own volition, from using, to the extent that it is authorized by law to do so, any other resources for the fulfillment of any of the terms, conditions or obligations of this agreement.

H. Notwithstanding anything herein to the contrary, if, when any Incentive Payments become due, the City's Non-Tax Revenues are insufficient to make such payment, the payment obligation will continue and be paid from Non-Tax Revenues monthly as soon as they become available until such past due amounts are paid in full. The City agrees that it will not make a pledge of Non-Tax Revenues superior to its obligation to make payments under this Agreement and that the obligation to make the Incentive Payments will be at least on parity with all other

pledges of Non-Tax Revenues. In the event that Incentive Payments remain past due for more than one (1) calendar year, the City will make a good faith effort to enter into a job creation tax credit agreement, pursuant to Ohio Revised Code Section 718.15, subject to approval by the City Council of the City, effective as of June 30 of the calendar year in which any Incentive Payments become more than one (1) calendar year late (the “Replacement Agreement”). Subject to approval by the City Council of the City, the Replacement Agreement would provide substantially the same economic benefits to the Grantee under substantially the same terms as this Agreement.

I. If Grantee shall substantially cease operations at the Project Site at any time prior to December 31, 2033, the City may terminate this Agreement. In determining if the Agreement shall be terminated, the City will take into consideration market conditions to which the Grantee was subject. For purposes of this Section 3, Grantee substantially ceases operations when it no longer maintains sufficient employment levels to produce at least \$15,000 in Total Annual Withholding (at least \$1 million in annual payroll) and maintains this employment level for one calendar year.

Section 4. Miscellaneous Provisions

A. All disbursements of City funds, notices, demands requests consents or approvals given, or required to be given, shall be in writing and shall be deemed sufficiently given if actually received or if or sent by recognized, overnight delivery service or by certified mail, postage pre-paid return receipt requested, addressed to the other party at the address set forth in this Agreement, or to such other address as the recipient shall have notified the other party of, in writing. For purposes of this Agreement, notices and disbursements of City funds shall be addressed to:

- (i) As to the City: City of Fairfield
City Manager
5350 Pleasant Avenue
Fairfield, Ohio 45014
- (ii) As to the Grantee: Jeff Morris, Government Affairs
Schneider Electric USA, Inc.
Schneider Electric IT Corporation
Schneider Electric IT Mission Critical Services, Inc.
One Boston Place, Suite 2700
Boston, MA 02108

B. No official executing or approving the City’s or the Grantee’s participation in this Agreement shall be personally liable under this Agreement or be subject to any personal liability or accountability by reason of authorizing this Agreement.

C. This Agreement may be amended only by written agreement between the parties, duly executed by the parties and approved by the City Council of the City if necessary.

D. In case any Section or Provision of this Agreement, or part of such Section or Agreement is held to be illegal or invalid for any reason, the illegality or invalidity of that portion shall not in any way limit or invalidate the legality of the remaining Sections and Provisions of this Agreement.

E. This Agreement is not transferable or assignable without the express, legislative approval of the City provided; however, the Grantee shall assign all of its rights, interests or obligations hereunder in connection with any sale of the Grantee or substantially all of the assets of the Grantee, and such assignment shall not require the prior approval of the City.

F. This Agreement is binding upon, and the benefits of this Agreement shall inure to the benefit of, the Grantee and its successors or assigns.

G. The Agreement may be executed in one or more counterparts, each of which shall be deemed an original but all of which together will constitute one and the same instrument.

H. In the event of a dispute arising out of this Agreement, the parties agree to negotiate in good faith to discuss and attempt to resolve the issues, which are the subject of the dispute. If the parties are unable to resolve the dispute, such dispute may be submitted, upon agreement of the parties, for arbitration for final resolution. The parties may submit for arbitration or litigation any and all confidential information necessary to support its case. The arbitration shall be conducted in accordance with the Commercial Arbitration Rules of the American Arbitration Association ("AAA") and shall be held in Butler County, Ohio. There shall be one arbitrator and such arbitrator shall be chosen by mutual agreement of the parties in accordance with AAA rules. The findings of the arbitrator shall be final and binding on the parties and may be entered by either party in a court of proper jurisdiction located in Cincinnati, Ohio for purposes of enforcement. Absent a specific agreement to arbitrate, it will be presumed that the parties have not agreed to arbitrate a dispute.

IN WITNESS WHEREOF, the City of Fairfield, Ohio has caused this instrument to be executed this ____ day of _____, 2024; Schneider Electric USA, inc. has caused this instrument to be executed this ____ day of _____, 2024; Schneider Electric IT Corporation has caused this instrument to be executed this ____ day of _____, 2024; and Schneider Electric IT Mission Critical Services, Inc. has caused this instrument to be executed this ____ day of _____, 2024

City:

City of Fairfield

Scott W. Timmer
City Manager

Grantee:

Schneider Electric USA, Inc.

Name: Steve Sacco
Title: VP, GSC NAM SERE & Sustainability

Schneider Electric IT Corporation

Name: Steve Sacco
Title: VP, GSC NAM SERE & Sustainability

Schneider Electric IT Mission Critical Services, Inc.

Name: Steve Sacco
Title: VP, GSC NAM SERE & Sustainability

Approved as to Form:

John H. Clemmons
Fairfield City Law Director

Approved as to Content:

Gregory Kathman
Fairfield Development Services Director

FISCAL OFFICER’S CERTIFICATE

As fiscal officer for the City of Fairfield, I hereby certify that funds sufficient to meet the obligations of the City in this Agreement (including specifically the funds required to meet the obligation of the City in the year 2024) have been lawfully appropriated for the purposes thereof and are available in the treasury, and/or are in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This certificate is given in compliance with Article IX, Section 9.02(D) of the City of Fairfield Charter.

Dated: _____ day of _____, 2024

Chris Hacker, Finance Director
City of Fairfield, Ohio

EXHIBIT A

Projected Incentive Payments

Calendar Year	Job Count	Wage Growth of Retained Jobs (a)	Payroll of New Jobs (b)	Total New Payroll (a+b)	New Municipal Income Tax	Incentive Rate	Incentive Payment
2026	189	\$1,343,480	\$1,100,000	\$2,443,480	\$36,652	36%	\$13,195
2027	259	\$1,343,480	\$4,950,000	\$6,293,480	\$94,402	36%	\$33,985
2028	269	\$1,343,480	\$5,500,000	\$6,843,480	\$102,652	36%	\$36,955
2029*	269	\$1,370,350	\$5,610,000	\$6,980,350	\$104,705	36%	\$37,694
2030	269	\$1,397,757	\$5,722,200	\$7,119,957	\$106,799	36%	\$38,448
2031	269	\$1,425,712	\$5,836,644	\$7,262,356	\$108,935	36%	\$39,217
2032	269	\$1,454,226	\$5,953,377	\$7,407,603	\$111,114	36%	\$40,001
2033	269	\$1,483,310	\$6,072,444	\$7,555,755	\$113,336	36%	\$40,801

Total	\$280,295
-------	-----------

*For years 2029-2033, wages were increased by 2% annually for estimation purposes.

ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO EXECUTE A JOB CREATION INCENTIVE GRANT ECONOMIC DEVELOPMENT AGREEMENT WITH SCHNEIDER ELECTRIC USA, INC.; SCHNEIDER ELECTRIC IT CORPORATION AND SCHNEIDER ELECTRIC IT MISSION CRITICAL SERVICES, INC. FOR THE CREATION OF NEW JOBS AND PAYROLL AT ITS FACILITY ON UNION CENTRE BOULEVARD AND DECLARING AN EMERGENCY.

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

- Section 1.

The City Manager is hereby authorized to execute a Job Creation Incentive Grant Economic Development Agreement with Schneider Electric USA, Inc.; Schneider Electric IT Corporation and Schneider Electric IT Mission Critical Services, Inc. for the creation of new jobs and payroll at its facility on Union Center Boulevard in accordance with the agreement on file in the office of the City Manager.
- Section 2.

This Ordinance is hereby declared to be an emergency measure necessary for the urgent benefit and protection of the City and its inhabitants for the reason that the project can proceed on schedule for the creation of new jobs and that local incentives will align with approval of state incentives for the project; wherefore, this ordinance shall take effect immediately upon its passage.

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

ATTEST:

Clerk of Council

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

Clerk of Council



**City Council Communication
Regular Meeting - December 9, 2024**

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

Subject:

Roadway Grants for Seward Road Phase 4 Improvements

Legislation Title:

Ordinance to authorize the City Manager to execute, accept and administer a grant from the Ohio Department of Transportation (ODOT) Office of Jobs and Commerce and a grant from the Ohio Department of Development (ODOD) 629 Roadway Development program for improvements to Seward Road at the railroad crossing, and declaring an emergency.

- Legislation - First reading
- Motion - Suspend second and third readings
- Motion - Adoption

Recommendation:

It is recommended that City Council authorize the City Manager to accept and administer these grants, including execution of grant agreements with ODOT and ODOD, to fund construction of the Seward Road Phase 4 improvements. A suspension of rules and emergency provision is being requested in order to meet the commitments required by the grant funding.

Discussion:

The City of Fairfield and Fairfield Township entered into agreements in April 2022 related to the speculative industrial park development known as Fairfield Logistics Center. The agreements established a Joint Economic Development District (JEDD) to share revenues from the park and committed the parties to various road improvements identified as part of a traffic study commissioned by Al Neyer, the project developer.

Three phases of road improvements were identified. The first phase encompassed the widening of Seward Road to three lanes in the vicinity of the development; this work was completed last year. The second phase encompasses the roundabout at Seward and Tylersville Roads; this work is wrapping up. The third phase includes softening two back-to-back curves on Seward and adding a lefthand turn lane; this work is scheduled for construction next year.

A fourth phase of improvements has now been identified in order to advance construction of a third building targeted for a specific tenant at the Fairfield Logistics Center site. The proposed improvements include reconstruction of Seward Road north and south of the Norfolk Southern Railroad crossing, providing a gentler approach on either side of the railroad tracks. As part of

the project, wider shoulders would also be constructed similar to the other improved sections of Seward Road.

Due to the direct benefit of the Phase 4 roadway improvements to the proposed third building tenant, staff requested state economic development support to complete the improvements. The city has been offered two grants towards the Phase 4 improvements:

- \$200,000 – Ohio Department of Transportation (ODOT) Office Jobs & Commerce
- \$250,000 – Ohio Department of Development (ODOD) 629 Roadway Development

Total estimated construction costs for Phase 4 are estimated at \$537,000, meaning the grants are estimated to fund approximately 83% of the total project construction costs. Al Neyer will also contribute \$55,000, roughly 10% of the estimated project cost, and contribute towards any overages. Design and engineering of Phase 4 is the responsibility of Al Neyer and is currently underway.

Approval of the ordinance will authorize the City Manager to execute grant agreements and any related documents with ODOT and ODOD. Construction is anticipated to be completed next year in coordination with Phase 3.

Financial Impact:

These grants will allow the City to move forward with the Seward Road Phase 4 improvements and provide \$450,000 in state funding.

Emergency Provision:

Yes - It is recommended that City Council suspend the rules requiring a second and third reading of this ordinance and pass as an emergency. A suspension of rules and emergency provision is being requested in order to meet the commitments required by the grant funding.

Rule Suspension Requested:

Yes

ATTACHMENTS:

1. ODOT Jobs and Commerce - Award Letter
2. ODOD Roadwork Development 629 - Award Letter
3. ODOT-ORD



**Department of
Transportation**
transportation.ohio.gov

Mike DeWine, Governor
Jon Husted, Lt. Governor
Pamela Boratyn, Director

November 8, 2024

Mr. Scott W. Timmer, City Manager
City of Fairfield
5350 Pleasant Avenue
Fairfield, Ohio

Re: PID 122301 – BUT Seward Rd Rail Crossing Improvement Award Letter

Dear Mr. Timmer:

On behalf of the Ohio Department of Transportation (ODOT) Office of Jobs & Commerce, I am pleased to inform you the above referenced project has been awarded **38%** of the eligible costs up to a maximum of **\$200,000**. This reimbursable grant will be for eligible construction costs.

Once your project has been awarded, please inform Adele Evans, ODOT Jobs & Commerce Regional Manager, of the **construction begin and end dates** as well as the **construction cost amount**. This information needs to be submitted within two weeks of the project award.

All funding reimbursement requests should be submitted to Adele by October 30, 2026. Should the City of Fairfield be unable to successfully execute the terms of the agreement please notify Adele in writing, and we will review any mitigating circumstances with you.

Congratulations on this ODOT Jobs & Commerce award. We look forward to working with you to support this important infrastructure improvement.

Sincerely,

Christina Wagner Schepis
Program Manager
Office of Jobs & Commerce

Cc: Macie Moore – Administrator, Office of Transportation & Economic Development
Adele Evans – Jobs & Commerce Regional Manager
Tammy Campbell, PE – D8 Deputy Director
Suzanne Enders, PE – D8 Capital Programs Administrator



October 17, 2024

Nathaniel Kaelin
Economic Development Manager
City of Fairfield
5350 Pleasant Avenue
Fairfield, Ohio 45014

Dear Nathaniel Kaelin:

The Ohio Department of Development (Development), in conjunction with JobsOhio, welcomes the opportunity to assist the City of Fairfield with its public roadwork development project in support of the Schneider Electric Usa, Inc. project in the City of Fairfield.

Enclosed with this letter is a Summary of Assistance with program information for the Roadwork Development (629) Grant being offered by Development. We believe that this offer of assistance, coupled with additional local and state resources available, allows the City of Fairfield to address all of the public roadwork needs for the Schneider Electric Usa, Inc. project. Good luck as you proceed with this important project.

Please continue to work with Sarah Daligga at REDI Cincinnati. Sarah may be reached at (513) 686-2943 or by e-mail at sdaligga@redicincinnati.com.

Sincerely,

DocuSigned by:

Dana Saucier

DB9F8578DFD4404...

Dana Saucier

Vice President, Head of Economic Development
JobsOhio

JobsOhio

Signed by:

Matt McClellan

6477E8C9F17A45F...

Matt McClellan

Assistant Director
Ohio Department of Development

Ohio

Department of
Development





Estimated Total Value of State Assistance

\$250,000

Roadwork Development (629) Grant

Estimated Value: Up to \$250,000, covering 50 percent of eligible roadwork costs

The Roadwork Development (629) Grant provides funding to the City of Fairfield for public roadway improvements, including engineering and design costs, related to the job creation/retention project of Schneider Electric. Funds are available for projects primarily involving manufacturing, research and development, high technology, corporate headquarters, and distribution activity. [Learn More](#)

To ensure your project stays on track, please find Controlling Board approval meeting dates and corresponding deadlines [here](#).

Grant Program Benefits:

- **Multiple Beneficiaries** – Proportional funding to local communities for public roadwork infrastructure that directly benefit your project.



ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO EXECUTE, ACCEPT AND ADMINISTER A GRANT FROM THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) OFFICE OF JOBS AND COMMERCE AND A GRANT FROM THE OHIO DEPARTMENT OF DEVELOPMENT (ODOD) 629 ROADWAY DEVELOPMENT PROGRAM FOR IMPROVEMENTS TO SEWARD ROAD AT THE RAILROAD CROSSING AND DECLARING AN EMERGENCY.

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

- Section 1.

The City Manager is hereby authorized to execute, accept and administer a grant from the Ohio Department from Transportation (ODOT) Office of Jobs and Commerce and a grant from the Ohio Department of Development (ODOD) 629 Roadway Development program for improvements to Seward Road at the railroad crossing in accordance with the grant agreements 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 project commence as soon as possible to create new jobs and ensure the City will meet the commitments required by the grant funding; wherefore, this ordinance shall take effect immediately upon its passage.

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

ATTEST:

Clerk of Council

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

Clerk of Council



**City Council Communication
Regular Meeting - December 9, 2024**

Submitted by: Greg Kathman, Development Services Director
Department: Development Services

Subject:

Utility Easement for Wawa Redevelopment

Legislation Title:

Ordinance to authorize the City Manager to execute a Utility Easement agreement for Wawa Redevelopment and declaring an emergency.

- Legislation - First reading
- Motion - Suspend second and third readings
- Motion - Adoption

Recommendation:

Staff recommends suspending the second and third readings and approving the ordinance as an emergency to allow the real estate transaction to proceed as quickly as possible.

Discussion:

Developer BW OH Dixie Symmes LLC has purchased 6 lots at the northwest corner of Dixie Highway and Symmes Road and is preparing the site for a Wawa gas station and convenience store. As part of the redevelopment, several old easements must be vacated and new easements created. A draft easement document has been created to accomplish this. New easements being granted by the owner include a 15 foot sanitary sewer easement and a 20 foot by 20 foot storm sewer easement. The City agrees to relinquish all rights and interests in an existing 10 foot sewer easement, a 5 foot utility easement, and a utility grant. Several City departments have reviewed the easements as part of the site plan approval process, including Public Utilities, Public Works, and Development Services. Approval of the ordinance would authorize the City Manager to execute and record this Utility Easement document.

Financial Impact:

There is no financial impact related to this ordinance.

Emergency Provision:

Yes. Emergency provision is requested to allow the real estate transaction to proceed as quickly as possible.

Rule Suspension Requested:

Yes

ATTACHMENTS:

1. Wawa Easement Combined
2. UTILITY EASEMENT WAWA-ORD

UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS THAT: **BW OH DIXIE SYMMES, LLC, a Florida limited liability company**, whose address is _____, the Grantor herein, for valuable consideration paid by **CITY OF FAIRFIELD, OHIO, an Ohio municipal corporation**, whose address is **5350 Pleasant Avenue, Fairfield, Ohio, 45014**, the Grantee herein, does hereby grant, bargain, sell, convey and release to said Grantee, its successors and assigns forever, a permanent, nonexclusive easement for the construction, installation, operation, maintenance, repair and or removal of the following:

(A) a 15' sanitary sewer easement and related appurtenances and facilities in, over, upon and across the real estate described on Exhibit "A" attached hereto, and

(B) a 20' foot storm sewer easement and related appurtenances and facilities in, over, upon and across the real estate described on Exhibit "B" attached hereto.

The said Grantor, for itself and its successors and assigns, hereby covenants with the said Grantee, its successors and assigns, that it is the true and lawful owner(s) of said premises, and lawfully seized of the same in fee simple, and has good right and full power to grant, bargain, sell, convey and release the same in the manner aforesaid, and that the same are free and clear from all liens and encumbrances whatsoever, except: (a) easements, restrictions, conditions, and covenants of record; (b) all legal highways; (c) zoning and building laws, ordinances, rules, and regulations; and (d) any and all taxes and assessments not yet due and payable; and that Grantor will warrant and defend the same against all claims of all persons whomsoever.

The property conveyed herein is being acquired by Grantee for a public purpose, namely, the installation, operation, maintenance, repair and or removal of public and quasi-public utilities, related appurtenances and facilities.

Grantor agrees that no buildings or other structures will be placed over said easement or within such proximity thereto as to interfere with the construction, operation or maintenance of said public utility in this easement. Temporary nonuse or limited use of this easement by Grantee shall not prevent Grantee from later making use of the easement to the full extent herein authorized.

Grantee relinquishes any and all right, title and interest it may hold in and to (i) a 10' sewer easement as shown and marked (to be removed) on the plat attached hereto as Exhibit "C", and (ii) a 5' utility easement as shown and marked (vacate Deed Book 93, Page 328) on the Plat attached hereto as Exhibit "C", and (iii) a Utility grant as shown and marked (vacate Deed Book 1124 Page 324) on the Plat attached hereto as Exhibit "C".

The easements granted herein shall run with the land and be binding upon the heirs, executors, administrators, successors and assigns of the undersigned, as the holders of the legal title to the lands and premises above described.

IN WITNESS WHEREOF, **BW OH DIXIE SYMMES, LLC** has caused its name to be subscribed by _____, its duly authorized _____, on the _____ day of _____, _____.

BW OH DIXIE SYMMES, LLC

By: _____
_____, **Member**

CITY OF FAIRFIELD, OHIO

By: _____
SCOTT W. TIMMER, City Manager

STATE OF _____, COUNTY OF _____ ss:

BE IT REMEMBERED, that on the _____ day of _____, _____, before me the subscriber, a Notary Public in and for said state and county, personally came the above named _____, who acknowledged being the duly authorized Member of **BW OH DIXIE SYMMES, LLC**, and who signed or acknowledged the signing of the foregoing instrument to be the voluntary act and deed of said entity.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

NOTARY PUBLIC

STATE OF OHIO, COUNTY OF BUTLER ss:

BE IT REMEMBERED, that on the _____ day of _____, _____, before me the subscriber, a Notary Public in and for said state and county, personally came the above **named Scott W. Timmer, City Manager on behalf of the CITY OF FAIRFIELD, OHIO**, and who signed or acknowledged the signing of the foregoing instrument to be the voluntary act and deed of said entity.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

NOTARY PUBLIC

This document was prepared by:
Clemmons & Wolterman Law Firm, LLC
530 Wessel Drive, Suite 2A
Fairfield, Ohio 45014
Phone: (513) 829-6700
Fax: (513) 829-0258

ACTIVE CLIENTS\CITY OF FAIRFIELD\REAL ESTATE\2024\2024-11-25-WAWA UTILITY EASEMENT

EXHIBIT A

SITUATED IN THE STATE OF OHIO, COUNTY OF BUTLER, CITY OF FAIRFIELD, AND BEING PART OF A 2.927 ACRE PARCEL ALSO KNOWN AS LOT 14228, CONVEYED TO BW OH DIXIE SYMMES, LLC BY OFFICIAL RECORD VOLUME 10157, PAGE 1697, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND X-CUT AT THE SOUTHWEST CORNER OF SAID PROPERTY, ALSO BEING NORTHERN RIGHT-OF-WAY LINE OF SYMMES ROAD. THENCE, ALONG THE RIGHT-OF-WAY LINE THE FOLLOWING FOUR(4) DISTANCES:

THENCE, SOUTH 83°11'02" EAST, 20.06 FEET TO A POINT;

THENCE, SOUTH 83°54'09" EAST, 50.86 FEET TO A POINT;

THENCE, SOUTH 85°08'54" EAST, 12.60 FEET TO A POINT;

THENCE, SOUTH 84°32'18" EAST, 63.81 FEET TO A POINT AT THE POINT OF BEGINNING;

THENCE, THROUGH THE LANDS OF THE SAID 2.927 ACRE PARCEL NORTH 03°40'28" EAST, 504.41 FEET TO A POINT ON THE SOUTHERN BOUNDARY LINE OF LOT 5140;

THENCE, ALONG THE SAID SOUTHERLY BOUNDARY LINE SOUTH 82°56'08" EAST, 15.03 FEET TO A SET 5/8" IRON PIN WITH CAP;

THENCE, LEAVING THE SAID SOUTHERN BOUNDARY LINE SOUTH 3°40'28" WEST, 503.99 FEET TO A POINT ON THE NORTHERN RIGHT-OF-WAY LINE OF SYMMES ROAD;

THENCE, ALONG THE SAID NORTHERN RIGHT-OF-WAY LINE NORTH 84°32'18" WEST, 15.01 FEET TO A POINT AT THE POINT OF BEGINNING.

CONTAINING 7,563 SQUARE FEET OR 0.174 ACRES MORE OR LESS.

EXHIBIT B

SITUATED IN THE STATE OF OHIO, COUNTY OF BUTLER, CITY OF FAIRFIELD, AND BEING PART OF A 2.927 ACRE PARCEL ALSO KNOWN AS LOT 14228, CONVEYED TO BW OH DIXIE SYMMES, LLC BY OFFICIAL RECORD VOLUME 10157, PAGE 1697, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND X-CUT AT THE SOUTHWEST CORNER OF SAID PROPERTY, ALSO BEING NORTHERN RIGHT-OF-WAY LINE OF SYMMES ROAD. THENCE, ALONG THE RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) DISTANCES:

THENCE, SOUTH 83°11'02" EAST, 20.06 FEET TO A POINT;

THENCE, SOUTH 83°54'09" EAST, 50.86 FEET TO A POINT;

THENCE, SOUTH 85°08'54" EAST, 12.60 FEET TO A POINT AT THE POINT OF BEGINNING;

THENCE, THROUGH THE LANDS OF THE SAID 2.927 ACRE PARCEL THE FOLLOWING FOUR (4) DISTANCES:

THENCE, NORTH 05°27'42" EAST, 20.00 FEET TO A POINT;

THENCE, SOUTH 84°32'18" EAST, 20.00 FEET TO A POINT;

THENCE, SOUTH 05°27'42" WEST, 20.00 FEET TO A POINT ON THE NORTHERN RIGHT-OF-WAY LINE OF SYMMES ROAD;

THENCE, ALONG THE SAID NORTHERN RIGHT-OF-WAY LINE NORTH 84°32'18" WEST, 20.00 FEET TO A POINT AT THE POINT OF BEGINNING.

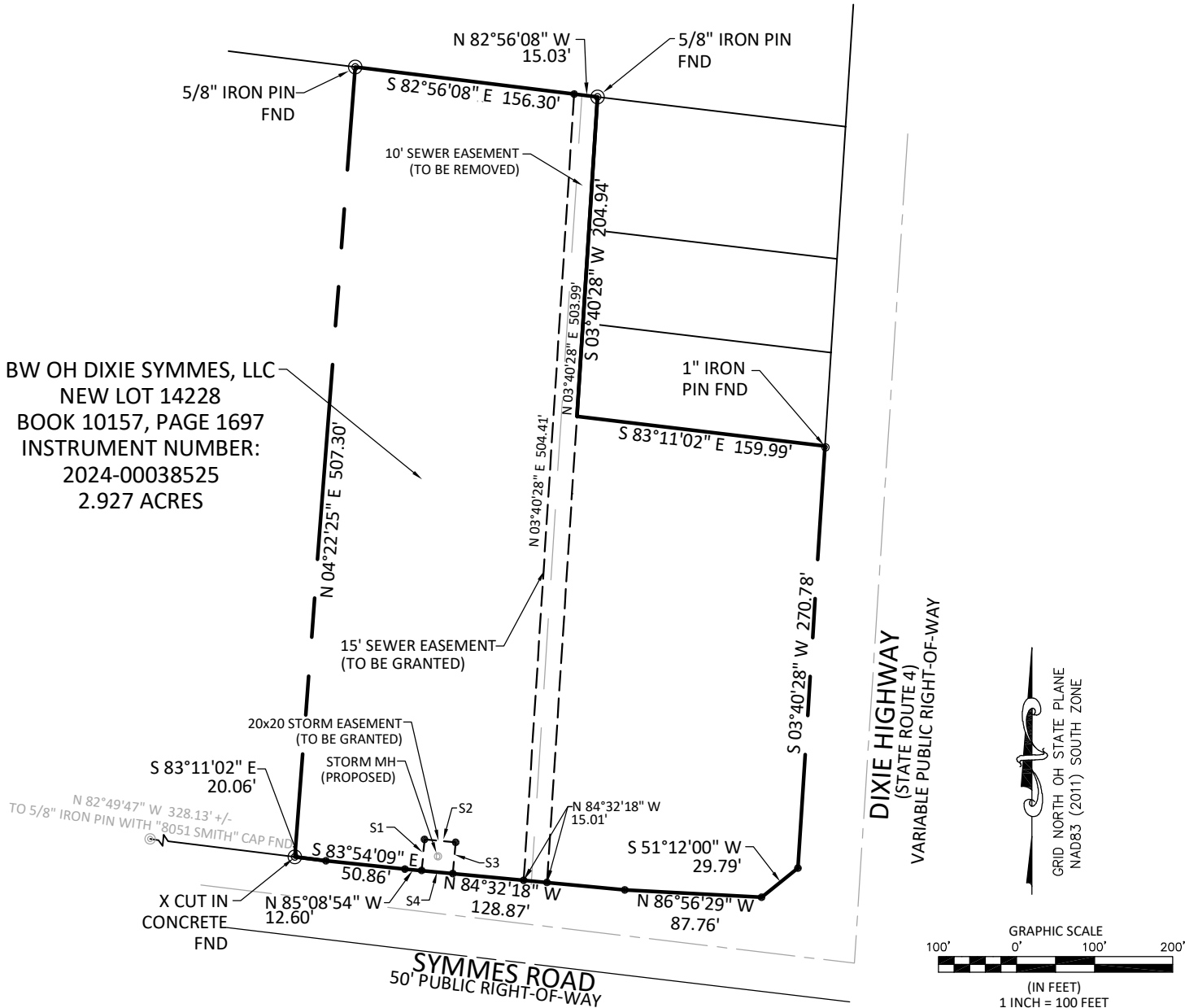
CONTAINING 400 SQUARE FEET OR 0.009 ACRES MORE OR LESS.

EASEMENT EXHIBIT C

FOR THE PROPERTY LOCATED AT

4597 DIXIE HIGHWAY

CITY OF FAIRFIELD / BUTLER COUNTY / OHIO / 45014



STORM EASEMENT LINE TABLE

LINE	BEARING	DISTANCE
S1	N 05°27'42" E	20.00'
S2	S 84°32'18" E	20.00'
S3	S 05°27'42" W	20.00'
S4	N 84°32'18" W	20.00'

GENERAL SURVEY NOTES

- THIS SURVEY WAS MADE ON THE GROUND, AS PER THE FIELD NOTES SHOWN ON THIS SURVEY, AND CORRECTLY SHOWS (I) THE BOUNDARIES AND AREAS OF THE SUBJECT PROPERTY, THE SIZE, LOCATION, AND TYPE OF BUILDINGS AND IMPROVEMENTS THEREON, (II) THE LOCATION OF ALL RIGHTS-OF-WAY, EASEMENTS, AND ANY OTHER MATTERS OF RECORD AFFECTING OR BENEFITING THE SUBJECT PROPERTY, AS INDICATED IN ALTA TITLE COMMITMENT NO. 09912.005 BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, DATED SEPTEMBER 30, 2022 (OF WHICH I HAVE KNOWLEDGE OR HAVE BEEN ADVISED, WHETHER OR NOT OF RECORD) (III) ALL ABUTTING DEDICATED PUBLIC STREETS PROVIDING ACCESS TO THE SUBJECT PROPERTY, TOGETHER WITH THE WIDTH AND NAME THEREOF, AND (IV) ALL OTHER SIGNIFICANT ITEMS ON THE SUBJECT PROPERTY.
- TOTAL NET AREA OF THE SUBJECT PROPERTY IS: 2.927 ACRES +/-.
- THE CURRENT ZONING OF THE SUBJECT PROPERTIES IS "OTHER RETAIL STRUCTURES" (0429 C).
- THE AMOUNT OF PARKING SPACES ON THE PROPERTY IS AMBIGUOUS IN NATURE AND THEREFORE CANNOT BE DETERMINED.
- THERE WAS NO OBSERVED EVIDENCE OF A) RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS OR B) RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
- ADEQUATE INGRESS TO AND EGRESS FROM THE SUBJECT PROPERTY IS PROVIDED BY SYMMES ROAD AND STATE RT 4, DIXIE HIGHWAY, BEING PAVED, DEDICATED, PUBLIC RIGHTS-OF-WAY.
- ITEMS REFERRED TO BY BOOK AND PAGE ARE RECORDS OF THE OFFICE OF THE CLERK OF BUTLER COUNTY, OHIO.
- ALL TRACTS ARE CONTIGUOUS.

LEGEND

- BOUNDARY W/ MONUMENTS
- ADJACENT PROPERTY
- EASEMENT
- ROAD R/W CENTERLINE
- PROPOSED SANITARY SEWER EASEMENT
- CALCULATED PROPERTY CORNER LOCATION (NOT MONUMENTED)
- PROPERTY CORNER MONUMENTATION FOUND (FND) AS NOTED
- 5/8" IRON PIN WITH CAP STAMPED "HALE 4156" SET

-OWNERS-

BW OH DIXIE SYMMES, LLC
AN OHIO LIMITED LIABILITY COMPANY

-PROPERTY ADDRESS & SITE INFO-

4565 - 4597 DIXIE HIGHWAY
1066 SYMMES ROAD
FAIRFIELD, OH 45014
LOTS 653-658

Bowman

3001 Taylor Springs Drove Louisville, Ky. 40220
(502) 459-8402 (502) 459-8427 Fax
www.bowman.com

ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO EXECUTE A UTILITY EASEMENT AGREEMENT FOR THE WAWA REDEVELOPMENT AND DECLARING AN EMERGENCY.

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

Section 1. The City Manager is hereby authorized to execute a Utility Easement Agreement for the Wawa Redevelopment in accordance with the agreement on file in the office of the City Manager.

Section 2. This Ordinance is hereby declared to be an emergency measure necessary for the urgent benefit and protection of the City and its inhabitants for the reason that the real estate transaction to proceed as quickly as possible to limit traffic interference during construction; wherefore, this ordinance shall take effect immediately upon its passage.

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

ATTEST:

Clerk of Council

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

Clerk of Council



**City Council Communication
Regular Meeting - December 9, 2024**

Submitted by: Steve Maynard, Police Chief
Department: Police

Subject:

Forest Park & Springdale Mutual Police Aid Agreement

Legislation Title:

Ordinance to authorize the City Manager to enter into a Mutual Police Aid Agreement with Forest Park and Springdale and declaring an emergency.

- Legislation - First reading
- Motion - Suspend second and third readings
- Motion - Adoption

Recommendation:

It is recommended that Council authorize the City Manager to enter into a Mutual Police Aid Agreement with Forest Park and Springdale to provide for additional police protection and related support in times of emergency.

Discussion:

This agreement clarifies the authority of other jurisdictions as it relates to providing mutual aid in times of emergency. Specifically, allowing for the immediate response of outside jurisdictions to an emergency without the specific request of the jurisdiction suffering the emergency.

Furthermore, it provides on duty law enforcement officers that observe crimes in progress outside their jurisdictional boundaries, the authority to make arrests according to established law.

Financial Impact:

None.

Emergency Provision:

Yes

Rule Suspension Requested:

This agreement provides critical updates to our mutual aid agreements with Forest Park and Springdale.

ATTACHMENTS:

1. Forest Park-Springdale-Fairfield Mutual Aid Agreement
2. MUTUAL POLICE AID AGREEMENT-ORD

CITY OF FOREST PARK AND THE CITY OF SPRINGDALE, HAMILTON COUNTY,
OHIO
AND THE CITY OF FAIRFIELD, BUTLER COUNTY, OHIO MUTUAL AID
AGREEMENT FOR LAW ENFORCEMENT

This agreement ("Agreement") is made and entered into by the undersigned parties as follows:

WHEREAS, Revised Code Section 737.04 allows the legislative authority of any municipal corporation to enter into contracts with one or more municipal corporations, townships, township police districts, joint police districts, county sheriffs, park districts, port authorities, or contiguous municipal corporations in an adjoining state, for the purpose of obtaining police protection or additional police protection, or to allow its police officers to work in multi-jurisdictional drug, gang, or career criminal task forces, upon any terms that are agreed for services of police departments, the use of police equipment, or the interchange of services of police departments or police equipment within the territories of the political subdivisions; and

WHEREAS, further authority for the participation of townships is set forth in Revised Code Sections 505.43 and 505.431, further authority for the participation of park districts is set forth in Revised Code Sections 511.235 and 1545.131, and further authority for the participation of universities is set forth in Revised Code Section 3345.041 and 1713.50; and

WHEREAS, the undersigned parties intend to provide reciprocal police services across jurisdictional lines, consistent with the foregoing statutes, to enhance the capabilities of law enforcement for the protection of citizens and property throughout the City of Forest Park and the City of Springdale, Hamilton County and the City of Fairfield, Butler County; and

WHEREAS, the undersigned parties intend to provide and exchange the full array of police services with any or all other parties without limitation, but generally in accord with the following guidelines; and

WHEREAS, the undersigned parties (individually, "Agency" and collectively, "Agencies") include the following participating jurisdictions: in Hamilton County, Ohio; the City of Forest Park and the City of Springdale. In Butler County, Ohio the City of Fairfield.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties agree as follows:

I. COOPERATIVE LAW ENFORCEMENT WITHOUT REQUEST

The Agencies recognize that criminal activities routinely occur across jurisdictional lines, and that cooperation between Agencies can increase the effectiveness of law enforcement throughout Hamilton County. Any Agency may proceed without request from a cooperating Agency generally according to the following guidelines:

A. In-Progress Crime Assistance Without Request

1. Whenever an on-duty law enforcement officer from one jurisdiction views or otherwise has probable cause to believe a criminal offense has occurred outside the officer's home jurisdiction but within the jurisdiction of a cooperating Agency, the officer may make arrests according to law and take any measures necessary to preserve the crime scene. Control of any arrested persons, evidence and the crime scene shall be relinquished to the first available officer from the jurisdiction within which the crime took place. The arresting officer may transport or relocate any arrested persons or evidence if the officer determines that remaining at the crime scene could endanger the officer or others or threaten the preservation of evidence.

2. Whenever an on-duty law enforcement officer from one jurisdiction views or otherwise has probable cause to believe that a “serious traffic offense” has occurred within the jurisdiction of another cooperating Agency, the law enforcement officer may stop, arrest or cite the suspected violator according to law. Under this Agreement, a “serious traffic offense” is one that jeopardizes public safety and/or constitutes a misdemeanor of the fourth degree or a higher offense. The traffic violator shall be turned over to the first available officer from the cooperating Agency for completion of all necessary processing. The initiating officer shall provide any further assistance to the extent necessary for subsequent court proceedings.

B. Investigations Outside Original Jurisdiction

On-duty officers from one Agency may, without request or prior notice, continue to conduct investigations that originate within their home jurisdiction into the jurisdiction of any cooperating Agency. If enforcement action is anticipated, the location and nature of the investigation shall be reported to the appropriate cooperating Agency as soon as practicable. Subsequent arrests, search warrant service or similar police actions shall be coordinated between affected Agencies.

C. Independent Police Action

The police department of any cooperating Agency may provide temporary police service to any cooperating Agency without request.

II. COOPERATIVE LAW ENFORCEMENT UPON REQUEST

The Agencies recognize that special public safety incidents occasionally require the services of additional law enforcement personnel. Such additional services may be provided by or to any cooperating Agency generally according to the following guidelines:

A. Dangerous Criminal Activity

Whenever one Agency reports criminal activity, and that Agency is unable to provide the immediate response necessary to prevent death, serious physical harm or substantial property loss as a result of such criminal activity, the Agency may request police services of any nature from any other Agency.

B. Searches for Fugitive or Wanted Person

Whenever one Agency conducts a search for a fugitive person whose presence is reasonably believed to be within the Agency jurisdiction, and immediate police assistance is reasonably necessary to apprehend or prevent the escape of the fugitive or to protect the safety of persons and property from imminent danger related to the fugitive, the Agency may request police services from any other Agency.

C. Traffic Control Assistance

1. Whenever a traffic accident involving suspected injuries, operating a vehicle while impaired (“OVI”) or other serious traffic offense is reported to the jurisdiction in which the accident occurred, and the Agency is unable to provide the immediate response necessary to render aid to the injured, prevent further injury, prevent serious property loss, or arrest a suspected OVI violator, the Agency may request assistance from any other Agency. The cooperative effort may include necessary first aid, traffic control, accident scene protection, property protection, and detention of any suspected OVI or serious traffic violator.

2. Hazardous Traffic Conditions Assistance

a. Whenever automated traffic control devices located within the jurisdictional boundaries of one Agency have malfunctioned and there is substantial or other serious risk of a traffic accident unless control is re-established,

assistance from another cooperating Agency may be provided upon request of the affected jurisdiction.

- b. Whenever an incident occurs on or near a roadway creating substantial or other serious risk of a traffic accident, assistance from a cooperating Agency may be provided upon request of the affected jurisdiction.

D. General Police Service

1. Any incident may form the basis for the request of police services from one or more cooperating Agencies when police assistance is reasonably necessary to protect the safety of persons and/or property.
2. Police services, including but not limited to routine patrol services, may be requested and supplied by cooperating Agencies for limited-time special events or for extended time periods based on need. Such services may include the facilitation of personnel by their employing Agency for the provision of police protection to a requesting Agency for voluntary, special event details performed while such personnel are not on duty for the employing Agency ("Off-Duty Details"). No Agency is required to facilitate or otherwise provide volunteer personnel for Off-Duty Details. Moreover, any Agency may prohibit its personnel from engaging in such Off-Duty Details to the extent allowed by law.

III. GENERAL TERMS AND PROCEDURES

- A. A request for police services may be made by the commander of the law enforcement Agency, or his designee. The designee must be of supervisory rank or the senior shift officer when no supervisor is present.

B. A cooperating Agency will respond to the extent the requested personnel and equipment are not required for the adequate protection of that Agency's jurisdiction. The commander of the law enforcement Agency, or his designee, shall have the sole authority to determine the amount of personnel and equipment, if any, available for assistance.

C. Whenever employees of one cooperating Agency provide police services in or to another cooperating Agency pursuant to the authority set forth in this Agreement, other legislative authority, or state law, such employees shall have the same powers, duties, rights and immunities as if taking action within the territory of their employing Agency. Revised Code Chapter 2744 shall apply to the extent specified in Revised Code Section 737.04 or as otherwise provided by law. Moreover, participation in any indemnity fund established by the employer, and all rights under Revised Code Chapter 4123, shall apply to the extent set forth in Revised Code Sections 505.431 and 737.04, or as otherwise provided by law. Revised Code Chapter 2743 shall apply as provided by law.

D. Whenever employees of one cooperating Agency provide police services to another cooperating Agency, they shall be under the lawful direction and authority of the commanding law enforcement officer of the Agency to which they are rendering assistance, provided, however, that Officers shall be subject to the code of ethics, policies, and rules and regulations of their employing Agency at all times.

E. Police services may be initiated by any on-duty officer who has probable cause to believe a crime is in progress. Such police services may also be initiated by any on-duty officer who becomes aware of a traffic accident, the need for traffic control, a suspected OVI, a serious traffic violator or other circumstance requiring law enforcement intervention in another

cooperating Agency jurisdiction. The officer must, as soon as practicable, contact his immediate supervisor to enable that supervisor to authorize and direct actions taken by the employee.

F. An on-duty officer initiating police services shall notify a law enforcement officer from the affected cooperating Agency as soon as possible. As appropriate, the assisted cooperating Agency shall relieve the officer as soon as possible.

G. All wage and disability payments, pension, worker's compensation claims, medical expenses or other employment benefits for employees performing pursuant to this Agreement shall be the responsibility of the employing Agency to the same extent as if the employee were providing service for the employing agency. Additionally, unless otherwise provided in this Agreement, each Agency shall be responsible for the negligence or wrongdoing of its employees to the extent provided by law. Unless otherwise specifically provided herein, nothing in this Agreement shall impose any greater duty or obligation on an employing agency than provided by law, including as to Off-Duty Details.

H. Each cooperating Agency shall be responsible for any of its own costs arising from or out of its response to a call for assistance, unless the requesting Agency is reimbursed for such costs by a third-party source. Further, in the event of loss of or damage to the Agency's equipment or property while providing police assistance services within the jurisdiction of any other cooperating Agency, the assisting Agency shall not seek to hold the requesting Agency accountable for such loss or damage solely on the basis of the request for services having been made, but may do so if any other actions of the requesting Agency or its employees caused the loss or damage.

IV. SPECIALIZED LAW ENFORCEMENT OPERATIONS

A. In addition to the law enforcement services described above, parties to this Agreement may request Specialized Law Enforcement Operations such as canines, investigators, or other specialty units deemed appropriate by the participating agencies.

B. As used in this Section IV, "Initiating Agency" means the political subdivision requesting Specialized Law Enforcement Operations, and "Assisting Agency" means any political subdivision furnishing Specialized Law Enforcement Operations (including participating personnel) at the request of an Initiating Agency.

C. An Assisting Agency will respond to the extent the requested Specialized Law Enforcement Operations are appropriate under the circumstances, and to the extent the requested Specialized Law Enforcement Operations are available and not required for other use.

D. The Initiating Agency shall be in control of the scene, but, as to operational execution, all Specialized Law Enforcement Operations personnel shall be directed by their operational commander according to the procedures set forth by the responding Specialized Law Enforcement Operation.

E. Notwithstanding any other provision of this Agreement, and only as to Specialized Law Enforcement Operations, to the extent that any third party asserts a claim of any kind against any Assisting Agency or its participating personnel, whether under Ohio Revised Code Chapter 2744, common law, or any other state or federal statute, the following shall apply:

1. The Initiating Agency shall, to the extent of its liability insurance (including but not limited to any self-insurance or risk pool participation), defend and indemnify any Assisting Agency and its personnel against any claim, loss, damage, expense, cost, attorney fees, or other liability asserted by any third

party arising out of the conduct, acts or omissions of personnel engaged in Specialized Law Enforcement Operations. The minimum amount of indemnification provided pursuant to this Paragraph shall be three million dollars (\$3,000,000), regardless of the actual liability insurance limits of the Initiating Agency. The Initiating Agency, however, shall not have any obligation to defend or indemnify the Assisting Agency or its personnel to the extent they act outside the scope of lawful orders issued by the Initiating Agency or its designee, or to the extent that the Assisting Agency or its personnel willfully and maliciously cause injury or damage to person or property.

2. For purposes of Paragraph IV.E.1, the conduct, acts, or omissions for which the Initiating Agency assumes the obligation to defend and indemnify the Assisting Agency or its personnel are the conduct, acts, or omissions that occur from the time the applicable Specialized Law Enforcement Operations personnel arrive at the requested location and report to the Initiating Agency's Chief of Police or other Officer-in-Charge (collectively, "OIC"), until the time the personnel are dismissed by the Initiating Agency's OIC.
3. Before requesting Specialized Law Enforcement Operations, an Initiating Agency must have in full force and effect liability insurance sufficient to defend and indemnify any Assisting Agency and its personnel under this Agreement in an amount no less than three million dollars (\$3,000,000) per occurrence, regardless of any aggregate limit, or self-insurance.

4. As a condition of the obligations set forth in Paragraph IV.B.1 above, the Assisting Agency must provide prompt written notice to the Initiating Agency of any threatened or asserted third-party claim, including any lawsuit served, so that a timely answer may be filed.
5. In the event of any third-party claim against an Assisting Agency or its personnel, the Assisting Agency and its personnel shall, as a condition of receiving defense and indemnification provide their full cooperation to any Initiating Agency or its insurer assuming the defense of such claim or action.

V. ADDITIONAL PROVISIONS

A. This Agreement shall be in continuous effect for each participating Agency from the date of that Agency's execution of the Agreement. Any Agency may terminate its participation in this Agreement upon sixty (60) days written notice sent to the Forest Park Police Department, Springdale Police Department and the Fairfield Police Department.

B. This Agreement is solely intended to set forth certain arrangements for the provision of mutual aid where practicable. Therefore, the parties do not intend for any third party to rely on the provisions of this Agreement, and specifically disclaim intent to create any third-party beneficiary with rights under the Agreement. Moreover, there shall be no liability whatsoever upon any Agency arising out of this Agreement, whether to other Agencies, third parties, or otherwise, for the Agency's failure to fully or partially respond to a call for assistance, whether due to the Agency's equipment and/or employees being otherwise engaged, exigent circumstances, or for any other reason.

C. This Agreement may be modified or amended only by a written agreement duly executed by the parties hereto or their representatives.

D. This Agreement contains the entire agreement between the parties as to the matters contained herein. Any oral representations or modifications concerning this agreement shall be of no force and effect.

E. This Agreement shall be severable, if any part or parts of this Agreement shall for any reason be held invalid or unenforceable by a court of competent jurisdiction, all remaining parts shall remain binding and in full force and effect.

F. All three police departments shall serve as the depository for their own copy of the Agreement unless otherwise agreed by the parties in writing or by custom and practice.

G. Parties may be added or deleted from this Agreement, and other terms may be modified, by written addendum without restating the entire Agreement.

H. This Agreement may be executed in counterparts.

I. This Agreement supersedes and replaces all prior versions of any City of Forest Park and City of Springdale, Hamilton County, Ohio and City of Fairfield, Butler County, Ohio Mutual Aid Agreement for Law Enforcement, which are hereby terminated.

Only signatures to follow.

Executing Agency: City of Forest Park, Ohio. Hamilton County

By: _____

Printed Name: _____

Its: _____

Date: _____

**CERTIFICATE OF MAINTENANCE OF INSURANCE IN AMOUNTS SUFFICIENT
TO FUND INDEMNIFICATION REQUIRED BY THIS AGREEMENT**

I certify that City of Forest Park, currently holds in full force and effect and will maintain general liability insurance in amounts equal to or exceeding Three Million Dollars (\$3,000,000.00) per occurrence, regardless of any aggregate limit or self-insurance, which amount will fund the indemnification requirements of this Agreement.

Charlita R. Tomlin

Fiscal Officer

Executing Agency: City of Springdale, Ohio. Hamilton County

By: _____

Printed Name: _____

Its: _____

Date: _____

**CERTIFICATE OF MAINTENANCE OF INSURANCE IN AMOUNTS SUFFICIENT
TO FUND INDEMNIFICATION REQUIRED BY THIS AGREEMENT**

I certify that _____, currently holds in full force and effect and will maintain general liability insurance in amounts equal to or exceeding Three Million Dollars (\$3,000,000.00) per occurrence, regardless of any aggregate limit or self-insurance, which amount will fund the indemnification requirements of this Agreement.

Fiscal Officer

Executing Agency: City of Fairfield, Ohio. Butler County

By: _____

Printed Name: _____

Its: _____

Date: _____

**CERTIFICATE OF MAINTENANCE OF INSURANCE IN AMOUNTS SUFFICIENT
TO FUND INDEMNIFICATION REQUIRED BY THIS AGREEMENT**

I certify that _____, currently holds in full force and effect and will maintain general liability insurance in amounts equal to or exceeding Three Million Dollars (\$3,000,000.00) per occurrence, regardless of any aggregate limit or self-insurance, which amount will fund the indemnification requirements of this Agreement.

Fiscal Officer

ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A
MUTUAL POLICE AID AGREEMENT WITH FOREST PARK AND SPRINGDALE
AND DECLARING AN EMERGENCY.

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

Section 1. The City Manager is hereby authorized to enter into a Mutual Police Aid Agreement with Forest Park and Springdale in accordance with the agreement on file in the office of the City Manager.

Section 2. This Ordinance is hereby declared to be an emergency measure necessary for the urgent benefit and protection of the City and its inhabitants for the reason that agreement be executed as soon as possible to allow for mutual police aid to and among the parties to the agreement; wherefore, this ordinance shall take effect immediately upon its passage.

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

ATTEST:

Clerk of Council

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

Clerk of Council



**City Council Communication
Regular Meeting - December 9, 2024**

Submitted by: Tom Lakamp, Fire Chief
Department: Fire

Subject:

AFG Grant

Legislation Title:

Ordinance to authorize the City Manager to execute the Assistance to Firefighters Grant Application and Agreement for personal protective equipment (PPE) for all firefighters and declaring an emergency.

- Legislation - First reading
- Motion - Suspend second and third readings
- Motion - Adoption

Recommendation:

It is recommended that City Council authorize the preparation of legislation, with rules suspension and emergency provision, authorizing the City Manager to execute and file the application for financial assistance, and enter into an agreement for a grant to fund a portion of firefighting personal protective equipment.

Discussion:

It is recommended for City Council to authorize the City Manager to execute an Assistance to Firefighters (AFG) grant application for financial assistance.

This project is estimated at approximately \$280,000 in 2024 dollars based on a proposal from Fleet911 (February 2025). This proposal is to secure AFG funding for the purchase of 71 additional sets of firefighting turnout gear to address the increasing cancer risk among firefighters. The department's emergency responses have risen steadily, averaging 7-9% annually, exposing personnel to carcinogens, which are known to contribute to the high incidence of cancer in firefighters. This highlights the need for a second set of personal protective equipment (PPE) to reduce these exposures, comply with NFPA 1851 guidelines, and ensure operational readiness. It emphasizes the significant long-term health benefits of this investment, which will improve firefighter safety, comply with national standards, and enhance the department's ability to deliver effective services while reducing the financial and emotional costs associated with occupational cancer. The proposal is aligned with the department's mission to prioritize firefighter health and safety, and it supports broader efforts to mitigate cancer risks in the fire service.

The project, if approved, will be included in the 2025 CIP. If approved, FEMA would be funding

90% of the project cost.

Financial Impact:

No immediate funding impact.

Emergency Provision:

Yes, The final applications are due to FEMA in December, therefore a suspension of the rules and emergency provisions are being requested.

Rule Suspension Requested:

Yes

ATTACHMENTS:

1. FIREFIGHTERS GRANT APPLICATION-ORD

ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE ASSISTANCE TO FIREFIGHTERS GRANT APPLICATION AND AGREEMENT FOR PERSONAL PROTECTIVE EQUIPMENT (PPE) FOR ALL FIREFIGHTERS AND DECLARING AN EMERGENCY.

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

- Section 1.

The City Manager is hereby authorized to execute the Assistance to Firefighters Grant Application and Agreement for personal protective equipment (PPE) for all firefighters 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 final applications are due to FEMA in December, 2024; wherefore, this ordinance shall take effect immediately upon its passage.

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

ATTEST:

Clerk of Council

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

Clerk of Council



**City Council Communication
Regular Meeting - December 9, 2024**

Submitted by: Ben Mann, Public Works Director
Department: Public Works

Subject:

2024 Storm Sewer Lining - Various Areas including Oak Tree, Sigmon Way, Hicks, Homeward, etc.

Legislation Title:

Ordinance to authorize the City Manager to enter into a contract with Insight Pipe Contracting, LLC for the 2024 Storm Sewer Lining project and declaring an emergency.

- Legislation - First reading
- Motion - Suspend second and third readings
- Motion - Adoption

Recommendation:

It is recommended that funding be appropriated in the amounts indicated in the Financial Impact section for the various lining of storm sewers. It is also recommended that City Council direct the preparation of legislation authorizing the City Manager to enter into a contract with Insight Pipe Contracting, LLC. for the 2024 lining of storm sewers.

Discussion:

This project is in the Capital Improvements Program for 2024-2028 as 4PW53 Storm Sewer Lining (Various). The project will line approximately 1,100' of various diameter storm sewers (from 12" to 24") on Becker, Hicks, Sigmon Way, Oak, Tree, Homeward, and Production.

These corrugated metal pipes were installed in the early 1980's and are approximately 40 years in age.

This polymer-based liner is expected to extend the useful life of the existing pipe for thirty to fifty years.

This project is part of a cooperative effort between Wastewater and Public Works to perform culvert and storm sewer inspections. The City's Wastewater Division has expertise in video inspection and will continue to aid in the maintenance and rehabilitation of the storm sewers by Public Works by providing video inspections from time to time.

The ability to schedule and bid storm sewer lining as opposed to an emergency repair will save the City of Fairfield considerable amounts in construction cost. The potential to identify pipe failures before they occur is even more important as a public safety measure.

A public bid opening was held on November 18, 2024. Three (3) bids were received, opened and publicly read. The lowest and best bidder was Insight Pipe Contracting, LLC. The bid results are attached.

Financial Impact:

\$133,596.00 from the Capital Improvement Fund with \$123,596.00 in the base bid and \$10,000.00 for contingency funding. (\$90,000.00 from 4PW53, Storm Sewer Lining - Various and \$43,596.00 from 4PW03, Drainage Improvements - Contracted).

Emergency Provision:

Yes. In order to start this process as soon as the contractor is available, a suspension of rules and emergency provision is being requested.

Rule Suspension Requested:

Yes

ATTACHMENTS:

1. 2024 Storm Sewer Lining Bid Results
2. INSIGHT PIPE CONTRACTING-ORD

City of Fairfield
Bid Tabulation for "2024 Storm Sewer Lining"
Bid Opening: November 18, 2024
Engineer's Estimate: \$125,000.00

								Insight Pipe Contracting LLC 232 E Lancaster Rd Harmony, PA 16037 724-452-6060			Insituform Technologies LLC 580 Goddard Ave Chesterfield, MO 63005 636-530-8679			Pipeline and Drainage Consultants, LLC 40 Bardsall Ave Ft. Mitchell, KY 41017 859-393-4356		
		Upstream Structure		Downstream Structure												
Address	ID No.	Depth	ID No.	Depth	Size	Material	Length (FT)	Thickness (mils)	Unit Cost	Total Cost	Thickness (mils)	Unit Cost	Total Cost	Thickness (mils)	Unit Cost	Total Cost
HIGH PRIORITY																
1520 Becker	CB 7210	3'	CB 7209	3'	12"	CMP	26	6	\$ 189.00	\$ 4,914.00	7.5	\$ 407.00	\$ 10,582.00	6.1	\$ 170.00	\$ 4,420.00
967 Hicks	CB 5408	3'	CB 5219	3'	12"	RCP/ADS	39	6	\$ 112.00	\$ 4,368.00	7.5	\$ 293.00	\$ 11,427.00	6.1	\$ 170.00	\$ 6,630.00
949 Hicks	CB 5218	7'	MH 5075	7'	12"	RCP/ADS	58	6	\$ 93.00	\$ 5,394.00	7.5	\$ 199.00	\$ 11,542.00	6.1	\$ 170.00	\$ 9,860.00
5620 Sigmon Way	CB 8122	3'	MH 8040	4'	12'	CMP	14	6	\$ 273.00	\$ 3,822.00	7.5	\$ 693.00	\$ 9,702.00	6.1	\$ 180.00	\$ 2,520.00
5635 Sigmon Way	CB 8123	3'	MH 8040	4'	12'	CMP	13	6	\$ 292.00	\$ 3,796.00	7.5	\$ 743.00	\$ 9,659.00	6.1	\$ 180.00	\$ 2,340.00
5652 Sigmon Way	CB 8125	3'	CB 8124	3'	12"	CMP	26	6	\$ 157.00	\$ 4,082.00	7.5	\$ 398.00	\$ 10,348.00	6.1	\$ 170.00	\$ 4,420.00
5652 Sigmon Way	CB 8124	3'	MH 8038	6'	12"	CMP	62	6	\$ 78.00	\$ 4,836.00	7.5	\$ 188.00	\$ 11,656.00	6.1	\$ 180.00	\$ 11,160.00
2397 Oak Tree Dr.	CB 8065	3'	MH 8038	6'	12"	CMP	41	6	\$ 107.00	\$ 4,387.00	7.5	\$ 264.00	\$ 10,824.00	6.1	\$ 170.00	\$ 6,970.00
2403 Oak Tree Dr.	CB 8066	5'	MH 8038	6'	18"	CMP	42	7.5	\$ 150.00	\$ 6,300.00	10.5	\$ 399.00	\$ 16,758.00	7.6	\$ 155.00	\$ 6,510.00
MEDIUM PRIORITY																
2390 Oak Tree Dr.	MH 8038	6'	MH 8053	8'	24"	CMP	211	10.5	\$ 106.00	\$ 22,366.00	13.5	\$ 246.00	\$ 51,906.00	7.6	\$ 95.00	\$ 20,045.00
1096 Hicks	CB 5412	4'	MH 5076	5	12"	CMP	27	6	\$ 174.00	\$ 4,698.00	7.5	\$ 392.00	\$ 10,584.00	6.1	\$ 160.00	\$ 4,320.00
3280 Homeward	CB 12202	3'	CB 12201	3'	15"	CMP	39	7.5	\$ 138.00	\$ 5,382.00	9	\$ 364.00	\$ 14,196.00	7.6	\$ 140.00	\$ 5,460.00
3240 Production	CB 12201	3'	MH 12007	5'	18"	CMP	47	7.5	\$ 138.00	\$ 6,486.00	10.5	\$ 363.00	\$ 17,061.00	7.6	\$ 195.00	\$ 9,165.00
3245 Homeward	CB 12224	4'	MH 12007	5'	15"	CMP	40	7.5	\$ 135.00	\$ 5,400.00	9	\$ 350.00	\$ 14,000.00	7.6	\$ 175.00	\$ 7,000.00
LOW PRIORITY																
2419 Oak Tree Dr.	CB 8068	4'	CB 8066	5'	18"	CMP	188	7.5	\$ 79.00	\$ 14,852.00	10.5	\$ 140.00	\$ 26,320.00	7.6	\$ 85.00	\$ 15,980.00
5620 Sigmon Way	MH 8040	4'	MH 8039	5'	15"	CMP	224	7.5	\$ 62.00	\$ 13,888.00	9	\$ 110.00	\$ 24,640.00	7.6	\$ 61.00	\$ 13,664.00
5644 Sigmon Way	MH 8039	5'	CB 8124	3'	15"	CMP	125	7.5	\$ 69.00	\$ 8,625.00	9	\$ 151.00	\$ 18,875.00	7.6	\$ 80.00	\$ 10,000.00
TOTAL BASE BID								\$ 123,596.00			\$ 280,080.00			\$ 140,464.00		

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

ORDINANCE NO. _____

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A
CONTRACT WITH INSIGHT PIPE CONTRACTING, LLC FOR THE 2024 STORM
SEWER LINING PROJECT AND DECLARING AN EMERGENCY.

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

Section 1. The City Manager is hereby authorized to enter into a contract with Insight Pipe Contracting, LLC for the 2024 Storm Sewer Lining project in accordance with the agreement on file in the office of the City Manager.

Section 2. This Ordinance is hereby declared to be an emergency measure necessary for the urgent benefit and protection of the City and its inhabitants for the reason that this process start as soon as possible to ensure continuous storm sewer service and extend the useful life of existing facilities; wherefore, this ordinance shall take effect immediately upon its passage.

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

ATTEST:

Clerk of Council

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

Clerk of Council



**City Council Communication
Regular Meeting - December 9, 2024**

Submitted by: Laurie Murphy, Assistant City Manager CPO
Department: City Manager's Office

Subject:

Revision of Codified Ordinance 163.01

Legislation Title:

Ordinance to amend Section 163.01 Vacations of Chapter 163, Employee Provisions, of Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio and declaring an emergency.

- Legislation - First reading
- Motion - Suspend second and third readings
- Motion - Adoption

Recommendation:

It is recommended that City Council adopt a revised version of Codified Ordinance 163.01 to align the award of vacation time to employees in the Unclassified Service Pay Plan with best practices.

Discussion:

The City is revamping its vacation policy to streamline the process and bring it in line with modern HR practices. The new system, permanent accrual, will replace the current method, offering a more predictable and consistent approach. This change is common among governmental agencies and is already in place for one of the City's bargaining units. This modification is expected to simplify the vacation accrual process for both employees, Payroll and HR, making it easier to plan and track time off.

Financial Impact:

There is no financial impact on the budget by converting vacation awards to a permanent accrual basis. The change impacts the timing of said distribution.

Emergency Provision:

Yes- An emergency declaration is requested to provide sufficient time to calibrate the City's financial software to account for the change to new employee vacation accruals beginning January 1, 2025.

Rule Suspension Requested:

Yes

ATTACHMENTS:

1. SECTION 163.01-Ord
2. EXHIBIT A SECTION 163.01

ORDINANCE NO. _____

ORDINANCE TO AMEND SECTION 163.01 VACATIONS OF CHAPTER 163,
EMPLOYEE PROVISIONS, OF ORDINANCE NO. 166-84, THE CODIFIED
ORDINANCES OF FAIRFIELD, OHIO AND DECLARING AN EMERGENCY.

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

Section 1. Section 163.01 VACATIONS of Chapter 163, EMPLOYEE PROVISIONS of Ordinance
No. 166-84, The Codified Ordinances of Fairfield, Ohio, is hereby amended to read
as follows:

See attached Exhibit “A” which is incorporated herein by reference.

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
City has sufficient time to calibrate the City’s financial software to account for the
change to new employee vacation accruals beginning January 1, 2025; 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

EXHIBIT "A"

163.01 VACATIONS.

(a) EMPLOYEES HIRED ON OR BEFORE JANUARY 1, 2024.

~~[(a)]~~(1) Each full-time employee of the City hired on or before January 1, ~~[2020]~~ **2024**, including full-time hourly rate employees, **SHALL EARN VACATION LEAVE IN ACCORDANCE WITH THE FOLLOWING ELIGIBILITY GUIDELINES:**

- A. ~~[a]~~After service of one **(1)** year with the City, not including prior employment with the State of Ohio or any other political subdivision of the State, shall have earned and will be due upon the completion of said first year of employment with the City, and annually thereafter, eighty **(80)** hours of vacation leave with full pay. One year of service shall be computed on the basis of twenty-six **(26)** biweekly pay periods. "Annually thereafter" as set forth herein shall be interpreted in such a way as to allow employees to take their vacation any time between January 1 and December 31, regardless of when that employee's anniversary date falls, after one **(1)** completed year of service with the City~~—except as hereinafter provided for full time employees hired after January 1, 2020. Each full time employee of the City hired after January 1, 2020 shall immediately accrue vacation leave with full pay at a rate of six and two thirds hours per month until a total of 80 hours has been earned, irrespective of any prior employment with the State of Ohio or any other political subdivision of the state, and annually thereafter shall have earned and will be due eighty hours of vacation leave with full pay. Full time employees hired after January 1, 2020 may use vacation leave after completing six months or at any time with written permission of the appointing authority or his/her designee.]~~
- ~~[(b)]~~B. A full-time City employee with seven **(7)** or more years of service with the City shall have earned and is entitled to **ONE-HUNDRED TWENTY (120)** hours of vacation leave with full pay.
- ~~[(c)]~~C. A full-time City employee with fourteen **(14)** or more years of service with the City shall have earned and is entitled to **ONE-HUNDRED SIXTY (160)** hours of vacation leave with full pay.
- ~~[(d)]~~D. A full-time City employee with twenty-four **(24)** years of service with the City shall have earned and is entitled to **TWO HUNDRED (200)** hours of vacation leave with full pay.
- ~~[(e)]~~E. For each additional five **(5)** years of service after twenty-four **(24)** years, a full-time City employee hired on or before January 1, ~~[2020]~~ **2024** shall have earned and be entitled to an increase of forty **(40)** hours in his/her annual accrual of vacation with full pay. ~~[Employees hired after January 1, 2020 shall be limited to a maximum annual accrual of vacation leave with full pay of 200 hours.]~~

~~[(f)]~~(2) After one **(1)** year of service as set forth in subsection (a) hereof, annual vacation leave shall be credited to each employee on January 1, of each year. If during the calendar year, an employee attains enough years of service to entitle him/her to

an additional forty **(40)** hours of vacation, such additional vacation leave shall be credited to the employee on his/her **CITY** employment anniversary date.

(b) EMPLOYEES HIRED AFTER JANUARY 1, 2024.

- (1) FULL-TIME CITY EMPLOYEES HIRED AFTER JANUARY 1, 2024, SHALL ACCRUE VACATION LEAVE WITH FULL PAY IN ACCORDANCE WITH THE FOLLOWING ELIGIBILITY GUIDELINES:**
 - A. FROM AND AFTER HIRE DATE UNTIL THE COMPLETION OF SIX (6) YEARS OF SERVICE, SIX AND TWO THIRDS (6 2/3) HOURS PER FULL MONTH.**
 - B. FROM SEVEN (7) YEARS OF SERVICE UNTIL COMPLETION OF THIRTEEN (13) YEARS OF SERVICE, TEN (10) HOURS PER FULL MONTH.**
 - C. FROM FOURTEEN (14) YEARS OF SERVICE UNTIL COMPLETION OF TWENTY-THREE (23) YEARS OF SERVICE, THIRTEEN AND ONE-THIRD (13 1/3) HOURS PER FULL MONTH.**
 - D. FROM TWENTY-FOUR (24) YEARS OF SERVICE, SIXTEEN AND TWO-THIRDS (16 2/3) HOURS PER FULL MONTH.**
 - E. FOR EACH ADDITIONAL FIVE (5) YEARS OF SERVICE FROM TWENTY-FOUR (24) YEARS OF SERVICE EACH FULL-TIME EMPLOYEE HIRED AFTER JANUARY 1, 2024 SHALL ACCRUE AN ADDITIONAL SIX AND TWO-THIRDS (6 2/3) HOURS PER FULL MONTH.**
- (2) IF DURING THE CALENDAR YEAR AN EMPLOYEE ATTAINS ENOUGH YEARS OF SERVICE TO ENTITLE HIM/HER TO ADDITIONAL HOURS OF VACATION, SUCH ADDITIONAL VACATION SHALL BEGIN TO ACCRUE DURING THE NEXT PAYROLL ACCRUAL DATE FOLLOWING THE EMPLOYEE'S ANNIVERSARY DATE OF CITY EMPLOYMENT.**

(c) ALL FULL-TIME EMPLOYEES.

- ~~[(g)]~~**(1)** Employees shall forfeit their right to take or to be paid for any vacation leave to their credit which is in excess of the accrual of three **(3)** years on December 31 of each year. Such excess leave shall be eliminated from each employee's leave balance.
- ~~[(h)]~~**(2)** Upon separation from City service, an employee shall be entitled to compensation at his/her current rate of pay for all lawfully accrued and unused vacation leave to his/her credit at the time of the separation.
- ~~[(i)]~~**(3) AFTER ONE (1) YEAR OF CITY EMPLOYMENT, [A]**an employee who was previously employed **FULL-TIME** by the State of Ohio or any political subdivision of the State, ~~[earning vacation credits currently,]~~ is entitled to have his/her prior **FULL-TIME** service with any ~~[of these]~~ **SUCH** employer(s) counted ~~[as service with the City,]~~ for the purpose of computing the amount of ~~[his/her]~~ **THE EMPLOYEE'S** vacation leave~~[-except that such prior service with the State or any political subdivision of the State may not be counted until after the completion of the first year of employment with the City].~~ The anniversary date of ~~[his/her]~~ employment for the purpose of computing the amount of ~~[his/her]~~ **THE EMPLOYEE'S** vacation leave, unless deferred pursuant to the appropriate law, ordinance or regulation, is the anniversary date of such prior service. **ANY EMPLOYEE CLAIMING PRIOR SERVICE FOR PURPOSES OF VACATION ACCRUAL IS RESPONSIBLE FOR OBTAINING VERIFICATION OF THIS PRIOR SERVICE FROM HIS/HER PRIOR EMPLOYING JURISDICTION BY MEANS OF A WRITTEN DOCUMENT SIGNED BY**

AN AUTHORIZED OFFICIAL OF THE JURISDICTION. VACATION ACCRUAL BASED ON PRIOR SERVICE WILL ONLY BE GRANTED TO THE EMPLOYEE PROSPECTIVELY FROM THE DATE UPON WHICH THE EMPLOYEE HAS PROVIDED PROPER WRITTEN VERIFICATION FROM THE PRIOR EMPLOYER(S).

- (4) EMPLOYEES MAY TAKE VACATION LEAVE WITH WRITTEN PERMISSION FROM THE APPOINTING AUTHORITY OR HIS/HER DESIGNEE AFTER COMPLETING SIX (6) MONTHS OF SERVICE WITH THE CITY. AN EMPLOYEE WITH LESS THAN SIX (6) MONTHS OF SERVICE WITH THE CITY MAY BE PERMITTED TO TAKE VACATION ONLY BY SPECIFIC WRITTEN AUTHORIZATION FROM THE APPOINTING AUTHORITY.

~~[(Ord. 82-19. Passed 8-12-19.)]~~



**City Council Communication
Regular Meeting - December 9, 2024**

Submitted by: Chris Hacker, Finance Director
Department: Finance

Subject:

2025 Annual Operating Budget

Legislation Title:

An Ordinance to make estimated appropriations for the expenses and expenditures of the City of Fairfield, Ohio, during the period beginning January 1, 2025, and ending December 31, 2025.

- Legislation - First reading
- Motion - Suspend second and third readings
- Motion - Adoption

Recommendation:

Discussion:

The proposed budget represents this coming year's plan for generating revenues and funding expenditures sufficient to implement specific programs, functions, and activities during the 2025 fiscal year. The budget is the City's primary fiscal planning document. Its major goal is to provide sound fiscal administration.

Financial Impact:

City expenditures, which include the departmental budgets, debt service and fund transfers as contained in the 2025 Operating Budget presented at the Council-Manager Briefings on October 28, and November 11, 2024, total \$98,959,789, and estimated revenues for this period total \$112,898,475.

Emergency Provision:

No

Rule Suspension Requested:

Yes

ATTACHMENTS:

1. 2025_AppropriationOrdinance_Binder

Ordinance Number -

AN ORDINANCE TO MAKE ESTIMATED APPROPRIATIONS FOR THE EXPENSES AND OTHER EXPENDITURES OF THE CITY FAIRFIELD, OHIO DURING THE PERIOD BEGINNING JANUARY 1, 2025, AND ENDING DECEMBER 31, 2025.

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

Section 1. That to provide for the estimated expenses and other expenditures of the City of Fairfield, Ohio during the beginning January 1, 2025, and ending December 31, 2025, the following sums are hereby set aside and appropriated as follows, TO WIT:

Section 2. That sums are hereby appropriated from the various funds of the City to accounts of the City for the purposes therein described as follows:

FROM:	UNAPPROPRIATED FUND 100 - GENERAL FUND		37,906,021
TO:	110 CITY COUNCIL	258,460	
	Personnel	234,080	
	Other	24,380	
TO:	115 MAYOR	20,324	
	Personnel	11,324	
	Other	9,000	
TO:	120 CITY MANAGER	969,305	
	Personnel	920,855	
	Other	48,450	
TO:	125 GENERAL SERVICES	6,108,365	
	Personnel	47,865	
	Other	6,060,500	
TO:	130 LAW DIRECTOR	625,450	
	Personnel	500	
	Other	624,950	
TO:	145 HUMAN RESOURCES	548,505	
	Personnel	433,605	
	Other	114,900	
TO:	150 PLANNING & ECONOMIC DEVELOPMENT	783,815	
	Personnel	704,815	
	Other	79,000	

TO:	155 BUILDING & ZONING INSPECTION		954,102
	Personnel	847,402	
	Other	106,700	
TO:	210 FINANCE ADMINISTRATION & ACCOUNTING		780,580
	Personnel	746,935	
	Other	33,645	
TO:	211 INCOME TAX		885,980
	Personnel	755,980	
	Other	130,000	
TO:	213 INFORMATION TECHNOLOGY		721,405
	Personnel	624,705	
	Other	96,700	
TO:	310 POLICE		15,901,660
	Personnel	14,282,010	
	Other	1,619,650	
TO:	315 MUNICIPAL COURT		2,097,220
	Personnel	1,768,620	
	Other	328,600	
TO:	316 JUSTICE CENTER		1,213,000
	Personnel	-	
	Other	1,213,000	
TO:	410 PUBLIC WORKS ADMINISTRATION		1,116,336
	Personnel	912,956	
	Other	203,380	
TO:	412 MUNICIPAL BUILDING		618,849
	Personnel	362,695	
	Other	256,154	
TO:	420 STREETS & GROUNDS		1,530,420
	Personnel	1,530,420	
	Other	-	
TO:	510 PARKS & RECREATION ADMINISTRATION		1,313,435
	Personnel	820,370	
	Other	493,065	
TO:	513 MARSH PARK FISHING LAKE		138,250
	Personnel	69,275	
	Other	68,975	

530 COMMUNITY ARTS CENTER	1,320,560	
Personnel	605,810	
Other	714,750	
TOTAL GENERAL	37,906,021	
FROM: UNAPPROPRIATED FUND 201 - STREET CONST., MAINT. & REPAIR		3,730,625
TO: 420 STREETS & TRANSPORTATION	3,730,625	
Personnel	1,386,465	
Other	2,344,160	
TOTAL STREET CONST., MAINT. & REPAIR	3,730,625	
FROM: UNAPPROPRIATED FUND 202 - STATE HIGHWAY IMPROVEMENT		225,000
TO: 420 STREETS & TRANSPORTATION	225,000	
Personnel	225,000	
Other	-	
TOTAL STATE HIGHWAY IMPROVEMENT	225,000	
FROM: UNAPPROPRIATED FUND 203 - FIRE LEVY		12,813,490
TO: 320 FIRE SUPPRESSION	12,813,490	
Personnel	11,329,510	
Other	1,483,980	
TOTAL FIRE LEVY	12,813,490	
FROM: UNAPPROPRIATED FUND 211 - LAW ENFORCEMENT		21,000
TO: 310 POLICE	21,000	
Personnel	-	
Other	21,000	
TOTAL LAW ENFORCEMENT	21,000	
FROM: UNAPPROPRIATED FUND 212 - MUNICIPAL MOTOR VEHICLE		351,020
TO: 420 STREETS & TRANSPORTATION	351,020	
Personnel	351,020	
Other	-	
TOTAL MUNICIPAL MOTOR VEHICLE	351,020	
FROM: UNAPPROPRIATED FUND 213 - LAW ENFORCEMENT EDUCATION		30,000
TO: 310 POLICE	30,000	
Personnel	-	
Other	30,000	
TOTAL LAW ENFORCEMENT EDUCATION	30,000	

FROM:	UNAPPROPRIATED FUND 214 - DRUG & ALCOHOL TREATMENT		40,000
TO:	315 MUNICIPAL COURT	40,000	
	Personnel	-	
	Other	40,000	
	TOTAL DRUG & ALCOHOL TREATMENT	40,000	
FROM:	UNAPPROPRIATED FUND 216 - PROBATION SERVICES		467,895
TO:	315 MUNICIPAL COURT	467,895	
	Personnel	376,395	
	Other	91,500	
	TOTAL PROBATION SERVICES	467,895	
FROM:	UNAPPROPRIATED FUND 217 - COURT COMPUTER		130,000
TO:	315 MUNICIPAL COURT	130,000	
	Personnel	-	
	Other	130,000	
	TOTAL COURT COMPUTER	130,000	
FROM:	UNAPPROPRIATED FUND 218 - SPECIAL PROJECTS		155,575
TO:	315 MUNICIPAL COURT	155,575	
	Personnel	87,575	
	Other	68,000	
	TOTAL SPECIAL PROJECTS	155,575	
FROM:	UNAPPROPRIATED FUND 219 - MEDIATION SERVICES		5,000
TO:	315 MUNICIPAL COURT	5,000	
	Personnel	-	
	Other	5,000	
	TOTAL MEDIATION SERVICES	5,000	
FROM:	UNAPPROPRIATED FUND 220 - TAX INCREMENT EQUIVALENT		1,000
TO:	160 SPECIAL APPROPRIATION	1,000	
	Personnel	-	
	Other	1,000	
	TOTAL TAX INCREMENT EQUIVALENT	1,000	
FROM:	UNAPPROPRIATED FUND 221 - INDIGENT DRIVER INTERLOCK		20,000
TO:	315 MUNICIPAL COURT	20,000	
	Personnel	-	
	Other	20,000	
	TOTAL INDIGENT DRIVER INTERLOCK	20,000	

FROM:	UNAPPROPRIATED FUND 301 - GENERAL BOND RETIREMENT		981,650
TO:	160 SPECIAL APPROPRIATION	981,650	
	Personnel	-	
	Other	981,650	
	TOTAL GENERAL BOND RETIREMENT	981,650	
FROM:	UNAPPROPRIATED FUND 401 - STREET IMPROVEMENT		1,045,350
TO:	160 SPECIAL APPROPRIATION	1,045,350	
	Personnel	-	
	Other	1,045,350	
	TOTAL STREET IMPROVEMENT	1,045,350	
FROM:	UNAPPROPRIATED FUND 402 - CAPITAL IMPROVEMENT		823,800
TO:	160 SPECIAL APPROPRIATION	823,800	
	Personnel	-	
	Other	823,800	
	TOTAL CAPITAL IMPROVEMENT	823,800	
FROM:	UNAPPROPRIATED FUND 407 - WATER EXPANSION		5,000
TO:	160 SPECIAL APPROPRIATION	5,000	
	Personnel	-	
	Other	5,000	
	TOTAL WATER EXPANSION	5,000	
FROM:	UNAPPROPRIATED FUND 408 - SEWER EXPANSION		10,000
TO:	160 SPECIAL APPROPRIATION	10,000	
	Personnel	-	
	Other	10,000	
	TOTAL SEWER EXPANSION	10,000	
FROM:	UNAPPROPRIATED FUND 410 - STATE ISSUE I		10,000
TO:	160 SPECIAL APPROPRIATION	10,000	
	Personnel	-	
	Other	10,000	
	TOTAL STATE ISSUE I	10,000	
FROM:	UNAPPROPRIATED FUND 501 - SPECIAL ASSESSMENT		396,125
TO:	160 SPECIAL APPROPRIATION	396,125	
	Personnel	-	
	Other	396,125	
	TOTAL SPECIAL ASSESSMENT	396,125	

FROM:	UNAPPROPRIATED FUND 601 - WATER REVENUE		9,607,569
TO:	212 UTILITY COLLECTION	382,735	
	Personnel	200,635	
	Other	182,100	
TO:	610 UTILITY ADMINISTRATION	239,650	
	Personnel	109,100	
	Other	130,550	
TO:	611 WATER SUPERVISION	1,183,289	
	Personnel	406,935	
	Other	776,354	
TO:	612 WATER PUMPING TREATMENT	2,946,940	
	Personnel	1,197,240	
	Other	1,749,700	
TO:	613 WATER DISTRIBUTION & MAINTENANCE	1,663,955	
	Personnel	973,255	
	Other	690,700	
TO:	619 WATER DEBT SERVICE	3,191,000	
	Personnel	-	
	Other	3,191,000	
	TOTAL WATER REVENUE	9,607,569	
FROM:	UNAPPROPRIATED FUND 602 - WATER BOND & INTEREST		1,691,000
TO:	619 WATER DEBT SERVICE	1,691,000	
	Personnel	-	
	Other	1,691,000	
	TOTAL WATER DEBT SERVICE	1,691,000	
FROM:	UNAPPROPRIATED FUND 604 - WATER REPLACEMENT & IMPROVEMENT		10,000
TO:	160 SPECIAL APPROPRIATION	10,000	
	Personnel	-	
	Other	10,000	
	TOTAL WATER REPLACEMENT & IMPROVEMENT	10,000	
FROM:	UNAPPROPRIATED FUND 605 -WATER SURPLUS		5,000
TO:	160 SPECIAL APPROPRIATION	5,000	
	Personnel	-	
	Other	5,000	
	TOTAL WATER SURPLUS	5,000	

FROM:	UNAPPROPRIATED FUND 606 - WATER GUARANTEED TRUST		65,000
TO:	212 UTILITY COLLECTION	65,000	
	Personnel	-	
	Other	65,000	
	TOTAL WATER GUARANTEED TRUST	65,000	
FROM:	UNAPPROPRIATED FUND 620 - SEWER REVENUE		10,748,564
TO:	212 UTILITY COLLECTION	3,495,055	
	Personnel	164,155	
	Other	3,330,900	
TO:	610 UTILITY ADMINISTRATION	194,700	
	Personnel	109,100	
	Other	85,600	
TO:	621 SEWER SUPERVISION	1,337,245	
	Personnel	508,625	
	Other	828,620	
TO:	622 SEWER PLANT	2,218,864	
	Personnel	1,180,900	
	Other	1,037,964	
TO:	623 SEWER COLLECTION & MAINTENANCE	1,482,325	
	Personnel	1,199,125	
	Other	283,200	
TO:	629 DEWER DEBT SERVICE	2,020,375	
	Personnel	-	
	Other	2,020,375	
	TOTAL SEWER REVENUE	10,748,564	
FROM:	UNAPPROPRIATED FUND 621 - SEWER BOND & INTEREST		770,375
TO:	629 SEWER DEBT SERVICE	770,375	
	Personnel	-	
	Other	770,375	
	TOTAL SEWER BOND & INTEREST	770,375	
FROM:	UNAPPROPRIATED FUND 623 - SEWER REPLACEMENT & IMPROVEMENT		210,000
TO:	160 SPECIAL APPROPRIATION	210,000	
	Personnel	-	
	Other	210,000	
	TOTAL SEWER REPLACEMENT & IMPROVEMENT	210,000	

FROM:	UNAPPROPRIATED FUND 624 - SEWER SURPLUS		20,000
TO:	160 SPECIAL APPROPRIATION	20,000	
	Personnel	-	
	Other	20,000	
	TOTAL SEWER SURPLUS	20,000	
FROM:	UNAPPROPRIATED FUND 630 - SOLID WASTE MANAGEMENT		2,992,220
TO:	630 SOLID WASTE MANAGEMENT	2,992,220	
	Personnel	-	
	Other	2,992,220	
	TOTAL SOLID WASTE MANAGEMENT	2,992,220	
FROM:	UNAPPROPRIATED FUND 640 - RECREATIONAL FACILITIES		2,162,595
TO:	511 AQUATIC CENTER OPERATIONS	327,750	
	Personnel	-	
	Other	327,750	
TO:	515 GOLF PRO SHOP	935,480	
	Personnel	424,280	
	Other	511,200	
TO:	520 GOLF MAINTENANCE	899,365	
	Personnel	453,665	
	Other	445,700	
	TOTAL RECREATIONAL FACILITIES	2,162,595	
FROM:	UNAPPROPRIATED FUND 702 - EMPLOYEES BENEFITS		7,650,000
TO:	160 SPECIAL APPROPRIATION	7,650,000	
	Personnel	7,615,000	
	Other	35,000	
	TOTAL EMPLOYEES BENEFITS	7,650,000	
FROM:	UNAPPROPRIATED MUNICIPAL GARAGE SERVICES		1,307,690
TO:	430 FLEET MAINTENANCE	1,307,690	
	Personnel	779,390	
	Other	528,300	
	TOTAL MUNICIPAL GARAGE SERVICES	1,307,690	
FROM:	UNAPPROPRIATED FUND 707 - WEST CHESTER JEDD I		2,536,975
TO:	211 INCOME TAX	2,536,975	
	Personnel	-	
	Other	2,536,975	
	TOTAL WEST CHESTER JEDD I	2,536,975	

FROM: UNAPPROPRIATED FUND 708 - FAIRFIELD TOWNSHIP JEDD		14,250
TO: 211 INCOME TAX	14,250	
Personnel	-	
Other	14,250	
TOTAL FAIRFIELD TOWNSHIP JEDD	14,250	

TOTAL APPROPRIATIONS	98,959,789
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Section 3. That the Finance Director is hereby directed to make payment from any of the foregoing appropriations upon receiving proper certification and vouchers approved by board or officers authorized by law to approve the same or an ordinance or resolution of Council to make expenditures; provided that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or ordinance. Provided further, that an appropriation for contingencies can only be expended for the purposes constituting a legal obligation against the City, and for no other purposes other than those covered by the specific appropriations herein made.

Section 4. That this Ordinance shall take effect at the earliest period allowed by law and is hereby declared to be necessary for the orderly fiscal management of said City and in order to assure the proper payment of financial obligations of the City of Fairfield, Ohio including salaries and wages of employees and is necessary for the general welfare of the citizens and shall take effect immediately upon its passage.

Passed _____

Mayor's Approval

Posted _____

First Reading _____

Rules Suspended _____

Second Reading _____

Third Reading _____

ATTEST: _____
Clerk of Council

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

Clerk of Council



City Council Communication
Regular Meeting - December 9, 2024

Submitted by: Chris Hacker, Finance Director
 Department: Finance

Subject:

Supplemental Appropriations

Legislation Title:

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

- Legislation - First reading
- Motion - Suspend second and third readings
- Motion - Adoption

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.

Discussion:

At the end of each fiscal year, the Finance Department analyzes all Personnel and Other Fixed cost line items to determine adequacy for fiscal year end. Supplemental appropriations are requested to ensure no unauthorized expenditures occur during closeout. Additional appropriations are being sought in the following funds:

From:	Unappropriated General Fund...	<u>\$115,000</u>
To:	10011021-211000 Salary and Wages...	<u>\$5,000</u>
To:	10015021-211000 Salary and Wages...	<u>\$40,000</u>
To:	10021321-211000 Salary and Wages...	<u>\$40,000</u>
To:	10041021-211000 Salary and Wages...	<u>\$20,000</u>
To:	10041221-211000 Salary and Wages...	<u>\$10,000</u>

From:	Unappropriated State Highway Improvement Fund...	<u>\$85,000</u>
To:	20242021-211000 Salary and Wages...	<u>\$85,000</u>
From:	Unappropriated Municipal Motor Vehicle Fund...	<u>\$55,000</u>
To:	21242021-211000 Salary and Wages...	<u>\$55,000</u>
From:	Unappropriated Water Revenue Fund...	<u>\$280,000</u>
To:	60121223-239800 Bank Charges...	<u>\$30,000</u>
To:	60161221-211000 Salary and Wages...	<u>\$250,000</u>
From:	Unappropriated Sewer Revenue Fund...	<u>\$200,000</u>
To:	62062221-211000 Salary and Wages...	<u>\$75,000</u>
To:	62062321-211000 Salary and Wages...	<u>\$125,000</u>
From:	Unappropriated Recreational Facilities Fund...	<u>\$110,000</u>
To:	64051521-211000 Salary and Wages...	<u>\$50,000</u>
To:	64052021-211000 Salary and Wages...	<u>\$60,000</u>
From:	Unappropriated West Chester JEDD I Fund...	<u>\$1,270,000</u>
To:	70721127-275003 Refunds - JEDD West Chester	<u>\$1,270,000</u>
From:	Unappropriated Fairfield Township JEDD...	<u>\$5,000</u>
To:	70821123-237000 JEDD Board...	<u>\$5,000</u>

Financial Impact:

Supplemental Appropriations are required in the following amounts: General Fund - \$115,000; State Highway Improvement Fund - \$85,000; Municipal Motor Vehicle Fund - \$55,000; Water Revenue Fund - \$280,000; Sewer Revenue Fund - \$200,000; Recreational Facilities Fund -

\$110,000; West Chester JEDD I Fund - \$1,270,000; Fairfield Township JEDD Fund - \$5,000.

Emergency Provision:

No

Rule Suspension Requested:

Yes

ATTACHMENTS:

1. SUPPLEMENTAL-ORD

ORDINANCE NO. _____

ORDINANCE TO AMEND ORDINANCE NO. 166-23 ENTITLED "AN ORDINANCE TO MAKE ESTIMATED APPROPRIATIONS FOR THE EXPENSES AND OTHER EXPENDITURES OF THE CITY OF FAIRFIELD, OHIO, DURING A PERIOD BEGINNING JANUARY 1, 2024, AND ENDING DECEMBER 31, 2024."

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

Section 1. Ordinance No. 166-23, the 2024 Appropriation Ordinance, is hereby amended in the following respects:

From:	Unappropriated General Fund	\$115,000
To:	10011021-211000 Salary and Wages	\$5,000
To:	10015021-211000 Salary and Wages	\$40,000
To:	10021321-211000 Salary and Wages	\$40,000
To:	10041021-211000 Salary and Wages	\$20,000
To:	10041221-211000 Salary and Wages	\$10,000
From:	Unappropriated State Highway Improvement Fund	\$85,000
To:	20242021-211000 Salary and Wages	\$85,000
From:	Unappropriated Municipal Motor Vehicle Fund	\$55,000
To:	21242021-211000 Salary and Wages	\$55,000
From:	Unappropriated Water Revenue Fund	\$200,000
To:	60121223-239800 Bank Charges	\$30,000
To:	60161221-211000 Salary and Wages	\$250,000
From:	Unappropriated Sewer Revenue Fund	\$200,000
To:	62062221-211000 Salary and Wages	\$75,000
To:	62062321-211000 Salary and Wages	\$125,000
From:	Unappropriated Recreational Facilities Fund	\$110,000
To:	64051521-211000 Salary and Wages	\$50,000
To:	64052021-211000 Salary and Wages	\$60,000

From: Unappropriated West Chester JEDD I Fund \$1,270,000

To: 70721127-275003 Refunds - JEDD West Chester \$1,270,000

From: Unappropriated Fairfield Township JEDD \$5,000

To: 70821123-237000 JEDD Board \$5,000

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

Passed _____

Mayor's Approval

Posted _____

First Reading _____ Rules Suspended _____

Second Reading _____

Third Reading _____

ATTEST:

Clerk of Council

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

Clerk of Council



**City Council Communication
Regular Meeting - December 9, 2024**

Submitted by: Alisha Wilson, Clerk of Council
Department: Clerk's Office

Subject:

Contractual Appropriations

Legislation Title:

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

Contractual appropriations: \$133,596 for 2024 Storm Sewer Lining (Public Works)

- Legislation - First reading
- Motion - Suspend second and third readings
- Motion - Adoption

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.

Discussion:

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

\$133,596 for 2024 Storm Sewer Lining (Public Works)

Financial Impact:

\$133,596.00 from the Capital Improvement Fund .

Emergency Provision:

No

Rule Suspension Requested:

Yes

ATTACHMENTS:

1. CONTRACTUAL 12-9-ORD

ORDINANCE NO. _____

ORDINANCE TO AMEND ORDINANCE NO. 166-23 ENTITLED "AN ORDINANCE TO MAKE ESTIMATED APPROPRIATIONS FOR THE EXPENSES AND OTHER EXPENDITURES OF THE CITY OF FAIRFIELD, OHIO, DURING A PERIOD BEGINNING JANUARY 1, 2024, AND ENDING DECEMBER 31, 2024."

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

Section 1. Ordinance No. 166-23, the 2024 Appropriation Ordinance, is hereby amended in the following respects:

From:	Unappropriated Capital Improvement Fund	\$133,596
To:	40216025-252500 Drainage Improvements (4PW53 Storm Sewer Lining [\$90,000]) (4PW03 Drainage Improvements [\$43,596])	\$133,596

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

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

ATTEST:

Clerk of Council

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

Clerk of Council



**City Council Communication
Regular Meeting - December 9, 2024**

Submitted by: Alisha Wilson, Clerk of Council
Department: Clerk's Office

Subject:

Non-Contractual Appropriations

Legislation Title:

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

Non-Contractual Appropriations: \$74,450 total (see attached for detail)

- Legislation - First reading
- Motion - Suspend second and third readings
- Motion - Adoption

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.

Discussion:

Please refer to specific Council Communications for full description of these items.

Financial Impact:

\$74,450.00 from noted funding source.

Emergency Provision:

NA

Rule Suspension Requested:

Yes

ATTACHMENTS:

1. NONCONTRACTUAL 12-9-ORD

ORDINANCE NO. _____

ORDINANCE TO AMEND ORDINANCE NO. 166-23 ENTITLED “AN ORDINANCE TO MAKE ESTIMATED APPROPRIATIONS FOR THE EXPENSES AND OTHER EXPENDITURES OF THE CITY OF FAIRFIELD, OHIO, DURING A PERIOD BEGINNING JANUARY 1, 2024, AND ENDING DECEMBER 31, 2024.”

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

Section 1. Ordinance No. 166-23, the 2024 Appropriation Ordinance, is hereby amended in the following respects:

From:	Unappropriated Water Surplus Fund	\$16,850
To:	60516024-241200 Non Capital Equipment <i>(Instrumentation Replacement 4WT02)</i>	\$16,850
From:	Unappropriated Sewer Surplus Fund	\$12,600
To:	62416024-241200 Non Capital Equipment <i>(Instrumentation Replacement 4WW05)</i>	\$12,600
From:	Unappropriated Capital Improvement Fund	\$45,000
To:	40216025-253400 Computer Equipment <i>(Network Management Systems 4CM01)</i>	\$10,000
To:	40216025-253200 Capital Equipment <i>(Video Surveillance & Security Equipment 4CM05)</i>	\$35,000

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\2024\NONCONTRACTUAL 12-9-ORD



**City Council Communication
Regular Meeting - December 9, 2024**

Submitted by: Lance Kennedy, IT Manager
Department: City Manager's Office

Subject:

IT Division - Video Surveillance and Security Equipment

Legislation Title:

\$35,000 - IT Division - Video Surveillance and Security Equipment

Recommendation:

Appropriation in the amount of \$35,000 to purchase and update equipment and software related to the city's surveillance and security system.

Discussion:

Scheduled replacement of information technology hardware is planned for and was approved in the 2024 - 2028 Capital Improvement Program (CIP) under project 4CM05. Ohio State bid pricing is used when state bid pricing is the lower cost option. The city's video surveillance and security systems operate on Genetec's platform with Digital Visions being the sole-source provider for Genetec related software and components for this region.

The routine replacement, maintenance, and upgrade of the city's current camera surveillance and security software and equipment is necessary to maintain functionality of the system. As part of this ongoing effort a number of older cameras and system related components are scheduled for replacement as part of the 2024 – 2028 CIP based on age, degraded functionality, and critical nature of the specific equipment.

Financial Impact:

An appropriation in the amount of \$35,000 is being requested for the upgrade and/or replacement of camera surveillance equipment for the continued operation of the city's video security surveillance systems. Funding for these efforts was included in the 2024-2028 Capital Improvement Program (CIP) under project 4CM05 'Camera Surveillance System'.

Emergency Provision:

Yes - An emergency provision is necessary without competitive bidding in order to avoid extended order fulfillment and scheduled installation time for the equipment, and so that purchases and replacements can be made immediately. Due to the frequency with which these types of equipment are updated by the manufacturers and rapidly changing pricing, the quantity and model(s) of cameras to be purchased will be based on pricing and availability at the time of purchase.

Rule Suspension Requested:

Yes

ATTACHMENTS:

None



**City Council Communication
Regular Meeting - December 9, 2024**

Submitted by: Lance Kennedy, IT Manager
Department: City Manager's Office

Subject:

IT Division - Network Management Systems

Legislation Title:

\$10,000 - IT Division - Network Management Systems

Recommendation:

Appropriation in the amount of \$10,000 to purchase and update equipment utilized for managing and monitoring the city's network.

Discussion:

Scheduled replacement and upgrades of the city's network infrastructure and related equipment were included in the approved 2024–2028 Capital Improvement Program under project 4CM01. Ohio State bid pricing is utilized when it offers the most cost-effective option.

The city's network is monitored and managed by multiple application platforms that require routine updates and replacements. Since some of the equipment used for managing and monitoring the city's network has reached end-of-life or is no longer supported, the IT Division will replace the outdated equipment to ensure continued functionality.

Financial Impact:

An appropriation in the amount of \$10,000 is being requested for the upgrade and/or replacement of the city's network management and monitoring systems. Funding for these efforts was included in the 2024-2028 Capital Improvement Program (CIP) under project 4CM01 'Network Infrastructure'.

Emergency Provision:

Yes - An emergency provision is necessary without competitive bidding in order to avoid extended order fulfillment and scheduled installation time for the equipment, and so that purchases and replacements can be made immediately. Due to the frequency with which these types of equipment are updated by the manufacturers and rapidly changing pricing, the quantity and model(s) of cameras to be purchased will be based on pricing and availability at the time of purchase.

Rule Suspension Requested:

Yes

ATTACHMENTS:

None



**City Council Communication
Regular Meeting - December 9, 2024**

Submitted by: Jason Hunold, Public Utilities Director
Department: Public Utilities

Subject:

Water Division - Spare Programmable Logic Controllers (PLC's)

Legislation Title:

\$14,850 - Water Division - Spare Programmable Logic Controll

Recommendation:

It is recommended City Council approve an appropriation in the amount of \$14,850.00 for the purchase of Water Division spare PLC's.

Discussion:

The Water Division utilizes a wide variety of instrumentation in order to physically monitor and control processes ensuring efficient operation. It is necessary to integrate new technologies and modern equipment to keep the Water Division up-to-date and in optimal working order.

Programmable Logic Controllers (PLC's) are utilized within the Water Divisions Supervisory Control and Data Acquisition for the control of and to communicate with Water Treatment Processes at the Water Treatment Plant and Water Distribution System. The requested appropriation is for the purchase of spare PLC's and associated components to utilize on an as needed basis in order to avoid interruptions in Water Treatment Processes.

A cost estimate for the PLC's and associated components is attached for review.

Financial Impact:

An appropriation in the amount of \$14,850.00 is being requested for the purchase of spare PLC's and associated components for the Water Division.

Funding for this project was included in the approved 2024-2028 Capital Improvement Program (CIP) under project number 4WT02, Instrumentation Replacement Program. The funding source is the Water Surplus Fund.

Emergency Provision:

No

Rule Suspension Requested:

No

ATTACHMENTS:

1. CBT PLC

QUOTATION

CBT Company
5500 RIDGE AVENUE
CINCINNATI, OH 45213-2516
PHONE: 513-621-9050 FAX: 513-621-0549



Quote Number	
3630441	
Quote Date	Page
11/22/2024 07:13:57	1 of 3

Quote Expires On 12/22/2024

Bill To:

CITY OF FAIRFIELD
5350 PLEASANT AVE
FAIRFIELD, OH 450143567
US

Ship To:

CITY OF FAIRFIELD WATER TREATMENT
5021 GROH LANE
FAIRFIELD, OH 45014
US

513-867-5300

Requested By: Jason Blevens

Customer ID: 288201

Job Name:

Customer PO Number					Ship Route	Ship Method	Taken By	
					NOR	UPS GRD	JMT	

Quantities					Item ID Item Description	Pricing UOM	Unit Price	Extended Price
Ordered	Required Date	Promise Date	UOM Unit Size	Disp.		Unit Size		
1.000			EA		1769OB16 AB	EA	512.9500	512.95
	12/3/2024	12/3/2024	1.0		CompactLogix 16 Pt 24VDC D/O Module	1.0		
COO: MY								
CBT STOCK								
1.000			EA		1769IQ16 AB	EA	390.1200	390.12
	12/3/2024	12/3/2024	1.0		CompactLogix 16 Pt 24VDC D/I Module	1.0		
COO: MY								
CBT STOCK								
1.000			EA		1756OW16I AB	EA	1,011.1607	1,011.16
	12/3/2024	12/3/2024	1.0		ControlLogix 16 Pt Digital Relay Module	1.0		
CBT STOCK								
1.000			EA		1756EN2T AB	EA	4,279.8856	4,279.89
	12/3/2024	12/3/2024	1.0		CLX HI-CAP ENET/IP MODULE - TP	1.0		
CBT STOCK								
1.000			EA		5069L306ER AB	EA	1,669.5215	1,669.52
	12/3/2024	12/3/2024	1.0		COMPACTLOGIX 600KB ENET CONTROLLER	1.0		
CBT STOCK								
1.000			EA		5069IA16 AB	EA	480.5100	480.51
	12/3/2024	12/3/2024	1.0		5069 AC Input Module	1.0		
COO: MY								
CBT STOCK								

QUOTATION

CBT Company
5500 RIDGE AVENUE
CINCINNATI, OH 45213-2516
PHONE: 513-621-9050 FAX: 513-621-0549



Quote Number	
3630441	
Quote Date	Page
11/22/2024 07:13:57	2 of 3

Quote Expires On 12/22/2024

Quantities					Item ID Item Description	Pricing UOM	Unit Price	Extended Price
Ordered	Required Date	Promise Date	UOM Unit Size	Disp.		Unit Size		
1.000			EA		5069OA16 AB	EA	865.6800	865.68
	12/3/2024	12/3/2024	1.0		5069 AC Output Module	1.0		
COO: MY								
CBT STOCK								
1.000			EA		5069IF8 AB	EA	1,102.1200	1,102.12
	12/3/2024	12/3/2024	1.0		5069 ANALOG INPUT MODULE	1.0		
COO: MY								
1.000			EA		5069OF4 AB	EA	1,047.4500	1,047.45
	12/3/2024	12/3/2024	1.0		5069 ANALOG OUTPUT MODULE	1.0		
COO: MY								
CBT STOCK								
2.000			EA		5069RTB18SPRING AB	EA	78.5500	157.10
	12/3/2024	12/3/2024	1.0		5069 18 SPRING RTB	1.0		
COO: DE								
CBT STOCK								
1.000			EA		1766L32AWA AB	EA	1,309.8300	1,309.83
	12/3/2024	12/3/2024	1.0		MicroLogix 1400 32 Point Controller	1.0		
COO: SG								
ACTIVE MATURE								
CBT STOCK								
1.000			EA		1766L32AWAA AB	EA	1,632.1800	1,632.18
	12/3/2024	12/3/2024	1.0		MicroLogix 1400 32 Point Controller	1.0		
COO: SG								
ACTIVE MATURE								
FACTORY STOCK								
1.000			EA		1762IQ16 AB	EA	344.4000	344.40
	12/3/2024	12/3/2024	1.0		MicroLogix 16 Point Digital Input Module	1.0		
COO: MY								
CBT STOCK								

QUOTATION

CBT Company
5500 RIDGE AVENUE
CINCINNATI, OH 45213-2516
PHONE: 513-621-9050 FAX: 513-621-0549



Quote Number	
3630441	
Quote Date	Page
11/22/2024 07:13:57	3 of 3

Quote Expires On 12/22/2024

Quantities					Item ID Item Description	Pricing UOM	Unit Price	Extended Price
Ordered	Required Date	Promise Date	UOM Unit Size	Disp.		Unit Size		

Total Lines: 13

SUB-TOTAL: 14,802.91

TAX: 0.00

CBT appreciates your business

AMOUNT DUE: 14,802.91

Please reference CBT Quote Number: 3630441

U.S. Dollars

CBT Terms and Conditions apply unless otherwise agreed to in writing. **1% 10 net 30 days**

General Terms and Conditions: <https://cbtcompany.com/cbt-co-services-terms-conditions>

Service Terms and Conditions: <https://cbtcompany.com/cbt-co-services-terms-conditions>



**City Council Communication
Regular Meeting - December 9, 2024**

Submitted by: Jason Hunold, Public Utilities Director
Department: Public Utilities

Subject:

Water Division Well 8 Wireless Communication Components

Legislation Title:

\$2,000 - Water Division Well 8 Wireless Communication Components

Recommendation:

It is recommended City Council approve an appropriation in the amount of \$2,000.00 for the purchase of wireless communication equipment for the Water Divisions Production Well #8

Discussion:

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 funding request is for the purchase of wireless communication equipment for the Water Division's production well #8. The wireless equipment will replace an outdated underground cable and will significantly improve communication and control of the production well.

A cost estimate for the motor is attached for review. Water Division Staff will install the equipment in-house.

Financial Impact:

An appropriation in the amount of \$2,000.00 is being requested for the purchase of wireless communication equipment for the Water Division's production well #8.

Funding for this project was included in the approved 2024-2028 Capital Improvement Program (CIP) under project number 4WT02, Instrumentation Replacement Program. The funding source is the Water Surplus Fund.

Emergency Provision:

No

Rule Suspension Requested:

No

ATTACHMENTS:

1. Precision Digital Quote WEB22840669700



PRECISION DIGITAL CORPORATION
233 SOUTH STREET
HOPKINTON, MA 01748-2208 USA
T. 508-655-7300

Quote:

WEB2284069700

Date: 11/22/2024

Expires: 11/29/2024

Prepared for: Jason
Hunold

Title: City of Fairfield OH

Direct Phone #:
5138587760

Company: City of Fairfield
OH

Bill To:

City of Fairfield OH
4799, Groh Ln
Groh Ln
FAIRFIELD OH 45014 US

Ship To:

City of Fairfield OH
4799, Groh Ln
FAIRFIELD OH 45014 US

Payment Terms: NET 30

FOB: HOPKINTON MA USA

Email orders to: orders@predig.com

Qty	Model/Description	Unit Price	Discount	Amount
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We are pleased to quote the following:

Qty	Model/Description	Unit Price	Discount	Amount
1	PDW90 Point to Multi-Point Wireless System Model Number: PDW90-GP-AL-FIELD Product Type: PDW90 Point to Multi-Point Field Unit, Aluminum, 3/4" Conduits Inputs: 4-20 mA or 0-10 V (1), Discrete/Digital (up to 4), RS-485 Modbus Display: 32-character dual-line alphanumeric dot matrix LCD Power: 9-30 VDC Outputs: 4-20 mA (1), Discrete/Digital (up to 4), RS-485 Modbus Materials: Aluminum Backlight: Standard Approvals: None Warranty: 3 years	\$799.00		\$799.00
1	PDW90 Point to Multi-Point Wireless System Model Number: PDW90-GP-PL-BASE-06 Product Type: PDW90 Point to Multi-Point Wireless Base Station, (6) I/O Slots Display: 32-character dual-line alphanumeric dot matrix LCD Power: 9-30 VDC Serial Communication: RS-485 Modbus Materials: Plastic Backlight: Standard Approvals: None Warranty: 3 years	\$799.00		\$799.00
1	PDWM90 Base Station I/O Modules Model Number: PDWM90-BASE-4DI Product Type: PDW90 Four Digital I/O Base Station Module Inputs: Multiple Inputs Module Type: Digital I/O Module Approvals: None Warranty: 3 years	\$199.00		\$199.00

Subtotal \$1,797.00

UPS Ground** \$32.01

Total \$1,829.01

Transaction Currency: US Dollars

Notes:

The estimated maximum lead time is: 5 Days*

UPS calculated shipping weight / volumetric weight: 6.0 LBS

Precision Digital is not responsible for duties & taxes

* Lead times subject to change without notice based on component availability.

Estimated maximum lead time is calculated from the product in your quote with the greatest lead time.

Lead times only valid on orders of less than 10 pieces.

** Shipping charges are calculated by UPS at time of purchase and may vary slightly when the order is placed.



**City Council Communication
Regular Meeting - December 9, 2024**

Submitted by: Jason Hunold, Public Utilities Director
Department: Public Utilities

Subject:

Wastewater Division Broadview Pump Station Instrumentation Replacement

Legislation Title:

\$12,600 - Wastewater Division Broadview Pump Station Instrumentation Replacement

Recommendation:

It is recommended City Council approve an appropriation in the amount of \$12,600.00 for the purchase of instrumentation improvements for the Sewer Division.

Discussion:

The Wastewater Facility utilizes a wide variety of instrumentation in order to physically monitor and control processes, ensuring regulatory compliance. It is necessary to integrate new technologies and modern equipment to keep the Wastewater Facility up-to-date and in optimal working order. The equipment being purchased will replace instrumentation equipment that has exceeded its life expectancy with state-of-the-art equipment using the latest available technology.

The requested appropriation is for the purchase of two Sierra Wireless cellular modems, ancillary devices, and communications testing in order to convert Broadview Pump Station communications within the existing Wastewater Plant Supervisory Control and Data Acquisition (SCADA) system from DSL modem to cellular. This potential conversion will significantly improve SCADA system communication and will replace obsolete – nonsecure communication components.

Financial Impact:

An appropriation in the amount of \$12,600.00 is being requested for the purchase of replacement instrumentation equipment and testing for the Wastewater Divisions Broadview Pump Station.

Funding for this project was included in the approved 2024-2028 Capital Improvement Program (CIP) under project number 4WW05, Instrumentation Replacement Program. The funding source is the Sewer Surplus Fund, 624.

Emergency Provision:

No

Rule Suspension Requested:

No

ATTACHMENTS:

1. WWTP_BVPS_CellModem_Upgrade_112224

PROPOSAL

To:	Jeremy Hamel	Date:	November 22, 2024
	Fairfield WTP 4799 Groh Lane Fairfield OH, 45014	Project:	Broadview Pump Station RTU Telemetry Cell Modem Conversion Test
		Document Reference:	
		Addenda:	N/A
By:	Shawna Constantinides	Quote:	QM-112224

Dear Mr. Hamel,

We are pleased to provide the following proposal for the hardware and integration services listed below. This proposal includes two Sierra Wireless cellular modems, ancillary devices, and communications testing to convert Broadview Pump Station communications with the existing WWTP SCADA System from DSL modem to cellular. The conversion to cellular will initially be configured to run in parallel with the existing DSL modem communications to verify that data throughput is manageable, and communication is reliable.

Services Included:

Unlike current DSL modem/VPN connection, cellular data usage can affect system operational cost, depending on the data plan. The current system sends data continually from Broadview to SCADA regardless of any data change at the RTU. At the WTP telemetry sites, programming was added to the RTU PLCs to monitor for a change of state or significant change of analog value prior to sending data to the MTU/MCP PLC. In this conversion, the intent of initial testing is to verify if the original communications method (direct to SCADA) is viable over cellular and does not exceed data limits.

A new master modem (MTU) will be purchased to be installed at the WWTP, as well as a modem for Broadview Pump Station. The existing WTP telemetry sites report to a MTU at the WTP. The WTP MTU could be used for Broadview, but a break in communications between the two plants would mean that WWTP operators would not be able to monitor Broadview. The addition of a WWTP master modem will provide direct communication between the WWTP and Broadview.

We will work with Fairfield to determine if external antenna mounting is required at either location. If LTE modem signal (RSRP) is less than -90 dBm, external mounting of the antenna(s) is recommended. Cost of extended coax cables up to 50 FT is included.

Services Included:

1. Cellular signal testing to determine if external antenna required at either location
2. Updates to existing panel wiring/layout diagrams for new modems (CAD/PDF format)
3. Configuration of Sierra Wireless cell modems
4. Coordination with Fairfield IT to route cellular data from Verizon Network to WWTP SCADA
5. HMI/SCADA additions to add second comms channel, duplicate BVPS screens.

Hardware:

- (2) Sierra Wireless RV50x Industrial Cell modems, DIN Rail Mounting brackets, A/C Power Adapters
- (4) SMA – SMA Surge Suppressors
- (2) LTE MIMO (Dual Input) Antennas
- (4) 3 Ft Co-ax jumper cables – modems to surge suppressors
- (4) 50 Ft Co-ax cables for external antenna to modem, if required
- (2) 24VDC Power Supplies, fuses for modems

Not Included:

Any items not specified by our scope of supply as defined by this quotation are not included; specifically, the following are excluded:

1. Cellular fees and coordination with Verizon to set up account
2. Antenna mounting/installation (panel or external location mounting)

Fee/Expenses:

SCADA Changes for new communication path to WWTP	\$ 1,600
Cellular modem configuration.....	\$ 1,600
Commissioning/Testing.....	\$ 6,400
Cellular Modem Hardware	\$ 3,000
Total NTE Cost.....	\$ 12,600

Includes Shipping allowance and (3) site visits.

Terms:

Net 30 days; no state, federal or use taxes included.

We trust this proposal will meet with your approval and look forward to working with you on this project. If there are any questions, please contact our office for clarification.

Sincerely,



Shawna Constantinides

[PCS Technologies LLC](#)

(513) 256-7512

shawnal@pcs-technologies.com