

The Council of the City of Milford met in Regular Session at 7:00 p.m. on, June 6, 2006 in Council Chambers, 745 Center St., Milford, Ohio. Mayor Bishop opened the meeting with the Pledge of Allegiance and a moment of silence.

Roll Call: Present: Mayor Bishop, Vice-Mayor McBeath, Ms. Brewer, Mr. Kolb, Mr. Antell and Ms. Hinnners.

Minutes: Ms. Brewer made the motion, seconded by Ms. McBeath to adopt the minutes of the May 16, 2006 Council Meeting. All voted yes.

Correspondence: The Clerk read an e-mail announcing a Celebration of Life for Bryan Taylor on May 8th at 7:00 p.m. at the Leming House amphitheater.

Financial Statements: None

Council Candidate Introduction: Mayor Bishop commented that all of the candidates who applied for the seat on Council were quality candidates. The Ad Hoc Committee recommend four candidates to be brought before Council. Scot Conover, David Hunter, Geoff Pittman and Carolyn Potter each gave a brief background statement and their reasons for wanting to serve on Council. After their presentation Council asked each candidate, "In their estimation, what is the role of a Council Person?" Each candidate responded. No further questions were asked and Law Director explained the voting process. Four votes are required to appoint a candidate and if four votes are not accomplished after 5 ballots the Mayor will then appoint a candidate to the open seat. Mr. Minniear distributed the ballots to Council and the first vote was taken. Mr. Minniear then read the results of the first vote which was a four to two vote for Mr. David Hunter. Mr. Hunter after being duly appointed was administered the Oath of Office by Mr. Minniear and took his seat on the Milford City Council.

Proclamation: Mayor Bishop read a proclamation announcing Juvenile Diabetes Week June 7th through June 9th.

Committee Reports

Public Services: Ms. Brewer reported that the Committee met on May 30, 2006 and on June 6, 2006. At the May meeting Jeff Wright provided a copy of storm water review comments from CDP Engineers related to the Greycliff Development affecting the Conover property. It was recommended that these findings be brought to the attention of the Conovers, ODOT and the Developer. The performance of the existing drainage easement will be evaluated after development is in place to determine if additional maintenance is required to maximize performance.

Amy Burgdorf spoke on behalf of Scott Stapleton, owner of Miami Athletic Club regarding the new mast arm signal improvement interfering with a clear view of his new sign panel. Discussion was held concerning the situation.

The Manager provided bid results for the 27" CSO elimination project. The Engineer recommends award of the contract to Trend Construction in the amount of \$317,865. Due to increased costs since the original budget estimate, an additional \$72,000 is required from the Storm Water Utility Fund to disconnect existing sanitary lines and seal any breaches in the storm water line to be maintained. The Committee agreed to motion to draft an Ordinance authorizing a contract with Trend Construction in the amount of \$317,865 for the CSO 27" Elimination Project. Ms. Brewer made the motion, seconded by Mr. Kolb. Voting yes: Mr. Kolb, Ms. McBeath, Mr. Antell, Mr. Bishop, Ms. Brewer and Ms. Hinnners. Abstaining: Mr. Hunter. The Committee agreed to make a motion to draft an Ordinance amending Appropriations Ordinance 06-507 increasing appropriations from the Storm Water Utility Fund in the amount of \$72,000. Ms. Brewer made the motion, seconded by Ms. McBeath. Voting yes: Ms. Hinnners, Mr. Kolb, Ms. McBeath, Mr. Antell, Mr. Bishop and Ms. Brewer. Abstaining: Mr. Hunter. The Committee agreed to make a motion to draft an Ordinance authorizing a contract with Quest Engineers for Bidding and Construction Administration for the CSO project in the amount of \$14,206. Ms. Brewer made the motion, seconded by Mr. Kolb. Voting yes: Ms. Brewer, Ms. Hinnners, Mr. Kolb, Ms. McBeath, Mr. Antell and Mr. Bishop. Abstaining: Mr. Hunter. The Manager provided bid results for Street Improvements for 2006. The City Engineer recommends award of the base bid to John R. Jurgensen Co. in the amount of \$145,298.50. Additional alternate streets will be considered up to our budgeted amount of \$225,000. The Committee agreed to motion to draft an Ordinance authorizing a contract with John R. Jurgensen Co. in the amount of \$145,298.60. Ms. Brewer made the motion, seconded by Ms. Hinnners. Voting yes: Mr. Antell, Mr. Bishop, Ms. Brewer, Ms. Hinnners, Mr. Kolb and Ms. McBeath. Abstaining: Mr. Hunter. Carol Royer provided a revised bid for a 2007 Ford Ranger truck for the Wastewater Department. The Committee agreed to motion to draft an Ordinance authorizing the purchase of a 2007 Ford Ranger from Beechmont Ford in the amount of \$16,125.45 for use by the Milford Wastewater Department. Voting yes: Ms. McBeath, Mr. Antell, Mr. Bishop, Ms. Brewer, Ms. Hinnners and Mr. Kolb. Abstaining: Mr. Hunter

Ms. Brewer asked whether Duke Energy had been contacted regarding our dissatisfaction with the tree trimming in East Milford. Mr. Wright informed the Committee that he had met with Dukes "Foliage Specialist and Wendy Crabil, Arborist, to insure that the cuts were made according to best practices. Duke did fail to notify the City in advance of their arrival and we were assured they would contact us in the future. The Committee briefly discussed the sinkhole and closing of S.R. 131. They also briefly

discussed visibility problems at the corner of Hudson and Forest due to a large bush. The property owner has been contacted. Due to citizen complaints, staff will explore traffic control option for speeding on Forest Avenue, including enforcement.

Ms. Brewer reported that on the June 6th Committee meeting the Manager provided a copy of a recommendation from CDS Engineers to contract with Wagner Smith for installation of signal equipment to control traffic at Castleberry Court until permanent improvements can be made associated with improvements planned for S.R. 28 in conjunction with ODOT, Miami Township and the Clermont County Engineers. The Committee agreed to motion to draft an Ordinance authorizing a contract with Wagner Smith in the amount of \$24,225 for the installation of traffic signalization equipment at Castleberry Court at S.R. 28. Ms. Brewer made the motion, seconded by Mr. Kolb. Voting yes. Ms. Brewer, Ms. Hinners, Mr. Kolb, Ms. McBeath, Mr. Antell and Mr. Bishop. Abstaining: Mr. Hunter.

Administrative Services: No Report

Safety Services: No Report

Community Development: Mr. Antell reported that the Committee met on May 30, 2006. Mr. Wright distributed a request and documentation from Mr. Vilardo at 604 Main St. for reimbursement of expenses for tree fertilization and removal resulting from a tree that had roots permanently damaged from a previous city storm sewer project. Mr. Antell made a motion, seconded by Ms. McBeath that Mr. Vilardo be reimbursed \$360.70 for his expenses. Voting yes. Mr. Kolb, Ms. McBeath, Mr. Antell, Mr. Bishop, Ms. Brewer and Ms. Hinners. Abstaining: Mr. Hunter.

The Manager introduced several documents to be executed between the City of Milford and the Valley View Foundation associated with agreements to sell and lease certain areas of property adjacent to the East Fork of the Little Miami River. The Committee agreed to motion to draft an Ordinance authorizing a Sponsorship Agreement by and between the City of Milford and the Valley View Foundation for the Ohio Water Pollution Control Loan Fund Water Resource Restoration Sponsor Program Water Resource Restoration Project. Mr. Antell made the motion, seconded by Ms. McBeath. Voting yes: Mr. Kolb, Ms. McBeath, Mr. Antell, Mr. Bishop and Ms. Hinners. Abstaining: Mr. Hunter and Ms. Brewer. The Committee agreed to make a motion to draft an Ordinance authorizing a Real Estate Purchase Contract in the amount of \$151,901 for the sale of 24.109 acres to the Valley View Foundation for Conservation in accordance with the Water Resource Restoration Project terms and Conditions. Mr. Antell made the motion, seconded by Ms. McBeath. Voting yes: Ms. Hinners, Mr. Kolb, Ms. McBeath, Mr. Antell, and Mr. Bishop. Abstaining: Mr. Hunter and Ms. Brewer. There are Environmental Covenants required by the OEPA to insure that this land is restricted from future use by deed restrictions. The Committee agreed to make a motion to draft an Ordinance Adopting Environmental Covenants associated with the sale of land to the Valley View Foundation under the Water Resource Restoration Project Sponsor Program. Mr. Antell made the motion, seconded by Ms. Hinners. Voting yes: Ms. Hinners, Mr. Kolb, Ms. McBeath, Mr. Antell and Mr. Bishop. Abstaining: Mr. Hunter and Ms. Brewer. An additional agreement is necessary to continue our lease of the remaining land not yet purchased by the Valley View Foundation. The Committee agreed to make a motion to draft an Ordinance Authorizing a Lease Agreement and purchase option for 10.264 acres and 22.693 acres to the Valley View Foundation in the amount of \$15,377.07. Mr. Antell made the motion, seconded by Mr. Kolb. Voting yes: Mr. Kolb, Ms. McBeath, Mr. Antell, Mr. Bishop and Ms. Hinners. Abstaining: Mr. Hunter and Ms. Brewer. It is anticipated that a new OEPA loan will be granted to the City for the 54" CSO Project that will generate additional funds through the Water Resource Restoration Sponsorship Program. These funds will be used toward the conservation of an additional 22.693 acres located in the floodplain. The City is not interested in the sale of 11.95 acres of land adjacent to the Wastewater Treatment Plant, but is willing to allow Valley View access as long as it is not in use for City purposes. The Committee agreed to make a motion to draft an Ordinance Authorizing a License Agreement with the Valley View Foundation for permission to use 11.950 acres adjacent to the Milford Wastewater Treatment Plant. Mr. Antell made the motion, seconded by Ms. Hinners. Voting yes: Ms. Hinners, Mr. Kolb, Ms. McBeath, Mr. Antell and Mr. Bishop, Abstaining: Mr. Hunter and Ms. Brewer.

City Manager's Report: Ms. Rokey reported that the Street/Service Department was fortunate that ODOT was able to repair S.R. 131 in time for Frontier Days. Major repairs will be made at a later date. There was very little mess leftover after the parade thanks to church volunteers. City staff had the carnival grounds cleared by noon on Monday.

The Wastewater plant construction continues on schedule. The Bio-Selector, 65 ft. clarifier, #2 splitter box and second section of #3 carrousel are now under construction. Progress meetings are held every two weeks and the area has been posted as a hard hat area.

The Little Miami Scenic Trail will officially open from Milford through Terrace Park on June 10th.

Governor Taft and officials from the Ohio Department of Natural Resources and Hamilton County Park District will attend a ribbon cutting for the opening.

Congratulations to Allan Shumard who celebrated his 101st Birthday at his home on Mound St.

A letter was received from ABC Professional Tree Services apologizing for their failure to notify the City prior to their arrival.

The City's Boards and Commission are looking for an individual with secretarial skills to record the minutes of the Planning Commission, Board of Zoning Appeals and the Parks and Recreation Commission.

Committee Meetings

Community Dev.	Monday, June 12, 2006	4:30 p.m.
Administrative Ser.	Tuesday, June 13, 2006	5:30 p.m.

Reminders

Public meeting (27" CSO)	Thursday, June 8, 2006 (Council Cham.)	6:00 p.m.
Fabulous Fashions	Thursday, June 8, 2006 (Promont)	
Antiques Rd. Show	Sunday, June 11, 2006 (Gayle's Clothing)	12-5:00 p.m.
Mun. Service Worker Exam	Saturday, June 17, 2006 (Firefighters Hall)	9:00 a.m.
Parks & Recreation	Monday, June 19, 2006	5:30 p.m.
Citizens Housing	Monday, June 19, 2006	7:00 p.m.
Planning Commission	Wednesday, June 21, 2006	6:00 p.m.
Bd. of Zoning Appeals	Thursday, June 22, 2006	6:30 p.m.
Council Meeting	Wednesday, July 5, 2006	7:00 p.m.
Clermont Philharmonic	Sunday, August 20, 2006 (Sem)	7:00 p.m.

Police Department: Chief Machan distributed the monthly report to Council. He reported that Frontier Days went well. He also stated that SGT. Jamie Mills has been named Criminal Investigator of the Year. Chief Machan asked for a Resolution approving the submission of an Application for DARE. Mr. Antell made the motion, seconded by Ms. McBeath. All voted yes.

Fire Department/EMS: No Report

Comments: Mayor Bishop commented on the idea of Historic Zoning that Scot Conover mentioned in his statement to Council. Mr. Bishop suggested that Mr. Conover attend a Community Development Committee meeting to further discuss Historic Zoning.

Karen Huff, Milford Miami Township Chamber of Commerce thanked the many people and businesses who participated and sponsored the Frontier Days event. She also stated that the Chamber would be having a luncheon at Appleby's. Council expressed its thanks to Karen for all her hard work in making Frontier Days a huge success.

Old Business: None

Ordinances and Resolutions

New Business: None

Ordinances and Resolutions

- 06-527 An Ordinance authorizing an agreement with Wagner Smith for the installation of a temporary traffic signal at Castleberry Court. Mr. Kolb made a motion, seconded by Mr. Antell to suspend the rules and read by title only. Voting yes: Ms. Hinnners, Mr. Kolb, Ms. McBeath, Mr. Antell, Mr. Bishop and Ms. Brewer. Abstaining: Mr. Hunter. Ms. Hinnners made a motion, seconded by Mr. Antell to adopt. Voting yes: Ms. Brewer, Ms. Hinnners, Mr. Kolb, Ms. McBeath, Mr. Antell, and Mr. Bishop. Abstaining: Mr. Hunter.
- 06-528 An Ordinance authorizing a contract with Trend Construction in the amount of \$317,865 for the 27" CSO Elimination Project. Mr. Antell made a motion, seconded by Mr. Kolb to suspend the rules and read by title only. Voting yes: Mr. Bishop, Ms. Brewer, Ms. Hinnners, Mr. Kolb, Ms. McBeath and Mr. Antell. Abstaining: Mr. Hunter. Ms. Hinnners made a motion, seconded by Ms. Brewer to adopt. Voting yes: Mr. Antell, Mr. Bishop, Ms. Brewer, Ms. Hinnners, Mr. Kolb, and Ms. McBeath. Abstaining: Mr. Hunter.
- 06-529 An Ordinance amending Appropriations Ordinance 06-507 increasing appropriations for the Storm Water Utility Fund in the amount of \$72,000. Mr. Antell made a motion, seconded by Mr. Kolb to adopt. Voting yes: Ms. McBeath, Mr. Antell, Mr. Bishop, Ms. Brewer, Ms. Hinnners, and Mr. Kolb. Abstaining: Mr. Hunter.
- 06-530 An Ordinance authorizing a contract with Quest Engineers for Bidding and Construction Administration for the CSO project in the amount of \$14,206. Ms. McBeath made a motion, seconded by Mr. Antell to suspend the rules and read by title only. Voting yes: Mr. Kolb, Ms. McBeath, Mr. Antell, Mr. Bishop, Ms. Brewer, and Ms. Hinnners. Abstaining: Mr. Hunter. Ms. Hinnners made a motion, seconded by Ms. Brewer to adopt. Voting yes: Ms. Hinnners, Mr. Kolb, Ms. McBeath, Mr. Antell, Mr. Bishop and Ms. Brewer. Abstaining: Mr. Hunter.
- 06-531 An Ordinance authorizing a contract with John R. Jurgenson Co. in the amount of \$145,298.50 for street improvements. Ms. Hinnners made a motion, seconded by Mr. Kolb to suspend the rules and read by title only. Voting yes: Ms. Brewer, Ms. Hinnners, Mr. Kolb, Ms. McBeath, Mr. Antell and Mr. Bishop. Abstaining: Mr. Hunter. Ms. Brewer made a motion, seconded by Ms. Hinnners to adopt. Voting yes: Ms. McBeath, Mr. Antell, Mr. Bishop, Ms. Brewer, Ms. Hinnners and Mr. Kolb. Abstaining: Mr. Hunter.
- 06-532 An Ordinance authorizing the purchase of a 2007 Ford Ranger from Beechmont Ford in the Amount of \$16,125.45 for use by the Milford Wastewater Department. Ms. McBeath made a motion, seconded by Mr. Kolb to suspend the rules and read by title only. Voting yes: Mr. Kolb, Ms. McBeath, Mr. Antell, Mr. Bishop, Ms. Brewer, and Ms. Hinnners. Abstaining: Mr. Hunter. Ms. Hinnners made a motion, seconded by Ms. Brewer to adopt. Voting yes: Ms. Hinnners, Mr. Kolb, Ms. McBeath, Mr. Antell, Mr. Bishop, and Ms. Brewer. Abstaining: Mr. Hunter.

- 06-533 An Ordinance authorizing a Sponsorship Agreement by and between the City of Milford and the Valley View Foundation for the Ohio Water Pollution Control Loan Fund Water Resource Restoration Sponsor Program Water Resource Restoration Project. Mr. Kolb made a motion, seconded by Mr. Antell to suspend the rules and read by title only. Voting yes: Ms. Hinners, Mr. Kolb, Ms. McBeath, Mr. Antell and Mr. Bishop. Abstaining: Mr. Hunter and Ms. Brewer. Ms. Hinners made a motion, seconded by Mr. Antell to adopt. Voting yes: Mr. Bishop, Ms. Hinners, Mr. Kolb, Ms. McBeath, and Mr. Antell. Abstaining: Mr. Hunter and Ms. Brewer.
- 06-534 An Ordinance authorizing a Real Estate Purchase Contract in the amount of \$151,901 for the sale Of 24.109 acres to the Valley View Foundation for Conservation in accordance with the Water Resource Restoration Project Terms and Conditions. Ms. McBeath made a motion, second by Mr. Kolb to suspend the rules and ready by title only. Voting yes: Mr. Antell, Mr. Bishop, Ms. Hinners, Mr. Kolb, and Ms. McBeath. Abstaining: Mr. Hunter and Ms. Brewer. Mr. Antell made a motion, seconded by Ms. Hinners to adopt. Voting yes: Mr. Antell, Mr. Bishop, Ms. Hinners, Mr. Kolb, and Ms. McBeath. Abstaining: Mr. Hunter and Ms. Brewer.
- 06-535 An Ordinance Adopting Environmental Covenants associated with the sale of land to the Valley View Foundation under the Water Resource Restoration Project Sponsor Program. Ms. McBeath made a motion, seconded by Mr. Kolb to suspend the rules and read by title only. Voting yes: Ms. McBeath, Mr. Antell, Mr. Bishop, Ms. Hinners, and Mr. Kolb. Abstaining: Mr. Hunter and Ms. Brewer. Ms. Hinners made a motion, second by Mr. Antell to adopt. Voting yes: Mr. Kolb, Ms. McBeath, Mr. Antell, Mr. Bishop, and Ms. Hinners. Abstaining: Mr. Hunter and Ms. Brewer.
- 06-536 An Ordinance authorizing a Lease Agreement and purchase option for 10.264 acres and 22.693 acres to the Valley View Foundation in the amount of \$15,377.07. Ms. McBeath made a motion, seconded by Ms. Hinners to suspend the rules and read by title only. Voting yes: Ms. Hinners, Mr. Kolb, Ms. McBeath, Mr. Antell, and Mr. Bishop. Abstaining: Mr. Hunter and Ms. Brewer. Ms. Hinners made a motion, seconded by Mr. Kolb to adopt. Voting yes: Ms. Hinners, Mr. Kolb, Ms. McBeath, Mr. Antell, and Mr. Bishop. Abstaining: Mr. Hunter and Ms. Brewer.
- 06-537 An Ordinance authorizing a License Agreement with the Valley View Foundation for permission To use 11,905 acres adjacent to the Milford Wastewater Treatment Plant. Mr. Antell made a motion to suspend the rules and read by title only. Voting yes: Mr. Bishop, Ms. Hinners, Mr. Kolb, Ms. McBeath, and Mr. Antell. Abstaining: Mr. Hunter and Ms. Brewer. Mr. Kolb made a motion, seconded by Mr. Antell to adopt. Voting yes: Mr. Antell, Mr. Bishop, Ms. Hinners, Mr. Kolb, and Ms. McBeath. Abstaining: Mr. Hunter and Ms. Brewer.
- 06-528 A Resolution approving the submission of an application for DARE funding. Mr. Antell made a motion, seconded by Ms. Brewer to adopt. All voted yes.

Adjourn: There being no further business to come before Council the meeting was adjourned at 8:18 p.m. with a motion by Mr. Antell, seconded by Mr. Kolb. All voted yes.

Joanne Trilety, Clerk of Council

Lou Bishop, Mayor