

The Council of the City of Milford met in Regular Session in Council Chambers at 745 Center Street at 7:00 p.m. on Tuesday, October 16, 2007. Mayor McBeath called the meeting to order with the Pledge of Allegiance and a Moment of Silence.

Roll Call: Present – Mayor McBeath, Vice-Mayor Hinnners, Mr. Hunter, Mr. Hawkins, Mr. Vilardo and Ms. Brewer. Absent: Mr. Antell. Ms. Brewer made a motion to excuse Mr. Antell. Due to a lack of a second the motion failed and Mr. Antell was not excused.

Minutes: Mr. Hunter made the motion to waive the reading and adopt the Minutes of the October 2, 2007 Council meeting as corrected, seconded by Mr. Hawkins. All voted yes.

Correspondence: None

Financial Statements: The Clerk asked for a motion to accept and approve the Schedule of Investment and Interest for the month of September, The Income Tax Collections report for January to October and a Special Review of the City Budget from January through September. Ms. Hinnners made the motion, seconded by Mr. Vilardo. All voted yes.

Comments: Mayor McBeath thanked Mr. Hawkins for handling the Community Development meeting in her absence. Mayor McBeath appointed Mr. Hawkins chairman of the Community Development Committee.

STANDING COMMITTEE REPORTS

Public Services: Ms. Brewer reported that the Committee met on October 8, 2007. Council members present: Amy Brewer, David Hunter and Ralph Vilardo. Staff present: City Manager Rokey, Fire Chief John Cooper, Service Director Mike Haight, City Engineer Bud White and Assistant City Manager Holbrook. Also present: John Steinmetz, CDP Engineers and resident Sam Pschesang. Ms. Holbrook provided a rough summary of a new approach suggested for next year regarding the sidewalk inspection process and ordinance enforcement. She suggested that an intern be hired to provide ample time to focus on all of the sidewalks in the City. An illustration of the “codes” used to mark the sidewalks would also be provided. In following years, neighborhoods may be inspected in rotation. She also suggested creation of a sidewalk handbook with updated illustrations that can be posted on our web site as well.

In the past the number of citations were somewhat related to the amount of funds budgeted for reimbursement. Ms. Holbrook reported that many residents fail to take advantage of the subsidy and that many do not require the \$250 maximum allowed.

Sam Pschesang recommended that Council budget more for reimbursement over the next year since more citations would be issued. The committee agreed that the number of citations should not be limited, and Amy Brewer stated that if the request for reimbursement exceeds the \$7,500 currently budgeted, the Committee can easily consider increasing appropriations to allow additional citizens to participate.

Mr. Hunter suggested that staff investigate whether a list of “approved” contractors could also be developed. Ms. Holbrook offered to see if any other communities have developed a process to do this.

The Manager reminded the Committee that there are a few sidewalk appeals to be processed including some verbal and written requests for time extensions. Mr. Hunter suggested that perhaps the Law Director could approve staff processing the extensions without a formal hearing. However, all decisions should be documented in writing. More involved requests can be reviewed by the appeals board.

Tom Nicolas suggested that a citizen’s patrol be considered to assist with neighborhood watch programs and perhaps sidewalk inspections.

John Steinmetz with CDP Engineers discussed the bids reviewed for the U.S. 50 Drainage Improvement Project. He was asked to address the Committee due to the wide range of bids received. He spoke of the mysteries surrounding the bidding process. The detailed costs provided by Rauch were thoroughly reviewed and questioned. All of their references have been checked to the engineer’s satisfaction. CDP feels confident that Rauch can successfully complete the project and recommended award of the bid in the amount of \$26,722.00. The Committee agreed to make a motion to draft an Ordinance authorizing a contract with Rauch Excavating in the Amount of \$26, 722 for the U.S. 50 Drainage Project. Ms. Brewer made the motion, seconded by Ms. Hinnners. All voted yes.

Bud White advised the Committee that Clermont County has awarded a contract to Hendy Company to replace portions of sidewalk in the Cash to Water Street area under the Community Development Block Grant awarded earlier this year. An additional proposal was received to replace city sidewalks on Locust Street in the amount of \$6,100. No Ordinance is needed for this expenditure and there are sufficient funds in the budget to proceed. He also advised the Committee that he has received proposals from Neyra to repair portions of pavement on Brooklyn Avenue and to grind and pave the center of Main Street from Locust to Garfield and Garfield to Mill where the pavement is badly rolled. Full-depth repairs for portions of Brooklyn Ave. where the pavement is breaking up can be done for \$4,600. Grinding and repaving the areas on Main Street can also be added to our current street contract as a change order in the amount of \$18,100. These change orders do not require another Ordinance and funds are available to cover these additional project areas.

The Manager provided information on three candidates for the Water Plant Supervisor that she would like to interview with the Committee. Interested department heads are invited to attend.

Administrative Services: Ms. Hinnners reported that the Committee met on October 8, 2007. Council members present: Ms. Hinnners, Mr. Vilardo and Mr. Hawkins. Staff Present: City Manager Rokey and Finance Director Harry Steger.

The Finance Director provided a request for an Ordinance authorizing an increase in appropriations to allow the Sewer Improvement Fund to repay the advancement from the General Fund, which paid off the notes for property retained for future use by the Wastewater Department. This repayment is to be made from the Sewer Improvement Fund in the amount of \$188,653.76. The Committee agreed to make a motion to draft an Ordinance Authorizing an amendment to Appropriations Ordinance 07-575 increasing appropriations from the Sewer Improvement Fund. Ms. Hinnners made the motion, seconded by Mr. Vilardo. All voted yes.

The Finance Director reviewed and requested authorization for several transfers to be made prior to year-end and authorization for the advance out of the Wastewater Fund and into the General Fund for the land purchased and retained for the Wastewater Department. The Committee agreed to make a motion to draft and Ordinance authorizing transfers and an Advance repayment per detail provided by the Finance Director. Ms. Hinnners made the motion, seconded by Mr. Vilardo. All voted yes.

The Manager noted that with the transition of the Water Supervisor and Finance Director, those job descriptions were reviewed and minor amendments are requested to more closely match the requirements of the position. The Water Plant only requires a Class II license or above and the Finance Director has also assumed the duties of Tax Administer. The Committee agreed to make a motion to draft an Ordinance Authorizing Amendments to the job description for the Water Treatment Plant Supervisor and the Director of Finance. Ms. Hinnners made the motion, seconded by Mr. Vilardo. All voted yes.

The Manager provided an update regarding the wage survey being conducted for non-union staff.

Safety Services: No Report.

Community Development: Mr. Hawkins reported that the Committee met on October 8, 2007. Council members present: Kim McBeath, Bryan Hawkins and Amy Brewer. Staff present: City Manager Rokey, Assistant City Manager Holbrook and Assistant to the City Manager Ellerhorst. Also present: Jacee members Dave Harris and Doug Holland. Residents: Doug and Kim Vaal, Dan and Jan Kendrick, Pat Chandler, Chera Osborne, Chris Waldmann, Steve Boller, Sam Pschesang, Ralph Vilardo, Jr., Susan Kleine, Jim Miz and Jon Peterson.

Ms. Rokey provided a history of the Mound Street erosion project. She stated the Army Corp of Engineers completed an erosion project in 1978, and in 1989 the City contracted with George Palmiter to complete a project that would establish a more natural bank area.

Mr. Pschesang stated that there is erosion where the water is hitting the wall; he noted that the problem is due to missing riprap and stated that the City owned property is affected. Mr. Chandler agreed that there is an erosion problem along that portion of the Little Miami River bank.

Ms. Rokey noted on a blueprint where the Army Corp of Engineers had installed a wall. Mr. Pschesang stated the City had an obligation to replace the missing riprap. Ms. Rokey stated that all information had been sent to Oxbow for a determination on needs and costs. Mr. Hawkins stated that the City would need to determine what has to be done, what can be done and the cost. Ms. Rokey stated that Oxbow would be able to determine if the City needs additional permits for any work on the bank. Ms. McBeath stated that if City property were involved we would need to fix the problem.

The Committee discussed the tree ordinance and current issues. Ms. Ellerhorst presented a tree ordinance time line, tree ordinance, Community Development Minutes, Tree inventory and various articles.

Ms. Rokey stated that during the 1992-1993 Mound Street reconstruction project the City removed and replaced street trees from several Mound Street properties. Mr. Peterson said that the residents were given the option to plant trees. Mr. Vaal stated during that time period several council meetings were held to decide what type of tree to plant. The Locust tree was chosen because they were under the impression that the Locust was a slow growing tree with a mild root system that would not disrupt the sidewalks. Mr. Peterson said that the Locust tree is fast growing with an aggressive root system. He felt that the landscaper gave bad advice to the City. Mr. Peterson said that the homeowners are asking the City to remove the trees and repair the damage to the sidewalk.

Mr. Pschesang asked if he could remove the tree that was affecting his property. Mr. Hawkins stated his request would need to be heard by the Parks and Recreation Commission.

Mr. Boller stated that he was here about the issue with Mr. Waldmann's tree and sidewalk. He stated that Mr. Waldmann had replaced his sidewalk once already and should not have to do it again. He also commented that the erosion along the bank of the river is a major problem.

Mr. Kendricks had general questions regarding the tree ordinance. Ms. Rokey stated that the tree ordinance did not exist at the time the trees were planted along Mound Street. She noted that the tree ordinance was adopted so the City could become a Tree City. Mr. Kendricks stated there is a dead tree in the alley and asked whose obligation it was to remove the tree. Ms. Rokey stated staff would check with the Law Director. Mr. Vaal expressed concern about removal of the tree, because it provides some bank stability. Mr. Hawkins announced that there would be a meeting regarding the downtown street trees on November 7th. He said that the Committee would need to determine how they would handle the situation and how much it will cost. Information would be put in the newsletter explaining what people can and can not do per the ordinance. A discussion was held among Council members and it was suggested the Law Director Minniear,

Mr. Hawkins and Mr. Hunter meet to discuss legal issues of the tree ordinance.

Ms. Brewer noted that the Public Services Committee gave Mr. Waldmann a stay on his sidewalk repair until this issue is resolved.

Ms. Holbrook provided the Committee with information on the public records policy. The City Office has adopted an abbreviated policy, but Council has not formally adopted a policy. Due to changes in state law and substitute House Bill Number 9 staff is asking the Committee and Law Director to review and provide comments on a more detailed policy.

Ms. Rokey stated that Bob Gable has contacted the City requesting that the City sponsor their WRRSP project. She stated that it is voluntary on the City's part and noted that the City has partnered with Valley View in the past. Mr. Hawkins stated that he was not comfortable making a decision at this point and would like to discuss it with Council further. A discussion was held with City Manager Rokey who stated that this was for a good will purpose asked by the State Scenic River Coordinator. The EPA will have to be notified by the end of October. Mr. Hunter made a motion that the City of Milford not be a sponsor for the WRRSP project, seconded by Ms. Brewer. All voted yes.

Ms. Brewer read a plaque that was presented to Carol Royer, Supervisor of the Wastewater Plant, from Quest Engineering on the completion of the plant update construction.

City Manager's Report: City Manager Rokey announced that the City has been assisting the Tree Ridge neighborhood with the replacement of their damaged subdivision sign. The City offered to assist the homeowners because Tree Ridge does not have an active HOA at this time. The City has received a check from the insurance company in the amount of \$8850, which covers the revised estimate submitted by the sign contractor, Don Jones. City Council will need to approve the expenditure. Ms. Brewer made the motion to authorize a contract with Don Jones in the amount of \$8850.00 to replace the Tree Ridge Sign, seconded by Mr. Vilardo. All voted yes.

Ms. Rokey reported that the Finance Department utilized RITA for a subpoena program to collect delinquent accounts and received previously un-filed tax returns. 367 subpoenas were mailed to present and former citizens requesting their compliance with the City Income Tax Code. 115 residents appeared and the City collected or scheduled payments for over \$15,000 in delinquent taxes due the City. The remaining persons will be assessed to decide if the City will pursue court action or they will be written off as uncollectible.

Thirteen applications for the Finance Director have been received. Staff will review the resumes and finalists will be recommended to interview with the Administrative Services Committee.

The Street/Service Departments continues mowing City-owned property. They are also picking up signs from the citywide yard sale that were in the right-of-way. Cleaning catch basins and vacuuming the streets has been done due to the falling leaves. Debris from the black topping has also been picked up on Cleveland Avenue and Main Street. Leaf pick-up will begin in November.

The contractors should begin on the Robbie Ridge area this week. This should take about three weeks to complete. Also, the signal modifications have been completed at Castleberry CT. and S.R. 28 and the Erosion Control project is underway.

The sidewalk replacements funded by the Water Street area under the County Community Development Block Grant program is near completion.

The Service Department is now preparing for Junk Days. Items are to be brought to the City Service Garage on Race Street. Proof of residency is required.

The Wastewater Department reports that construction projects have been completed. Only two items remain on the final punch list for the Treatment Plant Phase 2 Project. I would like to thank all those who attended the Department Open House and those who made it possible.

Several residents have received advertising that may be misleading from a company called 'Drain Brain, LLC'. This company attached flyers to the doors of residents throughout the City suggesting that everyone clean their drains to avoid backup from their lines to the City sewer system. The City is not involved with this company in any way. If you suspect a blockage, City staff is happy to send someone out to verify if the problem is within the city line or the homeowners responsibility.

The Water Department reports no water main breaks or construction necessitating the interruption of service in the past two weeks. However, the slaker had to be turned off several times a day. A recurring problem is caused by a gearbox malfunction and a new gearbox has been ordered. The Clearwell project area has been marked and digging will begin by the end of the week.

Garbage stickers and recycling brochures will be sent out on October 18th. The City of Milford Fall Litter Cleanup will be held on Saturday, October 27th between 9:00 a.m. and 12:00 p.m. You can pre-register by calling 513-248-5091.

Other Business – The final three candidates for the Water Plant Supervisor position will be interviewed by the Public Services Committee on Wednesday, October 17th. Department heads are invited to attend. Because of Mayor's Court the interviews will be held in the conference room in Suite 200.

The Greater Milford Historical Society at Promont House is seeking help to identify individuals in historic photos. They have been posted on our web-site.

Property owners must receive a permit from the City of Milford before removing, planting or providing maintenance on a Street Tree. Please refer to Codified Ordinance 911.08 "Control of Street Trees". If you have questions please call 513-248-5092.

Ms. McBeath announced a telephone scam where you are asked to dial 72 before placing a call.

Committee Meetings

Public Services	Wednesday, Oct. 17, 2007	4:30 p.m.
Community Dev.	Thursday, Oct. 25, 2007	5:30 p.m.

Reminders

Ghost Walks	Fridays in October – Enchanted Moments 831-550	
Citywide Junk Days	October 19 th -20 th	
Parks & Recreation	Monday, October 22, 2007	5:30 p.m.
Hazard Mitigation	Tuesday, October 23, 2007	5:30 p.m.
Board of Zoning Appeals	Thursday, October 22, 2007	5:30 p.m.
S. Milford Artisan	Saturday, October 27, 2007	11:00 – 5:00
Fall Litter Cleanup	Saturday, October 27, 2007	9:00 – 12:00
Beggars' Night	Wednesday, October 31, 2007	6:00 – 8:00 p.m.
Election Day	Tuesday, November 6, 2007	
Council Meeting	Wednesday, November 7, 2007	7:00 p.m.
City Offices Closed	Monday, November 12, 2007 – Veteran's Day	

Police Department: Sgt. Burroughs reported that the Department was busy with routine business. He also stated that the new Police Cruiser would be delivered by October 27th.

Fire Department: Chief Cooper reported that the Department participated in Fire Prevention Week by attending Pattison School, Lady Bug Nursery School, the Thursday Morning Senior Group and holding an Open House at the station. On October 2nd they held a safety program at Wal-Mart. He announced that the Busker Festival went well and reminded citizens of the upcoming Hometown Holidays. Flu shots will be available at the Fire Station.

Comments: Suzanne Stagg announced that the Busker Festival was a success in spite of the extreme heat. They are looking forward to coming back next year. Bill Knepp gave an update on the Town Criers convention that will be held in November. He also thanked Chief Cooper and the Fire Department for their service to the community. Mr. Hunter also thanked Chief Cooper for going to all the businesses on Main St. during the repaving process. He also thanked the City staff. Mr. Vilardo said that the Golf outing at the Oasis was a success but Miami Township won the challenge.

New Business – None

Ordinances and Resolutions

- 7.629 An Ordinance Amending Appropriations Ordinance 07-575
Ms. Hinnners made the motion to adopt, seconded by Mr. Hunter. All voted yes.
- 7.630 An Ordinance Authorizing Transfer and an Advance repayment per detail provided by the Finance Director. Ms. Hinnners made the motion to suspend the rules and read by title only, seconded by Mr. Hunter. All voted yes. Ms. Hinnners made the motion to adopt, seconded by Mr. Hawkins. All voted yes.
- 7.631 An Ordinance Authorizing amendments to the job descriptions for the Water Treatment Plant Supervisor and the Director of Finance. Ms. Hinnners made the motion to suspend the rules and read by title only, seconded by Ms. Brewer. All voted yes. Ms. Brewer made the motion to adopt, seconded by Mr. Vilardo. All voted yes.
- 7.632 An Ordinance Authorizing a contract with Rauch Excavating in the amount of \$26,722 for the U.S. 50 Drainage Project. Mr. Vilardo made the motion to suspend the rules and read by title only, seconded by Mr. Hunter. All voted yes. Ms. Brewer made the motion to adopt, seconded by Mr. Hawkins. All voted yes.

Old Business: None

Ordinances and Resolutions

Adjourn: There being no further business to come before Council the meeting was adjourned at 8:25 p.m. with a motion by Mr. Hunter, seconded by Ms. Hinnners. All voted yes.

Joanne Trilety, Clerk

Kimberly McBeath, Mayor