

The Council of the City of Milford met in Regular Session in Council Chambers at 745 Center Street at 7:00 p.m. on Wednesday, November 7, 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, Ms. Brewer and Mr. Antell.

Minutes: Ms. Hinnners made the motion to waive the reading and adopt the Minutes of the September 16, 2007 Council meeting, seconded by Mr. Vilardo. All voted yes.

Correspondence: The Clerk advised Council she received a letter from OKI requesting an appointment of a Council member to the OKI Organization for 2008.

Financial Statements: None

Proclamations:

Judy Johnson and family accepted a proclamation for Eric's Beauty Salon, which has been in business in the City of Milford for 60 years.

Frank Bitzer and assistant coaches from the Milford Football Club accepted a proclamation naming November 17th as Greg Lucas Day in the City of Milford.

Comments: Ms. Hinnners addressed Council as a citizen reminding residents that the school levy that passed was a levy for construction and remodeling and that an operating levy would be on the May ballot. Karen Huff of the Chamber of Commerce stated the Fall Classic had over 100 golfers attending. The Cover Award Dinner will be held on November 8th where Joe Davis would receive the lifetime Achievement Award. The Taste of Christmas will be on December 4th which unfortunately is a Council meeting night.

Mr. Hawkins announced that the cover of the Clermont County phone book features the City of Milford.

STANDING COMMITTEE REPORTS

Public Services: Ms. Brewer reported that the Committee met to interview candidates for the Water Plant Supervisor position. The Committee agreed to recommend Matthew Newman for Council's approval to fill the position. Ms. Brewer made the motion, seconded by Mr. Hawkins that Matthew Newman be appointed to the position of Water Plant Supervisor. All voted yes.

Mr. Minniear, Law Director administered the Oath of Office to Mr. Newman. His starting date will be November 12, 2007.

Ms. Brewer gave an update of the replacement of the Tree Ridge Sign. MetLife insurance company has paid the City of Milford \$8,850.00 which in turn the City will pay to the contractor \$8,850 for the repair of the sign. Ms. Brewer made a motion, seconded by Ms. Hinnners to draft an Ordinance for replacement of the Tree Ridge Neighborhood Subdivision Sign. All voted yes.

Administrative Services: No Report.

Safety Services: No Report.

Community Development: Mr. Hawkins reported that the Committee met on October 25, 2007. Council members present: Mr. Hawkins and Ms. Brewer. Staff present: City Manager Rokey, Assistant City Manager Holbrook and Assistant to the City Manager Ellerhorst. Also present: Fifteen residents from Mound St., Cleveland Ave. and South Milford Road.

Ms. Holbrook stated that Jean Ackermann with the Historic Milford Association has submitted a request for funds from the City to help support Hometown Holidays. The Committee agreed to recommend that Council donate \$1750 to the Hometown Holidays event along with two portolets, trash cans, police and fire support. Mr. Hawkins made the motion, seconded by Ms. McBeath. All voted yes.

Ms. Holbrook stated that the Law Director has reviewed the Public Records policy and did not have any changes. The Committee agreed to make a motion to adopt by ordinance the Public Records Policy. Mr. Hawkins made the motion, seconded by Mr. Antell. All voted yes.

Mr. Hawkins reported that Ms. Rokey stated the Sam Pschesang has requested permission to park several construction vehicles in the right of way while he repairs his sidewalk. They would be parked there through Saturday morning. The Committee agreed that it would be all right for Mr. Pschesang to park his vehicles in the right of way through Saturday morning.

The Committee reviewed the prior year Tree City application and the current application. The application is due by December 7, 2007.

Ms. Rokey stated the contractor for the Clearwell project has requested to store dirt on the ball field for the duration of the project. The Committee expressed concern regarding damage that might be done to the ball field and removal of the fence. The Committee recommended that the contractor relocate the bleachers to the outfield then store the dirt in that location.

The Committee agreed to recommend that City Council nominate Judy Hackmeister for the Salute to Leaders Award. Mr. Hawkins made the motion, seconded by Mr. Antell. Voting yes: Ms. Brewer, Ms. Hinnners, Ms. McBeath, Mr. Hunter, Mr. Antell and Mr. Hawkins. Abstaining: Mr. Vilardo.

Mr. Hawkins gave a brief update of the tree management discussions to date. Mr. Hawkins stated that the issue of whether the City pays for removal of the trees would need to go to City Council for discussion. He said that the City was looking at amending Section 911.08(d) Control of Street Trees. The amendment would remove the requirement for the landowner to replant or replace trees at the landowners cost. A number of the residents spoke concerning the tree and sidewalk problems. Each had their own ideas as to what should be done.

Mr. Hawkins stated that the Parks and Recreation Commission had approved the removal of the Honey Locust trees subject to an independent Arborist confirmation that the trees were raising the sidewalk or would continue raising the sidewalks. The Committee agreed to bring the issue to Council for discussion but did not make a recommendation on the issue of whether to amend the Ordinance concerning paying for the existing trees removed and the issue of whether we ought remove that piece about requiring property owners to pay for replacement of trees in the right of way.

Mr. Hawkins opened the discussion up to Council. A lengthy discussion was held among Council members concerning the various aspects of the Tree Ordinance and the issue of resolving the problem of trees in the right of way. The funding of this issue was also discussed. Mr. Vilardo suggested that the residents on Mound St. were looking for some answers to their problem. Mr. Minniear suggested a moratorium on the portion of the Ordinance that requires the homeowner to replace the tree at their cost until we can make a decision on amending the Ordinance. Council with a voice vote agreed to the moratorium of the Ordinance with all voting yes.

Mr. Hawkins made a motion, seconded by Ms. Hinners that section 911-8(d) be amended to read in section (1) right of way or *public property*. Section (2) would read *No person or property owner shall remove a tree from the right of way for any reason without approval from the Parks and Recreation Commission*. All voted yes.

Mr. Hawkins stated that the second part of this would be a motion and vote to amend the current ordinance that says the property owner is responsible for removing the trees. Mr. Antell motioned to amend the ordinance waiving the cost of the tree removal by the property owners. Ms. Brewer seconded the motion. This would be a one-time removal of the trees at the city's cost. Since there is no vehicle in place to fund this at this time the discussion continued with Mr. Antell rescinding his motion and Council continuing to find a fair solution to the problem. Further discussion will be held with the Parks and Recreation Commission and at the next Council meeting.

City Manager's Report: City Manager Rokey reported that interviewing would continue for the Finance Director position.

The Street/Service Department has started leaf pickup. Residents need to call the Service Department for brush pick up. The Department is preparing for Hometown Holidays.

The Water Department reports it has not experienced any disruption of services within the City. The slaker has been up and running without incident. Matt Newman begins as Water Plant Supervisor on November 12th.

In other business 20 Brix at Main and Garfield plan to open to the public on November 16th. The cemetery walks were a great success. Pictures can be viewed at Promont's website.

Thanks to those who participated at the Fall Litter Collection on October 27th. 91 volunteers collected 62 bags of recyclables and 83 bags of trash.

ABC Professional Services, Inc. will be trimming trees beginning on November 8th throughout the City on behalf of Duke Energy. Businesses and residents will receive a flyer if a tree is designated to be trimmed from the wires on their property. Residents and businesses are directed to contact Duke Energy's Mike Partin at 859-630-7299 with any questions or concerns.

The Deadline for the winter newsletter is November 21st. Please submit all articles, ideas or suggestions by this date. The newsletter will cover events and information from January through March 2008.

The Parks & Recreation Commission is requesting input from the public on revising the Urban Trail System. Those interested may visit our website and click on "General Brochures" to find the Urban Trail System brochure. Their response can be mail to the Park & Recreation Commission at 745 Center St. Suite 200 by November 12, 2007.

Our Tree application is due on December 7, 2007.

Committee Meetings

Administrative Ser.	Friday, November 9, 2007	5:00 p.m.
Safety Services	Monday, November 19, 2007	5:00 p.m.

Reminders

Emerald Ash Borer Workshops – Monday, November 19, 2007 1:00 – 3:00 at the Milford Firefighters Hall and 7:00 – 9:00 at Pattison Elementary School.		
C.O.V.E.R. Awards	Thursday, November 8, 2007	5:30 p.m.
City Office Closed	Monday, November 12, 2007	
Planning Commission	Wednesday, November 14, 2007	6:00 p.m.
Daffodil Planting at Carriage Way Park by St. Andrews Girl Scouts		
Eric's Beauty Salon 60 th Anniversary – Thursday and Friday November 15, 16 from 8:00 a.m. – 6:00 p.m. and on Saturday November 17 th between 8:00 a.m. and 3:00 p.m.		
Parks & Recreation	Monday, November 19, 2007	5:30 p.m.
Town Criers Event	Wednesday, November 14, 2007 and Saturday November 16 th	

City Offices closed Thursday and Friday November 22nd and 23rd – Thanksgiving
Hometown Holidays – Friday, Saturday, Sunday, November 23rd – November 25th

Police Department: Chief Machan reported that the Department received a check from the Milford Gun Club for \$450. This was used to purchase Halloween candy for neighborhood children. He stated the Department is reenergizing the Crime Watch Program in neighborhoods. New signs will be posted advising that this is a Crime Watch area.

Fire Department: Chief Cooper reported that the Department attended the ribbon cutting at O'Reilly's Auto Parts Store. The Department received a \$200 check from O'Reilly's. The Chief reported that all fire hydrants have been inspected. Tickets are still available for the fund raiser raffle of the print of the Wizard of Oz for Corey. Chief Cooper reported that Corey is doing very well and will under go an experimental series of antibiotics.

Comments: Steve Boller, a Mill St. Resident introduced Matt Hardoerfer who stated he was an Arborist. Mr. Boller began questioning Mr. Hardoerfer concerning the Locust Trees on Mound Ave. Mayor McBeath questioned Mr. Boller's comments since the Mound St. trees did not concern him. Mr. Boller stated that some of the Concerned Citizens of Mound St. had asked him to speak for them. The Mayor stated that she had not seen evidence of his representation for the Mound St. Concerned Citizens. Law Director Minniear stated that this was not the appropriate place for Mr. Boller's questions to Mr. Hardener. It should be done at the appeals process for some of the homeowners.

Mr. Dan Kendrick of Mound St. commented on possible alternative ideas for the Mound St. problems. He stated that a lot of people on his street like the trees. He suggested using pavers in the affected areas. Mr. Minniear stated that there have been many meetings and a lot of time spent trying to resolve the situation. He said the City is not ignoring this.

Louise Hausman of Mound St. expressed her appreciation of comments from Council. She stated that there are other solutions other than just ripping the trees out.

Mr. Hunter commented that his parents were moving to Milford from Kansas City.

Sam Pschesang of Mound St. asked for some clarification on several issues.

New Business – None

Ordinances and Resolutions

7.633 An Ordinance Adopting a Records Request Policy for the City of Milford. Mr. Hunter made a motion to suspend the rules and read by title only, seconded by Mr. Antell. All voted yes. Mr. Antell made a motion to adopt, seconded by Mr. Hawkins. All voted yes.

7.634 An Ordinance Authorizing Replacement of the Treeridge Neighborhood Subdivision Sign. Ms. Hinnars made motion to suspend the rules and read by title only, seconded by Mr. Vilaro. All voted yes. Ms. McBeath made 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 8:45 p.m. with a motion by Ms. Hinnars, seconded by Mr. Vilaro. All voted yes.

Joanne Trilety, Clerk

Kimberly McBeath, Mayor