

The Council of the City of Milford met in Regular Session in Council Chambers at 745 Center Street at 7:00 p.m. on April 1, 2008. Mayor Hunter called the meeting to order with the Pledge of Allegiance and a Moment of Silence.

Roll Call: Present: Mayor Hunter, Vice-Mayor Hinners, Ms. Brewer, Mr. Hawkins, Ms. McBeath, Mr. Vilardo and Mr. Pschesang.

Remarks from the Mayor: Mayor Hunter read a proclamation from the City of Milford declaring April 9, 2008 as Matt Maupin Day. He asked the residents wear yellow ribbons and display yellow ribbon throughout the City.

Mayor Hunter stated that two residents have applied for the position on the Board of Zoning Appeals, David Yarborough and Karen Kneipp. Ms. Hinners made a motion, seconded by Mr. Hawkins to nominate David Yarborough and Karen Kneipp as candidates for the BZA. All voted yes. Mayor Hunter asked the Law Director to provide ballots to the Council members for their vote in selecting the new member. After the vote the Law Director tallied the ballots and declared Karen Kneipp the new member of the BZA with 6 votes for Ms. Kneipp and 1 vote for Mr. Yarborough. Ms. Kneipp will be sworn in at the April 15th Council meeting.

Ms. McBeath made a motion, seconded by Mr. Hawkins to reappoint Theresa Conover to the Board of Zoning Appeals. All voted yes. Law Director Minniear gave the Oath of Office to Theresa Conover as a member of the BZA.

Public Meeting: Mayor Hunter opened the Public Meeting and introduced Pam Holbrook, Assistant City Manager. Ms. Holbrook stated that the Planning Commission is requesting to initiate a text amendment to add a B-5 zoning district to the Milford Zoning Ordinance and to reclassify the zoning district of the following B-3 to B-5, at 151, 201, 209, 205 and 200 Castleberry Court. Ms. Holbrook said that the staff recommended approval of the text amendment and zone change. She also stated that the Planning Commission recommended approval of the text amendments with the inclusion of outdoor storage as an accessory use and the zone change for the five parcels on Castleberry Court from B-3 to a B-5 District. The vote was unanimous.

A lengthy discussion was held among Council members concerning the proposed changes.

Speakers for: Mr. Jack Valz, 681 Milford Hills Drive spoke in favor of the text amendment and zoning change. He stated that as long as companies on Castleberry Court obeyed the zoning rules and regulations he would be in favor the changes.

Speakers against: None

A lengthy discussion was held among Council members and Richard Easely, one of owners of property on Castleberry Court. Concerned issues were: noise, lighting, outside storage, the difference between B-3 and B-5 zoning, and Certificate of Occupancy.

Public Meeting Closed:

Mr. Vilardo motioned that a vote be taken on the proposed changes, seconded by Ms. Pschesang. Voting yes: Mr. Vilardo, Mr. Pschesang and Ms. Brewer. Voting no: Ms. McBeath, Mr. Hunter, Mr. Hawkins and Ms. Hinners. Motion failed. Mr. Hunter motioned that Council postpone the voting until the April 15th Council meeting so that Council obtain further information from staff, seconded by Ms. McBeath. Voting yes: Ms. Hinners, Ms. McBeath, Mr. Hunter, Mr. Pschesang, Mr. Hawkins and Ms. Brewer. Voting no: Mr. Vilardo.

After more discussion among Council the Law Director requested a motion for an Executive Session for legal reasons immediately after the Council meeting. Ms. McBeath made the motion, seconded by Ms. Hinners. All voted yes.

Minutes: Ms. McBeath made a motion to waive the reading and adopt the minutes of the March 18, 2008 Council Meeting, seconded by Ms. Hinners. All voted yes.

Correspondence: None

Financial Statements: None

Public Comments: Karen Huff of the Milford/Miami Township Chamber of Commerce gave an update of upcoming Chamber events including, Excellence Awards Dinner, Red's Night Out, Frontier Days and Super Service Day on April 6th at Live Oaks.

Amy Brewer and Karen rode in the Town Crier "Old Glory Mobile" during the Red's opening day parade.

STANDING COMMITTEE REPORTS

Public Services: Ms. Brewer reported that the Committee met on March 24, 2008. Present: Amy Brewer, Ralph Vilardo and Sam Pschesang. Staff Present: City Manager Rokey, Service Director Mike Haight, Water Plant Supervisor Matt Newman, Wastewater Supervisor Carol Royer, Director of Finance Tim Petric and Chief of Police Mark Machan.

Carol Royer provided an overview of the Garfield Force Main Project and the Manager indicated that it was time to determine if we were prepared to make application for funding this project with the CSO project to be constructed later this year. It appears that funding is sufficient to construct both projects without

increasing rates if the Grant and Loan Funds are awarded. The Committee agreed to recommend the pursuit of low interest loan funds from OEPA/DEFA for the Garfield Force Main Project.

Matt Newman provided an update regarding the Clearwell project. There have been several delays and problems due to the contractor's approach to the project and the heavy rains.

Matt also provided a proposal from M.S. Beljin & Associates in the amount of \$11,460 to prepare documentation required for our Wellhead Protection Plan to be endorsed by the OEPA. The Committee agreed to make a motion to draft an Ordinance accepting a proposal from M.S. Beljin and associates in the amount of \$11,460 for the Wellhead Protection Management Project. Ms. Brewer made a motion to draft an Ordinance accepting a proposal from M.S. Beljin and associates in the amount of \$11,460 for the Wellhead Protection Management Project. Ms. Brewer made the motion, seconded by Ms. Hinnners. All voted yes.

Mike Haight provided two proposals for repairs to the Service Garage and to install an additional heater. Osborne Reconstruction Service, the lowest bidder, provided a proposal for \$30,325 without heat and \$37,055.00 with heat. The Committee agreed to make a motion to draft an Ordinance accepting a proposal from Osborne Reconstruction Service in the amount of \$37,055.00. Ms. Brewer made the motion, seconded by Mr. Vilardo. All voted yes.

Mike Haight reminded the Committee of the list of streets proposed for repair. If there are no changes, he will work with the engineer to prepare bid documents.

Chief Machan provided a proposal for a third server to serve all users accessing the computer network at City Hall. The total cost of this equipment and software can be taken from the Capital Improvement Fund rather than spreading it among several operating funds. There are sufficient appropriations in the overall fund at this time. The Committee agreed to make a motion to draft an Ordinance authorizing the purchase of a server and related software from Dell in the amount of \$12,788.90. Ms. Brewer made the motion, seconded by Ms. Hinnners. All voted yes.

The Manager provided a copy of correspondence from the Army Corps of Engineers related to the erosion control project nearing completion. The Corps does not feel the project limits for vegetation are close enough to the Ordinary High Water Mark. A proposal has been sought from the contractor to extend the project limits as suggested by the Corps. A change order would be required in the amount of \$28,482.99 which is not in the budget. The Committee recommended that staff investigate alternatives and seek more time to develop an affordable solution.

The Manager requested two Ordinances to allow blanket purchase orders to be submitted for professional services provided by Santoro Engineering. In the past, purchase orders were submitted month to month, but Finance would prefer to have blanket purchase orders to cover most of the year. We have budgeted roughly \$50,000 per year for each of these services. The purchase order will only be drawn upon when actual bills are received for approval. The Committee agreed to make a motion to draft an Ordinance authorizing payments to Santoro Engineering for Building Inspection Services in the amount of \$50,000. Ms. Brewer made the motion, seconded by Mr. Vilardo. All voted yes. The Committee agreed to make a motion to draft an Ordinance authorizing payments to Santoro Engineering for General Engineering Services in the amount of \$50,000. Ms. Brewer made the motion, seconded by Mr. Vilardo. All voted yes.

Administrative Services: Ms. Hinnners reported that the Committee met on March 31, 2008. Present: Charlene Hinnners, Brian Hawkins and Sam Pschesang. Staff present: City Manager Rokey and Finance Director Tim Petric.

The Finance Director provided the Committee with a job description for a Finance Clerk and a request for authorization to investigate creation of a full time Finance Clerk rather than the part-time position currently authorized. The job description must be reviewed with our labor consultant and the union must also be consulted prior to authorization of the job description and assignment of a pay grade. The Committee agreed to support the exploration of a full-time Finance Clerk position.

The Manager also provided a job description proposed for Code Enforcement Zoning Inspector. Steve Wyan is currently part-time in this position and has not had a written job description. It is proposed that this and the Finance Clerk position description be adopted following adequate review.

Mr. Pschesang noted that our worker's compensation rate was fairly high and asked if a lower rating may be available for clerical positions as is done in the private sector. The Finance Director did not believe there was an option for public employees but will look into it.

The Manager provided a copy of the 2009 Contract proposed for Health Services with Clermont County in the amount of \$27,015.00. The Committee agreed to make a motion to draft an Ordinance authorizing a Contract with the Clermont County General Health District to provide Public Health Services for the year 2009 in the amount of \$27,015. Ms. Hinnners made the motion, seconded by Ms. McBeath. All voted yes.

The Finance Director prepared supplemental detail related to a discussion in the Community Development Committee showing the historical allocation of wages among the Service Department employees which are shared between the Service, Street, Cemetery, Parks and Storm water budgets. The Manager and Finance Director recommended authorization to allocate time each payroll based upon these percentages rather than direct allocation of hours tracked each payroll. This information can be tracked as "man-hours" per department rather than linking it to payroll, which has become very time-consuming. A form is being created to track hours spent on special events, floods, and parades. etc. The Committee agreed to initiate discussion among all of City Council. The Committee will discuss this process. Many employees have many different functions. It is important to trade time. There will need to be an ordinance for the allocation form.

Ms. Hinners gave an update on the Wayfinders Ad Hoc Committee. She said a lot of discussion was held concerning bridge plantings and other plantings on City property. Signage is a priority and will be looked at closely. The Committee is looking at the signage at Loveland and Symmes Township as a model.

Safety Services: No Report.

Community Development: Mr. Hawkins reported that the Committee met on March 19, 2008. Present: Bryan Hawkins, Amy Brewer. Council members also present for debriefing regarding the flood incident was: David Hunter, Charlene Hinners, Sam Pschesang and Ralph Vilardo. Staff present: Fire Chief Cooper, Sgt. Asa Burroughs, City Manager Rokey, and Finance Director Petric. Also present: Karen Huff, Milford/Miami Township Chamber, Carrie Owings, Economic Development Director and Linda and Mark Fitzgerald, LSR Consultants.

Chief Cooper and Sgt. Burroughs provided an overview of the City's response to the flood event and outlined the flood hazard area based upon various flood stage scenarios. Police and fire officials checked on residents and communicated door to door to all of them. The lower units of apartments on Water St. were vacated. An Emergency Operation Center was located in the City's conference room. All of the departments assisted as needed and worked very well together to stay ahead of potential issues related to the flood.

Karen Huff addressed the Committee regarding the Frontier Days event. The Committee continues to focus on providing a safe and family-oriented event. Corey Nickells will be the honorary Grand Marshall with Brian Kelly. As in previous years, Ms. Huff requested City assistance and the waiver of fees. The Committee agreed to make a motion to waive City fees for the 46th Annual Frontier Days event. Mr. Hawkins made the motion, seconded by Ms. McBeath. All voted yes. Although the fees are waived, staff will continue to monitor overtime and costs associated with the event.

Linda Fitzgerald addressed the Committee to discuss the opportunity to prepare and submit another streetscape grant application to the state under the Community Development Block Grant Program. She provided a proposal not to exceed \$7,500 to prepare a pre-application by May and final application in the fall if the pre-application process is successful. With all of the positive press and energy downtown, and a successful grant award in 1998, this is an ideal time to take advantage of the program again. Usually \$400,000 is granted per project and usually projects with a local match exceeding 50% rank highest. The Committee agreed to make a motion to draft an Ordinance authorizing an agreement with LSR Consultants, LLC in an amount not to exceed \$7,500 for the preparation and submittal of a Community Development Block Grant application for the City of Milford. Mr. Hawkins made the motion, seconded by Ms. Hinners. All voted yes.

Finance Director Tim Petric distributed copies of the Cemetery Budget and Fund Balances for discussion regarding our goals for tracking expenditures and maintaining a fund balance for the Cemetery. The General Fund has been transferring \$70,000 to this fund over the last several years and has increased the fund to some extent. Council members have mixed feelings regarding the cost of the cemetery as a public service/park rather than an operation that could ever generate enough revenue to cover the expenses of maintaining the grounds to city standards. The Cemetery has a limited life, and the City will have no choice but to maintain it after the last lot is sold. There is no other revenue to this fund and the rates are currently being reviewed. There is much time spent every payroll trying to track hours spent in the various operations among Mike Haight's staff of eight. The time could still be tracked, but distribution could be made simple with a direct allocation of payroll every two weeks based upon these percentages.

The Committee felt that the maintenance of the Cemetery is much the same as maintenance of a park and that most of these wages could actually be reflected in the Park Budget with the transfer going into the Park Fund rather than the Cemetery Fund. The Cemetery fund could then operate closer to a break-even basis. However, once these funds are depleted, the General Fund must cover the operation of the Cemetery in the long run. This concept will be proposed at the next Council meeting.

The Manager provided a proposal from Madison Tree to trim the Main Street trees, since this single proposal exceeds \$7,500 an ordinance was requested. The Committee questioned the method of trimming and requested an additional quote. The contractor should insure proper shaping of the trees and limbing up of lower branches.

Amy Brewer reported that at the Historic Merchants Association meeting she asked for feedback for the timing of the lights. The group agreed on daylight savings time. She also suggested the addition of "up-lighting" on the trees and they were agreeable to this as well. Staff was directed to investigate this further. The Manager requested examples of this style of lighting.

The Committee briefly discussed the City's website and felt that it was very functional and did not require significant changes.

City Manager's Report: City Manager Rokey reported that the Street/Service Department would begin brush pick-up each Wednesday. We have received 600 tons of salt; the salt barn is full. Two new trucks authorized by City Council have been ordered. The only damage the City received on City property was the split rail fence at the park by the Legion. It has already been repaired with the pieces found on the site. The Wastewater Treatment Department is in its spring mode of operation, in addition to handling wet weather flows at the plant. This time of year is often busy responding to sewer problems caused by tree roots and spring rain.

The Water Department has installed 32 radio read meters and serviced 11 hydrants. A leak was repaired at the corner of May St. and Dot St. effecting 30 customers with a 2 hour shut down. A fire hydrant was replaced on Mohawk Trail. Water was shut off from 11am-3pm to 25 customers. Due to a surge in the power box that automatically switches power between two separate feeds to the plant, the supervisor had reported that an expensive repair may be necessary to get by until the new Clearwell improvements were made. The electrical contractor was able to instruct Matt Newman how to manually switch over the electric to the plant so that we will not have to replace the automated switch gear. This is a cost saving of about \$10,000. Garbage stickers will be sent out April 18th. The Frontier Days parade will be on Thursday, June 5th.

Committee Meetings

Safety Services	Monday, April 7, 2008	7:00 p.m.
Community Dev.	Monday, April 7, 2008	5:30 p.m.

Reminders

Wayfinders Com.	Thursday, April 3, 2008	7:00 p.m.
Yellow Ribbon Dinner	Wednesday, April 9, 2008 (Oasis)	5-11 p.m.
Urban Trail Walk	Sunday, April 13, 2008	1:00 p.m.
Parks & Recreation	Monday, April 14, 2008	5:30 p.m.
Income Tax Day	Tuesday, April 15	
Planning Comm.	Wednesday, April 16, 2008	6:30 p.m.
Clean and Green	Saturday, April 19, 2008	9-12 p.m.
Daffodil Day	Saturday, April 19, 2008 (Promont)	
Citizen's Housing	Monday, April 21, 2008	7:00 p.m.
Dinner of Excellence	Wednesday, April 23, 2008 (Oasis)	5:30 p.m.
River Sweep (E.Fork)	Saturday, April 26, 2008	9-12 p.m.
Artisan Show	Saturday, April 26 2008 (M. Pottery)	10-5

Police Department: Fire Department: Chief Machan and Chief Cooper gave a combined report concerning the recent flood. Both departments worked together ensuring the safety of the residents. Chief Machan thanked Sgt. Burroughs for his report at the last meeting. Chief Cooper said that it was an example of the City working together during the flood. Both Chief Cooper and Chief Machan agree that City Hall should be the communications center. An update of the Disaster Plan will begin soon as it has not revised since 2004.

Council Comments: Mr. Hawkins reported that the Jaycee egg hunt was a great event with 300-400 children participating. He thanked all those who were involved. Ms. Hinnners commented that Liberty Tax Center is offering free tax service to military families.

New Business – None

Ordinances and Resolutions

- 8.665 An Ordinance amending 911 of the Codified Ordinances of the City of Milford regarding street and sidewalk regulations. Ms. McBeath made the motion to suspend the rules and read by title only, seconded by Ms. Hinnners. All voted yes. Ms. Hinnners made the motion to adopt, seconded by Mr. Vilardo. All voted yes.
- 8.666 An Ordinance accepting a proposal from M.S. Beljin and Associates in the amount of \$11,460 for The Wellhead Protection Management Project. Ms. McBeath 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 Ms. Hinnners. All voted yes.
- 8.667 An Ordinance accepting a proposal from Osborne Reconstruction Service in the amount of \$37,055.00. Ms. Hinnners made the motion to suspend the rules and read by title only, seconded by Mr. Vilardo. All voted yes. Ms. Brewer made the motion to adopt, seconded by Mr. Hawkins. All voted yes.
- 8.668 An Ordinance authorizing the purchase of a server and related software from Dell in the total amount of \$12,788.90. Mr. Vilardo made the motion to suspend the rules and read by title only, seconded by Ms. Hinnners. All voted yes. Ms. Hinnners made the motion to adopt, seconded by Ms. Brewer. All voted yes.
- 8.669 An Ordinance authorizing payments to Santoro Engineering for Building Inspection Services in The amount of \$50,000. Mr. Vilardo 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.
- 8.670 An Ordinance authorizing payments to Santoro Engineering for services in the amount of \$50,000. Ms. McBeath made the motion to suspend the rules and read by title only, seconded by Ms. Hinnners. All voted yes. Ms. Brewer made the motion to adopt, seconded by Mr. Vilardo. All voted yes.
- 8.671 An Ordinance authorizing an agreement with LSR Consultants, LLC is an amount not to exceed \$7,500 for the preparation and submittal of a Community Development Block Grant application for the City of Milford. Ms. McBeath made the motion to suspend the rules and read by title only,

seconded by Ms. Hinnners. All voted yes. Ms. Hinnners 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 the regular Council meeting, the meeting was recessed at 9:00 p.m. with a motion by Ms. McBeath, seconded by Ms. Hanners to enter into an Executive Session for legal purposes. All voted yes. Council returned to regular session and adjourned at 9:55 p.m. with a motion by Ms. Hanners, seconded by Ms. Brewer. All voted yes.

Joanne Trilety, Clerk

David M. Hunter, Mayor