

The Council of the City of Milford met in Regular Session in Council Chambers at 745 Center Street at 7:00 p.m. January 20, 2009. Mayor Hunter called the meeting to order with the Pledge of Allegiance and a Moment of Silence.

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

Remarks from the Mayor: Mayor Hunter thanked Milford High School for inviting him and Officer Bovenzi to a program initiating the problem of bullying in the Milford School District. The City of Milford proclaimed the week of January 9th as Bullying Awareness Week. Mayor Hunter discussed the confusion on decision making in the Planning Commission and the Board of Zoning Appeals. He explained that the commission has original existing codes and how appeals take place. They cannot create new laws. He stated that the law applies equally to everyone.

Minutes: Ms. Hinnners made the motion to waive the reading and adopt the minutes of the January 6, 2009 meeting, seconded by Mr. Pschesang. All voted yes.

Correspondence: None

Financial Statements: The Clerk asked for a motion to accept and approve the Financial Statements and Tax Statements for the month of December 2008. Mr. Hawkins made the motion to accept the Financial and Tax Statements with approval at the next Council meeting, seconded by Mr. Vilardo. All voted yes.

Public Comments: Bill Knepp, Town Crier, announced that Miami Glen Organization would be located in the Milford Main second floor area. They have planned many upcoming activities to be held in the auditorium for the citizens of our area. On February 21st there would be a program honoring past students and faculty of the old Milford Main School and on February 22nd there would be a talent show. Mr. Knepp also stated that he has been elected as a Squire of the Round Table for Town Criers. He provided each Council member a copy of the Town Crier Legacy for 2008.

STANDING COMMITTEE REPORTS

Public Services: Ms. Brewer reported that the Committee met on January 12, 2009. Present: Amy Brewer, Ralph Vilardo, Jr., and Sam Pschesang. Staff present: City Manager Rokey and Fire Chief John Cooper. Also present: Bryan Hawkins and Sara Huseman. Chief Cooper discussed the traffic control for the CSO elimination project. The police and fire department have been working closely with the contractor for the traffic control plan to be as safe and efficient as possible. The parking restrictions and controlled access at the High Street intersection are critical. The Manager advised the Committee that in order to get the salt price of \$98.11 per ton, the City had to commit to purchase and take delivery of the entire allotment by March 31, 2009. Only half of this purchase amount was included in temporary appropriations so an increase in appropriations is necessary in addition to an ordinance authorizing the purchase from Morton Salt Company. The Committee agreed to make a motion to draft an Ordinance increasing appropriations Ordinance 08-725 in the amount of \$98,110 for the purchase of salt. Ms. Brewer made the motion, seconded by Mr. Vilardo. All voted yes. The Committee agreed to make a motion to draft an Ordinance authorizing the purchase of salt from Morton Salt Company in the amount of \$196,220. Ms. Brewer made the motion, seconded by Mr. Vilardo. All voted yes. The Manager reported that Lebanon's ordinances for deduct meters had been reviewed and after contacting the city, it was discovered that only 50 of their customers have installed deduct meters. Due to the cost of installation and maintenance of back flow prevention, it was clear that there would be few residents that would find the cost worth the effort. Bryan Hawkins and Sara Huseman spoke in favor of revisiting the summer residential sewer credit, calculated based upon billing from the winter months. Sam Pschesang recommended a fixed billing amount as an alternative, however the Manager felt this may be more subjective and difficult to validate. After further discussion, the Committee directed staff to calculate the impact of a sewer credit based upon the average on two of the highest winter usages: mid November through mid May. Summer credit could be calculated for the usages of mid May through November, which would appear, on the August and October bills. The Manager provided a copy of the current billing rates for Santoro Engineering. Our building department is currently staffed five days a week, regardless of the level of activity. If activity slows in the coming months, a reduction in hours may be warranted. The Committee expressed concerns regarding the

impact on customer service. No changes were recommended at this time. The Manager requested an Ordinance authorizing an agreement with Santoro Engineering for professional services as City Engineer and Building Commissioner in the amount of \$20,000. Ms. Brewer made the motion, seconded by Mr. Vilardo. All voted yes.

Administrative Services: No Report. Ms. Hinnners announced that the Parks & Recreation Committee would meet on February 9th.

Safety Services: Ms. McBeath reported that the Committee met on January 14, 2009. Present: Kim McBeath, Charlene Hinnners and Ralph Vilardo, Jr. Staff present: City Manager Rokey, Police Chief Machan, Fire Chief Cooper, Law Director Minniear and Assistant City Manager Holbrook. Also present: Approximately 20 residents.

Ms. McBeath stated that the Committee would continue discussion of legislature regarding the Parking of Commercial Vehicles. She noted that the ordinance concerning 351.17 (Parking and Storage of Vehicles) has been referred to the Law Director for further clarification.

Mr. Minniear spoke to the history of the ordinance; he stated that the ordinance was written in 1988 and most likely was created in response to a parking problem at that time. He stated that over all of his years as Law Director and Prosecutor at Mayor's Court, this ordinance has not been a problem. He referred to his interpretation as detailed in his memo to Council dated January 3rd, 2009. He stated that he did not personally feel the ordinance needed to be changed.

Discussion continued with members of the audience. Mr. Pschesang recommended changing the ordinance to permit a property owner to use a work truck while performing maintenance on his home; this would require an amendment to Section 351.17(e) and/or (f). Mr. Pschesang stated that typically all plumbing trucks are over 10,000#. He noted that he was cited for being in violation of (e) but feels that Section (f) needs to be amended. Mr. Pschesang stated that he feels he is discriminated against because the ordinance is enforced through a complaint basis and is not enforced equally throughout the City.

Members of the audience presented their opinions for and against amending the ordinance.

Ms. McBeath stated that the center of the discussion seems to be common sense, and if there is legitimate reason for a vehicle to be parked in the neighborhood.

Mr. Minniear said that as long as work is legitimate, there is no problem bringing appropriate equipment to the site.

Discussion continued among all those present.

The Committee agreed to continue to monitor the situation and the ordinance would continue to be enforced as currently written.

Community Development: Mr. Hawkins reported that the Committee met on January 12, 2009. Present: Bryan Hawkins, Amy Brewer and Kim McBeath. Staff present: City Manager Rokey. Also present: Ricky Wooten, Carpetland Sales Representative.

Ricky Wooten from Carpetland reviewed flooring options for the second floor suite. The Committee recommended that durable vinyl floor tiles rather than carpeting be selected for all of the space. Ms. Brewer volunteered to collect samples for the committee to consider for final recommendations.

The Manager reminded that committee that there were several vacancies to fill on our volunteer boards and commissions. The following recommendations were made: Shannon Disbennet, Personnel Commission; Michelle Heatherton, Citizen's Housing Committee and Lois McKnight, Planning Commission.

The Committee agreed to recommend these appointments for approval at the next meeting of Council. Mr. Hawkins made the motion to approve the appointments, seconded by Mr. Hunter. All voted yes.

The Manager noted that Mayor Hunter appointed Susan Vilardo to the Clermont Metropolitan Housing Authority and Mary Sue Roberts be re-appointed to this same board.

The Manager reminded that Committee that Salute to Leaders nominations are due. The Committee agreed to nominate Chris Hamm for his work with the Historic Milford Association and support of several charitable and community events.

The Manager provided a list of city-sponsored events from 2008. As these events continue and new activities are planned, the City needs to be aware of the resources necessary to accommodate each request and determine whether fees will be waived.

The Manager also provided information regarding the 2009 bids received for landscaping services and provided detail of payment from 2008. The bids are currently being reviewed by staff and will need to be incorporated into the appropriations for 2009.

There are several code enforcement issues in need of attention. Realizing that several businesses are struggling to gain attention, staff has been somewhat lenient but there are a few locations where temporary signs and banners have well exceeded the limits of our ordinance. The Committee was not in favor of changing the current standards.

A discussion was held among several Council members and the Law Director concerning text amendment changes to Section 1131.10. Mr. Hawkins made the motion to authorize staff to draft a recommended text amendment to Section 1131.10, and any related sections, for presentation at the next Council meeting. The motion was seconded by Mr. Vilardo. All voted yes.

A complaint was received regarding tall grass and weeds from a business on Chamber Drive related to the vacant lots adjacent to Quaker Steak and Lube. This is an unusual area for enforcement since it is undeveloped land. It was agreed that this would be monitored, but it is not a typical area for enforcement. Pam Holbrook was called upon to review materials prepared to make permitting easier. Staff developed a "New Business Checklist" along with a new "Building and Zoning Permit Application" in the hopes that it will help ease the permitting process; the actual process was reviewed.

The Committee discussed the petition signed by the tenants at 228 Mill Street. Ms. Holbrook noted that the requirement for a business owner to obtain a Zoning Certificate has not been an issue before, but it is important to establish that the zoning is appropriate for the proposed use prior to occupancy by the business owner. The ordinance has always been interpreted as business owner, because ultimately the business owner is responsible to ensure that their use complies with the zoning ordinance. If necessary, the ordinance could be clarified. A copy of the current ordinances and fee schedules was also provided. We adopted Hamilton County's fee schedule from 2004, however we have not raised our rates since that time. In light of the current economy, no change in fees was recommended at this time.

A special meeting of Council has been confirmed for Tuesday, January 27, 2009 to discuss our Economic Development Partnership. Carrie Owens will provide a year-end report and discuss the outlook for 2009.

City Manager's Report: City Manager Rokey reported that the Street/Service Department is recycling Christmas Trees until January 28th. Brush pickup is on a call-in basis only Wednesdays through March. Call 831-7018 to schedule a pickup.

The Wastewater Department reports the CSO Phase II-B is progressing according to schedule. We do not anticipate problems at this point. On January 26th the detour travelling westbound on Lila Ave. will begin. Traveling east on Main St. will be one way from High St. to the five point's intersection. Flaggers with the help of the Fire and Police Departments will help with traffic control.

The Water Department repaired a leak on Center St. on January 12th and 13th.

Other items: An Open House celebrating Sue Williams' retirement is scheduled for January 23rd from 12:20pm-2:00pm.

On March 16th Pam Holbrook has arranged for the City to host a Property Maintenance Workshop in conjunction with the Citizen's Housing Committee Meeting. This will be held in Council Chamber at 7:00pm. If you have a desire to learn more about the City's property maintenance code or have questions about the process, please plan on attending. For more information Call Pam Holbrook at 831-4192.

Committee Meetings

None Scheduled

Reminders

Council Work Session	Tuesday, January 27, 2009	7:00pm
Council Budget Session	Saturday, February 7, 2009	8:30am
	Sunday, February 8, 2009 (if needed)	
Parks & Recreation	Monday, February 9, 2009	5:30pm
Citizen's Housing Workshop	Monday, February 12, 2009	7:00pm
Admin. Offices Closed	Monday, February 16, 2009 – Presidents' Day	

Police Report: Chief Machan reported that the Department is helping with traffic during the CSO project. He reminded citizens to make sure that they keep their cars locked. Several car break-ins have occurred in our area.

Fire/EMS Report: Chief Cooper distributed the monthly department report to Council. He also stated that the Fire Department is also helping with the CSO project. He said traffic flow has increased on Garfield due to the stopped traffic on Main St.

Council Comments: Mr. Hawkins wished Ms. McBeath a Happy Birthday!

New Business: None
Ordinances and Resolutions

9.730 An Ordinance increasing Appropriations Ordinance 08-725 in the amount of \$98,110 for the purchase of salt. Ms. McBeath made the motion to adopt, seconded by Ms. Brewer. All voted yes.

9.731 An Ordinance Authorizing the purchase of salt from Morton Salt Company in the amount of

- \$196,220. 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 Ms. Hinnners. All voted yes.
- 9.732 An Ordinance Authorizing an Agreement with Santoro Engineering for professional services for City Engineer and Building Commissioner in the amount of \$20,000. Ms. Hinnners made the motion to suspend the rules and read by title only, seconded by Mr. Vilardo. All voted yes. Ms. Hinnners made the motion to adopt, seconded by Ms. Brewer. All voted yes.

Old Business: None

Adjourn:

There being no further business to come before the regular Council meeting, the meeting was adjourned at 8:15pm with a motion from Mr. Vilardo, seconded by Ms. Hinnners. All voted yes.

Joanne Trilety, Clerk

David M. Hunter, Mayor