

The Council of the City of Milford met in Regular Session in Council Chambers at 745 Center Street at 7:00 p.m. November 4, 2009. Mayor Hinners called the meeting to order with the Pledge of Allegiance and a Moment of Silence.

**Roll Call:** Mayor Hinners, Vice-Mayor Brewer, Mr. Vilardo, Jr., Mr. Hawkins, Ms. McBeath, Mr. Pschesang, and Mr. Pittman.

Mayor Hinners offered congratulations to Amy Brewer, Laurie Walker and Mark Rohrig elected as the incoming Council members.

**Proceedings:** Mr. Vilardo, Jr. motioned to waive the reading and approve the minutes of the October 20, 2009 Council meeting and the Special Work session Administrative Services/Council meeting of October 27, 2009. Mr. Pittman seconded the motion. Voting yes: Mr. Pschesang, Mr. Hawkins, Ms. Brewer, Ms. Hinners, Mr. Vilardo, Jr., and Mr. Pittman. Abstaining: Ms. McBeath.

**Correspondence:** The Clerk read a letter from L. Suzanne Yarborough concerning the problems with the Parks & Recreation Commission and the appointment of an Ad Hoc Committee. Since two members of the Parks & Recreation Commission have resigned she would like the replacement selection be made in January, 2010 when the new Council members take office.

The Clerk also read a letter from Jon Peterson, resigning from the Charter Review Committee and the Wayfinders Committee. Mr. Peterson said his resignation was due to personal reasons.

**Financial Statements:** The Clerk asked for a motion to accept and approve the September, 2009 Financial Statement and Tax Report and the September 2009 Budget compared to projected actual year end December 31, 2009 statement. Mr. Vilardo Jr, made a motion to accept the Financial Statement but not to approve them at this time, seconded by Mr. Pittman. All voted yes.

**Public Comments:** A number of residents including; Greg Hinners, Rachelle Rapp Dickerson, Steve Boller, Lynn Chaney, Len Harding, Jennifer Liles, Jan Wulker, Tim Howland, Yvonne Haight and Jackie Kohake spoke concerning the Parks & Receptions Commission and the appointment of an Ad Hoc Committee. There were many questions asked as to why an Ad Hoc. Committee and who would be on the Committee and there were negative comments concerning Council and their actions. There were also positive comments along with much discussion. There were several comments that no decision should take place until the new Council members have taken office. Several members of the audience spoke but were not identified at the podium.

Mayor Hinners discussed the Ad Hoc Committee and explained their duties. Mayor Hinners made a motion that Council approve an Ad Hoc Committee, seconded by Mr. Pittman. Voting yes: Ms. McBeath, Mr. Pittman, Mr. Pschesang, Mr. Hawkins and Ms. Hinners. Voting no: Ms. Brewer and Mr. Vilardo, Jr. Law Director Mike Minniear explained that the Mayor would appoint members of the Ad Hoc Committee. Mr. Hawkins motioned that the Mayor has the discretion to appoint the members of the Ad Hoc Committee, seconded by Mr. Pschesang. Voting yes: Ms. Hinners, Ms. McBeath, Mr. Pittman, Mr. Pschesang and Mr. Hawkins. Voting no: Mr. Vilardo, Jr. and Ms. Brewer.

John Cooper and Laurie Walker from the HMA announced the Homecoming Holidays on Thanksgiving weekend. They thanked the City and Service Department. There will be a train display at the Milford Greenhouse. Shuttle service will be provided.

Some of the candidates for the vacancy on the two seats open on the Parks & Recreation Commission addressed Council as to their qualifications. Those speaking were Len Harding, Joe Bohache, Steve Boller, Charles Evans, Tom Fremont and Nathan Schneider. Nine candidates applied for the two positions. After discussion among Council about appointing the candidates at this time or waiting until the new Council members were sworn in took place.

Mr. Hawkins made a motion to appoint the replacements on the Parks & Recreation Commission at this time, seconded by Mr. Pschesang. Voting yes: Ms. Hinners, Ms. McBeath, Mr. Pittman, Mr. Pschesang and Mr. Hawkins. Voting no: Ms. Brewer and Mr. Vilardo, Jr.

Law Director Minniear opened the floor for nominations. Ms. McBeath nominated Charles Evans, seconded by Mr. Pittman. Mr. Pschesang nominated Frank Gehler, seconded by Mr. Hawkins. Law Director Minniear stated that the vote would be for each person. Mr. Pittman motion for nominations for the first seat be closed, seconded by Ms. McBeath. All voted yes. After the Council vote Charles Evans was declared the winner.

Mr. Minniear stated that Council could take other nominations for the second seat. Mr. Pittman motioned for Tom Fremont, seconded by Mr. Vilaro, Jr. Mr. Pschesang motion again for Frank Gehler, seconded by Mr. Hawkins. Amy Brewer motioned for Joe Bohache, no second. Mr. Pittman motioned that the nominations be closed, seconded by Mr. Pschesang. After the Council vote, Frank Gehler was the winner of the second seat.

Law Director Minniear addressed the audience concerning the process of speaking at Council. By law council is not required to permit speakers, but Council has never done that, nor will they. Mr. Minniear stated Council should not have to endure criticism on anything else but job performance.

### **STANDING COMMITTEE REPORTS**

**Public Services:** No Report

**Administrative Services:** No Report

**Safety Services:** No Report

**Community Development:** Mr. Hawkins reported that the Committee met on November 2, 2009. Present: Bryan Hawkins and Amy Brewer. Staff present: Loretta Rokey, City Manager; Pam Holbrook, Assistant City Manager; Mike Haight, Service Department Supervisor; Chief John Cooper and Steve Wyan, Code Enforcement. Also present: Charlene Hinners, Council Member; Lou Bishop, Center St.; Andy Dickerson, 128 Mound St.; Rachelle Rapp-Dickerson, Parks & Recreation Commission; Geoff Pittman, Mound St.; Ron Hutchinson, Citizens Housing; Tom Fremont, Wallace Grove; Karen Huff, MMTCC; Jon Peterson, Mound St.; Tammy Pschesang, Mound St.; Sharon Jetter, Mill St.; Chris Rosenhoffer, Citizens Housing; Suzanne Stagg, Citizens Housing; Steve Boller, Mill St.

The Committee discussed the maintenance of high grass and weeds on vacant lots. Members reviewed the existing ordinance, and addressed possible amendments to address lot sizes greater than one acre. Staff will research further and discuss with the Law Director. Mr. Hawkins stated that this could be discussed by Council as a Whole during a regular meeting once it has been reviewed by the Law Director.

A discussion was held on the appointments to Parks & Recreation Commission. Staff stated that the City has ten applications for the two vacancies. Mr. Brewer said that she felt it would be better to wait to fill the two vacancies until after Council has defined a clear direction for Parks & Recreation. Mr. Hawkins stated that he felt Council should proceed with the appointment of the two positions. Ms. Rapp-Dickerson said that the Commission will meet on November 7<sup>th</sup> for an Urban Trail Walk, but the December meeting may be cancelled. Mr. Hawkins said that he would prefer that the issue be taken to Council Wednesday for discussion. The Council will need to determine whether they are ready to fill the positions, and if so, who will fill the positions.

The Committee discussed property maintenance and said that the Citizens Housing Committee was invited at the meeting to participate in a discussion of the property maintenance code. Mr. Bishop and Ms. Stagg both spoke concerning properties on Center St.

Mr. Wyan passed out information regarding the property maintenance process; he stated that there are actually two issues: Property maintenance and zoning violations. Mr. Wyan and Officer Lane have visited the property on Center St. Mr. Fremont stated there has been improvement in the City over the years. He said that the Housing Committee has tried to show compassion for owners that are not able to afford to make repairs, but if Council would like to up the standards, then it will have to go on the books.

Mr. Hawkins noted that the definition of clutter is subjective. Ms. Stagg questioned whether property owners had ever been fined. Staff responded "no". Mr. Wyan noted that staff was asked to revise violation letters last year, because it was felt they were too harsh when mentioning fines.

Mr. Hawkins stated that this was an enforcement issue and the ability of staff to cite a property owner more quickly. Ms. Rokey noted that Mr. Wyan does a good job, and the majority of the property owners comply. More strict enforcement would require more police and staff resources. Mr. Pittman stated that discretion allows the machine to run smoothly, and there may be unintended consequences by using draconian methods. He noted that we have to respect the changing standards. A citizen who felt persecuted by the City could file a nuisance complaint action.

Mr. Rosenhoffer stated that it is a problem when each violation counts as a separate offence and requires restarting the clock. Mr. Hawkins requested that staff research and review with Mike Minniear to include language that addresses cumulative offenses, and review Mariemont's and Dublin's ordinances. Ms. Stagg suggested placing the complaint on the website.

The Committee discussed preparation of next year's landscape contract. Ms. Huff stated there have been numerous complaints regarding the quality of work this year. Ms. Rokey stated that the Main Street Streetscape could be bid out as a separate area and suggested that a prebid meeting at the end of the year might be a good idea so staff can clarify the City's expectations to the contractors.

The Committee reviewed dates and times for several meetings in 2010.

**City Manager's Report:** City Manager Rokey reports that the Street/Service Department began leaf collection on Nov. 2<sup>nd</sup>. Brush pick-up will continue on Wednesdays on a call-in basis. Call 831-7018 if you need a brush pick-up.

Bids are being accepted for pressure washing the Municipal Building. The repairs to the outside of the building have been completed. Weed whipping has been completed for the year at the city-owned properties and the cemetery. A&A Safety has completed line striping.

The Wastewater Department is preparing to begin the Garfield Force Main Project on Nov. 12<sup>th</sup>, 2009. The project completion is projected at 240 days. There will be limited construction activity in the area of Garfield and Main until after the holiday season. We should have ample warning before any disruption to this area. The contractor will eventually bore under Main St. to continue the Force Main up Garfield to the Wastewater Plant.

The Water Department reports that the pre-construction meeting for the Lime Slaker Project took place on Nov. 2<sup>nd</sup>. Once the project begins there will be occasions when we will not be able to operate the softening equipment. We will keep Council advised as the project evolves.

Brush has been trimmed around the lime lagoons and the EPA will perform their annual survey later this week.

**OTHER ITEMS:** Two major soccer tournaments will be held at Finley Ray soccer complex in November. The Grothaus Tournament will be held on Nov. 7<sup>th</sup> and Nov. 8<sup>th</sup> with about 100 teams participating. The State Tournament will be on Nov. 14<sup>th</sup> and 15<sup>th</sup> and on Nov. 21<sup>st</sup> and Nov. 22<sup>nd</sup>. They are anticipating 300 teams.

The City of Milford has now taken its place with other cities throughout the country on Facebook. Our goal is to keep residents and visitors well informed on topics ranging from notices of meetings to City events. Our Facebook site can be accessed through our website at [www.milfordohio.org](http://www.milfordohio.org).

There will soon be a simple "Service Request" form posted on our website for citizens to direct questions, requests or complaints to city staff.

Rumpke has notified us that due to expanded recycling efforts and new technology, they have increased the amount and type of materials accepted thereby reducing the amount of material entering landfills. We will issue a press release once it is operational.

A press release will be sent by Clermont County Public Affairs office regarding an open house to be held by the Clermont County Transportation Improvement District on Wednesday, November 18<sup>th</sup> at the Milford Community Firefighters Hall. The public is invited to view maps and provide feedback on the SR131/US 50 and Milford Parkway/River's Edge/Chamber Drive project area. The open format will run from 5:00 to 7:00 p.m. There is no formal presentation.

#### **Committee Meetings**

Administrative Ser.	Monday, November 23, 2009	5:30 p.m.
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#### **Reminders**

Pacesetter Dinner	Thursday, November 5, 2009	5:30 p.m.
Urban Trail Walk	Saturday November 7, 2009	8:00 a.m.
Planning Commission	Tuesday, November 10, 2009	6:00 p.m.
Citizen's Housing	Monday, November 16, 2009	7:00 p.m.
Bd. of Zoning Appeals	Thursday, November 19, 2009	7:00 p.m.
Hometown Holidays	November 27 <sup>th</sup> 28 <sup>th</sup> , 2009	
Victorian Holidays	Nov. 27 <sup>th</sup> – Nov. 29 <sup>th</sup> (Promont)	1:30-4:30, 1:30-7:30 Sat.
Administrative offices closed on Wednesday, November 11 <sup>th</sup> for Veterans Day		
Administrative offices closed on Nov. 26 <sup>th</sup> and Nov. 27 <sup>th</sup> – Thanksgiving weekend.		

**Police Report:** Chief Machan introduced Adam Freeman from Stop Tech. The chief explained that our officers could not be everywhere at the same time. The department depends upon the eyes and ears of our citizens to help apprehend lawbreakers. As one of our partners, Stop Tech has done a lot for our Department. Chief Machan presented Mr. Freeman with a Certificate of Appreciation for his valuable assistance to the citizens of Milford to prevent criminal activity and social disorder. Thank you for your dedicated commitment. The Chief stated that a long time ago our department started a "Challenge Coin" program. Officer Kevin Heller was instrumental along with Adam to help our department apprehend three persons who were suspected of robbery. Kevin has given his "Challenge Coin" to Adam. This coin is

given to a citizen or anyone who has done something above and beyond the call of duty. Kevin will be given another "Challenge Coin" to keep the process going.

**Fire/EMS Report:** Chief Cooper thanked all of the residents who helped pass the Fire Levy by 86.9%. He said that by passing the Levy it was a good report card for the Department. He also reminded citizens that the Department is still participating in the coat drive. Any used coat will be appreciated.

**Council Comments:** Karen Huff, Milford Miami Township reported that the C.O.V.E.R Awards dinner was a tribute to our businesses and people. We are very fortunate to have such businesses and residents in our community.

Law Director Minniear stated that the findings of the Charter Review Committee would be directed to Council for their review. Mr. Minniear will present a formal report at the Dec. 1<sup>st</sup> Council meeting. Ms. Brewer thanked the students at St. Elizabeth Seton and St Andrew 7<sup>th</sup> and 8<sup>th</sup> graders for inviting her to participate in their political convention. Ms. Brewer reminded everyone that the Fire Fighter Combat Challenge would be having their first fundraiser on Nov. 18<sup>th</sup> at Putters. The Fire Fighter Challenge will be coming back to Milford on April 17<sup>th</sup> and 18<sup>th</sup>, 2010.

Mayor Hinners thanked City Manager Rokey for all the work she does for our City. Ms. Hinners commented on the commercial shoot that Cincinnati Bell did on Main St. Cincinnati Bell thanked the City for its cooperation and help for the shoot.

Mr. Hawkins said that in the Council Work Session last week one of the discussions was concerning the negotiations with the AFSCME Union. They have agreed to a contract that is now before this Council. It will be a proposed three-year contract and a one-year reopener on wages. The Union has worked closely with the City on these negotiations. Mr. Hawkins made a motion to draft an Ordinance Authorizing an Agreement between the City of Milford, Ohio and Ohio Council 8, American Federation of State, County, and Municipal Employees, AFL-CIO, Hereinafter referred to as "AFSCNE." Ms. Brewer seconded the motion with all voting yes.

#### **New Business:**

##### Ordinances and Resolutions

09-765 An Ordinance Authorizing an Agreement, between the City of Milford, Ohio and Ohio Council 8, American Federation of State, County, and Municipal Employees, AF-CIO Hereinafter Referred to as "AFSCME."

Ms. McBeath made the motion to suspend the rules ad read by title only, seconded by Mr. Vilardo, Jr. All voted yes. Ms. McBeath 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 adjourned at 9:45 p.m. with a motion from Mr. Pschesang and Ms. McBeath. All voted yes.

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Joanne Trilety, Clerk

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Charlene Hinners, Mayor