

The Council of the City of Milford met in Regular Session in Council Chambers at 745 Center Street at 7:00 p.m. May 17, 2011. Mayor Vilardo, Jr. called the meeting to order with the Pledge of Allegiance and a Moment of Silence.

Roll Call: Present: Mayor Vilardo, Jr., Vice Mayor Pittman, Ms Evans, Ms. Hinnners, Mr. Lykins, Ms. Brewer and Ms. Walter.

Presentation: Mayor Vilardo, Jr. and Mr. Minniear welcomed Mrs. Vera Hodges and her son Ralph Hodges and Goddaughter Judith Benator. Mrs. Hodges presented a portrait of her husband, Harry Hodges that will be hung in Council chambers in memory of Harry. Mr. Hodges was a former City Manager and Law Director for the City of Milford. The new conference room in City Hall was also named "The Harry A. Hodges Conference Room" in honor of Mr. Hodges. Mr. Hodges was a long time advocate of the City Milford.

Public Hearing:

Assistant City Manager Pam Holbrook presented the text amendment requested for the Milford Zoning Ordinance concerning private recreation.

Chance Truemper, representing CUC has submitted a request to include private recreation in the B-3 district for conditional use. He has been approached by a group interested in building a sports complex on property owned by CUC. The sports complex would fall under the Milford Zoning Ordinances' definition of "private recreation." The text amendment request if approved by the Planning Commission and City Council would apply to all property in the B-3 district; however as a "conditional use", the Planning Commission could review each request separately.

There were no speakers against the proposed text amendment change.

Council discussed the request and staff recommended that "Private Recreation" be added as a "conditional use" in the B-3 District with conditions added to Chapter 1195-Conditional Uses.

Ms. Brewer made a motion to close the Public Hearing, seconded by Mr. Pittman. All voted yes.

. **Minutes:** Ms. Brewer made motion to waive the reading and approved the minutes of the May 3, 2011, Regular meeting and the May 9, 2011 Special. The motion was seconded by Mr. Pittman. All voted yes for the May 3, 2011 Regular meeting and the May 9, 2011 Special meeting. Ms. Brewer made the motion for the May 12, 2011 Special meeting, seconded by Ms. Hinnners. Voting yes: Ms. Evans, Ms. Brewer, Ms. Hinnners, Mr. Vilardo jr., Ms. Walter and Mr. Pittman. Abstaining: Mr. Lykins.

Correspondence: None.

Financial Statements: Mr. Pittman made the motion to accept the Financial Statements from January through April, seconded by Mr. Lykins. All voted yes.

Comments from Council: Karen Huff, Milford Miami Township Chamber stated that the meeting of Miami Township and the City of Milford would be held on May 18th. She also announced that Frontier Days would be on June 2, 3, 4, and 5. The Kiwanis will be serving Chicken Dinners during the event. Chief Cooper stated that Harry Hodges was instrumental in helping with the process of Milford becoming a city

STANDING COMMITTEE REPORTS

Public Services: Ms. Brewer reported that the Committee met of May 12, 2011. Present: Amy Brewer. Laurie Walter and Ralph Vilardo, Jr. Staff present: Interim City Manager Holbrook, City Engineer Bud White.

Bus White reviewed the bids received for the Storm Sewer System A and C. Fields Excavating provided the low bid of \$623,852.46. Mr. White recommended Fields Excavating.

The Committee agreed to make a motion to draft an Ordinance authorizing the City Manager to enter into a contract with Fields Excavating for the Storm Sewer Phase A and C project in an amount of \$625,832.46.

Ms. Brewer made the motion, seconded by Ms. Walter. All voted yes.

The Committee discussed the construction management and inspection options for the project above. Mr. White stated that his recommendation was to proceed with the CDP bid; however, he could provide construction management and inspection with the assistance of other City departments if he had in interim or assistant that could help with the day to day administrative tasks.

The Committee felt that providing this service with existing staff would be the most economical option for the City.

The Garbage contract will expire on July 11, 2011. Rumpke provided an estimate to extend the contract for two years for a rate of \$9.55 for waste and \$2.80 for recycling, the total new rate of \$12.35, which is an increase of 1.5%. The current rate is \$12.00 per unit.

The Committee agreed to make a motion to draft an Ordinance authorizing the City Manager to enter into a contract with Rumpke to extend the garbage contract for two years at the rate of \$9.55 for waste and \$2.80 for recycling, for a total cost of \$12.35 per unit.

Ms. Brewer made the motion, seconded by Ms. Walter. All voted yes.

The Committee reviewed a proposal from Davey Tree in the amount of \$1,640 to remove four trees located at the Cemetery. The Committee agreed that the four trees should be removed, and recommended that Community Development review appropriate areas to replant several trees.

The Finance Director requested that appropriations for the generator be increased by \$2,000; the cost of the generator is \$169,900, and the amount originally appropriated was \$168,000.

The Committee agreed to make a motion to draft an Ordinance to amend Appropriations Ordinance 10-832. Increasing appropriations for the Capital Improvement Fund 415 in the amount of \$2,000.

Ms. Brewer made the motion, seconded by Ms. Walter. All voted yes.

Administrative Services: Mr. Lykins reported that the Committee met on May 10, 2011. Present: Lisa Evans, Jeff Lykins and Geoff Pittman. Staff present: Interim City Manager Holbrook and Finance Director Dan Burke. Also present: Adam Balls from Hylant Insurance.

Mr. Burke explained that the City's property and casualty insurance was due for renewal this month. Since the City had not sought competitive quotes for two years, and since the insurance market pricing was favorable toward the consumer, Mr. Burke determined that it was a good time to solicit some competitive quotes.

Mr. Burke contacted Adam Balls from the Hylant Insurance group to ensure that the City's existing coverage met our needs. Mr. Burke and Mr. Balls approached about a half-dozen vendors and three responded with a proposal in a timely manner. The three were Argonaut, Ohio Plan Risk Management and U.S. Specialty.

Mr. Balls in his presentation reviewed the RFP Analysis that he had prepared. Mr. Balls explained that the cost of the Ohio Plan's proposal was not competitive with the other two vendors. Mr. Balls concluded that the Argonaut Insurance coverage is slightly better since it offers a stand alone EP:LI policy with dedicated limits, it offers a two-year rate guarantee without a loss ration contingency, and it gives Milford the option to choose legal counsel rather than assigning a specific firm.

After discussion the Committee agreed to make a motion to draft an Ordinance authorizing the City Manager to enter into a Contract with Argonaut Insurance for Property and Casualty Insurance in the amount not to exceed \$49,400.

Mr. Lykins made the motion, seconded by Mr. Pittman. All voted yes.

On April 8, 2011 City Council approved an appropriation increase that included an estimate of \$40,000 to replace the roof at City Hall. After the bids were opened we determined that the cost for the project would now exceed \$51,000 including the cost to remove and re-install some security cameras. The original estimate was based on imprecise vendor quotes and did not take into account prevailing wages and other requirements. We need to appropriate an additional \$11,000 for the project.

The Committee agreed to make a motion to Amend Appropriation Ordinance 10-832 by appropriating an additional \$11,000 in account number 415-7910-2360 to cover the total cost of the roof replacement project. Mr. Lykins made the motion, seconded by Ms. Hinners. All voted yes.

Mr. Lykins motioned for an Executive Session for Personnel reasons immediately after the Council meeting. Ms. Walter seconded the motion. All voted yes.

Safety Services: Mr. Pittman reported that the Committee met on May 16, 2011. Present: Jeff Lykins and Charlene Hinners. Staff present: Interim City Manager Holbrook, Chief Jamey Mills and Law Director Mike Minniear. Also present: Sam Pschesang, Resident and Amy Bassano, Resident.

City Council approved the contract for engineering services for the Water Department SCADA System; however, we will need to appropriate the necessary funds.

The Committee agreed to make a motion to draft an Ordinance amending Appropriations Ordinance 10-832 increasing appropriations for the Water Improvement and Replacement Fund 516 in the amount of \$61,400 for engineering services. Mr. Pittman made the motion, seconded by Ms. Hinners. All voted yes.

Chief Mills stated that the bid to replace the Police Department Flooring had expired; the new bid came back approximately \$2,000 more. The Chief is requesting to increase the amount specified in Ordinance 11-864 from \$19,989 to \$21,999.

The Committee agreed that the amount specified in Ordinance 11-864 for flooring from Buddy's Carpet be increased from \$19,989 to \$21,999. Mr. Lykins made the motion, seconded by Ms. Hinnners. All voted yes. Chief Mills stated he had reviewed the sex offender legislation being considered by Lebanon. He said there were currently 14 offenders living in Milford. This information is posted on the Clermont County Sheriff's website.

The Committee reviewed the proposal put forward by Vice Mayor Pittman to change the Codified and Zoning Ordinance regarding truck parking in residential districts. Council will need to decide whether the upper limit should be 18,000 GVWR.

In a recent Clermont County appeals case the Judge ruled against the City of Milford because there were inconsistencies in the Ordinances, noting when an inconsistency exists he must rule in favor of the property owner. The Committee agreed that the types of vehicles parking in residential areas should be specified in the Codified Ordinance as opposed to the Zoning Ordinance. A lengthy Council discussion was held with the Law Director and Council concerning this issue. Mr. Pittman stated that the issues he proposed should be included in the proposed Ordinance. Mr. Pittman motioned that the Law Director determine the changes to the Codified Ordinance. The motion was seconded by Mr. Lykins. Further discussion continued with Council and the Law Director. Mr. Minniear stated that he would do this only with Council's approval. Mr. Lykins asked for a vote since the motion was on the floor and seconded. Voting yes: Mr. Pittman, Mr.

Lykins and Ms. Hinnners. Voting no: Ms. Evans, Ms. Brewer, Mayor Vilardo and Ms. Walter. Motion failed. Discussion continued concerning issues with the motion and that Mr. Minniear would draft a workable Ordinance and then take it to the Safety Services Committee with final approval to draft. Ms. Walter made the motion, seconded by Mr. Pittman. All voted yes.

Community Development: Ms. Hinnners reported that the Committee met on May 12, 2011. Present: Charlene Hinnners, Laurie Walter and Lisa Evans. Staff present: Interim City Manager Pam Holbrook. Also present: Dave Sence, LTD.

The Committee recommended that Chris Rosenhoffer and Steve Volk be invited to the next Parks and Recreation Committee to be interviewed. The Community Development Committee would also be invited to this meeting.

The Committee discussed the various landscaping and gateway projects. The members recommended that the City pursue the improvements at the trailhead, the pot/plantings along Lila Ave/SR 28 and the Gateway on SR 126 /US 50. The members agreed that one set of pots be located on Water Street. The Gateway at SR 126/Us 50 will require irrigation.

The Committee agreed to make a motion to draft an Ordinance authorizing the City Manager to enter into a Contract with LTD Landscaping to make gateway improvements at US 50/SR 126 in the amount of \$13,200. Ms. Hinnners made the motion seconded by Ms. Walter. Voting yes: Ms. Walter, Mr. Pittman, Ms. Evans, Ms. Brewer and Ms. Hinnners. Voting no: Mayor Vilardo and Mr. Lykins.

Dave Sence reviewed the proposed improvements to Memorial Park. These improvements include: a gateway entrance with veterans memorial, wall, off street parking, curbs, benches and screening. The gateway would lead into Riverside Park, which would be a good gathering place with landscaping and gazebo. The playground would be located near the restroom. The next step is to get a budget number together which would include: demolition, landscaping (curbs) and landscaping.

Mr. Lykins made a motion that Chris Rosenhoffer and Steve Volk be appointed to the Parks and Recreation Commission, seconded by Ms. Walter. All voted yes.

City Manager's Report: Interim City Manager Holbrook reports that the Service Department and staff have scheduled a meeting with Mid-West Roofing to complete paperwork and discuss the project. The Notice to Proceed will be completed at that time.

The contract documents with Atkins and Stang Inc. has a pre-construction meeting Friday. The Notice to Proceed should be executed shortly thereafter. The generator has been ordered.

Osborne Construction has completed work on the second and third floor restrooms.

The painting of the Municipal Building offices will be completed within the next two weeks.

The Wastewater Department has no projects at this time. Operation continues as usual.

The Water Department produced 6.3 MG from May 4th through May 16th.

The Lime Lagoon cleaning is on schedule and should be completed by June 19th. Water Supervisor Matt Newman is working with Strand to complete the final OPWC application for the SCADA System. We anticipate advertising for bids in Mid-July for the project.

Other Items: The State Department of Transportation is to open bids on the project for SR 28 at I-275 to Castleberry CT. on June 2, 2011. The utility work for the project is being performed at this time. We received a plaque of appreciation from the Little Miami Incorporated on Monday evening at the 44th Annual Scenic River Conservation Dinner. We would like to begin working on a Small Business Incentive Program. Staff would like to work on a proposal to bring to the Community Development Committee for their review.

.Committee Meetings

Community Dev. Thursday, May 26, 2011 6:00 p.m.

Reminders

City-Wide Yard Sale May 20 through May 22, 2011
 Community Shred Day Saturday May 21, 2011 (at Batavia)
 Milford Gun Club Corporate Shoot Friday, June 24, 2011 from 11:00 a.m. – 4:00 p.m.
 Bd. of Zoning Appeals Thursday, May 26, 2011 7:00 p.m.
 Memorial Day Parade Monday, May 30, 2011 9:30 a.m.
 Frontier Days Thursday June 2nd through Sunday June 5th
 Planning Commission Wednesday, June 8, 2011 6:00 p.m.
 Parks & Recreation Wednesday, June 8, 2011 5:00 p.m.
 Citizens Housing Monday, June 20, 2011 7:00 p.m.
 BZA Thursday, June 23, 2011 7:00 p.m.
 Administrative Offices closed on Monday, May 30, 2011 – Memorial Day

Police Report: Chief Mills distributed the monthly Police Report to Council. The Chief stated that Promotions for Sergeant are in progress. There will also be hiring part-time officers. Retiring officers Asa Burroughs and Ralph Hodges received awards for their service as police officers at the Clermont County Police banquet on May 19th. Chief Mills said that Car 3 is out of commission with a gas tank leak.

Fire/EMS: Chief Cooper distributed the monthly Fire and EMS report to Council. He stated that the department has been busy preparing for Frontier Days and the Parade.

Public/Council Comments: Mayor Vilardo, Jr. announced the Laurie Walter would return to the Parks & Recreation Committee as the Council Representative.

New Business:

Ordinances and Resolution

- 11-872 An Ordinance authorizing the City Manager to enter into a Contract with Fields Excavating for the Storm Sewer Phase A and C project in an amount not to exceed \$615,852.46. Ms. Brewer made the motion to suspend the rules and read by title only, seconded by Ms. Walter. All voted yes. Ms. Brewer made the motion to adopt, seconded by Mr. Pittman. All voted yes.
- 11-873 An Ordinance authorizing the City Manager to enter into a Contract with Rumpke to extend the Garbage Contract for two years at the rate of \$9.55 for waste and \$2.80 for recycling. The total new rate would be \$12.35 per unit. Ms. Brewer made the motion to suspend the rules and read by title only, seconded by Ms. Walter. All voted yes. Ms. Brewer made the motion to adopt, seconded by Mr. Pittman. All voted yes.
- 11-874 An Ordinance to amend Appropriations Ordinance 10-832. Increasing appropriations for the Capital Improvement Fund 415 in the amount of \$74,400. Ms. Brewer made the motion to adopt, seconded by Mr. Pittman. All voted yes.
- 11-875 An Ordinance authorizing the City Manager to enter into a contract with LTD Landscaping to Make Gateway Improvements at US 50/SR 126 in the amount of \$13,200. Ms. Brewer made the motion, seconded by Mr. Pittman. All voted yes. Ms. Hinnners made the motion to adopt, seconded by Mr. Pittman. Voting yes: Ms. Hinnners, Ms. Walter, Mr. Pittman, Ms. Evans and Ms. Brewer. Voting no: Mayor Vilardo, Jr. and Mr. Lykins.
- 11-876 An Ordinance authorizing the City Manager to enter into a contract with Argonaut Insurance for Property and Casualty Insurance in an amount not to exceed \$49,400. Ms. Brewer made the motion to suspend the rules and read by title only, seconded by Mr. Pittman. All voted yes. Mr. Pittman made the motion to adopt, seconded by Mr. Lykins. 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 8:20 p.m. to enter into Executive Session for Personnel reasons. Council returned to regular session at 8:35 p.m. with a motion to adjourn from Mr. Pittman, seconded by Mr. Lykins. All voted yes.

Joanne Trilety, Clerk

Ralph J. Vilaro, Jr. Mayor