

Administrative Services Committee  
February 18, 2019  
Minutes

Lisa Evans called the meeting to order at 4:30pm

Committee Members Present: Kim Chamberland, Lisa Evans  
Staff: Michael Doss, City Manager; Lori Pegg, Community Services Manager

**Transfer of Right of Way Property at 5 Water Street**

Mr. Doss presented a request from Beauty Ridge LLC for a transfer of a portion of the public right away south of the 5 Water Street property that they have purchased and plan to demolish. The preliminary redevelopment plans include a new multi-story, masonry veneered building with a mixed-use concept to replace the current building that is in very poor aesthetic condition. The demolition site plan application was submitted for review on January 8, 2019. Beauty Ridge expects this transfer of right of way to enhance the development for the betterment of the City, its businesses and residents alike by improving the view of vehicular and pedestrian traffic over the bridge as well as recreational traffic in the Little Miami River and along the Bike Trail.

The Law Director and staff have determined this property is of no value to the City as it was an easement for the former bridge that was demolished and replaced.

***The Committee agreed to make a motion to approve a Right of Way transfer at 5 Water Street to Beauty Ridge LLC***

**MCFD Fire Department Grant Application**

On behalf of Captain Nick Thiele of the Milford Community Fire Department, Mr. Doss presented a grant application that they would like to submit to the Ohio Department of Commerce that will fund six new radios and equipment. The total amount requested in the grant is \$14,947.83.

The City of Milford is applying for the grant on behalf of the Milford Community Fire Department and the grant amount will enter the city's books as revenue, with a corresponding expense distribution for the equipment.

***The Committee agreed to make a motion authorizing the Law Director to prepare an ordinance authorizing 2019 appropriations amending ordinances 18-1413 and 19-1422 in the amount of \$14,947.83 or grant amount contingent on Ohio Department of Commerce approval of Milford Community Fire Department equipment grant application.***

**Milford First United Methodist Church Use of Easement Area**

The Methodist Church received approval from Planning Commission to operate a child daycare center at their church property. As part of the state licensing requirement for the daycare, they must provide a play area for the children. They would like to use an area of approximately 2200 square feet immediately behind the church building. The area they are proposing lies within an easement, and they are requesting City Council grant the church a license to operate the daycare play area within the easement area.

Staff spoke with the Law Director and he indicated that City Council could grant a license to the Methodist Church allowing them to use the easement area. He did not recommend dissolving the easement. Police and Fire Services did not see any issues locating the play area in the easement. As part of the Planning Commission approval several conditions were added:

1. The Church will need to provide a letter from St. Andrews Church giving them permission to place the play area in the easement. (see attached letter)
2. Request a license from City Council to allow the use of the easement area. Police and Fire Services did not see any issues locating the play area in the easement.

The committee discussed what would happen with the easement when/if the daycare goes out of business. Would the City be left with pavement that needed to be replaced, or would they restore the easement to its original condition? After reviewing the original easement agreement it was determined that as agreed upon in easement (b) A non-exclusive perpetual easement for purposes of ingress and egress by vehicular and pedestrian travel and for all customary roadway purposes on, over, upon and across a 20 foot wide strip of land (the "easement area"). Grantor (MFUMC), at its sole cost and expense, shall construct, reconstruct, repair and maintain the roadway within the Easement area, that the grantor shall be responsible for returning the easement to its original condition.

***The Committee agreed to make a motion authorizing a license agreement with the Milford United Methodist Church permitting the use of the 20' Ingress/Egress easement as a child play area.***

**Additional Business appropriate to come before the committee**

There was no additional business

Ms. Evans made a motion to adjourn and Ms. Chamberland seconded, the meeting was adjourned at 4:48pm.

Respectfully Submitted,

Lori Pegg

# **PUBLIC NOTICE**

## **AGENDA**

### **ADMINISTRATIVE SERVICES COMMITTEE MEETING**

*Chair: Ed Brady*

*Committee Members: Lisa Evans and Kim Chamberland*

**Friday, February 15, 2019 at 4:30 p.m.**

**Council Chambers, 745 Center Street, Milford, Ohio 45150**

- Transfer of Right of Way Property at 5 Water Street
- MCFD Fire Grant Application
- 2019 Budget Appropriation Amendment – MCFD Fire Grant
- And all additional matters that may properly come before the committee

## Beauty Ridge, LLC

750 US HWY 50  
MILFORD, OH 45150-9702  
PHONE: (513) 831-7766  
FAX: (513) 831-7968

January 9, 2019

City of Milford  
Attn: Ms. Pam Holbrook, Assistant City Manager  
745 Center Street  
Milford, OH 45150  
pholbrook@milfordohio.org

RE: Water Street – Right of Way Transfer Request

Dear Ms. Holbrook:

Please consider this a formal request by Beauty Ridge LLC for City of Milford's consideration in transferring a portion of the public Right Of Way south of the 5 Water Street property to Beauty Ridge. The approximate area is identified as a highlighted red area in the enclosed survey, consisting of around 0.078 acres of abandoned pavement approach that previously accessed the iron bridge that was demolished several decades ago. South of the subject area towards Water Street/US 50 would remain City ROW that includes a landscaped strip and encompasses a water service and hydrant, traffic control equipment, etc. Since the current concrete bridge has been in service, the subject area has largely gone unused, representing unnecessary maintenance expenses being borne by the City. Beauty Ridge will certainly cooperate with the City to finalize the meets and bounds of this area that would be conducive to preserving access to existing utilities and other infrastructure needs the City may require.

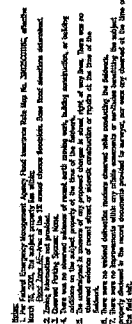
Beauty Ridge intends to raze the existing former garage & gas station building at 5 Water Street that co-bookends the west gateway entrance into historic downtown Milford which is in very poor aesthetic condition. The preliminary redevelopment plans include a new multi-story, masonry veneered building with a mixed use concept. The demolition site plan application was submitted for zoning review on January 8, 2019. The proposed ROW transfer would enhance this development for the betterment of the City, its businesses and residents alike by improving the view shed of vehicular and pedestrian traffic over the bridge as well as recreational traffic in the Little Miami River and along the bike trail. Although a firm development schedule is not available at this time, it is anticipated that the building will be demolished in the next twelve months with new construction to follow.

We look forward to receiving consideration from the City and beginning the process for this request. Please do not hesitate to contact me with any questions.

Respectfully submitted,



Wm. Hank Roe  
Manager



10/27/2018  
10/27/2018

DEK  
 Water Street  
 404-234-2000  
 City of Millard  
 Cleveland County, Ohio  
 800-2-ILLINOIS

**GPS Surveying • 3D Laser Scanning**  
241 Adams Street | Walnut, OH 45226 | [www.bentley.com/surveying](http://www.bentley.com/surveying)  
513.223.0414 fax | 513.223.0244  
Copyright © 2013 G.T. Bentley Systems, Inc. All rights reserved.

request are serious as such, underground utilities names as being  
other record are shown based on our interpretation of the records  
that were provided by the Utility Companies who responded to the  
DPS request for records. Berding Surveying cannot verify the  
accuracy of the records provided.

[illegible]

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114  
115  
116  
117  
118  
119  
120  
121  
122  
123  
124  
125  
126  
127  
128  
129  
130  
131  
132  
133  
134  
135  
136  
137  
138  
139  
140  
141  
142  
143  
144  
145  
146  
147  
148  
149  
150  
151  
152  
153  
154  
155  
156  
157  
158  
159  
160  
161  
162  
163  
164  
165  
166  
167  
168  
169  
170  
171  
172  
173  
174  
175  
176  
177  
178  
179  
180  
181  
182  
183  
184  
185  
186  
187  
188  
189  
190  
191  
192  
193  
194  
195  
196  
197  
198  
199  
200  
201  
202  
203  
204  
205  
206  
207  
208  
209  
210  
211  
212  
213  
214  
215  
216  
217  
218  
219  
220  
221  
222  
223  
224  
225  
226  
227  
228  
229  
230  
231  
232  
233  
234  
235  
236  
237  
238  
239  
240  
241  
242  
243  
244  
245  
246  
247  
248  
249  
250  
251  
252  
253  
254  
255  
256  
257  
258  
259  
260  
261  
262  
263  
264  
265  
266  
267  
268  
269  
270  
271  
272  
273  
274  
275  
276  
277  
278  
279  
280  
281  
282  
283  
284  
285  
286  
287  
288  
289  
290  
291  
292  
293  
294  
295  
296  
297  
298  
299  
300  
301  
302  
303  
304  
305  
306  
307  
308  
309  
310  
311  
312  
313  
314  
315  
316  
317  
318  
319  
320  
321  
322  
323  
324  
325  
326  
327  
328  
329  
330  
331  
332  
333  
334  
335  
336  
337  
338  
339  
340  
341  
342  
343  
344  
345  
346  
347  
348  
349  
350  
351  
352  
353  
354  
355  
356  
357  
358  
359  
360  
361  
362  
363  
364  
365  
366  
367  
368  
369  
370  
371  
372  
373  
374  
375  
376  
377  
378  
379  
380  
381  
382  
383  
384  
385  
386  
387  
388  
389  
390  
391  
392  
393  
394  
395  
396  
397  
398  
399  
400  
401  
402  
403  
404  
405  
406  
407  
408  
409  
410  
411  
412  
413  
414  
415  
416  
417  
418  
419  
420  
421  
422  
423  
424  
425  
426  
427  
428  
429  
430  
431  
432  
433  
434  
435  
436  
437  
438  
439  
440  
441  
442  
443  
444  
445  
446  
447  
448  
449  
450  
451  
452  
453  
454  
455  
456  
457  
458  
459  
460  
461  
462  
463  
464  
465  
466  
467  
468  
469  
470  
471  
472  
473  
474  
475  
476  
477  
478  
479  
480  
481  
482  
483  
484  
485  
486  
487  
488  
489  
490  
491  
492  
493  
494  
495  
496  
497  
498  
499  
500  
501  
502  
503  
504  
505  
506  
507  
508  
509  
510  
511  
512  
513  
514  
515  
516  
517  
518  
519  
520  
521  
522  
523  
524  
525  
526  
527  
528  
529  
530  
531  
532  
533  
534  
535  
536  
537  
538  
539  
540  
541  
542  
543  
544  
545  
546  
547  
548  
549  
550  
551  
552  
553  
554  
555  
556  
557  
558  
559  
560  
561  
562  
563  
564  
565  
566  
567  
568  
569  
570  
571  
572  
573  
574  
575  
576  
577  
578  
579  
580  
581  
582  
583  
584  
585  
586  
587  
588  
589  
590  
591  
592  
593  
594  
595  
596  
597  
598  
599  
600  
601  
602  
603  
604  
605  
606  
607  
608  
609  
610  
611  
612  
613  
614  
615  
616  
617  
618  
619  
620  
621  
622  
623  
624  
625  
626  
627  
628  
629  
630  
631  
632  
633  
634  
635  
636  
637  
638  
639  
640  
641  
642  
643  
644  
645  
646  
647  
648  
649  
650  
651  
652  
653  
654  
655  
656  
657  
658  
659  
660  
661  
662  
663  
664  
665  
666  
667  
668  
669  
670  
671  
672  
673  
674  
675  
676  
677  
678  
679  
680  
681  
682  
683  
684  
685  
686  
687  
688  
689  
690  
691  
692  
693  
694  
695  
696  
697  
698  
699  
700  
701  
702  
703  
704  
705  
706  
707  
708  
709  
710  
711  
712  
713  
714  
715  
716  
717  
718  
719  
720  
721  
722  
723  
724  
725  
726  
727  
728  
729  
730  
731  
732  
733  
734  
735  
736  
737  
738  
739  
740  
741  
742  
743  
744  
745  
746  
747  
748  
749  
750  
751  
752  
753  
754  
755  
756  
757  
758  
759  
760  
761  
762  
763  
764  
765  
766  
767  
768  
769  
770  
771  
772  
773  
774  
775  
776  
777  
778  
779  
780  
781  
782  
783  
784  
785  
786  
787  
788  
789  
790  
791  
792  
793  
794  
795  
796  
797  
798  
799  
800  
801  
802  
803  
804  
805  
806  
807  
808  
809  
810  
811  
812  
813  
814  
815  
816  
817  
818  
819  
820  
821  
822  
823  
824  
825  
826  
827  
828  
829  
830  
831  
832  
833  
834  
835  
836  
837  
838  
839  
840  
84



## Commerce - Grants

### FIRE DEPARTMENT INDIVIDUAL EQUIPMENT GRANT APPLICATION

APPLICATION YEAR: 2019 DEADLINE: 02/28/2019

Please gather all information prior to application entry. Once you start the application, the information entered cannot be saved and if you exit out of the application you will lose all information previously entered. The application must be answered completely to be considered for grant funds and submitted no later than 02/28/2019.

The following document links are provided to assist you with the grant application:

[Additional Instructions and Conditions for the Equipment Grant](#)

[Individual Equipment Grant Scoring](#)

Throughout the application there are "click here" and "more info" drop fields to provide assistance when completing the application.

All questions concerning the Equipment Grant should be forwarded to (800) 515-0023.

**NOTE:** ALL fields in this form are REQUIRED (except Equipment Worksheet Items, only as needed).

#### PURPOSE OF GRANT

The Ohio Department of Commerce Division of State Fire Marshal (SFM) has the availability of grant funding for eligible recipients to purchase equipment such as: firefighting or rescue equipment, or other equipment the fire department may need to provide effective fire protection services.

#### APPLICANT TYPE [\(more info\)](#)

--Select Applicant Type--

#### FIRE DEPARTMENT INFORMATION [\(more info\)](#)

13-015

#### Fire Department Identification Number (FDID)

MILFORD COMMUNITY FIRE DEPT.

Fire Department Name

11 Number of full time paid firefighters associated with the eligible recipient.

21 Number of firefighters that are part time or paid per call or stipend.

0 Number of firefighters who receive no compensation.

☒ YES ☐ NO In accordance with the Ohio Revised Code Section 3737.24, has the fire department reported fire incidents to the State Fire Marshal for the entire calendar year 2018?

☒ YES ☐ NO If applicable, is your fire department in compliance with the VFDF in accordance with the Ohio Revised Code Chapter 146?

☐ YES ☒ NO Was the eligible recipient's fire department in a jurisdiction where the Governor declared a natural disaster?

#### APPLICATION CONTACT INFORMATION [\(more info\)](#)

First Name: NICK

Last Name: THIELE

Title: CAPTAIN

Daytime/Cell Telephone: 513.831.7777

Email: NTHIELE@MLFD71.ORG

#### FIRE DEPARTMENT / GOVERNMENT ENTITY INFORMATION [\(more info\)](#)

6700 Total resident population receiving primary fire protection services.

Source of your population figure (check where appropriate):

☐ Census ☐ Fire Department Estimate ☒ Government Agency ☐ Other

4

Total area, in square miles, the eligible recipient provides primary fire protection.

taxes and fire protection contracts, as well as from fund raising and donations used for operating expenses. Do not include capital expenses for new trucks, buildings, or EMS budgets: \$1,906,602

For primary protection area, list the total number of fire incidents/calls/responses requiring a NFIRS report in the following categories for the calendar year 2018:

28 Structure 6 Vehicle 5 Wildland

##### Eligible recipient's Federal Taxpayer ID Number (i.e. 31-1234567).

31-0992725

#### FINANCIAL OFFICER INFORMATION [\(more info\)](#)

☐ Fire Department ☒ Government Entity Identity of Eligible Financial Officer.

First Name: PATRICIA

Last Name: WIRTHLIN

Title: DIRECTOR OF FINANCE

Address: 745 CENTER ST SUITE 200

City: MILFORD

State: Ohio

Zip: 45150

Daytime/Cell Telephone: (614) 246-5083

Email: PWIRTHLIN@MILFORDOHIO.ORG

#### EQUIPMENT WORKSHEET [\(more info\)](#)

#### TOTAL AMOUNT REQUESTED:

##### PERSONAL PROTECTIVE EQUIPMENT

Item	Unit Cost	Quantity	Total Cost
<a href="#">Edit</a> Helmet (NFPA 1971, 2018 edition)	\$0.00	0.00	\$0.00
<a href="#">Edit</a> Eye Shields (NFPA 1971, 2018 edition)	\$0.00	0.00	\$0.00
<a href="#">Edit</a> Nomex or PBI Hood (NFPA 1971, 2018 edition)	\$0.00	0.00	\$0.00
<a href="#">Edit</a> Bunker Coats (NFPA 1971, 2018 edition)	\$0.00	0.00	\$0.00
<a href="#">Edit</a> Bunker Pants & Suspenders (NFPA 1971, 2018 edition)	\$0.00	0.00	\$0.00
<a href="#">Edit</a> Boots (NFPA 1971, 2018 edition)	\$0.00	0.00	\$0.00
<a href="#">Edit</a> Gloves - firefighting (NFPA 1971, 2018 edition)	\$0.00	0.00	\$0.00
<a href="#">Edit</a> Washer/Dryer Units (NFPA 1851, 2014 edition covers cleaning but does not specifically set a standard for W/D)	\$0.00	0.00	\$0.00
<a href="#">Edit</a> Other, describe:	\$0.00	0.00	\$0.00
			Total: \$0.00

##### SCBA

Item	Unit Cost	Quantity	Total Cost
<a href="#">Edit</a> Personal Alarm Safety System (PASS) Devices (NFPA 1982, 2018 edition)	\$0.00	0.00	\$0.00
<a href="#">Edit</a> Self Contained Breathing Apparatus (SCBA) (NFPA 1852, 2019 edition for Selection and NFPA 1981, 2019 edition for pack specs.)	\$0.00	0.00	\$0.00
<a href="#">Edit</a> Individual SCBA Face piece (NFPA 1981, 2019 edition)	\$0.00	0.00	\$0.00
<a href="#">Edit</a> SCBA Cylinders (NFPA 1981, 2019 edition)	\$0.00	0.00	\$0.00
<a href="#">Edit</a> SCBA Voice Amplifiers (NFPA 1981, 2019 edition)	\$0.00	0.00	\$0.00
<a href="#">Edit</a> SCBA Eye Glass Holders (NFPA 1981, 2019 edition)	\$0.00	0.00	\$0.00
<a href="#">Edit</a> Other, describe:	\$0.00	0.00	\$0.00
			Total: \$0.00

##### COMMUNICATIONS

Item	Unit Cost	Quantity	Total Cost
<a href="#">Edit</a> Portable Radio (P25 Compliant)	2005.43	6	12,032.58
<a href="#">Edit</a> Portable Repeaters	\$0.00	0.00	\$0.00
<a href="#">Edit</a> Radio Interconnect System	\$0.00	0.00	\$0.00
<a href="#">Edit</a> Portable Radio Support Equipment, including Battery Chargers and Battery Conditioners	126.75	23	2,915.25
<a href="#">Edit</a> Mobile Radios for Fire Department vehicles (P25 Compliant)	\$0.00	0.00	\$0.00
<a href="#">Edit</a> Pagers	\$0.00	0.00	\$0.00

<a href="#">Edit</a>	Other, describe:	\$0.00	0.00	\$0.00
				Total: \$0.00

MISCELLANEOUS				
	Item	Unit Cost	Quantity	Total Cost
<a href="#">Edit</a>	Rescue Saws/Chain Saws	\$0.00	0.00	\$0.00
<a href="#">Edit</a>	Extrication tools including spreaders, cutters, rams, etc. (N/A) (NFPA 1936, 2015 edition)	\$0.00	0.00	\$0.00
<a href="#">Edit</a>	Reciprocating Saws	\$0.00	0.00	\$0.00
<a href="#">Edit</a>	Portable Generator	\$0.00	0.00	\$0.00
<a href="#">Edit</a>	Hand Tools (Halligans, axes, pry bars, etc.)	\$0.00	0.00	\$0.00
<a href="#">Edit</a>	Ropes (Rescue & Individual Safety and Hardware) (NFPA 1983, 2017 edition)	\$0.00	0.00	\$0.00
<a href="#">Edit</a>	Hose (NFPA 1961 Fire Hose, 2013 edition & 1963 Connectors, 2014 edition)	\$0.00	0.00	\$0.00
<a href="#">Edit</a>	Nozzles (NFPA 1964, 2018 edition)	\$0.00	0.00	\$0.00
<a href="#">Edit</a>	Smoke Ejector - PPV Blower / Fan	\$0.00	0.00	\$0.00
<a href="#">Edit</a>	Portable Fire Pumps	\$0.00	0.00	\$0.00
<a href="#">Edit</a>	Portable Water Tanks	\$0.00	0.00	\$0.00
<a href="#">Edit</a>	Thermal imaging Camera (NFPA 1801, 2018 edition)	\$0.00	0.00	\$0.00
<a href="#">Edit</a>	Gas Monitoring Device	\$0.00	0.00	\$0.00
<a href="#">Edit</a>	Portable lighting, lanterns, flashlights, etc.	\$0.00	0.00	\$0.00
<a href="#">Edit</a>	Other, describe:	\$0.00	0.00	\$0.00
				Total: \$0.00

TOTAL AMOUNT REQUESTED:

\$14,947.83

CERTIFICATION INFORMATION [\(less info\)](#)

Certification -- application must be certified by the chief of the fire department and when applicable, the person authorized to act on behalf of the township or municipal corporation validating the information is true and accurate. Completion of the Government Entity is required for government entities contracting with a private fire company.

☐ Fire Department ☒ Government Entity Identity of Certifier.

First Name: MICHAEL

Last Name: DOSS

Title: CITY MANAGER

Address: 745 CENTER ST SUITE 200

City: MILFORD

State:

Zip: 45150

Daytime/Cell Telephone: (513) 834-4191/2

Email: MDOSS@MILFORDOHIO.ORG

☐ CERTIFICATION: By marking the circular box and submitting the application, I certify that the information contained in this application is correct to the best of knowledge and that the fire department or political subdivision represented has the intention to complete this project should the grant be awarded. Falsifying information on this application may result in rejection of the application.



NOTICE: Prior to submitting your application, please type the special code from the image.

[Submit Application](#)





## CITY OF MILFORD

745 Center Street, Suite 200, Milford, OH 45150

Phone: 513-831-4192

Fax: 513-248-5096

www.milfordohio.org



---

**To:** Honorable Chair Ed Brady and Members Lisa Evans and Kim Chamberland  
Administrative Services Committee

**From:** Pat Wirthlin, Finance Director *PW*

**Date:** February 13, 2019

**Subject:** 2019 Appropriation Amendment for MCFD Grant \$14,947.83

---

### Staff Suggestion for Committee Motion

MOTION AUTHORIZING THE LAW DIRECTOR TO PREPARE AN ORDINANCE AUTHORIZING 2019 APPROPRIATIONS AMENDMENING ORDINANCES 18-1413 AND 19-1422 IN THE AMOUNT OF \$14,947.83 OR GRANT AMOUNT CONTINGENT ON OHIO DEPARTMENT OF COMMERCE APPROVAL OF MILFORD COMMUNITY FIRE DEPARTMENT EQUIPMENT GRANT APPLICATION.

### Net Effect \$0

On behalf of Milford Community Fire Department, the City is applying for an equipment grant from Ohio Department of Commerce (ODOC) in the amount of \$14,947.83. Upon ODOC approval, the grant funds would enter the City's books as revenue, with a corresponding expense distribution for the equipment. The net effect on the budget is zero.

### Appropriation is Necessary

The grant expense will call for an appropriation that is not in the budget. For this reason, Staff is requesting an appropriation in the amount of \$14,947.83, contingent on grant approval. This assures compliance with State appropriation standards.



# City of Milford

General Administration  
831-4192  
248-5096 FAX

745 Center Street, Suite 200, Milford, Ohio 45150

[www.milfordohio.org](http://www.milfordohio.org)

To: Administrative Services Committee

From: Pam Holbrook, Assistant City Manager

Date: 2/14/2019

Re: Methodist Church Request to use Easement Area

The Methodist Church received approval from Planning Commission to operate a Child Daycare Center at their church property. The Church would like to place the play area behind the building. (See Sheet 3). The proposed play area would be located in a 20' Ingress/Egress Easement area.

In 2001 the Church requested approval to construct an addition to their building located at 541 Main Street. Sheet 5 shows the existing conditions at that time. The driveway between Maple Street and the Back Alley was known as Beech Street. City Council passed an Ordinance in 2001 vacating Beech Street. (See ATTACH 1) As a condition of the vacation of Beech Street, City Council required the Methodist Church to grant a 20-foot Ingress/Egress Easement to the Catholic Church; the easement extended from Maple Avenue to the Back Alley. (See ATTACH 2) Sheet 6 shows the 20' Ingress/Egress Easement as it appeared on the Site Plan drawing approved by Planning Commission in 2001.

Staff spoke with the Law Director and he indicated that City Council could grant a license to the Methodist Church allowing them to use the easement area. He did not recommend dissolving the easement. Police and Fire Services did not see any issues locating the play area in the easement.

As a part of the Planning Commission approval several conditions were added:

1. The Church will need to provide a letter from St. Andrew's Church giving permission to place the play area in the easement. (See attached letter)
2. Request a license from City Council to allow use of the easement area. Police and Fire Services did not see any issues locating the play area in the easement.

Staff would ask the Committee to consider recommending that City Council approve a License Agreement with the Methodist Church permitting the use of the 20' Ingress/Egress Easement as a Child play area.



*BUILDING BRIDGES:*  
*Connecting People to Hope in Christ*  
541 Main Street • Milford • Ohio • 45150

February 14, 2019

Milford City Council  
745 Center Street  
Suite 200  
Milford, Ohio 45150

Dear Council,

Milford First United Methodist Church, located at 541 Main Street here in Milford, wishes to operate a daycare center within the existing facility. One of the requirements we must meet in order to obtain licensure from the State is that we must provide an outside play area for the children. We are proposing to use an area of approximately 2200 square feet immediately behind the church building. As the area we are proposing lies within an easement, we are requesting that City Council consider granting the church a license to operate the daycare play area within the easement area.

If you require additional information, feel free to contact me through the church at the number shown below. Thank you for your consideration of this request.

Sincerely,



Dean R. Judkins  
Church Administrator

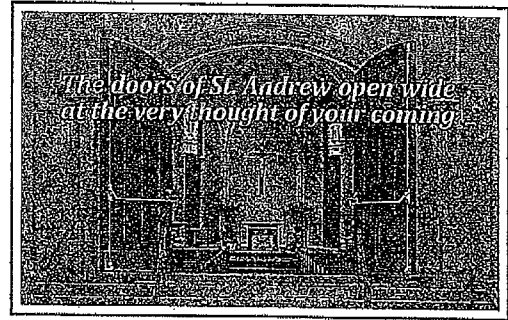
Cc: Pastor Steven Rodgers

*Steven Rodgers*  
*Lead Pastor*

[www.milfordfirstumc.org](http://www.milfordfirstumc.org)

# *Saint Andrew the Apostle Catholic Church*

552 Main Street  
Milford, Ohio 45150  
phone: 513-831-3353  
fax: 513-831-6597  
e-mail: [office@standrew-milford.org](mailto:office@standrew-milford.org)  
[www.standrew-milford.org](http://www.standrew-milford.org)



*Established 1854*

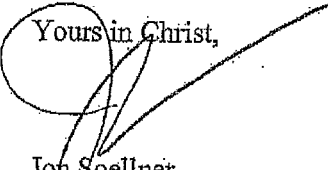
February 12, 2019

City of Milford  
745 Center Street  
Milford, Ohio 45150

City of Milford:

St. Andrew Church has no objection to the proposed use by Milford First United Methodist for the addition of a play area to be installed on their property. St. Andrew Church is aware of an existing easement between the Churches and has no issue with the Methodist Church installing a play area in this area. Please feel free to contact me if you have any further questions or need any other information.

Yours in Christ,

  
Jon Soellner  
Business Manager



# RECORD OF ORDINANCES

ATTACH 1

Dayton Legal Blank Co.

Form No. 80043

Ordinance No. 01-115

Passed June 5, 2001  
YEAR

AN ORDINANCE AUTHORIZING THE VACATION OF BEECH STREET AND WATER STREET BETWEEN MAPLE AVENUE AND BACK ALLEY IN THE CITY OF MILFORD.

WHEREAS, the Milford First United Methodist Church has petitioned the City of Milford to vacate a portion of Beech Street and a portion of Water Street between Maple Avenue and Back Alley; and,

WHEREAS, the Council of the City of Milford is satisfied that there is good cause for such vacation and that it would not be detrimental to the general interest;

Now, Therefore, Be It Ordained By The Council Of The Municipality Of Milford, Ohio:

## Section 1.

The Council of the City of Milford hereby vacates that portion of Beech Street and Water Street between Maple Avenue and Back Alley as is more particularly described and set forth on the attachments hereto identified as Exhibit A and Exhibit B which Exhibits shall be and hereby are fully incorporated herein as if fully rewritten herein pursuant to and in accordance with Section 12.03 of the Milford City Charter.

## Section 2.

The vacation authorized herein is in consideration of, contingent upon and subject to the following conditions:

- A. The Milford First United Methodist Church (Church) shall relocate the fire hydrant to Maple Street on the west side of the building and extend a new water line and fire hydrant down Back Alley to the east side of the building.
- B. Parking shall be prohibited on Back Alley.
- C. The relocation and/or installation of all utility poles for electricity, telephone and cable service shall be at the sole expense of the Church.
- D. With the exception of driveways on an approved site plan, Maple Avenue shall have vertical curbs according to the City's standard which shall include the current Beech Street area on the east side of Maple Avenue.
- E. The Site plan for the Church addition submitted by the Church is approved by the Milford Planning Commission.

## Section 3.

This Ordinance shall be in full force and effect at the earliest time allowed by the law.

ADOPTED: June 5, 2001

ATTESTED:

Joan Barrons-Sweeney, Clerk

Craig Kolb, Mayor

## LAW DIRECTOR'S CERTIFICATION

I hereby certify that I have prepared the foregoing Ordinance in accordance with Sec. 12.02 of the Milford City Charter.

Michael Minniear  
Law Director

# RECORD OF ORDINANCES

Davton Legal Blank Co.

Form No. 30043

Ordinance No. 01-115

Passed

June 5 2001

YEAR

## CLERK'S CERTIFICATION

I Joan Barrons-Sweeney, Clerk of Council of the City of Milford, Ohio, do hereby certify that the foregoing Ordinance was published by posting the complete text of said Ordinance at five (5) of the most public places in said Municipality as determined by Council as follows: at National Bank & Trust, 735 Lila Avenue, Milford, Ohio; at Clermont Savings Bank, 25 Main in Street, Milford, Ohio; at Key Bank, 301 Main Street, Milford, Ohio; at the Milford Post Office, 100 Castleberry Court, Milford, Ohio; and at the site of the Municipal Building, 745 Center St., Milford, Ohio each for a period of fourteen (14) days commencing on the 7<sup>th</sup> day of June, 2001.



Joan Barrons-Sweeney  
Clerk of Council



LANSDALE SURVEYING, INC.  
1008 Main Street (State Route 28)  
Milford, Ohio 45150  
Telephone 831-9970 Fax 831-9971  
e-mail: lansdalesurveying@fuse.net

EXHIBIT A

Jay S. Olberding - President  
Jimmy Lansdale - Retired

May 31, 2001  
99138

**LEGAL DESCRIPTION FOR VACATION OF WATER STREET,  
BETWEEN MAPLE AVENUE AND BACK ALLEY - 0.115 ACRES**

Situated in Nancarro's Military Survey #1748, City of Milford, Milford Township, Clermont County, Ohio and being part of Gatch's Addition to Milford and being more particularly described as follows:

Beginning at the intersection of the easterly right of way line of Maple Avenue with the northerly right of way line of Water Street, said point being South 17° 00' West 160.00 feet from the south right of way line of Beech Street as measured along the easterly right of way line of Maple Avenue; Thence along the northerly right of way line of Water Street South 72° 08' 30" East 125.00 feet to a point in the westerly right of way line of Back Alley; Thence crossing Water Street South 17° 00' West 40.00 feet to a point in the southerly right of way of Water Street and the westerly right of way of Back Alley; Thence along the southerly right of way of Water Street North 72° 08' 30" West 125.00 feet to a point in the easterly right of way of Maple Avenue; Thence along the easterly right of way of Maple Avenue crossing Water Street North 17° 00' East 40.00 feet to the beginning containing 0.115 acres.



LANDSDALE SURVEYING, INC.  
1008 Main Street (State Route 28)  
Milford, Ohio 45150  
Telephone 831-9970 Fax 831-9971  
e-mail: lansdalesurveying@fuse.net

EXHIBIT B

Jay S. Olberding - President  
Jimmy Lansdale - Retired

May 31, 2001  
99138

**LEGAL DESCRIPTION FOR VACATION OF BEECH STREET,  
BETWEEN MAPLE AVENUE AND BACK ALLEY - 0.172 ACRES**

Situated in Nancarro's Military Survey #1748, City of Milford, Milford Township, Clermont County, Ohio and being part of Gatch's Addition to Milford and being more particularly described as follows:

Beginning at an existing Mag nail at the intersection of the northerly right of way line of Beech Street with the easterly right of way line of Maple Avenue; Thence along the northerly right of way of Beech Street (a 60' Right-of-Way) South 72° 08' 30" East 125.00 feet to an existing  $\frac{1}{2}$ " iron pin at the westerly right of way line of Back Alley; Thence crossing Beech Street South 17° 00' West 60.01 feet to a point in the southerly right of way line of Beech Street; Thence along said right of way line North 72° 08' 30" West 125.00 feet to a point in the easterly right of way line of Maple Avenue; Thence crossing Beech Street, North 17° 00' East 60.01 feet to the beginning containing 0.172 acres of land.



## DRIVEWAY EASEMENT

COPY

## KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, MILFORD FIRST UNITED METHODIST CHURCH, an Ohio corporation not-for-profit, (the "Grantor") has requested the City of Milford to vacate that portion of Beech Street between Maple Street and Back Alley;

WHEREAS, Grantor desires to construct an addition to Grantor's existing building to extend over a portion of Beech Street to be vacated; and

WHEREAS, as a condition of the vacation of Beech Street by the City of Milford, Grantor has agreed to grant the easements set forth herein to DANIEL E. PILARCZYK, ARCHBISHOP OF CINCINNATI, TRUSTEE FOR THE CONGREGATION OF ST. ANDREW ROMAN CATHOLIC CHURCH, MILFORD, CLERMONT COUNTY, OHIO (the "Grantee") for the benefit of Grantee's adjoining property;

NOW, THEREFORE, for valuable consideration, receipt of which is hereby acknowledged, Grantor hereby grants to Grantee, the following easements:

- (a) A non-exclusive temporary easement for purposes of ingress and egress by vehicular or pedestrian travel and for all customary roadway purposes on, over, upon and across that portion of Beech Street vacated by the City of Milford. Upon completion of the roadway provided for in subparagraph (b) below, this temporary easement shall terminate.
- (b) A non-exclusive perpetual easement for purposes of ingress and egress by vehicular or pedestrian travel and for all customary roadway purposes on, over, upon and across a twenty (20) foot wide strip of land more particularly described in Exhibit A attached hereto (the "Easement Area"). Grantor, at its sole cost and expense, shall construct, reconstruct, repair and maintain the roadway within the Easement Area. Except for its width, Grantor agrees to construct the roadway within the Easement Area to look in every way like a dedicated street, including, but not limited to, curb cuts on both Maple Avenue and Back Alley, rolled curbs along both sides of the roadway and two-way traffic. Upon completion of the construction of the roadway within the Easement Area, the temporary easement shall terminate. It is understood and agreed between the parties that the roadway within the Easement Area is to be constructed by Grantor at such time as Grantor deems advisable, in its discretion, as part of the construction of Grantor's addition and that upon commencement of the construction of Grantor's addition the temporary easement shall terminate; provided, however, that at no time may Grantor obstruct or terminate the temporary easement prior to the completion of the roadway within the Easement Area, it being the intent

of the parties that Grantee shall at all times have access to its property via one of those routes.

Said temporary and permanent easements shall be for the benefit of the Grantor and Grantee herein, their respective successors in office, heirs, assigns, agents, employees, tenants, visitors, guests, and licensees. Neither the Grantor nor Grantee shall obstruct or permit the obstruction of said easements in any manner whatsoever, and two-way traffic shall be maintained at all times. Grantor, at its sole expense, shall erect "no-parking or standing" signs along the roadway, prohibiting parking within the Easement Area. Either party shall have the right to enforce the no-parking restriction by having the offending motor vehicle towed at the owner's expense

Grantor shall maintain and keep in good repair at its sole expense the current roadway within the temporary easement until such time as said temporary easement is terminated. Grantor shall maintain and keep in good repair at its sole expense the roadway and signs to be constructed within the Easement Area. Such maintenance shall include, but not be limited to, the removal of snow and ice.

Grantor covenants with Grantee that Grantor is the true and lawful owner of the Easement Area and has full power to convey the rights hereby conveyed and does warrant and will defend the same against the claims of all persons, except for easements, reservations, limitations and restrictions of record.

All the covenants, agreements, stipulations, provisions, conditions and obligations contained herein shall be considered as running with the land and shall extend to, bind and inure to the benefit of, as the case may require, the heirs, executors, administrators, successors, successors in office, and assigns of the Grantor and Grantee respectively, as fully as if such words were written whenever reference to the Grantor and Grantee occur in this grant.

IN WITNESS WHEREOF, MILFORD FIRST UNITED METHODIST CHURCH has hereunto set its hand this 3rd day of June, 2001.

Witnesses:

MILFORD FIRST UNITED  
METHODIST CHURCH

Signed and Acknowledged in the Presence of:

Barbara Brigham Antell  
Printed

Name: Barbara Brigham Antell

James J. Antell  
Printed  
Name: James J. Antell

By: Virginia A. Carrington  
VIRGINIA A. CARRINGTON, CHAIRMAN  
BOARD OF TRUSTEES

STATE OF OHIO, COUNTY OF CLERMONT, SS:

The foregoing was acknowledged before me this 3rd day of June, 2001  
by VIRGINIA A. CARRINGTON, CHAIRMAN OF THE TRUSTEES of MILFORD  
FIRST UNITED METHODIST CHURCH, an Ohio corporation not-for-profit, on behalf of said  
corporation.

Barbara Brigham Antell  
Notary Public

Barbara Brigham Antell, Attorney at Law  
NOTARY PUBLIC - STATE OF OHIO  
My commission has no expiration  
date, Section 147.03 O.R.C.



**LANDSDALE SURVEYING, INC.**  
Milford Shopping Center, 875 Lila Ave.  
Milford, Ohio 45150  
Telephone 831-8670 Fax 831-8871  
e-mail: lansdale\_surveying@fuse.net

Jay S. Olberding - President  
Jimmy Lansdale - Retired

January 11, 2001  
99138

**LEGAL DESCRIPTION FOR 20 FOOT  
INGRESS & EGRESS EASEMENT**

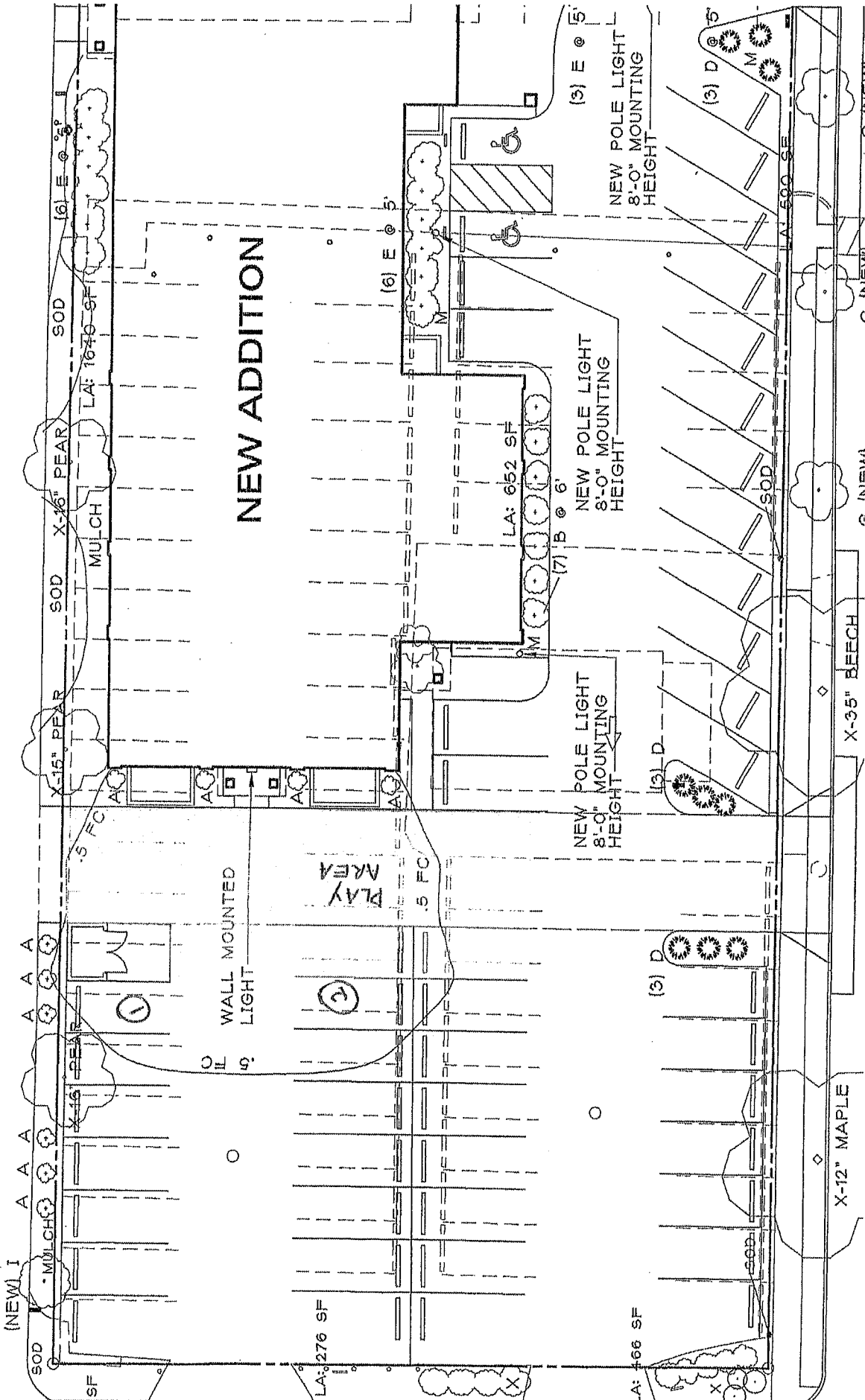
Situated in Nancarrow Military Survey No. 1748, City of Milford, Milford Township, Clermont County, Ohio, and being more particularly described as follows:

Commencing at a  $\frac{1}{4}$ " iron pin set at the intersection of the south right of way line of Lila Avenue with east right of way line of Maple Avenue; Thence going along the east right of way line of Maple Avenue South 17° 00' 00" West 75.11 feet to a point and true place of beginning for this description; Thence leaving the right of way of Maple Avenue South 73° 29' 22" East 124.99 feet to a point in the west right of way line of Back Alley; Thence along said alley South 17° 00' 00" West 20.00 feet to a point; Thence leaving the west right of way line of Back Alley North 73° 29' 22" West 124.99 feet to a point in the east right of way line of Maple Avenue; Thence along said right of way North 17° 00' 00" East 20.00 feet to the place of beginning.

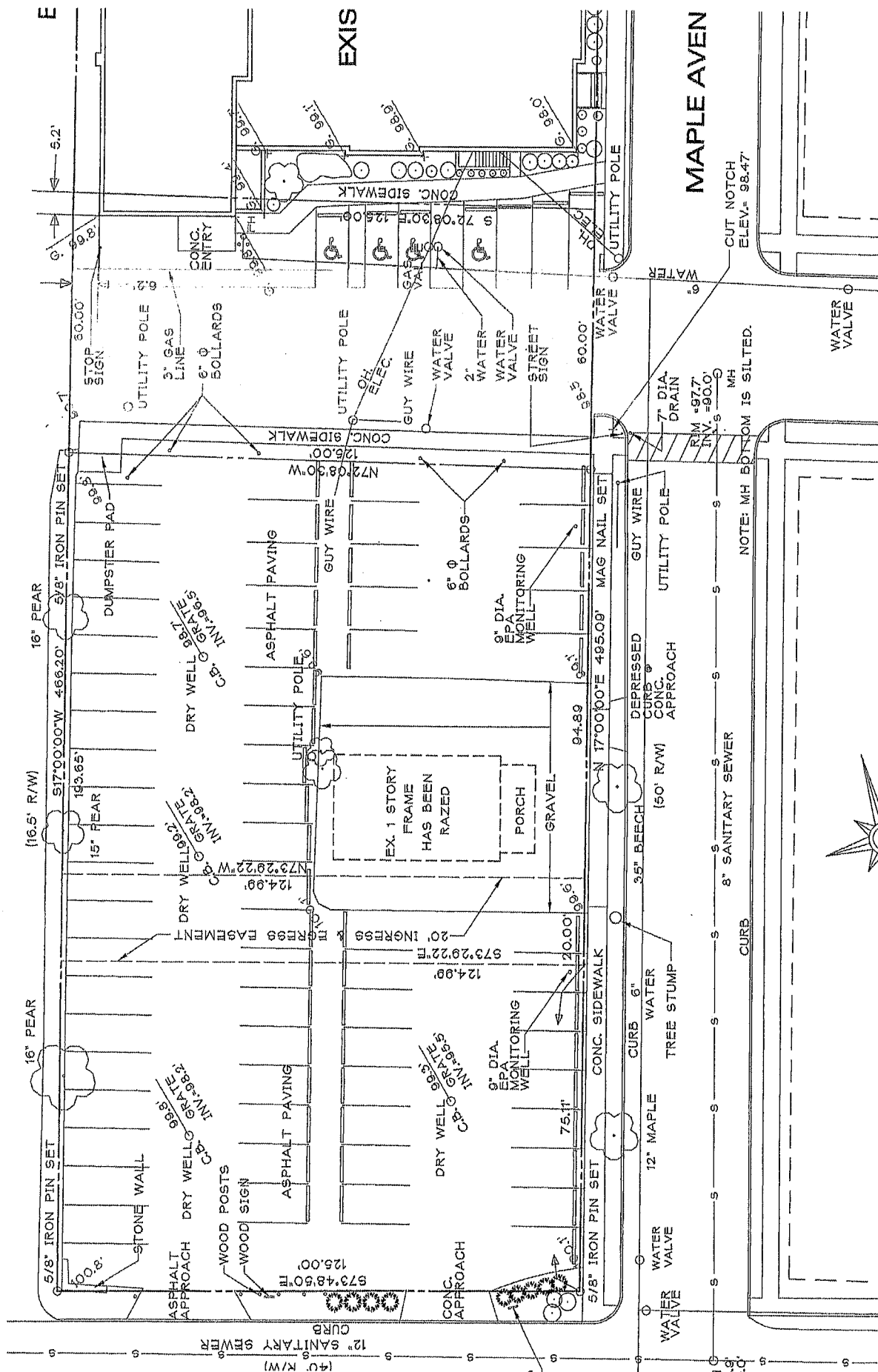
This description is the result of a survey and plat by Lansdale Surveying, Inc. under the supervision of Jay S. Olberding, Professional Surveyor, Ohio Registration #S-7188.

**EXHIBIT A**

# Sheet 3 - Proposed Placement



# Sheet 5 - Drive before Addition



[illegible]

W 8' CONC.