

**Administrative Services Committee
Meeting Minutes
October 3, 2022**

Ms. Russell called the meeting to order at 4:00 p.m.

Present: *Sandy Russell*, Lisa Evans and Kim Chamberland

Staff: City Manager Michael Doss, Law Director Bryan Pacheco and Executive Assistant Jackie Bain

Visitors: Mary Rutledge, Louise Hausman, Chris Komnick, Mike Huseman, Sara Huseman, Dave Michaels

Proceedings: September 16, 2022, Administrative Services Committee meeting Minutes were approved by Ms. Chamberland, Ms. Evans & Ms. Russell

DISCUSSION: A RESOLUTION APPROVING PARTICIPATION IN REGION 14 GOVERNANCE STRUCTURE

City Manager Michael Doss discussed a proposed Resolution approving the Region 14 governance structure for the OneOhio Recovery Foundation which will layout the groundwork for the settlement over the opioid crisis. In May of this year, City Council passed a Resolution appointing Region 14 Foundation Board Representatives. All seven counties in our region have submitted their scorecards for the candidates and the compilation and bylaws were attached and discussed. MCFD District Chief Miles Miller will be on the board representing the municipality with the largest population, City of Milford. The committee members asked if it were possible to have updated information from the foundation brought to their attention with a monthly report. The committee reviewed and accepted the OneOhio Region 14 Structure information.

THE COMMITTEE AGREED TO RECOMMEND APPROVING THE RESOLUTION FOR THE PARTICIPATION IN REGION 14 GOVERNANCE STRUCTURE

DISCUSSION: EXPANSION OF THE DESIGNATED OUTDOOR REFRESHMENT AREA (D.O.R.A.)

Mr. Doss discussed with the committee how new businesses are now in our city and are interested in being added to the City of Milford D.O.R.A. In order to do this, we need to go through a process to add the new businesses and amend our current DORA Ordinance and our application with the state. If approved, staff will start the process for updating legislation, creating a new boundaries map, and listing the new business within the D.O.R.A. The process will also include a Public Hearing that will go through council. Once the potential ordinance is adopted the application information will be submitted to the state for approval. The committee agreed that they would like to see this pursued and to move forward revising/amending Ordinance 19-1467.

DISCUSSION: VACATION OF RAIL ROAD STREET

Mr. Doss presented information that identifies Rail Road Street, which is behind Mound Avenue. Mr. Doss discussed the location. The city many years ago place some chip and seal in that area. No other maintenance has been done to the site. Do we want to maintain this area? An individual is asking us to bring the area up to street standards which would be a significant cost for the city to do this. Internally, from a Public Works standpoint, there is not much use for the city to develop this area any further. The city does respect and understand that there are properties off of Mound Avenue that utilize Rail Road Street for access to the back of their properties for parking and entrance into their garages. There would be some residents on Mound that would be impacted by vacation of Rail Road Street. Do we recognize Rail Road Street? Do we develop Rail Road Street? Or do we vacate Rail Road Street? If we do vacate Rail Road Street, there could be a possibility that some of the people that do have access to this area off of Mound Avenue would then not have access as they currently have.

Law Director Bryan Pacheco discussed the vacate of this property with the committee members. The vacation would not be detrimental to the general interest. And just because something is plated does not mean that we, the city, has any obligation to maintain or keep. It has to be opened and people have to be invited to use the area. And this has not happened with this street. Discussion continued regarding the homes and parcels that would be impacted.

Mr. Doss commented that we have received information from the Law office of Stagnaro, Saba & Patterson Co. L.P.A., regarding a parcel. They represent Sam Pschesang and his property. We internally identified that property to be addressed at 57 Mound because we did not recognize Rail Road Street. Property location was discussed. And in the letter, it states that this property has been plated as public street within the city and has never been abandoned by ordinance. We internally gave them a 57 Mound Street address is because Mr. Pschesang is looking to develop the property back in that location.

Mr. Pacheco just because something is plated as a public street or a “paper street” it must be opened and invite people to use it. You cannot be forced to pave or maintain a paper street. Whether you vacate this or not that is within your discretion.

Mr. Pacheco said that we have not opened it or invited it. It warrants the conclusion that the city has not in fact invited or opened it for use. There are no public utilities. But again, that is within council’s discretion. Ms. Evans said if that is the case then she would prefer to leave it as is.

Sara Huseman – Mound Avenue Milford Ohio

Sewer line would have to be accessed by the city. Discussion of which houses were on the street sewer system was brought to the committee’s attention. Five to six houses would be affected by this decision since they all have garages/parking in the back of their property. And there is already a parking issue on Mound. Ms. Huseman gave several reasons why she is opposed the vacation of this property. The neighbors are not opposed to Mr. Pschesang building on his property, but you cannot take away from the neighbors since the city does not want to incur expenses that they might have an obligation to incur. You have a lot of people that live there a long time and who would be directly impacted by your decision and to not take this lightly. It is serious for all of us.

Chris Komnick – Mound Avenue Milford Ohio

In 97-98 they built an extension onto their house. And built a garage that is accessed through the back street. And also, at that time they were not completely aware of the sewer lines running back there as well. That is a significant issue. More important to him are the options at this point to either vacate the property and it gets split amongst all property owners? Or do you feel you have to take it to city standard of an accessible road? Or can it stay as is?

Mr. Pacheco stated that from what he has heard it can stay as is.

Mary Rutledge Mound Ave Milford Ohio

How does vacating benefit me? Why would I want to do it? What would it cost if it were vacated? What would that entail? How does that affect her property value? She would like these questions answered before any decisions are made.

Ms. Russell stated that those are good questions, and this information is out for discussion. The committee may have to come back and have another meeting regarding this. The city will notify the homeowners that are affected.

Mr. Doss said that the residents on Mound are not in favor of a vacation of the property. In light of that we run the risk that the courts will state that this is a street. And then we would have to make those improvements. If okay with the committee, Mr. Doss would like to rescind this off of the agenda for no further consideration and leave as is.

Mr. Pacheco repeated that the road has not been opened or invited for public use. There is also another six-week process of public notice in a newspaper requirement for city council as a whole could even consider this. The committee agreed to leave the property as is.

Doug Michaels – Mound Avenue Milford Ohio

If it is vacationed and there is a homeowner that owns the property on the river side, and they want to develop it. Does it now change regarding zoning?

Mr. Pacheco replied that there are other consequences as a result of vacation. As he understands, the city has not opened it or invited people for public use therefore just because it is plated as a public street doesn't mean you have the obligation to or to maintain it or to bring it up to city standards. In fairness, in court, it doesn't mean they wouldn't say otherwise. And to answer Ms. Rutledge's questions and in fairness to the residents, they would need to seek their own council to determine costs. There is certainly no cost to the homeowner for the city to pass legislation to vacate it.

The committee asked that the City of Milford Planning and Community Development Coordinator-Christine Celsor send them a map of just Mound Avenue and Rail Road Street.

Louise Hausman Mound Avenue Milford Ohio

She sees no benefit from this. The city would really have to show her how she would by this vacation. She has lived in her house for over 26 years and feels that is worth something.

The committee agreed with Mr. Doss and will pull this off the agenda and leave information as is for Rail Road Street.

There being no further business, the meeting adjourned at 4:41 pm with a motion from Ms. Evans Seconded by Ms. Chamberland All yes

Respectfully submitted,
Jackie Bain, Executive Assistant

“These minutes have been approved and adopted by Ms. Russell, Ms. Evans and Ms. Chamberland on October 4, 2022.”