

Held

February 19, 2019

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The Council of the City of Milford met in Council Chambers at 745 Center Street at 7:00pm on February 19, 2019. Mayor Albrecht called the meeting to order with the Pledge of Allegiance and a Moment of gratitude for our Police Department and their families.

Roll Call: Present: Mayor Albrecht, Vice Mayor Brewer, Ms. Russell, Ms. Chamberland Mr. Haskins and Ms. Evans made a motion to excuse Mr. Brady due to illness. Ms. Brewer seconded the motion. All voted yes.

Presentation: 2018 Milford Police Department Awards lead by Chief Mills.
Awarded this evening-Chief's Commendation Award issued for Outstanding performance that demonstrates the departments Core Values: Integrity, Professionalism Cooperation and Commitment

- 1. Sergeant Mark Kibby
- 2. Officer Brandon Clark
- 3. Officer Tyler Fannin
- 4. Officer Kris Mell - recipient of the 2018 Silver Bullet award.

Family members were asked to rise and be recognized as family members of the police officers.
Other awards: Physical Fitness Award - Sgt Keith Belcher, Officer Kevin Heller, Officer Danielle Wilson, Detective Steve Rogers, Officer Kris Mell, Officer Megan Eshman, Sergeant Mark Kibby, Officer Steve Bogan, Officer Tara Dennis, Officer Brandon Clark Officer Terry Chastain, Officer Tyler Fannin, Officer Adam Yeary and Detective Russ Kenney. Operation Holiday Patrol Award to squad: Sergeant Kibby Squad

Proceedings: Approve the February 5, 2019 City Council proceedings. Ms. Evans made a motion to approve. Ms. Brewer seconded the motion. All voted yes

Correspondence: From Clermont County Township Association

CLERMONTCOUNTYTOWNSHIPASSOCIATION
1097 LOCUST CORNER ROAD
CINCINNATI, OHIO 45245
Bonnie Batchler- President/ Tom Peck- Vice President/ Donna Cann—Secretary-Treasurer/
Guy Bainum- Exec. Committee

February 11, 2019

Mr. Michael Doss, City Manager 745 Center Street
Milford, Ohio 45150
Dear Mr. Doss:

As everyone is aware, last year the consensus of the majority of townships and villages in Clermont County agreed to extend the current formula for the distribution of local government funds for one additional year through 2019. During the past year the Clermont County Township Association has hosted several meetings in which township representatives worked to create a new formula that is more equitable than the current formula.

The new formula resulting from those meetings is attached. The new formula, based on two factors, is being proposed by the township association as follows: 25% of the distribution would be a fixed amount for all entities and the remaining 75% would be distributed based on population. It is also being proposed to implement the changes in funding over a three-year phase in period to assist those entities that will be negatively impacted.

At the annual Clermont County Board of Health Advisory Council meeting, to be held on March 21, 2019, there will be people available to answer any questions you may have about the new distribution formula for Local Government Funds.

We hope to see everyone at the meeting.
Bonnie Batchler
President, Clermont County Township Association

Sincerely,
Bonnie Batchler

Mr. Doss spoke about the history of local government funds in the State of Ohio and how it effects Clermont County. The State of Ohio distributes local government funds, a mixture of tax dollars that the state trickles down to the lower government levels i.e. County, Townships, Villages, and Cities. All 88 counties in Ohio receive local government funds. The counties take about 50% of the top of that for county operations. The remaining percentage of that is distributed between the townships, villages or any cities

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within that county. For the past 35 years Clermont County has used has used a formula to distribute these local government funds; and they have to be revisited every five years. Council did approve majority of the villages and townships to increase this formula one more time in 2019 and then revisited. Last week, the City received a letter from the Clermont County Township Association that will go into City record. Mr. Doss read the letter in its entirety. Mr. Doss mentioned that when there is a vote on this there are essentially, by law, three entities that vote for any change in local government fund. Those three entities are: The County Commission, The Townships, as one voting block, and The City with the largest population and that is the City of Milford. The three votes that have to be used to change any form of local government funds. Mr. Doss further directs Council to the second page of the Clermont County Township Association letter. Mr. Doss states that the second page is a break-down of local government funds per government entity based off of the Townships Association and their proposed formula. In 2019, The City of Milford is receiving \$164,140.05. If we go off of the Townships Association proposed formula the city would've received \$47,281.90. That is a loss/reduction of \$116,858.15. Every village and the city of Milford loses with the exception of two villages and every township gains money through this distribution. This is phased over a three year period. This reduction of the roughly \$117,000.00 will be over three years. One Third, One Third and One Third until it reaches the 47,281.90. This is essentially a gap of \$117,000.00 that we will have to have in our budget moving forward. What has been discovered is that there is a section of the Ohio Revised Code under 5747.53 that under section C which identifies that the populace townships equaling 51% of the entire population of the entire county can actually ban together and exclude the largest municipality to vote in the three vote process. That has actually been done by all of the townships in Clermont County. The townships have gotten together, they have approved an adjusted formula and in addition to that they have all voted to get together and exclude, in this case, the City of Milford from the vote. Out of the three, there is no longer a Milford vote. Now there is a township vote and the vote of the Clermont County Commission. There is essentially nothing that the City can do about this in the law and Milford is shut out of the process. Mr. Doss wanted to put this information in front of City Council and the community. And to note that we have received this letter and note the history behind the local government funds of Clermont County and where the city stands moving forward. He would recommend that even though the townships have voted to exclude the city from this vote, for council to consider a resolution of an ordinance to inform the County Commission and the county that we still stand by the current formula that is being utilized by Clermont County for the distribution of local government funds. Mr. Albrecht also stated that it is important for everyone to express their concerns to the commissioners because the commissioners have the final vote. We need to ask the commissioners to stand up for all the cities and not just the City of Milford and that it is not just us. We are in this together with the other cities and villages. I would hope that the commissioners would confirm the belief that partnership between the cities and the townships as well is within the county. Mr. Albrecht also stated that it is important for everyone to express their concerns to the commissioners because the commissioners have the final vote. We need to ask the commissioners to stand up for all the cities and not just the City of Milford and that it is not just us. We are in this together with the other cities and villages. I would hope that the commissioners would confirm the belief that partnership between the cities and the townships as well is within the county. A hardcopy of the entire letter package of information is available upon request at City Hall.

STANDING COMMITTEE REPORTS:

Administrative Services Committee

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 Ms Chamberland seconded the motion. All voted yes. 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. Ms. Chamberland seconded the motion. All voted yes. Milford First United Methodist Church Use of Easement Area* The Methodist Church received

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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: 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)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 they 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. Ms. Chamberland seconded the motion. All voted yes. 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

City Manager's Report

MEMORANDUM TO: City Council CC: Mike Minniear, Law Director Jackie Bain, Administrative Assistant/Clerk FROM: City Manager DATE: February 19, 2019RE: Manager's Report
Economic Development Updates – According to the developer, Starbucks is scheduled to open in the next couple of weeks. Pam and I had meetings with a couple of developers looking at properties on SR 28. FC Cincinnati Training Facility is on schedule with sod on field #1, steel finishing up for the main facility and regular practices commencing in March. Pivotek is reporting 80 new jobs to their new facility on Lila Avenue. **Price Road Stabilization Traffic** - Rack & Ballauer is proposing to setup the temporary traffic lights on Price Road between the ingress and egress of Miami Woods. According to the contractor, each traffic light will have a stop bar as well as the required signage. The contractor plans on putting grabber cones down along centerline of road to prevent people from crossing into the closed lane. The temporary lights would be active for about one month around the clock. The City Engineer is working with local public safety as well as residents affected by the temporary traffic pattern change. Construction is set to begin February 25 and full lane closure will occur March 15-22 for storm sewer installation.
2019 Ohio EPA MS4 permit update - Ohio EPA hosted an outreach meeting February 13 to discuss potential changes to the NPDES MS4 General Permit. The existing permit expires in September 2019. The only potential changes so far that may affect Milford is a more extensive inspection process.
EPA Superfund Program- OHIO EPA has resurrected the monitoring of the groundwater in Milford in connection with the superfund site. It is the City's understanding that the only new drilling required is at the two soil gas sampling sites in the right-of-ways at 702 Main St. and 586 Main Street.
Jonas Memorial- The foundation for Jonas memorial will be placed in the next couple of weeks as weather permits .**Main Street and Kirgan Lane sinkhole-** The sinkhole at Kirgan Lane has been saw cut and excavated to determine the cause. The street repair will occur over the next couple of days weather permitting. **STANDING COMMITTEE MEETINGS** None at this time **REMINDERS** February 26 - BZA Meeting at 7:00 pm March 5 – City Council Work Session (MCFD Financing) at 6:00 pm March 5 – City Council Meeting at 7:00 pm

Police Department Report - presented earlier in the meeting

Fire And Ems Report
February 19, 2019

1. A number of members attended the Clermont County Fire Chiefs' Alliance Fire Investigation Seminar held at Jeff Wyler Automotive today. The keynote speaker was Fire Chief Tony L. Watson of Pigeon Forge, TN on the 2016 response to the large forest fire that affected that region so significantly. It was an outstanding conference with nearly 90 attendees from as far away as Winchester, Kentucky. Our Fire Marshal Phillip Nause is a long-time team CCFIT member and leader, and an integral part of planning this annual conference.
2. Miles Miller conducted training for several city staff members over use of the AED's inside city hall--appropriately held on Valentine's Day this past week.
3. The Chandler and Kelly Families made a donation to our Santa Sunday fund in the memory of Mark Chandler. The money was raised at a family euchre tournament held this past Christmas. Thank you!

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- 4. Members paid tribute to slain Clermont County Deputy William Brewer in several ways including participation in the processional, covering EMS details in Pierce Township with an ambulance and crew, lighting the area around the West Clermont school and nearby church during his visitation with the homeland security generator truck, and joining our city colleagues by making a monetary donation to the family from the MCFF Club and individual department members.
- 5. MCFD hosted its sixth annual fire safety inspector continuing education program at Wyler Automotive headquarters on February 1, 2019 with nearly 100 fire inspectors and building officials—including 15 MCFD fire inspectors—in attendance.
- 6. The second of five members attending paramedic school in 2019 and 2020 began classes in January. The cost for 4 of the students is being funded by a 2017 FEMA Assistance to FF Grant of \$ 40,000 received by MCFD. The local funding match is \$ 2,000. The 5th is attending under U.S. Army education benefits.
- 7. January Activity Report: 159 details in January, 129 EMS and 30 fire details.
- 8. The 2018 annual report is still a work-in-progress but here are a few preliminary statistics:
 - a. Total of 2,105 details, an increase of 20 details over 2017, and a 24.4% increase in overall details since 2014
 - b. 1,687 EMS details resulting in 1,022 hospital billable transports made by MCFD ambulances
 - c. MCFD received mutual aid 141 times and provided mutual aid 216 times in 2018, including 20 automatic mutual aid responses for structure fires both inside and outside of the city.

Respectfully submitted by Fire Chief Mark Baird

Public Comments:

Council Comments: Mr. Haskins asked Mr. Doss if there were any updates on Riverside Park regarding the pad and the shelter? Mr. Doss said that the county has placed the project out to bid. The bid that was processed earlier had a technicality where the bid bond was not signed. They had to reject the bid. It is currently in the hands of Clermont County Commission. To actually approve to re advertise the shelter project. We cannot do anything with the project until after Frontier Days. Mr. Albrecht mentioned there has been a lot of discussions regarding noise/music. Does City Staff have any suggestions for City Council? Mr. Doss said that Ms. Bain is looking at several ordinances that we feel could be applicable to the noise complaints and concerns here in Milford. In turn we would like to take those and put something together for council and Mr. Minniear to consider. Mr. Albrecht mentioned that the brewery is doing a great job working with the residents around the area. From his perspective, it is an entertainment district and there will be music. It has to be reasonable in scope with the times and days. Fortunately we will have more development in the town and guidelines would be nice.

Callahan Huxell - Forest Avenue Milford Ohio

Mr. Huxell asked about the Future of the Frontier Day Parade and if it will be impacted by the new shelter going in at Riverside Park? Ms. Evans said that the shelter will actually enhance the Frontier Day Parade/Event. The event will still continue for the city.


New Business:

Ordinances And Resolutions:

19-1434 An Ordinance Amending Appropriations Ordinances 18-1413 and 19-1422 Ms. Evans made a motion to suspend the rules and read by title only. Seconded by Ms. Russell. All voted yes. Ms. Evans made a motion to adopt. Ms. Russell seconded the motion. All voted yes.

Old Business:

Adjourn: There being no further business to come before the City Council; Mayor Albrecht adjourned the meeting at 7:53 p.m. with a motion from Ms. Evans; Seconded by Ms. Brewer. All voted yes.



Jackie Bain, C.P.T.



Fred Albrecht, Mayor