

RECORD OF PROCEEDINGS

Minutes of

Regular Meeting

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Held June 18, 2019 20

The Council of the City of Milford met in Council Chambers at 745 Center Street at 7:00pm on June 18, 2019. Mayor Albrecht called the meeting to order with the Pledge of Allegiance and a Moment of Silence for those effected by the violence and all the shootings that have gone on around the country.

Roll Call: Present: Mayor Albrecht, Vice-Mayor Brewer, Ms. Russell, Mr. Brady, Ms. Chamberland, Mr. Haskins, Ms. Evans

Presentation of Planning Commission Candidates: Mr. Albrecht invited the candidates for City Council to come forth, introduce themselves to everyone and indicate why they are seeking to be on Planning Commission.

John Neal- Miami Lakes Drive Milford Ohio: Mr. Neal came forward and thanked City Council for giving him the opportunity to present his qualifications and his experiences. And dealing with similar processes and circumstances with getting a downtown corridor area going. He stated that he would like to preserve the character of Milford. He feels it is great hometown area to raise a family. He is extremely sensitive to preserving single family areas and the integrity of those areas. He would like to connect the Miami Woods area with the downtown Milford area in terms of bike paths and walking paths with signage type of information. And possibly create some business using the concept of golf carts in the area. There is a tremendous opportunity to tie the neighborhoods together.

Ms. Cynthia Sooy- Garfield Avenue Milford Ohio: Ms. Sooy owns the Milford Inn establishment. She has lived in Milford for seven years. Her children went to Milford schools. Ms. Sooy stated that she would like to get more involved in this community. She has invested a lot in this community that she loves. She would like to see the best for the residents. And would like to get involved in the managed growth of this community since it is important to look towards the future and it is important to maintain our historic integrity as well. She would like to make this a tourist destination. Ms. Sooy also would like to be involved in Urban Planning especially in historic districts and would like to have a voice in the decision making.

Mr. John T. Brumleve -Forest Avenue Milford Ohio spoke about his submission to continued service to council for this position. He also spoke of his career and talents for the past 30 plus years. He has a foundational understanding to the art that guides our policies which helps guide the science of our regulation in the city which provides balance and fairness within our city. With a robust and clear plan, we can move forward with our art as a city. Mr. Brumleve believes that it is imperative to our life as a city and what people enjoy about being here.

Mr. Brad Price- Cleveland Avenue Milford Ohio Mr. Price indicated that he is a business owner here in Milford. Mr. Price said that he has lived in many places and has never loved living somewhere as much as he loves living in Milford. His business, Villa Sanctuary was opened four years ago and has been overwhelmed with the community support. He served on the 2017 Comprehensive Plan Committee which sparked his interest. He would like the input to preserve the charm and character that Milford has while growing its businesses and enhancing the quality of life for its residents.

Mayor Albrecht wanted everyone to hear that this is one of the hardest decisions for council to make. There are no candidates here tonight that is not qualified for this position and who we would not want to serve on this committee or another committee. Mr. Brady made a motion to nominate Mr. John Brumleve. Ms. Brewer seconded the motion. There were no other nominations. Ms. Evans made a motion to close the nominations. Seconded by Ms. Brewer. All others yes. A motion to make the appointment by unanimous decision was made by Ms. Brewer. Seconded by Mr. Brady. All others yes. Law Director, Mike Minniear swore in Mr. Brumleve to the position of Planning Commission member.

Public Hearing / DORA-Designated Outdoor Refreshment Area

Mayor Albrecht officially opens the public hearing by declaring the public hearing open for the purpose of hearing information regarding the DORA. Ms. Evans made the motion to open the public hearing. Mr. Brady seconded the motion. All voted yes Ms. Lori Pegg spoke about the legislation regarding the DORA which was passed on April 30, 2015. All Ohio communities the ability to go through the application process to establish a DORA. The City of Milford qualifies: any person who is in a DORA and is carrying an open container of beer, wine or intoxicating liquor, purchased from an establishment within the ORA designation is exempt from the open container law. Citizens can go to one of the DORA establishments and leave there with a designated cup and walk to the next DORA establishment. Ms. Pegg explained the qualifications for the City of Milford for DORA. The city is a municipal corporation with a population of 35,000 or less. It must include at least 4 permit holders within the DORA area. IT must be composed of 150 fewer contiguous acres. Loveland, Mason, Hamilton and Middletown (first in Ohio) all have this designation. Staff and the Safety Committee have discussed that the DORA in this area would consist of 92 acres. Starting at Cooper Blue and ending at Little Miami Brewing Company. The permit holders for the DORA include Cooper Blue, Lehr’s Prime Market, By Golly’s, American Legion Post 450, Chez Renee, Chappy’s Padrinos, 20 Brix, The Main Cup and Little Miami Brewing Company. There are other establishments that do not yet have the correct permit in order to be included. The DORA is a program through the Ohio Department of Liquor Control. Some of the rules in the City of Milford: Effective M-Thursday from 4pm until 10pm, Friday through Sunday from 11am – midnight in any outdoor area with the



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DORA. No person may enter the premises of another permit holding establishment with an open container of beer, wine or intoxicating liquor purchased elsewhere. There will be a designated cup. The establishments will charge possibly a dollar to recoup the costs of the cup. The cup can be reused. You will not be permitted to be in or use a motorized vehicle with the DORA cup containing alcohol. One of the requirements is to have signs located on the boundaries where people cannot take their drinks past that point. The Police Chief, Assistant Police Chief and Fire Chief are on board with the discussions and with the time and boundaries. The cities existing services will be able to service the DORA. There are no fees. A letter of support has been received in from all the permit holders. This will allow for special events downtown. This will hopefully bring more people to our city for events and create future opportunities for larger events to be held in the city. The division of liquor control works directly with the permit holders. The current permit holders will receive a letter indicating if they would like to participate. If they do, they will have a stamp on their permit showing that they are participating in the DORA. Within the timeline to process this there has been a Safety Committee meeting presentation, a presentation to city council which happened on May 21<sup>st</sup> Two weeks of Public Notice. Tonight's Public Hearing. At the July 15<sup>th</sup> City Council meeting there will be legislation presented for a vote. We then file with the Department of Liquor Control – which will take several weeks. Mr. Albrecht asked if any of the non-permit holding establishments gave any feedback? Ms. Pegg said that only one - Harvest Market. They were big proponents of this. Their permit however did not meet the requirements. So, they are now looking into meeting those requirements in order to get a permit that does meet requirements. Also, asked – what if a citizen brings their own? BYOB? Ms. Pegg said that it is not permitted. It must be in one of the cups and from one of the restaurants. It is not allowed to reuse the cups. Mr. Brady asked if he walked out of Padrinos and had a cup, could he go into Chappy's with the cup? Ms. Pegg said yes, but it would have to be empty before entering. Mr. Brady asked if he could walk into Road Rivers and Trails with the cup? Ms. Pegg said yes. Each business gets to decide on their own. There will be notices out front of the establishment that are not participating in the DORA. Ms. Chamberland asked if this will benefit some of the nonprofit groups that may want to serve during an event? Ms. Pegg said it does. Mr. Doss mentioned asked if we can also add new businesses to be included on the list as they come into the city area? Ms. Pegg said they can when they apply for their liquor license and have the special designation added to their permit. Mr. Brady asked if it was a good/bad idea to tie in the bike trail with this area? Ms. Pegg is going to discuss this information with Mr. Doss. Mayor Albrecht closes the public hearing with a motion from Ms. Evans. Seconded by Mr. Brady. All voted yes.

Public Hearing / 2020 Tax Budget

Mayor Albrecht officially opens the public hearing by declaring the public hearing open regarding the 2020 Tax Budget. Ms. Evans made a motion Seconded by Ms. Russell All voted yes Ms. Wirthlin stated that the Tax Budget officially kicks off the budget season for 2020. It is the first step in the budget process. This is the legal budget and will be fine tuned by the end of the year. This is to let everyone know we are forecasting positive fund balances and starting the conversation about certain projects. Ms. Wirthlin looks forward to October when we really get into the budget season. Ms. Brewer made a motion to close the 2020 Tax Budget hearing. Seconded by Ms. Russell. All voted yes.

**Proceedings:** Approve the May 21, 2019 City Council meeting proceedings. Ms. Evans made a motion to approve the proceedings. Seconded by Ms. Russell. Mr. Brady abstained and all others voted yes.

STANDING COMMITTEE REPORTS:

**Administrative Services Committee** Administrative Services Committee Meeting Minutes June 10, 2019 Ed Brady called the meeting to order at 4:30 p.m. Present: Ed Brady, Kim Chamberland and Lisa Evans Staff: City Manager Michael Doss; Finance Director Pat Wirthlin and Administrative Assistant Jackie Bain Proceedings: Approval of the May 6, 2019 Administrative Services Committee Minutes Kim Chamberland abstained, Mr. Brady and Lisa Evans yes and May 14, 2019 Administrative Services Committee Minutes, Lisa Evans abstained and Ed Brady and Kim Chamberland yes Rules of Council The committee reviewed the document, as provided by the city attorney, which include highlights noting a change or addition. These included: Section 3, Excused Absences; 5, Law Directors role as Parliamentarian; 8, Committee Minutes; 10, Committees of Council; 14, Discussions at Meetings; and 17, Vacancies on Boards and Commissions. After the review, there were no questions on these sections and all agreed to accept the changes. Mr. Brady asked the committee to take a look at Section 12, regarding providing for comments from the general public at meetings. The current rule requires a public comments section on the agenda for Regular Meetings, and makes it optional for Special Meetings and Committees, and he opened a discussion on changing the rule to require a public comments section at all meetings- Special and Committee. After some discussion, the committee members agreed with the idea, and that a consistent approach on providing for public comments at all meetings was a good addition Section 12. The committee members voted to accept the proposal of the recommended changes to the Rules of Council, with two changes: a) will provide for public comments at special meetings and b) will provide for public comments at committee meetings. Ms. Evans seconded the motion and all agreed. More discussion is needed by council in order to process this information. Right of Way 5 Water Street Michael Doss informed the committee that this will be a reaffirmation of granting the right of way property at 5 Water Street. There is a piece of language in the Ordinance that mentions ODOT. ODOT does not have anything to do with the property. The only change to the Ordinance will be to remove ODOT from the information. Ms. Chamberland seconded the motion



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and all agreed. *The Committee agreed to draft an Ordinance Vacating a portion of Water Street* Ms. Chamberland seconded the motion and all agreed Ms. Evans seconded the motion. All yes 2018 Year End Financial Statements Pat Wirthlin went over information found in copies of the 2018 Year End Financial Statement report. This is a cash basis financial report. The General Fund is right where we want it to be at 3.5 million. The JEDD revenues union is very active with their JEDDS and they like to pair up with us. JEDD V which was new in June 18<sup>th</sup> and by Ordinance it was the one that we are diverting the revenues to the CIC fund. Mr. Brady asked if we could start planning on a budget meeting sometime in August, possibly to be discussed at a City Council meeting, during Council Comments portion of the meeting. This would help coordinate then to discuss budget projects that council would like to see? Mr. Doss mentioned a possible Work Session for Council. Possibly the first week in September (3<sup>rd</sup>), 6pm, to discuss projects that council would like to see in the budget. Ms. Wirthlin will start emailing to see availability for discussions this Fall. *The Committee recommends that Council approve by majority vote the 2018 Financial Report as presented.* Ms. Evans seconded the motion and all agreed A roll call for council vote was taken: \*Ms. Bain took a Roll Call at Council meeting for vote – Ms. Brewer, abstained/no. All others yes. 2020 Tax Budget Pat Wirthlin went over the Tax Budget information as stated in her report to the committee. Ms. Wirthlin informed the Committee that there has been a public notice processed and a public hearing will be held at the June 18<sup>th</sup> City Council meeting. *The Committee agreed to make a motion authorizing the Law Director to prepare a Resolution approving the Tax Budget for the City of Milford Ohio for the year 2020* Ms. Evans seconded the motion and all agreed. Ms. Evans seconded the motion. All voted yes. Alternative Local Government Fund Formula Discussion Mr. Doss discussed with the committee the new legislation that was written by the Clermont County Township Association and presented to the Clermont County Board of Commissioners. The County Commissioners did approve a new formula for the distribution of revenue from the Local Government Fund which then sent proposed ordinances to the cities and townships. With this new legislation, they did exclude the city. Legislation would have to be approved every year. We received this Ordinance to approve. We have choices as what we, the committee would like to do next. There are four ways to consider this information: 1. Pass the ordinance presented by the County Commission Association, in which we are excluded in the voting process. 2. Take this ordinance in front of council to either approve or not approve. 3. No action (which is Mr. Doss’s recommendation is to table it and not go further than committee) or 4. Propose and alternative formula. There was discussion regarding if the commissioners have a plan to re-visit this in the future. The committee members expressed frustration that the county did not lead a collaborative process to include all communities in developing a funding formula, instead choosing to hear proposals developed separately and then select one. Since the funding formula now has to be voted on every year, there is an opportunity in the next twelve months for a more collaborative approach. Mr. Doss mentioned that we have a formula that we have provided and have another that implements some of the Township Associations formula. Hopefully the County Commission will take this back to the table to re-consider including the City of Milford. *The Committee agreed to make a motion to do nothing* Seconded by Ms. Evans and all agreed Squire Patton Boggs Legal Services Mr. Doss presented an invoice for legal services provided by Squire Patton Boggs LLP in the amount of \$3,697.50 *The Committee agreed to make a motion authorizing payment in the amount of \$3697.50 to Squire Patton Boggs LLP for legal services. Seconded by Ms. Chamberland and all agreed Ms. Evans seconded the motion. All voted yes* There being no further business, the meeting adjourned at 5:07 p.m. Respectfully submitted, Jackie Bain Administrative Assistant "These minutes have been approved and adopted by Mr. Brady, Ms. Chamberland and Ms. Evans via email this 14 day of June, 2019."

**Safety Services Committee** Safety Services Committee Meeting Minutes June 13, 2019  
Called to Order: 8:05a.m. by Sandy Russell Present: Ed Brady Staff: Michael Doss, Pat Wirthlin, Mark Baird and Jackie Bain Visitors: none *Proceedings:* the approval of the May 14, 2019 Safety Services Committee Minutes to be tabled until the next Safety Services Committee meeting due to Mr. Brady to abstain and Ms. Brewer’s absence. *Renewal of the Fire and EMS Levies* Ms. Wirthlin explained that the process is Ordinance certification, and again, Ordinance certification. The Ordinance of necessity has already been taken care of for a full 17 mills. 12.5 mill renewal plus a 4.5 mill all additional levy. We did receive our certification by the County Auditor and it is approximately 2.8 million annually which amounts to about \$500.00 per \$100,000 house in total. For example: A house worth \$200,000 cost per year for the combined levy would be \$1,000. June 18<sup>th</sup> meeting City Council will intent to submit if approved. Packet of Ordinance of Necessity, Certification from the County, and Ordinance to Proceed and certify this ourselves and send it on to the Board of Elections. Our Charter allows us to pass an Ordinance in the same evening without it being an emergency. Ms. Wirthlin submitted a timeline on the process. Mr. Brady asked Chief Baird if are there plans formulated on how the department will gain support. “The Chief responded they go around door to door in the community. This is the community’s Fire Department and we will be glad to explain. Ms. Russell mentioned that when members of council are approached with questions, it is nice to have the Fire Levy information to share with residents. Chief Baird said that he will have bullet points available for anyone to reference to help relay the information regarding the levy. *The Committee made a motion authorizing the Law Director to prepare an Ordinance to proceed with the ballot issue for 12.5 mill tax levy renewal and a 4.5 tax levy increase for Fire Protection Services and Emergency Medical Services for five years for the City of Milford, Ohio, together in excess of the 10-Mill Limitation* Seconded by Mr. Brady and all agreed Mr. Brady seconded the motion. All voted yes. There being no further business, the meeting adjourned at 8:15 a.m. Respectfully submitted, Jackie Bain, Administrative Assistant



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"These minutes have been approved and adopted by Ms. Russell and Mr. Brady via email this 13th day of June, 2019."

City Manager’s Report

MEMORANDUM TO: City Council CC: Mike Minniear, Law Director Jackie Bain, Administrative Assistant/Clerk FROM: City Manager DATE: June 16, 2019RE:Manager’s Report Chamber Drive Property Purchases – Two vacant lots on Chamber Driver were recently sold by Cincinnati United Contractors, Inc. to private individuals.SR 126 Urban Paving 2019 – ODOT paving of SR 126 is delayed due to weather. Milltown Plaza – The owner has intentions to begin demolition of the building structure at the end of this month. Waste Water Plant Lift Station – Influent Lift Station is down to one pump. There is an influx of large debris clogging the pumps. As a result, one of the pumps is not working. The City is working with Beckman and Buckeye Pumps to fix the issue as soon as possible. In addition, the City Engineer intends to apply for a 2020 OPWC grant to add a grinder to the lift station to eliminate the issue and increase pump efficiency. Riverside Park Shelter - Clermont County finally received approval to rebid the shelter project. This is a CDBG grant project. The project estimate is \$125,000 and administered by Clermont County. Park Drinking Fountains - The drinking fountains at all of the parks are not operational. The control valves seem to require replacement every year and the parts are on order. The City might have to look at replacing the drinking fountains in 2020.STANDING COMMITTEE MEETINGS None at this time REMINDERS July 3 – Sparks in the Park 6:00 pm to 10:00 pm July 16 – City Council Meeting at 7:00 pm

Police Department Report

Comment: Chief Mills took part in the June 14<sup>th</sup> – First Annual SEM Laurel’s Flag Day presented by Mr. Bill Knepp/Town Crier. Reminder: The department is also recruiting for the Citizens Police Academy currently. August 28<sup>th</sup> is the 1<sup>st</sup> class. There are plenty of seats available and the department hopes to fill them. Reminder that this is the time of year that they start to see an uptake in thefts in vehicles. Move it or lose it or Lock it or lose it. Move all valuable in sight. Shout out to Officer Bogan – letter read out loud from Mr. Miller. Example of doing the right thing.

Fire And Ems Report

Fire Chiefs’ Report June 18, 2019 □ 2019 YTD Activity Report: o 815 total details o 150 fire details o 665 emergency medical services details o 411 patient transports □ As of May 31, 2019 MCFD has expended 36.7% of its annual budget, or 4.9% under budget. Revenue collected is 41.7% of anticipated, or exactly as budgeted. □ Captain Thiele completed a 3-day, Live Burn Instructor certification course at Great Oaks. He joins several other MCFD instructors certified by the State of Ohio to conduct live fire training operations. □ Chief Baird joined Union Township Fire Chief Deimling, on behalf of the Clermont County Fire Chiefs’ Alliance, in presenting Mr. Jeff Wyler of the Wyler Automotive Family with an award in recognition of his company’s support of training for greater Cincinnati firefighters. □ MCFD participated in the Memorial Day and Frontier Days parades and Frontier Days Festival. The antique fire truck transported local veterans during the Memorial Day parade and city council and staff members during the Frontier Days. Several crews also helped with non-emergency tasks at the Frontier Days site by erecting a containment fence and hanging stage banners. □ The contractor completed asphalt pavement sealing work that was part of the repaving project completed earlier this spring. The expense was approximately \$ 10,000 less than budgeted due to condition of the base surface being better than originally believed. □ Crews from MCFD, Miami Township and Terrace Park have been given access to the Milltown Plaza structures by the owners for training prior to demolition. This is a unique opportunity to exercise in a larger, commercial structure which presents many challenges that are difficult to simulate. The annual “Spring Cleaning” of the fire station was completed during the week of June 3. This is a top-to-bottom, intensive effort to put the fire station and grounds into top condition. An inspection is conducted upon completion. □ Clermont Recovery Center presented MCFD with an award of appreciation for its efforts, as well as other first responders, in support of important work done by the Opiate Task Force of Clermont County. Captain Miles Miller participates in the Milford-Miami Township Addiction Response Team which seeks to connect overdose victims with addiction counseling. □ MCFD purchased 14 used Scott SCBA masks so each firefighter can be issued one with other PPE components. The purchase of used items lowered the cost from \$ 450 to \$ 104 per mask. Annual SCBA mask fit-testing is being performed as this process also confirms the correct sizing for each individual. □ MCFD responded to SEM Haven on May 21 for a fire alarm detail subsequently upgraded to a structure fire due to smoke being reported. Arriving crews found light smoke in one hallway due to an overheated compressor motor, but no active fire. Response by the SEM Haven staff was GREAT executing the facility’s emergency plan. No injuries occurred and no residents were displaced. □ The May 29 crew assisted Miami Township on a potential water rescue in the Little Miami River that began in the township. MCFD crews monitored the river downstream of the bridge an assisted Miami Township and Loveland-Symmes with deployment of boats and incident command. The person in question was later found unharmed. □ Support 271 (generator/light truck) was deployed for about 16 hours on May 28 to the Dayton-area to assist with search and rescue efforts in those communities affected by tornadoes. Our thoughts are with those impacted by this tragedy. □ MCFD participated in several public relations details including one at Coney Island for First Responder Appreciation week. Fire Marshal Nause and FF Chad Evans displayed a fire truck for attendees to view and enjoy. □ Three new, part-time firefighter/EMT’s were hired including two MCFD cadet program members who were promoted to paid status. Congratulations!



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**Public Comments:** Jean Schmidt Wards Corner Road Miami Township. Spoke about running for the open seat in the 65<sup>th</sup> District that John Becker currently holds. Ms. Schmidt spoke about the Local Government Fund & Local Government Revenue Assistance Fund.

**Council Comments:** Ms. Evans announced that she will be out of town for the July 16<sup>th</sup> City Council meeting. Ms. Russell as well. Ms. Chamberland spoke about the Carriage Way Park Clean up that was done on Saturday June 8<sup>th</sup>. Over twenty residents volunteered to clean up and tidy up the park. July 13<sup>th</sup> is the next cleanup day. It was great tonight to see people coming out to be part of the city. Congratulations to Mr. Brumleve. Mr. Brady mentioned to thank those coming out to be part of the city. He also announced that he will not be running for City Council after his term this year ends. August 7<sup>th</sup> is the deadline to get your petitions to the Board of Elections. He would be glad to give you some tips if you are interested in running. Mr. Brady had been with the city for 6/12 years. Mr. Minniear mentioned the Flag Day celebration at SEM Laurels and was very humbled by the event.

**New Business:**

**Ordinances and Resolutions**

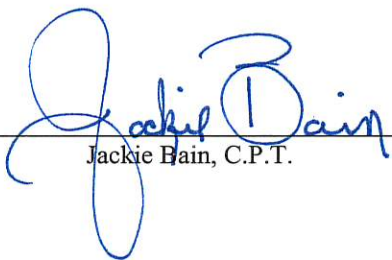
**19-615** A Resolution Approving the Tax Budget for the City of Milford, Ohio for The Year 2020 Ms. Brewer made a motion to adopt. Seconded by Ms. Evans. All voted yes

~~**19-1459** An Ordinance to Proceed with The Ballot Issue for a 12.50 Mill Tax Levy for —Renewal with a 4.5 Mill Tax Levy increase, Together as a Single Levy and Ballot issue for Fire Protection Services and Emergency Medical Services for Five Years for The City of Milford, Ohio, Both Together in Excess of The Ten-Mill Limitation~~ Withdrawn from tonight’s meeting and due to the numerous changes to the technical language will not be read tonight. It will not be a true and exact copy it will be read at the next City Council meeting. 19-1458 will be read at a June 24<sup>th</sup> at 7pm, City Council Special meeting. 19-1459 at the July 16<sup>th</sup> City Council meeting.

**19-1460** An Ordinance Vacating a Portion of Water Street Ms. Brewer made a motion to suspend the rules and read by title only. Seconded by Mr. Brady. All voted yes. Ms. Brewer made a motion to adopt. Seconded by Ms. Evans All voted yes

**19-1461** An Ordinance Authorizing Payment to Squire Patton Boggs Ms. Brewer made a motion to suspend the rules and read by title only. Seconded by Mr. Brady. All voted yes. Ms. Brewer made a motion to adopt. Seconded by Mr. Brady All voted yes  
Old Business:

**Adjourn:** There being no further business to come before the City Council; Mayor Albrecht adjourned the meeting at 8:22 pm. with a motion from Ms. Brewer; Seconded by Ms. Evans. All voted yes.

  
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Jackie Bain, C.P.T.

  
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Fred Albrecht, Mayor