

RECORD OF PROCEEDINGS

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

Held
November 9, 2023
20

The Council of the City of Milford met in Council Chambers at 745 Center Street at 7:00pm on November 9, 2023.

Mayor Evans called the meeting to order with the Pledge of Allegiance and a Moment of Silence

Roll Call

Present: Mayor Lisa Evans, Kyle Mitchell, Kristopher Parrish, Janet Cooper. Mr. Parrish made a motion to excuse Vice Mayor Russell, Ben Redman and Kim Chamberland. Ms. Cooper seconded the motion. All yes. Also present was City Manager Michael Doss. The public was able to view via Facebook live and via ICRC TV broadcast.

Proceedings:

Approve the Council Meeting Proceedings from October 17, 2023. Mr. Parrish made a motion to adopt Seconded by Ms. Cooper All yes

Financial Statements:

Adopt September Financial Report Mr. Parrish made a motion to adopt Seconded by Ms. Cooper All yes

Committee Reports:

Administrative Services Committee meeting report – Kristopher Parrish

Administrative Services Committee Meeting Minutes November 6, 2023Mr. Parrish called the meeting to order at 5:00 p.m. Present: Kristopher Parrish Lisa Evans and Kim Chamberland Staff: City Manager-Michael Doss, Water Department Supervisor, Joe Casteel and Executive Assistant Jackie Bain Visitors: None Proceedings: Approve the proceedings from the September 28, 2023, Administrative Services Committee Minutes Ms. Evans made a motion to approve. Seconded by Ms. Chamberland All yes. DISCUSSION: EMERGENCY GENERATOR GRANT QUOTES Mr. Doss discussed how we were successful in receiving a grant for the emergency generator project. This should be covered under this 100% grant. Mr. Casteel received four quotes for the materials that will be used for the Generator, the booster and the automatic transfer switch that will be installed. Ohio CAT, Buckeye Power Sales, Generator Systems and Cummins. After reviewing the quote information with the committee Mr. Casteel stated that he recommends that we work with Buckeye Power Sales since they are the company that has serviced and supplied all of the back-up generators and transfer switch for the city. Mr. Doss mentioned that we do need to have a portion of their bid taken out of the agreement regarding the indemnification component. THE COMMITTEE AGREED TO RECOMMEND THAT THE LAW DIRECTOR PREPARE AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH BUCKEYE POWER SALES FOR THE PURCHASE OF AN EMERGENCY GENERATOR IN THE AMOUNT OF \$35,328.00 CONTINGENT UPON THE INDEMNIFICATION COMPONENT INFORMATION BEING REMOVED FROM THE AGREEMENT Seconded by Ms. Evans All yes DISCUSSION: DINSMORE BILLINGS FOR LAWSUIT Mr. Doss discussed information received from our insurance provider, Sheila Osei at Zurich, advising us of the Menkhaus lawsuit/Airbnb lawsuit. Zurich was going to provide through our insurance, our defense fund, in the amount of \$25,000, which they have. They have met that threshold. Any other expenses that are incurred by the city regarding this lawsuit will have to be paid by the city. We have received bills for Dinsmore and Shohl services regarding this lawsuit that exceeds \$25,000. It is currently at \$14,000. We are asking for the committee to authorize the city to make payment to Dinsmore and Shohl \$14,000 to cover any additional expenses related to Menkhaus lawsuit. THE COMMITTEE AGREED TO RECOMMEND THAT THE LAW DIRECTOR PREPARE AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT TO DINSMORE AND SHOHL IN THE AMOUNT OF \$14,000 TO COVER CURRENT OUTSTANDING EXPENSES DUE TO THE MENKHAUS LAWSUIT Seconded by Ms. Evans All yes DISCUSSION: CLERMONT COUNTY ENGINEER PAVING PROGRAM INVOICE Mr. Doss discussed with the committee how the city participated in the Clermont County Road Resurfacing Program/Ordinance 23-205 at a cost of \$ 211,664.69. We received the final invoice from Clermont County and the final cost is actually \$237,021.14 which is an additional amount due of \$25,356.65. There was additional cost that incurred due to full depth pavement repair in some locations, that had to adhere to ODOT standards. Also, sanitary man hole adjustments, along with additional work on Cleveland Avenue with the speed humps. THE COMMITTEE AGREED TO RECOMMEND THAT THE LAW DIRECTOR DRAFT AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO ISSUE A CHECK IN THE AMOUNT OF \$25,356.65 TO THE CLERMONT COUNTY TREASURER FOR THE BALANCE DUE FOR THE 2023 RESURFACING PROGRAM Seconded by Ms. Evans All yes DISCUSSION: TERRACON BUSTR CHANGE ORDER Mr. Doss reviewed contract information with Terracon for a two-tier evaluation analysis on our City Parking lot previously the Sauer’s Marathon parking lot/which used to be a gas station. The evaluation was done by Terracon and provided to Bureau of Underground Storage Tank Regulations (BUSTR). BUSTR has requested that we revise our action levels to correct 2012 action levels to be evaluated. The proposed service agreement outlines the additional services that will be provided by Terracon to address the follow-up in the tier two evaluation by BUSTR. THE COMMITTEE AGREED TO RECOMMEND THAT THE LAW DIRECTOR DRAFT AN ORDINANCE AUTHORIZING THE FINANCE

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DIRECTOR TO MAKE PAYMENT OF \$14,750 TO TERRACON FOR THE CHANGE ORDER OF LISTED SCOPE OF SERVICES AND FEES PER THE SUPPLEMENT TO AGREEMENT FOR SERVICES
Seconded by Ms. Evans All yes **DISCUSSION: FIVE POINTS LANDING FINAL CHANGE ORDER CLOSE OUT** Mr. Doss discussed payments made for the Five Points Landing Project. A spreadsheet was reviewed by the committee. Some of the authorized change orders that occurred were under \$7,500. Ultimately, when added up to the amount of \$17,788.68 which is included in the final amount on the DER change order summary. *THE COMMITTEE AGREED TO RECOMMEND THAT THE LAW DIRECTOR DRAFT AN ORDINANCE AUTHORIZING THE FINAL CHANGE ORDER WITH DER FOR FIVE POINTS LANDING IN THE AMOUNT OF \$17,788.68* *Seconded by Ms. Evans All yes* There being no further business, the meeting adjourned at 5:26 pm with a motion from Ms. Chamberland, Seconded by Ms. Evans Respectfully submitted, Jackie Bain, Executive Assistant

Manager’ Report:

MEMORANDUM TO: City Council CC: Jackie Bain, Executive Assistant/Clerk FROM: City Manager
DATE: November 9, 2023RE: Manager’s Report2024 Landscaping Bids Update – Bid specifications for both the general landscaping and Five Points Landing Park landscaping are currently advertised and due by 2:00 pm on November 15. Ohio Capital Budget Project Submittal – The City recently submitted a funding application for the state capital budget for three shelter canopies for the farmers market area at Five Points Landing Park. Staff are currently working on applying for funding for Phase II of the park which includes the event/community center. City Hall External Repair Update – Trisco Construction Services has scheduled repairs to commence the week of Thanksgiving. STANDING COMMITTEE MEETINGS None at this time REMINDERS November 10 – City Hall Closed in observance of Veterans Day November 21 – City Council Meeting at 7:00 pm. November 23 & 24 – City Hall Closed for Thanksgiving Holiday November 24 – Holiday Tree Lighting at Memorial Park at 7:00 pm.

Police Department Report:

Sgt. Kibby reported that the October report for the department will be prepared and available next week. Both of the 2023 Tahoes are to be in line by the beginning of December. Swearing in two new Officers on Monday November 13th. They will be presented to City Council on the 21st of November.

Fire And Ems Report:

District Chief Nickell reported that 12 students completed Hazardous Material training taught by Cincinnati State Community College, held at the MCFD Fire Station. The class was \$7,500 dollars but 95% of the cost was paid for by a Federal Grant that the department obtained. This week District Chiefs Miller and Thiele were in Columbus as part of their Executive Fire Officer Program. Reminder that Hometown for the Holidays, the fire department will provide free fire truck rides. November 24th and 25th (weather permitting), from 11am – 4pm. The pick up and drop off location will be at Garfield/Main Street (20 Brix). Next month, December 17th – Santa Sunday event, from 1pm – 6pm.

Council Comments:

Mr. Parrish discussed the open position on the Parks and Recreation Commission. Any City of Milford citizen that would be interested to join the commission to please send Letter of Interest to Jackie Bain jbain@milfordohio.org

New Business:

Ordinances And Resolutions

None at this time

Old Business: None at this time

Public Comments:

Mr. Rick Block - 202/204 Locust Street 222/224 Water Street
Mr. Block is a property owner. He is having problems with his property being located on a floodplain. A map obtained from Clermont County was reviewed with the council members along with the cost to insure his properties. He is trying to suggest to Milford and for future development, to make an effort to take the East side of Water St., from Mill St. to Sycamore, out of the floodplain. Mr. Block played a msg he received from the Greater Milford Area Historical Society from his cell phone. The area has not flooded since 1962. The problem was remedied by smaller lakes being established along the Little Miami River to alleviate flooding in some areas. He is asking for the city to help take Sycamore to Mill St. out of the floodplain in regard to future developments. Mayor Evans appreciated Mr. Block’s information and informed him that the city would do some investigating, and someone would get back to him.

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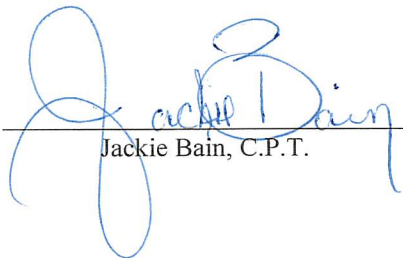
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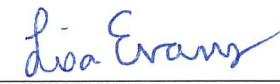
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Adjourn: There being no further business to come before the City Council; Ms. Evans adjourned the meeting at 7:18pm with a motion from Mr. Parrish Seconded by Ms. Cooper All Yes



Jackie Bain, C.P.T.



Lisa Evans, Mayor