

RECORD OF PROCEEDINGS

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

Held

December 5, 2023

20

The Council of the City of Milford met in Council Chambers at 745 Center Street at 7:00pm on December 5, 2023.

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

Roll Call

Present: Mayor Lisa Evans, Vice Mayor Sandy Russell, Kyle Mitchell, Kristopher Parrish, Janet Cooper, Ben Redman and Kim Chamberland. Also present was City Manager Michael Doss and Law Director Bryan E. Pacheco. The public was able to view via Facebook live and via ICRC TV broadcast.

Proceedings:

Approve the Council Meeting Proceedings from November 21, 2023, Ms. Russell made a motion to approve. Seconded by Mr. Parrish. All yes

Correspondence: Ohio Division of Liquor Control – Transfer of Membership Interest in a Limited Liability Company (LLC) to Fore The Future LLC DBA Copper Blue at 900 Main Street Milford Ohio 45150 Ms. Russell made a motion to do nothing (no hearing) Seconded by Ms. Chamberland All yes.

Parks And Recreation Vacancies (2): Ms. Evans made a motion to appoint Brooke Shanks and Matt Szekeresh to the Commission Seconded by Mr. Parrish All yes.

Financial Statements:

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

Public Comments: None at this time

Committee Reports:

Administrative Services Committee

Administrative Services Committee Meeting Minutes November 28, 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, Chief of Police – Jamey Mills, Finance Director Pat Wirthlin and Executive Assistant - Jackie Bain Visitors: Greg Barlow Proceedings: Approve the proceedings from the November 6, 2023, Administrative Services Committee Minutes Ms. Evans made a motion to approve. Seconded by Ms. Chamberland All yes. DISCUSSION: 2024 CLERMONT COUNTY ENGINEERS PAVING AGREEMENT Mr. Doss discussed how we can enter into an agreement with the Clermont County Commission via the Clermont County Engineers office to participate in their paving program. We save approximately money based on tonnage and mobilization expenses if we partner with the County. Many other townships and some villages also participate in the County’s Paving Plan. Exhibit A was reviewed which identifies the streets that we would like to pave in 2024: Miami Ave (from Forest Ave to Helen St.), Mill Street (from Cleveland Ave to Main St), South Milford Road (from Cleveland Ave to Clermont County Line). The total cost plus contingency \$254,746.30, plus contingency \$25,253.70 for an agreement total of \$280,000.00 *THE COMMITTEE AGREED TO RECOMMEND THAT THE LAW DIRECTOR DRAFT AN ORDINANCE TO ENTER INTO AN AGREEMENT WITH THE CLERMONT COUNTY COMMISSIONERS AND CLERMONT COUNTY ENGINEER IN THE AMOUNT OF \$280,000.00 FOR THE PURPOSE OF PARTICIPATING IN THE 2024 CLERMONT COUNTY ROAD RESURFACING PROGRAM* Seconded by Ms. Chamberland All yes DISCUSSION: LANDSCAPE BIDS Mr. Doss reviewed the bid tabulation information received from November 15, 2023, Bid Openings for CONTRACT NO. LA- 2024 LANDSCAPE CONTRACT and CONTRACT NO. 17613.02 Five Points Landing Park Landscaping. Staff are also recommending that we enter into an agreement with Louiso Lawncare, for 3 years, for the amount of \$255,717.00. Staff are also recommending that we enter into an agreement with Evans Landscaping with a base bid of \$95,000.00 and \$5,000 contingency, for a total of \$100,000.00. Mr. Parrish asked if he should recuse himself because he is also a member of the Parks and Recreation Board. Mr. Doss commented that unless he had some financial interest in either company, he could vote to advance both bids for consideration. Mr. Doss noted that it would be considered unethical if he did have a direct financial interest or financial benefit from either company. Mr. Parrish replied that no, he had no financial interest or financial benefit from either company being recommended for bid acceptance and approval. *THE COMMITTEE AGREED TO RECOMMEND THAT THE LAW DIRECTOR PREPARE AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH LOUISO LAWN CARE, FOR CONTRACT NO. LA- 2024 LANDSCAPE CONTRACT, FOR 3 YEARS, IN THE AMOUNT OF \$255,717.00 AND ENTER INTO AN AGREEMENT WITH EVANS LANDSCAPING FOR CONTRACT NO. 17613.02 FIVE POINTS LANDING PARK LANDSCAPING IN THE AMOUNT OF \$100,000.00* Seconded by Ms. Chamberland All yes DISCUSSION: CLG/XAVIER UNIVERSITY TUITION ASSISTANCE PROGRAM Mr. Doss discussed how the City of Milford is a member of the Center for Local Government. It is a consortium of many municipalities and townships. For example, as members, we are provided with technical assistance, or assistance with any legislation models that may be available. CLG has partnered with Xavier University to offer some tuition assistance for employees of CLG member communities. Mr. Doss reviewed with the committee the

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different programs that can receive tuition discounts. There is no obligation to the city other than signing up and participating in the program. *THE COMMITTEE AGREED TO RECOMMEND THAT THE LAW DIRECTOR DRAFT AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN MEMORANDUM OF UNDERSTANDING WITH THE CLG FOR TUITION ASSISTANCE PROGRAM THROUGH XAVIER UNIVERSITY* *Seconded by Ms. Chamberland All yes* DISCUSSION: UPDATES TO THE CODIFIED ORDINANCES Clerk of Council Jackie Bain discussed that to ensure the City of Milford ordinances are always consistent, well-organized, and easily accessible to our community a municipal code is regularly updated by codification experts. Back in July(17th) of this year, the Administrative Services Committee agreed to present to the City Council the proposed Ordinance information adding the Zoning Codes. City Council approved Ordinance 23-227 on July 18th. We now have Accessory Dwelling Unit text amendment codes to add (Proposed Ordinance 23-254). This information provides time and resource savings from having to verify the availability of the most current legislation. City of Milford, Ohio Zoning Code Information Table of Contents were added by American Legal to the City of Milford website. *THE COMMITTEE AGREED TO RECOMMEND THAT THE LAW DIRECTOR DRAFT AN ORDINANCE TO AMEND ORDINANCE 23-190 TO NOW INCLUDE THE ADDITION OF ORDINANCE 23-254 APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF MILFORD, OHIO, AND DECLARING AN EMERGENCY* *Seconded by Ms. Chamberland All yes* DISCUSSION: AMENDING CHAPTER 182 OF THE CITY OF MILFORD INCOME TAX CODE Finance Director, Pat Wirthlin discussed that on July 3, 2023, Governor DeWine signed House Bill 33, the state budget bill, into law. The bill included certain municipal income tax provisions. Beginning with tax year 2024, the income of all individuals under 18 years of age will be exempt from municipal income tax. For tax years 2023 and previous years, the City provides no exemption based on age for taxable income earned. For tax years ending on or after December 31, 2023, businesses with remote workers will be permitted to use an alternative apportionment formula for their net profit filings. Instead of apportioning net profits to the municipalities where employees are performing remote work, businesses may elect to apportion net profits to employees’ reporting locations, which in most cases will be a location owned or controlled by the employer business. This provision only impacts business net profits filings and does not change an employer’s obligation to withhold tax for employees’ remote work locations. For business net profit filers that are on a federal filing extension, the Bill extends the municipal income tax filing deadline by one month, to the 15th day of the 11th month after the end of the taxpayer’s tax year. This provision is in effect for tax years ending on or after January 1, 2023, meaning fiscal year net profit filers with a fiscal year ending during 2023 will receive the benefit of this additional month if they are on a federal filing extension. Beginning with tax year 2023, the penalty municipalities may charge a taxpayer for a late filed return is reduced to a maximum of \$25, from the current maximum of \$150. The Bill also requires that a municipality waive the fee the first time a taxpayer files a late return. The penalties and interest for late payment remain in place and unchanged. *THE COMMITTEE AGREED TO RECOMMEND THAT THE LAW DIRECTOR DRAFT AN ORDINANCE AMENDING CHAPTER 182 OF THE CITY OF MILFORD INCOME TAX CODE TO ADOPT PORTIONS OF SECTION 718 OF THE OHIO REVISED CODE REGARDING MUNICIPAL INCOME TAX PURSUANT TO RECENTLY ADOPTED HOUSE BILL 33 AND AS ATTACHED IN REDLINE VERSION SHOWING CHANGES TO THE CITY’S INCOME TAX CODE* *Seconded by Ms. Chamberland All yes* DISCUSSION: REPLACE AN ENGINE IN ONE OF THE POLICE DEPARTMENT CRUISERS Chief Jamey Mills discussed how Cruiser # 718 needed a new engine. This car is the last on the department’s old 8- year replacement cycle. They sharpened their pencils to see if they could avoid this purchase but cannot afford to not replace this engine. One of the hardest things to happen on the cruisers is the “cold start” on the engine, in the winter. The quote from Ulmer’s is based on the worst-case scenario and may come in with a lower total amount. *THE COMMITTEE AGREED TO RECOMMEND THAT THE LAW DIRECTOR DRAFT AN ORDINANCE AUTHORIZING THE PURCHASE ORDER TO ULMER’S MILFORD LLC IN THE AMOUNT OF \$14,049.86* *Seconded by Ms. Chamberland All yes* There being no further business, the meeting adjourned at 5:34 pm with a motion from Ms. Chamberland, Seconded by Ms. Evans Respectfully submitted, Jackie Bain, Executive Assistant

Manager’ Report:

MEMORANDUMTO: City Council CC: Jackie Bain, Executive Assistant/Clerk FROM: City Manager DATE: December 5, 2023RE: Manager’s Report Ohio Water and Wastewater Grant Program – The City intends to submit two grant applications for funding under the program. The UV System for the wastewater treatment plant for approximately \$200,000 and wastewater slip lining for the entire system in Clertoma Village for approximately \$400,000. If awarded, the projects would be fully funded by the state with the City responsible for design engineering costs. Ohio Capital Budget Project Submittal – A funding request application for Phase II of Five Points Landing which includes the event/community center has been submitted to our elected state officials. The City requests \$2 million in funds for construction and completion. City Hall External Repair Update – Trisco Construction Services is currently working on repairs to the exterior of City Hall. Most of the project is expected to be completed this winter with the final painting in early spring 2024.STANDING COMMITTEE MEETINGS None at this time REMINDERS December 6 – BZA Meeting at 6:00 pm December 19 – City Council Meeting at 7:00 pm. December 13 –

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Park and Recreation Commission Meeting at 6:00 pm. December 13 – Planning Commission Meeting at 6:00 pm.

Police Department Report:

Monthly Report - November 2023 This report summarizes the various activities and functions of the Milford Police Department during the month of November. *TRAINING* • Officers Mason and Dresselhaus began their field training. • Officer Brown attended crime scene training. • All sworn members successfully completed the 24 hours of mandated training for the year. Records have been uploaded to the OPOTA’s web portal so the city will be reimbursed for the officers’ salaries. *NOTABLE OCCURRENCES* • Squad One responded to 750 Main Street for a Criminal Damaging report. The complainant came out from work to find two of his truck tires slashed. Complainant accused a former lover but, after investigation, it was discovered the suspect’s new boyfriend was responsible. Subject cited for criminal damaging and has also been charged with the murder of his father, the day after Thanksgiving, in Batavia. • Squad One responded to 514 Main Street after a suicide hotline received a text message from a subject who reportedly shot his brother and was having suicidal ideations. A subsequent SRT call out confirmed the incident was the latest in a spree of “swatting” pranks. • On Squad One, a detained subject provided false information to Officer Williams during a traffic stop. The subject was found to have felony warrants for his arrest out of Clermont County. • Squad Two assisted the Brown County Sheriff’s Office with locating and interviewing a male who was entered as a critical suicidal missing. • Squad Two responded to Riverside Park for a fight in progress. Two juveniles were cited for disorderly conduct. • Squad Two responded to the UDF on Chamber Drive, for an intoxicated suspect who was abusive toward staff and defecated inside the business. The suspect was located and subsequently incarcerated in the Clermont Count Jail. • Squad Three made a drug arrest at 540 Lila Ave. Lab results are pending. • Squad Three signed charges on a male suspect who fled the scene of an assault at the Oakwood Apartment. • Squad Four investigated a suspicious vehicle where two subjects will be charged with felony drug possession, pending lab results. • Squad Four arrested a suspect for possessing criminal tools (magnetic clothing tag remover) at Walmart. • Totals: o Call Records: 1143 o Extra Patrol (Vacation House Checks & School Checks): 551 o Offenses Investigated: 184 o Auto Accidents: 29 o Written Warnings: 83 o Traffic Citations: 171 *ADMINISTRATIVE* • Chief Mahan and Officer Hagy spent a significant amount of time on vehicle maintenance issues. • Clerk Sheangshang uploaded several year-end proofs of compliance for CALEA accreditation. *COMMUNITY RELATIONS* • The Milford Masonic Lodge #54 and the Milford American Legion Post #450 held their 4th annual First Responder Chili Cookoff on November 18th. • A graduation ceremony was held on November 15th for our 10th Citizens Police Academy. Chief Mills attended the transition party at By Golly’s on November 30th, where the new owner, Lance Sizemore, was introduced. • In partnership with Pattison Elementary and Impacting Tomorrow, we delivered Thanksgiving meals to five families. • Operation Holiday Patrol began on Black Friday. • Squad Four conducted a tour of the station for a Cub Scout Pack. • Squad Four provided a Kiwanis gift card to a homeless couple found sleeping in their car. *OUTSIDE MEETINGS AND ASSOCIATIONS* • Chief Mills attended the monthly meeting of the Clermont Chiefs of Police Association.

Fire And Ems Report:

District Chief Jim Nickell reported that Santa Sunday, 1-6pm on December 17th, is quickly approaching. December 15th they will be packing up the treats at the firehouse (approximately 1,350 treat bags). The MCFD Board approved the department’s 2024 budget.

Council Comments: Ms. Cooper spoke of how much fun she had at the 3rd Annual Golf Cart Parade that was held this past Saturday in the city.

New Business:
Ordinances And Resolutions

- 23-254 *Ordinance To Amend Ordinance 23-190 To Now Include The Addition Of Ordinance 23-254 Approving The Editing And Inclusion Of Certain Ordinances As Parts Of The Various Component Codes Of The Codified Ordinances Of Milford, Ohio, And Declaring An Emergency. Ms. Russell made a motion to Suspend the Rules and Read by Title Only Seconded by Mr. Parrish All yes Ms. Russell made a motion to adopt Seconded by Mr. Parrish All yes.*
- 23-255 *Ordinance To Enter Into An Agreement With The Clermont County Commissioners And Clermont County Engineer In The Amount Of \$280,000.00 For The Purpose Of Participating In The 2024 Clermont County Road Resurfacing Program Ms. Russell made a motion to Suspend the Rules and Read by Title Only Seconded by Mr. Parrish All yes Ms. Russell made a motion to adopt Seconded by Mr. Parrish All yes.*
- 23-256 *Ordinance Authorizing The City Manager To Enter Into An Agreement With Louiso Lawn Care, For Contract No. LA- 2024 Landscape Contract, For 3 Years, In The Amount Of \$255,717.00 And Enter Into An Agreement With Evans Landscaping For Contract No. 17613.02 Five Points Landing Park Landscaping In The Amount Of \$100,000.00 Ms. Russell made a*

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motion to Suspend the Rules and Read by Title Only Seconded by Mr. Parrish All yes Ms. Russell made a motion to adopt Seconded by Mr. Parrish All yes

23-257 Ordinance Authorizing The City Manager To Enter Into a Memorandum Of Understanding With The CLG For Tuition Assistance Program Through Xavier University Ms. Russell made a motion to Suspend the Rules and Read by Title Only Seconded by Mr. Parrish All yes Ms. Russell made a motion to adopt Seconded by Mr. Parrish All yes.

23-258 Ordinance Amending Chapter 182 Of The City Of Milford Income Tax Code To Adopt Portions Of Section 718 Of The Ohio Revised Code Regarding Municipal Income Tax Pursuant To Recently Adopted House Bill 33 And As Attached In Redline Version Showing Changes To The City's Income Tax Code Ms. Russell made a motion to Suspend the Rules and Read by Title Only Seconded by Mr. Parrish All yes Ms. Russell made a motion to adopt Seconded by Mr. Parrish All yes

23-259 Ordinance Authorizing The Purchase Order To Ulmer's Milford LLC In The Amount Of \$14,049.86 Ms. Russell made a motion to Suspend the Rules and Read by Title Only Seconded by Mr. Parrish All yes Ms. Russell made a motion to adopt Seconded by Mr. Parrish All yes.

Old Business:

Adjourn: There being no further business to come before the City Council; Ms. Evans adjourned the meeting at 7:36pm with a motion from Mr. Parrish Seconded by Ms. Chamberland All yes

Jackie Bain, C.P.T.

Lisa Evans, Mayor