

RECORD OF PROCEEDINGS

Minutes of

Regular Meeting

Meeting

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

Held September 1, 2020 20

The Council of the City of Milford met in Council Chambers at 745 Center Street at 7:00pm on September 1, 2020. Mayor Vilardo called the meeting to order with the Pledge of Allegiance and a Moment of Silence for all those going back to school.

Roll Call: Present: Mayor Vilardo, Vice Mayor Lisa Evans, Kyle Mitchell, Benjamin Redman, Kim Chamberland, Ted Haskins and Sandy Russell. Ms. Also present was City Manager, Michael Doss, the public via Facebook live and via ICRC TV live broadcast and attending the meeting in person.

Public Hearing REZ 20-01 Milford South Phase 2, Zone Change from R-2 Single Family Residential District to R4 Multi-Family Residential District, Planned Development Overlay continuance for the discussion and decision. Ms. Evans made a motion to open the hearing. Seconded by Ms. Chamberland. All yes. Assistant City Manager, Pam Holbrook provided council with a revised staff report where the substance has not really changed, but what has changed are some of the approval conditions. Ms. Holbrook reviewed the conclusion and recommendations stating that staff is in support of the applicants request to rezone the Milford South property to R-4 with a planned development overlay and recommended adding conditions that Ms. Holbrook went over with council. City approval contingent on review and approval by City Engineer and any other local state and federal agency. What council will be voting on is the Zone change and the planned development overlay request. Council if free to voice their concerns to Ms. Holbrook to then make a presentation to Planning Commission. Or Ms. Evans who is a council representative on Planning Commission. Mr. Redman discussed how he is glad to see the additions that have been made.

Speakers For the Rezoning:
Paul Schirmer - Commercial Development Services Group, LLC Cincinnati Ohio
Mr. Schirmer discussed with council how he is comfortable with the additions that were made to the plan and were items that they were going to comply with anyways. They coincide with development regulations.

Stan Messerly – MessCo Engineering Cincinnati Ohio clarified Mr. Redman’s question regarding the amount of greenspace and the ratio for the Common Open Space Requirements.

Public Comments
Donna Luecke – 910 Wallace was sworn in by Mayor Vilardo
Ms. Luecke stated that this is a great idea! There will be some residual traffic flow. And in the name of progress, what they are attempting to do will be wonderful for the whole community.

Ms. Evans made a motion to close this public hearing. Seconded by Mr. Mitchell. All others yes

Council Discussion

Ms. Chamberland agreed with Mr. Redman that we have the environmental easement there as well as the 64% of greenspace, is amazing. Also liked the fact that it is a lot less dense than it could be. There could be 28 homes as opposed to the 28 units. She is in favor of this. She feels that it fits in the neighborhood.

Mayor Vilardo agreed with Ms. Chamberland on the diversity, the project that it offers and in today’s age, not everyone wants to live in a 3,4, \$500,000 home. This appeals to many demographics. The concerns have been addressed and staff did an amazing job of putting this together.

Vice Mayor Evans said that she likes that the project is less dense. More diversity

Ms. Russell said that she is in agreement regarding the plan having more diverse housing and less dense.

Vice Mayor Evans made a motion recommending that the Law Director draft an *Ordinance Rezoning 6.4 acres, more or less, of real property, from R-2 Single Family Residential District to R-4 Multi Family Residential District with a Planned Development Overlay*. Seconded by Mr. Redman. All others yes
Mayor Vilardo added that for the sake of clarification that motion is approved contingent upon the requirements being met that staff recommends.

Public Hearing REZ 20-02 River Roe, Planned Development Overlay. Ms. Evans made a motion to open the Public Hearing. Seconded by Ms. Chamberland. All yes

Ms. Holbrook informed council that staff recommends approval of the planned development overlay with the following conditions. City approval contingent on review and approval by the city engineer and any other local state and federal agencies who provide planning commission with a copy of HOA’s Covenants and restrictions for review during the final plan review. Covenants and restrictions should be recorded along with the final development plan in the office of the County Recorder HOA Covenants and restrictions to include a regulation that condominiums are to be owner occupied, no rental units, including short term rentals such as AirBNB, would be permitted. The property is zoned Milford River District. They are adding an overlay. The Planned Development Overlay allows them to do the 12 Residential

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condominium units. At the last meeting a Wastewater, man-hole overflow issue was discussed, and Ms. Holbrook included the plat information. There will be a study that will show what the city needs to do, and, in the meantime, Hank Roe can solve this backflow issue that is on his property. IT is a project that the city needs to be aware of. And as we get more information, we will be bringing that back to committee for further review. The height of the building has not changed since the Planning Commission reviewed the information. Elevation information was discussed at tonight's meeting. Ms. Holbrook feels that this is a project that would fit in with what is going on in the city. This is a less intense use than another restaurant.

Mr. Hank Roe – addressed council and stated that the sewer issue will be a simple fix for their company. He wanted to remind council that this application involves up to twelve residential condos as well as the option for them, on the first floor to use commercial condos in lieu of residential. Mr. Roe discussed with council the owner-occupied use of the residential condos and the background for that condition. Ms. Holbrook explained the current rental restrictions and how council may want to consider with the approval, the condition be contingent upon if council at some point does change the zoning.

Rebecca Shundich – Mound Street

Ms. Shundich wanted to address Rental units, AirBNB and it is an issue where communities where residents live long-term. There are communities where there are ordinances where there are a percentage of houses can be AirBNB or rental. Also, there are buildings that are sometimes owned by people who live out of the country. And they are very hard to contact. Ms. Shundich recommends moving forward on that ordinance.

Darryl Donovan – Wooster Pike

Mr. Donovan spoke to council as an owner of a condominium in Florida. His rules state that you cannot rent out any less than three months at a time. He also spoke about the river front foliage and the view of the river.

Mr. Roe addressed Mr. Donovan's concern by stating that at 5 Water Street there is an elevated building that has several patios that will overlook the river. They do not have any plans to remediate or rebuild any of the riverbank slope. They may have to remove dead trees for the storm sewer worker.

Ms. Evans made a motion to close this public hearing. Seconded by Mr. Mitchell. All others yes

Council Discussion:

Ms. Evans is definitely in favor of the development. But is also in favor or, sooner vs. later, getting terms for AirBNB done.

Ms. Chamberland agrees with the Vice-Mayor

Ms. Vilardo commented that it is a beautiful and wonderful addition to our amazing downtown area.

Ms. Evans made a motion recommending that the Law Director draft an Ordinance Adding a Planned Development Overlay to .35 acres, more or less, of real property located at 5 Water Street contingent upon staff recommendations and terms regarding AirBNB from the discussions. Seconded by Ms. Russell. All yes

Presentation: Mr. Hakim Oliver presented information regarding a four series event of community conversations to be sponsored by the City of Milford and in partnership with Mr. Oliver. This program is intended to facilitate positive intergroup interaction and discussion and how we together create a community. The four-part series includes a panel discussion, public input, engagement and interaction helping increase participants perspective by listening and mentally walking in someone else's shoes. His proposal to participate would involve advertising help and then we could do a sign up to the capacity of the room where the event could be held. The fee for the city for this program would be \$2,500. There is no fee for the participants. He would like to run the sessions on Mondays, 7-8:30pm and to possibly start the end of September or the first week of October. Council would like to process the information and to decide by the next council meeting.

Presentation: Ms. Andrea Brady from the Milford Miami Township Chamber of Commerce presented information regarding a mini Street Eats. To be held September 25th from 5-9pm and 26th, noon to 8pm. Located next to the American Legion. Five to ten trucks. Local businesses have also been asked to set up a booth at the event. This should be a very nice variety for people to come out and enjoy themselves. The Chamber is asking the City to sponsor this event and if any business is interested in sponsoring, they would love to talk with them. Council members thanked Ms. Brady for all her hard work in supporting the businesses downtown and her support for the city. Ms. Vilardo discussed how the city cannot financially support this event that encourages social gatherings after we have said no to many others. And to do a Street Festival during this very difficult time that we are in and current culture that we are in feels that this is somewhat insensitive to the businesses that are downtown that are doing their best to hang on and are hanging on by a thread. The food trucks do not help out the businesses that are invested in the City of

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Milford. The initial plan was to have only dessert trucks for this event and support our businesses this year. Ms. Brady stated that at the time that was the intention. Street Eats is very well received, not just in Milford, but in the Greater Cincinnati area. Ms. Evans mentioned that this event is for two days, twelve hours total. And does not think that this will break the restaurants. Some of the people attending would not have come to the restaurants that we have. But they will come to Milford and like the other stores that we have in the city. Ms. Brady said the stores will have a chance to promote their business and their neighboring business. It is not just about food trucks. It promotes our businesses to a broader audience.

Proceedings: City Council Regular Meeting Proceedings from August 18, 2020 Mr. Redman made a motion to approve. Seconded by Ms. Chamberland. Ms. Russell abstained All others yes

Financial Statements: Adopt July 2020 Finance Reports Ms. Evans made a motion to adopt the report Seconded by Ms. Chamberland All yes

STANDING COMMITTEE REPORTS:

Administrative Services Committee

Meeting Minutes August 27, 2020Ms. Evans called the meeting to order at 4:30 p.m. Present: Lisa Evans and Kim Chamberland. Sandy Russel was absent from the meeting Staff: City Manager Michael Doss, Finance Director Pat Wirthlin, Chief of Police Jamey Mills, Administrative Assistant Jackie Bain, Fire Chief Mark Baird, Fire Department Captain Thiele, Utility and Permitting Specialist Dorcie Hershey Shaw and Water Department Supervisor Joe Casteel Proceedings: *Approve the proceedings from the August 11, 2020 Administrative Services Committee Minutes * The approval will be tabled and moved to the next meeting for approval CARES ACT FUNDS / WINDOWS SOLUTION – NON-SLIDE, HANDS-FREE, READY ACCESS* Finance Director, Pat Wirthlin informed the committee that we have received \$195,000 and we after today, earmarked all of that. The point at which we need to encumber everything, is a new target of October 15th. They are going to throw in another sum of money under the same qualifications. We have two more council meetings to spend \$110,000 more. Ms. Wirthlin recognized Utility Specialist, Dee Hershey Shaw. Ms. Hershey Shaw received 3 quotes to obtain hands free, non-slide, ready access windows for the front lobby of the Administration Office and front lobby of the Finance Office for purposes of COVID containment. Quote #1 from Frank’s Glass Inc. \$16,000 (which was rounded up from \$15,580), Quote #2 Brad’s Glass Shop \$11,076 and Quote #3 Affordable Glass & Mirror \$ 10,241.48. Under the best cheapest standard Franks Glass provided the best of three quotes. Joe Casteel and Ed Hackmeister from the Public Works Departments both needed laptops for remote telework. Joe’s laptop required more rugged structure to withstand truck/travel activity. Total \$5,500.Staff is also requesting hands-free washing stations, walkie talkies and more wireless mice for a total of \$2,200.*The Committee Agreed to Recommend That the Law Director Draft an Ordinance Authorizing Coronavirus Relief Fund Purchases According to the Attached Chart for A Total Of \$ 23,7000 Seconded by Ms. Russell All yes CARES ACT FUNDS/GRANT TO MILFORD COMMUNITY FIRE DEPARTMENT* Michael Doss presented information that the MCFD is requesting. The MCFD is a contracted agency and we have to handle this differently. The city would have to grant funds and the fire department would have to make sure that all of the items that they are purchasing, do qualify under the CARES Act to be utilized as those funds would be audited, any of those funds that were determined in the audit, not appropriate for that expenditure, the Fire Department would be responsible for reimbursing those back. Chief Baird and Captain Thiele from the MCFD discussed information and supporting rationale for requesting funding from the city under the CARES Act for the following items:1. Reimburse MCFD for the purchase of a Clorox Total 360 Electrostatic Disinfecting Sprayer (\$ 3,500)2. Reimburse MCFD for unbudgeted purchases of personal protective equipment (PPE) and medical supplies made in response to the COVID-19 pandemic. (\$ 7,594.46)3. Reimburse MCFD for the purchase of HEPA filters for fire station HVAC units. (\$ 497.43)4. Purchase for MCFD one (1) Stryker Lifepack 15 Heart Monitor/Defibrillator for Engine 71 (\$ 32,414.12)5. Purchase for MCFD one (1) Aquos Board for training room. (\$ 10,394)6. Purchase for MCFD one (1) large room tele-conference system (\$ 1,349.99)7. Purchase for MCFD four (4) Microsoft SurfacePro tablets to permit remote work, virtual meetings and multicompany/department trainings via tele-conference. (\$ 4,250)Total Amount Requested: \$ 60,000.00*The Committee agreed to recommend that the Law Director Draft an Ordinance Granting the Milford Community Fire Department an amount of \$60,000 from the City of Milford’s CARES Act Funds to Purchase and Reimburse Items and Equipment Associated with the Covid-19 Pandemic. With the Agreement that the funds Utilized will be for the intent of the CARES Act and any funds revealed through an audit as not valid purchases will be the Responsibility of the Milford Community Fire Department to reimburse those amounts. Seconded by Ms. Chamberland All yes*

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CLERMONT COUNTY ALL-HAZARDS MITIGATION PLAN

Chief Mills presented information to the committee that in order to be eligible for any FEMA Grants we must have a FEMA approved Hazard Mitigation Plan. We take part in a Clermont County plan. This plan has to be updated every five years. The city needs to adopt this so that we will be eligible for any pre or post catastrophe funding. The committee agreed to recommend that the Law Director draft a Resolution for the City of Milford to enter into the Clermont County All-Hazards Mitigation Plan Seconded by Ms. Russell All yes TRAILHEAD BIKE BARN LEASE AGREEMENT Mr. Doss explained the new lease to continue the agreement with Riverwalk Flats, LLC. To have bikes stored at the Milford Trailhead building. This is a five-year lease. They were paying \$300.00 a month. With the new lease, the first five years would be \$350.00 per month, equaling \$4200 a year, and also give the city the ability to work with River Walk Flats to extend the lease to another five years. For years five and Ten, for \$400 per month, for \$4800 a year. The committee agreed to recommend that the Law Director draft an Ordinance to enter a lease agreement with River Walk Flats, LLC for the use of the Milford Trailhead Building aka Bike Barn for an initial five-year term and optional lease of five additional years. Seconded by Ms. Russell All yes DEVELOPMENT INCENTIVES – TRU HOTEL Mr. Doss discussed with the committee the \$9,000,000 investment and the result of FC Cincinnati. This is the Milford Property Tax Rebate Incentive Program – for a term of five years at 100%. We are estimating that the annual property tax, for just the city, will be approximately \$32,272. If the entire terms at 100%, the incentive from the rebate would be \$161,360. The committee agreed to recommend that the Law Director draft an ordinance for an agreement with P3K2P LLC for a five-year term under the Milford Property Tax Rebate Incentive Program for 100% Seconded by Ms. Chamberland All yes There being no further business, the meeting adjourned at 5:03 p.m. with a motion from Ms. Evans Seconded by Ms. Chamberland. All agreed Respectfully submitted, Jackie Bain Administrative Assistant

City Manager’s Report

MEMORANDUM TO: City Council CC: Mike Minniear, Law Director Jackie Bain, Administrative Assistant/Clerk FROM: City Manager DATE: September 1, 2020RE: Manager’s Report US 50 ODOT Paving Update – Construction continues with milling and asphalt paving on Main Street downtown. The City anticipates the project to be completed by the end of next week. Riverside Park Walking Path Update – Project is out to public bid for the walking path at Riverside Park. Bids are due to the City on September 10 at 11:00 am. Bids will be opened at that time. COVID 19 Small Business Relief Program Update – The program launched today, and applications are being accepted until September 15. The program details and application will be made available on the City website or in person at City Hall during regular business hours. 2021 Public Works Projects – Applications for Ohio Public Works Commission Round #35 funds are due to Clermont County by October 5. The City is working with our engineers to evaluate several projects for application submittal. Projects include: Tyler Avenue stormwater, Laurel Avenue stormwater, Garfield Avenue waterline improvements (prior to Wallace Water Tower replacement). STANDING COMMITTEE MEETINGS None at this time REMINDERS September 7 – Labor Day (City Offices Closed) September 9 – Milford CIC Board Meeting at 10:00 am September 9 – Planning Commission Meeting at 6:00 pm September 15 - City Council Meeting at 7:00 pm

Police Department Report

Chief Mills reminded everyone to take the Police Department Survey that is posted on the City of Milford website page and Facebook page.

Fire and Ems Report

Chief Baird thanked council for their consideration with the CARES Act Grant. Nine students completed the first of two rope rescue operations classes here in the city, including the Chief Baird. Carriage Way Park and the Public parking lot next to Harvest Market was also used for parts of the training. The department will have another ten to twelve students going through training in October. The Police Department and the Fire Department were on hand to help the students at Pattison Elementary on the first day of school. 911 Memorial at 9am at the Fire Station will be held on September 11th.

Public Comments:

Donna Luecke – Asked about SEM project. It is in litigation.

Council Comments:

Ms. Evans encouraged residents to take the RV Survey

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NEW BUSINESS:

Ordinances

2020-41 An Ordinance Authorizing Coronavirus Relief Fund Purchases Ms. Evans made a motion to suspend the rules and read by title only. Seconded by Ms. Chamberland All yes Ms. Evans made a motion to adopt. Seconded by Ms. Chamberland All yes

2020-42 An Ordinance Authorizing The City of Milford to Utilize \$60,000 in CARES Act Funds to Purchase Items for and Reimburse to The Milford Community Fire Department for Items and Equipment Associated with The Covid-19 Pandemic Ms. Evans made a motion to suspend the rules and read by title only. Seconded by Ms. Chamberland All yes Ms. Evans made a motion to adopt. Seconded by Ms. Chamberland All yes

2020-43 An Ordinance Adopting the Clermont County All-Hazards Mitigation Plan Ms. Evans made a motion to suspend the rules and read by title only. Seconded by Ms. Chamberland All yes Ms. Evans made a motion to adopt. Seconded by Ms. Chamberland All yes

2020-44 An Ordinance Authorizing a Lease Agreement with Riverwalk Flats, LLC Ms. Evans made a motion to suspend the rules and read by title only. Seconded by Ms. Chamberland All yes Ms. Evans made a motion to adopt. Seconded by Ms. Chamberland All yes

2020-45 An Ordinance Authorizing the City of Milford Property Tax Rebate Incentive Program Agreement with P3K2P LLC Ms. Evans made a motion to suspend the rules and read by title only. Seconded by Ms. Chamberland All yes Ms. Evans made a motion to adopt. Seconded by Ms. Chamberland All yes

OLD BUSINESS:

Adjourn: There being no further business to come before the City Council; Mayor Vilardo adjourned the meeting at 8:34 pm. with a motion from Ms. Evans. Seconded by Ms. Russell All voted yes.

Jackie Bain, C.P.T.

Amy Vilardo, Mayor