

The Council of the City of Milford met in regular session in Council Chambers at 745 Center Street at 7:00 p.m. on January 20, 2015. Mayor Howland called the meeting to order with the Pledge of Allegiance and a Moment of Silence. Mayor Howland said it would be appropriate that during the Moment of Silence to consider the police officers, fire personnel and EMTs who are hard at work daily to ensure our safety.

**Roll Call:** Present: Mayor Howland, Vice Mayor Lykins, Mr. Brady, Ms. Brewer, Ms. Evans, Ms. Hinners, Mr. Pittman.

**Presentations:** Chaplain Bill Oehler and Johanna Woodard were invited to come forward to sing a rendition of 'God Bless America'. Both Chaplain Bill and Ms. Woodard are residents of Sem Haven and have performed this song at numerous Sem Villa events. Ms. Woodard said she was a member of the Baltimore Opera at one time. The duo received a standing ovation at the end of their performance.

Police Chief Jamey Mills came forward at this time to present annual awards. Chief Mills indicated that this is his favorite meeting. He then called the following individuals forward one at a time to receive their awards.

Police Volunteer Christiane Lackman (Chief's Commendation): Chief Mills said Ms. Lackman has been a volunteer Spanish Interpreter since 2011 and is an outstanding ambassador for the City breaking down cultural as well as language barriers. She is a 2014 graduate of the CPA and immediately began volunteering for police events and making her skills as an interpreter available to the police department. Ms. Lackman responded thanking Chief Mills for making her a part of the Police Department and community. She stated it is an honor to serve as a bridge to the Latino/Hispanic community. Ms. Lackman said when she came to this country she never expected to be honored with such an award.

Police Volunteer Karen Wikoff (Chief's Commendation): Chief Mills said Ms. Wikoff's support is invaluable. He indicated that she is the Treasurer of the Milford Police Community Partnership Account and that she is instrumental in soliciting funds and partnerships for police events such 'National Night Out'. He said the police events would not be as successful as they are without her assistance and the unselfish giving of her time. Ms. Wikoff said it is in honor of her dad who served with the Miami Township EMS and taught her to give back to the community. She thanked Chief Mills for the award and indicated that she thinks of those present as her friends and that it is an honor to serve with them.

Police Volunteer Ruthie Craven (Chief's Commendation): Chief Mills said Ms. Craven is a graduate from the first CPA (Citizen's Patrol Academy) and that she just cannot say 'No' when it comes to volunteering her time for community events.

MCFD Lt. Nick Thiel (Chief's Commendation): Chief Mills said he is grateful for Lt. Thiel's IT and communication skills. He stated that Lt. Thiel assisted with the CPA videos, the procurement and vetting of new police radios both Hamilton County Communication Center radios and City Band, and information technology concerns within the police department offices whenever asked. Lt. Thiel responded that he feels honored to be a part of the City and organizations within the City. He said he is honored to work in such a great community environment where the departments work together and are willing to help each other out.

Retired Sergeant Terry Sparks (Chief's Commendation): Chief Mills said Sgt. Sparks had 26 years with the Milford Police Department when he retired and that he exemplifies the Core Values of the Police Department. *Integrity:* Sgt. Sparks found a homeless family including a baby on a winter night sleeping in a car and paid for them to stay at a hotel for several days with his own money until the family could make other arrangements. Although you (Sgt. Sparks) never sought recognition for this deed, it eventually came to light. When asked about the event, you said "It is part of our job to watch out for those who are not as fortunate as we are." *Professionalism:* when a deceased male was found lying along State Route 28 Sgt. Sparks took the lead in investigating the death of the youth and finding the automobile involved which later lead to an arrest and conviction. *Cooperation:* in 1993 a residential burglary occurred in the Village of Glendale. Knowing of Sgt. Sparks' skills as an evidence technician the Chief of Police requested his assistance. Even though Sgt. Sparks was off that day, he came to their assistance which led to the arrest and conviction of two males within 72 hours. *Commitment:* Sgt. Sparks always treated his co-workers with respect and was always available to assist or advise. Sgt. Sparks replied that he is honored by the support of his fellow police officers, Council and the residents. He said he is grateful for the commitment, drive and dedication each police officer displays every day.

Mayor's Court Clerk Kim Sheangshang (Larry J. Oaks Memorial Award): Chief Mills explained the importance of this coveted award then commented on Ms. Sheangshang's professionalism and her willingness to take on new projects and assignments. He said recently he asked her to conduct a Computer Security Protocols Audit which is newly required by the State Attorney General. The results when reported back to the department by the Attorney General's office were very favorable. He indicated that Ms. Sheangshang also handles the City ID cards, Mayor's Court and anything asked of her including volunteering to annually update their Codified Ordinance books. He said Ms. Sheangshang doesn't look for attention; she just quietly goes about her work offering whatever support is needed. Ms. Sheangshang replied that she is "just doing her job" and this is the highest compliment she could get. She said the police staff makes her job much easier to perform and she appreciates them as much as they appreciate her.

Police Officers Megan Bovenzi and Kris Mell (Medal of Merit): Chief Mills requested that both Officers Mell and Bovenzi come forward. Chief Mills explained that on March 3<sup>rd</sup> both officers were dispatched to an address on Apple Lane to respond to a suicidal subject armed with a handgun. They were able to safely evacuate the family members on hand. The officers confronted the subject in the backyard and ordered him to 'drop the weapon'. The subject responded by firing three shots into the woods behind the house before facing Officer Bovenzi and placing the gun to his own head. Officer Mell had moved to a corner of the garage where he was able to use a Taser to incapacitate the subject. When the subject refused to comply with Officer Mell's orders to put his weapon down, he was tasered a second time. Officer Bovenzi was then able to disarm the subject who was then removed from the site to Clermont Mercy Hospital for a psychiatric evaluation. He was later arrested and convicted on several felony charges. The subject's family was very relieved and grateful that the situation was resolved without use of force or loss of life. Chief Mills indicated that it was an honor to present Officers Bovenzi and Mell with the Medal of Merit. Officer Mell said when others asked about the incident he said you don't realize how much you depend on and trust your co-workers. You trust your co-workers with your life and not only that, your family trusts your co-workers with your life. He said it is a relationship you can't describe unless you're in it. Officer Bovenzi then said "As Kim said, it's just our job and we have to have faith in our own training and support to get the job done." Office Bovenzi said that without the Taser the situation could have had a different outcome and that she is particularly grateful for Officer Mell's support.

Chief Mills reminded Council that there was a reception for those who had been honored and with the Mayor's permission would like to join them. He indicated that the awards ceremony would serve as his report and asked if anyone had questions for him.

Ms. Howland thanked Chief Mills and said she is honored and privileged to have been part of this award ceremony and congratulated the officers who received awards saying the police department is part of what makes Milford the tremendous City it is.

Chief Mills said teamwork is what makes these awards possible and that starts at the top with Council.

**Proceedings:** Mr. Pittman made a motion to adopt the Proceedings of the January 6, 2015 regular City Council Meeting; seconded by Mr. Lykins. Ms. Brewer abstained. All others voted yes.

**Correspondence:** There was no correspondence at this time.

**Financial Statement:** Ms. Hinnens made a Motion to receive the December, 2014 Financial Report; seconded by Mr. Pittman. All voted yes.

**Board of Education:** There was no report from the Board of Education.

**Public Comments:**

Mr. Jack Evans (917 Mohawk Trail) came to the podium and said he is a long-time resident of the City. He said he had served 8 years on City Council and 10 years on the Planning Commission. He went on to say he disagreed with how the previous Planning Commission meeting was conducted. Mr. Evans said he felt the Planning Commission had a 'my way or highway' mindset and that no one was allowed to answer pertinent questions. He said he and others left the meeting with many questions unanswered and a feeling that they were not represented.

Ms. Howland indicated that it was not the City's intent to not answer questions at the Planning Commission meeting. She indicated that before the next meeting, Council will have answers to the questions most asked and answer them at the beginning of the meeting. Ms. Howland said she would try to answer one of the most common questions that she has heard and it is 'Why doesn't the City purchase the property on Main Street and create a park out of it?' The answer is that the City doesn't have the \$1.25 to \$1.5 million dollars to do so, nor does the City have the funds to maintain a park of that size. She said Council is listening to the questions and remarks of the residents and will to the best of their ability provide answers at the Public Hearing on February 3<sup>rd</sup>. Ms. Howland stated that any questions regarding the sale of the building will need to be addressed by the school district.

Larry Curliss (548 Lila Avenue) came to the podium and suggested that Council read the past Minutes of all previous meetings. He feels that Mr. Cohen has not been forth coming regarding questions about this endeavor. He stated that this project will impact the City for years to come.

Andy Evans (556 Lila Avenue) said while he is in support of business, he is not in favor of a three story condo building being built across from his house. Mr. Evans stated that he is very concerned for his privacy. He said he is not against a two-story building with a basement but feels three stories in a residential area is too much. He said he thanks Mr. Cohen for what he has done for the City in investing in old Milford and would invite him to resubmit other plans for this property. Mr. Evans stated he believes the building could be torn down for \$555,528 based on what Goshen paid to tear down a school building. He said he does not want this project across from his home. He, too, was unhappy after the Planning Commission Meeting and felt that he had been insulted in that proposed concerns were not addressed. Mr. Evans asked Council how to submit questions regarding the Milford Main Project.

Ms. Howland responded that the City already has a list of questions and that Mr. Wright has been working toward getting the answers to those questions. At the beginning of the public hearing the questions and

answers will be presented. If any questions have not been addressed, the public will have an opportunity to address them during the course of the meeting. She stated Council will take the time to answer the questions as they are presented. She indicated that this is a big project and there are many concerns about it. Ms. Howland said Council will address every person individually and every concern presented and that they would not be doing their elected job if they left questions unanswered.

Mr. Evans stated that he was insulted by the 10 minute discussion about a fountain and park bench at the last meeting.

Ms. Brewer suggested that interested parties can send emails to Council members and Jeff Wright with their questions and suggestions to ensure that the topics and ideas are covered at the February 3<sup>rd</sup> Public Hearing and Council meeting.

Ms. Howland reiterated that it is the job of Council to listen to the concerns and questions from residents and they are very aware that this is a very emotional issue and decisions made will affect the City now, tomorrow and twenty years from now.

### **Standing Committee Reports:**

**Administrative Services:** There was no report at this time.

### **Community Development:**

Charlene Hinnners called the meeting to order at 4:35 p.m.

Present: Laurie Howland, Lisa Evans  
Staff: Jeff Wright, City Manager; Pam Holbrook, Assistant City Manager; Susan Ellerhorst, Assistant to City Manager  
Visitors: Karen Wikoff, MMTCC

### Citizens Housing Committee

Ms. Holbrook submitted changes to the text of *Chapter 1312 Property Maintenance* of Milford's Codified Ordinance which would remove the need for property maintenance violations to be routed through a Citizen's Housing Committee. The purpose of the changes is to streamline the process and provide better service to the community. Property owners would have the opportunity to appeal to the Board of Zoning Appeals if they disagreed with Staff's interpretation of the Property Maintenance Ordinance. (See attached)

**The Committee agreed to make a motion to recommend that Chapter 1312 Property Maintenance be revised to allow property violations be routed through the Code Enforcement Officer; seconded by Ms. Evans. All voted yes.**

### Reservation Fees

Ms. Ellerhorst informed the Committee about the current process for park reservations fees and lights. Ms. Hinnners asked how the reservations worked. Reservations are accepted on a first come first serve basis for anyone interested in utilizing any of the parks for a \$25 fee. The reservation could be for one single day or 6 months for the same one-time fee. Riverside ball field is the only field with lights for night games. If the lights are requested an employee would need to come in and turn on the lights for the game. The cost would be at least \$75.00 for an employee to be called in after hours. The Commission began a lengthy discussion about reservation fees and lights. Ms. Evans mentioned that in the past her family paid \$100 to rent a field in another community for a team. Ms. Ellerhorst noted that the Parks and Recreation Commission investigated a timer for the lights and determined a timer was not an option due to cost of over \$8,000.

Mr. Wright stated that City Council made a great choice a few years ago when partnering with MYBA to reopen Riverside Ball Field. MYBA's monetary investment and in kind services have been beneficial to the City. Staff is very sensitive about providing keys for the lights to non-employees. MYBA has been provided a key to manage the lights during their games as part of our Agreement. The Commission agreed that with the investment that MYBA has made there should be a lower fee for their association.

Ms. Ellerhorst noted that research has shown that the City of Loveland and Miami Township have been using seasons and resident priority systems for several years. Mr. Wright said that staff is concerned that residents who may never use the fields are supplementing the cost of the handful of teams that are benefiting from using the fields for a minimal fee. Ms. Howland and Ms. Hinnners agreed that the parks were created for the residents. It should be noted that these leagues and teams have significant treasury funds to pay for the costs of such sought after fields. The Committee discussed resident priority options and agreed that field use assignment should be established to determine the priority by residency.

**The Committee agreed to make a motion to establish a \$25 reservation fee per session for all parks, MYBA \$10 fee per session and \$8 for lights, establish two seasons for park reservations, \$75 one-time light use fee with multiple use option and create field use priority assignment; seconded by Ms. Evans. All voted yes.**

### Tree Board

Ms. Ellerhorst submitted changes to the text of Chapter 911.08 Control of Street Trees of Milford's Codified Ordinance which would remove the need for street tree issues to be managed by the Parks and Recreation Commission. The purpose of the change is to streamline the approval process and provide beneficial assistance to the residents and the community. (See attachment 911.08)

**The Committee agreed to make a motion to recommend the text revision in Chapter 911.08 Control of Street Trees which will allow staff designated by the City to manage the street trees; seconded by Ms. Evans. All voted yes.**

The meeting was adjourned at 5:30 PM.

**Ms. Hinnners then stated that there is a need for an Executive Session at the close of the regular meeting to discuss legal and real estate matters; seconded by Mr. Pittman. All voted yes.**

**Parks and Recreation:** Mr. Pittman reported that the Parks and Recreation Commission is already planning for the Eggstravaganza.

Ms. Howland asked if there is a need for sponsors for the Eggstravaganza and Mr. Pittman indicated that there is.

**Public Services:**

Called to Order: 5:00 p.m. by Amy Brewer

Present: Charlene Hinnners

Staff: City Manager Jeff Wright and Law Director Mike Minniear

Also present via telephone conference call: Gary Brown and his attorney Gary Hoffman

*Request for sewer and water utilities for property not inside the City corporation limits*

Mr. Wright informed the Committee that Mr. Brown owns a parcel at 813 US Route 50 adjoining the City of Milford in Miami Township. The parcel contains existing buildings that are served with private, on-site septic system and water well rather than by public utilities. Mr. Brown has requested that the City permit him to tap into the City's public water and sanitary sewer line without having him first annex his property into the City. However, Milford Ordinance #921.05 states: "Council shall have the sole and absolute power to deny or permit the extension of its Municipal water and sewage service to persons outside the territorial boundaries of the City and shall require, as a prerequisite to the granting of such services, that the property outside the City limits first become annexed to the City of Milford."

Mr. Brown explained that his on-site system is failing and that Clermont County and the Ohio EPA are requiring him to connect to a public system before he can increase the size of his buildings. Mr. Hoffman opined that having Mr. Brown's property improved would be good for Milford, but Ms. Brewer pointed out that if the property remained in Miami Township then the revenue would also remain in Miami Township. Mr. Brown stated that he is willing to pay for the tap fees and private construction cost to tap into the City's trunk lines and pay the 50% premium for non-City utility users. Mr. Wright stated that City charges higher utility rates for non-residents as an enticement for annexation.

Mr. Hoffman stated that in the 1980's the City permitted sanitary sewer access to properties near Signal Hill and SR 28 that are outside of the City's corporation limit. The specifics of that matter versus the current request from Mr. Brown were debated.

The Committee informed Mr. Brown that while they can appreciate the situation he has with his utilities it is in the best interest of the City to follow Ordinance #921.05. Mr. Brown could remedy his situation by annexing the property into Milford but is electing not to do so. They finished the discussion by informing him that they are open to further conversations of annexation of his property and negotiations of the future zoning of his property if he would like to pursue that. Mr. Brown concluded the conversation by indicating annexing to Milford was not an option for him and that he would be pursuing litigation.

There being no further business, the meeting adjourned at 6:02 p.m.

**Safety Services:** There was no report at this time.

**City Manager's Report:**

CITY MANAGER

On this past Wednesday night the Planning Commission recommended approval of the Milford on Main proposed redevelopment. City Council will have a public hearing for the proposed rezoning on February 3<sup>rd</sup> and at the earliest would vote on the issue on February 17<sup>th</sup>.

Assistant Manager Pam Holbrook and I had a lengthy meeting last Monday morning with the architects for the proposed Milford on Main and another lengthy conference call on Thursday with the proposed developer and architects. We know that this is a very important issue to Council, the neighborhood and District so we are constantly conveying thoughts back-and-forth.

The Planning Commission also approved another approximately 10,000 sq. ft. building on US Route 50 that Don Kellerman is going to build for a tenant that is a large roofing contractor.

#### SERVICE DEPARTMENT

Ed Hackmeister, Service Department Supervisor, reports that the department will continue to pick up Christmas trees on Wednesdays for the next two weeks. The trees need to be placed at the curb and be completely free of any ornamentation including tinsel. Brush pick-up remains on a call-in basis only. Leaf pickup has ended for this season.

Service staff continues to patch potholes on streets and alleyways throughout the City. Residents can report potholes by calling Ed at his office at the Administration Building at 831-4192 or by calling the Service Department itself at 831-7018.

Ed reports that his staff has also starting picking up trash along City berms.

#### WASTE WATER DEPARTMENT

Dave Walker, Waste Water Department Supervisor reports that his staff worked on a minor sewer back-up last week that occurred between manhole 49D and 49D1 off Forest, Brandon and Hudson Streets. When they ran the camera they found root invasion into the system. They then ran the cutter through the sewer in that area to remove the roots.

Later in the week they performed 7 OUPS locates and a lateral inspection for a resident on Seminole Trail.

#### WATER DEPARTMENT

Matt Newman, Water Department Supervisor reports that his staff completed meter readings throughout the City last week and the second half of monthly distribution samples as well.

Later in the week they completed 4 work orders and 6 utility locates for residents.

Citi-Logics was there on Thursday to pull the live modeling information from the SCADA. As you know the water system SCADA was replaced two years ago. We are a beta site and Citi-Logics is working with Cincinnati environmental professors at UC at no cost to the City to provide 'live modeling'. SCADA is good data which can give the water department a fixed point where something might have happened in the water system. This will give us real time information situations including a fire where we will need a large amount of water or it could be a water main break. This live modeling will allow us to react better to something that might affect the system and have a better plan of action. This is in a very preliminary state, and I will come back and report to Council when they have some benchmarks.

#### OTHER

The City of Milford is seeking an interested resident to fill a vacancy on the Milford Planning Commission. The Commission is a five-member volunteer board appointed by the City Council. The Commission serves as an advisory, planning, and technical group for Council, the Board of Zoning Appeals and the administrative officers of the City.

The Planning Commission typically meets on the second Wednesday of the month at 6:00 p.m.; members serve a four year term. To apply, you must be a resident of the City of Milford. A background or interest in urban planning, architecture, law, or real estate is helpful but not required.

If you would like to be considered for this appointment, please send a letter of interest & brief resume to:

Pam Holbrook  
City of Milford  
745 Center Street, Suite 200  
Milford, Ohio 45150

The position will remain open until filled by City Council. If you have any questions, please call Pam Holbrook at 248-5093.

The Milford Parks and Recreation Commission is searching for a City resident to fill a vacancy on the Commission. The Parks and Recreation Commission is a five-member volunteer board appointed by City Council which reviews and recommends plans for park improvements and monitors the implementation of the Park and Recreation Master Plan. The Parks and Recreation Commission meetings are typically held on at 5:30 p.m. the second Monday of the month.

If you are interested in being considered for this position, please send a resume or letter of interest to Susan Ellerhorst at [sellerhorst@milfordohio.org](mailto:sellerhorst@milfordohio.org). If you have any questions, please call 248-5092.

We have received notification that the City has been granted a 2014 Tree City USA designation. We are 1 of 41 communities in southwest Ohio being awarded with a Tree City status this year. Ohio is highly regarded in the world of urban forestry and that is largely due to the dedication of their community tree care program members.

We have also been notified by the American Heart Association that the City has been recognized as being a 'Gold Fit-Friendly Worksite'. As a Gold level award recipient we have fulfilled key criteria and demonstrated a strong commitment to providing a healthy workplace for our staff members.

#### STANDING COMMITTEE MEETINGS

Administrative Services Committee: Not scheduled at this time

Community Development Committee: Tuesday, January 27<sup>th</sup> at 4:30 pm.

Public Services Committee: Not scheduled at this time

Safety Services Committee: Not scheduled at this time

#### REMINDERS:

**Parks & Recreation:** 5:30pm Monday, February 9, 2015 in Council Chambers

**Planning Commission:** 6:00pm Wednesday, February 11, 2015 in Council Chambers

**Police Department Report:** Chief Jamey Mills indicated that his report was the presentation at the beginning of the meeting.

**Fire Department Report:** Chief Cooper reported that the Fire Department staff members are currently 'rehabbing' the resting area at the fire station. The current resting area is more than 30 years old and needed to be updated. He stated that a lot of the work is being done by staff members. He then indicated that residents could go to their website for updates.

**Public Comments:** Mr. Andy Evans returned to the podium to report that recently he filled out a building permit to add on to his garage and one of the questions was how tall the structure would be. When asked how tall the garage was he replied "22 feet".

**Council Comments:** Mike Minniear, Law Director thanked Bob Wendel for his service on the Planning Committee and Jack Evans for previous service on behalf of the City. Mr. Minniear explained that staff works with the Planning Commission. The Planning Commission does the 'grunt work', the fact collecting; they collect as much information as possible so they can forward that information to Council regarding a project. Council then serves as the appeal process. Council has the opportunity to approve, reject or amend. He said the Milford Main Project is not a 'done deal' and that City Council has not come to any decision. He said Council will hear the facts and make their decision based on what they hear.

Ms. Hinnners said all the facts are not in to Council.

Ms. Howland agreed saying she has been doing 'lots of' research on the project and thanked Mr. Minniear for his clarification.

#### **New Business:**

**15-1140** An Ordinance amending Chapter 1312 'Property Maintenance' of the Codified Ordinances of the City of Milford; Ms. Hinnners made a Motion to suspend the rules and read by title only; seconded by Mr. Pittman. All voted yes. Mr. Pittman made a Motion to adopt the Ordinance; seconded by Ms. Brewer. All voted yes.

**15-1141** An Ordinance establishing park reservation fees; Mr. Pittman made a Motion to suspend the rules and read by title only; seconded by Ms. Evans. All voted yes. Mr. Pittman made a Motion to adopt the Ordinance; seconded by Ms. Evans. All voted yes.

**15-1142** An Ordinance amending Chapter 911.08 'Control of Street Trees' of the Codified Ordinances of the City of Milford; Ms. Brewer made a Motion to suspend the rules and read by title only; seconded by Mr. Pittman. All voted yes. Ms. Hinnners made a Motion to adopt the Ordinance; seconded by Mr. Pittman. All voted yes.

**Old Business:** There was no old business to be discussed at this time.

#### **Adjourn:**

There being no further business to come before the City Council; the meeting was adjourned into Execution Session for legal and real estate matters at 8:05 p.m. with a Motion from Mr. Pittman; seconded by Ms. Evans. All voted yes.

Executive Session was adjourned at 9:25pm with a Motion from Ms. Hinnners; seconded by Mr. Lykins. All voted yes.