

RECORD OF PROCEEDINGS

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held May 16, 2017 20

The Council of the City of Milford met in Council Chambers at 745 Center Street at 7:00pm on May 16, 2017. Mayor Howland called the meeting to order with a Pledge of Allegiance and a Moment of Silence with intentions for all those that are graduating this year from High School and College who are entering their next stages of their lives.

**Roll Call:** Present: Mayor Howland, Vice Mayor Brewer, Mr.Brady, Mr. Albrecht, Mr. Haskins and Ms. Evans. Ms. Howland asked for a motion to excuse Ms. Russell who was out for business reasons. Ms. Brewer- so moved. Ms. Evans seconded the motion. All voted yes.

**Introduction and Presentation:** Presentation of the Downtown Milford Corridor Phase I – presented by City Manager Michael Doss and Public Works Director Nate Clayton. This is a project that is looking at expanding the Downtown Milford Corridor. It is a three phase process. The first phase is State Route 28 from Five Points all the way up to Castleberry Court. We wanted to bring our downtown and expand it. The first phase actually captures that and some of the things we wanted to do aside from asphalt overlays was: correct curb issues, expand some greenspace, pedestrians that walk into town and patron those businesses and create a kind of buffer between the street and the sidewalk and making it a lot safer. We are putting in conduit which will allow us to put in the future, decorative street lighting to match what we have downtown. Phase II we are looking to apply for Grant Funding and the application period for this is next February and to hopefully do the project in 2018 or the first part of 2019. The final phase, Phase III is the Downtown Milford Corridor. It will piggy back off of our ODOT Urban Paving Program. Nate Clayton presented on the Smartboard DMC phase I, II and III. We are going to start this construction around July and would like to complete in October. Within 90 days we would like to be done with this project. Curb replacements, sidewalk replacements and some greenspace areas were mentioned for streets within the city. One of the most important changes Mr. Clayton stated was the area of curb just past Lehr’s. There are many other updates to the city also mentioned. Another big improvement will be at the Old Tire store location. A lot of stormwater goes into their parking lot. A curb will be placed there which has been missing from that location. They are to improve the sidewalk in that area. There will be a little bit of greenspace updated there as well. In front of PNC and towards Kroger, more greenspace to the area. Storm, sewer and overlay to improve crosswalk areas. There will also be conduit laid for future lighting in that area as well. Detailed drawings were shown of the locations presented to council. Ms. Howland asked about how far apart the lighting will be from each other? Mr. Clayton said that this has not been determined but the light fixtures will be a bit further apart than the lights downtown. Ms. Evans asked if any of the curb cuts are changing. Mr. Clayton responded that there will be same curb cuts with no reductions. Gutters and striping will be placed in the area around Oakcrest. Reducing the median area reducing the amount of cars off the sidewalk. Valleybrook a curb and gutter system will be placed in to catch water. Overlay and improve the manhole covers up to Thielman’s. Ms. Howland asked about how long this project will take. Mr. Clayton said about 90 days if they are on schedule. Ms. Evans asked about the sidewalk continuing from Crestview to Thielman’s. Is it too late to add this in? Mr. Clayton said it will be in a future phase and looked at for budgeting. Mr. Doss presented the Public Works Facility – the current space is in a state of disrepair. The new future home of the Public Works Director, Service Division, Street Department, and house all of their vehicular equipment as well. The Bay Road location did not come back favorable after testing was done on the soil. The costs to replace the soil in the area would have been around \$1,000,000.00 to replace the soil on top of constructing the new facility. Another location was then considered - the city owned property/ Garfield Park which is in close proximity to Bay Road. Keeping the bins at the Bay Road location open to store materials in the facility. The objective was to take a look at the Public Works department and make a determination of what best uses we could have for this facility not just today, but for future needs as well. Mr. Clayton then presented the schematic layout of the building and what it will house and the facility’s capabilities. Ms. Brewer asked about the offices in the facility. Was the decision made to move Matt into the new facility or will he stay at his current office? Mr. Clayton stated that Matt Newman – Assistant Public Works Director will be relocating to the new building. Ms. Brewer mentioned that a lot of equipment that the city owns is stored outside. Will the items that are currently outside be moved to a different location? Mr. Clayton said that none of the items will be stored outside. They will be stored next to the cold storage building and the salt barn down on Bay Road. Mr. Doss presented the information on Garfield Park. Mr. Doss brought to council’s attention the rendering of how the Public Works Facility and Garfield Park will work together and still maintain the park yet be multifunctioning. There will be adequate parking, bathroom, a gazebo, and adequate greenspace for the park. There was discussion amongst some council members regarding the position of the garage door. Mr. Clayton said there was no house facing directly across from the garage door. Also Ms. Brewer mentioned that during a Public Services meeting discussion, the Administration Office Building needed to be a different façade. It needed to look less commercial than the garage portion of the building. Ms. Brewer also mentioned that the gazebo was a nice transition from the playground and the garage. Weddings to be held there could be a possibility. Ms. Howland mentioned that there is a stone marker up at the park that is in memory of someone. Mr. Clayton stated that the memorial items are to be transplanted to another location elsewhere at the park. They will also be utilizing the existing entrance as well. Mr. Doss mentioned that we are making Garfield Park better by adding some of the things like the bathroom, and a gazebo. And not be sacrificing the shelter, the playground or parking. The city is making its presence there and making that park better. Ms. Evans asked if the old building is going to stay or be



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torn down. Mr. Clayton stated that it is something to be determined. We cannot have a service garage in that are because of the EPA. The current garage will more than likely be scrapped. Ms. Howland said that we are very fortunate to have this available because other municipalities are looking to bring everything inside for the longevity of their vehicles and they are land locked. They are going to commercial owners to rent space.

**Proclamation:**  
**Proceedings:** Ms. Evans made a motion to adopt the Proceedings from April 18, 2017; seconded by Mr. Brady. Ms. Brewer abstained. All others voted yes.

**Correspondence:** None

**Financial Statements:** Approve Financial Reports for February, March & April Ms. Evans made a motion to approve Seconded by Mr. Brady. All voted yes.

**Public Comments:** Janet Cooper informed Council that there is going to be a Memorial Day Parade this year. It will start at 9:30 at the Legion and go to Greenlawn Cemetery. Any Veterans that are interested please contact the Legion # 831-9876 and any council that is interested, they would be happy to provide transportation, just let Lisa Evans or Janet know. Please come out and wave your flags which will be provided.

**Standing Committee Reports:**

**Public Services** Public Services Committee Meeting Minutes May 11, 2017  
Called to Order: 8:00 a.m. by Amy Brewer Present: Amy Brewer, Fred Albrecht  
Staff: Michael Doss, City Manager; Nate Clayton, Public Works Director; Matt Newman, Asst. Public Works Director; Lori Pegg, Community Services Manager  
Fred Albrecht will replace Mayor Howland on the Public Services Committee. The committee agreed to excuse the absence of Ed Brady.  
**Downtown Milford Corridor Phase I** Mr. Clayton presented designs for Phase I of the Milford Corridor project that will stretch from Castleberry Court to Five Points. The design calls for green space between the curb and sidewalk and the replacement of sidewalks, aprons and curbs. Electrical conduit will also be installed, so in the future street lighting will be added. Other upgrades include moving the crosswalk at Pike & Walnut, moving the crosswalk from in front of Lehr's to Baker Drive and installing curb and sidewalk in front of the old Michael Tire building on Main Street. Mr. Clayton added that stormwater drainage will also be improved. The turn lane will be removed going up the hill past Valleyview drive and the road moved over away from the sidewalk. The committee asked why we were not installing the decorative street lighting as we do this project. Mr. Clayton noted that the street lighting is very expensive, \$1500-\$2000 per light, and the project is already expensive, so it will have to be done later and we hope to take advantage of programs that Duke has to offer and a transportation enhancement grant that will be applied for in 2018. The project will be started in June and every effort will be made to have the project finished by September and before school starts. The committee recommends going forward with the project and a formal presentation will be made to council as a whole. **Public Works Facility** Mr. Clayton presented the renderings for the Public Works Facility. The original site was on Bay Road, but after soil sampling it was determined that nearly \$1million worth of work would have to be done just to prepare the site. A portion of Garfield Park adjacent to Bay Road has been recommended as the new site for the facility after surveying and soil sampling. The playground and shelter will be moved from the site and relocated to the other side of the park. The facility will include a public restroom on the outside, which is an improvement over the port-o-lets currently in the park. A gazebo is included in the rendering, but not in the budget for the original project. The public works facility will include a training room, offices for several public works employees, bays for trucks and equipment, a wash bay, a lift and storage. The facility is designed to be very functional and future needs were discussed in the planning stages so the facility will meet the needs of the Public Works Department for many years. The committee would like to see the front office area covered in some façade, whether it is brick or rock to make it more aesthetically pleasing and Mr. Clayton will look into some options. The landscape was also discussed and he plans to have heavy landscape screening on the side by Cemetery Road. There are also several memorial trees in the park that will be moved to the side near the playground or to the grassy island. The committee also brought up the park across the street from Garfield Park, Clertoma Park. The park does not have any parking and the only access is by foot, there was discussion about relocating the playground equipment and offering the park for sale. The committee recommends Council making a motion to approve Garfield Park as the location for the Public Works facility. The committee also recommends the City obtain an appraisal of the Clertoma Park property for future Council consideration of possibly selling the existing Clertoma Park property. **Proposal from McGill Smith-Punshon for construction management of Public Works facility**. Clayton presented a proposal from MSP for construction management of the Public Works Facility in the amount of \$22,000. They designed the facility and will be best equipped to work with the contractors through the completion of the facility.



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The committee agreed to make a motion to draft an ordinance authorizing the City Manager to enter into an agreement with McGill Smith Punshon for the Construction Management of the Public Works Facility in the amount of \$22,000. Mr. Brady seconded the motion. All voted yes

Purchase of Public Works Service Truck

Mr. Newman presented bids from Castrucci Ford, Beechmont Ford and the GM State Contract for the purchase of a service truck to replace a 2008 truck that will be sold on GovDeals. The lowest bid was from Castrucci Ford in the amount of \$35,225.

The committee agreed to make a motion to draft an ordinance authorizing the purchase of a 2017 service truck in the amount of \$35,225 from Castrucci Ford.

Mr. Brady seconded the motion. All voted yes

Water Department Lime Lagoon Cleaning

Mr. Newman presented an update on the lime lagoon cleaning. Tritium Industrial Services who was awarded the bid has become involved in a lawsuit and will be unable to do the project. He will be rebidding the project.

Five Year Comprehensive Improvement Plan

Mr. Clayton presented an overview of the CIP to the committee. This CIP is a roadmap of large infrastructure projects that need to be completed within the City over the next five years and will be used for budgeting and grant funding purposes. This forward thinking CIP process was completed by staff and the Kleingers Group to schedule out large projects for funding. The final copy of the Capital Improvement Plan will be made available to Council for review at the May 16<sup>th</sup> Council meeting.

SWORRE Trash & Recycling Bid

The City of Milford participates in the Southwest Ohio Regional Refuse Consortium through the Center for Local Government for our trash and recycling services. Mr. Doss reviewed the bid draft with the committee. The bid is very similar to previous years with the addition of these three items from us: (1) residential units increased by 25, (2) The contract will include trash and recycling service for the new Public Works Facility and (3) service start time will stay the same and be honored the winner of the bid. It will be put out to bid on May 31, 2017.

In the interest of time Mr. Doss asked that the next two items be discussed in this committee, although they would normally be discussed in Administrative Services. All agreed.

Clermont County Public Health Contract

Clermont County provides public health services for the City of Milford in the amount of \$27,319 for 2017.

The committee agreed to make a motion to draft an ordinance authorizing a 2017-2018 agreement with Clermont County Public Health to provide health services and provide payment for said services in the amount of \$27,319. Mr. Brady seconded the motion. All voted yes

Interim Finance Director

Finance Director, Dan Burke's, last day with the City will be June 2<sup>nd</sup>, 2017. We thank him for his years of service and wish him well. The search has begun for his replacement. In the interim Mr. Doss would like to designate Tina Kern as the Interim Finance Director with signing authority and a temporary pay increase until such time that a new Finance Director is hired.

The committee agreed to make a motion to draft an ordinance designating Tina Kern as the Interim Finance Director and provide a temporary pay increase as determined by the City Manager until such time as the new Finance Director is employed by the City. Mr. Brady seconded the motion All voted yes

There being no further business Vice Mayor Brewer adjourned the meeting at 9:00am.

A motion was made by Ms. Brewer to go into Executive Session pursuant to section 3.05.1 of the Milford City Charter. For the purpose of the consideration of the compensation of the City Manager. Ms. Howland seconded the motion. All voted yes

**City Manager's Report:**

MEMORANDUM TO: City Council CC: Mike Minniear, Law Director Jackie Bain, Administrative Assistant/Clerk FROM: City Manager DATE: May 16, 2017 RE: Manager's Report CITY MANAGER-Public Works Facility Bond Financing – Meeting scheduled later this week with bond counsel to go over the process of securing funding for the proposed public works facility. Approximately a 60 day period by the time we engage Bond Council until the time that we actually sign the documents in closing for financing the facility. These are preliminary meetings with our Bond Council. Trash and Recycling Bid – Meeting with representatives from the Center for Local Government and Solid Waste and Recycling Consortium regarding the upcoming bid for trash and recycling services. CLG is hoping to have those bids advertised by the end of June. Canoe/Kayak Take In and Take Out - Meeting with representatives from the Little Miami Conservancy and other stakeholders regarding a new canoe/kayak take in and take out point along the Little Miami River. The potential project would provide a mix use of recreational opportunities as well as an economic development driver. Downtown Redevelopment Districts – The city is exploring the concept of developing a Downtown Redevelopment District. Under the law, municipalities are authorized to create “downtown redevelopment districts” (DRDs) and “innovation districts” for the purposes of promoting the rehabilitation of historic buildings, creating jobs, encouraging economic development in commercial and mixed-use areas and supporting grants and loans to technology-oriented and other businesses. The rules and procedures associated with DRDs are similar to those that apply to tax increment financing (TIF) districts. Under the



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law, a municipal corporation is authorized to exempt a percentage of the increased value of parcels located within the DRD from property taxation and require the owners of the parcels to make service payments in lieu of taxes. The legislative authority of the municipal corporation that adopts a DRD ordinance may exempt up to 70% of improvements to parcels located within the DRD district. The property tax exemptions are generally prohibited from lasting longer than ten years.

The revenue derived from the service payments must be used for the economic development purposes prescribed by the law. PUBLIC WORKS-Capital Improvements Plan – The five year capital improvements plan is complete and copies of the plan have been placed in council mailboxes.

Memorial Park – Clermont County is in the process of obtaining three quotes from contractors to finish the project with the intent to finish the project by May 26, 2017. Service Department

Control Bionics suite electrical modifications- The city received two quotes from electricians for the electrical modifications to their office space all under \$7,500. These improvements will benefit the city office space as well as accommodate the immediate expansion of Control Bionics Municipal Building

Floor Replacement- The city is in the process of getting bids for floor replacement on the 1<sup>st</sup> and 2<sup>nd</sup> floors.

Street Division State Route 28/Main Street –Public Works received final set of plans April 28, 2017.

Below is the tentative schedule: 1st Bid Advertise May 22,2nd Bid Advertise May 29Bid Open June 14Council for Contract Approval July 11Anticipated Start Construction- July 17

Mill and Water Street Intersection Improvements – We anticipate 50% design submittal May 30, 2017.

The intersection improvements will be based on the traffic study completed by Kleingers earlier this year.

Wastewater Division2017 Sewer Lining project – Laurel to Gatch–Miller Pipeline contract is executed and contractor is currently on site. High Street Sanitary Sewer Main and Bay Road Sanitary Sewer Siphon Line –MSP and the City had a 90% design submittal reviewed May 1<sup>st</sup>, 2017. The anticipated schedule for both projects is as follows: Bid Documents Complete May 261st Bid Advertise June 5 2nd Bid Advertise June 12Bid Open June 23Council for Contract Approval July 11Anticipated Start Construction- July 17 (cannot be awarded or started until OPWC agreement is executed) STANDING COMMITTEE MEETINGS None at this time REMINDERS May 19-21 Yard sale weekend May 29 Memorial Day Parade beginning at 9:30 a.m. . June 1-4 Frontier Days

**Police department report:**

Date: May 01, 2017To:Michael Doss, City Manager From: Jamey Mills, Chief of Police

Subject: Monthly Report to City Council This report summarizes the various activities and functions of the Milford Police Department during the month of April.TRAININGAll sworn members completed training on De-escalation of Use of Force through the Police One Academy. Officer Chastain completed three days of tactical handgun training. All sworn officers reviewed the Clermont County Prosecutor's Newsletter. The annual sergeant's in-service training was conducted by Assistant Chief Mahan. NOTABLE CRIME OCCURRENCES Two sudden death scenes were processed during the month of April. One was ruled a suicide and the other was ruled natural. A felonious assault was reported at the Oakwood Apartments .A purse theft was reported at Kroger. Recent Citizen Survey – the following have been implemented: an increase in bike, Segway and foot patrols with emphasis with engaging the public. Officers will be reminded of the importance of waving while on patrol. Funding options will be explored to purchase trading cards for officers to hand out. Traffic safety will continue to be a priority through the use of visible traffic observation posts. Top two complaints on the survey are drugs and traffic. We will continue to focus on that. Neighborhood patrols will be prioritized. And drug enforcement will remain a priority. All of the information is on the website. UPCOMING EVENTS 1. The annual Clermont County Law Enforcement Appreciation Banquet will be held on May 17th; Assistant Chief Mahan will receive an award for his work on a serial burglar case ADMINISTRATIVE Michael Doss, Assistant Chief Mahan, and I met with our labor management attorneys to prepare for the upcoming union negotiations. I attended a meeting with Public Works Director Nate Clayton to discuss traffic pattern plans for the intersection of Mill and Water. Ms. Brewer said kudos once again to the department. A 1% improvement rating in a 4% decline and you take that and you make changes where a lot of Chiefs would have stayed status quo. Because you would have thought you met your mark. But you did not. You always rise above. Mr. Minniear thought it was interesting that some people complained that we have a speed trap here and other people complained that we are not enforcing the speed laws.

**Fire and EMS Report:** Monthly Report on file. Chief Baird reported that they received a grant from the Ohio Fire Marshall. About \$2,200 dollars. It covered several training expenses for people who took certification classes in 2016. Also two firefighters Alex Baird and Chad Evans who are in the cadet program took their Firefighter I Training at the Wayne Township Fire Academy in Newtonsville and that too was paid for by a state grant that Wayne Township applied for. 3 of the Captains: Miller, Nickle and Thiele complete the Fire Officer II class last week. It is the second of a 4 step class. On the 10<sup>th</sup> of last week we had an accident involving a truck that spilled the excavator off. No injuries. Hydraulic fluid was spilled from the excavator. The Ohio EPA directed the owner of the company that they needed to employ a clean-up contractor to respond and mitigate the incident. It was about a 5 hour operation. Some recovery will be done since the accident left cleanup to be done and a V shaped gauge in the asphalt had to be repaired that night since it was going to be a danger to any motorcycles that came through. The Fire Board meeting that was regularly scheduled for this past Monday has been rescheduled for the 31<sup>st</sup> of this month. Chief Baird also acknowledged the voters of the city – it is really impressive if you can get more than 9 out



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of 10 voters to vote yes on any kind of a tax levy. We do not take that for granted. It is looked upon as a referendum on the service that we provide. I am very proud and thankful for that support from the community and look forward to the work that has put us in that light in the public’s eyes. Ms. Howland thanked the Chief for all the support that he and his department give the community. It speaks volumes.

**Community Development Report:**  
By monthly report that contains information from Assistant City Manager Pam Holbrook in regards to our permit activity and information to council with new businesses as well as the property maintenance enforcement code information.

**Public Comments:** none

**Council Comments:** Ms. Howland mentioned that Harvest Market will have their Grand Opening ribbon cutting ceremony this Saturday. They have amazing food and amazing people there. A great addition to Main Street! It is the end of the school and more children will be out playing. Please be aware of the speed limit and obey the traffic laws. It is vital that everybody slows down. Also a shout out to Art Affaire – to all of the artists who entered the poster contest, thank you! Art Affaire is September 23<sup>rd</sup> on Main Street. If you have not already joined and become a member of the GMAHS, please join. It is a great way to support your local historical society. June 7<sup>th</sup> is the membership matters Bunko night – for members only. On July 29<sup>th</sup> – their second annual Thirsty for History event at Promont.

**New Business:** Approve the Summer Session dates for Council. Ms. Brewer made a motion to accept the dates of June 6<sup>th</sup>, July 11<sup>th</sup> and August 8<sup>th</sup>. Mr. Brady seconded the motion. All voted yes.

**Ordinances and Resolutions**

- 17-1275 AN ORDINANCE AUTHORIZING AN AGREEMENT WITH MCGILL SMITH  
PUNSHON FOR THE CONSTRUCTION MANAGEMENT OF THE PUBLIC WORKS  
FACILITY Ms. Brewer made a motion to suspend the rules and read by title only. Seconded by Mr. Brady. All voted yes. Ms. Evans made a motion to adopt. Mr. Brady seconded the motion. All voted yes
- 17-1276 AN ORDINANCE AUTHORIZING THE PURCHASE OF A VEHICLE FROM CASTRUCCI  
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. Mr. Brady seconded the motion. All voted yes
- 17-1277 AN ORDINANCE DESIGNATING TINA KERN AS INTERIM FINANCE DIRECTOR  
Ms. Brewer made a motion to suspend the rules and read by title only. Seconded by Mr. Brady. All voted yes. Ms. Evans made a motion to adopt. Mr. Brady seconded the motion. All voted yes
- 17-1278 AN ORDINANCE AUTHORIZING THE CITY OF MILFORD TO EXECUTE A  
CONTRACT WITH THE CLERMONT COUNTY HEALTH DISTRICT ADVISORY  
COUNCIL FOR THE PORVISION OF PUBLIC HEALTH SERVICES FOR 2018  
Ms. Brewer made a motion to suspend the rules and read by title only. Seconded by Mr. Brady. All voted yes. Ms. Evans made a motion to adopt. Mr. Brady seconded the motion. All voted yes

**Old Business:**  
**Public Hearing**

Corken appeal - Mr. Minniear stated that procedurally this is how we are going to proceed. I know that the Corken representative has asked for permission to present additional evidence and essentially that would require the public hearing to be reopened. The public hearing was closed at the last council meeting that we had. And it was continued in progress for a decision making only. Did Corken want to make that appeal to reopen the hearing? Is that what you wanted to do? Approach the podium please. I am Jerry Muchmore with UNIT Building Services, representing Corken. Mr. Minniear asked: Did you want to make a request to reopen so that you can present additional evidence and testimony? Mr. Muchmore: I presented a letter in response to Chief Baird’s presentation. And I just wanted to speak to that regards to see if any questions from the Mayor or council in that regard. Mr. Minniear: Okay. It is all about fairness a due process. Everybody is given an opportunity. The hearing we had last time, the appellant, which was you,



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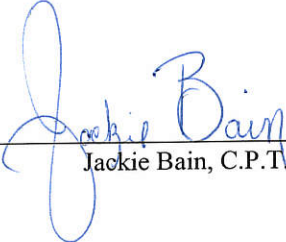
made your presentation. Then the appellee, which was the Fire Department, had a response. Then you were able to respond to that and then the Fire Department came back for a brief response. So, it is not my decision, but in my view, the public hearing has been closed, unless four council people vote, or make a motion to reopen it, then it is closed. There will be no additional evidence. Mr. Minniear then asked council members: Is there a motion from council to reopen the hearing? No motion was made. Mr. Minniear then stated that failing for a motion, the hearing will not be reopened. And it is just for decision making at this point. He then thanked Mr. Muchmore. Procedurally the only people, the only four that are going to vote are Ed, Lisa, Laurie and Ted because they heard all of the evidence in the testimony. The full legal council is still seven members, but only four people are going to be voting this evening. It is going to take all four votes to have a decision this evening. Now before we hear any motions, it is open for discussion among council, among them, before we make a motion. Mr. Brady stated that he got the information he needed from the public hearing and the minutes from it. He did not have any other questions. Ms. Evans said the same. Mr. Minniear asked if there is discussion before council votes. Mr. Brady said that Corken made their case. The Fire Department made their case. The Fire department provided evidence to show that the emails and materials in communication were above and beyond what I would say the expectations. My view would be that the Fire department satisfied my view. They did their due diligence in communications. I feel that Corken failed to communicate internally based on what we heard and what was presented and the documents that we saw. That is my perspective. Ms. Howland stated: I agree with Ed. His perspective on it. From my perspective on it as a co-owner in a general contractor business, it always falls back on the contractor to meet all of the codes. This expense was going to occur one way or another. It was either going to have to be put in at the end. A lack of communication internally doesn't excuse not meeting these codes. And sometimes I do know that some city's codes can be difficult or expensive to meet but in the end of the day, it is the contractor is required to meet them. And the architect is required to work with that city with those building codes and with the general contractor to make sure all of those codes have been met at whatever expense that is. And as I said, sometimes they can be very expensive to meet. Different municipalities have different requirements and different building inspectors that will push a little bit harder than some other municipalities. But at the end of the day that is what it comes down to. And for me it was a requirement. It is the communication from the contractor and the architect and understanding the codes. It would have been an expense that they would have had in the beginning. There's now finding out about it at the end. And I know it is a tough situation for everybody to be in but I have to respect our Fire Department in doing their job and sticking to the codes that the city felt was important for use. I could go into more detail, but at the end of the day, it is the code that is required to be met. Mr. Minniear: Unless there is any other discussion, the decision of the Fire chief will stand unless four people vote to reverse it. Is there anyone that would like to make a motion to reverse the decision of the Fire Chief? Do I hear a motion to reverse the decision of the Fire Chief? No one made a motion. Mr. Minniear: Failing for a motion the decision of the Fire Chief will stand. The appeal is denied. And we will issue a written statement to that effect. Mr. Minniear made a motion to disclose the discussion of the hearing. Ms. Evans moved the motion and it was seconded by Mr. Brady. All voted yes

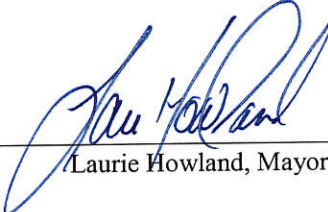
Before Ms. Howland made a motion to move into Executive Session she wanted to remind everyone that we will only be meeting once in June, on June 6<sup>th</sup>.

Ms. Howland made a motion to adjourn into Executive Session at 8:18pm. Ms. Brewer moved the motion. Mr. Brady seconded the motion. All voted yes

Ms. Howland made a motion to Adjourn to Regular Session. Seconded by Mr. Brady All voted yes

Adjourn: There being no further business to come before the City Council; Mayor Howland made a motion to adjourn the meeting at 9:02 p.m.; Seconded by Mr. Brady. All others voted yes.

  
Jackie Bain, C.P.T.

  
Laurie Howland, Mayor