

1. August 15, 2023 Agenda

Documents:

[20230815.PDF](#)



MIDDLETOWN CITY COUNCIL AGENDA  
Tuesday, August 15, 2023

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**MOMENT OF MEDITATION/PLEDGE OF ALLEGIANCE TO THE FLAG/ROLL CALL**

**CITIZEN COMMENTS**

**COUNCIL COMMENTS**

**CITY MANAGER REPORTS**

**CONSENT AGENDA.** . . Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote of consent. There will be no separate discussion of these items. If discussion is desired, that item will be removed and considered separately.

- a) Approve the City Council minutes of August 24 & September 6, 2022
- b) Receive and file the following board and commission minutes:  
Historic Commission- April 20 & May 18, 2023  
Airport Commission- May 15, 2023  
Board of Health- July 11, 2023
- c) Confirm the appointments of Penny Fletcher to the position of Senior Account Clerk in the Department of Finance, Division of Sewer Administration; Adrian Ramsey to the position of Water Treatment Operator in the Department of Public Works & Utilities, Division of Water Treatment; Ashley Combs to the position of Assistant City Manager in the City Manager's Office and Devra Wells to the position of Development Services Director in the Development Services Department.
- d) Receive and file Resolution 23-06-00950 of the Board of County Commissioners of Butler County, Ohio approving the expedited Type 2 annexation of 93.429 acres in Lemon Township to the City of Middletown.

**MOTION AGENDA**

- a) To authorize the City Manager to submit a petition to City Council to initiate a new community authority in accordance with Chapter 349 of the Revised Code.
- b) To authorize the City Manager to enter into a development agreement with SBD Market Avenue, LLC related to the Atticus residential development near the intersection of Union Road and Market Avenue.

**LEGISLATION**

1. **Ordinance No. O2023-60**, an ordinance enacting and adopting the 2023 Supplement (S-15) to the Codified Ordinances of the City of Middletown, Ohio. (Second Reading)
2. **Resolution No. R2023-23**, a resolution to make adjustments to appropriations for current expenses and other expenditures of the City of Middletown, Counties of Butler and Warren, State of Ohio, for the period ending December 31, 2023. (Law Enforcement Trust Fund & Law Enforcement Mandatory Drug Fine Fund) (Second Reading)
3. **Ordinance No. O2023-61**, an ordinance amending the Construction Manager at Risk Agreement with Pepper Construction Company of Ohio, LLC to accept the first guaranteed maximum price proposal for the City of Middletown Fire Services Headquarters and Satellite Stations Project and declaring an emergency.



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4. **Ordinance No. 02023-62**, an ordinance amending Ordinance No. 02023-53 authorizing the purchase of Genesis extrication tools and accessories from Howell Rescue Systems for the Division of Fire and declaring an emergency.
5. **Ordinance No. 02023-63**, an ordinance establishing a procedure for and authorizing a contract with Don Franklin Chrysler Dodge Jeep RAM Fiat for the purchase of four 2023 Dodge Durango Pursuits for the Division of Police and declaring an emergency.
6. **Ordinance No. 02023-64**, an ordinance authorizing an American Rescue Plan Act Infusion Grant Program agreement with the Denny Lumber Company for the acceptance of American Rescue Plan Act funds as a provision of government services to the extent of the reduction in revenue and declaring an emergency. (No action requested until September 5, 2023)
7. **Ordinance No. 02023-65**, an ordinance authorizing an American Rescue Plan Act Infusion Grant Program agreement with The Bearded Brewer, LLC for the acceptance of American Rescue Plan Act funds as a provision of government services to the extent of the reduction in revenue and declaring an emergency. (No action requested until September 5, 2023)
8. **Ordinance No. 02023-66**, an ordinance authorizing an American Rescue Plan Act Infusion Grant Program agreement with Combs Veterinary Services, LLC for the acceptance of American Rescue Plan Act funds as a provision of government services to the extent of the reduction in revenue and declaring an emergency. (No action requested until September 5, 2023)
9. **Ordinance No. 02023-67**, an ordinance authorizing an American Rescue Plan Act Infusion Grant Program agreement with Repper Pagan Law, Ltd. for the acceptance of American Rescue Plan Act funds as a provision of government services to the extent of the reduction in revenue and declaring an emergency. (No action requested until September 5, 2023)
10. **Ordinance No. 02023-68**, an ordinance authorizing an American Rescue Plan Act Infusion Grant Program agreement with Tekie Brothers, LLC for the acceptance of American Rescue Plan Act funds as a provision of government services to the extent of the reduction in revenue and declaring an emergency. (No action requested until September 5, 2023)
11. **Ordinance No. 02023-69**, an ordinance authorizing an American Rescue Plan Act ARPA Infusion Grant Program agreement with N.E.W. Ales Brewing, LLC for the acceptance of American Rescue Plan Act funds as a provision of government services to the extent of the reduction in revenue and declaring an emergency. (No action requested until September 5, 2023)
12. **Ordinance No. 02023-70**, an ordinance accepting the annexation of 93.429 +/- acres of territory located in Lemon Township, Butler County, Ohio, as required by Section 709.04 of the Ohio Revised Code. (First Reading)
13. **Ordinance No. 02023-71**, an ordinance authorizing the City Manager to apply for, accept and enter into a water supply revolving loan account agreement with the Ohio Environmental Protection Agency's Department of Environmental and Financial Assistance for the 18<sup>th</sup> Avenue Water Main Replacement Project. (First Reading)



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14. **Resolution No. R2023-24**, a resolution authorizing the filing of applications for State Fiscal Year (SFY) 2025 with the Ohio Department of Transportation for grants under the Ohio Public Transportation Grant Program. (First Reading)

**NEW BUSINESS**

**EXECUTIVE SESSION-** Under the authority of O.R.C. 121.22 (G) (2) To consider the purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage.