

At 5:30 p.m., Mayor Condrey called the City Council Meeting to order in Council Chambers, Lower Level of the City Building.

**ROLL CALL**

City Council Members present: Z. Ferrell, T. Moon, R. Muterspaw, N. Condrey.

Ms. Nenni joined the meeting at 5:32 p.m.

**CITIZEN COMMENTS  
Bob Nolan**

Bob Nolan, 2515 El Camino Drive, Middletown, Ohio, spoke in support of the east end development. I think it's going to be the defining moment for this community for the next three to four decades to come. What we do with that end of the City is going to make a huge difference.

**PUBLIC HEARING  
2023-2024 CDBG  
Annual Action Plan**

City Manager Lolli introduced Mindy Mueller, President and CEO of Community Development Professionals to present the 2023-2024 CDBG Annual Action Plan.

**Background**

- The City receives an annual allocation of funds from the U.S. Department of Housing and Urban Development (HUD).
- Funded activities align to the City’s goal of creating a livable and sustainable community.
- These funds are used to create strong, sustainable, inclusive communities and affordable housing.

**Entitlement Grants**

- Community Development Block Grant (CDBG) – used for a wide range of community development needs. The anticipated 2023-24 award amount is \$675,975
- HOME Investment Partnerships (HOME) – used to create affordable housing for low-income households. 2023-24 award amount is estimated to be \$326,505.

**CDBG**

- Meets national objectives:
  - Benefit low to moderate income
  - Prevent slums or blight
  - Address urgent community needs
- Used for eligible spending activities
- Not less than 70% of spending must benefit low to moderate income persons
- Cap of 15% on public services

**HOME**

- Consortium with Butler County
- Eligible activities:
  - Rehabilitation of owner-occupied housing;
  - Assistance to home buyers;
  - Acquisition, rehabilitation, or construction of rental housing;
  - Tenant-based rental assistance
- Benefit low-mod income households

**Planning Process**

- 2020-2025 Consolidated Plan – 5-year community-based (place-based) plan approved in 2020.
- Program Year Annual Action Plan –implements strategies and identifies activities to address priorities identified in the Consolidated Plan.
- Year 4 Action Plan covers May 1, 2023 - April 30, 2024

**Citizen Participation**

- 30-Day Comment Period (Feb 22 - Mar 24, 2023).
- All written comments (or oral at the public hearing) must be addressed in the final submitted plan.
- Copies of the plan available on the City’s website during comment period or hard copy as requested.
- Public Hearing – February 21, 2023

**Consolidated Plan Priorities**

- Housing Activities
  - Down payment assistance (convert renters to homeowners)
  - Incentivize work/live households
  - Repairs/rehab for existing homeowners
  - Competitive housing stock
- Workforce Development
- Fair Housing activities
- Youth activities/centers
- Social services

- Mental health
- Substance use disorder treatment
- Removal of blight
- Street resurfacing/beautification/park improvements
- Focus on LMI Neighborhood(s)

**Requests for Proposals**

- Advertised/disseminated – Dec 2 & 9, 2022
- Due January 27, 2023
- Seven subrecipient proposals received totaling \$279,746.
- Recommending six activities

- CBI (workforce dev) \$39,746
- CBI (youth) \$40,000
- HOME \$15,000
- PWC \$50,000
- Legal Aid \$15,000
- SELF \$20,000
- BCRTA \$100,000

**Recommended Activities (PY23)**

- Focus on LMI Neighborhood(s)
  - Continue emergency home repair
    - SELF \$20,000
    - PWC \$50,000
  - Park Improvements
    - Oakland Park \$50,000
- Fair housing activities
  - HOME \$12,500
  - Legal Aid \$14,150
- Community youth activities
  - CBI \$35,000
- Workforce development
  - CBI \$39,746

**2023 Annual Action Plan CDBG Budget**

Emergency Repair Assistance (SELF/PWC)	\$70,000
Parks Improvement Oakland	\$369,384
Fair Housing (H.O.M.E./Legal Aid)	\$26,650
Community Center Activities	\$35,000
Workforce Development (CBI)	\$39,746
Administration	<u>\$135,195</u>
TOTAL =	\$675,975

At 6:03 p.m. Mayor Condrey opened the public hearing and called for those who wished to speak in favor of the 2023-2024 CDBG Annual Action Plan. Hearing none, she called for those who wished to speak in opposition. Hearing none, Mayor Condrey closed the public hearing at 6:03 p.m.

**COUNCIL COMMENTS**

**Mr. Ferrell**

Mr. Ferrell commented that the estimated depreciation on rental property is going from 100% to 80%. As we look to the future of Middletown, some of these long-time real estate holders may want to sell off their properties because they're not going to be able to get the tax break they did before and we want more owner-occupied homes in Middletown. Over the last 40 years Ohio has lost about one third of its population. Some of the people that left Ohio for opportunity are going to come back because of the manufacturing jobs available. I think things are going to change rapidly. What are we going to do to be on the forefront of those things? Right now, people are spending more money on their children than ever in history and I'm excited for Middletown that we're going to be part of that growth with the ice rink by the highway and everything and the airport hangar. I think if we can provide families things to do and opportunities for their kids to grow here, that's going to be important.

**Ms. Nenni**

Ms. Nenni commented that the Park Board had its first meeting of the year and announced that there will be a free tree giveaway in partnership with Keep Middletown Beautiful. More information about it will be posted on the City's website and social media. The Arbor Day cleanup is going to be Saturday, April 22<sup>nd</sup> from 9 a.m. – 12 p.m. They typically meet at Smith Park, so if you're interested please mark your calendars. One of the things I notice is the amount of trash on the streets and alleyways, please hold on to your trash until you find a trash can and don't throw it out the window. We need to talk to our kids and set an example for them to take care of the earth. That is one of the things that we talked about at Park Board was a program that Keep Middletown Beautiful is working on with the schools to talk to kids about recycling and about trash removal. All of these things that are very important to maintaining and keeping this beautiful city in its best condition. I urge everyone to set a good example, even if it's just

going out in your own neighborhood, take a bag and a pair of gloves and just clean up your neighborhood and show your kids what that means.

**Mr. Moon**

Mr Moon announced that Kiwanis is doing their annual Book Around Middletown on March 4<sup>th</sup>. They're still looking for teams if anyone is interested. It starts at 2 p.m. here at the City Building. You can register at [runsignup.com](https://runsignup.com).

**Mr. Muterspaw**

Mr. Muterspaw thanked Mr. Nolan for coming down and taking the time to meet with me and Mr. Lolli today. We had three people at that table with a passion for the City and we all want to get there, we just have different ways of getting there. I've heard feedback from community members about the emergency measures on our legislation and I explained the best that I could that sometimes emergencies are necessary. For example, if a grant is due or something like that. Other times, I don't know why we have the emergencies, maybe we didn't have work completed on time. With that in mind, our staff has been cut 300 over the last 15 years. Maybe it's something we can consider in the future. I know it's tough and there's deadlines but it seems like the public is seeing it more and more and asking about it. I want to make sure that we're on the level with that. I know staff works very hard to get these in and I know it's not always easy especially when you're working shorthanded. The Mayor, Mr Lolli and I met with a group of citizens regarding the unfortunate double homicide we had in the City recently. One of the comments brought up was about staffing for police. I know it's hard to get people in any department right now, whether you're in public works, fire department, IT, it doesn't matter. I want to discuss the crisis we're going through right now. When I got hired as a police officer, a long time ago, 365 people took the test and they hired 5 of us. At the last test only 4 people took the test. They advertise, and send out officers to recruit at colleges and high schools. My point is, that after they take the initial test they must go through a polygraph, physical testing, interview with the Chief, interview with the panel board, you might have none that are qualified to be a police officer. So, when the citizens ask, where's the police? I can tell you they're doing the best they can with their staffing and they're hiring. We have talked about possibly sponsoring an academy in the future. It may cost us a little money down the road but they're already paid to go to the academy. The City could hire them pay them a recruit salary put them in the academy. They have to stay for a full year if they don't stay for the full year they would have to pay back the money to the City. That's just one idea we discussed to try to get police recruits.

**Ms. Condrey**

Ms. Condrey commented that Butler County will remain in Region 14 from the Department of Health and One Ohio Opioid settlement perspective. That means we will be sharing funds with a lot of rural areas that were not as heavily impacted as Middletown so that's going to be a struggle, but we're working on it and trying to do everything we can to use those dollars as best as possible. I am meeting and working regionally with the mayors of Hamilton and Fairfield on Tobacco 21 and establishing a tobacco licensing program in Middletown. Hamilton's a little bit ahead of us on that so we're watching how that process is going with them. We are working to combat underage sales of tobacco to minors and the schools are reporting issues with students vaping. If anyone has anecdotal or factual information about the effects of vaping on our on our youth, please send me an email so I can share it with the regional mayors and we can work to keep our youth healthier.

**CITY MANAGER REPORTS**

City Manager Lolli discussed the first meeting of City Council in July which falls on July 4<sup>th</sup>. Mayor Condrey will send a request for a special meeting for the purpose of regular business for Wednesday, July 5, 2023. He introduced Assistant Director of Public Works, Nakita Lancaster who provided updates on the downtown CSO storage basin and the new water storage tank. The downtown CSO storage basin is required by the City's Long-Term Control Plan to reduce the combined sewer overflows (CSOs) to the

**Downtown CSO Basin**

Great Miami River.

**Background/status:**

- The storage basin is sized for 5.1MG
- Construction starts: August/September 2023
- Substantial Completion: December 2025
- Just passed the 30% design milestone

**Key constraints:**

- Feature rests on top of a large concrete storage tank
- Surface feature improvements must be scaled appropriately for a sewer project
- Minimize impact to project budget

**Our approach:**

- Simple, multi-purpose features
- Design-to-budget
- Build in flexibility for future

There was additional discussion.

**Water Storage Tank**

Ms. Lancaster explained that the City did a water distribution planning study in 2017 before the natural gas power plant came online to find out if we had the water infrastructure to support their estimated usage of approximately 4 million gallons a day. Since they came online, their actual usage is about 2 million gallons a day. The Ohio EPA did a sanitary survey in 2020/2021 and recommended adding additional above ground storage specifically in the

Blue Ball pressure zone. It's an industry standard to have average daily flow (ADF) volume stored above ground and the recommended water storage volume is 1.5 MG.

She discussed the following water storage tank location considerations:

- Needs to work hydraulically – ties into water distribution system at appropriate place to provide pressurized water for distribution
- Needs to serve the pressure zones that do not have sufficient above ground storage
- Land availability
- Costs

Locations considered:

- Near existing Blue Ball Water Storage Tanks (two there now)
- Near Kensington Pump Station – below ground reservoir there now
- Near Manchester Water Storage Tanks

Confirmed Manchester location works and beginning phases of design

There was additional discussion.

## CONSENT AGENDA

Approve the City Council minutes from January 17 & February 7, 2023

Receive and file the following board & commission minutes:

- Planning Commission- November 9, 2022
- Board of Zoning Appeals- December 7, 2022
- Board of Health- January 10, 2023

Receive and file Oaths of Office for Marcus Hall, Erick Maertz, Burlie Simpson and Brett Vance

Accept the resignations from the following boards and commissions:

- Joanne Mejias Yancey- Historic Commission
- Beth Birch-Cemetery Board

Appoint the following board and commission members:

- Building and Housing Appeals Board: Mike Taylor, Kevin Puckett, Rita Ratliff and Dennis Beatty

Ms. Nenni moved to approve the issues and actions listed on the Consent Agenda. Mr. Moon seconded. Motion carried. Ayes: Mr. Moon, Mr. Muterspaw, Ms. Condrey, Ms. Nenni, Mr. Ferrell.

## MOTION AGENDA

### Purchase Backhoe

To approve the purchase of a 2022 Case CE 580SN Backhoe Loader from Southeastern Equipment Co. Inc. of Monroe, OH in the amount of \$118,485.16 to be shared between the Parks/Grounds and Storm Water Divisions.

Ms. Nenni moved to approve the purchase of a 2022 Case CE 580SN Backhoe Loader from Southeastern Equipment Co. Inc of Monroe, OH in the amount of \$118,485.16 to be shared between the Parks/Grounds and Storm Water Divisions. Mr. Ferrell seconded. Motion carried. Ayes: Mr. Muterspaw, Ms. Condrey, Mr. Ferrell, Ms. Nenni, Mr. Moon.

### Waive Charter

Ms. Nenni moved to suspend the Charter provision that requires reading on two separate days and 30 days to enactment and to declare Resolution No. R2023-04 and Ordinance No. O2023-15 emergency measures and read one time only. Mr. Moon seconded. Motion carried. Ayes: Ms. Condrey, Mr. Ferrell, Ms. Nenni, Mr. Moon, Mr. Muterspaw.

### Res. No. R2023-04 Federal DOT Transit Grant 2023

**Resolution No. R2023-04**, a resolution authorizing the City Manager to file an application with the U.S. Department of Transportation for a grant under the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant Program and declaring an emergency was read.

Ms. Nenni moved to approve Resolution No. R2023-04, a resolution authorizing the City Manager to file an application with the U.S. Department of Transportation for a grant under the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant Program and declaring an emergency. Mr. Ferrell seconded. Motion carried. Ayes: Mr. Ferrell, Ms. Nenni, Mr. Moon, Mr. Muterspaw, Ms. Condrey.

### Ord. No. O2023-11 Amend Ohio Soda Small Business Grant

**Ordinance No. O2023-11**, an ordinance authorizing an amendment to the small business grant agreement between City of Middletown and Ohio Soda, LLC was read for the second time.

Ms. Nenni moved to approve Ordinance No. O2023-11, an ordinance authorizing an amendment to the small business grant agreement between City of Middletown and Ohio Soda, LLC. Mr. Ferrell seconded. Motion carried. Ayes: Ms. Nenni, Mr. Moon, Mr. Muterspaw, Ms. Condrey, Mr. Ferrell.

### Ord. No. O2023-12 CDBG Funds Action Plan 2023

**Ordinance No. O2023-12**, an ordinance authorizing the submission of an application for federal assistance, an Action Plan and a Projected Use of Funds, under Title I of the Housing and Community Development Act of 1974, as amended for Program Year 2023 was read for the first time.

### Ord. No. O2023-13 Create North Union TIF

**Ordinance No. O2023-13**, declaring the improvement of certain real property located in the City of Middletown, Warren County, Ohio to be a public purpose; declaring such property to be exempt from real property taxation; designating specific public infrastructure improvements that, once made, will directly benefit the parcels for which improvement is declared to be a

public purpose; requiring annual service payments in lieu of taxes; establishing a Municipal Public Improvement Tax Increment Equivalent Fund; authorizing payments to the Franklin City School District and the Warren County Career Center; and providing related authorizations pursuant to Ohio Revised Code Sections 5709.40(B), 5709.42, 5709.43, 5709.832 and 5709.85 was read for the first time.

**Ord. No. 02023-15  
Preliminary Development  
Agreement Arena Project**

**Ordinance No. 02023-15**, an ordinance authorizing the City Manager to enter into a preliminary development agreement with Woodard Development, LLC and Warren County Port Authority for the development of certain real property as a mixed-use development anchored by an arena and event center and declaring an emergency was read.

Ms. Nenni moved to approve Ordinance No. 02023-15, an ordinance authorizing the City Manager to enter into a preliminary development agreement with Woodard Development, LLC and Warren County Port Authority for the development of certain real property as a mixed-use development anchored by an arena and event center and declaring an emergency. Mr. Ferrell seconded. Motion carried. Ayes: Mr. Moon, Mr. Muterspaw, Ms. Condrey, Ms. Nenni, Mr. Ferrell.

**NEW BUSINESS**

Mr. Ferrell asked for an update on the vacant lots and getting those into potential developer's hands. He stated that the minimum square footage new construction build requirement in Middletown is 1,500 square feet and questioned if it should be smaller. The interest rates are going down and the cost of building is going down and we are seeing multiple offers on homes. Overall the housing market's starting to go back up, so hopefully going forward, the demand is going to continue. We want to keep people living and working here in Middletown. Mr. Lolli responded that a survey is being sent out to the public to see what they want in their neighborhoods. Discussion ensued about the 1,500 square feet minimum requirement for a single-story single-family home in Middletown. City staff does internally have the ability to grant a 10% waiver to that which gets you down to 1,350 but that's the minimum that you're able to build in town without an area and dimensional waiver. There was additional discussion about how many of the City's vacant side lots may be buildable and Planning Commission's appetite for smaller homes. Development Services is working on an inventory of lots that meet the requirements for new construction.

**EXECUTIVE SESSION**

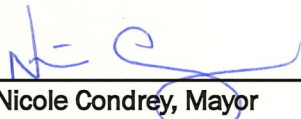
At 7:06 p.m., Ms. Nenni moved to adjourn to executive session under the authority of O.R.C. 121.22 (G) (1) To consider the appointment of a public official. Mr. Ferrell seconded. Motion carried. Ayes: Mr. Muterspaw, Ms. Condrey, Mr. Ferrell, Ms. Nenni, Mr. Moon.

**RETURN TO  
REGULAR SESSION**

At 7:25 p.m., Ms. Nenni moved to return to regular session. Mr. Moon seconded. Motion carried. Ayes: Mr. Muterspaw, Mr. Moon, Ms. Condrey, Ms. Nenni, Mr. Ferrell.

**ADJOURNMENT**

At 7:25 p.m., the meeting was declared adjourned until March 7, 2023 at 5:30 p.m. in Council Chambers.

  
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Nicole Condrey, Mayor

Attest: 