

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: R. Muterspaw, T. Moon, Z. Ferrell, N. Condrey, M. Nenni.

PRESENTATION

Mayor Condrey welcomed the Middletown Health Department up to the podium and presented the following proclamation recognizing National Public Health Week.

Whereas, the week of April 4-10, 2022, is National Public Health Week, and the theme is “Public Health is Where You Are.” Since 1995, the American Public Health Association, through its sponsorship of National Public Health Week, has educated the public, policymakers and public health professionals about issues important to improving the public’s health; and

Whereas, U.S. life expectancy dropped from 2014 to 2017 in the longest sustained decline since the Great Recession and only in 2018 began to increase again; U.S life expectancy then dropped again in 2020 by a full year, which is the largest drop in life expectancy since 1943; and

Whereas, there is a significant difference in health status, such as obesity, poor mental health and drug use, among people living in rural areas compared with people living in urban areas, and this variance increases because rural residents are often more likely to face social determinants that negatively impact health, such as poverty, transportation barriers and lack of economic opportunity; and

Whereas, a person’s health status can differ drastically by zip code due to differences in the built environment, environmental quality, community context, access to healthy food, access to education and access to health care; and

Whereas, public health professionals help communities prevent, prepare for, withstand and recover from the impact of a full range of health threats, including disease outbreaks such as the COVID-19 pandemic, measles, natural disasters and disasters caused by human activity; and

Whereas, public health action, together with scientific and technological advances, has played a major role in reducing and, in some cases, eliminating the spread of infectious disease, and in establishing today’s disease surveillance and control systems; and

Whereas, preventable risk factors such as such as physical inactivity, poor nutrition, tobacco use and excessive alcohol use are leading causes of chronic disease; and 6 in 10 U.S adults have a chronic disease and 4 in 10 have two or more; and chronic diseases cause 7 of every 10 deaths annually in the United States; and

Whereas, the COVID-19 pandemic has illuminated and exacerbated racial inequities and a growing number of local, state governments and public health leaders have declared racism a public health crisis.

NOW, THEREFORE, I, Nicole Condrey, by virtue of the authority vested in me by the laws of Middletown do hereby proclaim the week of April 4-10, 2022, as National Public Health Week 2022 in Middletown and call upon the people of Middletown to observe this week by helping our families, friends, neighbors, co-workers and leaders to better understand the value of public health and supporting great opportunities to adopt preventive lifestyle habits in light of this year’s theme, “Public Health is Where You Are.”

IN WITNESS WHEREOF, I have hereunto set my hand this 4th day April, 2022.

PUBLIC HEARING

Middletown Comprehensive Plan: Consideration of the Middletown Comprehensive Plan for adoption. Planning Commissions recommendation for adoption is being forwarded for the City Council for final review and decision. Representatives from McBride Dale Clarion reviewed the plan in great detail and answered questions from City Council.

At 6:16 p.m. Mayor Condrey opened the public hearing for the Middletown Comprehensive Plan and asked for those that wished to speak in favor of the proposed plan to come up to the podium. Seeing no movement, she called for those who wished to speak in opposition to the proposed plan.

Jennifer Chen, 23 Santa Fe Road, Middletown, Ohio spoke at length in opposition to several points in the proposed comprehensive plan.

Marty Kohler, 508 Main Street, Middletown, Ohio commented that he agreed with most of the plan but spoke in opposition to multi-family for infill construction on the Roosevelt, Lincoln and Vail sites and recommended single family detached homes instead.

PUBLIC HEARING

At 6:47 p.m. Mayor Condrey closed the public hearing.

Text Amendment Case #1-22: Consideration of text amendments to the Middletown Development Code pertaining to Chapter 1226: Review Authority and Procedures, Common Review Requirements and Chapter 1226: Review Authority and Procedures, Preliminary Development Plan Application Submittal Requirements. City Planner James Metz presented the text amendment information.

COUNCIL COMMENTS

Ms. Nenni

At 6:50 p.m. Mayor Condrey opened the public hearing for Text Amendment Case #1-22 and asked for those that wished to speak in favor of it to come up to the podium. Seeing no movement, she called for those who wished to speak in opposition to the text amendment. Seeing no movement Mayor Condrey closed the public hearing at 6:51 p.m.

Ms. Nenni encouraged everyone to participate in the upcoming Earth Day activities on April 23 or maybe help to clean up in your own neighborhoods. We met earlier tonight with developer Steve Coon to tour the Goetz Tower and to see all of the potential that it could have for downtown.

Mr. Moon

Mr. Moon commented that one of the best things about being on council is all the incredible people that you meet throughout this community and other communities. This week we lost Kip Moore, he was a former council member. His death is a real loss to our community. Every time I saw him he'd greet you with a big hug or a handshake and was just full of life and I'm just going to miss his friendship and this community is going to miss Kip. I want to express that to his family that we're going to miss him and that we send all the best to his loved ones.

Mr. Muterspaw

Mr. Muterspaw commented also commented that Kip Moore was a great guy and his death is a big loss to our community. He thanked City Manager Lolli for being so responsive to the community's concerns about the warming center and the DR Horton development. That is what we need to build back trust in our government.

Ms. Condrey

Ms. Condrey also expressed her appreciation to City Manager Lolli for his responsiveness to citizens. She thanked the citizens who have reached out to council and provided input on this comprehensive plan, especially Ms. Chen, she's really been a voice for the citizens and we're grateful for that and your fellow citizens are grateful to you as well for taking all that time and energy to do that. I attended the Great Miami Riverway Summit last week which was really impressive. There's so much energy going on along our riverway and we're excited to be a part of all of that. The Clean Sweep of the Great Miami River is coming up on Saturday, September 17th. This is a great volunteer event to get our riverway totally cleaned up and refreshed. I am attending the Smart Cities Conference in Columbus this week, it has been a great opportunity to network and find out what's going on in a lot of other cities. I will be talking to staff about some of the things that I've picked up there but just some exciting things going on and figuring out where we can take the future of Middletown. I really hope to get a group of youth together to talk about where we can go in the future because the reality is by the time some of these technologies get to fruition we're not going to be the ones using them. I really want to get our younger generation to the table and ask where do you want to go with your City? What do you want it to look like? Things are moving and changing and in 20 years things are not going to look the way that they do now, especially transportation. I'm really focused on looking at the future of our transportation with an eye toward how Middletown can be more than just consumers in the next generation of transportation and technology. How we can be at the table in the research, design, implementation and manufacturing of all that is coming in transportation? It's going to change dramatically and the high-tech industry brings higher paying jobs and opportunities for our citizens with the goal of increasing that income tax base that we need for our City. This would increase the quality of life for all of our citizens and our stakeholders, I'm working on how we can do that but I want input and I want to engage our youth. This can be their future, their City. Tonight, we toured the Goetz Tower, if there are developers out there looking at Middletown, Senate Bill 225 looks like it's going to pass and it will increase the historic tax credits in Ohio from 25% to 35% for 2022 and 2023. So that means if there are historic renovations to be done, let's do it. Now is the time to turn Middletown.

CITY MANAGER REPORTS

City Manager Lolli thanked the Health Department and commented that our Health Department is one of those hidden gems that sometimes we don't know how fortunate we are to have. They do an incredible job. I also want to thank the representatives from McBride Dale Clarion for the work they did on the comprehensive plan. That's our goal, to make Middletown a destination. To keep people in Middletown and to have families who want to come to Middletown and I think they did an excellent job with this comprehensive plan. The staff in the Development Services Department have spent a lot of time on this and listened to people and they're phenomenal.

CONSENT AGENDA

Approve the City Council minutes of October 21, 2021
Receive and file the following board and commission minutes:
 Planning Commission- December 8, 2021
 Library Board- January 19, 2022
 Citizens Advisory Board to the Police- January 19, 2022

	<p>Civil Service Commission- January 20, 2022 Historic Commission- January 20 & March 1, 2022 Approve to purchase a license expansion for our Centracs Traffic Software off the ODOT Contract for the Division of Electronics in the total amount of \$25,900 from PathMaster, Inc., of Twinsburg, Ohio. Confirm the appointments of Megan Ellis to the position of Human Resources Manager in the City Manager Department, Division of Human Resources; Jeremy Spears and Kevin Bryant to the positions of Firefighter Paramedic in the Department of Public Safety, Division of Fire; and Zachary Barnhart to the position of General Counsel in the City Manager Department, Law Division. Receive and file an oath of office for Tessa Conner.</p> <p>Ms. Nenni moved to approve the issues and actions listed on the Consent Agenda. Mr. Muterspaw seconded. Motion carried. Ayes: Ms. Nenni, Mr. Moon, Mr. Muterspaw, Ms. Condrey, Mr. Ferrell.</p>
<p>MOTION ITEM</p>	<p>To authorize the City Manager to enter into a professional services contract with Shook Construction as the Design-Builder for the Downtown CSO Storage Basin project. The fee for pre-construction services is in an amount no-to-exceed \$2,395,369.30. Funds are appropriated in the 2022 Sewer Capital Reserve Fund (495.740.54540).</p>
<p>Shook Construction Downtown CSO Storage Basin Project</p>	<p>Ms. Nenni moved to authorize the City Manager to enter into a professional services contract with Shook Construction as the Design-Builder for the Downtown CSO Storage Basin project. The fee for preconstruction services is in an amount no-to-exceed \$2,395,369.30. Funds are appropriated in the 2022 Sewer Capital Reserve Fund (495.740.54540). Mr. Ferrell seconded. Motion carried. Ayes: Mr. Moon, Mr. Muterspaw, Ms. Condrey, Ms. Nenni, Mr. Ferrell.</p>
<p>Waive Charter</p>	<p>Ms. Nenni moved to suspend the Charter provision that requires reading on two separate days and to declare Ordinance No. O2022-28, Ordinance No. O2022-30, Ordinance No. O2022-31, Ordinance No. O2022-32 and Resolution No. R2022-10 emergency measures to be read one time only. Mr. Moon seconded. Motion carried. Ayes: Mr. Muterspaw, Ms. Condrey, Mr. Ferrell, Ms. Nenni, Mr. Moon.</p>
<p>Ord. No. O2022-28 CGBG Funds</p>	<p>Ordinance No. O2022-28, 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 2022 and declaring an emergency was read.</p>
<p>Ord. No. O2022-29 Sidewinder Electric City Building Generator</p>	<p>Ms. Nenni moved to approve Ordinance No. O2022-28, 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 2022 and declaring an emergency. Mr. Ferrell seconded. Motion carried. Ayes: Ms. Condrey, Mr. Ferrell, Ms. Nenni, Mr. Moon, Mr. Muterspaw.</p>
<p>Ord. No. O2022-29 Sidewinder Electric City Building Generator</p>	<p>Ordinance No. O2022-29, an ordinance establishing a procedure for and authorizing a contract with Sidewinder Electric for the replacement of the City Building generator was read for the second time.</p>
<p>Res. No. R2022-09 Amend Appropriations Police Grant Fund</p>	<p>Ms. Nenni moved to approve Ordinance No. O2022-29, an ordinance establishing a procedure for and authorizing a contract with Sidewinder Electric for the replacement of the City Building generator. Mr. Moon seconded. Motion carried. Ayes: Mr. Ferrell, Ms. Nenni, Mr. Moon, Mr. Muterspaw, Ms. Condrey.</p>
<p>Res. No. R2022-09 Amend Appropriations Police Grant Fund</p>	<p>Resolution No. R2022-09, 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, 2022 was read for the second time. (Police Grant Fund)</p>
<p>Ord. No. O2022-30 Contract with National Water Services</p>	<p>Ms. Nenni moved to approve Resolution No. R2022-09, 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, 2022. (Police Grant Fund) Mr. Muterspaw seconded. Motion carried. Ayes: Ms. Nenni, Mr. Moon, Mr. Muterspaw, Ms. Condrey, Mr. Ferrell.</p>
<p>Ord. No. O2022-30 Contract with National Water Services</p>	<p>Ordinance No. O2022-30, an ordinance establishing a procedure for and authorizing a contract with National Water Services for the rehabilitation of production well #3 and declaring an emergency was read.</p> <p>Ms. Nenni moved to approve Ordinance No. O2022-30, an ordinance establishing a procedure for and authorizing a contract with National Water Services for the rehabilitation of production well #3 and declaring an emergency. Mr. Ferrell seconded. Motion carried. Ayes: Mr. Moon, Mr. Muterspaw, Ms. Condrey, Ms. Nenni, Mr. Ferrell.</p>

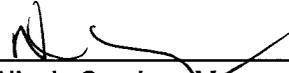
Ord. No. 02022-31 Contract Carmeuse Lime – WTP	<p>Ordinance No. 02022-31, an ordinance authorizing a contract with Carmeuse Lime to supply lime at the Water Treatment Plant and declaring an emergency was read.</p> <p>Mr. Moon moved to approve Ordinance No. 02022-31, an ordinance authorizing a contract with Carmeuse Lime to supply lime at the Water Treatment Plant and declaring an emergency. Mr. Ferrell seconded. Motion carried. Ayes: Mr. Muterspaw, Ms. Condrey, Mr. Ferrell, Ms. Nenni, Mr. Moon.</p>
Res. No. R2022-10 Apply for Airport Improvement Grant	<p>Resolution No. R2022-10, a resolution authorizing the City Manager to apply for an Airport Improvement Program grant and to enter into a grant agreement with the Federal Aviation Administration for an apron expansion at Middletown Regional Airport and declaring an emergency was read.</p> <p>Ms. Nenni moved to approve Resolution No. R2022-10, a resolution authorizing the City Manager to apply for an Airport Improvement Program grant and to enter into a grant agreement with the Federal Aviation Administration for an apron expansion at Middletown Regional Airport and declaring an emergency. Mr. Ferrell seconded. Motion carried. Ayes: Ms. Condrey, Mr. Ferrell, Ms. Nenni, Mr. Moon, Mr. Muterspaw.</p>
Ord. No. 02022-32 Airport Grounds Maintenance Contract	<p>Ordinance No. 02022-32, an ordinance establishing a procedure for and authorizing the continuation of the airport grounds maintenance contract with Schulte Business Services on a month-to-month basis through July 31, 2022 and declaring an emergency was read</p> <p>Mr. Moon moved to approve Ordinance No. 02022-32, an ordinance establishing a procedure for and authorizing the continuation of the airport grounds maintenance contract with Schulte Business Services on a month-to-month basis through July 31, 2022 and declaring an emergency. Mr. Ferrell seconded. Motion carried. Ayes: Mr. Ferrell, Ms. Nenni, Mr. Moon, Mr. Muterspaw, Ms. Condrey.</p>
Ord. No. 02022-33 Contract with Software Solutions, Inc.	<p>Ordinance No. 02022-33, an ordinance establishing a procedure for and authorizing a contract with Software Solutions, Inc. for accounting and utility billing software and declaring an emergency was read with no action requested until April 19, 2022.</p>
Res. No. R2022-11 Res. of Necessity Sidewalks and Driveways	<p>Resolution No. R2022-11, a resolution declaring the necessity of repairing certain sidewalks and driveway aprons in the City of Middletown, requiring that abutting property owners repair the same and declaring an emergency was read with no action requested until April 19, 2022.</p>
Ord. No. 02022-34 Amend Contract Brown & Caldwell	<p>Ordinance No. 02022-34, an ordinance establishing a procedure for and authorizing an amendment to a professional services contract with Brown & Caldwell for owners advisor services related to the Downtown CSO Storage Basin Project was read for the first time.</p>
Ord. No. 02022-35 Grant Agreement with CBI of Middletown	<p>Ordinance No. 02022-35, an ordinance authorizing the City Manager to enter into a grant agreement with Community Building Institute of Middletown for leadership programming was read for the first time.</p>
Ord. No. 02022-36 Contract with Duke for City Owned Property	<p>Ordinance No. 02022-36, an ordinance establishing a procedure for and authorizing a contract between the City and Duke Energy Ohio, Inc. for the sale of City owned property was read for the first time.</p>
Ord. No. 02022-37 Amend Sections 1226.02 & 1226.04	<p>Ordinance No. 02022-37, an ordinance amending Section 1226.02 (Common Review Requirements) and Section 1226.04 (Planned Development District Review) of the Middletown Codified Ordinances was read for the first time.</p>
Res. No. R2022-12 Federal Transit Grant	<p>Resolution No. R2022-12, a resolution authorizing the filing of an application with the Department of Transportation, United States of America, for a grant under the Federal Transit Administration Act of 1991, as amended was read for the first time.</p>
Res. No. R2022-13 State Transit Grant	<p>Resolution No. R2022-13, a resolution authorizing the filing of applications for CY 2023 with the Ohio Department of Transportation for grants under the Ohio Public Transportation Grant Program was read for the first time.</p>
Res. No. R2022-14 Adopt the 2022 Comprehensive Plan	<p>Resolution No. R2022-14, a resolution approving and adopting the 2022 Middletown Comprehensive Plan was read for the first time.</p>
NEW BUSINESS	<p>Mr. Moon opened discussion about the renovations being done on the Butler Metropolitan Housing Towers and if the changes will help or hinder what is going on downtown. Discussion ensued and City Manager Lolli commented that he will contact BCMHA and find out what their plans are and see what can be done to make the exteriors of the building look better.</p>
EXECUTIVE SESSION	<p>At 7:42 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 or dismissal of public officials. Mr. Moon seconded.</p>

Motion carried. Ayes: Ms. Nenni, Mr. Moon, Mr. Muterspaw, Ms. Condrey, Mr. Ferrell.

At 8:13 p.m. Ms. Nenni moved to return to open session. Mr. Moon seconded. Motion carried. Ayes: Mr. Moon, Mr. Muterspaw, Ms. Condrey, Ms. Nenni, Mr. Ferrell.

ADJOURNMENT

At 8:13 p.m., the meeting was declared adjourned until April 19, 2022 at 5:30 in Council Chambers.



Nicole Condrey, Mayor

Attest: 
