

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: M. Nenni, T. Moon, A. Vitori, N. Condrey.

EXCUSE ABSENCE

Ms. Condrey moved to excuse the absence of Mr. Mulligan. Ms. Vitori seconded. Ayes: Ms. Vitori, Ms. Nenni, Mr. Moon, Ms. Condrey.

PRESENTATION**Central Connections**

Executive Director of Central Connections Keith Crothers provided an update and explained that Central Connections promotes a philosophy of whole-person wellness, focusing on the six dimensions of wellness; emotional, intellectual, physical, social, spiritual and vocational. In 2020, Central Connections served 721 members aged 50+, mainly in Butler and Warren County, Ohio. Twenty percent of Middletown residents are aged 60 and older. Central Connections offers the many programs for adults 50 years and older including exercise classes, arts and crafts, billiards and games, computer classes, outings and tours, music and dance, seasonal events, volunteer opportunities, and a fitness room. In 2020, Central Connections provided 148,458 home delivered meals and 111,411 congregate meals and 6,416 trips to the doctor's office, pharmacy and grocery store. They also provided supportive services such as home visits, home energy assistance program applications, city water discounts, vision assistance and other aid to 200 clients. The congregate meal program has seen a dramatic increase in need for meals and Central Connections was able to continue employment for all 34 of their employees during the pandemic due to this increased need. Moving forward, they anticipate an increased demand for home delivered meals and are adding new home delivered meal routes and transportation routes. The grand reopening for the center is set for June 25 from noon to 3 p.m. Mr. Crothers expressed his appreciation to the City of Middletown for the funds towards the walk-in freezer and the roof at the facility and thanked the citizens of Middletown for supporting the tax levy that provided the funds to pay off the mortgage on the building. Central Connections offers a large venue space for rent and catering services.

Ms. Vitori suggested looking at cross generational programing that would benefit the seniors and the children in the community.

CITIZEN COMMENTS

Chris Batty, 128 Marymont Court, Middletown, OH, stated two weeks ago I stood here and proposed that City Council approve an ordinance that would nullify all illegal mandates from the governor's office in order to protect the freedom of all of the citizens of Middletown in the future. Basically, to use the home rule power appropriately and abide by the constitution. The City's law firm's response to my written proposal is concerning and false. I want to point out those five points.

1. If the City attempts to exercise its home rule authority to conflict with Covid-19 orders it would likely be found to be an improper use of the City's home rule power. To this I say, Covid-19 orders are not law. His very wording confirms this, home rule authority is law if it is using the constitution as the foundation for its opposing arguments which my proposed ordinance does.
2. When the state passes a general law, a municipality cannot then enforce local, police, sanitary and other regulations that conflict with that general law. To this I say, the state did not pass any general laws relating to these face masks, social distancing, closures, vaccinations, etc. They were all illegal mandates from non-legislative entities with no enforceable authority. Even if the state did pass such legislation, it would not pass constitutional standards of individual rights for the First, Fourth and Fifth Amendments. Neither state nor federal law can conflict with or violate the principles set forth in the constitution or it becomes what the founders described as pretend legislation. Please see the Declaration of Independence grievance numbers 13 and 19 as a reference.
3. The orders issued by the Department of Health are most certainly general laws. To this I say, this is patently false. As noted in my prior statements concerning who makes the laws and what that law must conform to which is the constitution.
4. If the City wants to challenge these orders, suits should be filed to request the order be declared unconstitutional. To this I say, a City ordinance is clearly supported by the Tenth Amendment. Cities are the lesser magistrates described here. Any powers not specifically given to the federal government are reserved for the states or the people. The powers used with the governor or health department illegal mandates are not specifically given, in fact they are prohibited from making law and therefore the people have the power to ignore or nullify them particularly if they are unconstitutional in this case.
5. DeWine has already revoked some of the health orders and the end is near and we can hopefully return to normal soon. To this I say, the governor revoking something that he had no power to demand in the first place is no excuse for his law-breaking demands. These statements underscore our constitutional argument. Normal is when our rights are protected not violated. We don't need the governor's permission to make personal freedom or health decisions. His removal of unlawful mandates is not the end but rather when the constitution is respected and these shutdowns are never implemented again. We need protection from unconstitutional power grabs and I'm here today to empower you with this information to act on behalf of Middletownians to do your duty and uphold your oath of

office and the constitutions and to pass this ordinance to protect the people of this city in the future. So, I ask you, will you?

Ms. Condrey commented that she was going to take another look at the proposed legislation and thanked Mr. Batty for educating them on this. I think it is really important that we protect our freedoms and sometimes we just accept things that are put out there, I appreciate your challenge.

COUNCIL COMMENTS

Ms. Nenni

Ms. Nenni thanked the organizers and volunteers of the Memorial Day parade and expressed her appreciation for all those that have served.

Mr. Moon

Mr. Moon echoed Ms. Nenni's comments about the parade and thanked all of the veterans that have served our country. He thanked the Lewis' for their work to put on the parade, it was great to see everybody out. He offered his sympathy to the family of former City Councilmember Guy Stone, he was a very kind, generous man. He thanked staff for the great work on the paving project kick-off.

Ms. Vitori

Ms. Vitori also thanked the parade committee, volunteers and the Lewis' for their great work on the Memorial Day parade. She announced that this Friday is First Friday downtown event and encouraged everyone to come out.

Ms. Condrey

Ms. Condrey also thanked the parade committee for their incredible work.

CITY MANAGER

Mr. Palenick explained that the contract with Safe Skies Aviation LLC for fixed base operator services at the airport has expired and the extension of the current contract on a month to month basis is on the consent agenda. The City is in the process of selecting a new FBO (Fixed Base Operator). The City received four proposals, these entities were interviewed by a committee made up of Airport Commission members and staff members. We are hoping to meet this week and finalize the selection process and begin to negotiate a contract. This should come back to City Council sometime in July. We are looking for two special sessions of City Council sometime next week. Hopefully on June 8th we can have a work session on the Oakland Neighborhood/Route 4 corridor revitalization and on June 10th a special meeting for the purpose of executive session to get an update on project celluloid.

CONSENT AGENDA

Receive and file the following board and commission minutes:

Planning Commission- April 14, 2021

Civil Service Commission- April 22, 2021

Receive and file an Oath of Office for Jennifer Lyons.

Confirm the appointment of Chelsea Spurlock to the position of Human Resources Clerk in the Department of Administrative Services, Division of Human Resources.

Confirm the promotional appointment of Sarah Baker to the position of Executive Account Clerk in the Department of Finance, Division of Tax.

Proclaim June as Pride Month

Approve a contract with Safe Skies Aviation, LLC to provide Fixed Base Operator services at the Middletown Regional Airport on a month-to-month basis in an amount not to exceed \$72,000.00.

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

**Ord. No. 02021-47
Business Grant
LubriSource Inc.**

Ordinance No. 02021-47, an ordinance authorizing the City Manager to enter into a small business grant agreement with LubriSource, Inc. was read for the second time.

Mr. Moon moved to approve Ordinance No. 02021-47, an ordinance authorizing the City Manager to enter into a small business grant agreement with LubriSource, Inc. Ms. Vitori seconded. Motion carried. Ayes: Mr. Moon, Ms. Condrey, Ms. Nenni, Ms. Vitori.

**Ord. No. 02021-48
Contract with DBT
Transportation Services**

Ordinance No. 02021-48, an ordinance establishing a procedure for and authorizing a contract with DBT Transportation Services, LLC for the purchase and installation of a CL31 ceilometer for the Automated Weather Observing System at the airport was read for the second time.

Mr. Moon moved to approve Ordinance No. 02021-48, an ordinance establishing a procedure for and authorizing a contract with DBT Transportation Services, LLC for the purchase and installation of a CL31 ceilometer for the Automated Weather Observing System at the airport. Ms. Nenni seconded. Motion carried. Ayes: Ms. Vitori, Mr. Moon, Ms. Nenni. Abstain: Ms. Condrey.

**Ord. No. 02021-49
Contract with Electric
Motors Technologies**

Ordinance No. 02021-49, an ordinance establishing a procedure for and authorizing a contract with Electric Motor Technologies, LLC for the repair of a blower motor at the Water Reclamation Facility was read for the first time.

NEW BUSINESS

Ms. Vitori asked when the demolition of Lincoln School would begin. People are seeing the equipment on the site and asking. Mr. Palenick explained that they are working on the asbestos abatement and that the demolition will begin as soon as it is completed.

Ms. Nenni commented that neighbors in that area are concerned about the trash in the alleyways not being addressed because of impending demolition.

Ms. Vitori asked for an update on the progress of the traffic study. This is important for the road diet and the paving project.

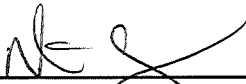
Ms. Condrey asked for an update on liability associated with the private security contract with Downtown Middletown Inc.

The group discussed setting up special meetings for the Oakland Neighborhood/Route 4 corridor revitalization and for the executive session to discuss the riverfront project celluloid. Ms. Vitori suggested holding the meeting at St. John's Church located in the Oakland neighborhood to make the meeting more accessible for the residents of the neighborhood. Ms. Cohen stated that the larger meeting room at the church is under construction and may not be available. The executive session will be June 10th at noon. The Oakland meeting will be at 5:30 p.m. on June 8th.

Ms. Condrey asked about the minutes for the City Council work sessions.

ADJOURNMENT

At 6:02 p.m., the meeting was declared adjourned until June 8, 2021 at 5:30 p.m. in Council Chambers.



Nicole Condrey, Mayor

Attest: 