

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.

**UPDATE FROM DISTRICT 46 STATE REPRESENTATIVE THOMAS HALL**

State Representative Thomas Hall reported that redistricting was the most important issue over the last six months. The new House District 46 includes the City of Middletown, Madison Township, the City of Monroe, St. Clair Township and Liberty Township. The district maps are expected to be redrawn again next year. Early voting begins tomorrow for the August 2<sup>nd</sup> special primary election for state house races. We have been super busy trying to get legislation done. When I ran for this seat in 2020, my main promise was to go to Columbus to be your voice, to get things done and we have done that. We have had three things already signed into law. In our first term House Bill 99, House Bill 176 and House Bill 377, each item of legislation is a different part of the ORC. House Bill 99, that's probably the most important piece of legislation that I have ever worked on. It deals with arming teachers in schools all across Ohio. It is a permissive piece of legislation. It allows school boards to have this practice and sets a minimum amount of training but not a maximum amount of training for their specific school to have this practice. It gained a lot of attention locally and throughout the state because of everything going on in the world and in our in our country. We introduced this in February of 2021, it went through 18 different versions and the 18<sup>th</sup> version was ultimately signed into law. We have House Bill 230, House Bill 458 and House Bill 502 sitting in the State Senate right now. We will get back to work on them after the elections. He reported that the Capital Budget, House Bill 687, included some wins for Middletown. One was the Robert "Sonny" Hill Community Center expansion and redevelopment project that was awarded \$300K and the Great Miami River Trail Middletown to Monroe segment construction project was awarded \$200K. Additionally, the Butler County Land Bank received \$500K for the demolition and revitalization. Representative Hall explained that a main focus of his time in the Ohio House has been modernizing state government. We're looking at ways to make government more efficient to save taxpayer money. We have done other things as far as addressing blocked railroad crossings and working with our constituents to put policy forward for the state of Ohio. If there are any ideas, legislation, anything that you want to look at for the City of Middletown and for entire state of Ohio, please let us know, we'd be happy to work with you. It has been an honor to serve as a state representative for this region.

**CITIZENS COMMENTS David Pearce**

David Pearce, 607 Tara Oaks Drive, congratulated the City on a great fireworks and skydiving show at Smith Park, it was a great event for the community. He reminded everyone that the Ohio Challenge Hot Air Balloon and Skydiving Festival is coming up next weekend, July 15 & 16, 2022. It will be the 16<sup>th</sup> year for the event. You can expect to be entertained by 20 hot air balloons, that includes four special shape balloons. We'll have Team Fastrax doing their famous American flag jump and their nighttime pyrotechnic jump. We've got a full array of very diverse food vendors, carnival rides, a car show and a nightly firework show. This year we have some new entertainment with a jumbo video board and multiple remote cameras. We expect to have the entire event shown live on the video board. One of the things we're going to be able to do that is rarely seen is video of Team Fastrax as they go from the ground, to the air and then back to the ground, we're going to be able to see their entire experience as they jump out of the plane. We're really excited about that. We'll be conducting live interviews on site and getting live shots of families having lots of fun. For the first time ever, we're going to be live streamed over YouTube, Twitter and Facebook so it's a wonderful opportunity to highlight the City of Middletown to the outside world. We've got five to six planes lined up to do flyovers guaranteed to entertain the crowd. The Butler County Warbirds will be there offering rides on two planes and tethered balloon rides will be offered weather permitting.

**Abdul Shakur Ahmad**

Abdul Shakur Ahmed, 220 Park Manor Drive, Dayton Ohio shared some of Middletown's history. He reported that on July 21, 1825, Governor Clinton of New York and Governor Morrow of Ohio presided over the groundbreaking ceremony with each governor and future U.S President William Henry Harrison lifting a piece of sod from the rich earth of the Daniel Doty farm at Middletown where a monument stands at the big rock at the corner of Verity Parkway and Yankee Road. The first marker ever erected in Middletown was a block of limestone as used in construction of locks on the Miami Erie Canal. It was replaced in 1929 with a new tablet and rock monument when the canal was officially closed at the same site. It is located at the northeast corner of Yankee and Verity. W. H. Siebert, renowned historian on the Underground Railroad, wrote the towpaths of some of our western canals formed convenient highways to liberty for a considerable number of self-reliant fugitives and were considered safer than public roads. Another monument erected in 1995 in recognition of Middletown's part in the Underground Railroad lies across the street from the canal museum. On this monument it states what Middletown's part in the Underground Railroad was and it lists the names of 14 colored families that were in Middletown. These families names were Rice, Hawkins, Colston, Virgin, Miller, Hardy, Edwards, Nutter, Davis, Smith, Robeson, Merritt, Armstead and Mitchell. These families offered safe houses on the Underground Railroad here in Middletown, Ohio. What we find is that when the canal was built it was a collaboration in which whites, blacks and north Native Americans worked toward fulfilling the American ideals embedded in the Declaration of

	<p>Independence and the Constitution of the United States. We now have the opportunity to join in the history of the towns and villages that were called Covenanters, Wesleyans, Methodists and free Presbyterians had churches and are found to be stations of the Underground Railroad in Middletown Ohio.</p>
<b>COUNCIL COMMENTS</b>	
<b>Mr. Ferrell</b>	<p>Mr. Ferrell commented that he didn't think 3 minutes was enough time for people to speak during citizens comments. He commended everyone involved with the 4<sup>th</sup> of July show, it was a great weekend celebration. Thank you to Jeri Lewis for putting together a great parade and thank you to Mr. Thomas Hall for your work on the \$500K in Middletown.</p>
<b>Ms. Nenni</b>	<p>Ms. Nenni also thanked everyone that's involved in the 4<sup>th</sup> of July celebration throughout the weekend from the fireworks to the parade. It was great to see all of the families and to celebrate Middletown and to celebrate our independence. Thank you to Thomas Hall for coming and talking to us about everything that you're up to in Columbus and the things that you're doing for Middletown. We certainly appreciate all the efforts that you make on our behalf.</p>
<b>Mr. Moon</b>	<p>Mr. Moon commented that he was out of town this past weekend but heard nothing but wonderful things about all the events in town. Thank you to staff and all the volunteers that helped put that on. Thank you to Mr. Hall for the help with the state capital requests, specifically the community center, that is a big help. I am excited to hear more about the demolition grants.</p>
<b>Mr. Muterspaw</b>	<p>Mr. Muterspaw thanked Abdul Shakur Ahmed for the cool history lesson. He commented that staff hit it out of the park with the fireworks, everything was amazing. I know that a lot of times the police and fire get a lot of the credit but I've got to give the credit to public works. They are out there directing traffic, picking up trash, they really ran that event. Great job. Paul, I saw you out there picking up trash and handing out water. I don't know if I've ever seen a City Manager do that. You have a servant's heart and you don't see many people in your position that would do something like that, outstanding job. Thomas, thank you so much for securing that for us, we need everything we can get, that's a win for us, thank you.</p>
<b>Ms. Condrey</b>	<p>Ms. Condrey thanked Nicole Clark, Ashley Baumgartner and Jeri Lewis for all of their hard work on the weekend's events and thanked the citizens for coming out and participating.</p>
<b>CITY MANAGER REPORTS</b>	<p>City Manager Lolli reported that the limb pickup from last month's storm will restart, if your limbs haven't been picked up let us know and we'll make sure it does. He commented that the 4<sup>th</sup> of July festivities were incredible and thanked all of public works for a great event. Special thanks to Nicole Clark for organizing it, everybody did a fantastic job.</p>
<b>CONSENT AGENDA</b>	<p>Approve the City Council Minutes of the State of the City Address held December 7, 2021.  Receive and file the following board and commission minutes:      Planning Commission- February 9 and March 9, 2022      Historic Commission- March 17 and April 21, 2022      Board of Health- May 10, 2022      MidPointe Library- May 18, 2022      Civil Service- May 19, 2022</p> <p>Accept the final plat for Waterford Place, Section One for a total of 12 residential lots with public streets, water, sanitary and storm sewers on a total of 2.156 acres.  Authorize the City Manager to enter into a professional services contract with Burns and McDonnell for the design of a post-aeration system at the Water Reclamation Facility in an amount not-to-exceed \$54,460.  Confirm the appointment of William Comminos to the position of Assistant Information Systems Director in the Department of Information Systems.</p> <p>Ms. Nenni moved to approve the issues and actions listed on the Consent Agenda. Mr. Moon seconded. There was a discussion about the State of the City Address minutes of December 7, 2021.</p> <p>Ms. Nenni moved to pull the State of the City Address minutes of December 7, 2021 from the consent agenda. Ms. Condrey seconded. Motion carried. Ayes: Ms. Nenni, Mr. Moon, Mr. Muterspaw, Ms. Condrey, Mr. Ferrell.</p> <p>Ms. Nenni moved to approve the remaining issues and actions listed on the Consent Agenda. Ms. Condrey seconded. Motion carried. Ayes: Ms. Nenni, Mr. Moon, Mr. Muterspaw, Ms. Condrey, Mr. Ferrell.</p>
<b>Waive Charter</b>	<p>Ms. Nenni moved to suspend the Charter provision that requires reading on two separate days and to declare Resolution No. R2022-24, Resolution No. R2022-25 and Ordinance No. O2022-62 emergency measures and read one time only. Ms. Condrey seconded. Mr. Moon asked if he should abstain from voting on waiving the charter provision for Ordinance No. O2022-62 if he would be abstaining from voting on Ordinance No. O2022-62. The Law Director advised that it would be cleaner if the motions were broken up.</p> <p>Ms. Nenni rescinded her motion, Ms. Condrey rescinded her second.</p>

	<p>Ms. Nenni moved to suspend the Charter provision that requires reading on two separate days and to declare Resolution No. R2022-24 and Resolution No. R2022-25 emergency measures and read one time only. Mr. Moon seconded. Motion carried. Ayes: Mr. Muterspaw, Ms. Condrey, Mr. Ferrell, Ms. Nenni, Mr. Moon.</p> <p>Ms. Nenni moved to suspend the Charter provision that requires reading on two separate days and to declare Ordinance No. O2022-62 an emergency measure and read one time only. Ms. Condrey seconded. Motion carried. Ayes: Ms. Condrey, Mr. Ferrell, Ms. Nenni, Mr. Muterspaw. Abstain: Mr. Moon.</p>
<b>Res. No. R2022-24 Establish Fire Levy Fund</b>	<p><b>Resolution No. R2022-24</b>, a resolution establishing the Fire Station Levy Fund and declaring an emergency was read.</p> <p>Ms. Nenni moved to approve Resolution No. R2022-24, a resolution establishing the Fire Station Levy Fund and declaring an emergency. Mr. Ferrell seconded. Motion carried. Ayes: Mr. Ferrell, Ms. Nenni, Mr. Moon, Mr. Muterspaw, Ms. Condrey.</p>
<b>Ord. No. O2022-61 Contract with ODOT</b>	<p><b>Ordinance No. O2022-61</b>, an ordinance authorizing the City Manager to enter into a contract with the Ohio Department of Transportation for the rehabilitation of the larger bridge size corrugated metal pipe that carries State Route 122 over Crawford Street was read for the second time.</p> <p>Ms. Nenni moved to approve Ordinance No. O2022-61, an ordinance authorizing the City Manager to enter into a contract with the Ohio Department of Transportation for the rehabilitation of the larger bridge size corrugated metal pipe that carries State Route 122 over Crawford Street. Mr. Ferrell seconded. Motion carried. Ayes: Ms. Nenni, Mr. Moon, Mr. Muterspaw, Ms. Condrey, Mr. Ferrell.</p>
<b>Res. No. R2022-25 Settlement Agreement 2218 Central Avenue</b>	<p><b>Resolution No. R2022-25</b>, a resolution approving execution of a settlement agreement pertaining to demolition work at 2218 Central Avenue and declaring an emergency.</p> <p>Ms. Nenni moved to approve Resolution No. R2022-25, a resolution approving execution of a settlement agreement pertaining to demolition work at 2218 Central Avenue and declaring an emergency. Mr. Moon seconded. Motion carried. Ayes: Mr. Moon, Mr. Muterspaw, Ms. Condrey, Ms. Nenni, Mr. Ferrell.</p>
<b>Ord. No. O2022-62 Amend O2022 13 Freya's Hen House</b>	<p><b>Ordinance No. O2022-62</b>, an ordinance amending Ordinance No. O2022-13 (which authorized the City Manager to enter into a contract with Freya's Hen House, a non-profit organization, to provide a short-term warming shelter for the homeless), authorizing execution of a settlement agreement, and declaring an emergency.</p> <p>Ms. Nenni moved to approve Ordinance No. O2022-62, an ordinance amending Ordinance No. O2022-13 (which authorized the City Manager to enter into a contract with Freya's Hen House, a non-profit organization, to provide a short-term warming shelter for the homeless), authorizing execution of a settlement agreement, and declaring an emergency. Mr. Ferrell seconded. Motion carried. Ayes: Mr. Muterspaw, Ms. Condrey, Ms. Nenni, Mr. Ferrell. Abstain: Mr. Moon.</p>
<b>Ord. No. O2022-63 ARPA MOU Premium Pay Fire</b>	<p><b>Ordinance No. O2022-63</b>, An ordinance authorizing the City Manager to enter into a Memorandum of Understanding with IAFF Local 336 for the payment of premium pay using American Rescue Plan Act funds and declaring an emergency was read with no action requested until July 19, 2022.</p>
<b>Ord. No. O2022-64 Electric Generation</b>	<p><b>Ordinance No. O2022-64</b>, an ordinance authorizing the City Manager to enter into a contract with the lowest cost supplier for the purchase of electric generation supply by the City of Middletown beginning January 2023, and declaring an emergency was read with no action requested until July 19, 2022.</p>
<b>Res. No. R2022-26 Amend Appropriations General Fund Legal Services</b>	<p><b>Resolution No. R2022-26</b>, 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 and declaring an emergency was read with no action requested until July 19, 2022. (General Fund- Legal Services)</p>
<b>Res. No. R2022-27 Paul Lolli City Manager</b>	<p><b>Resolution No. R2022-27</b>, a resolution accepting the resignation of Paul Lolli as Acting City Manager, accepting the resignation for purposes of retirement of Paul Lolli as Fire Chief, authorizing an employment agreement with Paul Lolli to serve as City Manager of the City of Middletown, and declaring an emergency with no action requested until July 19, 2022.</p>
<b>Res. No. R2022-28 FRA Railroad Trespassing Enforcement Grant</b>	<p><b>Resolution No. R2022-28</b>, a resolution authorizing the City Manager to accept a grant from the Federal Railroad Administration Railroad Trespassing Enforcement Grant Program was read for the first time.</p>
<b>NEW BUSINESS</b>	<p>Mr. Muterspaw brought up the warming center for this next year, were already working with a</p>

couple of groups on it.

Ms. Condrey opened the discussion about extending the time for citizen's comments to 4 or 5 minutes. Discussion ensued.

Mr. Moon moved to extend the time limit for citizens comments to 4 minutes. Mr. Ferrell seconded. Motion carried. Ayes: Mr. Muterspaw, Mr. Moon, Ms. Condrey, Ms. Nenni, Mr. Ferrell.

Mr. Ferrell opened discussion about better communication with the public. He discussed using an alert system to notify residents. There was discussion about the Code Red system and only using that for true emergencies so that people do not become desensitized. The City will continue to work on getting more information out using the City website and social media.

**EXECUTIVE SESSION**

At 6:30 p.m. Ms. Nenni moved to adjourn to executive session under the authority of O.R.C. 121.22 (G) (2): "To consider the purchase of property for public purposes, the sale of property at competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit-for-use property in accordance with section 505.10 of the Revised Code, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest. Mr. Moon seconded. Motion carried. Ayes: Ms. Condrey, Mr. Ferrell, Ms. Nenni, Mr. Moon, Mr. Muterspaw.

**RETURN TO  
REGULAR SESSION**

At 7:30 p.m. Ms. Nenni moved to return to regular session. Mr. Ferrell seconded. Motion carried. Ayes: Mr. Ferrell, Ms. Nenni, Mr. Moon, Mr. Muterspaw, Ms. Condrey.

**EXECUTIVE SESSION**

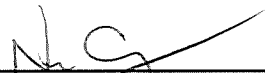
At 7:31 p.m. Ms. Nenni moved to adjourn to executive session under the authority of O.R.C. 121.22 (G) (3): Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action. Mr. Ferrell seconded. Motion carried. Ayes: Ms. Nenni, Mr. Moon, Mr. Muterspaw, Mr. Ferrell. Abstain: Ms. Condrey.

**RETURN TO  
REGULAR SESSION**

At 8:40 p.m. Mr. Moon moved to return to regular session. Mr. Ferrell seconded. Motion carried. Ayes: Mr. Moon, Mr. Muterspaw, Ms. Nenni, Mr. Ferrell. Absent: Ms. Condrey.

**ADJOURNMENT**

At 8:40 p.m., the meeting was declared adjourned until July 19, 2022 at 5:30 p.m. in Council Chambers.



Nicole Condrey, Mayor

Attest:

