

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

PUBLIC HEARING

Development Services Director Ashley Combs explained that this is a Planned Development Map Amendment Request for a gas station to be constructed at the southwest corner of Manchester Road and Dixie Highway. A request by applicant Amarjit Takhar, on behalf of the owner Don Shepard with Healing Word Church, Parcel ID: 07053260230. If approved, as a part of the Planned Development process, the property would be rezoned to "PD Planned Development District" to acknowledge there is a development plan associated with the property. The Planning Commission's recommendation of approval is being forwarded to City Council for final review and decision.

Staff Analysis: The applicant proposes to construct a gas station with five pumps at the southwest corner of Manchester Road and Dixie Highway. Per the Warren County Auditor, the property is a total of 1.78 acres and is currently vacant. There is a Speedway gas station across from the property outside of the City limits within Franklin Township. The property is currently zoned R-2 Low-Density Residential District. Per the Middletown Development Code, the purpose of the Planned Development District is to provide an opportunity for creative and flexible land development where a base zoning district will not accommodate the proposed development but where such development will further the purpose of the Middletown Development Code and Master Plan. The PD District is designed to allow for deviations from certain zoning standards.

Middletown Master Plan: The subject property is included in the University/Northern Breiel Opportunity Area. The Master Plan identifies that any uses in the gateway area at Dixie/Manchester should support mixed commercial/residential development. High quality building materials and architectural design is essential to create a gateway and sense of place for the surrounding neighborhood.

Mixed Use Activity Center

- Support higher density residential and mixed-use development at the Manchester/Cincinnati-Dayton Road intersection.
- High quality building materials and architectural design is essential to create a gateway and sense of place unique to the surrounding neighborhoods.

Public Notice Requirement: Per the Middletown Development Code, Table 1226-1: Notice Requirements, public notice was published a minimum of 30 days prior to the public hearing of Planning Commission. Notice was also provided to all property owners within 200 feet of the subject property and no comments have been received at this time.

Review Criteria for the Preliminary Development Plan and Map Amendment:

1. The proposed development is consistent with the Master Plan, other City plans, and purposes of the Middletown Development Code.
2. The proposed development is necessary or desirable because of changing conditions, new planning concepts, or other social or economic conditions;
3. The proposed development will not be detrimental to present and potential surrounding uses, but will have a beneficial effect;
4. The proposed development will promote the public health, safety, and general welfare;
5. The proposed development is not likely to result in significant adverse impacts upon the natural environment, or such impacts will be mitigated; and
6. The preliminary development plan has been transmitted to other required departments for review.

Planning Commission Recommendation: On Wednesday, June 9, 2021 the City Planning Commission voted to approve the Map Amendment and Preliminary Development Plan proposing a gas station at the property located at southwest corner of Manchester Road and Dixie Highway with the following conditions: landscaping plan be submitted that shows adequate screening provided for surrounding residential properties, traffic study be submitted and approved by the Engineering Department, and that the Engineering Department Design Manual comments are met. If approved, as a part of the Planned Development process, the property would be rezoned to "PD Planned Development District" to acknowledge there is a development plan associated with the property.

Mr. Moon commented that this is currently zoned R2 and questioned why this property would not be suitable for residential development. Ms. Combs explained that this is a high traffic intersection and the shape of the corner lot was not desirable for residential development.

Ms. Condrey asked if the reference to the Master Plan is the 2005 Master Plan or the draft of the new Master Plan. Ms. Combs explained that the reference is to the current 2005 Master Plan but that the new Master Plan will continue to identify this as a gateway into the

community.

Mr. Moon asked if the Planning Commission discussed the fact that United Dairy Farmers owned the parcel across the street and that there could potentially be three gas stations at that intersection. Ms. Combs responded that Planning Commission did not discuss that scenario.

Mr. Mulligan asked if the lot that United Dairy Farmers owns is in the City limits and what is it zoned. Ms. Combs responded that it is in the City limits and it is zoned business, currently there is a car lot operating on the property. Ms. Combs commented that she has also received inquiries about the other corner lot but that it was unlikely that Planning Commission would approve four gas stations at one intersection. All property owners within 200 feet received notification about this map amendment and planned development.

At 5:39 p.m. Mayor Condrey opened the public hearing and called for those who wished to speak in favor of the map amendment and planned development. Hearing none, she called for those who wished to speak in opposition to the map amendment and planned development. Hearing none, the public hearing was closed at 5:40 p.m.

PUBLIC HEARING

Ms. Combs presented the Planned Development Map Amendment request for Innovation Way Apartments to be located at 4340 Union Road. This is a request by applicant Austin Carmony, with Kendall Property Group, for Preliminary Development Plan approval for an apartment development that proposes twenty-one (21) three (3) story residential buildings, clubhouse, pool, outdoor recreational area, walking paths to be constructed on a portion (38 acres) of the property located at 4340 Union Road, Franklin, OH 45005. If approved, as a part of the Planned Development process, the property would be rezoned to "PD Planned Development District" to acknowledge there is a development plan associated with the property. The Planning Commission's recommendation of approval is being forwarded to City Council for final review and decision.

The site is positioned in the east end which is an emerging employment district with attractive office, high tech industrial, and medical uses. The development will provide housing for the district and be an amenity to the employees who work there and will also be the first luxury multifamily development located in the area. The goal of the project is to create a vibrant place to: live, work and play, meet the needs of residents, enhance the existing community, and assist with future development and investment in the City. If approved, construction is proposed to commence in the Fall of 2021 and completion in early 2024 with first units being delivered in Fall of 2022. Apartment buildings are principally permitted in the BC-F Business Center Flex zoning district. Multiple buildings on one lot requires approval through the Development Plan process. The development proposes twenty-one three story residential buildings for a total of 319 units. The plan also includes a clubhouse, pool deck, grilling area, and a walking path to the overlook area. The design takes advantage of the topography and existing woods. One-bedroom units range in size from approximately 560-810 sq. ft., two bedrooms from 950-1,200 sq. ft. and three bedrooms from 1,200-1,400 sq. ft. All multi-family dwellings shall have a minimum of 500 square feet of livable floor area per dwelling unit. The rentals will be market rate. The unit mix is 34% one bedrooms, 50% two bedrooms, and 16% three bedrooms. There are a total of 516 surface parking spaces provided. The total meets the Development Code requirement of 1.5 parking spaces per dwelling unit for multi-family dwellings.

Middletown Master Plan: Per the 2005 Master Plan the subject property is included in the Renaissance Development Opportunity Area. The Master Plan identifies "Mixed Use Residential" being planned on the subject property.

Public Notice Requirement: Per the Middletown Development Code, Table 1226-1: Notice Requirements, public notice was published a minimum of 30 days prior to the public hearing of Planning Commission. Notice was also provided to all property owners within 200 feet of the subject property. No comments have been received at this time.

Review Criteria for the Preliminary Development Plan & Map Amendment:

- 1) The proposed development is consistent with the Master Plan, other City plans, and purposes of the Middletown Development Code.
- 2) The proposed development is necessary or desirable because of changing conditions, new planning concepts, or other social or economic conditions;
- 3) The proposed development will not be detrimental to present and potential surrounding uses, but will have a beneficial effect;
- 4) The proposed development will promote the public health, safety, and general welfare;
- 5) The proposed development is not likely to result in significant adverse impacts upon the natural environment, or such impacts will be mitigated; and
- 6) The preliminary development plan has been transmitted to other required departments for review.

Planning Commission Recommendation: On Wednesday, June 9, 2021 the City Planning Commission voted to approve the Map Amendment and Preliminary Development Plan

proposing twenty-one (21) three (3) story residential buildings, clubhouse, pool, outdoor recreational area, and walking paths to be constructed on a portion (38 acres) of the property located at 4340 Union Road, Franklin, OH 45005. If approved, as a part of the Planned Development process, the property would be rezoned to "PD Planned Development District" to acknowledge there is a development plan associated with the property.

Ms. Condrey asked which school district this falls into. Ms. Combs wasn't sure.

Mr. Moon asked if there was a TIF (Tax Increment Financing) associated with this. Mr. Palenick responded that there was not a TIF.

Ms. Condrey commented that she was happy to see a higher percentage of two- and three-bedroom units and thought it was a good fit for the area.

Ms. Nenni commented that it was nice to see the high-end appliances and the granite counters that bring that level of rental rate up to what we are looking for.

Ms. Vitori asked if there was any consideration for owner occupied units as the projects extends into 2024. It is a model used in other places, there are a large number of rental units coming into the market and City Council desires more owner-occupied homes.

Mr. Mulligan commented that the development of this as a multi-family rental does seem to be putting residential on an island where there is no retail to support it. There is no place to go and have dinner or lunch, it relies on vehicular transportation. This being a standalone development gives me pause, we should be putting together a comprehensive plan for the area. This would include services that people want and be walkable.

Ms. Condrey asked what the zoning was for the properties surrounding this development. Ms. Combs responded that the surrounding properties would allow for commercial and high-tech industrial uses. Ms. Condrey commented that she sees the potential benefit for people to walk or have a short commute to work and the close proximity to I-75 but we want to build a community where people want to live and enjoy a pedestrian lifestyle. The YMCA is a very nice amenity to have close by. Ms. Condrey asked when the new Master Plan would be available for review, it definitely plays into all of these moving pieces; Ms. Combs is expecting it very soon.

At 5:49 p.m. Mayor Condrey opened the public hearing and called for those who wished to speak in favor of the map amendment and development plan.

Austin Carmony, 9512 Holiday Circle, Indianapolis, IN, spoke in support of the project on behalf of the project developer. We have done our research and are very confident in our plan for this site. This is our 12th development of this nature, close to hospitals with close proximity to retail in cities of similar size.

Ms. Vitori asked if they had considered a hybrid model of rental and owner-occupied units. Mr. Carmony stated that the Kendall Property Group is a rental apartment developer.

Mr. Moon asked what the rental rates are proposed to be. Mr. Carmony explained that the rental rates for one-bedroom units will be approximately \$930 to \$1,170; two-bedroom units will be approximately \$1,200 to \$1,435; and three-bedroom units will be approximately \$1,485 to \$1,650 monthly.

Ms. Nenni asked how the rental rates are holding up in the other developments that they have done. Mr. Carmony responded the rates are holding up and they are going up. They have experienced a lot of rent growth. In this market, Dayton to Cincinnati, the growth is about 4.5%. The model is to build quality and reserve capital to maintain the property into the future. Kendall Property Group is a full-service real estate company that builds, develops and owns property assets. The properties are managed by Village Green.

Ms. Vitori asked where the nearest development was. The nearest is in Alexandria, KY.

Ms. Nenni asked, "Why Middletown?" Mr. Carmony explained that this development would put them in the north Cincinnati/south Dayton market. This location has close proximity to services, I-75 access and employment districts in the area.

Ms. Condrey called for those who wished to speak in opposition to the map amendment and development plan. Hearing none, the public hearing was closed at 5:54 p.m.

CITIZEN COMMENTS
Andrew Turner

Andrew Turner, 124 Songbird Court, Monroe, OH, a Middletown firefighter spoke on behalf of the Middletown Firefighters Local 336. He urged City Council to vote to put the firehouse levy on the ballot. It will directly affect the health, welfare and morale of the department. I have been a member of the fire department since 2000, a third of my life I spend at 307 N. Clinton Street, Station 81. Station 81 was built in 1956 and is less than adequate for today's standards. Firefighters and firefighting gear must be as far away as possible from diesel exhaust and other

toxins to help prevent cancer. Station 2 was acquired through the annexation of Franklin Township and was designed for volunteer firefighters, not for firefighters to live there. There is only one shower for three individuals. It is important to shower and remove the toxins from a fire as quickly as possible to mitigate the risks of cancer before responding to other emergency calls. The current stations do not adequately accommodate female firefighters. Our City has always shown that we embrace and welcome diversity in our City departments but to do that we need to provide adequate living quarters. Currently, there are five female firefighter candidates. The union appreciates what Chief Lolli and Chief Snively have done to make the best of the facilities that we have, they have stretched every penny as far as possible. Since 2000 I have witnessed the fire department risk life and safety to serve and protect the citizens of Middletown. Mr. Turner reached the 3-minute time limit.

Rick Fishbaugh

Rick Fishbaugh, 2780 Arbor Pointe Drive, Middletown, OH expressed his concern about what would happen to the existing fire stations once the new stations are built. He served on the school's facilities committee and the community made it clear that they wanted the old school buildings demolished so that they didn't become eyesores. These are specialty buildings and practical reuse is difficult. He suggested that as the fire stations are vacated that they also be demolished. Mr. Fishbaugh's grandfather was a Fire Chief in Middletown and he supports the firemen. He commented that Middletown has the highest effective property tax in Butler County and he realizes that the proposed fire station levy won't add to the effective tax rate but he thinks that the 25-year levy is too long. There should be other ways to finance this at a reduced price and encouraged them to look at grant opportunities. This won't just tax us but our children and our children's children.

Dora Bronston

Dora Bronston, 4817 Earl Avenue, Middletown, OH spoke in support of Middletown Police and Fire Departments and Resolution No. R2021-29. Firefighters put their lives on the line to control fires and respond to emergencies where life, property or the environment is at risk. And they work closely with other emergency responders. The work is very dangerous. When they are not on scene they sleep, eat and perform other duties at the fire stations. Many work more than 40 hours per week and these stations become a home for them. When she served on City Council Ms. Bronston had the opportunity to visit the fire stations and was able to see the deplorable conditions in which the firemen work and live. The station on the corner of Breiel and Central finally installed barriers after the building was struck by a car. There are not sufficient accommodations for women firefighters. Ms. Bronston supports the levy and looks forward to working with the committee.

Chris Batty

Chris Batty, 128 Marimont Court, Middletown, OH, followed up on his request from last month for a proposed health freedom ordinance. Here we are, July 2021, sixteen months after the first lockdowns in the U.S. with reports that this new Delta variant of Covid is just as bad as the first. They are going to require masks again and we are all going to need our vaccinations. We are seeing employers pushing hard, even in this city, for mandatory vaccinations and violating our constitutional health freedom. The statistics show that nearly half of Ohioans and 52% of Cincinnati residents are not vaccinated and are not likely to be vaccinated in the future. He submitted a response to the City's attorney's response to the City Council exercising their home rule power on this issue in the ordinance. Besides a very weak and baseless response they ended with "accordingly, fortunately the end is near and we can hopefully return to normal soon." Is door to door knocking to push this experimental injection normal? Are experimental vaccination mandates normal? Is infringing on our health freedom normal? We can't reactively wait to do something, time is of the essence, we must be proactive and stand for the freedoms that we just celebrated this past Independence Day. It is important that Middletown understands the cost that comes with allowing vaccine mandates to infiltrate every facet of our lives. Our ability to work, attend school, attend events, shop. Does the City Council really want to see more mask mandates, more social distance orders, more lockdowns, more store closings, vaccination mandates or even passports? Do you want the residents of Middletown to know with confidence that you are doing your job to protect their health freedom or that you will sit there quietly while they have their freedom taken away? Do you want your message to residents to be we care but we are not willing to do anything about it? Or we care and we will stand for your health freedom and protect it and make it loud and clear that the City of Middletown will stand up against unconstitutional mandates and do so by issuing a freedom ordinance? You all have taken an oath to stand for and have the authority to put into place protections for Middletownians. I and many others have done their part to speak up and contact our representatives, including speaking before this council. Will you do the same? I propose that the City Council shows support for House Bill 248 by making an official statement to the Ohio Health Committee and Speaker Cupp and to approve a freedom ordinance to the same effect which I have already proposed over a month and a half ago. Over a month ago this team said this topic would be discussed more, but I haven't heard back so I wanted to give you a chance to respond or to ask if we could have a forum about this. Ms. Condrey thanked Mr. Batty for his efforts to protect our freedoms.

COUNCIL COMMENTS

Mr. Mulligan

Mr. Mulligan thanked the organizers and volunteers of the Ohio Challenge for a great event. Rainy weather cancelled the activities planned for Friday but the event was well attended on Saturday.

Mr. Moon

Mr. Moon echoed Mr. Mulligan's comments about the Ohio Challenge event. It was a great event that brings the entire region to Middletown. Thank you to Mr. Pearce and everyone that was involved with it. He thanked Middie Way baseball, the Schwarber family and Berachah Church for a fun instructional time for the kids of our community to learn baseball fundamentals. Mr. Moon thanked Officer Kirby for his excellent work at Safety Town.

Ms. Nenni

Ms. Nenni announced that the First Friday for July is going to be Italian Fest and the last Broad Street Bash is scheduled for July 28th. She thanked the organizers and volunteers that make all of the programs downtown so successful

Ms. Condrey

Ms. Condrey commented that Mr. Santiago Bernal passed away last Thursday of natural causes. He was a skydiving instructor in Columbia but he wanted to become an American citizen. He decided that he wanted to move to the United States. He quickly found a skydiving job in Las Vegas. He found that people there were very greedy and decided that Las Vegas was not for him. He moved here to Middletown and he found the United States that he was looking for in our community. He brought his wife here and they married here. She transferred her law license and is a legal permanent resident and is pursuing her citizenship. He found Middletown home; his family is here from Columbia and the Philippines to celebrate his life and they are impressed with the community that their son found here and that they have found here. Middletown is home to so many people from all different walks of life. It has been a great experience to share this community with them.

CITY MANAGER

Mr. Palenick announced that the final public comment period for the Parks Master Plan is open and encouraged everyone to respond.

CONSENT AGENDA

Approve the City Council Minutes of May 18, July 6, 2021

Receive and file the following Board and Commission minutes:

Library Board- September 15 and December 15, 2020

Park Board- January 11, February 1, March 8 and April 12, 2021

Board of Zoning Appeals- January 12 and May 5, 2021

Airport Commission- February 15, March 15, April 19 and May 17, 2021

Historic Commission- March 18, 2021

Architectural Review Board- March 23, 2021

Middletown Visitors Bureau- April 19 and May 17, 2021

Planning Commission- May 12 and June 9, 2021

Board of Health- June 8, 2021

Confirm the personnel appointment of Gabriella Rodriguez to the position of Corrections Officer in the Department of Public Safety, Division of Police; and Tina Blevins to the position of Administrative Assistant in the Department of Development Services.

Confirm the promotional appointment of Heather Deaton to the position of Executive Account Clerk in the Department of Finance, Division of Treasury.

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

MOTION AGENDA

To request approval to purchase the following sole source items totaling \$204,934 for a new Freightliner Chassis and Service Body/Upfit for Water Distribution:

- 2022 Freightliner Custom Chassis Corp MT55 from FYDA Freightliner Cincinnati, of Cincinnati, OH, in the amount of \$66,978.
- Service Body/Upfit for the Freightliner Chassis from Utilimaster, of Bristol, IN, in the amount of \$137,956.

Mr. Mulligan moved to approve the purchase of the following sole source items totaling \$204,934 for a new Freightliner Chassis and Service Body/Upfit for Water Distribution:

- 2022 Freightliner Custom Chassis Corp MT55 from FYDA Freightliner Cincinnati, of Cincinnati, OH, in the amount of \$66,978.
- Service Body/Upfit for the Freightliner Chassis from Utilimaster, of Bristol, IN, in the amount of \$137,956.

Ms. Vitori seconded. Motion carried. Ayes: Mr. Moon, Mr. Mulligan, Ms. Condrey, Ms. Nenni, Ms. Vitori.

To authorize the City Manager to enter into a contract with Automated Systems Engineering (ASE) to design electrical improvements for the Secondary Clarifier Motor Control Center at the Water Reclamation Facility (WRF).

Mr. Mulligan moved to authorize the City Manager to enter into a contract with Automated Systems Engineering (ASE) to design electrical improvements for the Secondary Clarifier Motor

Control Center at the Water Reclamation Facility (WRF). Ms. Vitori seconded. Motion carried. Ayes: Mr. Mulligan, Ms. Condrey, Ms. Vitori, Ms. Nenni, Mr. Moon.

**Ord. No. 02021-57
Contract with Perkins
Carmack Water
Reclamation Facility**

Ordinance No. 02021-57, an ordinance authorizing a contract with Perkins/Carmack Construction, LLC for the design and construction of a maintenance building at the Water Reclamation Facility was read for the second time.

Mr. Mulligan moved to approve Ordinance No. 02021-57, an ordinance authorizing a contract with Perkins/Carmack Construction, LLC for the design and construction of a maintenance building at the Water Reclamation Facility. Ms. Nenni seconded. Motion carried. Ayes: Ms. Condrey, Ms. Vitori, Ms. Nenni, Mr. Moon, Mr. Mulligan.

**Res. No. R2021-29
Intent to Place 1-Mill
Levy on May 2022
Ballot- Fire Stations**

Resolution No. R2021-29, a resolution declaring the City Council of the City of Middletown, Ohio's intent to proceed with placing a 1-mill property tax levy on the May 2022 election ballot for the purposes of providing funding for the construction of certain fire station improvements for use by the City of Middletown Division of Fire was read for the second time.

Ms. Condrey asked why this issue was scheduled for the May 2022 ballot instead of the November 2021 ballot. Mr. Palenick responded that traditionally this 1 Mil levy, previously the Senior Center Levy, had appeared on the May ballot and that the deadlines for the November ballot were not met because the City had to acquire the land, do the design work, go through the financing and get everything in order. It would have had to be considered as an emergency to be able to meet the deadlines for the November ballot.

Ms. Vitori stated that the May election will not affect the amount of funding that the City receives from the levy proceeds.

Ms. Condrey stated that it does affect the funding because of the potential difference in the interest rates. Mr. Palenick stated that he hopes that interest rates remain low. Ms. Condrey stated that this is the largest amount of money that we have ever spent and I don't like the fact that we are saying that we missed a deadline. I looked at Council's strategic planning session from January and it was clear that July 20, 2021 and August 2, 2021 were the deadlines that we needed to meet to get it on the November ballot. I have a hard time believing that one of the reasons was that the Senior Center levy was always done in May. I feel like there is something underlying, another reason why this got pushed to May.

Mr. Moon stated that we had just asked for a road levy the year before and it is difficult to come back to the residents and ask for another levy right away. I think it makes sense to wait and gives the citizens more time to become educated.

Ms. Nenni asked Ms. Condrey if she is suggesting that there is some other reason.

Ms. Condrey stated that she is wondering because there are a lot of rumors flying around and I wanted to ask if there is another reason. If we need to do it, lets do it, I don't know why we are waiting.

Mr. Palenick commented that the City has compiled a list of frequently asked questions and provided information about that question.

Ms. Nenni asked if it was possible to pay the debt off earlier if the City had the funds to do that. Mr. Palenick stated that it was possible but the City must be conservative when looking at the future revenue projections to be able to repay the principal, interest and issuance on these bonds. In the future the debt may be recalled or refinanced as appropriate.

Ms. Condrey asked if the levy includes the money to demolish any of the current fire stations. Mr. Palenick explained that it does not. Ms. Condrey asked if there was a surplus of fire station levy funds, due to higher property tax values and revenues or lower interest rates, could they be used to demolish the current fire stations. Mr. Palenick explained that the levy proceeds can exclusively be used for fire station improvements or apparatus. The question of using the levy funds to demolish the old stations will be for the attorneys.

Ms. Nenni stated that these City-owned properties could be developed after the new fire stations are built. Mr. Palenick concurred that they could become viable, tax producing developments in the future. Whether the buildings can be adaptively reused or should be demolished and redeveloped in the future is yet to be determined.

Mr. Mulligan commented that there may be funds available in the future through the Butler County Land Bank to demolish the fire stations.

Ms. Condrey stated that she feels frustrated as a community and as a tax payer in Middletown that the City has ever gotten to a point where we are having to ask our citizens to pay for a basic service. I believe that the City should be providing fire and EMS services to our citizens. I know that none of us have really been involved in the City over the last twenty-five years to

get us to this point. I don't feel like we have a lot of decisions to make. We don't have the funds and these firefighters need to provide these critical services to our citizens. I wish we would make different decisions on a regular basis, instead of giving properties away or paying for private security for a few different businesses or targeting local businesses at the bequest of certain citizens who consider themselves privileged. There are a lot of bad decisions that have been made in our City in the past that have spent money in ways that I feel like they shouldn't have been spent. I would love to have seen them spent in a better way to the point that we don't have to put something on the ballot like this. I feel like our citizens deserve better and I hope that we make good decisions moving forward. I know that we want to do that. I pledge to do that. I would hope that my fellow Council Members would pledge to do the same.

Ms. Nenni stated that's why we put it on the ballot, to allow the citizens to make the decision.

Mr. Mulligan moved to approve Resolution No. R2021-29, a resolution declaring the City Council of the City of Middletown, Ohio's intent to proceed with placing a 1-mill property tax levy on the May 2022 election ballot for the purposes of providing funding for the construction of certain fire station improvements for use by the City of Middletown Division of Fire. Ms. Vitori seconded. Motion carried. Ayes: Ms. Vitori, Ms. Nenni, Mr. Moon, Mr. Mulligan, Ms. Condrey.

**Ord. No. 02021-58
Grant Agreement
Access Envelope, Inc.**

Ordinance No. 02021-58, an ordinance authorizing the City Manager to enter into a small business grant agreement with Access Envelope, Inc. was read for the second time.

Mr. Mulligan moved to approve Ordinance No. 02021-58, an ordinance authorizing the City Manager to enter into a small business grant agreement with Access Envelope, Inc. Ms. Vitori seconded. Motion carried. Ayes: Ms. Nenni, Mr. Moon, Mr. Mulligan, Ms. Condrey, Ms. Vitori.

**Ord. No. 02021-59
Contract with ODOT
2022 Urban Paving
Program**

Ordinance No. 02021-59, an ordinance authorizing the City Manager to enter into a contract with the Ohio Department of Transportation for the 2022 Urban Paving on a portion of State Route 4 from Tytus Avenue to Germantown Road was read for the second time.

Mr. Mulligan moved to approve Ordinance No. 02021-59, an ordinance authorizing the City Manager to enter into a contract with the Ohio Department of Transportation for the 2022 Urban Paving on a portion of State Route 4 from Tytus Avenue to Germantown Road. Mr. Moon seconded. Motion carried. Ayes: Mr. Moon, Mr. Mulligan, Ms. Condrey, Ms. Nenni, Ms. Vitori.

**Ord. No. 02021-60
Vacate Public Right of
Way Kenridge Drive**

Ordinance No. 02021-60, an ordinance vacating a portion of public right-of-way located between the properties at 430 and 431 Kenridge Drive was read for the second time.

Mr. Mulligan moved to approve Ordinance No. 02021-60, an ordinance vacating a portion of public right-of-way located between the properties at 430 and 431 Kenridge Drive. Ms. Nenni seconded. Motion carried. Ayes: Mr. Mulligan, Ms. Condrey, Ms. Vitori, Ms. Nenni, Mr. Moon.

**Ord. No. 02021-61
Extend Contract with
Medicount
Management**

Ordinance No. 02021-61, an ordinance establishing a procedure for and authorizing an extension of a contract with Medicount Management, Inc. for EMS billing services was read for the second time.

Mr. Mulligan moved to approve Ordinance No. 02021-61, an ordinance establishing a procedure for and authorizing an extension of a contract with Medicount Management, Inc. for EMS billing services. Ms. Vitori seconded. Motion carried. Ayes: Ms. Condrey, Ms. Vitori, Ms. Nenni, Mr. Moon, Mr. Mulligan.

**Res. No. R2021-30
Airport Rescue Grant
FAA**

Resolution No. R2021-30, a resolution authorizing the City Manager to enter into an agreement with the Federal Aviation Administration for the Airport Rescue Grant Program and declaring an emergency with no action requested until August 3, 2021.

**Ord. No. 02021-62
Rezone Manchester
Road & Dixie Highway**

Ordinance No. 02021-62, an ordinance approving a request to rezone one parcel located at the southwest corner of Manchester Road and Dixie Highway from R-2 (Low Density Residential) to PD (Planned Development) and approving preliminary development plan was read for the first time.

**Ord. No. 02021-63
Rezone 4340 Union
Road**


Ordinance No. 02021-63, an ordinance approving a request to rezone 39.6 acres one parcel located at 4340 Union Road, Franklin, Ohio 45005 from BC-F (Business Center Flex) to PD (Planned Development) and approving preliminary development plan was read for the first time.

EXECUTIVE SESSION

At 6:34 p.m. Mr. Mulligan moved to adjourn to executive session under the authority of O.R.C. 121.22 (G) (1) To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official. Ms. Nenni seconded. Motion carried. Ayes: Ms. Vitori, Ms. Nenni, Mr. Moon, Mr. Mulligan, Ms. Condrey.

ADJOURNMENT

At 7:34 p.m., the meeting was declared adjourned until August 3, 2021 at 5:30 p.m. in Council Chambers.



Nicole Condrey, Mayor

Attest: 