

**FISCAL YEAR 2011
HUD Annual Action Plan
B-11-MC-39-0013**



City of Middletown, Ohio
Community Development Block Grant Program
Judy Gilleland, City Manager
Doug Adkins, Community Revitalization Director
Kyle Fuchs, HUD Program Administrator

March 2011

**PROGRAM YEAR 2011
HUD ANNUAL ACTION PLAN
B – 11 – MC – 39 -0013**

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Section Eight	<u>City of Middletown, Ohio City Council:</u>
	Ordinance No. O2011-03, an ordinance authorizing the submission of an application for federal assistance, a consolidated plan and a projected use of funds, under Title I of the Housing and Community Development Act of 1974, as amended for Fiscal Year 2011.

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Section One - Standard Form 424



First Program Year Action Plan (PY 2011)

B – 11 – MC – 39 - 0013

The SF 424 is part of the CPMP Annual Action Plan. SF 424 form fields are included in this document. Grantee information is linked from the 1CPMP.xls document of the CPMP tool.

SF 424

Complete the fillable fields (blue cells) in the table below. The other items are pre-filled with values from the Grantee Information Worksheet.


03/11/2011	Applicant Identifier	Type of Submission	
Date Received by state	State Identifier	Application	Pre-application
Date Received by HUD	Federal Identifier	<input type="checkbox"/> Construction	<input type="checkbox"/> Construction
		<input checked="" type="checkbox"/> Non Construction	<input type="checkbox"/> Non Construction
Applicant Information			
Middletown	OH393222 MIDDLETOWN		
1 Donham Plaza	30949903		
	Municipal Government		
Middletown	Ohio	Community Revitalization Department	
45042	U.S.A.	Community Development Division	
Employer Identification Number (EIN):		Butler/Warren	
31-6000139		05/01/2011	
Applicant Type:		Specify Other Type if necessary:	
Local Government: City		Specify Other Type	
Program Funding		U.S. Department of Housing and Urban Development	
Catalogue of Federal Domestic Assistance Numbers; Descriptive Title of Applicant Project(s); Areas Affected by Project(s) (cities, Counties, localities etc.); Estimated Funding			
Community Development Block Grant		14.218 Entitlement Grant	
Community Revitalization Plan		Citywide	
\$747,006	Approx \$850,000	NSP Obligations not yet spent and NSP Program Income	
Approximately \$850,000 in NSP funds obligated but not yet spent and anticipated program income to be received will be spent by to pay out obligations & fund additional NSP activities.		\$Additional State Funds Leveraged	
\$Locally Leveraged Funds		\$Grantee Funds Leveraged	
\$5,000 Program Income (Estimated)		\$251,000 Unliquidated Prior Year Funds (Estimated)	
\$850,000			
Home Investment Partnerships Program		14.239 HOME	

HOME Project Titles		Description of Areas Affected by HOME Project(s)	
\$HOME Grant Amount	\$Additional HUD Grant(s) Leveraged	Describe	
\$Additional Federal Funds Leveraged		\$Additional State Funds Leveraged	
\$Locally Leveraged Funds		\$Grantee Funds Leveraged	
\$Anticipated Program Income		Other (Describe)	
Total Funds Leveraged for HOME-based Project(s)			

Housing Opportunities for People with AIDS		14.241 HOPWA	
HOPWA Project Titles		Description of Areas Affected by HOPWA Project(s)	
\$HOPWA Grant Amount	\$Additional HUD Grant(s) Leveraged	Describe	
\$Additional Federal Funds Leveraged		\$Additional State Funds Leveraged	
\$Locally Leveraged Funds		\$Grantee Funds Leveraged	
\$Anticipated Program Income		Other (Describe)	
Total Funds Leveraged for HOPWA-based Project(s)			

Emergency Shelter Grants Program		14.231 ESG	
ESG Project Titles		Description of Areas Affected by ESG Project(s)	
\$ESG Grant Amount	\$Additional HUD Grant(s) Leveraged	Describe	
\$Additional Federal Funds Leveraged		\$Additional State Funds Leveraged	
\$Locally Leveraged Funds		\$Grantee Funds Leveraged	
\$Anticipated Program Income		Other (Describe)	
Total Funds Leveraged for ESG-based Project(s)			

Congressional Districts of:		Is application subject to review by state Executive Order 12372 Process?	
8 th	8th	<input type="checkbox"/> Yes	This application was made available to the state EO 12372 process for review on DATE
Is the applicant delinquent on any federal debt? If "Yes" please include an additional document explaining the situation.		<input checked="" type="checkbox"/> No	Program is not covered by EO 12372
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> N/A	Program has not been selected by the state for review

Person to be contacted regarding this application		
Doug		Adkins
Director – Community Revitalization	(513)425-1856	(513)425-7921
douga@cityofmiddletown.org	www.cityofmiddletown.org	Judy Gilleland, City Manager
Signature of Authorized Representative 		Date Signed 3-8-2011

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Section Two - Narrative Responses



Second Program Year Action Plan

(FY 2011) – B-11-MC-39-0013
Narrative Responses

GENERAL

Executive Summary

The Executive Summary is required. Include the objectives and outcomes identified in the plan and an evaluation of past performance.

Program Year 2 Action Plan Executive Summary:

The City of Middletown will continue to utilize a results- oriented approach to community revitalization. This will be achieved by creatively utilizing all available funding including CDBG, NSP, and HOME. Like the current FY 2010-2011 fiscal year, this plan includes a significant portion of CDBG funding for proactive housing code enforcement which has a budget of \$329,606 for the 2011 program year. It is estimated our code enforcement staff will be able to conduct a minimum of 2000 inspections. Several improvements were made for Code Enforcement staff in program year 2010. The biggest improvement was the implementation of advanced software which provides better case tracking and a greatly improved database platform for staff. In addition, the City successfully utilized a process server to serve court code violations on an out of town property owner. The City is budgeting \$50,000 of CDBG funds for an emergency repair program for an estimated 30 low-income homeowners which will be administered through a local non-profit called People Working Cooperatively. The City will continue to operate our V.I.P program allocating \$82,000 in CDBG funds to the activity. It is estimated that a minimum of 20 low-moderate income households will receive assistance under V.I.P. for minor exterior housing rehabilitation. In addition, the City is committed to affirmatively furthering fair housing and is budgeting CDBG funds for fair housing services through Housing Opportunities Made Equal (fair housing testing and assistance - \$5,000 budgeted – estimated 15 people served) and Legal Aid of Greater Cincinnati (legal representation for low-moderate income households with fair housing issues, foreclosure prevention, and tenant/landlord disputes - \$10,000 budgeted – estimated 15 people served), and programming for the City's Community Center (\$70,000 budgeted – estimated 3 new programs). Finally, the City is carrying over the unliquidated \$200,000 for street repaving to PY2011. This should provide an estimated minimum of 1,000 lineal feet of repaved road surface.

It should be noted that the City is budgeting program year 2011 based on the 2010 allocation. If the grant is reduced, several of the items budgeted may not be able to receive funding which may or may not require a substantial amendment.

General Questions

1. Describe the geographic areas of the jurisdiction (including areas of low income families and/or racial/minority concentration) in which assistance will be directed during the next year. Where appropriate, the jurisdiction should estimate the percentage of funds the jurisdiction plans to dedicate to target areas.
2. Describe the basis for allocating investments geographically within the jurisdiction (or within the EMSA for HOPWA) (91.215(a)(1)) during the next year and the rationale for assigning the priorities.
3. Describe actions that will take place during the next year to address obstacles to meeting underserved needs.
4. Identify the federal, state and local resources to be made available to address the needs identified in the plan. Federal resources should include Section 8 funds made available to the jurisdiction, Low-Income Housing Tax Credits, and competitive McKinney-Vento Homeless Assistance Act funds expected to be available to address priority needs and specific objectives identified in the strategic plan.

Program Year 2 Action Plan General Questions response:

As noted in the Strategic Plan, based on the latest U.S. Census data and Comprehensive Housing Affordability Strategy (CHAS) information, the City of Middletown qualifies as a low-to moderate-income area on a citywide basis. The areas of racial concentration are primarily on the west side of town. The areas that the program will focus assistance on this year are broken down into 38 individual neighborhoods (see attached map). These are the City's target areas. Each year of this 5 year consolidated plan will focus the majority of all activities to 1 to 2 of the neighborhoods in the most need of revitalization. The selection is based on the data listed in the neighborhood strategy section of the consolidated plan and with consultation of the Consolidated Planning Committee. Work will continue in these target neighborhood(s) until all available efforts have been depleted or until statistics show the area has become self-sustaining. For the FY 2011 action plan, the City will continue to focus on the Douglass and Harlan Park neighborhoods. It is our intention to start focus on the Highlands and El Dorado neighborhoods as well. However, it should be noted that the City is attempting to obtain additional grants for use and if additional targeted funding is received, focus may shift to a different targeted neighborhood. The final decision to add targeted neighborhood(s) for code enforcement will be based on the overall rank score as specified on page 53 of the Consolidated Plan as well as what areas certain activities can feasibly be funded and/or leveraged with additional funding outside CDBG grants.

Also, as noted in the Strategic Plan, the major obstacle to meeting underserved needs is lack of resources. To help overcome this, the goal is to leverage non-federal funds to CDBG funds 2 for 1. Due to the limited funds we have available, leveraging resources is critical to achieving our goal. During Program Year 2011, the City of Middletown intends to leverage private investment in neighborhoods by supporting minor to major housing renovation, homeownership incentives, property enhancement incentives, donated labor, and enforce clean up of investor and other privately owned properties.

Federal funds to be utilized in PY 2011 include CDBG, HOME, NSP, and the Housing Choice Voucher Program. We will utilize People Working Cooperatively to perform emergency

repair services to low-income households in the City. We are also looking to apply for funds from FHLB as leverage whenever possible.

Managing the Process

1. Identify the lead agency, entity, and agencies responsible for administering programs covered by the consolidated plan.
2. Identify the significant aspects of the process by which the plan was developed, and the agencies, groups, organizations, and others who participated in the process.
3. Describe actions that will take place during the next year to enhance coordination between public and private housing, health, and social service agencies.

Program Year 2 Action Plan Managing the Process response:

The City of Middletown, Community Revitalization Department is the lead entity responsible for administering the programs covered by the Consolidated Plan. Partners in this process include organizations such as People Working Cooperatively, the Middletown Area Community Coalition, Legal Aid Society of Southwest Ohio, LLC, Housing Opportunities Made Equal (H.O.M.E.), and Neighborhood Housing Services of Hamilton, Inc.

The process of drafting the Year 2 Annual Action Plan was developed by working with the Consolidated Planning Committee and through consultations with the general public, as described in the Consolidated Plan.

It is the City of Middletown's intent that during the next year, coordination between public and private housing and social service agencies will be enhanced by inviting private businesses to invest funds in the same neighborhoods that are to be revitalized with CDBG, HOME, and NSP funds. We plan on community participation to achieve this goal by partnering with citizens, landscapers, contractors, churches, and non-profits to invest private dollars and time to help improve these target neighborhoods.

Citizen Participation

1. Provide a summary of the citizen participation process.
2. Provide a summary of citizen comments or views on the plan.
3. Provide a summary of efforts made to broaden public participation in the development of the consolidated plan, including outreach to minorities and non-English speaking persons, as well as persons with disabilities.
4. Provide a written explanation of comments not accepted and the reasons why these comments were not accepted.

Program Year 2 Action Plan Citizen Participation response:

The Middletown Consolidated Planning Committee, a diverse group of community representatives, met on December 29th, 2010 and January 6th, 2011 to discuss the PY 2011 Annual Action Plan. The discussion included the development of the annual action plan through recommended program activities, annual budget, and the selection of target neighborhoods. Members of the Consolidated Planning Committee included representatives from: the United Way, the Butler County Homeless Coalition, Neighborhood Housing Services of Hamilton, Inc., the City's Planning Director, the Middletown Police Department, 3

members of City Council, 2 members of the Community Revitalization staff, and a citizen and volunteer from "Keep Middletown Beautiful".

In addition to the Consolidated Planning Committee, the Middletown City Council held a public hearing to obtain citizen views and respond to citizen proposals:

Public Hearing: January 18, 2011	Published in Middletown Journal Paper: January 5th and 12th, 2011 via legal ad and on January 10th 2011 via regular ad	City Council Chambers, televised
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The **30-day Public Comment Period** ran from **January 18th, 2011 through February 18th, 2011**. The City of Middletown will consider any comments or views of citizens received in writing, or orally at the public hearings, in preparing the final consolidated plan.

Comments: Citizens, Jerry and Wanda Glover, had emailed a letter to City Council, the Mayor, the City Manager, and our Department Director with concerns regarding where the funding has been spent throughout the City. The letter and the City's response are enclosed.

Institutional Structure

1. Describe actions that will take place during the next year to develop institutional structure.

Program Year 2 Action Plan Institutional Structure response:

The City of Middletown plans to undertake the following actions during the next year to continue to develop an improved institutional structure:

- 1) *Continue and enhance private sector involvement.*
- 2) *Continue as an active member in the Butler County Housing and Homeless Coalition.*
- 3) *Continue regional meetings with adjacent jurisdictions to discuss community needs.*
- 4) *Continue cooperation with local funding agencies, such as the United Way and the Middletown Community Foundation, to assist wherever possible.*

Monitoring

1. Describe actions that will take place during the next year to monitor its housing and community development projects and ensure long-term compliance with program requirements and comprehensive planning requirements.

Program Year 2 Action Plan Monitoring response:

The City of Middletown, Community Revitalization Department, will take the key role for implementation and monitoring its housing and community development projects to ensure long-term compliance with program requirements and comprehensive planning requirements. Community Revitalization staff will conduct monitoring visits with all sub-recipients as needed as well as desk reviews, and financial and performance monitoring on a quarterly basis.

Monitoring of all City operated projects will be done through desk reviews, periodic reviews of the Action Plan and Consolidated Plan, reviews of funding applications, and through compliance with all applicable federal regulations.

Each housing program funded by the City of Middletown will be reviewed for compliance with federal regulations such as Section 504/Handicapped Accessibility, Lead Based Paint requirements, Housing Quality Standards (IPMC), Davis Bacon, Section 3, and other federal requirements.

Lead-based Paint

1. Describe the actions that will take place during the next year to evaluate and reduce the number of housing units containing lead-based paint hazards in order to increase the inventory of lead-safe housing available to extremely low-income, low-income, and moderate-income families.

Program Year 2 Action Plan Lead-based Paint response:

Actions taken to evaluate and reduce lead based paint are incorporated into our housing rehabilitation programs. It is our intent that at least 10 households will receive the following services during this program year:

Inspect homes for housing code violations After receiving a rehabilitation or down payment application, homes will be inspected for housing code violations with the age of the housing noted for possible lead hazards.

Lead risk assessor identifies lead-based paint hazards A licensed Lead Risk Assessor will perform a risk assessment to determine any lead hazards and areas of concern which could be damaged during construction. A copy of this assessment is supplied to the owner and is also documented in the file.

Estimate the cost of work to be done The project specs and cost estimate include the standard construction work on the project and any lead renovation/abatement work to be performed. A licensed lead abatement contractor will be utilized, when required, to assist the contractors in selecting the best abatement methods.

Clearance A clearance test is performed on any project that will disturb lead based paint surfaces. Contractors performing this work must be a certified lead safe renovator. Final project payout is not released until the site passes the clearance test(s). This allows the city to control costs on a project as well as provide the clearance in a timely manner.

HOUSING

Specific Housing Objectives

Describe the priorities and specific objectives the jurisdiction hopes to achieve during the next year.

1. Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by this Action Plan.

Program Year 2 Action Plan Specific Objectives response:

Priorities that the City of Middletown hopes to achieve during the next year include:

- *Finalizing the Rehabilitation and then resale of 10 vacant/foreclosed homes through NSP*
- *Emergency repair services to at least 20 owner occupied homes*
- *Provide minor exterior rehabilitation services to 15 owner occupied low and moderate income households through our V.I.P. Program.*
- *Use HOME funds to provide down payment assistance to 40 low and moderate income first-time homebuyers*
- *Utilize housing code enforcement efforts to conduct 2,000 inspections resulting in 500 properties returned to property maintenance code compliance.*

The City has earmarked a share of its federal (CDBG, HOME and NSP) funds to assist these projects and private investment will be sought where possible for construction projects.

Needs of Public Housing

1. Describe the manner in which the plan of the jurisdiction will help address the needs of public housing and activities it will undertake during the next year to encourage public housing residents to become more involved in management and participate in homeownership.
2. If the public housing agency is designated as "troubled" by HUD or otherwise is performing poorly, the jurisdiction shall describe the manner in which it will provide financial or other assistance in improving its operations to remove such designation during the next year.

Program Year 2 Action Plan Public Housing Strategy response:

The City of Middletown along with Consortium partner Butler County will continue to offer technical assistance to Butler Metropolitan Housing Authority (BMHA).

The City of Middletown formed the Middletown Public Housing Agency to administer its Housing Choice Voucher Program. The Board is made up of the six City Council members and the Mayor and meets monthly to discuss public housing issues separate from the Community Development Division of the Community Revitalization Department. The Agency does not own any housing projects but utilizes housing choice vouchers. MPHA operates the following programs to address the needs of public housing:

1. *Mainstream Housing Opportunities for Persons with Disabilities Program – HUD provides financial housing assistance (Housing Assistance Payment) for adults with disabilities.*
2. *Family Unification Program – work with Butler County Children's Service to provide housing assistance for families whom they establish as needing housing in order to have their children returned to their household*
3. *Housing Assistance for Non-Elderly Persons with Disabilities – HUD provides financial housing assistance subsidy (HAP) for non-elderly persons with disabilities.*
4. *Family Self Sufficiency Program – Middletown Public Housing Agency's FSS Coordinators counsel with families to connect them with support services and resources in the community to help the families move toward economic self-*

sufficiency. These support services include referral to technical training, encouraging employment, achieving GED, attending college, etc. and supporting them with their efforts through counseling.

5. *Escrow Account* – When a family participating in the Family Self Sufficiency Program earns additional income, the family will pay a larger portion of the rent. The difference between what the person was paying before the increase in income and what he pays after the increase is matched with HUD funds and placed in an escrow account in a local bank. Once the family reaches the goal of self-sufficiency and graduates from the program, the family receives all of the escrow.
6. *Homeownership Program* – Enable Housing Choice Voucher Program Participants to become homeowners. Although the program is quite entailed, the end result is that the Housing Assistance Payment (HAP) is used to pay the family's mortgage. The program must include:
 - Budget and money maintenance, credit counseling
 - Knowing the players and their roles in the home buying process
 - How to negotiate purchase price
 - Preparation for loan qualification and application
 - How to obtain homeownership financing
 - How to find a home
 - Advantages of purchasing a home in a more diverse neighborhood
 - Maintaining a home, avoiding delinquencies
 - Defaults and foreclosures

A minimum of 8 hours of homebuyer education must be completed before an applicant may use their voucher to purchase a home. Some families may require more extensive home education or financial fitness classes before they are determined ready to purchase a home.

7. *Single Room Occupancy* – These 11 units are Project Based, meaning the subsidy is attached to the unit, rather than the individual. The units are located in Hope House Rescue Mission and currently 7 homeless men call these units "home."

The MPHA Board will be reviewing subsidized housing levels of all types in the City of Middletown to determine if current needs are best being met by the current levels maintained, or whether current needs or unmet needs might be better served by adjusting the overall level of public housing in the City.

Barriers to Affordable Housing

1. Describe the actions that will take place during the next year to remove barriers to affordable housing.

Program Year 2 Action Plan Barriers to Affordable Housing response:

As documented in the Consolidated Plan, the City of Middletown has a housing stock that is valued significantly lower than surrounding areas. The biggest barrier surrounding many of these properties is their overall condition. During Program Year 2011, the City of Middletown will strive to improve its affordable housing stock by:

- 1) *Maintaining code enforcement efforts so that all occupied property is safe.*

- 2) *Enhance the oversight of Housing Choice Voucher Program to serve low income households.*
- 3) *Strictly enforce inspection requirements and housing quality standards under Section 8*
- 4) *Providing residential rehabilitation assistance.*
- 5) *Providing down payment/closing cost assistance.*
- 6) *Subsidizing the sale price of NSP properties to an affordable level.*

HOME

1. Describe other forms of investment not described in § 92.205(b).
2. If the participating jurisdiction (PJ) will use HOME funds for homebuyers, it must state the guidelines for resale or recapture, as required in § 92.254 of the HOME rule.
3. If the PJ will use HOME funds to refinance existing debt secured by multifamily housing that is that is being rehabilitated with HOME funds, it must state its refinancing guidelines required under § 92.206(b). The guidelines shall describe the conditions under which the PJ will refinance existing debt. At a minimum these guidelines must:
 - a. Demonstrate that rehabilitation is the primary eligible activity and ensure that this requirement is met by establishing a minimum level of rehabilitation per unit or a required ratio between rehabilitation and refinancing.
 - b. Require a review of management practices to demonstrate that disinvestments in the property has not occurred; that the long-term needs of the project can be met; and that the feasibility of serving the targeted population over an extended affordability period can be demonstrated.
 - c. State whether the new investment is being made to maintain current affordable units, create additional affordable units, or both.
 - d. Specify the required period of affordability, whether it is the minimum 15 years or longer.
 - e. Specify whether the investment of HOME funds may be jurisdiction-wide or limited to a specific geographic area, such as a neighborhood identified in a neighborhood revitalization strategy under 24 CFR 91.215(e)(2) or a Federally designated Empowerment Zone or Enterprise Community.
 - f. State that HOME funds cannot be used to refinance multifamily loans made or insured by any federal program, including CDBG.

Program Year 2 Action Plan HOME:

The City of Middletown is a Participating Jurisdiction (PJ) through a Consortium with Butler County. Butler County, as the lead agency is responsible for completing the HOME section on our behalf.

HOMELESS

Specific Homeless Prevention Elements

1. Sources of Funds—Identify the private and public resources that the jurisdiction expects to receive during the next year to address homeless needs and to prevent homelessness. These include the McKinney-Vento Homeless Assistance Act programs, other special federal, state and local and private funds targeted to homeless individuals

and families with children, especially the chronically homeless, the HUD formula programs, and any publicly-owned land or property. Please describe, briefly, the jurisdiction's plan for the investment and use of funds directed toward homelessness. Homelessness—In a narrative, describe how the action plan will address the specific objectives of the Strategic Plan and, ultimately, the priority needs identified. Please also identify potential obstacles to completing these action steps.

2. Chronic homelessness—The jurisdiction must describe the specific planned action steps it will take over the next year aimed at eliminating chronic homelessness by 2012. Again, please identify barriers to achieving this.
3. Homelessness Prevention—The jurisdiction must describe its planned action steps over the next year to address the individual and families with children at imminent risk of becoming homeless.
4. Discharge Coordination Policy—Explain planned activities to implement a cohesive, community-wide Discharge Coordination Policy, and how, in the coming year, the community will move toward such a policy.

Program Year 2 Action Plan Special Needs response:

It is expected that one agency in the Butler County Housing and Homeless Coalition will apply for and receive funding through the Balance of State Continuum of Care process.

Homelessness: Objectives identified in the strategic plan are to review the proper level of section 8 vouchers to assist low income or homeless individuals and families in securing safe and affordable housing and coordinate with local and regional governments and service agencies to provide technical assistance for homeless service providers. These specific objectives were designed to meet the overall goal of providing the best assistance for the homeless and those at risk of homelessness. The major obstacles to completing these steps are funding.

Chronic Homelessness: In order to end chronic homelessness by 2012, the City of Middletown, in conjunction with regional partners in the Butler County Housing and Homeless Coalition will continue to provide outreach and appropriate social services to assist the homeless.

Homeless Prevention: Services offered to residents of Middletown and Butler County include the Emergency Money Fund administered through St. Raphael. There are also funds available for emergency rent and utility payment through SELF, the local Community Action Program (CAP) agency. Additionally, Butler Metropolitan Housing Authority (BMHA) has a working relationship with Transitional Living who provides mental health assessment and permanent housing placement services.

Discharge Coordination Policy: Activities planned to implement a community-wide discharge policy begin with the Butler County Housing and Homeless Coalition. Homeless providers serving not just Middletown, but the entire county meet monthly and are developing a community-wide policy.

Emergency Shelter Grants (ESG)

(States only) Describe the process for awarding grants to State recipients, and a description of how the allocation will be made available to units of local government.

Program Year 2 Action Plan ESG response:

n/a

COMMUNITY DEVELOPMENT

Community Development

Identify the jurisdiction's priority non-housing community development needs eligible for assistance by CDBG eligibility category specified in the Community Development Needs Table (formerly Table 2B), public facilities, public improvements, public services and economic development.

1. Identify specific long-term and short-term community development objectives (including economic development activities that create jobs), developed in accordance with the statutory goals described in section 24 CFR 91.1 and the primary objective of the CDBG program to provide decent housing and a suitable living environment and expand economic opportunities, principally for low- and moderate-income persons.

*Note: Each specific objective developed to address a priority need, must be identified by number and contain proposed accomplishments, the time period (i.e., one, two, three, or more years), and annual program year numeric goals the jurisdiction hopes to achieve in quantitative terms, or in other measurable terms as identified and defined by the jurisdiction.

Program Year 2 Action Plan Community Development response:

Priority Need	Priority Need Level	5 Yr Goal Plan/Act	Annual Goal Plan/Act	Percent Goal Completed
Acquisition of Real Property	Medium	3	0	0
Disposition	Medium	3	0	0
Clearance and Demolition (CDBG funds only)	High	40	4	0
Clearance of Contaminated Sites	Low	0	0	0
Code Enforcement (Number of Inspections)	High	8000	2000	20
Public Facility (General) - TOTAL	Medium	27	3	19
Senior Centers	Low	0	0	0
Handicapped Centers	Low	0	0	0
Homeless Facilities	Medium	1	0	100
Youth Centers	Medium	1	0	0
Neighborhood Facilities	Medium	1	1	0
Child Care Centers	Medium	1	0	0
Health Facilities	Low	0	0	0
Mental Health Facilities	Low	0	0	0
Parks and/or Recreation Facilities	Medium	2	0	50
Parking Facilities	Low	0	0	0
Tree Planting	Medium	50	0	0
Fire Stations/Equipment	Low	0	0	0
Abused/Neglected Children Facilities	Medium	1	0	0
Asbestos Removal (housing units)	Medium	20	2	15
Non-Residential Historic Preservation	Medium	0	0	0
Other Public Facility Needs	Medium	0	0	0
Infrastructure (General) - TOTAL	Medium	1500	1000	0
Water/Sewer Improvements	Low	0	0	0
Street Improvements (lineal feet per lane)	High	1000	1000	0

Sidewalks (lineal feet)	Medium	500	0	0
Solid Waste Disposal Improvements	Low	0	0	0
Flood Drainage Improvements (lineal feet)	Low	0	0	0
Other Infrastructure	Medium	0	0	0
Public Services (General) - TOTAL	Medium	410	46	11
Senior Services	Low	0	0	0
Handicapped Services	Low	0	0	0
Legal Services – people served	Medium	200	20	10
Youth Services – people served	Medium	50	0	0
Child Care Services – people served	Medium	10	0	0
Transportation Services	Low	0	0	0
Substance Abuse Services – people served	Medium	10	0	0
Employment/Training Services – people served	Medium	10	0	0
Health Services	Low	0	0	0
Lead Hazard Screening – people served	Medium	5	0	0
Crime Awareness – people served	Medium	50	0	0
Fair Housing Activities – people served	High	75	25	34
Tenant Landlord Counseling – people served	Medium	5	1	20
Other Services	Medium	0	0	0
Economic Development (General) - TOTAL	Medium	16	0	0
C/I Land Acquisition/Disposition	Medium	5	0	0
C/I Infrastructure Development	Low	0	0	0
C/I Building Acq/Const/Rehab	Medium	3	0	0
Other C/I	Medium	0	0	0
ED Assistance to For-Profit	Low	0	0	0
ED Technical Assistance	Medium	3	0	0
Micro-enterprise Assistance	Medium	3	0	0
Other	Medium	0	0	0

Antipoverty Strategy

1. Describe the actions that will take place during the next year to reduce the number of poverty level families.

Program Year 2 Action Plan Antipoverty Strategy response:

Over the next year the City of Middletown will attempt to reduce the number of poverty level families through the following methods:

- 1) *Stabilizing the housing base through code enforcement, housing rehabilitation, emergency housing repair and homeownership assistance programs. The city realizes that with out stable housing, it is difficult to focus on educational attainment and employment goals.*
- 2) *The Economic Development Director. Mike Robinette, will focus on creating and maintaining quality jobs that will enable individuals to rise from poverty to self sufficiency.*
- 3) *Provide social, educational, and networking activities through the Community Center.*

NON-HOMELESS SPECIAL NEEDS HOUSING

Non-homeless Special Needs (91.220 (c) and (e))

Describe the priorities and specific objectives the jurisdiction hopes to achieve for the period covered by the Action Plan.

1. Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by this Action Plan.

Program Year 2 Action Plan Specific Objectives response:

Non-homeless special needs such as senior services, mental services, services for persons with HIV/AIDS, and Alcohol and Drug treatment are all extremely important to the City of Middletown. However, due to extremely limited resources, the City of Middletown has chosen to focus primarily on neighborhood revitalization.

The Middletown Area Community Coalition – an organization funded as a collaboration between the City, the Community Foundation and the United Way- will assist many of these service providers in identifying and securing state, federal and private sector funding for services.

Housing Opportunities for People with AIDS

1. Provide a Brief description of the organization, the area of service, the name of the program contacts, and a broad overview of the range/ type of housing activities to be done during the next year.
2. Report on the actions taken during the year that addressed the special needs of persons who are not homeless but require supportive housing, and assistance for persons who are homeless.
3. Evaluate the progress in meeting its specific objective of providing affordable housing, including a comparison of actual outputs and outcomes to proposed goals and progress made on the other planned actions indicated in the strategic and action plans. The evaluation can address any related program adjustments or future plans.
4. Report on the accomplishments under the annual HOPWA output goals for the number of households assisted during the year in: (1) short-term rent, mortgage and utility payments to avoid homelessness; (2) rental assistance programs; and (3) in housing facilities, such as community residences and SRO dwellings, where funds are used to develop and/or operate these facilities. Include any assessment of client outcomes for achieving housing stability, reduced risks of homelessness and improved access to care.
5. Report on the use of committed leveraging from other public and private resources that helped to address needs identified in the plan.
6. Provide an analysis of the extent to which HOPWA funds were distributed among different categories of housing needs consistent with the geographic distribution plans identified in its approved Consolidated Plan.
7. Describe any barriers (including non-regulatory) encountered, actions in response to barriers, and recommendations for program improvement.
8. Please describe the expected trends facing the community in meeting the needs of persons living with HIV/AIDS and provide additional information regarding the administration of services to people with HIV/AIDS.

9. Please note any evaluations, studies or other assessments that will be conducted on the local HOPWA program during the next year.

Program Year 2 Action Plan HOPWA response:

n/a

Specific HOPWA Objectives

Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by the Action Plan.

Program Year 2 Specific HOPWA Objectives response:

n/a

Other Narrative

Include any Action Plan information that was not covered by a narrative in any other section.

Fair Housing

Program Year 2 Fair Housing response:

The City of Middletown is committed to providing a housing environment that is free of any discrimination whether real or apparent. A portion of the FY 2011 CDBG budget is being utilized to fund Legal Aid Society of Southwest Ohio, LLC and Housing Opportunities Made Equal (H.O.M.E.). Among other things, Legal Aid provides legal advice and counseling to those individuals who feel they have been discriminated against and provides legal representation to those individuals who otherwise may not be able to afford it. H.O.M.E. provides investigative services into landlords who have been reported by individuals who feel they were discriminated against. If a case is validated, H.O.M.E. will inform the landlord of their violation and laws that prevent such activity. Where possible, H.O.M.E. will work with the individual and the landlord to mediate a resolution. In rare cases where a resolution cannot be determined, H.O.M.E. will assist the individual by referring them to the appropriate places (such as Legal Aid) in pursuing the case legally if they so desire. H.O.M.E. also distributes educational materials regarding fair housing laws and requirements to realtors, lenders, and landlords.

The City of Middletown will continue to fund both of these organizations in 2011 and will continue to look for other resources available to promote fair housing.

PROGRAM YEAR 2011
HUD ANNUAL ACTION PLAN
B-11-MC-39-0013

Section Three - Non-State Grantee Certifications



CPMP Non-State Grantee Certifications

Many elements of this document may be completed electronically, however a signature must be manually applied and the document must be submitted in paper form to the Field Office.

- | |
|--|
| <input type="checkbox"/> This certification does not apply. |
| <input checked="" type="checkbox"/> This certification is applicable. |

NON-STATE GOVERNMENT CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

Affirmatively Further Fair Housing -- The jurisdiction will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

Anti-displacement and Relocation Plan -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential antidisplacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

Drug Free Workplace -- It will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about --
 - a. The dangers of drug abuse in the workplace;
 - b. The grantee's policy of maintaining a drug-free workplace;
 - c. Any available drug counseling, rehabilitation, and employee assistance programs; and
 - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;
4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will --
 - a. Abide by the terms of the statement; and
 - b. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted --
 - a. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - b. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.

Jurisdiction

Anti-Lobbying -- To the best of the jurisdiction's knowledge and belief:

8. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
9. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
10. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

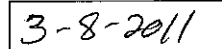
Authority of Jurisdiction -- The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan -- The housing activities to be undertaken with CDBG, HOME, ESG, and HOPWA funds are consistent with the strategic plan.

Section 3 -- It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.



Signature/Authorized Official



Date

Judith A. Gilleland

Name

City Manager

Title

1 Donham Plaza

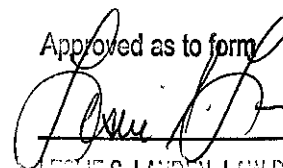
Address

Middletown/OH/45042

City/State/Zip

513-425-7836

Telephone Number

Approved as to form


LESLIE S. LANDEN, LAW DIRECTOR

- | | |
|-------------------------------------|---|
| <input type="checkbox"/> | This certification does not apply. |
| <input checked="" type="checkbox"/> | This certification is applicable. |

Specific CDBG Certifications

The Entitlement Community certifies that:

Citizen Participation -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

Community Development Plan -- Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that provide decent housing, expand economic opportunities primarily for persons of low and moderate income. (See CFR 24 570.2 and CFR 24 part 570)

Following a Plan -- It is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.

Use of Funds -- It has complied with the following criteria:

11. **Maximum Feasible Priority** - With respect to activities expected to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available);
12. **Overall Benefit** - The aggregate use of CDBG funds including section 108 guaranteed loans during program year(s) 2010, 2011, 2____, (a period specified by the grantee consisting of one, two, or three specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period;
13. **Special Assessments** - It will not attempt to recover any capital costs of public improvements assisted with CDBG funds including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force -- It has adopted and is enforcing:

14. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
15. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

Jurisdiction

Compliance With Anti-discrimination laws -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

Lead-Based Paint -- Its activities concerning lead-based paint will comply with the requirements of part 35, subparts A, B, J, K and R, of title 24;

Compliance with Laws -- It will comply with applicable laws.



Signature/Authorized Official

3-8-2011

Date

Judith A. Gilleland

Name

City Manager

Title

1 Donham Plaza

Address

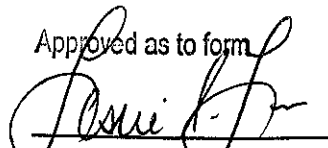
Middletown/OH/45042

City/State/Zip

513-425-7836

Telephone Number

Approved as to form



LESLIE S. LANDEN, L. S. LANDEN

- ☒ **This certification does not apply.**
☐ **This certification is applicable.**

**OPTIONAL CERTIFICATION
CDBG**

Submit the following certification only when one or more of the activities in the action plan are designed to meet other community development needs having a particular urgency as specified in 24 CFR 570.208(c):

The grantee hereby certifies that the Annual Plan includes one or more specifically identified CDBG-assisted activities, which are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs.

Signature/Authorized Official

Date

Name

Title

Address

City/State/Zip

Telephone Number

- ☐ This certification does not apply.
☒ This certification is applicable.

Specific HOME Certifications

The HOME participating jurisdiction certifies that:

Tenant Based Rental Assistance -- If the participating jurisdiction intends to provide tenant-based rental assistance:

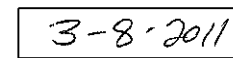
The use of HOME funds for tenant-based rental assistance is an essential element of the participating jurisdiction's consolidated plan for expanding the supply, affordability, and availability of decent, safe, sanitary, and affordable housing.

Eligible Activities and Costs -- it is using and will use HOME funds for eligible activities and costs, as described in 24 CFR § 92.205 through 92.209 and that it is not using and will not use HOME funds for prohibited activities, as described in § 92.214.

Appropriate Financial Assistance -- before committing any funds to a project, it will evaluate the project in accordance with the guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other Federal assistance than is necessary to provide affordable housing;



Signature/Authorized Official



Date

Judith A. Gilleland

Name

City Manager

Title

1 Donham Plaza

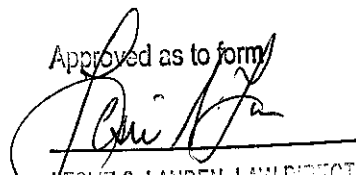
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513-425-7836

Telephone Number

Approved as to form


LESLIE S. LANDEN, LAW DIRECTOR

- ☒ **This certification does not apply.**
☐ **This certification is applicable.**

HOPWA Certifications

The HOPWA grantee certifies that:

Activities -- Activities funded under the program will meet urgent needs that are not being met by available public and private sources.

Building -- Any building or structure assisted under that program shall be operated for the purpose specified in the plan:

1. For at least 10 years in the case of assistance involving new construction, substantial rehabilitation, or acquisition of a facility,
2. For at least 3 years in the case of assistance involving non-substantial rehabilitation or repair of a building or structure.

Signature/Authorized Official

Date

Name

Title

Address

City/State/Zip

Telephone Number

- | |
|--|
| <input checked="checked" type="checkbox"/> This certification does not apply. |
| <input type="checkbox"/> This certification is applicable. |

ESG Certifications

I, _____, Chief Executive Officer of Jurisdiction, certify that the local government will ensure the provision of the matching supplemental funds required by the regulation at 24 *CFR* 576.51. I have attached to this certification a description of the sources and amounts of such supplemental funds.

I further certify that the local government will comply with:

1. The requirements of 24 *CFR* 576.53 concerning the continued use of buildings for which Emergency Shelter Grants are used for rehabilitation or conversion of buildings for use as emergency shelters for the homeless; or when funds are used solely for operating costs or essential services.
2. The building standards requirement of 24 *CFR* 576.55.
3. The requirements of 24 *CFR* 576.56, concerning assurances on services and other assistance to the homeless.
4. The requirements of 24 *CFR* 576.57, other appropriate provisions of 24 *CFR* Part 576, and other applicable federal laws concerning nondiscrimination and equal opportunity.
5. The requirements of 24 *CFR* 576.59(b) concerning the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.
6. The requirement of 24 *CFR* 576.59 concerning minimizing the displacement of persons as a result of a project assisted with these funds.
7. The requirements of 24 *CFR* Part 24 concerning the Drug Free Workplace Act of 1988.
8. The requirements of 24 *CFR* 576.56(a) and 576.65(b) that grantees develop and implement procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted with ESG funds and that the address or location of any family violence shelter project will not be made public, except with written authorization of the person or persons responsible for the operation of such shelter.
9. The requirement that recipients involve themselves, to the maximum extent practicable and where appropriate, homeless individuals and families in policymaking, renovating, maintaining, and operating facilities assisted under the ESG program, and in providing services for occupants of these facilities as provided by 24 *CFR* 76.56.
10. The requirements of 24 *CFR* 576.57(e) dealing with the provisions of, and regulations and procedures applicable with respect to the environmental review responsibilities under the National Environmental Policy Act of 1969 and related

authorities as specified in 24 *CFR* Part 58.

11. The requirements of 24 *CFR* 576.21(a)(4) providing that the funding of homeless prevention activities for families that have received eviction notices or notices of termination of utility services will meet the requirements that: (A) the inability of the family to make the required payments must be the result of a sudden reduction in income; (B) the assistance must be necessary to avoid eviction of the family or termination of the services to the family; (C) there must be a reasonable prospect that the family will be able to resume payments within a reasonable period of time; and (D) the assistance must not supplant funding for preexisting homeless prevention activities from any other source.
12. The new requirement of the McKinney-Vento Act (42 *USC* 11362) to develop and implement, to the maximum extent practicable and where appropriate, policies and protocols for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent such discharge from immediately resulting in homelessness for such persons. I further understand that state and local governments are primarily responsible for the care of these individuals, and that ESG funds are not to be used to assist such persons in place of state and local resources.
13. HUD's standards for participation in a local Homeless Management Information System (HMIS) and the collection and reporting of client-level information.

I further certify that the submission of a completed and approved Consolidated Plan with its certifications, which act as the application for an Emergency Shelter Grant, is authorized under state and/or local law, and that the local government possesses legal authority to carry out grant activities in accordance with the applicable laws and regulations of the U. S. Department of Housing and Urban Development.

Signature/Authorized Official

Date

Name

Title

Address

City/State/Zip

Telephone Number

- ☐ This certification does not apply.
- ☒ This certification is applicable.

APPENDIX TO CERTIFICATIONS

Instructions Concerning Lobbying and Drug-Free Workplace Requirements

Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Drug-Free Workplace Certification

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification.
2. The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
4. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).
5. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph three).
6. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant: Place of Performance (Street address, city, county, state, zip code) Check if there are workplaces on file that are not identified here. The certification with regard to the drug-free workplace is required by 24 CFR part 21.

Place Name	Street	City	County	State	Zip
City of Middletown	1 Donham Plaza	Middletown	Butler	OH	45042

7. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules: "Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15); "Conviction" means a finding of guilt (including a plea of *nolo contendere*) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes; "Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any

Jurisdiction

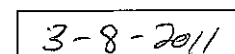
controlled substance; "Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including:

- a. All "direct charge" employees;
- b. all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and
- c. temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

Note that by signing these certifications, certain documents must be completed, in use, and on file for verification. These documents include:

1. Analysis of Impediments to Fair Housing
2. Citizen Participation Plan
3. Anti-displacement and Relocation Plan


Signature/Authorized Official


Date

Judith A. Gilleland

Name

City Manager

Title

1 Donham Plaza

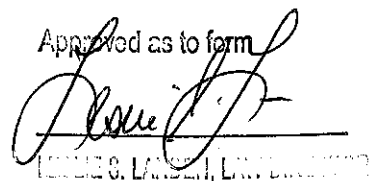
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Middletown/OH/45042

City/State/Zip

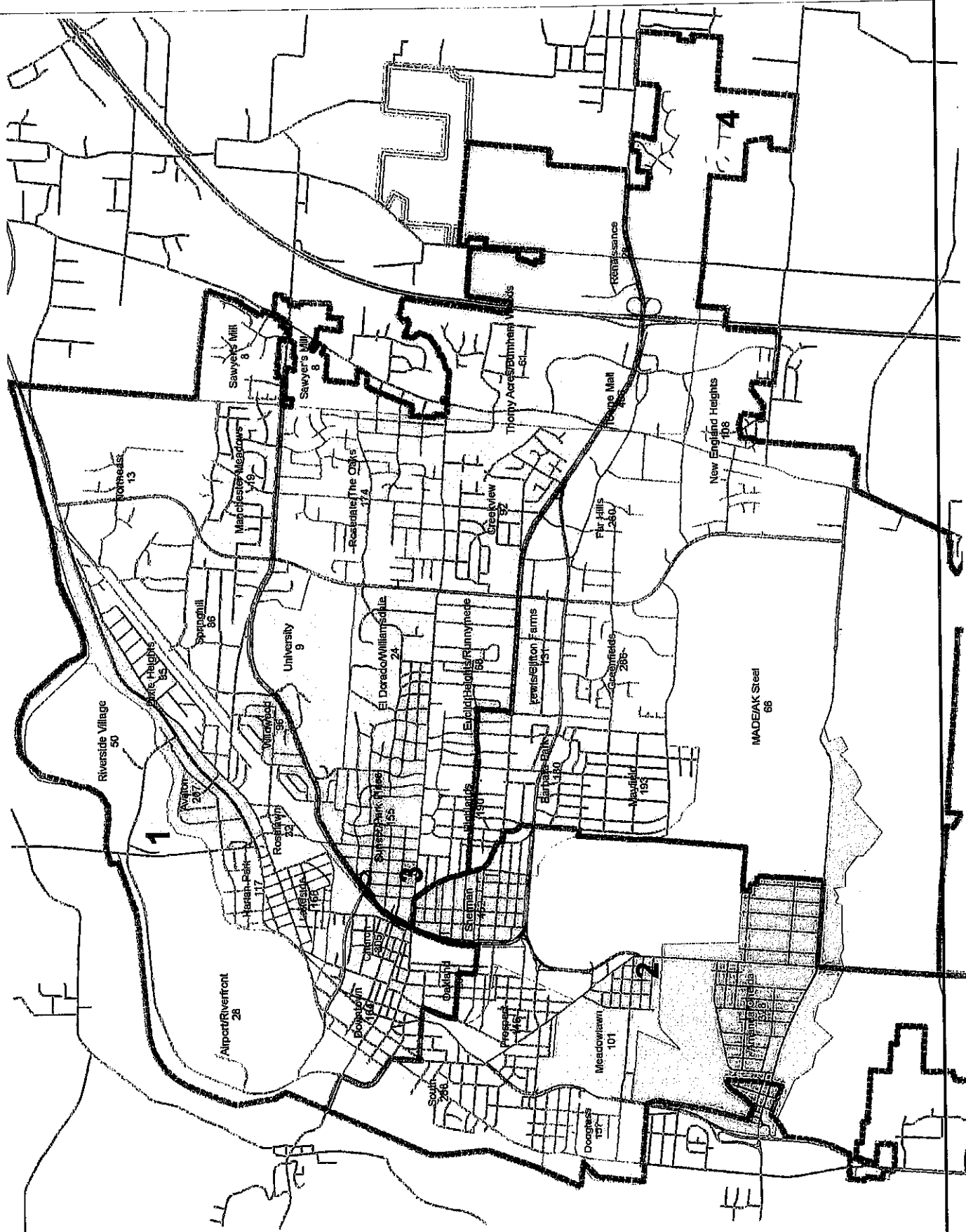
513-425-7836

Telephone Number

Approved as to form

LOUISE S. LASSELLE, LAWYER

PROGRAM YEAR 2011
HUD ANNUAL ACTION PLAN
B-11-MC-39-0013

Section Four - Maps



PROGRAM YEAR 2011
HUD ANNUAL ACTION PLAN
B-11-MC-39-0013

Section Five - Budget

**COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM
HOME INVESTMENT PARTNERSHIPS (HOME) PROGRAM
PY 2011 PROJECTED BUDGETED USE OF FUNDS (5/1/2011 - 4/30/2012)**

	<u>CDBG</u>	<u>HOME</u>	<u>TOTAL</u>
<u>Housing Revitalization</u>			
Down Payment/Closing Cost Assistance		\$324,000	\$324,000
Emergency Repair Program (PWC)	\$50,000		\$50,000
Volunteer Improvement Program (V.I.P.)	\$82,000 a		\$82,000
Rehab Program Delivery	\$65,000 b		\$65,000
Category Total	\$197,000	\$324,000	\$521,000
<u>Public Services</u>			
Fair Housing: H.O.M.E. (Matrix Code 21D)	\$5,000		\$5,000
Community Center Programming	\$70,000 c		\$70,000
Legal Aid of Greater Cincinnati	\$10,000		\$10,000
Category Total	\$85,000	\$0	\$85,000
<u>Public Facilities and Improvements</u>			
Street Paving	\$200,000 d		\$200,000
Category Total	\$200,000	\$0	\$200,000
<u>Neighborhood Revitalization</u>			
Code Enforcement	\$344,606 e		\$344,606
Demolition	\$25,000		\$25,000
Category Total	\$369,606	\$0	\$344,606
<u>GRANTS MANAGEMENT</u>			
Planning/Program Administration	\$146,400 f	\$36,000	\$182,400
Category Total	\$146,400	\$36,000	\$182,400
Estimated PY2010 Unliquidated Funds	\$251,000		
Estimated PY2011 Grant amount	\$747,006		
TOTAL	\$998,006	\$360,000	\$1,333,006

a.) Includes \$19,000 PY2010 activity carryover b.) Includes legal fees, Group Work Camps (\$28k), & Volunteer Rehab Program Labor (\$15k) c.) Includes \$30,000 PY2010 activity carryover d.) PY2010 activity carryover e.) Includes Adopt Lot/Community Garden Code Enf costs (\$15k) f.) Admin allocation (\$144,400) + estimated PY2010 Unused Admin carryover

PROGRAM YEAR 2011
HUD ANNUAL ACTION PLAN
B-11-MC-39-0013

Section Six - Project Breakdown

Project Name:		Emergency/Minor Home Repair Program (PWC)									
Description:		IDIS Project #:				UOG Code:		OH393222 Middletown			
Funds will be used to provide emergency/minor repairs for low to very low income homeowners on a citywide basis.											
Location:		Priority Need Category									
Citywide		Select one:				Owner Occupied Housing ▼					
Expected Completion Date:		Explanation:									
4/30/2011		Grants to address emergency repairs, energy conservation, and handicapped accessibility repairs.									
Objective Category		Specific Objectives									
<input checked="" type="radio"/> Decent Housing <input type="radio"/> Suitable Living Environment <input type="radio"/> Economic Opportunity											
Outcome Categories											
<input type="checkbox"/> Availability/Accessibility											
<input type="checkbox"/> Affordability											
<input checked="" type="checkbox"/> Sustainability											
Project-level Accomplishments	04 Households ▼	Proposed	40		Accompl. Type: ▼	Proposed					
		Underway				Underway					
		Complete				Complete					
	Accompl. Type: ▼	Proposed			Accompl. Type: ▼	Proposed					
		Underway				Underway					
		Complete				Complete					
	Accompl. Type: ▼	Proposed			Accompl. Type: ▼	Proposed					
		Underway				Underway					
		Complete				Complete					
	Proposed Outcome		Performance Measure				Actual Outcome				
	Reduce # of households living in unsafe conditions		Number of households served				45 households served as of end of program year 1				
	14A Rehab; Single-Unit Residential 570.202 ▼				Matrix Codes ▼						
Matrix Codes ▼				Matrix Codes ▼							
Matrix Codes ▼				Matrix Codes ▼							
Program Year 1	CDBG ▼	Proposed Amt.	50000		Fund Source: ▼	Proposed Amt.					
		Actual Amount	49995.29			Actual Amount					
	Fund Source: ▼	Proposed Amt.			Fund Source: ▼	Proposed Amt.					
		Actual Amount				Actual Amount					
	04 Households ▼	Proposed Units	20		Accompl. Type: ▼	Proposed Units					
		Actual Units	45			Actual Units					
	Accompl. Type: ▼	Proposed Units			Accompl. Type: ▼	Proposed Units					
		Actual Units				Actual Units					

Program Year 2	CDBG	▼	Proposed Amt.	50000		Fund Source:	▼	Proposed Amt.	
			Actual Amount					Actual Amount	
	Fund Source:	▼	Proposed Amt.			Fund Source:	▼	Proposed Amt.	
			Actual Amount					Actual Amount	
	04 Households	▼	Proposed Units	40		Accompl. Type:	▼	Proposed Units	
			Actual Units					Actual Units	
Program Year 3			Proposed Units				Proposed Units		
			Actual Units				Actual Units		
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units		
			Actual Units				Actual Units		
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units		
			Actual Units				Actual Units		
Program Year 4	Fund Source:	▼	Proposed Amt.			Fund Source:	▼	Proposed Amt.	
			Actual Amount					Actual Amount	
	Fund Source:	▼	Proposed Amt.			Fund Source:	▼	Proposed Amt.	
			Actual Amount					Actual Amount	
	Accompl. Type:	▼	Proposed Units			Accompl. Type:	▼	Proposed Units	
			Actual Units					Actual Units	
Program Year 5			Proposed Units				Proposed Units		
			Actual Units				Actual Units		
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units		
			Actual Units				Actual Units		
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units		
			Actual Units				Actual Units		

Grantee Name: **City of Middletown**

Project Name:		Volunteer Improvements Program (V.I.P.)					
Description:		IDIS Project #:		UOG Code:		OH393222 Middletown	
Funds will be used for minor exterior housing rehab. Volunteer labor will be utilized wherever possible.							
Location:		Priority Need Category					
Douglass, Harlan Park, Highlands, & El Dorado Neighborhoods		Select one:		Owner Occupied Housing ▼			
Expected Completion Date:		Explanation:					
4/30/2011		Funds will be used for minor exterior housing rehab. Volunteer labor will be utilized wherever possible. Due to receiving a grant from the Middletown Community Foundation, only \$370 in CDBG funds was used in PY2010. Remaining funds will be carried to the PY2011 VIP budget.					
<input type="checkbox"/> Objective Category <input checked="" type="radio"/> Decent Housing <input type="radio"/> Suitable Living Environment <input type="radio"/> Economic Opportunity		Specific Objectives					
Outcome Categories: <input type="checkbox"/> Availability/Accessibility <input type="checkbox"/> Affordability <input checked="" type="checkbox"/> Sustainability		1		Improve the quality of owner housing ▼			
		2		▼			
		3		▼			
Project-level Accomplishments	04 Households ▼	Proposed	20		Accompl. Type: ▼	Proposed	
		Underway				Underway	
		Complete				Complete	
	Accompl. Type: ▼	Proposed			Accompl. Type: ▼	Proposed	
		Underway				Underway	
		Complete				Complete	
	Accompl. Type: ▼	Proposed			Accompl. Type: ▼	Proposed	
		Underway				Underway	
		Complete				Complete	
Proposed Outcome		Performance Measure			Actual Outcome		
Improve the housing stock		Number of households served			50 households as of the end of program year 1		
14A Rehab; Single-Unit Residential 570.202 ▼				Matrix Codes ▼			
Matrix Codes ▼				Matrix Codes ▼			
Matrix Codes ▼				Matrix Codes ▼			
Program Year 1	CDBG ▼	Proposed Amt.	20000		Fund Source: ▼	Proposed Amt.	
		Actual Amount	370			Actual Amount	
	Other ▼	Proposed Amt.	25000		Fund Source: ▼	Proposed Amt.	
		Actual Amount	25000			Actual Amount	
	04 Households ▼	Proposed Units	15		Accompl. Type: ▼	Proposed Units	
		Actual Units	50			Actual Units	
	Accompl. Type: ▼	Proposed Units			Accompl. Type: ▼	Proposed Units	
		Actual Units				Actual Units	

Program Year 2	CDBG	▼	Proposed Amt.	82000	Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	04 Households	▼	Proposed Units	20	Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
Program Year 3			Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
Program Year 4			Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
Program Year 5	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
Program Year 5	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	

Grantee Name: **City of Middletown**

Project Name: Fair Housing (H.O.M.E.)																																																	
Description:	IDIS Project #: UOG Code: OH393222 Middletown																																																
Contract with Housing Opportunities Made Equal (H.O.M.E.) to administer fair housing testing, education, and investigations within the City.																																																	
Location: Citywide	Priority Need Category Select one: Public Services ▼																																																
Expected Completion Date: 4/30/2011	Explanation: Fair housing counseling, testing, and training.																																																
Objective Category <input checked="" type="radio"/> Decent Housing <input type="radio"/> Suitable Living Environment <input type="radio"/> Economic Opportunity	Specific Objectives 1 Improve access to affordable rental housing ▼ 2 Improve access to affordable owner housing ▼ 3 ▼																																																
Outcome Categories <input checked="" type="checkbox"/> Availability/Accessibility <input type="checkbox"/> Affordability <input type="checkbox"/> Sustainability																																																	
Project-level Accomplishments	<table border="1"> <tr> <td>04 Households ▼</td> <td>Proposed 15</td> <td rowspan="3"></td> <td>Accompl. Type: ▼</td> <td>Proposed</td> <td></td> </tr> <tr> <td></td> <td>Underway</td> <td></td> <td>Underway</td> <td></td> </tr> <tr> <td></td> <td>Complete</td> <td></td> <td>Complete</td> <td></td> </tr> <tr> <td>Accompl. Type: ▼</td> <td>Proposed</td> <td rowspan="3"></td> <td>Accompl. Type: ▼</td> <td>Proposed</td> <td></td> </tr> <tr> <td></td> <td>Underway</td> <td></td> <td>Underway</td> <td></td> </tr> <tr> <td></td> <td>Complete</td> <td></td> <td>Complete</td> <td></td> </tr> <tr> <td>Accompl. Type: ▼</td> <td>Proposed</td> <td rowspan="3"></td> <td>Accompl. Type: ▼</td> <td>Proposed</td> <td></td> </tr> <tr> <td></td> <td>Underway</td> <td></td> <td>Underway</td> <td></td> </tr> <tr> <td></td> <td>Complete</td> <td></td> <td>Complete</td> <td></td> </tr> </table>	04 Households ▼	Proposed 15		Accompl. Type: ▼	Proposed			Underway		Underway			Complete		Complete		Accompl. Type: ▼	Proposed		Accompl. Type: ▼	Proposed			Underway		Underway			Complete		Complete		Accompl. Type: ▼	Proposed		Accompl. Type: ▼	Proposed			Underway		Underway			Complete		Complete	
04 Households ▼	Proposed 15		Accompl. Type: ▼		Proposed																																												
	Underway				Underway																																												
	Complete			Complete																																													
Accompl. Type: ▼	Proposed		Accompl. Type: ▼	Proposed																																													
	Underway			Underway																																													
	Complete			Complete																																													
Accompl. Type: ▼	Proposed		Accompl. Type: ▼	Proposed																																													
	Underway			Underway																																													
	Complete			Complete																																													
Proposed Outcome	Performance Measure																																																
Educate appropriate parties on Fair Hsng Laws	# of households assisted																																																
	21 as of end of 2010																																																
21D Fair Housing Activities (subject to 20% Admin cap) 570.20 ▼	Matrix Codes ▼																																																
Matrix Codes ▼	Matrix Codes ▼																																																
Matrix Codes ▼	Matrix Codes ▼																																																
Program Year 1	<table border="1"> <tr> <td>CDBG ▼</td> <td>Proposed Amt. 4000</td> <td rowspan="3"></td> <td>Fund Source: ▼</td> <td>Proposed Amt.</td> <td></td> </tr> <tr> <td></td> <td>Actual Amount 4000</td> <td></td> <td>Actual Amount</td> <td></td> </tr> <tr> <td>Fund Source: ▼</td> <td>Proposed Amt.</td> <td></td> <td>Proposed Amt.</td> <td></td> </tr> <tr> <td></td> <td>Actual Amount</td> <td></td> <td></td> <td>Actual Amount</td> <td></td> </tr> <tr> <td>04 Households ▼</td> <td>Proposed Units 15</td> <td rowspan="3"></td> <td>Accompl. Type: ▼</td> <td>Proposed Units</td> <td></td> </tr> <tr> <td></td> <td>Actual Units 21</td> <td></td> <td>Actual Units</td> <td></td> </tr> <tr> <td>Accompl. Type: ▼</td> <td>Proposed Units</td> <td></td> <td>Proposed Units</td> <td></td> </tr> <tr> <td></td> <td>Actual Units</td> <td></td> <td></td> <td>Actual Units</td> <td></td> </tr> </table>	CDBG ▼	Proposed Amt. 4000		Fund Source: ▼	Proposed Amt.			Actual Amount 4000		Actual Amount		Fund Source: ▼	Proposed Amt.		Proposed Amt.			Actual Amount			Actual Amount		04 Households ▼	Proposed Units 15		Accompl. Type: ▼	Proposed Units			Actual Units 21		Actual Units		Accompl. Type: ▼	Proposed Units		Proposed Units			Actual Units			Actual Units					
CDBG ▼	Proposed Amt. 4000		Fund Source: ▼		Proposed Amt.																																												
	Actual Amount 4000				Actual Amount																																												
Fund Source: ▼	Proposed Amt.			Proposed Amt.																																													
	Actual Amount			Actual Amount																																													
04 Households ▼	Proposed Units 15		Accompl. Type: ▼	Proposed Units																																													
	Actual Units 21			Actual Units																																													
Accompl. Type: ▼	Proposed Units			Proposed Units																																													
	Actual Units			Actual Units																																													

Program Year 2	CDBG	▼	Proposed Amt.	5000	Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	04 Households	▼	Proposed Units	25	Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
Program Year 3	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
Program Year 4	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
Program Year 5	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	

Grantee Name: **City of Middletown**

Project Name: Community Center Programming					
Description:	IDIS Project #: UOG Code: OH393222 Middletown				
Expanded programs that create empowerment and self-sufficiency					
Location: 800 Lafayette Ave, Middletown, OH 45044	Priority Need Category Select one: Public Services ▼				
Expected Completion Date: 4/30/2011	Explanation: Programs will be implemented that will create unity in the community, pride, empowerment, self-sufficiency, and help deter crime by providing a place for teens to go. Unused PY2010 budget will be carried over to PY2011 budget for this activity.				
Objective Category <input type="radio"/> Decent Housing <input checked="" type="radio"/> Suitable Living Environment <input type="radio"/> Economic Opportunity	Specific Objectives				
Outcome Categories <input type="checkbox"/> Availability/Accessibility <input type="checkbox"/> Affordability <input checked="" type="checkbox"/> Sustainability	1 Improve quality / increase quantity of neighborhood facilities for low-income persons ▼ 2 3				
Project-level Accomplishments	Other ▼	Proposed 3	Accompl. Type: ▼	Proposed	
		Underway		Underway	
		Complete		Complete	
	Accompl. Type: ▼	Proposed	Accompl. Type: ▼	Proposed	
		Underway		Underway	
		Complete		Complete	
	Accompl. Type: ▼	Proposed	Accompl. Type: ▼	Proposed	
		Underway		Underway	
		Complete		Complete	
Proposed Outcome		Performance Measure		Actual Outcome	
Increased number of programs available		# of new programs created			
05 Public Services (General) 570.201(e) ▼		Matrix Codes ▼			
Matrix Codes ▼		Matrix Codes ▼			
Matrix Codes ▼		Matrix Codes ▼			
Program Year 1	CDBG ▼	Proposed Amt. 30000	Fund Source: ▼	Proposed Amt.	
		Actual Amount 0		Actual Amount	
	Fund Source: ▼	Proposed Amt.	Fund Source: ▼	Proposed Amt.	
		Actual Amount		Actual Amount	
	Other ▼	Proposed Units 3	Accompl. Type: ▼	Proposed Units	
		Actual Units 0		Actual Units	
	Accompl. Type: ▼	Proposed Units	Accompl. Type: ▼	Proposed Units	
		Actual Units		Actual Units	

Program Year 2	CDBG	▼	Proposed Amt.	70000	Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	Other	▼	Proposed Units	3	Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
Program Year 3	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
Program Year 4	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
Program Year 5	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	

Grantee Name: **City of Middletown**

Project Name:		Legal Aid of Greater Cincinnati, LLC.							
Description:		IDIS Project #:		UOG Code:		OH393222 Middletown			
Legal Aid attorneys will use negotiation and civil legal proceedings to help tenants of deteriorated rental property find resolution by making the owners comply with health and housing codes. Legal aid will also provide foreclosure counseling and investigate fair housing violations.									
Location:		Priority Need Category							
Citywide		Select one:		Public Services		▼			
Expected Completion Date:		Explanation:							
4/30/2011		Legal Aid will remediate tenant/landlord disputes as well as provide foreclosure prevention counseling and investigation of fair housing violations.							
Objective Category		Specific Objectives							
<input checked="" type="radio"/> Decent Housing <input type="radio"/> Suitable Living Environment <input type="radio"/> Economic Opportunity									
Outcome Categories									
<input checked="" type="checkbox"/> Availability/Accessibility <input type="checkbox"/> Affordability <input type="checkbox"/> Sustainability									
		1		Improve the services for low/mod income persons		▼			
		2		Improve the quality of affordable rental housing		▼			
		3		Improve access to affordable rental housing		▼			
Project-level Accomplishments	01 People	▼	Proposed	25		Accompl. Type:	▼	Proposed	
			Underway					Underway	
			Complete					Complete	
	Accompl. Type:	▼	Proposed			Accompl. Type:	▼	Proposed	
			Underway					Underway	
			Complete					Complete	
	Accompl. Type:	▼	Proposed			Accompl. Type:	▼	Proposed	
			Underway					Underway	
			Complete					Complete	
Proposed Outcome		Performance Measure			Actual Outcome				
Improved rental housing		# of people served			15 people as of the end of program year 1				
05C Legal Services 570.201(E)				▼					
Matrix Codes				▼					
Matrix Codes				▼					
Matrix Codes				▼					
Program Year 1	CDBG	▼	Proposed Amt.	10000		Fund Source:	▼	Proposed Amt.	
			Actual Amount	10000				Actual Amount	
	Fund Source:	▼	Proposed Amt.			Fund Source:	▼	Proposed Amt.	
			Actual Amount					Actual Amount	
	01 People	▼	Proposed Units	25		Accompl. Type:	▼	Proposed Units	
			Actual Units	15				Actual Units	
	Accompl. Type:	▼	Proposed Units			Accompl. Type:	▼	Proposed Units	
			Actual Units					Actual Units	

Program Year 2	CDBG	▼	Proposed Amt.	10000	Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	01 People	▼	Proposed Units	15	Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
Program Year 3	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
Program Year 4	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
Program Year 5	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	

Grantee Name: **City of Middletown**

Project Name:		Street Paving					
Description:		IDIS Project #:		UOG Code:		OH393222 Middletown	
Repaving of city streets as matching funds become available.							
Location:		Priority Need Category					
TBA		Select one:		Infrastructure ▼			
Expected Completion Date:		Explanation:					
4/30/2011		Repaving of city streets as matching funds become available. Unused PY2010 funds are rebudgeted for PY2011.					
Objective Category		Specific Objectives					
<input type="radio"/> Decent Housing <input checked="" type="radio"/> Suitable Living Environment <input type="radio"/> Economic Opportunity		1 Improve quality / increase quantity of public improvements for lower income persons ▼ 2 ▼ 3 ▼					
Outcome Categories							
<input type="checkbox"/> Availability/Accessibility <input type="checkbox"/> Affordability <input checked="" type="checkbox"/> Sustainability							
Project-level Accomplishments	Other ▼	Proposed	1000		Accompl. Type: ▼	Proposed	
		Underway				Underway	
		Complete				Complete	
	Accompl. Type: ▼	Proposed			Accompl. Type: ▼	Proposed	
		Underway				Underway	
		Complete				Complete	
	Accompl. Type: ▼	Proposed			Accompl. Type: ▼	Proposed	
		Underway				Underway	
		Complete				Complete	
Proposed Outcome		Performance Measure			Actual Outcome		
Linear feet of paved streets		Linear feet paved					
03K Street Improvements 570.201(c) ▼				Matrix Codes ▼			
Matrix Codes ▼				Matrix Codes ▼			
Matrix Codes ▼				Matrix Codes ▼			
Program Year 1	CDBG ▼	Proposed Amt.	200000		Fund Source: ▼	Proposed Amt.	
		Actual Amount	0			Actual Amount	
	Fund Source: ▼	Proposed Amt.			Fund Source: ▼	Proposed Amt.	
		Actual Amount				Actual Amount	
	Other ▼	Proposed Units	1000		Accompl. Type: ▼	Proposed Units	
		Actual Units	0			Actual Units	
	Accompl. Type: ▼	Proposed Units			Accompl. Type: ▼	Proposed Units	
		Actual Units				Actual Units	

Program Year 2	CDBG	▼	Proposed Amt.	200000	Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	Other	▼	Proposed Units	1000	Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
Program Year 3	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
Program Year 4	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
Program Year 5	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	Fund Source:	▼	Proposed Amt.		Fund Source:	▼	Proposed Amt.	
			Actual Amount				Actual Amount	
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
Program Year 5	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	
	Accompl. Type:	▼	Proposed Units		Accompl. Type:	▼	Proposed Units	
			Actual Units				Actual Units	

Grantee Name: **City of Middletown**

Project Name: Code Enforcement						
Description:	IDIS Project #: UOG Code: OH393222 Middletown					
Provide code enforcement services						
Location: Citywide	Priority Need Category Select one: Other ▼					
Expected Completion Date: 4/30/2011	Explanation: Provide code enforcement services to ensure all property is kept to local code requirements.					
Objective Category <input type="radio"/> Decent Housing <input checked="" type="radio"/> Suitable Living Environment <input type="radio"/> Economic Opportunity	Specific Objectives 1 Improve the quality of owner housing ▼ 2 Improve the quality of affordable rental housing ▼ 3 Improve the services for low/mod income persons ▼					
Outcome Categories <input type="checkbox"/> Availability/Accessibility <input type="checkbox"/> Affordability <input checked="" type="checkbox"/> Sustainability						
Project-level Accomplishments	Other ▼	Proposed 2000		Accompl. Type: ▼	Proposed	
		Underway			Underway	
		Complete			Complete	
	Accompl. Type: ▼	Proposed		Accompl. Type: ▼	Proposed	
		Underway			Underway	
		Complete			Complete	
	Accompl. Type: ▼	Proposed		Accompl. Type: ▼	Proposed	
		Underway			Underway	
		Complete			Complete	
Proposed Outcome		Performance Measure		Actual Outcome		
Number of units brought into compliance		Number of inspections completed				
15 Code Enforcement 570.202(c) ▼		Matrix Codes ▼				
Matrix Codes ▼		Matrix Codes ▼				
Matrix Codes ▼		Matrix Codes ▼				
Program Year 1	CDBG ▼	Proposed Amt. 221000		Fund Source: ▼	Proposed Amt.	
		Actual Amount			Actual Amount	
	Fund Source: ▼	Proposed Amt.		Fund Source: ▼	Proposed Amt.	
		Actual Amount			Actual Amount	
	Accompl. Type: ▼	Proposed Units		Accompl. Type: ▼	Proposed Units	
		Actual Units			Actual Units	
	Accompl. Type: ▼	Proposed Units		Accompl. Type: ▼	Proposed Units	
		Actual Units			Actual Units	

Program Year 2	CDBG ▼	Proposed Amt.	344606		Fund Source: ▼	Proposed Amt.	
		Actual Amount				Actual Amount	
	Fund Source: ▼	Proposed Amt.			Fund Source: ▼	Proposed Amt.	
		Actual Amount				Actual Amount	
	Other ▼	Proposed Units	2500		Accompl. Type: ▼	Proposed Units	
		Actual Units				Actual Units	
	Accompl. Type: ▼	Proposed Units			Accompl. Type: ▼	Proposed Units	
		Actual Units				Actual Units	
Program Year 3	Fund Source: ▼	Proposed Amt.			Fund Source: ▼	Proposed Amt.	
		Actual Amount				Actual Amount	
	Fund Source: ▼	Proposed Amt.			Fund Source: ▼	Proposed Amt.	
		Actual Amount				Actual Amount	
	Accompl. Type: ▼	Proposed Units			Accompl. Type: ▼	Proposed Units	
		Actual Units				Actual Units	
	Accompl. Type: ▼	Proposed Units			Accompl. Type: ▼	Proposed Units	
		Actual Units				Actual Units	
Program Year 4	Fund Source: ▼	Proposed Amt.			Fund Source: ▼	Proposed Amt.	
		Actual Amount				Actual Amount	
	Fund Source: ▼	Proposed Amt.			Fund Source: ▼	Proposed Amt.	
		Actual Amount				Actual Amount	
	Accompl. Type: ▼	Proposed Units			Accompl. Type: ▼	Proposed Units	
		Actual Units				Actual Units	
	Accompl. Type: ▼	Proposed Units			Accompl. Type: ▼	Proposed Units	
		Actual Units				Actual Units	
Program Year 5	Fund Source: ▼	Proposed Amt.			Fund Source: ▼	Proposed Amt.	
		Actual Amount				Actual Amount	
	Fund Source: ▼	Proposed Amt.			Fund Source: ▼	Proposed Amt.	
		Actual Amount				Actual Amount	
	Accompl. Type: ▼	Proposed Units			Accompl. Type: ▼	Proposed Units	
		Actual Units				Actual Units	
	Accompl. Type: ▼	Proposed Units			Accompl. Type: ▼	Proposed Units	
		Actual Units				Actual Units	

Grantee Name: **Jurisdiction**

Project Name:		Property Demolition and Clearance					
Description:		IDIS Project #:		UOG Code:		OH393222MIDDLETOWN	
Demolition and clearance of abandoned and blighted structures							
Location:		Priority Need Category					
Citywide		Select one:		Other ▼			
Expected Completion Date:		Explanation:					
(mm/dd/yyyy)		Demolition and clearance of vacant and blighted structures.					
Objective Category <input type="radio"/> Decent Housing <input checked="" type="radio"/> Suitable Living Environment <input type="radio"/> Economic Opportunity		Specific Objectives					
Outcome Categories <input type="checkbox"/> Availability/Accessibility <input type="checkbox"/> Affordability <input checked="" type="checkbox"/> Sustainability		1	Improve quality / increase quantity of public improvements for lower income persons ▼				
		2	▼				
		3	▼				
Project-level Accomplishments	10 Housing Units ▼	Proposed	3		Accompl. Type: ▼	Proposed	
		Underway				Underway	
		Complete				Complete	
	Accompl. Type: ▼	Proposed			Accompl. Type: ▼	Proposed	
		Underway				Underway	
		Complete				Complete	
	Accompl. Type: ▼	Proposed			Accompl. Type: ▼	Proposed	
		Underway				Underway	
		Complete				Complete	
Proposed Outcome		Performance Measure			Actual Outcome		
Reduce blight in community		Number of dangerous buildings demolished					
04 Clearance and Demolition 570.201(d) ▼				Matrix Codes ▼			
Matrix Codes ▼				Matrix Codes ▼			
Matrix Codes ▼				Matrix Codes ▼			
Program Year 1	CDBG ▼	Proposed Amt.	0		Fund Source: ▼	Proposed Amt.	
		Actual Amount				Actual Amount	
	Fund Source: ▼	Proposed Amt.			Fund Source: ▼	Proposed Amt.	
		Actual Amount				Actual Amount	
	Accompl. Type: ▼	Proposed Units		0	Accompl. Type: ▼	Proposed Units	
		Actual Units				Actual Units	
	Accompl. Type: ▼	Proposed Units			Accompl. Type: ▼	Proposed Units	
		Actual Units				Actual Units	

Program Year 2	CDBG ▼	Proposed Amt.	25000	Fund Source: ▼	Proposed Amt.	
		Actual Amount			Actual Amount	
	Fund Source: ▼	Proposed Amt.		Fund Source: ▼	Proposed Amt.	
		Actual Amount			Actual Amount	
	10 Housing Units ▼	Proposed Units	3	Accompl. Type: ▼	Proposed Units	
		Actual Units			Actual Units	
	Accompl. Type: ▼	Proposed Units		Accompl. Type: ▼	Proposed Units	
		Actual Units			Actual Units	
Program Year 3	Fund Source: ▼	Proposed Amt.		Fund Source: ▼	Proposed Amt.	
		Actual Amount			Actual Amount	
	Fund Source: ▼	Proposed Amt.		Fund Source: ▼	Proposed Amt.	
		Actual Amount			Actual Amount	
	Accompl. Type: ▼	Proposed Units		Accompl. Type: ▼	Proposed Units	
		Actual Units			Actual Units	
	Accompl. Type: ▼	Proposed Units		Accompl. Type: ▼	Proposed Units	
		Actual Units			Actual Units	
Program Year 4	Fund Source: ▼	Proposed Amt.		Fund Source: ▼	Proposed Amt.	
		Actual Amount			Actual Amount	
	Fund Source: ▼	Proposed Amt.		Fund Source: ▼	Proposed Amt.	
		Actual Amount			Actual Amount	
	Accompl. Type: ▼	Proposed Units		Accompl. Type: ▼	Proposed Units	
		Actual Units			Actual Units	
	Accompl. Type: ▼	Proposed Units		Accompl. Type: ▼	Proposed Units	
		Actual Units			Actual Units	
Program Year 5	Fund Source: ▼	Proposed Amt.		Fund Source: ▼	Proposed Amt.	
		Actual Amount			Actual Amount	
	Fund Source: ▼	Proposed Amt.		Fund Source: ▼	Proposed Amt.	
		Actual Amount			Actual Amount	
	Accompl. Type: ▼	Proposed Units		Accompl. Type: ▼	Proposed Units	
		Actual Units			Actual Units	
	Accompl. Type: ▼	Proposed Units		Accompl. Type: ▼	Proposed Units	
		Actual Units			Actual Units	

Grantee Name: **City of Middletown**

Project Name:		Planning and Administration			
Description:		IDIS Project #:		UOG Code: OH393222 Middletown	
General Planning and Administration expenses					
Location:		Priority Need Category			
1 Donham Plaza, Middletown, OH 45042		Select one:		Planning/Administration ▼	
Expected Completion Date:		Explanation:			
(mm/dd/yyyy)		Planning and Administration expenses			
<input type="radio"/> Objective Category <input type="radio"/> Decent Housing <input type="radio"/> Suitable Living Environment <input type="radio"/> Economic Opportunity		Specific Objectives			
Outcome Categories		1 ▼			
<input type="checkbox"/> Availability/Accessibility		2 ▼			
<input type="checkbox"/> Affordability		3 ▼			
<input type="checkbox"/> Sustainability					
Project-level Accomplishments	Accompl. Type: ▼	Proposed		Accompl. Type: ▼	Proposed
		Underway			Underway
		Complete			Complete
	Accompl. Type: ▼	Proposed		Accompl. Type: ▼	Proposed
		Underway			Underway
		Complete			Complete
	Accompl. Type: ▼	Proposed		Accompl. Type: ▼	Proposed
		Underway			Underway
		Complete			Complete
Proposed Outcome		Performance Measure		Actual Outcome	
21A General Program Administration 570.206 ▼				Matrix Codes ▼	
Matrix Codes ▼				Matrix Codes ▼	
Matrix Codes ▼				Matrix Codes ▼	
Program Year 1	CDBG ▼	Proposed Amt.	146871.4	Fund Source: ▼	Proposed Amt.
		Actual Amount			Actual Amount
	Fund Source: ▼	Proposed Amt.		Fund Source: ▼	Proposed Amt.
		Actual Amount			Actual Amount
	Accompl. Type: ▼	Proposed Units		Accompl. Type: ▼	Proposed Units
		Actual Units			Actual Units
	Accompl. Type: ▼	Proposed Units		Accompl. Type: ▼	Proposed Units
		Actual Units			Actual Units

Program Year 2	CDBG	▼	Proposed Amt.	146400		Fund Source:	▼	Proposed Amt.	
			Actual Amount					Actual Amount	
	Fund Source:	▼	Proposed Amt.			Fund Source:	▼	Proposed Amt.	
			Actual Amount					Actual Amount	
	Accompl. Type:	▼	Proposed Units			Accompl. Type:	▼	Proposed Units	
			Actual Units					Actual Units	
	Accompl. Type:	▼	Proposed Units			Accompl. Type:	▼	Proposed Units	
			Actual Units					Actual Units	
Program Year 3	Fund Source:	▼	Proposed Amt.			Fund Source:	▼	Proposed Amt.	
			Actual Amount					Actual Amount	
	Fund Source:	▼	Proposed Amt.			Fund Source:	▼	Proposed Amt.	
			Actual Amount					Actual Amount	
	Accompl. Type:	▼	Proposed Units			Accompl. Type:	▼	Proposed Units	
			Actual Units					Actual Units	
	Accompl. Type:	▼	Proposed Units			Accompl. Type:	▼	Proposed Units	
			Actual Units					Actual Units	
Program Year 4	Fund Source:	▼	Proposed Amt.			Fund Source:	▼	Proposed Amt.	
			Actual Amount					Actual Amount	
	Fund Source:	▼	Proposed Amt.			Fund Source:	▼	Proposed Amt.	
			Actual Amount					Actual Amount	
	Accompl. Type:	▼	Proposed Units			Accompl. Type:	▼	Proposed Units	
			Actual Units					Actual Units	
	Accompl. Type:	▼	Proposed Units			Accompl. Type:	▼	Proposed Units	
			Actual Units					Actual Units	
Program Year 5	Fund Source:	▼	Proposed Amt.			Fund Source:	▼	Proposed Amt.	
			Actual Amount					Actual Amount	
	Fund Source:	▼	Proposed Amt.			Fund Source:	▼	Proposed Amt.	
			Actual Amount					Actual Amount	
	Accompl. Type:	▼	Proposed Units			Accompl. Type:	▼	Proposed Units	
			Actual Units					Actual Units	
	Accompl. Type:	▼	Proposed Units			Accompl. Type:	▼	Proposed Units	
			Actual Units					Actual Units	

PROGRAM YEAR 2011
HUD ANNUAL ACTION PLAN
B-11-MC-39-0013

Section Seven - Citizen Participation Process

MIDDLETOWN CONSOLIDATED PLANNING COMMITTEE MEETING AGENDA
Wednesday, December 29, 2010

I. INTRODUCTIONS

1. BRIEF INTRODUCTION OF EACH MEMBER OF THE COMMITTEE
2. FUNCTION OF THE COMMITTEE
 - a. Representation of Council, Public, Staff, and Non-Profits
 - b. Input and Ideas
3. RECAP BASICS OF THE 5 YEAR CONSOLIDATED PLAN
 - Targeted Neighborhood Approach
 - Priorities Include:
 - o Public services through non-profits
 - o Improvement of overall housing stock
 - o Demolition of blighted property
 - o Infrastructure (street paving, sidewalks, etc.)
 - o Fair housing
4. TARGETED NEIGHBORHOODS
 - Program Year One (PY2010):
 - o Douglass and Harlan Park
 - Program Year Two (PY2011)
 - o Continue work in Douglass and Harlan Park and start to focus on Highlands and El Dorado

II. PROGRAM YEAR 2010 ANNUAL ACTION PLAN TO DATE

1. PRIMARY ACTIVITIES BUDGETED:
 - a. Emergency Repair
 - b. Volunteer Improvement Program (V.I.P.)
 - c. Public Services (Legal Aid, H.O.M.E., & Community Center Programming)
 - d. Street Paving
 - e. New Playground Equipment
 - f. Code Enforcement
2. ACCOMPLISHMENTS TO DATE

III. PROGRAM YEAR 2011 ANNUAL ACTION PLAN PROPOSAL

1. ACTIVITIES BUDGETED:
 - a. Emergency Repair Services
 - b. Volunteer Improvement Program (V.I.P.)
 - c. Group Work Camps
 - d. Community Center Programming
 - e. Legal Aid & H.O.M.E.

- f. Code Enforcement
- g. Property Disposition
- h. Demolition
- i. Administration

IV. PUBLIC ACCESS TO THE PLAN

1. HUD MANDATED CITIZEN COMMENT PERIODS AND 2 PUBLIC HEARINGS PER YEAR
2. ACCESS TO INFORMATION OUTSIDE OF THE PUBLIC COMMENT PERIODS

V. TIMELINE

1. Second CPC meeting on or around January 6, 2011
2. First reading at City Council on January 18th with a public hearing
3. Public comment period starts January 18th
4. Second reading at City Council on February 8th
5. 30 day public comment period ends February 18th
6. Received by HUD by March 15, 2011 (45 days prior to start of program year)

VI. SET REMAINING MEETINGS

VII. ADJOURN

Middletown Consolidated Planning Committee Meeting

Wednesday December 29, 2010

[illegible]

MIDDLETOWN CONSOLIDATED PLANNING COMMITTEE MEETING AGENDA
Thursday, January 6, 2011

I. RECAP PRIOR MEETING

1. ACTIVITIES BUDGETED:
 - a. Emergency Repair Services
 - b. Volunteer Improvement Program (V.I.P.)
 - c. Group Work Camps
 - d. Community Center Programming
 - e. Legal Aid & H.O.M.E.
 - f. Code Enforcement
 - g. Property Disposition
 - h. Demolition
 - i. Administration

II. NARRATIVE CHANGES

1. Douglass, Harlan Park, El Dorado, & Highlands are the target neighborhood focus areas for PY2011
 - a. However, due to the Group Work Camps activity, focus may include other target neighborhoods for PY2011

III. QUESTIONS OR SUGGESTIONS

V. TIMELINE RECAP

1. First reading at City Council on January 18th with a public hearing
2. Public comment period starts January 18th
3. Second reading at City Council on February 8th
4. 30 day public comment period ends February 18th
5. Received by HUD by March 15, 2011 (45 days prior to start of program year)

VII. ADJOURN

Middletown Consolidated Planning Committee Meeting

Thursday January 6, 2011

[illegible]

The Middletown Journal

AFFIDAVIT OF PUBLICATION

P.O. Box 643157

Cincinnati, OH 45264-3157

937-225-7367

CITY OF MIDDLETOWN

ATTN: BETSY PARR

MIDDLETOWN, OH 45042-1901

STATE OF OHIO

**Legal Ad: 11-7226
NOTICE OF PUBLIC HEARING AND
PUBLIC COMMENT PERIOD FOR THE
2011 ANNUAL ACTION PLAN
REGARDING HUD FUNDING**

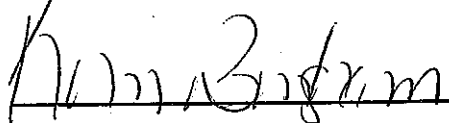
The City of Middletown, as directed by the U.S. department of Housing and Urban Development (HUD), is submitting its Program Year 2011 Annual Action plan as part of the 5 year Consolidated Plan outlining the City's priorities for the Community Development Block Grant (CDBG) program. The objective of this funding is to meet community housing and development needs. The CDBG allocation received for the 2010 program year was \$747,006. This Annual Action Plan states the specific activities to be undertaken in the second Consolidated Plan program year which runs from May 1, 2011 to April 30, 2012.

There will be a Public Hearing on these plans held Tuesday, January 18, 2011 at or around 6:30pm in the City Council Chambers on the lower level of the City Building, 1 Donham Plaza, Middletown, Ohio. There will also be a 30 day public comment period commencing January 18, 2011 and ending February 18, 2011 for citizens to review and submit any comments regarding the plan. Copies of the plan will be available for view online at: <http://www.cityofmiddletown.org/community/comdev.html>, or at the Middletown Library, Senior Center, and the City Building in the Community Revitalization Department. Comments must be submitted in writing and may be completed online at: <http://www.cityofmiddletown.org/community/comdev.html> or mailed or dropped off to:

City of Middletown
Community Revitalization Department
Attn: CDBG Public Comments
One Donham Plaza
Middletown, OH 45042

January 5, 12, 2011
13077240

Signed



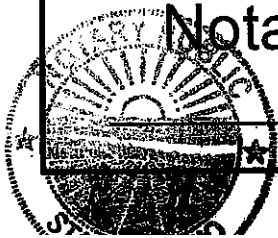
Sworn or affirmed to, and subscribed before me, this 1/12/2011. In Testimony Whereof, I have hereunto set my hand and affixed my official seal, the day and year aforesaid.

Before me, the undersigned, a Notary public in and for said County, personally came Kim Bingham who being first duly sworn says he/she is the Legal Advertising Agent of the The Middletown Journal, which he/she says is a newspaper of general circulation in Montgomery, Clark, Warren, Butler, Clinton, Greene, Preble, Miami, Darke, Mercer, Shelby, Fayette, Logan, Hamilton, Clermont, Auglaize, and Champaign Counties, and State of Ohio, and he/she further says that the Legal Advertisement, a copy of which is hereunto attached, has been published in the said The Middletown Journal 41 Lines, 2 Time(s), last day of publication being 1/12/2011, and he/she further says that the bona fide daily paid circulation of the said The Middletown Journal was over (10000) at the time the said advertisement was published, and that the price charged for same does not exceed the rates charged on annual contract for the like amount of space to other advertisers in the general display advertising columns.

Invoice No.	13077240
Ad Cost	\$233.70
Paid	\$0.00
Due	\$233.70

Notary Public

LOUISA M. POER, Notary Public
in and for the State of Ohio
My Commission Expires July 4, 2015



Saturday on the west coast, prisoners arriving at the Guantanamo Bay detention center.

»Full oil spill report due: The National Oil Spill Commission releases its complete report on the causes of BP's Gulf of Mexico rig blowout after criticizing the company last week.

»Russians review START Treaty: The lower house of Parliament continues consideration of a nuclear arms pact with the U.S.

»WikiLeaks founder in court: Julian Assange is to attend an extradition hearing in London. Sweden seeks his return to face sexual assault charges.

Wednesday, Jan. 12

»House to vote on health care law: Representatives are to vote on repealing the "Patient Protection and Affordable Care Act."

»Commission to discuss oil report: Members of the panel talk about their investigation into the April 20, 2010, Deepwater Horizon oil spill.

»Haiti remembers: Today is the first anniversary of a devastating 7.0-magnitude earthquake that killed an estimated 230,000 in the poor island nation.

»GOP leaders meet: Four candidates oppose incumbent Michael Steele for party chairman at the Republican National Committee Winter Meeting.

immigration.

Her Twitter account extended an invitation to one and all for the event at La Toscana Village, a suburban shopping center dotted with a nail salon, bakery and a Jenny Craig on the northern outskirts of Tucson. "Please stop by to let me know what is on your mind..."

Some two dozen people did stop in, collecting front of a Safeway store. At 10 a.m. sharp, standing near a banner adorned with her name and the

to greet the crowd. Among them were old friends,

such as John Roll, a federal judge who put off household chores to go say hello after Mass.

There was also at least one new admirer, a third-grader with ebony hair and a big smile of her own who'd been elected to her school's student council.

A neighbor brought little Christina Taylor Green along, believing she'd enjoy meeting a real politician. Off to the side, volunteer Alex Villec helped

unusually.

"There's a line forming to your right," he told those who asked. "Give her 25-30 minutes. She'll be happy to talk to you."

When the man in the black ski hat, baggy pants and bulky jacket approached, Villec recalled thinking he looked somewhat shady, and yet his question was hardly

unusual for this type of function: Where was the congresswoman? Villec directed the man to the back of the line, and he walked away, appearing

Giffords in for long recovery

Associated Press

TUCSON, Ariz. —

Recovering from a gunshot wound to the head depends on the bullet's path, and while doctors Sunday are optimistic about Rep. Gabrielle Giffords' odds, it can take weeks to months to tell the damage.

Doctors say the bullet traveled the length of the left side of the Arizona congresswoman's brain, entering the back of the skull and exiting the front.

Fortunately, it stayed on one side of her brain, not hitting the so-called "eloquent areas" in the brain's center where such wounds almost always prove fatal.

Importantly, Giffords was responding nonverbally to simple commands in the

emergency room — things like "squeeze my hand."

That implies "a very high level of functioning in the brain," said Dr. Michael Lennore of Tucson's University Medical Center, Giffords' neurosurgeon.

Now, her biggest threat is brain swelling. Surgeons removed half of her skull to give the tissues room to expand without additional bruising, Lennore said.

That bone is being preserved and can be reimplanted once the swelling abates, a technique the military uses with war injuries, added his colleague and trauma surgeon Dr. Peter Rhee.

Adding to Giffords' good prospects is that paramedics got her to the operating room in 38 minutes, her doctors said. Now she

is talking with her first visitor and was on to the next two, a couple. Mark Kimble, an ex-newspaperman who works as a communications specialist for Giffords, was answering a question about Medicare reimbursement.

In the slow-motion blur

laid on the ground next to another woman. Suddenly, that woman was shot, too. Then two men suddenly tackled the attacker as he was reaching for a fresh magazine. "Get the magazine!" someone shouted, as Maish reached out and snatched it.

City of Middletown, Ohio Public Hearing and Public Comment Period Regarding HUD Funding

The City of Middletown, as directed by the U.S. department of Housing and Urban Development (HUD), is submitting its Program Year 2011 Annual Action plan as part of the 5-year Consolidated Plan outlining the City's priorities for the Community Development Block Grant (CDBG) program. The objective of this funding is to meet community housing and development needs. The CDBG allocation received for the 2010 program year was \$747,006. This Annual Action Plan states the specific activities to be undertaken in the second Consolidated Plan program year which runs from May 1, 2011 to April 30, 2012.

There will be a Public Hearing on these plans held Tuesday, January 18, 2011 at or around 6:30pm in the City Council Chambers on the lower level of the City Building, 1 Donham Plaza, Middletown, Ohio. There will also be a 30 day public comment period commencing January 18, 2011 and ending February 18, 2011 for citizens to review and submit any comments regarding the plan. Copies of the plan will be available for view online at: www.cityofmiddletown.org/community/comdev.html, or at the Middletown Library, Senior Center, and the City Building in the Community Revitalization Department. Comments must be submitted in writing and may be completed online at: <http://www.cityofmiddletown.org/community/comdev.html> or mailed or dropped off to:

City of Middletown
Community Revitalization Department
Attn: CDBG Public Comments
One Donham Plaza
Middletown, OH 45042

MIDDLETOWN CITY COUNCIL AGENDA

TUESDAY, January 18, 2011

I. BUSINESS MEETING – 6:30p.m. – COUNCIL CHAMBERS, LOWER LEVEL

1. **MOMENT OF MEDITATION/PLEDGE OF ALLEGIANCE TO THE FLAG**
2. **ROLL CALL**
3. **PUBLIC HEARING and Public Comment Period Regarding HUD Funding – Program Year 2011 Annual Action Plan as part of the 5 year Consolidated Plan**
4. **CITIZEN COMMENTS**
5. **CITY MANAGER REPORTS**
A New Age of Partnering – Greg Rasmussen
Nuisance Abatement Options
6. **CONSENT AGENDA.** . . Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote of consent. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and considered separately.
 - (a) **Approve:** City Council minutes January 4, 2011
 - (b) **Receive and File Board/Commission Minutes:**
Historic Districts: September 9, October 28, November 23, December 14, 2010
Airport Commission: October 5, November 3, 2010
Board of Zoning Appeals: November 3, 2010
Planning Commission: November 10, 2010
Master Plan Steering Committee: December 16, 2010
 - (c) **Receive and File Oaths of Office:**
Julie Owsley
Melissa E. Riegert
 - (d) **Approve Request for Purchases from the State of Ohio STS Contract:**
 1. Cat 262C Skid Steer Loader from Ohio Cat, Sharonville, OH in the amount of \$36,033.16.
 2. Cat CB34 Roller from Ohio CAT of Sharonville, OH in the amount of \$49,898.88.
 - (e) **Confirm Board and Commission Appointments:**
Middletown Cemetery Board
(1 yr) 2011 – Josh Toms
(2 yrs) 2012 – Mitchell Ballard
Council Liaison – Middletown Cemetery Board – Dan Picard
 - (f) **Proclamation: January 17, 2011 – Dr. Martin Luther King, Jr. Day**
7. **MOTION AGENDA**
 - (a) **Authorizing the sale of City owned property on Calumet.**
8. **COUNCIL COMMENTS ...**

II. LEGISLATION

1. **Ordinance No. O2011-01**, an ordinance amending Section 1272.04(a) (9) of the codified ordinances. (Non-functional and abandoned signs) (2nd Reading)
2. **Resolution No. R2011-01**, a resolution to make adjustments 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, 2011. (2nd Reading)
3. **Ordinance No. O2011-02**, an ordinance providing for the amendment of Ordinance O2010-85, passed on December 7, 2010, providing for the issuance and sale of a \$2,056,916 Industrial Development Revenue Note for the purpose of acquiring certain property known as the Bender Tract, providing for the security of such note. (1st Reading)

Middletown City Council Agenda
January 18, 2011

4. **Ordinance No. O2011-03**, an ordinance authorizing the submission of an application for federal assistance, a consolidated plan and a projected use of funds, under Title I of the Housing and Community Development Act of 1974, as amended for Fiscal Year 2011. (1st Reading)
5. **Ordinance No. O2011-04**, an ordinance creating the position of Assistant Recreation Administrator in the classified service of the City of Middletown and establishing a pay range for such a position. (1st Reading)
6. **Ordinance No. O2011-05**, an ordinance establishing a procedure for and authorizing a contract with Nelson & Associates, Inc. for the purpose of administering the Housing Choice Voucher Program and declaring an emergency. (No action requested until February 1, 2011)

III. EXECUTIVE SESSION

Under the authority of O.R. C. 121.22(G) (4) Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.

It is the policy of the City of Middletown to make all public hearings and meetings accessible to all persons, in accordance with state and/or federal laws. If you have a disability which requires accommodation in order for you to attend and/or participate in this meeting, please contact us at 425-7831 at least forty-eight hours prior to the time of the meeting to advise us of the need for accommodation, and reasonable efforts shall be made to provide the same. This agenda may be accessed on the City of Middletown website @ <http://www.cityofmiddletown.org>

	MIDDLETOWN, OHIO	January 18, 2011
ROLL CALL	Mayor Mulligan called the meeting to order at 5:47 P.M. in the City Council Chambers, One Donham Plaza, Middletown, Ohio with a moment of meditation followed by the Pledge of Allegiance to the Flag. The Public Housing Agency meeting was over before 6:30 p.m. Therefore, council began the business meeting early and rearranged the agenda to go into executive session first.	
EXEC. SESSION	At 5:49 p.m. Ms. Scott Jones moved to go into executive session under the authority of O.R.C. 121.22(G) (4) Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment. Mr. Smith seconded and the motion carried. Ayes: Allen, Becker, Scott Jones, Laubach, Mulligan and Smith	
ROLL CALL	The Clerk asked for the roll call prior to members going into executive session. Members present: Allen, Becker, Scott Jones, Laubach, Mulligan and Smith. Staff Present: City Manager Gilleland, Asst. Law Director Mills, Clerk Parr, N. Begley, R. Dalton, D. Hamet, D. Duritsch, K. Back, M. Kohler, J. Phillips, D. Adkins, C. Strayer and N. Wilson.	
EXCUSE PICARD	Mr. Becker moved to excuse the absence of Mr. Picard. Mr. Smith seconded and the motion carried. Ayes: Allen, Becker, Scott Jones, Laubach, Mulligan and Smith.	
RECONVENED	At: 6:42 p.m. the meeting reconvened.	
PUBLIC HEARING	<p>Public Hearing and Public Comment Period Regarding HUD Funding – Program Year 2011 Annual Action Plan as part of the 5 year Consolidated Plan.</p> <p>Mr. Adkins explained the current funding year for the CDBG, HOME and NSP programs. The Housing Choice Voucher Program is a separate function. HOME program funding is arranged through a consortium between the City and Butler County. The Neighborhood Stabilization Plan funding was a one-time grant to communities with housing problems associated with foreclosures. The CDBG reporting requirements were explained. The Consolidated Plan is completed for a five year period and outlines the overall goals and objectives for the next five years utilizing CDBG Funding. That Plan was completed and submitted last year for 2010 through 2014. The Annual Action Plan is completed each program year and lists specific activities and objectives. The Program year runs from May 1st through April 30th. The CAPER is completed each year and lists the activities and goals accomplished during the prior reporting year. A second public hearing is held for that report and is usually scheduled for June. HUD has citizen participation requirements and those were explained. Those requirements include a 30 day comment period and that is currently running January 18 through February 18, 2011. All written comments or oral comments from the public hearing have to be addressed in the final submitted Plan. Copies of the plan were placed at the library, Senior Center, City Community Revitalization Dept and the city web-site. There are two required Public Hearings each year. As part of the public participation, there is a Consolidated Plan Committee and the members were named and included three members of Council: Dan Picard, A. J. Smith, and Josh Laubach, other members were Jeff Michel, Mike Sanders, Kathy Becker, Lorie Badorf, Doug Adkins, Kyle Fuchs, Marty Kohler and Lt. Scott Reeve. The Committee met in December and January to review the Action Plan. Strategies in the Plan included: Affordable Housing: To retain safe and affordable housing for low and moderate income</p>	

households by providing rehab assistance, home ownership-down payment assistance, and commercial and residential code enforcement. **Homeless Prevention:** Provide technical assistance and coordinate regional efforts that improve the delivery of services to homeless and at-risk of homelessness. **Community Development:** Establish healthy neighborhoods by providing services and facilities to meet community needs. **Program Year Activities:** For the next year they will continue to target resources in the Douglass and Harlan Park areas starting with neighborhood code enforcement; Emergency Repair Services; V.I.P. Program; Group Work Camps; Residential Rehab Assistance; Community Gardens; Demolition; Fair Housing Activities; Community Center Programming; Street Paving; and Code Enforcement. The 2011 Annual Action Plan Budget is \$747,000. Mr. Adkins explained that Council has the draft narrative of the Plan and he asked if there were any questions.

Proponents Called

Mr. Mulligan called for proponents, hearing none, he called for opponents. Hearing none, the public hearing closed at 6:52 p.m.

CITIZEN COMMENTS

Janie McCauley-Myers, 308 S. Main Street, President of the South Main Historic Neighborhood Association. She wanted to call attention to a letter sent from their organization last Friday to the City Manager and members of council. The organization is asking the city to study the feasibility for doing some additional improvements for pedestrian lighting and overhead power lines in the historic districts in conjunction with street improvements. They have been waiting for an opportune time in conjunction with planned street improvements. They sent the letter and asked what the next steps to investigate this issue would be.

Ms. Gilleland said staff did receive the letter and will be responding this week.

MANAGER REPORTS

A New Age of Partnering – Greg Rasmussen

Judy Gilleland introduced Mr. Rasmussen and Denise Hamet of the City's staff to introduce a new partnering program.

Denise Hamet stated she was very pleased to introduce Greg Rasmussen to talk about a new program underway called a New Age of Partnering. A key component of the program is collaboration with businesses. We know that these partnerships will benefit students as well as the employers. She acknowledged Mr. Tom Brickey who was also present and is part of the committee.

Greg Rasmussen said the school district is entering into a new age of partnering. He said they want to reach out to our businesses and had a recognition reception recently with businesses who have partnered with the school district in the past. As you look up the word partnership, there are a couple of terms that are listed, one included a shared responsibility. In the old era, the schools benefitted mostly. Another key term is mutual benefit. As we move forward the schools are only as strong as the businesses around us and the businesses are only as strong as the school district. The schools are reaching out in a new way of partnering. The Co-chair Tom Brickey of the Curriculum Committee is working on sending out a survey to area businesses and asking what are the kinds of things that they need from us. How can we better prepare kids for the future? The purpose of survey is two-fold, to identify skills and how can we as a school system reach out to serve the business community, how can we together move forward and into the 21st century. He encouraged all to respond to the survey. That survey will set some objectives. He thanked all for the opportunity to make the presentation.

Mr. Mulligan thanked Dr. Rasmussen for his presentation.

Nuisance Abatement Options

Ms. Gilleland said that improving the image of our community continues to be a top priority of hers and staff. With a positive community image we are better able to attract new tax paying residents and new businesses that will employ residents. We all need to work together to improve our image whether it's talking positively about our great community or doing your part to clean up your home or spruce up your business. So when staff is showing potential new businesses around town, that business understands how much we care about our community. Businesses have choices for location and investing their dollars. Communities that demonstrate progress and stability will fare better. Staff continues to explore ways to improve and demonstrate this stability with our community image. She asked Mr. Adkins to review potential nuisance abatement options.

Doug Adkins explained that in 2009 and 2010 he had to come back to council to ask for additional money for nuisance abatement. For 2011, staff finally budgeted over \$100,000 for nuisance abatement. Council instructed staff to develop options and/or tools to reduce this expense. Each has merits and drawbacks. Mr. Adkins explained some options. He explained that over the next several council meetings, these will be brought back for further discussion. Options included:

Adopt a Lot Program- strives to improve neighborhood character, increase property value, and beautify vacant lots. It incorporates neighborhood associations or community groups to adopt a lot and maintain the lot by providing landscape, mulch and planting flowers. Some communities provide minimal funding for supplies and this program could save the city \$500 per season in mowing charges for the vacant lot.

Community Gardens- improves the quality of life for those working in the garden, stimulates social interaction, encourages self reliance, beautifies the neighborhood, produces nutritious food, reduces family food budgets, reduces crime, creates opportunity for recreation, exercise, therapy and education.

Receivership Laws- in certain circumstances, a receiver can be appointed to maintain land that that no one else can/or will. Staff is working on a test case, but it is a very cumbersome process. The cost may not be worth the results.

Nuisance Ordinance Revisions- establishing mandatory fines for convictions then funneling those fines back into nuisance abatement funds. The end effect is that violators are paying for nuisance abatement instead of the taxpayers. A staff report will be presented at the next council meeting.

In-Fill New Construction- many vacant lots are of sufficient size to build new construction homes. He is engaged in conversations with developers to determine what would enable them to make a profit when developing on appropriate lots. Examples could include waiving some permit fees or giving them a vacant lot.

Foreclosure Prevention – Butler County has a foreclosure prevention group that meets monthly. The group includes: Legal Aid, representatives from Hamilton and Middletown, and various non-profit housing professionals. The goal is to keep residents in their homes so abandonment and neglect never happens.

NSP Program- Staff is currently underway renovating ten NSP houses. The first three are almost complete. They have an offer on the first at list price.

Sale of City Owned Lots- The City continues to work on selling vacant lots to neighbors at the cost of transfer. The new owner assumes maintenance saving the city maintenance costs.

Revision of Court Documents- Staff is working on revising court eviction documents to explain trash removal requirements after eviction set-out including mattress and furniture disposition that might have bed bugs.

Volunteer Program- later in 2011, staff will be working on establishing a network that will match labor with code enforcement needs. Some incentives could be offered.

NSP Land Banking- some vacant City owned properties could be maintained using NSP funding. This would require an amendment to our NSP Plan and is limited on the amount it could be used.

Working with Tree Commission and Keep Middletown Beautiful- Staff has had discussions with both groups over the past year. Tree Commission has identified several dead trees that need to be removed and are working on proactive ways to deal with the Emerald Ash Borer problem. Keep Middletown Beautiful has expressed interest in working in target neighborhoods as a partner for revitalization efforts.

Vacant Property Ordinances- Registration fees for vacant properties and notification of who is responsible for upkeep and maintenance was discussed.

Berachah Church Spring Project- project to be determined and could be less number of houses with more repairs.

Group Work Camps- there are 352 campers signed up for one week of renovations/repairs in the City in July. They will be working in the Meadowlawn and Prospect areas with 60 to 80 homes being repaired during the week.

Girl Scouts- approached the City wanting to do a city-wide clean-up project. They have met and are reviewing options for a project.

Riverside Trailer Park- they are fixing signage and getting trees cut back, tire abatement is being worked on and they are working to get title for all vacant and abandoned trailers in that park.

Historic Preservation Grants- Certified Local Government Program could provide access by the City to Historical Preservation Grants for the two Historic Districts.

Land Reutilization Program- The city can take title to tax foreclosed land within the City under certain circumstances. This would be used in conjunction with other programs/neighborhood revitalization plans. It took about 9 months to take title on a recent property that was foreclosed. Staff took a property at no cost and will transfer to a property owner that wants it.

Foreclosure notification ordinance – requires notice to the City when a foreclosure action is filed against any. It makes the filing party list who is responsible during the foreclosure process.

Mr. Adkins stated that none of the tools are home-runs, but there are twenty-three or twenty four different options to look at.

Mr. Smith said those are some very good options and he thanked staff for coming up with those. He asked if there were three or two historic districts and whether the historic cemetery might be a candidate for grant options.

It was answered there are two. The historic cemetery is not in a historic district but Mr. Adkins said he will check on the ability to use grant funds at the cemetery.

Mr. Mulligan also thanked staff for the exhaustive list and research.

Manchester Inn – Ms. Gilleland said staff is still working on acquisition of the Manchester Inn and they anticipate closing within the next two weeks.

Consent agenda – Ms. Gilleland advised the consent agenda this evening had a couple of items for paving equipment that shows our continued commitment to street improvement. The plan utilizes city employees for minor paving repair projects.

CONSENT AGENDA

The matters listed under the Consent Agenda were presented:

Approve: City Council minutes January 4, 2011

Receive and File Board/Commission Minutes:

Historic Districts: September 9, October 28, November 23, December 14, 2010

Airport Commission: October 5, November 3, 2010
 Board of Zoning Appeals: November 3, 2010
 Planning Commission: November 10, 2010
 Master Plan Steering Committee: December 16, 2010

Receive and File Oaths of Office:

Julie Owsley
 Melissa E. Riegert

Approve Request for Purchases from the State of Ohio STS Contract:

Cat 262C Skid Steer Loader from Ohio Cat, Sharonville, OH in the amount of \$54,660.54.

Cat CB34 Roller from Ohio CAT of Sharonville, OH in the amount of \$49,898.88.

Confirm Board and Commission Appointments:

Middletown Cemetery Board

(1 yr) 2011 – Josh Toms

(2 yrs) 2012 – Mitchell Ballard

Council Liaison – Middletown Cemetery Board – Dan Picard

Proclamation: January 17, 2011 – Dr. Martin Luther King, Jr. Day

MOTION

Ms. Scott Jones moved to approve the issues and actions as listed on the consent agenda with the corrected amount for the skid loader of \$54,660.54. Mr. Smith seconded and the motion carried. Ayes: Allen, Becker, Scott Jones, Laubach, Mulligan and Smith.

MOTION AGENDA

Authorizing the sale of City owned property on Calumet.

Ms. Scott Jones moved to authorize the sale of City owned property on Calumet. Mr. Smith seconded the motion and the motion carried. Ayes: Allen, Becker, Scott Jones, Laubach, Mulligan and Smith.

COUNCIL COMMENTS

A. Scott Jones

Messrs. Allen and Laubach had no comments.

Ms. Scott Jones wished Mr. Robinette well. He tendered his resignation effective the end of the month and council will not meet again before that date, so she wanted to wish him well at this meeting. She sent condolences to the family of Officer Jason Deaton whose brother passed away on January 7th. She announced a kick off breakfast for the African American Historic Exhibit on Saturday, February 5th; and tomorrow the Dayton VA Medical Center is having a ribbon cutting event for the Middletown Clinic on Union Road. Ms. Scott Jones said she attended a number of events this past week regarding Dr. Martin Luther King ceremonies. She thanked all the coordinators for those events.

B. Becker

Mr. Becker said Sunday evening there was a very good program on TV featuring Middletown in a very positive way. It featured Jerry Lucas who was eighth out of 50 top athletes in the state. Mr. Lucas spoke very highly of his years here in Middletown. It was a good program and presented Middletown in a positive way.

A. J. Smith

Mr. Smith also thanked all participants and organizers of the Martin Luther King, Jr., weekend events. He attended the March yesterday, and he looks forward to celebrating Dr. King each year. He sent congratulations to our local representative John Boehner on his rise to Speaker of the House. Mr. Smith advised that he has received a few calls over the last two weeks about questions on the budget. Those questions were mainly what is the city's money being spent on. He asked the City Manager and staff to provide a monthly report on what we spend money on, whether thumb tacks or pizza. He said he feels it is a legitimate request.

Ms. Gilleland responded that as council knows we have a \$125,000,000 annual budget. She is not sure we track every single thumb tack. Staff does supply council

with monthly reports as well as quarterly and year end reports. She asked council to look at the reports that are currently compiled, and then let staff know if there is anything more they need.

Mr. Smith said he has seen the reports. What he is looking for is a more comprehensive report. The big expenditures like the five buildings or subsidy provided for Pendleton most are aware of. It's the smaller ticket items that individuals have requested. Even if the information could be put on line it would give an opportunity to see where tax-paying dollars are being spent. He apologized for the incident that took place two weeks ago at Applebee's. While things are not always as they seem, he said he accepts responsibility for his part in that incident. He said his commitment to the city and second ward has not changed and he looks forward to growing as a person and as a councilman.

L. Mulligan

Mr. Mulligan extended congratulations to Marie Edwards and Verlena Stewart for their recognition as part of the Martin Luther King, Jr. festivities. It is fitting that the committee recognized two valued city employees and he commended their efforts even when one has retired. He thanked all employees for their day-to-day efforts. He attended another SunCoke Advisory Panel Meeting. Things are moving along briskly. They have over 750 tradesmen employed there. They will be announcing a couple of job fairs to fill some of their positions. He extended an invitation to the VP to come to council for an update on this \$350 million dollar project going on in our city. It will secure the employment of over 2,000 steel workers in our community and that is real significant. He reminded all that this Saturday is the annual retreat from 9 to 3. It is open to public. Mr. Mulligan extended condolences to the Elmo Rose family on his death. Mr. Rose was a Franklin Township Trustee. His guidance will be missed at OKI. Mr. Mulligan mentioned the article in the print only edition of the Middletown Journal highlighting Councilman Becker and Mr. Dick Slagel and son for the gavel that they made for Mr. Boehner. He recognized their efforts for keeping Middletown on the map and for contributing to that part of history.

**Ord. No. O2011-11
Sign Ord.**

Ordinance No. O2011-01, an ordinance amending Section 1272.04(a) (9) of the codified ordinances. (Non-functional and abandoned signs) was read for the second time.

Mr. Mulligan said they have had quite a bit of discussion on this ordinance. Council has had some time to think about it and he said there were a couple of ways they could go forward. They can move forward to table the ordinance or could move forward to take action.

Mr. Allen said his preference would be to table it. He would like to see some additional wordsmithing on language for a moratorium.

Mr. Laubach asked as the wording in front of council does it address perceived issues of the ordinance as is currently in effect.

Mr. Kohler said after the court decision, he and the law director met and the issue came down to the flaw of the definition of when the sign becomes abandoned or non-functional. There was research done by other attorneys and they feel this wording corrects that flaw.

Mr. Laubach asked Ms. Gilleland to elaborate on what justifies spending more time for enforcement on a non-functional sign.

Ms. Gilleland said she is not sure we have had a lot of cost but have had a lot of staff time. The City is identifying and correcting hundreds of zoning issues each year

through court. Some make it to court, some don't. Some are landmark cases that represent a significant issue for our city that we want to deal with further. Signs have been addressed several times by different city councils. This is how a community addresses community appearance. To talk about the importance of community appearance and signs, etc., it is part of the whole package. Abandoned signs detract from a community. Cities battle this and work on this issue all the time. If council doesn't feel this is a priority, we can take it from the agenda.

Mr. Laubach said he got a call from a gentleman outside of Ohio who wants to put in a new facility and use the existing sign. Because it's a non-conforming sign, they will have to apply for a variance and it will have to go to Planning Commission, and hopefully get to council's agenda. He feels there are a lot of non-intended consequences. This is a time council can ask how much we want to regulate our citizens and businesses and whether we want to dictate what kind of windows they can use. His concern is we are going too far down that path. There are plenty of other things to deal with and the city has some signs that are not conforming. He would like to table or take the legislation off the table all together.

Ms. Scott Jones said while there was not much money spent, she has heard through these meetings that outside consultants were used. Was money spent for them?

Ms. Mills stated she would check.

Ms. Scott Jones said she is a little concerned about this particular situation because of the court case. We have been working on sign issues for a number of years. At the end of the day she thinks we have to look at the entire thing. She is all for improving the appearance of the city. If you have an abandoned sign or an abandoned building, if the building were occupied, it would eliminate the concerns over the signs.

Mr. Becker said there are a lot of signs around the city that look bad. It's time to get back with the Chamber and get with the business community and look at the entire ordinance. We need something and need to take a better look at this to see what we can do to make a better impression of our City. He was for tabling the issue.

Mr. Smith said he clearly sees the points from both sides. He understands the need to clean up the community. He felt it would be much better filling the buildings instead of tearing down signs. He has spoken to a number of business owners who are not pleased with the ordinance on the table. He said he felt this ordinance was a gut reaction to a court case. He was willing to table or make the motion to vote it down completely.

Ms. Scott Jones asked for clarification on the number of the legislation. Ordinance No. O2001-01 or Resolution No. R2001-01.

It was explained that there are two legislative items with 2011-01, one is an ordinance and one is a resolution. The sign ordinance is O2011-01.

MOTION

Res. R2011-01
Supp. App.
Wellfield Fund

Ms. Scott Jones moved to table the ordinance. Mr. Smith seconded and the motion carried. Ayes: Allen, Becker, Laubach, Scott Jones, Mulligan and Smith.

Resolution No. R2011-01, a resolution to make adjustments 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, 2011 was read for the second time.

Ms. Scott Jones moved for the adoption of R2011-01. Mr. Smith seconded and the motion carried. Ayes: Allen; Becker; Scott Jones; Laubach; Mulligan and Smith.

**Ord. No. O2011-02
Bender Tract Note**

Ordinance No. O2011-02, an ordinance providing for the amendment of Ordinance O2010-85, passed on December 7, 2010, providing for the issuance and sale of a \$2,056,916 Industrial Development Revenue Note for the purpose of acquiring certain property known as the Bender Tract, providing for the security of such note was read for the first time.

Russ Carolus explained the amendment is to make this note a taxable note instead of tax-exempt. Fifth-third Bank has requested this change. Because it is an ordinance, it has to be approved by council.

**Ord. No. O2011-03
HUD Annual Action
Plan**

Ordinance No. O2011-03, an ordinance authorizing the submission of an application for federal assistance, a consolidated plan and a projected use of funds, under Title I of the Housing and Community Development Act of 1974, as amended for Fiscal Year 2011 was read for the first time.

Doug Adkins made the presentation under the public hearing.

Ms. Scott Jones asked if HUD has to approve this plan.

Mr. Adkins said yes.

**Ord. No. O2011-04
Asst. Recreation
Admin.**

Ordinance No. O2011-04, an ordinance creating the position of Assistant Recreation Administrator in the classified service of the City of Middletown and establishing a pay range for such a position was read for the first time.

Doug Adkins explained that this position was created and included in the 2011 budget. It was inadvertently omitted from the annual payroll ordinance.

Mr. Smith asked how many current employees the Community Center has.

Mr. Adkins said there is one full-time and three part-time. This position would be the second full-time position. The goal is to create programming at the center that would create revenue for the Community Center to break even. The center needs staff and technology to generate funds to break even.

Ms. Scott Jones said when people hear we are laying off employees she wants to make sure people understand this money is coming from the Community Center budget.

Mr. Adkins stated that is correct and it is CDBG funding.

**Ord. No. O2011-05
Nelson & Assoc.**

Ordinance No. O2011-05, an ordinance establishing a procedure for and authorizing a contract with Nelson & Associates, Inc. for the purpose of administering the Housing Choice Voucher Program and declaring an emergency. (No action requested until February 1, 2011)

Mr. Adkins said action is requested on February 1st, but he wanted to give council a week or two to look at the contract and get back with him with any questions before the next council meeting.

MEETING RECESSED

At 7:59 p.m. the Mayor recessed the meeting until January 22, 2011 for the Council retreat. The next regular council meeting will be February 1st.

Lawrence P. Mulligan, Jr., Mayor

Attest: _____
Clerk of Council

MIDDLETOWN CITY COUNCIL AGENDA
TUESDAY, February 1, 2011

I. WORK SESSION – 5:30 p.m. to 6:20 p.m. – CONFERENCE ROOM “4 C” – 4TH FLOOR

1. **ROLL CALL**
 - SR122 Plat Dedication
 - Lefferson Road Street Improvement Discussion
 - Budget Follow-Up from Council Retreat
 - Public Safety Levy Follow-Up from Retreat
 - Parking Garage Demo Follow-Up
 - Road Salt
 - Misc.

II. BUSINESS MEETING – 6:30 p.m. – COUNCIL CHAMBERS – LOWER LEVEL

1. **MOMENT OF MEDITATION/PLEDGE OF ALLEGIANCE TO THE FLAG**
2. **ROLL CALL**
3. **CITIZEN COMMENTS**
4. **CITY MANAGER REPORTS**
 - Renaissance East Update – Chris Dobroszi
 - Downtown Middletown Update – Kelly Cowan and Melissa Taylor, Community Bldg. Institute
5. **CONSENT AGENDA.** . . Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote of consent. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and considered separately.
 - (a) **Approve:** City Council minutes January 18, 2011 and January 22, 2011
 - (b) **Receive and File Board/Commission Minutes:**
 - Middletown Convention Visitors & Business Bureau- October 28, 2010
 - Middletown Public Housing Agency – January 18, 2011
 - (c) **Confirm Board and Commission Appointments:**
 - Citizen Advisory Board – Chamber of Commerce Rep. – Bob Fairchild
 - Ministers Alliance – Leon Wilkinson
 - Bar Association – Ed Combs
 - (d) **Confirm Personnel Transactions: Appointments:**
 - Police Officers – Andrew Kaylor and Anthony Gibson
 - (e) **Accept and Award Bid Tabulation for the purchase of Hydrofluosilicic Acid in the amount of \$3.80/gallon from Univar USA**
 - (f) **Authorize a contract extension with Kaiser Medical Corporation for health care services for inmates of the City Jail**
 - (g) **Proclamation: Catholic Schools Week – January 30 – February 5, 2011**
6. **COUNCIL COMMENTS ...**

III. LEGISLATION

1. **Ordinance No. O2011-02**, an ordinance providing for the amendment of Ordinance O2010-85, passed on December 7, 2010, providing for the issuance and sale of a \$2,056,916 Industrial Development Revenue Note for the purpose of acquiring certain property known as the Bender Tract, providing for the security of such note. (2nd Reading)
2. **Ordinance No. O2011-03**, an ordinance authorizing the submission of an application for federal assistance, a consolidated plan and a projected use of funds, under Title I of the Housing and Community Development Act of 1974, as amended for Fiscal Year 2011. (2nd Reading)

Middletown City Council Agenda
February 1, 2011

3. **Ordinance No. O2011-04**, an ordinance creating the position of Assistant Recreation Administrator in the classified service of the City of Middletown and establishing a pay range for such a position. (2nd Reading)
4. **Ordinance No. O2011-05**, an ordinance establishing a procedure for and authorizing a contract with Nelson & Associates, Inc. for the purpose of administering the Housing Choice Voucher Program and declaring an emergency.
5. **Ordinance No. O2011-06**, an ordinance amending Chapter 890.05 (Return and Payment of Tax) of the codified ordinances. (1st Reading)
6. **Ordinance No. O2011-07**, an ordinance amending Sections 660.045 (Accumulation of Rubbish, Garbage or Litter), 678.99 (Weeds: Penalty), 1030.99 (Trees, Shrubs and Plants: Penalty) and 1436.99 (Property Maintenance: Penalty) of the codified ordinances. (1st Reading)
7. **Ordinance No. O2011-08**, an ordinance requiring notification to the City of the initiation of a foreclosure action involving real property located within the corporate limits. (1st Reading)
8. **Ordinance No. O2011-09**, an ordinance establishing a procedure and authorizing a contract with Miami Valley Regional Crime Lab for crime lab services for the Division of Police for the 2011 year. (1st Reading)

IV. EXECUTIVE SESSION

Under the authority of ORC 121.22(G) (2) To consider the purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage.

It is the policy of the City of Middletown to make all public hearings and meetings accessible to all persons, in accordance with state and/or federal laws. If you have a disability which requires accommodation in order for you to attend and/or participate in this meeting, please contact us at 425-7831 at least forty-eight hours prior to the time of the meeting to advise us of the need for accommodation, and reasonable efforts shall be made to provide the same. This agenda may be accessed on the City of Middletown website @ <http://www.cityofmiddletown.org>

February 1, 2011

City of Middletown
City Council Members

Re: ORDINANCE NO. O2011 03
AN ORDINANCE AUTHORIZING THE SUBMISSION OF AN APPLICATION
FOR FEDERAL ASSISTANCE, A CONSOLIDATED PLAN AND A
PROJECTED USE OF FUNDS, UNDER TITLE I OF THE HOUSING AND
COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED FOR FISCAL
YEAR 2011.

We are questioning this ordinance for the following reasons and would like council to consider voting against the passage of this legislation. Last February Mr. Adkins promised \$100,000 of CDBG FUNDS for the improvement of Lafayette Avenue east of the Community Center. At the last City Council meeting he noted that these funds were not spent and would be used for improvements within the South Main Street historic district instead. Neither last year or this year will barely any HUD funds be spent in the Amanda neighborhood. It is well know that this area is desperately requiring infrastructure plus housing rehabilitation assistance.

The HUD Five-Year Consolidated Plan presented last year indicates the neighborhoods such as the Crawford Street area are "too far gone" to merit any HUD expenditures. Instead, the upper middle-income Highlands Historic District will be targeted for much HUD funding assistance.

We have still been waiting for over the past two years for Doug Adkins to publicly present how the \$400,000+ received by the City annually is budgeted. All that is known is that some HOME Program funds have been allocated for the Down Payment and Closing Cost Assistance (DPA) Program plus the Battered Women's Shelter project on Girard. More than 50% of the \$745,000 in 2011-12 CBDG funding will be spent on staff salaries and fringe benefits.

When you examine where HOME Program funds have been allocated for DPA purposes, it is obvious that home ownership promotions is not the City's priority for distressed areas of Wards 1 and 2. Conversely, it is these two wards that have steadily seen a decline in the percentage of owner-occupied housing over the past three decades. And, it is these areas in the vast majority of the 1662 Section 8 (Housing Choice Voucher) rental units are found.

The Second Ward Council and Citizens of the Second Ward.

February 1, 2011

City of Middletown
City Council Members

Re: ORDINANCE NO. O2011 03
AN ORDINANCE AUTHORIZING THE SUBMISSION OF AN APPLICATION
FOR FEDERAL ASSISTANCE, A CONSOLIDATED PLAN AND A
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We are questioning this ordinance for the following reasons and would like council to consider voting against the passage of this legislation.

Last February Mr. Adkins promised \$100,000 of CDBG FUNDS for the improvement of Lafayette Avenue east of the Community Center. At the last City Council meeting he noted that these funds were not spent and would be used for improvements within the South Main Street historic district instead.

Response: As part of the Strategic Plan in the 2010-2014 Consolidated Plan and 2010 Annual Action Plan, on page 10 Consolidated Plan Priority 3C – Infrastructure, the objectives listed were:

1. Utilize CDBG funds as leverage to start the repaving of streets; and
2. Start to address sidewalks/curbs/gutters/dead trees in target neighborhoods and on all NSP rehabilitation projects.

On pages 53-54, the target neighborhoods were identified along with the rationale for establishing the targets. In response to street paving, on page 54 of the Consolidated Plan, the plan states that

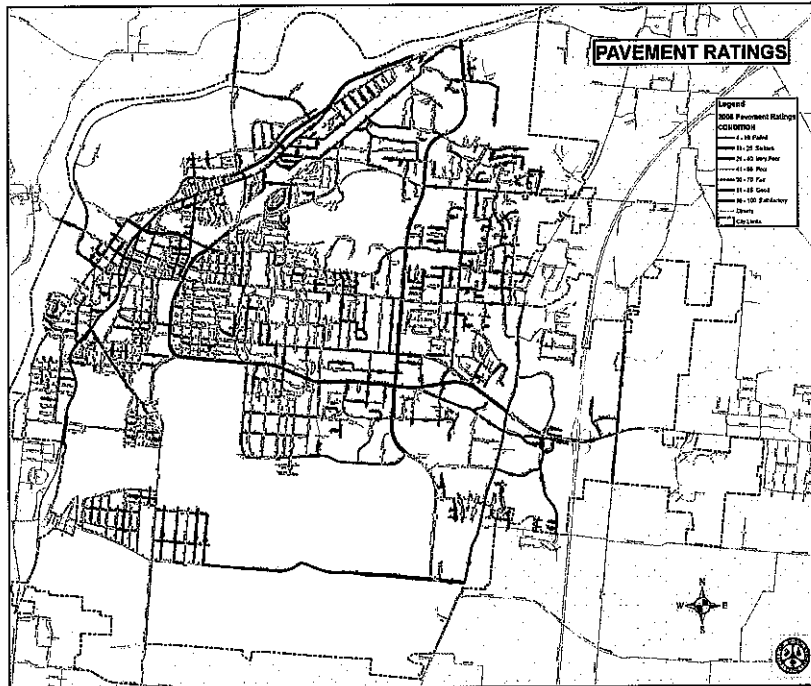
“The preference would be to address paving of each neighborhood as the final revitalization step. During the first few years of this Plan, however, it may be easier to leverage other funds to repave higher traffic main streets over the neighborhood streets. Paving of local neighborhood streets will be accomplished as funds are available for each project.”

2010-2014 Consolidated Plan, p. 54.

In the Fiscal Year 2010 Annual Action Plan, \$200,000 was budgeted for “Repaving of city streets as matching funds become available.” No designation was made as which particular street would be paved with these funds.

Using CDBG funding for street paving requires additional paperwork for regulatory compliance. Such projects are covered under other federal reporting obligations such as the Davis-Bacon Act. In 2010, the City staff member who completes Davis-Bacon reporting activities was out due to an extended illness. As citizens and, at times, Council have expressed concern for using outside consultants in place of City staff, the decision was made to encumber the \$200,000 in funds in 2010 and move the CDBG portion of the project to 2011 when we could complete all paperwork

without additional expense for consultants. There was over \$5 million in paving projects planned for 2010, and the \$200,000 available from CDBG represented only 4% of the funds to be used for 2010 paving activities.



The most current pavement rating for Middletown was included in the Consolidated Plan and will be used for planning future projects.

Program Year 2011 Activities

- ⊗ Continue focused approach at Douglass and Harlan Park. Start new neighborhood with code enforcement concentration.
 - Activities for the year include:
 - ⊗ Emergency Repair Services (PWC)
 - ⊗ V.I.P. Program (Minor Rehabilitation- Homes)
 - ⊗ Group Work Camps – July 2011
 - ⊗ Residential Rehabilitation Assistance
 - ⊗ Property Disposition (Community Gardens/Adopt a Lot)
 - ⊗ Demolition (Major expenses paid by NSP)
 - ⊗ Fair Housing Activities
 - ⊗ Community Center Programming
 - ⊗ **Street Paving (Carryover from 2010)**
 - ⊗ Code Enforcement

The funds discussed at the last council meeting that were not spent in calendar 2010 were street paving dollars, not rehabilitation or other revitalization work in the Douglass neighborhood. The paving dollars were carried forward into 2011 and will be spent this year as leveraged funds in another project in the Public Works Department.

At no time during the public hearing or in the 2011 Budget is the South Main Street Historic District targeted for CDBG funding. There was discussion that if historic preservation grants were later received from the State, such *new* grants could be used in both the Highlands and Main Street historic districts. That would be additional new funding from the State and would not decrease or change priorities of CDBG funding.

Neither last year or this year will barely any HUD funds be spent in the Amanda neighborhood. It is well know that this area is desperately requiring infrastructure plus housing rehabilitation assistance.

Response: From the City Master Plan:

Neighborhoods are the basic building blocks of a community. One neighborhood by itself should have all the elements of a village with housing, parks, schools, shopping, employment and civic uses, etc. A new, more comprehensive strategy must be enacted to overcome market forces. Given the condition of some neighborhoods, reliance on the private sector to turn undesirable neighborhoods around is an unlikely strategy. Public sector leaderships and incentives are needed to entice private sector participation through a comprehensive multi-year revitalization process. All blighting influences must be removed and housing units must meet the minimum building code before a neighborhood's revitalization process can be

concluded. Fixing one or two problem properties will not bring about the holistic change required to develop a functional neighborhood.¹

This strategy will require a proactive approach and a concentration of resources into select neighborhoods. This deliberate concentration of resources, if implemented, will be a policy shift from using available resources citywide on a first come, first serve basis much like CDBG dollars have been used. The steps to implement the revitalization strategy [are]:

- Prepare a sustainable neighborhood indicators database to identify healthy neighborhoods, neighborhoods in transition and degraded neighborhoods. Though classification could be done on visual inspection alone, the real underlying trends at the neighborhood level will not be known until a comprehensive analysis of available data is undertaken. Review of current physical conditions includes proximity to highways, public transportation, waterways, industrial areas, parks and playgrounds, and the condition of public improvements including sidewalks, streets, street lighting and parking. Attention should be given to the City's perception of the neighborhood and any ongoing efforts by residents to improve the neighborhood.²

This was completed in the development of the 2010-2014 HUD Consolidated Plan. The following indicators were used to evaluate each Middletown neighborhood:

1. Total population count
2. Youth; number of individuals under the age of 20 years
3. Elderly population; individuals over the age of 65 years
4. Total number of housing units
5. Area in acres
6. Percent of owner-occupied as a percentage of total housing units
7. Average household size; number of persons per household
8. Crime; number of crimes reported
9. Density in population per acre
10. Percent of housing units without complete kitchen and/or plumbing facilities
11. Percent of households with income below median household income of \$39,600
12. Percent of vacant housing units
13. Number of temporarily obsolete, abandoned or derelict structures
14. Foreclosure risk; HUD calculated ranking (1 to 10) of the risk that a neighborhood has for foreclosed or abandoned homes

Available online at: <http://www.cityofmiddletown.org/docs/commsvc/nprofiles.pdf>

The next step in the Master Plan is to:

¹ Middletown Master Plan 2005-2010, p. 5-4.

² *Affordable Housing and Urban Development in the United States*, Willem Van Vliet. © 1997, Sage Publications Inc., 106-107.

- Present the sustainable neighborhood indicators data to a broad spectrum of public, local, county, and school officials; business leaders and key stakeholders; residents; and potential partners in from lending institutions, real estate, and for profit and not for profit housing development organizations³.

This was accomplished through the public participation period required by HUD and by review and recommendation from the Consolidated Planning Committee.⁴

After revisions made through the public participation process, the Master Plan states to:

- Use the data to select and prioritize neighborhoods for targeted revitalization. The selected neighborhood should be based on criteria important to the community and:
 - o Be in obvious decline or transition
 - o Be located adjacent to a healthy neighborhood as deemed as such by the community reinvestment committee
 - o Be large enough to achieve a critical mass of change. Smaller areas than one-quarter square mile will not change market perceptions. The areas can be larger but should not exceed one-half square mile.
 - o Be assimilated in with the adjacent healthy neighborhood after revitalization is complete or it must be able to stand as its own compact area that is supported by the market.⁵
- Preserve and protect currently healthy neighborhoods that might be at risk – encourage reinvestment, work with financial institutions, home improvement stores, and residents.⁶ Create policies and programs for strong neighborhoods to prevent decline. Use proactive code enforcement. Maintain strong neighborhood anchors such as churches, institutions schools and parks. Enact a landlord registration or licensing program.⁷
- Where possible, select a neighborhood that has or will receive an infusion in capital investment to use as a springboard for revitalization. Middletown City School District’s new schools initiative is an example. Similarly, consider neighborhoods that have one or more key anchors such as places of worship, employment centers, neighborhood business districts, historic or unique structures or districts, or parks, etc. These elements must be provided as part of the revitalization effort if not present beforehand consistent with the Neighborhood Design Standards.⁸

³ Middletown Master Plan 2005-2010, p. 5-5.

⁴ The Consolidated Plan Committee included three Council members, representatives from United Way, the Butler County Homeless Coalition, Neighborhood Housing Services of Hamilton, Inc., Keep Middletown Beautiful, and the Community Revitalization Director, the HUD Program Administrator, the Planning Director, and a Middletown Police Department Lieutenant.

⁵ Middletown Master Plan, 2005-2010, Targeted Neighborhood Revitalization Strategy, p. 5-5; *see also* Housing and Neighborhoods Objectives and Strategies, Objective HN 1, p. 5-12.

⁶ Middletown City Council, Agenda 2009.

⁷ Middletown Master Plan 2005-2010, Housing and Neighborhoods Objectives and Strategies, Objective HN 5, p. 5-16.

⁸ Middletown Master Plan, 2005-2010, Targeted Neighborhood Revitalization Strategy, p. 5-5.

After review of the indicators above, each neighborhood was assigned an overall stress level. Overall Neighborhood Stress Scores equally weighed the age of housing, the percentage of substandard housing, the percentage of vacant units, the percentage of low-income households, the percentage of substandard housing, and the incidences of crime. Based on the score for each neighborhood, each neighborhood was classified as exhibiting Below Average Stress, Above Average Stress, High Stress, Very High Stress or Extreme Stress.

The decision was made by staff to “draw a line in the sand” at the Above Average Overall Stress level to stop decline and stabilize each neighborhood in transition, and then to circle back to tackle neighborhoods in higher distress.⁹ The 2010-2014 HUD Consolidated Plan identified and prioritized Above Average Overall Stress neighborhoods.

Target Revitalization Neighborhoods with Above Average Overall Stress¹⁰

Neighborhood	Total Housing Units	General Street Conditions	Flood Plain?	In a Historic District?	Overall Total Crime	% Vacant Housing	Neighborhood Assets	Overall Rank
Highlands	948	Poor	No	Yes	Moderate	4.00%	Goldman Park; Gladdell Park; Dillman’s supermarket	2
Prospect	674	Fair/Poor	No	No	Moderate	8.00%	Michigan Park, BC Adult Training Ctr.	6
Harlan Park	39	Fair	No	No	Lower	9.00%		1
El Dorado /Williamsdale	384	Fair/Poor	No	No	Lower	4.04%	Bulls Run Arboretum	2
Meadowlawn	568	Poor	No	No	Lower	9.51%	Whitney Park, Woodside Cemetary Yankee Park, Garfield School	5
Lakeside	573	Fair	No	No	Moderate	9.08%	Lakeside Park	5
Sunset/Park Place	1323	Fair	No	No	Moderate	6.5%	Sunset Park, Miami Park	3
Wildwood							Wildwood Elementary, St. John	

⁹ See also, Middletown Master Plan 2005-2010, Housing and Neighborhoods Objectives and Strategies, at HN 3.2, and HN 5, pp. 5-15 to 5-16.

¹⁰ 2010-2014 HUD Consolidated Plan, Table 23.

	611	Poor	No	No	Lower	4.58%	XXIII, Marsh Supermarket, University Park	4
Douglas	923	Poor	No	No	Moderate	11.48%	Com. Center, Douglass Park, Washington Park,	1
Dixie Heights	697	Fair	No	No	Moderate	4.88%	Maple Park, Dixie Hgts Park	4

This policy approach is based on the fact that the City has very limited funding to enact neighborhood change. There are other neighborhoods in Middletown, including Amanda, which are in a more deteriorated state. The Policy to target funding is based on the fact that the City has several neighborhoods where we could spend millions of dollars without adequately addressing the housing and infrastructure needs of one deteriorated neighborhood. With limited funding, the City can, however, make a targeted approach and effect meaningful, noticeable change in neighborhoods in transition requiring less overall revitalization to become healthy and sustainable.

This is the policy of the City Master Plan and the 2010-2014 HUD Consolidated Plan. Future plans will be consistent with current policy unless Council adopts different Community Development objectives.

The HUD Five-Year Consolidated Plan presented last year indicates the neighborhoods such as the Crawford Street area are “too far gone” to merit any HUD expenditures. Instead, the upper middle-income Highlands Historic District will be targeted for much HUD funding assistance.

Response: The decision to target certain neighborhoods and the process used to identify, evaluate and select targeted areas of the City is discussed above and can be further reviewed on the City web page at:

<http://www.cityofmiddletown.org/community/comdev.html>

In fact, no funds have been targeted directly at the Highlands Historic District. Code enforcement will be restricted primarily to the target neighborhoods, and the Highlands neighborhood is one of the target neighborhoods. We are continuing work in the Douglass neighborhood (2nd ward) and the Harlan Park neighborhood (1st ward). We are working on commercial code enforcement and nuisance abatement City-wide. With many of the Douglass homes returning to compliance, we may start targeted code enforcement on a new neighborhood in 2011. In our Consolidated Plan, Highlands and the El Dorado/Williamsdale neighborhoods were second on the priority list.

As stated during the public hearing at the last Council meeting, there are a few items to be determined before starting a new code enforcement neighborhood. The City has applied to become a Certified Local Government, which would allow the City to apply for various historic preservation grants that would be applicable to the Highlands Historic District. The timing of approval and the grant process will determine if the Highlands neighborhood is an appropriate code enforcement neighborhood for 2011. Group Work Camps is coming to the City of Middletown in July 2011. Their focus is the Prospect and Meadowlawn neighborhoods (both in 2nd ward). Depending on the number of homes selected for renovation as part of this project, it may make more sense to skip the Highlands in 2011 and commit

additional resources to the Group Work Camps neighborhoods. As stated in the public hearing presentation, it may be several months before the final decision is made.

Remember, CDBG funding is income qualified. While code enforcement is a City-wide target neighborhood effort, most of the Highland's residents will not be income qualified to receive the benefits of our other programs. Also remember, that code enforcement generally requires the expenditure of money by the homeowner, meaning that, unlike many of the residents of Douglass, Meadowlawn and Prospect, if the Highlands is targeted for code enforcement efforts, the owners will be paying for required repairs unless they are income-qualified to receive other city aid.

We have still been waiting for over the past two years for Doug Adkins to publicly present how the \$400,000+ received by the City annually is budgeted.

Response: 2010-2014 Consolidated Plan and 2010 Annual Action Plan:

The City of Middletown established the Consolidated Plan Committee to provide input and review of the Consolidated Planning process. The Members of the Committee were:

Dan Picard Middletown City Council
A.J. Smith Middletown City Council
Joshua Laubach Middletown City Council
Jeff Michel Citizen/Volunteer
Mike Sanders United Way
Kathy Becker Butler County Homeless Coalition
Lorie DiStaola Neighborhood Housing Services of Hamilton, Inc.
Doug Adkins Community Revitalization Director
Kyle Fuchs HUD Program Administrator
Marty Kohler Planning Director
Lt. Scott Reeve Middletown Police Dept.

The Consolidated Plan Committee met on the following dates to discuss the Consolidated Plan and the 2010 Annual Action Plan with budgets:

January 22, 2010
January 29, 2010
February 5, 2010 (Cancelled due to heavy snow)
February 12, 2010

The City of Middletown held a Public Meeting on November 5, 2009, at the Middletown City Building to gather input from citizens and to respond to citizen proposals regarding the Consolidated Plan, the 2010 Annual Action Plan, and associated budgets. The meeting was published as both a legal and print ad and ran on dates: 10/14, 10/21, 10/25, 10/28, 11/01, and 11/04/2009.

The City of Middletown held a Public Hearing on February 16, 2010. The hearing was published as a print ad on February 1st as well as a legal ad on February 1st and 8th and was held in the City Council Chambers. The hearing was televised and presented the Consolidated Plan, the 2010 Annual Action Plan and associated budgets.

The Public Comment Period for the Consolidated Plan and the 2010 Annual Action Plan with budgets began on February 10, 2010. The ad was placed in the Middletown Journal. A copy of the plan with budgets was available at the Middletown Public Library, the Senior Citizen Center, and at the City Community Revitalization Department office at the City Building. The draft plan with budgets was also

published on the City website with a link to email comments. The City of Middletown was prepared to provide a reasonable number or copies of the plan to citizens and groups that requested it. No copies were requested. Before the adoption of the Consolidated Plan, the City of Middletown made available to citizens, public agencies, and other interested parties information that included the amount of assistance the jurisdiction expected to receive (including grants and program income) and the range of activities that may be undertaken, including the estimated amount that would benefit persons of low and moderate income. This information was published in the local paper February 1st and 8th, 2010 and was discussed during a televised public hearing on February 16, 2010. The public hearing held on February 16, 2010, discussed the entire plan and specific projects with budgets. The Consolidated Plan and the 2010 Annual Action Plan was taken for a first reading during the February 16, 2010 City Council meeting and was adopted on March 2, 2010

2011 Annual Action Plan

The Middletown Consolidated Plan Committee met on December 29, 2010 and January 6, 2011, to discuss the 2011 Annual Action Plan. The City held a public hearing on the Plan with budgets at the January 18, 2011, City Council meeting. The notice for the public hearing was published in the Middletown Journal Newspaper on January 5, and 12, 2011 by legal ad, and on January 10, 2011, via regular ad. The public hearing was in Council chambers and was televised. The 30 day public comment period runs from January 18 to February 18, 2011. A copy of the plan with budgets is available at the Middletown Public Library, the Senior Citizen Center, and at the City Community Revitalization Department office at the City Building. The draft plan with budgets is also published on the City website with a link to email comments. The City of Middletown is prepared to provide a reasonable number or copies of the plan to citizens and groups that request it.

All of the above plans with budgets are continually available on the City webpage at:
<http://www.cityofmiddletown.org/community/comdev.html>

More than 50% of the \$745,000 in 2011-12 CBDG funding will be spent on staff salaries and fringe benefits.

Response: Staff Salaries and Fringe benefits represent about 31% of the 2011 budget. This includes:

<u>Administration:</u>	<u>Salary w/ fringe benefits</u>
HUD Program Administrator	\$76,612
HUD Program Specialist (Part time)	\$43,011
HUD Field Manager - Program Delivery/ field supervision of NSP/HOME/CDBG projects	\$47,000 (CDBG)
Community Center Program Manager (New position)	\$52,626
<u>Code Enforcement Projects:</u>	
2 Code Enforcement Inspectors (1 Residential/ 1 Commercial)	\$126,000
1 Nuisance Abatement Inspector (Citywide)	<u>\$72,812</u>
Total	\$418,061

Total Budget for 2011: \$1,333,006

Percentage of CDBG funding for staff salaries with fringe: 31.3%

Keep in mind that the Community Center position and the Code Enforcement personnel, while salaried and paid by CDBG funding, are actually performing work for the project, not administrative work to

manage the grant and reporting. Said another way, those projects would not happen without those personnel or without hiring contractors to perform the same work. Actual administrative salaries to oversee the grant and supervision of grant recipients are \$166,623, or 12.5% of the grant funding. All proposed projects and staff costs are eligible under CDBG rules and were audited by HUD in 2009.

All that is known is that some HOME Program funds have been allocated for the Down Payment and Closing Cost Assistance (DPA) Program plus the Battered Women's Shelter project on Girard.

When you examine where HOME Program funds have been allocated for DPA purposes, it is obvious that home ownership promotions is not the City's priority for distressed areas of Wards 1 and 2. Conversely, it is these two wards that have steadily seen a decline in the percentage of owner-occupied housing over the past three decades. And, it is these areas in the vast majority of the 1662 Section 8 (Housing Choice Voucher) rental units are found.

Response: This is not accurate. Under our Downpayment Assistance Guidelines:

Eligible Residential Properties

Single family residences (including condominium units) are eligible. These dwellings shall be located within the incorporated limits of the City of Middletown, Ohio.

Financial Assistance

Qualified home buyers are eligible to receive **up to 6%** of the contract purchase price toward the down payment and/or closing costs of the purchase of the home up to a maximum total of \$5,000. *For eligible properties located in those neighborhoods indicated as a "Target Neighborhood" in the City's 5 year HUD Consolidated Plan, assistance in an amount of up to 10% of the contract purchase price, not to exceed \$10,000 is available.*

The "Target Neighborhoods" can be found by reviewing the link on the City's website at:
<http://www.cityofmiddletown.org/community/comdev.html>

In fact 8 of the 10 target neighborhoods to receive higher levels of downpayment assistance are included in wards 1 and 2. Remember, however, the purpose of the program is to promote homeownership in the City of Middletown. Under our program, assistance is available to **any** homebuyer who meets the qualifications listed in the guidelines, providing the dwelling purchased will be the buyer's primary owner occupied residence. We do not pick where people choose to buy houses in Middletown. Our assistance program provides greater assistance for moving into transition target neighborhoods, but the ultimate decision is the new homeowner's.

2009 and 2010 downpayments by ward:

<u>Ward</u>	<u>Number of DPA</u>	<u>In Target Neighborhoods</u>
1	27	14
2	8	2
3	28	12
4	24	0

Other Projects: The second ward has been the recipient of many CDBG projects over the past year.

The Berachah Hands and Feet project repaired 50 homes in the Douglass area in May 2010, receiving statewide recognition for creative partnerships between government and the private sector.

Group Work Camps will be coming to the City in July 2011 with 420 campers to perform repairs on up to 80 homes in the Meadowlawn and Prospect neighborhoods in the second ward.

The **Douglass neighborhood** has been the focus of targeted code enforcement in 2010 and 2011.

The 2011 **Community Center budget** has funding for a new Recreation Assistant to expand programming at the Center. The budget includes funding for recreation software, refurbishing of equipment including weight equipment, computers, pool table, and the ping pong table. There is funding for interior building upgrades including repainting the inside of the building, refinishing the gymnasium floor, and repair of all lights and ceiling tiles. While the Center is open for all citizens, it is located in the Second Ward and at this time is primarily used for Second Ward functions.

\$48,000 of new **Playground Equipment** was added to Old South Park in the Second Ward as part of the Drug Market Intervention Program.

A large number of outstanding **revolving loan renovations** were undertaken in the 2nd ward.

<u>Ward</u>	<u># Projects</u>	<u>%</u>
1	15	17.2%
2	51	58.6%
3	12	13.8%
4	9	10.4%

2009-2010 Volunteer Improvement Program projects were undertaken in the 2nd ward.

<u>Ward</u>	<u># Projects</u>	<u>%</u>
1	5	9.8%
2	23	45.1%
3	11	21.5%
4	12	23.6%

CDBG-R Renovations were predominantly 2nd ward.

- 4 **Renovation Projects**
 - Glenwood Ave, 2nd Ward
 - 15th Ave, 2nd Ward
 - Curtis Street, 2nd Ward
 - Elmo Place, 3rd Ward
- + **\$67,204.53 In alley paving**, predominantly 1st Ward

Of the 156 emergency repairs made in 2009 and 2010 by People Working Cooperatively, almost 70% were performed in the 2nd ward.

<u>Ward</u>	<u># Repairs</u>	<u>%</u>
1	22	14.1%
2	107	68.6%
3	10	6.4%
4	17	10.9%

The City remains dedicated to assisting low income families throughout Middletown in a manner consistent with the City's Master Plan and the 2010-2014 HUD Consolidated Plan.

PROGRAM YEAR 2011
HUD ANNUAL ACTION PLAN
B-11-MC-39-0013

Section Eight - City of Middletown, Ohio City Council

ORDINANCE NO. O2011 03

AN ORDINANCE AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FEDERAL ASSISTANCE, A CONSOLIDATED PLAN AND A PROJECTED USE OF FUNDS, UNDER TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED FOR FISCAL YEAR 2011.

WHEREAS, Title I of the Housing and Community Development Act of 1974, as amended, provides for a program of community development block grants; and

WHEREAS, the City of Middletown is an entitlement city as defined under said Act, and is entitled to financial assistance; and

WHEREAS, the City of Middletown, pursuant to the Housing and Community Development Act of 1974, as amended, has held two public hearings which were open to the public; and

WHEREAS, said public hearings were for the purpose of considering and obtaining the views of the citizens of Middletown on community development and housing needs; and for the purpose of providing the citizens with an opportunity to participate in the development of the Consolidated Plan and the Projected Use of Funds; and

WHEREAS, the Consolidated Plan and Proposed Use of Funds are in compliance with previously enacted Urban Renewal Plans of the City and has been reviewed by the Middletown Consolidated Planning Committee; and

WHEREAS, said Application for Federal Assistance requires certain certifications to be submitted along with and part of said Application.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Middletown, Butler and Warren Counties, Ohio that:

Section 1

The City Manager be and he is hereby authorized and directed to submit an application, including all understandings and certifications contained therein, to the fullest extent of funding allowed and determined by the Department of Housing and Urban Development, under Title I of the Housing and Community Development Act of 1974, as amended, to act as the authorized representative of the City of Middletown, and to provide such additional information as may be required.

Section 2

The City Manager, Director of Law and such other appropriate and responsible officials be and they are hereby authorized and directed to execute on behalf of the City of Middletown such certifications as are necessary for the submission of said application for the 2011 funding year.

Section 3

The City Manager is authorized to enter into the appropriate grant agreement(s) with the United States Department of Housing and Urban Development and agreement with subrecipients of the grant funds, as necessary. All such agreements shall be in a form and substance acceptable to the Director of Law.

Section 4

This ordinance is shall take effect and be in force at the earliest time permitted by law.




Lawrence P. Mulligan, Jr., Mayor

1st Reading: January 18, 2011

2nd Reading: February 8, 2011

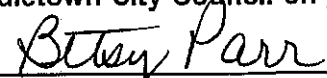
Adopted: Feb. 8, 2011

Effective: March 11, 2011

Attest: 
Clerk of City Council

h:\leg\2011 Leg\IO cdbg funds 2011.doc

The undersigned, Clerk of the City Council of the City of Middletown, Butler and Warren Counties, Ohio, does hereby certify the foregoing to be a true copy of legislation adopted by Middletown City Council on Tuesday, Feb. 8, 2011.


Betsy Parr, Clerk of Council

The Middletown Journal

AFFIDAVIT OF PUBLICATION

P.O. Box 643157

Cincinnati, OH 45264-3157

937-225-7367

CITY OF MIDDLETOWN

ATTN: BETSY PARR

MIDDLETOWN, OH 45042-1901

STATE OF OHIO

Legal Notice No. 10-7234

Notice is hereby given that the following items of legislation are scheduled for second and final reading on Tuesday, February 1, 2011 during the 8:30 P.M. business meeting of Middletown City Council at One Donham Plaza, Middletown, Ohio 45042.

Ordinance No. O2011-02, an ordinance providing for the amendment of Ordinance O2010-35 passed on December 7, 2010, providing for the issuance and sale of a \$2,056,916 Industrial Development Revenue Note for the purpose of acquiring certain property known as the Bender Tract, providing for the security of such note.

Ordinance No. O2011-03, an ordinance authorizing the submission of an application for federal assistance, a consolidated plan and a projected use of funds under Title I of the Housing and Community Development Act of 1974 as amended for Fiscal Year 2011.

Ordinance No. O2011-04, an ordinance creating the position of Assistant Recreation Administrator in the classified service of the City of Middletown and establishing a pay range for such a position.

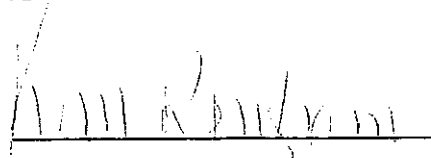
Entire text of legislation is available in the City Council Office, third floor, City Building, One Donham Plaza, Middletown.

Betsy Parr, Clerk of City Council

January 24, 2011

13114852

Signed



Sworn or affirmed to, and subscribed before me, this 1/25/2011. In Testimony Whereof, I have hereunto set my hand and affixed my official seal, the day and year aforesaid.

Before me, the undersigned, a Notary public in and for said County, personally came Kim Bingham who being first duly sworn says he/she is the Legal Advertising Agent of the The Middletown Journal, which he/she says is a newspaper of general circulation in Montgomery, Clark, Warren, Butler, Clinton, Greene, Preble, Miami, Darke, Mercer, Shelby, Fayette, Logan, Hamilton, Clermont, Auglaize, and Champaign Counties, and State of Ohio, and he/she further says that the Legal Advertisement, a copy of which is hereunto attached, has been published in the said The Middletown Journal 29 Lines, 1 Time(s), last day of publication being 1/24/2011, and he/she further says that the bona fide daily paid circulation of the said The Middletown Journal was over (10000) at the time the said advertisement was published, and that the price charged for same does not exceed the rates charged on annual contract for the like amount of space to other advertisers in the general display advertising columns.

Invoice No.	13114852
Ad Cost	\$97.15
Paid	\$0.00
Due	\$97.15

Notary Public

RONALD E. FORD, Notary Public
Attest for the State of Ohio
My Commission Expires July 4, 2015

The Middletown Journal

AFFIDAVIT OF PUBLICATION

P.O. Box 643157

Cincinnati, OH 45264-3157

937-225-7367

CITY OF MIDDLETOWN

ATTN: BETSY PARR

MIDDLETOWN, OH 45042-1901

STATE OF OHIO

**Legal Notice No. 10-7234-2
DUE TO INCLEMENT WEATHER, CITY
COUNCIL'S MEETING ON FEBRUARY 1ST
WAS CANCELLED.**

Notice is hereby given that the following items of legislation that were scheduled for second and final reading on February 1, 2011 will be scheduled for second and final reading on February 8th, 2011 during the 9:30 P.M. business meeting of Middletown City Council at One Egonham Plaza, Middletown, Ohio 45042.

Ordinance No. O2011-02, an ordinance providing for the amendment of Ordinance O2010-83 passed on December 7, 2010 providing for the issuance and sale of a \$2,000,000 Industrial Development Revenue Note for the purpose of acquiring certain property known as the Bender Tract providing for the security of such note.

Ordinance No. O2011-03, an ordinance authorizing the submission of an application for federal assistance, a consolidated plan and a projected use of funds under Title I of the Housing and Community Development Act of 1974, as amended for Fiscal Year 2011.

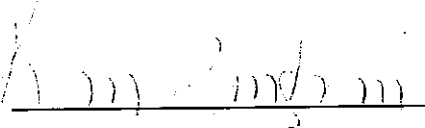
Ordinance No. O2011-04, an ordinance creating the position of Assistant Recreation Administrator in the classified service of the City of Middletown and establishing a pay range for such position.

Entire text of legislation is available in the City Council Office, third floor, City Building, One Egonham Plaza, Middletown.

Betsy Parr, Clerk of City Council
February 3, 2011
13138222

Before me, the undersigned, a Notary public in and for said County, personally came Kim Bingham who being first duly sworn says he/she is the Legal Advertising Agent of the The Middletown Journal, which he/she says is a newspaper of general circulation in Montgomery, Clark, Warren, Butler, Clinton, Greene, Preble, Miami, Darke, Mercer, Shelby, Fayette, Logan, Hamilton, Clermont, Auglaize, and Champaign Counties, and State of Ohio, and he/she further says that the Legal Advertisement, a copy of which is hereunto attached, has been published in the said The Middletown Journal 35 Lines, 1 Time(s), last day of publication being 2/3/2011, and he/she further says that the bona fide daily paid circulation of the said The Middletown Journal was over (10000) at the time the said advertisement was published, and that the price charged for same does not exceed the rates charged on annual contract for the like amount of space to other advertisers in the general display advertising columns.

Signed



Sworn or affirmed to, and subscribed before me, this 2/3/2011. In Testimony Whereof, I have hereunto set my hand and affixed my official seal, the day and year aforesaid.

Notary Public

DEBRA M. FOSTER, Notary Public
in and for the State of Ohio
My Commission Expires July 4, 2015

Invoice No.	13138222
Ad Cost	\$117.25
Paid	\$0.00
Due	\$117.25

The Middletown Journal

AFFIDAVIT OF PUBLICATION

P.O. Box 643157

Cincinnati, OH 45264-3157

937-225-7367

CITY OF MIDDLETOWN

ATTN: BETSY PARR

MIDDLETOWN, OH 45042-1901

STATE OF OHIO

Legal Notice No. 10-7241

Ordinance No. O2011-02, an Ordinance providing for the amendment of Ordinance O2010-03, passed on December 7, 2010 providing for the issuance and sale of a \$1,055,916 Industrial Development Revenue note for the purpose of acquiring certain property known as the Bender Tract, providing for the security of such note.

Ordinance No. O2011-03, an Ordinance authorizing the submission of an application for federal assistance, a consolidated plan and a projected use of funds under Title of the Housing and Community Development Act of 1974, as amended for Fiscal Year 2011. Adopted February 8, 2011.

Lawrence P. Mulligan, Jr., Mayor Attest:
Betsy Parr, Clerk of Council

Entire text available in the City Clerks Office
3rd Floor City Building, Middletown, Ohio
February 11, 2011
13152938

Before me, the undersigned, a Notary public in and for said County, personally came Kim Bingham who being first duly sworn says he/she is the Legal Advertising Agent of the The Middletown Journal, which he/she says is a newspaper of general circulation in Montgomery, Clark, Warren, Butler, Clinton, Greene, Preble, Miami, Darke, Mercer, Shelby, Fayette, Logan, Hamilton, Clermont, Auglaize, and Champaign Counties, and State of Ohio, and he/she further says that the Legal Advertisement, a copy of which is hereunto attached, has been published in the said The Middletown Journal 20 Lines, 1 Time(s), last day of publication being 2/11/2011, and he/she further says that the bona fide daily paid circulation of the said The Middletown Journal was over (10000) at the time the said advertisement was published, and that the price charged for same does not exceed the rates charged on annual contract for the like amount of space to other advertisers in the general display advertising columns.

Signed

Kim Bingham

Sworn or affirmed to, and subscribed before me, this 2/11/2011. In Testimony Whereof, I have hereunto set my hand and affixed my official seal, the day and year aforesaid.

Notary Public



LORNA M. FOER, Notary Public
In and for the State of Ohio
My Commission Expires July 4, 2015

Invoice No.	13152938
Ad Cost	\$67.00
Paid	\$0.00
Due	\$67.00