



**MIDDLETOWN CITY COUNCIL AGENDA**  
**Tuesday, February 3, 2026**

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**CITY COUNCIL BUSINESS MEETING – 5:30 PM – COUNCIL CHAMBERS – LOWER LEVEL**

**MOMENT OF MEDITATION/PLEDGE OF ALLEGIANCE TO THE FLAG/ ROLL CALL**

**PUBLIC HEARING:** Major Amendment to a Planned Development: A request by J.A. Development on behalf of property owner Ravello Properties LLC to amend the approved planned development known as Havenwood, located on the western side of Towne Boulevard with address of 0 Towne Boulevard, to remove commercial uses from the remaining 1.9 acres of the development, and add 13 additional single-family attached two-story units within 3 buildings, walking paths, sidewalks, and a dog park. The proposed amendment requires approval by Planning Commission and City Council per Chapter 1226.04(f)(1) A.

**CITIZEN COMMENTS**

**COUNCIL COMMENTS**

**CITY MANAGER REPORTS**

**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 and considered separately.

- a) Approve City Council Minutes of January 20, 2026
- b) Receive and file the following board and commission minutes:  
Board of Health- December 9, 2025  
Civil Service Commission- September 18, October 16, November 20 and December 18, 2025
- c) Confirm the conditional appointments of Joshua Morrow, Kendall Miller, Timothy Payne, Jacob Adams, and Jesse Garcia to the position of Firefighter-EMT in the Department of Public Safety, Division of Fire
- d) Receive and file Oaths of Office for Ken Brown, Jennifer Faris, David Lemberg, Evan Snelling, and Adin York.
- e) Approve the Final Plat of the Townes of Lincoln Village planned development.

**LEGISLATION**

1. **Ordinance No. 02026-06**, an ordinance providing for the issuance and sale of notes in the maximum principal amount of \$4,950,000, in anticipation of the issuance of bonds, for the purpose of paying the costs of the acquisition by the city of approximately 30 acres of real property along Union Road and State Route 122 for a multi-use development, demolition of existing structures and the design, engineering and construction of public infrastructure including but not limited to water, sanitary sewer and storm sewer utilities, roads, traffic signals and controls, curbs, gutters, intersections, sidewalks, lighting and related infrastructure, together with all necessary appurtenances thereto, all in support of economic development and job creation within the city.(First Reading)

**UNFINISHED BUSINESS**

**NEW BUSINESS**

**EXECUTIVE SESSION-** Under the authority of O.R.C. 121.22 (G) (1) To consider the appointment of a public official.

# PUBLIC HEARING

January 26, 2026

TO: City Council  
ATTN: Ashley Combs, City Manager  
FROM: Claire Feters Binegar, City Planner

SUBJECT: Major Amendment to a Planned Development – Havenwood Planned Development



**APPLICANT:**

J.A. Development  
7594 Tyler's Place  
West Chester, OH 45069

**PROPERTY OWNER:**

Ravello Properties LLC  
7594 Tyler's Place  
West Chester, OH 45069

**ENGINEER:**

Bayer Becker  
6900 Tylersville Road  
Mason, OH 45040

**PARCEL ID:**

0702176056

**REQUEST:**

A request by J.A. Development on behalf of property owner Ravello Properties LLC to amend the approved planned development known as Havenwood, located on the western side of Towne Boulevard with address of 0 Towne Boulevard, to remove commercial uses from the remaining 1.9 acres of the development, and add 13 additional single-family attached two-story units within 3 buildings, walking paths, sidewalks, and a dog park. The proposed amendment requires approval by Planning Commission and City Council per Chapter 1226.04(f)(1)A.

**PROPERTY BACKGROUND:**

The subject parcel is a total of 1.9184 acres according to the Warren County Auditor. The subject parcel is within the Havenwood planned development district. The planned development district for the subject parcel was established with the approval of 02023-83 by City Council on September 19, 2023, effective October 20, 2023. The property is currently zoned B-2P: Planned Development District with the passage of 02023-83. The Final Development Plan was approved by the City of Middletown Planning Commission on April 10, 2024. The final plat, approved by Planning Commission and City Council in July 2025, established a total of 49 parcels: 47 parcels for residential dwelling units (2.6643 acres), 1 parcel for open space/private roads (3.7893 acres), and 1 parcel for a future commercial parcel (1.9184 acres) to equate for the 8.3720 acres of the original parcel.

The currently approved final development plan established the following minimum site development standards for the residential parcels within the planned development district:

- Lot width: 20'
- Lot depth: 85', measured from private roadway

- Front yard setback: 25'
- Side yard setback: 10', between buildings

The currently approved architectural elements include a front first-floor façade of brick with all other facades and floors comprised of vinyl.

#### **STAFF ANALYSIS:**

For the 1.9184-acre parcel that was originally designated as a future commercial outparcel in the planned development, the applicant proposes to remove the commercial use from the planned development and add 13 additional residential dwellings within three additional residential structures. There are two four-unit structures and one five-unit structure proposed in the updated site plan. The updated site plan also features an expansion of walking paths, a new private street with access off of Towne Boulevard, and a dog park. The applicant has requested that all architectural waivers previously approved as part of the original Havenwood final development plan be incorporated into the major amendment of the planned development review as well as a reduction in street trees. The applicant also requests a 12-month extension of the final development plan in accordance with Chapter 1226.04(e) of the Middletown Development Code. Per the Middletown Development Code Chapter 1226.04(f)(1) Major Change, major changes to a PD generally require the prior approval of the Planning Commission and City Council. The Development Code Administrator shall have the authority to determine if a proposed change is a major change. Such changes include, but are not limited to:

- i. Expansion of the PD project beyond the original lot coverage;
- ii. Removal or subtraction of land from the original lot coverage; and
- iii. Proposed changes in the mix or combination of land uses.

In comparison to the currently approved development plan for the planned development district, the applicant proposes smaller site development standards including a minimum front yard setback of 15' and a minimum side yard setback of 6' between buildings.

Per the Middletown Development Code Chapter 1222.05(c), Private streets may be permitted within a development project, provided that the streets are located completely within project boundaries and further provided that the private street is designed and constructed to meet the standards of a public street in accordance with the Manual of Design for Public Improvements and that all police, fire, and emergency service vehicles are provided with permanent access rights.

Based on the site plan submitted by the applicant, the applicant proposes a private street with access from Towne Boulevard with a width of 24' and 90-degree parking stalls on each side of the private street that have a length of 19' and 9' in width. According to the Manual of Design for Public Improvements, local streets require a minimum street pavement width of 29', measured from curb to curb. However, the currently approved site plan reduced the private street width to 24' for the approved private streets. The proposed parking stalls meet the requirements set forth in Chapter 1218.04: Off Street Parking Requirements, Table 1218-2: Parking Stall and Aisle Dimensions.



Per Chapter 1222.05(e) Street Layout, the street layout shall provide access to all lots within the subdivision. As presented in the proposed site plan, the private street proposes access to Units 5-13; however, Units 1, 2, 3, and 4 do not have access to the private street.

Per the Middletown Development Code Chapter 1218.04, specifically Table 1218-1, the City of Middletown requires 1.5 parking spaces per dwelling unit for multi-family dwellings and 2 spaces per single-family, two-family, and three-family dwellings. Based on the site plan submitted, there are a total of 36 additional parking spaces proposed, exceeding the single-family dwelling parking requirements by 12 parking spaces.

Per the Middletown Development Code Chapter 1216.08(c) Applicability, unless otherwise stated, this section shall apply to any lot that contains 20 or more parking spaces. The proposed modifications to the site plan features a parking area of 18 spaces per side of the private road, a total of 36 parking spaces.

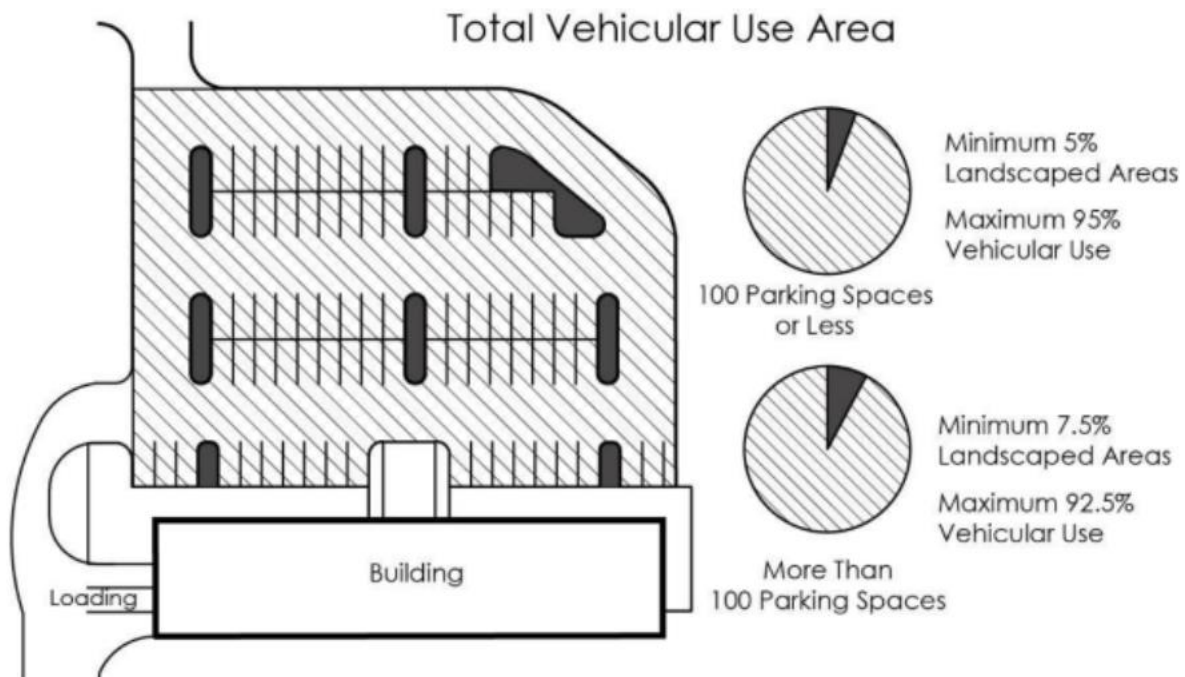
Per the Middletown Development Code Chapter 1216.08(d)(1)-(2), Vehicular use areas adjacent to public streets shall be separated from the edge of the right-of-way by a perimeter landscape strip no less than five feet in width, not including the sidewalk or any other paved area. The landscape strip shall be planted with one tree for each 40 linear feet or fraction thereof and shall include a hedge, wall, or other opaque durable landscape barrier, which will be at least two feet in height at maturity, along the entire length of the landscape strip. See Figure 1216-B. The landscape strip shall be covered with grass or other ground cover, e.g. wood chips.



**Figure 1216-B:** The above image illustrates an example the provision of a two-foot landscape barrier along the street right-of-way.

Per the Middletown Development Code Chapter 1216.08(e)(1)-(3), Such landscaping shall be in addition to landscaping adjacent to public streets and screening requirements as specified in this chapter. A minimum of five percent of the total vehicular use area shall be designed as interior landscaping areas. If the parking lot has more than 100 parking spaces, the percentage shall be increased to 7.5 percent of the total vehicular use area shall be

designed as interior landscaping area. The interior landscaping shall be located within landscaped islands that are separated from the perimeter landscaping required in Section 1216.08(d), and shall be scattered throughout the parking area to break up large areas of pavement. Landscaped islands that are designed as extensions from the perimeter landscaping areas shall also be considered as interior parking area landscaping but shall not count as the perimeter landscaping area. See Figure 1216-C.



**Figure 1216-C: Illustration of the landscaped areas that count towards the minimum interior parking area requirement.**

The applicant has stated that a proposed planting plan will be provided with the final development plan to show compliance with Chapter 1216 with the proposed major amendment but in the application requests waivers for any details depicted that conflict with the City of Middletown Development Code.

#### **PUBLIC NOTICE REQUIREMENT:**

Per the Middletown Development Code Chapter 1226: Review Authority and Procedures, Table 1226-1: Notice Requirements, published notice was given 30 days before both public hearings via the Journal-News and written notice was provided to all property owners within 200 feet of the subject parcels. No comments have been received to date.

#### **OTHER DEPARTMENT COMMENTS:**

##### *Fire Department*

- With the proposed road ending prior to Units 1-4, the lack of direct access of the four (4) additional units added is concerning in the event of an emergency for first responders.
- Fire hydrant proximity – the site plan does not indicate the location of hydrants, so it is unclear if additional hydrants would be needed.

##### *Public Works Department & Engineering Division*

- A stormwater management plan will be required.

*Community & Economic Development Department*

- The walking paths throughout the development shall be paved with dustless materials, such as concrete or asphalt.
- All signage shall meet the required setbacks from right-of-way as identified in Chapter 1220 of the Middletown Development Code.

**MIDDLETOWN MASTER PLAN:**

The 2022 Comprehensive Plan Land Use map labels this property within the Regional Mixed Use area. The Regional Mixed Use area is defined as primarily commercial uses that cater to the I-75 traffic and the regional market with secondary uses that include office, medical, service, and residential.

The subject parcel is also located in the City's Towne Center Development Opportunity Area which has the following vision: The Towne Center Development Opportunity Area, with immediate interstate access, will continue to be the dominant retail location in Middletown. Redevelopment is anticipated at sites with obsolescent retail structures. Towne Mall, for instance, is envisioned as a vibrant, open air, mixed use development, characteristic of a "Lifestyle Center." As such, the Towne Center will emerge as a diverse neighborhood and business node with office, retail, restaurant, and entertainment uses. Clustering mixed uses with higher density residential will realign the Towne Center as a complete neighborhood and attractive community asset. The envisioned mixed use configuration will provide further support and complement the planned business park development at the East End/Renaissance district. The Development Opportunity Area's future land use is to be regional mixed use and mixed residential are the land use designations that cover the Towne Center Development Opportunity Area in recognition of the existing retail land use pattern. Though intense retail is supported at this location, new office, residential, and recreation/ entertainment land uses are also appropriate. The Towne Mall site is also designated as a special interest area.

**PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission's recommendation of approval with conditions of the proposed major amendment to a planned development is being forwarded to City Council for final review and decision. After reviewing the application and supporting materials submitted, and hearing testimony from the applicant and the public, the Planning Commission voted 6-0 to approve the amendment with the following conditions:

- Applicant construct the private road, at minimum, to include private street frontage for Units 1-4.
- Applicant be in full compliance of Chapter 1216.
- Applicant shall be in in full compliance with Fire Department regulations as it relates to Ohio Fire Code.
- Applicant construct walking paths and sidewalks with dustless materials, such as concrete or asphalt.

**ATTACHMENTS:**

Application, supporting documentation, and zoning map.

## HAVENWOOD

**OWNER:** Ravello Properties LLC    7594 Tyler's Place, West Chester, OH 45069    513-755-0570    acristo@cristohomes.com

(name) (address) (phone) (email)

APPLICANT:	J.A. Development	7594 Tyler's Place, West Chester, OH 45069	513-755-0570	acristo@cristohomes.com
	(name)	(address)	(phone)	(email)

ENGINEER:	Bayer Becker	6900 Tylersville Rd, Mason, OH 45040	513-336-6600	alexbeths@bayerbecker.com
	(name)	(address)	(phone)	(email)

J.A. Development hereby requests the review and approval of this amendment to the existing Havenwood Planned Development. The Cove at Havenwood is a 1.91 acre section of the previously approved Havenwood Planned Development. The property is proposed to remain as a Planned Development. Sidewalks, walking paths, and a dog park are also being proposed. Cove at Havenwood consists of 13 two-story, attached, townhomes with an approximate height of 30 feet.

FINAL DEVELOPMENT PLAN DATE APPROVED: \_\_\_\_\_

- Plans
- \$200.00 fee (Cash or Check, Checks made out to City of Middletown)

6



Friday, October 31, 2025

To Whom it May Concern,

JA Development expresses its intention to begin the planned development process in the City of Middletown for parcel 0702176056, modifying the existing PD to allow for residential townhomes within the former commercial out parcel.

The anticipated price point of the subject townhomes would range from \$290,000 to \$340,000.

We kindly request this item be placed on the December 10 Planning Commission Agenda.

Respectfully,

A handwritten signature in blue ink that reads "JA Cristo". The signature is fluid and cursive, with the initials "JA" being prominent.

Joseph A. Cristo

JA Development  
Member

**ORDINANCE NO. O2023-83**

**AN ORDINANCE CHANGING THE ZONING CLASSIFICATION FOR A PORTION OF WARREN COUNTY PARCEL NUMBER 07021760522 FROM B-2 (COMMUNITY BUSINESS DISTRICT) TO PD (PLANNED DEVELOPMENT DISTRICT) AND APPROVING A PRELIMINARY DEVELOPMENT PLAN.**

**WHEREAS**, Warren County parcel number 07021760522 is split by Towne Boulevard. The portion of the parcel on the west side of Towne Boulevard encompasses approximately 8.37 acres, and is presently zoned B-2 (Community Business District); and,

**WHEREAS**, JA Development, on behalf of the owner, Ravello Properties, has petitioned for the western portion of the parcel to be rezoned to PD (Planned Development District) for the construction of 47 single-family multi-unit homes and will include 1.92 acres along Towne Boulevard as a commercial out parcel; and,

**WHEREAS**, the City Planning Commission conducted a public hearing on July 12, 2023, after giving notice of the time and place of the hearing in the Journal News at least 30 days prior to the hearing and to all property owners within 200 feet of the boundaries of the subject property; and,

**WHEREAS**, the City Planning Commission has recommended that the request for rezone to PD be approved; and,

**WHEREAS**, City Council held a public hearing on September 5, 2023, after giving notice of the time and place of the hearing in the Journal News at least 30 days prior to the hearing and to all property owners within 200 feet of the boundaries of the subject property; and,

**WHEREAS**, City Council hereby adopts the recommendation of the City Planning Commission and determines that the requested zone change substantially complies with the review criteria contained in the City Development Code for rezoning property, and that the preliminary development plan submitted by the applicant is appropriate and also satisfies the review criteria of the City's Development Code.

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

**Section 1**

The zoning classification for the western portion of Warren County parcel number 07021760522 which is presently zoned B-2 (Community Business District) is hereby changed to PD (Planned Development District). The parcel to be rezoned is more particularly shown on Exhibit "A", attached hereto. Staff is directed to revise the zoning map for the City to reflect this change.

## Section 2

City Council hereby approves the preliminary development plan submitted by the applicant and which is attached hereto as Exhibit "B". When developed, the property will include of 47 single-family multi-unit homes that will be served by private streets, and public water, sanitary and storm sewers, and will include a 1.92 acre commercial out parcel, subject to all applicable laws and regulations and the following additional conditions: construction plans must comply with the Engineering Manual of Design (Grading, Storm Water, Utilities, Erosion Control, Traffic, etc.). The applicant must furthermore request and receive final development plan approval in accordance with the City Development Code prior to developing the Property.

## Section 3

All plats, plans, applications, and other data submitted by the applicant are hereby incorporated into this approval.

## Section 4

This ordinance shall take effect and be in force from and after the earliest period allowed by law.

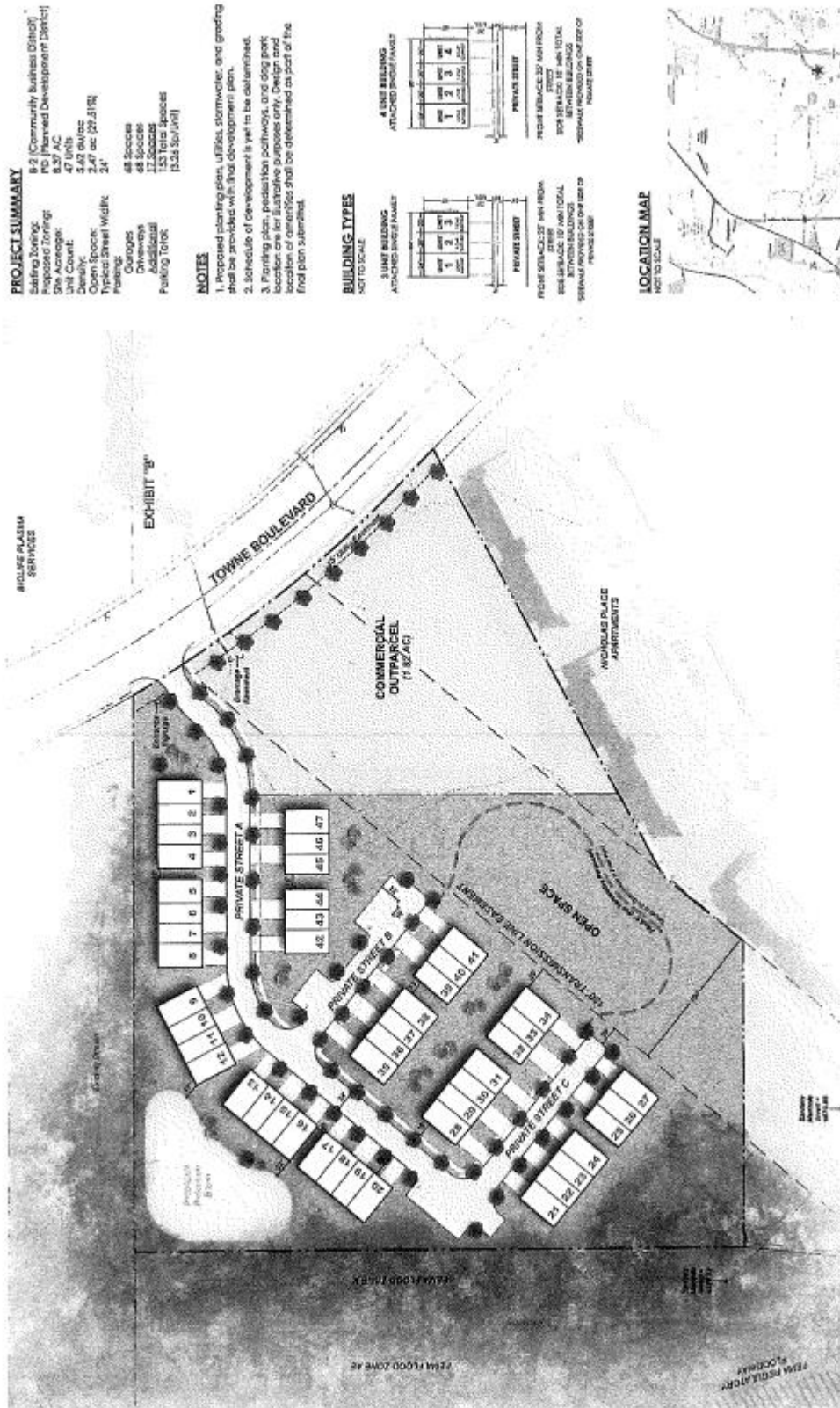
  
Nicole Condrey, Mayor

1<sup>st</sup> Reading: September 5, 2023  
2<sup>nd</sup> Reading: September 19, 2023  
Adopted: September 19, 2023  
Effective: October 29, 2023

Attest:   
Clerk of City Council

H:\law\leg\2023 LegID Zone Change to PD - Haverwood







## PROPOSED SITE PLAN



### HAVENWOOD TOTAL SUMMARY

TOTAL SITE AREA: 8.37 AC  
REQUIRED OPEN SPACE: 1.64 AC

OPEN SPACE: 3.76 AC  
PROPOSED UNITS: 60  
DENSITY: 7.17 DU/AC  
EXISTING ZONING: PD, PLANNED DEVELOPMENT DISTRICT  
PROPOSED ZONING: PD, PLANNED DEVELOPMENT DISTRICT

### COVE AT HAVENWOOD SUMMARY

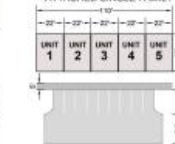
TOTAL SITE AREA: 1.91 AC  
REQUIRED OPEN SPACE: 0.38 AC

OPEN SPACE: 1.16 AC  
PROPOSED UNITS: 13  
DENSITY: 6.81 DU/AC

### NOTES

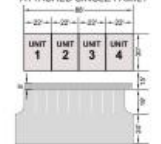
1. Proposed planting plan, utilities, stormwater, and grading shall be provided with final development plan.
2. Schedule of development is yet to be determined.
3. Planting plan, pedestrian pathways, and dog park location are for illustrative purposes only. Design and location of amenities shall be determined as part of the final plan submittal.

### 5 UNIT BUILDING - ATTACHED SINGLE FAMILY



FRONT SETBACK: 15' MIN FROM STREET  
SIDE SETBACK: 0' MIN TOTAL BETWEEN BUILDINGS  
REAR SETBACK: 15' MIN FROM STREET

### 4 UNIT BUILDING - ATTACHED SINGLE FAMILY



FRONT SETBACK: 15' MIN FROM STREET  
SIDE SETBACK: 0' MIN TOTAL BETWEEN BUILDINGS  
REAR SETBACK: 15' MIN FROM STREET

### LOCATION MAP

NOT TO SCALE



bayer becker

COVE AT HAVENWOOD | MIDDLETOWN

PRELIMINARY DEVELOPMENT PLAN AND PLAT, OCTOBER 31, 2025



Scale 1" = 40'

PROPOSED ELEVATIONS FOR NEW RESIDENTIAL DWELLINGS

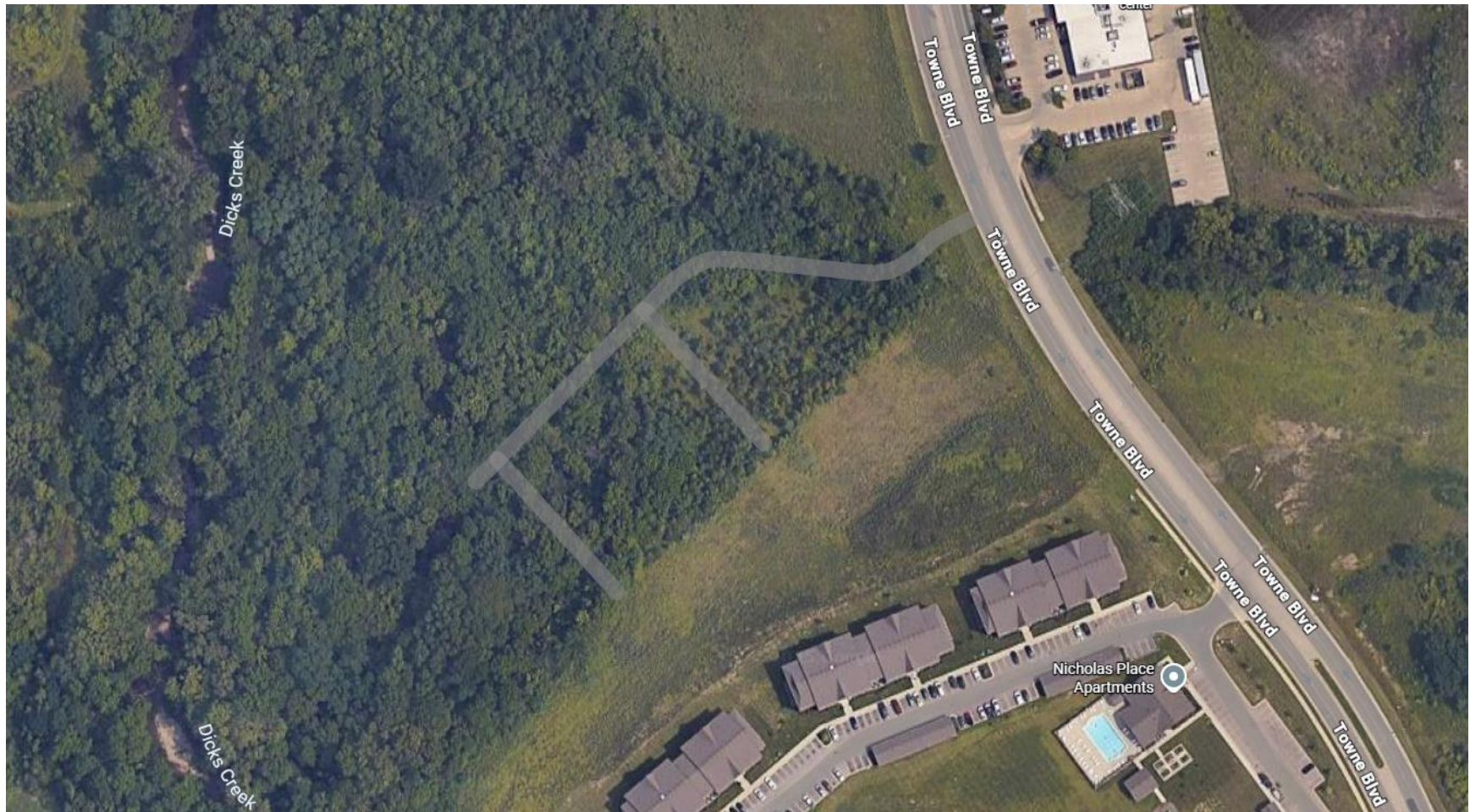




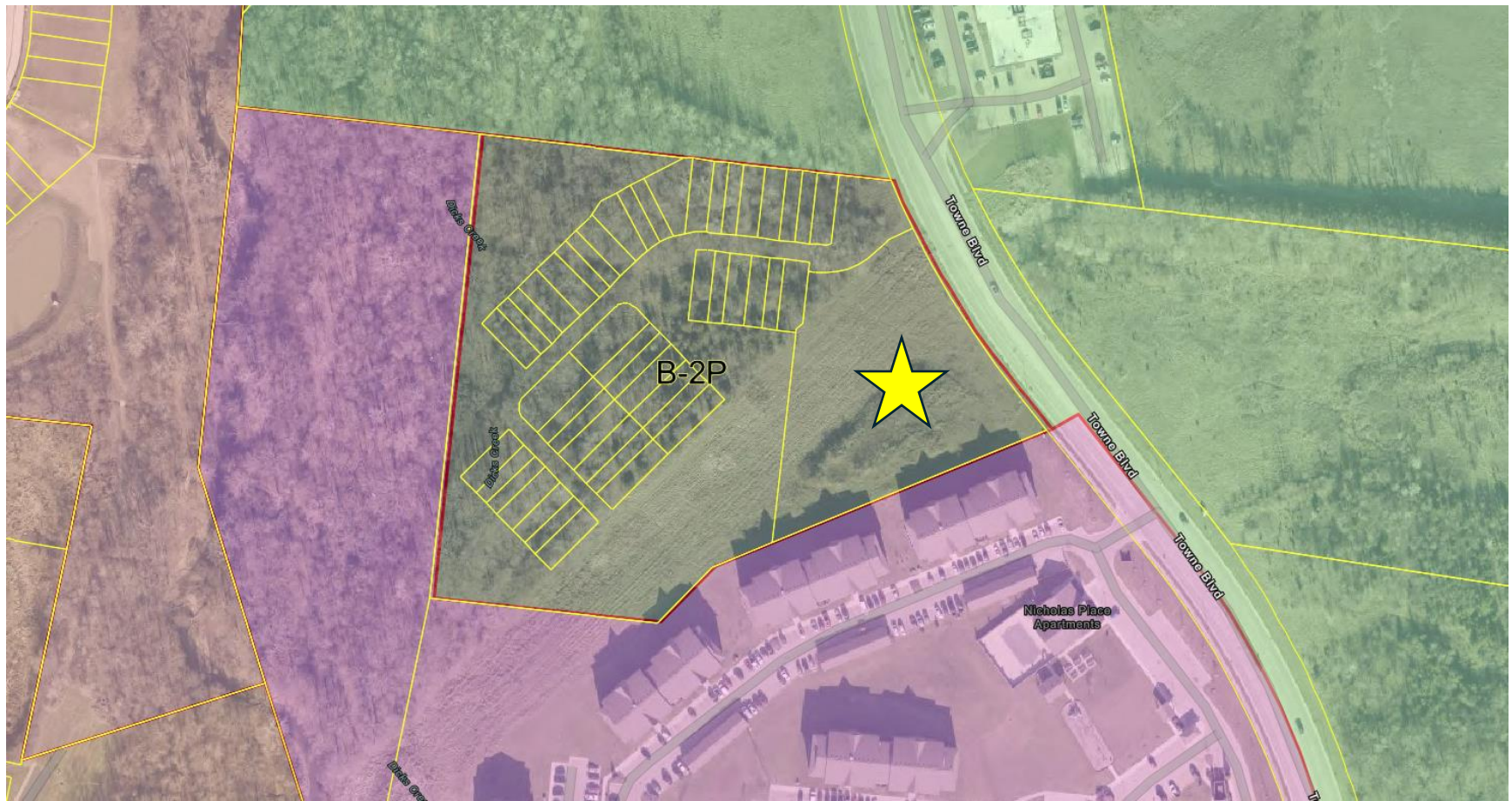












# CITIZEN COMMENTS

# COUNCIL COMMENTS



# CITY MANAGER REPORTS

# CONSENT AGENDA

At 5:30 p.m., Mayor Slamka called the regular City Council meeting to order in Council Chambers, Lower Level of the City Building.

ROLL CALL

City Council Members present: J. Carter, S. West, J. Mulligan, E. Slamka, P. Lolli.

CITIZEN COMMENTS  
Karen Dupee

Karen Dupee, 612 15th Avenue, Middletown, Ohio spoke. I am a lifelong resident, born and raised here in the city, and I would like to address an issue that concerns me. First, let me say good evening mayor and city council, thank you for allowing me the opportunity to speak today. I am here to formally request increased security measures and installation of surveillance cameras on the south end of Middletown due to ongoing and escalating violent crimes that are directly impacting residents' safety and quality of life. This request is not hypothetical. It is personal. Recently, my home was struck by over 50 gunshots. That was not an isolated incident, and it was not random; it was real violence occurring in a residential neighborhood where families live, children sleep, and seniors have resided for decades. The emotional, physical, and financial toll of living under this constant threat cannot be overstated. The south end of Middletown has experienced repeated gun violence, property damage, intimidation, yet residents often feel forgotten, and underserved when it comes to preventive safety measures. While police response is appreciated, reaction alone is not enough; prevention must be part of the strategy. I am respectfully requesting the installation of visible high quality surveillance cameras in high-risk areas on the south end. Increase security presence or patrol visibility, especially during evening and overnight hours. Ongoing evaluation of crime data to ensure resources are equally distributed across all parts of the city. Surveillance cameras serve as both a deterrent and a tool for accountability. These measures protect not only residents but also law enforcement by providing evidence and reducing response time. Every resident, regardless of zip code, deserves to feel safe in their own homes. Safety is not a privilege; it is a basic right. I urge this council to take immediate action to address the conditions on the south end of Middletown before another family becomes the next statistic or the next victim. Thank you for your time, service and commitment to this community.

Marva Gaston

Marva Gaston, 913 6th Avenue, Middletown, Ohio spoke. This isn't the first time that I've been here on this subject as you know, but again I want to get an update on the Middletown Paperboard site. The last time I was here, you said that you had some plans. I noticed today that there was a bulldozer over in that area. I'm wondering what your plans are going forward, and if I could get any type of itinerary as to what you're going to do, when you're going to do it, as I'm hoping that this is the beginning of what I've been asking for the last eight, nine months, and that's pretty much all I have for today. Thank you for your time.

COUNCIL COMMENTS  
Mr. Lolli

Mr. Lolli congratulated City Manager Combs on her 10 years of service with the city. I appreciate your hard work, your perseverance, and your resilience, longevity, and commitment to the city. I know you've worked hard over the last 10 years. It's always good to see when we get employees hit that 10-year milestone. It's kind of always been something that a lot of employees strive for. I remember as a firefighter, we weren't considered real firemen until we got 10 years on. Although you always wanted to argue with all the older guys that before your 10 years. But thank you for your 10 years of service and congratulations. It's an awesome feat. I want to thank the Butler County Commissioners and the Middletown Community Foundation for approving the \$5 million donations to the revitalization of the downtown. The vision of a incredible downtown development is finally taking some shape that brings together the future with glimpses of the past and it's an exciting thing to see. We're going into some real realization of that. Thank you to city staff. Thank you to Joshua Smith and the Butler County Finance Authority and the Middletown Port Authority and everybody else who encouraged all three groups to come together and get some traction going forward on our downtown revitalization. Thank you to those groups.

Mrs. Carter

Mrs. Carter commented good evening community. It's good to see everyone here. It's really a good time right now because Middletown is moving forward with all the buildings that are coming down and we're putting new buildings up and hopefully more jobs for people and things will look better, much better as you come into the city of Middletown. I want to express, I don't know if it's pain or if it's disgust with people who feel that they should take advantage of other people by shooting in their homes and even bringing guns into the community. That's something that we just have to keep praying about. Peace. We talked about yesterday. We talked about peace day before yesterday and at this time that's all we can do other than stay in touch with our law enforcement and they will help you because we have a whole group of people who are concerned with the south end. So just take care and something will materialize, believe me. So, take care. I'm done.

Mr. West

Mr. West commented good evening, everyone. Congratulations Ms. Combs on 10 years here at the city. I know that's it's many challenging days. I've been up here for two years,

and I can't imagine multiplying that by five. Thank you to Middletown Community Foundation and Butler County Commissioners for their generosity to help us get downtown revitalized and in the right direction. Ms. Dupee with the shooting, I was on the phone the other night with one of your friends and she was telling me a little bit about it. So, looking at the calendar, we're about 30 days out from the strategic planning session. If Chief Nelson or any of the deputy chiefs or Ms. Combs have some solutions that would require adding some additional monies, I'd like to look at all options because it's kind of ridiculous that we have residents that are fearful. Our police do a phenomenal job, but can't be on every corner every single night. So, I would like to see if there are any potential solutions. I know there's other cities, I want to say it was maybe Baltimore was one of the first cities years ago that started using some different camera systems. I know that it's pretty complex. It's not an easy solution, but if there are some things that we can do for these neighborhoods to help out. I can't imagine, you know, going home every night and seeing 50 bullet holes in the front of your home, let alone if you have kids. If your house isn't safe, that's terrible. We're about 30 days out, if there are some recommendations, some potential solutions, I think as a council, we'd like to see them and try and act, as quickly as possible. Gun violence isn't going to go away. It just transforms. Sometimes it's generational, sometimes it's drug related. On my street several years ago, we had a double homicide and it was horrible. There was a car running and it just was sitting on the side of the road and it had kind of nudged a parked vehicle. There were two people shot in the back of the head. So, it's not necessarily certain neighborhoods. Certain neighborhoods are worse than others, but as a city, I think we've made a lot of steps in the past few years. and I really want to applaud Chief Nelson and his staff for the work that they've done and the aggression that they've shown to get out there. I think there could be some more solutions and if that requires some obligations from us financially, I definitely think it's a great investment. I agree with Miss Dupee, we can't allow people to become a statistic. If there are some things that we can do to help prevent future acts of violent crime. Maybe get a plan together and start reviewing some of those even beforehand, whatever is appropriate for staff to come up with.

**Mr. Mulligan**

Mr. Mulligan congratulated Ms. Combs on 10 years at the city. I look forward to working with you in the years to come, but congratulations on your work anniversary. To the ladies that spoke and gave some resident feedback; from my council desk, I hear you. I understand what your frustrations are and we're here to find solutions. So, I join Councilman West and I am happy to hear about any potential short-term solutions or supplemental appropriations that council can take to support public safety and help rebuild neighborhoods, block by block. That's a fundamental part of what city government is about. Thanks to the Middletown Chapter of the NAACP. We had the opportunity yesterday to attend a breakfast where Norman Spence from Kettering Health spoke about health in our community and how we must work in order to fulfill Dr. King's vision is that healthy communities, both in our bodies and in our spirit, really fulfills the vision. I was happy to join with many members of the community at that event.

**Ms. Slamka**

Ms. Slamka commented I also want to thank and congratulate Miss Combs. It's a pleasure working with you every single day. So, thank you so much for all you do for this city. Uh, I'm also very grateful to our commissioners for having voted this morning to support our downtown revitalization. I also look forward to some plans that we can look more into this and can have that sent to Miss Gaston, as she requested and for healthy cities. I think it is important that we recognize all the good things that are happening here as well and all the things that we provide for our residents, all the good things going on. For those of you interested in viewing the CMC properties proposal for the Manchester site downtown, please do visit our website at [cityofmiddtown.org](http://cityofmiddtown.org). Scroll down to the latest news on the homepage and click on city projects. The first link should be downtown refresh, click on that. Scroll down to just before the section for questions and or additional comments, you will see a link for Downtown Refresh Documents. Once you click on that, scroll all the way down and click on the link for the Manchester CMC Properties RFQ. I recommend reading the entire proposal. I know a lot of people are interested in this subject, that's where you can find the actual proposal itself. This Thursday, New Ales Brewing and Crooked Dog Comics bring you a Stranger Things trivia night located at New Ales at 1330 Manchester Avenue in downtown Middletown and beginning at 6:30 p.m. Grab your walkie-talkie, gather your party, and get ready to test your knowledge of all things Stranger Things. Please arrive hungry, Larry from BL BBQ will be on site serving up his famous wings and tasty sides from 5 –8 p.m. The perfect fuel before diving into the supernatural natural fun. For more information, please visit [downtownmiddletown.org](http://downtownmiddletown.org). Join the Metro Parks of Butler County for a Winter Hike on Saturday, January 24, from 10:00 a.m. to noon at Meadow Ridge Metro Park. Explore restored prairie and woodland trails on a guided 3-mile hike, with chances to spot winter wildlife. The hike wraps up with a hot drink and soup (vegetarian option available). The cost is \$10 per person and free for children 4 and under. Registration is required. For more information please visit [yourmetroparks.net](http://yourmetroparks.net). Continue your Saturday, January 24, at the historic Sorg Opera House (63 S. Main St., downtown Middletown) with back-to-back screenings of *Monty Python and the Holy Grail* at 12:00, 2:00, 4:00, and 6:00 p.m. Join King Arthur and his not-so-brave knights for absurd quests, killer rabbits, questionable logic, and plenty of medieval silliness. For more information, please visit [sorgoperahouse.org](http://sorgoperahouse.org). Continue the fun this Saturday, January 24, from 1 - 4

p.m. with an afternoon of craft beer, adorable pups, and great food—all for a great cause. New Ales Brewing hosts *Brews & Bullies*, featuring lovable bulldogs in the taproom to raise awareness and help connect these pups with potential adopters. Tater Tot Madness Food Truck will be on site serving up crave-worthy tots, making it the perfect afternoon to eat, drink, and give back. More info at [downtownmiddletown.org](http://downtownmiddletown.org). Wrap up Saturday, January 24, from 5 –7 p.m. with a Soup & Beer Tasting at Gravel Road Brewing (916 First Ave., downtown Middletown). This guided tasting features four comforting soups, each paired with 4–5 pours of Dan’s historic craft beers. Tickets are required for this curated experience—perfect for warming up, slowing down, and enjoying great food, beer, and company. More info: [downtownmiddletown.org](http://downtownmiddletown.org). Then on Sunday, January 25, grab a partner and head to New Ales Brewing for a 300-piece puzzle competition in the taproom. For \$20, race against fellow puzzle fans to see who finishes first. Check the events calendar at [newalesbrewing.com](http://newalesbrewing.com). As a reminder, the city of Middletown accepts applications for our boards and commissions throughout the year. So, if there is something that you have an interest in and you wish to give back to your city in this way, please do submit your application. To learn more please visit the city's website at [ityofmiddletown.org](http://ityofmiddletown.org). Lastly and as always, there are many ways to get involved with your community and give back. Join a board or committee, run for office, apply for a job with the city, volunteer at the hospital, pick up trash in your neighborhood or park, plant a garden in your yard, smile at a neighbor, find joy and satisfaction for a job well done in whatever work you do or just have a positive and giving attitude. Find something that you can do regularly and give back. We are all connected and we are all in this together. The care of our city is an adventure in which we all get to share.

**CITY MANAGER  
REPORTS**

City Manager Combs expressed her gratitude to the Butler County Commissioners for their \$5M contribution as well as the partnership with Butler County Finance Authority and Middletown Community Foundation. Thank you, we're looking forward to getting started on that project. I want to mention that the city council strategic plan retreat will be held at Houston Woods on Friday, February 20th and 21st and the agenda will be released here in the upcoming weeks.

**Middletown Connect  
Youth Data Walk**

City Manager Combs welcomed Youth Outreach Program Coordinator Jalin Marshall to the podium. Mr. Marshall spoke. Good evening, everyone. Thank you for having us here this evening. We know that when we come before council, people often voice concerns or celebrate wins, but we also believe it’s important to hear directly from our youth about their perspective on what a safe and healthy community looks like. With that said, we would like to present five data points we researched and discussed with local youth and then share their insights with you. I am Jalin Marshall. I’m a longtime resident of Middletown, born and raised here, and a graduate of Middletown High School. I was fortunate enough to attend The Ohio State University and later play professional football, including time in the NFL. While I was away, I often heard Middletown mentioned in negative ways. That made me reflect on what I could do to help—not just by talking about the problems, but by being part of the solution. After finishing my career, I had the opportunity to work with Middletown Connect and focus on empowering youth by elevating their voices, so we can create change together. We conducted what’s called a “data walk.” Five posters representing different community concerns were placed around the room. Youth spent about ten minutes at each station discussing what they believed to be true based on their experiences. They then engaged in peer-to-peer conversations about what stood out in the data and what could be done to improve conditions in Middletown. We concluded with a town hall-style discussion involving community leaders, like those present here tonight, to talk about improving health outcomes for everyone. The student presenters introduced themselves.

My name is Will Gibson, a junior at Middletown High School. I play football and have attended Middletown schools my entire life.

My name is Caleb Shores. I’m a junior at Middletown High School, and I’ve lived in Middletown my whole life.

My name is Noah Henry. I’m a junior at Middletown High School, and I recently joined the community.

Hi, my name is Mayel Calhoun. I’m a junior at Middletown High School and participate in College Credit Plus at Miami University. I’ve lived in Middletown most of my life.

My name is Jada. I’m a junior at Middletown High School, and I attend classes at Miami Middletown.

Mr. Marshall explained that Middletown is made up of 16 census tracts. Nine of those 16 tracts have a life expectancy that is 12.5 years lower than the others. We wanted to understand why this gap exists and what factors contribute to it. The map shows where these more vulnerable census tracts are located.

**Chronic Absenteeism**

Caleb Shores talked about chronic absenteeism and why it’s worse in certain areas. For example, Rosa Parks Elementary has a 52% absenteeism rate. This school is located in a different part of town than Miller Ridge, which has much lower rates. Some reasons could be a lack of resources or parents not viewing school as a priority. At the high school level, absenteeism is around 50%. Transportation plays a big role—students who live within a certain distance can’t ride the bus, and walking in bad weather makes it difficult to get to school. Another issue is the high school start time of 7:15 a.m. Other districts nearby, like Fairfield and Lakota, start later, which would likely benefit both students and teachers.

**Emotional Health**

Will Gibson stated that emotional health is a major concern. The green areas on the chart represent the focus populations, often near parks or Barnitz Stadium. Many youth in these areas come from single-parent households, which can impact emotional well-being. They are also more exposed to drugs and unsafe environments, which can lead to depression, hopelessness, and self-harm thoughts. Often, there’s not much to do outside the home, so youth feel stuck. Location and environment really matter when it comes to emotional health.

**Physical Health**

Mayel Calhoun stated that physical health is very important, especially sleep. Some students stay up late caring for younger siblings, which affects their rest and motivation to attend school. Exercise is another issue. In the focus areas, you don’t see many people walking outside. There’s limited access to gyms, and places like Planet Fitness are too far to walk to. Schools do provide breakfast, but if students arrive late, they miss it. Weight and exercise are connected—if you don’t have access to safe spaces or activities, it’s harder to stay active. Poor street conditions, trash, and safety concerns discourage walking.

**Connections to Supportive Adults**

Jada stated that many children in these focus areas have problems at home, often in single-parent households. This affects how they behave at school and makes them afraid to talk to adults. Students worry that if they report something to a teacher or counselor, it will be reported to someone else and lead to punishment at home. This is especially concerning for younger children. Programs like Hope Squad exist in middle and high school, but we believe similar supports should start in elementary school. Youth need trusted adults or even older peers they can talk to without fear.

**Substance Use**

Mr. Marshall stated that these charts show substance use among youth. The focus areas have significantly higher percentages compared to other areas. Many youth are exposed to substance use at home or in their environment, which normalizes the behavior. Access plays a big role—if substances are readily available, use increases. Approximately 42% of youth reported vaping in the past 12 months. Reducing accessibility and ensuring youth can seek help without fear of punishment could lower these numbers. As we work toward a safer and healthier community, it’s critical that we move together rather than in separate pockets. Youth voices must be part of the solution. Thank you for allowing us to share tonight.

**Neighborhood  
Revitalization Program—  
Update Infill Housing**

City Manager Combs welcomed Economic Development Program Manager Michalle Perkins to explain the podium to present an update on the Neighborhood Revitalization Program. Ms. Perkins explained that the City of Middletown currently owns several hundred vacant lots across town. Previously city initiatives included a side lot program and inquired letters of interest. Moving forward, the city plans to roll out RFPs for infill lots and lots will be released in batches. The goals are to increase home ownership and diversify housing stock in Middletown and to decrease the City’s maintenance expenses. This will also allow for competitive design review and quality control. The first phase of the request for proposals will include 12 parcels of city-owned land across the four neighborhoods of Avalon, Dixie Heights, Spring Hill, and Highlands. The criterion:

- Must be owner-occupied for no less than 10 years
- Adhere to our current development code standards when building
- Any initial site prep work (surveying, etc.) completed as part of purchase
- Construction targeted within a year with the possibility of a six-month extension

The city is looking for proposals that are visually attractive, enhance the suburban environment, and complement the existing neighborhoods with complementary designs and a sense of belonging. Staff will present selected proposals to Council for approval once the RFP application period ends. Once application is approved, staff will draft an agreement for the applicant to take ownership of property.

City Council provided feedback and suggested a longer owner-occupied period be required.

**CONSENT AGENDA**

Receive and file the following board and commission minutes:

City Council Minutes – October 7, October 21, November 4, December 29, 2025 and January 6, 2026  
Airport Commission – May 19, August 18, September 15 and October 20, 2025  
Library Board of Trustees – October 15 and November 12, 2025  
Planning Commission – December 10, 2025

Confirm the conditional appointments of:  
Keirra Thompson to the position of Patrol Officer in the Division of Police, Public Safety Department;  
Jennifer Faris to the position of Senior Account Clerk in the Water & Sewer Administration Division, Finance Department;  
Lucas Conley to the position of Maintenance Worker in the Water Maintenance Division, Public Works & Utilities Department;  
Adin York to the position of Maintenance Worker in the Streets Maintenance Division, Public Works & Utilities Department; and  
James Faulkner to the position of Mechanic in the Municipal Garage Division, Public Works & Utilities Department.

Mr. West moved to approve the issues and actions listed on the Consent Agenda. Mrs. Carter seconded. Motion carried. Ayes: Mr. West, Mr. Mulligan, Ms. Slamka, Mr. Lolli, Mrs. Carter.

MOTION AGENDA

Purchase Upfit Package for 2025 International HV507 Truck

To approve the purchase of a snowplow, plow hitch, dump body, sand and salt spreader and the installation thereof to upfit a 2025 International HV507 Truck from Henderson Products, Inc. in the amount of \$140,374.50 for the Storm Water Division.

Mr. Lolli moved to approve the purchase of a snowplow, plow hitch, dump body, sand and salt spreader and the installation thereof to upfit a 2025 International HV507 Truck from Henderson Products, Inc. in the amount of \$140,374.50 for the Storm Water Division. Mr. West seconded. Motion carried. Ayes: Mr. Mulligan, Ms. Slamka, Mr. Lolli, Mrs. Carter, Mr. West.

Professional Services Agreement- SS4A Transportation Safety Action Plan

To authorize the City Manager to enter into a professional services agreement with Crawford, Murphy, and Tilly Inc. (CMT) to develop a Safe Streets for All (SS4A) Transportation Safety Action Plan in an amount not to exceed \$250,000.00.

Mr. West moved to authorize the City Manager to enter into a professional services agreement with Crawford, Murphy, and Tilly Inc. (CMT) to develop a Safe Streets for All (SS4A) Transportation Safety Action Plan in an amount not to exceed \$250,000.00. Mr. Mulligan seconded. Motion carried. Ayes: Ms. Slamka, Mr. Lolli, Mrs. Carter, Mr. West, Mr. Mulligan.

Purchase 6 Police Vehicles

To authorize the purchase of six 2026 Dodge Durango Police Interceptor Utility vehicles from Statewide Ford of Van Wert, OH in the amount of \$369,310 for the Middletown Division of Police.

Mr. Lolli moved to authorize the purchase of six 2026 Dodge Durango Police Interceptor Utility vehicles from Statewide Ford of Van Wert, OH in the amount of \$369,310 for the Middletown Division of Police. Mr. West seconded. Motion carried. Ayes: Mr. Lolli, Mrs. Carter, Mr. West, Mr. Mulligan, Ms. Slamka.

LEGISLATION

Ord. No. 02026-05 Tri Party MOU

**Ordinance No. 02026-05**, approval of MOU between Butler County Commissioners, Butler County Finance Authority, Middletown Community Foundation and City of Middletown and declaring an emergency was read.

Mr. West moved to approve Ordinance No. 02026-05, approval of MOU between Butler County Commissioners, Butler County Finance Authority, Middletown Community Foundation and City of Middletown and declaring an emergency. Mr. Mulligan seconded. Motion carried. Ayes: Mrs. Carter, Mr. West, Mr. Mulligan, Ms. Slamka, Mr. Lolli.

Res. No. R2026-01 OPWC Grant and Loan Resolution of Intent

**Resolution No. R2026-01**, a resolution declaring the official intent and reasonable expectation of the City of Middletown on behalf of the State of Ohio (the borrower) to reimburse its Water Capital Reserve Fund for the CJ10AB / CJ11AB, raw water transmission main replacement with the proceeds of tax-exempt debt of the State of Ohio and declaring an emergency was read.

Mr. West moved to approve Resolution No. R2026-01, a resolution declaring the official intent and reasonable expectation of the City of Middletown on behalf of the State of Ohio (the borrower) to reimburse its Water Capital Reserve Fund for the CJ10AB / CJ11AB, raw water transmission main replacement with the proceeds of tax-exempt debt of the State

of Ohio and declaring an emergency. Mr. Lolli seconded. Motion carried. Ayes: Mr. West, Mr. Mulligan, Ms. Slamka, Mr. Lolli, Mrs. Carter.

**EXECUTIVE SESSION**

At 6:22 p.m., Mr. West moved to adjourn to executive session under the authority of O.R.C. 121.22 (G) (1) To consider the appointment of a public employee or official; and (G) (8) To consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance, provided that both of the following conditions apply:

(a) The information is directly related to a request for economic development assistance that is to be provided or administered under any provision of Chapter 715., 725., 1724., or 1728. or sections 701.07, 3735.67 to 3735.70, 5709.40 to 5709.43, 5709.61 to 5709.69, 5709.73 to 5709.75, or 5709.77 to 5709.81 of the Revised Code, or that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project.

(b) A unanimous quorum of the public body determines, by a roll call vote, that the executive session is necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project.

Mr. Mulligan seconded. Motion carried. Ayes: Mr. Mulligan, Ms. Slamka, Mr. Lolli, Mrs. Carter, Mr. West.

**RETURN TO OPEN  
SESSION**

At 8:00 p.m., Mr. Lolli moved to return to open session. Mr. Mulligan seconded. Motion carried. Ayes: Ms. Slamka, Mr. Lolli, Mrs. Carter, Mr. West, Mr. Mulligan.

**Board and Commission  
Appointments  
HISTORIC**

Mr. West moved to appoint Paul Horn to the Historic Commission. Mr. Lolli seconded.

Motion carried. Ayes: Mr. Lolli, Mrs. Carter, Mr. West, Mr. Mulligan, Ms. Slamka.

**ADJOURN**

At 8:01 p.m., the meeting was declared adjourned until the regular meeting on February 3, 2026 at 5:30 p.m. in Council Chambers.

\_\_\_\_\_  
Elizabeth Slamka, Mayor

Attest: \_\_\_\_\_



CITY OF MIDDLETOWN

BOARD OF HEALTH

Minutes

December 9, 2025

The City of Middletown Board of Health met in regular session at 7:30 AM on December 9, 2025.

**Members Present**

Mayor, Elizabeth Slamka  
Ruth Lolli  
Jeff Bonnell  
Amy Sibcy  
Emily Miller, BSN, RN  
Dr. Scott Zollett, MD  
Joseph Richmond, MBA

**Health Department Staff Present**

Jackie Phillips Carter, MPH, BSN, RN  
Carla Ealy, BS, REHS  
Dr. Paul Jennewine, MD  
Chandra Corbin, BSN, RN  
Amanda McDonald, Vital Statistics Registrar

**Absent and Excused**

Tiffani Baggett

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**ROLL CALL**

Ms. Baggett was absent from the December Board of Health Meeting.

**Motion:** Ms. Lolli moved, seconded by Ms. Miller to excuse Ms. Baggett from the Board of Health meeting.

**Roll call vote:** Yes-6 (Lolli, Bonnell, Sibcy, Miller, Zollett, Richmond). No-0. **Motion Passed.**

**CITIZEN COMMENTS**

None.

**APPROVAL OF MINUTES –November 2025**

**Motion:** Ms. Miller moved, seconded by Ms. Lolli to approve the November Board of Health minutes.

**Roll call vote:** Yes-6 (Lolli, Bonnell, Sibcy, Miller, Zollett, Richmond). No-0. **Motion Passed.**

**RECEIVE AND FILE FINANCIAL REPORT -August & September 2025**

Ms. Phillips Carter informed the board that the completed August and September financial reports were included in the board packet. The Finance Department is still entering data from October-December due to the cybersecurity incident. Ms. Phillips Carter informed the board that, following the cybersecurity incident, each department will now be required to purchase Microsoft Suite licenses on an annual basis. As a result, the board may notice an additional line item added to future budgets.

**Motion:** Ms. Lolli moved, seconded by Ms. Miller to approve the August & September financial reports.

**Roll call vote:** Yes-6 (Lolli, Bonnell, Sibcy, Miller, Zollett, Richmond). No-0. **Motion Passed.**

## **NEW BUSINESS**

Travel Authorizations-None.

### **Approval of MBHE Ordinance No. 2025-05-Pay & Benefits-by emergency**

An ordinance establishing pay ranges and certain benefits for employee classifications in the Middletown Department of Health and Environment and declaring an emergency.

**Motion:** Ms. Miller moved, seconded by Ms. Lolli to approve MBHE Ordinance No. 2025-05.

**Roll call vote:** Yes-6 (Lolli, Bonnell, Sibcy, Miller, Zollett, Richmond). No-0. **Motion Passed.**

### **Approval of MBHE Ordinance No. 2025-06-Health Department Budget-by emergency**

A regulation approving the proposed fiscal year 2026 operating budget for the Middletown Department of Health & Environment and declaring an emergency.

**Motion:** Ms. Miller moved, seconded by Mr. Richmond to approve MBHE Ordinance No. 2025-06.

**Roll call vote:** Yes-6 (Lolli, Bonnell, Sibcy, Miller, Zollett, Richmond). No-0. **Motion Passed.**

### **Review of 2026 Board of Health Meeting Dates**

The 2026 Board of Health meeting dates were included in the packet. The board will continue to meet the second Tuesday of each month at 7:30am in Conference Room 2C of the City Building.

### **Review of Health Commissioner Job Description**

Ms. Phillips Carter informed the board that Mr. Bonnell's notes had been very useful in revising the job description. The position will be posted on January 13<sup>th</sup> after the next Board of Health meeting.

## **REPORTS**

### **Health Commissioner**

Ms. Phillips Carter informed the board of the recent updates the Center for Disease Control (CDC) has made to childhood vaccinations. The Hepatitis B vaccine will no longer be given to newborns. The National Association of County and City Health Officials (NACCHO) released a statement expressing concern over the CDC advisory panel's recent vote to end the universal recommendation for administering hepatitis B vaccinations to newborns. NACCHO contends that this decision poses significant risks and could result in an increase in Hepatitis B cases.

## Medical Director

Dr. Jennewine reported the November communicable disease case numbers.

C. auris	1
CPO	2
Campylobacteriosis	1
Chlamydia infection	20
Gonococcal Infection	8
Hepatitis C	3
Pertussis	10
Salmonellosis	1
Streptococcal Pneumoniae-invasive	1
Streptococcal-Group A-invasive	1
Syphilis	5
Varicella	2

## Director of Nursing

Ms. Corbin informed the Board that pertussis cases have been steadily increasing across the Southwest Ohio region, although no individuals have required hospitalization.

Highly Pathogenic Avian Influenza (HPAI) has been confirmed among 70 deceased vultures in Clermont County. HPAI is very contagious among birds.

Ms. Corbin informed the board that the tabletop exercise required by PHEP was held on December 5<sup>th</sup>. The exercise focused on Points of Dispensing (POD) and met one of the PHEP deliverable requirements. CMHD's high school intern as well as CMHD administrative assistant attended the exercise along with Ms. Corbin.

Ms. Phillips Carter noted that the PHAB Annual Report is due at the end of December.

## Environmental Director

Ms. Ealy informed the Board that in November, CMHD received one plan review-a remodel at Walmart. Two facilities were licensed-Gifted by Goss and Tropical Smoothie. One facility has closed-Hardee's. Starvin Marvin's and Middies Sports Bar are both temporarily closed.

Ms. Ealy noted that all septic inspections have been completed.

Ms. Ealy stated that CMHD is in the process of collecting license renewal applications for T21, body art and septic businesses.

Ms. Ealy informed the board that Environmental Health Specialist-in-Training, Brandy Barner, has turned in her resignation. Ms. Barner's last day will be January 23<sup>rd</sup>. The position will be posted immediately to find a replacement.



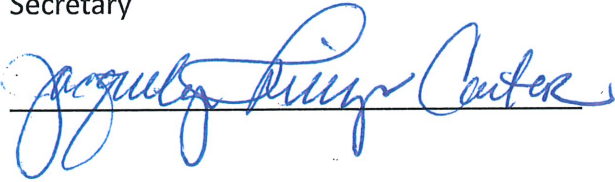
### Board Member Open Discussion

Ms. Lolli announced that the next Walk With a Doc event will take place on December 13<sup>th</sup> at the Downtown YMCA, with a nutritionist scheduled to speak. She also noted that CBI held its official ribbon-cutting ceremony. Mayor Slamka remarked that CBI is an outstanding community resource and highlighted the annual "Middletown Rocks" event they host as exceptional. She also shared that the City of Middletown's new Communication Manager will begin in January, expressing her enthusiasm for future collaborations between the Communication Manager and CMHD to better serve the community.


### ADJOURNMENT

The meeting was adjourned at 8:11AM. The next meeting will be held on January 13, 2026 at 7:30AM in Conference Room 2C.

Jacquelyn D. Phillips Carter, MPH, BSN, RN  
Secretary



Elizabeth Slamka, President  
City of Middletown Board of Health



MIDDLETOWN CIVIL SERVICE COMMISSION  
MEETING MINUTES- September 18, 2025  
CONFERENCE ROOM 2C

**ROLL CALL:**

Meeting Called to order

Members Present: Tom Brickey, Chair  
Bill Becker, Vice Chair  
Kathleen Batliner, Member

Staff Present: Megan Ellis, Civil Service Secretary  
Chelsea Spurlock, Human Resources Specialist

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**APPROVAL OF MINUTES**

**Motion:** Moved by Mr. Brickey to approve the minutes of the meeting held on August 21, 2025. Ms. Batliner seconded the motion. **Motion passed.**

**New Business**

**1. Eligibility Lists**

- a. **Deputy Fire Chief**-Megan Ellis advised the Civil Service Commission that this is a promotional position within the fire department. We had 3 apply. Megan Ellis stated all three candidates passed the written exam held on Monday, July 14, 2025. Ms. Ellis further stated all three candidates moved onto the assessment portion of the examination that was held on Wednesday, August 20, 2025.  
**Motion:** Moved by Mr. Becker to approve the eligibility list for Deputy Fire Chief. Mr. Brickey seconded the motion. **Motion passed.**

**ADJOURN**

Megan Ellis advised that the next meeting is October 16, 2025. **Motion:** Moved by Ms. Batliner to adjourn the meeting. Mr. Becker seconded the motion. **Motion passed.**

  
\_\_\_\_\_  
Tom Brickey, Chair

Approved: 10-16-25

**MIDDLETOWN CIVIL SERVICE COMMISSION  
MEETING MINUTES- OCTOBER 16, 2025  
CONFERENCE ROOM 2C**

**ROLL CALL:**

Meeting Called to Order

Members Present: Tom Brickey, Chair

Bill Becker, Vice-Chair

Kathleen Batliner, Member

Staff Present: Megan Ellis, Civil Service Secretary

Chelsea Spurlock, Human Resources Specialist

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**APPROVAL OF MINUTES**

**Motion:** Moved by Mr. Brickey to approve the minutes of the meeting held on September 18, 2025. Ms. Batliner seconded the motion. Motion **passed**.

**New Business**

**1. Eligibility List**

a. Corrections Officer- Megan Ellis advised the Civil Service Commission that 7 candidates had taken the physical agility and written examination that was held on Thursday, August 28, 2025. Ms. Ellis stated all 7 passed the physical portion, but 1 failed and 6 passed the written examination. Ms. Ellis further stated the department reviewed the applications and recommends them to remain on the eligibility list. Mr. Brickey reviewed the applications prior to the meeting. **Motion:** Moved by Mr. Brickey to approve the eligibility list for Corrections Officer. Mr. Becker seconded the motion. **Motion Passed.**

B. Patrol Officer- Megan Ellis advised the Civil Service Commission that we held an open test on Thursday, August 21, 2025. Ms. Ellis stated the candidate passed both portions of the examination. Ms. Ellis further stated the department reviewed the application and recommends the applicant to remain on the eligibility list. Mr. Brickey reviewed the application prior to the meeting. **Motion:** Moved by Mr. Becker to approve the eligibility list Patrol Officer. Mr. Brickey seconded the motion. **Motion Passed.**

**ADJOURN**

Megan Ellis advised that the next meeting is November 20, 2025. **Motion:** Moved by Ms. Batliner to adjourn the meeting. Mr. Brickey Seconded the motion. **Motion passed.**

Tom Brickey  
Tom Brickey, Chair

Approved: 11-20-25

**MIDDLETOWN CIVIL SERVICE COMMISSION  
MEETING MINUTES- November 20, 2025  
CONFERENCE ROOM 2C**

**ROLL CALL:**

Meeting Called to Order

Members Present: Tom Brickey, Chair  
Bill Becker, Vice-Chair  
Kathleen Batliner, Member

Staff Present: Megan Ellis, Civil Service Secretary  
Chelsea Spurlock, Human Resources Specialist  
Marc Kennedy, Garage Superintendent

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**APPROVAL OF MINUTES**

**Motion:** Moved by Mr. Brickey to approve the minutes of the meeting held on October 16, 2025. Ms. Batliner seconded the motion. Motion **passed**.

**New Business**

**1. Position Description**

a. Mechanic- Megan Ellis advised the Civil Service Commission that Marc Kennedy, the Garage Superintendent, wanted to make changes to the position description for Mechanic. Mr. Kennedy stated these changes would hopefully create an open door for as many people as possible. The major change would be eliminating the entry level exam and highlighting the qualifications and certification required to be a mechanic for the department. **Motion:** Moved by Mr. Becker to approve the position description for Mechanic. Mr. Brickey seconded the motion. **Motion Passed.**

**2. Update on Job Announcements/Exams**

Commission received the job postings for Mechanic, Police/Fire 911 Dispatch, Maintenance Worker and Senior Account Clerk. Ms. Ellis stated the Commission will be receiving eligibility lists in the near future.



**ADJOURN**

Megan Ellis advised that the next meeting is December 18, 2025. **Motion:** Moved by Mr. Brickey to adjourn the meeting. Ms. Batliner Seconded the motion. **Motion passed.**

Tom Brickey  
Tom Brickey, Chair

Approved: 12-18-25

**MIDDLETOWN CIVIL SERVICE COMMISSION  
MEETING MINUTES – December 18, 2025 – 8:00 A.M.  
CONFERENCE ROOM 2C**

**ROLL CALL**

Meeting called to order

Members present: Tom Brickey, Chair  
Bill Becker, Vice-Chair  
Kathleen Batliner, Member

Staff Present: Megan Ellis, Civil Service Secretary  
Chelsea Spurlock, Human Resources Specialist

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**APPROVAL OF MINUTES**

**Motion:** Moved by Mr. Brickey to approve the minutes of the meetings held November 20, 2025. Ms. Batliner seconded the motion. **Motion passed.**

**NEW BUSINESS**

**1. Eligibility Lists**

- a) **Maintenance Worker-** Megan Ellis advised the Civil Service Commission that 11 candidates showed up to take the written exam held on Wednesday, December 3, 2025. Ms. Ellis stated 3 failed and 8 passed the written examination. She advised the commission the department reviewed the applications and recommends them to remain on the eligibility list. Mr. Brickey came in prior to the meeting and reviewed the applications. **Motion:** Moved by Ms. Batliner to approve the eligibility lists for Maintenance Worker. Mr. Brickey seconded the motion. **Motion passed.**
- b) **Senior Account Clerk-** Megan Ellis advised the Civil Service Commission that 5 candidates showed up to take the written exam held on Wednesday, December 3, 2025. Ms. Ellis 2 failed and 3 passed the written examination. She advised the commission the department reviewed the applications and recommends them to remain on the eligibility list. Mr. Brickey came in prior to the meeting and reviewed the applications. **Motion:** Moved by Ms. Batliner to approve the eligibility lists for Senior Account Clerk. Mr. Becker seconded the motion. **Motion passed**
- c) **Dispatcher-** Megan Ellis advised the Civil Service Commission that 7 candidates showed up to take the written exam held on Saturday, December 6, 2025. Ms. Ellis stated 5 failed and 2 candidates passed the written examination. She advised the commission the department reviewed the applications and recommends them to remain on the eligibility list. Mr. Brickey came in prior to the meeting and reviewed the applications. **Motion:** Moved by Mr. Brickey to approve the eligibility lists for Dispatcher. Mr. Becker seconded the motion. **Motion passed.**

- d) **Water Reclamation Mechanic-** Megan Ellis advised the Civil Service Commission that 47 applied to take the written exam held on Thursday, January 16, 2025. Ms. Ellis stated 41 were no shows and 6 had taken the written examination. Ms. Ellis further stated 2 failed and 4 passed the written examination. She advised the commission the department reviewed the applications and recommends them to remain on the eligibility list. Mr. Brickey came in prior to the meeting and reviewed the applications. **Motion:** Moved by Mr. Brickey to approve the eligibility lists for Water Reclamation Mechanic. Ms. Batliner seconded the motion. **Motion passed.**
- e) **HVAC Building Maintenance Technician-** Megan Ellis advised the Civil Service Commission that 37 applied to take the written exam held on Thursday, January 16, 2025. Ms. Ellis stated 33 were no shows and 4 had taken the written examination. Ms. Ellis further stated 1 failed and 3 passed the written examination. She advised the commission the department reviewed the applications and recommends them to remain on the eligibility list. Mr. Brickey came in prior to the meeting and reviewed the applications. **Motion:** Moved by Mr. Becker to approve the eligibility lists for HVAC Building Maintenance Technician. Ms. Batliner seconded the motion. **Motion passed.**
- f) **Patrol Officer-** Megan Ellis advised the Civil Service Commission that we held an open test for 6 candidates to take the written and physical agility held on Thursday, December 11, 2025. Ms. Ellis stated the all 6 candidates passed both portions of the examination. She advised the commission the department reviewed the application and recommends them to remain on the eligibility list. Mr. Brickey came in prior to the meeting and reviewed the applications. **Motion:** Moved by Mr. Becker to approve the eligibility lists for Patrol Officer. Mr. Brickey seconded the motion. **Motion passed.**

**2. Update on Job Announcements/Exams**

Commission received the job postings for Registered Environmental Health Specialist/Environmental Health Specialist-in-Training. Ms. Ellis stated the Commission will be receiving those eligibility lists in the near future.

**ADJOURN**

Megan Ellis advised that the meeting is January 15, 2026. **Motion:** Moved by Mr. Brickey to adjourn the meeting. Ms. Batliner seconded the motion. **Motion passed.**

  
Tom Brickey, Chair

Approved: 1-15-26

## HUMAN RESOURCES

January 27, 2026

**TO:** Ashley Combs, City Manager

**FROM:** Megan Ellis, Human Resources Manager

**SUBJECT: APPOINTMENTS – FIREFIGHTER-EMTS**

We are recommending the following conditional appointments to the position of Firefighter-EMT in the Department of Public Safety, Division of Fire:

<b><u>Recommended</u></b>	<b><u>Replacing</u></b>
Joshua Morrow	New 2026 position
Kendall Miller	New 2026 position
Timothy Payne	New 2026 position
Jacob Adams	New 2026 position
Jesse Garcia	Resignation of John Laswell

All were selected from the eligibility list as a result of Civil Service testing procedures.

The above recommended will be assigned to Range FF-EMT, FO1, Step A which provides a salary of \$60,417.59 annually. The appointments are conditional on the candidates passing the required medical evaluations.

/cs


c: Amy Schenck, Clerk of Council  
Brian Wright, Fire Chief  
Human Resources  
Finance (Payroll)  
File

Ccmtg2/6/26



## OATH OF OFFICE

I, Kenneth E. Brown III, do solemnly swear that I will support the Constitution and laws of the United States and of the State of Ohio, and the Charter and Ordinances of the City of Middletown; that I will not make or authorize expenditures of public money other than for adequate consideration and efficient service; and that I will in all respects faithfully discharge the duties of my employment or office for the City of Middletown, Butler/Warren Counties, Ohio.

  
Signature

Communications Manager  
Position

State of Ohio  
County of Butler, ss:

Sworn to and subscribed before me this 5 day January,  
2026.



Rachel Koontz  
Notary Public, State of Ohio  
My Commission Expires:  
November 06, 2030

  
Notary Public

My Commission Expires 11/06/2030



## OATH OF OFFICE

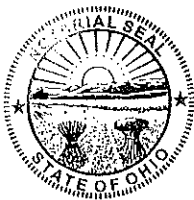
I, Jennifer Faris, do solemnly swear that I will support the Constitution and laws of the United States and of the State of Ohio, and the Charter and Ordinances of the City of Middletown; that I will not make or authorize expenditures of public money other than for adequate consideration and efficient service; and that I will in all respects faithfully discharge the duties of my employment or office for the City of Middletown, Butler/Warren Counties, Ohio.

Jennifer Faris  
Signature

Senior account clerk  
Position

State of Ohio  
County of Butler, ss:

Sworn to and subscribed before me this 27<sup>th</sup> day January,  
2026.



Rachel Koontz  
Notary Public, State of Ohio  
My Commission Expires:  
November 06, 2030

Rachel Koontz  
Notary Public

My Commission Expires 11/06/2026



## OATH OF OFFICE

I, DAVID LEMBERG, do solemnly swear that I will support the Constitution and laws of the United States and of the State of Ohio, and the Charter and Ordinances of the City of Middletown; that I will not make or authorize expenditures of public money other than for adequate consideration and efficient service; and that I will in all respects faithfully discharge the duties of my employment or office for the City of Middletown, Butler/Warren Counties, Ohio.

  
Signature

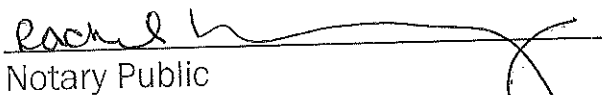
POLICE OFFICER  
Position

State of Ohio  
County of Butler, ss:

Sworn to and subscribed before me this 5 day January,  
2026.



Rachel Koontz  
Notary Public, State of Ohio  
My Commission Expires:  
November 06, 2030

  
Notary Public

My Commission Expires 11/06/2030



## OATH OF OFFICE

I, Evan Snelling, do solemnly swear that I will support the Constitution and laws of the United States and of the State of Ohio, and the Charter and Ordinances of the City of Middletown; that I will not make or authorize expenditures of public money other than for adequate consideration and efficient service; and that I will in all respects faithfully discharge the duties of my employment or office for the City of Middletown, Butler/Warren Counties, Ohio.

Evan Snelling  
Signature

Corrections Officer  
Position

State of Ohio  
County of Butler, ss:

Sworn to and subscribed before me this 5 day January,  
2020.



Rachel Koontz  
Notary Public, State of Ohio  
My Commission Expires:  
November 06, 2030

Rachel Koontz  
Notary Public

My Commission Expires 11/06/2030





## OATH OF OFFICE

I, Astin York, do solemnly swear that I will support the Constitution and laws of the United States and of the State of Ohio, and the Charter and Ordinances of the City of Middletown; that I will not make or authorize expenditures of public money other than for adequate consideration and efficient service; and that I will in all respects faithfully discharge the duties of my employment or office for the City of Middletown, Butler/Warren Counties, Ohio.

Astin York

Signature

Public Works, maintenance worker

Position

State of Ohio  
County of Butler, ss:

Sworn to and subscribed before me this 27<sup>th</sup> day January,  
2026.



Rachel Koontz  
Notary Public, State of Ohio  
My Commission Expires:  
November 06, 2030

Rachel  
Notary Public

My Commission Expires 11/06/2030

January 26, 2026

TO: City Council  
ATTN: Ashley Combs, City Manager  
FROM: Claire Fetters Binegar, City Planner

SUBJECT: Final Plat – The Townes of Lincoln Village



**APPLICANT/ENGINEER:**

Bayer Becker  
6900 Tylersville Road  
Mason, OH 45040

**PROPERTY OWNER:**

J.A. Development LLC  
7594 Tylers Place  
West Chester, OH 45069

**PROPERTY ADDRESS:**

2402 Central Avenue  
Middletown, OH 45044

**PARCEL IDs:**

Q6541007000002, Q6541007000003, Q6541007000004, Q6541007000005

**REQUEST:**

A request by Mihail Sevastakis of Bayer Becker, on behalf of property owner J.A. Development LLC, for approval of a Final Plat of the Townes of Lincoln Village planned development.

**PROPERTY BACKGROUND:**

The subject property is a total of four existing parcels that equate to 5.5299 acres. The parcels are currently vacant and had originally been the location of the former Lincoln Elementary School. Built in 1927, the school was in operation until 1980 when students were moved to Roosevelt Elementary School. Following the closure of the school, several small businesses have operated out of the building until the formal closure and demolition in 2021. According to the Butler County Auditor, the parcels were last transferred on November 5, 2025.

The subject property is currently zoned R-4P: Planned Development District. The planned development district for the subject parcels was established with the approval of 02025-02 by City Council on January 21, 2025, effective February 20, 2025. The final development plan was approved as submitted by Planning Commission on April 9, 2025. The preliminary plat for the development was approved by Planning Commission on December 10, 2025.

The currently approved final development plan established the following minimum site development standards within the planned development district:

- Lot width: 20'
- Lot depth: 96'
- Front yard setback: 20'
- Side yard setback: 6' between buildings

- Rear yard setback: 30'

The final development plan also features a 23-foot wide local public street (42' of public right-of-way), perpendicular to Central Avenue and Howard Avenue, a 5' public sidewalk within the 42' public right-of-way, 200 parking spaces (77 spaces accounted for with the attached garages, 112 spaces accounted for with the driveways for each unit, and 11 additional spaces), 1.24 acres of open space, and a dog park.

#### **STAFF ANALYSIS:**

The applicant proposes review and approval of the final plat of the major subdivision. The final plat creates a total of 62 parcels: 59 parcels for the residential dwellings approved in the final development plan (3.682 acres), and 3 parcels of private, open space for the development (1.241 acres). The remaining acreage of the development, 0.812 acres, is to be dedicated as right-of-way with a public street named Scholars Way.

The final plat will feature a number of easements, including 15' Public Utility Easements, 20' Private Utility and Drainage Easements, 10' private utility and drainage easements, and the 100-year drainage route.

The proposed final plat aligns with the approved final development plan and preliminary plat.

#### **OTHER DEPARTMENT COMMENTS:**

*Public Works Department & Engineering Division*

- County Water & Sewer signature lines need to be removed from the front page of the final plat.

#### **PLANNING COMMISSION RECOMMENDATION:**

The final plat was approved by Planning Commission on January 14, 2026. Following approval of the proposed plat by the City Planning Commission, the plat must be adopted and endorsed by City Council prior to recording.

#### **ALTERNATIVES:**

None.

#### **FINANCIAL IMPACT:**

None.

#### **EMERGENCY/NON-EMERGENCY:**

Consent Agenda.

#### **REVIEW CRITERIA FOR MAJOR SUBDIVISIONS:**

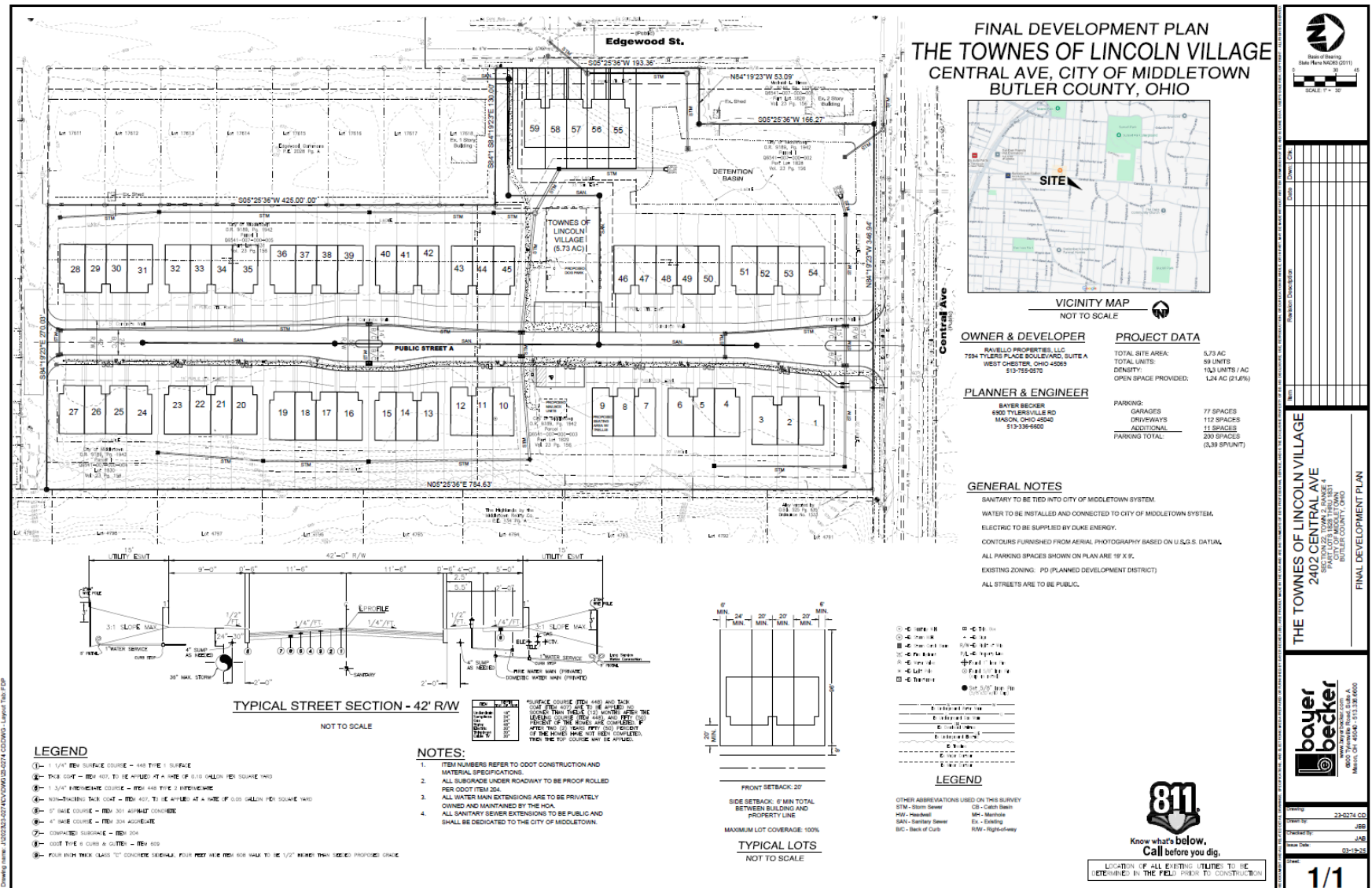
In order to approve a major subdivision, the Planning Commission and City Council, as appropriate, shall determine the following:

1. That the major subdivision complies with all applicable provisions of this code;
2. That the major subdivision does not conflict with other regulations, plans, or policies of the City;
3. That applicable review agencies have no objections that cannot be resolved by the applicant; and

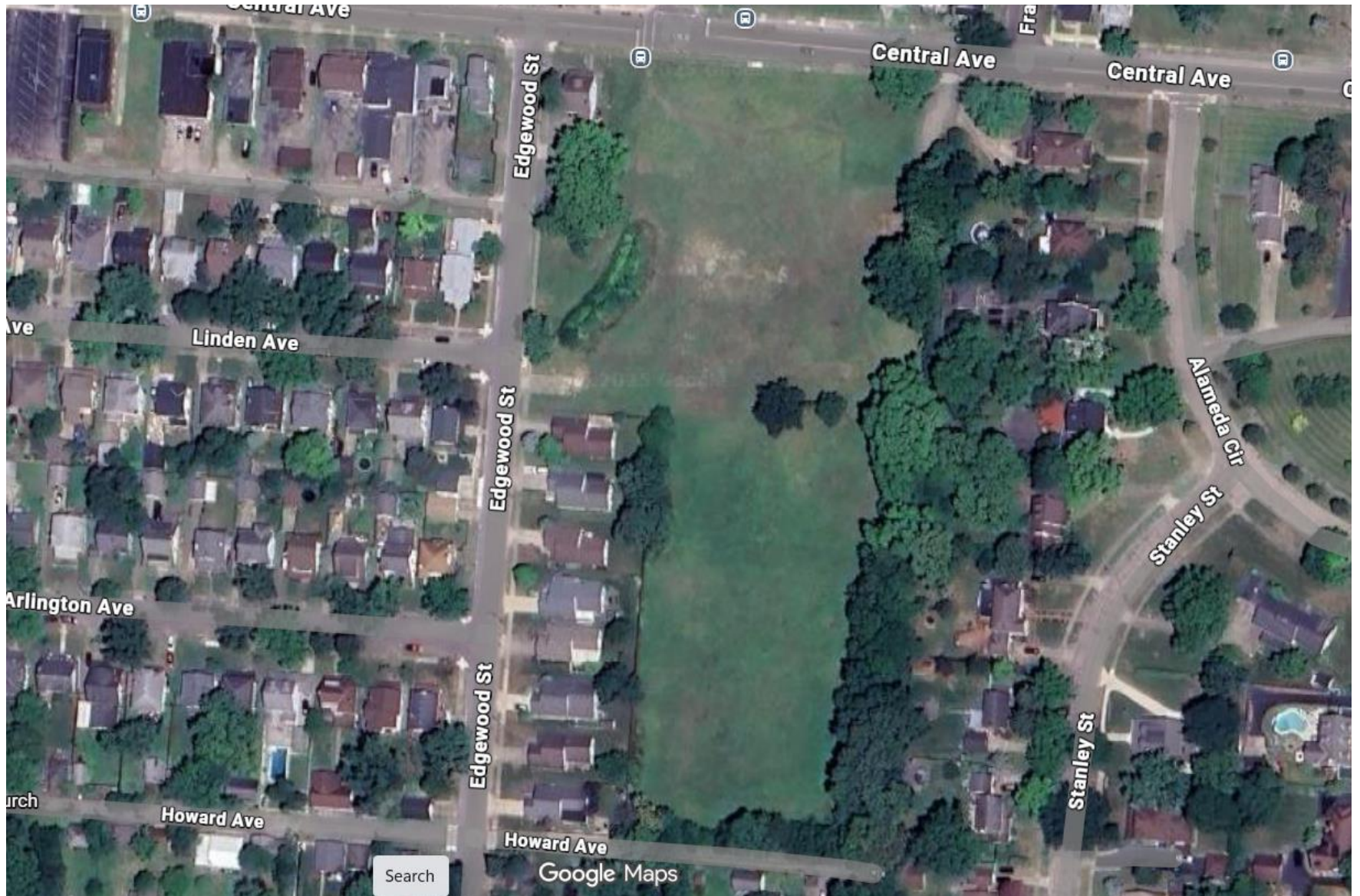
4. That the final plat and construction drawings conform to the approved preliminary plat, if submitted and approved.

**ATTACHMENTS:**

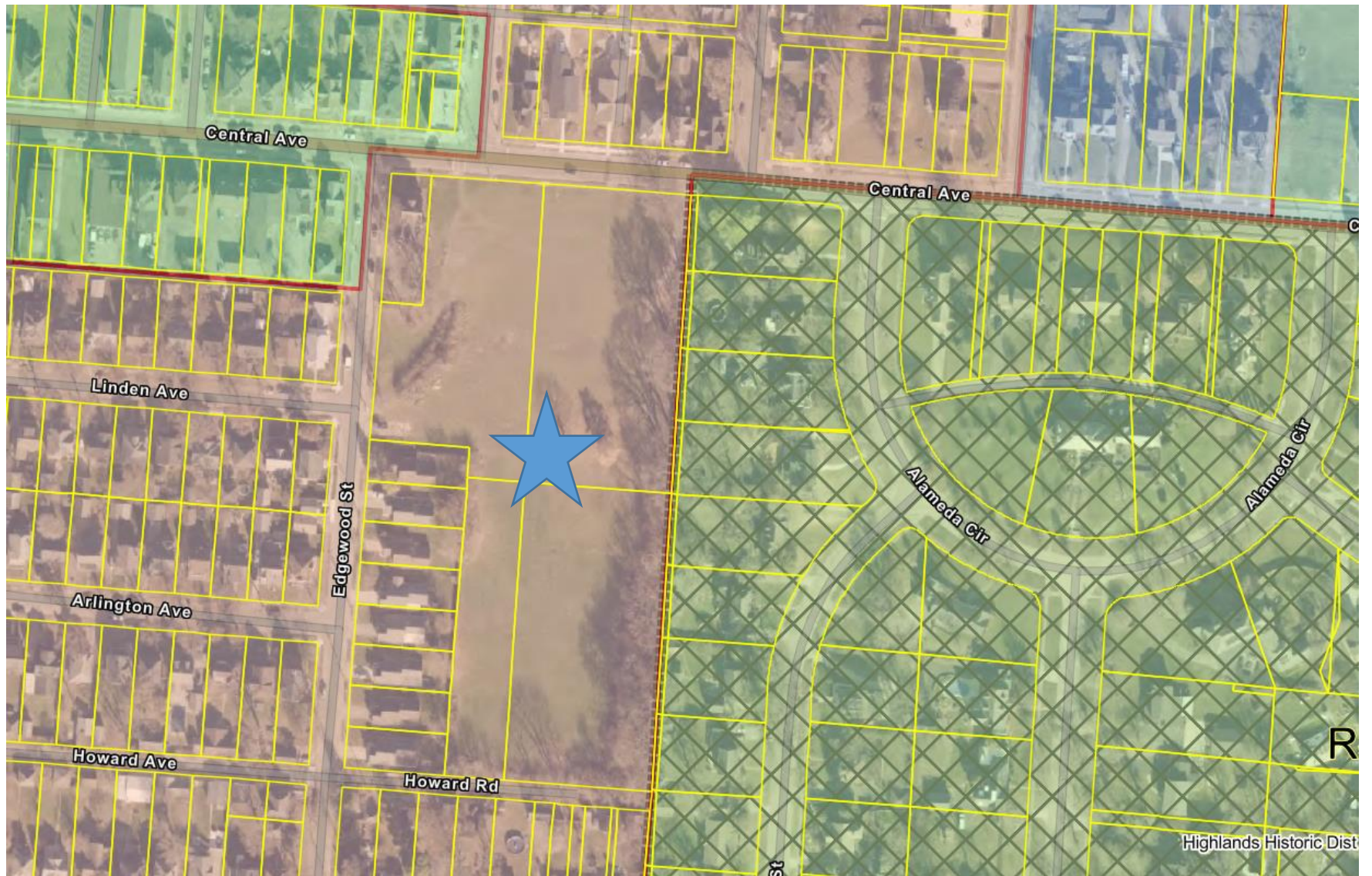
Final plat, supporting documentation, and zoning map.













DEDICATION STATEMENT:

THE UNDERSIGNED, BEING THE OWNER OF ENTIRE LOTS 1829 & 1830 AND PARTS OF LOTS 1828 & 1831 OF THE CITY OF MIDDLETOWN AND LOCATED IN SECTION 22, TOWN 2, RANGE 4, BETWEEN THE MIAMIS, THE CITY OF MIDDLETOWN, BUTLER COUNTY, OHIO, DOES HEREBY ASSENT TO AND ADOPT THE ACCOMPANYING PLAT OF SUBDIVISION TO BE KNOWN AS THE TOWNES OF LINCOLN VILLAGE AND DOES HEREBY DEDICATE TO THE PUBLIC FOREVER, IN ACCORDANCE WITH THE LAWS IN SUCH CASES MADE AND PROVIDED, THE STREETS AND ROADWAYS AS SHOWN ON SAID PLAT, AND DECLARES THE SAME TO BE FREE AND UNENCUMBERED.

THE TITLE ACQUIRED BY: OFFICIAL RECORD 10283, PAGE 1470

OWNER: J.A. DEVELOPMENT, LLC  
AN OHIO LIMITED LIABILITY COMPANY

SIGNATURE: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

STATE OF: \_\_\_\_\_

COUNTY OF: \_\_\_\_\_

BE REMEMBERED THAT ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025, BEFORE THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY CAME J.A. DEVELOPMENT, LLC, AN OHIO LIMITED LIABILITY COMPANY AS REPRESENTED BY \_\_\_\_\_, ITS \_\_\_\_\_, WHO ACKNOWLEDGED THE SIGNING AND EXECUTION OF THE FOREGOING INSTRUMENT TO BE THEIR VOLUNTARY ACT AND DEED. IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL ON THE DAY AND YEAR LAST AFORESAID.

NOTARY PUBLIC: \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_

UTILITY EASEMENTS:

EASEMENTS ON SAID PLAT, DESIGNATED AS UTILITY EASEMENTS, ARE PROVIDED FOR THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF POLES, WIRES AND CONDUITS, AND THE NECESSARY ATTACHMENTS IN CONNECTION THEREWITH, FOR THE TRANSMISSION OF ELECTRIC, TELEPHONE, CABLE TELEVISION, AND OTHER PURPOSES, FOR THE CONSTRUCTION AND MAINTENANCE OF SERVICE OF UNDERGROUND STORM WATER DRAINS, CLUSTER MAILBOX UNITS, PIPELINES FOR SUPPLYING GAS, WATER, HEAT, AND OTHER PUBLIC OR QUASI PUBLIC UTILITY FUNCTIONS TOGETHER WITH THE NECESSARY LATERAL CONNECTIONS; THE RIGHT OF INGRESS TO AND EGRESS FROM SAID EASEMENTS; AND TO CUT, TRIM OR REMOVE TREES AND UNDERGROWTH OR OVERHANGING BRANCHES WITHIN SAID EASEMENT OR IMMEDIATE ADJACENT THERETO. NO BUILDINGS OR OTHER STRUCTURES MAY BE BUILT WITHIN SAID EASEMENTS. NOR MAY THE EASEMENT AREA BE PHYSICALLY ALTERED SO AS TO: 1) REDUCE THE CLEARANCE OF EITHER OVERHEAD OR UNDERGROUND FACILITIES; 2) IMPAIR THE LAND SUPPORT OF SAID FACILITIES; 3) IMPAIR THE ABILITY TO MAINTAIN THE FACILITY OR; 4) CREATE A HAZARD.

THE ABOVE EASEMENTS ARE ALSO PROVIDED FOR OTHER PUBLIC USES AS DESIGNATED AND SHALL BE USED FOR THE CONSTRUCTION OF STORM WATER DRAINS, OPEN CHANNELS, PUBLIC AND PRIVATE SEWERS, PIPELINES FOR THE SUPPLYING OF WATER, CABLE TELEVISION, CLUSTER MAILBOX UNITS, AND FOR ANY OTHER PUBLIC OR QUASI PUBLIC UTILITY OR FUNCTION, CONDUCTED, MAINTAINED OR PERFORMED BY ORDINARY METHODS BENEATH OR ABOVE THE SURFACE OF THE GROUND TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER AND ACROSS LOTS TO AND FROM SAID EASEMENTS.

GRANT OF UTILITY EASEMENT:

FOR VALUABLE CONSIDERATION, WE, THE UNDERSIGNED ("GRANTOR") DO HEREBY PERMANENTLY GRANT TO DUKE ENERGY OHIO/KENTUCKY, INC. AND THEIR PARENT ENTITY (OR ENTITY CONTROLLING BOTH ENTITIES), THEIR RESPECTIVE SUBSIDIARIES OR AFFILIATE ENTITIES, AND ANY OTHER PROVIDER OF UTILITY SERVICES ("GRANTEE") THE RIGHT OF INGRESS, EGRESS, NON-EXCLUSIVE EASEMENTS, AS SHOWN ON THE WITHIN PLAT AND DESIGNATED AS DESIGNED "UTILITY EASEMENTS" FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, OR REPLACEMENT OF ANY AND ALL NECESSARY FIXTURES FOR THE OVERHEAD OR UNDERGROUND DISTRIBUTION OF GAS, ELECTRIC, TELEPHONE, TELECOMMUNICATIONS OR OTHER UTILITIES ("GRANTEE FACILITIES" OR "FACILITIES"). THE GRANTEE SHALL HAVE THE RIGHT OF INGRESS AND EGRESS AND ALSO THE RIGHT TO CUT, TRIM OR REMOVE ANY TREES, UNDERGROWTH OR OVERHANGING BRANCHES WITHIN THE UTILITY EASEMENTS OR IMMEDIATELY ADJACENT THERETO. NO BUILDINGS OR OTHER STRUCTURES MAY BE BUILT WITHIN THE UTILITY EASEMENTS AREA, NOR MAY THE UTILITY EASEMENTS AREA BE PHYSICALLY ALTERED TO (1) REDUCE THE CLEARANCES OF EITHER OVERHEAD OR UNDERGROUND FACILITIES; (2) IMPAIR THE LAND SUPPORT OF GRANTEE FACILITIES; (3) IMPAIR THE ABILITY TO MAINTAIN THE FACILITIES OR; (4) CREATE A HAZARD. TO HAVE AND TO HOLD THE EASEMENT FOREVER. WE ACKNOWLEDGE HAVING THE FULL POWER TO CONVEY THIS UTILITY EASEMENT AND WILL DEFEND THE SAME AGAINST ALL CLAIMS.

ALSO HEREBY GRANTED TO DUKE ENERGY OHIO/KENTUCKY, INC. AND ITS SUBSIDIARIES, SUCCESSORS, AND ASSIGNS IS THE RIGHT TO LATERALLY EXTEND, REPAIR, AND MAINTAIN NATURAL GAS SERVICES TO SERVE INDIVIDUAL LOTS AS CONSTRUCTED BY THE ORIGINAL BUILDER ALLOWING DISTURBANCE ONLY OVER EXISTING SERVICE LINES NECESSARY FOR THE REPAIR ONLY ON THE LOT ON WHICH THE SERVICE IS LOCATED. RECONSTRUCTION OR RELOCATION IS PERMISSIBLE ONLY WITH THE WRITTEN PERMISSION OF THE PARCEL OWNER AND SAID UTILITY PROVIDER TO A MUTUALLY AGREEABLE LOCATION. NO PART OF THE UTILITY EASEMENTS SHALL ENCUMBER EXISTING BUILDINGS OR ADJOINING LOTS.

WATER & SEWER NOTES:

IT IS UNDERSTOOD THAT THE CITY OF MIDDLETOWN WILL NOT BE ABLE TO ISSUE ANY CONNECTION PERMITS OR BUILDING PERMITS UNTIL THE OHIO ENVIRONMENTAL PROTECTION AGENCY (EPA) HAS APPROVED THE PLANS FOR THE PROPOSED EXTENSIONS OF THE PUBLIC WATER AND SEWER SYSTEMS WITHIN THIS SUBDIVISION, UNLESS ON-SITE SYSTEMS ARE PROPOSED AND APPROVED.

ALL BUILDINGS TO BE SERVED BY THE PUBLIC SEWER SYSTEM SHALL BE CONSTRUCTED SO AS TO PROVIDE A MINIMUM OF FOUR (4) FEET OF VERTICAL SEPARATION BETWEEN THE PUBLIC SANITARY SEWER, AT THE POINT OF CONNECTION, AND THE LOWEST BUILDING LEVEL SERVED BY A GRAVITY SEWER CONNECTION. IN ADDITION, SAID BUILDING LEVEL SHALL BE AT LEAST ONE FOOT (1') ABOVE THE LOWEST POINT OF FREE-OVERFLOW (NON-SEALED MANHOLE COVER) UPSTREAM OF ANY TREATMENT FACILITY OR WASTEWATER PUMPING FACILITY THAT RECEIVES THE DISCHARGE FROM SAID BUILDING. SAID MINIMUM SERVICE LEVELS SHALL BE RECORDED ON THE "AS-BUILT" PLANS FOR THE DEVELOPMENT WHICH WILL BE KEPT ON FILE IN THE OFFICE OF THE THE CITY OF MIDDLETOWN WATER & SEWER DEPARTMENT.

PRIVATE DRIVEWAYS, PARKING LOTS AND OTHER PAVED AREAS, EARTHEN BERMS, OR STRUCTURES SHOULD NOT BE CONSTRUCTED OVER PRIVATE WATER OR SEWER SERVICE LINES WITHIN THE PUBLIC ROAD RIGHT-OF-WAY OR WITHIN EASEMENT AREAS FOR THE PUBLIC UTILITIES. SHOULD THIS OCCUR, THE PROPERTY OWNER SHALL BE HELD RESPONSIBLE FOR THE PROTECTION AND REPAIR OF AND FOR PROVIDING ACCESS TO ANY CURB STOPS, METER PITS, MANHOLES, CLEANOUTS, ETC. INSTALLED IN CONJUNCTION WITH THESE PRIVATE SERVICE LINES AND FOR ANY DAMAGE OR RESTORATION OF THE PAVED SURFACES OR STRUCTURES THAT MAY RESULT FROM THE FUTURE OPERATION, MAINTENANCE, REPAIR OR REPLACEMENT OF SAID SERVICE LINES AND APPURTENANCES.

EASEMENTS ON SAID PLAT, DESIGNATED AS "SANITARY SEWER EASEMENTS" OR "WATER MAIN EASEMENTS" ARE PROVIDED FOR THE RIGHT TO CONSTRUCT, USE, MAINTAIN AND KEEP IN REPAIR THEREON A SANITARY SEWER PIPELINE AND/OR WATER MAINS AND APPURTENANCES THERETO NECESSARY TO THE OPERATION THEREOF.

THE CITY OF MIDDLETOWN WATER & SEWER DEPARTMENT DOES NOT ACCEPT ANY RESPONSIBILITY FOR THE RELOCATION, REPAIR OR REPLACEMENT OF ANY OTHER UTILITY INSTALLED WITHIN FIVE (5) FEET OF THE CENTERLINE OF ANY SANITARY MAIN SEWER OR WATER MAIN.

SANITARY SEWER LATERALS, WHICH SHALL INCLUDE ALL PIPE AND APPURTENANCES FROM THE BUILDING TO THE PUBLIC SEWER MAIN, AND THE CONNECTION TO THE PUBLIC SEWER MAIN SHALL BE CONSIDERED PRIVATE AND THE RESPONSIBILITY OF THE PROPERTY OWNER TO MAINTAIN. THE CONNECTION TO THE SEWER WOULD BE ANY PIPING THAT EXTENDS OUT FROM THE MAIN BARREL OF THE SEWER MAIN.

ALL LOTS SHOWN HEREON SHALL BE SERVED BY PUBLIC SANITARY SEWERS AND WATER.

ROOF DRAINS, FOUNDATION DRAINS, AND OTHER CLEAN WATER CONNECTIONS TO THE SANITARY SEWER SYSTEM ARE PROHIBITED.

HIGH WATER TABLES ARE APPARENT IN THIS AREA. IF BASEMENTS ARE CONSTRUCTED, IT IS THE RESPONSIBILITY OF THE BUILDER TO TAKE SPECIAL PRECAUTIONS TO ENSURE THE BASEMENT STAYS DRY.

DRAINAGE STATEMENT

THE EASEMENT AREAS SHALL BE MAINTAINED CONTINUOUSLY BY THE LOT OWNER(S). WITHIN THE EASEMENTS, NO STRUCTURE, PLANTING, FENCING, CULVERT, OR OTHER MATERIAL SHALL BE PLACED OR PERMITTED TO REMAIN WHICH MAY OBSTRUCT, RETARD, OR DIVERT THE FLOW THROUGH THE WATERCOURSE. EASEMENTS SHOWN ON THIS PLAT AND DEDICATED AS "DRAINAGE EASEMENTS" ARE DEDICATED TO THE LOT OWNERS ASSOCIATION.

THE CITY OF MIDDLETOWN, BUTLER COUNTY COMMISSIONERS AND THE BOARD OF TOWNSHIP TRUSTEES ASSUME NO LEGAL OBLIGATION TO MAINTAIN OR REPAIR ANY OPEN DRAIN, DITCHES OR WATERCOURSE WITHIN THE EASEMENT AREA UNLESS NOTED OTHERWISE ON THIS PLAT. HOWEVER, WHEN THE PLATTED RIGHT-OF-WAY AREA HAS BEEN PREVIOUSLY ACCEPTED FOR PUBLIC MAINTENANCE BY RESOLUTION OF THE BOARD OF TOWNSHIP TRUSTEES, THE BOARD OF TRUSTEES OR THEIR REPRESENTATIVES MAY ENTER UPON AND INSPECT THE EASEMENT AREAS AND, IN ACCORDANCE WITH SECTION 5589.06 OF THE OHIO REVISED CODE, MAY REMOVE OR CAUSE THE REMOVAL OF AN OBSTRUCTION ADVERSELY IMPACTING AN AREA WITHIN THE PUBLIC RIGHT-OF-WAY.

UNTIL THE EXPIRATION OF THE DEVELOPER'S PUBLIC IMPROVEMENT MAINTENANCE BONDING PERIOD, THE DEVELOPER (OR THEIR AGENTS) RESERVES THE RIGHT TO ENTER UPON ALL LOTS TO ESTABLISH OR RE-ESTABLISH DRAINAGE SWALES WITHIN ALL DRAINAGE EASEMENTS FOR THE PURPOSE OF CONTROLLING AND DIRECTING STORMWATER TO COLLECTION FACILITIES OR DRAINAGE CHANNELS.

THE PUBLICLY-MAINTAINED PORTION OF THE STORM SEWER SYSTEM WILL INCLUDE STORM DRAINS, CULVERTS, AND/OR DITCHES LOCATED WITHIN EITHER THE PUBLIC RIGHT-OF-WAY OR THE PUBLIC UTILITY EASEMENT AREA ADJACENT TO THE ROAD RIGHT-OF-WAY WITH THE EXCEPTION OF SUMP MAINS AND CULVERTS FOR PRIVATE DRIVEWAYS. WHERE, IN LIEU OF AN OPEN DITCH, A DEVELOPER, BUILDER OR LOT OWNER INSTALLS A STORM DRAIN ON PRIVATE PROPERTY, THE STORM DRAIN SHALL BE DESIGNED BY A PROFESSIONAL ENGINEER TO ENSURE THAT NEITHER THIS PROPERTY OR ADJACENT PROPERTIES ARE NEGATIVELY IMPACTED, AND THE LOT OWNER(S) MUST NOTE THAT THEY ARE RESPONSIBLE FOR MAINTAINING THE STORM DRAIN UNLESS NOTED OTHERWISE ON THE PLAT.

THE MAINTENANCE, REPAIR AND REPLACEMENT OF ALL STORM SEWER/PIPING LOCATED BETWEEN THE CATCH BASIN AT THE BACK OF THE STREET CURB AND THE R/W LINE, AS WELL AS ALL THE STORM SEWER/PIPING LOCATED WITHIN THE "PRIVATE STORM SEWER EASEMENT," SHALL BE THE RESPONSIBILITY OF THE LOT OWNER'S ASSOCIATION.

CITY OF MIDDLETOWN DRAINAGE NOTE

THE CITY DOES NOT ACCEPT ANY OPEN CHANNEL DRAINAGE EASEMENTS, AND IS NOT OBLIGATED TO MAINTAIN OR REPAIR ANY CHANNELS OR INSTALLATIONS IN SAID EASEMENTS. THE EASEMENT AREA OF EACH LOT AND ALL IMPROVEMENTS IN IT SHALL BE MAINTAINED CONTINUOUSLY BY THE OWNER OF THE LOT. WITHIN THESE EASEMENTS, NO STRUCTURE, PLANTING, FENCING, CULVERT, OR OTHER MATERIAL SHALL BE PLACED OR PERMITTED TO REMAIN WHICH MAY OBSTRUCT, RETARD OR CHANGE THE DIRECTION OF FLOW OF WATER THROUGH THE DRAINAGE CHANNEL ON THE EASEMENT.

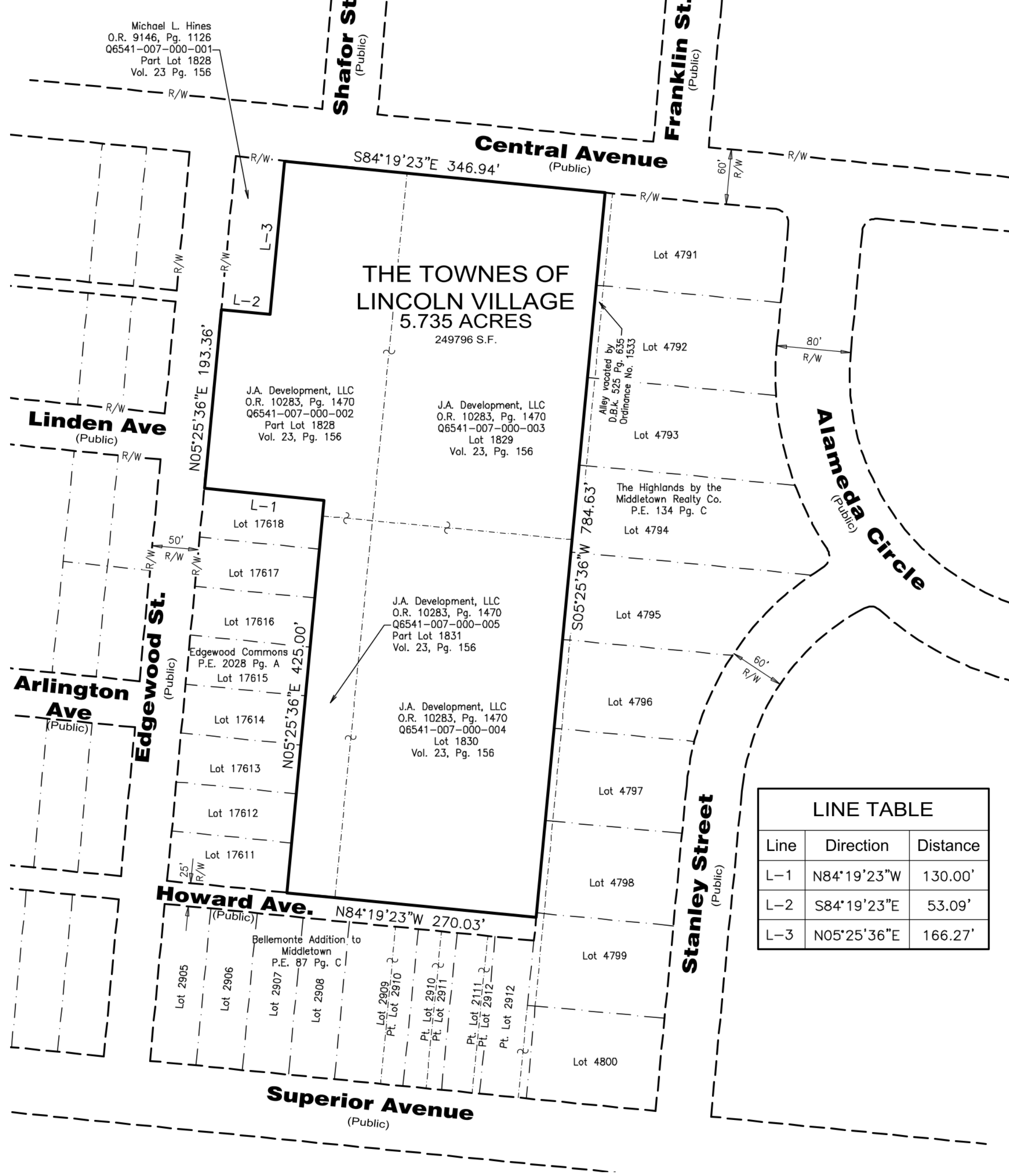
THE TOWNES OF LINCOLN VILLAGE

LOTS 1829 & 1830 AND PARTS OF LOTS 1828 & 1831

SECTION 22, TOWN 2, RANGE 4 BTM

CITY OF MIDDLETOWN

BUTLER COUNTY, OHIO



LINE TABLE		
Line	Direction	Distance
L-1	N84°19'23"W	130.00'
L-2	S84°19'23"E	53.09'
L-3	N05°25'36"E	166.27'

**BENCHMARK #1:**  
SET CROSS NOTCH ON  
SIDEWALK NEAR THE  
NORTHWEST CORNER OF  
LOT 4791  
ELEVATION=674.15

**BENCHMARK 21:**  
SET CROSS NOTCH ON  
SIDEWALK NEAR THE  
NORTHWEST CORNER OF  
PART LOT 1827  
ELEVATION=665.73

CLOSURE REPORT:

NORTH: 555542.087' EAST: 1437037.452'

SEGMENT #1: LINE  
COURSE: N05°25'36"E LENGTH: 425.00'  
NORTH: 555965.182' EAST: 1437077.645'

SEGMENT #2: LINE  
COURSE: N84°19'23"W LENGTH: 130.00'  
NORTH: 555978.042' EAST: 1436948.283'

SEGMENT #3: LINE  
COURSE: N05°25'36"E LENGTH: 193.36'  
NORTH: 556170.535' EAST: 1436966.569'

SEGMENT #4: LINE  
COURSE: S84°19'23"E LENGTH: 53.09'  
NORTH: 556165.284' EAST: 1437019.399'

SEGMENT #5: LINE  
COURSE: N05°25'36"E LENGTH: 166.27'  
NORTH: 556330.808' EAST: 1437035.123'

SEGMENT #6: LINE  
COURSE: S84°19'23"E LENGTH: 346.94'  
NORTH: 556296.489' EAST: 1437380.362'

SEGMENT #7: LINE  
COURSE: S05°25'36"W LENGTH: 784.63'  
NORTH: 555515.376' EAST: 1437306.158'

SEGMENT #8: LINE  
COURSE: N84°19'23"W LENGTH: 270.03'  
NORTH: 555542.087' EAST: 1437037.452'

PERIMETER: 2369.32' AREA: 249796 SQ. FT.  
ERROR CLOSURE: 0.0000 COURSE: N90°00'00"W  
ERROR NORTH: 0.0000 EAST: -0.0000

PRECISION 1: 2369320000.00

ENGINEER/SURVEYOR:

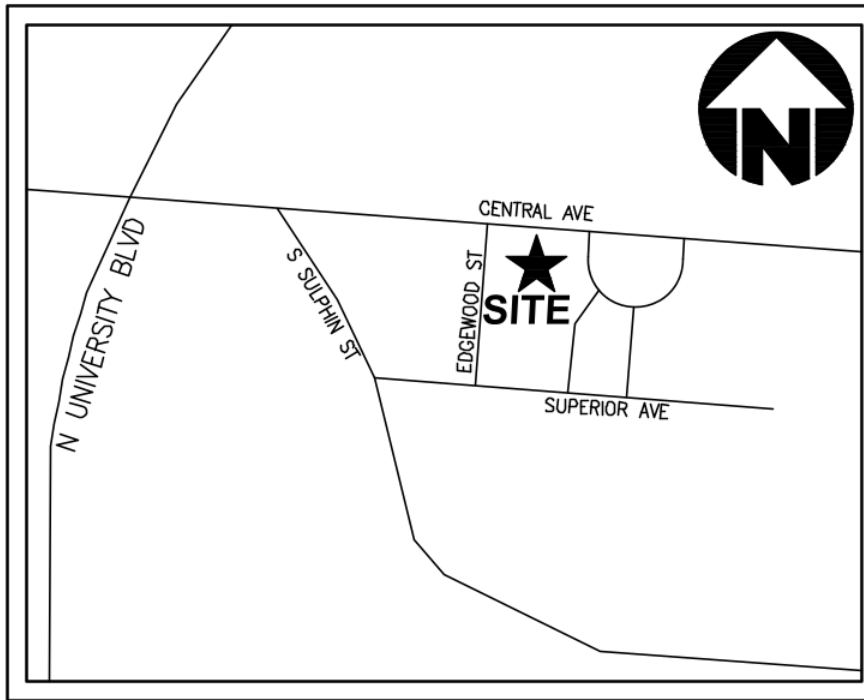
BAYER BECKER  
6900 TYLERSVILLE ROAD, SUITE A  
MASON, OHIO 45040  
513-336-6600

OWNER/DEVELOPER:

J.A. DEVELOPMENT, LLC  
7594 TYLERS PLACE BOULEVARD  
WEST CHESTER, OHIO 45069  
513-755-0570

SHEET INDEX

- TITLE SHEET
- RECORD PLAT
- DRAINAGE EASEMENT DETAIL
- UTILITIES & FOOTPRINTS



VICINITY MAP  
NOT TO SCALE

MIDDLETOWN CITY PLANNING COMMISSION

THIS PLAT WAS APPROVED BY THE PLANNING COMMISSION OF THE CITY OF MIDDLETOWN, BUTLER COUNTY, OHIO ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

PLANNING COMMISSION SECRETARY

MIDDLETOWN CITY ENGINEER

I HEREBY APPROVE THIS PLAT ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

CITY ENGINEER

MIDDLETOWN CITY COUNCIL

THIS PLAT WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF MIDDLETOWN, BUTLER COUNTY, OHIO ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

CITY COMMISSIONERS CLERK

BUTLER COUNTY BOARD OF HEALTH

THIS PLAT IS SUBJECT TO PRESENT AND FUTURE REGULATIONS OF THE COUNTY BOARD OF HEALTH.

BUTLER COUNTY AUDITOR

ENTERED FOR TRANSFER \_\_\_\_\_ A.D., 2025.

TRANSFERRED \_\_\_\_\_ A.D., 2025.

AUDITOR, BUTLER COUNTY, OHIO

BUTLER COUNTY RECORDER

FILED FOR RECORD \_\_\_\_\_ AT \_\_\_\_\_, A.D. 2025.

RECORDED \_\_\_\_\_ AT \_\_\_\_\_, A.D. 2025.

OFFICIAL RECORD \_\_\_\_\_ PAGES \_\_\_\_\_

RECORDER, BUTLER COUNTY, OHIO

FILE \_\_\_\_\_ FEE \_\_\_\_\_

HOA REFERENCE

THE WITHIN SUBDIVISION IS SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, AND RESERVATION OF EASEMENTS FOR THE TOWNES OF LINCOLN VILLAGE AS RECORDED IN OFFICIAL RECORD \_\_\_\_\_, PAGE \_\_\_\_\_ OF THE BUTLER COUNTY RECORDER'S OFFICE, AS MAY BE SUPPLEMENTED AND AMENDED FROM TIME TO TIME.

PARCEL NUMBERS Q6541-007-000-002; -003; -004; -005

DEED REFERENCE: OFFICIAL RECORD 10283, PAGE 1470 (LOTS 1829 & 1830; PT. LOTS 1828 & 1831)

SURVEYED ACREAGE: 5.735 ACRES  
THE TOWNES OF LINCOLN VILLAGE: 5.735 ACRES  
REMAINING ACRES: 0.000 ACRES

PLAT ALTERATIONS & LOT TRANSFERS:

ANY CHANGE TO OR ALTERATION OF THIS PLAT, INCLUDING THE SPLITTING OF ANY LOT TO CREATE A NEW BUILDING SITE, SHALL REQUIRE PLANNING COMMISSION APPROVAL AS A REPLAT.

ANY LOT TRANSFERRED SHALL HAVE A MINIMUM WIDTH AND AREA SUBSTANTIALLY THE SAME AS SHOWN ON THE PLAT AND ONLY ONE PRINCIPAL BUILDING WILL BE PERMITTED ON ANY SUCH LOT.

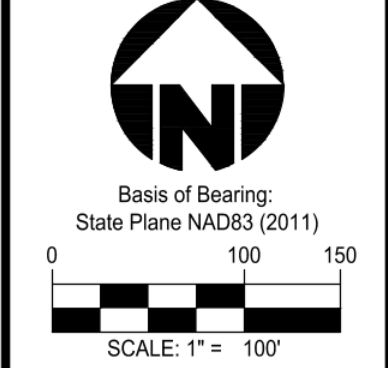
STREET CONSTRUCTION:

THE STREETS AS SHOWN IN THIS SUBDIVISION SHALL BE CONSTRUCTED IN ACCORDANCE WITH APPROVED PLANS ON FILE IN THE OFFICE OF THE BUTLER COUNTY ENGINEER. THE STREETS SHALL BE CONSTRUCTED WITH THE EXCEPTION OF TOP COURSE. WITHIN ONE YEAR AND SHALL BE MAINTAINED AND KEPT IN REPAIR FOR A PERIOD OF ONE YEAR FROM THE DATE THE CONSTRUCTED STREETS ARE APPROVED BY THE BUTLER COUNTY ENGINEER.

THOMAS M. EDWARDS  
PROFESSIONAL SURVEYOR #8941  
IN THE STATE OF OHIO

SURVEYOR'S CERTIFICATE:

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THAT THE ACCOMPANYING PLAT IS THE RETURN OF A SURVEY MADE UNDER MY DIRECTION FOR "THE TOWNES OF LINCOLN VILLAGE." ALL MONUMENTS ARE SET AND THEIR LOCATION AND SIZE ARE AS SHOWN ON THE PLAT, AND THAT THE REQUIREMENTS OF THE BUTLER COUNTY SUBDIVISION REGULATIONS HAVE BEEN COMPLIED WITH TO THE BEST OF MY KNOWLEDGE.



THE TOWNES OF LINCOLN VILLAGE

LOTS 1829 & 1830 AND PARTS OF LOTS 1828 & 1831  
SECTION 22, TOWN 2, RANGE 4 BTM  
CITY OF MIDDLETOWN  
BUTLER COUNTY, OHIO

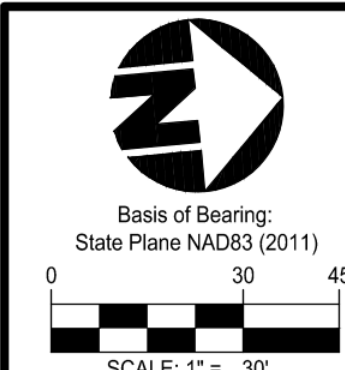
RECORD PLAT



Drawing: 23-0274 RP TITLE  
Drawn by: PAH  
Checked by: TME  
Issue Date: 12-12-25  
Sheet:

1/4



[illegible]

**OWNES OF LINCOLN VILLAGE**

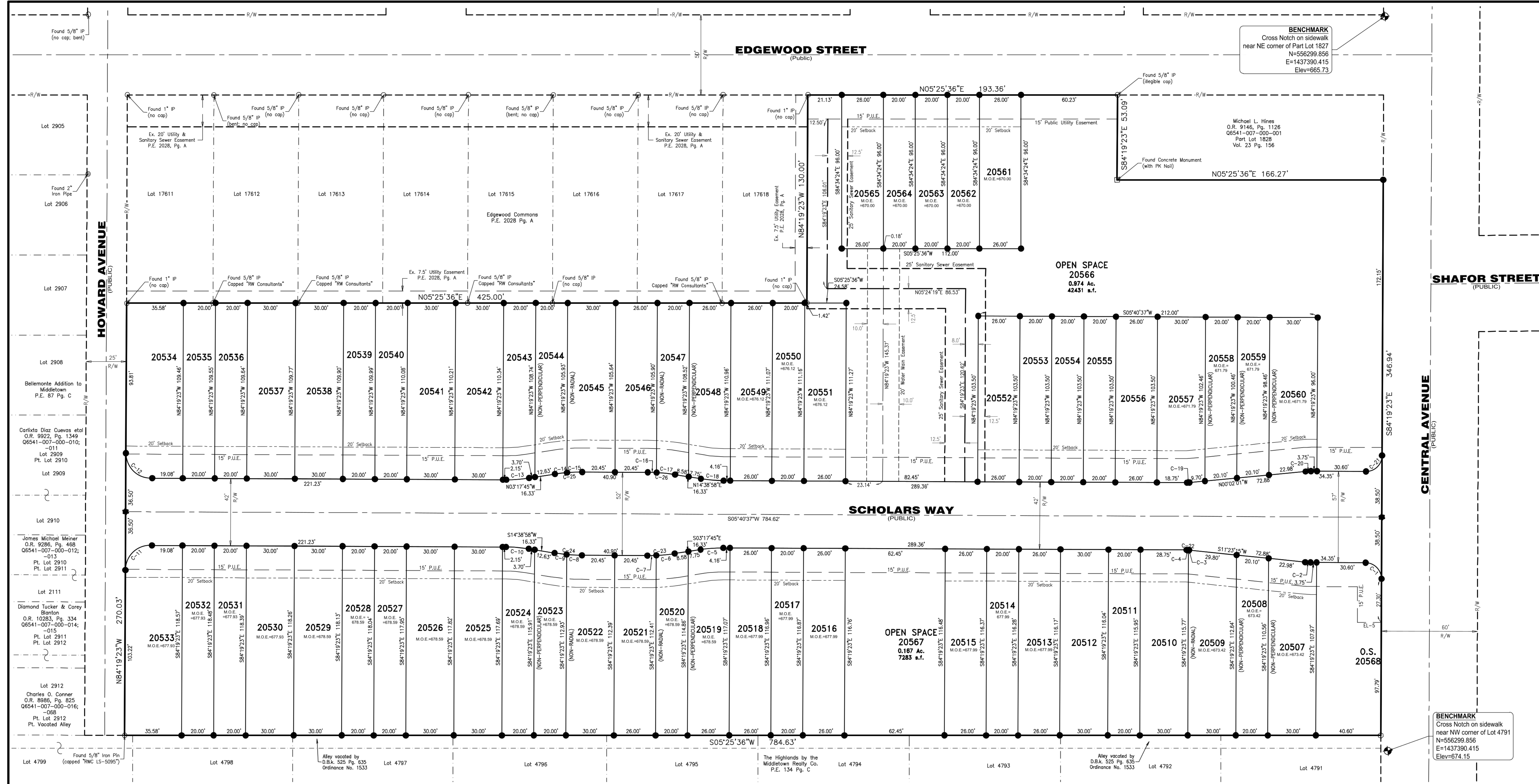
LOTS 1829 & 1830 AND PARTS OF LOTS 1828 & 1831  
SECTION 22, TOWN 2 RANGE 4 BTM  
CITY OF MIDDLEBURY  
BUTLER COUNTY, OHIO

RECORD PLAT

**bayer  
becker**  
www.bayerbecker.com  
6900 Tylersville Road, Suite A  
Cincinnati, OH 45240-5133 336.6600

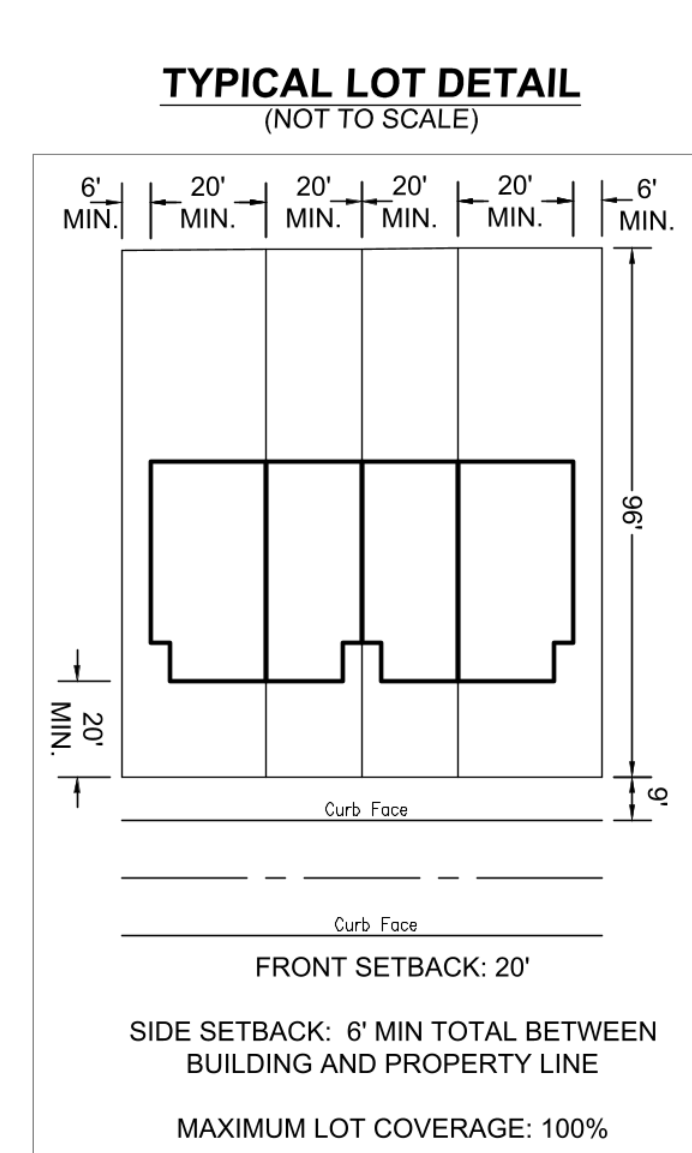
Drawing:	23-0274
Drawn by:	PA
Checked By:	TM
Issue Date:	12-12-
Sheet:	

Sheet: **2/4**



Curve	Delta	Radius	Length	Chord
C-1	90°00'00"	10.00'	15.71'	S50°40'37"W 14.14'
C-2	54°23'48"	34.00'	3.39'	S08°31'56"W 3.39'
C-3	11°14'27"	16.00'	0.35'	S10°46'01"W 0.35'
C-4	4°28'11"	16.00'	1.25'	S07°54'42"W 1.25'
C-5	8°58'21"	91.00'	14.25'	S011°12'6"W 14.25'
C-6	60°33'59"	109.50'	11.59'	S05°18'45"E 11.59'
C-7	25°42'23"	109.50'	5.55'	S04°13'26"W 5.55'
C-8	5°00'16"	109.50'	9.58'	S08°10'45"W 9.56'
C-9	3°58'05"	109.50'	7.58'	S12°39'56"W 7.56'
C-10	8°58'21"	91.00'	14.25'	S10°09'48"W 14.24'
C-11	83°24'56"	15.55'	25.35'	S37°31'58"E 22.64'

Curve	Delta	Radius	Length	Chord
C-12	93°25'42"	15.55'	25.36'	N48°53'13"E 22.64'
C-13	8°58'21"	91.00'	14.25'	N01°11'26"E 14.24'
C-14	3°58'05"	109.50'	7.58'	N01°18'42"W 7.58'
C-15	5°00'16"	109.50'	9.56'	N03°10'29"E 9.56'
C-16	2°54'23"	109.50'	9.55'	N07°07'48"E 5.55'
C-17	6°03'59"	109.50'	11.59'	N01°36'59"E 11.59'
C-18	8°58'21"	91.00'	14.25'	N10°09'48"E 14.24'
C-19	5°42'38"	16.00'	1.59'	N02°48'18"E 1.59'
C-20	5°42'38"	34.00'	3.39'	N02°49'18"E 3.39'
C-21	89°59'58"	10.00'	15.71'	N39°19'23"W 14.14'



## MINIMUM OPENING ELEVATIONS

ON ANY LOTS WITH AN IDENTIFIED MINIMUM OPENING ELEVATION (M.O.E.), NO DOOR, WINDOW, VENT, OR OTHER OPENING THROUGH THE WALL OF ANY STRUCTURE MAY BE LOCATED BELOW THE MINIMUM ELEVATION NOTED ON THE AFFECTED LOT(S). IF THE BASEMENT FLOOR IS BELOW THE NOTED ELEVATION, IT IS THE RESPONSIBILITY OF THE BUILDER TO PROVIDE A SUMP WELL AND SUMP PUMP, WHICH SHALL DISCHARGE ON THE LOT AT OR ABOVE THE NOTED ELEVATION.

Curve	Delta	Radius	Length	Chord
C-22	5'42"38"	16.00'	1.59'	S08°31'56"W 1.59'
C-23	8'58"21"	109.50'	17.15'	S01°11'26"W 17.13'
C-24	8'58"21"	109.50'	17.15'	S10°09'48"W 17.13'
C-25	8'58"21"	109.50'	17.15'	S01°11'26"E 17.13'
C-26	8'58"21"	109.50'	17.15'	N10°09'48"E 17.13'

Lot Table		
Lot #	Acres	S.Ft.
20507	0.075	3271
20508	0.051	2232
20509	0.079	3426
20510	0.080	3477
20511	0.053	2320
20512	0.080	3483
20513	0.069	3022
20514	0.053	2327
20515	0.069	3027
20516	0.070	3037
20517	0.054	2338
20518	0.070	3042
20519	0.069	3027
20520	0.052	2269
20521	0.067	2921
20522	0.077	3375








Lot Table		
Lot #	Acres	S.Ft.
20523	0.052	2286
20524	0.054	2343
20525	0.081	3533
20526	0.081	3537
20527	0.054	2360
20528	0.054	2362
20529	0.081	3546
20530	0.082	3550
20531	0.054	2369
20532	0.054	2370
20533	0.096	4169
20534	0.088	3840
20535	0.050	2190
20536	0.050	2192
20537	0.076	3291
20538	0.076	3295

Lot Table		
Lot #	Acres	S.Ft.
20539	0.050	2199
20540	0.051	2201
20541	0.076	3304
20542	0.076	3308
20543	0.050	2197
20544	0.049	2145
20545	0.073	3169
20546	0.063	2748
20547	0.049	2140
20548	0.066	2865
20549	0.066	2886
20550	0.051	2222
20551	0.066	2892
20552	0.062	2691
20553	0.048	2070
20554	0.048	2070

Lot Table		
Lot #	Acres	S.Ft.
20555	0.048	2070
20556	0.062	2691
20557	0.071	3100
20558	0.047	2029
20559	0.066	1989
20560	0.067	2910
20561	0.057	2496
20562	0.044	1920
20563	0.044	1920
20564	0.044	1920
20565	0.057	2496
20566*	0.974	42431
20567*	0.167	7283
20568*	0.100	4358

\*OPEN SPACE

## LEGEND

<p> Found Iron Pin (size &amp; esp as noted)</p> <p> Found Railroad Spike</p> <p> Set 5/8" Dia. x 30" Long Iron Pin (capped "Bayer Becker")</p> <p> Set MAC Spike</p>	<p> Found Concrete Monument w/ PK Nail</p> <p> Found Iron Pipe</p> <p> Set Benchmark</p>
---	---

R/W - Ex. Right of Way      M.O.E - Minimum Opening Elevation

**ACREAGES:**

LOTS:	3.682 ACRES
OPEN SPACES:	1.241 ACRES
RIGHT-OF-WAY:	0.812 ACRES
TOTAL SUBDIVISION:	5.735 ACRES

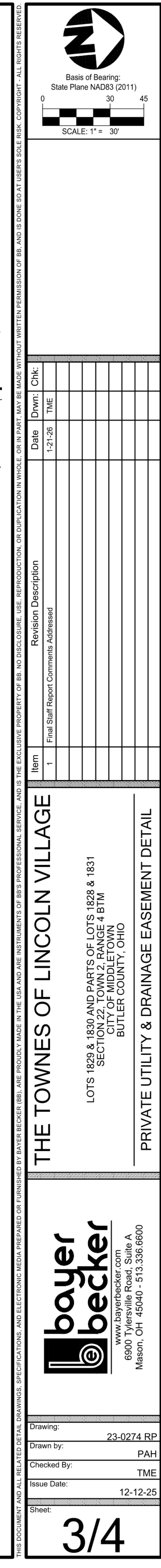
**CENTERLINE TABLE:**

SCHOLARS WAY: 784.62 L.F.

## NOTES

1. BASIS OF BEARING: NAD83 (2011) GPS OBSERVATIONS (O.D.O.T. RTN, OHIO SOUTH ZONE 3402).
2. PRIOR DEED REFERENCE: OFFICIAL RECORD 10283, PAGE 1470
3. LINES OF OCCUPATION WHERE THEY EXIST GENERALLY AGREE WITH BOUNDARY LINES UNLESS OTHERWISE SHOWN ON PLAT.
4. ALL EXISTING MONUMENTS ARE IN GOOD CONDITION UNLESS OTHERWISE NOTED.
5. ALL DOCUMENTS USED AS SHOWN.
6. LOTS 20533 & 20534 SHALL NOT HAVE DRIVEWAY ACCESS ONTO HOWARD AVENUE. LOTS 20561-25065 SHALL HAVE DRIVEWAY ACCESS ONTO EDGEWOOD STREET.





Curve	Delta	Radius	Length	Chord
C-22	5°42'38"	16.00'	1.59'	S08°31'56"W 1.59'
C-23	8°58'21"	109.50'	17.15'	S01°11'26"W 17.13'
C-24	8°58'21"	109.50'	17.15'	S10°09'48"W 17.13'
C-25	8°58'21"	109.50'	17.15'	S01°11'26"E 17.13'
C-26	8°58'21"	109.50'	17.15'	N10°09'48"E 17.13'

Lot Table		
Lot #	Acres	S.Ft.
20507	0.075	327
20508	0.051	2232
20509	0.079	3426
20510	0.080	3477
20511	0.053	2320
20512	0.080	3483
20513	0.069	3022
20514	0.053	2327
20515	0.069	3027
20516	0.070	3037
20517	0.054	2338
20518	0.070	3042
20519	0.069	3027
20520	0.052	2267
20521	0.067	2921
20522	0.077	3375

Lot Table		
Lot #	Acres	S.Ft.
20539	0.050	2199
20540	0.051	2201
20541	0.076	3304
20542	0.076	3308
20543	0.050	2197
20544	0.049	2145
20545	0.073	3169
20546	0.063	2748
20547	0.049	2140
20548	0.066	2865
20549	0.066	2886
20550	0.051	2222
20551	0.066	2892
20552	0.062	2691
20553	0.048	2070
20554	0.048	2070

Lot Table		
Lot #	Acres	S.Ft.
20555	0.048	2070
20556	0.062	2691
20557	0.071	3100
20558	0.047	2029
20559	0.046	1989
20560	0.067	2910
20561	0.057	2496
20562	0.044	1920
20563	0.044	1920
20564	0.044	1920
20565	0.057	2496
20566*	0.974	42431
20567*	0.167	7283
20568*	0.100	4358

\*OPEN SPACE

THE TOWNES OF LINCOLN VILLAGE

LOTS 1829 & 1830 AND PARTS OF LOTS 1828 & 1831  
SECTION 22, T. 2 RANGE 4 BTM  
CITY OF MIDDLETOWN  
BUTLER COUNTY, OHIO

PRIVATE UTILITY & DRAINAGE EASEMENT DETAIL

LOTS 1829 & 1830 AND PARTS OF LOTS 1828 & 1831  
SECTION 22, TOWN 2, RANGE 4 BTM  
CITY OF MIDDLETOWN  
BUTLER COUNTY, OHIO

**bayer  
becker**

[www.bayerbecker.com](http://www.bayerbecker.com)  
6900 Tylersville Road, Suite A  
Mason, OH 45040 • 513.336.6600

4/4



# LEGISLATIVE ITEM 1

ORDINANCE NO. O2026-06

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN THE MAXIMUM PRINCIPAL AMOUNT OF \$4,950,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING THE COSTS OF THE ACQUISITION BY THE CITY OF APPROXIMATELY 30 ACRES OF REAL PROPERTY ALONG UNION ROAD AND STATE ROUTE 122 FOR A MULTI-USE DEVELOPMENT, DEMOLITION OF EXISTING STRUCTURES AND THE DESIGN, ENGINEERING AND CONSTRUCTION OF PUBLIC INFRASTRUCTURE INCLUDING BUT NOT LIMITED TO WATER, SANITARY SEWER AND STORM SEWER UTILITIES, ROADS, TRAFFIC SIGNALS AND CONTROLS, CURBS, GUTTERS, INTERSECTIONS, SIDEWALKS, LIGHTING AND RELATED INFRASTRUCTURE, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, ALL IN SUPPORT OF ECONOMIC DEVELOPMENT AND JOB CREATION WITHIN THE CITY.

WHEREAS, the City of Middletown, Ohio (the “City”) is authorized by virtue of the laws of the State of Ohio, including, without limitation, Section 13 of Article VIII, Ohio Constitution, and Chapter 165, Ohio Revised Code (collectively, the “Act”), among other things, to issue bonds or notes to acquire, construct, equip, furnish or improve a “project” as defined in Section 165.01, Ohio Revised Code, for the purpose of creating or preserving jobs and employment opportunities and improving the economic welfare of the people of the City and of the State of Ohio; and

WHEREAS, to create and preserve jobs and employment opportunities, the City has determined to acquire approximately 30 acres of real property located along Union Road and State Route 122, a portion of which will be disposed of to one or more private companies or the Warren County Port Authority for commercial projects and development; and

WHEREAS, pursuant to Ordinance No. O2025-05 passed February 18, 2025, notes in anticipation of bonds in the principal amount of \$4,950,000, dated April 24, 2025 (the “Outstanding Notes”), were issued for the purpose described in Section 3, to mature on April 23, 2026; and

WHEREAS, this Council finds and determines that the City should retire the Outstanding Notes with the proceeds of the Notes described in Section 4 and other funds available to the City;

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

Section 1.

Definitions and Interpretation. In addition to the words and terms elsewhere defined in this Ordinance, unless the context or use clearly indicates another or different meaning or intent:

“Act” means the laws of the State of Ohio, including, without limitation, Section 13 of Article VIII, Ohio Constitution and Chapter 165, Ohio Revised Code.



“Additional Bonds” means any additional bonds or bond anticipation notes of the City which may be subsequently issued and payable solely from the Nontax Revenues on parity with the (a) Notes and (b) Outstanding Nontax Revenue Bonds.

“Authorized Denominations” means the denomination of \$100,000 or any integral multiple of \$5,000 in excess thereof, or such other denominations as established by the Finance Director in the Certificate of Award.

“Bonds” means the bonds of the City authorized by Section 3 of this Ordinance and in anticipation of which the Notes are issued.

“Book entry form” or “book entry system” means a form or system under which (a) the ownership of beneficial interests in the Notes and the principal of and interest on the Notes may be transferred only through a book entry, and (b) a single physical Note certificate in fully registered form is issued by the City and payable only to a Depository or its nominee as registered owner, with the certificate deposited with and “immobilized” in the custody of the Depository or its designated agent for that purpose. The book entry maintained by others than the City is the record that identifies the owners of beneficial interests in the Notes and that principal and interest.

“Certificate of Award” means the certificate authorized by Section 6, to be executed by the Finance Director, setting forth and determining those terms or other matters pertaining to the Notes and their issuance, sale and delivery as this Ordinance requires or authorizes to be set forth or determined therein.

“City Manager” means the City Manager of the City or any person serving in an interim or acting capacity with respect to that office.

“Clerk of Council” means the Clerk of Council of the City or any person serving in an interim or acting capacity with respect to that office.

“Closing Date” means the date of physical delivery of, and payment of the purchase price for, the Notes.

“Depository” means any securities depository that is a clearing agency registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934, operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in the Notes or the principal of and interest on the Notes, and to effect transfers of the Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company).

“Economic Development Bond Service Fund” means the Economic Development Bond Service Fund heretofore created and continued pursuant to Section 9 and from which principal and interest are paid on the Notes and the Outstanding Nontax Revenue Bonds.

“Finance Director” means the Finance Director of the City or any person serving in an interim or acting capacity with respect to that office.

“Financing Costs” shall have the meaning given in Section 133.01 of the Ohio Revised Code.

“Maturity Date” means the date identified in the Certificate of Award and which date shall be determined by the Finance Director to be necessary or advisable to the sale of the Notes, provided that such date shall not be more than one year following the Closing Date.

“Mayor” means the Mayor of the City or any person serving in an interim or acting capacity with respect to that office.

“Nontax Revenues” means all moneys of the City which are not moneys raised by taxation, to the extent available for such purposes, including, but not limited to the following: (a) grants from the United States of America and the State of Ohio; (b) payments in lieu of taxes now or hereafter authorized by State statute; (c) fines and forfeitures which are deposited in the City’s General Fund; (d) fees deposited in the City’s General Fund from properly imposed licenses and permits; (e) investment earnings on the City’s General Fund and which are credited to the City’s General Fund; (f) investment earnings of other funds of the City that are credited to the City’s General Fund; (g) proceeds from the sale of assets which are deposited in the City’s General Fund; (h) rental income which is deposited in the City’s General Fund; (i) gifts and donations, and (j) proceeds from the sale of any portion of the Project.

“Note Proceedings” means, collectively, this Ordinance, the Certificate of Award, the Note Purchase Agreement, the Note Registrar Agreement and such other proceedings of the City, including the Notes, that provide collectively for, among other things, the rights of holders and beneficial owners of the Notes.

“Note Purchase Agreement” means the Note Purchase Agreement between the City and the Original Purchaser, as it may be modified in accordance herewith from the form on file with the Clerk of Council and executed by the Finance Director, all in accordance with Section 8.

“Note Register” means all books and records necessary for the registration, exchange and transfer of Notes as provided in Section 7.

“Note Registrar” means the Finance Director or a bank or trust company authorized to do business in the State of Ohio and designated by the Finance Director in the Certificate of Award pursuant to Section 6 as the note registrar and paying agent for the Notes.

“Note Registrar Agreement” means the Note Registrar Agreement between the City and the Note Registrar, as it may be modified in accordance herewith from the form on file with the Clerk of Council and executed by the Finance Director, all in accordance with Section 6.

“Notes” means the Notes authorized by this Ordinance and designated as such in the Certificate of Award.

“Original Purchaser” means the purchaser of the Notes specified in the Certificate of Award.

“Outstanding Nontax Revenue Bonds” means, collectively, the City’s outstanding Special Obligation (Nontax Revenue) Industrial Development Revenue Bond (Federally Taxable), Series 2015 (Bender Tract Project), dated March 27, 2015, Special Obligation (Nontax Revenue) Industrial Development Revenue Bond (Federally Taxable), Series 2015B (AK Steel Project), dated June 4, 2015 and Special Obligation Nontax Revenue Notes, Series 2025B (Towne Mall Project), dated August 12, 2025.

“Participant” means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies and clearing corporations.

Capitalized terms not otherwise defined in this Ordinance have the meanings assigned to them in the Act. The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

## Section 2.

Findings. This Council hereby finds and determines that the Project (as defined in Section 3) is a “project” as defined in the Act and is consistent with the purposes of Section 13 of Article VIII, Ohio Constitution; that, the utilization of the Project is in furtherance of the purposes of the Act and will benefit the people of the City and of the State of Ohio by creating and preserving jobs and employment opportunities and improving the economic welfare of the people of the City and of the State of Ohio, and that the amount necessary to finance the Project will require the issuance, sale and delivery of the Notes, which Notes shall be payable and secured as provided herein.

## Section 3.

Authorization of Bonds. This Council determines that it is necessary and in the best interest of the City to issue the Bonds in the maximum principal amount of \$4,950,000 for the purpose of (i) paying the costs of the acquisition by the City of approximately 30 acres of real property along Union Road and State Route 122 for a multi-use development, demolition of existing structures and the design, engineering and construction of public infrastructure including but not limited to water, sanitary sewer and storm sewer utilities, roads, traffic signals and controls, curbs, gutters, intersections, sidewalks, lighting and related infrastructure, together with all necessary appurtenances thereto, all in support of economic development and job creation within the City (the “Project”) and (ii) paying capitalized interest.

The Bonds shall be dated approximately April 1, 2027, shall bear interest at the now estimated rate of 7.00% per year, payable semiannually until the principal amount is paid, and are estimated to mature in thirty (30) annual principal installments on December 1 of each year and in such amounts that the total principal and interest payments on the Bonds in any fiscal year in which principal is payable shall be substantially equal. The first principal payment of the Bonds is estimated to be December 1, 2027.

#### Section 4.

Authorization of Notes; Principal Amount and Purpose. It is necessary to issue and this Council determines that Notes in the maximum principal amount of \$4,950,000 shall be issued in anticipation of the issuance of the Bonds for the purpose described in Section 3 and to retire, together with other funds available to the City, the Outstanding Notes, to pay capitalized interest and to pay any Financing Costs. The principal amount of Notes to be issued (not to exceed the stated maximum amount) shall be determined by the Finance Director in the Certificate of Award as the amount which, along with other available funds of the City, is necessary to provide for the retirement of the Outstanding Notes and to pay capitalized interest (if any) and any Financing Costs. The Notes shall be issued pursuant to the laws of the Act, the Charter of the City, this Ordinance and the Certificate of Award.

The proceeds from the sale of the Notes received by the City (or withheld by the Original Purchaser or deposited with the Note Registrar, in each case on behalf of the City) shall be paid into the proper fund or funds, and those proceeds are hereby appropriated and shall be used for the purpose for which the Notes are being issued, including without limitation but only to the extent not paid by others, the payment of the Financing Costs and costs incurred incidental to those purposes. The Certificate of Award and the Note Purchase Agreement may authorize the Original Purchaser to (a) withhold certain proceeds from the sale of the Notes or (b) remit certain proceeds from the sale of the Notes to the Note Registrar, in each case to provide for the payment of certain Financing Costs on behalf of the City. If proceeds are remitted to the Note Registrar in accordance with this Section, the Note Registrar shall be authorized to create a fund in accordance with the Note Registrar Agreement for that purpose. Any portion of those proceeds received by the City representing premium (after payment of any Financing Costs identified in the Certificate of Award, and in the Note Purchase Agreement and/or the Note Registrar Agreement) or accrued interest shall be paid into the Economic Development Bond Service Fund.

The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the principal of and interest on the Notes at maturity and are pledged for that purpose.

#### Section 5.

Denominations; Principal and Interest Payment and Redemption Provisions. The Notes shall be issued in one lot and only as fully registered notes. The Notes shall be dated as provided in the Certificate of Award, provided that their dated date shall not be more than sixty (60) days prior to the Closing Date.

(a) Interest Rate and Payment. The Notes shall bear interest at the rate per year and computed on the basis as shall be determined by the Finance Director in the Certificate of Award. The net interest rate per year for the Notes determined by taking into account the principal amount of the Notes and term to maturity shall not exceed 7.00% per year. Interest on the Notes shall be payable at maturity and until the principal amount is paid or payment is provided for.

(b) Principal Payment. The Notes shall mature, and the principal thereon shall be payable, on the Maturity Date.

(c) Payment of Principal of and Interest on the Notes. The principal of and interest on the Notes shall be payable in lawful money of the United States of America or in Federal Reserve funds of the United States of America as determined by the Finance Director in the Certificate of Award, and shall be payable, without deduction for services of the Note Registrar as paying agent. Principal of and interest on the Notes shall be payable when due upon presentation and surrender of the Notes at the designated corporate trust office of the Note Registrar. Notwithstanding the foregoing, if and so long as the Notes are issued in a book entry system, principal of and interest on the Notes shall be payable in the manner provided in any agreements entered into by the Finance Director, in the name and on behalf of the City, in connection with the book entry system.

(d) Redemption. If determined to be in the best interests of the City by the Finance Director, the Notes shall be subject to optional redemption by and at the sole option of the City, in whole or in part, on the dates and at the redemption prices (expressed as a percentage of the principal amount to be redeemed), plus accrued interest to the redemption date, to be determined by the Finance Director in the Certificate of Award. Notice of redemption, identifying the Notes or portions thereof, to be called, shall be delivered to the registered holder thereof not less than thirty (30) days (or such other period as set forth in the Certificate of Award) prior to the date of redemption. Notice having been delivered in the manner provided in the preceding sentence hereof, the Notes and portions thereof called for redemption shall become due and payable on the redemption date, and upon presentation and surrender thereof at the office of the paying agent, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Notes or portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the paying agent on the redemption date, so as to be available therefor on that date and, if notice of redemption has been delivered as aforesaid, then from and after the redemption date those Notes or portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been delivered as aforesaid, those Notes or portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption.

## Section 6.

Execution and Denominations of Notes; Appointment of Note Registrar. The Notes shall be signed by the Mayor and the Finance Director, in the name of the City and in their official capacities; provided that one of those signatures may be a facsimile, and shall bear the seal of the City or a facsimile of that seal. The Notes shall not have coupons attached and shall be issued in the Authorized Denominations as approved by the Finance Director, shall be numbered as determined by the Finance Director in order to distinguish each Note from any other Note and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to the Act, the Charter of the City, this Ordinance and the Certificate of Award.

The Finance Director is hereby authorized to designate in the Certificate of Award the Finance Director or a bank or trust company authorized to do business in the State of Ohio to act as the initial Note Registrar. The Finance Director shall sign and deliver, in the name and on behalf of the City, the Note Registrar Agreement between the City and the Note Registrar, in substantially the form as is now on file with the Clerk of Council. The Note Registrar Agreement is approved,

together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the Finance Director on behalf of the City, all of which shall be conclusively evidenced by the signing of the Note Registrar Agreement or amendments thereto. The Finance Director shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Note Registrar Agreement, except to the extent paid or reimbursed by the Original Purchaser and/or the Note Registrar in accordance with the Certificate of Award, the Note Purchase Agreement and/or the Note Registrar Agreement, from the proceeds of the Notes to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

## Section 7.

### Registration; Transfer and Exchange; Book Entry System.

(a) Note Register. So long as any of the Notes remain outstanding, the City will cause the Note Registrar to maintain and keep the Note Register at its designated corporate trust office. The person in whose name a Note is registered on the Note Register shall be regarded as the absolute owner of that Note for all purposes of the Note Proceedings. Payment of or on account of the principal of and interest on any Note shall be made only to or upon the order of that person; neither the City nor the Note Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the City's liability upon the Note, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Note may be exchanged for Notes of any Authorized Denomination upon presentation and surrender at the designated corporate trust office of the Note Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. A Note may be transferred only on the Note Register upon presentation and surrender of the Note at the designated corporate trust office of the Note Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. Upon exchange or transfer the Note Registrar shall complete and deliver a new Note or Notes of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Note surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the City are required, the Note Registrar shall undertake the exchange or transfer of Notes only after the new Notes are signed by the authorized officers of the City. In all cases of Notes exchanged or transferred, the City shall sign and the Note Registrar shall deliver Notes in accordance with the provisions of the Note Proceedings. The exchange or transfer shall be without charge to the owner, except that the City and Note Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Note Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Notes issued upon any exchange or transfer shall be valid obligations of the City, evidencing the same debt, and entitled to the same security and benefit under the Note Proceedings as the Notes surrendered upon that exchange or transfer.



(c) Book Entry System. Notwithstanding any other provisions of this Ordinance, if the Finance Director determines in the Certificate of Award that it is in the best interest of and financially advantageous to the City, the Notes may be issued in book entry form in accordance with the following provisions of this Section.

The Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single, fully registered Note and, if applicable, and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository or its designated agent for that purpose which may be the Note Registrar; (ii) the beneficial owners of Notes in book entry form shall have no right to receive the Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Finance Director may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Finance Director does not or is unable to do so, the Finance Director, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and shall cause Note certificates in registered form and Authorized Denominations to be delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Finance Director is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the City, that the Finance Director determines to be necessary in connection with a book entry system for the Notes.

#### Section 8.

Sale of the Notes to the Original Purchaser. The Finance Director is authorized to sell the Notes at public or private sale to the Original Purchaser at a purchase price, not less than 97% of the aggregate principal amount thereof, as shall be determined by the Finance Director in the Certificate of Award and/or the Note Purchase Agreement, plus accrued interest (if any) on the Notes from their date to the Closing Date, and shall be awarded by the Finance Director with and upon such other terms as are required or authorized by this Ordinance to be specified in the Certificate of Award, in accordance with law, and the provisions of this Ordinance.

The Finance Director shall sign the Certificate of Award and shall cause the Notes to be prepared, signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price.

The Finance Director shall sign and deliver, in the name and on behalf of the City, the Note Purchase Agreement between the City and the Original Purchaser, in substantially the form as is now on file with the Clerk of Council, providing for the sale to, and the purchase by, the Original Purchaser of the Notes. The Note Purchase Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and are not substantially adverse to the City and that are approved by the Finance Director on behalf of the City, all of which shall be conclusively evidenced by the signing of the Note Purchase Agreement or amendments thereto.

The Mayor, the City Manager, the Finance Director, the Law Director, the Clerk of Council and other City officials, as appropriate, and any person serving in an interim or acting capacity for any such official, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance. Any actions heretofore taken by the Mayor, the City Manager, the Finance Director, the Law Director, the Clerk of Council or other City official, as appropriate, in doing any and all acts necessary in connection with the issuance and sale of the Notes are hereby ratified and confirmed.

The principal amount of the Notes to be issued shall be determined by the Finance Director in the Certificate of Award, having due regard to the best interest of and financial advantages to the City.

#### Section 9.

##### Security for and Covenants Relating to Notes.

(a) The Notes, together with the Outstanding Nontax Revenue Bonds and any Additional Bonds that may be issued hereafter on a parity therewith, are special obligations of the City, and the principal of and interest on the Notes are payable solely from, and such payment is secured by a pledge of and lien on, those Nontax Revenues established by and as provided in this Ordinance which are on deposit in the Economic Development Bond Service Fund, as described below. The City covenants that to the extent the Notes will not be paid fully from Nontax Revenues, it will do all things necessary for the issuance of the Bonds or renewal bond anticipation notes in an appropriate amount to provide for the payment of the principal of and interest on the Notes on the Maturity Date.

There was heretofore created by the City a separate fund named the Economic Development Bond Service Fund into which Nontax Revenues shall be deposited in accordance with the following provisions.

The City hereby covenants and agrees that on or before the Maturity Date it shall deposit in the Economic Development Bond Service Fund from Nontax Revenues or proceeds from the Bonds or renewal bond anticipation notes as determined by the City, an amount equal to the amount of principal and/or interest due on the Notes on that Maturity Date as well as providing for the payment of the principal of and interest on the Outstanding Nontax Revenue Bonds when due, less, in the discretion of the City, any interest earnings or other moneys accumulated in the Economic Development Bond Service Fund which have not theretofore been used as a credit against a prior payment obligation. Moneys in the Economic Development Bond Service Fund

shall be used solely and exclusively to pay principal of and interest on the Notes, the Outstanding Nontax Revenue Bonds and any hereafter designated Additional Bonds when due.

The City hereby covenants and agrees that so long as the Notes are outstanding, it will appropriate and maintain sufficient Nontax Revenues each year to make each payment due under this Section and to pay principal and interest when due; provided, however, the amount of such appropriation may be reduced by the amount of any Bonds or renewal bond anticipation notes issued for the purpose of refunding the Notes and payments due hereunder and under the Notes are payable solely from the proceeds of the Bonds and the Nontax Revenues, which Nontax Revenues are hereby selected by the City pursuant to Section 165.12 of the Ohio Revised Code as moneys that are not raised by taxation. The Notes are not secured by an obligation or pledge of any moneys raised by taxation. The Notes do not and shall not represent or constitute a debt or pledge of the faith or credit or taxing power of the City, and the owners of the Notes have no right to have taxes levied by the City for the payment of principal of and interest on the Notes.

Nothing herein shall be construed as requiring the City to use or apply to the payment of principal of and interest on the Notes any funds or revenues from any source other than proceeds of the Bonds or the Nontax Revenues. Nothing herein, however, shall be deemed to prohibit the City, of its own volition, from using, to the extent that it is authorized by law to do so, any other resources for the fulfillment of any of the terms, conditions or obligations of this Ordinance or of the Notes.

(b) The City will at all times faithfully observe and perform all agreements, covenants, undertakings, stipulations and provisions to be performed on its part under this Ordinance and the Notes and under all proceedings of this Council pertaining thereto. The City represents that (i) it is, and upon delivery of the Notes covenants that it will be, duly authorized by the Constitution and laws of the State of Ohio including particularly and without limitation the Act, to issue the Notes and to provide the security for payment of the debt service charges in the manner and to the extent set forth herein and in the Notes; (ii) all actions on its part for the issuance of the Notes have been or will be taken duly and effectively; and (iii) the Notes will be valid and enforceable special obligations of the City according to their terms. Each obligation of the City required to be undertaken pursuant to this Ordinance and the Notes is binding upon the City, and upon each officer or employee of the City as may from time to time have the authority under law to take any action on behalf of the City as may be necessary to perform all or any part of such obligation, as a duty of the City and of each of those officers and employee resulting from an office, trust or station within the meaning of Section 2731.01, Ohio Revised Code, providing for enforcement by writ of mandamus.

(c) All books and documents in the City's possession relating to the Nontax Revenues shall be open at all times during the City's regular business hours to inspection by such accountants or other agents of the owners of the Notes as the owners may from time to time designate.

## Section 10.

### Rating and Financing Costs.

(a) Application for Rating. If, in the judgment of the Finance Director, the filing of an application for a rating on the Notes by one or more nationally-recognized rating agencies is in the best interest of and financially advantageous to this City, the Finance Director is authorized to prepare and submit those applications, to provide to each such agency such information as may be required for the purpose, and to provide further for the payment of the cost of obtaining each such rating, except to the extent otherwise paid in accordance with the Certificate of Award, the Note Purchase Agreement and/or the Note Registrar Agreement, from the proceeds of the Notes to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose.

(b) Financing Costs. The expenditure of the amounts necessary to pay any Financing Costs in connection with the Notes, to the extent not paid by the Original Purchaser in accordance with the Certificate of Award, the Note Purchase Agreement and/or the Note Registrar Agreement, is authorized and approved, and the Finance Director is authorized to provide for the payment of any such amounts and costs from the proceeds of the Notes to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

## Section 11.

Additional Bonds. The City shall have the right from time to time to issue Additional Bonds on a parity with the Notes, which Additional Bonds shall be payable solely from the Nontax Revenues, and such payment shall be secured by a pledge of and a lien on the Nontax Revenues as provided by the Act and by an ordinance passed by this Council authorizing the issuance of those Additional Bonds.

Before any Additional Bonds are issued, the City shall be required to furnish a certificate of the Finance Director showing that the aggregate amount of Nontax Revenues received during the fiscal year immediately preceding the issuance of those Additional Bonds is at least equal to 150% of the largest amount required to be paid in any succeeding calendar year to meet estimated interest and principal maturities of the Bonds, the Outstanding Nontax Revenue Bonds and any Additional Bonds to be outstanding immediately after the issuance of such Additional Bonds, or in the case of the issuance of notes issued in anticipation of Additional Bonds, the largest amount required to be paid in any succeeding calendar year to meet the estimated interest and principal maturities of those Additional Bonds anticipated.

The proceeds of any sale of Additional Bonds shall be allocated in the manner provided in the ordinance authorizing their issuance. Junior lien or other subordinate bonds and other subordinate City obligations payable from the Nontax Revenues may be issued or incurred without limitation.

The Additional Bonds shall bear such designation as may be necessary to distinguish them from the Notes or other Additional Bonds having different provisions and shall have maturities, interest rates, interest payment dates, redemption provisions, denominations and other provisions

as provided in the ordinances hereafter adopted providing for the issuance of the Additional Bonds; provided, however, that those terms and provisions shall not be inconsistent with this Ordinance to the extent it governs the issuance and terms of Additional Bonds.

#### Section 12.

Bond Counsel. The legal services of the law firm of Squire Patton Boggs (US) LLP, as bond counsel, are hereby retained. Those legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the authorization, sale and issuance of the Notes and securities issued in renewal of the Notes and rendering at delivery related legal opinions. In providing those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of this City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State of Ohio, any county or municipal corporation or of this City, or the execution of public trusts. For those legal services, that firm shall be paid just and reasonable compensation and shall be reimbursed for actual out-of-pocket expenses incurred in providing those legal services. To the extent they are not paid or reimbursed pursuant to the Certificate of Award, the Note Purchase Agreement and/or the Note Registrar Agreement, the Finance Director is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm. The amounts necessary to pay those fees and any reimbursement are hereby appropriated from the proceeds of the Notes, if available, and otherwise from available moneys in the General Fund.

#### Section 13.

Municipal Advisor. The services of Bradley Payne, LLC, as municipal advisor, are hereby retained. The municipal advisory services shall be in the nature of financial advice and recommendations in connection with the issuance and sale of the Notes. In rendering those municipal advisory services, as an independent contractor, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State of Ohio, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those municipal advisory services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those municipal advisory services. To the extent they are not paid or reimbursed pursuant to the Certificate of Award, the Note Purchase Agreement and/or the Note Registrar Agreement, the Finance Director is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm. The amounts necessary to pay those fees and any reimbursement are hereby appropriated from the proceeds of the Notes, if available, and otherwise from available moneys in the General Fund.

#### Section 14.

Notification of Note Issuance. The Finance Director is authorized and directed to provide the notification required by Section 165.03(D) of the Ohio Revised Code to the Director of the Ohio Department of Development.

Section 15.

Satisfaction of Conditions for Note Issuance. This Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding special obligations of the City have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes; and that the Notes are being authorized and issued pursuant to the Act, the Charter of the City, this Ordinance, the Certificate of Award and other authorizing provisions of law.

Section 16.

Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or any of its committees, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law, including Section 121.22 of the Ohio Revised Code.

Section 17.

Effective Date. This Ordinance shall be in full force and effect at the earliest date permitted by law.

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Elizabeth Slamka, Mayor

1<sup>st</sup> reading: February 3, 2026

2<sup>nd</sup> reading: \_\_\_\_\_

Adopted: \_\_\_\_\_

Effective: \_\_\_\_\_

Attest: \_\_\_\_\_

Clerk of City Council



## **STAFF REPORT**

For the Business Meeting of February 3, 2026

DATE: January 28, 2026  
TO: Ashley Combs, City Manager  
FROM: Samantha Zimmerman, Finance Director

### **Renaissance Pointe Land Acquisition Bond Anticipation Notes Rollover**

#### **PURPOSE**

The purpose of this legislation authorized the Finance Director to issue new bond anticipation notes (BANs) to pay off the existing series of BANs issued in 2025 for the acquisition of land for the Renaissance Pointe development project.

#### **BACKGROUND and FINDINGS**

In 2024, City Council authorized the issuance of BANs for land acquisition related to the Renaissance Pointe development project. These were the first of two BAN issuances in 2024 for the project. The second issuance of BANs was for the cost of constructing Phase I public improvements. The City issued \$4.9 million in BANs for land acquisition purposes in 2024.

In 2025, City Council authorized the issuance of BANs to pay off the existing debt and rollover the debt for an additional year. The City issued \$4.95 million in BANs to rollover the debt related to the land acquisition and included cost of issuance.

The proposed legislation authorizes the Finance Director to issue up to \$4.95 million in BANs to pay off the existing debt and rollover said debt for an additional year until such time as all of the outstanding BAN debt related to this project can be transitioned to long-term bonds.

#### **FINANCIAL IMPACT**

This legislation will allow the City to roll these BANs another year, keeping the indebtedness related to the project the same. These costs have been modeled by our municipal advisor against the TIF revenue projections for the project and are within model parameters.

#### **ALTERNATIVES**

City Council may elect not to move forward with the proposed legislation which would require other legislative action in order to avoid a default on the existing BAN issuance that is coming due in April.

#### **EMERGENCY/NON EMERGENCY**

Non-emergency

cc: Jacob Schulte, Acting Community and Economic Development Director

**UNFINISHED  
BUSINESS**

**NEW  
BUSINESS**

# EXECUTIVE SESSION