



MIDDLETOWN CITY COUNCIL AGENDA
TUESDAY, July 19, 2022

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

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

PRESENTATION- PRAYERS FOR PORTER DAY PROCLAMATION

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 the following City Council minutes: State of the City Address- December 7, 2021, December 21, 2021, January 4, January 18 and January 21, 2022.
- b) Receive and file the Board of Health minutes of June 22, 2022.
- c) Confirm the personnel appointments of Gabriella Rodriguez to the position of Dispatcher in the Department of Public Safety, Division of Police; Jace Speers to the position of Corrections Officer in the Department of Public Safety, Division of Police; and Heather Sizemore to the position of Payroll Administrator in the Department of Finance, Division of Treasury.
- d) Confirm the promotional appointment of Anthony Gibson to the position of Police Sergeant in the Department of Public Safety, Division of Police.
- e) Receive and file an Oath of Office for Hope Ballinger, Isaac Creech, Eli Crowe, Jacob Swanger
- f) Receive and file a maintenance bond submitted by Sawyers Mill Project 1, LLC guaranteeing excavation, sanitary, water, and storm improvements constructed as part of Sawyers Mill Section 4A Subdivision.
- g) Receive and file a performance bond submitted by Sawyer’s Mill Project 1, LLC guaranteeing installation of sidewalk and asphalt surface to be constructed as part of Sawyer’s Mill Section 4A Subdivision.
- h) Receive and file a maintenance bond submitted by Sawyers Mill Project 1, LLC guaranteeing excavation, sanitary, water, and storm improvements constructed as part of Sawyers Mill Section 4B Subdivision.
- i) Receive and file a performance bond submitted by Sawyer’s Mill Project 1, LLC guaranteeing installation of sidewalk and asphalt surface to be constructed as part of Sawyer’s Mill Section 4B Subdivision.

PINNING CEREMONY

PUBLIC HEARING- MIDPOINTE LIBRARY 2023 TAX BUDGET

PUBLIC HEARING: Map Amendment: A request for Map Amendment approval by Dennis Beatty, on behalf of the applicant and property owner, R&R Takhar Oil LLC, to rezone a portion of the property located at 5013 Lefferson Road (Parcel ID: Q654210800020) Middletown, OH 45044, from R-3 Medium-Density Residential Zoning District to B-2 Community Business Zoning District.

PUBLIC HEARING: Preliminary Development Plan & Map Amendment: A request by applicant Calibre Engineering, on behalf of the property owners S Broadway Development LLC & Paradigm Development Group LLC, for Preliminary Development Plan approval for an apartment development that proposes ten (10) twenty-four (24) unit residential buildings, clubhouse, pool, outdoor recreational area, and dog park to be constructed on a portion (12.6 acres) of the property located at parcels 07032760170 and 07032760180. The property is currently zoned BC-H: Business Center Hub Subdistrict. If approved, as a part of the Planned Development process, the property would be



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rezoned to “PD Planned Development District” to acknowledge there is a development plan associated with the property.

CITIZEN COMMENTS

COUNCIL COMMENTS

CITY MANAGER REPORTS

MOTION AGENDA

- a) Receive, file and adopt the 2023 Tax Budget for the MidPointe Library
- b) Authorize the City Manager to enter into a contract with Triton Services to design and replace the boiler in the Main Building at the Water Reclamation Facility in an amount not-to-exceed \$874,000.

LEGISLATION

1. **Ordinance No. O2022-63**, an ordinance authorizing the City Manager to enter into a Memorandum of Understanding with IAFF Local 336 for the payment of premium pay using American Rescue Plan Act funds and declaring an emergency.
2. **Ordinance No. O2022-64**, an ordinance authorizing the City Manager to enter into a contract with the lowest cost supplier for the purchase of electric generation supply by the City of Middletown beginning January 2023, and declaring an emergency.
3. **Resolution No. R2022-26**, a resolution to make adjustments to appropriations for current expenses and other expenditures of the City of Middletown, Counties of Butler and Warren, State of Ohio, for the period ending December 31, 2022 and declaring an emergency. (General Fund- Legal Services)
4. **Resolution No. R2022-27**, a resolution accepting the resignation of Paul Lolli as Acting City Manager, accepting the resignation for purposes of retirement of Paul Lolli as Fire Chief, authorizing an employment agreement with Paul Lolli to serve as City Manager of the City of Middletown, and declaring an emergency.
5. **Resolution No. R2022-28**, a resolution authorizing the City Manager to accept a grant from the Federal Railroad Administration Railroad Trespassing Enforcement Grant Program. (Second Reading)
6. **Resolution No. R2022-29**, a resolution to make adjustments to appropriations for current expenses and other expenditures of the City of Middletown, Counties of Butler and Warren, State of Ohio, for the period ending December 31, 2022 and declaring an emergency. (General Fund & Sanitary Sewer)
7. **Resolution No. R2022-30**, a resolution to make adjustments to appropriations for current expenses and other expenditures of the City of Middletown, Counties of Butler and Warren, State of Ohio, for the period ending December 31, 2022 and declaring an emergency. (General Fund - Transfer to Transit)



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8. **Ordinance No. 02022- 65**, an ordinance changing the zoning classification for a portion of a parcel located at 5013 Lefferson Road from R-3 (Medium Density Residential District) to B-2 (Community Business District). (First Reading)

9. **Ordinance No. 02022- 66**, an ordinance changing the zoning classification for two parcels on Market Avenue known as Warren County Parcel Numbers 0703276017 and 0703276018 from BC-H (Business Center Hub Subdistrict) to PD (Planned Development District) and approving preliminary development plan. (First Reading)

NEW BUSINESS

EXECUTIVE SESSION Under the authority of O.R.C. 121.22 (G) (2) To consider the purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage; and under the authority of O.R.C. 121.22 (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:

(1) 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.

(2) 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.

EXECUTIVE SESSION Under the authority of O.R.C. 121.22 (G) (3) Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action.