



MIDDLETOWN CITY COUNCIL AGENDA  
Tuesday, September 19, 2023

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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

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 the City Council minutes of September 20, 2022
- b) Receive and file the following board and commission minutes:
  - Tax Incentive Review Committee- September 1, 2022
  - Airport Commission June 19 & July 17, 2023
  - Board of Health- August 8, 2023
- b) Confirm the personnel appointments of Ryan Kennedy, Thomas Lindsay and Tyler Mullis to the position of Firefighter Paramedic in the Department of Public Safety, Division of Fire.

**MOTION AGENDA**

- a) To receive, file and adopt the Tax Incentive Review Committee 2023 recommendations
- b) To authorize the sale of the property located at 1408 Forest Avenue, Parcel ID Q6542030000029, to Primogenio J. Cruz Salas at a cost of \$560.00 in accordance with the City's side lot program.
- c) To authorize the City Manager to approve and enter in a purchase and sale agreement with El Ceramics LLC for 705 Curtis Street, commonly known as the CERTA Building or AK Research Building, for the purchase price of \$1,000.00 provided payroll commitments are met, and waiving the procedures for the sale of city-owned real property established in Ordinance No. 02002-87.

**LEGISLATION**

- 1. **Ordinance No. 02023-74**, an ordinance establishing a procedure for and authorizing the extension of a contract with Rumpke, Inc. for refuse collection and disposal and declaring an emergency. (Second Reading Emergency)
- 2. **Resolution No. R2023-26**, a resolution authorizing the City Manager to submit an application to the Ohio Public Works Commission for Project Year 38 requesting funding for the installation of approximately 9,600 linear feet of raw water transmission main to serve 13 production wells within the City's wellfield, to enter into agreements for such funding and declaring an emergency. (Second Reading Emergency)
- 3. **Ordinance No. 02023-75**, an ordinance amending the contract with Shook Construction to accept the guaranteed maximum price for phase 2 of the Downtown CSO Storage Basin Project. (Second Reading)
- 4. **Ordinance No. 02023-76**, an ordinance establishing a procedure for and authorizing an amendment to a professional services contract with Brown & Caldwell for owners advisor services related to the Downtown CSO Storage Basin Project. (Second Reading)



MIDDLETOWN CITY COUNCIL AGENDA  
Tuesday, September 19, 2023

---

5. **Ordinance No. 02023-77**, an ordinance establishing a procedure for and authorizing a contract with Tesco and Butler County Regional Transit Authority for the purchase of one light transit vehicle. (Second Reading)
6. **Ordinance No. 02023-78**, an ordinance authorizing the City Manager to enter into a memorandum of understanding with NEORide to administer small urban coordination projects for the Middletown Transit System. (Second Reading)
7. **Ordinance No. 02023-79**, an ordinance establishing a procedure for and authorizing a contract with Rosco Collision Avoidance, Inc. and Butler County Regional Transit Authority for the purchase of collision avoidance technology. (Second Reading)
8. **Ordinance No. 02023-80**, an ordinance amending Sections 1212.06, 1218.03 and 1228.07 of the Middletown Development Code included in the Middletown Codified Ordinances. (Second Reading)
9. **Ordinance No. 02023-81**, an ordinance changing the zoning classification for the parcel located at 1303-1307 Woodlawn Avenue from I-1 (Industrial Park District) to R-4 (Attached Residential District). (Second Reading)
10. **Ordinance No. 02023-82**, an ordinance changing the zoning classification for the parcel located at 2208 Oxford State Road from R-4 (Attached Residential District) to I-2 (General Industrial District). (Second Reading)
11. **Ordinance No. 02023-83**, 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. (Second Reading)
12. **Resolution No. R2023-27**, a resolution authorizing the City Manager to exercise the option to purchase 3907 Central Avenue from Middletown Area Senior Citizens, Inc. and declaring an emergency.
13. **Ordinance No. 02023-84**, an ordinance authorizing an American Rescue Plan Act Infusion Grant Program Agreement with Crooked Dog, LLC for the acceptance of American Rescue Plan Act Funds as a provision of government services to the extent of the reduction in revenue and declaring an emergency. (No action requested until October 3, 2023)
14. **Ordinance No. 02023-85**, an ordinance authorizing an American Rescue Plan Act Infusion Grant Program Agreement with Frontier Motors Inc. for the acceptance of American Rescue Plan Act Funds as a provision of government services to the extent of the reduction in revenue and declaring an emergency. (No action requested until October 3, 2023)
15. **Ordinance No. 02023-86**, an ordinance authorizing an American Rescue Plan Act Infusion Grant Program Agreement with Second & Main Studios, LLC for the acceptance of American Rescue Plan Act Funds as a provision of government services to the extent of the reduction in revenue and declaring an emergency. (No action requested until October 3, 2023)



MIDDLETOWN CITY COUNCIL AGENDA  
Tuesday, September 19, 2023

---

16. **Ordinance No. 02023-87**, an ordinance authorizing an American Rescue Plan Act Infusion Grant Program Agreement with Empowerment Therapy, LLC for the acceptance of American Rescue Plan Act Funds as a provision of government services to the extent of the reduction in revenue and declaring an emergency. (No action requested until October 3, 2023)
17. **Ordinance No. 02023-88**, an ordinance authorizing an American Rescue Plan Act Infusion Grant Program Agreement with Tri-County Management, Inc. for the acceptance of American Rescue Plan Act Funds as a provision of government services to the extent of the reduction in revenue and declaring an emergency. (No action requested until October 3, 2023)
18. **Ordinance No. 02023-89**, an ordinance authorizing an American Rescue Plan Act Grant Agreement with Light Up Middletown, Inc. for the acceptance of American Rescue Plan Act Funds as a provision of government services to the extent of the reduction in revenue. (First Reading)
19. **Ordinance No. 02023-90**, an ordinance establishing a procedure for and authorizing a contract with B.D. Morgan & Co., Inc. to repair the concrete columns at the City Building. (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.