

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

ROLL CALL

City Council Members present: A. Vitori, M. Nenni, T. Moon, J. Mulligan, N. Condrey.

Mayor Condrey shared an old Cherokee parable. One evening, an elderly Cherokee brave told his grandson about a battle that goes on inside people. He said "My son, the battle is between two 'wolves' inside us all. One is evil. It is anger, envy, jealousy, sorrow, regret, greed, arrogance, self-pity, guilt, resentment, inferiority, lies, false pride, superiority, and ego. The other is good. It is joy, peace, love, hope, serenity, humility, kindness, benevolence, empathy, generosity, truth, compassion and faith. The same fight is going on inside you too, and every other person." The grandson thought about it for a minute and then asked his grandfather, "Which wolf wins?" The old Cherokee simply replied, "The one that you feed."

EXECUTIVE SESSION

At 5:32 p.m. Mr. Mulligan moved to adjourn to executive session under the authority of O.R.C. 121.22 (G) (1) To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official. Ms. Vitori seconded. Motion carried. Ayes: Ms. Nenni, Mr. Moon, Mr. Mulligan, Ms. Condrey, Ms. Vitori.

At 6:09 p.m. Mr. Mulligan moved to return to regular session. Ms. Vitori seconded. Motion carried. Ayes: Mr. Moon, Mr. Mulligan, Ms. Condrey, Ms. Nenni, Ms. Vitori.

CITIZEN COMMENTS
Tim Henry

Tim Henry, 3901 Long Lane, stated that he owns rental property at 3108 Illinois and complained that that the neighboring property looks like a junkyard. He provided photos on his phone. He said that the police have enacted many fines but the man has defaulted several times. Ms. Cohen will follow up with Mr. Henry later this week.

Dan Tracy

Dan Tracy, 4921 Oaks Court, spoke against the land deal with the school at the last City Council meeting. The Journal wrote an article about the issue and for two days after that article ran in the newspaper his phone rang off the hook. He asked City Council to listen to the people that put them in office. He urged City Council not to get in a big hurry and to table the issue. He encouraged City Council to do this deal right and do our own thing.

CITY MANAGER REPORT

Paperboard Site

Acting City Manager Cohen provided an update on the Paperboard site. The City recently received title to the property. She stated that very rough estimates for the remaining demolition of this building are between \$1.5 and \$2 million. The project will need to be broken into phases and the City will seek grants and other funding to offset the cost. She and Mayor Condrey met with State Representative Keller and discussed House Bill 252 which could provide \$50 million to state land banks to provide grants to communities to demolish blighted commercial properties over the next two fiscal years. Representative Keller also suggested applying for capital grant funds from the unused state budget; Ms. Cohen applied for those funds immediately. There will need to be brownfield remediation at this site and she will apply for state grants later this week. She discussed the need for fence around the property to help keep people out of the building. She stated that it is estimated that it will take 1,900 linear feet of 6 foot fencing to secure the property. She wasn't sure how long the fencing would be needed. A rough estimate of the cost to purchase the fencing is approximately \$37,500, the fence may be reused after it is no longer needed at this site. The cost to rent the fence depends on how long it will be needed. She asked Council to provide feedback on their preferences later this week.

Mayor Condrey asked for some rental scenarios such as the cost to install and maintain for 1 year and the cost to install and maintain for 3 years. She asked for a break even comparison between renting and purchasing the fence.

Mr. Moon commented that the amount of fence would not be around the entire property. Ms. Cohen stated that the fence would tie into the existing building where possible.

Ms. Nenni asked if the City has purchased fence like this before; Ms. Cohen responded not to her knowledge. Ms. Cohen stated that the fence could potentially be reused after this project was complete.

Economic Development Director Search

Ms. Cohen provided an update on the new Economic Development Director search. Thirty-six candidates applied. Staff is reviewing resumes and hopes to whittle down the list. The City hopes to have a candidate ready for Council's confirmation in the next few weeks.

CDBG

Ms. Cohen explained that each year, the City of Middletown receives an allocation of Community Development Block Grant (CDBG) funds from the U.S. Department of Housing and Urban Development (HUD). The City operates its CDBG program based on federal regulations informing the CDBG program as well as local input from residents, City staff and elected officials. The City of Middletown provides CDBG funds to community organizations

Consolidated Plan	<p>and city departments for a wide range of activities in accordance with the City's Consolidated Plan. She explained that the Consolidated Plan (ConPlan) is developed by the City every five years. The purpose of the ConPlan is to identify needs within the City, outline objectives to address those needs, and serve as the basis for allocating funds between program activities developed to meet those objectives. The Consolidated Plan is developed with citizen input, as outlined in the Citizen Participation Plan developed by the City of Middletown and submitted to HUD for approval. The City Council adopts the ConPlan by formal action and submits it to the Department of Housing and Urban Development (HUD) for approval. The ConPlan informs the annual action plans developed each year to outline the City's planned expenditure of CDBG funds. She requested work session to discuss City Council's priorities at 5 p.m. on March 3, 2020.</p>
CONSENT AGENDA	<p>Receive and File the Board of Health minutes of December 10, 2019 Confirm the personnel appointment of appointment of: Randi Newsom to the position of part-time Customer Service Lead in the Economic Development Department, Airport Division; and Jason Kershner, Justin Principato, Zachary Sharp, Joshua Lentz, Matthew Queen, and Lincoln Weisman to the position of Firefighter-EMT in the Department of Public Safety, Division of Fire; and Nathan Morgan to the position of Corrections Officer in the Department of Public Safety, Division of Police; and Brandon Williams to the position of Maintenance Worker in the Department of Public Works and Utilities, Street Maintenance Division; and Kenneth Spears to the position of HVAC/Building Maintenance Technician in the Department of Administrative Services, Building Maintenance Division; and Ashley Schulte to the position of part-time Customer Service Lead in the Economic Development Department, Airport Division; and Steven Fugate to the position of part-time Line Service Lead in the Economic Development Department, Airport Division. Confirm the promotional appointment of Eric Crank to the position of Deputy Police Chief in the Department of Public Safety, Division of Police. Confirm the reappointment of Attorney David Kash to the Board of Zoning Appeals Receive and File an Oath of Office for Erin Caito Receive and File the final assessments for the 2019 Sidewalk, Curb & Gutter Program</p>
PINNING CEREMONY DEPUTY CHIEF CRANK	<p>Mr. Mulligan moved to approve the issues and actions listed on the Consent Agenda. Ms. Vitori seconded. Motion carried. Ayes: Mr. Mulligan, Ms. Condrey, Ms. Vitori, Ms. Nenni, Mr. Moon.</p> <p>Ms. Cohen called Chief Birk to the podium. Chief Birk introduced Major Eric Crank, a 24-year veteran of the department. Major Crank was promoted to sergeant in 2009 and has served as a patrol supervisor and member of the Honor Guard. He is a veteran of the U.S. Army and attended Eastern Michigan University. Crank is also a graduate of the Southern Police Institute. Chief Birk stated that Major Crank stood out from the rest of the five candidates during the panel discussion as he shared his vision for combining code enforcement, traffic and community oriented policing into one unit that could have a major impact on the Division of Police and the entire City. He welcomed Major Crank's family to the podium for the Pinning Ceremony.</p>
COUNCIL COMMENTS Ms. Nenni	<p>Major Crank expressed his appreciation to the City, the department and his family.</p> <p>Ms. Nenni congratulated Deputy Chief Crank on his promotion and thanked Ms. Cohen and City staff for putting together the City Council Retreat. City Council discussed a communication strategy, the new plans at the airport and heard Chief Birk's plans for Community Oriented Policing and other initiatives.</p>
Mr. Moon	<p>Mr. Moon congratulated Deputy Chief Crank on his promotion and thanked him for his service to the City. He announced that on February 6th the Middle XL event is taking place at Middletown High School and on February 13th the Kiwanis Club of Middletown is hosting a Jim Breech speaker meet and greet event.</p>
Ms. Vitori	<p>Ms. Vitori expressed her appreciation for everyone's time to put together and attend the City Council Retreat; there was a great deal of information shared. She is looking forward to joining a new county-wide homeless coalition that County Commissioner Carpenter is starting. She encouraged people to get information via the City webpage or by phone or email. She announced the First Friday downtown event of "I Love Middletown" is coming up this Friday.</p>
Mr. Mulligan	<p>Mr. Mulligan congratulated Deputy Chief Crank and the others appointed to City positions.</p>
Waive Charter	<p>Mr. Mulligan moved to suspend the Charter provision that requires reading on two separate days and to declare Ordinance Nos. 02020-04, 02020-07, 02020-08, 02020-09, 02020-10, and Resolution Nos. R2020-01, R2020-02, R2020-03 emergency</p>

**Ord. No. O2020-04
Phase I Lakeside
Redirection Project**

measures to be read one time only. Ms. Vitori seconded. Motion carried. Ayes: Ms. Condrey, Ms. Vitori, Ms. Nenni, Mr. Moon, Mr. Mulligan.

Ordinance No. O2020-04, an ordinance establishing a procedure for and authorizing a contract with Ulliman Schutte, LLC for progressive design-build procurement for Phase 1 of the Lakeside Redirection Project and declaring an emergency was read.

Mr. Mulligan moved to approve Ordinance No. O2020-04, an ordinance establishing a procedure for and authorizing a contract with Ulliman Schutte, LLC for progressive design-build procurement for Phase 1 of the Lakeside Redirection Project and declaring an emergency. Mr. Moon seconded. Motion carried. Ayes: Ms. Vitori, Ms. Nenni, Mr. Moon, Mr. Mulligan, Ms. Condrey.

**Res. No. R2020-01
Purchase Property from
Middletown City Schools**

Resolution No. R2020-01, a resolution authorizing the purchase of real property from the Board of Education of the Middletown City School District and declaring an emergency was read.

Mr. Mulligan thanked Mr. Tracy and others for their comments on this issue. He stated that the City has been working with the Middletown City School District for months and years on this project. The old Vail Middle School site has been identified as a strategic property in the Oakland redevelopment. It is being sold to the City as a package, 4 properties in total. The City expects to be able to sell the property for development and to recoup the taxpayer dollars in the future. The citizens will be made whole. He commented that since he has been on Council, the City has been judicious. He provided an example of the \$200,000 - \$300,000 invested in the properties acquired from the Perry Thatcher Estate; the citizens have been made whole and a lot of good came from it. He acknowledged that not every investment pans out. He stated that the risk is lower in this instance because it is vacant land and not empty buildings. He felt that the purchase was appropriate at this time.

Ms. Vitori stated that she would echo Mr. Mulligan's comments. She stated that real estate development is a responsibility of government. There are times when the City owning a strategic piece of land makes good economic sense and the development of that property can become an economic engine and over time a significant source of income.

Mr. Moon commented that he also supports this legislation. These properties are in neighborhoods that our housing study identified as in need of investment and are strategically located. He believes that this investment will pay dividends to the City.

Ms. Nenni echoed the comments of the other Council members and stated that it is an important first step to take in the redevelopment of the Oakland neighborhood. She felt that this investment would have a lasting positive effect on the City.

Mayor Condrey commented that she was all in on the concept of the Oakland Project but that she was not comfortable because there were no separate appraisals for these properties. She stated that before the City spends more than a half a million dollars of taxpayer dollars, the City should have had the properties appraised. On the positive, one Oneida property has a cell tower that generates \$990 a month which should cover the maintenance costs of all of the properties. She stated that there may be interest from third parties to purchase some of the land that the City doesn't really want. She requested an executive session to discuss potential buyers and end users of these properties. She stated that each of the appraisals list the development of industrial or multi-family as the highest and best use of the property; the appraisals also indicate that these uses are not feasible at this time. She wanted the City to have its own appraisals of the properties before it spends so much money.

Mr. Mulligan moved to approve Resolution No. R2020-01, a resolution authorizing the purchase of real property from the Board of Education of the Middletown City School District and declaring an emergency. Mr. Moon seconded. Motion carried. Ayes: Ms. Nenni, Mr. Moon, Mr. Mulligan, Ms. Vitori. Nays: Ms. Condrey.

**Ord. No. O2020-06
Repeal Ord. No. O2019-94
315 Garfield Street**

Ordinance No. O2020-06, an ordinance repealing Ordinance No. O2019-94, in part, as it relates to the transfer of 315 Garfield Street to the Butler County Land Reutilization Corporation was read for the second time.

Mr. Mulligan moved to approve Ordinance No. O2020-06, an ordinance repealing Ordinance No. O2019-94, in part, as it relates to the transfer of 315 Garfield Street to the Butler County Land Reutilization Corporation. Ms. Vitori seconded. Motion carried. Ayes: Mr. Moon, Mr. Mulligan, Ms. Condrey, Ms. Nenni, Ms. Vitori.

**Res. No. R2010-02
Advance Property Tax**

Resolution No. R2020-02, a resolution requesting the Auditor of Butler County to advance to the Treasurer of the City of Middletown, Ohio, taxes assessed and collected for and on behalf of the City of Middletown, Ohio and declaring an emergency was read.

Mr. Mulligan moved to approve Resolution No. R2020-02, a resolution requesting the Auditor of Butler County to advance to the Treasurer of the City of Middletown, Ohio, taxes assessed and collected for and on behalf of the City of Middletown, Ohio and declaring an emergency. Mr. Moon seconded. Motion carried. Ayes: Mr. Mulligan, Ms. Condrey, Ms. Vitori, Ms. Nenni, Mr. Moon,

**Res. No. R2020-03
Amend Appropriations**

Resolution No. R2020-03, 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, 2020 and declaring an emergency was read. (Community Development Act Escrow Fund & Community Development Act 1974 Fund)

Mr. Mulligan moved to approve Resolution No. R2020-03, 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, 2020 and declaring an emergency. Mr. Moon seconded. Motion carried. Ayes: Mr. Moon, Mr. Mulligan, Ms. Condrey, Ms. Nenni, Ms. Vitori.

**Ord. No. 02020-07
Contract with Vickers
Demolition**

Ordinance No. 02020-07, an ordinance establishing a procedure for and authorizing a contract with Vickers Demolition for demolition of buildings at 300 South Verity Parkway also known as the Middletown Paperboard site and declaring an emergency.

Ms. Cohen discussed the January 1st fire at 300 S. Verity Parkway, commonly known as the Middleton Paperboard Site. The fire lasted over two days and decimated much of the structural integrity of what was left on the otherwise abandoned factory site. In order to safely put out the fire and allow emergency personnel to enter the site safely to confirm there were no human lives in the building, the City needed to employ a demolition professional to remove parts of the building. Vickers Demolition was contacted as a contractor because they have the correct knowledge and ability and have done this type of work previously. They agreed to perform demolition work to address the emergency situation. Vickers initially estimated repair work to cost \$100,000 and stayed true to that estimate despite encountering additional problems at the scene. This demolition is eligible for payment by CDBG funding.

Mr. Mulligan moved to approve Ordinance No. 02020-07, an ordinance establishing a procedure for and authorizing a contract with Vickers Demolition for demolition of buildings at 300 South Verity Parkway also known as the Middletown Paperboard site and declaring an emergency. Mr. Moon seconded. Motion carried. Ayes: Ms. Vitori, Ms. Nenni, Mr. Moon, Mr. Mulligan, Ms. Condrey.

**Ord. No. 02020-08
Contract with
Management Partners**

Ordinance No. 02020-08, an ordinance authorizing a contract with Management Partners to facilitate the search for a new City Manager and declaring an emergency was read.

Mr. Mulligan moved to approve Ordinance No. 02020-08, an ordinance authorizing a contract with Management Partners to facilitate the search for a new City Manager and declaring an emergency. Ms. Vitori seconded. Motion carried. Ayes: Ms. Nenni, Mr. Moon, Mr. Mulligan, Ms. Condrey, Ms. Vitori.

**Ord. No. 02010-09
Contract with Industrial
Scientific- Fire Dept.**

Ordinance No. 02020-09, an ordinance establishing a procedure for and authorizing a contract with Industrial Scientific for the use of air monitoring equipment for the Division of Fire and declaring an emergency was read.

Mr. Mulligan moved to approve Ordinance No. 02020-09, an ordinance establishing a procedure for and authorizing a contract with Industrial Scientific for the use of air monitoring equipment for the Division of Fire and declaring an emergency. Ms. Vitori seconded. Motion carried. Ayes: Mr. Moon, Mr. Mulligan, Ms. Condrey, Ms. Nenni, Ms. Vitori.

**Ord. No. 02020-10
Amend Contract with Jess
Howard Electric- Airport**

Ordinance No. 02020-10, an ordinance establishing a procedure for and authorizing an amendment to a contract with Jess Howard Electric for the replacement of the airport taxiway lighting system and declaring an emergency was read.

Mr. Mulligan moved to approve Ordinance No. 02020-10, an ordinance establishing a procedure for and authorizing an amendment to a contract with Jess Howard Electric for the replacement of the airport taxiway lighting system and declaring an emergency. Ms. Vitori seconded. Motion carried. Ayes: Mr. Mulligan, Ms. Condrey, Ms. Nenni, Ms. Vitori, Mr. Moon.

**Ord. No. 02020-11
Property Tax Exemption
Parcel No.
Q6511026000021**

Ordinance No. 02020-11, an ordinance consenting to real property tax exemption pursuant to R.C. 5709.08 applicable to property owned by the City of Middletown and more particularly described as Butler County Auditor's Parcel No. Q6511026000021 and declaring an emergency was read with no action requested until February 18, 2020.

Ord. No. 02020-12
Amend Chapter 892

Res. No. R2020-04
Amend Appropriations

ADJOURNMENT

Ordinance No. 02020-12, an ordinance amending Chapter 892 (Motor Vehicle License Tax) of the Codified Ordinances was read for the first for the first time.

Resolution No. R2020-04, 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, 2020 was read for the first time. (Sewer Fund)

At 7:00 p.m., the meeting was declared adjourned until February 18, 2020 at 5:30 p.m. in Council Chambers.



Nicole Condrey, Mayor

Attest: 