

## MIDDLETOWN, OHIO

March 19, 2019

At 5:00 p.m., Mayor Mulligan called the City Council work session to order in Conference Room 2C, Second Floor of the City Building.

## ROLL CALL

City Council Members present: A. Vitori, S. Bohannon, T. Moon, J. Mulligan, L. Mulligan.  
City Manager Adkins was ill and unable to attend the meeting. Susan Cohen led the meeting in his absence.

City Council members and representatives from Primary Health Solutions met to discuss amending some document language to allow Primary Health Solutions to refinance some of their debt. They explained that the current language in the documents conveying the land from the City of Middletown to Primary Health Solutions restricts their ability to do this. Primary Health Solutions outlined the services that they provide at the Middletown Verity Health Center. These services include pediatric care, family practice, express care (on evenings and weekends), dental services, behavioral health, x-rays, WIC services (women, infant and children), orthopedics, in-house pharmacy services, and an in-house lab. Cincinnati Eye Institute provides free eye exams twice a month and assists with free glasses to uninsured community members. Primary Health Solutions works with Kettering and Atrium hospitals to provide care to patients who are discharged without a primary care physician and provides home visits for newborns and the assistance of a community health worker. They discussed the potential of expanded express care hours, partnering with other schools to bring students to the current facilities, adding fitness classes, chiropractic and other non-medication pain management services. Primary Health Solutions requested that the City relax the restrictions to allow the current debt to be refinanced and to allow Primary Health Solutions to reinvest in the facilities and services that they offer.

At 5:45 p.m., Mayor Mulligan called the City Council meeting to order in Council Chambers, Lower Level of the City Building.

## ROLL CALL

City Council Members present: S. Bohannon, T. Moon, J. Mulligan, L. Mulligan, A. Vitori.

## CITIZENS COMMENTS

Joe Wittman, 1504 N. Breiel Blvd., explained that the Art Central Foundation has been involved in a project that is very important to the organization. He asked that the Art Central Foundation be added to the agenda for the next meeting to discuss the issue with City Council.

Denise Brodsky, 63 S. Main Street, provided an update on the progress at the Sorg Opera House and stated that they stood in solidarity with their downtown partners. She reported that heat had been added to the opera house and provided some information about upcoming events.

Ken Bowman, 60 Altamont Ct., Fort Thomas KY, stated that he was here on behalf of the Sorg Opera House and that he was concerned about the implications of Ordinance No. O2019-18, the vacant property ordinance. Ms. Cohen will email the legislation to him.

Jeff Payne, Executive Director of Downtown Middletown Inc., spoke in favor of Ordinance No. O2019-18 and explained that it was developed in partnership with DMI's economic restructuring committee to enhance the downtown's sustainability.

## CONSENT AGENDA

Approve the City Council minutes of February 19, 2019 and March 5, 2019

Receive and File Oaths of Office for:

Matthew Fornshil, Matthew Gault, Thomas Gilvin, Jacob Lentz, Brian Mariano, Jacob Moore

Receive and file board and commission minutes:

Civil Service Commission- November 1, 2018

Park Board- February 11, 2019

Middletown Visitors Bureau- February 11, 2019

To approve a contract with Schulte Business Services, LLC, of Dayton, OH for mowing and grounds maintenance at the Middletown Regional Airport.

To approve the purchase of network switches and related hardware/software for the Department of Information Systems in the total amount of \$79,090.51 from Cincinnati Bell, Inc. of Miamisburg, OH.

To approve the purchase a power load cot and associated equipment for a fire medic from Stryker, of Chicago, IL, in the amount of \$43,931.56.

To approve the purchase of a trailer mounted Asphalt Hotbox/Reclaimer for the Division of Street Maintenance in the total amount of \$32,971.75 from KM International (dba South-eastern Equipment Co. Inc.)

Accept the resignation of Scott Triick from the Park Board

Mr. Bohannon moved to approve the issues and actions listed on the Consent Agenda. Mr. J. Mulligan seconded. Motion carried. Ayes: Mr. Moon, Mr. J. Mulligan, Mr. L. Mulligan, Mr. Bohannon, Ms. Vitori.

<b>COUNCIL COMMENTS</b>	
<b>Mr. J. Mulligan</b>	Mr. J. Mulligan congratulated NAACP President William Ford and the other new officers that were installed at the New Era Baptist Church. Mr. J. Mulligan attended the Lens of Hope event hosted by CBI at the Community Center.
<b>Mr. Moon</b>	Mr. Moon also attended the NAACP installation of officers and congratulated President William Ford.
<b>Mr. L. Mulligan</b>	Mr. L. Mulligan echoed the congratulations to the new NAACP officers and thanked the organizers of the Saint Patrick's Day festivities. He congratulated the Connections Day Spa on their recent ribbon cutting.
<b>Waive Charter</b>	Mr. Moon moved to suspend the Charter provision that requires reading on two separate days and to declare Ordinance No. 02019-10, Ordinance No. 02019-14, Resolution No. R2019-11, Resolution No. R2019-12 emergency measures to be read one time only. Mr. J. Mulligan seconded. Motion carried. Ayes: Mr. J. Mulligan, Mr. L. Mulligan, Ms. Vitori, Mr. Bohannon, Mr. Moon.
<b>Res. No. R2019-11 Res. of Necessity Sidewalks, Curbs Gutters</b>	<p><b>Resolution No. R2019-11</b>, a resolution declaring the necessity of repairing certain sidewalks, curbs, gutters and driveway aprons in the City of Middletown, requiring that abutting property owners repair the same and declaring an emergency was read.</p> <p>Mr. J. Mulligan moved to approve Resolution No. R2019-11, a resolution declaring the necessity of repairing certain sidewalks, curbs, gutters and driveway aprons in the City of Middletown, requiring that abutting property owners repair the same and declaring an emergency. Ms. Vitori seconded. Motion carried. Ayes: Mr. L. Mulligan, Ms. Vitori, Mr. Bohannon, Mr. J. Mulligan. Abstain: Mr. Moon.</p>
<b>Ord. No. 02019-10 Annual Action Plan</b>	<p><b>Ordinance No. 02019-10</b>, an ordinance authorizing the submission of an application for federal assistance, an Action Plan and a Projected Use of Funds, under Title I of the Housing and Community Development Act of 1974, as amended for Program Year 2019 and declaring an emergency was read.</p> <p>Mr. J. Mulligan moved to approve Ordinance No. 02019-10, an ordinance authorizing the submission of an application for federal assistance, an Action Plan and a Projected Use of Funds, under Title I of the Housing and Community Development Act of 1974, as amended for Program Year 2019 and declaring an emergency. Ms. Vitori seconded. Motion carried. Ayes: Ms. Vitori, Mr. Bohannon, Mr. Moon, Mr. J. Mulligan, Mr. L. Mulligan.</p>
<b>Ord. No. 02019-11 Purchase 2016 Chevy Tahoe</b>	<p><b>Ordinance No. 02019-11</b>, an ordinance establishing a procedure for and authorizing a contract with Beau Townsend Ford for the purchase of a 2016 Chevrolet Tahoe LS was read for the second time.</p> <p>Mr. Moon moved to approve Ordinance No. 02019-11, an ordinance establishing a procedure for and authorizing a contract with Beau Townsend Ford for the purchase of a 2016 Chevrolet Tahoe LS. Mr. J. Mulligan seconded. Motion carried. Ayes: Mr. Bohannon, Mr. Moon, Mr. J. Mulligan, Mr. L. Mulligan, Ms. Vitori.</p>
<b>Ord. No. 02019-12 Alley Vacation</b>	<p><b>Ordinance No. 02019-12</b>, an ordinance vacating an alley near the intersection of Clark Street and Reinartz Boulevard and portion of Reinartz Boulevard was read for the second time.</p> <p>Mr. Moon moved to approve Ordinance No. 02019-12, an ordinance vacating an alley near the intersection of Clark Street and Reinartz Boulevard and portion of Reinartz Boulevard. Mr. J. Mulligan seconded. Motion carried. Ayes: Mr. Moon, Mr. J. Mulligan, Mr. L. Mulligan, Mr. Bohannon, Ms. Vitori.</p>
<b>Ord. No. 02019-13 Alley Vacation</b>	<p><b>Ordinance No. 02019-13</b>, an ordinance vacating portions of Lamneck Street, Calumet Avenue and Grand Avenue was read for the second time.</p> <p>Ms. Vitori moved to approve Ordinance No. 02019-13, an ordinance vacating portions of Lamneck Street, Calumet Avenue and Grand Avenue. Mr. J. Mulligan seconded. Motion carried. Ayes: Mr. J. Mulligan, Mr. L. Mulligan, Ms. Vitori, Mr. Bohannon, Mr. Moon.</p>
<b>Res. No. R2019-12 Amend Appropriations</b>	<p><b>Resolution No. R2019-12</b>, 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, 2019, and declaring an emergency was read. (Community Development Act Escrow Fund &amp; Community Development Act 1974 Fund)</p> <p>Ms. Vitori moved to approve Resolution No. R2019-12, 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, 2019, and declaring an emergency. (Community Development Act Escrow Fund &amp; Community Development Act</p>

1974 Fund) Mr. J. Mulligan seconded. Motion carried. Ayes: Mr. L. Mulligan, Ms. Vitori, Mr. Bohannon, Mr. Moon, Mr. J. Mulligan.

**Res. No. R2019-13**  
**Support OHB 62**  
**Gas Tax Increase**      **Resolution No. R2019-13**, a resolution supporting Ohio House Bill 62 and the proposed increase in the Ohio Motor Fuel Tax of \$0.18 per gallon and declaring an emergency was tabled and not discussed or considered.

**Ord. No. O2019-14**  
**Contract with Vickers**  
**Montgomery Ward**      **Ordinance No. O2019-14**, an ordinance establishing a procedure for and authorizing a contract with Vickers Demolition for demolition of 24 N. Main Street also known as the Montgomery Ward Building and declaring an emergency was read.

Ms. Vitori moved to approve Ordinance No. O2019-14, an ordinance establishing a procedure for and authorizing a contract with Vickers Demolition for demolition of 24 N. Main Street also known as the Montgomery Ward Building and declaring an emergency. Mr. J. Mulligan seconded. Motion carried. Ayes: Mr. Bohannon, Mr. Moon, Mr. J. Mulligan, Mr. L. Mulligan, Ms. Vitori.

**Ord. No. O2019-15**  
**Contract with R.B.**  
**Jergens**      **Ordinance No. O2019-15**, an ordinance authorizing a contract with R.B. Jergens Contractors, Inc. for the 2019 Local Street Improvement Program was read for the first time.

**Ord. No. O2019-16**  
**Amend CRA Agreement**  
**With Mike Allen**      **Ordinance No. O2019-16**, an ordinance authorizing an amendment to the Community Reinvestment Area Agreement between City of Middletown and Mike Allen Real Estate Holdings, LLC and Allen Group Enterprise, LLC dba BMW Motorcycles of Greater Cincinnati was read for the first time.

**Ord. No. O2019-17**  
**Amend Grant Agreement**  
**With Mike Allen**      **Ordinance No. O2019-17**, an ordinance authorizing an amendment to the Small Business Economic Development Grant Agreement between City of Middletown and Mike Allen Real Estate Holdings, LLC and Allen Group Enterprise, LLC dba BMW Motorcycles of Greater Cincinnati was read for the first time.

**Ord. No. O2019-18**  
**Enact Chapter 1458**      **Ordinance No. O2019-18**, an ordinance to enact Chapter 1458 (Registration of Vacant Property Within Urban Core Central Zoning Districts) was read for the first time.

**EXECUTIVE SESSION**      At 6:12 p.m. Mr. Moon 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. Mr. J. Mulligan seconded. Motion carried. Ayes: Mr. Moon, Mr. J. Mulligan, L. Mulligan, Mr. Bohannon, Ms. Vitori.

**ADJOURNMENT**      At 6:25 p.m., the meeting was declared adjourned until the City Council Business Meeting on April 2, 2019 at 5:30 p.m. in Council Chambers.

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**Lawrence P. Mulligan, Jr., Mayor**

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