

MIDDLETOWN, OHIO

April 3, 2018

At 5:30 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, J. Mulligan, T. Moon, L. Mulligan.

Staff Present: Nadine Begley, Sarah Fox, Amy Schenck, City Manager Doug Adkins, Leanne Hood, Chief Lolli.

Mr. J. Mulligan moved to excuse the absence of Ms. Vitori. Mr. Moon seconded. Motion carried. Ayes: Mr. Bohannon, Mr. Moon, Mr. J. Mulligan, L. Mulligan.

CITY MANAGER REPORTS
Chief Lolli
Fire Apparatus

Mr. Adkins welcomed Chief Lolli to the podium to present information about the fire apparatus. Chief Lolli explained that the purpose of his presentation is to provide council with the information needed for the justification of purchasing two new fire engines. The Division of Fire originally had one fire engine scheduled to be purchased in 2018 but, due to aging apparatus and structural deficiencies of several apparatus, a second engine must be purchased to ensure a minimum number of fire apparatus are available to provide adequate fire service protection. He explained that during the most recent economic downturn, sufficient funds were not included in the fire apparatus depreciation budget. He explained the 2018 operational profile consists of a hybrid 1st emergency first response profile, which includes 2 first emergency 1st engine/medic companies, 2 dedicated engine companies and 2 dedicated medic units. Chief Lolli outlined the current staffing of 79 uniformed personnel- 72 personnel in operations, 24 personnel per three platoon system. The department maintains at least 16 personnel on duty per day, preferably 2 dedicated engine companies; mandatory at least 1, one dedicated engine company cross staffs ladder truck, a minimum of 3 personnel on engine company; 2 on medic unit, and a minimum 3 personnel on first emergency 1st engine/medic companies. He explained that the trucks should have less wear and tear on them under the 1st emergency first response profile because only a single unit responds. The exceptions to that would be a CPR in progress, motor vehicle crash, shooting, stabbing, medic unit request assistance, overdose non-responsive, or at the shift commander's discretion. He explained that a full alarm response includes 3 engines, 1 ladder truck, 1 medic unit, 1 command vehicle and a minimum of 15 firefighters. Chief Lolli reviewed each of the fire department's fire trucks and provided information on condition, life expectancy and engine hours. He explained that the Quint 81, a 2001 Sutphen truck with a 75' aerial ladder had to be taken out of service due to frame deterioration. The frame design was a double "C" channel and susceptible to corrosion. The repair cost estimates start at \$150,000. The department is investigating scrapping and sale options; the first offer was \$5,000. Chief Lolli also discussed the ISO recommendations. Fire protection area with residential and commercial properties should have a first-due engine company within 1.5 road miles and a ladder service company within 2.5 road miles.

Downtown Master Plan Implementation

Mr. Adkins discussed the current requests for immediate City funding including a traffic calming petition; 10-15 new trash cans (\$3,000-\$5,000); new tables for downtown concerts; expanded public restrooms (flushing/hand washing) for summer events (+/- \$7,000), expanded DORA options that will require additional trash and safety services. Currently there is no offer of partnership with the City to assist in these funding requests from DMI or the downtown merchants. He reviewed the 2018 priorities that Council established for discretionary funds.

<u>Priority:</u>	<u>High Medium Low</u>		
<u>Category</u>			
Paving/Sidewalks/Median	4	0	1
Downtown Plan Implementation	0	4	1
Deferred City Maintenance	1	1	3
Improved Transportation	0	3	2
Recreation/Health/Quality of Life	0	3	2
City Beautification	0	3	2
Econ. Dev/ Workforce Development	3	1	1
Add'l Public Safety	3	1	1
Housing Stock/Neighborhoods	4	1	0
City Marketing	1	4	0

Mr. Adkins reviewed the 2018 budget and reminded Council that the Downtown Plan Implementation was determined to be a medium priority and Quality of Life is a medium-low priority.

Design of Bike Path from River Center	+/- \$50,000
Façade Grant Program	\$75,000
DMI Funding	\$25,000
PR, Support for BSB, Movies in the Park, etc.	+/- \$5,000
New Street Lights as part of Duke LED project	\$500-700K

Mr. Adkins introduced several ways to incentivize and finance downtown redevelopment that other communities have used including tourism, new market tax credits, historic preservation tax credits, idle property tax abatement programs, state capital bill community projects, opportunity zones funds, tax increment financing, state incentives, special improvement districts, local tax credits and abatements and transit oriented development; none of these come from the General Fund monies.

He discussed tax increment financing (TIF) and provided the following information.

TIF FUNDS	2015	2016	2017	2018 Budget
DOWNTOWN TIF DEBT SERVICE FUND (345)				
BEGINNING BALANCE	21,621	16,058	11,647	9,688
TIF REVENUES	9,437	10,589	8,041	10,500
EXPENDITURES				
COUNTY AUDITOR COLLECTION FEES	0	0	0	345
DEBT SERVICE (Downtown Improvements) - (L)	15,000	15,000	10,000	10,000
TOTAL EXPENDITURES	15,000	15,000	10,000	10,345
ENDING BALANCE	16,058	11,647	9,688	9,843

He explained that downtown redevelopment districts (DRD) promote rehab of historic buildings. They are similar to existing TIF districts, but DRDs enable municipalities to divert increases in property tax revenue relating to improvements to certain uses benefitting the DRD. Service payments received by DRDs can be applied to offer loans or grants to owners of historic buildings within a DRD for rehabilitation efforts; as well as contributing to operating expenses necessary to promote historic redevelopment efforts. These service payments can also make loans to owners of non-historic buildings within the DRD; and finance public infrastructure improvements within the DRD necessitated by the redevelopment efforts.

Mr. Adkins explained that a special improvement district (SID) is an area of land within which property owners pay an additional tax or fee designated for specific services or improvements within the district's boundaries. Owners of real property within the proposed SID must petition the legislative authority in order to create a SID. If a qualified nonprofit corporation does not already exist, one must be created. The owners of real property within the SID boundaries become members of the nonprofit corporation. Hamilton has had a SID in place since 1996. He explained how a SID works. A board of trustees or directors directs the activities of the nonprofit corporation. The improvements in the SID plan may range from lighting, signage, and parking lots, to holiday lighting, landscaping, and trash and snow removal. They are financed via a special assessment (above and beyond existing property taxes) collected by participating municipalities. Every property owner in the SID is assessed whether they signed the petition or not.

Mr. Adkins explained that opportunity zones were not applicable to our City.

Mr. Adkins discussed the City's Master Plan
Community Visioning - Adopted

- What do we want Middletown to be?
- Community Building Institute
- Middletown Moving Forward
- Community Conversations

Bicycle/Pedestrian/Transit plan 2018 - 2019

- City Connectivity – pedestrian, bike, auto, public transit
- Desired Amenities
- Transit as Economic Development/ Family Recruitment Tool

Zoning Code - Adopted in Feb.

- Finish and Adopt Updated Code, Out for Legal Review

Downtown Master Plan - Adopted

- Business Support
- Amenities
- Housing

Housing Study - 2018

- Effective Tax Rate
- Property Values
- Family Recruitment
- Realtor/LL/Builder Input
- Missing Housing Stock

Airport - 2018

- Update ALP with FAA
- Purchase parcel for cut-thru to Hook
- Indoor Skydiving Facility

Mr. Adkins discussed the Downtown Master Plan implementation and stated that the Transportation Master Plan will likely contain major changes to how we move people in the City with new bike paths, walkable streets, different traffic patterns and a completely reimagined public transit (Highway-Downtown/Jobs). The Transportation Plan should be final piece of the Master Plan. It is scheduled for the 4th quarter this year, \$75,000 has been budgeted for 2018. It will help determine how to best move people to support new Master Plan strategies.

He discussed the Downtown Outdoor Refreshment Area and its operation during internal events, external events and mixed-use events. He discussed some of the proposed changes such as extending the operating hours, implementing a special DORA cup (including the use, payment and administration of the cup) and amending the geographic boundary of the district. At this time there is no consensus among those in the district.

Mr. Adkins reviewed the current requests for immediate City funding including a traffic calming petition; 10-15 new trash cans (\$3,000-\$5,000); new tables for downtown concerts; expanded public restrooms (flushing/hand washing) for summer events (+/- \$7,000); expanded DORA options that will require additional trash and safety services. He reminded Council that currently there is no offer of partnership with the City to assist in these funding requests from DMI or the downtown merchants. He proposed several options including to deny requests, pay for requests with supplemental appropriation, or to pay for immediate requests and develop alternative long term solutions. He asked how Council wished to proceed from here.

Mr. Bohannon suggested using Visitor's Bureau funds. Mr. Adkins stated that the City could request that, but that they are an independent board and would have to approve it.

Mr. Moon asked who empties the trash after these events. Mr. Adkins responded that the cans belong to the City and City staff takes care of emptying them. Mr. Moon asked who has requested these new amenities. Mr. Adkins responded that the requests have come from all different downtown entities.

Mr. J. Mulligan stated that it was important to start the conversation about a special improvement district or a downtown redevelopment district. He felt that the Visitor's Bureau would be a logical funding source for some of these projects but also felt that the City also has some financial responsibility because it authorized the Downtown Master Plan.

Mr. Moon stated that the City has done a lot for the downtown and suggested that the downtown groups get together and prioritize these requests and ask them to put some funding towards these projects and then look to include it in the City Budget for 2019. He felt that the City's contribution should be the last dollar in.

Mr. L. Mulligan stated that this was a good problem to have and suggested that there be partnership with the downtown businesses, the Visitor's Bureau and the City.

CONSENT AGENDA

Approve the City Council Minutes: March 6 & March 20, 2018

Receive & File Board of Commission Minutes:

Middletown Visitor's Bureau- August 9, August 30, October 17, November 1, November 15, December 21, 2017 and January 10, February 19, 2018

Board of Health- February 13, 2018

Receive and File Oaths of Office: Cody Adams, Zachary Barnhart, Ethan Cox, Andreas Eddy, Colton Elliot, Cody Frazier, Patrick Glassburn, Nancy McKillop, Michael Preston, Sarah Sargent, David Vazquez

Authorize the City Manager to enter into a professional services contract with CH2M to perform construction management services for the Kensington Pump Station Upgrade Project.

Mr. Moon 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.

MOTION ITEM

To authorize the purchase of two fire pumps for the Division of Fire from the Sutphen Corporation, of Dublin, Ohio, in an amount of \$937,050 for both units was read with no action

requested until April 17, 2018.

COUNCIL COMMENTS

Mr. Bohannon

Mr. Bohannon thanked Chief Lolli and the Fire Officers for coming to the meeting and presenting the information about the fire apparatus. He also commended the organizers of the Easter egg hunts at Sherman and Douglas Parks for great community events.

Mr. L. Mulligan

Mr. L. Mulligan thanked the organizers of the First Friday events for their hard work.

Waive Charter

Mr. Moon moved to suspend the Charter provision that requires reading on two separate days and to declare Ordinance No. 02018-07, Ordinance No. 02018-08, and Ordinance No. 02018-09 emergency measures to be read one time only. Mr. J. Mulligan seconded. Motion carried. Ayes: Mr. J. Mulligan, Mr. L. Mulligan, Mr. Bohannon, Mr. Moon.

**Res. No. R2018-07
Amend Appro.**

Resolution No. R2018-07, 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, 2018, (General Fund) was read for the second time.

Mr. Moon moved to approve Resolution No. R2018-07, 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, 2018. (General Fund) Mr. J. Mulligan seconded. Motion carried. Ayes: Mr. L. Mulligan, Mr. Bohannon, Mr. Moon, Mr. J. Mulligan.

**Ord. No. 02018-07
Auth. Contract
Howell Contractors**

Ordinance No. 02018-07, an ordinance establishing a procedure for and authorizing a contract with Howell Contractors, Inc. for the repair of the East Middletown Interceptor Sewer and declaring an emergency was read.

Mr. Bohannon moved to approve Ordinance No. 02018-07, an ordinance establishing a procedure for and authorizing a contract with Howell Contractors, Inc. for the repair of the East Middletown Interceptor Sewer and declaring an emergency. Mr. J. Mulligan seconded. Motion carried. Ayes: Mr. Bohannon, Mr. Moon, Mr. J. Mulligan, Mr. L. Mulligan.

**Ord. No. 02018-08
Auth. Contract
OBR Cooling Towers**

Ordinance No. 02018-08, an ordinance establishing a procedure for and authorizing a contract with OBR Cooling Towers, Inc. for the repair of cooling towers at the City Building, and declaring an emergency was read.

Mr. Bohannon moved to approve Ordinance No. 02018-08, an ordinance establishing a procedure for and authorizing a contract with OBR Cooling Towers, Inc. for the repair of cooling towers at the City Building, and declaring an emergency. Mr. Moon seconded. Motion carried. Ayes: Mr. Bohannon, Mr. Moon, Mr. J. Mulligan, Mr. L. Mulligan.

**Ord. No. 02018-09
Annexation**

Ordinance No. 02018-09, an ordinance setting forth municipal services that will be provided to 3.089 +/- acres located in Franklin Township, Warren County, Ohio, as required by Section 709.023 of the Ohio Revised Code, and declaring an emergency was read.

Mr. Adkins explained that the petition for annexation was being pulled by the requester.

Mr. Bohannon moved to approve Ordinance No. 02018-09, an ordinance setting forth municipal services that will be provided to 3.089 +/- acres located in Franklin Township, Warren County, Ohio, as required by Section 709.023 of the Ohio Revised Code, and declaring an emergency. Mr. J. Mulligan seconded. Motion failed. Nays: Mr. Moon, Mr. J. Mulligan, Mr. L. Mulligan, Mr. Bohannon.

**Ord. No. 02018-10
Accept Loan from
MMF**

Ordinance No. 02018-10, an ordinance authorizing the City Manager to accept a loan from Middletown Moving Forward to build an extension road off Hook Drive, and declaring an emergency was read with no action requested until April 17, 2018.

**Ord. No. 02018-11
Sediment Cap for
Hydraulic Canal**

Ordinance No. 02018-11, an ordinance establishing a procedure for and authorizing a contract with Environmental Management Specialist, Inc. for the installation of a sediment cap in a portion of the Hydraulic Canal, and declaring an emergency was read with no action requested until April 17, 2018.

EXECUTIVE SESSION

At 6:37 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; and 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) (3) Conferences with an attorney for the public body concerning disputes involving the public body that

ADJOURNMENT

are the subject of pending or imminent court action. Mr. J. Mulligan seconded. Motion carried. Ayes: Mr. J. Mulligan, Mr. L. Mulligan, Mr. Bohannon, Mr. Moon.

At 7:08 p.m., the meeting was declared adjourned until the Council meeting of April 17, 2018, at 5:30 p.m.

Lawrence P. Mulligan, Jr., Mayor

Attest: _____