

MIDDLETOWN, OHIO

April 17, 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, A. Vitori.

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

PUBLIC HEARINGS

Vacate a Portion of Emerald Way

Street Vacation Case #1-18: A request by petitioner, Randy Wolfe with The Kleingers Group, on behalf of PAC Worldwide Corporation, for a portion of Emerald Way to be vacated adjacent to 3131 Cincinnati Dayton Road, Middletown, Ohio 45044. Per the Butler County Auditor, the portion of street is surrounded by Parcel ID: Q6542059000036. The street vacation is a total of 0.431 acres and 155 feet long and 117 feet wide (cul-de-sac). If approved, the portion of street will be vacated and consolidated with the surrounding property owned by PAC Worldwide Corporation. Planning Commission recommended approval of the proposal as submitted. The street vacation requires final review and approval by City Council.

At 5:31 p.m., Mayor Mulligan opened the public hearing and asked if there were any attendees to speak in favor of Street Vacation Case #1-18. Hearing none, he called for any attendees to speak in opposition to Street Vacation Case #1-18. Hearing none, he closed the public hearing at 5:32 p.m.

Zone Change

Map Amendment Case #1-18: A request for zone change approval by applicants Tim Carlson, Richard Cooper, and the City of Middletown for a total of seventeen (17) properties located along South Verity Parkway and Second Avenue at Parcel IDs: Q6521017000026, Q6521017000027, Q6521017000028, Q6521017000029, Q6521017000030, Q6521017000031, Q6521017000032, Q6521017000033, Q6521017000034, Q6521017000035, Q6521017000036, Q6521019000024, Q6521019000027, Q6521019000025, Q6521019000028, Q6521019000026, Q6521019000029, approximately a total of 2.53 acres per the Butler County Auditor from UCC (Urban Central Core) Zoning District to C-4 (General Commercial) Zoning District. The map amendment will require final review and approval by the City Council.

Mr. Adkins explained that the zone change request was made prior to the adoption of the new zoning code. The new code became effective on March 1, 2018. This application is required to be reviewed under the previous zoning code and zoning designations. Under the new zoning code the C-4 General Commercial District will be renamed to B-3 General Business District.

At 5:33 p.m., Mayor Mulligan opened the public hearing and asked if there were any attendees to speak in favor of Map Amendment Case #1-18. Hearing none, he called for any attendees to speak in opposition to Map Amendment Case #1-18. Hearing none, he closed the public hearing at 5:34 p.m.

PRESENTATIONS

Arbor Day Proclamation

Mayor Mulligan welcomed Laura Bosse, president of Keep Middletown Beautiful, to the podium to receive the following proclamation:

PROCLAMATION

Whereas, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees. This holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska. Arbor Day is now observed throughout the nation and the world; and

Whereas, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife. Trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

Whereas, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community. Trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, I, Lawrence P. Mulligan, Jr., Mayor of the City of Middletown, Ohio, do hereby proclaim April 27th, 2018, as



in the City of Middletown, and I urge all citizens to support efforts to protect and nurture our trees and urban forest not just for the beauty they provide but for the benefits they give our residents and community.

IN WITNESS HEREOF, I have hereunto subscribed my name this 27th day of April, in the year two thousand and eighteen.

Mayor Mulligan welcomed Ruth Kelly, Ohio Children's Trust Fund, Everyday Hero Award Winner, to the podium to receive the following Certificate of Recognition.

CERTIFICATE OF RECOGNITION

WHEREAS, it is with great honor and personal pleasure to pay tribute to Ruth Kelly, director and administrator of Families First, a nonprofit organization dedicated to saving babies in our community; and

WHEREAS, Families First is a faith-based organization that provides education classes and support for women who are already mothers and to those who are pregnant to increase good health focusing on obesity, nutrition, physical activity, and parenting; and

WHEREAS, Families First's initiatives, which range from smoking cessation to centering pregnancy programs, will deal with high risk African-American women who are pregnant. This has been a significant issue in the community, since black babies are dying at twice the rate of white babies before the age of one in Butler County. Ruth Kelly wants to see all of the agencies and churches work together to build up our community and to see babies not just survive, but to thrive; and

WHEREAS, Ruth Kelly was nominated for an Everyday Hero award for the work she has done to strengthen families and prevent infant mortality in our community. She was selected as the recipient of the award for Southwest Ohio and was recognized at Ohio Children's Trust Fund's April Child Abuse and Child Neglect Prevention Awareness Month campaign kickoff event in the Atrium of the Ohio Statehouse on Thursday, April 5, 2018. The Ohio Children's Trust Fund established the Everyday Hero Awards to honor those individuals who dedicate their time, efforts, or lives to preventing child abuse and child neglect. An Everyday Hero is an individual who has made a significant impact on child abuse and child neglect prevention through their everyday acts. Ruth Kelly's legacy of service will stand as a hallmark for others to emulate.

NOW THEREFORE, I, Lawrence P. Mulligan, Jr., Mayor of the City of Middletown, do hereby recognize and acknowledge Ruth Kelly's dedicated service to Middletown's children and families. I urge all citizens to join with me in celebrating Ruth Kelly's accomplishments. May she be blessed with continued success in all future endeavors.

IN WITNESS WHEREOF, I, Lawrence P. Mulligan, Jr., Mayor of the City of Middletown, Counties of Butler and Warren, State of Ohio, have hereunto set my hand and affixed the seal of the City of Middletown this 17th day of April, 2018.

Certificate of Recognition
Ruth Kelly

CITIZEN COMMENTS

Brian Revere stated that in 2016, entered into a contract with the City to mow-to-own several vacant lots. He worked with Rachel Cox to establish the contracts and contacted the Zoning Department to determine what he could do with the lots. He wanted to make Zen gardens and take these unusable lots and make them useable. He stated that in the south end of town, many homes have been demolished. The contract stated that the grass must be mowed at least twelve time from April 1st through September 30th each year and that the grass should not be more than 6" long. He stated that he did mow the properties according to the contracts. He stated that the City's grass is more than 6" long at the City Building right now. He stated that the City is denying him the land that he has worked for. Mr. Revere claimed that the Building Inspector, Larry Tuttle, removed building materials from one of these lots and told him that he was going to take all of the lots from him. Mr. Tuttle told Mr. Revere to not set foot on the properties or he would have him arrested. Mr. Revere claimed that he has tried to show the City proof that he has been maintaining the lots. He was told that he had two weeks to get the properties in compliance but that an inspection was done 4 days later. Mr. Revere asked to set up a meeting with City officials to go over the contracts and his proof of maintaining the lots. Mayor Mulligan thanked him for his comments and told him that they would get a report from Mr. Adkins and look into the issue.

**CITY MANAGER
REPORTS**

Mr. Matt Eisenbraun provided an update on the airport projects. He discussed the Master Plan, the operations and activities, the capital projects and maintenance, and the state capital budget request.

He explained the internal objectives of the Airport Layout Plan and the Master Plan are to plan and preliminarily engineer an Industrial Aviation Campus and the Northern Campus. This will provide a 10 year Master Plan. He discussed the timeline of the plan.

He reported that all T-hangers are occupied and community hangers continue to be at capacity.

He recently presented at the Ohio Aviation Conference. The commission is reviewing potential Director/Manager scenarios and candidates and developing marketing materials including video. He will be attending the MRO Show in October. The bi-annual Aeronca Fly-in, a private event, is coming up. He is looking forward to a community open house event and a new DMI Event – Hops in the Hanger, supported by airport companies and organizations.

Mr. Eisenbraun explained that ODOT has amended the grant coverage to increase allowable costs at 95/5 grant match. He reported that the 2017 ODOT paving project will perform crack seal and close. The ODOT runway lights project is confirmed for 2018. The preliminary estimate of the runway lights project is \$420,000 (95/5). The bid tabs, grant confirmation and execution will be the next steps and the project will be completed by May 31, 2019. He discussed the proposed ODOT projects for 2019 including taxi lights and runway markings. He explained that the airport cannot apply for any FAA project funding until the Airport Layout Plan and the Master Plan are completed. The National Plan of Integrated Airport Systems funding is being banked. The new navigational aids and safety system have been installed and are awaiting certification. One of the local beacons will be decommissioned and the roof work on the community hangers will be completed.

He reported that the Ohio Capital Budget Grant includes \$750,000 to be used towards the SW Ohio Aviation Workforce Institute which will be used by multiple organizations and perform multiple roles. It will support educational opportunities for Middletown Regional Flight Training Institute, Cincinnati State, Butler Tech, and Middletown City Schools. It will support event logistics including the Warbirds Museum and JobsOhio districts.

CONSENT AGENDA

Approve the City Council Minutes: April 3, 2018

Receive & File Board of Commission Minutes:

Planning Commission- January 10, 2018

Historic Commission- January 25 and February 15, 2018

Park Board- February 12, 2018

Proclaim April as Fair Housing Month

Confirm the Personnel Appointments of:

Christopher Jacobs II- Maintenance Worker, Department of Public Works, Street Maint.

Nicholas Peters- Patrol Officer, Department of Public Safety, Division of Police

Confirm the Board and Commission Appointment of:

Stefan Wannemacher- Middletown Visitors Bureau

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

MOTION AGENDA

To authorize the purchase of two fire pumpers for the Division of Fire from the Sutphen Corporation, of Dublin, Ohio, in an amount of \$937,050 for both units.

**Purchase 2 Fire
Pumpers**

Mr. Moon moved to authorize the purchase of two fire pumpers for the Division of Fire from the Sutphen Corporation, of Dublin, Ohio, in an amount of \$937,050 for both units. Mr. J. Mulligan seconded. Motion carried. Ayes: Mr. Moon, Mr. J. Mulligan, Mr. L. Mulligan, Ms. Vitori, Mr. Bohannon.

To authorize the City Manager to enter into a contract with Barrett Paving to proceed with the 2018 Local Street Improvement Program.

**Approve Contract
With Barrett Paving**

Mr. Bohannon moved to authorize the City Manager to enter into a contract with Barrett Paving

to proceed with the 2018 Local Street Improvement Program. Mr. J. Mulligan seconded. Motion carried. Ayes: Mr. J. Mulligan, Mr. L. Mulligan, Ms. Vitori, Mr. Bohannon, Mr. Moon.

To authorize the purchase of two Vactor Model 2110 Combination Sewer Cleaners (one each for Sewer and Storm Water Divisions) from Jack Doheny Companies, Inc., of Northville, MI, in the total amount of \$724,203.20.

Purchase 2 Vactor Sewer Cleaners	Mr. Bohannon moved to authorize the purchase of two Vactor Model 2110 Combination Sewer Cleaners (one each for Sewer and Storm Water Divisions) from Jack Doheny Companies, Inc., of Northville, MI, in the total amount of \$724,203.20. Mr. J. Mulligan seconded. Motion carried. Ayes: Mr. L. Mulligan, Ms. Vitori, Mr. Bohannon, Mr. Moon, Mr. J. Mulligan.
COUNCIL COMMENTS Mr. J. Mulligan	Mr. J. Mulligan congratulated Mrs. Kelly on her award and thanked her for her commitment to Middletown's children and families. He encouraged people to attend the upcoming Master Plan Implementation Committee meeting. He announced that Cincinnati Eye Institute had opened a free eye clinic in Middletown; this is the first clinic of its kind in Middletown and in Butler County.
Ms. Vitori	Ms. Vitori stated that she attend the Starbucks Annual Meeting and talked about the great revitalization going on in Middletown and that she hoped they might do a follow-up in the future. She encouraged people to come out to Smith Park this weekend and to enjoy the Steel City Shootout lacrosse tournament.
Mr. Moon	Mr. Moon commented that Middletown is blessed to have Ruth Kelly in our community. He announced that the SELF awards banquet was coming up. He congratulated Eagle Scout Jonathan Berkhouse on his accomplishments.
Mr. L. Mulligan	Mr. L. Mulligan encouraged everyone to come out and participate in the local Earth Day activities. He expressed his appreciation to City Staff and congratulated them on the paving that is being done. He announced that he would be the guest bartender at Gracie's next Tuesday to benefit St. John XXIII School.
Waive Charter	Mr. Moon moved to suspend the Charter provision that requires reading on two separate days and to declare Ordinance No. 02018-10, and Ordinance No. 02018-11 emergency measures to be read one time only. Mr. J. Mulligan seconded. Motion carried. Ayes: Ms. Vitori, Mr. Bohannon, Mr. Moon, Mr. J. Mulligan, Mr. L. Mulligan.
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. Mr. Bohannon moved to approve 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. Mr. J. Mulligan seconded. Motion carried. Ayes: Mr. Bohannon, Mr. Moon, Mr. J. Mulligan, Mr. L. Mulligan, Ms. Vitori.
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. Mr. Moon moved to approve 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. Mr. J. Mulligan seconded. Motion carried. Ayes: Mr. Moon, Mr. J. Mulligan, Mr. L. Mulligan, Ms. Vitori, Mr. Bohannon.
Res. No. R2018-08 Resolution of Necessity	Resolution No. R2018-08 , a resolution declaring the necessity of repairing certain sidewalks, curbs and gutters in the City of Middletown, requiring that abutting property owners repair the same, and declaring an emergency with no action requested until May 1, 2018.
Ord. No. 02018-12 Contract with Howell Contractors	Ordinance No. 02018-12 , an ordinance establishing a procedure for and authorizing a contract with Howell Contractors, Inc., for the repair of the North Interceptor Sewer and declaring an emergency with no action requested until May 1, 2018.
Ord. No. 02018-13 Levy Special Assessments	Ordinance No. 02018-13 , an ordinance to levy special assessments for the repair of certain concrete sidewalks, curbs, gutters and driveway aprons in the City of Middletown against the lots and lands benefitted by said improvements was read for the first time.
Ord. No. 02018-14 Levy Special Assessments	Ordinance No. 02018-14 , an ordinance to levy special assessments for the repair of sidewalks, curbs and gutters in the City of Middletown during the year 2017, against the lots and lands benefitted by said improvements was read for the first time.
Ord. No. 02018-15 Change Zoning Classifications	Ordinance No. 02018-15 , an ordinance changing the zoning classification for 17 parcels located in the area of South Verity Parkway and Second Avenue from UCC (Urban Central Core) District to B-3 (General Business) District was read for the first time.

Ord. No. 02018-16
Apply for Natureworks
Grant- Smith Park

Ordinance No. 02018-16, an ordinance authorizing the City Manager to submit an application to the Ohio Department of Natural Resources Natureworks Program to replace the playground equipment at Smith Park was read for the first time.

Ord. No. 02018-17
Vacate Emerald Way

Ordinance No. 02018- 17, an ordinance vacating a portion of Emerald Way was read for the first time.

Ord. No. 02018-18
Transfer Property

Ordinance No. 02018-18, an ordinance authorizing the transfer of City owned property located at 105 Iglehart Street, 312 Crawford Street and 514 Young Street to the Butler County Land Reutilization Corporation was read for the first time.

ADJOURNMENT

At 7:08 p.m., the meeting was declared adjourned until the Council meeting of May 1, 2018, at 5:30 p.m.

Lawrence P. Mulligan, Jr., Mayor

Attest: _____