

At 5:00 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: M. Nenni, T. Moon, J. Mulligan, A. Vitori, N. Condrey.

EXECUTIVE SESSION

At 5:01 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 5:30 p.m. Mr. Mulligan moved to return to regular session. Mr. Moon seconded. Motion carried. Ayes: Mr. Moon, Mr. Mulligan, Ms. Condrey, Ms. Nenni, Ms. Vitori.

**CITIZEN COMMENTS
Chris Batty**

Chris Batty, 128 Marymont Court, Middletown, OH, spoke about our God-given freedoms in America. He reminded Council that when they were elected to office they took an oath to defend the Ohio and U.S. Constitutions. These documents are the supreme law of the land and this state and provide that only legislative bodies make the law. Executive orders the governor or the health department mandates are not law. A face mask is legally designated as a medical device by FDA, Food, Drug and Cosmetic Act Section 201 h, definition 2. Therefore, in every state including Ohio, face masks are regulated as a medical device and according to ORC 4731.41 and 4731.34 even recommending that someone wear a regulated medical device or mask constitutes the unlicensed practice of medicine and is punishable as a fifth-degree felony. Forcing a customer to wear a mask to enter a business is a violation of the Federal Civil Rights Law Title II which requires that as a place of public accommodation a business must provide free and equal access to all services and facilities without discrimination. ORC 4112.02 further prohibits the business from preventing entry to the full enjoyment of the business establishment as no law has been broken. The current health mandates are not only not law they actually violate the real law. The people are fed up and I am here to speak on their behalf. This is the place, now is the time and you, as a city council, are the right people to act on the people's behalf. We need to do something. What are your plans to obey the law- the real law, not the fake mandates and legislation? What are your plans to keep your oath of office as a city councilmember and mayor? What are your plans to keep your oath and restore your citizen's God-given freedoms to allow them to choose whether or not to reopen their businesses, churches and schools without unlawful restrictions from state or federal mandates or executive orders? Will you, as a city council of Middletown, be willing to draft and approve an ordinance or resolution that states the protection of the people and the businesses of this city going forward? One that puts freedom back into the hands of the people of Middletown that nullifies and rejects the unlawful mandates by Governor DeWine or any future governor. Mayor Condrey asked him to email a draft of the legislation to her.

Adrienne Scherrer

Adrienne Scherrer stated that she lives in Monroe but her heart and her office are at 1028 Central Avenue, Middletown, OH. Twenty years ago, I looked out the fourth-floor window of the First National Bank building and wondered how we would ever get our downtown off of life support. In fact, it wasn't even on life support, it was dead. There was a roof over Central Avenue and Broad Street. A couple of years later, I joined Heritage Ohio and learned about several other types of programs. When the roof came off I said, "There it is, we have architecture, nobody else has architecture. We were too poor to tear down our architecture, thank goodness." Jim Wendell, Tim Lewis, Jim Stiver and I decided that now that the roof is gone, the architecture is there, we can take the lead of Heritage Ohio and we can begin to have events downtown. Investors can come and see our properties and their potential. That's how it all began. One thing I know after 22 years of being a member of Heritage Ohio is that when you get where we are today you have to get boots on the ground and get people living downtown. We have no place for those people to live. I was very excited when the whole Oakland thing started because taking those older historic buildings and making them into first time homes is what millennials want and that's what we need. I was excited but right now it seems to me that we are at a dead standstill. I would love to be part of a committee and I would love a workshop to learn more about what is going on with Oakland. I want to get excited about cute little two-bedroom starter homes in the Oakland District.

Ms. Nenni suggested that Ms. Scherrer attend the Oakland Neighborhood Association meeting to learn more about what is going on. City Manager Palenick suggested a workshop in the near future to discuss what is happening and the kinds of opportunities that are available in Oakland. Mayor Condrey suggested a workshop where the City can receive citizen and stakeholder input.

Dan Mayzum

Dan Mayzum stated that he lives in Glendale but is the property owner of 1320 First Avenue, Middletown, OH, the Carnegie Library. The last time I came before you I was asking about the status of the historic tax credits and the historic district beyond the National Register. I received information from Ms. Combs but I wanted to emphasize the need for a workshop so we can all get back on the same page. I think that City Council had voted to move forward with getting the designation on the National Register, that has not happened. That has been stalled, I believe because of Covid. It needs to get back on track because the capital stack of my project, \$1.3M

is at risk. St. Johns Church is looking to perform some improvements and there are ways for them to utilize historic tax credits as well. These are two significant properties within the Oakland District, along with other residents and property owners that are waiting on this piece of the puzzle to be finalized. I would like to have a workshop in the near future.

Dan Barton

Dan Barton, 338 Central Avenue, Dayton, OH stated that he has been a contractor with the Oakland Project since its inception. Our project was terminated April 17th via email, since that time the Oakland president has asked me and Dan Mayzum to look into and to pursue the federal and state historic tax credit eligibility issues. The project has gotten to the 95% complete rate in terms of when we started it in 2019. It is stalled out at this moment around some policy and procedure decisions that the commission and staff would need to make. The project remains viable and within the concept of the project we were looking at economic values of the existing housing stock and its impact with the implementation of special incentives directed to all properties within the area and beginning an appreciation process in the real estate market. Since the issue has been stalled with Covid, we have seen that the real estate market is staying strong, interest rates are going down and real estate is moving quickly particularly with small and medium investors. There is interest from Jason Snyder and a company called DR Horton within the area, either one of which would be sufficient to make the project extremely viable and the TIF (Tax Increment Financing) extremely lucrative. We are stalled at this point with confusion from staff about the National Register status. Barb Powers of the State Historic Preservation Office has concluded that based on the information submitted on the national register questionnaire and the site visit of August 12, 2020, the proposed district appears to qualify to the nomination to the National Register of Historic Places. We need to move forward, there is no reason to hold back, particularly with the interest in the AK Steel site. I would like to have a workshop where we can review the policies, proposals, and the projections of the TIF to see if we can still move forward the way you folks voted for a couple of years ago.

Ms. Condrey stated that she wasn't aware that the contract with Mr. Barton had been terminated and asked why it was terminated. Mr. Palenick stated that it has been made clear on a number of occasions that the professional services relationship had been severed quite some time ago but that he didn't think that it was appropriate to get into a whole series of issues related to this development issue, this particular consultant and a lot of other issues at this time off the cuff. Ms. Condrey asked that this be addressed in the upcoming workshop.

Wanda Glover

Wanda Glover, 1106 Calumet Avenue, Middletown, OH chairs Middletown's Second Ward Community Council and is also a member of the Oakland Neighborhood Association. I own property on Calumet and on Girard. It has been floating around that we were going to get apartments or housing in this area. The former City Manager planned to have beautiful areas with trees and he painted a beautiful picture. Now we are hearing that the former AK buildings are possibly going to become storage facilities or industrial facilities with truck traffic coming and going in our area. Why is it our area that gets all of the smoke and trucks when we were looking forward to having a beautiful community and now everything has changed and a truck route is going through that area. I don't want that next to my house and I don't want it in our neighborhood. It will also stop business from coming downtown. I want to know if the stuff we are hearing is true.

Ms. Condrey commented that her understanding is that the City is looking at that land to do some light industrial such as research and development that would provide some good paying jobs.

Ms. Glover asked why always in this area? Why do we have all of the homeless shelters and all of the stuff you don't want in your lovely area, why can't you build storage facilities and factories with jobs somewhere else?

Ms. Condrey stated that she doesn't believe there are any discussions about factories and truck routes in this area. We all agree that we don't want industry and a truck route in that area but we do want improved economic development in a positive way.

Ms. Glover asked what happened to the houses and apartments that were supposed to be built in that area? If you do that the houses in that area are going to be devalued, who is going to want to move around an industrial site? All we get are empty lots that we can't build on, land that we can't buy. These are the questions that my community is asking.

Ms. Condrey will call Ms. Glover to discuss the issue further.

Jason Snyder

Jason Snyder, 843 Dayton Street, Hamilton, OH is the owner of TAMZ Construction and also a partner of the development group that put a bid in on the former AK Steel research and development property. I have reached out to City staff and requested a meeting with the City Manager and City Council but have not heard back from anyone. What is the plan for the area? I strongly disagree with the light industrial plan. I have been doing this for 23 years and formerly was a project manager for a restoration company. You need to get some feet on the ground in your downtown to rejuvenate your downtown. I have been instrumental in doing that in Hamilton.

Ms. Condrey encouraged him to attend the upcoming Oakland workshop and advised that Economic Development Director Lyons will set up a meeting with City Manager Palenick.

Candace Keller

Candace Keller, 3430 Central Avenue, Middletown, OH stated that when the higher-ranking civil authority makes an unjust or immoral law, mandate, policy or court opinion, the lower or

lesser ranking civil authority has the God-given right and duty not to obey the superior authority, if necessary to actively resist them. During Governor DeWine's latest media appearance on Wednesday, May 12th he has once again proven that it will be up to local government to work in favor of the citizens of Ohio. Our state leaders are clearly working towards further pushing an agenda that the voters of Middletown find repugnant and intrusive. While City Council members oversee the financial future of Middletown, we now come to you to act further in the best interest of Middletonians. Illegal mask mandates and illegally requiring medical personal information such as vaccination status stickers and open health files is improper and insulting to all Americans. Shutting us down and punting to the state is not what city government is capable of doing nor will we settle for that. We have now learned that we cannot trust our state leaders and we are now approaching you. We are facing a situation in our nation where one third of small businesses are bracing for bankruptcy and further hardship due to what we now see as government intrusion into private business and personal rights of liberty with which we were born. I'm approaching City Council in the role of interposer as we wish to request that you take the authority you already possess to nullify illegal orders and remind you of your oath of office. We, the citizens, are not your enemies rather we want to help empower you with our support to act on your authority as council members to change the climate in Middletown toward restored trust, freedom of our personal liberty and economic growth and prosperity. Several legislative bodies across America are doing this very thing and writing ordinances and resolutions to nullify unlawful mask mandates. Mrs. Keller provided sample legislation to City Council and encouraged them to use their powers in such a way as to protect individual rights. It states, for the most part, that being enacted that all federal or state acts, laws, orders, rules, mandates, lockdowns and regulations passed by the federal or state government past, present and future which violated an individual's lawful first amendment rights to assemble or fourth and fifth amendment rights to privacy including but not limited to personal medical decisions shall be invalid in this City, not be recognized in this City and specifically rejected by this City and shall be considered null and void and of no effect in the City of Middletown. Additionally, it states that mask mandates and all other illegal orders coming from state directive will not be punishable by law.

Levi Hensley

Levi Hensley, 3229 Yankee Road, Middletown, OH asked what are the plans to clean up our city? I am selling my house, the trash in my neighborhood is terrible. I received no responses from some Council members when I reached out to complain about these issues and nothing ever gets done. We are paying thousands of dollars for security for downtown Middletown. Why don't we put that money towards more police? That's insulting to our police department. About 4 months ago, I had a conversation on Facebook with Ami Vitori that turned south. I was threatened with baseball bats and meatloaf from her restaurant. Mr. Hensley read the Facebook comments aloud. Ms. Vitori stated that these comments have nothing to do with City business and are inappropriate.

Kent Keller II

Kent Keller II, 2040 Wellington Road, Middletown, OH complained that the City will be paying \$50,000 to a private security firm to be mall cops and ride their scooters up and down the sidewalks and move homeless people to the next street over. Instead of cleaning up the City you are sweeping the mess one street behind Central. This plan is a band aid and not a solution. The money would be better spent on police officers and off duty police officers. Police officers have better training and enforcement authority.

COUNCIL COMMENTS

Mr. Moon

Mr. Moon commented that he was glad that the Mayor was here and healing up after her accident. Oakland is very much on my radar and many things for that neighborhood are in process. We have a lot of cleanup to do particularly in that Route 4 corridor with the paperboard site. We see that as a job opportunity zone, not something that is going to pollute the neighborhood but enhance and improve the neighborhood.

Mr. Mulligan

Mr. Mulligan commented that the infill housing is a key focus on what the City wants to do in the Oakland neighborhood along with the redevelopment of Oakland Park and the rehabilitation of historic homes. The former Vail site is ripe for multi-use residential and retail development and we look forward to that being the foundation of the neighborhood. The former Armco/AK Steel site is a bit different depending on what it takes to be remediated and what can be the next use for that. If there is a commercial use for that we will consider it but at the same time we wouldn't want to undermine what we are trying to accomplish on the residential side. There are various plans on the table but we are putting the focus on Oakland because we want it to be better for the people living there and the people that want to live there in the future. Congratulations Downtown Middletown Inc. for a very successful Women, Wine and Chocolate event, it was well executed and well attended. Many who attended were not from Middletown and they had the opportunity to experience downtown's revitalization firsthand. Thank you to the many volunteers that make it happen. It was a great way to positively showcase what is happening in our City.

Ms. Vitori

Ms. Vitori congratulated DMI (Downtown Middletown Inc.) on such a great event after such a difficult year with no events. It was great to see 800 women downtown, smiling without masks and enjoying themselves. Thank you to DMI for their continued efforts on behalf of the promotion of all of Middletown. Data indicates that often downtowns are the authentic

heartbeat that defines a City.

Ms. Condrey

Ms. Condrey thanked the Middletown fire and EMS professionals for their incredible response to her skydiving accident and expressed her appreciation to the staff at the Atrium Medical Center. She encouraged everyone to see the challenges that they face as opportunities and make something better as a result of them.

CITY MANAGER

Mr. Palenick announced that the City's Independence Day celebration is back. On July 3, 2021 from 4-11 p.m. at Smith Park there will be food and beer vendors, live entertainment and fireworks at 9:30 p.m. The presenting sponsor this year is Kettering Health. The Memorial Day parade, put on by great local volunteers, will be on May 31st starting at 10 a.m. Congratulations to all of the 2021 graduates of Middletown High School and Butler Tech. Governor DeWine visited Middletown last week and made a presented a grant of \$125,000 to Middletown City Schools and SWOCA (Southwest Ohio Computer Association) to provide broadband internet service capacity to the Amanda School area.

CONSENT AGENDA

Approve the City Council Minutes of April 6, May 4 and May 7, 2021
Receive and file the Board of Health minutes from April 13, 2021
Confirm the personnel appointment of Jonathan Hilgendorf and Brian Singleton to the position of Patrol Officer in the Department of Public Safety, Division of Police.
Receive and file Oaths of Office for Dustin Alcorn and Jason Mossbarger.
Approve the purchase a new 2021 Chevrolet Tahoe 4WD SSV off the ODAS Contract for the Division of Police in the total amount of \$36,553 from Ganley Chevrolet of Aurora LLC.
Authorize a professional services contract with Jacobs Engineering for the design of a new filter backwash disposal line to the sanitary sewer.
Approve the following Board and Commission Appointments:
Board of Health- Sally Kash
Citizens Advisory Board:
 Dr. Didlick Davis representing the Middletown Area NAACP.
 Jeff Wilder representing the Youth Coalition.
 Stephan Wannamacher representing the Board of Realtors.
 Jelani Johnson as a resident.
There may be more positions available in the future and additional appointments may be made to the Citizens Advisory Board.

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.

Ms. Condrey expressed her support of the court community service program but suggested that Resolution No. R2021-24 be considered as a true second reading instead of as an emergency. Ohio laws are in place for a reason and if we don't agree with Ohio laws then we need to focus on changing those laws and stop circumventing the law for the sake of convenience. I don't see the need for emergency legislation for this item.

Ms. Condrey stated that public trust is the issue she has with Ordinance No. O2021-46 being considered as an emergency. Public trust is earned as individuals but it really only works effectively when we have it as a unit. As a public entity we want to earn that public trust together as a community and tonight this proposed legislation puts City Council in a very awkward position as a group. It is emergency legislation, it requires 4 yes votes and obviously it has a direct, positive benefit to two City Council members businesses. It also has a direct, positive impact on a lot of other downtown businesses as well. I feel that it puts them in an awkward position and it is not easy to maintain public trust when you are put in that position as a council member or as a group.

Ms. Nenni stated that it does not put me in an awkward position and there was an opinion from the Law Department that there was no conflict with Ms. Vitori and I voting on this issue.

Ms. Vitori stated that I do not feel awkward because the ethics opinion was that it was not a direct benefit to our businesses singularly therefore we can vote on it.

Ms. Condrey agreed that technically you could vote on these things but asked should you vote on them as it effects the public's trust in us as a unit. I feel that public trust deteriorates in circumstances like this. For example, I plan to abstain from the vote when it comes to the automated weather observation system purchase for the airport because I could benefit from having better weather resources as an airport tenant. I understand the desire for emergency action on this matter and the voters elected two downtown business owners and that has its limitations some times. I don't think we can expect these two council members to vote objectively on this. I don't support this measure as an emergency because I would like to maintain that public trust. I suggest that Resolution No. R2021-24 and Ordinance No. O2021-46 should be considered as first readings.

Ms. Vitori stated that this request came from nearly a dozen downtown businesses that are hoping to recover and they would like to have this in place for the summer, if it is not an

emergency, then we are looking at the middle of summer before it would become effective for these businesses. While I would like to not have to make a decision that might seem awkward to some that shouldn't limit or prohibit dozens and dozens of businesses from having the opportunity to get what they requested in a timely manner.

Ms. Condrey asked if anyone was interested in changing Resolution No. R2021-24 to a first reading.

Mr. Mulligan stated that the emergency does require the approval of the super majority of Council and the benefit is that it is enacted immediately instead of 30 days later. This would be a benefit to get both of these programs up and running as we try to operate at the speed of business.

Ms. Condrey commented that that could be said of every thing they do, an emergency is always convenient from City staff's perspective.

Ms. Vitori stated that it is nice when we can take time and ask questions and have people come back and there are circumstances when that isn't feasible or the best choice. I think these are examples of that.

Ms. Nenni commented that there was an opportunity to question the emergency provision on the court community service program at the May 4th meeting but it wasn't brought up then.

Ms. Condrey commented that it is good to have second readings to be able to think through and process all of the legislation.

Mr. Moon asked if the emergency provision on the court community service program was to get the City cleaned up as quickly as possible using this program. Mr. Palenick answered that it was for exactly that reason. We need to find the necessary supervision and purchase supplies. This legislation allows us to begin the process and the goal is to get them out there as quickly as we can.

Ms. Condrey stated that for her it is a matter of principle and an issue of constantly pushing things through as an emergency when we don't have to.

Vaive Charter

Mr. Mulligan moved to suspend the Charter provision that requires reading on two separate days and to declare Ordinance No. O2021-43, Resolution No. R2021-24, Ordinance No. O2021-45, Resolution No. R2021-28, Ordinance No. O2021-46 emergency measures to be read one time only. Ms. Vitori seconded. Motion carried. Ayes: Ms. Vitori, Ms. Nenni, Mr. Moon, Mr. Mulligan. Nay: Ms. Condrey.

Ord. No. O2021-43 2021 CDBG Annual Action Plan

Ordinance No. O2021-43, 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 2021 and declaring an emergency was read.

Mr. Mulligan moved to approve Ordinance No. O2021-43, 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 2021 and declaring an emergency. Ms. Vitori seconded. Motion carried. Ayes: Ms. Vitori, Ms. Nenni, Mr. Moon, Mr. Mulligan, Ms. Condrey.

Res. No. R2021-24 Amend Appropriations

Resolution No. R2021-24, 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, 2021 and declaring an emergency was read. (General & Storm Water Funds)

Mr. Mulligan moved to approve Resolution No. R2021-24, 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, 2021 and declaring an emergency. (General & Storm Water Funds) Ms. Nenni seconded. Motion carried. Ayes: Ms. Nenni, Mr. Moon, Mr. Mulligan, Ms. Condrey, Ms. Vitori.

Ord. No. O2021-44 Contract to Purchase 5 Buses

Ordinance No. O2021-44, an ordinance establishing a procedure for and authorizing a contract with MCI and Butler County Regional Transit Authority for the purchase of up to five 45-foot heavy duty commuter coaches was read for the second time.

Mr. Mulligan moved to approve Ordinance No. O2021-44, an ordinance establishing a procedure for and authorizing a contract with MCI and Butler County Regional Transit Authority for the purchase of up to five 45-foot heavy duty commuter coaches. Ms. Vitori seconded. Motion carried. Ayes: Mr. Moon, Mr. Mulligan, Ms. Condrey, Ms. Nenni, Ms. Vitori.

<p>Res. No. R2021-25 Amend Appropriations</p>	<p>Resolution No. R2021-25, 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, 2021 was read for the second time. (Appropriation Transfer - Downtown Improvement Fund)</p>
	<p>Mr. Mulligan moved to approve Resolution No. R2021-25, 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, 2021. (Appropriation Transfer - Downtown Improvement Fund) Ms. Nenni seconded. Motion carried. Ayes: Mr. Mulligan, Ms. Condrey, Ms. Vitori, Ms. Nenni, Mr. Moon.</p>
<p>Res. No. R2021-26 Purchase 69 Main St.</p>	<p>Resolution No. R2021-26, a resolution authorizing the purchase of real property known as 69 S. Main Street from The Hutch, LLC. was read for the second time.</p>
	<p>Mr. Mulligan moved to approve Resolution No. R2021-26, a resolution authorizing the purchase of real property known as 69 S. Main Street from The Hutch, LLC. Ms. Vitori seconded. Motion carried. Ayes: Ms. Condrey, Ms. Vitori, Ms. Nenni, Mr. Moon, Mr. Mulligan.</p>
<p>Ord. No. O2021-45 Grant Agreement with Middletown Kiwanis</p>	<p>Ordinance No. O2021-45, an ordinance authorizing the City Manager to enter into a grant agreement with The Middletown Ohio Kiwanis Foundation and declaring an emergency was read.</p>
	<p>Mr. Mulligan moved to approve Ordinance No. O2021-45, an ordinance authorizing the City Manager to enter into a grant agreement with The Middletown Ohio Kiwanis Foundation and declaring an emergency. Ms. Vitori seconded. Motion carried. Ayes: Ms. Vitori, Ms. Nenni, Mr. Moon, Mr. Mulligan, Ms. Condrey.</p>
<p>Res. No. R2021-28 Amend Appropriations</p>	<p>Resolution No. R2021-28, 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, 2021 and declaring an emergency was read. (Street Levy Fund)</p>
	<p>Mr. Mulligan moved to approve Resolution No. R2021-28, 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, 2021 and declaring an emergency. (Street Levy Fund) Ms. Vitori seconded. Motion carried. Ayes: Ms. Nenni, Mr. Moon, Mr. Mulligan, Ms. Condrey, Ms. Vitori.</p>
<p>Ord. No. O2021-46 Grant Agreement with DMI</p>	<p>Ordinance No. O2021-46, an ordinance authorizing the City Manager to enter into a grant agreement with Downtown Middletown, Inc. and declaring an emergency was read.</p>
	<p>Ms. Vitori commented that the goal is for the security officers to also work with the One City staff to provide the help and resources that homeless people need and not just to usher them a few blocks over.</p>
	<p>Mr. Moon suggested that this six-month pilot program could be a runway for a SID (Special Improvement District) for the downtown area in the future.</p>
	<p>Ms. Condrey commented that she certainly feels for the downtown business owners but that homelessness is a City-wide issue. She is concerned that this sets a precedence for the City to provide private security and pushes homeless people into other neighborhoods. This doesn't solve the root issue and she would rather spend more money on social services than to move homeless people around. She asked who would be liable if a person is injured by a security officer and questioned the 5% administrative fee in the contract.</p>
	<p>Downtown Middletown Inc. Director, Jeff Payne commented that the security company will provide a regular set of officers and that they will be able to build relationships with the businesses. DMI met with the businesses and they determined certain days and times that it was critical for their customers to be able to come downtown and to feel safe. The contract is for the entire downtown which is about ten blocks. DMI met with the downtown social service agencies and talked to them about this program. This program will allow DMI to collect data and identify properties that attract or contribute to the problems that the downtown is experiencing with loitering and vagrancy. Mr. Payne acknowledged that this is not an answer to everything but this makes the downtown safe and inviting for visitors and potential investors. The security company will provide their own liability insurance and DMI will be indemnified as a part of the contract. The 5% administrative fee is customary to allow for DMI to cover its costs for staff time to execute the contract.</p>
	<p>Ms. Condrey asked what involvement Chief Birk had in developing this program.</p>
	<p>Chief Birk explained that with the current staffing levels the Police Department does not have the enough officers to cover all of the off duty shifts to meet the needs of the downtown. Off duty officer pay is about \$50 an hour which also would have substantially increased the costs</p>

of the program. He was asked to sit on DMI's review panel to evaluate the security firms and he did and provided feedback to DMI.

Ms. Condrey asked if other local businesses paid for off duty officers for security and if the City subsidized the costs to do that.

Chief Birk provided several examples of local businesses that employ off duty police officers and the City does not subsidize the costs.

Ms. Vitori commented that several people suggested that the Police Department just hire more officers and asked what the annual cost would be to add one officer to the department.

Chief Birk reported that it costs about \$79,000 annually to hire one new officer but the problem is that there is a critical shortage of qualified candidates at this time. He explained that there is a downtown beat and Officer Birch is starting the Community Oriented Policing program June 1st and will be working with the social service agencies.

Chief Birk explained that there are issues downtown and that certain social service organizations downtown bring a lot of people to that area. We are a very service-oriented City. There is definitely a need. We are understaffed and we need more police officers. Something needs to be done and we can only be stretched so far. There are homeless people and homeless camps all over the City but the downtown area is probably the most concentrated because that's where the services are. Being homeless is not a crime and people typically become homeless for a reason. We want to get them the services they need and that's why we partnered with One City for Recovery. We are trying different things to see what works.

Ms. Nenni suggested that we continue to educate residents and businesses on what they can do to make their neighborhoods safer such as improved lighting.

Chairman of Downtown Middletown Inc. Dennis Vitori explained that Ally is the largest security firm the world and they will track activity and provide reports to DMI.

Mr. Mulligan moved to approve Ordinance No. 02021-46, an ordinance authorizing the City Manager to enter into a grant agreement with Downtown Middletown, Inc. and declaring an emergency. Mr. Moon seconded. Motion carried. Ayes: Mr. Moon, Mr. Mulligan, Ms. Nenni, Ms. Vitori. Nay: Ms. Condrey.

**Ord. No. 02021-47
Business Grant
LubriSource Inc.**

Ordinance No. 02021-47, an ordinance authorizing the City Manager to enter into a small business grant agreement with LubriSource, Inc. was read for the first time.

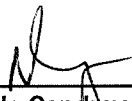
**Ord. No. 02021-48
Contract with DBT
Transportation Services**

Ordinance No. 02021-48, an ordinance establishing a procedure for and authorizing a contract with DBT Transportation Services, LLC for the purchase and installation of a CL31 ceilometer for the Automated Weather Observing System at the airport was read for the first time.

NEW BUSINESS

ADJOURNMENT

At 7:08 p.m., the meeting was declared adjourned until June 1, 2021 at 5:30 p.m. in Council Chambers.



Nicole Condrey, Mayor

Attest: 