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


Clerk Schenck read the following comments submitted by email.

Matt Roehl, "I am sure you are not able to read my entire statement below at the city council meeting tomorrow but I did just want to share my opinion. I am disappointed and shocked at the recent decision to move Skydiving's drop zone at Middletown Airport. In comparison to the general public, you could consider me an expert in aviation and airport operations. I have a degree in aerospace engineering. I am a former flight instructor turned airline captain based in Columbus, Ohio with thousands of flight hours. In addition, I am a licensed skydiver who received the majority of my training from Start Skydiving. I understand this industry. At the time of my skydiving training at Middletown, I was a flight instructor and had a good idea of what safe operations were at airports and was drawn to the 2 hour drive from Columbus because I felt that safety was clearly a priority there. I had closer options. When I heard the location of the new landing area I felt that I had to write my opinion to the Council. This landing area will undoubtedly cause a major safety issue for pilots, their passengers, and skydivers of all experience levels. The traffic patterns will directly be in conflict with each other. This change is asking for an accident. You have to keep in mind you can have a student skydiver with, say, 5 skydives under their belt, and a student (yet to be licensed) pilot of an airplane flying in that traffic pattern. For both of those students, their priority often times is not to look out for a skydiver/airplane as they are task saturated with landing and somewhat tunnel-visioned. While this would be a worst case scenario for collision avoidance, you could easily still have a collision hazard with a commercial pilot and skydiving instructor. The flight paths are just in way too close proximity. The old established landing zone did not have this risk and Start Skydiving's safety record is a testament to the system working as it should. This is in addition to emergency vehicle response time increases at the new landing zone. I urge at a minimum that this landing zone change be reviewed by the FAA, AOPA (Airplane Owner's and Pilots Association) and USA (United States Parachute Association) if not just reversed entirely. It appalls me a major life threatening decision was made without at least consulting experts from relevant organizations for a thorough review. COVID19 is no excuse to not go through this process. Thank you for your hard work and for reading my concerns."

Joseph Cox, 231. Heather Way, Middletown, Writer, Director, Producer of Average Joe films. "I am appalled that the city and council would treat a local business this way. When my company teamed up with the Middletown PD for the lip sync video, the response from the people was amazing, and it inspired me to follow things in my hometown much closer. And the more I see, the more ashamed I get. The way the airport is being handled, and the way the skydivers are being treated is exactly according to the plans Doug Adkins had in place. And that's the key, Doug Adkins. If I recall properly the citizens called for his firing, and you the council heard us loud and clear. Did you think we were just upset over his behavior in Triple M? We were also unhappy with his direction in this city. I think the city made that clear with the Mayoral turnover. The Mayor is seen as a public figure head for everything that happens in the eyes of the casual citizen. Middletown sent a message in November. We don't want the same old story. We want change. The status quo is not acceptable. Bright past brighter future? Well it's time we take that seriously and stop bullying a successful business, and get to the negotiating table with them. I don't want to be ashamed to be a Middletonian, but you're getting me mighty close. For the record."

Ehrin Huhn, "Middletown Council Members, I have struggled with the decision of whether or not to write to you all to share my input regarding the suggested move of the skydiving drop zone at the Middletown airport. I have spoken to many individuals, reviewed news articles, and have reviewed the recorded city council meeting that was completed on May 5. With such information, I now believe my input is valuable and should be considered. I am a Michigan resident with a strong passion and an even greater respect for skydiving. I began my skydiving journey in August of 2019 in Michigan at a drop zone located just outside of the city of Jackson. Due to the Fall climate here in Michigan, specifically the colder Autumn temperatures, increased clouds, and variable winds, the chances of being able to complete a skydive decreases significantly as the months of September and October arrive. Between November and March, the skydiving season is closed. As a very new member in the sport in September 2019, I had a strong motivation and desire to continue jumping as much as possible and successfully achieve my A-license. To do so means completing the necessary requirements to graduate from student-status. It means proving to instructors that you
understand the basics of skydiving and can do so in a safe manner. Mid-October 2019, I made my first trip to Start Skydiving at Middletown airport accompanied by a fellow skydiving instructor from MI. I was informed that Start Skydiving was a reputable business with a large separate landing area for students, and that safety was their top priority. These were all major factors that I took into consideration when deciding whether or not to travel to Middletown. As a student skydiver, we are taught from day one that skydiving is about risk mitigation and doing everything we can to reduce risk and promote safety, for ourselves and others. I am very happy to say that I received my A-license in November of 2019 and this would not have been possible without Start Skydving in Middletown, Ohio. During the several trips to Start Skydiving, we stayed at a local hotel, dined at local restaurants, and visited other small businesses. I now had a drop zone that I felt comfortable to travel to, and had a plan to do so for every upcoming spring and fall season. Please note, this was an approximate 306 mile drive, one-way from St. John’s, MI that I was willing to make repeatedly every year. I think that says a lot about what Start Skydive has to offer, and how they operate their business.

With the suggested and now city-approved move of the Start Skydiving landing area, I, as well as many others, share real concerns about the safety of skydivers and pilots. Looking at the map of the airport I could see how the northwest area may initially appear like a great location for a landing zone. It is indeed away from the tarmac. But then again, why is that of concern? There have never been any incidents regarding a skydiver crossing the tarmac whether by foot or under canopy. Regardless, I must ask, have you taken into consideration the incoming and outgoing air traffic? What about the landing patterns of the skydivers? What about all of the “outs” (areas where skydivers may have to land safely if they are unable to make it back to the landing zone.) I can tell you the new landing zone puts skydivers who are under canopy and are trying to land in a very dangerous physical location to incoming air traffic. It also places them closer to the river and the business located to the west of the airport. And what happens if a skydiver is injured and need immediate attention? The individual would now be farther away from the hangar and would increase the response time of emergency personnel. Minutes are vital in times of emergency. These are all risks that exponentially increase the chance of injury and/ or death and these are increased risks that I personally am not willing to take. Team FastTrax, the professional skydiving team from Middletown has indicated they will no longer use the drop zone. If Team FastTrax is out, consider the same for me and many other skydivers. I will not skydive in an unsafe area nor will I promote the area to my fellow skydiving family and/or upcoming students. You must ask, what will that do to revenue and how will this impact local businesses? This year? In 2 years? Over the course of 5-10 years? What happens when hundreds of skydivers decide it is not safe to skydive in Middletown, and choose to take their business elsewhere? For the sake of Middletown, I strongly encourage you to reconsider the approval to move the landing area from its current location along the runway.”

Rob Stanley

Rob Stanley, “I am unable to be there for the council meeting so I wanted to address the topic in an email and have it read out loud. I live in Liberty Township and I come to Middletown and spend my money for one reason, Start Skydiving. You had a bright present and future in front of you with Start. Many people come to Middletown and spend money on other businesses for the same reason I do. Just like me, many of those people would never come to Middletown otherwise. If you want to be the council that cuts millions of dollars in commerce, the people will know and so will the business owners that you are also impacting. In terms of safety..... The moving of the landing area is a fool’s game. The current landing area is extremely safe and has proven to be for all involved. It does not inhibit anything and it divides traffic patterns appropriately. The new landing area as well as the others that were proposed are quite simply, unsafe. They are unsafe for jumpers and pilots. I respect that there is a thought you can do things better but you are creating a problem when everything worked perfectly before. If any of you had any aviation experience, this would have never become a thought. Please listen! As a jumper with over 2500 skydives and someone who works in aviation, I'm telling you that you are making a massive mistake in terms of safety as well as economically. Regards.”

Russ Beckner

Russ Beckner, “As a lifelong citizen of Middletown, and growing up just 3 blocks from the airport, I consider it one of the highlights of the city. My concern is that it continue to be one of the spots Middletown is known for by ...

1. Being an airport that pilots can feel and be safe. Not only on both the paved and grass runways, but all taxiways up to all hangers.
2. Being an airport that parachutists can also feel and be safe.
4. Maintaining Historical buildings, such as the one the Warbird Museum is in, and they not be disturbed or removed. The museum is a tourist attraction that should not be lost.

There are an abundance of playing fields at Smith Park. If it would help maintain the overall safety at the airport, there should no problem with annexing a small adjoining
section to the airport.”

Tom Spielmann

Tom Spielmann, “Dear Mayor and City Council members, as I am a Commercial pilot, FAA certified Airboss and concerned citizen for safety, I am sending you this letter regarding the recent developments of moving the START Skydiving location/drop zone at the Middletown airport. First as pilots we are trained to “see and avoid” any issue that may interfere with the safe operation of the airplane. That said I have landed many times at Middletown during START activities and had no problem or issues with the current drop zone area. As a matter of fact, the START pilots are most courteous and the Skydivers are aware of the other aircraft on the ground and in the sky. Second, though I cannot speak on behalf of the FAA, I can express my concern over the safety of moving the Drop Zone to the other end of the Airport. The area proposed is in my opinion is the worst place it could be. The skydivers will be in the area where the pilot/planes are on a crucial part of the landing phase. This is an area of aircraft operation where the pilot must perform several duties at once including engine performance, landing gear, speed, timing, and communication. This is no time for the pilot to be “dodging” skydivers. Lastly, given these unsafe circumstances to START. You have left START with no choice but to seek operations elsewhere. I do not understand why any City Council would run a thriving business out of town. Especially a business like START. START brings in thousands of customers and visitors from all over the USA and the world. START along with Team Fastrax is recognized worldwide as the premier Skydiving venue. As a comparison you pushing START out Middletown would be like removing Graceland from Memphis. The notoriety and good press that START gives Middletown is unmeasurable. Therefore, I ask that the Mayor and Council members to revoke their decision and reinstate the START Drop Zone.”

Dave Westrich

Dave Westrich, “I am writing concerning Start Skydiving and the new landing zone proposed by the city of Middletown leaders. I have seen the proposed changes and I think it would definitely put skydivers and pilots at risk for collisions. We as skydivers must follow certain landing patterns as outlined in the United States parachute association’s “Skydivers Information Manual” and it would be impossible to follow USPA’s safety procedures given the locations of the runway and the proposed landing zones. I am respectfully asking that you reconsider the proposed changes to the landing area for the safety of pilots and skydivers alike. I’m also sure that you are aware of the economic impact a business like this has on the community. It would be a shame to force such a great business out of Middletown.”

Tammy Ballinger

Tammy Ballinger, “I think it’s bad enough that before this covid stuff small businesses were having a hard enough time and now you want to stick your nose in this business with no regard or even a thought of how this would affect the safety of the skydivers. SHAME ON you Middletown for once again putting politics first and the people last.”

Een Vonscheerschmidt

Een Vonscheerschmidt, 3121 Buttercup Ct Middletown, Ohio, “I would like the City of Middletown Council, City Management, and the Economic Development Department to take a step back, and realize the negative impacts of Safety for all users of the Airport, City Revenue, Local Small Business, Grant and Tax spending that moving MWO’s DZ locations would cause. What is your plan of action in hearing the multitude of free, accredited resources in this specific field, and unheard voices of the business owners, and citizens of Middletown Ohio? How will you answer for negative revenue, and possibly the loss of life caused by your uninformed decisions? The current drop zones for this business do not interfere with decades of future developments, and given the impeccable decade+ of safety in the current DZ areas to all users of MWO, they should remain exactly where they are. The current DZs offer the safest separation of traffic for skydivers and pilots, and do not interfere with future developments. Moving these drop zones from the current locations would slash the business’s income, and the City’s revenue from them in half, and risk killing a local business that has contributed to this city in more ways than anyone could imagine. Start Skydiving attracts and retains tens of thousands of clients; those of which patronize our local restaurants, bars, carryouts, small shops, lodging, fuel/convenience stores, ridesharing, and tourism. Start Skydiving and Team Fastrax have a massive, consistent economic impact for Middletown, although this local business is currently being suppressed by irresponsible, decision making and spending. Why would Middletown hinder such an already deeply rooted asset and key revenue generator, for no reason? Why would our City Council, City Management, and Economic Development here in Middletown Ohio, go against proven safety, and turn a blind eye and offer deaf ears to experts in this field, even when the recommendations are free? Why would they move ahead with such a controversial plan during a pandemic, where the business owners and public were not reasonably able to be heard? I want a Middletown Ohio where I am proud of my City, and the people are proud of their leaders for making good, informed decisions that affect us all in a
positive way. I am calling on the Council and Management of Middletown, Ohio to bring this discussion back to the table, enable peer to peer accountability, and hear everyone that would like to be heard. The way this council, acting city manager, and economic development department have handled this matter, brings me to question their ethical and legal obligations, as well as all future decisions for our city and business community. Thank you."

Dr. Samantha M. Schinder, PhD in Public Safety. "Regarding the Proposed Changes to the Drop Zone. Ladies and Gentlemen, I must add my voice to those of dissent against the proposed changes to the skydiving zone. As a PhD in Public Safety and Service Leadership, I must voice my concern that the proposed drop zones are not, in fact, as safe as the ones currently operating at the airport. I have a decade of skydiving experience and a coach's rating to back up this opinion. I also was an Air Force Officer in my previous career and know a bit about airport and airspace operation. The landing areas are the way they are so that skydivers of varying abilities and disciplines do not collide and do no cross the runway under 1000 feet. Remember this is not a 2D image you are looking at but a 3D one! The proposed changes mash the landings areas for different experiences and disciplines together in an unsafe manner. This proposed landing zone manipulation is highly unusual and I am not sure what you are attempting to accomplish in doing so. I'm disappointed the city would seek to make this viable, revenue generating business unsafe and by adopting these measures you are in essence saying you do not support skydiving in Middletown. Should a governing body such as the FAA, the airport administration, or any other institution, media or otherwise, request my expert opinion on the matter, I will not hesitate to give it."

David Pearce, 607 Tara Oaks Drive, Middletown, Ohio. "Council Members, I would like to share what I believe will be a few of the impacts to the community when Start Skydiving leaves Middletown as reported by the Journal News:

1. Middletown will lose the positive identity of being a skydiving city.
2. Middletown will lose its largest tourism draw of 60,000 - 80,000 visitors each year which equates to $6 - 8 mill in economic impact.
3. Businesses such as restaurants and hotels will be impacted.

The biggest loser will be its residents, non -profits and other organizations because of the investments that Start Skydiving makes to create a positive impact on the community.

For example, I can tell you firsthand that the Ohio Challenge entertainment experience will never be the same without the skydivers falling from the sky with the American Flag and the pyrotechnic displays. In addition, the event will be financially strained. There are not enough companies willing and able to sponsor community events to fill the gap, especially over the next 2-3 years as the economy recovers from COVID-19. However, the impact will extend well beyond the Ohio Challenge. Start Skydiving performs over 40 free jumps annually for churches, golf outings, and non - profits such as Hosp in the Hanger, Otterbelin Homes and Ohio Challenge. Start Skydiving contributes thousands of dollars in gift cards to non - profits to support raffles and silent auctions.

Lastly, Start Skydiving engages with special needs children by providing life experiences and sponsoring their annual Christmas dance. I believe there will be a negative trickle-down impact felt across the city. The other topic I want to address is the safety issue which I think is being misplayed. The city has repeatedly said that safety is a high priority. Here are some facts that have been presented:

Start Skydiving has been trained by the U.S. Military and are considered experts in skydiving. They continue to state the newly approved drop zone is high risk and unsafe. At the February 18 Council meeting Paul McGown from the FAA stated the original drop zone is the safest zone compared to the other zones that were proposed. Lastly, Start Skydiving has performed almost 500,000 jumps at Hook Field and not once has the drop zone been identified as the cause of an accident. How can anybody say with a straight face that zone is unsafe. I think the facts are stubborn. I believe in the importance and value of having a long-term strategic plan, but it must be balanced against achieving today's results. In this case, I believe the city has it wrong."

Jon Hess, "I would ask that you read this statement during public comments at tonight's meeting. I have kept it succinct since I know you have a lot to do in that meeting, although you've seen my comments in more detail in my previous email. Thank you for your thoughtful consideration of a very important matter. Dear member of the Middletown City Council, the decision of where you place a skydive landing area has life-and-death implications. If the nature or location of the landing area creates a safety risk, injuries, fatalities, and potentially loss of aircraft or other collateral are inevitable. For this reason, I would consider it irresponsible to make this decision without comprehensive safety information from industry experts who can offer guidance separate from other factors that may weigh into this decision (like municipal development). As a skydiver, I absolutely will not jump at a drop zone where I have safety concerns. I like to bring guests to do tandems at Start Skydiving (and
Sean Askren

Sean Askren, “Good afternoon Members of Council. I own and operate Askren Air Hot Air Balloons based out of MWO and am an airport hangar lessee. As a balloon pilot that operates and utilizes the airport and airspace with Start Skydiving, as I have for many years, I can assure you that there has never been one issue with regard to Start Skydiving or any of the skydivers whether it be safety or obstruction of the use of the airport. When the Balloons are operated at the airport, we are often over all parts of the airport and have never had one complaint from any other type of aircraft coming in or going out of the airport. Balloons and Skydivers operate the same way, and communicate with all aircraft by way of radio communication. I feel very strongly that Start Skydiving is being pushed out because of personal agendas of past and current city employees, misinformed members of council, and last but not least, the airport manager. As a committee member for the Ohio Challenge, I am the FAA pilot liaison for all the balloons that attend the Challenge. I work directly with the FAA and the staff at Start Skydiving for several months prior to the event each year and have a very well respected relationship with everyone at our local FISDO. In the 15 years that I have been working with the FAA, there has never been one negative word said about any skydiving operations at the airport. Trouble escalated when the new airport was hired and certain council members were erroneously convinced that the skydivers were a problem. As a professional balloon pilot that travels around the US, Mexico, and Europe, and is the FAA Liaison at many events throughout the country, I am able to work in conjunction with Start Skydiving at many of these events. I can tell you that there has never been one complaint by any official or FAA representative in any of these cities or events. The Albuquerque Balloon Fiesta is one of the largest events in the world and Start Skydiving jumps into the event with hundreds of thousands of people three times a day for ten days and there has never been one complaint or safety issue. I have heard all the arguments and all the numbers and believe that the city will be losing revenue that will never be able to be recovered. All due to a few egos, rather than reality, and rather than looking for legitimate ways to grow the airport in a manner that will benefit all and especially for the benefit of the city. I personally feel that the measures being taken to move the drop zone are a mistake on council’s part and believe that if the landing zone and operations of the skydivers does not remain the same, which the City of Middletown and the airport will suffer greatly. Thank you for your time.”

Grace Cadiz

Grace Cadiz, “As a resident who lives very close to the airport and current landing zone, I took interest in the topic at hand because I felt disappointed that there was a possibility Start Skydiving would move to a different location if their current landing zone was moved. Personally, finding concrete information and transparency on the matter was hard as it seems there are different sides to the story. I don’t have any actual relation to the airport nor the skydivers but I wish somehow the city can come together for a better alternative that allows safety but also keeps the Start Skydiving in Middletown because I feel it’s a great asset to the city. I remember purchasing this house we live in and being so amazed watching the skydiving or airshows from my backyard and being so honored to live so close by and witness people having fun in our city. We have close ties with the country who visited and got to see it all in person and to this day they still talk about it, my daughter with special needs loves watching too. With this my point is that it brings people’s attention to our city, it allows locals a chance to have an adventure close to home and bring others to our town. I hope that everyone can come together for a better solution in a time we need it most. Thank you!”

Joe Nicholson

Joe Nicholson, “I have been a skydiver for 28 years. I have also been a private pilot for 28 years as well. I am current in both of those activities. I want to start by saying that I strongly disagree with the new landing zone at the Middletown airport due to the hazards it creates. During this lockdown the past two months I have flown into Middletown Regional Airport a couple times. Each time I set up for a landing on runway 2/3, which has a right hand pattern to minimize noise over the city. The pattern altitude is 1,600’. I located the new landing area and quickly realized that it is directly in the downwind leg for both runways. When skydivers are setting up for a landing, they are at the same altitude and location on the field where planes will be converging setting up to land. There’s an obvious increase in potential for collision. Also, with the original landing areas, there is significant separation between different skill levels, which is the base setup a drop zone could have. With the new landing area, all levels of skydivers are being forced to converge in the same place, which is an obvious hazard as well. I will support my skydiving family at Start, but I have huge safety concerns with the new landing area. I can’t understand the logic for the change. Based on my experience with skydiving and flying for 28 years, I feel that the new landing area is significantly increasing the chances...
of a tragic collision. I sincerely hope this does not happen. Thanks for your time."

Brett Dennis
Brett Dennis, 6267 Howe Road, Middletown, OH 45042. "City Council Members, I
imply you to reconsider any plans which will drive Start Skydiving out of our city, or
compromise the safety of jumpers, should Start Skydiving remain. I've been a
Middletown resident my entire life, and an occasional fun-jumper since 2006, and
having been a producer at TV Middletown for 13 years... I intimately watched this city go
from grim to great. [In my opinion]Much of that "great" had to do with a drop zone moving
to Middletown. Not just a drop zone, but the people and culture that came with it. I
haven't sat down with the consultants that heavy vehicle. If you're considering while you attempt to plan out the airports, and the city's, future. I
don't know all of the ins and outs, or the layers involved. I'm just a lifelong Middletonian
with a common-sense perspective on where this city has been, where it is now, and
where it is headed. Through a literal lens I've watched this city struggle, fight, claw, cry,
fail, prevail, succeed, prosper, dance, love, rock-out, fall down, get back up, and do it all
again. With that in mind, a sense of history, and my gut, I believe that flipping-the-script
on Start Skydiving, and the repercussions that will ensue, will leave this city in a hole
that we couldn't buy ourselves out of even if our pockets were kissing the floor. When
you're in Monroe, West Chester, Lebanon, Dayton, or Cincinnati you can't look up on a
sunny summer day and see an American Flag bigger than most people's backyards
floating down. You can't look up in any of those cities and see something that makes you
feel reverence for the human spirit, in bravery, beauty, and discipline. In Middletown
we can look up and feel something. And, I wouldn't place a bet on anything other than
certainty when considering the cost/benefit of driving that away. As a skydiver with a
modest number of jumps at the Middletown Airport (40+), I would not look forward to the
new landing area. Usually a feeling of relief follows the sight of a good canopy over
your head, but now that feeling will have to wait until our feet are on the ground. As a
resident, I want to see those parachutes in the sky. I want to see the flags, the pyrotechnics,
and the people traveling to our town to have one of the two best experiences they'll ever have. The energy, the positivity, the culture, the beauty, and the impact of Start Skydiving being in our backyard can't be overstated.
Please do what you can to keep this one, simple, amazing piece of this puzzle we call
"Middletown" untainted.

Terry Moore
Terry Moore, "Moved to Fruita co., so quit jumping but John has put lots of money n time
on improvements into airport. I would think most of private plane owners renting hangers
would show up n speak or protest since these upgrade help them like when hangers
painted. Many local stores n eats will suffer. Vote these fools out. All personal not for
good of town. I spent 7yrs three days in your town from New Albany, In...many others
feed your town with taxes n money..."

Kevin Dubas
Kevin Dubas, "I am Kevin Dubas, a member of Team Fastrax and active skydiver at Start
Skydiving located at the Middletown airport. Although I am not a resident of Middletown,
I visit Start Skydiving multiple times every week. I've been actively following the
discussions of moving the landing areas for skydivers at the airport. I also watched the
city council meeting during which the council voted to relocate the landing areas and I
am gravely concerned for my safety, the safety of other skydivers and pilots who will be
landing at the airport following your decision. In the presentation given during the
meeting, the city council specifically listed the priorities in this decision. Ms. Cohen's
words were, and I quote, "In looking at whether or not we needed to move these runways,
I look at a few different things. First is the size, second is the cost and third, third is the
operation and safety concerns." (I believe she meant to say landing areas rather than
runways in this comment so I will base my comments on that assumption.) By your own
words, you are saying that safety is your fourth concern. You obviously have no
experience either flying or skydiving because if you did, you would know that safety is
always our FIRST concern, not our fourth. Had you bothered to really discuss this with
any pilots that REGULARLY fly into the Middletown airport or with those of us who jump
at Start Skydiving, you would know this. Your lack of real priorities and rash decision
making is unbelievably dangerous. Both skydivers and pilots fly a regular and
predictable pattern as they are approaching a landing. Everyone that makes a skydive
at Start Skydiving is instructed to not cross the end of the runway below 2000 feet and
to not cross the main section or center of the runway below 1000 feet. This is to ensure
that no skydivers will interfere with airplanes taking off or landing at the airport. By
moving the landing area to your "Option 3" area, you are now instructing skydivers to fly
their canopies in the most dangerous possible area, near the end of the runway! Why
would you do this? If there is an injury during a landing in your newly designated area,
rescue vehicles will have a very difficult time reaching an injured person in your newly
designated landing area as it is now the furthest area from the point of entry to the
airport and the ground will not support a heavy vehicle. It is obvious that you have not
discussed this with local fire and paramedic authorities. I would like to know why you
are making decisions that can affect the safety and health of those you claim to
represent without consulting with those who will respond in case of an emergency. Perhaps it is because safety is your fourth priority. During the council meeting last week, Ms. Nenni made a statement concerning this proposed landing area move: “If it doesn’t work, Gosh, I guess we’ll just have to go back to the drawing board again.” This is an unbelievable statement of naivety and ignorance. Is it really going to take someone getting seriously injured or killed for the city council to understand that this new landing area is dangerous and that it won’t work?

Ms. Nenni moved to amend the citizen comment guidelines as follows: the individual that submits a comment card is the only person that is allowed to speak during their allotted three minutes. They do not have to use their full three minutes but they may not yield their remaining time to anyone else. She explained that she believed that it was an important clarification to make, to make sure that Council has an opportunity to hear from as many individuals as possible. When people start yielding their time, it makes that difficult.

The motion died for a lack of second.

John Hart III gave up his time to make a 3 minute citizen comment to allow Mr. Dubas’ email to be in its entirety.

Kevin Dubas (continued)

It is clear to me that the Middletown City Council is not concerned with consulting the true experts in this matter and that the safety of skydivers and pilots is not important. The Middletown City Council and the Airport Commission have spent thousands of taxpayer dollars with Quadrex Aviation, a third party consulting agency which has been influential in this decision. Also, it was quoted in on May 8, 2020 in a Journal-News article that “FAA and United States Parachute Association standards were also reviewed.” Why was no one from the FAA and USPA ACTUALLY consulted before making this decision? Are THEY not the authority in such decisions? Quadrex Aviation is a consulting firm, not an authority. The FAA and USPA would have gladly given guidance on this matter at no charge to Middletown taxpayers. But not to worry, I am quite sure you will be hearing from them soon. Also, in this News-Journal article from May 8th, the council is quoted as having consulted with the owners of Start Skydiving when formulating your decision. However, John Hart II also states in this same article that he was never consulted. John Hart II and John Hart III had created a presentation that they wished to share with the city council and had requested a time to do so. However, the council never granted permission for this presentation to be heard in public. Why is that? Why would you intentionally not want input from the single largest revenue provider at the airport? Ms. Cohen is quoted as saying, “This is a matter about utilizing the airport as an asset for the entire community and development interests. There is enough land in this asset to work with everyone and develop a community airport that provides recreational opportunities, retail opportunities and complex aviation opportunities.” If you are not consulting with Start Skydiving, the FAA, the USPA, local fire and rescue authorities and other stakeholders at the airport, you are not “working with everyone.” It is obvious that your intention is to drive Start Skydiving and its operations out of Middletown and take the millions of dollars this company brings to the city elsewhere. You claim this is not the case, but your actions certainly do not support this claim. The actions taken by the city council last week are ignorant, dangerous and based on incomplete information. You have demonstrated a lack of care to work with interested parties, stakeholders, true authorities and emergency response personnel. Your decision to move these landing areas is putting lives in danger and if there is an injury or death because of your decision, that blood will be on your hands.

Schenck. I would highly encourage you to look at other successful municipal airports if you want to see how “working with everyone” actually works. One such example is Deland Municipal Airport in Deland, Florida. This public airport is home base to over 180 aircraft and has a main runway 6001 feet long. By comparison, KMWO is home to 66 aircraft with a slightly longer runway of 6100 feet. Deland averages 322 take offs / landings per day. By comparison, KMWO averages 110 per day. Deland is also home to Skydive Deland, one of the country’s largest skydiving operations. In 2019, Skydive Deland recorded 77,209 jumps at this airport. The landing area at Deland is in roughly the same location with respect to the airport as it had been at Middletown until the recent decision by the city council. I myself made 3 landing at this airport today, May 19, 2020, all between the main runway and a taxiway. Most of the other jumpers on my loads landed here also. All without incident. All without one complaint from any of the 160 aircraft pilots that call this airport home. THIS is what it means to be “working with everyone”. If your intentions are to run Start Skydiving out of Middletown, you are succeeding. If your intentions are to grow the Middletown Regional Airport into something greater than it is now, then do what you are claiming to do and truly work with everyone, including the FAA, the USPA and John Hart II and Start Skydiving.”

Rich Bevis

Rich Bevis, “Middletown City Council, I would like to address the painful issue that has
existed between the city staff and Start Skydiving. Team Fastrax. I would like to shed some light on the issue since I was involved with both parties since the beginning.

In 2007 AK moved their headquarters out of Middletown to West Chester, AK was quick to move their corporate jet to the Butler County airport. At this time my wife and I owned and operated B&G Aero Services, which was the FBO and fuel supplier for all aircraft at Middletown Airport. AK was the only corporate aircraft operating out of Middletown at that time. This created a huge deficit in our fuel sales. AK purchased 50-70 thousand gallons of fuel per year at a price of roughly $5.00 per gallon. Looking around this city it was obvious that there was no other corporation here that would replace AK much less own any kind of aircraft. There were zero corporate users at the airport and the future was bleak. I contacted Start Skydiving and tried to persuade them to move to Middletown. They had just completed a large renovation at the Warren County Airport and were not interested at that time in moving.

2008 I became the Airport Manager and worked hard to bring in aviation business to Middletown. I, along with many volunteers, put together a large airshow for Middletown in order to let the world see that Middletown was a viable vibrant airport. After that show, we had several businesses move to Middletown Airport.

a. Harvey Gilman Aircraft
b. Butler County Sheriff Aviation Dept.
c. Higher Ground Helicopters
d. Royal Air Cargo
e. Middletown Regional Flight School, to name a few.

All of these businesses moved here from other airports and things were looking good. I continued to contact Start Skydiving with the hope of moving them here.

2009 I contacted Start Skydiving again after they had performed at the Ohio Challenge. I was very impressed with their safety and professionalism. I wanted them here. After the Ohio Challenge, they called me back and said they were interested in moving. They came over and we had multiple meetings and we were able to start moving forward with them. We then brought in the FAA, USPA, Middletown Engineering Dept. (they were running the airport then), our airport consultant company, the city law dept., Fire Dept. and many others. We mapped out the landing zones, hangar arrangements, parking, traffic flow, etc. By the fall, a lease was drawn up and it was signed off by city council, the city manager, and the law dept. In this lease the city was obligated to build a 10,000 square foot addition to the hangar that was designated for Start Skydiving. The city was only to build the shell and Start Skydiving would complete the rest. It was to be fitted with classrooms, training room, and a restaurant. All interior work was at the expense of Start Skydiving. This shell was to be completed over the winter months and scheduled to be open the next spring in time for the skydiving season. At the same time Gilman Aircraft sales were in the hangar we were going to put the skydiving team in. John Hart and Team Fastrax paid over $50,000 to build out new, beautiful office space in the JetA hangar for Gilman Aircraft to reside in. Not the city, but John Hart’s own cash. Well, the city manager decided to not build the shell. We tried everything to get her to move on this. This put Start Skydiving in a horrible situation. They had no place to go or operate their business. Mind you there was a legal lease that obligated the city to build the addition.

2010 - The city manager moved the airport from the control of public works/engineering to the economic development dept. Mind you this dept. had no idea how to run an airport. I was told then by the economic employee that he was here to remove start skydiving from the airport. This man hassled Start Skydiving until his dismissal from his job after a very public incident involving a city council member.

2011 - I sold the FBO fuel services to Start Skydiving and they began operations until Dec of 2019. They remodeled the FBO and spent many dollars landscaping around the airport, they paid to paint the large FBO hangar and the skydiving hangar. Not city dollars, but their money. Still no help from the city manager.

2012 - Now the city hired a new economic guy who was marching to the same orders, remove Start Skydiving! By this time it was obvious that the city manager had no intention of being honorable and fulfilling the lease. Start Skydiving then rented a larger storage space above the FBO and spent tens of thousands of dollars creating classrooms, training rooms, etc. They allowed anyone whether it was the airport commission, local groups, pilots, you name it, to use the facilities.

2012 – 2020 The city continues to hassle the group and as recently stated on the City Manager’s blog that John Hart was difficult to work with. This attitude has been prevalent throughout city hall for over a decade. I ask you, who is difficult to work with? The City of Middletown has been difficult to work with. NOT Start Skydiving! It is shameful how staff and council have treated a company that has done so much for this
town. They have paid for fireworks. Sponsored the Ohio Challenge, Hops in the Hangar, and so many more. Look up everything they have done and be honest and ask yourself why?

It would be wise to set aside your previous decision to move the landing zones and call together the following groups to work out a reasonable solution to this problem, remember the original landing zones were deemed by the FAA at that time to be the best and safest location on the airport. So bring in the:

- FAA
- AOPA (Aircraft Owners & Pilot’s Association)
- USPA (United States Parachute Association)
- Start Skydiving
- City Engineering
- Fire Department
- Local pilots and hangar tenants.

Please stop the war and division and come together to fix this issue ASAP.”

David Hart gave up his time to make a 3 minute citizen comment to allow Mr. Bevis’ email to be in its entirety.

Rachel Elsaesser

Rachel Elsaesser, “Dear citizens of Middletown and Middletown City Council members, I’m writing to you with concerns regarding the decision to move the Start Skydiving landing zone at the Middletown airport. I, along with a large number of Middletown citizens, fellow sky divers (both local and not), Middletown pilots, and airport staff members feel that this decision was made preemptively, and with little concern for the long term impact that such changes could have on overall jumper safety and the economy of Middletown. Start Skydiving is a significant part of the Middletown community, and has been for the thirteen years that it has been operating at it’s current location. Over those thirteen years, the Hart family has managed to build a skydiving community that extends far beyond the borders of Middletown. Not only have they introduced an exciting form of entertainment to the community, but they bring in skydivers, and adventure enthusiasts from all over the surrounding areas. These jumpers drive for hours at times to spend their weekends at Start, looking forward to the excitement of skydiving and the assurance of safety that Start has come to be known for. In doing so these visitors, many of which would never consider coming to Middletown otherwise, significantly bolster other parts of the Middletown economy. Start Skydiving provides a service to the community, not just for it’s entertainment value and the sense of community it creates, but for the traffic it brings to local restaurants, bars, and shops, and for the ways the Hart family continues to give back to those in the surrounding areas. Losing Start Skydiving in the community would have a devastating impact on Middletown, but changing the landing zone, and jeopardizing our safety as jumpers would force that to happen. If safety for the members of your Middletown family, both up in the sky and on the ground is truly your utmost concern, I would like to formally request an FAA safety audit be conducted prior to any definitive decisions regarding the location of the Start landing zone. Compliance with current safety regulations, as well as recent changes to airline safety is obviously important, but so is the safety of every single person we as a community send up into the air. Changing the landing zone will jeopardize that safety, and inevitably force the closure or relocation of an integral part of our Middletown community. Please don’t let the death or injury of a skydiver be the evidence that you need to rethink this decision. Thank you for your time and warmest regards”

Ed Lightle

Ed Lightle, “I have been the Newsletter Editor for Start Skydiving for almost 10 years. I also teach newer jumpers how to do complex skydiving formations. When jumping with these newer people, I separate the landing areas so that they have plenty of room to land and I can land close to the hangars and get ready for the next group of jumpers. Making all of us land in the same small area will jeopardize the safety of all of us. The current landing areas give newer jumpers plenty of room to set up for landing without worrying about landing in the river or near other hazardous obstacles.”

Dale Kierstead

Dale Kierstead, “As a frequent user and supporter of the Middletown airport, I stand in opposition to moving Start Skydiving to another airport location. This opposition was more clearly expressed in an email letter to you and the City Council earlier. Please include this statement and my earlier email for the record at tonight’s meeting.”

(No other email was received.)

Keith Connel

Keith Connell, “Dear City Council of Middletown – I write this email with great concern regarding the planned moving of the current Start Skydiving landing zone at the Middletown airport. I am certain you have received a considerable amount of feedback on this issue, and I, as well, would like the opportunity to briefly share my thoughts. I am currently an active skydiver at Start Skydiving, and have been jumping there for the past three years (both Tandem and fun Jumps). I received my AFF training and license through Start Skydiving. Though my active time there may seem minimal, I consider Start my skydiving home. I love the people, the facilities, and most importantly, the attention given
to safety. It is by far, the number one priority with this organization. With that being said, in regards to the proposed move of the current landing zone area, I am very uncomfortable with this new proposal, for various reasons:

1. The overall safety of jumpers, instructors, tandem students and pilots is being compromised. Downwind pattern encroachment is real and it’s deadly.

2. Skydivers with various levels of experience landing in a common, close proximity area is never a good idea. Collisions happen, and people get seriously injured or killed. (i.e. the recent death of a very experienced Team Fastrax member, attempting to avoid a collision with a less experienced jumper in such an area).

3. The efficiency of Start’s business will be severely impacted, by the extreme distance needing to be covered, to return to the loading area.

Please listen to the experts; the folks with years of skydiving experience, and thousands of jumps. The pilots who know about pattern encroachment, and its’ dangers. I am hopeful that a sound, safe resolution can be achieved regarding this situation that will benefit all.”

In person citizens comments began.

Brian Pangburn, 1711 Run Way, Middletown, Ohio presented the following PowerPoint presentation.

**Present Aircraft / Parachute Collisions**

1. On Nov. 21, 1993, a jumper collided with a Piper PA-28-161 Cherokee crushing its vertical stabilizer. The parachutist survived the impact, all four people on board died.

2. On May 27, 2001, a de Havilland DHC-6, N125PM, collided in flight with a parachutist in Fentress, Texas. The parachutist was killed.

3. On April 23, 2006, a de Havilland DHC-6 was substantially damaged when it struck a skydiver under canopy above Deland Municipal Airport in Deland, Fla. The aircraft was entering the downwind leg for Runway 23 when the collision occurred. The pilot was able to land safely, but the parachutist was killed.

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**NATIONAL CLIMATIC DATA CENTER**

151 PATTON AVENUE | ROOM 120

ASHEVILLE, NC 28801-5001

PHONE: (828) 271-4800 | INTERNET: orders@ncdc.noaa.gov

FACSIMILE: (828) 271-4876 | WEB SITE: http://www.ncdc.noaa.gov

November 1998

**CLIMATIC WIND DATA FOR THE UNITED STATES**

The climatic wind data contained in this summary was extracted from the NCDC’s Local Climatological Data publications, Heavy A & Air Force climatic briefs, and other pertinent sources. Not all climatic and wind data may be available for sites not listed in this summary.

The total period of this summary is 1930-1996. The period of record (POR) for which wind data is summarized varies for individual sites and may begin and end at any time during the 1930-1996 period. All available wind data is provided regardless of POR or source.

Updated data for many sites can be obtained from post 1996 Local Climatological Data publications.

In the table, prevailing wind directions (DR) are given in compass points. 'Gust' wind speeds (G) & pressure (PS) are in miles per hour (mph). When peak gust (PG) wind velocities are not available, fastest wind gust (PG1) for each month of record may be indicated by a 5 for five-mile and 4 for 5-second winds preceding PG (or PG1) – fastest-miles winds. Wind speeds may be combined to reflect the highest recorded wind. When appropriate wind data is not available, as N/A will appear in lieu of data.

Conversion tables of miles per hour to knots and compass points to degrees are provided at the end of this wind table.
APPENDIX C. PARACHUTE OPERATIONS

SIDE VIEW

PARACHUTE OPERATIONS

2 MILES
1 MILE

EXTREME

PROBABLE CHUTE OPENING ZONE

EXTREME

PATTERN WINDOW

RUNWAY

= 3000'

2000'

750'

3/13/18

AC 90-66B
Appendix C
TPA=1,000 ft
Canopy Glide Ratio 2.0-3.0 : 1

No Wind

TPA=1,000 ft
Canopy Glide Ratio 2.0-3.0 : 1

Average Winds

TPA=1,000 ft
Canopy Glide Ratio 2.0-3.0 : 1

Double AVG Wind
Mike Derge

"My name is Mike Derge. I am a private pilot and take it personally when many members of the public have voiced negative opinions about the actions of City Council. I am not here to personally attack any member of City Council. To even the most casual observer, City Council has a motive other than what they have made public for applying pressure to make Start Skydiving leave the Middletown airport.

I would hope you resolve whatever conflicts you have with Start Skydiving without intentionally increasing the risk of death or serious injury to Middletown residents and visitors. To pretend that a group of people who don’t know the difference between a runway and a landing zone know more about safety than the owners, staff of Start Skydiving and the Professional Skydiving members of Team Fastrax would be laughable if it didn’t have such dangerous consequences. Politicians with less than transparent motives have been around for millennia. In 360 BC Plato said: ‘This and no other is the root from which a tyrant springs: When he first appears he is a protector.’ Please stop pretending you are trying to protect us. I would ask you initiate an official FAA safety review about moving the landing zones. If an unimpeachable source like the FAA indicates that the landing zone should be moved to the downwind leg of the traffic pattern to make the airport safer, it would dispel the generally held belief that City Council has some other motive for its actions. Thank you for listening.”

Bridgette LaJoye

Bridgette LaJoye, 1832 N. State Route 741, Franklin, Ohio stated that she is the mother of five children and grandmother to three grandchildren. She stated that she comes from a long line of Middletowners. Start Skydiving used to be based in Warren County, near her home. She and her family enjoyed watching them skydive and her husband became a skydive. She stated that safety is the top priority of Start Skydiving. In the past she hosted foreign exchange student and allowed them to tandem skydive with Start Skydiving with no doubts that they would be safe. She stated that Start Skydiving is a great unique team and they need a great, unique, and safe place to land. She commented that many of the skydivers are retired military paratroopers and she trusts them to know what is safe and what is not.

Larry Compton

Larry Compton, 911 Providence Court, Trenton, Ohio, stated that the current drop zone provides a safety barrier. He stated that moving the drop zone would affect the efficiency of the skydiving operations and reduce the number of jumps that could be performed. The pilots and skydivers only have six months to make their yearly income. The proposed drop zone will affect our business model and not allow us to make a living. He reminded City Council that they have a judiciary responsibility to those that elected them into office and encouraged them to re-evaluate their decision.

Ray Miller

Ray Miller, 4401 Brandon Lane, Middletown, Ohio, commented that has been a resident of Middletown for 24 years and a pilot for 50 years. He stated that he has studied this situation ever since it came up and asked if any of the City Council members had ever flown an aircraft. It is an honor to have Start Skydiving, the world’s largest skydiving club, the greatest skydiving club in the world, in Middletown. John Hart and his people have been flying longer than most of you have been alive and they know what they are talking about; they are ex-military personnel.

Brian Marzuf

Brian Marzuf, 793 Hoop Road. "I’m not here today to discuss the problems of moving the parachute landing area, you’re going to hear more than enough about that, I see another problem that has led us all into the situation. I believe that city council has been set up to take the blame for the decision to move the landing area and I don’t think that it’s fair. It isn’t right for council members to have protesters at their businesses nor is it right for the acting city manager to attack another business on Facebook. Watching the last council meeting I noted the decision to move the
landing area was never put to an official vote. And while Susan Cohen repeatedly said that the goal isn’t to get rid of Start Skydiving, the information the Council was given in the agenda leads me to believe otherwise. Why else would they include complaints that have nothing to do with parachutes landing? The council is being provided false information, partial truths, and non-qualified opinions by Susan Cohen, Matt Eisenbraun and Dan Dickten. Their only so-called expert source being Quadrex Aviation which is known for providing assistance in removing skydivers from airports. The FAA and USPA have never been consulted despite claims to the contrary and the FAAaand USPAGuidelines have been redacted, intentionally misquoted and taken out of context. Despite claims made by Susan Cohen the city has never approached Start Skydiving with the intention of Good faith negotiations. Every suggestion they have made has been unrealistic. Susan Cohen was being clearly evasive at the last council meeting when asked a direct question, Matt Eisenbraun has stated that he wants the skydivers gone and Dan Dickten has actively solicited negative comments from airport users and even non-users. He has gone so far as to provide free hangar space as a reward for doing this. The campaign of retaliating by these city employees is only getting worse. I think this group is scrambling to get rid of Start Skydiving before the new City Manager is hired and can put a stop to their shenanigans. I think it’s time that the council took back the reigns. I’m asking that you place a hold on the decision to move the parachute landing area until the new city manager has been hired and an independent investigation has occurred on both the landing area situation and on the city employees being accused of wrong doing. Thank you.”

Levi Cramer

Levi Cramer, “Madam Mayor & Members of Council, I am here today to issue a formal complaint about the conduct of one of your employees. On May 15, Acting City Manager Susan Cohen published a blog post in hopes of describing your rationale for moving forward the way that you did with the municipal airport. I am not complaining about an individual serving in the capacity of City Manager making blog posts explaining why decisions are being made. In fact, in general, I applaud that practice and dedication to transparency in government. Transparency is something you all should strive for. I am complaining about the content of that post published on the 15th. There are people here today that have already, or will, challenge the truthfulness of this post (and I tend to agree with them), but again, that is not why I am speaking to you. What I am formally complaining about is Ms. Cohen’s general attitude towards those challenges, more specifically the practice of labeling the questions, brought on by CITIZENS of this town, as to truthfulness and allegations of issues against integrity and ethics of council members as “very disappointing.” Madam, the people of this town have a DUTY to report these sorts of allegations against their leaders. It should be of the utmost importance to government to recognize these sorts of allegations and to take them seriously. Not to sweep them under the rug and call them "disappointing" because you disagree with the questioner about policy. You are elected officials and your employee is an appointed one. As public officials you will be, on occasion, be subject to these kinds of questions. If you cannot handle that, you have no business serving as a public official. It’s frankly ridiculous that a 25-year-old has to stand at this dais and explain that to you. You serve us, the people, not the other way around. Ms. Cohen’s statements are wildly inappropriate and absolutely fitting of a public apology to Start Skydiving, their supporters, and more importantly, the citizens of this town. This should take the form of a public statement that is published on our city’s Facebook page and read at the next council meeting. Finally, I will add my concern for the decision making of this body. When I was a student at Ohio State, I told a professor I was from Middletown. Without skipping a beat he said “Ah the steel city of the skydiver!” Council lost large parts of that steel mill already. We’ve lost public pools already. We’ve lost Weatherwax Golf Course already. If you wonder why people like to focus on the negative aspects of Middletown, maybe start by looking to the fact that this body has historically driven many of the good parts away. These were mistakes made by previous councils. Do not make the same ones. Be better than this.”

Lisa Hart

Lisa Hart, 5329 Rentschler Estates Drive, I first came to Middletown on April 20, 2014 to skydive. I am a nurse and EMT, a skydiver, a skydiving instructor and a mom. I did 63 skydives last year while I was pregnant, because I felt safe where I was landing. As an EMT and a nurse, I am a first responder when something happens at the airport. The “golden hour” of trauma refers to the first hour after the accident occurs. During this time it is critical to get care for the patient and get them to the appropriate hospital. Part of being able to do that is being able to reach them. With the current landing area, I can see the accident from the hangar and I am able to assess the situation immediately. If you move the landing area more than a mile away it will be more difficult and time consuming for EMS personnel to reach an injured skydiver. This delay could result in a permanent disability or death.

Matt Harvey

Matt Harvey, 7650 Ragali Pkwy, Middletown Heights. “Good Evening Respected
Members of Council. I recently sent you my full thoughts via email so I will try to be brief. I have been a part time resident of Middletown for 10 years and I rent a hangar at the airport. I have 12 years in the sport, 4,000 jumps all over the world, and I am a Regional Safety and Training Advisor appointed by the United States Parachute Association for Team Fastrax. Unequivocally, the new landing zone is unsafe on the ground and in the air. As proposed, I wouldn’t permit a Team Fastrax Member to train at the new landing zone. It is far too dangerous. From the standpoint of an instructor, it is like asking a student pilot to land on a runway with potholes. It is only a matter of time before there is an injury or death. Furthermore, it will put a severe economic strain on Start Skydiving. With my sincere and utmost respect for council, any good intention is irrelevant here. This can only be viewed as an attempt to get rid of Start Skydiving and that is how it will be remembered. Thank you for your time.

James Davis
2703 Towne Boulevard, Middletown, Ohio. I live here in Middletown and I skydive for fun. I don’t agree with what’s going on here. Why would you want to do this to a small business? Start Skydiving has improved the look of the airport and done a lot of good things for veterans and in our community. They could go somewhere else and the City would lose that tax revenue. City Council should focus on cleaning up the City instead of going after a thriving local business. This is a total waste of tax dollars. I might run for City Council.

Ken Reeder
10760 Chester Road. I am a commercial and corporate pilot and also have experience as a skydiving pilot. Safety is paramount. I love Middletown and I come here often to practice for air shows. What is happening at the airport? The airport is perfect for the way it is currently being used, not for large corporate jets, no Fortune 500 company is going to come here.

COUNCIL COMMENTS

Mr. Moon
I’d like to wish everyone a Happy Memorial Day and express my appreciation for our Veterans. I’d like to extend a heartfelt welcome to our next City Manager Jim Palenick. Jim has a wealth of experience having been in City or Village Management since 1987. He’s worked in tight revenue environments, worked successfully with organized labor, managed large-scale economic development projects and has significant experience in neighborhood redevelopment. I’d like to thank Mrs. Cohen for her work as Acting City Manager. You didn’t ask for this job but took it on when asked and it certainly hasn’t been easy. You’ve done the job well and I appreciate all you’ve done during this time of transition.

Ms. Nenni
Ms. Nenni explained that the citizens comments guidelines currently limit comments to three minutes per person but they also further limit the time allotted to thirty minutes total. This was already stated in the printed guidelines but we traditionally allow every individual that turns in a comment card to use their three minutes rather than cutting the comments off at thirty minutes. I was simply asking for the limitations to be made on yielding time to prevent the misuse of time and to hear from each person. She discussed the concerns about the fireworks displays and expressed her appreciation for all of the hard work that the health and police departments do and expressed her support of their decision to postpone the events. Traditional celebrations are not a safe option for us as they carry the compounded risk that we would be welcoming an unknown number of outside guests to our gathering places since all of our neighboring communities have already cancelled their displays. She thanked everyone that came down tonight regarding our decision to move the drop zones at the Middletown Regional Airport. She expressed her appreciation for the passion that they have for the City and stated that she read all of the emails and reports. The safety of our citizens and guests is primarily important and is in every decision this council makes regarding the use of City-owned assets. She expressed her confidence that the City has reached out and is interested in sitting down with Start Skydiving to discuss ways that we can make the new drop zone even more safe and that they are willing to work with Start Skydiving regarding logistical concerns. I am not convinced that the new drop zones are entirely unsafe or unusable by our tenants or visiting skydivers. I hope that we are able to work through this new challenge and can come together to promote safe skydiving in Middletown.

Mr. Mulligan
Mr. Mulligan thanked those that shared their thoughts. He commented that under the threatened litigation, legal counsel has recommended that Council members not comment publicly. He stated that this was a decision with a significant amount of input. He commented that the census counts for Middletown are not where they should be. He encouraged everyone to complete and submit the census forms and stressed the importance of doing so.

Ms. Vitori
Ms. Vitori thanked everyone for their passion, and stated that she read every email and every document including the recommendation of the Airport Commission. She congratulated the businesses that re-opened over the weekend, it was the first weekend back for a lot of businesses. She welcomed Mr. Palenick and stated that he
Ms. Condrey welcomed James Palenick as Middletown’s new City Manager. She stated that there has been some concern on social media about his past employment. City Council is well aware of his past employment and City Council conducted a thorough nationwide search for a City Manager in conjunction with Management Partners and we are extremely pleased with the selection of Mr. Palenick as a new leader in Middletown. The City is aware of Mr. Palenick’s past employment and Management Partners performed a thorough reference check. City Council addressed past employment issues directly with Mr. Palenick and collectively we felt his explanations solidified our decision to hire him as the City Manager. Mr. Palenick is dedicated to the strategic successes of the communities he has served. In a City Manager form of government such as Middletown the City Manager bridges the gap between politics and the execution of the mission. Mr. Palenick is willing to work hard and bring successes to our City and to dedicate himself to the citizens of Middletown. We are confident that he will gather the input of the City and execute the mission Middletown asks of him in a respectful and accountable manner. Based on his background and interviews, City Council believes that Mr. Palenick has the right mix of experience, demeanor and management style to bring the Middletown community together and lead us toward a brighter future. She commented that the average life span for a City Manager in one location is about 4-5 years. The City of Middletown has 72 Covid-19 cases so far. Local testing opportunities have increased. While she expressed her support of opening the economy back up she cautioned the elderly and those with health deficiencies to take appropriate measures to protect themselves. She praised the Health Department for their work during this situation. She stated that the Police Department does not feel that they have the manpower to enforce social distancing regulations for a traditional fireworks display and she supported their decision. City staff is looking for alternative ways that the City can instill national and local pride here in Middletown. City Council is extremely grateful for all of the volunteers who put their time and effort into being members of commissions and councils in our City. It’s a significant amount of effort that they make and it comes with a great deal of responsibility. I am following my request at the last meeting for commissions and committees to get their minutes up to date with state municipal regulations. City Council received 19 sets of “meeting minutes” from various commissions over the last two years. You see tonight that Council is only voting to approve two sets of those minutes. That is because none of the other minutes were provided in a form that was appropriate for Council approval. Seventeen sets of minutes had no signatures. I want to give our citizens an overview of what was submitted in order to provide some transparency of some of what occurs prior to what you see up here bi-monthly. From all of the information that I received the Airport Commission is in violation of the open meetings law for two years, for one reason or another, every single meeting. The last approved meeting minutes were from April 2018. The records of these meetings or any government meeting or discussion are the records of the people. We have no records to provide to the people.

Airport Commission August 20, 2019, no quorum met for this meeting- this meeting is invalid.

Airport Commission September 2019, no minutes; Council received an agenda and a bunch of attachments, and there is no proof that any information was discussed at this meeting. Matt King should automatically be removed from the commission for failure to attend two meetings in a row without being excused. Part Two, Title Eight, Chapter 260 of the Charter states that any member of any City board or commission established by ordinance who fails to attend two successive meetings of the board or commission to which he or she has been appointed and such absences are not excused by a majority vote of said board or commission shall thereupon be automatically dismissed as a member of such board or commission and his or her office or place of appointment shall become vacant. Also, there was no signature on these “minutes.”

Airport Commission October 2019, no quorum, the meeting is invalid. Tom Anderson and Nick Brown should automatically be removed for failing to attend two meetings in a row. No signatures.

Airport Commission January 2020, no sign in attendee list, no minutes, no signatures.

Airport Commission February 2020, no minutes, no signatures.

Airport Commission March 2020, no quorum, invalid meeting, no minutes, no signatures.
Civil Service Commission minutes from September, October, November, December – no signatures. One typo on a date.

Architectural Review Board minutes need to state how the minutes were approved because they don’t meet very often, no signatures.

Planning Commission minutes from November and December 2019, no signatures.

Board of Zoning Appeals minutes from December 2019, no signatures.

Historic Commission minutes from December 2019, no signatures.

Library Board minutes from February and March 2020, no signatures.

Without signatures there is no accountability. Accountability and transparency are not just requirements, they are one of the tools by which a governing body earns the trust of its constituents. It is only with the earned gift of trust that we are able to build cohesive momentum and propel our City into its brighter future. I greatly value the purposeful efforts our commission members make to the City and I really do look forward to their continued communications, successes and positive impact.

Mr. Moon stated that other communities are delaying their fireworks until Labor Day and suggested that this may be an option for Middletown.

Acting City Manager Cohen reported that she was looking forward to welcoming Mr. Paleinick. She reported that the decision to postpone the fireworks was made by a committee of members of Public Safety and Public Health Departments. She expressed her concern about the increase of gun violence in the City and offered her admiration to the Division of Police. These officers have been working tirelessly to keep us safe and solve crimes in an amazingly efficient manner. Their professionalism shows us how lucky we are to have them working here for the Middletown citizens. Officers are trying to step up enforcement but trying to balance that with the ongoing Covid 19 concerns. We are looking forward to bringing back neighborhood watch programs and increasing local accountability. Looking at the 2021 budget, I am looking forward to working with Mr. Paleinick and Council to initiate Community Oriented Policing. The best line of defense is to be aware of your surroundings. We need to address the amount of gun violence and other serious violence that has been going on over the past few weeks. It is unacceptable.

I appreciate everyone’s passion for which they came here today and I am not going to rehash the issues. We have been collecting emails that have been sent from the City on this matter. There is also a timeline that I will be happy to provide to anyone demonstrating the amount of communication we have had on this matter. The City has strived and done our best to try and reach out to all members of the community and saying, this is what we are doing, please provide feedback. This timeline shows continual involvement requests by the City to get involvement from Start Skydiving as well as other users. There are two particular concerns that I want to bring attention to. There have been ongoing discussions about why we didn’t contact the FAA. There are letters and emails showing that the City raised these issues with the FAA multiple times. On March 4, 2019, our consultant, Woolpert, reached out to the Deputy Director of the Airport Division of the Great Lakes FAA. In their reply, they pointed us to advisory circular 105 2E and helpfully highlighted one phrase.

While skydivers attempt to land in such areas, at times there may be inadvertent landings in other grass or hard-surfaced areas. This could include landings on runways, taxiways, and other hard-surfaced areas. Areas such as runways, taxiways, clearways, and Obstacle Free Zones (OFZ) are not prohibited areas but should not be designated as a primary landing area and should be vacated as soon as practical. The City continued to reach out to the ATO (Air Traffic Organization) in Detroit. On March 3, 5 and 26 of 2020, we again reached out and received no response. I reached out again today to ask please tell us what we need to be doing. We reached out to Cincinnati on March 5, 10, April 1 and May 15 of 2020 requesting a meeting. We finally received a meeting yesterday and spoke to the FSDD (Flight Standards District Offices) in Cincinnati and we explained the process that we have taken so far, the locations of the old drop zones and the proposed relocation. Their analyst guided us that under their regulatory scheme and their appropriate regulation they would enforce state that the airport manager and sponsor have the ability to set the drop zones. They had no reason to get involved until there was a safety complaint filed and that has not been done at this point in time. The City is speaking and it continues and is willing to speak to every person that has a concern about this. This is not a matter of taking this decision lightly. Over a period of years we’ve decided to try and speak to every person available. We will continue to do that and listen to the independent experts to improve the safety and operation of the regional airport
To approve the City Council minutes of January 7, January 21, February 4, 2020
To Receive and File Board and Commission Minutes from:
Board of Health- February 11 and March 10, 2020
Receive and File Oaths of Office for Chris Xeil Lyons and Evan Skrobot
To confirm the following personnel appointments:
Ryan Rawlins to the position of Patrol Officer in the Department of Public Safety, Division of Police; and of Geoff Getter to the position of part-time Community Security Officer in the Department of Public Safety, Division of Police.

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

To approve a contract with various vendors for nuisance abatement services of vacant/city-owned properties and private properties that have failed to abide by the City’s codified ordinances within the City of Middletown. The bid has been divided into five groups with the intent to award to separate contractors since it is unknown how many work orders the City will have for nuisance abatement services in each group. The groups were created based on number of work orders completed in 2019. The contract is for the remainder of 2020 with an optional renewal of two additional one-year periods. It is recommended to award the contract to the following contractors (approximate annual cost based on 2019 work order statistics assuming all groups have equal work orders):
Group 1 - Possum Hollar Designs, LLC $55,379.50
Group 2 - Results By Carroll LLC $61,518.00
Group 3 - Possum Hollar Designs, LLC $55,379.50
Group 4 - Cams Lawn Care $62,614.17
Group 5 - Julie’s Lawn Care $62,614.17

Mr. Mulligan moved to approve a contract with various vendors for nuisance abatement services of vacant/city-owned properties and private properties that have failed to abide by the City’s codified ordinances within the City of Middletown. Ms. Vitori seconded. Motion carried. Ayes: Mr. Mulligan, Ms. Condrey, Ms. Vitori, Ms. Nenni, Mr. Moon.

Mr. Mulligan moved to suspend the Charter provision that requires reading on two separate days and to declare Ordinance No. 02020-22, Ordinance No. 02020-23, Resolution No. R2020-12, Resolution No. R2020-13, Resolution No. R2020-14 emergency measures to be read one time only. Mr. Moon seconded. Motion carried. Ayes: Ms. Vitori, Ms. Nenni, Mr. Moon, Mr. J. Mulligan. Nays: Ms. Condrey.

Ordinance No. 02020-22, an ordinance establishing a procedure for and authorizing an amendment of the contract with CBM Managed Services now known as Summit Food Service for jail food service and declaring an emergency was read.

Ms. Cohen stated that since the last meeting staff has been looking at other solutions and options. This is a position that no one wanted to be in. The best solution that they could reach an agreement on was to go ahead and agree to the back pay and donate the extra food to non-profit organizations within the City. If an agreement cannot be reached and the City cannot provide inmate meals then the inmates would have to be relocated to other detention facilities. Ms. Cohen felt that it is a bad time to try and rebid because the market knows that we are in an emergency situation.

Ms. Vitori stated that food costs are increasing.

Mr. Moon asked if the current inmates must be housed at the Butler and Warren County jails; how long could the Middletown City jail be empty before it would be required to be recertified. Ms. Cohen was not sure how long but stated that was certainly a possibility. Ms. Nenni asked if the City had ever prepared the inmate meals in house; Ms. Cohen stated that it had been contracted since her time with the City.

Ms. Condrey commented that she felt the City was being bullied to bail out a private company that failed to determine their break-even point. She stated that this issue is not just a result of Covid 19 but a result of decisions made by former City Manager Adkins. She stated she hates to make a decision that goes against her principles but she also doesn’t believe in citizens dollars wasted in order to fight an issue based on principle in this case. She supported looking for other vendors and alternatives and stated that it is important to not lose the jail.

Ms. Mulligan commented that the break-even point is 50 but that looking at the inmate
numbers over the last year have been below 50/60. He stated that it is not cost effective to have a stand-alone contract and encouraged forming an intergovernmental agreement. He suggested that City Council and City Manager Pelenick have a frank discussion about the long term viability of the Middletown Jail in the next few months.

Ms. Cohen explained that the current contract is through December 2020. Ms. Nenni suggested rebidding the contract mid-summer and also looking at other options including preparing the food in house, Sodexo, and local caterers.

Mr. Mulligan moved to approve Ordinance No. 02020-22, an ordinance establishing a procedure for and authorizing an amendment of the contract with CBM Managed Services now known as Summit Food Service for jail food service and declaring an emergency. Mr. Moon seconded. Motion carried. Motion carried. Ayes: Ms. Vitori, Ms. Nenni, Mr. Moon, Mr. J. Mulligan, Ms. Condrey.

Ordinance No. 02020-23, an ordinance authorizing a collective bargaining agreement with the Fraternal Order of Police, Ohio Labor Council (Corrections Officers) for the years January 1, 2020 through December 31, 2022 and declaring an emergency was read.

Mr. Mulligan moved to approve Ordinance No. 02020-23, an ordinance authorizing a collective bargaining agreement with the Fraternal Order of Police, Ohio Labor Council (Corrections Officers) for the years January 1, 2020 through December 31, 2022 and declaring an emergency. Mr. Moon seconded. Motion carried. Ayes: Ms. Nenni, Mr. Moon, Mr. Mulligan, Ms. Condrey, Ms. Vitori.

Resolution No. R2020-12, a resolution authorizing the City Manager to enter into an agreement with the Federal Aviation Administration for CARES Act grant funding and declaring an emergency was read.

Mr. Mulligan moved to approve Resolution No. R2020-12, a resolution authorizing the City Manager to enter into an agreement with the Federal Aviation Administration for CARES Act grant funding and declaring an emergency. Ms. Vitori seconded. Motion carried. Ayes: Mr. Moon, Mr. Mulligan, Ms. Nenni, Ms. Vitori. Abstain: Ms. Condrey.

Resolution No. R2020-13, a resolution authorizing an amendment to a contract with the state of Ohio, Department of Transportation for the extension of the Great Miami River Trail and declaring an emergency was read.

Mr. Mulligan moved to approve Resolution No. R2020-13, a resolution authorizing an amendment to a contract with the state of Ohio, Department of Transportation for the extension of the Great Miami River Trail and declaring an emergency. Ms. Vitori seconded. Motion carried. Ayes: Mr. Mulligan, Ms. Condrey, Ms. Vitori, Ms. Nenni, Mr. Moon.

Resolution No. R2020-14, 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 (Municipal Garage Fund) was read for the first time.

Resolution No. R2020-15, a resolution authorizing an employment agreement with James M. Pelenick to serve as City Manager of the City of Middletown and declaring an emergency was read.

Mr. Mulligan moved to approve Resolution No. R2020-15, a resolution authorizing an employment agreement with James M. Pelenick to serve as City Manager of the City of Middletown and declaring an emergency. Ms. Vitori seconded. Motion carried. Ayes: Ms. Condrey, Ms. Vitori, Ms. Nenni, Mr. Moon, Mr. Mulligan.

ADJOURNMENT

At 7:05 p.m., the meeting was declared adjourned until June 2, 2020 at 5:30 p.m. in Council Chambers.

Attest: Nicole Condrey, Mayor