At 4:30 p.m., Mayor Condrey called the City Council work session to order in the Police Administration Conference Room, Lower Level of the City Building.


City Council met in a work session to discuss the guidelines for citizens comments during a regular meeting. The group discussed different options such as listing the guidelines on the City Council agenda, not allowing people to yield time to other speakers, limiting the total amount of time for citizens comments, combining groups of 5 or more and having them choose a spokesperson and allow more time. The group reviewed the guidelines that other entities follow. City Council was clear that they wanted to be inclusive and to hear from the citizens of Middletown. The group settled on the following guidelines for citizens comments:

Middletown City Council has maintained the solicitation of citizen input as part of its council meetings for some time. Whether during the council work session, public hearings, or related to legislation, public input is gathered. There is no state or federal statute that requires general citizen input into the legislative process, however, with the desire to gather input, council offers this opportunity to the citizens of Middletown. With the return of the combined work session and business meeting in chambers, the following guidelines are established for the citizens comment section of the agenda:

Comments must be limited to 3 minutes per person (blue lights indicate when 1 minute remains). Speakers must be a city resident or have a business interest within the city. A respectful, professional presentation is expected of all participants. Personal attacks on staff, council members or other individuals will not be tolerated. No foul language will be tolerated. Questioning of or debating with staff or council members will not be permitted. Speakers should state their name, address and topic for the record at the beginning of their presentation. Comments on pending legislation before council should be noted on the face of this card. A total of 60 minutes will be allocated on the agenda for citizen comments. Topics must be related to City business. The delegation of one’s time to another speaker is prohibited.

Speaker cards will be collected at the start of the meeting. Speakers should be present to fill out card prior to start of the meeting. Those individuals not adhering to the rules will lose the opportunity to speak before council. Inappropriate language, actions, or personal attacks will result in the immediate suspension of privileges. Matters or issues that may warrant the attention of the citizens of Middletown should be scheduled with the City Manager’s office and may be presented under the Manager’s agenda item (county wide levies, information on city schools, etc).

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


Finance Director Burton explained that the budget schedule as required by the Ohio Revised Code, Chapter 5705.

June 16, 2020 - Public hearing, receive, file and adopt by Motion

July 15, 2020 - Deliver to Butler and Warren County Auditors

Mr. Burton explained that the Annual Tax Budget has two purposes:

1) The 2021 beginning cash balances and 2021 projected revenues for each fund in this budget become the estimated 2021 resources for the City. The 2021 annual appropriations usually passed by City Council in November 2020 may not exceed these estimated resources. The objective, therefore, is to be realistic in these resource projections. If necessary, these estimated resources can be amended in writing during the 2021 calendar year by the Finance Department. This would be necessary if revenues are underestimated in this budget, or if expected revenues are not received. Because the estimated resources can be amended, the tax budget does not set or limit Council’s ability to adjust, increase, or decrease the permanent budget appropriation resolution to be passed later this year; and

2) A City’s annual tax budget also supports the need for its annual property tax levy. The current levy of 6.90 mills (1.0 mill for the Senior Citizens Levy) will be requested for 2021.
The assumptions made in projecting the 2021 revenues and expenditures in this tax budget were:

1) Revenues in all funds agree with the most recent Financial Plan. The General Fund revenues projected for 2021 are projected with a 1% increase and expenditures projected with 2% decrease.
2) All 2021 operational costs agree with the most recent Financial Plan.
3) The 2021 debt service costs are at actual levels based upon debt repayment schedules already set. Capital improvement expenditures are from the five-year capital improvements plan.
4) These estimates are based on the current knowledge of the revenue stream and the current expenditures.

This budget must be submitted each year to the County by July 15 as required by Ohio Revised Code. The 2021 Tax Budget indicates that General Fund expenditures will exceed General Fund revenues by approximately $1.1 million and that the 2021 year-end cash balance in the General Fund will be about $5.1 million, which is a 15% reserve balance. This budget will be replaced with a permanent appropriation resolution later this year.

Mayor Condry opened the public hearing at 5:34 p.m. and called for those who would like to speak in favor of the proposed 2021 tax budget; hearing none she called for those who would like to speak in opposition to the 2021 tax budget; hearing none the public hearing was closed at 5:35 p.m.

**CITIZEN COMMENTS**

Mary Beth Lodge, 2113 Logan Avenue, Middletown, Ohio stated that she is not a pilot, skydiver or airport manager, but she is distressed by the issue. She is good at observation and everyone who spoke about the skydiving spoke about safety. As a business owner, if you have to choose between safety and loyalty, a location, safety will always supersede loyalty.

Zack Ferrell, 7747 Myers Road, Middletown, Ohio asked about putting a detached garage on a property at 6666 Locust Lane in Middletown. The Zoning Department said that the garage must be put behind the house. There are 4 other properties with garages at the side of the house in the area. He stated that he wants to keep homeowners in Middletown. Ms. Cohen will follow up with Mr. Ferrell.

Cal Willis, 3304 Barbara Drive, asked how he could become a member of the Citizens Advisory Board to the Police. Chief Birk welcomed him to attend the Citizens Advisory Board meeting on June 17. Clerk Schenck will contact Mr. Willis so that he can apply to serve as a member of the CAB.

**COUNCIL COMMENTS**

Ms. Nenni thanked Chief Birk and the officers that provided protection for and participation in the peaceful protests happening in downtown Middletown. Their engagement in the community, the Youth Coalition and Citizens Advisory Board meetings will have a meaningful impact on Middletown and its future. I look forward to standing with the Middletown Police Department and the NAACP at the Middletown United for Change March on Saturday, June 20th. We will be meeting at 10 a.m. at the Transit Station and walking to the City Building for an organized program. I welcome everyone to join us. I would like to thank Ms. Cohen and City staff for their attention to the sample legislation that Ms. Vitori proposed at the June 2nd meeting. They drafted a piece of legislation that demonstrates Middletown's commitment to creating a more inclusive community for all of our citizens. Thank you to Jackie Phillips for her continued response to the Covid-19 pandemic. From a small business standpoint, I appreciate the regular emails and communication from the Health Department with best practices and state-level updates. I also appreciate the work of the Economic Development Department and Downtown Middletown Inc. to provide picnic tables and activities for our citizens to enjoy in our downtown. I have seen many families enjoying our events. Thank you to Jake Burton and Scott Tadych for keeping the wheels turning during through difficult economic times and budget cuts. We will come out of this eventually and their frugality and creativity will certainly help us keep the momentum. I truly feel that our staff believes in a brighter future for Middletown. I can't wait to welcome Mr. Palenick to the team in July.

Ms. Vitori thanked City staff for taking the legislation that she proposed and turning it into something that I am really happy to pass tonight as a resolution and be able to present at the United for Change March on Saturday. She thanked her fellow Council members that supported it.

Ms. Condry thanked all of the citizens and community partners that have reached out and had meaningful dialog about diversity and inclusion. Miami University had a great panel that I was honored to participate in. It was really helpful on the topic. I look forward to participating in the upcoming United for Change March and to continue communication with and listening to everyone in our City. We are committed to equal treatment of all of our citizens. I am also looking forward to welcoming Mr. Palenick to our City. He has been in contact with some of our community partners already.

**CITY MANAGER**
Ms. Cohen discussed opening the side lot program. Council previously authorized the sale or property to those who were maintaining lots or paid a nominal fee of $500. The program was put on hold in 2018 to allow the update to the Housing Plan. The City has been holding property to make sure disposition is consistent with Housing Plan. She recommended opening up the program on July 1, 2020. This allows the City to cut maintenance costs and citizens to expand their current properties. She discussed the proposed new rules of the program:

- Disposition must be to adjacent property owner or non-profit agency
- Requester must have no delinquent fees or taxes owed to the City
- Requester must have no outstanding civil penalties or property maintenance violations
- Proposed use must be consistent with building and zoning regulations
- Transfer must be consistent with the Housing Plan passed by City Council
- Price for lot will be the higher of: $500.00 or the cost incurred by the City, but not reimbursed, to maintain the property for the prior 2-year period
- Each parcel will be available on a first come first served basis. Those currently having a letter of interest on file, meeting the requirements, have first right of refusal. However, to satisfy 2 adjacent property owners the parcel may be split at the City’s discretion

Ms. Cohen explained that the cost incurred by the City for the expenses required to maintain the property for the prior 2-year period would be very transparent and easy to track. She reiterated that the transfer must be consistent with the Housing Plan approved by Council and explained that each transfer will be brought to Council for their approval. The program will begin with those who have already submitted a letter of interest on a lot. The City will contact those people and have them complete the application. The City will make citizens aware of the program through social media. There are potentially a few hundred lots available. If a person completes the side lot program, the additional yard will be considered when their property is revalued by Butler County Auditor’s Office.

CONSENT AGENDA

To approve the City Council minutes from February 18, March 3, March 17 and April 6, 2020. To confirm the personnel appointment of Charles Jacob Daniels to the position of Maintenance Worker in the Department of Public Works, Water Maintenance Division.

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

To Receive, File and Adopt the 2021 Tax Budget for the City of Middletown.

Mr. Mulligan moved to receive, file and adopt the 2021 Tax Budget for the City of Middletown. Ms. Vitor seconded. Motion carried. Ayes: Mr. Mulligan, Ms. Condrey, Ms. Vitor, Ms. Nenni, Mr. Moon.

Waive Charter


Resolution No. R2020-15, 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 and declaring an emergency was read. (Transit Fund)

Mr. Mulligan moved to approve Resolution No. R2020-15, 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 and declaring an emergency. (Transit Fund) Ms. Vitor seconded. Motion carried. Ayes: Ms. Vitor, Ms. Nenni, Mr. Moon, Mr. Mulligan, Ms. Condrey.

Resolution No. R2020-16, 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 and declaring an emergency. (General Fund) Ms. Vitor seconded. Motion carried. Ayes: Ms. Nenni, Mr. Moon, Mr. Mulligan, Ms. Condrey, Ms. Vitor.
Resolution No. R2020-17, a resolution authorizing execution of the state-local agreement with the Ohio Emergency Management Agency for Public Assistance Grant Program FEMA-DR-4507-OH and designating the City Manager as the City's Authorized Agent and declaring an emergency was read.

Mr. Mulligan moved to approve Resolution No. R2020-17, a resolution authorizing execution of the state-local agreement with the Ohio Emergency Management Agency for Public Assistance Grant Program FEMA-DR-4507-OH and designating the City Manager as the City's Authorized Agent and declaring an emergency. Ms. Vitori seconded. Motion carried. Ayes: Mr. Moon, Mr. Mulligan, Ms. Condrey, Ms. Nenni, Ms. Vitori.

Resolution No. R2020-18, a resolution authorizing a request for federal funding through the Coronavirus Aid, Relief and Economic Security (CARES) Act as provided in Ohio House Bill 481 and declaring an emergency was read.

Mr. Mulligan moved to approve Resolution No. R2020-18, a resolution authorizing a request for federal funding through the Coronavirus Aid, Relief and Economic Security (CARES) Act as provided in Ohio House Bill 481 and declaring an emergency. Ms. Vitori seconded. Motion carried. Ayes: Mr. Mulligan, Ms. Condrey, Ms. Vitori, Ms. Nenni, Mr. Moon.

Resolution No. R2020-19, a resolution to establish the Local Coronavirus Relief Fund and declaring an emergency was read.

Mr. Mulligan moved to approve Resolution No. R2020-19, a resolution to establish the Local Coronavirus Relief Fund and declaring an emergency. Ms. Vitori seconded. Motion carried. Ayes: Ms. Condrey, Ms. Vitori, Ms. Nenni, Mr. Moon, Mr. Mulligan.

Resolution No. R2020-20, a resolution of support of the Middletown United For Change March and commitment to enacting policies that protect minority citizens in the City of Middletown and declaring an emergency was read.

Ms. Vitori thanked her colleagues for their support and commented that some people might think it's just lip service, but she hopes that it can be a lens which we can think about all of the policies that City Council enacts in the City on behalf of the black community.

Ms. Condrey commented that the resolution to protect minority citizens at large.

Ms. Vitori commented that the legislation speaks to the black community specifically.

Ms. Condrey commented that when she ran for this position she ran as a patriot, not a politician. I feel like our citizens voted for me to be a patriot. A patriot is one who does the right thing for the right reasons for the greater purpose. That means doing the right things for our neighbors, our countrymen, people we have never met but we share the same flag. The important part is that we do the right thing when no one's looking. A patriot takes action and it feels like this resolution was put forth for political reasons. It is important to have the dialogue and I feel like the diversity of our opinions is also the issue at hand. Diversity is what makes us stronger as a team and as a community. I do partially read this as political lip service. In my opinion, don't speak it, do it. If City officials have not upheld what is in this resolution in the past a signature is not going to change that or mean that the individual will uphold it in the future. I do agree that our society needs change and that change comes down to living our lives every single day with respect for those around us; realizing that everyone around us has something to teach us, no matter where they come from. I will support this because I support what it means but I want Middletown to know that for me this is much more than lip service. I would just rather live it out then to put it on a piece of paper and sign it. It doesn't mean anything to me just to sign something, I have to live it.

Ms. Vitori stated that if means to be political to stand up for other communities that have been systematically overlooked for 400 years, then today I am a politician. I am happy to stand up for this community and live it every single day of my life.

Mr. Mulligan moved to approve Resolution No. R2020-20, a resolution of support of the Middletown United For Change March and commitment to enacting policies that protect minority citizens in the City of Middletown and declaring an emergency. Ms. Vitori seconded. Motion carried. Ayes: Ms. Vitori, Ms. Nenni, Mr. Moon, Mr. Mulligan, Ms. Condrey.

Ordinance No. O2020-25, an ordinance establishing a procedure for and authorizing an amendment to a contract with Performance Site Development for additional concrete removal and adding reinforcement fiber to the new concrete and declaring an emergency was read.

Mr. Mulligan moved to approve Ordinance No. O2020-25, an ordinance establishing a procedure for and authorizing an amendment to a contract with Performance Site Development for additional concrete removal and adding reinforcement fiber to the new concrete and declaring

Ordinance No. 02020-26, an ordinance establishing a procedure for and authorizing an amendment to a contract with Howell Contractors, Inc. for repair of the North Middletown Interceptor Sewer and declaring an emergency was read.

Mr. Mulligan moved to approve Ordinance No. 02020-26, an ordinance establishing a procedure for and authorizing an amendment to a contract with Howell Contractors, Inc. for repair of the North Middletown Interceptor Sewer and declaring an emergency, Ms. Vitori seconded. Motion carried. Ayes: Mr. Moon, Mr. Mulligan, Ms. Condrey, Ms. Nenni, Ms. Vitori.

Ordinance No. 02020-27, an ordinance establishing a procedure for and authorizing a contract with Phenix Stabilization, LLC to perform subgrade stabilization on Antrim Court, Court Donegal, Galway Circle and Helton Drive and declaring an emergency with no action requested until July 7, 2020.

Ordinance No. 02020-28, an ordinance authorizing the City Manager to consent to the Ohio Department of Transportation to rehabilitate the bridges that carry State Route 122 over the Great Miami River and the overflow channel was read the first time.

At 6:17 p.m., Mr. Moon moved to adjourn to executive session under the authority of O.R.C. 121.22 (G) (1) To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official; and under the authority of O.R.C. 121.22 (G) (8) To consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance, provided that both of the following conditions apply:

(1) The information is directly related to a request for economic development assistance that is to be provided or administered under any provision of Chapter 715., 725., 1724., or 1728. or sections 701.07, 3735.67 to 3735.70, 5709.40 to 5709.43, 5709.61 to 5709.69, 5709.73 to 5709.75, or 5709.77 to 5709.81 of the Revised Code, or that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project.

(2) A unanimous quorum of the public body determines, by a roll call vote, that the executive session is necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project. Mr. Mulligan seconded. Motion carried. Ayes: Mr. Mulligan, Ms. Condrey, Ms. Vitori, Ms. Nenni, Mr. Moon.

At 7:35 p.m., the meeting was declared adjourned until July 7, 2020 at 4:30 p.m. in the Police Administration Conference Room.

Attest: [Signature]

Nicole Condrey, Mayor