

MIDDLETOWN, OHIO

August 7, 2018

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

ROLL CALL

City Council Members present: A. Vitori, S. Bohannon, J. Mulligan, T. Moon, L. Mulligan.

Staff Present: Doug Adkins, Susan Cohen, Amy Schenck, Scott Reeves.

PUBLIC HEARING

Edward Byrne Memorial Justice Assistance Grant (J.A.G.)

JAG Grant

Major Reeve explained that the Middletown Division of Police is requesting authorization to apply for and accept a grant from the U.S. Department of Justice Program. The Justice Assistance Grant is awarded annually to cities based on their crime rate and the amount of available money. Our grant amount will be \$26,608.

At 5:32 p.m., Mayor Mulligan opened the public hearing and asked for those who wanted to speak in favor of the Edward Byrne Memorial Justice Assistance Grant (J.A.G.). Hearing none, he called for those who wanted to speak in opposition to the Edward Byrne Memorial Justice Assistance Grant (J.A.G.). Hearing none, he closed the public hearing at 5:32 p.m.

CITY MANAGER

City Manager Adkins confirmed that the building permit fee schedule was ready to bring back to Council either at the August 21st or the September 4th meeting. He explained that Ordinance No. O2018-48 has been renamed. A yes vote will deny the change of the zoning classification.

Suzann Soppanish

Suzann Soppanish, 3225 Finley Street, expressed her concern about the upcoming public hearing for Planning Commission to consider the reuse of the Yankee Road Church of God Facility as a treatment center for those addicted to drugs and alcohol. She asked that the hearing be rescheduled to allow more citizens to provide their input and expressed her concern that there were a lot of children in the neighborhood.

CONSENT AGENDA

Approve the City Council Minutes: July 17, 2018

Receive & File Board and Commission Minutes:

Cemetery Board- April 18, 2018

Library Board- April 17 and May 15, 2018

Board of Health- June 12, 2018

Confirm the Board and Commission Appointment of:

Matt King to the Airport Commission

Confirm the Personnel Appointments of:

Bryce Adkins- Dispatcher, Public Safety, Police

Samantha Zimmerman, Purchasing Agent, Finance

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

COUNCIL COMMENTS

Mr. J. Mulligan

Mr. J. Mulligan congratulated Abilities First on their 60th anniversary and commended Kettering Health Network on their new facility in Middletown. He thanked both organizations for their hospitality and wished them well in the future.

Ms. Vitori

Ms. Vitori commented on how beautiful the new Middletown Kettering Health Network facility was and thanked them for their outreach in the community. She expressed her appreciation for all of the non-profit groups in Middletown including Joseph's Legacy. She thanked the many volunteers that fill in the gap and meet the needs of the community and stated that she hopes to continue to collaborate.

Mr. Moon

Mr. Moon commended Kettering Health Network on their new facility in Middletown and congratulated Abilities First on their 60th anniversary and thanked them for the services that they provide to people with special needs. He announced that Sleep in Heavenly Peace would be having an event September 1st in Middletown. This 501-C3 organization builds beds for children that don't have a bed.

Mr. L. Mulligan

Mr. L. Mulligan commented that Sleep in Heavenly Peace is an impressive organization that builds quality beds for children. He encouraged everyone to come out tonight and enjoy National Night Out at Berachah Church. He congratulated Kettering Health Network on an outstanding facility and thanked them for their community partnership. He thanked Council members for considering the proposal for road improvements and is looking forward to working together to address this critical issue.

Waive Charter

Mr. Moon moved to suspend the Charter provision that requires reading on two separate days and to declare Resolution No. R2018-17 and Resolution No. R2018-18 emergency measures

<p>Res. No. R2018-15 Amend Appro. General and Nuisance Abatement Fund</p>	<p>to be read one time only. Mr. J. Mulligan seconded. Motion carried. Ayes: Mr. Moon, Mr. J. Mulligan, Mr. L. Mulligan, Mr. Bohannon, Ms. Vitori.</p> <p>Resolution No. R2018-15, 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, 2018, was read for the second time. (General Fund and Nuisance Abatement Fund)</p>
<p>Ord. No. O2018-44 Amend Development Code</p>	<p>Mr. J. Mulligan moved to approve Resolution No. R2018-15, 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, 2018. (General Fund and Nuisance Abatement Fund) Ms. Vitori seconded. Motion carried. Ayes: Mr. J. Mulligan, Mr. L. Mulligan, Ms. Vitori, Mr. Bohannon, Mr. Moon.</p> <p>Ordinance No. O2018-44, an ordinance amending various sections the Middletown Development Code of the Middletown Codified Ordinances was read for the second time.</p>
<p>Ord. No. O2018-45 Vacate Alley</p>	<p>Mr. J. Mulligan moved to approve Ordinance No. O2018-44, an ordinance amending various sections the Middletown Development Code of the Middletown Codified Ordinances. Ms. Vitori seconded. Motion carried. Ayes: Mr. L. Mulligan, Ms. Vitori, Mr. Bohannon, Mr. Moon, Mr. J. Mulligan.</p> <p>Ordinance No. O2018-45, an ordinance vacating a portion of an alley on Clark Street near Reinartz Boulevard was read for the second time.</p>
<p>Ord. No. O2018-46 Change Zoning Classification</p>	<p>Mr. Moon moved to approve Ordinance No. O2018-45, an ordinance vacating a portion of an alley on Clark Street near Reinartz Boulevard. Mr. J. Mulligan seconded. Motion carried. Ayes: Ms. Vitori, Mr. Bohannon, Mr. Moon, Mr. J. Mulligan, Mr. L. Mulligan.</p> <p>Ordinance No. O2018-46, an ordinance changing the zoning classification for five parcels located at the intersection of Clark Street and Plum Street from I-2 (General Industrial District) to R-4 (Attached Residential District) was read for the second time.</p>
<p>Ord. No. O2018-47 Change Zoning Classification</p>	<p>Mr. J. Mulligan moved to approve Ordinance No. O2018-46, an ordinance changing the zoning classification for five parcels located at the intersection of Clark Street and Plum Street from I-2 (General Industrial District) to R-4 (Attached Residential District). Ms. Vitori seconded. Motion carried. Ayes: Mr. Bohannon, Mr. Moon, Mr. J. Mulligan, Mr. L. Mulligan, Ms. Vitori.</p> <p>Ordinance No. O2018-47, an ordinance changing the zoning classification for 40 parcels located near Towne Boulevard between Roosevelt Boulevard and Hendrickson Road from O-2 (Office Park District) to B-2 (Community Business District) was read for the second time.</p>
<p>Ord. No. O2018-48 Deny the Change of the Zoning Classification</p>	<p>Mr. J. Mulligan moved to approve Ordinance No. O2018-47, an ordinance changing the zoning classification for 40 parcels located near Towne Boulevard between Roosevelt Boulevard and Hendrickson Road from O-2 (Office Park District) to B-2 (Community Business District). Ms. Vitori seconded. Motion carried. Ayes: Mr. Moon, Mr. J. Mulligan, Mr. L. Mulligan, Mr. Bohannon, Ms. Vitori.</p> <p>Ordinance No. O2018-48, an ordinance denying the change of the zoning classification for three parcels located at the southwest corner of Roosevelt Boulevard and Bonita Drive from R-4P (Attached Residential District) to B-1 (Neighborhood Business District) was read for the second time.</p>
<p>Res. No. R2018-17 Amend Appro.</p>	<p>Mr. J. Mulligan moved to approve Ordinance No. O2018-48, an ordinance denying a request to change the zoning classification for three parcels located at the southwest corner of Roosevelt Boulevard and Bonita Drive from R-4P (Attached Residential District) to B-1 (Neighborhood Business District). Mr. Moon seconded. Motion carried. Ayes: Mr. J. Mulligan, Mr. L. Mulligan, Ms. Vitori, Mr. Bohannon, Mr. Moon.</p> <p>Resolution No. R2018-17, a resolution to make adjustments to appropriations for current expenses and other expenditures of the City of Middletown, Counties of Butler and Warren, State of Ohio, for the period ending December 31, 2018, and declaring an emergency was read. (Economic Development Bond Fund and General Fund)</p>
<p>Res. No. R2018-17 Amend Appro.</p>	<p>Mr. J. Mulligan moved to approve Resolution No. R2018-17, a resolution to make adjustments to appropriations for current expenses and other expenditures of the City of Middletown, Counties of Butler and Warren, State of Ohio, for the period ending December 31, 2018, and declaring an emergency. (Economic Development Bond Fund and General Fund) Mr. Moon seconded. Motion carried. Ayes: Mr. L. Mulligan, Ms. Vitori, Mr. Bohannon, Mr. Moon, Mr. J. Mulligan.</p>

**Res. No. R2018-18
JAG Grant**

Resolution No. R2018-18, a resolution authorizing the City Manager to submit a grant application and enter into a grant agreement for the Edward Byrne Memorial Justice Assistance Grant and declaring an emergency was read.

Mr. J. Mulligan moved to approve Resolution No. R2018-18, a resolution authorizing the City Manager to submit a grant application and enter into a grant agreement for the Edward Byrne Memorial Justice Assistance Grant and declaring an emergency. Mr. Moon seconded. Motion carried. Ayes: Ms. Vitori, Mr. Bohannon, Mr. Moon, Mr. J. Mulligan, Mr. L. Mulligan.

**Ord. No. O2018-50
Smart Bill Contract
Tax Bills**

Ordinance No. O2018-50, an ordinance establishing a procedure for and authorizing an extension of the current contract with Smartbill Ltd. for the printing and mailing of tax bills, and declaring an emergency was read with no action requested until August 21, 2018.

**Ord. No. O2018-51
Made Industrial Park**

Ordinance No. O2018-51, an ordinance approving an agreement with Made Industrial Park, LLC, Made Industrial Park TR, LLC and Retail 63, LLC providing for the construction of a new office/warehouse building as a development project and tax exemption pursuant to the State Urban Jobs and Enterprise Zone Program, and making a determination in connection therewith, and declaring an emergency was read with no action requested until August 21, 2018.

**Ord. No. O2018-52
Smart Bill Contract**

Ordinance No. O2018-52, an ordinance establishing a procedure for and authorizing an extension of the current contract with Smartbill Ltd. for the printing and mailing of water bills was read for the first time.

**Ord. No. O2018-53
OPERS Pick Up**

Ordinance No. O2018-53, an ordinance authorizing the City of Middletown to pick up the statutorily required contribution to the Ohio Public Employees Retirement System for the employees of the City pursuant to Internal Revenue Code Section 414(H)(2) was read for the first time.

EXECUTIVE SESSION

At 5:53 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. Mr. J. Mulligan seconded. Motion carried. Ayes: Mr. Bohannon, Mr. Moon, Mr. J. Mulligan, Mr. L. Mulligan, Ms. Vitori.

ADJOURNMENT

At 6:00 p.m., the meeting was declared adjourned until the Council meeting of August 21, 2018, at 5:30 p.m.

Lawrence P. Mulligan, Jr., Mayor

Attest: _____