

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

ROLL CALL

City Council Members present: A. Vitori, M. Nenni, T. Moon, J. Mulligan, N. Condrey.

CITIZEN COMMENTS**Louis Flenner**

Louis Flenner, 110 Leibbie Street, Middletown, Ohio commented that Leibbie Street is like a drag strip. They are burning rubber from 4:30 in the afternoon until 11:30 at night. Mr. Flenner called the police department but no one came out. He witnessed a man speed down Leibbie Street, make a left hand turn and hit a refrigerator that was sitting by the road, knocking it 20 feet. If that fridge had been a child, it would have been killed. He stated that when he calls the police it takes at least 45 minutes for them to get there or they don't respond at all. Something has to be done before someone gets killed. He also commented on the weeds growing up in the middle of the street.

Michael Jenkins

Michael Jenkins, 514 Euclid, Middletown, Ohio commented on the unreasonable amount of emergency legislation. Over the past two months three quarters of the City's business has been done by emergency. He expressed his concerns about labor contracts being approved by emergency legislation and questioned why a piece of legislation would be considered an emergency but not acted on by City Council until two weeks later. He questioned why the income tax levy for streets would be considered an emergency. He expressed his concern that most legislation is passed unanimously with no discussion.

Cal Wills

Cal Wills, 3304 Barbara Drive, Middletown, Ohio stated that he personally was in favor of defunding the police but he thinks it is a good idea to hire two new officers to aid in community-oriented policing. If it is done correctly, it should involve the communities impacted most by this program. He stated that he is all for this program if it will put trained officers who understand the conditions people are facing such as poverty, addiction, undiagnosed mental illness and poor education. We need the type of officer that would treat everyone they come into contact with fairly. Officers that will not hold a vendetta against those that they believe to be or who are in fact living a criminal lifestyle but will look at the person and the conditions that they grew up in and display some understanding for the poor choices that they might make. He commented that he would love for the police department to gain the trust of the black community in the south end of town. It would be a great time for the Middletown Police Department to hire an African-American woman. The black community is more trusting of women, especially those that look like our sister, aunt or mother. Seeing someone that looks like them and who seems to care may persuade our black youth to become police officers in their communities. A black female officer would be able to relate to people in the black community. This would allow her to do her job without the fear that some officers have when policing the black community. That fear can lead to poor judgement and death of citizens across this country. With proper networking Middletown should be able to find qualified black women to work here. The City will not be safer just by hiring two more police officers, especially ones that struggle to relate to other cultures. He stated that he has lived on the City for more than 30 years and witnessed police officers that were known as racists in the community and the police department be moved into high ranking positions. You could hire 20 new police officers and it would not prevent crime. We have to attack the conditions that lead people to commit crimes. For example, an addict that is in the beginning stages of withdraw that is dreading what he or she will feel like when in complete withdraw will go out and commit a crime to get that drug to prevent that feeling no matter how many police officers are on duty. The impoverished person who doesn't have a clue how they will feed their family or get the lights back on will commit a crime if that is the only solution they know. If this council is going to approve this grant, I hope that they will oversee the process to assure that a true effort is made to hire minority officers, in particular, a black female officer.

COUNCIL COMMENTS**Mr. Moon**

Mr. Moon congratulated the fire personnel that were being promoted and thanked them for their service to the City. He announced that Sunset Park has been reopened and that the project turned out beautifully. He thanked Scott Tadych and his team for their work on the project. He expressed his heartfelt condolences to the Sherron family on the loss of Melanie.

Ms. Nenni

Ms. Nenni expressed her sympathies to the Sherron family.

Mr. Mulligan

Mr. Mulligan congratulated Mr. Patton, Mr. Verdin and Mr. Ludwig on their promotions. He addressed the citizen's comments about emergency legislation and explained that legislation often passes unanimously because Council gets together annually for a strategic planning session and they direct the staff to implement strategies and tactics that are consistent to our Master Plan and with our objectives for the coming year. Twice a month, City staff brings legislation to Council that is consistent with that. If it is not consistent with the Master Plan or our strategic objectives then that legislation is not brought forward to us to consider. Council has time to review the legislation and get their questions answered prior to the meeting. The legislation by and large is consistent with our strategic objectives and that's why you don't see as much dissent as you might see in larger legislative bodies. He discussed the comments on the use of emergency legislation and explained that "emergency" was a just a bad name. Government should try to move at the same speed as business and the way we do that is to

implement legislation that would not be subject to a referendum and delay the implementation of the legislation. If we want City government to move quickly and be agile we must use the tool of emergency legislation. We are not trying to hide things or do anything that would bypass the open view of the public. He explained that the emergency legislation does require a super majority of Council and that another good tool is the second reading emergency which does allow Council to receive public input before they vote on an item. He thanked the people that shared their comments at the meeting.

Ms. Vitori

Ms. Vitori congratulated all of the firemen being promoted and pinned tonight and expressed her appreciation to all of the first responders; this has been a rough time for first responders. She offered her condolences to the Sherron family and wished good luck to all of the families going back to school.

Ms. Condrey

Ms. Condrey expressed her appreciation to all first responders and encouraged everyone to complete a google review of Middletown's Visitors Bureau.

**CITY MANAGER
REPORTS**

City Manager Palenick presented Deputy Fire Chief Dominy the following certificate of appreciation.

WHEREAS, for the past thirty-two-years Brent Dominy has demonstrated unwavering dedication to the Middletown Division of Fire. He was hired on April 28, 1988 and was promoted to Fire Lieutenant on March 1, 1992; and

WHEREAS, throughout his career, Brent Dominy has been influential to the department in technical rescue, confined space and hazmat training. He was promoted to Fire Captain on May 8, 2002. His dedication to the firefighting profession will stand as a hallmark for others to emulate; and

WHEREAS, Brent Dominy was promoted to Deputy Fire Chief on March 28, 2008. His bravery, professionalism, and leadership have positively impacted the safety and quality of life for our residents. The City of Middletown is a better place for his service.

NOW THEREFORE, by virtue of the authority vested in me as Mayor, and on behalf of City Council, City staff members and all our citizens, I take great pleasure in congratulating you on your well-earned retirement and tender this Certificate of Appreciation to

Brent Dominy

Thank you for your commitment to the City and the citizens of Middletown and best wishes for you to enjoy a long, healthy, happy retirement.

Mr. Palenick suggested setting up a strategic planning session with City Council and senior staff members early next year.

CONSENT AGENDA

To approve City Council minutes from June 2, June 16, July 7, 2020
Receive and File Board and Commission Minutes from:
Board of Zoning Appeals - January 9 and May 6, 2020
Architecture Review Board – January 16, 2020
Visitors Bureau- January 27, April 20, May 19, June 15 and July 20, 2020
Historic Commission – May 7, 2020 & May 28, 2020
Planning Commission – July 8, 2020

To approve the Final Record Plat for Sawyer's Mill Section 3A

To confirm the following promotional appointments in the Department of Public Safety, Division of Fire: Brian Patton to the position of Fire Lieutenant; Jamison Verdin to the position of Fire Captain; and Stephen Ludwig to the position of Fire Deputy Chief.

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

PINNING CEREMONY

Assistant Fire Chief Snively introduced the fire division's future leaders and recognized Chief Lolli who could not be in attendance due to illness. He explained that each of these promotions is the result of hard work and a steadfast commitment to the Middletown community. The path to promotion is not an easy one. The candidates must study for and pass a very difficult written exam before moving on to the assessment center where they are put through different simulated fire scenarios, personnel problems and other challenges. The testing is highly competitive and sometimes candidates are separated by a fraction of a point. These firemen represent over 60 years of firefighting experience. He expressed his confidence that each one will succeed in their positions and that the department would support them.

Assistant Chief Snively called Lieutenant Brian Patton down to the podium. Brian Patton started his fire service career in Colerain Township in Cincinnati and served there for 12 years. He

began his career with the City of Middletown in 1988. Brian Patton is an experienced firefighter and paramedic and holds many certifications including ice water rescue, confined space rescue and hazmat tech. Brian is also an experienced educator and has taught at Butler Tech since 2006. He is responsible for teaching the fire service's future professionals which is not an easy task. Brian's son Josh pinned him.

Assistant Chief Snively called Captain Jamison Verdin down to the podium. Captain Verdin began his fire service career in Fairfield Township. He began his career at the City of Middletown in 2000. He was promoted to squad person in 2001, fire apparatus operator in 2010, and Lieutenant in 2016. Captain Verdin is an experienced firefighter and paramedic and holds a number of technical rescue certifications and is an instructor. Captain Verdin is responsible for rolling out the water rescue program including designing the program and obtaining funding through grants. He is a problem solver. Jamie's mother pinned him.

Assistant Chief Snively called Deputy Chief Stephen Ludwig down to the podium. Chief Ludwig began his firefighting career at the Townships of Green and Colerain while he earned his undergraduate degree from the University of Cincinnati. He began his career with Middletown in 1996. Chief Ludwig is a paramedic, holds many technical certifications and also serves on the Butler County Technical Rescue Team. Chief Ludwig was promoted to squad person in 1999 and assigned to Fire Marshal in 2000. He was promoted to Lieutenant in 2008 and promoted to Captain in 2015. Chief Ludwig is a graduate of the National Fire Academy's Executive Fire Officer Program and holds a bachelor's of science degree in criminal justice. He holds a master's of science degree in safety security and emergency management. The department has high expectations for Chief Ludwig and the reasons are obvious. Chief Ludwig's daughter Britt pinned him.

MOTION AGENDA

Road Salt

To approve the purchase of highway rock salt from Compass Minerals America Inc., of Overland Park, KS, in the amount of \$55.81/ton for the approximate usage of 4,500 tons over the 2020-2021 winter season.

Mr. Mulligan moved to approve the purchase of highway rock salt from Compass Minerals America Inc., of Overland Park, KS, in the amount of \$55.81/ton for the approximate usage of 4,500 tons over the 2020-2021 winter season. Mr. Moon seconded. Motion carried. Ayes: Mr. Moon, Mr. Mulligan, Ms. Condrey, Ms. Nenni, Ms. Vitori.

Adopt Public Transportation Safety Agency Plan

To adopt the recommended Public Transportation Safety Agency Plan for Middletown Transit System.

Mr. Mulligan moved to adopt the recommended Public Transportation Safety Agency Plan for Middletown Transit System. Ms. Vitori seconded. Motion carried. Ayes: Mr. Mulligan, Ms. Condrey, Ms. Vitori, Ms. Nenni, Mr. Moon.

Transfer Property Side Lot Program

To authorize the transfer of property to adjacent property owners through the Vacant Side Lot Program.

PARCEL NO.		STREET	SALE PRICE	INTERESTED PARTY
Q6542031000183	621	CRAWFORD ST	\$ 973.25	Sager, Jodi and Jerry
Q6542031000074	626	CRAWFORD ST	\$ 920.00	Mashburn, Stephanie
Q6521027000007	808	EIGHTH AVE	\$ 500.00	Thompson, Danny and Tammy
Q6542119000016	3204	MORGAN ST	\$ 1,020.00	Lovejoy, Tamara (Mann)
Q6521028000040	847	NINTH AVE	\$ 500.00	Thompson, Beatrice
Q6532027000051	1822	NORTH AVE	\$ 500.00	Egleston, Charlie
Q6542046000072	3108	SELDEN AVE	\$ 500.00	Keith, Roy
Q6521031000030	818	TENTH AVE	\$ 500.00	Robinson, David
Q6511034000007	3035	TYTUS AVE	\$ 500.00	Soppanish, Rhonda and John
Q6511035000108	3100	YALE DR	\$ 500.00	John Pierce
Q6542039000200	2024	YANKEE RD	\$ 933.25	Rick Woo

Mr. Mulligan moved to authorize the transfer of property to adjacent property owners through the Vacant Side Lot Program. Ms. Nenni seconded. Motion carried. Ayes: Ms. Condrey, Ms. Nenni, Mr. Moon, Mr. Mulligan. Abstain: Ms. Vitori.

Waive Charter

Mr. Mulligan moved to suspend the Charter provision that requires reading on two separate days and to declare Ordinance No. 02020-39 and Ordinance No. 02020-40 emergency measures to be read one time only. Mr. Moon seconded. Motion carried. Ayes: Ms. Vitori, Ms. Nenni, Mr. Moon, Mr. Mulligan, Ms. Condrey.

Res. No. R2020-24 COPS Grant

Resolution No. R2020-24, a resolution authorizing the City Manager to accept a grant and enter into a grant agreement for the 2020 COPS Hiring Program with the U.S. Department of Justice was read for the second time.

Mr. Mulligan moved to approve Resolution No. R2020-24, a resolution authorizing the City Manager to accept a grant and enter into a grant agreement for the 2020 COPS Hiring Program with the U.S. Department of Justice. Ms. Vitori seconded.

Ms. Nenni commented, "Thank you to everyone who came out in support of the COPS grant funding we were recently awarded. As the mayor pointed out at the last council meeting, there is consensus at the dais that Middletown needs more officers. Our department is understaffed and our officers are overworked. Accepting this grant money means that we will have the salaries of two new designated Community Oriented Police officers subsidized and secured for a minimum of 4 years. As this grant was previously presented to council, the terms would also require us to maintain these new officers in addition to the currently budgeted level of officers and dipping under the new total would require us to return the federal funding. With three budgeted positions currently open and 7-8 officers retiring in the next few years, this gave me reason to pause. In a time when among other things, revenues are down due to the pandemic, budgetary discretion is more important than ever. With the extension of our deadline and two more weeks to consider the grant, I had to know more about the strings attached to accepting this federal money and found a document provided by the COPS department website which outlined the acceptance guidelines. After sharing this document with council and our City Manager, Jim pointed out that in his review of the materials he discovered that we would have more flexibility with regards to the maintenance of staffing levels than previously understood. I will refer to him to explain this in more detail, but I admit that this new information relieves me of my previous concerns with regard to accepting the grant funding. "

Mr. Mulligan commented that he agrees with Ms. Nenni and stated that he was glad for the extra time to get the questions and concerns of Council addressed. He is happy to support this and get some more boots on the ground, continuing to do good work through our Police Department.

Mr. Moon expressed his gratitude to the Department of Justice for extending the deadline to apply for this grant. He stated that he is happy to support this legislation and get more officers on the streets.

Ms. Condrey commented that she remains in full support and is grateful for everything that the Police Department does. She expressed her appreciation to Chief Birk and City Manager Palenick for all of their hard work and getting all of the details of the grant to Council.

Motion carried. Ayes: Ms. Nenni, Mr. Moon, Mr. Mulligan, Ms. Condrey, Ms. Vitori.

Ord. No. 02020-39
University Bridge
Contract Great Lakes

Ordinance No. 02020-39, an ordinance authorizing a contract with The Great Lakes Construction Co. for repairs to the University Boulevard Bridge and declaring an emergency was read.

Mr. Mulligan moved to approve Ordinance No. 02020-39, an ordinance authorizing a contract with The Great Lakes Construction Co. for repairs to the University Boulevard Bridge and declaring an emergency. Mr. Moon seconded. Motion carried. Ayes: Mr. Moon, Mr. Mulligan, Ms. Condrey, Ms. Nenni, Ms. Vitori.

Ord. No. 02020-40
University Bridge
Contract Norfolk
Southern Railway

Ordinance No. 02020-40, an ordinance authorizing a contract with Norfolk Southern Railway Company related to the repairs to the University Boulevard Bridge and declaring an emergency was read.

Mr. Mulligan moved to approve Ordinance No. 02020-40, an ordinance authorizing a contract with Norfolk Southern Railway Company related to the repairs to the University Boulevard Bridge and declaring an emergency. Ms. Vitori seconded. Motion carried. Ayes: Mr. Mulligan, Ms. Condrey, Ms. Vitori, Ms. Nenni, Mr. Moon.

Ord. No. 02020-41
Amend Section
209.06

Ordinance No. 02020-41, an ordinance amending Section 209.06 (Authority of the City Manager; Purchases) of the Codified Ordinances was read for the second time.

Mr. Mulligan moved to approve Ordinance No. 02020-41, an ordinance amending Section 209.06 (Authority of the City Manager; Purchases) of the Codified Ordinances. Ms. Vitori seconded. Motion carried. Ayes: Ms. Condrey, Ms. Vitori, Ms. Nenni, Mr. Moon, Mr. Mulligan.

Ord. No. 02020-42
Contract with Miller
Pipeline LLC.

Ordinance No. 02020-42, an ordinance establishing a procedure for and authorizing a contract with Miller Pipeline, LLC for the 2020 Sanitary Sewer Lining Project and declaring an emergency was read with no action requested until September 1, 2020.

EXECUTIVE SESSION

At 6:11 p.m. Mr. Mulligan moved to adjourn to executive session under the authority of O.R.C. 121.22 (G) (1) To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official. Ms. Vitori seconded. Motion carried. Ayes: Ms. Vitori, Ms. Nenni, Mr. Moon, Mr. Mulligan, Ms. Condrey.

ADJOURNMENT

At 7:35 p.m., the meeting was declared adjourned until September 1, 2020 at 5:30 p.m. in Council Chambers.



Nicole Condrey, Mayor

Attest: 
