

## MIDDLETOWN, OHIO

September 4, 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, Sarah Fox, Amy Schenck, Ali Manning.

**PUBLIC HEARING:  
Map Amendment  
Case #7-18**

City Manager Adkins introduced Map Amendment Case #7-18: A request for a zone change by applicant Josh Liles for a piece of property located near the intersection of Jackson Lane and Johnathan Way to be rezoned from I-1 Industrial to R-4 Attached Residential Zoning District. The property is a part of Parcel ID: Q6542063000077, a total of 0.1299 acres. If approved the property will be included in the Waynesdale Meadows Section 5 Residential Subdivision development. Mr. Adkins explained that City Council agreed to sell this small sliver of land to the applicant if the zone change was approved by the Planning Commission. The proposed map amendment was recommended for approval by the Planning Commission to City Council on July 11, 2018. The Commission agreed that that the zone change would not create spot zoning and is consistent with the intent of the Middletown Development Code. Once the zone change is finalized, the applicant will start construction of the homes location in this subdivision section.

Mayor Mulligan opened the public hearing at 5:32 p.m. and called for those who wished to speak in favor of the zone change; hearing none, he called for those who wished to speak in opposition to the zone change. Hearing none, he closed the public hearing at 5:32 p.m.

**CITY MANAGER  
REPORTS**

City Manager Adkins discussed the draft of the Final Recommendation for Operations for the Middletown Downtown Outdoor Refreshment Area (DORA) and presented the following information.

## DORA

**Admittance to the District – By WRIST BAND**

- a. \$1 charged to customer – good for the day of issuance
- b. \$1 cost to License Holders
- c. Purchased from Host (DMI) – lots of 10

**WRIST BAND DESIGN – Printed**

- a. Logo
- b. Website – QR code
- c. Bar ID
- d. Date (filled in at time of sale)

**CUPS – Purchased from Host (DMI) at cost (Clear 16 oz)**

- a. Logo, '3 simple rules', Website – disclaimer, QR Code?
  - i. Bulk Buy
  - ii. Sold by the sleeve or case
  - iii. Cost reduction as use scales up (\$.16 down to \$.10-.12)
  - iv. Commemorative cup opportunity

**FINANCIAL SUPPORT**

- a. Internal marketing
  - i. Posters
  - ii. Rack cards - calendar
  - iii. Web page for 1. Rules 2. Map 3. Calendar
  - iv. License holder Kit
  - v. Non-license holder Kit
  - vi. Digital Display – Signage
  - vii. Reduce cup cost
- b. External Marketing
  - i. Partner with MVB and other Downtown Organizations
  - ii. Hotel/Restaurant support
  - iii. Programing/events

Mr. Adkins explained that these changes are administrative in nature. City Council approves the boundaries of the DORA and hours of operation. Utilization, enforcement, safety, and sanitation are considered administrative under the DORA law and these changes will not come to council for formal approval.

**Donham Plaza  
Updates**

Mr. Adkins stated that Donham Plaza is now over 40 years old and has age related and safety related problems. The necessary updates include:

- Stamped Concrete in Place of Pavers
- Closes Front Drive and Fixes Drainage Issues
- New and Updated Landscaping Throughout

Mr. Adkins presented the following construction cost estimates.

**Middletown City Building GI Retrofit Concept Level Probable Construction Cost**

Area	Low Range Unit Cost (\$/FT)	High Range Unit Cost (\$/FT)	Low Range Total (\$)	High Range Total (\$)
North Promenade	\$25.00	\$29.00	\$427,500	\$495,900
South	\$25.00	\$29.00	\$227,500	\$263,900
South Plaza	\$17.00	\$20.00	\$507,450	\$597,000
South Promenade	\$20.00	\$25.00	\$530,000	\$662,500
Total			<b>\$1,692,450</b>	<b>\$2,019,300</b>

**CITIZEN COMMENTS, GUESTS, ORGANIZATIONS' REPORTS**

**Julie Joyce Smith**

Julie Joyce Smith, Butler County Auditor's Office provided an update and reminded everyone that the photo image update is ongoing in the area and that the vans are clearly marked. She reported that two credit card skimmers had been found in Butler County since June 2018. She encouraged residents and City leaders to contact their State Representatives and ask them to support fuel quality testing. Ms. Joyce Smith reported that the Auditor's Office would be returning fees to local entities for the 11<sup>th</sup> year in a row.

**Wendi Van Buren**

Wendi Van Buren, Urban Forester, Ohio Natural Resources Division of Forestry, explained that the Tree City USA program has been greening up cities and towns across America since 1976. It is a nationwide movement that provides the framework necessary for communities to manage and expand their public trees. She praised the City of Middletown for being part of the Tree City USA program for 11 years.

**Robert Clendenin**

Robert Clendenin, 306 Aberdeen Drive, asked Council to consider adding a stop sign on Aberdeen Drive. He explained that people drive too fast and felt that a stop sign would help the situation.

**CONSENT AGENDA**

**Approve the City Council Minutes: August 21, 2018**  
**Receive & File Board and Commission Minutes:**  
 Airport Commission: March 15 and April 19, 2018  
 Park Board: May 14, 2018  
 Board of Health: July 10, 2018  
**Confirm the Personnel Appointment of Karen Robinson to the Position of Payroll Administrator**  
**Confirm the Appointment of Kevin Kimener to the Citizens Advisory Board to the Police**  
**Approve the Purchase of Three New Ford Fusion Detective Vehicles off the ODAS Contract for the Division of Police in the Total Amount of \$54,858.00 from Middletown Ford**  
**Approve the Bid for an Epoxy Floor Coating System for Fire Headquarters from Hardig Industrial Services, of Cleves, Ohio, in the Amount of \$43,022.00**  
**To authorize the City Manager to enter into a lease for office space and additional outside areas of the JETS hanger for the purposes of providing educational programming to students of the City and region.**

**COUNCIL COMMENTS**

**Mr. Bohannon**

Mr. Bohannon attended the convocation and ribbon cutting and he congratulated Middletown City Schools on the tremendous new facilities. He commented that Berachah Church held a great community event on Sunday, September 2. He encouraged everyone to come out and attend the Middletown Arts Festival on September 8<sup>th</sup>.

**Ms. Vitori**

Ms. Vitori reminded everyone that the Downtown First Friday event would feature Dog Days.

**Mr. Moon**

Mr. Moon also attended the convocation and ribbon cutting event at Middletown City Schools and commented that the success of the school and the City are tied together. He encouraged everyone to attend the Chamber of Commerce's Memo with the Manager event on Thursday.

**Mr. L. Mulligan**

Mr. L. Mulligan praised the school for the marked increases in performance at every school. He encouraged everyone to attend the Southwest Ohio Philharmonic Orchestra concert at Woodside Cemetery on September 2<sup>nd</sup>.

**Waive Charter**

Mr. Moon moved to suspend the Charter provision that requires reading on two separate days and to declare Ordinance No. 02018-54, Ordinance No. 02018-55, and Ordinance No. 02018-62 emergency measures 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><b>Ord. No. 02018-54</b>  <b>Sale of Property to</b>  <b>AMERCO Real Estate</b></p>	<p><b>Ordinance No. 02018-54</b>, an ordinance establishing a procedure for and authorizing a contract for the sale of city owned property located near the intersection of South Canal Street and Second Avenue for redevelopment to AMERCO Real Estate Company, and declaring an emergency was read.</p>
<p><b>Ord. No. 02018-55</b>  <b>Sale of Property</b>  <b>to Mark &amp; Jennifer</b>  <b>Minor</b></p>	<p><b>Ordinance No. 02018-55</b>, an ordinance establishing a procedure for and authorizing a contract for the sale of city owned property known as the Tytus Avenue Fire Station for redevelopment to Mark and Jennifer Minor, and declaring an emergency was read.</p>
<p><b>Ord. No. 02018-56</b>  <b>Amend Chapter 1070</b>  <b>of Codified Ordinances</b></p>	<p><b>Ordinance No. 02018-56</b>, an ordinance amending Chapter 1070 (Parks), specifically sections 1070.01 (Definitions) and 1070.02 (Prohibited Conduct) of the Codified Ordinances was read for the second time.</p>
<p><b>Res. No. R2018-19</b>  <b>Amend Appropriations</b></p>	<p><b>Resolution No. R2018-19</b>, 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) was read for the second time.</p>
<p><b>Ord. No. 02018-62</b>  <b>Change Zoning</b>  <b>Classification</b></p>	<p><b>Ordinance No. 02018-62</b>, an ordinance changing the zoning classification for a portion of a parcel near the intersection of Jackson Lane and Johnathan Way from I-1 (Industrial District) to R-4 (Attached Residential District) and declaring an emergency was read.</p>
<p><b>Ord. No. 02018-63</b>  <b>AFSCME CBA</b></p>	<p><b>Ordinance No. 02018-63</b>, an ordinance authorizing a collective bargaining agreement with AF SCME Local 856-A (Transit) for the years October 1, 2018 through September 30, 2019, and declaring an emergency was read with no action requested until September 18, 2018.</p>
<p><b>Ord. No. 02018-64</b>  <b>Transfer Property</b>  <b>To the Land Bank</b></p>	<p><b>Ordinance No. 02018-64</b>, an ordinance authorizing the transfer of City owned property located at 3109 Yankee Road and 3106 Omaha Street to the Butler County Land Reutilization Corporation was read for the first time.</p>
<p><b>Ord. No. 02018-65</b>  <b>Agreement with 75</b>  <b>Logistics, LLC</b></p>	<p><b>Ordinance No. 02018-65</b>, an ordinance authorizing an agreement with 75 Logistics, LLC to pay a portion of the costs of the extension of sanitary sewers was read for the first time.</p>
<p><b>EXECUTIVE SESSION</b></p>	<p>At 6:00 p.m., Mr. Bohannon moved to adjourn to executive session under the authority of O.R.C. 121.22 (G) (2) To consider the purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage. Mr. J. Mulligan seconded. Motion carried. Ayes: Mr. J. Mulligan, Mr. L. Mulligan, Ms. Vitori, Mr. Bohannon, Mr. Moon.</p>

**ADJOURNMENT**

At 6:15 p.m., the meeting was declared adjourned until the Council meeting of September 18, 2018, at 5:30 p.m.

\_\_\_\_\_  
Lawrence P. Mulligan, Jr., Mayor

Attest: \_\_\_\_\_