

MIDDLETOWN, OHIO

October 1, 2019

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, T. Moon, J. Mulligan, L. Mulligan.

PRESENTATION

Stand with Israel Proclamation

Mayor Mulligan welcomed Pastor Childers and Rabbi Horvitz to the podium to receive the following proclamation.

PROCLAMATION

WHEREAS, the State of Israel is the greatest ally to the United States in the Middle East; and

WHEREAS, the United States of America was the first country to recognize the new state of Israel on May 14, 1948; and

WHEREAS, people from all walks of life and organizations in Middletown, Ohio have come together in support of Israel. One such organization is Christians United for Israel which recently celebrated the achievement of more than seven million members.

NOW THEREFORE, I, Lawrence P. Mulligan, Jr., Mayor of the City of Middletown, Butler and Warren Counties, State of Ohio do recognize the support of the State of Israel by proclaiming October 1, 2019, as

Stand with Israel Day
in the City of Middletown

Rabbi Horvitz thanked the Mayor for the proclamation and explained that ten days starting with Rosh Hashanah and ending with Yom Kippur are commonly known as the Days of Awe (Yamim Noraim) or the Days of Repentance. This is a time for serious introspection and a time to consider our relationships and how we relate to one another.

CITY MANAGER
Homelessness

Mr. Adkins Middletown addressed local business owners raising concerns about homeless issue. He explained that homelessness in Ohio is back on the rise and provided examples of other cities such as Los Angeles, Dallas, New York, and states such as Iowa and Wisconsin that are also seeing a surge in homelessness. Unemployment in Middletown is at 4%, which is considered full employment. The remaining homeless often are effectively unemployable due to addiction, mental illness, disability, bad luck, or bad decisions, making them chronically homeless due to lack of resources.

Middletown and Hamilton have homeless shelters in Butler County. Some homeless request to come here for shelter, some homeless are dropped here because the city doesn't have shelter and we do, and some jurisdictions are dumping their homeless. When we know a particular jurisdiction has dropped someone off, we call and investigate and discuss at the Chief or CM level.

Mr. Adkins discussed existing resources such as the Butler County Housing and Homeless Coalition sponsors 386 beds throughout Butler County with supportive services. They are happy to meet with Middletown businesses to hear their concerns and see how existing programs might help.

Organization Services Provided	
City of Hamilton	Municipality; Community Planning and Funding Support for Homeless Services; Law Enforcement
City of Middletown	Municipality; Community Planning and Funding Support for Homeless Services; Law Enforcement
Butler County	Community Planning; PSH (Shelter + Care) Administration; Law Enforcement
BMHA	Public housing, housing choice vouchers
Community Development Professionals	Permanent Supportive Housing (Shelter Plus Care)
Butler Behavioral Health	Mental health; case management; housing
Community Behavioral Health	Mental health; case management; housing
Sojourner Recovery Services	Substance abuse treatment - inpatient; outpatient
Genesis	Substance abuse treatment - inpatient; outpatient
Transitional Living/PATH	Mental health, street outreach, PIT
Hope House Rescue Mission	Emergency shelter

Serve City	Emergency shelter
YWCA	Transitional shelter for women
VA	VA services and referral
Veterans Services Commission	VA services and referral
Butler County Success	Homeless liaison for schools
Oxford Family Resource Center	Emergency housing and referrals
The Dream Project	Developing new transitional housing
SHALOM	Emergency shelter during winter months
Family Promise	Emergency shelter for families
Access Counseling Services	Outreach, Mental health: case management, housing, therapy
Emergency Money Fund	One-time financial assistance to prevent/end homelessness
Women Helping Women	Domestic violence, crisis intervention
Freedom House	Faith community, supportive services
Lighthouse Church	Faith community, supportive services
SHALOM	Seasonal emergency shelter, supportive services
WMHA	HCRP funding

He explained that the passage of the new Hope House Community Reinvestment Area was in support of the relocation and expansion of the Hope House Mission. The new Hope House facility had their groundbreaking in August 2018 and the new \$11.5 million shelter moves Hope House out of downtown. It will provide 50 temporary shelter beds, 30 permanent apartments (BMHA vouchers), counseling and social services and access to health care professionals. This new facility is scheduled to be completed by year-end.

Mr. Adkins explained that in most cases, coming here as homeless or being brought here as a homeless person is not a crime. We have the shelters that most of Butler County and all of Warren County do not have. If the homeless person or the agency has not committed a crime, then operationally, we are limited in our response. If they commit a crime, then they would be arrested. We don't see other city's police cruisers stopping in our town, dropping people off. We get the story second hand, usually from an addict or mentally ill person. That gives us second hand information, insufficient for probable cause to file charges and certainly doesn't meet the standard of guilty beyond a reasonable doubt. The solution, if there is one, is political, not operational. We may want to have a meeting of Butler County and/or Warren County elected officials to discuss this problem as a policy. He stated that many larger retail businesses have loss prevention personnel. Maybe the downtown business owners would want to establish a special improvement district to be able to fund additional security downtown.

Mr. Moon asked if non-profits are also dumping homeless people in Middletown; Mr. Adkins responded that he was not aware of any.

Mr. J. Mulligan asked if there was documentation of Mr. Adkins contacting other entities about dumping homeless people; Mr. Adkins stated that all of the communication was by phone.

Etha Walters

Etha Walters, 230 Park Street, Middletown stated that she lives and works in Middletown, near the Library. She discussed her concerns about some of the new homeless population behaving in a menacing and threatening way to a single, disabled woman living independently. She stated that a minimum wage job does not provide enough money for basic living. She discussed the perils that disabled homeless people face. Ms. Walters stated that she is a member of the Butler County Pagan Gathering and that they would like to build a network to make services interconnected.

Randy Bell

Randy Bell, 8049 Snyder Road Mason, Ohio stated that he was born and raised in Butler County and that he is the founder of Butler County Pagan Gatherings. He has been a social worker for more than 30 years. He encouraged the group to look at the deeper reasons for homelessness and to be compassionate. At the core of homelessness is drug addiction, racism and domestic violence. He wanted to see funding for more programs.

Jeremy Loukinas

Jeremy Loukinas, 214 S. Main Street, Middletown stated that he is a resident of the South Main Historic District. When he moved there it was a safe neighborhood, modern city with a vibrant downtown. In late 2018, he noticed more homeless people. He had some items stolen so he installed high definition cameras. His cameras alerted him to people being dumped off in the alley behind his house at early morning hours.

Heather Gibson

Heather Gibson, 3215 Morgan Street, Middletown stated that she is the owner of Triple Moon Coffee and that she has great relationships with the local homeless population. The new group of homeless people are mentally unstable, mean and aggressive. Recently, a woman pulled her pants down and pooped on the sidewalk in front of the Pendleton Art Center, then she came into the

coffee shop and began panhandling. Customers and staff members are afraid to come downtown. She stated that she has invested her life's savings into Middletown and that while she has compassion, business is suffering. She encouraged the City to allow more resources for additional police officers and suggested establishing a 24 hour shelter to help the homeless.

Amy Wray

Amy Wray, 4818 Roosevelt Avenue, Middletown stated that she owns Gypsy Soul inside Living Tree at 1040 Central Avenue. It is inhumane to dump people. She stated that several homeless people told her that they had come to Middletown on a travel voucher from Hamilton. These new homeless people are backpack wearing, stolen bicycle riding, entitled drug addicts that are aggressive. She stated that the downtown business owners are mad as hell. There is zero reason for business owners and customers to feel unsafe. Recently, a homeless man on acid came into her shop and claimed he was a vampire and undressed in the shop. Another homeless man followed and harassed a 16 year old female child when she left the shop. She discussed the safety measures that she has taken in her shop and provided Council with a list of possible solutions.

Renaë Theiss

Renaë Theiss, 1728 Sheffield Street, Middletown stated that she is the owner of the Living Tree and the manager at Triple Moon Coffee. She stated that these new homeless people are disrespectful, unpredictable, and aggressive. She expressed her extreme concern for the safety of the businesses, and the residents. Children that attend Midd State have been harassed, followed and sexually propositioned by these transient men. The City needs to develop and implement short and long term solutions to this escalating crisis.

Courtney Gross

Courtney Gross, 2089 Franklin Madison, Middletown stated that she works downtown at the Square, Don's Pizza and at Triple Moon and that she feels threatened by manic and aggressive homeless men.

Jeff Payne

Jeff Payne, Downtown Middletown Inc. Director, 1050 Central Avenue, Suite 2750, Middletown reported that the DMI Board has not had a chance to meet on this issue. This is an interjurisdictional problem that needs to be dealt with immediately. This problem jeopardizes the image of downtown and goes against the work that DMI has done to transform Downtown. DMI will be meeting with downtown businesses.

Monica Nenni

Monica Nenni, 7 N. Highview Drive, Middletown stated that she is the owner of the Gold Beret Boutique and West Central Wine. She stated that in the past she lived in Over the Rhine and did not feel unsafe. She discussed establishing a special improvement district to enhance the safety downtown. She stated that something must be done immediately or the downtown business owners will lose progress and investment.

Josh Laubach

Josh Laubach, 220 Aberdeen Drive, Middletown stated that he is the co-founder of Rolling Mill Brewing Company. In May or June a Butler County Sheriff's deputy dropped off a mentally ill person with a knife near the brewery; this person harassed an employee. Another time, he encountered a woman from Mason that had been dropped off. He stated that Chief Muterspaw and the Police department have done an incredible job and that Chief Muterspaw said what needed to be said on social media. He encouraged City Council to support Chief Muterspaw and to stand up for Middletown.

Nicole Condrey

Nicole Condrey, 1407 Wren Street, Middletown stated that she is proud of Middletown and the work that they have done taking care of the homeless. She stated that we need to put on our own oxygen mask first and take care of our own local homeless population. She suggested improving the relationships with other entities, being aware of documentation and vouchers, officers dropping off homeless people. She suggested charging other cities, requiring documentation and requesting that the state legislature reduce their transportation funds if they don't take care of their homeless.

Brandy Slavens

Brandy Slavens, 4464 Dixie Highway, works for Access Counseling. She stated that Access Counseling works closely with the homeless population. She stated that the state requires a "point of time" count of the homeless every year. Middletown usually runs 200-250, and Hamilton usually runs 350-500 homeless annually. Middletown has one homeless shelter, Hamilton has four and Warren County has two. She stated that resources and programming are continuously being reduced. She suggested establishing a Community Engagement Center. It would address some of the issues that have been raised tonight. It would have washers and dryers, showers, and kitchen facilities. She stated that this facility could be up and running in a month with the right building. She reported that the preferable drug use has gone from heroin to meth; meth makes people mean, angry with active psychosis.

Gabriel Schoenlein

Gabriel Schoenlein, 121 S. Main Street, Middletown, discussed the increase of homeless people trespassing, littering, loitering and criminal activity in his neighborhood. He apprehended a repeat trespassing offender and when the police arrived, no charges were filed. Another time a man and woman riding bicycles and wearing back packs went by his home screaming and yelling at each other. The woman claimed that the man had assaulted her, Mr. Schoenlein called the police. When the police arrived they stated that there had been no crime committed because the victim was not there to describe it. Mr. Schoenlein wanted a report submitted and the officer said that even if he

submitted a report, nothing would be done about it. He stated his appreciation and support for the police department but was disappointed in the police response to these incidents. He expects the leaders to do something about the situation immediately.

Jamie Beth Loukinas

Jamie Beth Loukinas, 214 S. Main Street, Middletown thanked Council for hearing the concerns of the residents and business owners. She applauded the work that had been accomplished in the downtown and suggested that a task force be created to pinpoint the problems.

RECESS

At 6:50 p.m. Mayor Mulligan called a short recess.
At 6:55 p.m. Mayor Mulligan called the meeting back to order.

CITY MANAGER REPORTS

Mr. Adkins presented the 2020 non-public safety budget and discussed the significant changes for 2020 including:

- 2.5% cost of living raise for all employees
- No performance based compensation program in 2020
- Income tax revenue is projected to increase 3.5% over 2019 budget in 2020; 2.4% decrease compared to projected actual 2019 year end revenues
- City's share of health insurance costs increase 6%
- 27 bi-weekly pays in 2020 (extra \$745k in 2020 General Fund budget)
- Beginning stages of paramedicine program
- Adding two dedicated traffic officers to Police

Mr. Adkins provided a recap of 2019 & 2018 budget presentation and explained that we always try to be conservative on revenues and budget every possible expenditure.

2018 BUDGET

Year End 2017 Expected General Fund Balance	\$5,353,747	18.6%
Year End 2018 Budgeted GF Balance	\$4,512,890	15.0%

2019 BUDGET

Year End 2018 Expected General Fund Balance	\$6,566,828	21.1%
Year End 2019 Budgeted GF Balance	\$4,778,914	15.5%

- Expected year-end 2019 GF Balance as of 8/31/19 is now \$7,818,397 or 24.4%, or \$3,039,483 higher than last year's budget presentation.

• Year End 2019 Expected General Fund Balance	\$7,818,397	24.4%
• Year End 2020 Budgeted GF Balance	\$4,877,992	15.1%

• 2020 Increase in Non-Public Safety <u>Personnel</u> Costs	\$155,848	3.2%
* without extra bi-weekly	\$5,361	0.1%
• 2020 Increase in Public Safety <u>Personnel</u> Costs	\$1,381,152	7.0%
* without extra bi-weekly	\$785,938	4.0%

- No Water rate increase in 2020
- Sewer rate increase 10% in 2020
- Sewer rate increases consistent with Long Term Control Plan Projections.
- Solid Waste increase of \$0.50 in 2020 due to increase in Rumpke contract
- No Storm Water Fee increase in 2020
- We can confirm receiving an estimate of \$608,000 in 2019 construction income tax through August 31st. This is not included in 2020 revenue budget which results in the 2.4% decrease in income tax revenue vs. 2019 projected actual.

Mr. Adkins provided an Employee Benefits Fund Update and reminded everyone that the payback of General Fund loan began in 2018 and will continue in 2019 & 2020*

Recap - 2018 Fund Balance

Beg. Balance	390,298.53
Revenues	5,617,773.50
Expenditures	(5,287,425.88)
Loan Payback	<u>(500,000)</u>
End Balance	220,646.15

Estimates for 2019 as of 8/31/19:

Beg. Balance	220,646
Revenues	5,782,071
Expenditures	<u>4,971,131</u>
End Balance	1,031,586

plan to pay back \$500,000 of loan from GF in December if trend continues

2020 BUDGET:

Beg. Balance	531,586
Revenues	6,137,204

Expenditures 5,801,617
 End Balance 867,173

City
 Manager

<u>General Fund Analysis</u>	<u>2020</u>	<u>2019</u>	<u>\$ Change</u>	<u>% Change</u>
<u>(Non-Public Safety)</u>				
City Council	\$165,610	\$157,732	\$7,878	5.0%
City Manager	\$428,886	\$476,163	(\$47,277)	-9.9%
Finance Department	\$634,831	\$579,796	\$55,035	9.5%
Information Systems	\$727,072	\$717,266	\$9,806	1.4%
Economic Development	\$1,553,475	\$1,139,679	\$413,796	36.3%
Administrative Services	\$2,547,319	\$2,398,491	\$148,828	6.2%
Public Works & Utilities	\$2,100,800	\$2,030,867	\$69,933	3.4%
Non Departmental	\$1,690,462	\$1,668,201	\$22,261	1.3%
Total Expenditures	\$9,866,740	\$9,168,195	\$698,545	7.6%

	<u>2020</u>	<u>2019</u>	<u>Change</u>
City Manager Office	\$428,886	\$476,163	-9.9%
* without extra bi-weekly	\$417,980		-12.2%

2020 Primary Goals/Changes – City Manager

- Continue work on new City Master Plan
- Continued response to the Heroin Epidemic
- Long Term Housing Policy – begin implementation to strengthen Middletown’s housing stock
- Continue work on restructuring of Fire Stations and staffing to assure a safer community
- 2019 Budget had funding for Transportation Plan which is removed in 2020 budget.

Finance

	<u>2020</u>	<u>2019</u>	<u>Change</u>
Finance Department	\$634,831	\$579,796	9.5%
* without extra bi-weekly	\$617,143		6.4%

2020 Primary Goals/Changes – Finance

- Implement a new payment portal for utility customers with autopay, text pay, reminders, etc.
- Continue working on an improved online tax filing option for residents.
- Continue to receive “Certificate of Achievement for Excellence in Financial Reporting Award” (CAFR), “Outstanding Achievement in Popular Annual Financial Reporting Award” (PAFR) and “Distinguished Budget Presentation Award” from Government Finance Officers Association (GFOA).
- Research auto-pay options for vendor payments in an effort to reduce mailing and check costs.

Information Systems

	<u>2020</u>	<u>2019</u>	<u>Change</u>
Information Systems	\$745,357	\$717,266	3.9%
* without extra bi-weekly	\$725,854		1.2%

2020 Primary Goals/ Changes Information Systems

- Complete telephone system upgrade
- Upgrade Network Infrastructure to install a city-wide high-speed wireless network to link locations
- Upgrade Public Works Software
- The addition of security cameras in the building and other areas

Economic
 Development

	<u>2020</u>	<u>2019</u>	<u>Change</u>
Economic Development*	\$911,061	\$732,854	24.3%
Communications**	\$253,530	\$168,972	50.0%
Planning ***	\$388,884	\$237,853	63.5%
Total Expenditures	\$1,553,475	\$1,139,679	36.3%
*without extra bi-weekly	\$1,528,219		34.1%

* Oakland Phase III, Paperboard Brownfield Work

** Includes \$50,000 increase in recreation & additional money for continued upgrade of City

Brand- videography, photographer for stock images of City of Middletown, updated city signs
 *** \$71,000 of increase for new CLG Position (Historic Properties Specialist)

**2020 Budget
 Priorities
 Airport**

	<u>2020</u>	<u>2019</u>	<u>Change</u>
<u>Airport Operations</u>	* \$1,241,993	\$502,600	147.1%

	<u>2020</u>	<u>2019</u>	<u>Change</u>
<u>Airport Capital</u>	\$630,000	\$2,400,000	-73.8%

Increase includes City taking over day-to-day operations at the Airport. Increase offset by fuel sale revenues & wellfield revenues – no change in GF supplement.

Capital includes ODOT Grants for: pond safety area and runway markings- \$595,000 ODOT funded and \$35,000 City match.

**Administrative
 Services**

	<u>2020</u>	<u>2019</u>	<u>Change</u>
Community Development	\$295,421	\$227,962	40.7%
*Code Enforcement moved to Police in 2019 *	\$0	\$23,800	-100.0%
Community Center	\$120,000	\$120,000	0.0%
Law	\$610,017	\$594,296	2.6%
HR	\$433,932	\$411,796	5.4%
Building Inspection	\$581,037	\$532,130	9.2%
Building Maintenance	\$506,912	\$488,507	3.8%
Total Expenditures	\$2,547,319	\$2,398,491	6.2%
*without extra bi-weekly	2,500,373		4.2%

2020 Primary Goals/ Changes Administrative Services

- Complete utilization of the Land Bank Demolition Grant
- Planning and implementation of the City's New Housing Policy
- Continued Transition of HR adding a HR Manager position, implement a comprehensive staff development program & position classification plan to accurately reflect position descriptions & classifications

Public Works

	<u>2020</u>	<u>2019</u>	<u>Change</u>
Engineering	\$484,486	\$461,588	5.0%
Street Lighting	\$717,221	\$710,120	1.0%
Parks Maintenance	\$899,093	\$859,159	4.6%
Total Expenditures	\$2,100,800	\$2,030,867	3.4%

2020 Primary Goals/ Changes

- Implement Long Term Control Plan
- Continue design-build process for Lakeside Storm Water Redirection Project
- Continue Sewer System Condition Assessment Program
- Initiate planning for Downtown Storage Basin Project
- Continue development of Water System Asset Management Program

2020 Goals – Traffic/Electronic Maintenance

2020 Goals - Parks

- Continue to evaluate and implement traffic calming measures
- Continue replacement program for older LED traffic signals, and signal heads, at various intersections
- Update additional intersections with new control equipment to be compatible with new Centracs central master system
- Finalize development of a Parks Master Plan

Local Street Paving \$3.7 Million in 2020 Paving
Contractor Paving
 Estimated Cost = \$3,350,000 (\$1.4M General Capital Fund, \$250k Storm Water Capital Fund, \$1M Auto & Gas Tax Fund from new gas tax increase, \$700k assessments for sidewalk, curb and gutter).

STREETS:

Bonita Dr. between Roosevelt and Breiel	Elsmere St. between Van and Crescent
Burton Rd. between Central and Grand	Gladys Dr. between Sherman and Grand
Calumet Ave. between Yankee and Garfield	McGee between McKnight and Dorset
Casper Ave between Carmody and Main	16 th Ave. between Main and Ohio
Central Ave. between Carmody and Main	Vermont St. between 17 th and dead-end
Dorset Dr. between McGee and Grand	\$500k additional – streets TBD
11 th Ave. between Main and Lincoln	

City Crew Paving

Estimated Cost = \$300K (Auto & Gas Tax Fund) plus assessments for sidewalk, curb and gutter
 STREETS: Antrim Ct., Court Donegal, Galway Circle, and Helton Dr. between Bonita and East

S. University Bridge Project

\$2,050,000 total projected cost - \$800,000 funded by OPWC Grant & paving included with overall project budget

2020 Capital Projects

General Capital Fund:

Local Street Paving	\$ 1,400,000
Gateway Enhancements (I-75)	\$ 75,000
City Building South Pavers	\$ 100,000
University Bridge Rehab Design	\$ 1,550,000
Bike Path connection to Franklin	\$ 160,000
Traffic/Parks/Buildings	\$ 217,000
Total:	\$ 3,502,000

Water Fund:

Water Facility Upgrades	\$ 550,000
System Replacement Program	\$ 2,000,000
GIS Improvements	\$ 10,000
Total:	\$ 2,560,000

Sewer Fund:

WWTP Upgrades	\$ 550,000
System Replacement	\$ 3,000,000
Long Term Control Plan	\$10,000,000
GIS Improvements	\$ 10,000
Total:	\$13,560,000

Storm Water Fund:

Local Street Paving	\$ 250,000
System Replacement Program	\$ 375,000
University Bridge Rehab	\$ 500,000
City Building South Pavers	\$ 75,000
NPDES Compliance	\$ 50,000
Total:	\$1,250,000

Other Funds

<u>Fund</u>	<u>2020</u>	<u>2019</u>	<u>% change</u>
City Income Tax (230)	\$24,220,419	\$23,584,612	2.7%
* without extra bi-weekly	24,200,625		2.6%
Auto & Gas Tax (210) *	\$4,121,265	\$3,471,299	18.7%
* without extra bi-weekly	4,080,759		17.6%
Health (228)**	\$721,670	\$585,338	23.3%
* without extra bi-weekly	701,756		19.9%
Municipal Court (250)	\$1,934,275	\$1,812,600	6.7%
* without extra bi-weekly	1,883,535		3.9%
Nuisance Abatement (260)	\$330,000	\$330,000	0.0%
Water Fund (510)	\$9,650,398	\$8,848,007	9.1%
* without extra bi-weekly	9,571,849		8.2%
Sewer Fund (520)	\$14,369,275	\$13,921,425	3.2%
* without extra bi-weekly	14,269,700		2.5%

* Auto & Gas Tax includes \$1,000,000 in additional paving in 2020 due to Gas Tax increase
 ** Health includes full-time Director of Nursing and new Health Clerk position. This will include beginning stages of paramedicine program.

Municipal Court

Judge Sherron discussed the Municipal Court budget. He stated that the Court's budget is essentially flat except for the 2.5% pay increase and the 27 pays in 2020. He stated that the Court's reserves continue to trend down. The court has tried to increase collections but has not seen much success. He explained that the court applied for 2 grants for new software that will make the system much more efficient. He discussed the mental health challenges that the Court sees on a daily basis. Access Counseling has 7 offices in Middletown and they provide significant services. He discussed the need to expand the probation department. Currently three probation officers see 600 probationers, there are more people on probation. The court is seeing more out of town, out of county offenders. He gave an example of a woman that was brought to Middletown because of an outstanding speeding ticket. She had to go to Hope House to get a voucher to get back to her home. He discussed a man that was in rehab, when in rehab he became suicidal. Instead of transporting him to a nearby full-service hospital for treatment, he was brought to a Middletown hospital 15-20 miles away. While at the Middletown hospital, he assaulted a police officer; the police officer sustained an injury. He stated that some criminals are opportunistic and stated that they came to Middletown because they knew the judge wouldn't put them in jail.

Mr. Moon asked that information like that be shared with City staff.

Mayor Mulligan thanked the Judge for asking these questions in open court.

Judge Sherron discussed some of the changes from the Supreme Court that affect how the court pays visiting judges and the upcoming changes to a unified bond system. He discussed the financial impact of indigent status; this status would waive the filing fees which is a large portion of the court's income.

Mr. Moon asked if a larger reserve balance in the General Fund would improve the bond rating; Mr. Adkins responded that it would, but the reserves would have to be significantly higher for a significant amount of time to be beneficial to the bond rating.

Mayor Mulligan asked about the additional permissive motor vehicle tax; Mr. Adkins responded that it is an option. Council asked to see the legislation that Hamilton recently passed. Mayor Mulligan also asked to see a report on water and sewer delinquencies.

CONSENT AGENDA

Approve the City Council minutes from September 17, 2019

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

COUNCIL COMMENTS

Mr. J. Mulligan

Mr. J. Mulligan expressed his appreciation to the community members and business owners for voicing their concerns. He stated that Council and staff will look at the issue with a new urgency. He stated his support for all available options to fix the issue including additional appropriations, staff investigations and Council action. He stated that Middletown and downtown have come too far to let this happen. He suggested using different tactics to work with neighboring communities to put a stop to people being dropped off in Middletown from other jurisdictions. Mr. Adkins stated that many times it is difficult to get factual information about those people being dropped off; the information comes second or third hand and does not have the details necessary to take action on it.

Ms. Vitori

Ms. Vitori stated that this is a big problem with no silver bullet. In September 2018, she had brought the issue of increased homelessness to the attention of the City Manager and the City Council. After Hamilton and Cincinnati announced that they would be cutting down homeless camps, it left Middletown as a soft spot. She reminded everyone that City Council had a workshop in January about the homeless issue. She stated that now, a year later Middletown needs to do something specific. She applauded Rodney Muterspaw for speaking out and getting the conversation started. She stated for the short term she would support a task force and additional appropriations to fund an increased police presence downtown at appropriate hours of the day. She stated that mid-term solutions include talking to homeless service providers and determining what services and programming that the new Hope House facility will provide. She stated that she has asked questions about the residency of clients and available programming from the current Hope House but not received good answers. She discussed the need for daytime programming and stated that she is open to giving Access Counseling a building. She discussed long term solutions such as providing programming through the new Hope House or building a facility. She stated that neighboring jurisdictions that drop off homeless people need to be called out. Mr. Adkins stated that many times it is difficult to get factual information about those people being dropped off; the information

comes second or third hand and does not have the details necessary to take action on it. She stated that Mica Glaser has video of probation officers dropping people off. Mr. Adkins said that he has never seen that video. Ms. Vitori suggested using existing video cameras to document drop offs and violations. She suggested that the task force could formalize a process that these videos and reports could be received. She wants to make a public statement to other jurisdictions that it is not okay to dump homeless humans in our City. She suggested legislation that would fine jurisdictions that continue to do it. She provided photos of homeless camps around the City.

Council concurred to ask Mr. Adkins to put together some short and long term solutions to this problem. Mayor Mulligan suggested looking at the issue regionally and stressed the importance of having data. Council concurred to draft legislation to allow for appropriations to provide an increased police presence downtown and the Mayor suggested that the Communication Manager craft a statement for Council to consider. The group discussed the best way to submit information and video to the police department and the City Manager. Mr. Bohannon remarked that the City is suffering because it tried to be kind and helpful to the homeless. The group discussed the abundance of services that are available in Middletown. Ms. Vitori asked the Law Department to look at legislation that Los Angeles passed to combat the issue of people being dropped off from other jurisdictions.

Mr. Moon

Mr. Moon thanked everyone for coming out and stated that it is obvious we have a major issue. I look forward to working on it with you all. If I was a resident or Council member in a City that is dropping people off, I would be disappointed and embarrassed.

Waive Charter

Mr. Moon moved to suspend the Charter provision that requires reading on two separate days and to declare Ordinance No. 02019-57 an emergency measure to be read one time only. Mr. Bohannon seconded. Motion carried. Ayes: Mr. Moon, Mr. J. Mulligan, Mr. L. Mulligan, Mr. Bohannon, Ms. Vitori.

**Ord. No. 02019-54
Bridge Rehab**

Ordinance No. 02019-54, an ordinance authorizing the City Manager to enter into a contract with the Ohio Department of Transportation for the rehabilitation of the bridge on eastbound State Route 122 over University Boulevard was read for the second time.

Mr. Bohannon moved to approve Ordinance No. 02019-54, an ordinance authorizing the City Manager to enter into a contract with the Ohio Department of Transportation for the rehabilitation of the bridge on eastbound State Route 122 over University Boulevard. Mr. J. Mulligan seconded. Motion carried. Ayes: Mr. J. Mulligan, Mr. L. Mulligan, Ms. Vitori, Mr. Bohannon, Mr. Moon.

**Ord. No. 02019-55
Amend PBO**

Ordinance No. 02019-55, an ordinance amending the pay and benefits ordinances, Ordinance No. 02019-81 and Ordinance No. 02019-82 was read for the second time.

Mr. Bohannon moved to approve Ordinance No. 02019-55, an ordinance amending the pay and benefits ordinances, Ordinance No. 02019-81 and Ordinance No. 02019-82. Mr. J. Mulligan seconded. Motion carried. Ayes: Mr. L. Mulligan, Ms. Vitori, Mr. Bohannon, Mr. Moon, Mr. J. Mulligan.

**Ord. No. 02019-56
Shepherd Chemical**

Ordinance No. 02019-56, an ordinance authorizing a development agreement with Shepherd Chemical to waive permit fees was read for the second time.

Mr. Bohannon moved to approve Ordinance No. 02019-56, an ordinance authorizing a development agreement with Shepherd Chemical to waive permit fees. Mr. J. Mulligan seconded. Motion carried. Ayes: Ms. Vitori, Mr. Bohannon, Mr. Moon, Mr. J. Mulligan, Mr. L. Mulligan.

**Ord. No. 02019-57
Amend Agreement
With NTE Ohio**

Ordinance No. 02019-57, an ordinance approving an amendment to an agreement with NTE Ohio, LLC providing for the construction of a power generation facility as a development project and tax exemption pursuant to the State Urban Jobs and Enterprise Zone Program, and making determination in connection therewith, and declaring an emergency was read.

Mr. Bohannon moved to approve Ordinance No. 02019-57, an ordinance approving an amendment to an agreement with NTE Ohio, LLC providing for the construction of a power generation facility as a development project and tax exemption pursuant to the State Urban Jobs and Enterprise Zone Program, and making determination in connection therewith, and declaring an emergency. Mr. J. Mulligan seconded. Motion carried. Ayes: Mr. Bohannon, Mr. Moon, Mr. J. Mulligan, Mr. L. Mulligan, Ms. Vitori.

**Ord. No. 02019-58
Contract with Midas
Midwest**

Ordinance No. 02019-58, an ordinance establishing a procedure for and authorizing a contract with Midas Midwest, LLC for repairs to the Bonita Drive and Jackson Lane storm sewer and declaring an emergency was read with no action requested until October 15, 2019.

**Ord. No. 02019-59
Contract with Insight
Pipe Contracting LLC**

Ordinance No. 02019-59, an ordinance establishing a procedure for and authorizing a contract with Insight Pipe Contracting, LLC for the 2019 Sanitary Sewer Lining Part 2 Project and declaring an emergency was read with no action requested until October 15, 2019.

**Ord. No. 02019-60
Enact Section 660.22**

Ordinance No. 02019-60, an ordinance to enact Section 660.22 (Unsolicited Materials) of the Middletown Codified Ordinances was read for the first time.

**Ord. No. 02019-61
Job Incentive Grant**

Ordinance No. 02019-61, an ordinance authorizing the City Manager to enter into a Job Incentive Grant Agreement with Midwest Ammunition, LLC was read for the first time.

**Ord. No. 02019-62
SmartBill LTD.
Water Bills**

Ordinance No. 02019-62, an ordinance establishing a procedure for and authorizing a contract with SmartBill Ltd. for the printing and mailing of water bills was read for the first time.

**Res. No. R2019-30
ODOT Central Ave
Improvements**

Resolution No. R2019-30, a resolution authorizing the City Manager to enter into an agreement with the Ohio Department of Transportation for improvements to Central Avenue between University Boulevard and Verity Parkway was read for the first time.

EXECUTIVE SESSION

At 8:03 p.m. Mr. Moon 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; 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. Ms. Vitori seconded. Motion carried. Ayes: Mr. Moon, Mr. J. Mulligan, Mr. L. Mulligan, Mr. Bohannon, Ms. Vitori.

ADJOURNMENT

At 9:00 p.m., the meeting was declared adjourned until October 15, 2019 at 5:30 p.m. in Council Chambers.

_____ **Lawrence P. Mulligan, Jr., Mayor**

Attest: _____