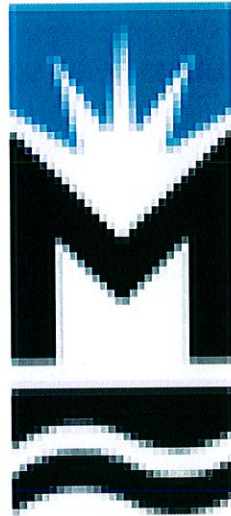


**PROGRAM YEAR 2013  
CDBG SUBSTANTIAL AMENDMENT  
B-13-MC-39-0013**



City of Middletown, Ohio  
Community Development Block Grant Program  
Judith A. Gilleland, City Manager  
Doug Adkins, Community Revitalization Director  
Kyle Fuchs, HUD Program Administrator

March 2013

# CDBG 2013 Substantial Amendment B-13-MC-39-0013

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CDBG 2013 Substantial Amendment  
B-13-MC-39-0013

**Section One - Narrative**

# **CDBG PY2013 Substantial Amendment**

## **City of Middletown**

### **(B-13-MC-39-0013)**

## **Summary**

This notice is being published to amend activities described in the City of Middletown's 2010-2014 Consolidated Plan and convert a portion of the revolving loan fund to CDBG eligible activities. The City of Middletown, like most cities, has by necessity become more adept in determining what projects to prioritize, and establish the most cost effective way to do so. Two priorities for the City of Middletown are public safety and infrastructure. The City has a fire engine that is past its useful life and is in need of replacement. In addition, many streets are in poor condition and are long overdue for repaving. This substantial amendment will convert up to \$450,000 in the revolving loan fund to be used towards these activities.

## **Currently in the Consolidated Plan:**

*Revolving Loan Program* – “As of February 2009, the City has 43 outstanding no interest/low interest loans totaling just over \$800,000 that have been used to rehabilitate over 50 properties in Middletown. During this Plan period, the Revolving Loan Fund will be utilized to offer low/no interest loans to eligible homeowners for rehabilitation expenses and sidewalk/cur/gutter repairs and dead tree removal in the target neighborhood each year.”

## **2012 Substantial Amendment:**

*Revolving Loan Program* – “The City of Middletown will utilize the revolving loan fund to provide exterior rehabilitation to properties that are sitting vacant due to the foreclosure crisis. In these instances, neither the bank, nor the current/previous owner claim ownership to the property so it continues to deteriorate. The City would use the courts to permit access to the property to abate code violations. The cost of the rehabilitation would then be assessed on the property at 2.5 times per the local ordinance.”

## **As Amended in this Notice:**

The Revolving loan fund will still be utilized as described in the 2012 Substantial Amendment. However, a portion of the revolving loan fund will be converted to CDBG to be utilized for the following:

### **Fire Equipment**

Up to \$400,000 of converted revolving loan funds will be used to purchase a new fire engine. Public safety is one of the highest priorities of the City and a dependable fire

engine is integral to make that happen. This activity is eligible under 24 CFR 570.207(b)(1)(ii).

### Street Paving

Up to \$50,000 of converted revolving loan funds will be combined with CDBG and other City funds to be used toward eligible street paving. The City owns paving equipment so these streets will be paved in-house when possible, to ensure we get the most for the money. This activity is eligible under 24 CFR 570.201(c)

## Citizen Participation

The public comment period for this substantial amendment coincided with the PY2013 Annual Action Plan. The comment period started on February 8, 2013 and ended March 10, 2013. There was a public hearing on February 19, 2013 to discuss the PY2013 Annual Action plan, this Substantial Amendment, and welcome any additional comments. Written comments may be made online at <http://www.cityofmiddletown.org/community/comdev.aspx>, by mail, or dropped off to:

City of Middletown  
Community Revitalization Dept  
One Donham Plaza  
Middletown, OH 45042

## Comments Received

None Received

Approved By:

X  \_\_\_\_\_  
Judith A. Gilleland – City Manager

Date 3-11-13

X  \_\_\_\_\_  
Doug Adkins – Director, Community Revitalization Dept.

Date 3-11-13

CDBG 2013 Substantial Amendment  
B-13-MC-39-0013

**Section Two - Budget**

**COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM  
 PY 2013 PROJECTED BUDGETED USE OF FUNDS (5/1/2013 - 4/30/2014)**

	<u>CDBG</u>	
<b><u>Housing Revitalization</u></b>		
Emergency Repair Program (PWC)	\$50,000	
Volunteer Improvement Program (V.I.P.)	\$54,000	
Rehab Program Delivery	\$15,000	a
<b>Category Total</b>	<b>\$119,000</b>	
 <b><u>Public Services</u></b>		
Fair Housing: H.O.M.E. (Matrix Code 21D)	\$5,000	
Legal Aid of Greater Cincinnati	\$10,000	
<b>Category Total</b>	<b>\$15,000</b>	
 <b><u>Public Facilities &amp; Improvements</u></b>		
Street Paving	\$420,000	b
Fire Engine	\$400,000	c
<b>Category Total</b>	<b>\$820,000</b>	
 <b><u>Neighborhood Revitalization</u></b>		
Code Enforcement	\$300,471	
<b>Category Total</b>	<b>\$300,471</b>	
 <b><u>GRANTS MANAGEMENT</u></b>		
Planning/Program Administration	\$151,117	d
<b>Category Total</b>	<b>\$151,117</b>	
<hr/>		
<b>Estimated PY2012 Unliquidated Funds</b>	<b>\$300,000</b>	
<b>Estimated PY2013 Grant amount</b>	<b>\$655,588</b>	
<b>Amount Converted from Revolving Loan Fund</b>	<b>\$450,000</b>	
<b>TOTAL</b>	<b>\$1,405,588</b>	

a.) Includes legal fees & Rehab Program Delivery    b.) \$50k from converted RLF    c.) Converted RLF funds d.) Admin allocation (\$126,117) + estimated \$25,000 in PY2012 Unliquidated Admin
---

CDBG 2013 Substantial Amendment  
B-13-MC-39-0013

**Section Three - Citizen Participation Notice**



# The Middletown Journal

## AFFIDAVIT OF PUBLICATION

P.O. Box 643157

Cincinnati, OH 45264-3157

937-225-7367

STATE OF OHIO

CITY OF MIDDLETOWN

ONE DONHAM PLZ

MIDDLETOWN, OH 45042

### Legal Ad: 13-7475 NOTICE OF PUBLIC HEARING AND PUBLIC COMMENT PERIOD FOR THE 2013 ANNUAL ACTION PLAN REGARDING HUD FUNDING

The City of Middletown, as directed by the U.S. Department of Housing and Urban Development (HUD), is submitting its Program Year 2013 Annual Action Plan as part of the 5 year Consolidated Plan outlining the City's priorities for the Community Development Block Grant (CDBG) program. The objective of this funding is to meet community housing and development needs. The CDBG allocation received for the 2012 program year was \$655,588. This Annual Action Plan states the specific activities to be undertaken in the fourth Consolidated Plan program year which runs from May 1, 2013 to April 30, 2014. The City is also completing a substantial amendment to the 5 year Consolidated Plan regarding the use and conversion of a portion of the revolving loan fund.

There will be a Public Hearing on these plans held Tuesday, February 19, 2013 at or around 6:00pm in the City Council Chambers on the lower level of the City Building, 1 Donham Plaza, Middletown, Ohio. There will also be a 30 day public comment period commencing February 8, 2013 and ending March 10, 2013 for citizens to review and submit any comments regarding the plan and substantial amendment. Copies of the plan will be available for view online at <http://www.cityofmiddletown.org/community/comdev.htm>, or at the Middletown Library, Senior Center, and the City Building in the Community Revitalization Department. Comments must be submitted in writing and may be completed online at <http://www.cityofmiddletown.org/community/comdev.htm> or mailed or dropped off to:

City of Middletown  
Community Revitalization Department  
Attn: CDBG Public Comments  
One Donham Plaza  
Middletown, OH 45042  
16071417 2-4, 6/13

Before me, the undersigned, a Notary public in and for said County, personally came Emily Minch who being first duly sworn says he/she is the Legal Advertising Agent of the The Middletown Journal, which he/she says is a newspaper of general circulation in Montgomery, Clark, Warren, Butler, Clinton, Greene, Preble, Miami, Darke, Mercer, Shelby, Fayette, Logan, Hamilton, Clermont, Auglaize, and Champaign Counties, and State of Ohio, and he/she further says that the Legal Advertisement, a copy of which is hereunto attached, has been published in the said The Middletown Journal 44 Lines, 2 Time(s), last day of publication being 2/6/2013, and he/she further says that the bona fide daily paid circulation of the said The Middletown Journal was over (10000) at the time the said advertisement was published, and that the price charged for same does not exceed the rates charged on annual contract for the like amount of space to other advertisers in the general display advertising columns.

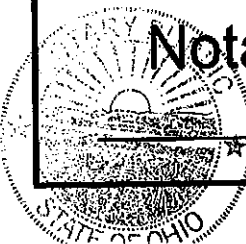
Signed

Sworn or affirmed to, and subscribed before me, this 2/6/2013. In Testimony Whereof, I have hereunto set my hand and affixed my official seal, the day and year aforesaid.

Invoice No.	16071417
Ad Cost	\$250.80
Paid	\$0.00
Due	\$250.80

## Notary Public

LORNA M. FOER, Notary Public  
In and for the State of Ohio  
My Commission Expires July 4, 2015



Third said Wednesday it signed a multiyear contract with NextJob, a Bend, Ore.-based re-employment company, to provide job search services for struggling Fifth Third mortgage customers.

Unemployed mortgage borrowers get help with a job search, including coaching, weekly webinars and access to online job search software, paid for by Fifth Third.

Fifth Third said it's the first financial institution to do something like this. Fifth Third is the largest bank in the Cincinnati-Dayton region, and one of the largest mortgage lenders.

The program was tested in 2012 with unemployed bank customers in serious risk of default on their mortgages, the bank said. On average, participants had been out of work for 22 months. Nearly 40 percent of people in the pilot were fully employed after six months, a success rate that's prompted Fifth Third to expand the program.

"Up to half of mortgage delinquencies are due to job loss," said Steven Alonso, head of Fifth Third Bancorp Consumer Bank, in a statement.

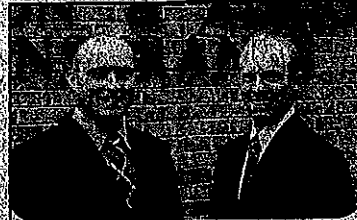
NextJob CEO John Courtney approached the bank with the idea, said Larry Magnesen, Fifth Third chief marketing officer.

"A foreclosure is the last thing banks want to do," Magnesen said.

Right now the program is by invitation only and meant for mortgage customers who start falling behind in payments because of job loss, Magnesen said.

inspiration from NextJob's experts. Participants

talk about progress with their job hunts.



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## City of Middletown, Ohio Public Hearing and Public Comment Period Regarding HUD Funding



The City of Middletown, as directed by the U.S. Department of Housing and Urban Development (HUD), is submitting its Program Year 2013 Annual Action Plan as part of the 5-year Consolidated Plan outlining the City's priorities for the Community Development Block Grant (CDBG) program. The objective of this funding is to meet community housing and development needs. The CDBG allocation received for the 2012 program year was \$655,588. This Annual Action Plan states the specific activities to be undertaken in the fourth Consolidated Plan program year which runs from May 1, 2013 to April 30, 2014. The City is also completing a substantial amendment to the 5-year Consolidated Plan regarding the use and conversion of a portion of the revolving loan fund.

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City of Middletown  
Community Revitalization Department  
Attn: CDBG Public Comments  
One Donham Plaza  
Middletown, OH 45042

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**Annual Action Plan Receipt Acknowledgement**

Friday February 8, 2013

Organization	Printed Name	Signature	Time
Middletown Library	Sofia Habash	Sofia Habash	3:45
Middletown Senior Center	Thelma STEINBAUGH	Thelma Steinbaugh	4:10

CDBG 2013 Substantial Amendment  
B-13-MC-39-0013

**Section Four - City Council**

**ORDINANCE NO. O2013-11**

**AN ORDINANCE AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FEDERAL ASSISTANCE, A CONSOLIDATED PLAN AND A PROJECTED USE OF FUNDS, UNDER TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED FOR FISCAL YEAR 2013 AND DECLARING AN EMERGENCY.**

**WHEREAS**, Title I of the Housing and Community Development Act of 1974, as amended, provides for a program of community development block grants; and

**WHEREAS**, the City of Middletown is an entitlement city as defined under said Act, and is entitled to financial assistance; and

**WHEREAS**, the City of Middletown, pursuant to the Housing and Community Development Act of 1974, as amended, has held two public hearings which were open to the public; and

**WHEREAS**, said public hearings were for the purpose of considering and obtaining the views of the citizens of Middletown on community development and housing needs; and for the purpose of providing the citizens with an opportunity to participate in the development of the Consolidated Plan and the Projected Use of Funds; and

**WHEREAS**, the Consolidated Plan and Proposed Use of Funds are in compliance with previously enacted Urban Renewal Plans of the City and has been reviewed by the Middletown Consolidated Planning Committee; and

**WHEREAS**, said Application for Federal Assistance requires certain certifications to be submitted along with and part of said Application.

**NOW THEREFORE, BE IT ORDAINED** by the City Council of the City of Middletown, Butler and Warren Counties, Ohio that:

**Section 1**

The City Manager be and he is hereby authorized and directed to submit an application, including all understandings and certifications contained therein, to the fullest extent of funding allowed and determined by the Department of Housing and Urban Development, under Title I of the Housing and Community Development Act of 1974, as amended, to act as the authorized representative of the City of Middletown, and to provide such additional information as may be required.

**Section 2**

The City Manager, Director of Law and such other appropriate and responsible officials be and they are hereby authorized and directed to execute on behalf of the City of Middletown such certifications as are necessary for the submission of said application for the 2013 funding year.

**Section 3**

The City Manager is authorized to enter into the appropriate grant agreement(s) with the United States Department of Housing and Urban Development and agreement with subrecipients of the grant funds, as necessary. All such agreements shall be in a form and substance acceptable to the Director of Law.

**Section 4**

This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and general welfare, to wit: to allow the action plan and amended consolidated plan to be submitted in a timely manner and shall take effect and be in force from and after its adoption.

/s/ Lawrence P. Mulligan, Jr.  
Lawrence P. Mulligan, Jr., Mayor

Adopted: March 5, 2013

Attest: /s/ Betsy Parr  
Clerk of City Council

**MIDDLETOWN CITY COUNCIL AGENDA**  
**TUESDAY, February 19, 2013**

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**I. BUSINESS MEETING – 6:00 p.m. – COUNCIL CHAMBERS – LOWER LEVEL**

**1. MOMENT OF MEDITATION/PLEDGE OF ALLEGIANCE TO THE FLAG**

**2. ROLL CALL**

**3. PUBLIC HEARING-**

Program Year 2013 Annual Action Plan and the Substantial Amendment to the Consolidated Plan

**4. CITIZEN COMMENTS**

**5. CITY MANAGER REPORTS**

- **Master Plan Update- Greg Dale**
- **Butler County SBDC, Dave Riggs, Director and Mark Lankford, Counselor**

**6. CONSENT AGENDA. . .** Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote of consent. There will be no separate discussion of these items. If discussion is desired, that item will be removed and considered separately.

(a) **Approve City Council Minutes:** February 5, 2013

(b) **Receive and File Board and Commission Minutes:**  
Board of Health and Environment- January 8, 2013  
Middletown Cemetery Board- January 30, 2013

(c) **Receive and File Oaths of Offices:**

Jordan Lawson  
Noah Powers  
Britt Howard

(d) **Confirm Personnel Appointments:**

Zach Bernard-Squadperson  
Robert King- Squadperson  
Brian Lykins- Squadperson  
Diane Moore- Executive Account Clerk  
Penny Sargent- PT Executive Account Clerk

(e) **Accept and award bid tabulations for Golf Course Chemicals as listed:**

Advanced Turf Solutions – Hilliard, OH	\$ 2,169.30
Green Velvet Sod Farms – Bellbrook, OH	\$ 22,453.00
Harrell's – Lakeland, FL	\$ 18,110.00
Helena Chemical Co. – Columbus, OH	\$ 6,850.00
The Hill Co. – Erlanger, KY	\$ 2,148.00
John Deere Landscapes – Cleveland, OH	\$ 6,523.84
Residex – Cincinnati, OH	\$ 550.00
TruPointe – Lebanon, OH	\$ 37,613.75
Winfield – Cedarville, OH	\$ 4,893.10
Brighter Day – Cincinnati, OH	\$ 238.80

**MIDDLETOWN CITY COUNCIL AGENDA**  
**TUESDAY, February 19, 2013**

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GRAND TOTAL \$101,549.79

- (f) **Approve the Purchase** of a 2013 2WD Chevrolet Tahoe for Police K-9 vehicle from Byers Chevrolet off of the ODAS Cooperative Purchasing Program, in an amount of \$27,645.
- (g) **Receive and File** an Irrevocable Letter of Credit submitted by Sawyers Mill LLC guaranteeing public improvements constructed as part of Sawyers Mill Subdivision.

**7. COUNCIL COMMENTS**

**II. LEGISLATION**

- 1. **Ordinance No. O2013-05**, an ordinance establishing a procedure for and authorizing a contract with Butler County Regional Transit Authority to manage the day to day operations of the Middletown Transit Service. (2<sup>nd</sup> Reading)
- 2. **Ordinance No. O2013-06**, an ordinance providing for the issuance and sale of a \$2,056,916 Industrial Development Revenue Note for the purpose of acquiring certain property known as the Bender Tract, providing for the security for such note. (2<sup>nd</sup> Reading)
- 3. **Ordinance No. O2013-07**, an ordinance repealing Section 636.10 (Abusing Police, Traffic Control or Corrections Officers) and amending Section 636.05 (Menacing) of the Codified Ordinances. (2<sup>nd</sup> Reading)
- 4. **Ordinance No. O2013-08**, an ordinance establishing a procedure for and authorizing a contract with McCluskey Chevrolet for the purchase a 2013 Chevrolet Tahoe and declaring an emergency.
- 5. **Ordinance No. O2013-09**, an ordinance establishing a procedure for and authorizing a contract with McCluskey Chevrolet for the purchase eight police cruisers and declaring an emergency.
- 6. **Ordinance No. O2013-10**, an ordinance establishing a procedure for and authorizing purchases of asphalt by the City Purchasing Agent in 2013 and declaring an emergency.
- 7. **Ordinance No. O2013-11**, an ordinance authorizing the submission of an application for federal assistance, a consolidated plan and a projected use of funds, under Title I of the Housing and Community Development Act of 1974, as amended for fiscal year 2013 and declaring an emergency. (No action requested until March 5, 2013)



**MIDDLETOWN CITY COUNCIL AGENDA**  
**TUESDAY, February 19, 2013**

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8. **Ordinance No. O2013-12**, an ordinance determining to proceed to add decorative Street lighting on South Main Street between First Avenue and Ninth Avenue. (1<sup>st</sup> Reading)
9. **Ordinance No. O2013-13**, an ordinance establishing a procedure for and authorizing a contract with Middletown Area Senior Citizens, Inc. (1<sup>st</sup> Reading)
10. **Resolution No. R2013-03**, a resolution to establish the Senior Citizens Levy Fund. (1<sup>st</sup> Reading)
11. **Ordinance No O2013-14**, an ordinance authorizing a contract with R. A. Miller Construction Company, Inc. for improvements to South Main Street. (1<sup>st</sup> Reading)
12. **Ordinance No. O2013-15**, an ordinance establishing a procedure for and authorizing a lease of certain real property to Mark Kakaris DBA Mark's Towing. (1<sup>st</sup> Reading)

**III. EXECUTIVE SESSION**

Under the authority of O.R.C. 121.22 (G) (1) To consider the appointment of a public official.

It is the policy of the City of Middletown to make all public hearings and meetings accessible to all persons, in accordance with state and/or federal laws. If you have a disability which requires accommodation in order for you to attend and/or participate in this meeting, please contact us at 425-7831 at least forty-eight hours prior to the time of the meeting to advise us of the need for accommodation, and reasonable efforts shall be made to provide the same. This agenda may be accessed on the City of Middletown website at:  
<http://www.cityofmiddletown.org>