MIDDLETOWN, OHIO

October 6, 2015

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

ROLL CALL

City Council Members present: D. Bronston, A. Scott Jones, J. Mulligan, D. Picard, L. Mulligan.

Staff Present: Amy Schenck, Neal Wilson, Roy Dalton, Nadine Begley, Susan Cohen, Doug Adkins, Paul Lolli, David Hoerst.

PUBLIC HEARING Designated Outdoor Refreshment Area

At 5:33 p.m., Mayor Mulligan opened the public hearing and called for proponents of the Designated Outdoor Refreshment Area. Hearing none, he called for opponents of the Designated Outdoor Refreshment Area. Hearing none, he declared the public hearing closed at 5:35 p.m.

PRESENTATION

Mayor Mulligan invited The Armbruster Family and Patti Gage to come to the podium and he presented the 5th Annual Armbruster Memorial Award.

Armbruster Memorial Award

WHEREAS, on October 22, 2011, the Armbruster Nature Preserve was dedicated in memory of Mr. Jim Armbruster who served over four years as Middletown's Ward 1 Representative. Mr. Armbruster served as Vice-Mayor of the City of Middletown for two years. He served on the City's Park Board, Tree Commission, Golf Course Commission, Keep Middletown Beautiful Board and Public Safety Subcommittee. He selflessly served the Middletown community serving countless volunteer hours through his involvement with various political, governmental, and social service organizations; and

WHEREAS, many citizens of this community contribute to the well-being of fellow residents and the welfare of all our citizens by giving tirelessly of their time and energy without desire for recognition; and

WHEREAS, it is therefore an appropriate and fitting time to recognize other volunteers who follow in the footsteps of Mr. Armbruster with their passion for community service.

NOW THEREFORE, I, by the powers vested in me as Mayor of the City of Middletown, do hereby present this 5th Annual Armbruster Memorial Award to **Patti Gage.**

Patti Gage is a lifelong Middletownian and a dedicated community volunteer. Patti's has been a member of the Middletown Garden Club for thirty years and as a member of the Civic Committee she plants and maintains the beautiful planters at the Middletown Art Center. Her passion for gardening has also motivated her to plant and to care for the flower beds at the 1st Presbyterian Church. Patti is a devoted volunteer with Atrium Hospital and has coordinated their annual flower fundraiser for many years. She serves on the Community Foundation Board of Trustees and has shown great enthusiasm and generosity and has given freely of her time and talent beyond what was required or expected. Her creativity, hard work and energy benefitted the citizens of Middletown and made our City a better place to live, work and raise a family.

IN WITNESS WHEREOF, I have hereunto affixed my hand and the seal of the City this 6th day of October, 2015.

PINNING CEREMONY

Chief Lolli called Captain David Hoerst and his family to the podium where his son, Joseph, pinned on his new badge.

PUBLIC COMMENTS

Doug Scott, 6930 Mount Vernon Street, Apt. 26, stated that the communication with City departments is lousy. There is a disregard for safety, public health and the law. He stated that after he contacted the Police Department, the issue was not resolved and that he believed that the department was dishonest and had violated his civil rights and retaliated against him for reporting criminal activity. He stated that he was facing eviction and that he had received notice that he had broken a public nuisance law, but not which law he had broken. He stated that government destroys people lives, families, neighborhoods and communities.

CITY MANAGER

City Manager Adkins provided an update on the bike path. The City may receive funding from OKI and the project may be completed in 2017; he will provide more information as it becomes available.

City Manager Adkins presented the 2016 Budget and explained the following significant changes.

Restructuring some salaries based on regional wage survey to remain competitive with the area

- 1% Cost of Living raise for all employees
- Performance Based Incentive Program continues for all Employees
- Income tax revenue is projected to increase 2.0% in 2016
- Workman's Comp costs @ 7% (+\$645K) different plan reduces next year
- Health Insurance Costs increased 6% (\$430K)

Performance Based Compensation

- Virtually all City employees (union & non-union) have received 0% wage increase for several years
- Program developed to give all employees something in years when income taxes increase in relation to inflation
- Because it is linked to tax revenues, it is recalculated each year. It is not a raise that compounds and flows forward each year
- Calculated using income tax revenue and inflation rates based on a two-year lookback
- The amount to be paid in 2016 per full time employee is \$500
- Water rate increases 7.5% for 2016 and 2017
- Storm water rate increase of 25¢ for 2016 and 2017
- De-appropriating almost \$1 million in 2015 budget to end 2015 at 15.3% GF Balance
 and to end 2016 at 15.0% GF Balance
- New Construction Projects not contemplated in this Budget in Revenues or Expenses. Will take one-time construction income tax and use for Deferred Maintenance list

General Fund Analysis (excluding Public Safety)	<u>2015</u>	<u>2016</u>	\$ Change	% Change
City Council	\$178,654	\$168,319	(\$10,335)	-5.8%
City Manager	\$320,072	\$278,231	(\$41,841)	-13.1%
Finance Department	\$965,307	\$1,047,183	\$81,876	8.4%
Law Department	\$755,795	\$809,984	\$54,189	7.2%
Economic Development	\$424,272	\$453,005	\$28,733	6.87%
Community Revitalization	\$1,556,467	\$1,806,306	\$249,839	16.1%
Public Works & Utilities	\$1,926,564	\$2,052,048	\$125,484	6.5%
Non-Departmental	\$1,637,953	\$1,800,392	\$162,439	9.9%
Total Expenditures	\$ 7,765,08	\$ 8,415,46	\$650,384	8.4%

CITY MANAGER

2015 2016
City Manager \$320,072 \$278,231

2016 Primary Goals/Changes – City Manager:

 Communications Intern position transferred to Fund 249-Civic Development – Paid for By Hotel Taxes

-13.1%

- Continue to Expand Communications to public & region
 - City Manager Blog
 - Social Media
 - Interaction with Boards and Commissions
 - Assist Economic Development with Communications/Public Relations
 - Quarterly Public Meetings
- Coffee with the City Manager 2x
- Happy Hour with the City Manager 2x
- Continue to Develop Quality of Life events during 2016
- Continue Long Range Planning

Connectivity- Utilize Civic Development Fund to pay for a Connectivity/Bike Path plan for the City

<u>Housing Stock-</u>Connect with local Realtors and conduct a Housing Study of needed changes in our housing stock – Include the public in those discussions. Civic Development Fund pays for the study

<u>Retail Recruitment-</u> Utilize Civic Development Fund to work with retail recruitment professionals to bring business to Middletown

<u>"Transform Middletown" Crew</u>- Develop a Community Oriented crew whose sole purpose is to improve the look of Middletown

<u>Middletown Moving Forward Visioning Process-</u>Continue work with CBI/MMF to finish the public visioning process

<u>Continue Restructuring of Public Safety-</u> Alternative Staffing in Fire and to develop the Community Paramedicine Concept

Continue Long Range Planning: 2017

With Connectivity/Bike Plan, Housing Study, Retail Plan and MMF Visioning in hand:

- Create a new Master Plan for the City
- Add Parks and Recreation Department back to the budget

Department of Finance	<u>2015</u>	<u>2016</u>	<u>Change</u>
Finance Administration	\$222,244	\$233,633	5.1%
Treasury	\$203,016	\$201,454	-0.8%
Information Systems	\$487,518	\$557,701	14.4%
Purchasing	\$52,530	\$54,395	3.6%
Taxation	\$634,965	\$638,215	0.5%
Non Departmental	\$1,637,953	\$1,800,392	9.9%
Total Expenditures	\$3,238,226	\$3,485,790	7.6%

FINANCE

<u>2016 Primary Goals/Changes – Department of Finance</u>:

- Implement new state tax rules and guidelines for income tax
- Implement new software for Income Tax
- Additional Information Technician added to Information Systems to assist with new software implementation in tax, future implementation in Public Safety, and increased web presence communications needs
- Non Departmental expenses up due to \$200K obligation to the Franklin School District for AK Research Project

LAW DEPARTMENT

	<u>2015</u>	<u>2016</u>	<u>Change</u>
Law	\$437,061	\$543,769	24.4%
Human Resources	\$318,734	\$266,215	(16.5%)
Total Expenditures	\$755,795	\$809,984	7.2%

2016 Primary Goals/Changes – Department of Law:

- Law Start succession planning for eventual retirement of Law Director
- Train all legal staff on Civil issues, City Council meetings, Union Negotiations, HR issues
- Develop a Pool of Legal Talent for Future Needs

2016 Primary Goals/Changes – Human Resources:

- Improve the Position Classification Plan to accurately reflect position descriptions, classifications, and the resulting performance appraisals and salary systems
- Expand HR Training Opportunities by making Rachel C. full time HR clerk.
- Implement a comprehensive staff development program to include Customer Service training,
 a Leadership Institute and Basic Supervisor training
- Maintain a quality City Personnel Program that is responsive to management and employee needs

ECONOMIC DEVELOPMENT	2015	2016	<u>Change</u>
Economic Development	\$424.272	\$453.005	6.7%

2016 Primary Goals/ Changes – Economic Development:

- Retention visits to businesses Visit, document in Sale Force and complete 100 visits
- Coordinate with DMI to create a Downtown development plan
- Promote a cooperative environment that supports workforce development through proactive programs that are business led and demand driven

Site Development

- Certified sites: move forward to complete certification efforts
- Contact developers to explore development partnerships for certified sites
- Facilitate buildout of Greentree Industrial Park land
- Master plan a site layout for hospital 80 acres and North Pointe 20 acres
- Obtain No Further Action for STM/Wrenn (and begin marketing)

Downtown Development

- Target key sites for redevelopment and coordinate
- Work with organizations involved with downtown concerns to facilitate the development of the general downtown
- Work with downtown property owners to increase occupation of available spaces
- Work with Metro-Parks, CVB's and others to support recreation and visitor activities to increase amenities

Airport

- Manage the Capital Improvement Plan to promote and support increased development as outlined in the airport strategic outlay plan
- Continue to streamline airport operations to increase net receipts and increase number of users
- Complete the airport Standard Operating Procedures Documents
- Complete a long term maintenance plan for airport facilities

COMMUNITY REVITALIZATION

Community Revitalization	<u>2015</u>	<u>2016</u>	<u>Change</u>
Administration	\$110,321	\$115,564	4.8%
Community Center	\$110,000	\$110,000	0%
Recreation	\$25,000	\$25,000	0%
Community Development	\$363,816	\$464,892	27.8%
Building Inspection	\$314,477	\$442,668	40.8%
Building Maintenance	\$359,614	\$402,435	11.9%
Planning	\$273,239	\$245,747	-10.1%
Total Expenditures	\$1,556,467	\$1,806,306	16.1%

- Expand code enforcement program 2 additional code inspectors
- Develop abatement program additional \$150K for abatement in 2016
- Coordinate with police to heavily enforce the most troubled neighborhoods
- Continue demolition of blighted structures using available funds (NIP)
- Develop a vacant lot program utilizing the land bank where feasible
- Continue demolition efforts in targeted neighborhoods in coordination with police
- Continue \$25,000 for Recreation in 2016

2016 Primary Goals/Changes - Transit

- Continue the purchase of 5 large and 2 small buses
- Start the process of evaluating Transit as a factor in city connectivity and as an Economic Development tool for work force development

2016 Primary Goals - Building Inspection

- Add additional building inspector by transferring Tom Huiet from Community Development back to Building Inspection full-time
- Keep all new construction projects going in a timely manner
- Additional permit revenues will pay for additional expenses

2016 Primary Goals/Changes – Planning/Zoning:

- Coordinate with public works/engineering to create a downtown transportation plan
- Implement the new zoning ordinance with updated plan

- Split current Planning Director position into two positions a Senior Planner and a Zoning
 Administrator
- Review future areas of focus; particularly land banking and public works

PUBLIC WORKS

Total Expenditures	\$2,029,564	\$2,051,548	1.1%
Parks Maintenance	\$739,267	\$776,975	5.1%
Street Lighting	\$780,453	\$737,758	-5.5%
Engineering	\$509,844	\$536,815	5.3%
Public Works	<u>2015</u>	<u>2016</u>	<u>Change</u>

<u>Goals/Changes – Public Works Department:</u>

- Continue replacement program for older LED traffic signals & signal heads at 20 intersections
- Improve construction processes to deliver project completion in a timely manner
- Continue to build on the **G**eographic Information **S**ystem
- Continue discussions with US EPA regarding implementation of a viable Long Term Control Plan
- Implement fully web-based bid advertising system
- Physical and video inspections of storm water piping system- repair or replace defective pipe
- Reline manholes to prevent inflow of ground water and voids in pavement
- Reduce storm water conveyed contaminants, solids and debris to Waste Water Treatment
 Plant
- Replace twelve inch spiral weld water main on Old Verity Parkway
- Replace water main on Central Ave from University to Central
- Tie in twelve inch water main on Oxford State Road from Breiel Blvd. to Ottawa Street

Traffic/Streets- Goals/Objectives 2016

- Increase the number of streets paved by the Street Department
- Our crews will do the mill and fill program, eliminating the need for an outside contractor
- Utilize Asphalt Zipper on streets, alleyways and/or parking lots
- Finish Central Avenue project

Parks- Goals/Objectives 2016

- Refurbish landscaped beds in the City and replant where necessary
- Monitor tree removal and replacement
- Qualify for Tree City USA for the 7th year

Capital Funds	<u>2015</u>	<u>2016</u>	<u>Change</u>
Capital Improvement	\$4,953,761	\$7,050,500	42.3%
Water Capital	\$4,158,965	\$3,535,000	-15.0%
Storm Water Capital	\$1,639,111	\$1,600,000	-2.4%
Sewer Capital	\$4,787,632	\$2,700,000	-43.6%

General Capital Fund:

•	ODOT Urban Paving Program	\$ 970,000
•	Oxford State Road	\$3,850,000
•	Yankee Road – Phase 3	\$ 785,000
•	Salzman Road Extension	\$250,000

Water Fund and Storm Water Fund:

•	S. Verity waterline replacement	\$2	,200,000
•	Oxford State Road	\$2	,100,000
•	Aberdeen Storm Sewer	\$	150,000

Sewer Fund:

-	WWTP Upgrades	\$ 350,000
•	System Replacement	\$ 865,000
•	Long Term Control Plan	\$ 400,000

Interceptor Sewer \$1,000,000 (carryover from 2015)

OTHER FUNDS

Fund Analysis	<u>2015</u>	<u>2016</u>	% change
City Income Tax (230)	\$20,949,8	\$21,390,06	2.1%
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Auto & Gas Tax (210)	\$3,217,93	\$3,217,913	0%
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Health (228)	\$380,051	\$463,433	21.9%
Municipal Court (250)	\$1,630,44	\$1,698,877	4.2%
Nuisance Abatement (260)	\$730,000	\$1,380,000	89.0%
Water Fund (510)	\$8,058,34	\$8,800,453	9.2%
Sewer Fund (520)	\$9,031,89	\$9,410,045	4.2%

- Health Department moves a PT Sanitarian to full-time and adds to Other Professional Services
 to expand services available to the public and to assist City Manager with Heroin Plan
 implementation
- Nuisance Abatement Fund
- Utilizing eligible properties, NIP will only use \$500K of grant funds
- De-appropriate \$500K in 2015 and send back to General Fund
- Add \$150K in nuisance enforcement abatement costs to expand program

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.

Approve City Council Minutes: September 15, 2015

Receive and File Board & Commission Minutes:

Planning Commission- July 8, 2015 & August 12, 2015

Civil Service Commission- September 1, 2015

Receive and File Oaths of Office: Amanda Dixon, Larry Gregg

Confirm Personnel Appointment: Tina Kendrick- Part-time Bus Driver

Confirm Exceptional Appointment: Timothy Sorrell- Water Treatment Plant Operator To request a contract with the Garland Company, Inc., dba Design Build Solutions, of Cleveland, Ohio, in the amount of \$39,867, to repair a section of the Water Treatment Plant

roof.

To authorize the City Manager to enter into a contract with Aero-Mark, Inc. to proceed with the 2015 Pavement Marking Program.

Ms. D. Bronston moved to approve the issues and actions listed on the Consent Agenda. Mr. J. Mulligan seconded. Motion carried. Ayes: A. Scott Jones, J. Mulligan, D. Picard, L. Mulligan, D. Bronston.

MOTION ITEM

To authorize the City Manager to enter into a contract with O.R. Colan Associates for right-of-way acquisition services associated with improving Yankee Rd. between Oxford State Rd. and Lafayette Avenue (2017 project).

Ms. A. Scott Jones moved to authorize the City Manager to enter into a contract with O.R. Colan Associates for right-of-way acquisition services associated with improving Yankee Rd. between Oxford State Rd. and Lafayette Avenue (2017 project). Ms. D. Bronston seconded. Motion carried. Ayes: J. Mulligan, D. Picard, L. Mulligan, A. Scott Jones, D. Bronston.

COUNCIL COMMENTS

Dora Bronston

Ms. D. Bronston congratulated Duane Gordon for his performance in *Parade* and congratulated the Middletown Band on earning the Grand Champion title at their recent competition. She reminded everyone that Middletown's homecoming was coming up. She commented that she had attended several community events including the "Mentor Read" event, Middfest, First Friday events and the Heroin Summit. She reminded everyone that early voting had begun.

CONSENT AGENDA

Anita Scott Jones

Ms. A. Scott Jones congratulated Captain Hoerst and the other fire officers on their promotions. She commented on the recent groundbreaking event of the Cincinnati Eye Institute expanding to the Atrium campus and on the Warren County Opiate Task Force/ Heroin Summit; she commended City Manager Adkins for his work on the project. She commented that the Heart Walk had taken place on Saturday and that the HEAL walk had taken place on Sunday; more than 400 people who have lost children participated.

Joseph Mulligan

Mr. J. Mulligan congratulated Captain Hoerst on his promotion and thanked him for his service. He congratulated the American University Women on their 90th anniversary and that he was looking forward to presenting a proclamation to the group. He recently participated in the Mentor Read event at Mayfield Elementary and commented that the children were eager learners.

Lawrence Mulligan

Mayor Mulligan expressed his appreciation to City Manager Adkins and to City Staff for their work to de-appropriate \$1 million from the 2015 budget and to prepare the 2016 budget.

Suspend Charter

Ms. A. Scott Jones moved to suspend the Charter provision that requires reading on two separate days be suspended and to declare Ordinance No. O2015-51, Ordinance No. O2015-52, Resolution No. R2015-34, And Resolution No. R2015-35 emergency measures to be read one time only. Mr. J. Mulligan seconded. Motion carried. Ayes: D. Picard, L Mulligan, A. Scott Jones, D. Bronston, J. Mulligan.

Ord. No. O2015-51 Contract Capital Electric Line Builders

Ordinance No. O2015-51, an ordinance authorizing a contract with Capital Electric Line Builders for a railroad/traffic signal preemption project and declaring an emergency was read.

Mr. J. Mulligan moved to approve Ordinance No. O2015-51, an ordinance authorizing a contract with Capital Electric Line Builders for a railroad/traffic signal preemption project and declaring an emergency. Ms. D. Bronston seconded. Motion carried. Ayes: L Mulligan, D. Bronston, A. Scott Jones, J. Mulligan, D. Picard.

Ord. No. O2015-52 Amend Section 250.241

Ordinance No. O2015-52, an ordinance amending Section 250.241 (Promotions: Police and Fire Divisions) of the Codified Ordinances and declaring an emergency was read.

Ms. A. Scott Jones moved to approve Ordinance No. O2015-52, an ordinance amending Section 250.241 (Promotions: Police and Fire Divisions) of the Codified Ordinances and declaring an emergency. Mr. J. Mulligan seconded. Motion carried. Ayes: D. Bronston, A. Scott Jones, J. Mulligan, D. Picard, L Mulligan.

Res. No. R2015-34 Federal Transit Grant

Resolution No. R2015-34, a resolution authorizing the filing of an application with the Department of Transportation, United States of America, for a grant under the Federal Transit Administration Act of 1991, as amended and declaring an emergency was read.

Mr. J. Mulligan moved to approve Resolution No. R2015-34, a resolution authorizing the filing of an application with the Department of Transportation, United States of America, for a grant under the Federal Transit Administration Act of 1991, as amended, and declaring an emergency. Mr. D. Picard seconded. Motion carried. Ayes: A. Scott Jones, J. Mulligan, D. Picard, L. Mulligan, D. Bronston.

Res. No. R2015-35 State Transit Grant

Resolution No. R2015-35, a resolution authorizing the filing of applications for CY 2016 with the Ohio Department of Transportation for grants under the Ohio Public Transportation Grant Program and declaring an emergency was read.

Mr. J. Mulligan moved to approve Resolution No. R2015-35, a resolution authorizing the filing of applications for CY 2016 with the Ohio Department of Transportation for grants under the Ohio Public Transportation Grant Program and declaring an emergency. Ms. D. Bronston seconded. Motion carried. Ayes: J. Mulligan, D. Picard, L. Mulligan, D. Bronston, A. Scott Jones.

Res. No. R2015-36 Amend Appropriations

Resolution No. R2015-36, 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, 2015 (General Fund) was read for the first time.

Res. No. R2015-37 Amend Appropriations

Resolution No. R2015-37, 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, 2015 (UDAG Fund) was read for the first time.

Ord. No. O2015-53 Contract with ODOT

Ordinance No. O2015-53, an ordinance authorizing the City Manager to enter into a contract with the Ohio Department of Transportation for the 2016 Urban Paving Program was read for the first time.

Ord. No. O2015-54 Contract ABL Mgt. **Ordinance No. O2015-54**, an ordinance establishing a procedure for and authorizing an extension of the contract with ABL Management, Inc. for jail food service was read for the first time.

Ord. No. O2015-55 ROW Dedication

Ordinance No. O2015-55, an ordinance dedicating right-of-way and accepting the dedication of right-of-way was read for the first time.

Mr. Adkins outlined the right–of–way dedication process and noted that the application was submitted to staff 19 days prior to planning commission meeting.

- 1. Submission of preliminary plat to Planning Commission. Approval is good for two years.
- 2. Submission of final plat to Planning Commission.
- 3. Submission of bond for public improvements to Law Department and City Engineer.
- 4. Endorsement by City Council.

EXECUTIVE SESSION

At 6:44 p.m., Ms. A. Scott Jones 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; and 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 (3) Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action. Mr. J. Mulligan seconded. Motion carried. Ayes: D. Picard, L. Mulligan, D. Bronston, A. Scott Jones, J. Mulligan. The executive session concluded at 7:30 p.m.

ADJOURNMENT

At 7:31 p.m., Mayor Mulligan declared the meeting adjourned until the Council meeting of October 20, 2015 at 5:30 p.m.

	Lawrence P. Mulligan, Jr., Mayor
Attest:	