

On Wednesday, September 18, 2019, at 6:01 p.m., the Dayton City Commission met in regular session in the Commission Chambers of City Hall.

CALL TO ORDER

Mayor Whaley called the meeting to order.

INVOCATION

Commissioner Joseph gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Whaley led the public in the Pledge of Allegiance.

ROLL CALL

Roll call was taken and Mayor Whaley, Commissioners Joseph, Shaw and Fairchild were present. The Clerk of Commission, Ms. Rashella Lavender, and the City Manager, Ms. Shelley Dickstein, were also present.

Commissioner Shaw made a motion to authorize the absence of Commissioner Mims from this week's City Commission meeting. Commissioner Joseph seconded the motion. The motion was unanimously approved.

APPROVAL OF MINUTES

Commissioner Joseph made a motion to approve the minutes from the September 11, 2019, meeting. Commissioner Shaw seconded the motion. The previous meeting minutes were unanimously approved.

COMMUNICATIONS AND PETITIONS

Communication #21437

State of Ohio, Department of Liquor Control – Permit Application D5, Permit #2405494 Eastside Lounge 937 II LLC, DBA Eastside Lounge, 2404 E. Third Street & Patio, Dayton, Ohio 45403.

The Clerk of Commission reported receipt of Permit Application Permit D5 #2405494 – Eastside Lounge 937 II LLC, DBA Eastside Lounge, 2404 E. Third Street & Patio, Dayton, Ohio 45403. The application was referred through the City for investigation.

SPECIAL AWARDS/PRESENTATIONS

There were no special awards or presentations.

ADDITIONS OR DELETIONS TO THE CALENDAR

The Clerk of Commission, Ms. Rashella Lavender, requested the addition of the legislation regarding the public hearing at the desire of the City Commission.

REPORTS:

A. Purchase Orders, Price Agreements and Contracts:

(All contracts are valid until delivery is complete or through December 31st of the current year).

1. Purchase Orders:

FIRE

- A1. Clarke Power Services, Inc.** (parts, supplies and repair services as needed through 12-31-19) **\$10,000.00**
- A2. Dayton Clutch and Joint, Inc.** (miscellaneous automotive parts as needed through 12-31-19) **9,000.00**
- A3. McCluskey Chevrolet** (one full-size four-wheel drive sport utility vehicle) – P1901157 **51,709.00**
- A4. McCluskey Chevrolet** (two four-door two-wheel drive sedans) – P1901158 **39,246.00**
- A5. McCluskey Chevrolet** (one cargo van) – P1901159 **25,956.00**

PROCUREMENT, MANAGEMENT & BUDGET

- B1. USI Midwest LLC** (property/casualty insurance policy renewal through 12-31-20) **1,054,202.00**

1. (Cont'd):

PUBLIC WORKS

- C1. Belson Outdoors LLC** (fifty-four trash receptacles) **\$22,471.54**
C2. Cargill Salt Division (rock salt as needed for the upcoming winter season through 12-31-20) **1,118,000.00**

WATER

- D1. Wesco Distribution, Inc.** (electrical parts, supplies and related items as needed through 12-31-19) **50,000.00**
-Depts. of Fire, Procurement, Management & Budget, Public Works, and Water. **Total: \$2,380,584.54**

2. **Jacobs Engineering Group – Contract Modification** – first amendment for Anaerobic Digester Cover Replacement – Dept. of Water/Water Engineering. **\$30,000.00**
(Thru 12/31/20)
3. **O. R. Colan Associates LLC – Service Agreement** – for the Salem Avenue Reconstruction Phase 1 and Wright Dunbar Bikeway Agreement for Consulting Services – Dept. of Public Works/Civil Engineering. **\$44,025.00**
(Thru 12/31/25)

C. Revenue to the City:

4. **Five Rivers Metro Parks – Other** – for Memorandum of Understanding to accept reimbursement for 730 linear feet of curb and gutter repairs at Hills and Dales Metro Park located on Hilton Drive – Dept. of Recreation & Youth Services. **\$14,235.00**
5. **Miller Pipeline LLC – Contract Modification** – first amendment to continue off-duty police officer services – Dept. of Police. **\$85,020.00**
(Thru 12/31/19)

CITIZENS' COMMENTS ON CALENDAR ITEMS

There were no citizens' comments on calendar items.

DISCUSSION OF CALENDAR ITEM

Calendar Item No. 2.-Jacobs Engineering Group-Contract Modification

Ms. Dickstein said this work is related to the Anaerobic Digester Replacement Project which would replace and restore the collapsed 1947 steel digester.

Calendar Item No. 1. Sub Item No. C2.-Cargill Salt Division – Purchase Order

Commissioner Joseph asked if the price for salt would remain the same and if the price was reasonable.

Mr. Tom Ritchie, Deputy Director of Public Works, said the price would remain the same as last year which was \$87.00 per ton and the price is reasonable.

APPROVAL OF CITY MANAGER'S REPORTS

Commissioner Joseph made the motion to approve the City Manager's Reports. Commissioner Shaw seconded the motion. The City Manager's Reports were approved with a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Shaw and Fairchild.

LEGISLATION

EMERGENCY RESOLUTION – FIRST AND SECOND READING

Emergency Resolution No. 6437-19- Authorizing the Acceptance of a Federal Assistance Award from the U.S. Department of State, through a Cooperative Agreement with the U.S. Embassy in Bosnia and Herzegovina, in the amount of One Hundred and Twenty Thousand Dollars and Zero Cents (\$120,000.00) on Behalf of the City of Dayton, and Declaring an Emergency.

Commissioner Shaw moved that this being an emergency measure for the immediate consideration of the Resolution. Commissioner Joseph seconded the motion. The motion was passed with a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Shaw and Fairchild. The question being shall Emergency Resolution No. 6437-19 be adopted. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Shaw and Fairchild. The Emergency Resolution was adopted.

Emergency Resolution No. 6438-19- Authorizing the Acceptance of a Grant Award from the Ohio Bureau of Worker's Compensation on Behalf of the City of Dayton in the Amount of Forty Thousand Dollars and Zero Cents (\$40,000.00), and Declaring an Emergency.

Commissioner Fairchild moved that this being an emergency measure for the immediate consideration of the Resolution. Commissioner Joseph seconded the motion. The motion was passed with a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Shaw and Fairchild. The question being shall Emergency Resolution No. 6438-19 be adopted. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Shaw and Fairchild. The Emergency Resolution was adopted.

ORDINANCE – SECOND READING

Ordinance No. 31753-19- Amending Section 74.05 of the Revised Code of General Ordinances.

The question being shall Ordinance No. 31753-19 be passed. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Shaw and Fairchild. The Ordinance was passed.

PUBLIC HEARING

Mayor Whaley opened the Public Hearing on Plan Board Case PLN2019-00397 regarding establishing a HD-3 Historic Overlay District of the Harries/Barclay Building located at 137 North Main Street. She asked Mr. Tony Kroeger, Division Manager, Planning and Community Development, to the podium to present.

Mr. Kroeger said this is Plan Board Case No. PLN 2019-00397, which will rezone 137 North Main Street to HD-3 Historic District which is the least restrictive of the HD designations. He said it would require Landmark Commission's review and approval should demolition of the building be proposed and no Certificates of Appropriateness (COAs) are required for major or minor exterior work on the building.

Mr. Kroeger said the HD-3 designation is important because it can help make the building eligible for historic tax credits. He said earlier in the month the Harries/Barclay building was added to the National Register of Historic Place by the U.S. Department of Interior as part of the Downtown Dayton National Register District.

Mr. Kroeger said during the Plan Board public hearing, there was unanimous support for this case with a 5-0 vote. He said this request is consistent with the City's comprehensive plan and the intent and purpose of the zoning code.

Mr. Kroger said the City Commission has three decision options, approve the Plan Board recommendation to establish the HD-3 designation, deny the request by taking no action, or remand the case back to the Plan Board.

CITIZENS' COMMENTS ON THE PUBLIC HEARING

There were no citizens' comments on the public hearing.

Mayor Whaley closed the hearing.

The pleasure of the City Commission is to move forward.

THIS ITEM WAS ADDED

EMERGENCY ORDINANCE – FIRST AND SECOND READING

Emergency Ordinance No. 31754-19- Amending the Official Zoning Map to Establish a HD-3 Historic Overlay District for the Harries/Barclay Building at 137 North Main Street, and Declaring an Emergency.

Commissioner Joseph moved that this being an emergency measure for the immediate consideration of the Ordinance. Commissioner Shaw seconded the motion. The motion was passed with a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Shaw and Fairchild. The question being shall Emergency Ordinance No. 31754-19 be passed. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Shaw and Fairchild. The Emergency Ordinance was passed.

CITIZENS' COMMENTS

Citizens' comments were received from the following:

1. **Jerry Bowling III, 522 Herbert St.** – spoke about housing issues in his neighborhood.

2. **Kimara Wa-Tenza, 1200 W. Grand Ave.** - spoke about disparities of police shootings of African-American men.
3. **Brandon Harper, 2420 Greenway St.** - spoke about a minor league basketball team.

COMMENTS BY THE CITY MANAGER

The City Manager, Ms. Shelley Dickstein, said she will be responding to Mr. Bowling's concerns.

COMMENTS BY THE CLERK OF COMMISSION

The Clerk of Commission, Ms. Rashella Lavender, had no closing comments.

COMMENTS BY THE CITY COMMISSION

Commissioner Fairchild

Commissioner Fairchild said "Mayor, I thank you for the invitation to share my ideas. While the immediate issue is demolition as a response to blight in our neighborhoods, as you know, abandoned houses and properties are only a symptom of a larger issue. When I speak to neighbors, what I hear in their concerns, is their desire to live in a stable, vital neighborhood.

This moment is ripe to take a fresh, comprehensive look at neighborhood development for several reasons. You identified two in your State of the City address. The city's strategic decision to invest in the core is paying dividends, the core is strong; and we have crossed the finish line for the Arcade redevelopment project. Additionally, the Urban Design Associates are nearing the half way point of their work of synthesizing previous plans, current conditions, and citizen input to create a vision for each quadrant of our residential neighborhoods. The West Dayton Development Fund and the newly created Northwest Dayton Redevelopment Fund recently received the first installment of \$10.5 million dollars.

When the UDA work is completed, we will have a high level vision for all of our neighborhoods. We currently have several neighborhood plans at the ground level like the North Main Street, Edgemont/Carillon and Miami Chapel plans. That leaves a gap between our vision and the ground; and neither provides a comprehensive plan for future housing.

My first suggestion is to fill these two gaps.

As I said last week, our city has accomplished a lot and has good skill sets. One of those skill sets is the ability to tackle difficult tasks. We have done it for pre-K education, the Opioid Crisis and the Arcade project.

Identify Priority Neighborhoods

In my opinion, the most important action we can take as a City Commission, like we did with the urban core, is to make a strategic decision to prioritize a small number of neighborhoods where we direct our focus, staff, and resources. These neighborhoods would be the first phase of our city wide effort of neighborhood development.

I propose we direct the Department of Planning and Community Development to take three months to:

- A. complete a comprehensive review of the policies, ordinances, best practices of other Midwest cities that have addressed blight, stabilized strategic properties, and improved re-investment in their residential neighborhoods.
- B. develop objective criteria to evaluate our residential neighborhood
- C. identify and recommend the specific neighborhoods that are most strategic
- D. host a period for public input
- E. refine recommendations
- F. present recommendations to the planning board
- G. after approval by the planning board, we receive the recommendations to accept, deny, or remand.

Identifying these neighborhoods, making the strategic but difficult decisions, and committing to focus on these neighborhoods, will give our citizens, staff and partners the guidance they need to participate fully in our next steps of neighborhood revitalization.

Housing Program Plan

We need a tactical plan for housing. Here are actions we can take to improve our housing.

The first four are budget neutral.

Spend all of our allocated money budgeted for demolition. In 2018 we only demolished 250 structures which was 50 less than our goal. And my understanding is that we are on a similar pace this year. To this end, we need to increase the capacity. Bladecutters is a success story of our small business technical assistance program and one of our primary contractors performing demolition. Let us, prioritize the recruitment of the next small business that can successfully proceed through the process like Bladecutters.

Utilize volunteers in new ways. For example, The Living City Project after their successful spring clean up, has been very active in our tornado recovery work. They have recruited and deployed hundreds of volunteers. We can plan now to clear cut vacant properties which would increase safety and attractiveness.

Replicate the recent example of bringing a vacant property back to life demonstrated by the donation and title transfer of the former Governor Cox home in the Dayton View Historic District. Thanks to efforts by neighborhood leaders and the City Planning staff, the home is now occupied by an owner who is excited about renovating the property and living in the city.

Re-energize the DIY program. This program has the potential of recruiting neighbors to monitor the conditions of housing in their neighborhood. Working with neighbors and city staff, corrective measures can when made when modifications are less expensive.

Housing Programs

My next four proposals have budget impacts.

Recently, we approved funding to create the Live Dayton website that will promote Dayton neighborhoods to potential home buyers. This website is replicated on similar websites, include Live Baltimore. To maximize this investment, we can create financial incentive programs that are paired with the site, similar to the Live Baltimore site.

Fund home ownership programs like first time home buyers or down payment assistance programs.

Fund renovation and rehabilitation programs, especially those that focus on external improvements or safety upgrades. For example, revitalize the Home Op program that incentivizes home owners to improve their properties by providing matching funds to their investment.

Fund an incentive plans for city employees to purchase a home in the city, as well as recruit other employers like CareSource, Sinclair, or Dayton Public Schools to do the same.

Create the right collection of funding partners and community non-profits to build on the success of the Phoenix and Fairground projects. For example, Columbus Ohio recently brought together the Ohio Capital Finance Corporation, Nationwide Children's Hospital, Community Development for All People, and other funders to create the South Side Renaissance Fund; a \$20 million loan fund for the financing of community development projects and the acquisition, construction and permanent financing of affordable single family and multifamily rental housing in South Side Columbus neighborhoods.

Funding

Two weeks ago, we began the budgeting process. This process starts with our identification of priorities and is defined by program objectives and ultimately, key outcomes. Once the city commission identifies priorities, the finance department does the work of reconcile interests and projected income.

One of the other exceptional skill sets we have is Diane Shannon and her team. They have demonstrated an ability to maximize our resources to meet our goals. They are accomplishing it again this year which is remarkable given the events of this summer and the related, unbudgeted expenses. I believe with our guidance, our finance team can create a budget that will elevate the priority of neighborhood development.

I would be open to modifying the budget process to include a work session where the finance team can present two options: one which continues the status quo and one which shows the trades-off required to elevate neighborhood development. I believe this session would provide added transparency and reassure citizens we are doing all that we can do, given our financial resources.

When our City Manager introduced the Neighborhood Matters Project, she cited as one of the reasons for it, is the fact that the percentage of city employees who live in the city is declining toward 50%. I believe that should become a metric to measure our success in neighborhood development. Our audacious goal should be that our city -- is our employees' -- city of choice. Until we change that trend line, we need to bring additional focus and urgency.

Our city is known for overcoming obstacles, in our past - breaking the shackles of gravity and taming the Great Miami River; and recently for solving the complicated puzzle of the Arcade and persevering through the summer of 2019. We do difficult things. Mayor you have led us through difficult times and achieved difficult things. I know if you identify neighborhood development as the next difficult thing to overcome, we will be well on our way to safe, vital neighborhoods.”

Commissioner Shaw

Commissioner Shaw thanked the Gem City Market for their groundbreaking ceremony. He said this is an example of what leveraged investment can do in our city.

Commissioner Shaw thanked staff for the briefing on development during the Work Session.

Commissioner Joseph

Commissioner Joseph thank the City Commission for their support for an exchange program for students to go to Bosnia Herzegovina. He said it's a great step forward and another way of building connections between the two countries.

Commissioner Joseph congratulated Gem City Market on their groundbreaking ceremony.

Commission Joseph thanked Mr. Bowling for his comments and said we will work on the problems with the Dayton Delivers App.

Commissioner Joseph suggested the Convention Center as venue for the new minor league basketball team that is coming to the City of Dayton.

Mayor Whaley

Mayor Whaley invited Mr. Greg West, Business Agent for Dayton Operative Plasterers' and Cement Masons' Association (OPCMA) Local 132, to the podium for a community update.

Mr. West said he was presented an award for a project at Gettysburg Lake by the Operative Plasterers' and Cement Masons' International Association (OPCMIA) at their national convention. He said he wanted to share the award with the citizens of Dayton because it was a collaborative effort.

Mayor Whaley congratulated him on the award and the work he does with the union.

Mayor Whaley said if there is a way the City of Dayton can be helpful to the minor league basketball team that is coming, we will. She said there are not a lot of indoor basketball sites that are not being used.

Mayor Whaley thanked Mr. Wa-Tenza for his comments. Mayor Whaley said she was in New York with the Aspen Institute and Ms. Michelle Everhart who is a professor at Stanford University, and has done a study on bias and how bias works all the time and in everyone.

Mayor Whaley said Ms. Everhart gave a passionate speech about one of the biggest mistakes we make with our children, which is not talking about race and then it becomes something you are not supposed to talk about. She said this pushes the bias forward, because it's not an open and honest conversation. In addition, she said the notion that people are color-blind is wrong because no one is. She said we all have previous experiences and are consumed with media which affects bias. Mayor Whaley suggested everyone check out Ms. Everhart's work.

Mayor Whaley thanked Mr. Bowling for his work and said there are some challenges with the Dayton Delivers App, however, it is the most favorable way to communicate with the City of Dayton.

Mayor Whaley congratulated Gem City Market for the groundbreaking.

ADJOURNMENT

There being no further business, the meeting was adjourned at 6:38 p.m.

Nan Whaley
Mayor

Attest: _____
Clerk of Commission

WORK SESSION

The Dayton City Commission met in a Work Session on Wednesday, September 18, 2019, at 4:44 p.m., prior to the regularly scheduled City Commission meeting. The meeting was held in the City Manager's Large Conference Room, located in City Hall. Mayor Whaley, Commissioners Joseph, Shaw and Fairchild were present. Ms. Ariel Walker, Director, City Commission Office, and Ms. Rashella Lavender, Clerk of Commission, were also in attendance.

Ms. Shelley Dickstein, City Manager, Ms. Tammi Clements, Deputy City Manager, Mr. Joe Parlette, Deputy City Manager, Ms. Karen DeMasi, with CityWide Development Corporation, Mr. Tony Kroeger, with the Department of Planning and Community Development, and Mr. Scott Murphy, Downtown Dayton Partnership, were the presenters.

An overview was provided regarding Economic Development, Planning and Community Development, and CityWide Development Corporation's Update.

West Dayton Update

Ms. DeMasi spoke briefly about CityWide Development Corporation's focus areas and provided an update on West Dayton. She highlighted the CHOICE Action update; \$1M in capital improvements:

- Gateway Development (Germantown and Broadway, Germantown and James H. McGee)
- Murals underway (all should be completed by October, first one Food City on Germantown Street)
- Home improvement loans (20 repairs in progress)
- Business Façade improvements (three in progress)
- Banner designs completed (socializing with West Dayton groups, planning reveal with artists, fabrication next month, and working with RTA on placement)

Carillon-Edgemont Plan Progress

- Committed funding (Welcome Park improvements - \$300K)
- Rediscover Carillon Branding (\$5K)
- Vista Grant for Community Organizing Support (\$18K)
- Solar Garden Improvements (\$5K)
- Planned investments (Five Rivers Health Centers - \$15M)

Wright-Dunbar Placemaking

- Wright-Dunbar (Rubenstein build out to accommodate Ziks Pharmacy expansion)
- All leasable space is full
- Wright-Dunbar 2.0 Planning underway
- Walk of Fame Ceremony, October 31st
- \$400K investment

Pineview

Community planning continues:

- MCLB Thriving Neighborhoods/COD Partnership (home renovations, demolition, \$500K investment)
- Design/Development (\$125K investment, additional improvements to Lakeside, and Maintenance Fund Strategy)

North Central Update

Mr. Kroeger spoke briefly on focus areas and provided an update for the North Central area:

- Grace United Methodist Church Today

- Lower Salem Avenue – Today (challenges – current street section; opportunities – Gem City Market, Downtown Market Spillover and Historic Adaptive Reuse)
- Lower Salem Avenue – Tomorrow (Mixed-Use Corridor, Adaptive Reuse of the Longfellow School Site, Infill multi-family along River, and realignment of Riverview Avenue)
- Gem City Market (has identified all financing, legal documents underway, and groundbreaking celebration)
- Wolf Creek Corridor (bike path)
- Omega Senior Lofts (under construction)

Northeast Update

Ms. DeMasi spoke briefly about CityWide Development Corporation’s focus areas and provided an update on Northeast Dayton. She highlighted the Northeast area:

- Valley Street Realignment (total reconstruction from Keowee Street intersection to Troy Street intersection)
- Point Park Planning and Development (initial meeting with neighborhood leaders and surrounding businesses held in August)
- KROC Expansion (\$4.3M investment; project includes soccer/Lacrosse field, walking track, outdoor pickle ball courts, concession and storage building and a splash pad on the original campus site)

Downtown and Southeast Update

Mr. Kroeger, Planning and Community Development, briefly highlighted the many goals, activities, and improvements made throughout the Downtown and Southeast areas. He highlighted the following:

- Arcade (making progress)
- Fire Blocks
- Sinclair Community College (construction – walkability)
- Fourth and Fifth Streets
- CenterField Lofts
- Avant Garde
- Webster Monument
- National Register
- Barclay Building
- 130 W. Second Street
- Main Street – Dayton Development Coalition
- Oregon Parking Garage upgrades
- Main Street Bridge, Belmont Park Bike Path, Washington Street Reconstruction/Bike Path, and West Third Street Bridge Replacement

Downtown Dayton (Signage and Wayfinding)

Mr. Murphy, Downtown Dayton Partnership, briefly highlighted the Role of Signage and Wayfinding. He highlighted the following:

- Good wayfinding transcends navigation to help establish a strong sense of place and reinforces brand
- Supports digital maps – individuals using smartphones for directions still use signage to reinforce destinations/parking locations
- Increase positive perception of the community with consistent, recognizable, and inviting sign family
- Help people understand how to “Downtown”

Planning Process

Project identified as high priority by Greater Downtown Dayton Plan. Guide Studio’s Process:

- Audited existing signage and downtown development plan
- Discovery sessions with Steering Committee/Key Stakeholders
- Development of a signage and wayfinding conceptual approach/guiding principles
- Determination of key destinations, journey maps and walking maps
- Conceptual design of the vehicular and pedestrian signage

Signage Principles

Vehicular Wayfinding

- District, then Destination (the sign program directs first to districts or areas, and then to destinations. This limits the amount of destinations that need to be listed on outer ring signage/helps promote entire areas of Downtown)

- Direct to Parking (once a vehicle reaches the entry point to the district, the objective of the program is to get visitors to the parking areas for major destinations)
- Experience Matter (paths have been chosen to provide the best user experience and to promote exploration. The path suggested may not be the quickest, but should provide the best experience)
- Content criteria (public/institutional visitor-based destinations are prioritized to be included in the messaging for this sign program. Private businesses are not allowed on community wayfinding signage)

Pedestrian Wayfinding

- Encourage Exploration (Kiosk maps should show walking and cycling distances, making it clear that downtown is easy to explore on foot or on bike. Destinations should be listed and updated frequently. Kiosks may also be used to promote events/activities)
- Connect the Dots (utilize pedestrian directional signage to call attention to destinations and to increase comfort level and confidence as people move between areas of activity)
- Flexible Design (design should keep in mind that Downtown Dayton is growing and changing quickly. Signage should be accommodating to changes and growth over time)

Mayor Whaley noted her appreciation for the updates and said the updates are important and keeps everyone connected.

The Work Session concluded at 5:25 p.m.