

On Wednesday, August 31, 2022, at 6:03 p.m., the Dayton City Commission met in regular session in the Commission Chambers of City Hall.

**CALL TO ORDER**

Mayor Mims called the meeting to order.

**CALL TO ORDER**

Mayor Mims called the meeting to order.

**INVOCATION**

Commissioner Joseph asked for a moment of silence to commemorate the passing of former Montgomery County Judge and Auditor, Mr. A.J. Wagner, and Owner of Marion's Piazza, Mr. Roger Glass. Commissioner Joseph gave the invocation.

**PLEDGE OF ALLEGIANCE**

Mayor Mims led the public in the Pledge of Allegiance.

**ROLL CALL**

Roll call was taken, and Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss were present. The Clerk of Commission, Ms. Regina Blackshear and the City Manager, Ms. Shelley Dickstein were also present.

**APPROVAL OF MINUTES**

**Commissioner Shaw made a motion to approve the minutes from the August 24, 2022, meeting. Commissioner Fairchild seconded the motion. The previous meeting minutes were unanimously approved.**

**COMMUNICATIONS AND PETITIONS**

**Communication #21720**

**State of Ohio, Department of Liquor Control – Permit Application No.**

**8871289 – Stock–D5 -D6 – 32 Webster ST LLC, 1<sup>st</sup> FL W/Portion & 2<sup>nd</sup> FL, 32 N Webster Street & Patio, Dayton OH 45402.**

The Clerk of Commission reported receipt of – Permit Application No. 8871289 – Stock –D5 -D6 – 32 Webster ST LLC, 1<sup>st</sup> FL W/Portion & 2<sup>nd</sup> FL, 32 N Webster Street & Patio, Dayton OH 45402. The application was referred through the city for investigation.

**State of Ohio, Department of Liquor Control - Permit Application No. 2949092 – Stock – D1- D2- D3-D3A -D6 - Front Row Bar and Grille LLC dba Front Row Bar & Grille, 2412 Catalpa Drive, Dayton OH 45406.**

The Clerk of Commission reported receipt of Permit Application No. 2949092 – Stock – D1- D2- D3-D3A -D6 - Front Row Bar and Grille LLC dba Front Row Bar & Grille, 2412 Catalpa Drive, Dayton OH 45406. The application was referred through the city for investigation.

**SPECIAL AWARDS/PRESENTATIONS**

**Westwood Safety Plan**

Mayor Mims invited Ms. Erica Fields, Executive Director of the Human Relations Council, to the podium for a community update.

Ms. Fields said she is excited to present a few efforts to improve community safety in neighborhoods. She said this effort began by the Police department applied for and received a

grant from the Ohio Department of justice to develop a pilot program to look at using public health to address violence in the community.

Dr. Martha Hurley, Chair of the Department of Criminal Justice, and Security Studies at the University of Dayton, said this effort began with the police department applying for and receiving a grant from the Ohio Department of Justice to develop a pilot program to look at using public health to address violence in the community. She said Westwood is a community with disproportionate interconnected social economic and environmental challenges limited access to stores, transportation, health care, food insecurities, and a high rate of crime. She said they could not gather information about neighborhood concerns in the traditional way. She said they had to first build relationships with the constituents. Dr. Hurley said by doing this they were able to get 390 responses back on what the community felt was their biggest concerns.

Dr. Hurley said the survey results said their concerns were traffic/speeding, gun violence, drug abuse/use crimes, burglaries, public intoxication, and noise. She said the top quality of life concerns impacting safety were abandoned/vacant properties, loose dogs and rodents, lack of activities, education and programs for youth, lack of green space, and code enforcement.

Dr. Hurley said on September 17, 2022, at Westwood Elementary from 2-4 p.m. they will have a community meeting to hear from citizens about safety. She said there will be another meeting on October 8, 2022, at Shiloh Baptist Church.

#### **ADDITIONS OR DELETIONS TO THE CALENDAR**

The Clerk of Commission, Ms. Regina Blackshear, requested the addition of the legislation pertaining to the Public Hearing at the desire of the Commission.

#### **DISCUSSION OF CALENDAR ITEMS**

##### **Calendar Item No. 2. Access Center for Independent Living, Inc. – Service Agreement**

The City Manager, Ms. Shelley Dickstein, said the service agreement will aid in the renovation of a building for the Access Center which will allow them to expand and have a more efficient operation.

Commissioner Fairchild said he is excited about the permanent location of the Access Center and the impact it will have on those with disabilities.

##### **Calendar Item No. 3. CPM Enterprises, LLC-Service Agreement**

The City Manager, Ms. Shelley Dickstein, said this an agreement for boarding services throughout the City of Dayton. She said this is a minority owned business and it will provide stability in timely response for boarding services.

##### **Emergency Resolution No. 6663-22- Authorizing the Acceptance of a Cooperative Agreement with the U.S. Department of State, U.S. Embassy Bosnia and Herzegovina, in the amount of One Hundred and Twenty Thousand Dollars sand Zero Cents (\$120,000.00) on Behalf of the City of Dayton. ROLL CALL**

The City Manager, Ms. Shelley Dickstein, said she is asking for two readings at one meeting due to application deadlines.

Commissioner Turner-Sloss said she appreciates the explanation for the emergency item, that deadlines would have to be met, with the understanding that this won't happen on a regular basis.

Commissioner Joseph thanked his colleagues for their continued support of the exchange program with Bosnia and Herzegovina.

Commissioner Turner-Sloss said hopefully some of the students from Dayton will be able to go to their country and have the same experiences.

## **REPORTS**

### **1. Purchase Orders, Agreements and Contracts:**

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

#### **AVIATION**

- A1. ADB Safegate Americas Holding, Inc. dba ADB Safegate Americas LLC** (airfield signs, lighting and control equipment as needed through 12/31/22) **\$13,230.65**
- A2. Comptech Computer Technologies, Inc – P0220052** – (temporary staffing services as needed through 12/31/22) **50,000.00**
- A3. Kendall Electric, Inc.** (electrical supplies and related items) **36,000.00**
- A4. MIBA dba Reliable Construction Services** (repair services for spill buckets) **1,373.14**

#### **PLANNING, NEIGHBORHOODS AND DEVELOPMENT**

- B1. Comptech Computer Technologies, Inc. -P0220477** – (temporary staffing services as needed through 12/31/22) **15,000.00**
- B2. Xpex LLC** – (building plan examination services as needed through 12/31/22) **62,100.00**
- B3. Propio LS LLC** – (professional interpretation services as needed through 12/31/22) **6,000.00**

#### **POLICE**

- C1. Dell Marketing LP** (computer and accessories) **16,863.92**
- C2. Jars Cycles Inc. dba Buckeye Harley-Davidson** (four 2022 motorcycles with service and parts manuals) **180,548.94**

#### **PROCUREMENT MANAGEMENT AND BUDGET**

- D1. USI Midwest LLC dba USI Insurance Services, LLC. – P0221106** – (property insurance through 09/05/23) **738,767.00**
- D2. USI Midwest LLC dba USI Insurance Services, LLC. – P0221107** – (property insurance through 09/05/23) **132,446.60**
- D3. USI Midwest LLC dba USI Insurance Services, LLC. – P0221108** – (employee practices liability insurance through 09/05/23) **30,050.00**

#### **PUBLIC WORKS**

- E1. Duncan Oil Company** (unleaded gasoline, diesel fuel and related items as needed through 12/31/22) **200,000.00**
- E2. Gem City Tools dba Dayton Tool Crib** (one above ground vehicle lift with delivery and installation services) **15,652.16**
- E3. Mansfield Oil Company of Gainesville, Inc.** (unleaded gasoline and diesel fuel as needed through 12/31/22) **450,000.00**

1. (Cont'd):

**E4. Crown Personnel Service, Inc.** (temporary staffing services as needed through 12/31/22) **150,000.00**

**WATER**

**F1. Friends Service Co. Inc. dba FriendsOffice** (office furniture including design, delivery and installation services) **14,189.35**

Depts. of Aviation, Planning, Neighborhoods and Development, Police, Procurement Management and Budget, Public Works and Water.

**Total: \$2,112,221.76**

2. **Access Center for Independent Living, Inc. – Service Agreement** – for Dayton Recovery Plan – new building acquisition and renovation – Department of Procurement Management and Budget. **\$264,500.00**  
**(Thru 12/31/26)**

3. **CPM Enterprises, LLC – Service Agreement** – boarding and securing services for vacant structures – Department of Planning, Neighborhoods and Development/Housing & Inspections. **\$379,025.00**  
**(Thru 12/31/25)**

4. **John R. Jurgensen Company – Contract Modification** – 2022 Residential Asphalt Resurfacing II (10% SBE & 5% MBE, and 5% WBE Participation Goal/10.01% SBE & 5% MBE, and 5% WBE Participation Achieved - Department of Public Works/Civil Engineering. **\$93,770.00**  
**(Thru 10/28/24)**

5. **Peterson Construction Company – Contract Modification** – for Phase 1 and Phase 2 Anaerobic Digester Project Preconstruction Construction Manager At Risk (CMAR) – Change Order No. 1 – Department of Water/Water Reclamation. **\$886,000.00**  
**(Thru 12/31/23)**

**E. Other – Contributions, Etc.:**

6. **Green and Green, Lawyers – Payment of Voucher** – for payment of outstanding invoices – Department of Water/Water Engineering. **\$37,282.64**

**CITIZENS' COMMENTS ON CALENDAR ITEMS**

Citizens' comments on calendar items were received from the following:

1. **Mr. Jeremy Caffee, 907 W. Fifth St.** – spoke in support of Calendar Item No. 2. Access Center for Independent Living, Inc.

**APPROVAL OF CITY MANAGER’S REPORTS**

**Commissioner Fairchild made the motion to approve the City Manager’s Reports. Commissioner Shaw seconded the motion. The City Manager’s Reports were approved with a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss.**

**LEGISLATION**

**EMERGENCY RESOLUTION-FIRST AND SECOND READING**

**Emergency Resolution No. 6663-22-** Authorizing the Acceptance of a Cooperative Agreement with the U.S. Department of State, U.S. Embassy 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 Turner-Sloss 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 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild. The question being shall Emergency Resolution No. 6663-22 be adopted. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss. The Emergency Resolution was adopted.**

**EMERGENCY RESOLUTION-SECOND READING**

**Emergency Resolution No. 6661-22-** Authorizing the City Manager to Accept a Grant Award from the U.S. Department of Housing and Urban Development (“HUD”) for a Total Amount of Two Million Four Hundred Forty-four Thousand Seven Hundred Fifty-Six Dollars and Zero Cents (\$2,444,756.00) on Behalf of the City of Dayton, and Declaring an Emergency.

**The question being shall Emergency Resolution No. 6661-22 be adopted. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss. The Emergency Resolution was adopted.**

**ORDINANCES -SECOND READING**

**Ordinance No. 31984-22-** To Provide for the Issuance and Sale of Bonds in an Amount Not to Exceed Two Million Eight Hundred Fifty Thousand Dollars and Zero Cents (\$2,850,000.00), for the Purpose of Providing Funds for Acquiring, Constructing, Improving, Renovating, Rehabilitating, Equipping and Otherwise Improving of the City’s Public Facilities, Including HVAC, Elevator and Roof Improvements as well as Parking Lot Resurfacing, Together with All Necessary Appurtenances.

**The question being shall Ordinance No. 31984-22 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss. The Ordinance was passed.**

**Ordinance No. 31985-22-** To Provide for the Issuance and Sale of Bonds in an Amount Not to Exceed Three Million One Hundred Thousand Dollars and Zero Cents (\$3,100,000.00), for the

Purpose of Providing Funds for Acquiring Motor Vehicles, Motorized Equipment, Fire Department Apparatus and Equipment and Other Equipment for Various Departments of the City, Together with All Necessary Appurtenances.

**The question being shall Ordinance No. 31985-22 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss. The Ordinance was passed.**

**Ordinance No. 31986-22-** To Provide for the Issuance and Sale of Bonds in an Amount Not to Exceed Five Million Nine Hundred Thousand Dollars and Zero Cents (\$5,900,000.00), for the Purpose of Providing Funds for Acquiring, Constructing, Improving, Renovating, Rehabilitating, Equipping and Otherwise Improving of the City's Outdoor Public Facilities, and providing for City functions and services, Together With All Necessary Appurtenances.

**The question being shall Ordinance No. 31986-22 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss. The Ordinance was passed.**

**Ordinance No. 31987-22-** To Provide for the Issuance and Sale of Bonds in an Amount Not to Exceed Four Million Nine Hundred Thousand Dollars and Zero Cents (\$4,900,000.00), for the Purpose of Providing Funds for Improving the City's Transportation System by Improving Streets, Including Resurfacing Major Thoroughfares, Residential Streets and Alleys Throughout the City, Improving and Installing Curbs and Sidewalks, Including Constructing and Reconstructing Sidewalks, Bicycle Lanes, Bikeway Connectors, Bikeway Ramps, Bicycle Paths and Cycle Tracks, and Constructing and Reconstructing Portions of and Extensions to Streets, Together with All Necessary Appurtenances.

**The question being shall Ordinance No. 31987-22 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss. The Ordinance was passed.**

**Ordinance No. 31988-22-** To Provide for the Issuance and Sale of Bonds in an Amount Not to Exceed Three Million Two Hundred Thousand Dollars and Zero Cents (\$3,200,000.00), for the Purpose of Refunding at a Lower Interest Cost Certain of the City's Various Purpose Improvement Bonds, Series 2014, Which Were Issued, In Part, for the Purpose of (A) Improving The City's Transportation System By Improving Streets, Including Resurfacing Major Thoroughfares And Residential Streets And Sealing Various Streets And Alleys Throughout The City, Improving And Installing Curbs And Sidewalks, Including Constructing And Reconstructing Wheelchair Ramps, Constructing, Reconstructing And Installing Traffic Signals, Constructing And Reconstructing Portions Of And Extensions To Streets, And Constructing, Reconstructing And Repairing Various Bridges Within The City (B) Constructing, Renovating, Remodeling, Rehabilitating, Furnishing, Equipping And Otherwise Improving City Buildings And Facilities Housing And Providing For City Functions And Services; (C) Acquiring, Motor Vehicles, Motorized Equipment And Other Equipment For Various Departments Of The City, Each Together With All Necessary Appurtenances Thereto.

**The question being shall Ordinance No. 31988-22 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss. The Ordinance was passed.**

**Ordinance No. 31989-22-** To Provide for the Issuance and Sale of Water System Revenue Bonds in an Amount Not to Exceed Twenty-Five Million Five Hundred Thousand Dollars and Zero Cents (\$25,500,000.00), for the Purpose of Paying Costs of Improvements to the Utility; Authorizing a Supplemental Trust Agreement and Other Documents Relating to the Series 2022 Bonds.

**The question being shall Ordinance No. 31989-22 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss. The Ordinance was passed.**

**Ordinance No. 31990-22-** To Provide for the Issuance and Sale of Economic Development Revenue Bonds in an Amount Not to Exceed Seven Million Dollars and Zero Cents (\$7,000,000.00) under Section 13 of Article VIII of the Constitution of the State of Ohio and Chapter 165 of the Ohio Revised Code for the Purpose of Financing the costs of the Project as defined in Section 165.01 of the Ohio Revised Code; Authorizing Documents Relating to the Bonds; Authorizing and Approving Related Matters.

**The question being shall Ordinance No. 31990-22 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss. The Ordinance was passed.**

#### **RESOLUTION -FIRST READING**

**Resolution No. 6662-22-** Authorizing the City Manager to Apply for, Accept, and Enter Into a Water Pollution Control Loan Fund (“WPCLF”) Loan Agreement on Behalf of the City of Dayton, Ohio for the Construction of the Phase I Anaerobic Digester Project and Designating a Dedicated Repayment Source for the Loan.

**Resolution No. 6662-22-** Authorizing the City Manager to Apply for, Accept, and Enter Into a Water Pollution Control Loan Fund (“WPCLF”) Loan Agreement on Behalf of the City of Dayton, Ohio for the Construction of the Phase II Anaerobic Digester Project and Designating a Dedicated Repayment Source for the Loan.

**Resolution No. 6662-22-** Authorizing the City Manager to Apply for, Accept, and Enter Into a Water Pollution Control Loan Fund (“WPCLF”) Loan Agreement on Behalf of the City of Dayton, Ohio for the Water Reclamation Backup Generator Project and Designating a Dedicated Repayment Source for the Loan.

**Resolution No. 6662-22-** Authorizing the City Manager to Apply for, Accept, and Enter Into a Water Pollution Control Loan Fund (“WPCLF”) Loan Agreement on Behalf of the City of Dayton, Ohio for the Construction of the West Digester Complex Cover Replacement Project and Designating a Dedicated Repayment Source for the Loan.

#### **RESOLUTION -SECOND READING**

**Resolution No. 6662-22-** Authorizing the Submission of an Application for Funding Consideration by the United States Department of Transportation under the Safe Streets and Roads for All Discretionary Grant Program.

**The question being shall Resolution No. 6662-22 be adopted. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss. The Resolution was adopted.**

#### **PUBLIC HEARING**

Mayor Mims opened the Public Hearing on Plan Board Case PLN2022-00145 area-wide rezoning request. He asked Ms. Dickstein to proceed. Ms. Dickstein invited Mr. Jeff Green, Planner, Planning, Neighborhoods and Development, to present.

Mr. Green said this is Plan Board Case PLN2022-00145 area wide rezoning of the southern portion of the 1700 and 1800 block of E. Fifth Street in addition to 1735-1737 E. Fifth Street from MR-5(Mature Residential) to MNC (Mature Neighborhood Commercial).

Mr. Green gave an overview of maps and indicated boundaries of the subject area proposed to be rezoned. He said if the rezoning is approved, it would create a continuous band of MNC zoned properties. He said the surrounding area has had changing conditions which are more commercial and therefore the MNC Zoning District is suitable for this area.

Mr. Green said the Northeast Land Use Board unanimously recommended approval of the request. He said the Plan Board voted unanimously to approve the recommendation of the zoning map amendment. He said they reached out to all property owners and occupants within the subject area and those surrounding and there was no opposition. Mr. Green said Planning staff also recommended approval. He said there was petition received from Riverside residents last week.

Commissioner Turner-Sloss commended him for the community driven initiative.

#### **CITIZENS' COMMENTS ON THE PUBLIC HEARING**

Citizens comments on the Public Hearing were received from the following:

1. **Mr. Fred Burkhardt, 120 W. Second Street** – spoke in support of the zoning amendment recommendation.

Commissioner Joseph said this is in line with the focus of the most recent zoning code rewrite which focused on developing certain neighborhood districts as commercial districts.

Mayor Mims 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. 31991-22**-Amending the Official Zoning Map to Rezone Portions of the 1700 and 1800 Block of E Fifth Street in the Historic Inner East Planning District from Mature Residential (MR-5) to Mature Neighborhood Commercial (MNC), and Declaring an Emergency.

**Commissioner Fairchild 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 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss. The question being shall Emergency Ordinance No. 31991-22 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss. The Emergency Ordinance was passed.**

#### **CITIZENS' COMMENTS**

Citizens' comments were received from the following:



1. **Mr. Brandon Burdette, 3228 Shroyer Road** – spoke about housing issues in Dayton between renting vs. buying.
2. **Ms. Lynn La Mance, 1061 Bertram Ave.** - spoke about the housing boarding issues in the City of Dayton.
3. **Ms. Kortney Jeter, 600 Kammer Ave.** – spoke about police issues within her neighborhood.
4. **Mr. Gregg Epps, 129 Shoop Ave.** – spoke about neighborhood issues within the Westwood area and police presence.
5. **Mr. Larry Williams, 515 Cedarhurst Ave.**- spoke about neighborhood issues within the Westwood area and police presence.
6. **Ms. Mila Rountree, 1421 Seal St.**- introduced herself as the new Youth Ambassador of Green Tree Alternative Solutions.
7. **Ms. Tosha Rountree, 4609 St. James Ave.**- spoke about Green Tree Alternative Solutions initiatives.
8. **Ms. Victoria McNeal, 107 Neal Ave.** – spoke about vacant properties in her neighborhood that need to be boarded.
9. **Ms. Jackie Patterson, 113 N. Upland Ave.** – spoke about vacant properties, gun violence and blight in her neighborhood.
10. **Mr. Reid Dotson, 34 Missouri Ave.**- spoke about the demolition of his home.
11. **Mr. George W. Gray, 2059 Ravenwood Ave.** – spoke about illegal dumping in the City of Dayton.
12. **Mr. Charles Henry, 408 Red Haw Road** – spoke about police issues in his neighborhood and proposed amendment to City Code 76.08.
13. **Mr. George Tuck, 1003 N. Gettysburg Ave.** – spoke about Human Relations Council minority participation.
14. **Mr. Patrick W. Duffley, 618 Imo Dr.** – spoke about the North Main Street Corridor Plan and issues in his neighborhood.

#### **COMMENTS BY THE CITY MANAGER**

The City Manager, Ms. Shelley Dickstein, said it is exciting to have community engagement in the Westwood area. She said the safety plan work will be informative and with passing of LPR they will investigate having fixed LPR to help with policing in that area.

Ms. Dickstein said staff will prepare a memo in response to Mr. Gray’s concerns regarding illegal dumping. She asked Major Mullins to meet with Mr. Charles Henry concerning police response and vehicle towing. Ms. Dickstein said the Human Relations Oversight committee is meeting regarding bonding issues. She said she will have staff provide an update on the North Main Corridor Plan.

### **COMMENTS BY THE CLERK OF COMMISSION**

The Clerk of Commission, Ms. Regina Blackshear, had no closing comments.

### **COMMENTS BY THE CITY COMMISSION**

#### **Commissioner Turner-Sloss**

Commissioner Turner-Sloss thanked the Westwood Neighborhood for attending the meeting and sharing their concerns for a safety plan. She said they heard their concerns loud and clear.

Commissioner Turner-Sloss thanked Mr. Stovall and staff for a tour of civil engineering work process regarding traffic lights. She thanked Mr. Gil Turner and staff for the tour at the Dayton International Airport.

Commissioner Turner-Sloss said it is a priority for the Dayton City Commission to address housing concerns throughout neighborhoods.

Commissioner Turner-Sloss thanked citizens for attending the meeting and sharing their concerns.

#### **Commissioner Fairchild**

Commissioner Fairchild thanked citizens for expressing their concerns regarding safety in their neighborhoods.

Commissioner Fairchild highlighted various events happening around the city, the First Friday events, Broken English, Mac and Cheese Festival, Lifespan of a fact play, last weekend of the Dragons, Reggae Festival, and concerts at the Levitt. Commissioner Fairchild thanked labor unions and partners.

#### **Commissioner Shaw**

Commissioner Shaw thanked the Westwood neighbors for attending the meeting.

#### **Commissioner Joseph**

Commissioner Joseph thanked the Westwood neighbors for attending the meeting.

#### **Mayor Mims**

Mayor Mims highlighted the My Brother's Keeper event.

Mayor Mims highlighted the All-American City Hall of Fame committee for selecting the City of Dayton as an All-American City awardee.

Mayor Mims said his granddaughter surgery of her knee went well.

### **ADJOURNMENT**

There being no further business, the meeting was adjourned at 7:57 p.m.

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**Jeffrey J. Mims, Jr.**  
**Mayor**

**Attest:** \_\_\_\_\_  
**Clerk of Commission**

WORK SESSION

A copy of prepared material has been recorded as Communication & Petition Number 21722 dated August 31, 2022.

The Dayton City Commission met in a Work Session on August 31, 2022, at 4:01 p.m., prior to the regularly scheduled City Commission meeting. Mayor Mims and Commissioners Joseph, Shaw, Fairchild and Turner-Sloss were present. Torey Hollingsworth, Director, City Commission Office and Regina D. Blackshear, Clerk of Commission were also in attendance.

Mr. Joe Parlette, Deputy City Manager, Major James Mulling, Chief Karman Afzal, Assistant Chief Eric Henderson, Lieutenant Steven J. Bauer, Lieutenant Joseph Hyeob, Erica Fields, Executive Director, Human Relations Council, Verletta Jackson, Division Manager, Community Engagement, Michelle Zaremba, Division Manager, Mediation Center, Ken Thomas, Secretary and Chief Examiner, Civil Service Board, David Lawrence, Employment Manager, Civil Service Board and Diane Perkins, Employment Analyst II, Civil Service Board were presenters.

Major Mullins gave an overview of Police Reform Process saying that on June 2, 2022, Mayor Whaley and the City Commission announced the creation of five working groups to focus on key areas of police policy and practice: The five groups were: Oversight, Use of Force, Training, Recruitment and Community Engagement. Major Mullins stated that the 2020 Police Reform Process and that the City's police reform initiative would be a transformational, community-driven process. He said there was wide representation across five working groups and the City partnered with over one hundred community members from all backgrounds to design solutions that work for everyone. Major Mullins said there was active engagement with each group meeting bi-weekly to discuss research and make recommendations. He said the meetings were live-streamed on the City's website. Major Mullins said there was the Police Department buy-in. The working groups included officers from every rank of the department and group recommendations were made in partnership with the police. Major Mullins said there were guaranteed deliverables, with city resources being prioritized to carry out group recommendations to the maximum extent feasible with some recommendations already in the implementation phase.

Major Mullins noted that after ten months, there were over one hundred community members participating, 75 percent were non-white, and 71 percent were city residents. He said that there were over one hundred meeting, including listening sessions and cross-group discussions, thousands of hours of volunteer and staff time and 142 recommendations as a result.

Major Mullins reported on the progress of the 142 recommendations stating that as of August 2022, one hundred one (101) of the recommendations have been completed, there were five recommendations that had a delayed ruling, eight were completed, but ongoing, twenty (20) were in progress and eight have pending prerequisites.

Michelle Zaremba, Division Manager, Mediation Center gave an overview of the Mediation Response Unit. She said there was a soft roll out in March 2022 with a full roll out in June 2022. She stated that there have been 440 calls for service and there are plans to meet with

the Police MCRT to establish a referral process for calls between the two groups. Ms. Zaremba highlighted some of the calls that the unit has responded to include trespassing, suspicious persons, dumping, parking, barking dog, well-check, noise and roommate trouble, among others.

Ms. Zaremba provided an update on the Police Complaint Process. She said the aims from recommendations are to be transparent, accessible, timely and respectful. Ms. Zaremba said that the Mediation Center provides assistance in making a complaint, offering updates on complaint status, answering questions, sharing information on appeal process, offering a mediation/conversation option for discourtesy complaints, and listening to citizens' stories and helping them get a clear view of the process.

Ms. Diana Perkins provided an update on police recruitment. Ms. Perkins said that there is currently an ongoing application process for police recruits. She stated there are interviews for recruits currently scheduled for September through November 2022. She explained there is a posting for lateral entry police officers which began August 22, 2022, and there have been ten applications to date. Ms. Perkins said this is a noncompetitive hiring process wherein candidates will go through an interview with a panel of members from police, human resources and City administration and candidates selected must then complete a full background, polygraph, psychological, and medical. Ms. Perkins stated that they are working on polygraph improvements for processing where CSB is looking for a neutral site and updated methodology to be used with the next group of applicants with two detectives trained in latest techniques. Ms. Perkins highlighted police recruit applications and lateral applications. Ms. Perkins also highlighted police recruit academy statistics, stating that the age to apply has been raised to sixty-nine years of age. She said the average age is thirty-two and there are five recruits over forty.

Major Mullins highlighted the Police Department reorganization stating that recruitment moved into a new division focused on community engagement and that there is full-time recruitment staff. Major Mullins said recruitment moving into this new division, with an initial robust budget of \$214,700 for combined personnel and recruiting efforts. He stated that understanding recruiting is part of all Police Department public interactions.

Erica Fields highlighted the Know your Rights and Responsibilities program. She stated this was a recommendation of the Use of Force Committee designed to ensure that Dayton residents know and understand their legal rights and responsibilities during encounters with DPD and to ensure safer and more positive encounters and interactions with the public. Ms. Fields said that HRC in conjunction with DPD, the local legal community and community partners held nine Know your Rights trainings in various locations throughout the city to date with two more scheduled this year. Ms. Fields said bi-monthly sessions will be hosted in 2023.

Lieutenant Hyeob discussed multiple updated policies including defuse/de-escalate, duty to intervene, chokehold prohibition and bias-free policing. He also highlighted de-escalation-Annual Training and Roll Call Training. He said all sworn personnel has completed ICAT and training in roll call will follow all sworn personnel being trained. He stated that Harvard's weapon IAT was included into the recruit training on November 16, 2021. The 2022 spring academy conducted the new training, and all sworn personnel completed the training March 2022 to May 2022. Lieutenant Hyeob said after extensive research DPD Academy has selected Adult Advocacy Centers to train for the entire department. He stated this training focused on Accessibility and Accommodation Training for Law Enforcement.

and all sworn personnel completed the training February 2022 to May 2022 and additional 36 hours added to recruit training and implemented with the spring 2022 class.

Lieutenant Hyeob said DPD Academy has distributing laminated cards for use on traffic stops to facilitate communication with those that are deaf and hard of hearing in applicable circumstances and in other circumstances interpreters will be utilized. He said this was accompanied by roll call training on the usage of this tool. Lieutenant Hyeob new recruits were trained on duty to intervene on November 22, 2021, during a Civil Liability and Use of Force class and the current class will have the same training August 31, 2022, Duty to Intervene was also taught during ICAT to all sworn personnel and the same ICAT training will be taught to recruits in the current class.

Lieutenant Hyeob said the Professional Standards Bureau is working on identifying standards to use as data points for de-escalation documentation. He stated that investigations only record data on attempts at de-escalation. Lieutenant Hyeob said body cameras issued to all sworn personnel is complete.

Verletta Jackson provided an update on the Community Engagement Committee. She stated the focus is building a network of community partners, matching/providing engagement opportunities for officers, tracking officer participation, and evaluating the effectiveness of relationships. She stated there are seven-members meeting monthly. The committee has goals of recruiting young people to be on the committee, building a network of community partners for engagement opportunities and creating ways to celebrate police and community achievements.

Major Mullins provided highlights of the recruiting committee which has met twice and has nine members and one city staff. He stated the goals of the committee are to give input on media development, identify areas to focus our recruiting efforts and review and make suggestions to improve the hiring process.

Major Mullins provided highlights of the training committee which meets twice a year in January and July. He stated the committee has eight members and one city staff and the committee membership consists of leaders in community agencies including Daybreak, Goodwill, and ADAMHS. He stated the goals are to identify outside training opportunities for the Dayton Police Department and find weaknesses in the departments current training programs in addition to learning about community issues that need to be addressed with continuing education for the department.

Major Mullins said the policy review committee are every six weeks, with the committed having met once. He said the committee agreed to communicate via email, but that can change at the request of any committee member. He explained that committee has seven members and one city staff. He explained the purpose of the committee is to receive any newly implemented policy and review from a non-law enforcement perspective and to review for language clarification and areas that may be viewed negatively. He stated all policies are sent to the group for review prior to acceptance.

Ms. Fields explained the Community Appeals Board (CAB) is a seven-member board that hears appeals when residents are dissatisfied with the results of an investigation into police misconduct. She said the Dayton City Commission appointed seven community members on the CAB in 2022 and the committee as participated in various trainings to include 4th Amendment Rights, PSB procedures, Use of force, COD policy and procedures and the Dayton complaint process. Ms. Fields said the committee will be represented at the National

Association of Civilian Oversight of Law Enforcement Annual Conference. Ms. Fields noted the committee has completed the review and public hearing for three resident appeals leading to recommendations for improved DPD policy/practice change. Ms. Fields explained that residents now provided advocate free of charge through the Mediation Center to prepare and provide support for public hearings and staffed by the HRC and a fully funded legal advisor. She said the meetings and public hearings are held the first Tuesday of every month and there is a new landing page on the HRC website for residents to learn more about CAB.

Ms. Hollingsworth highlighted the Use of Force Committee. She explained several recommendations related to the Use of Force policy required additional review by the Law Department and the Use of Force Committee is considering the original working group recommendations and the Law Department's feedback. Ms. Hollingsworth said the Use of Force Committee are tasked with providing the Commission with feedback on what should be adopted as final policy and there are seven recommendations awaiting the approval of the policy.

Ms. Hollingsworth provided an update on the Independent Accountability Auditor. She stated that there was a Request for Proposal issued for the Independent Accountability Auditor's position aligned with the ordinance and working group recommendation. She stated the RFP has been revised and re-issued to encourage additional bidders and there is a committee currently reviewing responses to the RFP. Ms. Hollingsworth said there are six recommendations from the Use of Force Committee which have been delayed by the vacancy in the position.

The Work Session concluded at 4:46 p.m.