

On Wednesday, October 6, 2021, 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. She said due to the current COVID-19 order, the City of Dayton is requiring masks to be worn in all City facilities to protect the safety of the staff and community. If you need a mask, there are some at the entrance of the Commission Chambers. Those not wearing a mask during the Commission Meeting may be ruled out of order and removed from the meeting.

INVOCATION

Commissioner Shaw 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 Mims, Shaw and Fairchild were present. The Clerk of Commission, Ms. Regina D. Blackshear, The City Manager, Ms. Shelley Dickstein and Miami Valley Interpreters, were also present.

Mayor Whaley noted the absence of Commissioner Joseph from this week's meeting due to a positive COVID-19 test. She said it was because they all were masked that the rest of the commission did not test positive.

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

APPROVAL OF MINUTES

Commissioner Mims made a motion to approve the minutes from the September 29, 2021, meeting. Commissioner Fairchild seconded the motion. The previous meeting minutes were unanimously approved.

COMMUNICATIONS AND PETITIONS

Communication #21604

State of Ohio, Department of Liquor Control – Permit Application #84189941810 – Stock Transfer - C1- C2-D6- Speedway LLC dba Speedway 9365, 121 E Stewart Street, Dayton OH 45409.

The Clerk of Commission reported receipt of Permit Application #84189941810 – Stock Transfer - C1- C2-Speedway LLC dba Speedway 9365, 121 E Stewart Street, Dayton OH 45409. 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. Regina Blackshear, requested the addition of Informal Resolution #993-21- Endorsing The Wright Brothers Institute, Inc.'s Critical Role in Strengthening The Economic Diversification and Development of the Community and Region Through its Work with The United States Air Force. She also requested the addition of the legislation pertaining to the Public Hearing at the desire of the Commission.

DISCUSSION OF CALENDAR ITEMS

Calendar Item No. 3. Bladecutter’s Lawn Service-Award of Contract

The City Manager, Ms. Shelley Dickstein, said the contract will remove 11 fire damaged homes in the City of Dayton. She said the contract was awarded to the second lowest bidder because the first lowest bidder failed to meet requirements of the Procurement Enhancement Program (PEP).

Calendar Item No. 5. Goodwill Easter Seals Miami Valley-Grant Program – Grant Agreement

The City Manager, Ms. Shelley Dickstein, said the contract will help provide mental health navigators to the emergency shelters.

Calendar Item No. 4. David Lyttle-Payment Voucher

Mayor Whaley requested explanation of the voucher.

Ms. Erica Fields, Director of the Human Relations Council, said the payment of voucher is for Mr. Lyttle who provides construction consulting services for the Minority Business Assistance Center. She said there was a delay in services was rendered and when payment needed to be received, which they have worked with the Finance Department for that not to happen again.

REPORTS

1. Purchase Orders, Agreements and Contracts:

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

AVIATION

A1. Defries Copp LLC dba Copp Systems Integrator (twenty-six (26) new cameras, network video recorder, cabling and related items) **\$57,787.62**

FIRE

B1. Atlantic Emergency Solutions, Inc. (self-contained breathing apparatus and related items as needed through 12/31/21) **\$75,800.00**

B2. Reliable Transmission Service Midwest, Inc. (parts, supplies and labor to repair heavy equipment transmissions as needed through 12/31/21) **4,000.00**

POLICE

C1. Intrepid Networks LLC (advance throw phone kit) **12,622.50**

C2. White Allen Chevrolet (pre-owned vehicles as needed through 12/31/21) **60,000.00**

PROCUREMENT MANAGEMENT AND BUDGET

D1. Assure Global dba We Shield (over the counter (OTC) Covid tests) **154,994.60**

D2. Bound Tree Medical LLC – P0211023 - (PPE gloves) **16,331.40**

D3. Bound Tree Medical LLC – P0211121 - (PPE gloves) **44,289.00**

D4. Health Services, LLC - (over the counter (OTC) Covid tests) **204,279.00**

PUBLIC WORKS

E1. Graybar Electric Supply, Inc. (street lighting poles, materials and related items as needed through 12/31/21) **25,000.00**

E2. Allied Builders, Inc. (fencing products, related items and services as needed through 12/31/21) **20,000.00**

E3. Barrett Paving Materials, Inc. (asphalt paving materials and related items as needed through 12/31/21) **5,000.00**

WATER

F1. Environmental Air Products, Inc. dba EAP, Inc. (industrial exhaust fans)	15,240.00
F2. Friends Service Company, Inc. dba FriendsOffice (office furniture including delivery and installation services)	22,289.22
F3. Pump Systems LLC (replacement Pentair Aurora drain pump as needed through 12/31/23)	95,329.00
F4. Weiffenbach Marble & Tile Company (epoxy flooring including prep existing concrete and installation services)	10,665.00
F5. Dixon Engineering, Inc. (nine Remote Operated Vehicle (ROV) water tank inspections as needed through 12/31/22)	60,500.00
F6. Sidney Electric Company (labor to install filter consoles)	150,000.00
F7. Barrett Paving Materials, Inc. (sand, gravel, crushed stone and related items as needed through 12/31/21)	43,000.00
F8. C&S Solutions, Inc. (pipe locators and accessories)	14,979.00
-Depts. of Aviation, Fire, Police, Procurement, Management and Budget, Public Works and Water.	Total: 1,092,106.34

2. **Jacobs Engineering Group, Inc. – Service Agreement** - for professional design engineering services for the Anaerobic Digester Cover Replacement – Department of Water. **\$14,000.00**
(Thru 12/31/22)

B. Construction Contracts:

3. **Bladecutter’s Lawn Service – Award of Contract** – for Nuisance Abatement Program Residential Demolition 1 – 2021 (10% SBE, 10% MBE Participation Goal/10% SBE & 10 % MBE Participation Achieved) – Department of Planning, Neighborhoods and Development. **\$246,200.00**
(Thru 12/31/23)

E. Other – Contributions, Etc.:

4. **David Lyttle – Payment of Voucher** – for cost incurred from July 1, 2021, until September 8, 2021 to provide professional services for the Minority Business Assistance Center (MBAC) – Human Relation Council **\$15,256.64**
5. **Goodwill Easter Seals Miami Valley – Grant Agreement** – for shelter operation for homeless individuals and families – Department of Planning, Neighborhoods and Development. **\$110,397.00**
(Thru 2/28/22)
6. **NAACP – Other** – for 2021 contribution – The City Commission Office. **\$3,500.00**
7. **Think Patented – Payment of Voucher** - for payment of two invoices received prior to August 17, 2021 – Department of Water. **\$4,108.15**
8. **Wood Environment & Infrastructure Solutions, Inc. - Payment of Voucher** – for payment of six invoices received prior to July 28, 2021 – Department of Water. **\$105,497.53**

CITIZENS’ COMMENTS ON CALENDAR ITEMS

There were no citizens’ comments on calendar items.

APPROVAL OF CITY MANAGER'S REPORTS

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

LEGISLATION

EMERGENCY RESOLUTIONS – FIRST AND SECOND READING

Emergency Resolution No. 6611-21- Approving the Submission of Grant Applications and Authorizing the Acceptance of Grant Awards from the Miami Valley Regional Planning Commission under the Transportation Improvement Program for State Fiscal Year 2027, and Declaring an Emergency.

Commissioner Shaw moved that this being an emergency measure for the immediate consideration of the Resolution. Commissioner Fairchild seconded the motion. The motion was passed with a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Mims, Shaw and Fairchild. The question being shall Emergency Resolution No. 6611-21 be adopted. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Mims, Shaw and Fairchild. The Emergency Resolution was adopted.

Emergency Resolution No. 6612-21- Authorizing the Acceptance of a Grant Award from the Ohio Department of Public Safety, Ohio Traffic Safety Office in the Amount of Seventy-Six Thousand Two Hundred and Seventy-Five Dollars and Twenty-Two Cents (\$76,275.22) on Behalf of the City of Dayton, and Declaring an Emergency.

Commissioner Mims moved that this being an emergency measure for the immediate consideration of the Resolution. Commissioner Fairchild seconded the motion. The motion was passed with a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Mims, Shaw and Fairchild. The question being shall Emergency Resolution No. 6612-21 be adopted. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Mims, Shaw and Fairchild. The Emergency Resolution was adopted.

Emergency Resolution No. 6613-21- Authorizing the Acceptance of a Grant Award from the Ohio Department of Public Safety Not To Exceed Two Hundred Twenty-Four Thousand Nine Hundred Ninety-Nine Dollars and Nineteen Cents (\$224,999.19) 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. Mayor Whaley, Commissioner Mims seconded the motion. The motion was passed with a 4-0 vote. Voting in the affirmative were Commissioners Mims, Shaw and Fairchild. The question being shall Emergency Resolution No. 6613-21 be adopted. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Mims, Shaw and Fairchild. The Emergency Resolution was adopted.

THIS ITEM WAS ADDED

INFORMAL RESOLUTION

Informal Resolution No. 993-21-Endorsing The Wright Brothers Institute, Inc.'s Critical Role in Strengthening The Economic Diversification and Development of the Community and Region Through its Work with The United States Air Force.

Commissioner Fairchild made a motion to adopt Informal Resolution No. 993-21. Commissioner Mims seconded the motion. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Mims, Shaw and Fairchild. The Informal Resolution was adopted.

PUBLIC HEARING

Mayor Whaley opened the Public Hearing on Plan Board Case PLN2021-00307 to apply a Planned Development Overlay for 10.18 acres at the southwest corner of Webster Street and Detrick Street (Deeds Point) She asked Ms. Dickstein to proceed. Ms. Dickstein invited Mr. Jeff Green, Planner I, Planning Neighborhoods and Development, to present.

Mr. Green said the planned development would allow for the construction of an elementary/secondary school and accessory recreational uses. He said the underlying zoning district (Park/Open Space) would not change.

Mr. Green said the school would be 99,330 square feet in floor area. He said the Planned Development standards have been developed to go along with the Planned Development site plan and those standards would be incorporated into the ordinance. He said there would be no changes to Deeds Point Metro Park or recreational trails, the dog park is not included in the proposed planned development, and it conforms with Northeast UDA Plan and Riverfront Masterplan. Mr. Green said the Northeast Priority Land Use Board voted 3-2 in opposition of the request.

Mr. Green said the City Commission has three decision options: approve the Plan Board recommendation to approve the zoning proposal as requested, remand the case back to the Plan Board, or deny the request.

Mr. Ryan Ernst, Greater Dayton School, said this is four years in the making. He said the research for the model of the school is from all around the country. Mr. Green gave an overview of the planned site. He said the Greater Dayton School will include wraparound services to help thousands of families retreat from generational poverty.

Mr. AJ Stich, Principal of Greater Dayton School, said he has been an educator for 15 years and has experience working with underserved children. He explained the features and programming of the school and what models worked well when visiting similar schools.

Commissioner Mims said he valued the approach of the services being offered. Commissioner Fairchild asked about environmental concerns for the project.

Mr. Green said the Greater Dayton School has partnered with Partners in Environmental Services to address those concerns as well as the Ohio Environmental Protection Agency.

CITIZENS' COMMENTS ON THE PUBLIC HEARING

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

1. **Mr. Jeff Hoagland, 817 Deerhurst Drive** – spoke in support of the planned development of the Greater Dayton School.
2. **Mr. Chris Keishner, 8 N. Main Street** – spoke in support of the planned development of the Greater Dayton School.
3. **Mr. Monnie Bush, 144 Central Ave.** – spoke in support of the planned development of the Greater Dayton School.
4. **Ms. Jyllian Bradshaw, 1127 Chisolm Trail** – spoke in support of the planned development of the Greater Dayton School.
5. **Ms. Jan Lepore-Jentleson, 624 Xenia Ave.** – spoke in support of the planned development of the Greater Dayton School.
6. **Ms. Karen Danko, 300 Spruce St.** – spoke in support of the planned development of the Greater Dayton School.

7. **Mr. Jerry Bowling III, 522 Herbert St.** – spoke in support of the planned development of the Greater Dayton School.
8. **Ms. Charlotte McGuire, 2451 Quorrrn Court** – spoke in support of the planned development of the Greater Dayton School.
9. **Mr. Kevin Carver, 3445 Zephyr Drive** – spoke about support of the planned development of the Greater Dayton School.
10. **Mr. Tom Bensman, 1242 Wabash** – spoke in support of the planned development of the Greater Dayton School.
11. **Ms. Nichol Simmons, 2901 Ridge Ave.** – spoke in opposition of the planned development of the Greater Dayton School.
12. **Ms. Natalie Rauf, 7524 Preswick Ct.** – spoke in support of the planned development of the Greater Dayton School.
13. **Ms. Jane McEwen, 444 W. Third St.** – spoke in support of the planned development of the Greater Dayton School.
14. **Mr. Daniel J. Meixner, 329 E. Lot St.** – spoke in support of the planned development of the Greater Dayton School.
15. **Ms. Peggy Lehner, 533 Lockerbie Lane** – spoke in support of the planned development of the Greater Dayton School.
16. **Ms. Rebecca Hughes, 2866 Spring Falls Drive** – spoke in support of the planned development of the Greater Dayton School.
17. **Mr. Matt Tipper, 702 Troy St.** – spoke in support of the planned development of the Greater Dayton School.

Commissioner Fairchild challenged the Greater Dayton School to bring adequate funding, accountability and social services for all underserved school children in the City of Dayton.

18. **Mr. Bruce Franks, Sr., 4537 Collegview Dr.** – made general comments.

Commissioner Shaw thanked the speakers for their comments.

Commissioner Mims said there is much agreement around the concepts mentioned by Greater Dayton School. He said the challenges for adequate funding, accountability and social services should be placed on the state legislature. He thanked the Connor Group for what they are trying to do. Mayor Whaley thanked everyone for their comments especially the number of non-profits in attendance.

Mayor Whaley closed the Public Hearing.

The pleasure of the City Commission is to move forward.

THIS ITEM WAS ADDED

EMERGENCY ORDINANCE- FIRST AND SECOND READING

Emergency Ordinance No. 31923-21-Amending the Official Zoning Map to Establish Planned Development -183 for 10.18 acres at the southwest corner of Webster Street and Detrick Street (Deeds Point), and Declaring an Emergency.

Commissioner Mims moved that this being an emergency measure for the immediate consideration of the Ordinance. Commissioner Fairchild seconded the motion. The motion was passed with a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Mims, Shaw and Fairchild. The question being shall Emergency Ordinance No. 31923-21 be passed. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Mims, Shaw and Fairchild. The Emergency Ordinance was passed.

CITIZENS' COMMENTS

Citizens' comments were received from the following:

1. **Mr. Greg West, 1323 Kinsley Ave.** – spoke about an apprentice program with Westwood Right Program.
2. **Mr. Antonio Ford, 2012 Oakridge Drive** – spoke about a parking situation in his neighborhood.
3. **Ms. Kay Kelbley, 4525 Lensmore Drive** - spoke in support of the Ombudsman's Office.

COMMENTS BY THE CITY MANAGER

The City Manager, Ms. Shelley Dickstein, said the American Rescue Plan Act (ARPA) funding workshops have begun; however, there have been glitches with the Zoom. She encouraged citizens who are not able to get logged on right away, to continue to hold and the consultant will get with them as soon as possible. Ms. Dickstein said because of the high volume of calls, more dates will be added. She encouraged citizens to check the website at www.daytonohio.gov/ARPA or email at arpa-application@daytonohio.gov for updates.

COMMENTS BY THE CLERK OF COMMISSION

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

COMMENTS BY THE CITY COMMISSION

Commissioner Fairchild

Commissioner Fairchild highlighted PaPa Pie at Partial Pie, he said he enjoyed it.

Commissioner Fairchild highlighted the Tour de Gem Bicycle ride.

Commissioner Shaw

Commissioner Shaw highlighted the AFL-CIO Apprentice Program. He said applications will be available at the City Commission office.

Commissioner Mims

Commissioner Mims highlighted a golf clinic for Males and Females of Color at Community Golf Course.

Mayor Whaley

Mayor Whaley thanked everyone for their participation in hosting the US Conference of Mayors.

Mayor Whaley encouraged everyone to exercise their right to vote. She said early vote has begun, for more information contact the Board of Election at 937-225-5656.

ADJOURNMENT

There being no further business the meeting was adjourned at 7:50 p.m.

Nan Whaley
Mayor

Attest: _____
Clerk of Commission