

EXECUTIVE SESSION

At 4:05 p.m., Commissioner Williams made a motion to convene into an Executive Session to discuss economic development in order to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project followed by a Work Session. Commissioner Mims second the motion. The motion was unanimously approved.

ROLL CALL

Roll call was taken and Mayor Whaley, Commissioners Williams, Mims and Shaw were present.

RECONVENE

At 6:00 p.m., Commissioner Mims made a motion to reconvene from Executive Session and to continue with the meeting. Commissioner Shaw second the motion. The motion was unanimously approved.

ROLL CALL

Roll call was taken and Mayor Whaley, Commissioners Williams, Mims and Shaw were present.

CITY COMMISSION MEETING

On Wednesday, October 19, 2016, 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 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 Williams, Mims and Shaw were present. The Clerk of Commission, Ms. Rashella Lavender, and the City Manager, Ms. Shelley Dickstein, were also present.

Commissioner Williams made the motion to authorize 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 the motion to approve the minutes from the October 12, 2016, meeting. Commissioner Williams seconded the motion. The previous meeting minutes were unanimously approved.

COMMUNICATIONS AND PETITIONS

Communication #21176

Handout at CCM from Glenn Salyer regarding ATU members – RTA employees

Communication #21177

Work Session handout regarding Economic Development, Planning and Community Development and CityWide Development update.

SPECIAL AWARDS/PRESENTATIONS

Moms Rising

Mayor Whaley invited Mr. Bill Dudley, Director of Strategic Operations and Organizing for UFCW Local 75, to the podium for a presentation.

Mr. Dudley introduced and asked Ms. Nina Perez, Campaign Director for MomsRising, to the podium to present an award and card.

Ms. Perez thanked the City Commission for all of the work they do to make Dayton a City of Learners. She said there are many children that take advantage of early learning programs where they are more likely to have above average intellectual, social, and emotional skills.

Mayor Whaley thanked Ms. Perez for her work with MomsRising; and for the award and card.

Men of Color

Mayor Whaley invited Mr. John Rogers, District Coordinator for the Office for Males of Color and Director of the Office of Student Achievement with Dayton Public Schools, for a community update.

Mr. Rogers said the Men of Color initiative is now located in multiple Dayton Public Schools Tuesday through Friday. He said the program is based on intervention and non-cognitive skills. He said they work on developing positive self concept and self esteem, African heritage, positive and realistic gifts, structural and institutional racism, and community service. He said their long range goals include support from community members, social skills and rights of passage. He said the schools they are located at include: Wogaman, EJ Brown, Dayton Boys Prep, and Kiser Elementary Schools. They are also located at Thurgood Marshall, Kiser, Meadowdale, Longfellow and Dunbar High Schools.

Mayor Whaley thanked Mr. Rogers for his leadership and commitment to the community.

ADDITIONS OR DELETIONS TO THE CALENDAR

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

Ms. Dickstein had no additions or deletions to the calendar.

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:

AVIATION

A1. A D B Airfield Solutions, LLC (Airfield lighting, signage and related control equipment as needed through 12-31-16) **\$15,000.00**

1. (Cont'd):

A2. United Rotary Brush Corp. (street sweeper broom replacements and related items as needed through 12-31-16) **49,056.08**

PUBLIC WORKS

B1. Prime AE Group Inc. (computer software, including off-site cloud hosting, maintenance updates and training services) **40,525.00**

WATER

C1. Dell Marketing LP (warranty, maintenance and support agreement renewal for forty high capacity data storage drives and related peripherals through 12-31-18) **149,354.57**

C2. Software House International, Inc. (five software licenses with three-year support subscriptions) **16,053.54**

C3. Jack Doheny Supplies Ohio, Inc. (sewer cleaning parts, maintenance, repair and training services) **58,918.00**

-Depts. of Aviation, Public Works, and Water. **Total: \$328,907.19**

2. ARCADIS, U.S. Inc. – Contract Modification – first amendment for professional engineering services – Dept. of Law/Civil **\$65,000.00**

3. University of Dayton Business Research Group – Payment of Voucher – for various research and analysis services – Offc. of Mgmt. & Budget. **\$4,072.00**

B. Construction Contracts:

4. L. J. DeWeese Co., Inc. – Award of Contract – for the Valley Street Bikeway Phase 1 (7% DBE Participation Goal/7.43% DBE Participation Achieved) (Federal CMAQ Funds) – Dept. of Public Works/Civil Engineering. **\$438,285.00**
(Thru 5/1/17)

C. Revenue to the City:

5. **National Pallet & Mulch, LLC – Contract Modification** – for mulching operations and related composting services – Dept. of Public Works/Street Maintenance. **\$36,225.00**
(Thru 10/2019)

E. Other – Contributions, Etc.:

6. **Site-Safe – Other** – for the repair of attenuator trailer #151651 – Dept. of Public Works/Fleet Mgmt. **\$18,164.61**
7. **University of Dayton – Other** – for a Special Use Permit to install conduits connecting the basement of 213 Kiefaber and 215 Kiefaber – Dept. of Public Works/Civil Engineering. **\$200.00**

V. PLANNING ACTION

A. PUBLIC HEARINGS:

8. To establish WO Well Head Operation zoning for 24.98 acres +/- annexed to the City of Dayton from Bath Township. – **Case No. Z-006-2016.**
9. For a Zoning Map Amendment to remove the Graphics Overlay zoning districts (GO-1 & GO-2) from the zoning map because the accompanying zoning regulations were repealed on May 4, 2016. – **Case No. Z-007-2016.**

CITIZENS' COMMENTS ON CALENDAR ITEMS

There were no citizens' comments on calendar items.

DISCUSSION OF CALENDAR ITEMS

There was no discussion of calendar items.

APPROVAL OF CITY MANAGER'S RECOMMENDATIONS

Commissioner Williams 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 Williams, Joseph, Mims and Shaw.

LEGISLATION

There was no legislation.

BOARD APPOINTMENTS

The Mayor stated that she appointed Ms. Marcia Knox, Ms. Michelle Roberts and Ms. Frieda Brigner, to the Compensation Board for a term ending August 30, 2020.

Commissioner Mims made the motion to approve the amendment to Civil Service Rule 6, regarding preference points, as adopted by the Civil Service Board on September 22, 2016.

Commissioner Shaw seconded the motion. The motion was passed with a 4-0 vote.

Commissioner Shaw made the motion to approve the amendment to Civil Service Rule 8, regarding illicit use of drugs for safety forces, as adopted by the Civil Service Board on October 10, 2016. Commissioner Mims seconded the motion. The motion was passed with a 4-0 vote.

Commissioner Williams moved to appoint Mr. Greg Gust to the Dayton Board of Building Appeals, to fill the unexpired term of Mr. James Beasley, for a term ending January 9, 2018. Commissioner Mims seconded the motion. The motion was passed with a 4-0 vote.

PUBLIC HEARING

Mayor Whaley opened the Public Hearing on Plan Board Case Z-006-2016- regarding the Well Head Operation. She asked Ms. Ann Schenking, Plan Board Secretary, to the podium to present.

Ms. Schenking said this is Plan Board Case No. Z-006-2016. She said this will establish WO Well Head Operation Zoning for 24.98 acres +/- annexed to the City of Dayton from Bath Township. Ms. Schenking said the Water Department supports WO zoning. Ms. Schenking said during the Plan Board public hearing there was unanimous support for this with a 7-0 vote. She said this request is consistent with the City's comprehensive plan and the intent and purpose of the zoning code.

Ms. Schenking said the City Commission has three decision options, approve the Plan Board recommendation to amend the zoning map, deny the request by taking no action or remand the case back to the Plan Board.

Mayor Whaley closed the hearing.

THIS ITEM WAS ADDED

EMERGENCY ORDINANCE – FIRST AND SECOND READING

Emergency Ordinance No. 31528-16- Amending the Official Zoning Map to Establish Well Head Operation District Zoning for Land Annexed to the City of Dayton, and Declaring an Emergency.

Commissioner Mims moved that this being an emergency measure for the immediate consideration of the Ordinance. Commissioner Williams seconded the motion. The motion was passed with a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Mims and Shaw. The question being shall Emergency Ordinance No. 31528-16 be passed. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Mims and Shaw. The Emergency Ordinance was passed.

PUBLIC HEARING

Mayor Whaley opened the Public Hearing on Plan Board Case Z-007-2016- regarding the removal of Graphics Overlay zoning districts. She asked Ms. Ann Schenking, Plan Board Secretary, to the podium to present.

Ms. Schenking said this is Plan Board Case No. Z-007-2016. She said in 2016 the Zoning Code text amended to extend the ability to install wallscape throughout the entire CBD, and the regulations for GO Districts were rescinded. She said there is a need to remove GO Districts from the Zoning Map in order for it to conform to the Zoning Code text. Ms. Schenking said during the Plan Board public hearing there was support for this with a 5-0 vote. She said this request is consistent with the City's comprehensive plan and the intent and purpose of the zoning code.

Ms. Schenking said the City Commission has three decision options: approve the Plan Board recommendation to remove the GO districts from the zoning map, deny the request by taking no action or remand the case to the Plan Board.

Mayor Whaley closed the hearing.

THIS ITEM WAS ADDED

EMERGENCY ORDINANCE – FIRST AND SECOND READING

Emergency Ordinance No. 31529-16- Amending the Official Zoning Map to Remove the Downtown Graphics Overlay Districts and Declaring an Emergency.

Commissioner Williams moved that this being an emergency measure for the immediate consideration of the Ordinance. Commissioner Mims seconded the motion. The motion was passed with a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Mims and Shaw. The question being shall Emergency Ordinance No. 31529-16 be passed. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Mims and Shaw. The Emergency Ordinance was passed.

CITIZENS' COMMENTS

Citizens' comments were received from the following:

1. **Ms. Glenn Salyer, 6051 Mark Ave.** – spoke about the union contract with Greater Dayton Regional Transit Authority (GDRTA).
2. **Ms. Katie Pavy, 2708 Catalpa Drive** - spoke about Garden Station relocation.
3. **Mr. Patrick Santucci, 37 Margaret Street**- spoke about Garden Station relocation.

4. Mr. James Nunex, 11 West Monument - spoke about Garden Station relocation.
5. Ms. Annie Foos, 212 S. Dutoit - spoke about Garden Station relocation.
6. Ms. Lynn Buffington, 354 N. Ashleaf Lane - spoke about Garden Station relocation.
7. Mr. Austin Klaus, 101 Drummer Ave. - spoke about Garden Station relocation.
8. Ms. Alexandra Stepanenko, 101 Drummer Ave. - spoke about Garden Station relocation.
9. Mr. Luke Wuertemberger, 101 Drummer Ave. - spoke about Garden Station relocation.
10. Ms. Maggie Ottoson, 2400 Green Knoll Drive - spoke about Garden Station relocation.
11. Ms. Ella Belbeck, 4234 Woodcliffe Ave. - spoke about Garden Station relocation.
12. Ms. Danielle Stephens, 3413 Harwood Street - spoke about Garden Station relocation.
13. Mr. Greg Staiger, 40 Tecumseh Street - spoke about Garden Station relocation.
14. Mr. Amer Hareez, 8970 Fox Hollow Ct.- spoke about Garden Station relocation.
15. Ms. Cindy Myers, 10109 S. Cliff Swallow Ct.- spoke about Garden Station relocation.
16. Ms. April Stephens, 107 Hillcrest St. - spoke about Garden Station relocation.
17. Mr. Gary Leitzell, 114 Volkenand Ave. - spoke about Garden Station relocation.
18. Mr. Marcus McCarty, 5968 Withrow Way - spoke about Garden Station relocation.
19. Mr. Darryl L. Jewell, 13 Dean Place #C- spoke about Garden Station relocation.
20. Ms. Sharon Lane, 747 Belmonte Park N. - spoke about Garden Station relocation.
21. Mr. Mark Fritz, 434 Forrer Blvd. - spoke about Garden Station relocation.
22. Ms. Jessica Fecke, 1582 Wayne Ave. #2 - spoke about Garden Station relocation.
23. Bishop Richard Cox, 3044 Jewelstone Drive - spoke about Garden Station relocation.
24. Ms. Charlene Bayless, 2422 Patterson Blvd. - spoke about Garden Station relocation.
25. Mr. Don Combs Bey, 2711 Triangle View Drive -spoke about nationality status.

COMMENTS BY THE CITY MANAGER

The City Manager, Ms. Shelley Dickstein, had no closing comments.

COMMENTS BY THE CLERK OF COMMISSION

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

COMMENTS BY CITY COMMISSION

Commissioner Mims

Commissioner Mims said he will be participating in a march where over 200 first time high school voters will be voting on Tuesday, October 25, 2016, at 1:00 p.m. beginning at the RTA Cultural Center and ending at the Board of Elections.

Mayor Whaley

Mayor Whaley reminded citizens the Board of Elections will be expanding their hours for early vote beginning Monday, October 24, 2016, from 8:00 a.m. until 6:00 p.m. She said if citizens have questions they may contact the Board of Elections at 937-225-5656.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:40 p.m.

Mayor Nan Whaley

Attest: _____
Clerk of Commission

WORK SESSION

A copy of prepared material has been recorded as Communication & Petition Number 21177 dated October 19, 2016.

The Dayton City Commission met in a Work Session on Wednesday, October 19th 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 Williams, Mims and Shaw were present. Mr. Kery Gray, 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, Mr. Ford Weber, Director of the Office of Economic Development, Mr. Aaron Sorrell, Director of Planning and Community Development, and Mr. Steven Budd, President of CityWide Development Corporation, along with representatives from CityWide Development Corporation, were the presenters.

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

Economic Development - Update

Mr. Weber stated the Policy Objective: “To foster a viable, sustainable, and healthy urban community by providing quality amenities, economic opportunities, and affordable housing options”.

He said there are four major components involved with the 2016 Work Plan:

- 1) Strengthen Dayton’s business climate by building and maintaining relationships with companies and business owners through (Business Engagement, Community Events, and Staff and City Leadership Networking).
- 2) Grow Dayton’s economy by creating and retaining jobs while leveraging private investment through (Development Fund Project Based Assistance, Leveraging ED/GE funds, DEAP, State and Federal grants or services, and PACE, Historic Tax Credits, CRA, EZ, and TIF).
- 3) Increase entrepreneurial and small business development through small business advocate and entrepreneurial network participation.
- 4) Facilitate construction by providing timely technical assistance and reviews of zoning applications and building permits through business friendly practices/services.

Mr. Weber briefly highlighted upcoming projects to include: STP Products Manufacturing Company, Home Avenue/Wright Brothers Hangars, CODE Credit Union, Dayton Children’s Hospital, 210 Wayne Weustoff & Getz, Mahle-Behr, DELCO, McCalls and Radio Road. He said they are on schedule with the various projects.

Planning and Community Development - Update

Mr. Sorrell said there are six major components involved with the 2016 Work Plan:

- 1) Customer Service: Provide excellent staff work, with a focus on quality urban design principles.
- 2) Target resources to maximize impact in strategic neighborhoods.
- 3) The Prison Peer Mediation was launched and inmate mediators have been trained. This is the first formal peer mediation process in the State of Ohio.
- 4) Removal of blighted and fire damaged properties.
- 5) Actively support City of Learners initiative.
- 6) Incent renovation of blighted properties through (Lot Links, Owner Occupied Rehab Program, Foreclosure-Rehabilitation Program and CRA Districts).

Mr. Sorrell identified and highlighted the various collaboration efforts to provide services to the neighborhoods.

CityWide Development Corporation – Update

Mr. Budd spoke briefly about CityWide Development Corporation's focus areas and Community Development projects.

Ms. Karen DeMasi highlighted the progress of various projects:

- Choice Neighborhood Implementation Underway (areas included Edgemont, Miami Chapel, Madden Hills, and Pineview)
- West Library/NAHA Development (a lot of organizing in Westwood and Residence Park areas)
- West Dayton Infrastructure Analysis areas highlighted
- Wright Dunbar, Inc. (New lease with Pelican Technology that will add eight additional jobs by mid-2017, and predevelopment drawing in final stages for Marietta Flats)
- CityWide received a Technical Assistance Grant from the U.S. Treasury to further develop the Certified Development Financial Institute.
- Phoenix and Salem and Catalpa Gateway Expansion is under construction
- Troy Street Mural is completed

Mr. John Gower highlighted Downtown Mixed Residential Development:

- South Main Street Corridor – The Nine (advance design/development for the nine blocks surrounding Dave Hall Plaza, Levitt Pavilion – design moving forward, Arcade Creative Mixed-Use Housing Project – is advancing and Center City Building – application submitted requesting \$5M for the purpose of 166 units of market-rate rental residential produce and active street level store front uses).

Mr. Steve Nutt highlighted the progress of Tech Town:

- Leased 10,978 square feet (Tech Town 2)
- Campus is currently 90 percent leased
- Starting to negotiate renewals for 2017/2018
- Second allocation of State Capital Grant (working with two tenants focus on commercialization)

Mr. Nutt said it's important to attract developers, commercialization engines and neighborhood amenities for campus development.

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

The Work Session concluded at 5:35 p.m.