

On Wednesday, January 26, 2022, at 8:29 a.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. He 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 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 D. Blackshear, The City Manager, Ms. Shelley Dickstein, and Miami Valley Interpreters, were also present.

APPROVAL OF MINUTES

Commissioner Joseph made a motion to approve the minutes from the January 19, 2022, meeting. Commissioner Shaw seconded the motion. The previous meeting minutes were unanimously approved.

COMMUNICATIONS AND PETITIONS

Communication #21648

Handout from Gregory T. Ackerman at the January 19, 2022, Commission Meeting

Communication #21649

Handout from Allyson Youngblood at the January 19, 2022, Commission Meeting.

SPECIAL AWARDS/PRESENTATIONS

There were no special awards or presentations.

ADDITIONS OR DELETIONS TO THE CALENDAR

There were no additions or deletions to the calendar.

DISCUSSION OF CALENDAR ITEMS

Calendar Item No. 4. Bladecutter's Lawn Service-Award of Contract and Calendar Item No. 5. Bladecutter's Lawn Service Inc.-Award of Contract

The City Manager, Ms. Shelley Dickstein, said these contracts which were the lowest bids will be for demolition in Community Development Block Grant (CDBG) and Non-CDBG areas in the City of Dayton.

Commissioner Joseph thanked Ms. Dickstein for her work on these calendar items.

Commissioner Fairchild asked if ARPA funds are involved in these demolitions.

Ms. Dickstein said there are no ARPA funds involved in these contracts

Calendar Item No. 6. C.G. Construction & Utilities, Inc.-Award of Contract

The City Manager, Ms. Shelley Dickstein, said this contract will address the water main improvements which is part of the Master Capital Improvement Plan in the South Park area. She said it will improve system performance of water distribution because it replaces a six-inch pipe with an eight-inch pipe.

Mayor Mims said he is continuously amazed at the pipes with longevity.

Commissioner Joseph asked for a Water briefing and update on the pipes that have been replaced around the City of Dayton.

Ms. Dickstein said the post-World War II pipes are the ones that break quicker than the 1800's because of the differences in material. She said she will provide that briefing.

Commissioner Fairchild commended Ms. Dickstein for her work on these calendar items.

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. Phillips Companies (sand for runways and taxiways as needed through 12/31/24) **\$45,000.00**

FINANCE

B1. Comptech Computer Technologies, Inc. (P0220113) (temporary staffing services as needed through 12/31/22) **\$48,000.00**

FIRE

C1. CHWR, Inc. dba CHW Mechanical Services (P0220449) (heating, ventilation and air conditioning (HVAC) prevention maintenance and repairs as needed through 12/31/24) **60,000.00**

C2. Motorola Solutions, Inc. (Motorola batteries, parts and repair services for various City owned radios) **20,000.00**

PLANNING, NEIGHBORHOODS & DEVELOPMENT

D1. Agold Services, Inc. dba Pro Title USA (property ownership and title reporting services as needed through 12/31/23) **30,000.00**

D2. Comptech Computer Technologies, Inc. (P0220429) (temporary staffing services as needed through 12/31/23) **70,000.00**

D3. Tri-State Paralegal Service LLC (property ownership and title reporting services as needed through 12/31/23) **30,000.00**

POLICE

E1. State of Ohio (Law Enforcement Automated Data Services (L.E.A.D.S.) as needed through 12/31/24) **45,000.00**

PUBLIC WORKS

- F1. Gem City Tools dba Dayton Tool Crib** (tractor and mower parts, supplies and related items as needed through 12/31/22) **20,000.00**
- F2. A-1 Pest & Termite Doctors** (pest control services and related items as needed through 12/31/22) **14,000.00**

WATER

- G1. Allied Builders, Inc.** (fencing products, related items and services as needed through 12/31/22) **25,000.00**
 - G2. CHWR, Inc. dba CHW Mechanical Services (P0220464)** (heating, ventilation and air conditioning (HVAC) preventative maintenance and repairs as needed through 12/31/24) **60,000.00**
 - G3. Allied Builders, Inc. (P0220466)** (fencing products, related items and services as needed through 12/31/22) **100,000.00**
- Depts. of Aviation, Finance, Fire, Planning, Neighborhoods and Development, Police, Public Works and Water.
- Total: \$567,000.00**

- 2. **O&S Associates, Inc. – Service Agreement** – for professional design and construction administrative services for the parking garage at One Stop, 371 West Second Street, Dayton, OH – Department of Public Works/Property Management **\$28,000.00**
(Thru 12/31/24)
- 3. **VentureCom, LLC – Service Agreement** – first amendment to provide support services for the Dayton Mediation Center - Department of Planning, Neighborhoods and Development /Mediation Center **\$65,000.00**
(Thru 1/31/24)

B. Construction Contracts:

- 4. **Bladecutter’s Lawn Service Inc. – Award of Contract** – for Nuisance Abatement Program CDBG Residential Demolition I – 2021 (10% HUD Section 3 Participation Goal/10% HUD Section 3 Participation Achieved - Department of Planning, Neighborhoods and Development/Housing & Inspections **\$684,000.00**
(Thru 12/31/23)
- 5. **Bladecutter’s Lawn Service Inc. – Award of Contract** – for Nuisance Abatement Program Residential Demolition II – 2021 (10% SBE & 10% MBE Participation Goal/10% SBE & MBE Participation Achieved - Department of Planning, Neighborhoods and Development/Housing & Inspections **\$137,600.00**
(Thru 12/31/23)
- 6. **C.G. Construction & Utilities, Inc. – Award of Contract** – for South Park Area Water Main Improvements (15% SBE and 5% MBE Participation Goal/ 15.02% SBE & 5% MBE Participation Achieved – Department of Water/Water Engineering **\$1,678,875.00**
(Thru 10/31/23)

E. Other – Contributions, Etc.:

7. **Michael L. Wright, Inc. & Renita Tuck-Walker, Individually and as Administrator of the Estate of Michael Tuck, Sr. – Legal Settlement –** Part 1 of 2 of legal settlement Case No. 2020-CV-02158– Department of Law/Civil Division **\$300,000.00**

8. **Metlife Assignment Company, Inc. – Legal Settlement-** Part 2 of 2 of legal settlement Case No. 2020-CV-02158 - Department of Law/Civil Division **\$200,000.00**

9. **Montgomery County Solid Waste – Payment of Voucher –** to complete payment of the December 2021 waste disposal invoice which was underestimated by the Division of Waste Collection – Department of Public Works/Waste Collection **\$26,285.61**

CITIZENS’ COMMENTS ON CALENDAR ITEMS

There were no citizens comments on calendar items.

APPROVAL OF CITY MANAGER’S REPORTS

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

LEGISLATION

EMERGENCY RESOLUTION – FIRST READING

Emergency Resolution No. 6629-22- Authorizing the City Manager to Apply for, Accept, and Enter into a Water Pollution Control Loan Fund (“WPCLF”) Supplemental Loan Agreement on Behalf of the City of Dayton, Ohio for the Construction Manager at Risk for the Water Reclamation Anaerobic Digester Project; Designating a Dedicated Repayment Source for the Loan, and Declaring an Emergency.

PUBLIC HEARING

Mayor Mims opened the Public Hearing on the 2022 Annual Appropriations. He asked Ms. Dickstein to proceed. Ms. Dickstein said this is the annual appropriation that is largely reflective of all of those hours of budget hearings or presentations that was made in December. She said the appropriation will be publicized in the Dayton Daily News on February 6, 2022, and will receive a first reading on February 16, 2022, and a second reading on February 23, 2022. She said there is ample time for citizens to bring comments forward with regards to the budget. Ms. Dickstein invited Ms. Diane Shannon, Director of Procurement, Management and Budget, to present.

Ms. Shannon said the appropriation encompasses the 2022 budget for all funds for a total of \$901.4 million (compared to \$671.8M in 2021 original, a 34 percent, or \$230 million increase and \$810.7M in the 2021 final, a 11.2 percent or \$90.7M increase). She said we count ourselves very fortunate that financial performance in 2021 far exceeded our original budget which has provided a stronger base for the future, despite significant financial threats like Work-From-Home options.

Ms. Shannon said in 2021, federal and monetary stimulus bolstered the economy in the form of direct payments to households, the Payroll Protection Program and other funding for small businesses, and supplemental unemployment benefits for individuals, to name a few.

Ms. Shannon said income tax revenues grew at an astonishing 9.0 percent or by \$12.0 million. Total General Fund revenues increased to a lesser degree, namely \$9.8 million or 5.2 percent and we also benefitted from federal CARES support.

Ms. Shannon said enplanements recovered at the Dayton International Airport in 2021, climbing almost 60 percent to 538,000. However, this remains 40 percent lower, or 354,000 fewer enplaned passengers than 2019. Revenues were bolstered by \$6.2 million in CARES proceeds. (Revenues declined \$500k or 1.8 percent).

Ms. Shannon said despite the pandemic, the City's Water Utility experienced modest revenue growth. She said actions implemented by the City Manager in the early days of the pandemic helped us navigate this crisis, such as the hiring freeze, voluntary separation program, and elimination of vacant positions.

Ms. Shannon said with the improvement in 2021 revenues, this allowed us to strategically reinstate important program areas such as Community Engagement, support for Police Reform, a restructuring of the Human Relations Council, and programmatic changes to Recreation with the addition of the new Sports Division.

Ms. Shannon said they reinstated recruit classes for both Police and Fire and restored funding for capital and development. She said these changes occurred late in 2021 and are therefore fully realized in the 2022 budget.

Ms. Shannon said in continuing with the theme of federal funding, in 2021 the City received its largest grant award in its history from the American Rescue Plan Act. The \$138 million award will fund the Dayton Recovery Plan with the goal of disrupting multi-generational poverty, income, and health disparities in our city.

Ms. Shannon said preliminary planning and development of the 2022 budget began way back in July. She said prior to this morning's public hearing and despite the limitations imposed by the pandemic, our public input process for the annual budget has included the City Manager's Revenue Advisors Group, the Community and Neighborhood Development Advisory Board (also known as CNDAB), as well as public access to the proposed budget on the City's financial transparency portal Dayton Open Data. She said please visit www.daytonohio.gov and select Dayton Open Data at the bottom of the page. Ms. Shannon said details for the programmatic or performance side of the budget can be found in the Grey Book on the City's website, on the PMB page. Ms. Shannon said the appropriation will appear in the Dayton Daily News Sunday edition on February 6, 2022.

Ms. Shannon said members of the City Commission along with the City Manager's Office conducted seven community listening sessions to solicit input on the Dayton Recovery Plan. Also, four community sessions were conducted to share the draft plan. The appropriation ordinance reflects the operating and capital budgets as discussed during the two work sessions held in November and December with the City Commission and as reflected in the Grey Book. She said the budget as proposed maintains our commitment to Issue 9-Your Dollars, Your Neighborhood investments in Preschool Promise, neighborhood park upgrades and residential road resurfacing.

Ms. Shannon said changes from the 2022 Budget Resolution passed by this body on December 8, 2022 included: \$2.5M reflecting the year-end transfer for safety improvements to the Centre City building, \$1.7M addition to the Continuum of Care grant to match the Action Plan, \$3.4M in the CDBG non-operating budget reflects a special COVID-19 allocation, \$1.0M for the Convention Facilities Authority reflecting the payment of the City's share of the hotel tax, \$25.2M for the Dayton Recovery Plan reflecting the City's revenue replacement amount for 2020, which are flexible funds, \$14.0M for capital projects related to 2021 year-end transfers, \$2.0M for Wellfield capital projects approved by the Fund Board, \$228.5M in capital and non-operating carryover budget.

CITIZENS' COMMENTS ON THE PUBLIC HEARING

There were no citizens comments on the Public Hearing.

Mayor Mims closed the hearing.

The pleasure of the City Commission is to move forward.

CITIZENS' COMMENTS

Citizens' comments were received from the following:

1. **Mr. Greg Ackerman, 556 Shadowlawn Ave.** – spoke about litigation regarding his home.
2. **Ms. Allyson Youngblood, 111 Livingston Ave.**– spoke about a drug rehabilitation clinic in her neighborhood.

COMMENTS BY THE CITY MANAGER

The City Manager, Ms. Shelley Dickstein, invited Chief Jeff Lykens to remind citizens about the warming centers in the community. Chief Lykens invited Captain Tyler McCoy, Emergency Planner, to update the community on the City's Emergency Operations Plan.

Captain McCoy said the goal is to implement a coordinated response to prevent harm from severe weather conditions. He said the City of Dayton will follow best practices guidelines set in place by Montgomery County EMA, Red Cross, and Public Health Dayton & Montgomery County.

Captain McCoy said the City's Weather Emergency Plan is if the weather is expected to be below ten degrees and or dangerous wind chill temperature index is forecasted, the Emergency Planner will recommend to the City Manager that the Cold Weather Emergency plan is activated. He said when the Cold Weather Emergency Plan is activated, the Emergency Planner disseminates and coordinates with recreation centers, shelters, and outside agencies to ensure the citizens of Dayton are protected from the elements.

Captain McCoy said the response to severe weather will be handled with a tiered system. He said Tier one is to encourage citizens needing assistance to seek shelter with friends and relatives. He said City of Dayton Recreation Centers are available as warming shelters during normal business hours 8:00 am until 9:00 pm. Greater Dayton Recreation Center (GDRC) - 2021 West 3rd Street, Northwest Recreation Center - 1600 Princeton Drive and Lohrey Recreation Center - 2366 Glenarm Avenue.

Captain McCoy said the Tier two is to encourage citizens to seek shelter with friends and relatives, and then Dayton Recreation Centers during the day and area shelters at night. He said for sheltering/warming AFTER the City of Dayton Recreation Centers' normal hours of operation, citizens should be directed to contact their friends and/or family (preferred option) or directed to shelter accordingly: St. Vincent DePaul Shelter Facility: Women and Families- 120 West Apple Street phone number (937) 461-7837 and Men- 1921 S. Gettysburg Ave. phone number (937) 222-7350.

Captain McCoy said Tier three will be implemented with extreme cold temperatures, power outages, and significant number of people needing warming assistance City of Dayton recreation centers will extend operations overnight if extreme cold temperatures below 10°F with a loss of power, area shelters are at their capacity. He said priority will be given to those less than 8 years old or greater than 75 years old.

Captain McCoy said if a City of Dayton Recreation Center is opened overnight, the following staff will be utilized: Recreation and Youth Services to open and operate the facility, Dayton Fire Department (certified EMT) to screen citizens for medical needs and COVID-19 precautions, Dayton Police as needed to assist with operations and security, Red Cross to provide cots and associated supplies, Public Health Dayton & Montgomery County.

Captain McCoy said shelters will follow standard COVID-19 precautions: KN95 masks are available, disinfectant material (wipes, etc.), hand sanitizer and plan for maximizing social distancing as practical.

Commissioner Turner-Sloss welcomed Captain McCoy and thanked him for his presentation. She asked about the availability of the information on the City's website.

Ms. Dickstein said it would be available on all social media.

Commissioner Shaw asked about the free smoke and carbon monoxide detectors.

Captain McCoy said citizens may come to Fire Headquarters at 300 North Main Street to request detectors.

Commissioner Fairchild asked what Tier the City would be on overnight.

Captain McCoy said the City of Dayton would be on Tier two.

COMMENTS BY THE CLERK OF COMMISSION

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

COMMENTS BY THE CITY COMMISSION

Commissioner Turner-Sloss

Commissioner Turner-Sloss thanked the residents of the City of Dayton for coming to the meeting to air their concerns.

Commissioner Turner-Sloss extended condolences to the family and friends of Ms. Annie Bonaparte, Ms. Shirley Martin and Mr. Al Washington. She said they all served the Dayton Community and their leadership and service were truly impactful and monumental.

Commissioner Turner-Sloss wished Mayor Mims a Happy Birthday.

Commissioner Fairchild

Commissioner Fairchild extended condolences to Bishop Marva L. Mitchell’s family and friends.

Commissioner Fairchild congratulated Commissioner Shaw on being appointed to the National League of Cities 2022 Transportation Infrastructure Services Federal Advocacy Committee.

Commissioner Fairchild asked for an update on the Ombudsman office.

Commissioner Fairchild thanked the Fire Department for their presentation on the City of Dayton Emergency Weather Plan. He encouraged citizens to check on their neighbors.

Commissioner Fairchild encouraged citizens to practice selfcare.

Commissioner Shaw

Commissioner Shaw thanked Ms. Dickstein and the Fire Chief for their efforts on recruitment to the Dayton Fire Department.

Commissioner Joseph extended condolences to all of the family and friends of citizens lost recently.

Mayor Mims

Mayor Mims encouraged citizens to check on their neighbors.

ADJOURNMENT

There being no further business the meeting was adjourned at 9:17 a.m.

Jeffrey J. Mims, Jr.
Mayor

Attest: _____
Clerk of Commission