

On Wednesday, April 26, 2023, at 8:30 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.

INVOCATION

Commissioner Fairchild 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 April 12, 2023, meeting. Commissioner Fairchild seconded the motion. The previous meeting minutes were unanimously approved.

COMMUNICATIONS AND PETITIONS

There were no communications or petitions

SPECIAL AWARDS/PRESENTATIONS

There were no 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. 1. Sub-Item D1. Madden Fabrication-Purchase Order

The City Manager, Ms. Shelley Dickstein, invited Major John Hall, Dayton Police Department, Ms. Hillary Browning, Budget and Grant Supervisor, Planning Neighborhoods and Development, Tom Ritchie, Deputy Director, Public Works, and Ms. Sandra Gudorf, President, Downtown Dayton Partnership to the podium for a community update.

Major Hall said the Portland Loo is a safe and hygienic facility that is vital to the health, safety and appearance of a community. He said lack of restroom facilities may lead to health and safety concerns, and public defecation is a nuisance to the public and the Downtown Ambassadors cleaning the waste. Major Hall said before the emergence of COVID-19, multiple commercial buildings, restaurants, and shops provided access to public amenities, but as businesses closed and/or went to a remote model, many of these public spaces and restrooms have remained shuttered and inaccessible.

Major Hall said community meetings were held throughout 2022 in July, August, October and November to discuss issues of homelessness and public defecation in Downtown Dayton. He said the group identified feasible actions that could be taken to improve the situation for both individuals and the businesses in downtown. Major Hall said one of the proposals was to install public restrooms that would be free and accessible for all to use.

Major Hall said the Dayton Police Department said the criteria for public restroom is that it is easily accessible by foot, proximity to areas of need to encourage use, in the public right of way or close to it, visible and monitored by police from the street, easy to clean and well lit. He said based on the criteria, the Portland Loo was identified as an ideal solution, with a proven track record across the United States and Canada.

Ms. Browning said Portland, Oregon has 28 Portland Loo's with plans to expand. She said they designed the product in 2008. She said they patented the kiosk style restroom in the United States and is currently the sole patent holder. Ms. Browning said Madden Fabrication is in partnership with the City of Portland, Oregon and is the only authorized manufacturer of the Portland Loo.

Ms. Browning said an Implementation Team was convened by the City Manager to research the Portland Loo solution, identify a funding source, propose locations and to develop an implementation plan. She said the Loo's have been installed in more than 200 cities across the United States, Canada, and New Zealand. The City of Columbus has three Portland Loo sites under construction. She said city staff conducted research on best practices and hosted teleconferences with staff in the cities of Grand Rapids and Columbus and based on this research, the Implementation Team identified installation considerations such as: access to city utilities, ability to tie into existent water and sewer infrastructure, ease of utility metering for water and electricity, conflicts with existing businesses and the risk of run-off to the storm system.

Ms. Browning said in addition to standard features, the City of Dayton's proposed Loos will have a baby changing station, hand sanitizer, trash bin and a sharps collection device inside. She said on the exterior, each kiosk will have an inset handwashing station. Ms. Browning said \$46,500 is budgeted for labor and installation costs, such as water, sewer and electric infrastructure and annual operating costs are estimated to be \$12,000-\$15,000 for both, based on manufacturer estimates and Grand Rapids' operating costs.

Major Hall said the operations and maintenance will be a collaborative effort between the City of Dayton and the Downtown Dayton Partnership. He said Public Works will provide supplies, toilet paper, sanitizer, and ongoing maintenance. He said the Downtown Dayton Partnership Ambassadors will provide daily cleaning services when on duty and the Dayton Police will monitor and patrol the units.

Major Hall said standard fabrication time is four to six months for both units and is projected to be installed Fall 2023 by both Public Works and the Water Department and will be operational

late Fall 2023 or early 2024.

Ms. Gudorf said the ambassador's program will clean the Loo's daily and check on them regularly when they do their rounds.

Mayor Mims asked Ms. Gudorf about the work the Downtown Dayton Partnership Ambassadors perform.

Ms. Gudorf said they are on the streets six days a week and at peak seasons April through October, seven days a week. She said they clean an average of 80 graffiti tags per month and they serve as goodwill ambassadors and have a 91 percent approval rating with businesses and property owners.

Commissioner Turner-Sloss thanked staff for their presentation and asked about current facilities to address this issue.

Ms. Browning said they looked at current facilities and their operating times. She said both locations are on well trafficked routes.

Commissioner Turner-Sloss asked if Public Works would be able to handle the maintenance of the Portland Loo's because of staff shortages.

Mr. Ritchie said they would be able to maintenance the facilities and they would stock the supplies for the Portland Loos.

Commissioner Turner-Sloss asked if there are maintenance costs associated with the purchase of the Portland Loos.

Ms. Browning said there is no maintenance costs associated with the Portland Loos once the delivery takes place.

Commissioner Joseph asked about the cleaning schedule for the Portland Loos.

Ms. Gudorf said the Ambassadors have regular routes and cleaning throughout the day.

Calendar Item No. 2. Dillin, LLC – Service Agreement

The City Manager, Ms. Shelley Dickstein, said the agreement is for professional real estate development consulting services for the Wright Factory site and will allow a master development plan for the site.

Calendar Item No. 5. Turn-Key Environmental Consultants, Inc. – Service Agreement

The City Manager, Ms. Shelley Dickstein, said the agreement is part of the Dayton Recovery Plan and is for completion of an asbestos survey for 500 structures that will be demolished.

Commissioner Turner-Sloss said this company is a minority business assistance center ambassador. She said they are awarding minority businesses who are doing business with the City of Dayton.

Commissioner Turner-Sloss said she is relating a current issue to this calendar item which is not on the calendar for this week. She said the Human Relations Council has served as the host for the Dayton Regional Minority Business Assistance Center for over 45 years. There has been a new state requirement under the new grant structure for years 2024 and 2025. The grant cycle is essentially increasing the City's 25 percent match and is also adding two new additional positions. The two new positions are the Certification Specialist and a Financial Advisor.

Commissioner Turner-Sloss said Mayor Mims and Commissioners Joseph and Shaw have opted to essentially leave money on the table. They decided not to apply for the grant for MBAC which is a disservice to minority businesses. She said she wants to highlight that point because again it is imperative if they are pushing and encouraging small and minority businesses to participate in the Procurement Enhancement Program (PEP). She said they need to hold true to that obligation and commitment and how do they do so they don't leave money on the table.

Commissioner Turner-Sloss said the state is preparing to provide a 75 percent where there's a 25 percent match from the City of Dayton. She said they have made obligations in other areas. Case in point they are spending \$334,000 for Portland Loos. She said they spent another \$2M recently for the Dayton Arcade. She said it's time that they make sure that they put their money where their mouth is. She said she is asking that her colleagues reconsider their position and move forward with option one which is a tier two application for the MBAC program.

Commissioner Turner-Sloss said they have been doing this for 45 years. She said she wanted to be clear and debunk any negative narratives that may be going around to say that it is not under the City of Dayton's obligation to commit for overseeing 12 counties. She said they have been doing it for 45 years and is also the jurisdiction in the geographical area that has been designated by the state. Commissioner Turner-Sloss said those are the same geographical areas in which they are prescribed to, under the Procurement Enhancement Program (PEP), if in fact they are encouraging members in this community, the small minority businesses, to participate in the Procurement Enhancement Program (PEP), they need to hold true and make sure that they have all of those services provided under one entity and that is the Human Relations Council. She said she is urging her colleagues to reconsider their position.

Commissioner Fairchild asked about an update of where they are in the process and how they made the decision for the MBAC program.

Mayor Mims invited Ms. Verletta Jackson, Chief of Staff for the City Commission Office, to the podium for clarification.

Ms. Jackson said there were briefings with the Mayor and each Commissioner along with Ms. Fields and Mr. Cato Mayberry of the Human Relations Council. She said Ms. Fields explained each option. Ms. Jackson said the application is a 30-day process with a deadline of Friday, April 28, 2023, at 3:00 p.m. She said each commission member gave her a response as to their pleasure to apply for the grant and which option they would prefer. She said the consensus was for Ms. Fields not to apply for the grant.

Commissioner Fairchild said he feels uncomfortable because it has an appearance of a vote by email. He asked about the input about the grant and if it was a three-two not to apply for the grant. He said they are way out of line of where open meeting rules require them to do public business in public. Commissioner Fairchild said the vote impacts the current budget and employment and it impacts relationships with over 500 business partners. He asked if they were going to have a special session between now and Friday to hold a public meeting to take a vote and adhere by the law.

Ms. Dickstein said she understands his question and need to ask the Law Department if that is necessary. She said there is a concern with regards to the Open Records Act and she would get the information to the commission later that day.

Commissioner Fairchild said that would be helpful. He asked if there was a value of the business book that MBAC keeps. He said it appears they are deciding to give away a valuable asset of the City of Dayton.

Commissioner Shaw said the Dayton Area Chamber of Commerce has those same relationships with businesses.

Commissioner Fairchild asked if they have made attempts to reach out to the other entities involved.

Mayor Mims said they have no control over the other counties. He said the State of Ohio is not going to be funding these additional functions therefore, they are looking at how they can support this effort themselves. He said dealing with the 12 counties has not been beneficial for them and the Dayton Area Chamber of Commerce is prepared to adopt the process and will continue to partner with the City of Dayton and continue to allow them to raise funds which will strengthen minority businesses.

Commissioner Fairchild asked how much they are contributing to the Dayton Area Chamber of Commerce to have a say with the MBAC Program.

Commissioner Shaw said they are utilizing the minority business partnership through the Dayton Area Chamber of Commerce already and they are represented on the Human Relations Council Board currently. He said this is an appropriate place to house MBAC and allows them to concentrate on what they need to concentrate on.

Commissioner Fairchild said they typically listen to their content experts, and he wanted to know why they are going against the recommendation of the executive director.

Mayor Mims said they already shared that information.

Commissioner Turner-Sloss said she didn't get the information as to why they are not taking the recommendation of the executive director of the Human Relations Council. She said they are taking the recommendation of the City Manager which was never a part of the original options.

Mayor Mims said the state has reduced funding and currently based on a situation where they are looking at 12 counties because they are not getting those additional dollars. He said they felt it would be better to work with the Dayton Area Chamber of Commerce and they would take on the additional responsibility as well as support them as they focus primarily on those citizens and minority businesses here in Dayton.

Commissioner Turner-Sloss said they do not have the commitment from the Dayton Area Chamber of Commerce because they were waiting on a response from the City of Dayton. She said they usually apply for the free money and in this instance, they are not willing to apply for the grant.

Mayor Mims said they are going to move forward. They have given explanation of why they are doing what they are doing.

Commissioner Fairchild said they are making decisions without public input and without the businesses in the community who will be impacted.

Ms. Dickstein suggested a recess a brief recess to get organized and to satisfy concerns.

Commissioner Turner-Sloss thanked Ms. Dickstein for her suggestion but she said she respectfully declined. She said they need to continue the discussion.

Mayor Mims convened into recess at 9:31 a.m.

Mayor Mims reconvened the meeting at 10:26 a.m.

Mayor Mims said they would share the information they received and deliberated on with the public. He invited Ms. Jackson back to the podium for clarification.

Commissioner Turner-Sloss asked if she could present the proposal from the document that Ms. Fields presented.

Ms. Jackson gave an overview of the options she received.

Commissioner Turner-Sloss read options from the original document from Ms. Fields. She said 12 counties that Dayton serviced of which 66 percent of state certified companies are within Montgomery County and 50 percent are in the City of Dayton. She said there will be a gap for funding to help meet that \$200,000 per year in which the executive director has committed to raising the funds for that Gap.

Mayor Mims asked if that is her choice.

Commissioner Turner-Sloss said she is supporting the recommendation of the Executive Director, Ms. Erica Fields, and the Regional Director Mr. Cato Mayberry applying for the Tier Two, Option One which they have been hosting for 45 years.

Commissioner Fairchild said the process has not been adequate to all of their business partners and doesn't fit the value of transparency. He asked about the recommendation of executive director.

Ms. Jackson said these are the recommendations. She said it was listed as priorities from the executive director of the Human Relations Council. Ms. Jackson said applying is not new, the state changed their process with a window of 30 days for the application.

Commissioner Turner-Sloss said Ms. Fields only submitted two recommendations. She said the third recommendation came from the City Manager, Ms. Dickstein.

Commissioner Fairchild asked about the amount of the gap funding.

Commissioner Turner-Sloss explained that Ms. Fields factored in the ability to raise additional funds in order to close the gap.

Commissioner Fairchild said letting the MBAC go to the Dayton Area Chamber of Commerce puts them in a weaker position because they will lose the business relationships they have. He said he doesn't know if the Chamber has agreed to take the current staff and the City of Dayton won't be able to rehire them because they won't have the same amount of funds available.

Commissioner Fairchild said the Human Relations Council exist because racism and the legacy of racism continues. He said it was created to address inequities in housing, employment, and business opportunities, access to capital and finance. He said that is not the mission of the Dayton Area Chamber of Commerce. Commissioner Fairchild said to move an organization that is aligned with the mission of inclusion and addressing the legacy of racism to an organization that doesn't have that same history and understanding is not the same. He said it goes back to the commitment in 2019, when they adopted the declaration on racism being a public health crisis and that they would make every decision through an anti-racism

lens and when you put this decision under an anti-racism lens it completely fails. Commissioner Fairchild said his preference is to follow the recommendation of the executive director for option one tier two.

Commissioner Shaw said his preference is for option three because it strengthens the hand of the Human Relations Council and strengthens the compliance component which has been lacking. He said racism is a problem and an issue and should be at the forefront and is. He said he doesn't think it will change it will just be housed differently.

Commissioner Joseph said there was a time when the City of Dayton was responsible to pave Far Hills neighborhood in Oakwood, Ohio. He said they were doing it because it had always been done that way. He said when he looks at this situation, he asked will citizens still be served and still have the same opportunities. He said option three will still afford those same opportunities and extra funding for other opportunities.

Mayor Mims said his conversations and growth in the business community gives him confidence that they will be able to reorganize and do the things they need to do with the Human Relations Council with option three.

Commissioner Turner-Sloss said they failed to mention the lack of the compliance under section 35.43 of Revised Code of General Ordinances for Human Relations Council to develop and implement the outreach and technical assistance programs under MBAC.

Calendar Item No. 6. John R. Jurgensen Co. – Award of Contract and Calendar Item No. 7. John R. Jurgensen Co. – Award of Contract

The City Manager, Ms. Shelley Dickstein, said the contracts are related to the resurfacing investment in the City of Dayton. She invited Mr. David Escobar, Chief Engineer, Public Works.

Mr. Escobar said "Your Dollar Your Neighborhood" began in January 2017 and began because of an earned income tax increase that was passed in November 2016. He said it was a quarter percent increase on income tax that allowed them to do more paving that expires in 2024.

Mr. Escobar said the goal of the program is to increase residential Paving Condition Index (PCI) from 49.6 to 70 and to complete 55 to 60 lane miles per year. He said year to date they have completed 39 percent of residential network has been completed.

Mayor Mims asked him to explain lane miles.

Mr. Escobar said it's how many miles of road that is paved in one lane. He said the average lane mile is 11 feet in width and 5,280 feet lengthwise.

Mr. Escobar said the resurfacing budget the majority was spent in residential resurfacing and now more is being spent on capital projects like reconstruction for Salem, Smithville, and Wayne Avenues.

Mr. Escobar said from 2017 until 2022 they have paved 351 residential lane miles which equates to \$40M. He said in the 65 neighborhoods they have made a large dent in residential resurfacing. He said in 2023 they will resurface 70 residential lane miles at a cost of \$6.9M and will target 28 neighborhoods.

Mr. Escobar said the PCI for residential streets in 2017 was at 50, in 2020 it was at 56 and in 2022 68 of actual miles rated by the vendor Transmap.

Commissioner Joseph asked how they determine the measurements.

Mr. Escobar said it's based on the deterioration in the pavement caused by deficiencies within the pavement.

Commissioner Turner-Sloss asked about the neighborhoods that will be resurfaced for this calendar which are Five Oaks, Westwood, Dayton View, Triangle, Edgemont, Fair Lane, Fairview, Hillcrest, McPherson, Miami Chapel, and Resident Park.

Mr. Escobar said that was correct and more had been submitted on a prior calendar. He said in addition there will be a residential paving brochure placed on the website soon.

Commissioner Fairchild asked about the life span of asphalt.

Mr. Escobar said it depends on the section if it is a throughfare 15 to 20 years and residential is 25 to 30 years.

Calendar Items No. 11. Dayton Power and Light dba AES Corporation-Legal Settlement

Commissioner Turner-Sloss asked about the three-year period for the \$3M and the two items which came out of the settlement. She asked about the assistance to low- and moderate-income families for the weatherization program and bill payment assistance and about the RFP that would go to the weatherization program.

Ms. Dickstein said the settlement negotiation for the Public Utilities Commission of Ohio (PUCO) case rate where they were raising rates on residential and businesses. She said these were basically large sums and the targets, with regards to how that funding gets distributed, we don't have all the operating details. She said the \$2M is for low-income assistance and will be operated by third parties because the City of Dayton doesn't have that structure within the organization. She said there will be a selection process to choose the third party.

Commissioner Turner-Sloss asked if they could be updated before moving forward to the final decision to have an opportunity to educate and inform the public.

Emergency Ordinance No. 32036-23- Amending Section 32.13 of the City of Dayton Revised Code of General Ordinances to Adjust Residency Requirements for Human Relations Council Board Members,

Commissioner Turner-Sloss said she is uplifting the work of Ms. Torey Hollingworth, and Ms. Erica Fields, Executive Director of the Human Relations Council for their work on the language making sure they are still identifying the need for residents as members of the Human Relations Council Board. She said there will still be seven residents of the City of Dayton and three members of the community at large.

Emergency Ordinance No. 32035-23- Authorizing an Amended and Restated Cooperative Tax Increment Financing Agreement, a Tax Lien Agreement, Declarations of Covenants and Conditions Relative to Minimum Service Payment Obligations and Other Matters, Together with Amendments Thereto, as Agreements with the City Pursuant to Ohio Revised Code Section 5709.91

Commissioner Turner-Sloss asked about the changes made and why a first and second reading.

Ms. Dickstein said the ordinance is related to the Delco Tiff Structure CRA Tiff and further defines the waterfall for the minimum service payment obligations that is on the developer which needs to be defined in order for them to successfully close on the financing of the project.

REPORTS

1. Purchase Orders, Agreements and Contracts:

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

FIRE

A1. Howell Rescue Systems, Inc. (three Genesis E-Force combination tools and accessories) **\$42,660.00**

HUMAN RESOURCES

B1. 4 Imprint, Inc. (coolers and other give-a-way items as needed through 12/31/25) **\$119,805.96**

INFORMATION TECHNOLOGY

C1. CDW Government, Inc. (Cisco DUO multi-factor authentication, subscription licenses and technical support) **111,986.00**

C2. Kronos, Inc. (Kronos time clocks and standard twelve (12) month exchange support services) **162,712.80**

PLANNING, NEIGHBORHOODS AND DEVELOPMENT

D1. Madden Fabrication (two Portland Loo's) **334,150.00**

POLICE

E1. Dell Marketing LP (laptop computers and accessories) **12,733.84**

PUBLIC WORKS

F1. Koorsen Fire and Security (inspection and servicing of fire extinguishers) **10,000.00**

F2. Lawn Innovations LLC (landscaping and lawn services as needed through 12/31/26) **195,000.00**

F3. Baldwin & Sours, Inc. (sixty (60) bus interface units) **14,160.00**

WATER

G1. Feldman Ford LLC (three all-electric pickup trucks) **191,955.00**

G2. United Training Commercial LLC dba United Training (unlimited online IT training) **13,980.00**

G3. Azima DLI LLC (vibration analyzer service, support and parts as needed through 12/31/26) **48,000.00**

G4. Centerville Landscaping, Inc. (lawn maintenance and related services as needed through 12/31/27) **110,000.00**

G5. Kendall Electric, Inc. – P0230904 - (two 150 KVA Square D Transformers) **65,965.00**

G6. Kendall Electric, Inc. – P0230905 - (one Howard 150 KVA Compact Transformer) **36,604.00**

G7. Ferguson Waterworks dba Pollardwater (plumbing and related supplies as needed through 12/31/23) **11,000.00**

G8. Pickrel Brothers, Inc. (plumbing and related supplies as needed through 12/31/23) **88,000.00**

G9. Xylem Water Solutions USA, Inc. (New Flygt submersible pump) **39,678.00**

-Depts of Fire, Human Resources, Information Technology, Planning, Neighborhoods and Development, Police, Public Works, and Water.

Total: \$1,608,390.60

2. **Dillin, LLC – Service Agreement** – for professional real estate development consulting services at the Wright Factory Sight – Department of Planning, Neighborhoods and Development/Development.

\$280,000.00
(Thru 12/31/23)

3. **Moonlight Security Inc. – Contract Modification** – second amendment to continue to provide one unarmed security officer at the Cargo Road entrance gate and an additional unarmed security officer to patrol Front Drive at the Dayton International Airport - Department of Aviation/AP Police.

\$117,596.20
(Thru 12/31/23)

4. **Proficient Information Technologies Inc. – Service Agreement** – to provide technology consulting services related to the service and maintenance of the City’s current software database, Accela - Department of Planning, Neighborhoods and Development/Building Services.

\$40,000.00
(Thru 12/31/25)

5. **Turn-Key Environmental Consultants, Inc. – Service Agreement** – Dayton Recovery Plan – to complete asbestos surveys in 500 structures slated for demolition – Department of Planning, Neighborhoods and Development/Director’s Office.

\$519,750.00
(Thru 03/31/26)

B. Construction Contracts:

6. **John R. Jurgensen Co. – Award of Contract** –2023 CDBG Asphalt Resurfacing (25% HUD Section 3 Worker Labor Hours and 5% Targeted Worker Labor Hours Participation Goal) (25% HUD Section 3 Worker Labor Hours and 5% Targeted Worker Labor Hours Participation Achieved) (Federal CDBG Funds) – Department of Public Works/Civil Engineering.

\$2,383,000.00
(Thru 10/27/25)

7. **John R. Jurgensen Co. – Award of Contract** –2023 Residential Asphalt Resurfacing II Rebid (10% SBE Participation Goal/10.14% SBE Participation Achieved) (5% MBE Participation Goal/5% MBE Participation Achieved) and (5% WBE Participation Goal/5% WBE Participation Achieved) - Department of Public Works/Civil Engineering.

\$2,835,308.30
(Thru 10/27/25)

8. **Outdoor Enterprise, LLC – Award of Contract** – Xenia Avenue Bike Lanes Rebid (5% DBE Participation Goal/5% DBE Participation Achieved) (Federal Transportation Alternatives Funds) - Department of Public Works/Civil Engineering. **\$521,697.50**
(Thru 09/08/25)

9. **Schindler Elevator Corporation – Award of Contract** – City Hall Freight Elevator Modernization (7% MBE Participation Goal/7% MBE Participation Achieved - Department of Public Works/Property Management. **\$1,049,195.00**
(Thru 12/31/26)

E. Other – Contributions, etc.:

10. **The Ohio State University – Other** – Memorandum of Understanding to install native tree seedlings for research on city parks and along vacant lots at the right of way – City Manager’s Office. **N/A**

11. **Dayton Power and Light dba AES Corporation – Legal Settlement** – 2023 Settlement – Case No. 22-900-EL-SSO – City Manager’s Office. **N/A**

CITIZENS’ COMMENTS ON CALENDAR ITEMS:

There were no citizen comments on calendar items.

APPROVAL OF CITY MANAGER’S REPORTS

Commissioner Shaw made the motion to approve the City Manager’s Reports. Commissioner Joseph 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 ORDINANCE – FIRST AND SECOND READING

Emergency Ordinance No. 32035-23- Authorizing an Amended and Restated Cooperative Tax Increment Financing Agreement, a Tax Lien Agreement, Declarations of Covenants and Conditions Relative to Minimum Service Payment Obligations and Other Matters, Together with Amendments Thereto, as Agreements with the City Pursuant to Ohio Revised Code Section 5709.91, and Declaring an Emergency.

Commissioner Joseph moved that this being an emergency measure for the immediate consideration of the Ordinance. Commissioner Shaw seconded the motion. The motion was passed with a 4-1-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw and Fairchild. Commissioner Turner-Sloss voted no. The question being shall Emergency Ordinance No. 32035-23 be passed. A roll call vote was taken resulting in a 4-1-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild. Commissioner Turner-Sloss voted no. The Emergency Ordinance was passed.

EMERGENCY ORDINANCE – FIRST READING

Emergency Ordinance No. 32036-23- Amending Section 32.13 of the City of Dayton Revised Code of General Ordinances to Adjust Residency Requirements for Human Relations Council Board Members, and Declaring an Emergency.

Commissioner Shaw 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 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss.

EMERGENCY RESOLUTIONS – FIRST READING

Emergency Resolution No. 6716-23- Approving the Submission of a Grant Application for the Fiscal Year 2024 Ohio Airport Grant Program to the Ohio Department of Transportation, Office of Aviation; Authorizing the Acceptance of a Grant from the State of Ohio Department of Transportation, Office of Aviation in an Amount Not to Exceed Seven Hundred Fifty Thousand Dollars and Zero Cents (\$750,000.00) 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.

Emergency Resolution No. 6717-23- Authorizing the Acceptance of the Fiscal Year 2021 Fire Prevention and Safety Grant in the Amount of Seventy-One Thousand Eight Hundred Eleven Dollars and Fourteen Cents (\$71,811.14) from the Federal Emergency Management Agency (“FEMA”), and Authorizing the Required Matching Funds in the Amount of Three Thousand Five Hundred Ninety Dollars and Fifty-Six Cents (\$3,590.56), and Declaring an Emergency.

Commissioner Fairchild moved that this being an emergency measure for the immediate consideration of the Resolution. Commissioner Shaw seconded the motion. The motion was passed with a 5-0 vote.

ORDINANCE – FIRST READING

Ordinance No. 32037-23- Consenting to the Bridge Repair at Two Locations within the City of Dayton MOT-444-0023L, SFN 5709938 and MOT-4-2199, SFN 5701082, and Agreeing to Cooperate in Matters Incidental Thereto, Including the Execution of an Agreement Necessary to Implement this Ordinance.

RESOLUTIONS – FIRST READING

Resolution No. 6718-23- Authorizing the Acceptance of Equipment from the Montgomery County Office of Emergency Management on Behalf of the City of Dayton.

Resolution No. 6719-23- Authorizing the Acceptance of a Grant Award from the State of Ohio, Department of Public Safety, Ohio Emergency Management Agency in the Amount of Three Hundred Eighty-Eight Thousand Five Hundred Seventy-One Dollars and Forty-One Cents (\$388,571.41) on Behalf of the City of Dayton.

Resolution No. 6720-23- Authorizing the Acceptance of Equipment from the Montgomery County Office of Emergency Management on Behalf of the City of Dayton.

Resolution No. 6718-23- Declaring the Intention of the Commission to Vacate the Alley South of Valley Street From Valley Street to the South Property Line of Parcel R72 05108-0007.

RESOLUTION – SECOND READING

Resolution No. 6715-23-Authorizing the City Manager, or Her Designee, to Apply for, Accept, and Execute Water Supply Revolving Loan Account Funding Agreements Administered by the State of Ohio on Behalf of the City of Dayton, Ohio for (1) Expansion of the Miami Well Field Recharge Lagoon Phase A-Construction (2) 36” Raw Water Main within the Miami Well Field Phase A- Construction, (3) Expansion of Dayton’s Central Water Quality Laboratory – Design, (4) 48” Raw Water Interconnect – Design, (5) Fate and Transport Study to Determine Optimum Production Well Locations – Planning, (6) Installation of 4 Production Water Well at the Miami Well Field – Construction, (7) Monitoring Wells at Mad River Well Field – Construction, (8) Raw Water Lines at Intersection of Needmore and Wagner Ford Roads – Construction, and (9) Lead Service Lines Phases B and C – Planning and Designating a Dedicated Repayment Source for the Loans.

The question being shall Resolution No. 6715-23 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.

BOARD APPOINTMENTS

Commissioner Joseph made a motion to reappoint Hunt Brown, Bonnie Kling and Alexis Larsen, to the Dayton Sister Cities Committee for a term ending December 31, 2025.

Commissioner Turner-Sloss seconded the motion. The motion was unanimously approved.

Commissioner Fairchild made a motion to reappoint Toni Riccuto and Thomas Sisfa, Sr. to the Dayton Sister Cities Committee for a term ending December 31, 2025. Commissioner Shaw seconded the motion. The motion was unanimously approved.

Commissioner Turner-Sloss made a motion to reappoint Ed Dixon, Carolyn Rice and Lori Simms-Parks to the Dayton Sister Cities Committee for a term ending December 31, 2025. Commissioner Joseph seconded the motion. The motion was unanimously approved.

Commissioner Shaw made a motion to appoint Malcom Keith to the Preschool Promise Board for a term ending December 31, 2024. Commissioner Fairchild seconded the motion. The motion was unanimously approved.

CITIZENS’ COMMENTS

Citizen comments were received from the following:

1. **Mr. Marcus Bedinger, 143 N. Woodward** – spoke in support of the Minority Business Assistance Center (MBAC) remaining under the direction of the Human Relations Council.
2. **Ms. Jo Love, No Address** – spoke in support of the Minority Business Assistance Center (MBAC) remaining under the direction of the Human Relations Council.
3. **Ms. Curtis Johnson, 220 Lorenz Ave.** - spoke in support of the Minority Business Assistance Center (MBAC) remaining under the direction of the Human Relations Council.
4. **Mr. George Tuck, 1003 N. Gettysburg Ave.** - spoke in support of the Minority Business Assistance Center (MBAC) remaining under the direction of the Human Relations Council.

COMMENTS BY THE CLERK OF COMMISSION

The Clerk of Commission, Ms. Regina Blackshear, said the Work Session regarding the 2024 Budget process will take place immediately following the meeting.

COMMENTS BY THE ACTING CITY MANAGER

The City Manager, Ms. Shelley Dickstein, asked if the City Commission wanted to hold the Budget Work Session after the City Commission meeting since the commission meeting ran over.

The City Commission said they would proceed with the Budget Work Session.

COMMENTS BY THE CITY COMMISSION

Commissioner Turner-Sloss

Commissioner Turner-Sloss thanked citizens and business leaders for their attendance at the meeting.

Commissioner Turner-Sloss highlighted the community event on the electoral process at College Hill Church on Thursday, May 4, 2023, from 5:30 p.m. until 7:00 p.m.

Commissioner Turner-Sloss expressed condolences to the family of Ms. Annie E. Bonaparte, Community Leader.

Commissioner Turner-Sloss highlighted a community service area regarding an economic and community development priority. She said she will continue to educate the public to the best of her ability, but they cannot continue to say that the City of Dayton is thriving and developing when they are third in poverty, fifth in homicides, have over 11,000 blighted structures and many of the 65 neighborhoods are in deplorable conditions. She said the rest is up to the voters who have an opportunity to make sure their voices are heard.

Commissioner Fairchild

Commissioner Fairchild thanked citizens for their attendance at today's meeting.

Commissioner Fairchild said thanked staff and volunteers for their work on the Living City Project.

Commissioner Fairchild thanked Sergeant McGill and Officer James West, Dayton Police Department, for hosing his ride-along

Commissioner Fairchild encouraged citizen to participate in the Rebuilding Together Dayton in the Caroline, Edgemont and Miami Chapple neighborhoods.

Commissioner Joseph

Commissioner Joseph thanked staff and volunteers for the Living City Project for work in cleaning the city last weekend.

Mayor Mims

Mayor Mims thanked everyone for their thoughts, ideas, and comments at the City Commission meeting.

Mayor Mims thanked staff and volunteers for the Living City Project for work in cleaning the city last weekend.

Mayor Mims highlighted his attendance at the Neighborhood Presidents Forum.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:28 a.m.

Jeffrey J. Mims, Jr.
Mayor

Attest: _____
Clerk of Commission