

On Wednesday, May 31, 2023, at 6:00 p.m., the Dayton City Commission met in regular session in the Commission Chambers of City Hall.

CALL TO ORDER

Mayor Mims called the meeting to order.

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 Blackshear, and the Acting City Manager, Mr. Joe Parlette were also present.

APPROVAL OF MINUTES

Commissioner Shaw made a motion to approve the minutes from the May 24, 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

Property Tax Collection - Montgomery County Treasurer (John McManus)

Mr. McManus spoke on Depositor Foreclosure and Expedited Foreclosure and how communities can utilize those processes to help remedy the issue of neglected and blighted properties.

Mr. McManus presented a chart with the total collection of property taxes within Montgomery County from 2019-2022 and a pie chart representing how funds are distributed. Mr. McManus also shared a chart that illustrated that there has been a significant increase in delinquent tax collections in 2022 and over \$45 Million was collected. Paying off delinquent balances can happen in several ways, including simply paying off the balance in full, payment plans, tax liens, or foreclosures. Mr. McManus shared a map of all delinquent tax properties in Montgomery County and the City of Dayton. He stated that the treasurer's office has reduced the overall delinquent parcel count in Montgomery County from 28,000 to 17,000 parcels in the past year and a half. In the City of Dayton, there are currently about 11,000 parcels that are tax delinquent.

Mr. McManus stated that since delinquent parcel counts have been reduced, it's at a level where the treasurer's office can become more strategic in helping municipalities with getting their respective constituent's tax current.

Mr. McManus highlighted the Depositor Foreclosure process, where a taxpayer may identify and initiate foreclosure on his or her own for an eligible property by filling out an application for a Depositor Foreclosure with the treasurer's office and going through the Court of Common Pleas. The Depositor Foreclosure does require a deposit of \$2,000 for a residential property or \$3,000 for a commercial or industrial property. Following the court case, the property will be listed for auction at a Treasurer's Tax Foreclosure Auction. Auctions occur at

10 a.m. on the first Thursday of every month in the lower-level auditorium of the Montgomery County Administration Building (451 W Third St., Dayton, OH 45422).

Mr. McManus spoke about Expedited Foreclosure. Only certain entities such as a Landbank, a City, a Lot Links program, or a Community Improvement Corporation (CIC) can enter an Expedited Foreclosure with the county treasurer. A municipality can identify properties and apply for an Expedited Foreclosure with the Montgomery County Treasurer's office. The process aims to accelerate foreclosure proceedings and expedite the timeline, reduce time and cost, as well as facilitate the transfer of property. The property must be vacant or abandoned and impositions must exceed the value. The case goes to the Montgomery County Board of Revision and following adjudication, the property is transferred to the municipality rather than a public auction.

Mayor Mims clarified that most sales tax goes to local businesses, most property tax goes to local schools and the county, and then most income tax goes to municipalities. That is why the increasing number of workers who work remotely is negatively impacting municipalities' budgets. Mayor Mims also mentioned that Montgomery County was number one in the nation for foreclosures during the foreclosure crisis in 2008.

Mayor Mims asked Mr. McManus how they measure growth considering that history and considering how quickly things seem to be moving in the right direction. Mr. McManus clarified that part of what they are seeing in the treasury office does have to do with abandoned properties and people leaving during difficult periods such as the foreclosure crisis. He clarified that even though people leave the city or even the state, the tax bills continue, and it can be a challenge to get those owners' tax current, if they are not local anymore. Mr. McManus stated it's a situation that's not unique to just Montgomery County but did brutally affect Montgomery County.

ADDITIONS OR DELETIONS TO THE CALENDAR

The Clerk of Commission, Ms. Regina Blackshear, requested to add legislation pertaining to the Public Hearing Case: PLN2023-00072 at the desire of the Commission.

DISCUSSION OF CALENDAR ITEMS

Calendar Item No. 3. Environmental Demolition Group, LLC -Service Agreement

The Acting City Manager, Mr. Joe Parlette, highlighted this item as the start of the city's demolition investments for asbestos removal and remediation services.

Calendar Item No. 4. Lepi Enterprises, Inc. -Service Agreement

The Acting City Manager, Mr. Joe Parlette, highlighted this item as the start of the city's demolition investments for asbestos removal and remediation services.

Calendar Item No. 5. Lyle Environmental -Service Agreement

The Acting City Manager, Mr. Joe Parlette, highlighted this item as the start of the city's demolition investments for asbestos removal and remediation services.

First Reading Ordinance No. 32042-23

The Acting City Manager, Mr. Joe Parlette, congratulated the Fire Department for bringing forth this legislation to update the Fire Department's Fire Code. He said it has been many years since this occurred, and it has been a goal of Chief Lykins to accomplish.

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. DJL Material & Supply, Inc. (rental services for a crack seal machine) **\$10,000.00**

INFORMATION TECHNOLOGY

B1. Avalon Technologies, Inc. (four Dell network switches warranty renewal) **10,063.76**

POLICE

C1. Parr Public Safety Equipment (vehicle up-fitting parts and services for seventeen (17) Dodge Durango Pursuit Sport Utility Vehicles (SUVs) and one K-9 equipment) **292,240.43**

C2. Volcanic Manufacturing LLC dba Volcanic Bikes (twelve (12) police mountain bicycles with accessories) **24,959.16**

PUBLIC WORKS

D1. A&A Safety, Inc. (two Traffix devices SLED mini end treatments) **13,800.00**

D2. Brakefire, Inc. dba Silco Fire Protection (security access controls) **47,700.00**

WATER

E1. Beau Townsend Ford Inc. (one 2024 Ford F-450 15,000 LB GVWR utility body truck with 70 CFM compressor) **106,250.00**

-Depts of Aviation, Information Technology, Police, Public Works, and Water. **Total: \$505,013.35**

2. **Avenu Government Systems, LLC – Contract Modification** – first renewal and amendment to continue to provide Remote Database Administration (RDBA) services and maintenance assistance for the Oracle Relational Database Maintenance System platform that supports the Finance Tax, Treasury, County Address, and Water Revenue databases - Department of Information Technology. **\$16,000.00**

(Thru 05/31/24)

3. **Environmental Demolition Group, LLC -Service Agreement** – Dayton Recovery Plan – for asbestos removal and remediation services – Department of Planning, Neighborhoods and Development/Director’s Office. **\$562,800.00**

(Thru 06/30/26)

4. **Lepi Enterprises, Inc. -Service Agreement** – Dayton Recovery Plan – for asbestos removal and remediation services – Department of Planning, Neighborhoods and Development/Director’s Office. **\$562,800.00**

(Thru 06/30/26)

5. **Lyle Environmental -Service Agreement** – Dayton Recovery Plan - for asbestos removal and remediation services – Department of Planning, Neighborhoods and Development/Director’s Office. **\$562,800.00**
(Thru 06/30/26)

B. Construction Contract:

6. **Peterson Construction Company – Award of Contract** – for gate replacement and miscellaneous improvement projects (5% MBE/5% WBE/5% SBE Participation Goal/6.1% MBE/6% WBE/5.7% SBE Participation Achieved) – Department of Water/Water Reclamation. **\$2,564,400.00**
(Thru 12/31/24)

CITIZENS’ COMMENTS ON CALENDAR ITEMS:

There were no citizen’s comments on the Calendar Items.

Commissioner Turner-Sloss thanked Mr. Parlette for highlighting the calendar items and legislation. She thanked the Fire Department, Law Department as well as Chief Lykins and Mr. Parlette for the work put into Ordinance No. 32042-23. Mr. Parlette said that the Fire Department recently received a grant that would allow the Fire Department to purchase and install CO2 detectors. Commissioner Turner-Sloss asked that more information for Ordinance No. 32041-23 be given to the Commission about the sale of real estate in those areas.

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, Shaw, Fairchild, and Turner-Sloss.

LEGISLATION

ORDINANCE-FIRST READING

Ordinance No. 32042-23 -Amending Chapter 92 of the Revised Code of General Ordinances Relating to Fire Prevention and Amending Section 61.02 of the Revised Code of General Ordinances Relating to Civil Offenses.

ORDINANCE-SECOND READING

Ordinance No. 32041-23 - Authorizing the Sale of Certain Real Estate Located in the City of Dayton for Development Purposes.

The question being shall Ordinance No. 32041-23 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioner Joseph, Shaw, Fairchild and Turner-Sloss. The Ordinance was passed.

RESOLUTIONS-FIRST READING

Resolution No. 6729-23 - Declaring the Intention of the Commission to Vacate the Alley East of Stanley Avenue from the Alley North of Valley Street to Brandt Street and the Alley North of Valley Street from the Alley East of Stanley Avenue to Stanley Avenue.

Resolution No. 6730-23- Declaring the Intention of the Commission to Vacate the Alley West of Paul Laurence Dunbar Street from 20 feet South of the Alley South of Germantown Street to Willard Street.

PUBLIC HEARING

Mayor Mims opened the Public Hearing Case: PLN2023-00072 to amend the Permitted Uses in PD-143 from the current "Adult Care Facility/Adult Family Home (3-5 persons)" to "A residential facility for five (5) or fewer persons" to establish a children's group home for five (5) or fewer persons in each unit of the two-family dwelling to accommodate not more than ten (10) persons total at 3620-3622 N. Main St. (parcel ID: R72 11007 0027) in the North Riverdale planning district.

Mr. Parlette called forward Jennifer Hanauer, Planner from the Planning, Neighborhoods, and Development to present.

Ms. Hanauer stated the property was in North Riverdale Neighborhood and North Central Land Use Board. She said the request is a zoning map amendment for permitted uses. The site has been operating as a group home for adult males and the applicant would like to switch uses to a children's group home. The current zoning of the area is eclectic neighborhood commercial, which is why this request is coming before the Commission. If the area zoning was residential, then a group home would be permitted use. The lots immediately behind the property are residential. The applicant applied for a zoning amendment 14 years ago to allow for an adult group home, but now that the applicant is changing the use for a children's group home, so must the zoning permitted use. The residents are largely in support of the change, the only concern was one resident thought children being so close to a busy road/intersection was not safe.

Ms. Hanauer stated North Central Land Use Board and Plan Board voted unanimously to approve the request as submitted. The request is also part of the North Main Corridor Plan in 2018, which called for more social services in the area.

The applicant, Ms. Michelle Waymire was then called forward by Ms. Hanauer to speak and answer questions. Ms. Waymire asked the Commission to consider what it would be like to grow up without the support or love of a parent. She spoke about her own experience with fostering children in her family. She said that adults have more residential living options than children do, and often the home was not full when she was serving the adult population.

Commissioner Turner-Sloss thanked both Ms. Hanauer for her work on this request and Ms. Waymire for her dedication. She said that the Commission Office has been conducting a review of the number of children's group homes in Dayton and in particular Northwest Dayton and it is oversaturated. She said there are many children's group homes in the City of Dayton, and it has pulled on a lot of the city's safety services. She recommended that due to those issues, the city have a Good Neighbor Agreement in place with Ms. Waymire. Ms. Waymire said she was open to a Good Neighbor Agreement.

Commissioner Turner-Sloss also asked if there had been any concerns as it relates to the Police Department. The Deputy City Manager, Mr. Parlette, stated that the Police Department was able to do a review and there had been no calls for service to the address in the past 2 years, nor any concerns on the applicant's records.

Commissioner Turner-Sloss asked if Ms. Waymire had a conversation with Ms. McNeil or Ms. McDowell, the neighborhood presidents of the area. Ms. Waymire stated that she had not, and Ms. Hanauer said notices were sent to all neighborhood and respective presidents of the area. Commissioner Turner-Sloss recommended that Ms. Waymire have a conversation with those two individuals moving forward.

Commissioner Fairchild commented that unfortunately the City of Dayton has some irresponsible group homeowners and he appreciated Ms. Waymire's track record and looks forward to her being a responsible group homeowner and caring for young people.

Commissioner Shaw said he appreciates his colleague's questions and thinks it is important that the City do its due diligence. He said it sounds like the applicant, Ms. Waymire, has no complaints or concerns and has quite a bit of support so he feels comfortable moving forward.

Commissioner Joseph said he was thankful for Ms. Waymire and the work she does, and that the field needs good people. Commissioner Joseph also noted there are problems in this field, and he is looking forward to the results of the review.

Mayor Mims noted that there are issues with group home operators in the City and the Commission is doing some work with the State of Ohio to help address the issue.

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.

THIS ITEM WAS ADDED **ORDINANCE-FIRST READING**

Ordinance No. 32043-23- Amending the Provisions of Plan Development PD 143 for North Main Home.

CITIZENS' COMMENTS

Citizen comments were received from the following:

1. **Mr. Greg West 1323 Kingsley Ave** – spoke about a Construction Camp event in June that Senator Brown in conjunction with Dayton Building Trades is hosting
2. **Ms. Rhonda Barrett 22 Meridian St.-** spoke about the speeding on Meridian St. and the need for speed bumps.

COMMENTS BY THE CLERK OF COMMISSION

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

COMMENTS BY THE ACTING CITY MANAGER

The Acting City Manager, Mr. Joe Parlette, had no closing comments.

COMMENTS BY THE CITY COMMISSION

Commissioner Turner-Sloss

Commissioner Turner-Sloss thanked Mr. McManus and Ms. Drake for coming to the Commission meeting.

Commissioner Turner-Sloss thanked Ms. Hanauer in the Planning, Neighborhoods, and Development for providing a thorough presentation and also providing information prior to tonight's meeting for Commission to review. She thanked Ms. Waymire for her willingness and commitment to move forward with signing a Good Neighbor Agreement.

Commissioner Turner-Sloss thanked Mr. Greg West for his leadership and his commitment. She also thanked Ms. Barrett for raising her concerns about the speeding in Burkhardt and asked Mr. Parlette if he could take a closer look to figure out what provision or mechanisms can be put in place to address the concern. She appreciated Ms. Barrett's inclusivity in regards to providing the information to all her neighbors regardless of language barriers.

Commissioner Fairchild

Commissioner Fairchild thanked all the workers and donors at the Community Blood Center. He donated blood and encouraged others to donate blood and thanked those who donated blood for giving that gift.

Commissioner Fairchild highlighted various events happening around the City, The Levitt Pavilion season starts Thursday, June 1st, with First Friday events downtown and LGBTQ+ Pride events, continuing into the weekend with the parade.

Commissioner Shaw

Commissioner Shaw thanked Mr. Greg West for his work as well as the people over building trades for their program. He said the program helps feed the workforce pipeline in terms of getting young people interested in apprenticeship programs. He noted that if we are not able to feed the workforce pipeline with skilled workers and union workers, then we cannot continue the great economic development work that is currently being done around the city, state, and country.

Commissioner Shaw thanked all the Public Works employees for the important work they do. He highlighted the celebration last Friday for Public Works Day, which he was able to attend and see some of the City's Public Works employees.

Commissioner Joseph

Commissioner Joseph thanked the sons of the Union Veterans of the Civil War who invited him to Old Greencastle Cemetery on Monday to give some remarks on Memorial Day.

Mayor Mims

Mayor Mims said that he will be attending the U.S. Conference of Mayor's Annual Conference this weekend in Columbus. He will be garnering information from Mayor across the nation to figure out how to improve the quality of life in our respective communities.

- Mayor Mims highlighted a ribbon cutting he attended last week for the After5 Clothing Boutique in Downtown Dayton, which is owned and operated by a Dayton Native who graduated from Stivers High School and has a design background.

Mayor Mims thanked the Blue Star Families for the opportunity to speak. Blue Star Families are part of an initiative to provide free opportunities for veterans and military members to visit the Dayton Art Institute.

Mayor Mims noted that a Cheez-It statue will be presented this Friday at 5 p.m. at Carillon Brewing Company.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:14 p.m.

Jeffrey J. Mims, Jr.
Mayor

Attest: _____
Clerk of Commission