

On Wednesday, June 2, 2021, at 6:02 p.m., the Dayton City Commission met in regular session, remotely through electronic means, at City Hall.

CALL TO ORDER

Mayor Whaley called the meeting to order. She said due to the current COVID-19 order, we are conducting the meeting remotely through electronic means. To protect the safety of the community, during the state of emergency related to COVID-19, in-person citizen comments will be suspended for City Commission Meetings.

Citizens interested in making public comment related to calendar items, are asked to do so in writing. Items related to a calendar item will be included in the meeting records under Communications and Petitions.

Citizens who wish to make the City Commission aware of an issue not related to the Commission Meeting Calendar, may also do so. These items will be distributed to the Dayton City Commission for reference.

For complete information on how to submit a comment, please visit daytonohio.gov/CoronaResources or call 937-333-3636.

INVOCATION

Commissioner Joseph 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 Joseph, Mims, Shaw and Fairchild were present. The Clerk of Commission, Ms. Regina D. Blackshear, and The City Manager, Ms. Shelley Dickstein, were also present through electronic means.

APPROVAL OF MINUTES

Commissioner Mims made a motion to approve the minutes from the May 26, 2021, meeting. Commissioner Fairchild seconded the motion. The previous meeting minutes were unanimously approved.

COMMUNICATIONS AND PETITIONS

Communication #21569

Email from Beth Miller regarding a new dog park to replace Deeds.

Communication #21570

State of Ohio, Department of Liquor Control – Permit Application #84543460005 - TREX– Silver Slipper LLC dba The Silver Slipper, 1105 Wayne Avenue, Dayton, OH 45410.

The Clerk of Commission reported receipt of Permit Application #84543460005 - TREX– Silver Slipper LLC dba The Silver Slipper, 1105 Wayne Avenue, Dayton, OH 45410. The application was referred through the City for investigation.

Communication #21571

State of Ohio, Department of Liquor Control – Permit Application #1985414 - New- C2– Dayton Art Institute, 456 Belmonte Park North, Dayton, OH 45405.

The Clerk of Commission reported receipt of Permit Application #1985414 - New- C2– Dayton Art Institute, 456 Belmonte Park North, Dayton, OH 45405. The application was referred through the City for investigation.

Communication #21572

State of Ohio, Department of Liquor Control – Permit Application #4621257 - New- C2– Kia Cake & Co. LLC, 15 East First Street, Dayton, OH 45402.

The Clerk of Commission reported receipt of Permit Application #4621257 - New- C2– Kia Cake & Co. LLC, 15 East First Street, Dayton, OH 45402. The application was referred through the City for investigation.

SPECIAL AWARDS/PRESENTATIONS

There were no special awards or presentations.

ADDITIONS OR DELETIONS TO THE CALENDAR

The Clerk of Commission, Ms. Regina Blackshear, requested the addition of Informal Resolution No. 988-21-Establishing Dayton’s Proposed Uses of the American Recovery Plan Acts Funds.

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. Johnson Controls US Holdings LLC dba Johnson Controls Fire Protection LP
(fire alarm annual maintenance services, sprinkler inspections and repairs as needed through 12/31/21) **\$9,000.00**

FIRE

B1. Deccan International (Adam 2.0 application, maintenance and support services as needed through 12/31/21) **150,792.00**

HUMAN RESOURCES

C1. Montrose Ford LLC (one 2022 Hybrid Electric Vehicle (HEV) compact Sports Utility Vehicle (SUV) **25,098.96**

INFORMATION TECHNOLOGY

D1. Proficient Information Technologies, Inc. (professional technical support services as needed through 12/31/21) **39,124.00**

PLANNING AND COMMUNITY DEVELOPMENT

E1. Lyle Environmental - P0210941 (asbestos abatement and removal remediation as needed through 12/31/25) **100,000.00**

E2. Lyle Environmental - P0210942 (asbestos abatement and removal remediation as needed through 12/31/25) **200,000.00**

E3. Ohio Technical Services, Inc. - P0210939 (asbestos abatement and removal remediation as needed through 12/31/25) **100,000.00**

E4. Ohio Technical Services, Inc. - P0210940 (asbestos abatement and removal remediation as needed through 12/31/25) **200,000.00**

E5. O’Rourke Wrecking Company - P0210945 (asbestos abatement and removal remediation as needed through 12/31/25) **100,000.00**

E6. O’Rourke Wrecking Company - P0210946 (asbestos abatement and removal remediation as needed through 12/31/25) **200,000.00**

E7. Rainbow Environmental Services, Inc. -P0210943 (asbestos abatement and removal remediation as needed through 12/31/25) **100,000.00**

E8. Rainbow Environmental Services, Inc. - P0210944 (asbestos abatement and removal remediation as needed through 12/31/25) **200,000.00**

PUBLIC WORKS

- F1. Miami Valley Lighting, LLC.** (street lighting upgrade services) **\$35,950.00**
- F2. Lake Erie Construction Company** (guardrails, attenuators, parts, materials and supplies including installation and repair services as needed through 12/31/21) **75,000.00**
- F3. Matthew Brun Enterprises, Inc.,** Champion Equipment and Supply (various types of playground mulch as needed through 12/31/23) **75,000.00**
- F4. Site-Safe Products LLC dba Sight-Safe LLC.** (one attenuator trailer) **28,676.23**

WATER

- G1. Truegreen Chemlawn dba Leisure Lawn** (commercial ground maintenance services as needed through 12/31/24) **350,000.00**
- G2. McCluskey Chevrolet** (one 2021 dump truck) **69,329.00**
-Depts. of Aviation, Fire, Human Resources, Information Technology, Planning and Community Development, Public Works and Water. **Total: \$2,057,970.19**
- 2. C.W. Golf Architecture, LLC – Contract Modification** – for additional services for the creation of a Golf Course Master Plan. – Department of Recreation and Youth Services **\$40,000.00**
(Thru 12/31/22)
- B. Construction Contracts:**
- 3. Queen City Mechanicals, Inc. – Award of Contract** – for Broadway Storm Sewer and Wolf Creek Outfall Improvements (10% MBE Participation Goal/ 11% MBE Participation Achieved - Department of Water/Water Engineering. **\$614,778.78**
(Thru 12/31/22)
- 4. Topp Shape Enterprises Inc. - Award of Contract** – to complete the construction phase of renovations to the bunkers at both the Hills and Dales courses at Community Golf Course - Department of Recreation and Youth Services. **\$465,295.59**
(Thru 12/31/21)
- C. Revenue to the City:**
- 5. BCS Sports LLC– Lease Agreement** – to enter into a Ground Lease Agreement for property located at 1103 Gateway Drive through 6/30/51 - Department of Public Works/ Property Management. **\$300.00**
(Paid to the City)
- 6. Karen Gadel – Other** – for permit to install a 10’ x 30’ patio at the SW corner of East Third Street and St. Clair Street - Department of Public Works /Civil Engineering. **\$200.00**
(Paid to the City)
- 7. Optotraffic, LLC – Other** – for increase in expenditure authority in an amount not to exceed \$2,590,000.00 – Department of Police. **\$2,590,000.00**
(Thru 12/23)

- 8. Westminster Presbyterian Church** – to install 378 square feet of curbing and storm sewer which encroach into the right-of-way of the 16 feet wide public alley running between North Wilkinson Street and North Perry Street – Department of Public Works/Civil Engineering. **\$768.00**
(Paid the to City)

E. Other – Contributions, Etc.:

- 9. David Pigford – Payment of Voucher** – to cover cost incurred from April 23, 2021 until May 14, 2021 to provide professional services for the Minority Business Assistance Center (MBAC) – Human Relations Council. **\$8,960.00**

CITIZENS' COMMENTS ON CALENDAR ITEMS

Citizen's comments were suspended for the meeting.

DISCUSSION OF CALENDAR ITEMS

Calendar Item No. 1. Sub-Item E1., Lyle Environmental, E2. Lyle Environmental, E3., Ohio Technical Services Inc., E4., Ohio Technical Services Inc., E5., O'Rourke Wrecking Company, E6., O'Rourke Wrecking Company, E7., Rainbow Environmental Services, Inc., and E8., Rainbow Environmental Services, Inc.-Purchase Orders

The City Manager, Ms. Shelley Dickstein, said these purchase orders, totaling \$1.2 million, represent asbestos abatement and remediation services through 2025.

Calendar Item No. 7. Optotraffic, LLC-Other

The City Manager, Ms. Shelley Dickstein, said this item will increase revenue expenditures to the vendor and the City of Dayton.

Informal Resolution No. 988-21- Establishing Dayton's Proposed Uses of the American Recovery Plan Acts Funds

The City Manager, Ms. Shelley Dickstein, said the City will receive a total of \$138 million from the American Rescue Plan Act (ARPA), half of which has already been received. This is the largest grant in the City's history and presents an unparalleled opportunity to improve the quality of life for city residents. Proceeds from the ARPA will fund the Dayton Recovery Plan, comprised of the following six focus areas:

Neighborhood Investments: City-led and managed projects that would support healthier lifestyles through neighborhood revitalization efforts. Proposed projects include:

- Demolition of vacant, abandoned, and hazardous properties in qualified census tracts to remove blight and create healthier and safer neighborhoods.
- Sidewalk improvements that would replace crumbling sidewalks in qualified census tracts thereby increasing walkability, encouraging exercise, and improving health outcomes for those residents who disproportionately suffered the most from the COVID-19 pandemic.

Amenities: Projects and investments that provide recreational and lifestyle assets to the community. Proposed projects include:

- New or improved playgrounds, parks, and greenspace in qualified census tracts, encouraging outdoor exercise and recreating to improve health outcomes for those residents who disproportionately suffered the most from the COVID-19 pandemic.
- Other recreational amenities in qualified census tracts that address the number one health disparity – obesity – by providing regular physical activity.

Major Catalytic Projects: Projects and investments that address economic disparities and incent additional development and economic activity. Proposed projects include:

- Financial support for the development and expansion of black and brown businesses. Minorities have incurred disproportionate hardships during the pandemic including a higher number of COVID-19 cases, a higher representation in essential industries and higher levels of unemployment.
- Financial support to new or expanding small businesses in the restaurant and retail sectors and to neighborhood business districts. Many small businesses, especially those in the hospitality industry, have been decimated as a result of the pandemic and stay-at-home orders. Economic recovery and future resiliency will depend on the rebound of the small business sector.

City Projects: Projects and investments that support City services, including:

- City facilities improvements that mitigate COVID-19 and reduce its future spread.
- Investments in City service delivery to address the virus and its variants and support for vulnerable populations access to medical services.

Community Investments: Community-driven projects to partners and community groups offering programs and services serving the hardest hit areas and economic sectors, including:

- Investments addressing housing stability, quality, safety, and affordability, through repairs, infill housing, and support for those aging in place. There is strong evidence supporting housing's relationship to the social determinants of health.

External Awards: Community requests to support the following:

- Vulnerable economic sectors such as tourism and hospitality.
- COVID-19 mitigation efforts.
- Other community requests that respond to or address the COVID-19 health emergency and that meet the criteria in the Dayton Recovery Plan.

Ms. Dickstein said the City will employ several channels to ensure robust community input and participation in the process. Specifically, the use of the Community and Neighborhood Development Advisory Board (CNDAB) to evaluate, score, and rank specific projects using the City-developed criteria. The City will also work with its selected consultant to conduct education and outreach to solicit community projects. This process will closely follow the City's competitive process for the award of CDBG funds. Recommendations will advance to the City Manager, who will present the projects, comprising the Dayton Recovery Plan, to the Dayton City Commission where we expect to conduct public hearings prior to final adoption of the plan.

Ms. Dickstein said the City of Dayton has been selected as one of six cities, including Louisville, Los Angeles, Philadelphia, Birmingham, and St. Louis, to be a Stimulus Command Center. The Command Centers are an 18-month partnership through the US Conference of Mayors, Accelerator for America, and Drexel University's Nowak Metro Finance Lab. The purpose of the city of Dayton Stimulus Command Center (DSCC) is to maximize deployment and benefits to city residents and stakeholders from the \$1.9 trillion in ARPA funding by leveraging the City's \$138 million award with funding from other agencies and non-profit institutions.

Ms. Dickstein said the goal of the DSCC is to create a forum for dialogue and collaboration among the multiple recipients of ARPA to coordinate, align, prioritize, and execute local efforts. Working thoughtfully and collaboratively will allow this unprecedented federal funding to be transformative for Dayton. The structure will remain in place to maximize the benefits of future federal funding received by our community.

Ms. Dickstein said to ensure resources are being allocated to their highest and best use and in accordance with the intent of the legislation, the following criteria has been developed to evaluate potential projects and investments. Application of formalized, objective criteria will validate that projects meet allowable federal uses, address City Commission priorities, drive significant community outcomes, and focus on economic equity

APPROVAL OF CITY MANAGER'S REPORTS

Commissioner Mims 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 Whaley, Commissioners Joseph, Mims, Shaw and Fairchild.

LEGISLATION

EMERGENCY RESOLUTION – FIRST AND SECOND READING

Emergency Resolution No. 6583-21- Authorizing the Acceptance of a National League of Cities' Local Democracy Funds in the amount of Seventeen Thousand Dollars and Zero Cents (\$17,000.00) on Behalf of the City of Dayton and Declaring an Emergency.

Commissioner Shaw moved that this being an emergency measure for the immediate consideration of the Resolution. Commissioner Joseph seconded the motion. The motion was passed with a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild. The question being shall Emergency Resolution No. 6583-21 be adopted. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild. The Emergency Resolution was adopted.

RESOLUTIONS – SECOND READING

Resolution No. 6581-21- Authorizing the Donation of Funds in Honor of the Victims affected by the August 4, 2019 Mass Shooting.

The question being shall Resolution No. 6581-21 be adopted. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild. The Resolution was adopted.

Resolution No. 6582-21- Concurring with the Adoption of the Northeast Dayton Neighborhoods Vision Plan.

The question being shall Resolution No. 6582-21 be adopted. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild. The Resolution was adopted.

THIS ITEM WAS ADDED

INFORMAL RESOLUTION

Informal Resolution No. 988-21- Establishing Dayton's Proposed Uses of the American Recovery Plan Acts Funds.

Commissioner Mims made a motion to adopt Informal Resolution No. 988-21. Commissioner Fairchild seconded the motion. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims and Shaw. The Informal Resolution was adopted.

CITIZENS' COMMENTS

Citizen's comments were suspended for the meeting.

COMMENTS BY THE CITY MANAGER

The City Manager, Ms. Shelley Dickstein, thanked the City Commission and staff for their work and support in passing Resolution No. 988-21.

COMMENTS BY THE CLERK OF COMMISSION

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

COMMENTS BY THE CITY COMMISSION

Commissioner Fairchild

Commissioner Fairchild asked for an update on 1119 Linda Vista Avenue crisis.

The Assistant City Manager, Mr. Joe Parlette, said the City of Dayton along with Public Health and other authorities toured the facility and found no life-threatening safety issues. He said the work is ongoing and sufficient to meet safety requirements. Mr. Parlette said they are working to connect residents with ABLE who will assist with resolving ongoing issues between them and management.

Commissioner Fairchild thanked Mr. Parlette for the update.

Commissioner Fairchild thanked Mr. Parlette for his leadership on the dog park and said he witnessed citizens using the asset.

Commissioner Shaw

Commissioner Shaw thanked staff for their work on the 1119 Linda Vista Avenue crisis.

Commissioner Shaw thanked Shiloh Baptist Church for their discussion on economic development in West Dayton.

Commissioner Mims

Commissioner Mims highlighted a meeting on youth violence with the Superintendent of Dayton Public Schools, Mayor Whaley and citizens of the community.

Commissioner Joseph

Commissioner Joseph highlighted Lou Gehrig Disease Day Amyotrophic Lateral Sclerosis (ALS) is a progressive neurodegenerative disease that affects nerve cells in the brain and the spinal cord. He asked for support for the Act for ALS funding toward experimental treatments.

Mayor Whaley

Mayor Whaley said she met with President Bidens new Trade Representative Katherine Tai. She said she has been a vocal opponent to both TPP and NAFTA. She said she is very excited that President Biden is having a “worker center approach to trade”. She said the Dayton region has been decimated by terrible trade deals in automation and manufacturing. Mayor Whaley said she is all about trade if American workers are at the center. She said she invited the Ambassador to Dayton where she will share her experiences with suppliers in manufacturing and the impact that trade has had on them.

Mayor Whaley thanked the City Commission for allowing her and Commissioner Mims to attend the discussion on youth violence. She said she told them all the commissioners wanted to attend, but if they did, the conversation would change. Mayor Whaley said it was a good conversation with 150 people in attendance. She said the meeting was put together within ten days of the superintendent asking for it. She said there will be public sessions in the future. Mayor Whaley said this is not a Dayton specific issue.

Mayor Whaley said President Biden issued a Covid-19 vaccine challenge. She said she is co-chairing with Mayor Levar Stoney, Richmond VA, focusing on the Mid-West and South because vaccine numbers are down. She said the challenge is 70 percent in thirty days. Mayor Whaley said the Dayton Boys and Girls Club will be hosting the Dayton Montgomery County Public Health mobile unit for vaccines.

Mayor Whaley said she is very excited to see everyone in the person for the first City Commission meeting since Covid-19. She also said this is Ms. Ariel Walker, Executive Assistant to the City Commission's last day. She thanked Ms. Walker for tenure and wished her well.

ADJOURNMENT

There being no further business the meeting was adjourned at 6:44 p.m.

Nan Whaley
Mayor

Attest: _____
Clerk of Commission