

EXECUTIVE SESSION

On Wednesday, March 21, 2018, at 4:09 p.m., Commissioner Shaw made a motion to convene into an Executive Session to discuss Economic Development in order to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project followed by a work session. Commissioner Joseph seconded the motion. The motion was unanimously approved.

ROLL CALL

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

RECONVENE

At 6:02 p.m., Commissioner Joseph made a motion to reconvene from Executive Session and to continue with the meeting. Commissioner Mims seconded the motion. The motion was unanimously approved.

ROLL CALL

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

CITY COMMISSION MEETING

On Wednesday, March 21, 2018, at 6:02 p.m., the Dayton City Commission met in regular session in the Commission Chambers of City Hall.

CALL TO ORDER

Mayor Whaley called the meeting to order. She requested a moment of silence for Mr. Alvin Freeman, Community Activist.

INVOCATION

Commissioner Shaw gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Whaley led the public in the Pledge of Allegiance.

ROLL CALL

Roll call was taken and Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant were present. The Clerk of Commission, Ms. Rashella Lavender, and the City Manager, Ms. Shelley Dickstein, were also present.

APPROVAL OF MINUTES

Commissioner Mims made a motion to approve the minutes from the March 14, 2018, meeting. Commissioner Joseph seconded the motion. The previous meeting minutes were unanimously approved.

Commissioner Mims made a motion to approve the minutes from the March 16-17, 2018 special meeting. Commissioner Joseph seconded the motion. The special meeting minutes were unanimously approved.

COMMUNICATIONS AND PETITIONS

Communication No. 21293

Handout from the Topp Family regarding a Down Syndrome Fact Sheet.

Communication No. 21295

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

SPECIAL AWARDS/PRESENTATIONS

World Down Syndrome Day

Mayor Whaley invited Ms. Madelyn Topp, Botkins High School Student, to the podium to give an update on World Down Syndrome Day.

Ms. Topp said individuals born with Down Syndrome have an extra copy of the 21st chromosome present in all, or some, of their cells. She said her family along with community organizers are bringing awareness to Down Syndrome by wearing crazy socks. She said they have received 1,579 donated socks with a goal of 2,000.

Ms. Topp invited the community to attend the *Miami Valley Down Syndrome Association's 3rd Annual Walk Your Socks Off* event for Down Syndrome awareness and support in Northern Miami Valley on Saturday, May 19, 2018, in Sidney, Ohio.

The Clerk of Commission, Ms. Rashella Lavender, read a proclamation.

Mayor Whaley thanked the Topp family for sharing information on this event.

ADDITIONS OR DELETIONS TO THE CALENDAR

The Clerk of Commission, Ms. Rashella Lavender, requested the addition of the legislation implementing the zoning change pertaining to the Public Hearing at the desire of the Commission.

REPORTS:

A. Purchase Orders, Price Agreements and Contracts:

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

1. Purchase Order:

RECREATION & YOUTH SERVICES

A1. Siteone Landscapes Supply LLC (fertilizer and application services as needed through 12-31-18)

-Dept. of Recreation & Youth Services. **\$55,344.00**

2. Lykins Oil Company DBA STEP Resources Consulting, LLC – Service Agreement – second amendment to continue with electric procurement, contract management and training – Dept. of Water. **\$17,500.00**

(Thru 05/31/18)

3. Occupational Health Ctrs. of Ohio, PA – Service Agreement – for drug and alcohol testing services – Dept. of Human Resources. **\$100,000.00**

(Thru 12/31/20)

E. Other – Contributions, Etc.:

4. Cushman & Wakefield US Inc. – Other – to purchase improvements only located at 3628-3646 Cargo Road – Dept. of Aviation. **\$385,000.00**

5. Rumpke & Rumpke, LLC – Other – for Special Use Permit to permit a 190 square foot existing building encroachment into the public right-of-way at 1300-1700 East Monument Avenue – Dept. of Public Works/Civil Engineering. **\$100.00**

6. Rumpke & Rumpke, LLC – Other – for Special Use Permit to maintain a 5,726 square foot existing fence encroachment into the public right-of-way at 1920-1932 East Monument Avenue – Dept. of Public Works/Civil Engineering. **\$100.00**

7. Young Women’s Christian Association of Dayton Ohio dba YWCA Dayton – Other – for a HOME Subrecipient Agreement for the Dayton YWCA Permanent Supportive Housing Project – Dept. of Planning & Community Development. **\$400,000.00**

(Thru 03/31/20)

CITIZENS’ COMMENTS ON CALENDAR ITEMS

There were no citizens’ comments on calendar items.

DISCUSSION OF CALENDAR ITEMS

Calendar Item No. 7. – Young Women’s Christian Association of Dayton Ohio dba YWCA Dayton - Other

The City Manager, Ms. Shelley Dickstein, said this agreement is for the HOME Subrecipient Agreement. She said funding will be used for the reconfiguring and renovating of 96 single room occupancy units into 65 efficiency and one-bedroom permanent supportive apartment units located at 141 W. Third Street in downtown Dayton.

Calendar Item No. 13. – Emergency Resolution No. 6315-18-Declaring the Opioid Epidemic a Public Nuisance

Mayor Whaley asked for clarification of the resolution.

Mr. John Musto, Chief Trial Counsel, said the resolution will assist in litigation against the drug companies and assist with collecting monies that have paid out because of the public nuisance.

APPROVAL OF CITY MANAGER'S RECOMMENDATIONS

Commissioner Joseph made the motion to approve the City Manager's Reports. Commissioner Shaw seconded the motion. The City Manager's Reports were approved with a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant.

LEGISLATION

EMERGENCY ORDINANCE – FIRST AND SECOND READING

Emergency Ordinance No. 31629-18- Amending Revised Code of General Ordinances Section 76.08 to Provide Additional Circumstances upon which Vehicles May be Impounded, Immobilized, or Removed, and Declaring an Emergency.

Commissioner Mims 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 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant. The question being shall Emergency Ordinance No. 31629-18 be passed. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant. The Emergency Ordinance was passed.

Emergency Ordinance No. 31630-18- Authorizing the City Manager to Accept a Donation of Personal Property, and Declaring an Emergency.

Commissioner Shaw moved that this being an emergency measure for the immediate consideration of the Ordinance. Commissioner Joseph seconded the motion. The motion was passed with a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant. The question being shall Emergency Ordinance No. 31630-18 be passed. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant. The Emergency Ordinance was passed.

Emergency Ordinance No. 31631-18- Authorizing the Grant of Permanent and Temporary Pipeline Easements, a Right of Way Easement, and a regulator Station Easement to Vectren Energy Delivery of Ohio, Inc., for the Construction, Maintenance, and Repair of Equipment for the Distribution and Transmission of Natural, Artificial, and/or Liquefied Petroleum Gas on Parcels of Land Located at the Dayton International Airport, 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 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant. The question being shall Emergency Ordinance No. 31631-18 be passed. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant. The Emergency Ordinance was passed.

EMERGENCY RESOLUTIONS - FIRST AND SECOND READING

Emergency Resolution No. 6313-18- Authorizing the City Manager to Accept Four (4) Grant Awards From the U.S. Department of Housing and Urban Development ("HUD") for a Total Amount of Two Million Eight Hundred Seventy-Two Thousand Four Hundred Seventy-Five Dollars and Zero Cents (\$2,872,475.00) on Behalf of the City of Dayton, and Declaring an Emergency.

Commissioner Mims 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 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant. The question being shall Emergency Resolution No. 6313-18 be adopted. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant. The Emergency Resolution was adopted.

Emergency Resolution No. 6314-18- Authorizing the Submission and Support of an Ohio Public Works Commission Clean Ohio Conservation Fund Grant Application; Authorizing the Acceptance of an Ohio Public Works Commission Clean Ohio Conservation Fund Grant Application; 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 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant. The question being shall Emergency Resolution No. 6314-18 be adopted. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant. The Emergency Resolution was adopted.

Emergency Resolution No. 6315-18- Declaring the Opioid Epidemic a Public Nuisance, and Declaring an Emergency.

Commissioner Joseph 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 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant. The question being shall Emergency Resolution No. 6315-18 be adopted. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant. The Emergency Resolution was adopted.

Emergency Resolution No. 6316-18- Declaring the Intention to Appropriate Real Property Interests in Parcels 3SH, 3T, 4SH1, 4SH2, 4T1, 4T2, 4T3, and 4T4 in Connection with the Wolf Creek Bikeway Project; and Declaring an Emergency.

Commissioner Mims 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 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant. The question being shall Emergency Resolution No. 6316-18 be adopted. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant. The Emergency Resolution was adopted.

ORDINANCE – SECOND READING

Ordinance No. 31628-18- Consenting to the Task Order to Perform a Safety Study on State Route 48 (North Main Street) within the City of Dayton.

The question being shall Ordinance No. 31628-18 be passed. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant. The Ordinance was passed.

RESOLUTION – SECOND READING

Resolution No. 6312-18- Authorizing the Acceptance of Fifty (50) Personal Radiological Detectors from the Ohio Homeland Security Radiological Division on behalf of the City of Dayton.

The question being shall Resolution No. 6312-18 be adopted. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant. The Resolution was adopted.

INFORMAL RESOLUTION

Informal Resolution No. 948-18- Accepting the 2018 Recommendation of the Tax Incentive Review Council.

Commissioner Joseph made a motion to adopt Informal Resolution No. 948-18. Commissioner Mims seconded the motion. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant. The Informal Resolution was adopted.

BOARD APPOINTMENTS

Commissioner Joseph made the motion to reappoint Mr. Jeffrey J. Mims, Jr., to the Joint Office of Citizen Complaints-Ombudsman Office for a term ending January 1, 2019. Commissioner Shaw seconded the motion. The motion was passed with a 3-0-1 vote. Commissioner Mims abstained.

Commissioner Joseph made the motion to appoint Ms. Edith Fields to the Housing Appeals Board for a term ending September 25, 2020. Commissioner Mims seconded the motion. The motion was unanimously approved.

Commissioner Shaw made the motion to reappoint Mr. Greg Gust to the Board of Building Appeals for a term ending January 9, 2023. Commissioner Joseph seconded the motion. The motion was unanimously approved.

PUBLIC HEARING

Mayor Whaley opened the Public Hearing on Case No. PLN2018-00024- regarding the establishment of Airport District Zoning for 157.234+/- Acres located near the Dayton International Airport. She asked Ms. Ann Schenking, Plan Board Secretary, to the podium to present.

Ms. Schenking said this is Plan Board Case No. PLN2018-00024, which will establish AP Airport District. She said the City of Dayton has owned property since 1993 and is the responsibility of the Department of Aviation.

Ms. Schenking said the property was purchased with Federal Aviation Administration (FAA) noise mitigation funds which does not allow land to be used for residential purposes. Ms. Schenking said the property was annexed to Dayton from Butler Township and was given an immediate default zoning designation of SR-1 (Suburban Single-Family Residential). She said SR-1 is not appropriate for this site and is contradictory to Federal Aviation Administration (FAA) requirements and Department of Aviation's intended uses for the property consequently, the SR-1 zoning must be changed.

Ms. Schenking said the Department of Aviation wishes to establish AP (Airport District) zoning for the site which the City of Dayton owns, and is currently vacant, and is adjacent to airport infrastructure, and is shown on the airport master plan as a future development site.

Ms. Schenking said during the Plan Board public hearing there were three speakers who spoke in opposition of the plan, however, by a vote of 6-0 the Plan Board unanimously recommended City Commission approval of AP zoning for property.

Ms. Schenking said the City Commission has three decision options, approve the Plan Board recommendation to zone the property AP (Airport District) because the considerations in 150.125.7 can be made, deny the request by taking no action, or remand the case back to the Plan Board.

Ms. Schenking invited Ms. Suzanne Beck, General Counsel for the Dayton International Airport, to podium.

Ms. Beck gave an overview of the designation and said the zoning category is the appropriate designation for the acres of land.

CITIZENS' COMMENTS ON THE PUBLIC HEARING

Citizens' comments on the public hearing were received from the following:

1. **Mr. Richard Oaks – 1397 Jackson Road** – spoke in opposition of the zoning designation.
2. **Mr. Jonathan Zweizig – 18 E. Water St.** – spoke in opposition of the zoning designation.

Mayor Whaley asked Ms. Schenking to address the timing issue related to the property.

Ms. Schenking said there are time restrictions, however, the Plan Board has the authority to override those restrictions.

Mayor Whaley closed the hearing.

The pleasure of the City Commission is to move forward.

THIS ITEM WAS ADDED

EMERGENCY ORDINANCE-FIRST AND SECOND READING

Emergency Ordinance No. 31632-18-Amending the Official Zoning Map to Establish Airport District Zoning for 157.234 +/- Acres of Land annexed to the City of Dayton, and Declaring an Emergency.

Commissioner Mims moved that this being an emergency measure for the immediate consideration of the Ordinance. Commissioner Shaw seconded the motion. The motion was passed with a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant. The question being shall Emergency Ordinance No. 31632-18 be passed. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant. The Emergency Ordinance was passed.

CITIZENS' COMMENTS

Citizens' comments were received from the following:

1. **Ms. La'Shelle Jefferson – 438 Adelite Ave.** – spoke about parking tickets she received.
2. **Mr. Willie Feaster – 455 Forest Ave.** – spoke about gun violence in the City of Dayton.

COMMENTS BY THE CITY MANAGER

The City Manager, Ms. Shelley Dickstein, said citizens who wish to stop receiving advertising circulars or notice vacant houses receiving them should contact Dayton Daily Newspaper at 937-222-5700 or online at customercare@daytondailynews.com.

COMMENTS BY THE CLERK OF COMMISSION

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

COMMENTS BY CITY COMMISSION

Commissioner Mims

Commissioner Mims highlighted his friendship with Mr. Alvin Freeman, Community Activist. He said he was very special and he would miss his friendship.

Mayor Whaley

Mayor Whaley said she will be attending the *March for Our Lives* event on Saturday, March 21, 2018, beginning at 11:00 a.m. at Court House Square.

Mayor Whaley said citizens who wish to address the trash issues plaguing the City of Dayton should contact her office.

ADJOURNMENT

There being no further business, the meeting was adjourned at 6:56 p.m.

Mayor Nan Whaley

Attest: _____

Clerk of Commission

WORK SESSION

A copy of prepared material has been recorded as Communication & Petition Number 21295 dated March 21, 2018.

The Dayton City Commission met in a Work Session on Wednesday, March 21, 2018, at 4:52 p.m., prior to the regularly scheduled City Commission meeting. The meeting was held in the City Manager's Large Conference Room, located in City Hall. Mayor Whaley, Commissioners Mims, Joseph and Shaw were present. Ms. Ariel Walker, Director, City Commission Office, and Ms. Rashella Lavender, Clerk of Commission, were also in attendance.

Ms. Shelley Dickstein, City Manager, Ms. Tammi Clements, Deputy City Manager, Mr. Joe Parlette, Deputy City Manager, Ms. Karen DeMasi, along with staff representatives, with CityWide Development Corporation, Ms. Verletta Jackson, Ms. Paul Powers and Mr. Tony Kroeger, with the Department of Planning and Community Development, and Ms. Veronica Morris, with the Department of Economic Development, were the presenters.

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

Ms. Dickstein said Asset Development in Dayton is a comprehensive strategic approach to community and economic development that links private and public investment while promoting collaboration both within the organization and with community partners to reshape aspects of neighborhoods to create lasting value for its residents and businesses.

Asset Development is carried out by cultivating inter-departmental, cross-departmental and community collaborations that encourage thoughtful interactions focused on high quality urban design resulting in strategic investments in the City's infrastructure and the Dayton community.

The goals are to gain an understanding that asset development approach varies from geography to geography, but the overall objective is to impact the perception and ultimately confidence about investing in Dayton.

Ms. DeMasi spoke briefly about CityWide Development Corporation's focus areas and provided an update on West Dayton. She said the top five priorities in 2018 are:

- Better Housing (replace outdated affordable housing with high-quality, sustainable, mixed income choices)
- Perception (reduce negative perceptions of DeSoto Bass neighborhoods and their isolation from other parts of the City)
- Education is Valued (improve educational outcomes for children)
- Improve Safety and Health of Residents
- Asset Building (build community and resident assets which improve resident's economic status)

She said funding was approved to improve Germantown Street (New Gateways, Business District and Blight). She spoke about the *Big Idea*: Maximize Wolf Creek. Also, she highlighted goals and activities for the Wright-Dunbar, Pineview, Madden Hills, Westwood, Greater Edgemont Community Coalition and Carillon neighborhood areas.

Ms. Morris, Economic Development, spoke briefly about the private/public investments dollars for 2017. She said private investment was \$19M, public investment was \$475K, infrastructure investment was \$1.2M, and 385 jobs created and 15,000 jobs retained.

Ms. Jackson, Ms. Powers, and Mr. Kroeger, Planning and Community Development, provided an update about Northwest, Northeast, Downtown, and the North Main Plan.

Northwest

- New Recreational Amenities (River Run paddling feature and three new tennis courts at Riverview and Forest Avenues)
- Riverside Drive (New Helena Street Bridget opened and mural on retaining wall at Dayton Canoe Club)
- Phoenix Project (Fairview Commons Fitness Park Tree Farm installed)
- Aquatic Improvements (Fairview Spray Park and Dabney Pool)

North Main Plan - Eight Focus Areas and Strategies

- Housing and Blight – decrease in the number of vacant, delinquent and blighted properties and alleys
- Crime and Safety – a collaboration effort between law enforcement and residents to provide a safer North Main Street Corridor with reduced crime and drug activity
- Traffic and Pedestrian Safety – increase vehicular and pedestrian safety along major corridors in study areas especially along North Main Street
- Land Use and Zoning – ensure that the North Main Corridor is zoned to allow land uses that support the plan's strategies
- Economic Development – develop a vibrant, stable and sustainable neighborhood business district that caters to the needs of both residents and potential businesses
- Citizens Engagement and Neighborhood Development – reignite citizen engagement in order to rejuvenate community support and collaboration for neighborhood development

- Social services, Education and Recreation – better access to recreational spaces, services and educational opportunities within North Main and the surrounding community
- Architecture and Preservation – provide better understanding of North Main’s architecture/history and take action to protect historic properties in the Corridor

Northeast

- Valley Street Improvements (Stanley and Valley Gateway, Route 4 and Valley Streetscape and Chapel and Valley Demo)
- Greater Old North Dayton Wayfinding (fundraising Phase 1 complete, fabrication underway)
- Infrastructure Improvements (Webster Street bridge, Helena Street bridge, Valley Street bike lane and residential street paving)
- Forest Ridge and Quail Hollow – Jeep Park (Mini Grant)
- DeWeese Neighborhood – (Mini Grant)

Downtown

Mr. Kroeger, Planning and Community Development, briefly highlighted the many goals, activities, and improvements made throughout the Downtown, Oregon, Midtown and Webster Station areas. He mentioned the focus of 2018 is backfill lease terminations, attract new development, and Complete Master Plan (integrate with Webster Station, Urban Design Plan and construction of Webster Station Landing).

Commissioner Shaw and Joseph noted their appreciation for the updates.

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

The Work Session concluded at 5:42 p.m.