

On Wednesday, February 12, 2020, at 8:32 a.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.

INVOCATION

Commissioner Mims 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. 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 February 5, 2020, meeting.

Commissioner Fairchild seconded the motion. The previous meeting minutes were unanimously approved.

COMMUNICATIONS AND PETITIONS

Communication #21469

State of Ohio, Department of Liquor Control – Permit Application F9 Permit #2912812 – Friends of Levitt Pavilion Dayton, Roped/Fenced Area, 134 S. Main Street, Dayton, OH 45402.

The Clerk of Commission reported receipt of Permit Application Permit F9 Permit #2912812 – Friends of Levitt Pavilion Dayton, Roped/Fenced Area, 134 S. Main Street, Dayton, OH 45402. The application was referred through the City for investigation.

Communication #21470

State of Ohio, Department of Liquor Control – Permit Application C1, C2, D6 Permit #9735480 – Wolf Drive Thru LLC, 4575 Little Richmond Rd, Dayton, OH 45427.

The Clerk of Commission reported receipt of Permit Application Permit C1, C2, D6 Permit #9735480 – Wolf Drive Thru LLC, 4575 Little Richmond Rd, Dayton, OH 45427. The application was referred through the City for investigation.

SPECIAL AWARDS/PRESENTATIONS

Living City Project

Mayor Whaley invited Pastor Joel Burton and Mr. Tony Ruby to the podium for a community update on the Living City Project–Citywide cleanup.

Pastor Burton said because of the success of the Living City Project–Citywide cleanup they were nationally recognized by Keep America Beautiful and Keep Ohio Beautiful as Ohio’s largest clean-up. He presented Mayor Whaley with a plaque.

Pastor Burton said on Saturday, April 25, 2020, there will be another citywide clean-up with support from other municipalities and Keep Ohio Beautiful.

Mr. Ruby said they are working to keep Dayton beautiful and appreciate the support of the Dayton City Commission.

University of Dayton A-10 Women’s Basketball Championship Tournament Week

Mayor Whaley invited Mr. Scott Debolt, Executive Director of University Dayton Arena, to the podium for a community update on the A-10 Women’s Basketball Championship Tournament Week.

Mr. Debolt said March 6-8, 2020, the A-10 Women’s Basketball Champion Tournament will take place. He invited the community to attend to support the tournament.

Mayor Whaley asked about ticket purchases.

Mr. Debolt said they will be available at the Arena ticket office or online at www.universityofdaytonarena/tickets.

Mayor Whaley said she is excited for both the Women's and Men's basketball season.

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

ADDITIONS OR DELETIONS TO THE CALENDAR

The Clerk of Commission, Ms. Rashella Lavender, requested the addition of Emergency Resolution No. 6475-20-Objecting to Issuance of a Liquor Permit to Poor Boys 2, 1832 Lakeview Ave., Dayton, Ohio.

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 Orders:

AVIATION

A1. Bricker & Eckler LLP (professional legal services as needed through 12-31-20)
\$15,000.00

1.

FIRE

B1. Horton Emergency Vehicles Company (one ambulance and one re-chassied ambulance) **\$423,753.00**

B2. Morning Pride Manufacturing LLC dba Honeywell First Responder Products (protective clothing for structural firefighting through 12-31-22) **751,300.00**

LAW

C1. Dinkler Law Office LLC (professional legal services as needed through 12-31-20)
15,000.00

WATER

D1. M & R Electric Motor Service (electrical motor repair, parts, supplies and related items as needed through 12-31-20) **20,000.00**

D2. Utilities Instrumentation Service (medium voltage electrical systems inspection and maintenance services as needed through 12-31-20) **70,000.00**

D3. BDI – Bearing Distributors, Inc. (bearings, belts, and related supplies as needed through 12-31-20) **10,000.00**

D4. Ferguson Waterworks (PVC pipes, fittings and related items as needed through 12-31-22) **36,000.00**

-Depts. of Aviation, Fire, Law and Water. **Total: \$1,341,053.00**

2. Icon Enterprises dba CivicPlus – Service Agreement – to provide protection services, access to system-to-system enhancements and optimization updates to keep the City's website current– The City Manager's Office/Public Affairs. **\$17,386.00**
(Thru 12/31/20)

3. LeadsOnline, LLC – Service Agreement – for Pawn Shop Database for Law Enforcement Investigations – Dept. of Police. **\$16,878.00**
(Thru 02/28/21)

4. LexisNexis Risk Solutions FL., Inc. – Service Agreement – for Accurant Virtual Crime Center Online Subscription Services – Dept. of Police. **\$35,895.96**
(Thru 02/28/21)

B. Construction Contracts:

5. Billbrey Construction, Inc. – Contract Modification – first amendment for Professional Design Build Services for City Hall Renovations – Dept. of Public Works/Property Mgmt. **\$470,964.00**
(Thru 12/31/21)

6. **Oregon Group Architects – Contract Modification** – fourth amendment for Design Services for Safety Building – Dept. of Public Works/Property Mgmt. **\$25,500.00**
(Thru 12/31/20)
7. **Schindler Elevator Corporation – Award of Contract** – for the City of Dayton Elevator Modernization Municipal Garage Rebid (5% SBE Participation Goal/5.03% SBE Participation Achieved) – Dept. of Public Works/Property Mgmt. **\$1,205,745.00**
(Thru 12/31/23)

C. Revenue to City:

8. **Greater Dayton RTA – Other** – for a Special Use Permit to Build a Handicap Ramp into the public right-of-way at 600 Longworth Street – Dept. of Public Works/Civil Engineering. **\$200.00**

CITIZENS’ COMMENTS ON CALENDAR ITEMS

Citizen’s comments on calendar items were received from the following:

1. **Mike Schinner, 227 Illinois Ave.** - spoke in support of Calendar Item No. 9. Emergency Resolution No. 31790-20-Dog Ordinance.

DISCUSSION OF CALENDAR ITEM

There was no discussion of 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 Whaley, Commissioners Joseph, Mims, Shaw and Fairchild.

LEGISLATION

EMERGENCY ORDINANCE – FIRST AND SECOND READING

Emergency Ordinance No. 31790-20-Amending Sections 91.50 and 91.99 of the Revised Code of General Ordinances, and Declaring an Emergency.

Commissioner Fairchild moved that this being an emergency measure for the immediate consideration of the Ordinance. Commissioner Mims 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 Ordinance No. 31790-20 be passed. 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 Ordinance was passed.

EMERGENCY RESOLUTION – SECOND READING

Emergency Resolution No. 6473-20- Authorizing a Ten-Year Participation Agreement With The Montgomery County Economic Development/Government Equity (ED/GE) Program, 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 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild. The question being shall Emergency Resolution No. 6473-20 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.

ORDINANCE –FIRST READING

Ordinance No. 31791-20-Appropriating Funds for the Year 2020 to Provide for the Operating and Capital Expenses of Various Offices, Departments, and Divisions of the Government of the City of Dayton.

INFORMAL RESOLUTION

Informal Resolution No. 975-20 - Approving Montgomery County Board of Commissioners' Reappointment of a Member to the Board of Directors of the Dayton-Montgomery County Port Authority.

Commissioner Mims made a motion to adopt Informal Resolution No. 975-20. 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, Shaw and Fairchild. The Informal Resolution was adopted.

THIS ITEM WAS ADDED

EMERGENCY RESOLUTION – FIRST AND SECOND READING

Emergency Resolution No. 6475-20-Objecting to the Issuance/Transfer of Liquor Permit No. 7016307, Poor Boys 2 LLC., 1832 Lakeview Ave. , Dayton, OH 45408; 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 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild. The question being shall Emergency Resolution No. 6475-20 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.

CITIZENS' COMMENTS

Citizens' comments were received from the following:

1. **Willie Feaster, No Address** - spoke about former Commissioner Joey Williams.
2. **Anthony Hubbard, 4103 E. 4th Street** – spoke about an incident at the House of Bread.

COMMENTS BY THE CITY MANAGER

The City Manager, Ms. Shelley Dickstein, had no closing comments.

COMMENTS BY THE CLERK OF COMMISSION

The Clerk of Commission, Ms. Rashella Lavender, said the February 19, 2020, City Commission Meeting will be held at the Dayton Metro Library located at 215 East Third Street at 8:30 a.m., for the State of the City Address by Mayor Whaley.

COMMENTS BY THE CITY COMMISSION

Commissioner Fairchild

Commissioner Fairchild thanked Mr. Tony Kroeger, Division Manager- Planning and Land Use, Planning and Community Development, for being his guest the Work in Progress Podcast

Commissioner Shaw

Commissioner Shaw said the Dayton AFL-CIO and the Dayton Building and Construction Trades applications are due Friday, February 14, 2020; for the apprenticeship program which will begin on March 2, 2020. He said applications are still available in the City Commission Office.

Commissioner Shaw said Census Day is April 1, 2020. He said it's important that everyone is counted because over two and a half billion dollars of funding for Dayton depends on this year's count. In addition, the Census Bureau is still hiring for temporary jobs paying between \$16.50 and \$18.50 per hour. For more information please visit www.2020Census.gov.

Commissioner Mims

Commissioner Mims announced the leaving of his legislative Aide, Mr. Austin Railey. He wished Mr. Railey the very best on his future endeavors.

Mayor Whaley thanked Mr. Railey for his service to the Dayton City Commission and wished him well.

Mayor Whaley highlighted Mr. Will Smith, Public Works, winning the United Way car giveaway.

Mayor Whaley highlighted the passing of Mr. Irv Bieser, Bieser Greer & Landis LLP, and Mr. H. Brockman (Brock) Anderson, Bonbright Distributors.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:04 a.m.

Nan Whaley
Mayor

Attest: _____
Clerk of Commission