

On Wednesday, March 10, 2021, at 8:30 a.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](http://daytonohio.gov/CoronaResources) or call 937-333-3636.

**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 Acting Clerk of Commission, Ms. Ariel Walker, and The Acting City Manager, Mr. Joe Parlette, were also present through electronic means.

The City Manager, Ms. Shelley Dickstein, later joined the meeting.

**APPROVAL OF MINUTES**

Commissioner Mims made a motion to approve the minutes from the March 3, 2021, 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**

**Montgomery County Facilities Authority**

Mayor Whaley invited Ms. Pam Plageman, Executive Director, Montgomery County Convention Facilities Authority, to give a community update.

Ms. Plageman said the CCFA was formed to help support the growth and development in the region. She said the Dayton Convention Center is at the heart of that strategic plan. She said they are gearing up for the reopening of the convention center on May 1, 2021.

Ms. Plageman said the board of directors is comprised of community leaders, one of which is Mr. Walter Reynolds, Chairperson of the Board. She said the plan is to strengthen

partnerships with the hotel and hospitality community, enhance services to include food and beverage, audio visual and technology. She said there is a phased approach to refurbish and improve the Dayton Convention Center to attract new businesses and retain existing businesses, which includes a collaborative sales approach.

Ms. Plageman said Phase One consists of HVAC replacement, roof repairs to the main building/skylights and skywalk, replace ceiling tiles, refresh the lobby and restrooms, upgrade the lobby concierge desk, refresh exterior signage/ribbon board, and determine priorities. She said Phase Two will consist of furniture, fixtures and equipment. Ms. Plageman said Phase Three will bring restrooms to code, refresh exhibit hall, exterior upgrades, and enhancement and refreshing the theatre.

Mayor Whaley thanked Commissioner Shaw for his leadership on this work.

Mayor Whaley asked Ms. Plageman about herself.

Ms. Plageman said she is from Louisville, Kentucky, and has been in hospitality for 30 years. She said she was previously with a private management company and Dayton was under her region for ten years. She said she is excited to be back working in the Dayton community.

Commissioner Shaw welcomed her aboard. He said he is excited to see where the convention center is going.

Mr. Parlette said Deputy City Manager, LaShea Lofton, has taken the helm and has provided great leadership on behalf of the City of Dayton. He said there will be several actions coming before commission in the next few weeks. Mr. Parlette asked Ms. Lofton to share more information.

Ms. Lofton said as a board member it is very exciting to see the cooperative work between the two entities. She said as a leader in the city administration, it has been very fruitful to work with an amazing team.

Ms. Lofton said the actions needed to ensure proper and legal transfer of the convention center to the Montgomery County Convention Center Authority are to amend city hotel/motel tax by ordinance, authorize the transfer of the building and select contents, create ground lease and cooperative agreements.

Ms. Lofton said March 31, 2021, will be the last day of city ownership and operational control. She said on April 1, 2021, Montgomery County Convention Center Authority will become the new owner and operator of the Dayton Convention Center.

#### **ADDITIONS OR DELETIONS TO THE CALENDAR**

The Acting Clerk of Commission, Ariel Walker, requested the addition of Informal Resolution No. 985-21- A Resolution in Support of the Protecting the Right to Organize (PRO) Act, which Provides a Generational Opportunity for the Labor Movement and Serves as the Cornerstone of the AFL-CIO's Workers First Agenda.

She also requested Emergency Resolution No. 6566-21- Approving the Montgomery County Board of County Commissioners' Appointment of a Member of the Board of Directors of the Dayton Montgomery County Port Authority. She said it will receive first and second reading.

Commissioner Fairchild asked about the appointment to the Montgomery County Port Authority.

Ms. Walker said the appointment is in concurrence with Montgomery County.

## **REPORTS**

### **1. Purchase Orders, Agreements and Contracts: (All contracts are valid until delivery is complete or through December 31<sup>st</sup> of the current year).**

#### **AVIATION**

A1. Davies Imperial Coating, Inc. (airfield and runway paint as needed through 12-31-23) **\$110,000.00**

#### **FIRE**

B1. PH & S Products LLC (EMS gloves as needed through 12-31-21) **\$20,000.00**

#### **PUBLIC WORKS**

C1. Ozark Materials LLC (roadway paint as needed through 12-31-23) **116,081.00**

C2. Potters Industries, Inc. (free flow drop-on glass beads as needed through 12-31-23) **43,520.00**

C3. Garlands/DBS, Inc. (roof repair and replacement including removal and installation services)-PO21071 **183,674.00**

C4. Garlands/DBS, Inc. (roof repair and replacement including removal and installation services)-PO210712 **175,292.00**

C5. Henderson Products, Inc. (dump body deice equipment and installation services for the snowplow truck chassis) **107,998.00**

C6. Jack Doheny Companies, Inc., dba Jack Doheny Company (one Elgin brand street cleaner) **227,452.00**

C7. Truck Country of Indiana, Inc., Stoops Western Star of Ohio (one truck chassis) **91,780.00**

#### **WATER**

D1. HMS Industries LLC (bearings, belts, gearboxes and related items as needed through 12-31-24) **44,000.00**

D2. iVideo Technologies LLC (replacement of existing audio and video equipment systems) **64,051.20**

D3. Motion Industries, Inc. (bearings, belts, gearboxes and related items as needed through 12-31-24) **44,000.00**

D4. Accelerated Technology Laboratories, Inc. (annual maintenance and support services renewal agreement for laboratory equipment as needed through 12-31-21) **16,020.00**

-Depts. of Aviation, Fire, Public Works, and Water. **Total: \$1,243,868.20**

2. **Pure Technologies US Inc./dba Wachs Water Services – Service Agreement**  
– 2021 Large Valve Rehabilitation Professional Services Agreement (10% SBE Goal/10% SBE Achieved) – Water/Water Engineering

**\$1,300,000.00**  
**(Thru 12/31/22)**

3. **RA Consultants LLC – Contract Modification** – first amendment for staff supplementation engineering support – Dept. of Water/Water Engineering.

**\$250,000.00**  
**(Thru 12/31/22)**

**B. Construction Contracts:**

4. **L.J. DeWeese Co., Inc. – Award of Contract** – Salem Avenue Reconstruction-Phase I (8% DBE Participation Goal/8 % DBE Participation Achieved) (Federal STP Funds) (State Issue I Funds) – Dept. of Public Works/Civil Engineering

**\$2,090,223.00**  
**(Thru 11/19/23)**

**E. Other – Contributions, Etc.:**

5. **St. Vincent de Paul Social Services, Inc. – Other** – for the 2020 Emergency Solutions Grant.

**\$303,740.40**  
**(Thru 06/30/21)**

6. **Webster 2020, LLC DBA Norwood Tool Company – Other** – for an Enterprise Zone Agreement for 2043 Webster Street – Dept. of Economic Development.

N/A

7. **Webster 2021, LLC DBA Norwood Tool Company –Other-** for an Enterprise Zone Agreement for 2017 Webster Street - Dept. of Economic Development.

N/A

**CITIZENS’ COMMENTS ON CALENDAR ITEMS**

Citizens’ comments were suspended for the meeting.

**DISCUSSION OF CALENDAR ITEMS**

**Calendar Item No. 4. LJ DeWeese Co, Inc.-Award of Contract, Calendar Item No. 6. Wester 2020, LLC Dba Norwood Tool Company – Other and Calendar No. 7. Wester 2021, LLC Dba Norwood Tool Company-Other**

The Acting City Manager, Mr. Joe Parlette, highlighted these items.

**Emergency Resolution No. 6565-21-2021 Childhood Obesity Prevention/Environmental Health and Sustainability Award**

The Acting City Manager, Mr. Joe Parlette, invited Mr. Stephan Marcellus, Division Manager, Recreation and Youth Services and Ms. Meg Maloney, Sustainability Intern, to give a community update.

Mr. Marcellus said he is excited about Recreation and Youth Services Urban Adventures Summer Camp Program, which will take place June 7, 2021 through July 30, 2021, (8 weeks). The ages are 3-12 years and registration will begin on April 6, 2021. He said the locations are the Northwest Recreation Center, 1600 Princeton Dr. and Lohrey Recreation Center, 2366 Glenarm Ave. Mr. Marcellus said camp hours are Monday through Friday, 8:00 a.m. until 5:00 p.m.

Ms. Mahoney said the city of Dayton placed second for the Childhood Obesity and Prevention Environmental Health and Sustainability award. She said the award aims to support programs that engage community members and promote or stimulate behavior change, in the categories of childhood obesity prevention, environmental health and sustainability, and a hybrid of both.

Ms. Mahoney said Dayton Sprouts will work to engage 400 youths and their families, within the City of Dayton about the steps to living a healthy and sustainable life. The multi-tiered program will help them gain a broader understanding of what it means to live a healthy lifestyle, encourage them to make healthy choices, and teach them how these choices can improve their carbon footprint in the process.

Ms. Mahoney said the program will draw children from families in food insecure regions of the City. She said the program is in partnership with Food Equity Coalition and partners from across the region and will encourage children to exercise to help combat childhood obesity. Ms. Mahoney said the program will address goals in Dayton's Sustainability Strategy and will help expand programming possibilities within the Department of Recreation and Youth Services.

Mayor Whaley thanked Mr. Marcellus and Ms. Mahoney for their presentation. She said she loved the logo as well.

### **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 ORDINANCE – FIRST AND SECOND READING**

**Emergency Ordinance No. 31872-21-** Authorizing the City Manager to Execute a Real Estate Sale Contract, Authorizing the Conveyance of Real Property 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 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild. The question being shall Emergency Ordinance No. 31872-21 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 – FIRST AND SECOND READING**

**Emergency Resolution No. 6565-21-** Authorizing the Acceptance of a 2021 Childhood Obesity Prevention/Environmental Health and Sustainability Award from United States Conference of Mayors (“USCM”) and the American Beverage Foundation for a Healthy America (“ABFHA”) in the Amount of Fifty Thousand Dollars and Zero Cents (\$50,000.00) 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 Fairchild 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. 6565-21 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.

### **ORDINANCES – SECOND READING**

**Ordinance No. 31871-21-** To vacate the Alley east of Brown Street from Wyoming Street to the North Property Line of City Lot #84003.

The question being shall Ordinance No. 31871-21 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 Ordinance was passed.

### **THESES ITEMS WERE ADDED**

#### **EMERGENCY RESOLUTION – FIRST AND SECOND READING**

**Resolution No. 6566-21-** Approving the Montgomery County Board of County Commissioners’ Appointment of a Member of the Board of Directors of the Dayton Montgomery County Port Authority, and Declaring an Emergency.

Commissioner Mims moved that this being an emergency measure for the immediate consideration of the Resolution. Commissioner Fairchild 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. 6566-21 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.

### **INFORMAL RESOLUTIONS**

**Informal Resolution No. 985-21-** In Support of the Protecting the Right to Organize (PRO) Act, which Provides a Generational Opportunity for the Labor Movement and Serves as the Cornerstone of the AFL-CIO’s Workers First Agenda.

Commissioner Joseph made a motion to adopt Informal Resolution No. 985-21. Commissioner Shaw 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.

### **COMMISSION APPOINTMENT**

**Commissioner Joseph made a motion to appoint Regina Blackshear to the position of Clerk of Commission for the city of Dayton beginning March 10, 2021. Commissioner Shaw seconded the motion. The motion was unanimously approved.**

### **CITIZENS' COMMENTS**

Citizens' comments were suspended for the meeting.

### **BOARD APPOINTMENT**

**Commissioner Shaw made a motion to reappoint Walter Reynolds to the Convention Facilities Authority for a term ending December 21, 2023. Commissioner Joseph seconded the motion. The motion was unanimously approved.**

### **CITIZENS' COMMENTS**

Citizen's comments were suspended for the meeting.

### **COMMENTS BY THE ACTING CITY MANAGER**

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

### **COMMENTS BY THE ACTING CLERK OF COMMISSION**

The Acting Clerk of Commission, Ms. Ariel Walker, had no closing comments.

### **COMMENTS BY THE CITY COMMISSION**

#### **Commissioner Fairchild**

Commissioner Fairchild highlighted a tour of the Gem City Market. He congratulated everyone on their work of this endeavor.

#### **Commissioner Mims**

Commissioner Mims highlighted Governor Mike DeWine's visit to Bethesda Temple Church for the COVID vaccine clinic.

#### **Commissioner Joseph**

Commissioner Joseph highlighted his attendance at neighborhood meetings at Walnut Hills and Old North Dayton.

Commissioner Joseph encouraged citizens to continue to wear their masks.

#### **Mayor Whaley**

Mayor Whaley highlighted the impact the government at the national level is having on the City of Dayton. She thanked Senator Sherrod Brown for his support of the American Rescue Plan. She highlighted the child tax credit of the plan.

Mayor Whaley thanked the City Commission for their support on Protecting the Right to Organize Act. She said it will head to the Senate where it will take 60 votes to become adopted.

Mayor Whaley asked for support from the U.S. House of Representatives for H.R. 8 that will require a background check for every firearm sale.

Mayor Whaley encouraged citizens to continue wearing their masks and social distance. She said we can see the end in sight.

**ADJOURNMENT**

There being no further business the meeting was adjourned at 9:18 a.m.

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**Nan Whaley**  
**Mayor**

**Attest:** \_\_\_\_\_  
**Clerk of Commission**