

On Wednesday, May 15, 2019, at 6:00 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.

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 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 May 8, 2019, meeting. Commissioner Fairchild seconded the motion. The previous meeting minutes were unanimously approved.

COMMUNICATIONS AND PETITIONS

Communication #21402

State of Ohio, Department of Liquor Control – Permit Application D5, Permit #2843965 – 446 Patterson Inc., DBA Butchs Brewski Barrel, 446 Patterson Road, Dayton, OH 45419.

The Clerk of Commission reported receipt of Permit Application Permit D5, #2843965 – 446 Patterson Inc., DBA Butchs Brewski Barrel, 446 Patterson Road, Dayton, OH 45419. The application was referred through the City for investigation.

Communication #21403

State of Ohio, Department of Liquor Control – Permit Application C2, Permit #0077912 – Agnes & Orson Two LLC, dba Agnes & Orson, 514 E. Third Street, Dayton, Ohio 45402.

The Clerk of Commission reported receipt of Permit Application Permit C2, #0077912 – Agnes & Orson Two LLC, dba Agnes & Orson, 514 E. Third Street, Dayton, Ohio 45402. The application was referred through the City for investigation.

Communication #21404

State of Ohio, Department of Liquor Control – Permit Application C1, Permit #2134112 – Jennifer Diann, 343 Troy Street, Dayton, Ohio 45404.

The Clerk of Commission reported receipt of Permit Application Permit C1, #2134112 – Jennifer Diann, 343 Troy Street, Dayton, Ohio 45404. The application was referred through the City for investigation.

SPECIAL AWARDS/PRESENTATIONS

Arthritis Month

Mayor Whaley invited Ms. Sarah Frank, Department Manager, Dayton Area Arthritis Foundation, and Ms. Demeshia Montgomery, the “Life Your Yes” Support Group Leader, to the podium to celebrate May as Arthritis Month.

Ms. Frank said Thursday, May 16, 2019, is the 2019 Walk to Cure Arthritis at Southview Medical Center. She welcomed everyone to join the event.

Ms. Montgomery said the “Life Your Yes” support group meets at the Good Neighbor House at 627 E. First Street. She said there is free parking and the next meeting date will be June 13, 2019, from 11:00 a.m. until 1:30 p.m.

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

Jack and Jill of America, Incorporated/Beautillion Millitaire

Mayor Whaley invited Ms. Angie Davis Christian, Dayton Regional Chapter President, Jack and Jill of America Incorporated and Ms. Dione Brooks, Chairperson, 2019 Beautillion Millitaire.

Ms. Christian said the Beautillion Millitaire organization which was founded in 1968 by Lillian Blant. Jack and Jill of America, Inc. includes character and brotherhood building experiences that enhance the lives of young senior males, concluding with the militaire-style grand ball presentation, and scholarship awards for African American men.

Commissioner Mims recognized Mr. Anthony Long who was an attendant of the 1986 Beautillion Millitaire and his son who was an attendance in 2016.

Commissioner Mims also honored Mr. Theodore Reese and Mr. Walker Williams who started the Jack and Jill organization in Dayton, Ohio.

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. 6414-19-Objecting to the Issuance of a Liquor Permit to 1314 Wyoming Food Mart LLC and Emergency Resolution No. 6415-19- Objecting to the Issuance of a Liquor Permit to 1316 Wyoming Food Mart LLC 1316 Wyoming Street.

The City Manager, Ms. Shelley Dickstein, had no additions or deletions.

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. Tyco Fire & Security (US) Management, Inc. dba Johnson Controls (fire alarm annual maintenance services as needed through 12-31-19) **\$30,000.00**

CENTRAL SERVICES

B1. Integration Partners (extreme network gear maintenance as needed through 12-31-22) **173,975.62**

FIRE

C1. Dell Marketing LP (computers and accessories) **15,499.86**

HUMAN RESOURCES

D1. Sinclair Community College (Call Center Certification training as needed through 12-31-19) **12,700.00**

POLICE

E1. Kiesler Police Supply (Survival Armor Paragon 6 Level IIIA vests, survival armor tactical carriers and molle pockets through 08-31-22) **21,113.00**

PUBLIC WORKS

F1. American National Skyline, Inc. of OH (window washing services as needed through 04-30-22) **57,260.00**

F2. Garland/DBS, Inc. (roof repair and replacement including removal and installation services) – P1900915 **48,401.00**

F3. Garland/DBS, Inc. (roof repair and replacement including removal and installation services) – P1900916 **51,195.00**

F4. Glickler Funeral Home (indigent burial services as needed through 12-31-20) **30,000.00**

F5. Kone, Inc. (elevator maintenance as needed through 12-31-19) **8,000.00**

1. (Cont'd)

WATER

G1. Sinclair Community College (professional educational and training services as needed through 12-31-19)	\$21,550.00
G2. Crown Personnel Service, Inc. (temporary staffing services as needed through 12-31-23)	95,900.00
G3. Alloway Environmental Testing (mercury testing as needed through 12-31-19)	4,000.00
G4. Frew Process Group LLC (badger flow meters through 12-31-22)	110,600.00
-Depts. of Aviation, Central Services, Fire, Human Resources, Police, Public Works and Water.	Total: \$680,194.48

2. **The Omega Community Development Corporation – Contract Modification** – for a second amendment increase for street advocate staff for community police relations activities and the Greater Dayton Homicide Review Commission – The Human Relations Council. **\$35,000.00**
(Thru 12/31/19)

C. Revenue to the City:

3. **South Dayton Hangars, Ltd. – Lease Agreement** – to lease 64,881 square feet of real property at Dayton Wright-Brothers Airport – Dept. of Aviation. **\$272,717.58**
(Thru 04/30/39)

CITIZENS' COMMENTS ON CALENDAR ITEMS

There were no citizens' comments on calendar items.

DISCUSSION OF CALENDAR ITEM

Calendar Item No. 4. Ordinance No. 31735-19– Community Reinvestment Area Tax Abatement Agreement

The City Manager, Ms. Shelley Dickstein, pointed out that language was added to the agreement to complement the CRA.

Calendar Item No. 6. Ordinance No. 31737-19– Amending the Revised Code of General Ordinances to Ratify the adoption of Sister Cities

Commissioner Joseph said The Borough of Rushmoor United Kingdom, is the first sister city to be added to the committee in two decades. He said we have aviation in common, they have one of the largest air shows in the world, Farms Borough Airshow, and the site of the first powered flight in the United Kingdom.

Mr. Hunt Brown, Committee Coordinator, Dayton Sister City Committee, said The Borough of Rushmoor, U.K. is located 35 miles west of London. He said there will be benefits for both areas. He said we share a common heritage and he believes the relationship will prosper in the future.

APPROVAL OF CITY MANAGER'S REPORTS

Commissioner Fairchild made the motion to approve the City Manager's Reports. Commissioner Mims 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 ORDINANCES – FIRST AND SECOND READING

Emergency Ordinance No. 31735-19- Authorizing the City Manager to Enter Into a Community Reinvestment Area Tax Abatement Agreement With CHYLAW 537 MONUMENT, LLC for Property Located at 537 East Monument Avenue in the City of Dayton, Ohio; 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. 31735-19 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 Ordinance No. 31736-19- Determining that the Dayton Arcade New Community District Will be Conducive to the Public Safety, Convenience and Welfare and is Intended to Result in the Development of a New Community; Declaring the Dayton Arcade New Community Authority to be Organized as a Body Politic and Corporate; and Defining the Boundaries of the New Community District; and Declaring an Emergency.

Commissioner Mims moved that this being an emergency measure for the immediate consideration of the Ordinance. 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 Ordinance No. 31736-19 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 Ordinance No. 31737-19- Amending Section 44.29 of the Revised Code of General Ordinances to Ratify the Adoption of the City of Holon, Israel, Sarajevo, Bosnia and Herzegovina; and the Borough of Rushmoor, United Kingdom, as Sister Cities, 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 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild. The question being shall Emergency Ordinance No. 31737-19 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.

THESE ITEMS WERE ADDED

EMERGENCY RESOLUTIONS – FIRST AND SECOND READING

Emergency Resolution No. 6414-19-Objecting to the Issuance of Liquor Permit No. 8861055, 1314 Wyoming Food Mart LLC, 4023 Free Pike, Dayton, Ohio 45416 and Declaring an Emergency.

Commissioner Fairchild moved that this being an emergency measure for the immediate consideration of the Resolution. 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 Resolution No. 6414-19 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.

Emergency Resolution No. 6415-19-Objecting to the Issuance of Liquor Permit No. 06547916, 1316 Wyoming Food Mart LLC, 1316 Wyoming Street, Dayton, Ohio 45414 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. 6415-19 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.

BOARD APPOINTMENT

Commissioner Joseph made a motion to appoint Ed Dixon, Jennifer Lumpkin and Simeon Oyeyemi to the Dayton Sister City Committee for a term ending December 31, 2022. Commissioner Shaw seconded the motion. The motion was unanimously passed.

CITIZENS' COMMENTS

Citizens' comments were received from the following:

1. **Ms. Kim Petro, 513 Nordale Ave.** - spoke about the Belmont Eastman Hearthstone Community Council and it upcoming events.
2. **Mr. Reggie Swickard, 140 Nordale Ave.** - spoke about the Belmont Eastman Hearthstone Community Council and it upcoming events.
3. **Mr. James Lee Woods Jr., 2625 South Dixie** - made general comments.

4. **Mr. Brian Urquhart, 6615. Hedington Square** - spoke about the KKK rally on Courthouse Square.
5. **Mr. David Esrati, 113 Bonner St.** - spoke about the Neighborhood Matters Initiative.

COMMENTS BY THE CITY MANAGER

The City Manager, Ms. Shelley Dickstein, invited Mr. Terry Slaybaugh, Director of Aviation, to the podium to provide information on the property around the airport.

Mr. Slaybaugh said the airport manages over 4,800 acres of property which makes up the airport. He said 2,400 acres of which are the airfields, runways and terminal buildings around the airport.

Mr. Slaybaugh said he understands the concerns of citizens regarding the watershed impacting the environment. He said the Dayton International Airport has always been a good neighbor. Mr. Slaybaugh said the property in question, which is 140 acres, was acquired by the City of Dayton in 1993 with federal funds. He said in 1995, the City of Dayton used funding to establish and maintain a prairie between the City of Dayton and Aulwood Audubon Metro Park which expired in 2007. Mr. Slaybaugh said the lease was not renewed because of concerns by the Federal Aviation Administration (FAA).

Mr. Slaybaugh said the next steps in regards to the correspondence that was received, will be to have a meeting with staff from Five Rivers Metro Parks. In addition, he said he has hired an environmental consultant to do an independent assessment of the property, and last, he said he has a strong relationship with the developer and he will place stakeholders at the table with them to look at the site plan to have input and address their concerns.

Mayor Whaley thanked him for his presentation.

COMMENTS BY THE CLERK OF COMMISSION

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

COMMENTS BY THE CITY COMMISSION

Commissioner Mims

Commissioner Mims acknowledged Mr. Nick Dennis of the Jack and Jill Beautillion Militaire.

Commissioner Joseph

Commissioner Joseph highlighted his attendance at the 14th Annual Family Affair Talent Show.

Commissioner Shaw

Commissioner Shaw highlighted his attendance at the Children's Water Festival.

Commissioner Fairchild

Commissioner Fairchild highlighted his attendance at the Miami Valley Bike Summit. He invited citizens to attend the World A 'Fair event on May 17 through May 19, 2019. He also acknowledged Ramadan and Belmont Days on June 29, 2019.

Commissioner Fairchild encouraged Mr. David Esrati to take the risk on the Neighborhoods Matter Initiative.

ADJOURNMENT

There being no further business, the meeting was adjourned at 6:52 p.m.

Nan Whaley
Mayor

Attest: _____
Clerk of Commission