

On Wednesday, September 11, 2019, at 8:35 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. She asked for a moment of silence to commemorate the September 11, 2001, attacks.

**INVOCATION**

Commissioner Fairchild 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 September 4, 2019, 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**

**Mission Lifeline Award**

Mayor Whaley invited Chief Richard Payne, Firefighter George Green, Dayton Fire Department, and Mr. Alex Kuhn, Senior Director of Quality and Systems Improvement for the American Heart Association, to the podium to give a community update on the Mission Lifeline Award.

Mr. Kuhn said there were several measures used to choose the winners of the award. He said the first measure was the indication that 75 percent of any sign or symptom of chest pain patients in the City of Dayton receive Electrocardiograms from EMS staff within ten minutes of arrival. He said another measure is how well the EMS staff works with the hospital. The last measure is the time of arrival of EMS staff and the patient going into the Cath Lab which should be less than 90 minutes.

Mr. Kuhn said the most important thing is the decrease of patients dying from heart attacks in the City of Dayton and celebrating lives saved he said there has been a 44 percent drop in patients dying from heart attacks. He presented the plaque to Firefighter George Green.

Commissioner Fairchild thanked them for the impact they are having in the lives of Daytonians.

**Staff Recognition**

Mayor Whaley asked Ms. Shelley Dickstein to proceed with the recognition of the Dayton Fire Department and other staff, in response to the Mass Shooting on August 4, 2019.

Chief Payne said on August 4, 2019, the Dayton Fire Department responded to the Mass Shooting in the Oregon District. He said the tragedy could have been worse if it had not been for the efforts provided by all emergency responders. Chief Payne said the responders were faced with searching for victims, making critical triage decisions and ultimately transporting patients to the most appropriate facility. He said they did not have time to think, however, they leaned on their training and discipline to ensure the best possible outcome. He said they did not operate from emotions but rather under strategies and tactics born from national standards and best practices. Chief Payne said he is proud of the Dayton Fire Department and the actions they took during this tragic event. He said he is proud and humbled to be a part of this organization.

The Dayton City Commission thanked them for their service to the community.

Ms. Dickstein invited staff from the Public Works, Law Department, Recreation and Youth Services, City Manager's Office, City Commission Office, and Public Affairs to the podium. She thanked each department and staff member for their assistance in the Dayton Vigil and the Gem City Shine event regarding the Mass Shootings on August 4, 2019.

Ms. Dickstein said she is proud of their response and the work they did at each of these events.

The Dayton City Commission thanked them for their service to the community.

**Dayton Region Israel Trade Alliance (DRITA) Update**

Mayor Whaley invited Ms. Hadas Bar-Or, Regional Trade Representative to Israel, to the podium to give a community update on the Dayton Region Israel Trade Alliance (DRITA).

Ms. Bar-Or said the Dayton Region Israel Trade Alliance (DRITA) was established in 2010 by the City of Dayton, Montgomery County, and the Dayton Development Coalition. The mission is to identify business opportunities and promote collaboration between Israeli and Dayton Region technology-based companies. She said the overall goal is to foster the Dayton Region economy by leveraging the connection to Israel.

Ms. Bar-Or said Israel has 4,000 start-ups in the greater Tel Aviv area. She said tapping into Israeli innovation and breakthrough technologies, will allow Dayton region companies to introduce new and improved products to the market at lower costs and will allow Dayton region companies to increase exports and conquer new geographic markets, with Israel being a considerable market in specific fields and a gateway to Europe and Asia.

Ms. Bar-Or said the most recent collaboration is between Sinclair Community College (Dayton) and Simlat (Israel). She said it's a \$2 Million project with a revolutionary solution for unmanned aerial search and rescue missions. She said this project won a \$1 Million grant from the Bird Foundation and is expected to be launched before the end of the year.

The City Commission thanked Ms. Bar-Or for her presentation.

**ADDITIONS OR DELETIONS TO THE CALENDAR**

The Clerk of Commission, Ms. Rashella Lavender, requested the addition of Ordinance No. 31753-19-Amending Section 74.05 of the Revised Code of General Ordinances, Informal Resolution No. 972-19-Proposed Federal Extreme Risk Law and Informal Resolution No. 973-19-Requiring Federal Background Checks for All Gun Sales.

**Ordinance No. 31753-19-Bicycle Bell Law**

Mayor Whaley invited Ms. Laura Estandia, Executive Director of Bike Miami Valley, to the podium to speak about the addition of Ordinance Number 31753-19.

Ms. Estandia said the mission of Bike Miami Valley is to advocate, promote, and create opportunities for all forms of bicycling in the Miami Valley. She said as the City of Dayton advocates, they serve on the City's Bike Walk Task Force where the goal of the committee is to help move the cities bicycle friendly status forward. She said this status is granted by the League of American Bicyclists.

Ms. Estandia said in reviewing the feedback from the national cyclist group, it was noted that a Bicycle Bell Law requiring all bicycles to have a bell is mandatory. She thanked the City Commission for the amendment to the law which will align with state legislation and other communities in the region.

**REPORTS:**

**A. Purchase Orders, Price Agreements and Contracts:**

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

**1. Purchase Orders:**

**AVIATION**

**A1. Zan Creative, Inc. dba Nova Creative Group** (two Big Belly HC5 Double Station electric compactors with partial wraps and message panels and four parking lot recycling/trash cans) **\$27,458.00**

**CENTRAL SERVICES**

**B1. Accela, Inc.** (Dayton Delivers software maintenance and support renewal) **12,021.45**

**HUMAN RESOURCES**

**D1. 4 Imprint, Inc.** (professional and advertising items) **21,483.20**

1. (Cont'd):

**POLICE**

**C1. Brite Computers/Upstate Wholesale Supply** (NetMotion mobility software maintenance and support renewal) **\$14,201.00**

**PUBLIC WORKS**

**E1. Crown Personnel Service, Inc.** (temporary staffing services as needed through 12-31-19) **23,400.00**

**WATER**

**F1. McCormick Equipment Company, Inc.** (one dock leveler) **10,992.00**

**F2. Mississippi Lime Company** (Quick lime as needed through 12-31-19) **25,000.00**

**F3. Pickrel Brothers, Inc.** (plumbing and related supplies as needed through 12-31-19) **50,000.00**

-Depts. of Aviation, Central Services, Police, Human Resources, Public Works and Water.

**Total: \$184,555.65**

2. **Hartford Life & Accident Insurance Co. – Service Agreement** – for Group Life and Accidental Death and Dismemberment Insurance – Human Resources. **\$250,000.00**  
(Thru 12/31/21)

3. **The Omega Community Development Corporation – Contract Modification** – for a Street Advocates at Community Police Relations activities – The Human Relations Council. **\$40,000.00**  
(Thru 12/31/19)

4. **State of Ohio Division of Wildlife Fish Management Supervisor – Lease Agreement** – for renewal of fishing agreement at Eastwood Lake – Public Works Director. **\$0.00**

**B. Construction Contracts/Estimates of Cost:**

5. **Peterson Construction Co. – Award of Contract** – for Westwood Pump Station Screening Improvements (Open Market) – Water/Water Reclamation. **\$594,000.00**  
(Thru 06/30/21)

**CITIZENS' COMMENTS ON CALENDAR ITEMS**

There were no citizens' comments on calendar items.

**DISCUSSION OF CALENDAR ITEM**

**Informal Resolution No. 972-19-Proposed Federal Extreme Risk Law and Informal Resolution No. 973-19-Requiring Federal Background Checks for All Gun Sales**

Commissioner Mims highlighted the importance of the Informal Resolutions on Gun Violence to stand with politicians at the state and federal levels of government.

Mayor Whaley said she appreciates these informal resolutions. She said talk about risk protection orders are not effective unless there is a background check. She said they work hand in hand.

**APPROVAL OF CITY MANAGER'S REPORTS**

**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 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. 6436-19-Objecting to the Issuance of Liquor Permit No. 01519080005, AM/PM Market Inc. 2317 Salem Ave., Dayton OH 45406: 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. 6436-19 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.

**ORDINANCE – SECOND READING**

**Ordinance No. 31750-19-**To Vacate Pease Avenue from Norwood Avenue to Germantown Street, the Alley West of Pease Avenue from Norwood Avenue to the Vacated Alley South of Norwood Avenue, and the Alley South of Norwood Avenue from Germantown Street to Pease Avenue.

The question being shall Ordinance No. 31750-19 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 Ordinance was passed.

**THESE ITEMS WERE ADDED**

**ORDINANCE – FIRST READING**

**Ordinance No. 31753-19-** Amending Section 74.05 of the Revised Code of General Ordinances.

**INFORMAL RESOLUTIONS**

**Informal Resolution No. 972-19-** To Urge Congress to Pass, and the President to Sign the Proposed Federal Extreme Risk Law to Allow Family Members and Law Enforcement to Keep Guns out of the Hands of Those at Risk of Injuring Themselves or Others.

Commissioner Joseph made a motion to adopt Informal Resolution No. 972-19. 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.

**Informal Resolution No. 973-19-** To Urge Congress to Pass, and the President to Sign, Legislation that will Require Federal Background Checks for All Gun Sales.

Commissioner Mims made a motion to adopt Informal Resolution No. 973-19. 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.

**CITIZENS' COMMENTS**

Citizens' comments were received from the following:

1. **Kimara Wa-Tenza, 1200 W. Grand Ave.** - spoke about vacant housing in his neighborhood.
2. **Thomas Hand, 4432 Woodbine** - spoke about construction of a bike path near homes.
3. **William Dixon, 819 Cherry Drive** - spoke about the Stop the Violence event at Courthouse Square.

Mayor Whaley said as it relates to gun buy back because of the cost and the goals not being met that is why the City of Dayton will not do a gun buy back event.

Mayor Whaley asked Ms. Dickstein to comment on the issue of vacant homes in the City of Dayton.

Ms. Dickstein said there has been 2,120 abandoned homes demolished and \$30 Million spent demolishing abandoned homes within the City of Dayton. She said when property owners walk away from their homes, the City does not receive any money toward demolishing the structures. Ms. Dickstein said when making a decision on which homes to demolish, first priority is given to major corridors along with major assets, i.e. employers, schools, and burned structures.

Commissioner Mims thanked Mr. Wa-Tenza for bringing his concerns of vacant homes in his community to the Dayton City Commission.

Commissioner Mims asked how much the foreclosure crisis contributed to the problem of vacant homes.

Ms. Dickstein said the City of Dayton and Montgomery County led the foreclosure crisis prior to the Great Recession, therefore, when the recession hit, it exacerbated the foreclosure issue.

Commissioner Joseph asked how a citizen may get a structure demolished.

Ms. Dickstein said citizens may give the address of structures they believe have been abandoned to be placed on the nuisance list. She recommended they add the address to the Dayton Delivers App online or by calling 937-333-4800.

#### **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 Work Session regarding the Employee Health and Wellness Program, will be held at the conclusion of the City Commission Meeting in the City Manager's Large Conference Room.

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

##### **Commissioner Fairchild**

Commissioner Fairchild said he is not in agreement with the Commission regarding the issue of abandoned homes. He said citizens who live next to abandoned properties that situation is urgent to them. He said this body answers their concerns with facts and the way it was addressed. He said that is not satisfying to people who live in those urgent situations. Commissioner Fairchild said in this moment there is an opportunity to relook at this issue to see if there is some way that it can be addressed differently. He said the citizens deserve a fresh look at the problem.

##### **Commissioner Mims**

Commissioner Mims commended the first responders for the crisis they faced these past months. He asked the City Manager if the information can be placed in a video for recruitment purposes in the future.

##### **Commissioner Joseph**

Commissioner Joseph said he and Commissioner Shaw is spending a lot of time in the community speaking with neighbors. He said the number one comment from constituents regarding abandoned homes is they can see a lot of progress. He commended City staff for their hard work in demolishing these homes. Commissioner Joseph said there is more work to be done but these last 16 years they have work very hard, and noted the progress they have had.

##### **Mayor Whaley**

Mayor Whaley thanked all the speakers at tonight's meeting and said she is affected everyday by abandoned homes in her neighborhood. She said the first assessment of the cost to demolish every vacant home in the City of Dayton was \$25 Million. She said the City of Dayton has already spent \$28 Million which shows how great the issue continues to be. She said the other issue is the City of Dayton has lost federal and state money to address the issue. Mayor Whaley said 72 percent of funding comes from income tax, therefore, the whole idea is to grow more jobs in order to provide more services into the community.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 9:48 a.m.

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**Nan Whaley**  
**Mayor**

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

**WORK SESSION**

The Dayton City Commission met in a Work Session on Wednesday, September 11, 2019, at 10:15 a.m., following 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, Shaw and Fairchild were present. Ms. Ariel Walker, Director, City Commission Office, and Ms. Rashella Lavender, Clerk of the Commission, were also in attendance.

Ms. Shelley Dickstein, City Manager, Ms. Tammi Clements, Deputy City Manager, Mr. Joe Parlette, Deputy City Manager, Mr. Ken Couch, Director of Human Resources, and Ms. Peggy Thumser, Benefits Claims Administrator with the Department of Human Resources, were the presenters.

An overview was provided regarding the Dayton Off-Site Clinic/Health and Wellness for employees and their families.

“In the mid 2000s, McGohen Brabender (MB), the City’s health insurance broker, facilitated a meeting with local government and education institutions to consider alternative steps to control health care costs (i.e., bidding consortiums, on-site or off-site clinics, etc.). The participants agreed to participate in a healthcare study; however, as the parties moved toward execution of the study, the other employers declined to participate

When the City elected to consider a Clinic, the study indicated that the City should address six (6) main health insurance drivers:

- Medically homeless employees
- Unnecessary or excessive Emergency Room (ER) visits
- Unnecessary or excessive Urgent Care (UC) visits
- Prescription Drug non-compliance
- Lost employee productivity
- Serious health condition preventive treatment

In 2014, the former City Manager, Mr. Timothy Riordan, asked HR to re-examine the possibility for a Clinic. The study demonstrated an interest by City employees, and indicated that the City would need to “capture” approximately 30 percent of available employees and dependents at a Clinic for the City to experience a savings in our health insurance costs. At the conclusion of the RFP process, the City selected Healthstat (HS) as our vendor to manage the City’s DOC. The City entered into a three (3) year contract with HS in 2015/2016 to manage the DOC.

After discussions with employees and the City’s union partners, the City elected to provide urgent care and primary care services at the DOC. The City declined to offer occupational (work related) medical treatment at the DOC.

The City looked at all City owned properties, but concern expressed by some employees/unions about locating the DOC in a City facility ultimately made the City elect an independent facility. After considering all other independent medical office building locations close to Ottawa Yards, City Hall, and other City locations; the City elected to locate the DOC in the Wright Health Medical building.

The City was desirous of allowing employees to use the DOC without charging their leave balances, but we also had to minimize the impact of employees leaving the work site. Ultimately we elected to allow employees to use the DOC without the need to use leave, but the employee would be required to communicate with their supervisor prior to any DOC visit to minimize the impact to City operations.

We worked with Healthstat toward opening the DOC in 2016. The DOC officially opened on November 28, 2016. The DOC was fully operational on December 12, 2016:

- There have been 8,915 Office Visits from Grand Opening through August 2019
- Based upon the most recent D.O.C. Customer Satisfaction Survey, 95% feel they were treated in a compassionate manner, 95% feel all of their questions & needs were addressed during their visit, 100% were satisfied with the quality of their care, and 93% would recommend the D.O.C. to a friend or colleague

The City's three (3) year contract with Healthstat is concluding in November 2019. A review of the employee satisfaction surveys and the City's health insurance claim trends indicates that the DOC has been a resounding success. The DOC continues to actively address the City's issues with costs and medical homelessness. The DOC has also demonstrated a positive ROI of 1.13:

- ER Plan Savings - \$959,159
- UR Plan Savings - \$27,865
- Generic Drug Plan Savings - \$121,870
- Office Visit Plan Savings - \$233,052
- Savings based upon plan cost reductions from April 2016 through April 2019
- Savings will continue to grow throughout remainder of 2019 and future contract years

HR is proposing that the City renew its contract with Healthstat for a five (5) year period. The contract will run from November 1, 2019 to December 31, 2024. The annual costs for the DOC are as follows:

- November 1, 2019-October 31, 2020 \$1,093,915
- November 1, 2020-October 31, 2021 \$1,128,332
- November 1, 2021-October 31, 2022 \$1,163,877
- November 1, 2022-October 31, 2023 \$1,200,586
- November 1, 2023-December 31, 2024 \$1,451,446

The last year is higher since it is a 14 month term versus 12 months

During the past three (3) years, HR has received numerous requests from employees to be able to receive occupational (work related) treatment at the DOC. Additionally, the City's union partners have also expressed a willingness to allow occupational treatment at the DOC, if it is voluntary.

HR is proposing that occupational and x-ray services be offered at the DOC starting in 2020. The City is proposing a three (3) year contract with Healthstat for occupational and x-ray services. The City is proposing a shorter contract to determine the efficacy of occupational services at the DOC. The City is also proposing two (2) one-year renewals, so this contract will mirror the health contract, if the occupational services are well used and appreciated by the City's employees

The occupational services costs are approximately half of the normal health costs. Assuming the contract runs for the full five (5) year term to match the normal Healthstat contract, the occupational services contract will also run from November 1, 2019 to December 31, 2024. The annual costs for the DOC's occupational services are as follows:

- November 1, 2019-October 31, 2020 \$510,351
- November 1, 2020-October 31, 2021 \$417,318
- November 1, 2021-October 31, 2022 \$433,232
- November 1, 2022-October 31, 2023 \$449,776
- November 1, 2023-December 31, 2024 \$547,790

The first year is higher due to one-time costs related to building changes and equipment purchases (x-ray machine). The last year is higher since it is a 14 month term versus 12 months.

When the City opened the DOC, the City planned to staff the DOC with a part-time medical doctor and two full time nurse practitioners. However, over the past three (3) years, the City has struggled to hire and maintain a part-time medical doctor. Since the City is now adding occupational and x-ray services to the DOC, Healthstat is required under Ohio BWC law to staff a full time medical doctor at the DOC.

Healthstat will be maintaining the two part- time nurse practioners. Additionally, Healthstat will be hiring another full time medical office assistant, who will also serve as the x-ray technician

The DOC will be implementing a new billing and electronic medical documentation software system to account for the occupational services. The DOC may adjust the annual health versus occupational services annual amounts due to the usage of medical care at the DOC throughout the calendar year

The City will present a new contract to Commission for approval on September 25, 2019. The contract will be for \$8,396,623, with \$6,038,156 related to personal health care treatment, and \$2,358,467 related to occupational and x-ray services. Upon ratification, the City will work with Healthstat to take the necessary steps to offer x-ray and occupational services in 2020.”

Mayor Whaley noted her excitement and commended staff on their hard work.

The Work Session concluded at 10:38 a.m.