

On Wednesday, October 9, 2019, at 8:31 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 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 Acting City Manager, Mr. Joe Parlette, were also present.

**APPROVAL OF MINUTES**

Commissioner Mims made a motion to approve the minutes from the October 2, 2019, meeting. Commissioner Fairchild seconded the motion. The previous meeting minutes were unanimously approved.

**COMMUNICATIONS AND PETITIONS**

**Communication #21439**

Street vacation – Hunter Avenue from Leo Street to Windham Street and the alley east of Hillrose Avenue from the south property line of City Lot #33819 to Windham Street.

**Communication #21440**

Ohio Department of Transportation – Director’s Journal Entry and Director’s Deed (MOT25-12.24 Parcels 643WL through 648WL).

**Communication #21441**

**State of Ohio, Department of Liquor Control – Permit Application D4 Permit #9750608 – Woman’s Club of Dayton Foundation, 225 N. Ludlow Street, Dayton, Ohio 45402.**

The Clerk of Commission reported receipt of Permit Application Permit D4 #9750608 – Woman’s Club of Dayton Foundation, 225 N. Ludlow Street, Dayton, Ohio 45402. The application was referred through the City for investigation.

**SPECIAL AWARDS/PRESENTATIONS**

**Bosnia Exchange Students**

Mayor Whaley invited Mr. Arch Grieve, Human Relations Council, to the podium to recognize the Bosnia exchange students in attendance.

Mr. Grieve introduced the Four Cities Young Leadership academy students and teachers who will be learning about local and state government. He said they are from Sarajevo, Vanya Lucca, Mostar, and Bosnia-Herzegovina. He said the Mediation Center has been working for a year to prepare for their visit and they are excited to finally have them here.

Commissioner Joseph thanked Mr. Grieve and the Dayton City Commission, along with host families, for their support in this effort. He said he was honored the State Department funded this exchange.

Mayor Whaley asked how long the students will be in Dayton, Ohio.

Mr. Grieve said they will be here for three weeks.

Mayor Whaley welcomed and thanked them for their attendance at the meeting.

**Winners of the Health and Safety Fair Family Fun 5K Run/Walk**

Mayor Whaley invited Acting City Manager, Mr. Joe Parlette, to proceed with the winners of the Health and Safety Fair Family Fun 5K Run/Walk.

Mr. Parlette said this was the first year that Human Resources had the 5K Run/Walk event, and the response and participation exceeded expectation. He invited Mr. Ken Couch, Director of Human Resources, to the podium to give a community update.

Mr. Couch said two years ago the Human Resources Department decided to ramp up the Health and Safety Fair by inviting spouses, serving breakfast and lunch, and by inviting all dependents on employees' insurance.

Mr. Couch said this year's slogan is "Tools to fix Your Health" which is the same logo as the 5K Run/Walk. He said Healthstat was the primary sponsor with McGohan Brabender supplying the water stations during the 5K Run/Walk.

Mr. Couch announced the top walkers and runners of the event, and highlighted the various categories.

Mayor Whaley thanked them for their efforts and participation in the 5K Walk/Run.

**ADDITIONS OR DELETIONS TO THE CALENDAR**

There were no additions or deletions to the calendar.

**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. Aramark Uniform & Career Apparel Group** (uniform rental and related services as needed through 12-31-20) **\$3,000.00**

**CENTRAL SERVICES**

**B1. RDI Marketing, Inc.** (Professional Information Technology technical services) **11,623.38**  
**(Thru 06/30/20)**

**LAW**

**C1. Green & Green Lawyers, A Legal Professional Association** (professional legal services as needed through 12-31-19) **20,000.00**

**PUBLIC WORKS**

**D1. CNG Services LLC** (compressed natural gas as needed through 12-31-19) **27,000.00**

**D2. Southwestern Ohio Council for Higher Education** (college intern program services as needed through 12-31-19) **4,600.00**

**D3. Thoma-Kraft Body Shop, Inc., dba Thoma Body Shop, Inc.** (automotive body repair services including parts and supplies as needed through 12-31-22) **30,000.00**

**D4. Graybar Electric Company, Inc.** (electrical parts, supplies and related items as needed through 12-31-19) **8,000.00**

**D5. White Allen Chevrolet, Inc.** (one four-wheel drive pickup truck) **30,700.00**  
**(Thru 04/01/20)**

**WATER**

**E1. Friends Service Company, Inc. dba FriendsOffice** (office furniture including installation services through 09-30-22) **17,075.92**

**E2. Fryman Kuck General Contractors, Inc.** (dumpster dumping pad replacements including removal and installation services through 05-31-20) **28,010.00**

**E3. Headworks, Inc.** (Headworks replacement parts and equipment as needed through 12-31-19) **41,577.95**

**E4. Benedict Enterprises, Inc.** (pebble lime hauling as needed through 12-31-21) **70,000.00**

**E5. Custom Conveyor Corporation** (one screw conveyor with drawings and manuals) **47,505.00**

**E6. Norris & Son, Inc.** (rotary kiln bricks through 07-31-23) – P1901208 **100,000.00**

1. **(Cont'd):**

- E7. Norris & Son, Inc.** (rotary kiln brick repair services through 07-31-23) - P1901209  
**\$56,700.00**
- E8. Roberts Water Technologies, Inc.** (Rotosweep System replacement parts as needed through 12-31-19) **48,520.00**
- E9. Zan Creative, Inc. dba Nova Creative Group** (design, file set up and installation of building graphics at the Burkhardt Standpipe) – P1901205 **37,100.00**

1.

- E10. Zan Creative, Inc. dba Nova Creative Group** (design, file set up and installation of building graphics at the Miami and Ottawa water towers) – P1901206 **49,275.00**
  - E11. Illinois Tool Works dba E H Wachs** (one valve maintenance skid system including upfitting services) **110,033.75**
- Depts. of Aviation, Central Services, Law, Public Works and Water. **Total: \$737,721.00**

- 2. **Fahlgren Inc. – Service Agreement** – for Consulting Services for Meeting Facilitation and Related Services – Dept. of Procurement, Management & Budget. **\$80,000.00**  
**(Thru 12/31/21)**
- 3. **Fritz-Rumer-Cooke, Inc. – Contract Modification** – third amendment for the Northwest Lead Track – Annual Inspection and Maintenance – Dept. of Economic Development. **\$60,000.00**  
**(Thru 04/30/20)**
- 4. **Healthstat, Inc. – Service Agreement** – renewal for the continued operation and management of an off-site employee health and wellness center – Dept. of Human Resources. **\$8,396,623.00**  
**(Thru 12/31/24)**
- 5. **LEAF Capital Financing – Lease Agreement** – for carpet and hard surface cleaning equipment at the Dayton International Airport – Dept. of Aviation. **\$21,000.00**  
**(Thru 12/31/22)**

**B. Construction Contracts:**

- 6. **Charles Jergens Construction – Award of Contract** – for Nuisance Abatement Program Residential Demolition I 2019 Rebid (10% HUD Section 3 Participation Goal/10% HUD Section 3 Participation Achieved) (CDBG Federal Funds) – Dept. of Planning & Comm. Development/Housing Inspection. **\$318,000.00**  
**(Thru 12/31/21)**
- 7. **Charles Jergens Construction – Award of Contract** – for Nuisance Abatement Program Residential Demolition II 2019 Rebid (10% HUD Section 3 Participation Goal/10% HUD Section 3 Participation Achieved) (CDBG Federal Funds) – Dept. of Planning & Comm. Development/Housing Inspection. **\$314,150.00**  
**(Thru 12/31/21)**

**C. Revenue to the City:**

- 8. **National Pallet & Mulch – Contract Modification**– to provide mulching operations and related composting services – Dept. of Public Works. **\$48,510.00**  
**(Thru 10/31/22)**

**E. Other – Contributions, Etc.:**

- 9. **Law Office of Adam James Stout – Other** – for full settlement of claim filed – Dept. of Law/Civil. **\$14,000.00**
- 10. **National League of Cities – Other** – for membership dues – Dept. of Procurement, Management & Budget. **\$10,154.00**

## **CITIZENS' COMMENTS ON CALENDAR ITEMS**

There were no citizens' comments on calendar items.

### **DISCUSSION OF CALENDAR ITEM**

#### **Calendar Item No. 4. – Healthstat, Inc. – Service Agreement**

Mr. Joe Parlette, Acting City Manager, invited Mr. Ken Couch, Director of Human Resources, and Peggy Thumser, Benefits and Wellness Administrator, Department of Human Resources, to the podium to provide a community update on the service agreement with Healthstat Inc.

Mr. Couch said in September a Work Session on the Dayton Offsite Clinic (DOC) was presented before the City Commission on the history and the desire to go forward with a new contract was discussed. He said on November 28, 2016, the first and only off-site medical clinic in the State of Ohio was opened for City of Dayton employees. Mr. Couch said to his knowledge, it's still the only government ran off site clinic.

Mr. Couch said first they had to find a building that employees would want to go to and would accommodate large vehicles and fire apparatus because employees would be going during work hours. He said every time employees go they are asked to take a survey and he shared quotes from employees on how successful the clinic is.

Mr. Couch said the capture rate, which is what percentage employees use the Dayton Offsite Clinic (DOC), is at 72 percent and spouses is 26 percent, and children 18 percent usage. He said they recently hired a Chronic Condition Manager who is a registered dietician to work with members who are covered by the City of Dayton's health insurance plan.

Mr. Couch said in three years the City of Dayton has avoided \$959,159.00 in Emergency Care, \$27,865.00 in urgent care, \$121,870.00 in generic drug plan savings, and \$233,052.00 in office visits.

Mr. Couch said Human Resources is proposing the City of Dayton review its renewal with Healthstat every five years. He said the contract will run from November 1, 2019, until December 31, 2024. He said they are proposing that x-ray and occupational services be offered in 2020.

Mayor Whaley thanked Mr. Couch for his presentation and congratulated him on his efforts. She encouraged family members to use the Dayton Offsite Clinic (DOC) more.

Commissioner Mims commended Mr. Couch on the amount of savings the City is receiving.

#### **Calendar Item No. 11. Emergency Ordinance No. 31759-19- Authorizing the Sale of Certain Real Estate Located at 1751 Danner Avenue to the Humane Society of Greater Dayton**

Mr. Parlette asked Mr. Brian Welke, President and CEO of the Humane Society, to the podium for comment as this ordinance is being considered.

Mr. Welke said the Humane Society has been in the Dayton area since 1902 working throughout the Miami Valley area to address all types of problems like overpopulation, finding homes for homeless pets, and addressing cruelty and neglect to animals.

Mr. Welke said the last expansion of the Humane Society happened in 1990. He said they are in the midst of a capital campaign with two phases. He said the first phase is to construct a full service hospital for the underserved in the community. He said there are a lot of families who cannot access high quality care for their pets. Mr. Welke said unfortunately, they have to make a decision to turn the pets over to the Humane Society or have them euthanized for simple medical conditions. He said payment will be on a sliding scale with some paying little to no money and those that can pay paying the full amount.

Second, the Montgomery County Resource Center no longer services the cat population; and the Humane Society has been using the trap-neuter-return system. He said it's a positive way of decreasing the cat population throughout the community. He commended Fred Stovall, Director of Public Works, for his help in this endeavor. Mr. Welke said his organization will continue to address this issue by putting in a high volume spay-neuter clinic. He said at its capacity, they should be able to do 20,000 procedures.

Last they will be able to address the cruelty and neglect situations. He said the Humane Society works with all types of animals like exotic and farm animals. He said many times they are not able to house those types of animals at the current location, therefore, they will be building a rehabilitation center. Mr. Welke said they rehabilitate animals that have come across bad circumstances and find them a better place to live.

Mr. Welke thanked Mr. Keith Klein, Senior Development Specialist, Department of Economic Development, and the City Commission for their help and consideration with the expansion.

The City Commission thanked Mr. Welke for his work on this endeavor.

**Calendar Item No. 6. Charles Jergens Construction-Award of Contract and Calendar Item No. 7. Charles Jergens Construction – Award of Contract**

Commissioner Joseph asked Mr. Joe Parlette, Acting City Manager, to address the two award of contracts on demolition.

Mr. Parlette invited Mr. Todd Kinskey, Director of Planning and Community Development, to the podium to provide clarification of the two calendar items.

Mr. Kinskey said they are working diligently with the Land Bank to get all projects completed and they are ahead of schedule. He said as a result of the contract an extra 100 buildings have been demolished in the City of Dayton.

**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 ORDINANCE – FIRST AND SECOND READING**

**Emergency Ordinance No. 31759-19-** Authorizing the Sale of Certain Real Estate Located at 1751 Danner Avenue to the Humane Society of Greater Dayton for Economic Development Purposes, 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. 31759-19 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 RESOLUTION – SECOND READING**

**Emergency Resolution No. 6441-19-** Authorizing the Necessary Tax Levies, Requesting the Advance Payment by Montgomery County, Ohio to the City of Dayton, Ohio of Tax Monies Collected for 2020, Certifying the Same to the County Auditor, 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. 6441-19 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.**

**CITIZENS’ COMMENTS**

Citizens’ comments were received from the following:

1. **Willie Feaster, No Address** – spoke about an incident at Third and Main Street in downtown Dayton.

**COMMENTS BY THE CITY MANAGER**

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

**COMMENTS BY THE CLERK OF COMMISSION**

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

**COMMENTS BY THE CITY COMMISSION**

**Commissioner Joseph**

Commissioner Joseph presented the City Commission with gifts from the Mayor of Dayton, Oregon.

**Mayor Whaley**

Mayor Whaley thanked the City of Dayton, Oregon for the gifts.

Mayor Whaley thanked Dayton Police Chief, Richard Biehl, for traveling with her to Columbus, Ohio, for the unveiling of Governor DeWine's common sense gun legislation to the legislature.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 9:06 a.m.

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**Nan Whaley, Mayor**

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