

On Wednesday, October 10, 2018, 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 Joseph 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 October 3, 2018, meeting. Commissioner Fairchild seconded the motion. The previous meeting minutes were unanimously approved.

COMMUNICATIONS AND PETITIONS

Communication #21346

State of Ohio, Department of Liquor Control – Permit Application D5A Permit #9426255 – Water Street hotel, LLC, DBA Fairfield Inn & Suites Dayton, 305 E. Monument Avenue, Dayton, Ohio 45402.

The Clerk of Commission reported receipt of Permit Application D5A Permit #9426255– Water Street hotel, LLC, DBA Fairfield Inn & Suites Dayton, 305 E. Monument Avenue, Dayton, Ohio 45402. The application was referred through the City for investigation.

Communication #21347

Civil Summons – Victoria A. Whorton (Class Action) vs. Cognitians, LLC/City of Dayton, Ohio.

SPECIAL AWARDS/PRESENTATIONS

Mayor’s Award

Mayor Whaley said the Mayor’s Award recognizes and awards citizens who makes our city great. She introduced a short video and announced the winners in various categories.

The winner of the Workforce Pipeline award is Dayton Region’s Manufacturers Association. Ms. Angelia Erbaugh, Executive Director, accepted the award on their behalf.

The winner of the Education Champion award is Dayton Early College Academy. Superintendent Ms. Judy Hennessey accepted the award on their behalf.

The winner of the Giving Back to Neighborhoods Award is Ms. Lisa Tingle, Executive Director of Fundamental Health and Community Development Services, and she also serves as president of the Roosevelt Neighborhood Collaborative.

The winner of the Community Service Award is Mr. Herbert Burton, a dedicated resident of the Pineview neighborhood.

The winner of the Daytonian of the Year is Ms. Amy Radachi, Executive Director of Rebuilding Together Dayton and a dedicated member of the community.

Mayor Whaley presented the awards to each of this year’s winners. She said each winner will receive a plaque, designed and created by local artist Kevin Tunstall.

Mayor Whaley congratulated all of this year’s Mayor’s Award winners!

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 31st of the current year).

1. **Purchase Orders:**

AVIATION

A1. Lebanon Ford, Inc. (one pickup truck)	\$39,200.00
A2. Zan Creative, Inc. dba Nova Creative Group (four parking lot cans/trash and recycling, two liquid collection stations, six Mobius flex recycling/trash receptacles and six stainless steel flip top cans and related services)	22,655.00

1.

CENTRAL SERVICES

B1. Hervey, Inc. (annual computer software license renewal including professional software consulting and support services)	\$28,500.00
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PUBLIC WORKS

C1. Baldwin & Sours, Inc. (200 pedestrian signal modules)	16,600.00
C2. Miami Industrial Trucks, Inc. (one forklift)	29,020.00
C3. Pickrel Brothers, Inc. (plumbing and related supplies as needed through 12-31-18)	15,000.00
C4. Compass Minerals America, Inc. (rock salt as needed through 07-31-19)	200,000.00

WATER

D1. Chemical Services, Inc. (Sodium Hypochlorite solution as needed through 12-31-20)	30,000.00
D2. Miami Valley Gasket, Inc. (Seal neoprene gaskets)	15,765.50
D3. A T R Distributing Company (General Electric brand parts, supplies and related items as needed through 12-31-18)	19,445.00
D4. Buckeye Power Sales Company, Inc. (one zero-turn riding mower)	23,096.00
D5. Lowe's (building supplies, tools and related items as needed through 12-31-18)	10,000.00
D6. Miami Industrial Trucks, Inc. (one forklift)	30,899.35
D7. Mississippi Lime Company (Quick Lime as needed through 12-31-18)	30,000.00
D8. Process Pump & Seal, Inc. (pump refurbishing, rehabilitation and rebuilding as needed through 08-31-22)	20,000.00
D9. Tri-State Winlectric Dayton (electrical parts, supplies and related items as needed through 12-31-19)	5,000.00
D10. Actuate Corporation (annual software maintenance and support services)	14,167.65
D11. Critex LLC (one sewer chamber cutter)	29,998.64
-Depts. of Aviation, Central Services, Public Works, and Water.	Total: \$579,347.14

2. **Axon Enterprise Inc. – Contract Modification** – first amendment to add additional hardware to the current plan for in-car cameras – Dept. of Police. **\$121,200.00**
(Thru 10/01/23)
3. **Moonlight Security – Contract Modification** – first amendment for professional security guard services at the Transportation Center Garage – Dept. of Public Works/Property Management. **\$600,000.00**
(Thru 12/31/20)

B. Construction Contracts:

4. **Bladecutters, Inc. – Award of Contract** – for the Nuisance Abatement Program Residential Demolition II – 2018 (8% MBE Participation Goal/8% MBE Participation Achieved) – Dept. of Planning & Community Development/Housing Inspection. **\$298,400.00**
(Thru 12/31/19)

5. **CHWR Inc dba CWH Mechanical Services – Award of Contract** – for the Safety Building HVAC Improvements (10% MBE Goal Participation/31% MBE Participation Achieved) – Dept. of Public Works/Property Management **\$1,860,100.00**
(Thru 12/31/20)
6. **L.J. Deweese Co., Inc. – Award of Contract** – for the Thornton, Rockland and Westport Water Main Improvements (15% MBE & 10% SBE Goal/17.7% MBE & 10.6% SBE Achieved) – Dept. of Water/Water Engineering. **\$680,134.84**
(Thru 06/07/20)
7. **Schindler Elevator Corporation – Award of Contract** – for the Safety Building Elevator Modernization (Open Market) – Dept. of Public Works/Property Management. **\$1,099,819.00**
(Thru 12/31/20)

C. Revenue to the City:

8. **Dayton Board of Education – Service Agreement** – for off-duty police officer services for requested events – Dept. of Police. **\$25,000.00**
(Thru 06/30/19)

E. Other – Contributions, Etc.:

9. **Miami Valley Housing Opportunities, Inc. – Other** – for the Continuum of Care Subrecipient Agreement – Dept. of Planning & Community Development. **\$483,523.00**
(Thru 07/30/19)

CITIZENS’ COMMENTS ON CALENDAR ITEMS

There were no citizen’s comments on calendar items.

DISCUSSION OF CALENDAR ITEM

Calendar Item No. 2. – Axon Enterprise Inc. – Contract Modification

Ms. Dickstein said this modification will add additional work to the contract that was previously approved.

Calendar Item No. 3. – Moonlight Security – Contract Modification

Ms. Dickstein said this modification will bring security services to the Transportation Center Garage which was originally approved with ABM parking.

Calendar Item No. 4. – Bladecutters, Inc. – Award of Contract

Ms. Dickstein said this contract is for the removal of asbestos material from structures that were demolished as part of the Nuisance Abatement program.

Calendar Item No. 6. – L.J. Deweese Co., Inc. – Award of Contract

Commissioner Mims said he is happy that the Minority-Owned Business Enterprise (MBE) goals are met.

Emergency Resolution No. 6369-18-Agreement between U.S. State Department and Bosnia and Herzegovina

Commissioner Joseph thanked the Mediation Center for their work on this agreement and said it will give students from Dayton, Ohio, and Bosnia an opportunity to learn about entrepreneurship in both places.

APPROVAL OF CITY MANAGER’S REPORTS

Commissioner Mims made a 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 RESOLUTION-FIRST AND SECOND READING

Emergency Resolution No. 6369-18- Authorizing the Acceptance of a Cooperative Agreement with the U.S. Department of State, U.S. Embassy Bosnia and Herzegovina, in the Amount of One Hundred Twenty Thousand Dollars and Zero Cents (\$120,000.00) on Behalf of the City of Dayton, 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. 6369-18 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. 6370-18- Authorizing the Acceptance of a Grant Award for a Fair Housing Assistance Program from the United States Department of Housing and Urban Development in the Amount of Forty-Four Thousand Two Hundred Dollars and Zero Cents (\$44,200.00) on Behalf of the City of Dayton, 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. 6370-18 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 – SECOND READING

Emergency Resolution No. 6367-18- Authorizing the Necessary Tax Levies, Requesting the Advance Payment by Montgomery County, Ohio to the City of Dayton, Ohio of Tax Monies Collected for 2019, Certifying the Same to the County Auditor, 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. 6367-18 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 – FIRST READING

Ordinance No. 31687-18- Consenting to the Repair of Bridge Decks Within the City of Dayton, and Agreeing to Cooperate in Matters Incidental Thereto, Including the Execution of Agreements Necessary to Implement this Ordinance.

RESOLUTION - SECOND READING

Resolution No. 6368-18- Concurring with the Adoption of the Dayton Riverfront Plan.

The question being shall Resolution No. 6368-18 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. **Mr. Willie Feaster** – 1146 Gunther Road – spoke about issues on Third and Main Streets.

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, had no closing comments.

COMMENTS BY THE CITY COMMISSION

Commissioner Mims

Commissioner Mims highlighted his attendance at Senator Sherrod Brown's My Brother's Keeper Conference in Columbus, Ohio. He also said he will be escorting high school seniors to the election poll on October 31, 2018, to vote for the very first time.

Commissioner Fairchild

Commissioner Fairchild highlighted his attendance at the Regional Neighborhood Network Conference on Saturday, October 6, 2018. He also thanked staff for helping with the Town Hall meeting on Monday, October 8, 2018.

Mayor Whaley

Mayor Whaley mentioned the first day of voting and encouraged citizens to vote. She said there are important issues on the ballad like Issue 6 and Issue 8 which she encourage citizens to vote yes. She said citizens who have questions may call the Montgomery County Board of Elections at 225-5656.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:09 a.m.

Mayor Nan Whaley

Attest: _____
Clerk of Commission