

On Wednesday, March 28, 2018, at 8:30 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 Vacant were present. The Clerk of Commission, Ms. Rashella Lavender, and the City Manager, Ms. Shelley Dickstein, were also present.

APPROVAL OF MINUTES

Commissioner Joseph made a motion to approve the minutes from the March 21, 2018, meeting. Commissioner Shaw seconded the motion. The previous meeting minutes were unanimously approved.

COMMUNICATIONS AND PETITIONS

Communication #21294

State of Ohio, Department of Liquor Control – Permit Application D5 Permit #5700105 – MCRL LLC, DBA Hot Head Burritos, 1113 Brown Street & Patio, Dayton, Ohio 45409.

The Clerk of Commission reported receipt of Permit Application D5 Permit #5700105 – MCRL LLC, DBA Hot Head Burritos, 1113 Brown Street & Patio, Dayton, Ohio 45409. The application was referred through the City for investigation.

SPECIAL AWARDS/PRESENTATIONS

Play Ball Initiative

Mayor Whaley invited Mr. Stephan Marcellus, Recreation Manager, to the podium to give an update on the *Play Ball Initiative*.

Mr. Marcellus said *Play Ball* is an initiative started by Major League Baseball and USA Baseball that encourages participation in all forms of baseball and softball for all ages, with a special focus on youth.

Mr. Marcellus showed a video in which Mayor Whaley participated.

Mr. Marcellus thanked those who participated in the video and said citizen who wish to participate should call Recreations and Youth Services at 937-333-8400.

Mayor Whaley thanked Mr. Marcellus for the video and his work on the *Play Ball Initiative*.

The Clerk of Commission read a proclamation.

ADDITIONS OR DELETIONS TO THE CALENDAR

The Clerk of Commission, Ms. Rashella Lavender, requested the addition of Emergency Ordinance No. 31634-18-Furnishing Water to Montgomery County and Authorizing the City Manager to Execute the Water Service Agreement.

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 Order:

POLICE

A1. Kiesler Police Supply (various types of ammunition through 03-31-19) **\$104,538.10**

PUBLIC WORKS

B1. Utility Truck Equipment, Inc. (one Versalift brand aerial bucket truck) **131,053.00**

1. (Cont'd):

- B2. Southeastern Equipment Company** (one 621G T4 articulated wheel loader)
\$163,836.60
- B3. McNeilus Truck & Manufacturing Company** (one Compressed Natural Gas side-load automated refuse truck and one Compressed Natural Gas rear-load refuse collection truck through 07-31-20) **533,759.00**

RECREATION & YOUTH SERVICES

- C1. Carpetland, Inc. dba Big Bobs** (vinyl and rubber flooring including removal and installation services through 06-30-18) **21,289.42**

WATER

- D1. Midwest Maintenance, Inc.** (building exterior sealant replacement and water repellent services) **33,000.00**
- D2. D M Anderson, Inc.** (Teledyne Isco peristaltic auto-samplers and batteries) **18,708.20**
- D3. Debra-Kuempel** (boiler maintenance and repair services as needed through 12-31-20) **37,500.00**
- D4. Flottweg Separation Technology, Inc.** (Centrifuge maintenance, repair parts, services and inspections as needed through 12-31-21) **380,000.00**
- D5. NCH Corporation** (80W90 gear lubricant as needed through 12-31-18) **15,000.00**
- D6. Alloway Environmental Testing** (UCMR4 Testing Services as needed through 02-28-21) **58,368.00**
- D7. Benedict Enterprises, Inc.** (Pebble lime hauling as needed through 12-31-18) **108,056.00**
- D8. Bulk Transit Corp.** (Pebble lime hauling as needed through 12-31-18) **92,649.00**
- D9. Metropolitan Environmental Services** (Industrial/plant residual cleaning and pipe cleaning services as needed through 12-31-21) **150,000.00**
- D10. Superior Environmental Solutions, Inc.** (Industrial/plant residual cleaning and pipe cleaning services as needed through 12-31-21) **150,000.00**
- Depts. of Police, Public Works, Recreation & Youth Services, and Water. **\$1,997,757.32**

2. **Briggs Creative Services, LLC – Service Agreement** – for professional surveying services in connection with the West Riverview Bike Path and the Washington Street Bike Path projects – Dept. of Public Works/Civil Engineering. **\$33,276.00**
(Thru 12/31/24)

B. Construction Contracts:

3. **L. J. DeWeese Co., Inc. – Award of Contract** – for the Valley Street Bikeway PH 1A (6% DBE Participation Goal/6.06% DBE Participation Achieved) (Federal Construction Funds) – Dept. of Public Works/Civil Engineering. **\$123,920.25**
(Thru 08/01/20)

C. Revenue to the City:

4. **City of Riverside, Ohio – Other** – to continue uninterrupted service to provide access to the City of Dayton's incident based reporting – Dept. of Police. **\$17,610.00**
(Thru 03/31/19)

E. Other – Contributions, Etc.:

BY THE BOARD OF REVISION OF ASSESSMENTS

5. In the Matter of Declaring the Intention of the Commission to Vacate Portions of South Main Street and South Jefferson Street – Recommendation to Proceed.

CITIZENS' COMMENTS ON CALENDAR ITEMS

There were no citizens' comments on calendar items.

DISCUSSION OF CALENDAR ITEMS

Emergency Ordinance No. 31634-18-Authorizing the City of Dayton to Furnish Water to Montgomery County
The City Manager, Ms. Shelley Dickstein, said this agreement will implement a 40 year water service agreement with Montgomery County. She said she is proud of this agreement because it emphasizes the cost of service utility model, collectively built with Montgomery County. She said this model will be fair and equitable for both parties involved.

Commissioner Joseph thanked everyone who worked on this project and congratulated his colleagues on being forward thinking.

Commissioner Shaw congratulated everyone involved and said it's been a long time coming.

Mayor Whaley thanked Ms. Tammi Clements, Deputy City Manager, for her leadership on the agreement.

APPROVAL OF CITY MANAGER'S RECOMMENDATIONS

Commissioner Mims made the motion to approve the City Manager's Reports. Commissioner Joseph seconded the motion. The City Manager's Reports were approved with a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant.

LEGISLATION

EMERGENCY ORDINANCE – FIRST READING

Emergency Ordinance No. 31633-18- To Vacate Portions of South Main Street and South Jefferson Street.

THIS ITEM WAS ADDED

EMERGENCY ORDINANCE-FIRST AND SECOND READING

Emergency Ordinance No. 31634-18-Authorizing the City of Dayton, Ohio to Furnish Water to Montgomery County, Ohio and Authorizing the City Manager to Execute the Water Service Agreement and Any Documents and Agreements Related Thereto, and Declaring an Emergency.

Commissioner Joseph moved that this being an emergency measure for the immediate consideration of the Ordinance. Commissioner Mims seconded the motion. The motion was passed with a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant. The question being shall Emergency Ordinance No. 31634-18 be passed. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant. The Emergency Ordinance was passed.

NOTE OF RECORD

Resolution No. 18-0438 – Resolution Authorizing an Agreement with the City of Dayton for the Purchase of Potable Water for Distribution to County Customers. The Terms of this Agreement will be from the Date of Execution of the Contract for a Term of Twenty Years with an Automatic Twenty Year Renewal in 2038. Adopted by Commissioners of Montgomery County:
March 27, 2018

CITIZENS' COMMENTS

Citizens' comments were received from the following:

1. **Mr. Willie Feaster** – 455 Forest Ave. – spoke about gun violence in schools and thanked Mayor Whaley for her leadership.

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 CITY COMMISSION

Commissioner Shaw

Commissioner Shaw highlighted his attendance at the *51st Annual Jack and Jill Beautillion* and the AFLCIO State Dinner.

Mayor Whaley

Mayor Whaley thanked the City Commission for their attendance at the *March for Our Lives* event sponsored by student of the Stivers School for the Arts.

EXECUTIVE SESSION

On Wednesday, March 28, 2018, at 8:53 a.m., Commissioner Joseph made a motion to convene into an Executive Session to discuss personnel issues relating to employee appointment, employment, dismissal or demotion. Commissioner Shaw seconded the motion. The motion was unanimously approved.

ROLL CALL

Roll call was taken and Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant were present.

RECONVENE

At 10:10 a.m., Commissioner Mims made a motion to reconvene from Executive Session and to continue with the meeting. Commissioner Shaw seconded the motion. The motion was unanimously approved.

ROLL CALL

Roll call was taken and Mayor Whaley, Commissioners Mims, Shaw and Vacant were present.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:11 a.m.

Mayor Nan Whaley

Attest: _____
Clerk of Commission