

EXECUTIVE SESSION

At 8:03 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 Williams second the motion. The motion was unanimously approved.

ROLL CALL

Roll call was taken and Mayor Whaley, Commissioners Williams and Joseph were present. Commissioners Mims and Shaw later joined the Executive Session.

RECONVENE

At 8:32 a.m., Commissioner Joseph made a motion to reconvene from Executive Session and to continue with the meeting. Commissioner Shaw second the motion. The motion was unanimously approved.

ROLL CALL

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

CITY COMMISSION MEETING

On Wednesday, January 27, 2016, at 8:32 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 Mims 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 Williams, Joseph, Mims and Shaw were present. The Clerk of Commission, Ms. Rashella Lavender, and the Interim City Manager, Ms. Shelley Dickstein, were also present.

APPROVAL OF MINUTES

Commissioner Mims made the motion to approve the minutes from the January 20, 2016, meeting. Commissioner Joseph seconded the motion. The previous meeting minutes were unanimously approved.

COMMUNICATIONS AND PETITIONS

There were no communications or petitions.

SPECIAL AWARDS/PRESENTATIONS

University of Dayton Students

Mayor Whaley invited Dr. Amy Anderson, University of Dayton, to the podium to receive certificates for the Dayton Peace Accords.

Commissioner Joseph invited Dr. Anderson's colleagues to the podium. He said these men and women were responsible for making the 20th Anniversary of the Dayton Peace Accords events possible.

Dr. Anderson said on behalf of her colleagues it was an honor to be a part of the community wide effort to make the Dayton Peace Accords event successful.

Mayor Whaley thanked everyone for their service.

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 Order:**

COMMISSION OFFICE

A1. Cox Ohio Publishing (legal advertising as needed through 12-31-16) **\$10,500.00**
(and for the period of 04-01-16 through 12-31-16) **10,000.00**

1. (Cont'd):

FIRE

B1. Sinclair Community College (professional educational and training services as
needed through 12-31-16) **35,000.00**
(and for the period of 06-01-16 through 12-31-17) **65,000.00**

LAW

C1. Freund Freeze & Arnold (professional legal services as needed through 12-31-16)
160,000.00

-Depts. of Fire, Law and The City Commission Office. **Total: \$280,500.00**

2. **Community Action Partnership – Agreement** – for the 2016 EITC Campaign Support –
Dept. of Planning & Community Development. **\$11,600.00**
(Thru 01/31/17)

3. **Montgomery County Public Defender Commission – 2016 Agreement for Indigent
Defense Services** – for Indigent Defense Services provided in the Dayton Municipal Courts–
Dept. of Planning & Community Development. **\$62,000.00**

B. Construction Contracts/Estimates of Cost:

4. **Double Jay Construction, Inc. – Change Order No. 1 (CT15-1155)** – for Improvement of
Parks Facilities Phase 2 (9% MBE Participation Goal/9.54% MBE Achieved) – Dept. of
Public Works/Civil Engineering **\$56,522.14**

C. Revenue to the City:

5. **Summit Square Rehab LLC – Agreement** – for continued community policing to deter
crime – Dept. of Police. **\$50,000.00**
(Est. Pymt. to the City)

D. Neighborhood Grants:

6. **Westwood Fabrication & Sheet Metal, Inc. – Development Agreement** – to relocate into
Dayton by acquiring a new facility located at 1752 Stanley Avenue – Dept. of Economic
Development. **\$40,000.00**
(Thru 07/31/21)

CITIZENS' COMMENTS ON CALENDAR ITEMS

Citizens' comments were received from the following:

1. **Ms. Deborah Ferguson, 1279 Sherwood Forest Drive** – spoke about Calendar Item No. 7- Ordinance No. 31470-16-Earned Income Tax Credit (EITC) Program and Kick-off.

Mayor Whaley thanked Ms. Ferguson for her work and said Commissioner Mims will be there for the Kickoff on Friday, January 29, 2016.

DISCUSSION OF CALENDAR ITEMS

Calendar Item No. 4 –Double Jay Construction, Inc.-Change Order No. 1

The Interim City Manager, Ms. Shelley Dickstein, invited Mr. Steve Finke, Deputy Director of Public Works, to the podium to provide clarification of this calendar item.

Mr. Finke said this item represent the walking path that was constructed at Howell Field and the demolition of a shelter at Burns Jackson Park.

Calendar Item No. 7 –Emergency Ordinance No. 31470-16-Real Estate Acquisition Program

The Interim City Manager, Ms. Shelley Dickstein invited Mr. Aaron Sorrell, Director of Planning and Community Development, to the podium to provide clarification of this calendar item.

Mr. Sorrell said this item represents the first submission to Montgomery County for the REAP program.

Mayor Whaley asked about the time line for the REAP process.

Mr. Sorrell said it takes six months to go through the process.

Mayor Whaley asked about customer feedback.

Mr. Sorrell said Ms. Paula Powers, whom manages the program, sends out a survey each year to all customers for feedback.

Calendar Item No. 11 –Resolution No. 6165-16-Community Police Council

The Interim City Manager, Ms. Shelley Dickstein invited Ms. Katie Crosby, Executive Director of the Human Relations Council, to the podium to provide clarification of this calendar item.

Ms. Crosby said she is pleased to announce the formal establishment of a Community Police Council. She said the council has been formed since 2011. She said this calendar item further shows the Dayton City Commission's commitment to police relations in the community.

She said that passing this Resolution it will make the community aware of this council.

Mayor Whaley asked about the establishment of this council and what changes have taken place if any.

Ms. Crosby said this Resolution will establish members of the council. She said there will be 11- 15 members with representatives from the Police Department, faith based community and private community and others.

Mayor Whaley invited Mr. Amaha Sellassie, Community Activist and Sherry Gale, Pastor of Grace United Methodist Church, to the podium to provide remarks on this calendar item.

Pastor Gale said for the past four years the Community Police Council has been meeting every month to discuss this critical conversation. She said she believes this resolution codifies what has been happening with this council. Pastor Gale said she believes it's important to establish a civilian as a chairperson for this council. She said in the last couple of months she has felt more positive about this process.

Mr. Sellassie said that he is excited about this Resolution, and he believes it will establish trust with the community by making this council official.

Commissioner Shaw thanked all the members of the CPC for all of their hard work.

Mayor Whaley said she is impressed by the work of these citizens of Dayton and thank them for their hard work. She said at the US Conference of Mayors she had an opportunity to speak with President Obama about this effort. Mayor Whaley said that even though we don't have this figured out she is impressed that this council keeps the conversation going.

Commissioner Joseph said they personally have their full support to further the discussion and to make sure the dialogue is happening.

Commissioner Mims said this council has prevented negative things from happening in our city. He said even though we are not satisfied with where we are, the fact that where we are is better than a lot of other cities and what they are going through.

Commissioner Williams thanked Pastor Gale and Mr. Sellassie for their work. He said this conversation is very difficult. Commissioner Williams said he is happy he's had an opportunity to attend meeting across the nation to see what is happening in other communities. He said it's important that we find a Dayton solution. He said this can be done by brining in more people, being transparent and attending events in other cities.

APPROVAL OF CITY MANAGER'S RECOMMENDATIONS

Commissioner Shaw made the motion to approve the City Manager's Reports. Commissioner Joseph seconded the motion. The City Manager's Reports were approved with a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims and Shaw.

LEGISLATION

Emergency Ordinance- First and Second Reading

Emergency Ordinance No. 31470-16-Authorizing the Submission, Acceptance, Acquisition and Purchase of Sixty-Six Properties from Montgomery County, Ohio, and the Subsequent Disposition of those Properties in Connection with the Real Estate Acquisition Program ("REAP"), and Declaring an Emergency.

Commissioner Williams 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 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims and Shaw. The question being shall Emergency Ordinance No. 31470-16 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims and Shaw. The Emergency Ordinance was passed.

Emergency Resolutions – Second Reading

Emergency Resolution No. 6161-16-Authorizing the City Manager to Accept Funding from the Economic Development and Government Equity Program, as Approved by the Board of County Commissioners of Montgomery County, Ohio, in an Amount Not to Exceed Forty Thousand Dollars and Zero Cents (\$40,000.00) for the Angstrom Materials, Inc., Project, on Behalf of the City of Dayton, and Declaring an Emergency.

Commissioner Joseph made a motion that this being an emergency measure for the immediate consideration of the resolution. Commissioner Shaw seconded the motion. The motion passed with a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims and Shaw. The question being shall Emergency Resolution No. 6161-16 be adopted. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims and Shaw. The Emergency Resolution was adopted.

Emergency Resolution No. 6162-16-Authorizing the City Manager to Accept Funding from the Economic Development and Government Equity Program, as Approved by the Board of County Commissioners of Montgomery County, Ohio, in an Amount Not To Exceed One Hundred Thousand Dollars and Zero Cents (\$100,000.00) for the Rostam Direct Project, on Behalf of the City of Dayton, and Declaring an Emergency.

Commissioner Mims made a motion that this being an emergency measure for the immediate consideration of the resolution. Commissioner Williams seconded the motion. The motion passed with a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims and Shaw. The question being shall Emergency Resolution No. 6162-16 be adopted. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims and Shaw. The Emergency Resolution was adopted.

Emergency Resolution No. 6163-16-Authorizing the City Manager to Accept Funding from the Economic Development and Government Equity Program, as Approved by the Board of County Commissioners of Montgomery County, Ohio, in an Amount Not To Exceed Twenty-Five Thousand Dollars and Zero Cents (\$25,000.00) for the Hohman Plating Project, on Behalf of the City of Dayton, and Declaring an Emergency.

Commissioner Shaw made a motion that this being an emergency measure for the immediate consideration of the resolution. Commissioner Joseph seconded the motion. The motion passed with a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims and Shaw. The question being shall Emergency Resolution No. 6163-16 be adopted. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims and Shaw. The Emergency Resolution was adopted.

RESOLUTION – FIRST READING

Resolution No. 6165-16 - Establishing the Community Police Council.

ORDINANCE -SECOND READING

Ordinance No. 31469-16- Consenting to the Improvement of Germantown Street within the City of Dayton, and Agreeing to Cooperate in Matters Incidental Thereto, Including the Execution of Agreements Necessary to Implement this Ordinance.

The question being shall Ordinance No. 31469-16 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims and Shaw. The Ordinance was passed.

RESOLUTION - SECOND READING

Resolution No. 6164-16- Declaring the Intention of the Commission to Vacate the Alley South of Stout Street from Catherine Street to South Patterson Boulevard.

The question being shall Resolution No. 6164-16 be adopted. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims, and Shaw. The Resolution was adopted.

BOARD APPOINTMENTS

Commissioner Shaw made the motion to appoint Alena Seiler to the Welcome Dayton Committee for a term ending December 31, 2018. Commissioner Joseph seconded the motion. The motion was unanimously approved.

Commissioner Williams made the motion to appoint Claudia Cortez-Reinhardt to the Welcome Dayton Committee for a term ending December 31, 2018. Commissioner Mims seconded the motion. The motion was unanimously approved.

Commissioner Joseph made the motion to reappoint Yonathan Kebede, Jessica Ramos, Monica Schultz, Anthony Whitmore, Mary Tyler, and Kimberly Barrett to the Welcome Dayton Committee for a term ending December 31, 2018. Commissioner Shaw seconded the motion. The motion was unanimously approved.

PUBLIC HEARING

Mayor Whaley opened the Public Hearing regarding the 2016 Annual Appropriation. The City Manager, Ms. Shelley Dickstein, called Ms. Barb LaBrier, Director of the Office of Management and Budget, to report on the 2016 Annual Appropriation.

Ms. LaBrier said this is the first of two hearings in representing the 2016 Annual Appropriation of \$559mil. She said public input has been taken from the Neighborhood Presidents Forum, the Community and Neighborhood Development Advisory Board, and Revenue Advisors Group.

CITIZENS COMMENTS ON PUBLIC HEARING

There were no citizens' comments on the public hearing.

Mayor Whaley said this hearing is formal but the City Commission has held many informal discussions about the budget.

Mayor Whaley closed the public hearing.

CITIZENS' COMMENTS

There were no citizen comments.

COMMENTS BY THE CITY MANAGER

The Interim 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

Mayor Whaley

Mayor Whaley said she had a great time marching in the Martin Luther King march with all the Commissioners and citizens.

She said that morning they also kicked off the Read on Challenge which helps to curb the summer slide.

Commissioner Joseph asked about the summer slide.

Mayor Whaley said the summer slide is where children that live in poverty lose educational skills during the summer break.

Mayor Whaley said she attended the US Conference of Mayor's last week and President Obama spoke to the Mayor's for the last time. He said the advice that he gives people is to be kind and useful, and not be lazy.

ADJOURNMENT

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

Mayor Nan Whaley

Attest: _____
Clerk of Commission