

On Wednesday, March 23, 2016, 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 Williams, Joseph, Mims and Shaw were present. The Clerk of Commission, Ms. Rashella Lavender, and the City Manager, Ms. Shelley Dickstein, were also present.

APPROVAL OF MINUTES

Commissioner Williams made the motion to approve the minutes from the March 16, 2016, meeting. Commissioner Mims seconded the motion. The previous meeting minutes were unanimously approved.

COMMUNICATIONS AND PETITIONS

There were no communications and petitions.

SPECIAL AWARDS/PRESENTATIONS

2015 Water Worthy Award Winners

Mayor Whaley invited Ms. Tammi Clements, Director of Water, to the podium to present the Dayton's 2015 Water Worthy Award Winners.

Ms. Clements said the Water Worthy Award is a grass root effort for employees to recognize one another for exemplary work. She said there are five categories for recognition which are Customer Service, Initiative, Safety, Green Light, and Teamwork.

Ms. Clements said the Water Worthy Award Winners for Customer Service is John Hartsock and Mike Bailey, Initiative – Shannon Zell and Joe Florkey, Safety – Kelley Collins, Green Light – Dave Bailey, Team Work – Regina Finely, Marilyn Bowling, Karen Thomas, Dave Johnson, David Lawrence, Miyah Dunford, Jackie Richmond, Keisha Kinney, Leslie Tipton, Regina Smith, Kim Martin, and Lisa Burton-Yates. The Employee of the Year is Mike Bailey.

The City Commission thanked the employees for their hard work and their commitment to 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:

AVIATION

A1. Springfield Overhead Door LLC (Overhead door repair services as needed through 12-31-16)	\$10,000.00
(and for the period of 01-01-17 through 12-31-18)	50,000.00

CENTRAL SERVICES

B1. Springfield Overhead Door LLC (Overhead door repair services as needed through 12-31-16)	5,000.00
(and for the period of 01-01-17 through 12-31-18)	50,000.00
B2. DLT Solutions LLC (Oracle Weblogic software licensure)	66,260.40

1. (Cont'd):

PLANNING & COMMUNITY DEVELOPMENT

C1. Key Chrysler-Plymouth-Dodge (three compact sports utility vehicles) **\$59,757.00**

PUBLIC WORKS

D1. Sinclair Community College (professional organizational development services as needed through 12-31-16) **32,000.00**

D2. Utility Truck Equipment, Inc. (one Versalift brand aerial bucket truck) **129,370.00**

WATER

E1. B L Anderson Co., Inc. (YSI, Xylem, Sanitaire, Leopold, and Wedeco brands replacement parts and related items as needed through 12-31-16) **20,000.00**

E2. Cincinnati Belting & Transmission dba CBT Company (two Allen Bradley brand variable frequency drives and related items) **24,056.24**

-Depts. of Aviation, Central Services, Planning & Community Development, Public Works, and Water. **Total: \$446,443.64**

2. **CB Richard Ellis (Agent for Titan Loan Fund) – Third Amendment to Lease Agreement** – for an additional three year lease for 16,679 square feet of space located at 130 W. Second Street – Dept. of Central Services/Facilities Mgmt. **\$612,953.25**
(Thru 03/31/19)

3. **Optica Consulting, Inc. – Professional Services Agreement – First Renewal** – renewal option for one year related to database administration – Dept. of Central Services/Information Technology. **\$756,888.00**
(Thru 03/31/17)

B. Construction Contracts/Estimates of Cost:

4. **Adleta, Inc. – Contract** – for the North Main Street Transportation Enhancements (20% DBE Participation Goal/21.94% DBE Achieved) (Federal Construction Funds) – Dept. of Public Works/Civil Engineering. **\$366,886.25**

5. **Double Jay Construction, Inc. – Contract** – for the Stanley Avenue & Webster Street Intersection Improvements (10% MBE Participation Goal/14.46% MBE Achieved) (5% SBE Participation Goal/15.84% SBE Achieved) (5% WBE Participation Goal/15.84% Achieved) (State Issue 1 Funds) – Dept. of Public Works/Civil Engineering. **\$623,951.20**

C. Revenue to the City:

6. **City of Riverside – Intergovernmental Agreement** – to continue uninterrupted service to provide access to the City of Dayton's incident based reporting with in the Police Department MIS system for historical records – Dept. of Police. **\$17,280.00**
(Thru 03/31/17)
(Revenue to the City)

7. **Danis Industrial Construction Company – Contract** – for the Lime Reclamation Facility Expansion (Re-Bid) (Open Market) – Dept. of Water/Water Engineering. **\$9,053,908.00**
(Thru 05/2018)

8. **Double Jay Construction, Inc. – Contract** – for the King Avenue, Nordale Avenue, and Revere Avenue Water Main Improvements (15% MBE Goal/15.01% MBE Achieved) (5% WBE Goal/5% WBE Achieved) (5% SBE Goal/5% SBE Achieved) – Dept. of Water/Water Engineering. **\$972,455.00**
(Thru 09/2017)

C. Revenue to the City:

9. **Marion's Piazza, Inc. – Sponsorship Agreement** – for the 2016 Independence Day Celebration on July 3, 2016 – Dept. of Recreation & Youth Services. **\$20,000.00**
(Revenue to the City)

E. Other – Contributions, Enterprise Zone Agreements, Etc.:

10. **F. A. Requarth Company – Settlement of Claim** – for full settlement of claim filed – Dept. of Law/Civil. **\$25,000.00**

CITIZENS' COMMENTS ON CALENDAR ITEMS

There were no citizens' comments on calendar items.

DISCUSSION OF CALENDAR ITEMS

Calendar Item No. 7.-Danis Industrial Construction Company-Contract, and Calendar Item No. 8. – Double Jay Construction, Inc. - Contract

Ms. Dickstein invited Ms. Tammi Clements, Director of Water, to the podium to provide clarification of these calendar items.

Ms. Clements said Calendar Item No. 7, a contract with Danis Industrial Construction Company represents the Lime Kiln Expansion. She said this expansion has been in progress for three years and the final phase will be completed in 420 days.

Ms. Clements said the City of Dayton will be able to sell pebble lime to other municipalities as well as other water softener companies. She said it's a green and sustainable approach to recycling high quality lime with almost 95 percent pure elements. She said the sale of the product will produce a positive cash flow in the second year.

Mayor Whaley said the City of Dayton is very excited about this endeavor.

Commissioner Williams said in terms of a regional cooperation initiative this is a win-win for everyone in the region.

Commissioner Mims said he is excited because of the ability it has to pay for itself.

Commissioner Shaw said he liked the idea that we will be able to market to the private sector.

Ms. Clements said Calendar Item No. 8, a contract with Double Jay Construction, Inc., is a continuation of the water main replacement program. She said the City of Dayton achieved very good minority participation on this item. Ms. Clements said this item will allow over a mile of water main replacement and will improve water pressure.

Calendar Item No. 9. –Marion's Piazza, Inc. – Sponsorship Agreement

Ms. Dickstein thanked Mr. Roger Glass, of Marion's Piazza, for sponsoring the fireworks for the City of Dayton.

Mayor Whaley added Marion's Piazza is a Dayton original.

Calendar Item No. 12 –Emergency Ordinance No. 31481-16-Authorizing the Sale of Real Estate at 15 McDonough Street and Calendar Item No. 13. – Emergency Ordinance No. 31482-16-Authorizing the Sale of Real Estate at 120 Wayne Ave.

Ms. Dickstein said these items represent the authorization for conveyance of real estate for development purposes.

She said there will be \$30M invested in these areas which will be a high density mixed use project.

Ms. Dickstein invited Mr. Barry Alberts of City Properties Group, Louisville, Kentucky, to the podium to provide more information on this calendar item.

Mr. Alberts said City Properties Group, which has over 20 years experience of adapted use of historical properties, is a multi-disciplinary real estate development firm known for creating unique mixed-use properties. He said they help urban neighborhoods to grow and thrive.

Mayor Whaley said the experience that City Properties Group has and that they have local connections is very gratifying and exciting.

APPROVAL OF CITY MANAGER'S RECOMMENDATIONS

Commissioner Mims made the motion to approve the City Manager's Reports. Commissioner Williams 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 ORDINANCES -FIRST AND SECOND READING

Emergency Ordinance No. 31480-16- Authorizing a Petition for the Annexation of ±24.98 Acres Located in Bath Township, and Declaring an Emergency.

Commissioner Shaw moved that this being an emergency measure for the immediate consideration of the Ordinance. Commissioner Joseph 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. 31480-16 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 Ordinance No. 31481-16- Authorizing the Sale of Real Estate Located at 15 McDonough Street to Oregon Innovation District, LLC, for a Public Purpose, 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. 31481-16 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 Ordinance No. 31482-16- Authorizing the Sale of Real Estate Located at 210 Wayne Avenue and the Northeast Corner of Wayne Avenue and East Fourth Street to Oregon Innovation District, LLC, for a Public Purpose, and Declaring an Emergency.

Commissioner Joseph moved that this being an emergency measure for the immediate consideration of the Ordinance. Commissioner Shaw 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. 31488-16 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.

CITIZENS' COMMENTS

There were no citizens' comments.

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

Mayor Whaley

Mayor Whaley thanked Mr. Stanley Earley, Deputy City Manager, for his excellent service to the City of Dayton and its citizens and commended him on a great job.

Commissioner Williams

Commissioner Williams thanked Mr. Earley for his leadership and service to the community.

Commissioner Joseph

Commissioner Joseph thanked Mr. Earley for his service to the City of Dayton and noted that during his tenure the bond rating has gone up.

Commissioner Mims

Commissioner Mims thanked Mr. Earley for his leadership and service to the community.

Commissioner Shaw

Commissioner Shaw thanked Mr. Earley for his leadership and service to the community.

EXECUTIVE SESSION

At 9:21 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 Williams, Joseph, Mims and Shaw were present.

RECONVENE

At 10:54 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 and Shaw were present.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:55 a.m.

Mayor Nan Whaley

Attest: _____
Clerk of Commission