

On Wednesday, March 30, 2016, at 6:00 p.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.

Mayor Whaley requested a moment of silence for Ms. Patricia Rickman, Community Activist, and Ms. Deborah Williams, former City of Dayton employee.

**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 City Manager, Ms. Shelley Dickstein, were also present.

**APPROVAL OF MINUTES**

Commissioner Williams made the motion to approve the minutes from the March 23, 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**

**Kida the Airport Dog**

Mayor Whaley invited Ms. Molly Arneson, Dog Trainer, to the podium to present a new employee.

Ms. Arneson said Kida is a certified therapy dog that was raised as a service dog for children with special needs. She said Kida received training in restaurants and grocery stores in order to interact in various situations. Ms. Arneson said Kida has visited residents of various living facilities. She said Kida's role at the airport is to help reduce the anxieties of travelers. Ms. Arneson said Kida is at the airport two to three times a week and she stays for four hours a day.

Mayor Whaley thanked Ms. Arneson for thinking of ways to improve the Dayton International Airport.

**School Board Member John McManus**

Mayor Whaley invited Mr. John McManus, Dayton School Board Member, to the podium to provide a community update.

Mr. McManus thanked the Dayton City Commission for their concern and effort for Dayton Public Schools. He said Dayton Public Schools will benefit from the contributions of the Dayton City Commission.

**Neighborhood Clean-up**

Ms. Dickstein invited Mr. Aaron Sorrell, Director of Planning and Community Development, to the podium to provide a community update.

Mr. Sorrell said there are many resources for neighborhood cleanups. He said in 2015 there were 310 cleanups in the City of Dayton. Mr. Sorrell said collaborating with the Public Works department is key to a successful cleanup.

Mr. Sorrell said organizations or individuals that are interested in neighborhood cleanups should contact Mr. Brian Fowls, Montgomery County Solid Waste, to use the Community Pride Cleanup Supply Trailer. Mr. Sorrell said the Community Pride Cleanup Supply Trailer is available for loan to Montgomery County residents and community volunteer groups free of charge. He said the trailer is stocked with landscaping tools which will assist residents with removing debris and help with beautification. He said Montgomery County will deliver and pick up the trailer from the designated project area.

Mr. Sorrell said if organizations would like to clean up large vacant lots or alleyways, they can reserve a free Roll-off Container. He said these industrial-size containers will be dropped off before the cleanup event and then picked up by a waste hauler afterwards at no cost to the group.

Mr. Sorrell said Montgomery County Sheriff's office has youth volunteers that can help with the cleanup. He said neighborhood organizations my contact Deputy Scott Landis at 937-496-3060 for more information.

Mr. Sorrell said he would like to encourage neighborhood organizations to adopt a vacant lot. He said it will help mowing of vacant lots go at a faster rate. Mr. Sorrell said organizations may contact Ms. Connie Nisonger, Planning and Community Development, at 937-333-3670.

Mayor Whaley thanked Mr. Sorrell for the work his office is doing for the community.

**Girls Scouts of America Gold Award Winner**

Mayor Whaley invited Ms. Suzanne Valle, Girls Scouts of America, to the podium to present a Girls Scouts of America Gold Award Winner.

Ms. Valle said Sandria Allen is a Girls Scouts of America Gold Award Winner. She said she is the Valedictorian of her school. Ms. Valle said the name of her project for the award is "Summer of Fun, Gift of Giving".

Ms. Allen said she volunteers at Mt. Enon Missionary Baptist Church, feeding the community and giving clothes away. She said she loves working with the community. She said her project shows young people there is more to do in the summer than getting into trouble. She said her project gives families gifts at Christmas as wells as food and entertainment.

Commissioner Williams asked about her grade point average.

Ms. Allen said her grade point average is 4.12 on a 4.0 scale.

Mayor Whaley asked what school she plans on attending.

Ms. Allen said she will attend the University of Toledo to study Cardiology.

Mayor Whaley commended Ms. Allen on staying in Girls Scouts and for receiving the award.

**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 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**

**PLANNING & COMMUNITY DEVELOPMENT**

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

1. (Cont'd):

**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)**

**CITIZENS' COMMENTS ON CALENDAR ITEMS**

Citizens' comments were received from the following:

1. **Mr. Tony Kroeger, 53 Constantia Ave.** - spoke in support of Resolution No. 6174-16-Honorary Designation.

**DISCUSSION OF CALENDAR ITEMS**

**Calendar Item No. 4.-Adleta, Inc. – Contract and Calendar Item No. 5.-Double Jay Construction, Inc. – Contract**

Commissioner Williams said he was glad the Procurement Enhancement goals on these contracts were exceeded.

**APPROVAL OF CITY MANAGER'S RECOMMENDATIONS**

Commissioner Williams made the motion to approve the City Manager's Reports. Commissioner Mims 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**

### **RESOLUTION –FIRST READING**

**Resolution No. 6174-16-** Honorarily Naming West Fourth Street from South Main Street to South Wilkinson Street as Paul Deneau Way for a Period of Two Years.

### **CITIZENS' COMMENTS**

Citizens' comments were received from the following:

1. **Mr. John Humphrey, 201 W. Fairview Ave.** - spoke about the police presence in his neighborhood.
2. **Ms. Paula Humphrey, 201 W. Fairview Ave.** - spoke about the homicides in the City of Dayton.
3. **Mr. James Sigler, 109 N. Main St.** - spoke about the Delish's liquor license in downtown Dayton.
4. **Bishop Richard Cox, 3044 Jewelstone Ave.** - spoke about the Delish's liquor license in downtown Dayton.
5. **Ms. Zakya Jabar, 40 S. Decker St.** - spoke about the Delish's liquor license in downtown Dayton.
6. **Mr. Anthony Roebuck, 1406 Steiner Ave.** - spoke about the Delish's liquor license in downtown Dayton.
7. **Ms. Cameron Walker, 2444 Mayfair Ave.** -spoke about the Delish's liquor license in downtown Dayton.
8. **Ms. Iris Blanchard, 829 Imogene Ave.** - spoke about the Delish's liquor license in downtown Dayton.

### **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 Williams**

Commissioner Williams asked about the process of the annual review of liquor licenses.

Ms. Dickstein said the annual review of liquor license in the City of Dayton has just begun. She said the process involves community and police input. She said the State of Ohio has strict criteria on reasons for objections. Ms. Dickstein said the City of Dayton considers if they can work with the business to become compliant before objecting to the license.

Mayor Whaley said the recommendations for objections are submitted to the State of Ohio Liquor Control which makes the final decision on whether the establishment retains their license.

#### **Commissioner Mims**

Commissioner Mims said the concern that the Dayton City Commission has is safety and they are willing to work with Ms. Brown to make sure her business is successful.

#### **Commissioner Shaw**

Commissioner Shaw said Ms. Brown's establishment is a staple in the community and he would like for her business to be safe and successful.

#### **Mayor Whaley**

Mayor Whaley read the following statement:

Gun violence anywhere in our community affects all of us. It holds neighborhoods and thriving businesses hostage. It rips communities apart, and often prevents them from banding together.

The Dayton community has clearly communicated to this Commission the need to end gun violence. It is a message that we have heard consistently, and clearly.

In response to these pleas, the City Commission has taken a strong stance when it comes to addressing violence. We have charged the City Manager's Office to fully investigate any act that could jeopardize public safety. We have created, supported, and strengthened community-police programs. And we have institutionalized the Community Police Council.

There are about 375 liquor permits in the city. In the four years from 2012-2015, the City Commission objected to the renewal of 12 licenses and objected to 18 licenses being issued or transferred to new owners. We are reluctant to object to any liquor license. But we will object when the situation warrants it.

We have objected to licenses on the east side, in downtown and on the west side. We have objected to liquor licenses in neighborhoods and in commercial areas. We have objected to permits for convenience stores, for restaurants, for nightclubs and for drive-thrus. It does not matter who is asking for a license; we have even objected to permits for people I know and consider to be a friend.

What does matter is how the permit holder handles the responsibility of having a permit. If they do not follow the rules, we may object. If they do not maintain a safe environment, we may object. If the permit holder does not do the right thing, we will.

The City's first step is always to work with local businesses to ensure that they have the resources to operate successfully in the community. This includes programs like BarSafe as well as the establishment of Good Neighbor Agreements. Ultimately, if incidents continue to occur, City leaders, with the input of the community can object to a liquor license.

The incidents at De'Lish on Sunday are under investigation by the Dayton Police. Once the investigation has been completed, City leadership will determine what action will be taken.

#### **ADJOURNMENT**

There being no further business, the meeting was adjourned at 7:05 p.m.

---

**Mayor Nan Whaley**

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

#### **WORK SESSION**

A copy of prepared material has been recorded as Communication & Petition Number 21123 dated March 30, 2016.

The Dayton City Commission met in a Work Session on Wednesday, March 30<sup>th</sup> at 4:35 p.m., prior to the regularly scheduled City Commission meeting. The meeting was held in the City Manager's Large Conference Room, located in City Hall. Mayor Whaley, Commissioners Williams, Joseph, Mims and Shaw were present. Mr. Kery Gray, Director, City Commission Office, and Ms. Rashella Lavender, Clerk of the Commission, were also in attendance.

Ms. Shelley Dickstein, City Manager, Ms. Tammi Clements, Deputy City Manager, Ms. Barbara LaBrier, Director of Management and Budget, and Ms. Diane Shannon, Deputy Director of Management and Budget, were the presenters.

An overview was provided regarding the Finance Committee's Briefing by highlighting:

- General Fund Revenues/Expenditures
- Update on Policy Budget Process
- Update on New Community Engagement Process for 2017 Budget

Ms. LaBrier reported that compared to 2015, total General Fund revenues and other sources are four percent ahead of budget and are greater than the same period in 2015. Expenditures are 14 percent under budget and have declined from the first two months of 2015. Overall, at the end of February, total sources exceeded total uses by \$3.4 million. Several expenditures were affected by timing issues, and current results are not expected to be maintained.

Ms. Shannon said income tax collections are five percent ahead of the estimate and have increased six percent compared to the same period last year. She said there is continual growth in regional employment. She said Withholdings is up seven percent for the first two months of the year. The tax on business profits has fallen \$106,000 compared to last year. Taxes paid by individuals are flat, and refunds are down about \$30,000.00. She said growth is expected to taper in March due to a high level of delinquency collections last year.

Ms. LaBrier reported that property tax revenue is \$200,000 ahead of the estimate and reflects an increase of \$700,000 compared to the same period in 2015. She said the timing of advances prior to the first half settlement, which is posted in May, can affect revenues relative to the year-to-date budget numbers. Although advance payments have been received earlier in 2016, the City is on track to meet the estimate growth of 1.8 percent.

The Local Government Fund receipts are under the estimate by four percent and are nine percent lower than the same period last year. She said the City is seeing the impact of the State's action to reduce the municipal direct allocation which began in July of 2015. Other intergovernmental revenues are up due to the racino tax payment (delayed from 2015).

Ms. LaBrier provided an update on the Policy Budget Process. She explained the updates that were made to the Community Service Area matrix. The updates were made to align departments/divisions into the appropriate Community Service Area groups. She said first quarter performance meetings are scheduled for each Community Service Area group the week of April 11<sup>th</sup>. The Office of Management and Budget is working with each CSA group to operationalize the new process, collect data and baseline the community outcome metrics.

She provided an update on the Community Engagement Process for the 2017 budget. She explained they are in process of developing "budget games" to gather community input for the 2017 budget. The Budget Games are an interactive, resident/stakeholder centric process, in which various budget options are evaluated and prioritized. The Office of Management and Budget is working with departments to develop options which will be vetted with the City Commission, and they expect to hold the event on a Saturday in August.

Ms. LaBrier said timing issues are affecting February financial reporting, and that careful monitoring of the budget is required of the departments. She said the City continues to have significant unmet infrastructure needs and a long-term structural challenge.

Mayor Whaley thanked staff for their hard work.

The Work Session concluded at 4:55 p.m.