

On Wednesday, June 29, 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 Shaw 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, Mims, and Shaw were present. The Clerk of Commission, Ms. Rashella Lavender, and the City Manager, Ms. Shelley Dickstein, were also present.

Commissioner Shaw made the motion to authorize the absence of Commissioner Joseph from this week's meeting. Commissioner Mims seconded the motion. The motion was unanimously approved.

APPROVAL OF MINUTES

Commissioner Williams made the motion to approve the minutes from the June 22, 2016, meeting. Commissioner Mims seconded the motion. The previous meeting minutes were unanimously approved.

COMMUNICATIONS AND PETITIONS

Communication #21149

Work Session handout-Finance Committee Briefing

SPECIAL AWARDS/PRESENTATIONS

TREAT Bill Presentation by Congressman Turner

Mayor Whaley invited Congressman Mike Turner to the podium to talk about the bill that he has introduced to the United States House of Representatives regarding Heroin usage and treatment, the TREAT Act.

Congressman Turner thanked Mayor Whaley and the Commissioners for inviting him to speak and for taking the action to pass a resolution in support of the TREAT Act. Heroin and substance abuse and addiction are having a tremendous impact on our community. There is an exclusion under Medicaid and under some of the substance abuse grant programs that prevents their use for treatment for individuals that are incarcerated. However, an individual's addiction is often only discovered through their interaction with the criminal justice system. This is a critical time for receiving treatment.

The TREAT Act would allow the funds for treatment through Medicaid and certain specific substance abuse grant programs for persons with addiction issues while they are incarcerated. Although the TREAT Act is receiving support locally and nationally, there are still some obstacles to overcome.

For example, even though incarcerated individuals who are addicted to heroin or other opiates would have been eligible for these support services had they not been incarcerated, the Federal Government looks at this as new spending, not the continuation of services already allocated. This Act would like the Federal Government to recognize that this is not new spending, but rather a continuation of access to services that individuals are already entitled to receive.

Mayor Whaley thanked Congressman Turner for his leadership in Washington, D.C. on this issue. Commissioner Mims also thanked Congressman Turner for his work on this issue.

ADDITIONS OR DELETIONS TO THE CALENDAR

The Clerk of Commission, Ms. Rashella Lavender, had no additions or deletions to the calendar.

The City Manager, Ms. Shelley Dickstein, had no additions or deletions.

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. Bricker & Eckler LLP (professional legal services as needed through 12-31-16) **\$20,000.00**

1.

A2. Dell Marketing LP (fifty-five computers, two PowerEdge Servers and related items) **\$89,640.92**

FIRE

B1. Dell Marketing LP (twenty-four thin clients and related items) **\$19,154.64**

PUBLIC WORKS

C1. Crown Personnel Service, Inc. (temporary employment services as needed through 12-31-16) **\$10,000.00**

C2. Stoops Freightliner (automotive parts and supplies as needed through 12-31-16) **\$60,000.00**

C3. David Williams & Associates, Inc. (Gametime brand playground equipment and parts as needed through 12-31-16) **\$10,000.00**

RECREATION & YOUTH SERVICES

D1. Moody's of Dayton, Inc. (emergency removal, inspection, replacement and reinstall of damaged pump assembly) **\$17,100.00**

WATER

E1. Kemira Chemicals, Inc. (dry, powdered, granular polymer as needed through 12-31-16) **\$240,000.00**
(and for the period of 01-01-17 through 06-30-19) **\$1,200,000.00**

E2. ML Johnson Company (Fluid Components International brand gas flow meters and related items) **\$15,000.00**
(and for the period of 01-01-17 through 12-31-18) **\$30,000.00**

E3. DXP Enterprises, Inc. (Pulsafeeder pump and related items) **\$12,500.00**

E4. D. M. Anderson, Inc. (Teledyne brand laboratory sampling equipment) **\$18,943.27**
(and for the period of 01-01-17 through 12-31-18) **\$40,000.00**

E5. Rawdon Myers, Inc. (four Dezurik brand valves and related items) **\$23,672.00**

E6. Biss Nuss, Inc. (Two Slaker feeders) **\$110,000.00**
(and for the period of 01-01-17 through 12-31-17) **\$165,000.00**

E7. John Deere Company (John Deere brand utility tractor with accessories) **\$76,627.76**

E8. Motrim, Inc. (MoTrim brand flail mower with accessories) **\$27,086.93**

E9. Ohio Machinery Co. (Caterpillar brand wheel loader with accessories) **\$256,400.00**

-Depts. of Aviation, Fire, Public Works, Recreation & Youth Services and Water. **Total: \$2,441,125.52**

2. **CalAmp (Radio Satellite Integrators) – Increase of Expenditure** – for Annual Vehicle Web Tracking and Wireless Fees – Depts. of Public Works/Water. **\$48,336.00**

3. **Rumpke of Ohio, Inc. – Participant Agreement** – for expansion of their operations at 1300 East Monument Avenue – Dept. of Economic Development. **\$50,000.00**
(Exp. 4/30/18)

B. Construction Contracts/Estimates of Cost:

4. **W. C. Jones Asphalt Paving Co., Inc. – Contract** – for the Community Golf Course Golf Cart Path Repairs (Open Market) – Dept. of Recreation & Youth Services. **\$87,464.80**

CITIZENS' COMMENTS ON CALENDAR ITEMS

There were no citizens' comments on calendar items.

DISCUSSION OF CALENDAR ITEMS

Calendar Item No.3.- Rumpke of Ohio – Participant Agreement

Ms. Dickstein commented on the agreement and said that it will allow Rumpke of Ohio to expand their operations with a glass pre-clean system which helps remove paper and other containments prior to the processing of recyclables. Commissioner Williams noted that he would abstain from a vote on this Calendar Item.

APPROVAL OF CITY MANAGER'S RECOMMENDATIONS

Commissioner Williams made the motion to approve the remaining City Manager's Reports. Commissioner Mims seconded the motion. The City Manager's Reports were approved with a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Mims, and Shaw. Calendar Item No. 3 was approved with a 3-0-1 vote. Commissioner Williams abstained.

LEGISLATION

EMERGENCY ORDINANCE – FIRST AND SECOND READING

Emergency Ordinance No. 31499-16- Authorizing the Sale of Real Estate Located on Liberty Street to CODE Credit Union for a Public Purpose; and Declaring an Emergency.

Commissioner Mims moved that this being an emergency measure for the immediate consideration of the Ordinance. Commissioner Williams seconded the motion. The motion was passed with a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Mims, and Shaw. The question being shall Emergency Ordinance No. 31499-16 be passed. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Mims, and Shaw. The Emergency Ordinance was passed.

EMERGENCY RESOLUTION –FIRST AND SECOND READING

Emergency Resolution No. 6197-16- Authorizing the Acceptance of a Grant Award from the Ohio Department of Rehabilitation and Correction in the Amount of One Hundred Forty-Eight Thousand Four Hundred Five Dollars and Zero Cents (\$148,405.00) for the Grant Period of July 1, 2016, to June 30, 2017, 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 Mims seconded the motion. The motion was passed with a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Mims, and Shaw. The question being shall Resolution No. 6197-16 be adopted. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Mims, and Shaw. The Emergency Resolution was adopted.

EMERGENCY ORDINANCE-FIRST READING

Emergency Ordinance No. 31500-16- Authorizing Submitting to the Electors of the City of Dayton a Proposal to Supplement the City Charter by Enacting Section 189 and to Supplement the Revised Code of General Ordinances by Enacting Section 36.102.7, and Declaring an Emergency.

EMERGENCY RESOLUTION-FIRST READING

Emergency Resolution No. 6198-16- Specifying November 8, 2016, as the Date for Submitting to the Electors of the City of Dayton a Proposal to Supplement the City Charter by Enacting Section 189 and to Supplement the Revised Code of General Ordinance by Enacting Section 36.102.7, Directing the Board of Elections of Montgomery County to Conduct the Election, and Declaring an Emergency.

INFORMAL RESOLUTION

Informal Resolution No. 924-16- Supporting 114th Congress House Resolution 4076, Authored by Representative Mike Turner, The Reforming and Expanding Access to Treatment (TREAT) Act.

Commissioner Williams made the motion to adopt Informal Resolution No. 924-16. Commissioner Mims seconded the motion. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Mims, and Shaw. The Informal Resolution was adopted.

BOARD APPOINTMENTS

Commissioner Williams made the motion to appoint Brian Walker and Katie Joseph to the Board of Tax Review for a term ending June 29, 2018. Commissioner Mims seconded the motion. The motion was unanimously approved.

CITIZENS' COMMENTS

Citizens' comments were received from the following:

1. **Anna Thamba, 5010 Woodbine Avenue** – had concerns about her ability to speak with and visit her children, who are living with their father in another state. She would like the City to take action to help her have better access to her children.

Mayor Whaley responded to Ms. Thamba's comments and said that the City Commission does not have jurisdiction over these matters. Ms. Thamba should take her concerns to the State Legislature or the United States Congress and her representatives from those bodies.

COMMENTS BY THE CITY MANAGER

The City Manager, Ms. Shelley Dickstein, appointed Joseph Homan, Manager of Finance and Administration for the Department of Aviation to the Board of Tax Review. She said Mr. Homan has experience as a CPA and a business manager at the Airport and will complement the existing members of the Board of Tax Review.

Mayor Whaley commented that these appointments are in response to the passage of House Bill 5, to have citizens with strong financial backgrounds on the Board of Tax Review.

The City Manager invited Stephan Marcellus, Recreation Program Coordinator with the Department of Recreation and Youth Services, to speak about the Lights in Flight Festival celebrating the 4th of July in Dayton. Mr. Marcellus said that the event is sponsored by Marion's Piazza and begins at 1 p.m., with fireworks at 10 p.m. From 2 p.m. through 9:30 p.m. there are seven different performers live on Monument Avenue. Citizens can call the Department of Recreation and Youth Services if they have any questions about the festivities at (937) 333-8400.

COMMENTS BY THE CLERK OF COMMISSION

The Clerk of Commission, Ms. Rashella Lavender, stated that the Work Session on the Finance Committee Financial Briefing would be held immediately following the meeting in the City Manager's Large Conference Room.

COMMENTS BY CITY COMMISSION

Mayor Whaley

Mayor Whaley thanked Marion's Piazza for their sponsorship of the event. Mayor Whaley also thanked Mr. Marcellus for his hard work.

Mayor Whaley thanked Commissioners Mims and Shaw for attending the announcement at DeSoto Bass regarding the awarding of a planning grant from the United States Department of Housing and Urban Development. The City of Dayton was the top applicant in the country for a planning grant from HUD in the amount of 1.5 million dollars to redesign and rethink DeSoto Bass and the surrounding neighborhood. The planning grant period is about 18 months and more development dollars could follow. Mayor Whaley congratulated both the Department of Planning and Community Development and Greater Dayton Premier Management for their work on this project.

Commissioner Shaw

Commissioner Shaw commented that he just returned from a trip to Washington, D.C. where he witnessed the historic sit-in to bring awareness to the issue of gun violence in the United States. He also commented that he participated in a meeting the previous day on the potential de-funding of the Ohio Youth Works Program.

Mayor Whaley thanked Commissioner Shaw for his comments and leadership on the issue. She stated that the soft skills that youth participants learn in these programs are vital for their later success in the workforce. Commissioner Williams asked if there was any reason given for the reduction in funding, when the State of Ohio has had budget surpluses in recent years. Commissioner Mims commented that this is a trend at the State, cutting programs that are important and have had successes. Citizens should contact the Governor's Office if they have concerns about the de-funding of these important programs.

Commissioner Williams

Commissioner Williams wished everyone a Happy 4th of July.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:55 a.m.

Mayor Nan Whaley

Attest: _____

Clerk of Commission

WORK SESSION

A copy of prepared material has been recorded as Communication & Petition Number 21149 dated June 29, 2016.

The Dayton City Commission met in a Work Session on Wednesday, June 29th at 9:14 a.m., following 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, 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, Mr. Joe Parlette, Deputy City Manager, and 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
- Special Issues

Ms. LaBrier explained through May, General Fund revenues and other sources are 2.6 percent ahead of the estimate and have increased \$1.2M compared to the same period in 2015. Expenditures are 4.5 percent under budget and have declined 1.4 percent from the first five months of 2015. Overall, at the end of May, total uses exceeded total sources by \$3.9M.

Ms. Shannon said income tax collections are 1.9 percent ahead of the estimate and have increased 3.9 percent compared to the same period last year. The reported amount is an estimate based on gross collections less estimated refunds. The May closing was delayed due to increased activity from the April filing deadline.

Ms. LaBrier reported that property tax revenue and other tax revenue is \$100,000 below the estimate and is nearly two percent less than May 2015. She said the comparison reflects the 2016 first half settlement compared to 2015. The 2016 estimate is 1.8 percent growth (actual values came in flat due to the Board of Revisions changes). The millage distribution to the General Fund in 2016 is unchanged from 2015 at 4.5 mills (the remaining 5.5 mills support debt in the Bond Retirement Fund).

The Local Government Fund receipts are six percent below the year-to-date estimate and are 12 percent lower than the same period in 2015. 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 28% higher than the estimate due to a racino tax payment due in 2015 that was received in January 2016.

She said fines and forfeits are under the estimate and substantially less than 2015 due to the elimination of public safety photo enforcement. License and permit revenues are slightly ahead of the estimate and are up 22% overall compared to the prior year primarily due to building permits.

Ms. LaBrier said timing issues are adjusting, and that the City is on track with the 2016 budget goals. She said the City continues to have significant unmet infrastructure needs and long-term structural challenges. Last, the City continues to be vulnerable to State actions that impact the budgets of local governments, and that the first revised appropriation will be coming forward in the next few weeks.

Mayor Whaley thanked everyone for the updates and noted her appreciation for staff's work.

The Work Session concluded at 9:30 a.m.