

On Wednesday, August 24, 2016, at 8:30 a.m., the Dayton City Commission met in regular session in the Commission Chambers of City Hall.

CALL TO ORDER

Temporary Chairperson Commissioner Shaw called the meeting to order.

INVOCATION

Temporary Chairperson Commissioner Shaw gave the invocation.

PLEDGE OF ALLEGIANCE

Temporary Chairperson Commissioner Shaw led the public in the Pledge of Allegiance.

ROLL CALL

Roll call was taken and 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.

Commissioner Mims made a motion to authorize the absence of Mayor Whaley from this week’s meeting. Commissioner Williams seconded the motion. The motion was unanimously approved.

APPROVAL OF MINUTES

Commissioner Mims made the motion to approve the minutes from the August 17, 2016, meeting. Commissioner Williams seconded the motion. The previous meeting minutes were unanimously approved.

COMMUNICATIONS AND PETITIONS

There were no communications or petitions.

SPECIAL AWARDS/PRESENTATIONS

There were no awards or presentations.

ADDITIONS OR DELETIONS TO THE CALENDAR

There were no additions or deletions to the calendar.

REPORTS:

1. Purchase Orders:

AVIATION

- A1. Frost Brown Todd LLC** (professional legal services as needed through 12-31-16) **\$50,000.00**
- A2. Southwestern Ohio Council for Higher Education** (college intern program services as needed through 12-31-16) **58,320.00**

HUMAN RESOURCES

- B1. Wagoner Stores LLC dba Red Wing Shoe Store** (safety shoes and boots as needed through 12-31-16) **250,000.00**

PLANNING & COMMUNITY DEVELOPMENT

- C1. Robert Half International** (temporary staffing services as needed through 12-31-16) **10,000.00**

WATER

- D1. Southwestern Ohio Council for Higher Education** (college intern program services as needed through 12-31-16) **118,200.00**
- D2. Fred B. Debra Co. dba Debra-Kuempel** (heating, ventilation and air conditioning – HVAC – preventive maintenance and repair services as needed through 12-31-16) **15,000.00**
- D3. Shoemaker Electric Company** (large motor rebuild) **11,965.00**
- D4. Springfield Overhead Door LLC** (commercial grade exterior and interior door replacement and repair services as needed through 12-31-16) **27,500.00**

1. (Cont'd):

D5. Utility Sales Agency, LLC (17 DeZurik brand plug valves) **\$23,136.75**
D6. Jack Doheny Supplies Ohio, Inc. (one SECA brand sewer rodder body) **65,925.41**
-Depts. of Aviation, Human Resources, Planning & Community Dev., and
Water. **Total: \$630,047.16**

2. **LEXISNEXIS – Contract Modification** – for an amendment to the Lexis subscription – The
Municipal Court/Court Administrator **\$18,545.40**
(Thru 8/2019)

3. **Yusko Group, Inc. dba Siena Consulting – Contract Modification** – for a first amendment
to increase and extend contract for professional services – The Civil Service Board.
\$35,000.00
(Thru 7/2024)

4. **Yusko Group, Inc. dba Siena Consulting – Contract Modification** – for a first amendment
to increase and extend contract for professional services – The Civil Service Board.
\$50,000.00
(Thru 7/2025)

B. Construction Contracts:

5. **C. G. Construction & Utilities, Inc. – Award of Contract** – for Brandt Street and Urbana
Avenue Water Main Improvements (10% MBE Goal/11.87% MBE Achieved) – Dept. of
Water/Water Engineering. **\$949,826.90**
(Thru 12/2017)

6. **Peterson Construction Co. – Award of Contract** – for Water Reclamation Facilities Final
Clarifier Improvements (5% MBE Participation/5% MBE Achieved) (5% WBE
Participation/5% WBE Achieved) (10% SBE Participation/10.12% SBE Achieved) – Dept. of
Water/Water Engineering. **\$9,570,000.00**
(Thru 8/2019)

E. Other – Contributions, Etc.:

7. **Samer Hamdan – Other** – for a Special Use Permit to install a handicap ramp partially in
the public right-of-way at 1600 W. Riverview Avenue – Dept. of Public Works/Civil
Engineering. **\$200.00**

CITIZENS' COMMENTS ON CALENDAR ITEMS

There were no citizens' comments on calendar items.

DISCUSSION OF CALENDAR ITEMS

**Calendar Item No. 1. Sub Item A2.-Southwestern Ohio Council for Higher Education
Purchase Order**

Ms. Dickstein asked Ms. Monica Jones, Chief of Staff, to the podium for a SOCHE program update.

Ms. Jones said this internship was created to provide students with firsthand knowledge about career opportunities within the government. She said the program has been in place for five years with a placement of 15 students each year in various departments across the City of Dayton. She said supervisors create a work plan which outlines various projects that the interns will work on throughout the year with feedback on the internship given during the fall.

Calendar Item No. 5. – CG Construction & Utilities, Inc.-Contract

Ms. Dickstein said this item is a continued reinvestment in the Water Asset Capital Plans.

Calendar Item No. 6. – Peterson Construction Co.-Contract

Ms. Dickstein said this is an award of contract for \$9.5 Million and after a thorough review of the process, this contractor has been certified to do the bulk of this project.

Calendar Item No. 9. – Emergency Ordinance No. 31508-16-Westview Industrial Park

Ms. Dickstein called Mr. Keith Klein, Economic Development, to podium to introduce investors for this project.

Mr. Klein introduced Mr. Patrick Dederig, Vice President Acquisitions and Leasing Phoenix Investors, LLC and Mr. Michael Connell, Engineering Manager, Phoenix Investors, LLC. Mr. Klein said this project has been in the works for ten years. He said he wanted to thank the Police and Planning and Community Development Departments for their help with this project. He said the City of Dayton acquired the McCall building in 2001 and it was occupied until 2010. He said for the last five years he has been working diligently to find a business or investor to take the building. Mr. Klein said he was excited when he met the gentlemen from the Phoenix Investors group.

Mr. Dederig said this is the type of product that his company specializes in. He said they will be refurbishing and bringing the building back to life for future tenants.

Mr. Klein said this agreement represents the property the City of Dayton owns on the north side of McCall Street. He said the City of Dayton will continue to hold the land on the south side of the property for future endeavors.

Commissioner Mims asked how this item works with regards to Desoto Bass and the HUD grant.

Ms. Dickstein said the McCall Property and the vacant land west of the building is on the radar of the City of Dayton for future investors and does not impact the HUD grant.

Commissioner Joseph thanked staff for all of their hard work over the years with regard to this endeavor.

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 4-0 vote. Voting in the affirmative were Commissioners Williams, Joseph, Mims and Shaw.

LEGISLATION

EMERGENCY ORDINANCE – FIRST AND SECOND READING

Emergency Ordinance No. 31507-16 - Amending the City’s Appropriations for the Year 2016, and Declaring an Emergency.

Commissioner Joseph 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 Commissioners Williams, Joseph, Mims, and Shaw. The question being shall Emergency Ordinance No. 31507-16 be passed. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were, Commissioners Williams, Joseph, Mims, and Shaw. The Emergency Ordinance was passed.

Emergency Ordinance No. 31508-16 – Authorizing the Sale of Certain Real Estate to Phoenix Dayton, LLC in Connection with the Westview Industrial Park, 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 Commissioners Williams, Joseph, Mims, and Shaw. The question being shall Emergency Ordinance No. 31508-16 be passed. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were, Commissioners Williams, Joseph, Mims, and Shaw. The Emergency Ordinance was passed.

Emergency Ordinance No. 31509-16 – Authorizing the Submission, Acceptance, Acquisition and Purchase of Thirteen 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 4-0 vote. Voting in the affirmative were Commissioners Williams, Joseph, Mims, and Shaw. The question being shall Emergency Ordinance No. 31509-16 be passed. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were, Commissioners Williams, Joseph, Mims, and Shaw. The Emergency Ordinance was passed.

Emergency Ordinance No. 31510-16 – Authorizing the Submission, Acceptance, Acquisition and Purchase of Eighty-One 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 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 Commissioners Williams, Joseph, Mims, and Shaw. The question being shall Emergency Ordinance No. 31510-16 be passed. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were, Commissioners Williams, Joseph, Mims, and Shaw. The Emergency Ordinance was passed.

EMERGENCY RESOLUTION – SECOND READING

Emergency Resolution No. 6205-16 - Authorizing the City Manager to Accept a Grant in the Amount of Fifty Thousand Dollars and Zero Cents (\$50,000.00) from the Montgomery County Land Reutilization Corporation, and Declaring an Emergency.

Commissioner Williams 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 Commissioners Williams, Joseph, Mims, and Shaw. The question being shall Emergency Resolution No. 6205-16 be adopted. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were, Commissioners Williams, Joseph, Mims, and Shaw. The Emergency Resolution was adopted.

CITIZENS’ COMMENTS

Citizens’ comments were received from the following:

1. **Ms. Kyra Wood, 4579 Wilmington Pike** – spoke about her mental health.

COMMENTS BY THE CITY MANAGER

The City Manager, Ms. Shelley Dickstein, had no comments.

COMMENTS BY THE CLERK OF COMMISSION

The Clerk of Commission, Ms. Rashella Lavender, had no closing comments.

COMMENTS BY CITY COMMISSION

Commissioner Joseph

Commissioner Joseph congratulated former Commissioner Dean Lovelace for his leadership in the McCall building. He also highlighted his and Commissioner Shaw’s attendance at the Hispanic festival.

Commissioner Mims

Commissioner Mims highlighted the African-American festival this Saturday, August 27, 2016.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:53 a.m.

**Christopher L. Shaw,
Temporary Chairperson**

Attest: _____
Clerk of Commission