

On Wednesday, September 21, 2016, at 8:30 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, 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 Shaw made the motion to approve the minutes from the September 14, 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

Proposed Income Tax Levy

Mayor Whaley invited Ms. Shelley Dickstein, City Manager, to talk about the use of funds for the proposed income tax.

Ms. Dickstein said the City of Dayton has maintained its fiscal integrity as demonstrated by its bond rating. She said the City of Dayton's audits have consistently been clean. Ms. Dickstein said it has been 32 years since the last income tax increase, and since 2000 they have cut 40 percent of its workforce.

Ms. Dickstein invited Mr. Joe Parlette, Deputy City Manager, to the podium to expound on the proposed income tax.

Mr. Parlette said the income tax will help with protecting and improving neighborhood law enforcement and community policing. He said they will add 20 officers to patrol and for staffing which will help with the increase of Police presence in hotspot areas to deter gun violence, and increase proactive policing throughout the community.

Mr. Parlette said the income tax will retain and protect essential fire and emergency medical services. He said without new revenues, we cannot protect these services from future cuts.

Mr. Parlette said currently the City is funding an average of \$1.3 million annually for street resurfacing, which resurfaces about 20 lane miles or about two percent of the City's 1028 residential lane miles annually. He said the income tax increase would increase funding for residential roads by \$3.4 million. He said if new funding is not made available, roads will continue to deteriorate and by 2022, a majority of the City's residential roads will be in poor to failing condition.

Mr. Parlette said upgrades to our city parks will be completed with resurfaced courts and replaced equipment. There will also be increased maintenance of our boulevards and vacant lots.

Mr. Parlette said the proposed income tax will provide an opportunity to improve services and quality of life all across Dayton. He said it will give Dayton's children a real chance to succeed, an opportunity to stop devastating cuts that will hurt our turnaround, and give a fair, affordable and stable funding stream.

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 Orders:

CENTRAL SERVICES

A1. CDW Government (Enterprise computing software licensure upgrade) **\$41,395.68**

1. (Cont'd):

CIVIL SERVICE

B1. Lifespan Counseling Associates (professional psychological services as needed through 12-31-16) **6,750.00**

PUBLIC WORKS

C1. Morton Salt, Inc. (roadway de-icing rock salt as needed through 12-31-16) **350,000.00**

(and for the period through 07-31-17) **400,000.00**

WATER

D1. Kraft Power Corp. (Genuine Waukesha brand replacement parts as needed through 12-31-16) **10,212.86**

-Depts. of Central Services, Civil Service, Public Works, and Water.

Total: \$808,358.54

2. Montgomery County Regional Dispatch Center – Service Agreement – for the shared use of the County’s recorder for radio traffic – Dept. of Fire/Strategic Prog. & Safety. **\$143,200.00**

(Thru 12/2025)

3. Veolia ES Technical Solutions, LLC – Contract Modification – first amendment to cover additional services related to the management of various environmental waste streams – Dept. of Water/Environmental Protection. **\$65,980.62**

B. Construction Contracts:

4. Fryman-Kuck General Contractors, Inc. – Award of Contract – for the Brownell Road Water Main Improvements (10% MBE Participation/10% MBE Achieved) (5% WBE Participation/5% WBE Achieved) – Dept. of Water/Water Engineering.

\$583,199.77
(Thru 11/2017)

C. Revenue to the City:

5. University of Dayton (UD Arena) – Service Agreement – for police services during events – Dept. of Police. **\$60,000.00**

(Thru 9/30/17)

CITIZENS’ COMMENTS ON CALENDAR ITEMS

There were no citizens’ comments on calendar items.

DISCUSSION OF CALENDAR ITEMS

Ordinance No. 31519-16 –Airport Revenue Bonds, Ordinance No. 31520-16-Sale of Bonds, Ordinance No. 31521-16-Sale of Bonds, Ordinance No. 31522-16-Sale of Bonds, Ordinance No. 31523-16-Sale of Bonds, Ordinance No. 31524-16-Sale of Bonds

Ms. Dickstein asked Ms. LaShea Lofton, Director of Finance, to the podium to provide clarification of these ordinances.

Ms. Lofton said these are several bond ordinances authorizing the City of Dayton to issue new general obligation debts in the amount of \$15.8 million for infrastructure and thoroughfare improvements throughout the City of

Dayton and to purchase large equipment and other ordinances authorize bond sale for improvement to the Airport and to refinance debt.

Calendar Item No. 1. Sub-Item C1.-Morton Salt, Inc.-Purchase Order

Commissioner Williams asked for an update of the salt purchase for the winter months.

Ms. Dickstein invited Mr. Fred Stovall, Director of Public Works, to the podium for an update of salt supplies for the winter season.

Mr. Stovall said last year the cost per ton of salt was \$72.00 and this year it's \$58.32. He said he began last season with 3,400 tons of salt and ended the season with 7,900 tons of salt. He said at the beginning of this winter season, he will purchase 6,000 tons of salt for an overall amount of 14,000 tons of salt.

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

EMERGENCY ORDINANCES – FIRST AND SECOND READING

Emergency Ordinance No. 31519-16- To Provide for the Issuance and Sale of Airport Revenue Bonds in an Amount Not to Exceed Thirty-Five Million Dollars and Zero Cents (\$35,000,000.00) for the Purpose of Paying Costs of Airport Improvements; Authorizing a Supplemental Indenture and Other Documents Relating to the Bonds; 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. 31519-16 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. 31520-16- To Provide for the Issuance and Sale of Bonds in the Maximum Principal Amount of Five Million Three Hundred Sixty Thousand Dollars and Zero Cents (\$5,360,000.00) for the Purpose of Providing Funds for Improving the City's Transportation System by Improving Streets, Including Resurfacing Major Thoroughfares, Residential Streets and Alleys Throughout the City, Improving and Installing Curbs and Sidewalks, Including Constructing and Reconstructing Wheelchair Ramps, Constructing, Reconstructing and Installing Traffic Signals, Constructing and Reconstructing Portions of and Extensions to Streets, and Constructing, Reconstructing and Repairing Various Bridges Within the City, Together with All Necessary Appurtenances; 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 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims, and Shaw. The question being shall Emergency Ordinance No. 31520-16 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. 31521-16- To Provide for the Issuance and Sale of Bonds in the Maximum Principal Amount of Four Million Four Hundred Thirty Thousand Dollars and Zero Cents (\$4,430,000.00) for the Purpose of Providing Funds for Acquiring Motor Vehicles, Motorized Equipment and Other Equipment for Various Departments of the City, Together with All Necessary Appurtenances; 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. 31521-16 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. 31522-16- To Provide for the Issuance and Sale of Bonds in the Maximum Principal Amount of Six Million Eighty Thousand Dollars and Zero Cents (\$6,080,000.00) for the Purpose of Providing Funds for Acquiring and Installing a Wellfield Monitoring and Telemetry System, Together with All Necessary Appurtenances; 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. 31522-16 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. 31523-16- To Provide for the Issuance and Sale of Bonds in the Maximum Principal Amount of Six Million Four Hundred Thousand Dollars and Zero Cents (\$6,400,000.00) for the Purpose of Refunding at a Lower Interest Cost Certain of the City's Various Purpose Bonds, Series 2009A, Which Were Issued, In Part, for the Purpose of (A) Improving City Buildings By Providing Energy Conservation Measures, (B) Improving the City's Transportation System By Improving Streets, Including Resurfacing Major Thoroughfares And Residential Streets And Sealing Various Streets And Alleys Throughout the City, Improving And Installing Curbs And Sidewalks, Including Constructing And Reconstructing Wheelchair Ramps, Reconstructing And Installing Traffic Signals, Constructing and Reconstructing Portions Of And Extensions To Streets, And Constructing, Reconstructing And Repairing Various Bridges Within The City, (C) Revitalizing The Wayne And Wyoming Project Area By Acquiring, Clearing And Improving, And (D) Acquiring, Constructing, Furnishing, Equipping And Otherwise Improvement The City's Street Maintenance Facility, Each Together With All Necessary Appurtenances Thereto; 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. 31523-16 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. 31524-16- To Provide for the Issuance and Sale of Bonds in the Maximum Principal Amount of Three Million Dollars and Zero Cents (\$3,000,000.00) for the Purpose of Refunding at a Lower Interest Cost Certain of the City's Capital Facilities Bonds, Series 2007, Which Were Issued, In Part, for the Purpose of (A) Constructing, Renovating, Remodeling, Rehabilitating, Adding To, Furnishing, Equipping and Otherwise Improving Parks and Recreation Facilities, (B) Improving the City's Transportation System by Improving Streets, Including Resurfacing Major Thoroughfares and Residential Streets and Sealing Various Streets and Alleys Throughout the City, Improving and Installing Curbs and Sidewalks, Including Constructing and Reconstructing Wheelchair Ramps, Reconstructing and Installing Traffic Signals, Reconstructing Portions of Streets and Reconstructing and Repairing Various Bridges Within the City and (C) Improving the City's Storm Water Sewer System by Constructing Storm Water Sewers in St. Clair Street, Each Together With All Necessary Appurtenances Thereto; 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 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims, and Shaw. The question being shall Emergency Ordinance No. 31524-16 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 RESOLUTION – FIRST AND SECOND READING

Emergency Resolution No. 6209-16- Authorizing the Acceptance of an Aggregate Grant Award from the United States Department of Justice in the Amount of One Hundred Fifty-Five Thousand Two Hundred Ten Dollars (\$155,210) 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 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 Resolution No. 6209-16 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.

ORDINACE – SECOND READING

Ordinance No. 31518-16- Establishing the Expenditure of the Increased Revenue from the Proposed Municipal Income Tax Levy, Issue 9.

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. 31518-16 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

Commissioner Joseph

Commissioner Joseph highlighted Welcoming Week events and Dayton World Soccer Week.

Mayor Whaley

Mayor Whaley highlighted the life size statue of President Abraham Lincoln at Courthouse Square and National Voter Registration Day.

EXECUTIVE SESSION

At 9:16 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 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.

RECONVENE

At 9:37 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 Commissioners Williams, Joseph and Shaw were present.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:38 a.m.

Mayor Nan Whaley

Attest: _____
Clerk of Commission