

### **EXECUTIVE SESSION**

**On Wednesday, January 4, 2017, at 4:47 p.m., Commissioner Joseph made a motion to convene into an Executive Session to discuss pending or imminent court action. Commissioner Shaw seconds 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 6:00 p.m., Commissioner Mims made a motion to adjourn from Executive Session and to continue with the meeting. Commissioner Williams 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.

### **CITY COMMISSION MEETING**

On Wednesday, January 4, 2017, at 6:01 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.

### **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 Mims made the motion to approve the minutes from the December 28, 2016, meeting. Commissioner Williams seconded the motion. The previous meeting minutes were unanimously approved.**

### **COMMUNICATIONS AND PETITIONS**

#### **Communication #21192**

**State of Ohio, Department of Liquor Control – Permit Application D1, D2, D3, D6 Permit #6693414 – Paradise Key Café South LLC, 1060-62 Patterson Road & Patio, Dayton, Ohio 45420.**

The Clerk of Commission reported receipt of Permit Application D1, D2, D3, D6 Permit #6693414 – Paradise Key Café South LLC, 1060-62 Patterson Road & Patio, Dayton, Ohio 45420. The application was referred through the City for investigation.

#### **Communication #21193**

**State of Ohio, Department of Liquor Control – Permit Application C1, C2 Permit #0678118 – Beverage City LLC, DBA Beverage City, 1907 N. Main Street, Dayton, OH 45405.**

The Clerk of Commission reported receipt of Permit Application C1, C2 Permit #0678118 – Beverage City LLC, DBA Beverage City, 1907 N. Main Street, Dayton, OH 45405. The application was referred through the City for investigation.

### **SPECIAL AWARDS/PRESENTATIONS**

#### **Fire Dampening Legislation**

Mayor Whaley invited Mr. Bobby Ina, Managing Director of Metropolis Consulting, to the podium to talk about the Fire Dampening Legislation.

Mr. Ina thanked the City Commission for their support of this legislation. He said this legislation will allow the inspection of duct work and sprinkler systems in city owned buildings.

Mayor Whaley thanked Mr. Ina for his work on this endeavor.

**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. 2017 Purchase Orders:**

**FINANCE**

**A1. Robert Half International** (temporary staffing services as needed through 12-31-17) **\$60,100.00**

**FIRE**

**B1. Carroll Wuertz Tire Company** (tires, tubes and related services as needed through 12-31-17) **\$80,000.00**

**1. (Cont'd):**

**WATER**

**C1. Albers and Albers** (professional legal services as needed through 12-31-17) **\$25,000.00**

**C2. Frost Brown Todd LLC** (professional legal services as needed through 12-31-17) **\$50,000.00**

**C3. Carmeuse Lime & Stone, Inc.** (Quick Lime {Calcium Oxide, CaO} as needed through 12-31-17) **\$30,000.00**

**C4. Mosaic Global Sales LLC** (Hydrofluosilicic Acid as needed through 12-31-17) **\$150,000.00**

**C5. Duke's Root Control, Inc.** (root control treatment chemicals and services as needed through 06-30-17) **\$80,000.00**

-Depts. of Finance, Fire, and Water. **Total: \$475,100.00**

**2. Chard Snyder – Contract Modification** – for services related to Consolidated Omnibus Budget Reconciliation Act (COBRA) – Dept. of Human Resources. **\$55,800.00 (Thru 2019)**

**B. Construction Contracts:**

**3. Moody's of Dayton, Inc. – Award of Contract** – for New Well Drilling (Rip Rap #4) Rebid Open Market – Dept. of Water/Water Engineering. **\$418,000.00 (Thru 01/2019)**

**CITIZENS' COMMENTS ON CALENDAR ITEMS**

Citizens' comments on calendar items were received from the following:

1. **Mr. David A. Pigford, 907 W. Fifth Street #117** – spoke in support of Resolution No. 6233-17-Calendar Item No. 4. -Linden City Complex.

**DISCUSSION OF CALENDAR ITEMS**

**Calendar Item No. 4. – Resolution No. 6233-17-Linden Center Complex**

Commissioner Williams asked for clarification of this calendar item.

Ms. Dickstein said this is a first step in removing the Linden Center Complex from the Public Commons Master Plan in order to redevelop the property for other use.

Mr. Aaron Sorrell, Director of Planning and Community Development, said the endeavor started in 2011 when the Department of Central Services was directed to seek proposals for the reuse of 14 properties. Mr. Sorrell said he was approached in 2012 by Gem City-Hilltop Community Development & Housing, Inc, (GCHCC) who are long time Daytonians and very familiar with

the Linden Center, regarding reuse of the property. He said he has worked with GCHCC on reuse possibilities, however, the uses are limited by the design. He said the GCHCC placed the Linden Center Complex on the national register of historical buildings and the City entered into a Memo of Understanding (MOU) giving them exclusive rights to the predevelopment of the Complex. Mr. Sorrell said in July 2016 GCHCC delivered all requirements that the City of Dayton had.

Commissioner Williams asked about any deed restrictions.

Mr. Sorrell said there were no deed restrictions on the property.

Commissioner Williams asked of the 14 properties how many have been reused.

Mr. Sorrell said seven properties have been reused.

#### **APPROVAL OF CITY MANAGER'S RECOMMENDATIONS**

**Commissioner Shaw made the motion to approve the City Manager's Reports. Commissioner Joseph 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. 6233-17-** Removing the Linden Center Complex from the Public Commons Master Plan in Accordance with R.C.G.O. 44.19.

##### **ORDINANCE- SECOND READING**

**Ordinance No. 31545-17-** Establishing a Fire and Smoke Damper Inspection Program for Buildings Owned and Operated by the City of Dayton.

**The question being shall Ordinance No. 31545-17 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 Ordinance was passed.**

#### **CITIZENS' COMMENTS**

Citizens' comments were received from the following:

1. **Ms. Kyra Woods, 4579 Wilmington Pike** – made general comments.
2. **Mr. Keith Lander, 429 S. Kilmer** – spoke about Fifth Third Bank's \$30 Billion Community Development Plan.

Mayor Whaley invited Ms. Katie Crosby, Executive Director of the Human Relations Council, to the podium to provide clarification of the \$30 Billion Agreement.

Ms. Crosby said the \$30 billion agreement is between Key, Huntington, and Fifth Third Banks.

She said the National Community Reinvestment Coalition (NCRC) brings together organizations to meet with financial institutes to negotiate the agreements on behalf of their communities. She said the committee, which has approximately 20 members from the community, meets twice a year on behalf of the City of Dayton.

Ms. Crosby said she is really excited about this agreement, and if citizens would like more information, they should contact her office at 937-333-1403.

3. **Mr. David R. Webb, 113 E. Third Street** – gave an update of the Funk Center.

#### **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 Mims**

Commissioner Mims highlighted his attendance at the Martin Luther King (MLK) Kickoff celebration at Zion Hill Missionary Baptist Church.

**Commissioner Shaw**

Commissioner Shaw highlighted Dayton's Business Journal's article on the revitalization of Downtown Dayton.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 6:41 p.m.

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**Mayor Nan Whaley**

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