

EXECUTIVE SESSION

On May 16, 2018, at 4:33 p.m., Commissioner Mims made a motion to convene into an Executive Session to discuss economic development in order to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project. Commissioner Joseph seconded the motion. The motion was unanimously approved.

ROLL CALL

Roll call was taken and Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant were present.

RECONVENE

At 5:59 p.m., Commissioner Shaw made a motion to reconvene from Executive Session and to continue with the meeting. Commissioner Mims seconded the motion. The motion was unanimously approved.

ROLL CALL

Roll call was taken and Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant were present.

CITY COMMISSION MEETING

On Wednesday, May 16, 2018, 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.

INVOCATION

Commissioner Joseph 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 Joseph, Mims, Shaw and Vacant 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 a motion to approve the minutes from the May 9, 2018, 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

A World A'Fair

Mayor Whaley invited Mr. Wayne Gulden, Dayton International Festival Treasurer, to the podium to give a community update.

Mr. Gulden said this is the 45th year of showcasing and celebrating the different cultures that have made the Dayton area what it is today. He said the Dayton International Board is made up of 34 countries/ethnicities that take part in the event. Mr. Gulden said with a few exceptions, everyone connected with running the festival are volunteers.

Mr. Gulden said this year's A World A'Fair will take place beginning Friday, May 18th beginning at 5:00 p.m. and ending on Sunday, May 20th at 6:00 p.m. He said for more information, please visit www.aworldafair.org.

The Mayor Whaley thanked Mr. Gulden for his work on the World A 'Fair.

The Clerk of Commission read a proclamation.

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:**

AVIATION

A1. Merchants Security Service (security guard services as needed through 06-30-18)
\$10,000.00

1.

PLANNING & COMMUNITY DEVELOPMENT

B1. Bladecutter's Lawn Service, Inc. (services for securing vacant commercial buildings) **13,975.00**

POLICE

C1. American Blast Systems, Inc. (one hundred fifty ballistic rifle plates) **44,850.00**

C2. Spikes Tactical LLC (twenty-six customized tactical rifles with accessories)
28,758.80

WATER

D1. B L Anderson Co., Inc. (two ABB Drives and related items) **14,050.00**

D2. Wesco Distribution, Inc. (one Baldor Custom Motor) **11,760.00**

-Depts. of Aviation, Planning & Community Development, Police, and Water.

Total: \$123,393.80

2. **P & R Communications Service, Inc. – Lease Agreement** – to lease space on the radio tower to be used as a Continuously Operating Reference Station site for the Water Global Positioning System – Dept. of Water/Water Engineering. **\$16,500.00**
(Thru 05/31/23)

E. Other – Contributions, Etc.:

3. **Miami Valley Fair Housing Center, Inc. – Other** – for a Subrecipient Agreement for the Fair Housing Testing and Education Services Program – Dept. of Planning & Community Development. **\$50,000.00**
(Thru 08/31/19)
4. **The Ohio Municipal League – Other** – for renewal of membership – Dept. of Procurement, Management & Budget. **\$10,776.00**

CITIZENS' COMMENTS ON CALENDAR ITEMS

Citizens' comments were received from:

1. **Mr. David Treese – 1 Arena Park Drive** – spoke in favor of Calendar Item No. 9. Emergency Ordinance No. 31644-18-Sale of Real Estate to IMT Properties, Inc. and Calendar Item No. 10. Emergency Resolution No. 6330-18-Bonbright Donation.

DISCUSSION OF CALENDAR ITEM

Calendar Item No. 12. – Ordinance No. 31645-18-Pedetrain Use of Specified Highways

The City Manager, Ms. Shelley Dickstein, invited Mr. Troy Daniels, Assistant Attorney, to the podium to provide clarification of the ordinance.

Mr. Daniels gave an overview of crashes involving pedestrians within the city limits. He said there were 688 crashes involving pedestrians and 476 of them were on arterial roadways. Mr. Daniels said there are 51 sections of arterial roadways in the city limits.

Commissioner Mims asked how many of those crashes involved children.

Mr. Daniels said 35 of the crashes involved pedestrians under the age of 18.

Calendar Item No. 3. – Miami Valley Fair Housing Center, Inc.-Other

Mayor Whaley thanked Ms. Dickstein and Montgomery County for their hard work on the calendar item.

APPROVAL OF CITY MANAGER’S RECOMMENDATIONS

Commissioner Mims made a motion to approve the City Manager’s Reports. Commissioner Shaw seconded the motion. The City Manager’s Reports were approved with a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims and Shaw.

LEGISLATION

EMERGENCY ORDINANCES – FIRST AND SECOND READING

Emergency Ordinance No. 31640-18- Amending Sections 153.54 and 153.58 of the Revised Code of General Ordinances Regarding Fees Under the Unified Building Code, 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 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims and Shaw. The question being shall Emergency Ordinance No. 31640-18 be passed. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims and Shaw. The Emergency Ordinance was passed.

Emergency Ordinance No. 31641-18- Appropriating Property Designated as Parcels 13WD, 13T1, and 13T2 in Connection with the Washington Street Reconstruction Project, 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 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims and Shaw. The question being shall Emergency Ordinance No. 31641-18 be passed. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims and Shaw. The Emergency Ordinance was passed.

Emergency Ordinance No. 31642-18- Authorizing the Grant of a Utility Easement to Duke Energy Ohio, Inc. for the Construction, Maintenance, and Repair of Equipment Used for the Underground Transportation of Gas on Parcels of Land Located at the Dayton-Wright Brothers Airport, and Declaring an Emergency.

Commissioner Mims 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 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims and Shaw. The question being shall Emergency Ordinance No. 31642-18 be passed. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims and Shaw. The Emergency Ordinance was passed.

Emergency Ordinance No. 31643-18- Authorizing the Grant of a Right of Way and Utility Easement to The Dayton Power and Light Company for the Construction, Maintenance, and Repair of Equipment Used for Electric Energy Purposes on Parcels of Land Located at the Dayton-Wright Brothers Airport, 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 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims and Shaw. The question being shall Emergency Ordinance No. 31643-18 be passed. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims and Shaw. The Emergency Ordinance was passed.

Emergency Ordinance No. 31644-18- Authorizing the Sale of Certain Real Estate to IMT Properties, Inc., 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 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims and Shaw. The question being shall Emergency Ordinance No. 31644-18 be passed. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims and Shaw. The Emergency Ordinance was passed.

EMERGENCY RESOLUTIONS – FIRST AND SECOND READING

Emergency Resolution No. 6330-18- Accepting the Donation of One Hundred Fifteen Thousand Dollars and Zero Cents (\$115,000.00) from Bonbright Distributors, Inc. for Capital Improvements Related to the Development of a Bike Park at Welcome Park, and Declaring an Emergency.

Commissioner Mims 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 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims and Shaw. The question being shall Emergency Resolution No. 6330-18 be adopted. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims and Shaw. The Emergency Resolution was adopted.

Emergency Resolution No. 6331-18- Approving the Submission of a Grant Application for the Fiscal Year 2019 Ohio Airport Grant Program to the Ohio Department of Transportation, Office of Aviation; Authorizing the Acceptance of a Grant from the State of Ohio Department of Transportation, Office of Aviation in an Amount Not to Exceed One Million Three Hundred Twenty Thousand Seven Hundred Fifty Dollars and Zero Cents (\$1,320,750.00) 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 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims and Shaw. The question being shall Emergency Resolution No. 6331-18 be adopted. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims and Shaw. The Emergency Resolution was adopted.

ORDINANCE - FIRST READING

Ordinance No. 31645-18- Enacting Section 75.10 of the Revised Code of General Ordinances and Amending Section 137.15 of the Revised Code of General Ordinances Regarding Pedestrian Use of Specified Highways.

RESOLUTIONS – FIRST READING

Resolution No. 6332-18- Declaring the Intention of the Commission to Vacate Creston Avenue from Tony Stein Way to the Alley North of Tony Stein Way.

Resolution No. 6333-18- Declaring the Intention of the Commission to Vacate the Alley South of Valley Street from the West Property Line of City Lot No. 7298 to the Eastern Terminus.

ORDINANCE – SECOND READING

Ordinance No. 31639-18- Authorizing the Extension of the Employment of Tammi Clements to the Unclassified Position of Deputy City Manager.

The question being shall Ordinance No. 31639-18 be passed. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims and Shaw. The Ordinance was passed.

RESOLUTIONS – SECOND READING

Resolution No. 6328-18- Honorarily Naming a Portion of Madden Hills Drive as Dean Lovelace Drive.

The question being shall Resolution No. 6328-18 be adopted. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims and Shaw. The Resolution was adopted.

Resolution No. 6329-18- Adopting the “City of Dayton City Commission Rules of Procedure and Order.”

The question being shall Resolution No. 6329-18 be adopted. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims and Shaw. The Resolution was adopted.

INFORMAL RESOLUTION

Informal Resolution No. 954-18- Objecting to the Transfer of Liquor Permit No. 7361376, Ricks Jazz Lab INC., 1832 Lakeview Ave., Dayton, Ohio 45408.

Commissioner Joseph made a motion to adopt Informal Resolution No. 954-18. Commissioner Shaw seconded the motion. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims and Shaw. The Informal Resolution was adopted.

Informal Resolution No. 955-18- Objecting to the Application of Liquor Permit No. 2852586 Four Brothers Convenience Store LLC, dba Neighborhood Market, 1300 Wyoming Street Dayton, Ohio 45410.

Commissioner Mims made a motion to adopt Informal Resolution No. 955-18. Commissioner Shaw seconded the motion. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims and Shaw. The Informal Resolution was adopted.

BOARD APPOINTMENTS

Commissioner Shaw made the motion to appoint Nikol Miller to the Welcome Dayton Committee for a term ending December 31, 2021. Commissioner Joseph seconded the motion. The motion was unanimously approved.

Commissioner Mims made the motion to appoint Moses Mbeseha and Natasha Spears to the Community Police Council for a term ending December 31, 2020. Commissioner Joseph seconded the motion. The motion was unanimously approved.

Commissioner Joseph made the motion to reappoint Matt Sauer, Jeff Payne and Paul Bradley to the city Plan Board for a term ending June 30, 2021. Commissioner Shaw seconded the motion. The motion was unanimously approved.

Commissioner Shaw made the motion to reappoint William Kramer to the Housing Appeals Board for a term ending September 25, 2020. Commissioner Joseph seconded the motion. The motion was unanimously approved.

CITIZENS' COMMENTS

Citizens' comments were received from the following:

1. **Mr. Matt Tepper – 702 Troy Street** – spoke in opposition of the Valley Street reconstruction.
2. **Ms. Phyllis Wysinski – 221 Rita Street** – spoke in opposition of the Valley Street reconstruction.
3. **Ms. Bernice Garrison – 313 Rita Street** – spoke in opposition of the Valley Street reconstruction.
4. **Ms. Starla Collinsworth – 149 Rita Street** - spoke in opposition of the Valley Street reconstruction.
5. **Mr. Robert Katzenbach – 237 Rita Street**- spoke in opposition of the Valley Street reconstruction.
6. **Ms. Tina Kavy – 1053 Gerhard**- spoke in opposition of the Valley Street reconstruction.
7. **Mr. Kraig Collinsworth 149 Rita Street** - spoke in opposition of the Valley Street reconstruction.
8. **Ms. Jessica Sparks – 216 Rita Street** - spoke in opposition of the Valley Street reconstruction.
9. **Mr. Lindsey Judd – 311 Rita Street**- spoke in opposition of the Valley Street reconstruction.

10. **Mr. Ellis Hutchinson – 212 S. Wilkerson St. Apt. 210-** spoke about a celebration event to commemorate the birthday of Malcolm X.

The City Commission thanked the citizens affected by the Valley Street reconstruction for coming and voicing their opinions.

Ms. Dickstein said the project has been placed on hold until further notice and until a solution can be made.

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 Shaw

Commissioner Shaw highlighted his attendance at the Flick and Float event located at Lohrey Recreation Center. He also highlighted the Santa Clara Clean-Up Day on Saturday, May 19th beginning at 9:00 a.m. until 12:00 p.m. at 1859 N. Main Street.

Commissioner Mims

Commissioner Mims highlighted the attendance at the Youth Talent Show. He also highlighted the Golf Invitation at Madden Hills.

Mayor Whaley

Mayor Whaley highlighted her attendance at Chaminade Julienne High School to welcome students from Augsburg, Germany as a part of an exchange program by the Sister City Committee. She also highlighted her trip to Israel.

ADJOURNMENT

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

Mayor Nan Whaley

Attest: _____
Clerk of Commission