

On Wednesday, April 10, 2019, 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 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 Joseph, Mims, Shaw and Fairchild 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 March 27, 2019, meeting. Commissioner Fairchild seconded the motion. The previous meeting minutes were unanimously approved.

COMMUNICATIONS AND PETITIONS

Communication #21387

State of Ohio, Department of Liquor Control – Permit Application F9 Permit #2912812 – Friends of Levitt Pavilion Dayton, Roped/Fenced Area, 134 S. Main Street, Dayton, OH 45402.

The Clerk of Commission reported receipt of Permit Application Permit F9 #2912812 – Friends of Levitt Pavilion Dayton, Roped/Fenced Area, 134 S. Main Street, Dayton, OH 45402. The application was referred through the City for investigation.

Communication #21388

State of Ohio, Department of Liquor Control – Permit Application C1, C2 Permit #7166515 – Rafat Dayton LLC, DBA H & L Market, 1627-29 N. Gettysburg Avenue, Dayton, Ohio 45427.

The Clerk of Commission reported receipt of Permit Application Permit C1, C2 #7166515 – Rafat Dayton LLC, DBA H & L Market, 1627-29 N. Gettysburg Avenue, Dayton, Ohio 45427. The application was referred through the City for investigation.

Communication #21389

State of Ohio, Department of Liquor Control – Permit Application C1, C2 Permit #4940293 – Kumafi Kejetia African Market Inc., DBA Main Street Foodmart, 1413 North Main Street, Dayton, Ohio 45405.

The Clerk of Commission reported receipt of Permit Application Permit C1, C2 #4940293 – Kumafi Kejetia African Market Inc., DBA Main Street Foodmart, 1413 North Main Street, Dayton, Ohio 45405. The application was referred through the City for investigation.

Communications # 21390

Handout at City Commission Meeting- Joel Burton regarding The Living City Project highlights.

SPECIAL AWARDS/PRESENTATIONS

Living City Project Highlights

Mayor Whaley invited Mr. Joel Burton, Mr. Caleb Ingram and team, to the podium to provide a community update on the “Living City Project.”

Mr. Ingram thanked the City Commission and staff for their help and contribution to the “Living City Project.” He asked if Mr. Tom Ritchie, Deputy Director of Public Works, could give numbers on the amount of trash collected.

Mr. Ritchie said there were 4,998 vacant lots with 21,580 pounds of tires collected. He said there were 228,980 pounds of bulk waste collected with a total of 250,560 pounds of trash collected.

Mr. Tony Ruby thanked all the volunteers on the project and said it wasn’t really about the trash it was about the diversity of fellowship and coming together.

Mr. Burton thanked the City Commission and presented the Mayor and each of the City Commissioners with an award.

The City Commission thanked Mr. Burton and Mr. Ingram for their work in this endeavor.

ADDITIONS OR DELETIONS TO THE CALENDAR

The Clerk of Commission, Ms. Rashella Lavender, requested the addition of the following legislation related to the Arcade Redevelopment Project: Emergency Ordinance Number 31715-19, Authorizing a Loan in Support of Arcade Redevelopment Project, Emergency Ordinance Number 31716-19, Issuance and Sale of Economic Development Revenue Bonds for the Purpose of Assisting in Financing the Costs of a “Project”, Emergency Ordinance Number 31717-19, Authorizing the City Manager to Execute a Loan Agreement with CityWide Development Corporation Related to the Redevelopment of the South Dayton Arcade in the Amount of \$11M, Emergency Ordinance Number 31718-19, Authorizing the City Manager to Enter Into a Community Reinvestment Area Tax Abatement Agreement with Dayton Rotunda Commercial, LLC, Emergency Ordinance Number 31719-19, Authorizing the City Manager to Enter Into Community Reinvestment Area Tax Abatement Agreements with South Arcade Commercial, LLC, Emergency Ordinance Number 31720-19, Authorizing the City Manager to Enter Into Community Reinvestment Area Tax Abatement Agreements with South Arcade Commercial, LLC, Emergency Ordinance Number 31721-19, Determining That a Petition to Establish the Dayton Arcade New Community Authority and District Is Sufficient and Complies with the Requirements of Ohio Revised Code Section 349.03, Emergency Ordinance Number 31722-19, Authorizing the City Manager to Enter Into A Community Benefits Agreement Related to the Dayton Arcade, Emergency Resolution Number 6405-19, Approving the Petition and Supplemental Plan for Special Energy Improvement Projects Under Ohio Revised Code Chapter 1710, and Emergency Resolution Number 6406-19, Approving the Necessity of Acquiring, Constructing, and Improving Certain Public Improvements in Cooperation With the Dayton Regional Energy Special Improvement District.

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:

FIRE

- A1. Morning Pride Manufacturing LLC dba Honeywell First Responder Products**
(protective clothing for structural firefighting through 12-31-19) **\$94,500.00**
- A2. Motorola Solutions, Inc.** (Motorola batteries, parts and repair services for various City owned radios) **20,000.00**

POLICE

- B1. Allied Builders, Inc.** (security fencing rental with installation and removal services) **115,000.00**
- B2. Greve Chrysler Jeep Dodge of Van Wert** (ten Dodge Chargers) **299,090.00**
- B3. Vance Outdoors, Inc.** (thirty Delta 5 high-cut helmets through 01-31-21) **33,825.00**

PUBLIC WORKS

- C1. Truck Country of Indiana, Inc. dba Stoops Freightliner** (automotive parts and supplies as needed through 12-31-19) **160,000.00**
- C2. Winter Equipment Company, Inc.** (snowplow parts and supplies as needed through 12-31-19) **20,000.00**

WATER

- D1. Friends Service Company, Inc. dba FriendsOffice** (office furniture including removal, installation, and disposal services through 09-30-22) **12,720.00**
- D2. General Electric dba GE Digital LLC** (annual software system maintenance and support agreement) **62,547.02**
- D3. Sunesis Construction Company** (repair of a thirty-six inch concrete high pressure water main) **863,000.00**
- D4. Beau Townsend Ford, Inc.** (one four-wheel drive truck with enclosed utility body) **51,665.00**
- D5. Bis Nuss, Inc.** (two Roto mission slacker drives) **35,376.00**

1. (Cont'd):

- D6. Fryman Kuck General Contractors, Inc.** (Hydroflousilicic Acid tank replacement and containment area repair) **\$146,578.00**
- D7. Lowe's** (building supplies, tools and related items as needed through 12-31-19) **6,000.00**
- D8. Security Fence Group, Inc.** (security fencing with installation and removal services through 12-31-19) **34,294.05**
-Depts. of Fire, Police, Public Works, and Water. **Total: \$1,954,595.07**
2. **Bender Energy Group, LLC – Service Agreement** – for HVAC System Services at the Dayton International Airport – Dept. of Aviation/AP Facilities & Ops. Terminal. **\$295,800.00**
(Thru 12/31/21)
3. **National Processing Solutions (NPS) – Service Agreement** – for Merchant Services – The Municipal Court/Clerk of Courts. **\$120,000.00**
(Thru 03/31/22)
4. **RA Consultants LLC – Service Agreement** – for Professional Engineering Services for Dayton International Airport Sanitary Sewer Service – Dept. of Water/Water Engineering. **\$1,328,580.00**
(Thru 12/31/23)
5. **TyssenKrupp Elevator Corporation – Service Agreement** – for a first amendment for elevator and escalator operations and maintenance serviced for the vertical transportation systems at the Dayton International Airport – Dept. of Aviation. **\$100,000.00**
(Thru 12/31/19)

C. Revenue to the City:

6. **Wright Brothers Aero, Inc. – Lease Agreement** – for a Ground Service Maintenance Facility Lease at the Dayton International Airport – Dept. of Aviation. **\$241,968.00**
(Thru 04/09/24)

D. Neighborhood Agreements:

7. **JJR Solutions, LLC – Development Agreement** – to assist in the relocation of their business to Dayton – Dept. of Economic Development. **\$170,000.00**
(Thru 12/31/25)

E. Other – Contributions, Etc.:

8. **Miami Valley Housing Opportunities, Inc. – Other** – for the Continuum of Care Agreement – Shelter Plus Care Sponsor-Based Rental Assistance II – Dept. of Planning & Community Development. **\$102,354.00**
(Thru 12/31/19)
9. **National Association of Clean Water Agencies (NACWA) – Other** – for Annual Membership Dues – Dept. of Water. **\$17,680.00**
(Thru 09/30/19)
10. **Slavin Management Consultants – Payment of Voucher** – for professional recruitment services – Dept. of Human Resources. **\$5,654.56**

CITIZENS' COMMENTS ON CALENDAR ITEMS

There were no citizens' comments on calendar items.

DISCUSSION OF CALENDAR ITEM

Calendar Item No. 7 –JJR Solutions, LLC-Development Agreement

The City Manager, Ms. Shelley Dickstein, invited Mr. Ford Weber, Director of Economic Development, to the podium to give an update on the agreement.

Mr. Weber said the agreement will relocate JJR Solutions, LLC from Beavercreek, Ohio to the City of Dayton. He said the business will be located at 607 E. Third Street in Downtown Dayton as an anchor tenant of the building.

Mr. Weber said the agreement will result in generating 100 well-paying jobs. He said the City of Dayton will be partnering with Montgomery County for an Edge Grant.

Commissioner Joseph asked what type of business is this.

Mr. Weber said they are a software development company.

Emergency Ordinance Number 31715-19, Authorizing a Loan in Support of Arcade Redevelopment Project, **Emergency Ordinance Number 31716-19**, Issuance and Sale of Economic Development Revenue Bonds for the Purpose of Assisting in Financing the Costs of a “Project”, **Emergency Ordinance Number 31717-19**, Authorizing the City Manager to Execute a Loan Agreement with CityWide Development Corporation Related to the Redevelopment of the South Dayton Arcade in the Amount of \$11M, **Emergency Ordinance Number 31718-19**, Authorizing the City Manager to Enter Into a Community Reinvestment Area Tax Abatement Agreement with Dayton Rotunda Commercial, LLC, **Emergency Ordinance Number 31719-19**, Authorizing the City Manager to Enter Into Community Reinvestment Area Tax Abatement Agreements with South Arcade Commercial, LLC, **Emergency Ordinance Number 31720-19**, Authorizing the City Manager to Enter Into Community Reinvestment Area Tax Abatement Agreements with South Arcade Commercial, LLC, **Emergency Ordinance Number 31721-19**, Determining That a Petition to Establish the Dayton Arcade New Community Authority and District Is Sufficient and Complies with the Requirements of Ohio Revised Code Section 349.03, **Emergency Ordinance Number 31722-19**; Authorizing the City Manager to Enter Into A Community Benefits Agreement Related to the Dayton Arcade, **Emergency Resolution Number 6405-19**; Approving the Petition and Supplemental Plan for Special Energy Improvement Projects Under Ohio Revised Code Chapter 1710, and **Emergency Resolution Number 6406-19**; Approving the Necessity of Acquiring, Constructing, and Improving Certain Public Improvements in Cooperation With the Dayton Regional Energy Special Improvement District. Ms. Dickstein said these items of legislation are necessary elements for a successful financial closing which will occur by end of April 2019. She said she is super excited about getting to the finish line.

Calendar Item No. 12 – Emergency Ordinance No. 31713-19-Electric Transportation Devices and

Calendar Item No. 13. – Emergency Ordinance No. 31714-19-Electric Transportation Devices

The City Manager, Ms. Shelley Dickstein, invited Mr. Martin Gehres, Assistant City Attorney, to the podium to provide clarification of these calendar items.

Mr. Gehres said services providing scooters, ebikes, and other electric transportation devices for rent have been launched in multiple metropolitan cities without any rules, regulations, or laws in place; which has created a plight on the public’s right-of-way and other issues. Therefore, staff has developed Rules and Regulations for the operation of Electric Transportation Device Services within the City of Dayton. He said the Criminal and Civil Divisions of the Law Department have identified Sections of R.C.G.O. that must be amended and/or codified to address the use of emerging technologies on the City’s right-of-way.

Mr. Gehres said businesses providing Electric Transportation Devices (“Devices”) must apply and be granted operating permits to operate within the City. He said the City Manager may deny or allow additional devices depending on the capabilities of the City’s right-of-way. He said the City Manager may deny additional devices for any municipal purpose. Mr. Gehres said services will be subject to permitting fees, device registration fees, and daily device fees. He said devices are required to meet certain minimum equipment standards, to include but not limited to: a maximum speed of 15 mph; front lamp and red rear lamplight; and, all other regulations.

Mr. Gehres said these rules will be required in a Service’s mobile app, operation of devices on sidewalks is prohibited, devices may only be operated on sidewalks when immediately leaving or accessing a parking location; helmets are encouraged, users must obey traffic laws and operate the device safely, stay to the right of street lanes and offer the right-of-way to bicycles on bike lanes, parking must be done in designated areas or in accordance with the R.C.G.O.; and, user shall not obstruct the normal use of the right-of-way.

Mr. Gehres said Electric Transportation Devices are an emerging technology that many cities throughout the country are still learning how to effectively regulate and manage their use of the right-of-way. He said the Ordinances and Rules and Regulations are the City's first attempt to address the knowns and unknowns that Electric Transportation Devices bring to the City's right-of-way (including parking, increased use, and safety concerns). Mr. Gehres said the City is committed to being flexible and adapting to concerns raised from our partners, including Bike Miami Valley and the Greater Dayton Regional Transit Authority.

Mayor Whaley thanked staff for their work on this endeavor.

Calendar Item No. 10 –Slavin Management Consultants-Payment of Voucher

Mayor Whaley said she had been briefed on the Payment of Voucher.

APPROVAL OF CITY MANAGER'S REPORTS

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 Joseph, Mims, Shaw and Fairchild.

LEGISLATION

RESOLUTION – FIRST READING

Resolution No. 6404-19-Authorizing the Acceptance of Donation of a Regulation Professional Football Field for the Benefit of and Use by the City of Dayton, Ohio at Triangle Park 2500 Ridge Avenue Dayton, Ohio

RESOLUTION – SECOND READING

Resolution No. 6403-19-Honorarily Naming Liscum Drive from US35 to Dayton-Liberty Road as Page E. Gray, Jr. Way for a Period of Two Years.

The question being shall Resolution No. 6403-19 be adopted. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild. The Resolution was adopted.

THESE ITEMS WERE ADDED

EMERGENCY ORDINANCES – FIRST AND SECOND READING

Emergency Ordinance No. 31712-19- Authorizing the Grant of a Pipeline Easement to Vectren Energy Delivery of Ohio, Inc. for the Construction, Maintenance, Repair and Other Purposes Related to Natural, Artificial, and Liquefied Petroleum Gas and Related Appurtenances, and Declaring an Emergency.

Commissioner Fairchild 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 Joseph, Mims, Shaw and Fairchild. The question being shall Emergency Ordinance No. 31712-19 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild. The Emergency Ordinance was passed.

Emergency Ordinance No. 31713-19- Amending Sections 70.01, 71.06, 71.12, 71.12.02, 71.18.02, 71.71, 72.03, 74.01, 74.02, 74.03, 74.04, 74.05, 74.06, 74.07, 74.08, 74.09, 74.10, 74.11, and 74.12; Enacting Section 74.11.1; Repealing Section 74.99 of the Revised Code of General Ordinances of the City of Dayton Concerning the Operation and Use of Electric Transportation Devices Within the City of Dayton, 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 Joseph, Mims, Shaw and Fairchild. The question being shall Emergency Ordinance No. 31713-19 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild. The Emergency Ordinance was passed.

Emergency Ordinance No. 31714-19- Enacting Sections 95.400, 95.401, 95.402, 95.403, 95.404, 95.405, 95.406, 95.407, 95.408, 95.409, and 95.410 of the Revised Code of General Ordinances of the City of Dayton Relating to the Use of the Right-of-Way By Electric Transportation Devices; Approving the Adoption of the Rules and Regulations of Electric Transportation Devices, and Declaring an Emergency.

Commissioner Mims moved that this being an emergency measure for the immediate consideration of the Ordinance. Commissioner Fairchild seconded the motion. The motion was passed with a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild. The question being shall Emergency Ordinance No. 31714-19 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild. The Emergency Ordinance was passed.

Emergency Ordinance No. 31715-19-Authorizing a Loan from the City of Dayton Development Fund to City of Dayton General Capital Fund in support of Arcade redevelopment Project, and Declaring an Emergency.

Commissioner Mims moved that this being an emergency measure for the immediate consideration of the Ordinance. Commissioner Fairchild seconded the motion. The motion was passed with a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild. The question being shall Emergency Ordinance No. 31715-19 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild. The Emergency Ordinance was passed.

Emergency Ordinance No. 31716-19-To Provide for the Issuance and Sale of Economic Development Revenue Bonds Under Section 13 of Article VIII of the Constitution of the State of Ohio and Chapter 165 of the Ohio Revised Code for the Purpose of Assisting in financing the Costs of a "Project" as defined in Section 165.01 of the Ohio Revised Code; Authorizing Documents Relating to the Bonds; Authorizing and Approving Related Matters; and Declaring an Emergency.

Commissioner Fairchild 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 Joseph, Mims, Shaw and Fairchild. The question being shall Emergency Ordinance No. 31716-19 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild. The Emergency Ordinance was passed.

Emergency Ordinance No. 31717-19-Authorizing the City Manager to Execute a Loan Agreement With Citywide Development Corporation Related to the Redevelopment of the South Dayton Arcade in the Amount of Eleven Million Dollars and Zero Cents (\$11,000,000.00) and Execution of Any and All Documents Related Thereto, 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 Joseph, Mims, Shaw and Fairchild. The question being shall Emergency Ordinance No. 31717-19 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild. The Emergency Ordinance was passed.

Emergency Ordinance No. 31718-19-Authorizing the City Manager to Enter Into a Community Reinvestment Area Tax Abatement Agreement With Dayton Rotunda Commercial, LLC for Property located in the South Dayton Arcade in the City of Dayton, Ohio; 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 Joseph, Mims, Shaw and Fairchild. The question being shall Emergency Ordinance No. 31718-19 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild. The Emergency Ordinance was passed.

Emergency Ordinance No. 31719-19- Authorizing the City Manager to Enter Into Community Reinvestment Area Tax Abatement Agreement With South Arcade Commercial, LLC for Property Located in the South Dayton Arcade in the City of Dayton, Ohio; and Declaring an Emergency.

Commissioner Mims moved that this being an emergency measure for the immediate consideration of the Ordinance. Commissioner Fairchild seconded the motion. The motion was passed with a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild. The question being shall Emergency Ordinance No. 31719-19 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild. The Emergency Ordinance was passed.

Emergency Ordinance No. 31720-19- Authorizing the City Manager to Enter Into Community Reinvestment Area Tax Abatement Agreements With South Arcade Commercial, LLC for Property Located in the South Dayton Arcade in the City of Dayton, Ohio; and Declaring an Emergency.

Commissioner Fairchild 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 Joseph, Mims, Shaw and Fairchild. The question being shall Emergency Ordinance No. 31720-19 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild. The Emergency Ordinance was passed.

Emergency Ordinance No. 31721-19- Determining That a Petition to Establish the Dayton Arcade New Community Authority and District Is Sufficient and Complies With Requirements of Ohio Revised Code Section 349.03 In form an Substance; Setting the Time and Place For a Hearing on the Petition; and Authorizing the Notice By Publication of Such Hearing; 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 Joseph, Mims, Shaw and Fairchild. The question being shall Emergency Ordinance No. 31721-19 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild. The Emergency Ordinance was passed.

Emergency Ordinance No. 31722-19- Authorizing the City Manager to Enter into A Community Benefits Agreement Related to the Dayton Arcade; 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 Joseph, Mims, Shaw and Fairchild. The question being shall Emergency Ordinance No. 31722-19 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild. The Emergency Ordinance was passed.

EMERGENCY RESOLUTIONS – FIRST AND SECOND READING

Emergency Resolution No. 6405-19- Approving the Petition and Supplemental Plan for Special Energy Improvement Projects Under Ohio Revised Code Chapter 1710, and Declaring an Emergency.

Commissioner Mims moved that this being an emergency measure for the immediate consideration of the Resolution. Commissioner Fairchild seconded the motion. The motion was passed with a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild. The question being shall Emergency Resolution No. 6405-19 be adopted. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild. The Emergency Resolution was adopted.

Emergency Resolution No. 6406-19- Approving the Necessity of Acquiring, Constructing, and Improving Certain Public Improvements in the City of Dayton, Ohio in Cooperation With the Dayton Regional Energy Special Improvement District, and Declaring an Emergency.

Commissioner Fairchild 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 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild. The question being shall Emergency Resolution No. 6406-19 be adopted. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild. The Emergency Resolution was adopted.

CITIZENS' COMMENTS

Citizens' comments were received from the following:

1. **Bishop Richard Cox**, 3044 Jewelstone Drive, spoke about healthcare on the Westside of Dayton.
2. **Ms. Nancy Kiehl**, 309 Hacker Road- spoke about the closing of Premier Health Hospital (Good Samaritan).
3. **Mr. Ellis Hutchinson**, 211 South Wilkinson Street – spoke about “Blessed are those that Struggle” event.
4. **Dr. Rockney Carter**, 1684 Earlham Drive – spoke about the closing of Premier Health Hospital (Good Samaritan).

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 THE CITY COMMISSION

Commissioner Mims

Commissioner Mims highlighted his meeting with the Chief of Staff of Veterans Affairs on moving the Historical Research Department to the Dayton Veterans Administration.

Commissioner Mims thanked citizens who donated money for ties at Westwood School.

Commissioner Fairchild

Commissioner Fairchild highlighted his trip to the Fly-In in Washington D.C.

Commissioner Fairchild thanked volunteers and highlighted his attendance at the National Service Recognition Day for the AmeriCorps Program.

Mayor Whaley

Mayor Whaley congratulated staff on working with the Clerk of Commission, Ms. Rashella Lavender, on legislation regarding the Arcade.

EXECUTIVE SESSION

On April 10, 2019, at 9:40 a.m., Commissioner Fairchild made a motion to convene into an Executive Session to discuss personnel issues relating to employee appointment, employment, dismissal or demotion. Commissioner Mims seconded the motion. The motion was unanimously approved.

ROLL CALL

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

RECONVENE

At 10:43 a.m., Commissioner Mims made a motion to reconvene from Executive Session and to continue with the meeting in the Commission Chambers of City Hall. Commissioner Fairchild seconded the motion. The motion was unanimously approved.

ROLL CALL

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

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:44 a.m.

Nan Whaley
Mayor

Attest: _____
Clerk of Commission