

On Wednesday, April 21, 2021, at 5:04 p.m., the Dayton City Commission met in regular session, remotely through electronic means, at City Hall.

CALL TO ORDER

Mayor Whaley called the meeting to order. She said due to the current COVID-19 order, we are conducting the meeting remotely through electronic means. To protect the safety of the community, during the state of emergency related to COVID-19, in-person citizen comments will be suspended for City Commission Meetings.

Citizens interested in making public comment related to calendar items, are asked to do so in writing. Items related to a calendar item will be included in the meeting records under Communications and Petitions.

Citizens who wish to make the City Commission aware of an issue not related to the Commission Meeting Calendar, may also do so. These items will be distributed to the Dayton City Commission for reference.

For complete information on how to submit a comment, please visit daytonohio.gov/CoronaResources or call 937-333-3636.

ROLL CALL

Roll call was taken and Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild were present. The Acting Clerk of Commission, Ms. Ariel Walker, and The City Manager, Ms. Shelley Dickstein, were also present through electronic means.

EXECUTIVE SESSION

On Wednesday, April 21, 2021, at 5:06 p.m., Commissioner Mims made a motion to convene into an Executive Session to discuss personnel issues relating to employee appointment, employment, dismissal or demotion. Commissioner Fairchild second the motion. The motion was unanimously approved.

ROLL CALL

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

RECONVENE

At 6:02 p.m., Commissioner Shaw made a motion to reconvene from Executive Session and to continue with the meeting. Commissioner Fairchild second the motion. The motion was unanimously approved.

ROLL CALL

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

INVOCATION

Commissioner Fairchild gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Whaley led the public in the Pledge of Allegiance.

APPROVAL OF MINUTES

Commissioner Mims made a motion to approve the minutes from the April 14, 2021, meeting. Commissioner Fairchild 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, Agreements and Contracts:
(All contracts are valid until delivery is complete or through December 31st of the current year).

CITY COMMISSION OFFICE

A1. Ohio Newspapers, Inc. dba Dayton Daily News (legal publication services as needed through 12-31-21) **\$6,000.00**

LAW

B1. Benesch, Friedlander, Coplan & Aronoff LLP (professional legal services as needed through 12-31-21) **\$60,000.00**

POLICE

C1. Vance Outdoors, Inc. (tasers and taser equipment) **39,488.22**

PUBLIC WORKS

D1. Reliable Transmission Service Midwest, Inc. (parts supplies and labor to repair heavy equipment transmission as needed through 12-31-21) **15,000.00**

D2. Rush Truck Centers of Ohio, Inc. (truck parts supplies and related items as needed through 12-31-21) **10,000.00**

D3. Van Martin Windows & Roofing LLC (roofing maintenance as needed through 12-31-21) **10,000.00**

WATER

E1. Bulk Transit Corp. (bulk pebble lime hauling as needed through 12-31-25) **670,000.00**

-Depts. of Law, Police, Public Works, Water and the City Commission Office.

Total: \$810,488.22

CITIZENS' COMMENTS ON CALENDAR ITEMS

Citizen's comments were suspended for the meeting.

DISCUSSION OF CALENDAR ITEMS

Emergency Ordinance No. 31881-21- Authorizing the Sale of Real Estate Located near the Northeast Corner of East First at North Patterson Boulevard to Dayton Lincoln Acquisition, LLC, an entity of Crawford Hoying and Woodard Resources

The City Manager, Ms. Shelley Dickstein said this is property left over from the urban renewal

Plan which would be used for housing development.

Emergency Resolution No. 6572-21- Declaration of a Climate Emergency, including a Commitment to Renewable Resources

The City Manager, Ms. Shelley Dickstein said this is an advance of the sustainability plan strategy which coincides with Earth Month. She said the City of Dayton commits to achieving 100 percent clean, renewable electrical energy by 2050.

Commissioner Joseph thanked his colleagues and the City Manger for their work on climate change and said it is an important step they are taking.

APPROVAL OF CITY MANAGER'S REPORTS

Commissioner Joseph made the motion to approve the City Manager's Reports. Commissioner Shaw 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

EMERGENCY ORDINANCE – FIRST AND SECOND READING

Emergency Ordinance No. 31879-21- Approving the Amended Rules and Regulations of the City of Dayton, Ohio Environmental Advisory Board, 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. 31879-21 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. 31880-21- Establishing a Cap on the Fee That Third Parties Can Charge to Restaurants Located in the City of Dayton for Delivering Food Which Cap Shall be no More than 15% of the Total Food Cost Charged by the Restaurant to the Customer, in Order to Protect the Viability of Restaurants Which are Essential to the Health and Well-Being of City Residents and the City's Economy and Further Prohibiting a Reduction in Compensation for Food Delivery Drivers as a Result of this Cap, 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. 31880-21 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. 31881-21- Authorizing the Sale of Real Estate Located near the Northeast Corner of East First at North Patterson Boulevard to Dayton Lincoln Acquisition, LLC, an entity of Crawford Hoying and Woodard Resources, for a Public Purpose, 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. 31881-21 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. 6571-21- Approving the Submission of a Grant Application for the Fiscal Year 2022 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 Five Hundred Thousand Dollars and Zero Cents (\$500,000.00) on behalf of the City of Dayton; and Declaring an Emergency.

Commissioner Joseph moved that this being an emergency measure for the immediate consideration of the Resolution. 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 Resolution No. 6565-21 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. 6572-21- Declaration of a Climate Emergency, including a Commitment to Renewable Resources, 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. 6572-21 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.

RESOLUTION – SECOND READING

Resolution No. 6570-21- Honorarily Naming East Monument Avenue Between North Main Street and North Patterson Boulevard as “Det. Jorge Del Rio Way.”

The question being shall Resolution No. 6570-21 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.

Mayor Whaley said her thoughts and prayers are with the Del Rio Family. She said there it not a day that goes by that someone is not thinking of him. She said we are grateful for his service for the community.

CITIZENS' COMMENTS

Citizen's comments were suspended for the meeting.

COMMENTS BY THE CITY MANAGER

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

COMMENTS BY THE ACTING CLERK OF COMMISSION

The Acting Clerk of Commission, Ms. Ariel Walker, had no closing comments.

COMMENTS BY THE CITY COMMISSION

Commissioner Fairchild

Commissioner Fairchild thanked the commission for their work on the sustainability plan, police reform, and COVID-19. He said they have been a consistent voice in the COVID-19 fight and need to push to the end. Commissioner Fairchild asked citizens to continue being safe.

Commissioner Mims

Commissioner Mims highlighted the passing of Mr. Mac Arthur Howard, Sr., educator and Jack and Jill Beautillion supporter.

Commissioner Joseph

Commissioner Joseph thanked neighborhood leaders who continue to work in their community.

Mayor Whaley

Mayor Whaley encouraged citizens to continue getting vaccinated.

ADJOURNMENT

There being no further business the meeting was adjourned at 6:21 a.m.

Nan Whaley

Mayor

Attest: _____

Clerk of Commission