

On Wednesday, July 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 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 Joseph, Mims and Shaw were present. The Acting Clerk of Commission, Ms. Ariel Walker, and the City Manager, Ms. Shelley Dickstein, were also present.

Commissioner Joseph made a motion to authorize the absence of Commissioner Fairchild from this week's City Commission meeting. Commissioner Shaw seconded the motion. The motion was unanimously approved.

APPROVAL OF MINUTES

Commissioner Joseph made a motion to approve the minutes from the June 26, 2019, meeting. Commissioner Shaw seconded the motion. The previous meeting minutes were unanimously approved.

COMMUNICATIONS AND PETITIONS

Communication #21415

State of Ohio, Department of Liquor Control – Permit Application D2, Permit #2735064 – Firehouse Inc., DBA Tobys Tavern, 1st FL & Bsmt & Patio, 3601 Linden Av, Dayton, OH 45410.

The Clerk of Commission reported receipt of Permit Application Permit D2 #2735064 – Firehouse Inc., DBA Tobys Tavern, 1st FL & Bsmt & Patio, 3601 Linden Av, Dayton, OH 45410. The application was referred through the City for investigation.

Communication #21416

State of Ohio, Department of Liquor Control – Permit Application D1, D2, D3, D3A, D6, Permit #2949092 – Front Row Bar and Grille LLC, DBA Front Row Bar & Grille, 2412 Catalpa Drive, Dayton, Ohio 45406.

The Clerk of Commission reported receipt of Permit Application D1, D2, D3, D3A, D6, Permit #2949092 – Front Row Bar and Grille LLC, DBA Front Row Bar & Grille, 2412 Catalpa Drive, Dayton, Ohio 45406. The application was referred through the City for investigation.

Communication #21417

Letter to Ariel Walker – The Moorish Divine and National Movement of the World.

SPECIAL AWARDS/PRESENTATIONS

There were no special awards/presentations.

ADDITIONS OR DELETIONS TO THE CALENDAR

There were no additions or deletion 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:

FINANCE

A1. Comptech Computer Technologies, Inc. (temporary staffing services as needed through 12-31-23) \$110,000.00

1. (Cont'd):

FIRE

B1. Trame Mechanical, Inc. (heating, ventilation and air conditioning – HVAC – preventative maintenance and repair services as needed through 04-20-20)
\$10,000.00

PUBLIC WORKS

C1. Acme Spring, Inc. (heavy duty equipment suspension repair parts and services as needed through 04-30-20) **10,000.00**

C2. Graybar Electric Company, Inc. (electrical parts, supplies and related items as needed through 12-31-19) **5,000.00**

RECREATION & YOUTH SERVICES

D1. Commercial Fitness Solutions, Inc. (one treadmill and four televisions for exercise equipment including installation through 03-31-20) **10,555.00**

D2. First Student, Inc. (transportation for summer camp programs) **1,188.00**

D3. Tree Care, Inc. (tree and stump removal services as needed through 12-31-21)
55,000.00

WATER

E1. Precision Laser & Instrument, Inc. (Trimble brand survey equipment and accessories as needed through 12-31-22) **112,950.00**

E2. Eco Oxygen Technologies LLC (adding super oxygenated remediation well water to industrial wastewater gravity interceptor as needed through 10-31-20) **263,822.40**

E3. Middletown Ford, Inc. (one cargo van) **27,402.50**

E4. Pace Analytical Services, Inc. (Total sulfate and dissolved sulfide testing as needed through 10-31-20) **15,500.00**

E5. SMC Pine Holdings LLC dba Pine Environmental Services LLC (application of Thioguard dosing at the Miami Wellfield Water Treatment Plant as needed through 10-31-20) **68,687.25**

E6. Allen Refractories Company (partial burn zone reline) **57,660.00**

E7. Benedict Enterprises, Inc. (Lime hauling as needed through 12-31-21) **15,000.00**

E8. Buckeye Power Sales Company, Inc. (rental of various types of generator equipment and related items) **28,034.00**

E9. Ohio Cat (rental of various types of generator equipment and related items)
21,094.50

-Depts. of Finance, Fire, Public Works, Recreation & Youth Services and Water. **Total: \$811,893.65**

2. **ESO Solutions, Inc. – Service Agreement** – for software as service modules to transition Fire and Inspection records from the current system – Dept. of Fire. **\$29,800.00**
(Thru 07/30/20)

3. **Ohio Energy Project – Service Agreement** – to provide an energy education program – Dept. of Economic Development. **\$50,000.00**
(Thru 08/31/20)

B. Construction Contracts:

4. **Peterson Construction Co. – Contract Modification** – for the Centrate Pump Station Improvements (15% SBE Goal/15% SBE Achieved) – Dept. of Water/Water Engineering. **\$50,000.00**
(Thru 02/29/20)

C. Revenue to the City:

5. **Cargill, Inc./Tate & Lyle Ingredients Americas, LLC – Other** – for second amendment to extend and cover additional services needed to continue and complete the Hydrogen Sulfide Control Study – Dept. of Water/Water Reclamation. **\$721,427.44**
(Thru 10/31/20)

CITIZENS' COMMENTS ON CALENDAR ITEMS

There were no citizens' comments on calendar items.

DISCUSSION OF CALENDAR ITEM

Calendar Item No. 5. – Cargill, Inc./Tate & Lyle Ingredients Americas, LLC – Other

The City Manager, Ms. Shelley Dickstein, said this amendment is for an extension of services needed to address the ongoing odors in the area.

Mayor Whaley said after twenty-plus years she is excited to see this endeavor moving forward.

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 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims and Shaw.

LEGISLATION

EMERGENCY RESOLUTION – FIRST AND SECOND READING

Emergency Resolution No. 6425-19- Authorizing the Acceptance of a Grant Award from the State of Ohio Development Services Agency, Minority Business Development Division, in an Amount Up to Three Hundred Forty-Five Thousand Dollars and Zero Cents (\$345,000.00), and Declaring an Emergency.

Commissioner Mims 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 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims and Shaw. The question being shall Emergency Resolution No. 6425-19 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. 31744-19- Consenting to the Replacement of Signs Within the City of Dayton, and Agreeing to Cooperate in Matters Incidental Thereto, Including the Execution of Agreements Necessary to Implement this Ordinance.

RESOLUTION – SECOND READING

Resolution No. 6423-19- Authorizing the Acceptance of a Grant in the Amount of Nineteen Thousand Two Hundred Twenty Dollars and Sixty Cents (\$19,220.60) from the Montgomery County Solid Waste District Incentive Grant Program and Authorizing the Required Matching Funds in the Amount of Eight Thousand Two Hundred Thirty-Seven Dollars and Forty Cents (\$8,237.40).

The question being shall Resolution No. 6423-19 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.

CITIZENS' COMMENTS

Citizens' comments were received from the following:

1. **David Hurwitz, 36 Potomac St.** - spoke in opposition of the Dayton International Airport Development/Paul Knoop Prairie.
2. **Donna Hinkle, 36 Potomac St.** - spoke in opposition of the Dayton International Airport Development/Paul Knoop Prairie.
3. **Marie Trittschuh, 899 Old Springfield Road-** spoke in opposition of the Dayton International Airport Development/Paul Knoop Prairie.
4. **Ralph A Shull, 661 East Martindale Road-** spoke in opposition of the Dayton International Airport Development/Paul Knoop Prairie.
5. **Michelle Zechar, 6400 Noranda Drive -** spoke in opposition of the Dayton International Airport Development/Paul Knoop Prairie.

6. **Monica Snow, 426 East 6th St.** - spoke in opposition of the Dayton International Airport Development/Paul Knoop Prairie.
7. **Patricia Leppla, 6780 Farmersville Germantown Pike-** spoke in opposition of the Dayton International Airport Development/Paul Knoop Prairie.

COMMENTS BY THE CITY MANAGER

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

COMMENTS BY THE CLERK OF COMMISSION

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

COMMENTS BY THE CITY COMMISSION

Commissioner Mims

Commissioner Mims congratulated staff on the Fourth of July Fireworks Celebration. He also congratulated Tabernacle Baptist Church on their 100th Anniversary Celebration.

Commissioner Mims recognized his grandson, Mr. Dylan James Mims, from Connecticut who will be job shadowing at the City of Dayton.

Commissioner Joseph

Commissioner Joseph recognized Dr. Sara Twill, Wright State University, who was in attendance with guests from Switzerland.

Mayor Whaley

Mayor Whaley said she stands by her comments and vote regarding the Dayton International Airport Development/Paul Knoop Prairie. She said the Dayton City Commission will continue to be good stewards regarding various prairie properties around the city and encouraged citizens from other jurisdictions to contact their perspective elected officials and ask them to grow more prairies properties.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:56 a.m.

Mayor Nan Whaley

Attest: _____
Clerk of Commission