

On Wednesday, August 11, 2021, at 8:32 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. She said due to the current COVID-19 order, the City of Dayton is requiring masks to be worn in all City facilities to protect the safety of the staff and community. If you need a mask, there are some at the entrance of the Commission Chambers. Those not wearing a mask during the Commission Meeting may be ruled out of order and removed from the meeting.

**INVOCATION**

Commissioner Fairchild 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, Shaw and Fairchild were present. The Clerk of Commission, Ms. Regina D. Blackshear, The City Manager, Ms. Shelley Dickstein and Miami Valley Interpreters, were also present.

**APPROVAL OF MINUTES**

**Commissioner Mims made a motion to approve the minutes from the July 28, 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 special 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 31<sup>st</sup> of the current year).**

**FIRE**

A1. **Jeff Bonham Electric, Inc. dba Bonham Electric, Inc.** (2 diesel emergency standby generators with installation services) **\$210,846.00**

**PUBLIC WORKS**

B1. **CHWR, Inc. dba CHW Mechanical Services** (heating, ventilation and air conditioning preventative maintenance and repairs as needed through 12/31/24) **40,000.00**

**WATER**

C1. **Allied Builders** (fencing products, related items, and services) **20,000.00**  
C2. **HACH Company** (Hach WIMS process control software) **88,043.15**

1. (Cont'd):

C3. **Ferguson Waterworks** (PVC pipes, fittings and related items as needed through 12/31/22) **80,500.00**  
-Depts. of Fire, Public Works, and Water. **Total: 439,389.15**

2. **Fritz-Rumer-Cooke, Inc. – Contract Modification** – sixth amendment to a professional service agreement for the Northwest Lead Track annual inspection and maintenance -Department of Planning, Neighborhoods and Development.  
**\$100,000.00**  
**(Thru 12/31/22)**

3. **John R. Jurgensen Company – Contract Modification** - for additional 2021 Residential Asphalt Resurfacing II (10% SBE & 10% MBE Participation Goal/10% SBE &10% MBE Participation Achieved – Department of Public Works.  
**\$1,700,000.00**  
**(Thru 08/31/23)**

4. **Julian & Grube, Inc. – Service Agreement** - American Rescue Plan Act (ARPA) and other COVID-19 Funds Accounting and Auditing Consulting Services – Department of Procurement, Management and Budget.  
**\$281,362.50**  
**(Thru 12/31/2026)**

5. **Laurel Kerr – Service Agreement** – professional support services for the Dayton Mediation Center’s Landlord-Tenant Mediation Program and various other Mediation Center Projects - Department of Planning, Neighborhoods and Development.  
**\$30,000.00**  
**(Thru 09/30/22)**

**B. Construction Contracts:**

6. **PlayCare, LLC – Award of Contract** – for McIntosh Playground Surface Installation Rebid 2 (10%MBE Participation Goal/10% MBE Achieved - Department of Public Works.  
**\$172,000.01**  
**(Thru 10/01/23)**

7. **W.C. Jones Asphalt Paving Co., Inc. – Award of Contract** – 2021 CDBG Alley Asphalt Resurfacing Re-Bid (10% HUD Section 3 Participation Goal/100% HUD Section 3 Participation Achieved) (Federal CDBG Funds) – Department of Public Works.  
**\$293,900.00**  
**(Thru 11/12/23)**

**E. Other – Contributions, Etc.:**

8. **Joint Office of Citizen Complaints, Inc.** – contribution agreement with the Ombudsman’s Office to receive and resolve citizen inquiries and concerns - Department of Planning, Neighborhoods and Development.  
**\$50,000.00**  
**(Thru 12/31/21)**

9. **Miami Valley Community Action Partnership – Payment of Voucher** - For invoice from MVCAP for the Greater Dayton VITA/EITC Coalition for tax year 2019 - Department of Planning, Neighborhoods and Development.  
**\$8,957.35**

10. **OneOhio Subdivision Participation Form – Legal Settlement –**  
authorization to be part of the proposed OneOhio Opioid Settlement with  
three opioid distributors – Department of Law. **\$TBD**

11. **Regional Air Pollution Control Agency (RAPCA) – Payment of Voucher**  
– for 2020 Air Pollution County Maintenance fees – Department of Aviation.  
**\$4,225.00**

#### **CITIZENS' COMMENTS ON CALENDAR ITEMS**

There were no citizens' comments on calendar items.

#### **DISCUSSION OF CALENDAR ITEMS**

##### **Calendar Item No. 3. John R. Jurgensen Company-Contract Modification**

The City Manager, Ms. Shelley Dickstein, said this contract for the 2021 Residential Asphalt Resurfacing will use Issue 9 funds. She also noted the MBE participation goal was met.

##### **Calendar Item No. 4. Julian & Grube, Inc.- Service Agreement**

The City Manager, Ms. Shelley Dickstein, said the service agreement is the second related to American Rescue Plan Act (ARPA) funding.

##### **Calendar Item No. 5. Laurel Kerr – Service Agreement**

The City Manager, Ms. Shelley Dickstein, said the service agreement will help address homelessness prevention with services at the Dayton Mediation Center.

##### **Calendar Item No. 6. PlayCare, LLC- Award of Contract**

The City Manager, Ms. Shelley Dickstein, said the contract is for surface installation at MacIntosh Park.

##### **Calendar Item No. 7. W.C. Jones Asphalt Paving Co., Inc.- Award of Contract**

The City Manager, Ms. Shelley Dickstein, said several alleys will be resurfaced within the City of Dayton which will make it safer for Public Works, first responders and citizens.

#### **CITIZENS' COMMENTS ON CALENDAR ITEMS**

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

1. **Ms. Diane Welborn, 1731 Philadelphia Drive** – spoke about Calendar Item No. 8. Joint Office of Citizens Complaints, Inc.

Ms. Dickstein said she was sorry to be recommending to no longer support the Ombudsman's Office in the 2022 budget. She said the COVID-19 pandemic has brought unprecedented uncertainty to the organization. Ms. Dickstein said in the face of plummeting revenues and increasing community needs they continue to provide critical services while protecting employees. She said to stay solvent, she has slashed capital investments, reduced the size of the workforce through a voluntary separation program and restricted expenditures to those that supported essential services.

Ms. Dickstein said as general fund revenues recover, she must now confront a greater fiscal threat which is a structural shift in the economy toward work from home. She said because of this, the growth experienced in 2021 is largely transitory and will not be sustained. She said research suggest that \$10 to \$20 million will likely be lost in annual tax revenue from the structural shift in the economy. Ms. Dickstein said while the City of Dayton has been awarded \$138 million through the American Rescue Plan, the funds are restricted in use and City policy states one-time sources shall be used for one time uses.

Ms. Dickstein said to formally resolve conflicts that was formally handled by the Ombudsman's Office, the City of Dayton will use the Mediation Center which is housed

with talented staff and volunteers. She said the Dayton Mediation center is a division of the Department of Planning Neighborhoods and Development and operates as an independent business unit of the City of Dayton. Ms. Dickstein said the Dayton Mediation Center has offered impartial conflict resolution services since 1987 and is internationally recognized for its intervention programs. She said the Dayton Medication Center is certified by the institute of the Study of Conflict Transformation and the National Association for Community Mediation. Ms. Dickstein said City staff are experienced working with both city and county agencies and has years of experience working with Montgomery County Courts, Montgomery County Jobs and Families Services, Dayton Police, Montgomery County Sheriff's Office and many other agencies. She said the Dayton Mediation Center is able to handle the increased caseload from the Ombudsman's Office.

Commissioner Fairchild said he wanted to make sure the Mediation Center is able to offer the same services as the Ombudsman's Office.

Ms. Dickstein said they handle not only mediation but advocacy and intervention.

#### **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. 31908-21-** Approving the Purchase of Real Estate Located at 204, 222, and 250 Salem Avenue, 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. 31908-21 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 RESOLUTION – FIRST AND SECOND READING**

**Emergency Resolution No. 6597-21-** Repealing Resolution No. 6584-21, Authorizing the Acceptance of a Grant Award from JumpStart, Inc. in the Amount of Twenty-Seven Thousand Two Hundred Fifty Dollars and Zero Cents (\$27,250.00) 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 Commissioners Joseph, Mims, Shaw and Fairchild. The question being shall Emergency Resolution No. 6597-21 be adopted. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Commissioners Joseph, Mims, Shaw and Fairchild. The Emergency Resolution was adopted.**

#### **BOARD APPOINTMENTS**

Commissioner Shaw made a motion to re-appoint Anthony Whitmore to the Welcome Dayton Committee for a term ending December 31, 2021. Commissioner Mims seconded the motion. The motion was unanimously approved.

Commissioner Fairchild made a motion to appoint to appoint Kate Conway, Ashley Lackovich, David Larson, Jacqueline Radabauch and Bryan Stewart to the Welcome Dayton Committee for a term ending December 31, 2022. Commissioner Mims seconded the motion. The motion was unanimously approved.

Commissioner Fairchild made a motion to re-appoint Mohamed Al-Hamdani, Mike Lehner and Michelle Streeter-Ferrari to the Welcome Dayton Committee for a term ending December 31, 2022. Commissioner Joseph seconded the motion. The motion was unanimously approved.

Commissioner Mims made a motion to re-appoint Rachel Gut, Danielle Heeter, Matt Joseph, Tom Wahlrab and Stephanie Keinath to the Welcome Dayton Committee for a term ending December 31, 2023. Commissioner Shaw seconded the motion. The motion was approved with a 4-1-0 vote.

Commissioner Fairchild made a motion to appoint Michael A. Jacobs to the Landmark Commission for a term ending June 30, 2022. Commissioner Shaw seconded the motion. The motion was unanimously approved.

Commissioner Shaw made a motion to re-appoint Alex Heckman, Burgess Neil Gow, Erin McNicholl, Charles Johnson and Scott Sliver to the Landmarks Commission for a term ending June 30, 2023. Commissioner Mims seconded the motion. The motion was unanimously approved.

Commissioner Joseph made a motion to re-appoint Carla Maragano and Laura Sebald to the Landmarks Commission for a term ending June 30, 2024. Commissioner Shaw seconded the motion. The motion was unanimously approved.

Commissioner Fairchild made a motion to re-appoint Frederick Holley to the Landmarks Commission for a term ending June 30, 2022. Commissioner Joseph seconded the motion. The motion was unanimously approved.

Commissioner Joseph made a motion to re-appoint Anthony Ciani, Diane Graham and Mondora Tingle to the Board of Zoning Appeals for a term ending June 30, 2022. Commissioner Mims seconded the motion. The motion was unanimously approved.

Commissioner Joseph made a motion re-appoint David Brand, Tim Bement, Jacquelyn Patterson and Patrick Martin to the Board of Zoning Appeals for a term ending June 30, 2024. Commissioner Fairchild seconded the motion. The motion was unanimously approved.

#### **CITIZENS' COMMENTS**

There were no citizen comments.

#### **COMMENTS BY THE CLERK OF COMMISSION**

The Clerk of Commission, Ms. Regina D. Blackshear, had no closing comments.

#### **COMMENTS BY THE CITY MANAGER**

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

#### **COMMENTS BY THE CITY COMMISSION**

##### **Commissioner Fairchild**

Commissioner Fairchild highlighted an event at the Dayton Metro Library on redlining and encouraged citizens to attend.

Commissioner Fairchild encourage citizens practice the ABC's of safe sleep to reduce the number of SIDS Deaths.

Commissioner Fairchild highlighted Dayton Public Schools going back to school

Commissioner Fairchild encouraged citizens to come to check on one another.

**Commissioner Mims**

Commissioner Mims encouraged citizens to attend the Redlining event around the city by Dayton Metro Library.

Commissioner Mims highlighted his meeting with the new Music Director Dr. Mervyn Joseph of Central State University.

**Mayor Whaley**

Mayor Whaley highlighted the event at the Dayton Metro Library on redlining and encouraged citizens to attend.

Mayor Whaley thanked Ms. Dickstein on her leadership on the vaccine for COVID-19.

Mayor Whaley highlighted her second porch tour in North Dayton.

**ADJOURNMENT**

There being no further business the meeting was adjourned at 9:03 a.m.

\_\_\_\_\_  
**Nan Whaley**  
**Mayor**

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