

On Wednesday, October 7, 2020, at 6:01 p.m., the Dayton City Commission met in regular session, remotely through electronic means, 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, 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.

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 Fairchild were present. The Clerk of Commission, Ms. Rashella Lavender, and The City Manager, Ms. Shelley Dickstein, were also present through electronic means.

APPROVAL OF MINUTES

Commissioner Mims made a motion to approve the minutes from the September 30, 2020, meeting. Commissioner Fairchild seconded the motion. The previous meeting minutes were unanimously approved.

COMMUNICATIONS AND PETITIONS

Communication #21495

State of Ohio, Department of Liquor Control – Permit Application D5, D6, Permit Number 6327610 – Ned Peppers LLC, 1st Fl. & Patios, 419 E. Fifth Street, Dayton, OH 45402.

The Clerk of Commission reported receipt of Permit Application Permit D5, D6 Permit #6327610 – Ned Peppers LLC, 1st Fl. & Patios, 419 E. Fifth Street, Dayton, OH 45402. The application was referred through the City for investigation.

Communication #21496

State of Ohio, Department of Liquor Control – Permit Application D5, D6 Permit #53792610005 – MANDJ Inc. & Patios, 423 E. Fifth Street, Dayton, Ohio 45402.

The Clerk of Commission reported receipt of Permit Application Permit D5, D6 Permit #53792610005 – MANDJ Inc. & Patios, 423 E. Fifth Street, Dayton, Ohio 45402. The application was referred through the City for investigation.

Communication #21497

State of Ohio, Department of Liquor Control – Permit Application C1, C2, D6 Permit #6806733 – Peoples Choice Market, Inc., 4675 Hoover, Avenue, Dayton, OH 45417.

The Clerk of Commission reported receipt of Permit Application Permit C2, C2, D6 Permit #6806733 – Peoples Choice Market, Inc., 4675 Hoover, Avenue, Dayton, OH 45417. The application was referred through the City for investigation.

Communication #21498

State of Ohio, Department of Liquor Control – Permit Application C1, C2, Agency Permit #5513077 – Mareab Inc., DBA Stop N Shop, 2454 N. Gettysburg Avenue, Dayton, OH 45406.

The Clerk of Commission reported receipt of Permit Application Permit C2, C2, Permit #5513077 – Mareab Inc., DBA Stop N Shop, 2454 N. Gettysburg Avenue, Dayton, OH 45406. The application was referred through the City for investigation.

SPECIAL AWARDS/PRESENTATIONS

Customer Service Week

Mayor Whaley invited Ms. LaShea Lofton, Deputy City Manager, to give a community update on Customer Service Week.

Ms. Lofton said “It gives me great pleasure to take a moment in the latter half of this tumultuous year to actually pause and celebrate our very own employees, and the tremendous, unwavering, often unnoticed, but essential service they provide to Dayton citizens, business community and other governmental partners- in other words- our customers!

This week gives us an opportunity to do that! It is National Customer Service Week! And while we love our customers, this is not the week where we celebrate them, this is the week we love on those who show them superior service all year long!

Customer Service Week is an international celebration of the importance of customer service and of the people who serve and support customers on a daily basis. 28 years ago, in 1992 the U.S. Congress proclaimed Customer Service Week a nationally recognized event, celebrated annually during the first full week in October. Each year, thousands of companies across the United States and around the world celebrate Customer Service Week. They represent leading financial, healthcare, insurance, manufacturing, retailing, hospitality, communications, not-for-profit, and educational organizations, as well as government agencies and others. This year, Customer Service Week is more important than ever.

Practically overnight, many service teams and employees moved from in-house to remote work. They put in long hours, with limited staff, all while managing anxious customers.

Their efforts ensured we expeditiously addressed the odor complaint, obtained the cooperation of the impacted residents and once they discovered the problem, worked together to correct the illicit connection to the City's asset. They utilized initiative to coordinate this combined effort and it was a successful due to the professionalism, expertise and willingness of our staff to ensure the matter was addressed quickly.

During the six months, the Team ensured the department members were well equipped to provide emergency medical care to the citizens of the City of Dayton. Our members continue to have the correct PPE and supplies needed to treat the citizens during the COVID-19 pandemic.

They maintained their professionalism in seeking alternative solutions to maintain appropriate levels of PPE and EMS supplies. They are accountable to the department members, City of Dayton employees, and the citizens by providing the necessary supplies and equipment to safely and effectively complete their job.

The CARES Team was created in late March with the purpose of determining what funds the City might be eligible for under the CARES Act and what restrictions are on those funds. The federal law was so new that this Team read the extensive legislation to get an understanding of how the funds were made available and restricted. This was a massive undertaking and the Team was up to speed on the nuances of the federal law very quickly. There was very little initial guidance on this federal law, therefore the Team had to dive in and synthesize complicated legislation quickly and apply it to Dayton's local needs. This Team took Ownership over the CARES analyses and was accountable to all City departments, local businesses and residents with CARES questions.

The Recreation Division staff are the front-line staff that work directly with customers who utilize our facilities, programs and services. Recreation staff are the definition of "Dream Team" based on how they are able to quickly adjust to change, communication essential information, effectively implement procedures that ensure the health, wellness and safety of staff and customers.

In mid-August, Officer Jeremy Campbell came to Officer Lyn Dunkin and EMT Amy Dunkin about a family in need he discovered after going out on a call that he wanted to help. The family was missing every basic need in

their home. The parents are sleeping on the floor, the 10 year old on a cot, no dishes, no couch, bedding, or even pillows. EMT Dunkin also noticed that there were no smoke detectors at all in the home, which was remedied by John Williamson. There was also a call made to housing about some other unsafe things in the home.

The entire team takes ownership and pride in their work by acknowledging the work and follow-up with the customer to ensure the work was done to their satisfaction.”

ADDITIONS OR DELETIONS TO THE CALENDAR

The Clerk of Commission, Ms. Rashella Lavender, requested the deletion of Calendar Item No. 15. Emergency Ordinance No. 31845-20.

REPORTS

A. Purchase Orders, Agreements and Contracts:

(All contracts are valid until delivery is complete or through December 31st of the current year).

1. Purchase Orders:

FIRE

- A1. AirBoss Defense Group LLC** (three individual transport isolation systems (ISO-POD) and accessories) **\$15,861.85**
- A2. Finley Fire Equipment Company, Inc.** (self-contained breathing apparatus (SCBA) and related items as needed through 12-31-22) **24,600.00**
- A3. Fire Service, Inc.** (fire hoses and related items as needed through 12-31-20) **32,000.00**
- A4. Municipal Emergency Services, Inc. dba Warren Fire Equipment** (respiratory protection equipment and parts) **184,080.00**

PUBLIC WORKS

- B1. Glickler Funeral Home** (indigent burial services as needed through 12-31-20) **35,000.00**
- B2. Ohio Valley Painting Company, Inc.** (painting supplies and services through 03-31-21) **45,000.00**

WATER

- C1. DLT Solutions LLC** (software licensure, maintenance and support) **19,647.50**
- C2. A-C Equipment Services Corp.** (Lime kiln maintenance and repair services as needed through 12-31-20) **40,000.00**
- Depts. of Fire, Public Works and Water. **Total: \$396,189.35**

- 2. O. R. Colan Associates LLC – Service Agreement** – for consulting services for Siebenthaler and Philadelphia Signal Upgrade Project – Dept. of Public Works/Civil Engineering. **\$14,105.00**
(Thru 12/31/26)
- 3. Hazen & Sawyer – Contract Modification** – first amendment for professional engineering services – Dept. of Water/Water Reclamation. **\$153,000.00**
(Thru 10/31/21)
- 4. Miami Valley Fair Housing Center – Service Agreement** – for Fair Housing Education and Outreach Services – The Human Relations Council. **\$15,000.00**
(Thru 09/30/21)
- 5. Trisha Werts – Service Agreement** – to provide professional support services for the Dayton Mediation Center – Dept. of Planning & Community Development. **\$105,000.00**
(Thru 11/30/23)

B. Construction Contracts:

- 6. CHWR Inc., dba CHW Mechanical Services. – Award of Contract** – for Safety Building Chiller Replacement Re-Bid (10% SBE Participation Goal/12.13% SBE Participation Achieved) – Dept. of Public Works/Property Management. **\$420,750.00**
(Thru 12/31/22)

7. **J. L. Kuck General Contractors, Inc. – Award of Contract** – for Dayton International Airport Snow Removal Equipment (SRE) Storage Facility Retrofit (#DAY-2019026) 25.13% DBE Participation, 23% DBE Goal – Dept. of Aviation/AP Admin. & Finance. **\$3,557,738.00**
(Thru 04/30/22)

C. Revenue to the City:

8. **Cargill, Inc., Tate & Lyle Ingredients Americas, LLC – Other** – third amendment for Hydrogen Sulfide Control Study and Reimbursement Agreement – Dept. of Water/Water Reclamation. **\$290,341.60**
(Thru 10/31/21)
9. **Great Lakes Construction – Contract Modification** – first amendment to service agreement for off-duty police officer services – Dept. of Police. **\$59,932.60**
(Est. Rev.)
10. **Miami Valley Hospital – Other** – for Special Use Permit to install conduit in the parking lot at 122 Wyoming Street – Dept. of Public Works/Civil Engineering. **\$200.00**
(Paid to the City)
11. **Stony Hollow Landfill, Inc. – Other** – for Special Use Permit to install sewer line along Guthrie Road – Dept. of Public Works/Civil Engineering. **\$350.00**
(Paid to the City)

E. Other – Contributions, Etc.:

12. **Joint Office of Citizen Complaints, Inc. – Other** – for contribution agreement – Dept. of Planning & Community Development. **\$50,000.00**
(Thru 12/31/20)
13. **National Association of Clean Water Agencies (NACWA) – Other** – for annual membership dues – Dept. of Water. **\$18,385.00**
(Thru 09/30/21)
14. **Rebuilding Together Dayton – Other** – for Community Development Block Grant Subrecipient Agreement – Rebuilding Together Dayton – Dept. of Planning & Community Development/Community Dev. **\$200,000.00**
(Thru 12/31/21)

CITIZENS’ COMMENTS ON CALENDAR ITEMS

Citizens’ comments were suspended for the meeting.

DISCUSSION OF CALENDAR ITEMS

Calendar Item No. 7. J.L. Kuck General Contractors, Inc.-Award of Contract

The City Manager, Ms. Shelley Dickstein, said this item will help prolong the life of snow removal equipment at the Dayton International Airport’s former Expo Center by providing a winter storage facility. She said \$3.5 million will come from the Federal Aviation Administration (FAA).

Calendar Item No. 14. Rebuilding Together Dayton-Other

The City Manager, Ms. Shelley Dickstein, said this item will provide funding for home repairs and home modifications for citizens who are low income homeowners.

APPROVAL OF CITY MANAGER’S REPORTS

Commissioner Mims made the motion to approve the City Manager’s Reports. Commissioner Fairchild 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 RESOLUTIONS – FIRST AND SECOND READING

Emergency Resolution No. 6536-20- Authorizing the Acceptance of a Grant Award for a Fair Housing Assistance Program from the United States Department of Housing and Urban Development in the Amount of Eighty-One Thousand Dollars and Zero Cents (\$81,000.00) on Behalf of the City of Dayton, 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. 6536-20 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. 6537-20- Approving the Submission of Grant Applications and Authorizing the Acceptance of Grant Awards from the Miami Valley Regional Planning Commission Under the Transportation Improvement Program for State Fiscal Year 2026, 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. 6537-20 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. 6538-20- Authorizing the Acceptance of a Grant Award from the Ohio Department of Public Safety, Ohio Traffic Safety Office in the Amount of Seventy-Six Thousand Two Hundred Seventy-Five Dollars and Twenty-Two Cents (\$76,275.22) on Behalf of the City of Dayton, 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. 6538-20 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. 6539-20 Authorizing the Acceptance of a Grant Award from the Ohio Department of Public Safety, Not to Exceed Ten Thousand Three Hundred Four Dollars and Ninety-Four Cents (\$10,304.94) 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 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild. The question being shall Emergency Resolution No. 6539-20 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. 6540-20- Authorizing the Acceptance of a Grant Award from the Ohio Department of Public Safety, Not to Exceed Two Hundred Twenty-Four Thousand Nine Hundred Ninety-Seven Dollars and Twenty-Six Cents (\$224,997.26) on Behalf of the City of Dayton, 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. 6540-20 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. 6541-20- Authorizing the City Manager to Enter into an Agreement for the City of Dayton to Become a Member of the Proposed Wright Patterson Regional Council of Governments, 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. 6541-20 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 suspended for the meeting.

COMMENTS BY THE CITY MANAGER

The City Manager, Ms. Shelley Dickstein, said there are funding opportunities for art and cultural organizations that were impacted by COVID-19 that will close on October 12, 2020, and non-profit organization funding that will close on October 19, 2020.

Ms. Dickstein said Beggar's Night will take place in the City of Dayton on Saturday, October 31, 2020, from 6:00 p.m. until 8:00 p.m. She said citizens may go to the Dayton Montgomery County Public Health site at www.phdmc.org to look for ways to keep children safe during this event.

Ms. Dickstein said as an alternative to Beggar's Night the Recreation and Youth Services Department will offer a Drive-thru Fall Harvest Party on October 31, 2020, from 6:00 p.m. until 8:00 p.m. at Kettering Field. She said all participants must remain in their vehicles and children must be present to receive treats.

COMMENTS BY THE CLERK OF COMMISSION

The Clerk of Commission, Ms. Rashella Lavender, had no closing comments

COMMENTS BY THE CITY COMMISSION

Commissioner Fairchild

Commissioner Fairchild encouraged citizens to vote.

Commissioner Shaw

Commissioner Shaw said the 2020 Census will close on October 31, 2020. He encouraged citizen to complete their 2020 Census forms.

Commissioner Mims

Commissioner Mims thanked the Dayton City Commission for their support in teen voting. He highlighted his efforts around encouraging citizens to vote.

Commissioner Mims thanked and highlighted the Dayton Public Schools Males of Color for the fishing outing. He said they will have a golf outing on Sunday, October 11, 2020, at Community Golf. He said the clinic will take place from 3:00 p.m. until 6:00 p.m.

Commissioner Mims thanked Mayor Whaley for her speech at the United Negro College Fund (UNCF) banquet.

Commissioner Mims thanked the Dayton City Commission for their support of the use of force recommendations.

Commissioner Joseph

Commissioner Joseph thanked his oversight group and city staff for their recommendations for police reform.

Mayor Whaley

Mayor Whaley thanked her police reform group for their recommendations.

ADJOURNMENT

There being no further business, the meeting was adjourned at 6:45 p.m.

Nan Whaley
Mayor

Attest: _____
Clerk of Commission