

On Wednesday, December 3, 2008 at 8:33 a.m., the Dayton City Commission met in regular session in the Commission Chambers of City Hall.

**CALL TO ORDER**

Mayor McLin called the meeting to order.

**INVOCATION**

Mayor McLin gave the invocation.

**PLEDGE OF ALLEGIANCE**

Mayor McLin led the public in the Pledge of Allegiance.

**ROLL CALL**

Roll call was taken and Mayor McLin, Commissioners Williams, Joseph and Whaley were present. The Acting Clerk of Commission, Ms. Rashella Lavender, and the City Manager, Mr. Rashad Young, were also present.

**Commissioner Whaley made the motion to excuse the absence of Commissioner Lovelace. Commissioner Williams seconded the motion. The motion was unanimously approved.**

**APPROVAL OF MINUTES**

**Commissioner Whaley made the motion to approve the minutes from the November 26th meeting. Commissioner Williams seconded the motion. The previous meeting minutes were unanimously approved.**

**COMMUNICATIONS AND PETITIONS**

There are no communications and petitions.

**SPECIAL AWARDS/RECOGNITIONS**

**Art Exhibit by Leesa Haapapuro**

Mayor McLin invited Ms. Leesa Haapapuro to the podium to provide a community update on her current art exhibit on display at the Dayton Convention Center.

Ms. Lavender, Acting Clerk of Commission, read a greeting.

Ms. Haapapuro thanked the Commission for the recognition. She invited everyone to visit the Dayton Convention Center and view her art exhibit. She said she would appreciate if the citizens of the community would contribute a memento or memory of a time, a place, or a special object for her artwork. She said these mementos can be copied onto the material she uses for her art. Ms. Haapapuro said it took her these past five months to complete the sculpture sitting outside of the Dayton Convention Center. She also mentioned that she will attend the First Friday Art Hop this Friday from 5 p.m. to 9 p.m.

Mayor McLin said that art is so important to the community.

**Polar Express – Winter Wonderland**

Mayor McLin invited Ms. Lashea Smith, Deputy Director for the Department of Recreation and Youth Services, to give a community update on the City’s Polar Express Event.

Ms. Smith thanked the Commission for the recognition. She invited everyone to attend the Department of Recreation and Youth Service’s 5<sup>th</sup> Annual Winter Wonderland event. She said it will be held on December 5<sup>th</sup> and 6<sup>th</sup> at Triangle Park, and it will feature a Polar Train ride through the park with the final destination being Santa Claus at the North Pole. Ms. Smith said each shelter will be decorated with a theme, and they will be serving cookies and hot chocolate in the pavilion. She said admission and the train ride is free. She also said that the pictures with Santa Claus are five dollars, and all of the items in the Tike Shop are one dollar.

Ms. Smith said Friday night will consist of entertainment in the pavilion featuring Eldridge Coats and the Premium Blend Band. She said Saturday will begin with a parade being led by Thurgood Marshall High School Marching Band, and the Serious Young Musicians, Stivers Handbell Chorus, and the Dayton Boys Choir will also be featured.

Mayor McLin said this sounds like a very exciting event.

Ms. Smith thanked the Department of Public Works and Central Services. She reminded everyone to keep in mind the activities will be outside and dress warm.

**REPORTS:**

**A. Purchase Orders, Price Agreements and Contracts:  
(All contracts are valid until delivery is complete or through December 31<sup>st</sup> of the current year).**

**1. Purchase Orders:**

**CENTRAL SERVICES**

**A1. EMC Corporation** (computer software upgrade, maintenance and support agreement) **\$45,887.00**

**POLICE**

**B1. Standard Law Enforcement Supply** (421 Trauma plates) **\$25,049.50**

**WATER**

**C1. Pactec, Inc.** (filter cloths as needed through 12-31-08) **12,500.00**

<b>C2. Sullivan Environmental Technologies</b> (six Moyno brand pumps)	<b>48,578.00</b>
<b>C3. EMC Corporation</b> (computer software upgrade, maintenance and support agreement)	<b>34,950.59</b>
-Depts. of Central Services, Police, and Water.	<b>Total: \$166,965.09</b>

**C. Revenue to the City:**

1. **James M. Awsumb, Inc. – Contract** – for golf professional services at the Community Golf Course – Dept. of Recreation & Youth Services.
 

**\$985,212.00 (over 3 years)**  
**(\$810,000.00 Revenue to the City)**

**E. Other – Contributions, Enterprise Zone Agreements, Etc.:**

3. **Dayton Public Schools – Tax Sharing Payment** – for the Enterprise Zone Program 2008 Income Tax Sharing Payment – Office of Economic Dev. **\$306,194.10**
4. **Northridge Local Schools – Tax Sharing Payment** – for the Enterprise Zone Program 2008 Income Tax Sharing Payment – Office of Economic Dev. **\$55,158.50**
5. **Trotwood-Madison School District – Tax Sharing Payment** – for the Enterprise Zone Program 2008 Income Tax Sharing Payment – Office of Economic Development. **\$36,792.71**

**BY THE BOARD OF REVISION OF ASSESSMENTS**

6. In the Matter of Declaring the Intention of the Commission to Vacate Market Street from the East Property Line of City Lot No. PT154 to Jefferson Street – Recommendation to Proceed.
7. In the Matter of Declaring the Intention of the Commission to Vacate South Perry Street from Franklin Street to Washington Street – Recommendation to Proceed.

**ADDITIONS OR DELETIONS TO THE CALENDAR**

The City Manager, Mr. Rashad Young, requested one deletion to the calendar. He said that Calendar Item No. 10, relating to amending sections 93.11, 99.15, and 152.07 of the Revised Code of General Ordinances, will be resubmitted at a later date.

The Acting Clerk of Commission, Ms. Rashella Lavender, had no additions or deletions.

### **DISCUSSION OF CALENDAR ITEMS**

#### **Calendar Item No. 3, Tax Sharing Payment – Dayton Public Schools, Calendar Item No. 4, Tax Sharing Payment – Northridge Local Schools, Calendar Item No. 5, Tax Sharing Payment – Trotwood – Madison School District**

Commissioner Williams asked for clarification on Calendar Items No. 3, 4, and 5, Tax Sharing Payment.

Mr. Rashad Young, City Manager, said these are based on enterprise zone agreements that we have with the companies in Dayton that are located in various school jurisdictions. He said the law requires that we split the income tax proceeds on a 50/50 basis with the companies who had these agreements before March 2005. Mr. Young said after that date the company is responsible for their own direct payment to the school system.

#### **Calendar Item No. 1 (C3), Purchase Order – EMC Corporation**

Commissioner Joseph asked if Calendar Item No. 1 (C3), for EMC Corporation, relates to our overall strategy to bridge the gap of combining customer data from separate City departments into one database.

Mr. Young said this is not related to customer data, but the critical infrastructure system.

### **CITIZEN COMMENTS ON CALENDAR ITEMS**

There were no citizens registered to speak on calendar items.

### **APPROVAL OF CITY MANAGER'S REPORTS**

**Commissioner Williams made the motion to approve the seven City Manager's Reports.**

**Commissioner Whaley seconded the motion. The City Manager's Reports were approved with a 4-0 vote. Voting in the affirmative were Mayor McLin Commissioners Williams, Joseph and Whaley.**

### **LEGISLATION**

#### **ORDINANCES – FIRST READING**

**Ordinance No. 30815-08** – Vacating Market Street from the East Property Line of City Lot No. PT154 to Jefferson Street.

**Ordinance No. 30816-08** – Vacating South Perry Street from Franklin Street to Washington Street.

#### **RESOLUTION – FIRST READING**

**Resolution No. 5637-08** – Declaring the Intention of the Commission to Vacate Stony Hollow Road from Vance Road to 194 Feet East of the East Property Line of City Lot No. 75828.

**ORDINANCE – SECOND READING**

**Ordinance No. 30814-08** – Authorizing the Granting of an Electric Right of Way and Easement to the Dayton Power and Light Company for the Construction, Maintenance, and Repair of Electrical Services and Incidental Equipment on a Parcel of Land Located at the James M. Cox Dayton International Airport.

**The question being shall Ordinance No. 30814-08 be passed. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor McLin Commissioners Williams, Joseph and Whaley. The Ordinance was passed.**

**THIS ITEM WAS PULLED (No first reading)**

**Ordinance No. 30817-08** – Amending Sections 93.11, 99.15, and 152.07 of the Revised Code of General Ordinances of the City of Dayton Related to Rooming House Permits, Non-Residential Building Hearings, and Appeals for Hearing of Public Nuisance Structures.

**COMMENTS BY THE CITY MANAGER**

The City Manager, Mr. Rashad Young, had no closing comments.

**COMMENTS BY THE CLERK OF COMMISSION**

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

**COMMENTS BY CITY COMMISSION**

**Commissioner Joseph**

Commissioner Joseph said that he had a great time at the Grand Illumination held at Courthouse Square this past Friday. He said he has gotten a lot of positive feedback about the event. He thanked everyone that worked on the event.

He said that he has been chosen for a program sponsored by the American Council of Young Politicians that assists young local politicians travel to other countries to explore their style of government. He said he will be traveling to China this afternoon. He said that Commissioner Whaley recommended him last year after traveling with the program. Commissioner Joseph said his name was chosen out of several hundred recommended, and he is excited to go so he can return with valuable information.

The Mayor stated that you had to be less than 40 years of age to be recommended to participate in the program.

**Mayor McLin**

Mayor McLin said the Beerman Family Dinner was well attended this past Thanksgiving with well over 3,000 to 4,000 people. She said this was the 40<sup>th</sup> Anniversary for the dinner.

Mayor McLin said that she was a judge for the Gingerbread House Competition on Friday, November 28<sup>th</sup>, and she attended the McPherson Town Holiday Home Tour. She said later that evening she attended the Grand Illumination and participated in the night parade that was held for the first time.

Mayor McLin also highlighted the Farewell to Fairview on Saturday November 29<sup>th</sup>, and her visit to the Good Neighbor House. She said they provide clothing, food and counseling for the underserved. She said that last night she visited the Wright View Christmas Party. She said after the meeting the activities and announcements for the City will be listed on the television.

Mayor McLin said Monday evening she will have a meeting with former Mayor Richard Clay Dixon and Former Commissioners Abner Orick and Richard Zimmer to get their advice.

Commissioner Joseph stated that his trip to China will be paid mostly by the American Council of Young Politicians, but assured everyone that there will be no expense from the City.

#### **EXECUTIVE SESSION**

**Commissioner Joseph made a motion to convene into an Executive Session in order to discuss real estate issues and followed by a work session. Commissioner Whaley seconded the motion. The motion was unanimously passed.**

#### **ROLL CALL**

Roll call was taken and Mayor McLin, Commissioners Williams, Joseph and Whaley were present. The Acting Clerk of Commission, Ms. Rashella Lavender, was also present.

#### **RECONVENE**

At 9:40 a.m., Commissioner Williams made the motion to reconvene from Executive Session. Commissioner Whaley seconded the motion. The motion was unanimously passed.

#### **ROLL CALL**

Roll call was taken and Mayor McLin, Commissioners Williams, Joseph and Whaley were present. The Acting Clerk of Commission, Ms. Rashella Lavender, was present.

**ADJOURNMENT**

There being no further business, the Executive Session was adjourned at 9:41 a.m.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 9:41 a.m.

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Mayor Rhine McLin

Attest: \_\_\_\_\_  
Acting Clerk of Commission