

# CITY COMMISSION MEETING AGENDA

CITY COMMISSION

DAYTON, OHIO

SEPTEMBER 9, 2009

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8:30 A.M.

## I. AGENDA SCHEDULE

**Please register to speak on items 9, 11 and 13 with the Clerk of the Commission.  
(Sign-up sheets at entrance of Commission Chambers.)**

1. Call Meeting to Order
  2. Invocation
  3. Pledge of Allegiance
  4. Roll Call
  5. Approval of Minutes
  6. Communications and Petitions Distribution (if any)
  7. Special Awards/Recognition
  8. Discussion of City Manager's Recommendations (See Section II)
  9. Citizen Comments on City Manager's Recommendations
  10. City Commission Action on City Manager's Recommendations
  11. Public Hearing: **N/A**
  12. Discussion Item: **N/A**
  13. Comments by Citizens - Please register to speak with the Clerk of Commission -  
(Non - Calendar items) sign-up sheets at entrance of Commission Chambers
  14. Comments by City Manager
  15. Comments by City Commission
  16. Work Session: **N/A**
  17. Miscellaneous (See Section VI)
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## II. CITY MANAGER RECOMMENDATIONS (Item #8 above)

The following recommendations are offered for City Commission approval.

### 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. 2009 Purchase Order:

##### AVIATION

**A1. Kone, Inc.** (annual elevator and escalator maintenance agreement) **\$14,000.00**

##### FIRE

**B1. HME, Inc.** (two 2009 custom chassis top-mount pumpers) **789,168.00**

1. (Cont'd):

**RECREATION & YOUTH SERVICES**

- C1. Commercial Fitness Solutions, Inc.** (Precor brand fitness equipment for Northwest and Lohrey Recreation Centers) **\$108,678.80**
- C2. Tes Tech, Inc.** (construction materials testing and inspection services as needed through 12-31-09) **53,700.00**
- Depts. of Aviation, Fire, and Recreation & Youth Services. **Total: \$965,546.80**
2. **Emergency Communications Network, Inc. – Contract Renewal** – for the CodeRed Emergency Notification System - Dept. of Fire. **\$17,000.00**

**B. Construction Contracts/Estimates of Cost:**

3. **Charles F. Jergens Construction, Inc. – Contract** – for the NIBCO Foundry Site Remediation & Demolition (20% S/DBE Participation) (State Issue I Funds) – Office of Economic Development. **\$589,438.12**
4. **Steve R. Rauch, Inc. – Contract** – for the Neighborhood Stabilization Program Nuisance Abatement Residential – State Demolition I – 2009 (15% MBE & 5% FBE Participation) (State N.S.P. Funds) – Dept. of Building Services/Housing Inspection. **\$276,220.75**

**IV. LEGISLATION:**

**Emergency Resolution – First and Second Reading:**

5. **No. 5693-09** Authorizing the Submission of Eight Properties to the Montgomery County Treasurer for Inclusion in the Real Estate Acquisition Program (REAP), in Connection with Various Projects, and Declaring an Emergency.

**Ordinances – First Reading:**

6. **No. 30913-09** Consenting to the Improvement of Ten Signalized Intersections within the City of Dayton, and Agreeing to Cooperate in Matters Incidental Thereto, Including the Execution of Agreements Necessary to Implement this Ordinance.
7. **No. 30914-09** Consenting to the Improvement of Interstate 75 within the City of Dayton, and Agreeing to Cooperate in Matters Incidental Thereto, Including the Execution of Agreements Necessary to Implement this Ordinance.

**Informal Resolution:**

8. **No. 796-09**      Endorsing a 1.8 Mill Replacement Issue to Preserve Existing Local Funding for Five Rivers MetroParks Programs that Continue Maintenance, Programming and Security Services in Parks, Educate Children about Nature and the Wilderness, Protect Undeveloped Natural Areas, and Maintain Outdoor Recreation Activities in Montgomery County.

**VI. MISCELLANEOUS:**

**ORDINANCE NO. 30915-09**

**RESOLUTION NO. 5694-09**

**IMPROVEMENT RESOLUTION NO. 3598-09**

**INFORMAL RESOLUTION NO. 797-09**

By MS. Whaley

No. 5693-09

**A RESOLUTION**

Authorizing the Submission of Eight Properties to the Montgomery County Treasurer for Inclusion in the Real Estate Acquisition Program (REAP), in Connection with Various Projects and Declaring an Emergency.

WHEREAS, The City of Dayton has adopted and implemented procedures under Chapter 5722 of the Ohio Revised Code to facilitate the reutilization of nonproductive lands situated within the City; and

WHEREAS, The City and Montgomery County have jointly established the Real Estate Acquisition Program (REAP) in connection with various projects within the City; and

WHEREAS, Including the real estate described in this resolution in REAP will foster neighborhood redevelopment; and

WHEREAS, In order to initiate REAP proceedings at the earliest possible date, and for the immediate preservation of the public peace, property, health, and safety, it is necessary that this resolution take effect at an early date; now therefore,

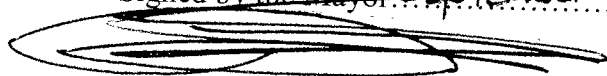
**BE IT RESOLVED BY THE COMMISSION OF THE CITY OF DAYTON:**

Section 1. That the Department of Planning and Community Development shall request that the Montgomery County Treasurer enter the property described in the attached Exhibit A into the Real Estate Acquisition Program (REAP).

Section 2. That for the reasons stated in the preamble hereof, the Commission declares that this resolution is an emergency measure that shall take effect immediately upon its adoption.

Adopted by the Commission September 9 2009

Signed by the Mayor September 9, 2009



Mayor Rhine McLin, City of Dayton, Ohio

Attest:

Rashella Lavender  
Clerk of the Commission

Approved as to form:

Gymn R. Donaldson for  
City Attorney

## Exhibit A

<b>Address</b>	<b>Parcel Number</b>	<b>Applicant</b>
617-619 Steele Ave.	R72 02505 0024	East End Community Services
317-319 Nassau	R72 02404 0022	East End Community Services
54 Dover Ave.	R72 02403 0023	East End Community Services
1315 Wayne Ave.	R72 02707 0018	13SP15
344 Adelite St.	R72 09105 0030	Economic Development
1450 Sprigfield St	R72 04813 0011-12	Kuriger, Russell
1678 Cory St.	R72 11810 0009	Scroggins, Cheryl
1731 Auburn	R72 11610 0026	Department of Planning

By MS. McLIN.....

No. 796-09.....

**AN INFORMAL RESOLUTION**

Endorsing a 1.8 Mill Replacement Issue to Preserve Existing Local Funding for Five Rivers MetroParks Programs that Continue Maintenance, Programming and Security Services in Parks, Educate Children about Nature and the Wilderness, Protect Undeveloped Natural Areas, and Maintain Outdoor Recreation Activities in Montgomery County.

WHEREAS, The variety and quality of cultural and recreation activities, including outdoor passive and active recreation activities, are significant criteria for families and businesses choosing a community to locate in; and

WHEREAS, Five Rivers MetroParks has taken leadership in the region and developed an expertise in outdoor passive and active recreation activities and in protecting undeveloped natural areas; and

WHEREAS, About 80% of Five Rivers MetroParks' total funding is local funding provided by a 1.8 mill Issue which will, unless replaced, automatically expire in 2010; and

WHEREAS, A replacement of this existing local funding mechanism has been proposed which will keep the tax rate at the same level as it has been since 2000 and preserve local funding for Five Rivers MetroParks' service and activities; and

WHEREAS, This 1.8 mill Issue has been placed on the November 3, 2009, ballot that will provide continued local support Five Rivers MetroParks to continue maintenance, programming and security services in parks, educate children about nature and the wilderness, protect undeveloped natural areas, and maintain outdoor recreation activities in Montgomery County; now, therefore,

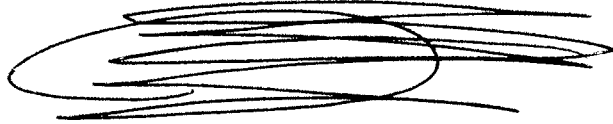
**BE IT RESOLVED BY THE COMMISSION OF THE CITY OF DAYTON:**

Section 1. That the Dayton City Commission hereby expresses its strong support of, and endorses for passage, the 1.8 mill Five Rivers MetroParks Issue to provide local funding to continue maintenance, programming and security services in parks, educate children about nature and the wilderness, protect undeveloped natural areas, and maintain outdoor recreation activities in Montgomery County and encourages Dayton residents to vote for the Issue in the November 2009 General Election.

Section 2. That the City Manager, or his designee, is hereby authorized to conduct activities, assign City staff, use City publications and cable shows, erect signs on City property, and other efforts to encourage citizens and employees of the City of Dayton to vote for the Five Rivers MetroParks Issue in the November 2009 General Election.

ADOPTED BY THE COMMISSION SEPTEMBER 9, 2009

SIGNED BY THE MAYOR SEPTEMBER 9, 2009



MAYOR RHINE MCLIN, CITY OF DAYTON, OHIO

ATTEST:

Rashella Lavender  
Clerk of Commission

APPROVED AS TO FORM:

Raymond R. Thompson for  
City Attorney