

On Wednesday, January 29, 2020, at 6:00 p.m., the Dayton City Commission met in regular session in the Commission Chambers of City Hall. Commissioner Joseph served as Temporary Chairperson.

**CALL TO ORDER**

The Temporary Chairperson, Commissioner Joseph, called the meeting to order.

**INVOCATION**

Commissioner Fairchild gave the invocation.

**PLEDGE OF ALLEGIANCE**

The Temporary Chairperson, Commissioner Joseph, led the public in the Pledge of Allegiance.

**ROLL CALL**

Roll call was taken and 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.

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

**APPROVAL OF MINUTES**

Commissioner Mims made a motion to approve the minutes from the January 22, 2020, meeting. Commissioner Fairchild seconded the motion. The previous meeting minutes were unanimously approved.

**COMMUNICATIONS AND PETITIONS**

**Communication #21467**

Work session handout – Finance Committee Briefing

**SPECIAL AWARDS/PRESENTATIONS**

There were no awards or presentations.

**ADDITIONS OR DELETIONS TO THE CALENDAR**

There were no additions or deletions to the calendar.

**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:**

**AVIATION**

**A1. Nachurs Alpine Solutions Corporation** (runway deicing fluid as needed through 12-31-22) **\$379,800.00**

**A2. Vertiv Corporation** (Uninterruptible Power Supply – UPS – battery replacement services) **17,088.31**

**1.**

**WATER**

**B1. Occupational Health Centers of Ohio, PA dba Concentra Medical** (Hazmat and medical monitoring as needed through 12-31-22) **\$45,000.00**

-Depts. of Aviation and Water. **Total: \$441,888.31**

**2. City of Riverside – Service Agreement** – for technical and economic development services in association with the City of Dayton's Multi-Jurisdictional Source Water Protection Program – Dept. of Water/Environmental Protection. **\$184,008.00 (Thru 12/31/21)**

**3. Moonlight Security – Service Agreement** – for court security and transporting defendants – The Municipal Court/Court Administrator. **\$326,836.00 (Thru 12/31/20)**

**B. Construction Contracts:**

4. **Moody's of Dayton, Inc. – Award of Contract** – for 2019 Well Reconstruction and Rehabilitation (Open Market) – Dept. of Water/Water Engineering. **\$1,293,510.00**  
(Thru 01/31/23)

**C. Revenue to City:**

5. **Alcohol, Drug Addiction & Mental Health Services – Service Agreement** – for psychological services provided to probationers, and a portion for a specialized probation officer assigned to the Dayton Regional Mental Health Court – The Municipal Court/Court Administrator. **\$84,560.00**  
(Thru 12/31/20)

**E. Other – Contributions, Etc.:**

6. **Airport Council International – North America – Other** – for the Annual ACI-NA Membership – Dept. of Aviation/AP Admin. & Finance. **\$29,564.00**  
(Thru 12/31/20)
7. **University of Dayton – Other** – for the Athletics Facilities Rental Agreement to bring outreach, awareness, and educational opportunities about the City's award-winning water utility – Dept. of Water. **\$18,150.00**  
(Thru 12/31/20)

**CITIZENS' COMMENTS ON CALENDAR ITEMS**

There were no citizen's comments on calendar items.

**DISCUSSION OF CALENDAR ITEM**

**Calendar Item No. 4. Moody's of Dayton, Inc. – Award of Contract**

The City Manager, Ms. Shelley Dickstein, said the award of contract is an example of proactive and preventative maintenance of infrastructure at Miami and Mad River well fields and that the contract was the lowest of four bids.

Commissioner Joseph said it is impressive to see the work that goes into rehabbing and rebuilding each of these wells.

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

**LEGISLATION**

**RESOLUTIONS – SECOND READING**

**Resolution No. 6471-20-** To Vacate Alley North of West Second Street from North Conover Street to the Railroad Right of Way.

**The question being shall Resolution No. 6471-20 be adopted. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Commissioners Joseph, Mims, Shaw and Fairchild. The Resolution was adopted.**

**Resolution No. 6472-20-** To Vacate the Alley North of East Third Street From the Alley East of More Avenue to the East Property Line of City Lot #30313.

**The question being shall Resolution No. 6472-20 be adopted. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Commissioners Joseph, Mims, Shaw and Fairchild. The Resolution was adopted.**

### **BOARD APPOINTMENT**

**Commissioner Shaw made a motion to appoint Mike Cross, to fill the unexpired term of Terry Slaybaugh, to the Miami Township Dayton Joint Economic Development District Board, representing the City for a term ending September 20, 2020. Commissioner Fairchild seconded the motion. The motion was unanimously approved.**

**Commissioner Fairchild made a motion to appoint Ulrich Gaertner to the Dayton Sister City Commission for a term ending December 31, 2022. Commissioner Shaw seconded the motion. The motion was unanimously approved.**

### **PUBLIC HEARING**

The Temporary Chairperson, Commissioner Joseph, opened the Public Hearing regarding the 2020 Annual Appropriation. He asked Ms. Dickstein to proceed.

Ms. Dickstein invited Ms. Dianne Shannon, Director of Procurement, Management and Budget, to the podium to present.

Ms. Shannon said the 2020 Appropriation encompasses all funds for a total of \$675.8 Million. She said due to the slowing of the economy in 2020, she is prudently planning by increasing the general fund by 1.5 percent or \$2.7 Million and for all funds a decline of four tenths of one percent.

Ms. Shannon said the budget planning process began in July 2019, and prior to this hearing, the public input process included the Dayton Survey, City Manager's Revenue Advisory Groups, and the Community and Neighborhood Development Advisory Board.

Ms. Shannon said the City's proposed budget is available on the City's Transparency Portal.

### **CITIZENS' COMMENTS ON PUBLIC HEARING**

There were no citizens' comments on the Public Hearing.

The Temporary Chairperson, Commissioner Joseph, closed the hearing.

### **CITIZENS' COMMENTS**

Citizens' comments were received from the following:

1. **Willie Feaster, No Address**- spoke about the passing of Kobe Bryant and other tragic events.
2. **Keith Lander, 429 S. Kilmer Street** - spoke in opposition to Ohio Senate Bill 237.

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

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

### **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 introduced Laura Zeck, Legislative Aide, and thanked staff for their support.

Commissioner Fairchild said on Thursday, January 29, 2019, 5:00 p.m. until 7:00 p.m., at Grace United Methodist Church, there will be a public input meeting for the Salem Avenue Rebuild Project.

#### **Commissioner Shaw**

Commissioner Shaw said "Dayton Moms Demand Action" group will hold the National Gun Violence Survivors Week events February 4, 2020, at 3:30 until 6:00 p.m. Six Months On: Gun Violence in Dayton and the US at U.D., Fitz Center, Room 130ab, February 6, 2020, at 6:00 p.m. Screening of the Documentary of Trigger, followed by a discussion, Goodwill Easter Seals Community Room, 660 S. Main Street, February 8, 2020, Screening of the Documentary of Trigger, followed by a discussion, at Grace United Methodist Church, 1001 Harvard Blvd., and February 22, 2020, Member meeting, Christ Episcopal Church, 20 W. First Street.

Commissioner Shaw said the Dayton AFL-CIO and the Dayton Building and Construction Trades are accepting applications now for an apprenticeship program which will begin on March 2, 2020. He said it is a free program and will run for six weeks. He said applications are available in the City Commission Office.

**Commissioner Mims**

Commissioner Mims reminded citizens of the Census and said it brings funds into the City of Dayton at a cost of \$18,000 per citizen, per year for the next ten years. He said there will be a kick-off at 9:30 a.m. at 6 N. Main Street, Suite 360.

Commissioner Mims highlighted the Earned Income Tax Credit Program which will kick-off on February 1, 2020. He said for more information please call 937-333-3288.

Commissioner Mims asked citizens to watch the impeachment process and based on the information gathered, call their congressman and senator and let them know their thoughts. He said to reach the capital switch board, please call 202-225-3121.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 6:24 p.m.

---

**Matthew Joseph**  
**Temporary Chairperson**

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

**WORK SESSION**

A copy of prepared material has been recorded as Communication & Petition Number 21467 dated January 29, 2020.

The Dayton City Commission met in a Work Session on Wednesday, January 29, 2020, at 4:36 p.m., prior to the regularly scheduled City Commission meeting. The meeting was held in the City Manager's Large Conference Room, located in City Hall. Commissioners Joseph, Mims, Shaw and Fairchild were present. Ms. Rashella Lavender, Clerk of the Commission, and Ms. Ariel Walker, Director, City Commission Office, were also in attendance.

Ms. Shelley Dickstein, City Manager, Ms. Tammi Clements, Deputy City Manager, Mr. Joe Parlette, Deputy City Manager, Ms. Diane Shannon, Director of Procurement, Management and Budget, Mr. Gil Turner, Interim Director of Aviation, Mr. Mike Powell, Director of Water, and Ms. Anita Chalk, Budget Analyst, were the presenters.

An overview was provided regarding the Finance Committee's Briefing by highlighting:

**2019 Year-End Overview**

Ms. Shannon reported revenues advanced 3.8 percent or \$6.9M compared to 2018. Income Tax, Waste Collection, Expenditures, and other charges saw the biggest gains in 2019. Income tax in the final quarter climbed over six percent, which brought 2019 total growth to 2.8 percent. Four revenue categories are under-performed compared to the final revised revenue budget. The expenditures for 2019 were under budget by 3.4 percent. There was a \$7.3M increase in the final budget when compared to the original, largely attributable to the 2019 tragedies. Considering the tragedies in 2019, Departments performed well; ending the year with Sources exceeding Uses by \$2.8M.

### Revenue Trends

Ms. Shannon reported that net income tax collections increased 2.8 percent, and ended the year at \$1.5M over the final forecast. She said collections increased in the final quarter of 2019, climbing over six percent as a result of strong profit taxes. The withholding taxes increased \$1.4M compared to 6.9 percent growth in 2018. Refunds declined 4.6 percent for the year.

Ms. Chalk said billed revenue increased by 4.9 percent compared to 2018. Total Waste Collection revenues are up \$163,600, compared to 2015 due to the addition of the Moraine contract starting in 2019, offset by the loss of Riverside. She said reporting began on EMS collections on a cash basis in 2019 due to volatility related to contractual adjustments. EMS fees climbed 13.6 percent as a result of a high level of contractual write-offs in 2018. However, billed transports were up 12.5 percent.

She said Total Other Charges for Services increased 8.5 percent. Indirect Reimbursements are up 12.2 percent, and miscellaneous revenues are up by \$151,900 compared to 2019. Parking revenues are up 15.8 percent compared to 2018 as security services for City parking garages are now reported as an expense rather than deducted from revenues.

Other Revenue represents various miscellaneous sources. The Other Revenue category climbed ten percent in 2018. Investment Earnings are up due to higher interest rates. Ms. Chalk said while General Fund Sources overall have trended upward over the course of the past five years, the increases are driven by the income tax.

### Expenditure Trends

Ms. Chalk said personnel costs are up 6.1 percent over 2018. Health Insurance costs are up 11.8 percent representing a full year of the 24 percent increase to the transfer rate for 2019. The civilian wages increased 5.8 percent due to a higher level of filled positions in the General Fund compared to 2018. She said Contracts and Materials costs grew 4.4 percent compared to 2018. Maintenance cost increases are associated with the tornado event and the maintenance agreement for Kronos at \$107,000. Management costs increased 4.5 percent due to higher security, legal and other professional services. Miscellaneous costs are up 22.5 percent due to training/travel costs, marketing and other miscellaneous expenses.

Ms. Shannon said income tax collections ended the year \$1.5M above the final estimate due to strong corporate and partnership profits taxes. Total revenue in 2019 performed \$1.1M over the final budget and 3.8 percent higher than 2018. Personnel costs registered growth of 6.1 percent due to the overtime associated with 2019 unplanned tragedies. Contracts, Materials and Other Uses climbed 6.7 percent. She said at the completion of 2019, Sources exceeded Uses by \$2.8M. Considering the events that occurred in 2019, that cannot be equated to dollars and cents, but the City performed favorably due to solid fiscal stewardship.

### Department of Aviation

Mr. Turner reported on the 2019 Year-End Results for the Department of Aviation. He said Aviation ended 2019 with a \$1.6M deficit. Total Aviation Revenue is down, driven largely by decreased enplanements. 2019 enplanements are down 1.5 percent from 2018 and 13.8 percent from 2016 (last full year of Southwest). Personnel Costs finished \$900,000 under budget and \$500,000 lower in 2018. This is due primarily to positions being held vacant, offset by wage rates and insurance costs. Contracts and Material Expenses ended the year \$500,000 below budget and \$500,000 below the prior year. This is the result of an intentional cost containment and reduction strategy in the face of negative revenue growth.

### Department of Water

Mr. Powell reported on the 2019 Year-End Results for the Water and Sewer Funds for the Department of Water. He said Billed City Customer revenue is lower in 2019 compared to 2018 due to delayed rate increases, lower consumption and delayed billing in the City and in Other Jurisdictions. Personnel cost are up due to wage increases, use of strategic overtime for continued in-sourcing maintenance duties and higher costs of insurance. Contracts, Materials and Other Uses are up 6.8 percent in the Water Fund and 8.4 percent in the Sanitary Sewer Fund (water increases are result of higher Supplies and Materials, Other Professional Services and Natural Gas cost. Costs associated with the Memorial Day tornadoes are included in the 2019 expenditures. Sanitary Sewer increases are the result of higher Sludge Disposal, Montgomery County Sewer Charges, Supplies and Materials, Computer and Other Equipment Maintenance costs, offset by lower Electric Utility, Consulting and Legal Services costs).

The Water Department has minimized the effect of constantly rising electric utility cost by locking block and index rates into the future and implementing operational efficiencies. He said Planned Capital Transfers in Water and Sanitary Sewer are both higher in 2019. The Water Fund ended the year using only \$1.6M of the \$5.1M planned use of the fund balance to cover all expenses including fully funding asset construction. Lower revenue in the Sewer Fund required using an additional \$900,000 of the fund balance to fund asset construction at 100 percent. Both funds costs included unplanned operating and repair expenses related to tornado damage.

Commissioner Joseph thanked everyone for the updates and noted his appreciation for staff's work.

The Work Session concluded at 5:32 p.m.