

On Wednesday, March 31, 2021, at 6:00 p.m., the Dayton City Commission met in regular session, remotely through electronic means, at 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](http://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 Acting Clerk of Commission, Ms. Ariel Walker, 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 March 24, 2021, meeting. Commissioner Fairchild seconded the motion. The previous meeting minutes were unanimously approved.

### **COMMUNICATIONS AND PETITIONS**

#### **Communication #21538**

Petition No. 21538 – Public Right-of-Way Vacation – Shelby Avenue from Kling Drive 100' East of Kling Drive

#### **Communication #21539**

State of Ohio, Department of Liquor Control – Permit Application D1 New #90786500015 – Christos Tsamasiros dba Eastside Subs & Pizza, 2418 E. Third Street, Dayton, OH 45403.

The Clerk of Commission reported receipt of Permit Application D1New, Permit #90786500015 – Christos Tsamasiros dba Eastside Subs & Pizza, 2418 E. Third Street, Dayton, OH 45403. The application was referred through the City for investigation.

### **SPECIAL AWARDS/PRESENTATIONS**

There were no awards or presentations.

**ADDITIONS OR DELETIONS TO THE CALENDAR**

The Acting Clerk of Commission, Ms. Ariel Walker, requested the addition of Informal Resolution No. 987-21-Condemning Anti-Asian and Asian–American Harassment and Violence in the United States.

**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).**

**INFORMTION TECHNOLOGY**

**A1. TT Faster LLC dba Faster Asset Solutions** (annual software maintenance and support services.) **\$17,887.46**

**PUBLIC WORKS**

**B1. Crown Personnel Service, Inc.** (temporary staffing services as needed through 12/31/21) **15,000.00**  
**B2. Rehrig Pacific Company** (trash containers with identification tags) **304,384.80**

**WATER**

**C1. American National Red Cross** (first aid training as needed through 12/31/21) **11,232.00**  
**C2. Beau Townsend Ford, Inc.** (one 2021 cargo van with optional equipment) **44,455.00**  
**C3. Kelden Equipment, Inc.** (two boiler control replacements and related items) **70,754.00**  
**C4. Argus Group Holdings LLC dba Premier Safety** (medical first aid supplies as needed through 12/31/21) **15,000.00**  
**C5. Commercial Metal Fabricators, Inc.** (machine fabrication services as needed through 12/31/21) **90,000.00**  
**C6. Cronin CDJR LLC** (one 2021 four-wheel drive pickup truck with various optional equipment) **34,867.00**  
**C7. Fairborn Cement Company LLC** (Portland concrete as needed through 12/31/21) **20,000.00**  
-Depts. of Information Technology, Public Works, and Water.  
**Total: \$623,580.26**

**2. David Pigford – Service Agreement–** to oversee elements of the Greater Dayton Minority Business Assistance Historic Preservation Initiative. **\$20,000.00**  
**(Thru 6/30/2021)**

**3. Palisades Arcadia Baseball, LLC –Service Agreement-** Dayton Dragons Marketing Agreement – Department of Water. **\$88,500.00**  
**(Thru 12/31/2023)**

4. RA Consultants, LLC – Contract Modification - second amendment –for consulting services – Department of Economic Development  
\$50,000.00  
(Thru 12/31/2022)

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

Citizen's comments were suspended for the meeting.

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

##### **Informal Resolution No. 987-21- Condemning Anti-Asian and Asian-American Harassment and Violence in the United States.**

Commissioner Joseph said they have seen things that are unthinkable with the rise of discrimination in public encouraged by irresponsible leaders and others. He said we are joining with those making a stand and even though the legislation reads Asian-Americans, as a Welcoming City the stance is for everyone and a sign of solidarity. Commissioner Joseph thanked his colleagues for their support.

##### **Resolution No. 6568-21- In Support of Amtrak's Proposed Expansion of Passenger Rail Services in Ohio and for the Congressional Actions Needed to Authorize and Appropriate Funds to the Expansion.**

Commissioner Joseph said there is a proposed plan to return Amtrak Rail services to the City of Dayton. He said the resolution would put the City of Dayton on record as supporting this service.

Mayor Whaley noted that President Biden introduced the American Job Plan that will help fund this service as well.

Commissioner Shaw thanked Commissioner Joseph for his leadership on both pieces of legislation.

#### **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**

##### **RESOLUTION – SECOND READING**

**Resolution No. 6568-21-** In Support of Amtrak's Proposed Expansion of Passenger Rail Services in Ohio and for the Congressional Actions Needed to Authorize and Appropriate Funds to the Expansion.

The question being shall Resolution No. 6568-21 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 Resolution was adopted.

**THIS ITEM WAS ADDED**  
**INFORMAL RESOLUTION**

**Informal Resolution No. 987-21-** Condemning Anti-Asian and Asian–American Harassment and Violence in the United States.

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 Informal Resolution was adopted.

**CITIZENS' COMMENTS**

**Citizen's comments were suspended for the meeting.**

**COMMENTS BY THE CITY MANAGER**

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

**COMMENTS BY THE ACTING CLERK OF COMMISSION**

The Acting Clerk of Commission, Ms. Ariel Walker, had no closing comments.

**COMMENTS BY THE CITY COMMISSION**

**Commissioner Fairchild**

Commissioner Fairchild invited citizens to participate during the Holy Week and to find meaningful experience. He said there will be a virtual Good Friday walk hosted by the Greater Dayton Christian Connection. He also mention the Easter Service at Carillion Park on Sunday.

**Commissioner Shaw**

Commissioner Shaw highlighted a community clean up hosted by **Chaz** Amos he thanked him for his work.

**Commissioner Mims**

Commissioner Mims highlighted the COVID-19 Funeral Assistance by FEMA.

**Commissioner Joseph**

Commissioner Joseph thanked staff for their work on the police reform changes.

**Mayor Whaley**

Mayor Whaley thanked Girl Scout Troop 4060 for making her an honorary girl scout.

Mayor Whaley encouraged everyone to be vaccinated against COVID-19. She said citizen may go to [publichealthdaytonmontgomerycounty.org](http://publichealthdaytonmontgomerycounty.org) to sign up.

**ADJOURNMENT**

There being no further business the meeting was adjourned at 6:21 p.m.

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**Nan Whaley**  
**Mayor**

**Attest:** \_\_\_\_\_

## **Clerk of Commission**

### **WORK SESSION**

#### **A copy of prepared material has been recorded as Communication & Petition Number 21541 dated March 31, 2021.**

The Dayton City Commission met in a Work Session on March 31, 2021, at 5:06 p.m., prior to the regularly scheduled City Commission meeting. The meeting was held remotely through electronic means. Mayor Whaley and Commissioners Joseph, Mims, Shaw and Fairchild were present. Ms. Ariel Walker Director, City Commission Office, and Regina Blackshear, Clerk of Commission were also in attendance.

Ms. Shelley Dickstein, City Manager, Mr. Joe Parlette, Deputy City Manager, Ms. Diane Shannon, Director of Procurement, Management and Budget, and Ms. Anita Chalk, Special Projects Administrator, were the presenters.

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

- February 2021 Results and Budget Status Update

#### **Revenue Trends**

Ms. Shannon reported net collections declined 1.6%, or \$365,800, with January collections climbing 8.0% due to an extra pay in December of 2020 and February falling 12.9%. The original 2021 forecast projects a 4.4% decline in collections.

She stated that withholding taxes dropped 2.3% or \$511,300 during the February 2020 YTD period. Likewise, the tax on business profits fell 16.0% or \$202,400. Refunds plummeted \$410,300 or 64% for the first two-months of 2021, leaving net collections down 1.6%. The lower level of refunds is even more concerning in light of proposed state legislation that would repeal the current treatment of commuter income taxes.

Changes to the commuter income tax provisions post-emergency order, or before, could have a significant and perhaps catastrophic impact on the City's General Fund.

Ms. Chalk discussed revenue trends related to waste collection. She said that billed Waste Collection revenue decreased by 7.6% or \$158,800 compared to 2020. Revenue from Dayton customers decreased by 11.6%, largely due to timing. Revenue from Jefferson Township increased by 2.9%. Revenue from Moraine climbed by \$5,000 compared to 2020. When analyzing cash collections, revenues were flat for the first two-months of 2021, registering \$1.6 million for both 2020 and 2021. Cash collections have been flat for the last three years.

Ms. Chalk offered information regarding Other Charges for Services. She stated that this category decreased by 19% or \$336,900 through February. Convention revenues fell by \$137,200, as the facility is closed due to COVID-19. Ownership of the Convention Center was transferred to the newly formed Convention Facilities Authority in March of 2021, resulting in no future revenue to the City. Court revenues declined 26.6% due to pandemic-related reductions in both criminal and civil case loads. Parking revenues decreased by 44.6% as closures and work-from-home policies reduced downtown traffic. Recreation revenues dropped \$42,000 due to Recreation Centers operating on reduced hours and services.

Ms. Shannon presented information regarding the Local Government Fund (LGF). She stated that LGF revenues were up 3.2% or \$39,700 for the first two months of 2021 compared to the

same period in 2020. The municipal direct allocation climbed 4.6%, while the county allocation is up 3.2%. Underlying this increase are state tax sources, which are the basis for the LGF. State GRF tax sources climbed 8.3% for the first 8-months of the state fiscal year (\$722 million over budget) and total revenues rose 10.1%. The shift from the consumption of services to taxable goods during the pandemic is impacting state sales tax revenue growth. The 16.5% increase in personal income tax is the result of the delayed July filing date. FY-2020 personal income tax declined 11.5%. The long-run trend for LGF revenue-sharing shows significant declines from their peak in 2001, decreasing from \$15.9 million to \$7 million.

Ms. Chalk discussed revenues from licenses and permits stating that revenues increased by 12.3% from 2020. Building & Construction Permits revenue increased by \$51,000 compared to 2020. During COVID-19 restrictions, city residents are doing more home improvements. Zoning & Occupancy Permits decreased by 3.5%. Other Permits were down by 24% compared to 2020. Skilled Trades Licenses declined 2.7% from 2020, while Regulatory Licenses increased by \$2,900 over the period.

Ms. Chalk stated that despite flat collections in 2020 and a decline during the first two-months of 2021, revenue growth continues to be driven by Income Tax. Since 2017, Income Tax has grown 19.7%. Absent Income Tax, revenues declined 21.6% or \$1.8 million compared to 2017. However, \$1.6 million of the decline is related to the lack of any property tax advances during the period. Ms. Shannon added that with 70% of the City's revenue comes from Income Tax revenues. With State-proposed changes to the Commuter Income Tax it could have a significant impact on the City of Dayton.

### **Expenditure Trends**

Ms. Chalk provided information regarding personnel costs, stating that personnel costs have decreased 10.8%, or \$2.6 million, compared to 2020. Civilian Wages were down \$1.3 million. There were five pays for the SA pay group through February of 2020. After adjusting for the \$1.4 million difference, civilian wages increased 2.0%. Insurance costs decreased by \$726,500 due to the first of two health insurance holidays for DPSU, PTS, and management employee groups. Sworn Overtime costs were down \$212,800 year-over-year. In 2020, 12 Firefighters were training for their paramedic certification causing an increase in overtime. Fringes fell \$257,200 or 6.4%, corresponding to the decline in wages. This is offset by the increase in transfer rates for unemployment (0.0% to 0.2%) and employee termination (1.0% to 1.4%). Holiday Pay costs were down \$207,000 from 2020. The cost for the 2019 Christmas holiday hit in January of 2020.

She continued with expenditures regarding contracts, materials, and other uses. She stated that Contracts and Materials decreased by \$1.3 million or 19.6% compared to 2020. Including Other Uses, costs were down 27.7%. Maintenance cost increases were due to software maintenance support at \$72,300. Management & Public Service Contracts decreased by \$1.0 million or 52.5%, as the first RDC payment in 2020 was paid earlier in the quarter, security services were less during closures, and professional services fell by \$118,100. Miscellaneous costs are up 70.3% due to the timing of when contributions and donations were made in 2021. Real Estate Taxes declined 13.4% compared to 2020, as the Street Lighting assessment is no longer included in the property tax bill. Other Uses fell \$830,300 due to \$700,000 in transfers that were not completed in February. Payments to Internal Service Funds were down \$181,200 compared to 2020. Postage and mailing makes up \$100,000 of this decline. Ms. Shannon added that there are a number of timing differences that will mostly even out after the end of March.

Ms. Shannon spoke briefly about 2021 investments. Total 2021 Governmental Investments Budget, including Issue 9, is \$24.4 million. General Fund cash support for Investments is \$11.7 million, including \$650,000 for Community Golf improvements derived from 2020 net revenues. As of February, \$10.1 million has been transferred to enable timely bidding and commencement of projects, along with \$1.6 million that was transferred in late 2020.

Ms. Shannon presented a graphic representation of non-farm employment showing a loss of 61,900 or 15.7% of the job base from cycle peak in January to April. She showed that gains since April 2020 are up 39,000, but there are still 22,000 less than the 2020 peak in April.

She stated that we are again tracking higher than the state for job growth. She showed a new map from CNN and Moody's Analytics showing by percentage how close each state is on the way back to normal. Ohio is at 88% while the national as a whole is at 86%. She discussed the Consumer Confidence Index stating that we are currently at 91.3. She also presented information about how the stimulus spending specifically in the areas of unemployment funds and PPP has led to a 4.3% increase for the first quarter.

### **February Overview**

Ms. Shannon provided an overview of year-to-date status. Revenues are down 11.7% or \$3.9 million compared to the first two-months of 2020 and are 0.7% under budget. She states that no Property Tax advances were recorded during the period versus \$2.9 million received in 2020. Income Tax collections were down 1.6% or \$366,800 when compared to the same period in 2020. Income Tax growth was strong during the first two months of 2020, prior to the global pandemic.

Despite a significantly lower budget in 2021, five of ten revenue categories are performing below budget, most notably Property & Other Taxes and Waste Collection Fees.

She stated that expenditures for February YTD 2021 were under budget (favorable variance) by \$1.1 million or 3.0%. Personnel costs were \$453,200 under budget and are \$2.6 million or 10.8% lower than last year. 2020 had five pays versus four in 2021, the value of which is \$1.4 million. In addition, the first of two health insurance holidays occurred in February for the DPSU, PTS, and management employee groups. Contracts, Materials and Other Uses decreased 28%, or \$2.1 million year-over-year. Timing of payments will correct this variance in future months. As of February, Uses exceed Sources by \$6.7 million due to the earlier funding of investments and the timing of postings.

Commissioner Joseph stated that it was a great compliment to the City Manager that we are able to reduce personnel expenses with very few lay-offs and still produce quality services for residents.

Commission Mims thanked staff for working so hard to control costs.

Mayor Whaley thanked everyone for the updates and noted her appreciation for staff's work.

The Work Session concluded at 5:36 p.m.