

On Wednesday, April 4, 2018, at 6:00 p.m., the Dayton City Commission met in regular session in the Commission Chambers of City Hall.

**CALL TO ORDER**

Mayor Whaley called the meeting to order.

**INVOCATION**

Commissioner Mims 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 Vacant were present. The Clerk of Commission, Ms. Rashella Lavender, and the City Manager, Ms. Shelley Dickstein, were also present.

**APPROVAL OF MINUTES**

**Commissioner Mims made a motion to approve the minutes from the March 28, 2018, meeting. Commissioner Shaw seconded the motion. The previous meeting minutes were unanimously approved.**

**COMMUNICATIONS AND PETITIONS**

**Communication #21296**

Alley Vacation – Creston Avenue from Tony Stein Way to alley North of Tony Stein Way.

**Communication #21297**

Alley Vacation – Alley South of Valley Street from West Property Line of City Lot No. 7298 to Eastern Terminus.

**Communication #21298**

**State of Ohio, Department of Liquor Control – Permit Application C1, C2 Permit #9181386 – VRR Investment Group LLP, DBA Rays Xenia Avenue Market, 720 Xenia Avenue – 1<sup>st</sup> Fl. – Dayton, Ohio 45404.**

The Clerk of Commission reported receipt of Permit Application C1, C2 Permit #9181386 – VRR Investment Group LLP, DBA Rays Xenia Avenue Market, 720 Xenia Avenue – 1<sup>st</sup> Fl. – Dayton, Ohio 45404. The application was referred through the City for investigation.

**Communication #21299**

**State of Ohio, Department of Liquor Control – Permit Application D5 Permit #7361376 – Ricks Jazz Lab Inc, 1832 Lakeview Avenue, Dayton, Ohio 45408.**

The Clerk of Commission reported receipt of Permit Application D5 Permit #7361376 – Ricks Jazz Lab Inc, 1832 Lakeview Avenue, Dayton, Ohio 45408. The application was referred through the City for investigation.

**Communication #21300**

**State of Ohio, Department of Liquor Control – Permit Application C1 Permit #2852586 – Four Brothers Convenience Store LLC, DBA Neighborhood Market, 1300 Wyoming Avenue, Dayton, Ohio 45410.**

The Clerk of Commission reported receipt of Permit Application C1 Permit #2852586 – Four Brothers Convenience Store LLC, DBA Neighborhood Market, 1300 Wyoming Avenue, Dayton, Ohio 45410. The application was referred through the City for investigation.

**Communication #21301**

Work Session handout - Finance Committee Briefing

**SPECIAL AWARDS/PRESENTATIONS**

**Minority Health Month**

Mayor Whaley invited Ms. Cheryl Scroggins, Community Coordinator for Health Equity with Public Health Dayton and Montgomery County, to the podium to give a community update on Minority Health Month.

Ms. Scroggins said April is Minority Health Month. She said Public Health - Dayton & Montgomery County is set to kick-off minority health month with a series of events aimed at reducing health disparities and improving health outcomes among minorities in Montgomery County.

Ms. Scroggins said Minority Health Month is a 30-day health and wellness campaign that was instituted by the Ohio Commission on Minority Health, and is celebrated nationally. She said throughout the month there will be special events and programs designed to improve people's health.

Ms. Scroggins said events will take place in the City of Dayton such as blood pressure checks and a free movie featuring *The Immortal Life of Henrietta Lacks*, with free lunch and health screenings. She said there will be a community baby shower and a community forum on infant mortality.

Mayor Whaley thanked Ms. Scroggins for her presentation of Minority Health Month.

The Clerk of Commission read a proclamation.

**Footsteps of Inspiration**

Mayor Whaley invited Ms. Brittani Long, Community Engagement Coordinator for Montgomery County Juvenile Court, to the podium to give a community update on their new project.

Ms. Long said the *Foot Steps of Inspiration* project was inspired by a project from Miami, Florida, to give the Helping Adolescent Achieve Long-Term Objectives (HAALO) youth artists another opportunity to give back to the community through public art, and to put a smile on the faces of individuals who live, work, play, worship, and go to school in the City of Dayton.

Ms. Long said the artwork will be positive affirmations situated on the sidewalks. She said each one is less than two feet by two feet and applied using a stencil and paint with a hash tag for social media purposes. She said the art work will be temporary lasting 90 days after which the City of Dayton will assess if they are holding up to the elements of the weather or need to be removed. Ms. Long said they will be installed in 35 various locations throughout the City of Dayton.

Mayor Whaley asked how many students participated, how many pieces of art was submitted, and how many pieces were submitted per student.

Ms. Long said there were 12-15 students participating submitting two to three pieces of art per student with an overall total of 35 pieces.

Mayor Whaley thanked Ms. Long for her presentation of *Footsteps of Inspiration*.

**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 Order:**

**AVIATION**

**A1. Hahn, Jeffrey dba Groundscape Maintenance LLC** (Grounds maintenance services as needed through 12-31-18) **\$130,000.00**

**PUBLIC WORKS**

**B1. Andy Frain Services, Inc.** (security guard services as needed through 06-30-18) **10,000.00**

**B2. Ohio Cat** (one Trail King Industries TKT24LP tilt trailer) **22,266.00**

**B3. Southeastern Equipment Company** (one Eager Beaver 20 ton tag trailer) **24,103.40**

1. (Cont'd):

**RECREATION & YOUTH SERVICES**

- C1. Friends Service Company, Inc. dba FriendsOffice** (office furniture installed through 09-30-22) **\$30,583.67**  
**C2. Garland/DBS, Inc.** (building exterior cleaning, repairs and water proofing services) **26,811.00**

**WATER**

- D1. Occupational Health Ctrs. of Ohio dba Concentra Medical** (Hazardous Materials – Haz-Mat physicals and related services as needed through 12-31-22) **75,000.00**  
**D2. Jack Doheny Supplies Ohio, Inc.** (sewer equipment repair services as needed through 12-31-18) **20,000.00**  
-Depts. of Aviation, Public Works, Recreation & Youth Services and Water.  
**Total: \$338,764.07**

2. **Business Research Group, University of Dayton – Service Agreement** – to develop a data report for the Community Police Council – The Human Relations Council. **\$14,550.00**  
**(Thru 12/31/18)**
3. **Conduent Government Systems, LLC – Service Agreement** – to provide Remote Database Administration services and support of the Oracle Relational Database Management System platform – Dept. of Central Services/Information Technology. **\$27,200.00**  
**(Thru 03/31/19)**
4. **Dayton Access Television, Inc. (DATV) – Service Agreement** – to provide public access services to the community – The City Manager’s Office/Public Affairs. **\$1,662,000.00**  
**(Thru 02/01/23)**
5. **JobAps, Inc. – Service Agreement** – for an applicant tracking and testing software relative to recruitment, screening, administration of examinations and eligible certifications – Civil Service Board. **\$232,200.00**  
**(Thru 04/31/21)**
6. **SP Plus, Standard Parking Corp. – Contract Modification** – third amendment to include reimbursable services – Dept. of Aviation/AP Admin. & Finance. **\$1,578,200.00**  
**(Thru 10/31/20)**

**B. Construction Contracts:**

7. **C. G. Construction & Utilities, Inc. – Award of Contract** – for the Washington Street Water Main Improvements (10% MBE, 5% WBE & 5% SBE Goal/10.00% MBE, 5.06% WBE & 5.11% SBE Achieved) – Dept. of Water/Water Engineering. **\$567,814.50**  
**(Thru 09/01/19)**
8. **Double Jay Construction, Inc. – Award of Contract** – for the Northcutt Bikeway (6% DBE Participation Goal/6% DBE Participation Achieved) (Federal Construction Funds) – Dept. of Public Works. **\$95,006.00**  
**(Thru 11/30/20)**
9. **John R. Jurgensen Company – Award of Contract** – for the 2018 Residential Asphalt Resurfacing II (10% MBE Participation Goal/10.04% MBE Participation Achieved) – Dept. of Public Works/Civil Engineering. **\$2,177,562.25**  
**(Thru 07/27/20)**

**CITIZENS’ COMMENTS ON CALENDAR ITEMS**

There were no citizens’ comments on calendar items.

## **DISCUSSION OF CALENDAR ITEMS**

### **Calendar Item No. 2. – Business Research Group, University of Dayton – Service Agreement**

Commissioner Shaw asked if this service agreement was headed by Dr. Stock.

The City Manager, Ms. Shelley Dickstein, said yes.

### **Calendar Item No. 4. – Dayton Access Television, Inc. (DATV) – Service Agreement**

The City Manager, Ms. Shelley Dickstein, said the service agreement is the annual agreement. She said they have changed the way the accounting is reported for Best Practices.

### **Calendar Item No. 6. – SP Plus, Standard Parking Corp. – Contract Modification**

The City Manager, Ms. Shelley Dickstein, said the contract is the third amendment for parking at the Dayton International Airport that will have concierge service to elevate customer service at the airport.

Commissioner Shaw asked what will happen to employees that are already there.

Ms. Dickstein invited Mr. Terry Slaybaugh, Director of Aviation, to podium for clarification of the contract.

Mr. Slaybaugh said the goal is to have more interaction with passengers in front of terminal. He said the information booth will become obsolete. He said organizations were asked to participate in the Request for Proposal (RFP) process and they chose not to.

Mayor Whaley asked about the hours of operation.

Mr. Slaybaugh said the hours will be from the first flight out until the last flight in.

### **Calendar Item No. 7. – C. G. Construction & Utilities, Inc. – Award of Contract**

Commissioner Mims said he was glad that Women's Business Enterprise (WBE) and the Minority Business Enterprise goal was achieved (MBE).

The City Manager, Ms. Shelley Dickstein, said there was great minority participation in the capital assets plan.

### **Calendar Item No. 9. – John R. Jurgensen Company – Award of Contract**

The City Manager, Ms. Shelley Dickstein, said the contract is the first residential asphalt resurfacing project. She said weather permitting asphalt work will begin April 9, 2018.

Mayor Whaley said the easiest way for citizens to report pot holes is through the Dayton Delivers App.

Ms. Dickstein said that is correct, citizens wishing to report pot holes may do so on the Dayton Delivers App or by calling Public Works at 937-333-4800.

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

**Commissioner Shaw made the motion to approve the City Manager's Reports excluding Calendar Item No. 4. Commissioner Joseph seconded the motion. The City Manager's Reports were approved with a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant.**

**Commissioner Joseph made the motion to approve City Manager's Report Calendar Item No. 4. Commissioner Shaw seconded the motion. The City Manager's Report was approved with a 3-0-1 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Shaw and Vacant. Commissioner Mims abstained.**

## **LEGISLATION**

### **EMERGENCY ORDINANCE-FIRST AND SECOND READING**

**Emergency Ordinance No. 31635-18-** Appropriating Property Designated as Parcels 4SH1, 4SH2, 4T1, 4T2, 4T3, and 4T4 in Connection With the Wolf Creek Bikeway Project, and Declaring an Emergency.

**Commissioner Joseph moved that this being an emergency measure for the immediate consideration of the Ordinance. Commissioner Shaw seconded the motion. The motion was passed with a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant. The question being shall Emergency Ordinance No. 31635-18 be passed. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant. The Emergency Ordinance was passed.**

### **EMERGENCY RESOLUTION – FIRST AND SECOND READING**

**Emergency Resolution No. 6317-18-** Declaring the Intention to Appropriate Real Property Interests in Parcels 13 WD, 13T1, and 13T2 in Connection With the Washington Street Reconstruction Project, and Declaring an Emergency.

Commissioner Mims 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 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant. The question being shall Emergency Resolution No. 6317-18 be adopted. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant. The Emergency Resolution was adopted.

### **ORDINANCE – SECOND READING**

**Ordinance No. 31633-18 -** To Vacate Portions of South Main Street and South Jefferson Street.

The question being shall Ordinance No. 31633-18 be passed. A roll call vote was taken resulting in a 4-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Vacant. The Ordinance was passed.

### **BOARD APPOINTMENT**

Commissioner Shaw made the motion to appoint Jason Miller to the North Central Priority Land Use Board for a term ending December 31, 2019. Commissioner Joseph seconded the motion. The motion was unanimously approved.

### **CITIZENS' COMMENTS**

Citizens' comments were received from the following:

1. **Mr. Ellis Hutchinson** – 211 S. Wilkerson St. – spoke about the commemoration of the 50<sup>th</sup> anniversary of the Assassination of Dr. Martin Luther King, Jr.
2. **Bishop Richard Cox** – 3044 Jewelstone Drive – spoke about a civil matter with the City of Dayton.
3. **Ms. Diane Page** – 600 Kammer Ave. - spoke about the Greater Dayton Regional Transit Authority (GDRTA) poles in her neighborhood.
4. **Ms. Kyra Wood** – 4579 Wilmington Pike – spoke about working on the Sabbath day.
5. **Ms. Denise DuBrucq**- 2300 Etan Lane –spoke about Nitrogen Fire.
6. **Mr. Willie Feaster** – 455 Forest Ave. – spoke about an incident at the Schuster Center.

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

The City Manager, Ms. Shelley Dickstein, said mowing on vacant properties will tentatively begin the week of April 23<sup>rd</sup> depending on the weather. She said hopefully each of the properties will receive five to six mows during the summer months.

### **COMMENTS BY THE CLERK OF COMMISSION**

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

### **COMMENTS BY CITY COMMISSION**

#### **Commissioner Mims**

Commissioner Mims highlighted the 50<sup>th</sup> Anniversary of Martin Luther King's assassination.

Commissioner Mims wished his mother a Happy 95<sup>th</sup> Birthday.

#### **Mayor Whaley**

Mayor Whaley thanked Mayor Mitch Landrieau, New Orleans, LA for coming to Dayton Ohio and participating in a walk-through regarding the opiate epidemic.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 6:59 p.m.

\_\_\_\_\_  
**Mayor Nan Whaley**

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

**WORK SESSION**

A copy of prepared material has been recorded as Communication & Petition Number 21301 dated April 4, 2018.

The Dayton City Commission met in a Work Session on Wednesday, April 4, 2018, at 4:34 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. Mayor Whaley, Commissioners Joseph, Mims and Shaw were present. Ms. Ariel Walker Director, City Commission Office, and Ms. Rashella Lavender, Clerk of the Commission, 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 Management and Budget, and Mr. Chris Wimsatt, Management Analyst, were the presenters.

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

- February Overview
- Revenue Trends
- Expenditure Trends

Ms. Dickstein said the Finance Committee Briefing will cover the first two months of 2018 (February). She explained the new format will include detailed notes but the presentation will focus on more graphs, charts and other means to explain variances and trends in revenue, expenditures, and operating transfers.

February Overview

Ms. Shannon reported revenues have climbed 9.5 percent compared to the first two months of 2017. January 2018 income tax reflects the positive impacts of Your Dollars, Your Neighborhood. She said expenditures for the first two months of 2018 are over budget by \$1.4M. Higher growth rates for Personnel and Contracts and Materials require close monitoring. At the end of February, Uses exceed Sources by \$11.1M due to earlier funding of investment.

Revenue Trends

Ms. Shannon reported that baseline income tax increased 6.5 percent and were \$1.1M over the year-to-date estimate; while total income tax increased 12.6 percent. She said withholding collections climbed 11.2 percent. The tax on business profits grew 65 percent with both Corporation and Partnerships showing sizable gains. Taxes paid by individuals have slowed, falling nine percent.

Property and other tax revenue climbed 22 percent due to the timing of advances. The triennial update conducted in 2017 increased property values in the city by 0.7 percent in assessed value. Waste Collection revenue was about one percent below budget. EMS fees through February climbed 23 percent, and runs are down 15 percent or by 539 fewer transports. Other charges for services declined 22 percent largely due to property tax certifications related to vacant lot mowing.

The Local Government Fund receipts are slightly over budget and are lower than 2017. The municipal direct allocation was eliminated in the current biennial budget, which represents a loss for the first two months of 2018. Other Intergovernmental Revenue is slightly under budget but has dropped 21 percent compared to the first two months of 2017. This is solely the result of the loss of the fee paid by the Racino operator.

She said fines and forfeits more than doubled during the first two months of 2018. Other revenues have climbed 17 percent from a larger reimbursement for in-custody medical services.

#### Expenditure Trends

Mr. Wimsatt said Contracts and Materials spend was 14.5 percent higher year-to-date than at the same time in 2017. The increase was caused largely by the Regional Dispatch Center's (RDC) payment that was posted in February. December reproduction charges were charged in January due to the elimination of the accrual period, and payments for supplies and materials were charged in January due to the elimination of the accrual period.

He said at the end of February, \$175,600 has been expended and \$1.6M has been requisitioned. After implementing changes to the temporary budget in order to expedite the capital plan for 2018, most of the operating transfers were completed in February, rather than in April, as in past years.

Ms. Shannon said income tax collections were strong in January and overall revenues to-date are performing 9.5 percent higher than last year. Personnel costs have increased 3.3 percent, which is higher than typical for this point in the year. The three percent wage increase, holiday pay and the escalation of the IAFF wage increase from June to January are driving the increases. Contracts, Materials and Other Uses are up a significant 33 percent due to the elimination of the 14<sup>th</sup> accrual period in 2017, as well as the timing of payments and transfers. Annual funding of investments was done earlier this year to ensure timely bidding and commencement of projects. She said that at the end of February, we are on track relative to the budget plan, but need to monitor the expenditure budget closely.

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

The Work Session concluded at 5:08 p.m.