

On Wednesday, May 2, 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 Mims, Shaw and Vacant were present. The Clerk of Commission, Ms. Rashella Lavender, and the City Manager, Ms. Shelley Dickstein, were also present.

Commissioner Shaw made a motion to excuse Commissioner Joseph from this week's City Commission meeting. Commissioner Mims seconded the motion. The motion was unanimously approved.

APPROVAL OF MINUTES

Commissioner Shaw made a motion to approve the minutes from the April 25, 2018, meeting.

Commissioner Mims seconded the motion. The previous meeting minutes were unanimously approved.

COMMUNICATIONS AND PETITIONS

Communication #21310

Work Session handout-Finance Committee Briefing

SPECIAL AWARDS/PRESENTATIONS

National Day of Prayer

Mayor Whaley invited Pastor Robert Jackson, Harvest Grove Missionary Baptist Church, and Mr. Joe Koenig, to the podium to provide a community update on National Day of Prayer.

Pastor Jackson said on May 3, 2018, the nation will come together for the Annual National Day of Prayer. He said the event will take place on Courthouse Square at 12:00 noon.

Mr. Joe Koenig said this is the seventh year that Dayton has participated and he is welcoming everyone.

Mayor Whaley thanked Pastor Jackson and Mr. Koenig for coming every year to represent the National Day of Prayer.

The Clerk of Commission, Ms. Lavender, read a proclamation.

Commitment to Community Service AmeriCorps

Mayor Whaley invited Ms. Amanda Arrington, Coordinator for Dayton Corps, to the podium to provide a community update on this semester's commitment to community service.

Ms. Arrington said members served in the areas of Education Corps., Neighborhood Corps., and Opportunity Corps. She said each student has completed 300 to 900 hours of service.

Ms. Arrington said in the area of Education Corps., members focused on assisting students with homework and project needs. She said they reviewed homework assignments and provided constructive feedback and created a culture of higher learning.

Ms. Arrington said in the area of Neighborhood Corp., members focused on comprehensive neighborhood revitalization projects designed to transform entire neighborhoods in Dayton.

Ms. Arrington said in the area of Opportunity Corps., members focused primarily on providing orientation services to Daybreak's self-sufficiency services (employment program, independent housing training, and other Daybreak groups) and other community resources (financial, health, housing, etc.). She said over 200 residents have received services.

Ms. Arrington had the members present introduce themselves: Ms. Charlotte Robinson, Ms. China Baker, Mr. Jessica Batten, and Mr. Jerome Haney.

The City Commission thanked them for their service.

The Dean Lovelace Earned Income Tax Credit Award

Mayor Whaley invited Ms. Verletta Jackson, Community Engagement Supervisor, to the podium to recognize the EITC volunteers.

Ms. Jackson provided background information on the EITC program and introduced the award winners of the first Dean Lovelace EITC Award. She thanked the City Commission and the City Manager for their help in this endeavor.

Mayor Whaley congratulated the award winners.

ADDITIONS OR DELETIONS TO THE CALENDAR

The Clerk of Commission, Ms. Rashella Lavender, requested the addition of the legislation regarding the public hearings at the desire of the City Commission.

The City Manager, Ms. Shelley Dickstein, had 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 31st of the current year).

1. Purchase Order:

CIVIL SERVICE BOARD

A1. Dell Marketing LP (sixty-five Micro computers and sixty-five 20" monitors)

\$44,930.60

A2. Integration Partners (Avaya network brand switches and accessories) **19,902.36**

1.

FIRE

B1. P & R Communications Service, Inc. (Whelen lighting products and installation as needed through 03-31-22) **60,000.00**

HUMAN RESOURCES

C1. Robert E. Slavin, Inc. dba Slavin Management Consultants (professional personnel recruitment and placement services as needed through 12-31-18) **50,000.00**

WATER

D1. Fisher Scientific Company LLC (laboratory equipment and supplies as needed through 12-31-19) **26,000.00**

D2. Frye Mechanical, Inc. (one replacement makeup air unit installed) **11,187.00**

-Depts. of Fire, Human Resources, Water and The Civil Service Board.

Total: \$212,019.96

2. National Conference of Community & Justice – Payment of Voucher – for community development services in the Westwood neighborhood – Dept. of Police **\$19,000.00**

C. Revenue to the City:

3. Coca-Cola Bottling Co. Consolidated – Award of Contract – for the management of beverage services located at various City locations – Dept. of Procurement Mgmt. & Budget/Procurement. **\$45,000.00**

(Thru 12/31/20)

CITIZENS' COMMENTS ON CALENDAR ITEMS

There were no citizens' comments on calendar items.

DISCUSSION OF CALENDAR ITEMS

Calendar Item No. 2. – National Conference of Community & Justice – Payment of Voucher

Mayor Whaley asked for clarification of this payment of voucher.

Ms. Dickstein said the payment of voucher is because of an oversight and unexpected delays in grant funding. She said staff is receiving training in order to multi-task on these types of funding in the future.

APPROVAL OF CITY MANAGER'S RECOMMENDATIONS

Commissioner Mims made the motion to approve the City Manager's Reports. Commissioner Joseph seconded the motion. The City Manager's Reports were approved with a 3-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Mims and Shaw.

LEGISLATION

ORDINANCE – SECOND READING

Ordinance No. 31636-18- To Vacate the Second Alley East of Hasenstab Street from Chapel Street to the Alley North of Chapel Street.

The question being shall Ordinance No. 31636-18 be passed. A roll call vote was taken resulting in a 3-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Mims and Shaw. The Ordinance was passed.

PUBLIC HEARING

Mayor Whaley opened the Public Hearing on Plan Board Case PLN2018-00019 to establish a HD-1 Designation for Westminster Presbyterian Church located at 25 North Wilkinson Street. She asked Ms. Ann Schenking, Plan Board Secretary, to the podium to present.

Ms. Schenking said this is Plan Board Case No. PLN2018-00019. This case will represent no change to underlying zoning of (CBD) Central Business District/POD-1 Pedestrian Oriented Design Overlay District. She said major modifications to the exterior of the building require a Certificate of Appropriateness and demolition of the building would require approval by the City's Landmark Commission. Ms. Schenking said the designation is desired by the congregation and is supported by the Landmark Commission. Ms. Schenking said during the Plan Board public hearing there was unanimous support for this case with a 6-0 vote. She said this request is consistent with the City's comprehensive plan and the intent and purpose of the zoning code.

Ms. Schenking said the City Commission has three decision options, approve the Plan Board recommendation to amend the zoning map, deny the request by taking no action, or remand the case back to the Plan Board.

Mayor Whaley closed the hearing.

The pleasure of the City Commission is to move forward.

THIS ITEM WAS ADDED

ORDINANCE – FIRST READING

Ordinance No. 31637-18- Amending the Official Zoning Map to Establish a HD-1 Historic Overlay District for Westminster Presbyterian Church.

PUBLIC HEARING

Mayor Whaley opened the Public Hearing on Plan Board Case PLN2018-00053 to rezone two buildings of an existing 45 unit apartment complex located at 135-141 Cambridge Avenue and 206-220 Yale Avenue. She asked Ms. Ann Schenking, Plan Board Secretary, to proceed.

Ms. Schenking said this is Plan Board Case No. PLN2018-00053. This case is to rezone 135-141 Cambridge Avenue and 206-220 Yale Avenue two buildings of a three building apartment complex from MR-5 Mature Single-Family Residential to MMF Mature Multi-Family Residential. She said the zoning change was requested by the property owner and supported by the North Central Priority Land Use Board and Planning Division staff. Ms. Schenking said during the Plan Board public hearing there was support for this case with a 5-1 vote. She said this request is consistent with the City's comprehensive plan and the intent and purpose of the zoning code.

Ms. Schenking said the City Commission has three decision options, approve the Plan Board recommendation to amend the zoning map, deny the request by taking no action, or remand the case back to the Plan Board.

Mayor Whaley closed the hearing.

The pleasure of the City Commission is to move forward.

THIS ITEM WAS ADDED
ORDINANCE – FIRST READING

Ordinance No. 31638-18- Amending the Official Zoning Map to Rezone 135-141 Cambridge Avenue and 206-220 Yale Avenue from MR-5 Mature single-Family Residential to MMF Mature Multi-Family Residential.

CITIZENS’ COMMENTS

Citizens’ comments were received from the following:

1. **Mr. Phillip Hermes - 200 N. Henry Street** – spoke about his *Stop the Stud* program.

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 CITY COMMISSION

Commissioner Mims

Commissioner Mims highlighted his attendance at the Dayton Veterans Administration. He also highlighted the City of Dayton winning the Growth Award from the Dayton United Way.

Commissioner Shaw

Commissioner Shaw highlighted his attendance at the 10th Anniversary of the UPDayton Summit at the Dayton Art Institute.

Mayor Whaley

Mayor Whaley reminded citizens that Early Vote is still going on and anyone wishing to Early Vote may do so at the Montgomery County Board of Elections, 451 West Third Street, Monday thru Friday, 8:00 a.m. until 5:00 p.m.

Mayor Whaley encouraged citizens to vote yes on Issue 1.

ADJOURNMENT

There being no further business, the meeting was adjourned at 6:51 p.m.

Mayor Nan Whaley

Attest: _____

Clerk of Commission

WORK SESSION

A copy of prepared material has been recorded as Communication & Petition Number 21310 dated May 2, 2018.

The Dayton City Commission met in a Work Session on Wednesday, May 2, 2018, at 4:32 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 and Commissioner 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. Diane Shannon, Director of Management and Budget, Ms. Hilary Browning, Management Analyst II, Mr. Mike Powell, Director of Water and Mr. Terry Slaybaugh, Director of Aviation, were the presenters.

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

- March Overview
- First Quarter Results – Department of Water
- First Quarter Results – Department of Aviation

Ms. Dickstein said the Finance Committee Briefing will cover the first quarter of 2018 (January-March). 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.

March Overview

Ms. Shannon reported revenues have climbed 6.9 percent compared to the first quarter of 2017. First quarter revenue reflects the positive impacts of Your Dollars, Your Neighborhood due to the lag attributable to January of 2017. She said expenditures for the first quarter of 2018 are under budget by 0.3 percent. Higher growth rates for Personnel and Contracts and Materials require close monitoring. At the end of March, Uses exceed Sources by \$9.6M due to earlier funding of investments.

Revenue Trends

Ms. Shannon reported that baseline income tax increased 5.5 percent and were \$1.5M over the year-to-date estimate; while total income tax increased 9.7 percent. She said withholding collections climbed 9.4 percent. The tax on business profits grew 20 percent with both Corporation and Partnerships showing sizable gains. Taxes paid by individuals have slowed, falling three percent. Both withholding and non-withholding categories are performing well for the first quarter of 2018, attributable mostly to January.

Ms. Browning said EMS revenue increased 42.5 percent over the prior year, and billable runs were 5,005 year-to-date, a 13 percent decline over the prior year. Runs related to opioid overdoses are down compared to year-to-date 2017, but are still higher than the past five year average.

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 three months of 2018. Other Intergovernmental Revenue is slightly under budget but has dropped 20.6 percent compared to the first three months of 2017. This is solely the result of the loss of the payment made by the Racino operator.

Other revenues totaled \$675,800 and were slightly under budget. Other revenues are down 3.9 percent compared to March 2017. Fines and forfeits ended March at \$185,300 and are slightly under budget. Licenses and permits revenues totaled nearly \$760,000 by the end of March, and have more than doubled as a result of the new fee structure implemented in 2017.

At the end of the first quarter, all General Fund revenue categories are performing within expected thresholds. Although there are six categories that are currently below budget, the variances are not significant enough to trigger a revenue circuit breaker or the threshold of two standard deviations.

Expenditure Trends

Ms. Shannon said excluding transfers, expenses for Contracts and Materials were two percent higher than at the same time in 2017. The increase in Contracts and Materials was caused largely by higher gas utility usage due to prolonged winter, and expected increase in Real Estate Taxes as a result of the County's triennial assessment; December reproduction charges were charged in January due to elimination of the accrual period, and payment for supplies and materials were charged in January due to the elimination of the accrual period. There is an offset by a reduction in Waste Disposal Tipping Fees due to timing, reduction in equipment maintenance and maintenance agreements, reduction in Land and Building rentals; due to the elimination of radio tower rentals after the Marcs Radio migration, and reduction in Public Service contracts due to billing timing.

At the end of the first quarter, total General Fund Expenditures and Transfers account for 30 percent of the annual original budget. Most departments are performing within expected variance thresholds, with the exception of non-departmental, Issue 9 Services and Investments, and Income Tax. Each of these areas are experiencing higher Expenditure and Transfers as a percent of Budget, due to the earlier funding of investments.

Jobs in the Dayton MSA have increased 8,000 over March of 2017. Counts are 35,900 higher than the low point of the great recession in December of 2009. All industry sectors are showing gains except for Information and

Government. Since 2014, Dayton Region job growth has outpaced the state with a 6.9 percent increase versus the Ohio average of 5.4 percent. Nationwide GDP growth picked up in 2017 and at 2.3 percent and has edged to closer to the 2.5 percent average annualized growth experienced since 1990. Activity in the manufacturing sector continues above the neutral threshold of 50, but has declined from 60.8 to 57.3 over the last two months. Some reasons cited are concerns about tariffs and some supply constraints. Inflation has continued slowly upward, a sign of increasing economic activity.

Overall, income tax collections were strong during the first quarter and total revenues to-date is performing \$2.9M over budget. Personnel costs have increased 3.0 percent which is higher than typical for this point in the year and will require monitoring. Contract, Materials and Other Uses are up a significant 15 percent due to the elimination of the 14th 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.

Department of Water

Mr. Powell reported on the First Quarter Results for the Department of Water.

Water Fund Revenue and Expenditure Review - Water Fund Revenues are up 12.4 percent or \$1.4M compared to the first three months of 2017. The revenue from City customers are flat, \$200,000, compared to 2017. Billed revenue reflects volumes for the last quarter of 2017 for residential and commercial customers. The revenue from other jurisdictions is above forecast by 2.3 percent compared to 2017 due to the timing of base rate charges. Expenditures were up 5.7 percent compared to 2017. The Water Fund expects to end the year with a positive balance from operations, not including the \$2.3M planned investment of cash reserves in Water asset construction.

Sanitary Sewer Fund Revenue and Expenditure Review – Sanitary Sewer Fund Revenues are down 6.6 percent compared to 2017 due to decreased Other Charges for Services. Revenue from City customers is up \$47,000 and other jurisdictions are down 2.2 percent due to lower volumes and billing timing. Other charges for services are down by \$600,000 due mostly to lower Permit Non-Compliance Violation Fees and lower Biological Oxygen Demand charges. Total expenditures are up 42.8 percent compared to 2017 due to timing of investment in Capital improvements, higher Contracts and Materials and Capital Equipment cost. The Sanitary Sewer Fund expects to end the year with a positive balance from operations, not including the \$1.7M planned investment of cash reserves in Sanitary Sewer asset construction.

Department of Aviation

Mr. Slaybaugh reported on the First Quarter Results for the Department of Aviation.

Total revenue and other sources are up 3.0 percent compared to the first quarter for 2017. Enplanements were 5.3 percent lower compared to 2017 due to the loss of Southwest Airlines offset by increased capacity from other airlines. Expenditures for the first quarter are \$255,600 over budget. At the end of the first quarter of 2018, Uses exceeded Sources by \$600,000.

Landing Fees have increased as a result of a reduction in the airfield subsidy. The subsidy in 2018 is \$715,400 compared to \$1.5M in 2017. Airline Space Rent has decreased due to the loss of Southwest Airlines. Southwest Airlines was 19.78 percent of the total airline space rent. The Airline Revenue represents 22 percent of total revenue. Of Non-airline Revenue, Parking is the largest category representing 26 percent of total revenue. Landing fee was \$2.95 in 2017 and \$3.22 in 2018, an increase of 9.1 percent. Concession Revenue is flat to projection.

Mr. Slaybaugh said Contracts, Materials and Other Uses increased 13.0 percent over 2017. The main cause of the increase was two additional payments to reconcile parking management contract in the first quarter of 2018. Enplanements are down 5.43 percent compared to 2017, and cost per enplanement was \$9.35 in 2017 and is \$9.61 and increase of 2.8 percent. All of the current Airlines have had an increase over their 2017 enplanements. The difference is the loss of Southwest Airlines.

Mr. Slaybaugh highlighted a couple of construction projects (Rehabilitate Runway 18/36, and Terminal Modernization Project).

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

The Work Session concluded at 5:43 p.m.