

On Wednesday, May 25, 2022, at 8:34 a.m., the Dayton City Commission met in regular session in the Commission Chambers of City Hall.

CALL TO ORDER

Mayor Mims called the meeting to order.

INVOCATION

Mayor Mims asked for a moment of silence to commemorate the school shooting where 19 elementary students and two teachers were killed in Uvalde, Texas. Commissioner Turner-Sloss gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Mims led the public in the Pledge of Allegiance.

ROLL CALL

Roll call was taken, and Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss were present. The Clerk of Commission, Ms. Regina Blackshear and the City Manager, Ms. Shelley Dickstein were also present.

APPROVAL OF MINUTES

Commissioner Shaw made a motion to approve the minutes from the May 18, 2022, meeting. Commissioner Fairchild seconded the motion. The previous meeting minutes were unanimously approved.

COMMUNICATIONS AND PETITIONS

There were no communication or petitions.

SPECIAL AWARDS/PRESENTATIONS

Building Safety Month

Mayor Mims invited Mr. Steven Gondol, Deputy Director of Planning, Neighborhoods and Development to the podium for a community update on Building Safety Month.

Mr. Gondol said May is Building Safety Month and its their desire to support growth in the City of Dayton safely. Mr. Gondol invited Mr. Scott Adams, Division Manager and Mr. Robert Eifert, Chief Building Inspector to the podium for clarification.

Mr. Eifert thanked the Dayton City Commission for the proclamation. He said they assure that all buildings built in the City of Dayton are done in a safe and timely manner.

Mr. Scott thanked the Dayton City Commission for the proclamation and thanked them for their continued support of the Building Department. He said they try to make sure that every building in their jurisdiction is built to code for safety and accessibility that in an emergency situation everyone would get out of the building safely.

The Clerk of Commission, Ms. Regina Blackshear, read a proclamation from the mayor.

ADDITIONS OR DELETIONS TO THE CALENDAR

The Clerk of Commission, Ms. Regina Blackshear said Emergency Resolution No. 6646-20 should read Emergency Resolution No. 6646-22.

The City Manager, Ms. Shelley Dickstein, had no additions or deletions to the calendar.

DISCUSSION OF CALENDAR ITEMS

Calendar Item No. 4. Miami Valley Child Development Centers, Inc.-Service Agreement

The City Manager, Ms. Shelley Dickstein, said this agreement is for a 30,000 square foot center in the Twin Towers neighborhood. She said this will consolidate four centers in the east end.

Calendar Item No. 6. St. Vincent de Paul Social Services-Grant Agreement

The City Manager, Ms. Shelley Dickstein, said this agreement will help address the increased need for staffing, security and custodial services.

Commissioner Turner-Sloss asked about the administration costs.

Ms. Dickstein said this agreement is apart of the CARES Act where there is an administrative cap and is not CDBG funds.

Calendar Item No. 8. Double Jay Construction, Inc. -Award of Contract

Commissioner Turner-Sloss commended Public Works and the Human Relations Council for meeting diversity and inclusion goals on the contract.

REPORTS

1. Purchase Orders, Agreements and Contracts:

(All contracts are valid until delivery is complete or through December 31st of the current year).

FIRE

A1. TargetSolutions Leaning LLC dba Vector Solutions (in-service training and maintenance support as needed through 12-31-25) **\$135,595.92**

INFORMATION TECHNOLOGY

A1. Comptech Computer Technologies, Inc. (temporary staffing services as needed through 12-31-22) **\$45,000.00**

LAW

C1. Benesch, Friedlander, Coplan & Aronoff (professional legal services as needed through 12-31-22) **25,000.00**

PLANNING, NEIGHBORHOODS AND DEVELOPMENT

D1. Comptech Computer Technologies, Inc. (temporary staffing services as needed through 12-31-22)-**PO220429** **50,000.00**

D2. Comptech Computer Technologies, Inc. (temporary staffing services as needed through 12-31-22)-**PO220494** **40,000.00**

D3. F A Requarth Co. dba Requarth Co. (lumber and various related materials as needed through 12-31-22) **10,000.00**

PUBLIC WORKS

E1. M & R Electric Motor Service (electrical motor repair parts, supplies and related items as needed through 12-31-22) **10,000.00**

WATER

F1. Genuine Parts Company dba Napa Auto Parts (oil, lubricants and related items as needed through 12-31-22) **20,000.00**

- F2. Jambbco Industrial Solutions Ltd.** (parts inspection and repair services for the rotary kiln) **76,105.53**
- F3. Sidney Electric Company** (labor to install filter consoles as needed through 12-31-22) **20,000.00**
- F4. VWR Scientific Products Corporation** (laboratory equipment and supplies as needed through 12-31-22) **45,000.00**
- F5. Primeline Products, Inc.** (trenchless pipeline repair supplies as needed through 12-31-22) **150,000.00**
-Depts. of Fire, Planning, Information Technology, Law, Planning, Neighborhoods and Development, Public Works, and Water.
- Total: \$626,701.45**

2. **Avenu Government Systems, LLC – Contract Modification** – for a first renewal and amendment of a professional services agreement for remote database administration services and maintenance – Dept. of Information Technology. **\$25,200.00**
(Thru 04/30/23)
3. **Lerch Bates Inc. – Service Agreement** – for City Hall freight elevator modernization design and construction – Dept. of Public Works/Property Management. **\$72,380.00**
(Thru 12/31/25)
4. **Miami Valley Child Development Centers, Inc. – Service Agreement** – for the Lincoln Hill Child and Family Center Program – Dept. of Planning, Neighborhoods and Development. **\$581,000.00**
(Thru 12/31/23)
5. **Norfolk Southern Railway Company – Service Agreement** – for preliminary engineering services for the Great Miami River Trail West Phase 2 – Dept. of Public Works/Civil Engineering. **\$20,000.00**
(Thru 12/31/25)
6. **St. Vincent de Paul Social Services, Inc. – Grant Agreement** – for the Emergency Solutions Grant-CARES Act Program – Dept. of Planning Neighborhoods and Development/Development (HUD Programs). **\$600,000.00**
(Thru 09/30/23)
7. **V.P. & Associates, Inc. – Service Agreement** – to provide food and beverage concessions at Community Golf Course – Dept. of Recreation/Sports. **\$60,000.00**
(Thru 12/31/23)

B. Construction Contracts:

8. **Double Jay Construction, Inc. – Award of Contract** – for the McIntosh Basketball Court Resurfacing Re-Bid (5% MBE and 10% SBE participation goal/5.87% MBE and 32.12% SBE participation achieved – Dept. of Public Works/Civil Engineering. **\$114,489.00**
(Thru 08/01/24)

E. Other – Contribution, Etc.:

9. **Fifth Third Bankcorp – Other** – for an automated teller machine agreement –
Dept. of Aviation/AP Admin & Finance. **\$39,000.00**
(Thru 05/31/24)

CITIZENS' COMMENTS ON CALENDAR ITEMS

There were no citizens comments on calendar items.

APPROVAL OF CITY MANAGER'S REPORTS

Commissioner Shaw 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 Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss.

LEGISLATION

EMERGENCY RESOLUTION -FIRST READING

Emergency Resolution No. 6646-22- Authorizing the City Manager to Accept Funding from the Economic Development and Government Equity Program, as Approved by the Board of County Commissioners of Montgomery County, Ohio, in an Amount Not to Exceed Two Hundred Fifty Thousand Dollars and Zero Cents (\$250,000.00) for Infinity Labs, LLC on Behalf of the City of Dayton, and Declaring an Emergency.

Commissioner Fairchild moved that this being an emergency measure for the immediate consideration of the Emergency Ordinance. Commissioner Shaw seconded the motion. The motion was passed with a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss. The emergency measure was approved.

EMERGENCY ORDINANCE – SECOND READING

Emergency Ordinance No. 31978-22- Authorizing the City Manager to Execute a Purchase and Sale Agreement for 58.090 acres of Real Property, and Declaring an Emergency.

The question being shall Emergency Ordinance No. 31978-22 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss. The Emergency Ordinance was passed.

CITIZENS' COMMENTS

Citizens' comments were received from the following:

1. **Mr. Willie Feaster, No Address** – spoke about the school shooting in Uvalde, Texas.

COMMENTS BY THE CITY MANAGER

The City Manager, Ms. Shelley Dickstein, said City administrative offices will be closed on Monday, May 30, 2022, therefore, trash will be delayed by one day.

COMMENTS BY THE CLERK OF COMMISSION

The Clerk of Commission, Ms. Regina Blackshear, had no closing comments.

COMMENTS BY THE CITY COMMISSION

Commissioner Turner-Sloss

Commissioner Turner-Sloss thanked the residents of the City of Dayton for coming to the meeting and sharing their concerns.

Commissioner Turner-Sloss thanked Planning, Neighborhoods and Development for recognizing Building Safety Month.

Commissioner Turner-Sloss highlighted the work and volunteers of the Living Cities Project and clean-up, the NAACP Annual Peace Festival at Macintosh Park.

Commissioner Turner-Sloss highlighted Starbucks workers in Ohio who voted unionize.

Commissioner Fairchild

Commissioner Fairchild said his spirit hurts and his head cannot make sense of the shooting in Texas. He said it's been over a thousand days since they were down on 5th Street where citizens were asking the governor and all the elected officials on stage to do something. He said he is mindful of the cries of families who were at the Convention Center as well as the anguish he hears at Dayton Children's. He said the question remains "what can we do" He said he can't accept, as the City of Dayton, that they can't do anything. Commissioner Fairchild said he would commit to taking the next week or two to reach out to the National League of Cities, the Ohio Alliance of Mayors and the U.S. Conference of Mayors and demand their partners in gun safety consortium to ask what can be done. He said even if they have to challenge state legislature on home rule.

Commissioner Fairchild ask for an update on the upcoming curfew on Friday night.

Chief Afzal, Dayton Police Department, said they will be doing a curfew sweep based on legislation that already exists. He said the intent is to have a conversation with children and parents who are not being constructive. Chief Afzal said they will not take punitive action but will gather the children to the police station and call parents or guardians for pick up.

Commissioner Fairchild asked what time the curfew starts.

Chief Afzal said it will start at 11:00 p.m.

Commissioner Turner-Sloss asked how the community will be notified about the curfew. She also asked if the curfew sweep will be throughout the summer.

Chief Afzal said the curfew sweep will be just this Friday but will inform the City Manager and the public if there will be more.

Ms. Dickstein said in addition to the Dayton Daily News, there was a press release on the curfew sweep and also there will be information on social media.

Commissioner Fairchild suggested that the City of Learners be reinstated as part of the answer to address violence around young people and how to invest in them. He asked for an update in the near future.

Commissioner Fairchild highlighted the Dayton International Peace Museum's ribbon cutting for their new location, and Memorial Day on Monday.

Commissioner Shaw

Commissioner Shaw admonished citizens to contact their legislature concerning gun violence.

Commissioner Joseph

Commissioner Joseph said the Republican Legislation knows what to do about gun violence. He said they could loosen the federal restrictions that restrict the government from studying gun violence. He said there needs to be federal and state action on universal background checks and limit gun sales to people who are mentally ill. Commissioner Joseph said its important that they continue advocating for gun control.

Mayor Mims

Mayor Mims said the weapons that were used in the Oregon District and Uvalde, Texas shooting should not be in the hands of everyday citizens.

Mayor Mims highlighted his participation in a panel discussion on things needed in this community to bring more peace and safety to citizens. He highlighted the Males and Females of Color Scholarship Program.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:16 a.m.

WORK SESSION

A copy of prepared material has been recorded as Communication & Petition Number 21688 dated June 1, 2022.

The Dayton City Commission met in a Work Session on June 1, 2022, at 4:58 p.m., prior to the regularly scheduled City Commission meeting. Mayor Mims and Commissioners Shaw, Joseph, Fairchild and Turner-Sloss were present. Regina D. Blackshear, Clerk of Commission was also in attendance.

Ms. Shelley Dickstein, City Manager, Mr. Joseph Parlette, Deputy City Manager, Ms. Monica Jones, Interim Director, Procurement, Management and Budget and Ms. Jeanette Ghand, Management Analyst, Procurement, Management and Budget were the presenters.

Ms. Jones provided a 2022 first quarter overview. She stated that revenues climbed 11.6 percent, or \$7.9 million compared to April 2021 YTD and were 15.6 percent over budget. She noted that driving that significant increase were income taxes which were up 12.6 percent, or \$6.5 million. She said this is the first time since 2019 that the annual filing deadline was once again April 15. Ms. Jones said that all revenue categories performed above budget including property & other taxes and waste collection. Ms. Jones said that the City now remits hotel taxes to the Convention Facilities Authority and waste collection's annual rate escalator will go into effect in the second quarter of 2022.

Ms. Jones said that expenditures through April of 2022 were 17.7 percent, or \$11.4 million, higher than the same period last year. Expenditures were under budget (favorable variance) by \$800,000, or 1 percent and that personnel costs were \$1.2 million under budget and \$4.7 million, or 10.9 percent, higher than last year. She explained that personnel costs are higher than 2021 for several planned and unplanned reasons, including the lump sum payment, compounding wage increases, and increased overtime usage. Ms. Jones stated that contracts, materials and other uses were up 4.0 percent, or \$500,000, but had a favorable variance of \$300,000 against the budget. Ms. Jones stated that as of April, sources exceed uses by \$500,000, as income tax gains were offset by rising personnel costs and investments.

Revenue Trends – Income Tax

Ms. Jones said that April income tax collections are presented as an estimate as the collection period has not officially closed in our financial system with estimated net collections through April of 2022 increased a sizable 12.6 percent, or \$6.5 million. She said that for the month of April, collections rose nearly \$3.7 million, or 22.4 percent, and are inflated by the annual filling deadline, which was May 17th last year. Ms. Jones stated when compared to the pre-pandemic era, revenues were up significantly in January, declined in February and were slightly higher in March.

She said the details on the specific categories for income tax will not be available until April's collections are officially posted. She stated that work-from-home impacts on income tax collections are still largely unknown as many businesses continue to grapple with processing tax distributions for their employees, and as tax filers develop an understanding of the refunds process.

Revenue Trends – Property & Other Taxes

Ms. Jones said property & other axes grew 6.0 percent, or \$175,400, during the first four months of 2022 and the real estate tax component increased 8.8 percent, or \$252,600. She noted that the year-over-year increase is largely due to a \$218,300 January tax advance received in 2022 and not in 2021. She said the first half settlement payment for the public utility portion of property taxes has yet to be processed and based on 2021 trends, the city can expect to receive the payment in May. She said that real property values peaked in 2006, totaling nearly \$1.8 billion and declined to a low of \$1.3 billion in 2017. She stated that following the 2020 property revaluation project led by Montgomery County, values recovered, growing 12.6 percent from 2017, yet were still not back to the peak realized in 2006. She said that hotel lodging taxes are no longer recorded in the General Fund and effective April 1, 2021, lodging taxes are remitted to the Convention Facilities Authority to support operations and capital improvements.

Revenue Trends – Waste Collection

Ms. Jones stated year-to-date billed waste collection revenues have increased 1.5 percent, or \$53,200, from 2021. She said that Jefferson Township revenues have increased 3.8 percent year-over-year, largely due to negotiated contractual increases effective January 1. She said that the annual inflationary rate increase will be applied to the fee for Dayton residents, to become effective as of the second quarter of 2022.

Revenue Trends – Fines & Forfeits

Ms. Jones said that fines & forfeits are down 12.0 percent, or \$26,200, when compared to April 2021. She stated that year-over-year declines are driven by reductions within the Public Safety Photo/Red Light Enforcement Category due to fewer payments on delinquent fees and lower activity. Ms. Jones stated that parking & traffic fines declined by 11.2 percent, or just under \$10,000 and parking fines grew 13 percent, year over- year, following pandemic driven reductions in 2020 & 2021. Ms. Jones said offsetting these gains, traffic fines declined by 59 percent, year over-year, due to fewer written traffic tickets.

Revenue Trends – Big Picture

Ms. Jones stated that income tax collections are projected to grow 20.7 percent, when compared to April 2018 and tax collections have grown \$9.8 million since 2018 and collections were relatively stable from 2018 to 2020, climbing 8 percent from 2020 to 2021. She noted that April 2022 collections have grown significantly; collections for just the month of April 2022 are 22 percent higher than in April 2021 and absent income tax, revenues have

grown 14.0 percent from 2018, or almost \$2.3 million. She stated that EMS revenue increased by \$795,600 in 2022 when compared to 2018, largely due to a higher level of EMS runs.

Ms. Jones said that waste collection revenues are up \$228,300 since 2018, largely due to the annual rate escalator that is driven by consumer price index trends. She noted that offsetting these gains were slight declines in the property tax, fines & forfeits and licenses & permits categories when comparing 2022 YTD revenues to 2018.

Expenditure Trends – Personnel

Ms. Ghand stated that personnel costs have increased 10.9 percent, or \$4.7 million, year-over-year with civilian wages climbing 11.1 percent, or nearly \$1.2 million, when compared to April 2021. Ms. Ghand said that these are driven by the compounded 4.0 percent wage increase –annual and merit wage adjustments. She said that fringes increased by 8.4 percent, driven by said wage adjustments and lump sum payments were processed during Q1 of 2022; but processed in Q3 of 2021. Ms. Ghand said that civilian overtime is up 20.1 percent and sworn overtime is up 106.2 percent, year-over-year and driven by continued position vacancies due to labor market constraints and higher usage of leave following the lifting of pandemic-driven restrictions.

Expenditure Trends – C&M & Other Uses

Ms. Ghand said that excluding other uses (transfers), C&M costs are up 12.1 percent, or \$1.3 million and year-over-year trends are volatile within categories as timing and inflationary costs impact spending. She stated that gas & diesel fuel costs are up \$162,900 with the rising fuel costs and management & public service contract costs grew by \$686,300, primarily due to the timing of regional dispatch fees in 2021. She noted that miscellaneous costs grew by over 1,000 percent, or \$275,700, in 2022 due to an adjustment for property/casualty insurance of \$427,000 reducing 2021 expenditures. She explained that supplies & materials are 46.1 percent, or \$331,500, higher through April 2022 when compared to 2021 due to inflationary pressures and a return to pre-pandemic spending. She said that waste disposal & recycling costs declined by \$227,500, as households are producing less trash following the lifting of pandemic stay-at-home orders and a return to the office and recycling costs declining \$42,100 and waste disposal costs declining \$185,400.

Expenditure Trends – Big Picture - Expenditures

Ms. Ghand stated that compared to 2018, personnel costs have climbed 19.1 percent during the five-year period. She said the five-year increase is largely attributable to annual line and merit increases and a lump sum payment that was processed in Q1 of 2022, inflating the increase. She noted that overtime costs have increased due to position vacancies and increased leave usage and contracts & materials have grown 6.0 percent since 2018. She said a five-year low for spending was realized in 2021 due to the pandemic and supply-chain constrictions, with 2022 YTD expenses returning to their pre-pandemic level as realized in 2019.

Ms. Ghand said that maintenance costs are up 28.9 percent, or \$310,300, since 2018 due to increased technology maintenance agreement costs. She stated that miscellaneous costs have declined by 51.3 percent, or \$262,700, since 2018 largely due to the timing of expenses and general volatility within the category. She noted that utility costs are up 93.4 percent, or \$833,300, since 2018 due to the timing of telephone expenses and due to the sunseting of the Street Light Special Assessment program in 2020, as these expenses transitioned to the General Fund.

Dayton Recovery Plan Update

Ms. Jones provided an update to the Dayton Recovery Plan. She said that this update will be provided as part of the finance briefing going forward to keep the Commission updated on the progress. She highlighted the following dates:

May 2022

- External Project Vetting Finalized
- Project Manager and Internal Trainings
- Request for Internal Project Review

June 2022

- Project Manager and Internal Trainings Continued
- External Trainings June 9, June 14, June 16 and June 21
- Project Manager Review of Projects - any additional questions vetted
- Contract Development - External
- Bidding Starts- Internal

July 2022

- External Contracts to Commission Calendar*
- Continued Internal Bidding

August 2022 – December 31, 2024

- Project Monitoring
- Internal Projects Progress- bidding to awards (rolling)
- External Projects Start Their Bidding Phase

Key Takeaways

Ms. Jones indicated that it is still early in the year and despite strong income tax revenue performance, the liability from the work-from-home environment still exists. She said that there are other immediate liabilities facing the organization include: inflationary costs impacting contracts & materials and capital projects. She noted that supply chain delays and labor capacity concerns in some sectors and personnel costs are up, some vacancies have been difficult to fill, and the hiring market is competitive. She said that there have been deferred IT investments and cyber security concerns and public safety capital equipment funded from photo enforcement revenues will likely need to be funded by the general fund moving forward - roughly \$1 million annually.

Ms. Jones said the organization will continue to advance work plans and will continue to monitor income tax collections and impacts from the work-from-home environment, evaluate positions with the greatest value for restoration, and continue strategic discussion to competitively recruit/hire to fill current vacancies

April 2022 Highlights

Ms. Jones said that strong income tax collections drove the year-over-year revenue gains through April, with collections growing \$6.5 million over 2021. She said that due to the tax filing extension deadlines in 2020 and 2021, a true year-over-year comparison will not be possible until June. Ms. Jones said that the impact on income tax collections, specifically requests for refunds, due to work-from-home will not be fully realized for a few years. Ms. Jones stated that personnel costs grew by 10.9 percent over April 2021, largely due to the filling of vacant positions, negotiated wage increases, use of overtime to address service needs and the early processing of the lump sum payment. She explained that contracts, materials & other uses were up 4.0 percent largely due to the timing of payments, a return to pre-pandemic

spending levels, and as inflationary increases are beginning to impact costs. She noted that for the first four months of 2022, sources exceeded uses by nearly \$500,000, largely due to the strong income tax gains. She said that these gains are offset by rising personnel costs and the early funding of investments.

The Work Session concluded at 5:33 p.m.

Jeffrey J. Mims, Jr.
Mayor

Attest: _____
Clerk of Commission