

On Wednesday, October 31, 2018, at 8:31 a.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 Fairchild 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 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 October 24, 2018, meeting. Commissioner Fairchild seconded the motion. The previous meeting minutes were unanimously approved.**

**COMMUNICATIONS AND PETITIONS**

Work Session handout - Finance Committee Briefing

**SPECIAL AWARDS/PRESENTATIONS**

**2018 Community Police Relations Status Report**

Mayor Whaley invited Mr. Jared Grandy, Human Relation Council, to the podium to provide a community update on the 2018 Community Police Relations Status Report.

Mr. Grandy said in 2015 The Presidential Task Force on 21<sup>st</sup> Century Policing released a report recommending police departments share its data in effort to be transparent and build trust with the community. In accordance with that recommendation, the Community Police Council Data Committee was formed.

Mr. Grandy said the Dayton Community Police Council mission statement is Community Police Council (CPC) is committed to expanding mutual responsibility for public safety through the development of accountability, respect and trust among and between residents and the police. He said the vision statement is One City, Many People Committed to Mutual Responsibility for Public Safety and their values are Trust, Inclusion, Accountability and Respect.

Mr. Grandy said the community only wanted data from their report that focused on the use of force. He said there were concerns of not hearing from underrepresented groups such as the immigrant community, formerly incarcerated residents, and young African-Americans in surveys, therefore, a concerted effort to reach those demographics was made.

Mr. Grandy said the report showed African-Americans are slightly more likely to be involved in “*use of force*” cases where the situation ends in arrests and they are likely to be involved in arrest or citation when the situation is traffic stops.

Mr. Grandy said qualitative data was collected across six focus groups with the following populations: Immigrants, High School Students, previously incarcerated Black Males, Black Male College Students and Neighborhood Association Leaders. He said participants from these demographic areas were selected due to their limited representation in the City of Dayton’s Survey. Mr. Grandy said questions were designed to elicit information related to the participants experience with and perception of Dayton Police officers as well as recommendations for improving the relationship between the Dayton community and law enforcement.

Mr. Grandy said the 2018 Dayton Survey, conducted among 1,503 randomly-selected Dayton residents, provides an overview of the needs, values, and challenges of the City’s residents. He said the 2018 Dayton Survey showed 37 percent of participants agree or strongly agree that Dayton Police enforce laws consistently regardless of race or ethnicity. He said 50 percent of participants agreed with the statement “the police presence in my neighborhood is appropriate for the need and 22 percent disagreed overall.”

Mr. Grandy said the data suggests that Dayton Police officers perform well and there are no signs of overwhelming bias within the department. He said overall, Dayton residents are reasonably satisfied with the services of those who are sworn to protect them. He said citizens complaints and internal investigation data regarding the use of force, illustrate nominal discrepancy regarding race and virtually no wrong-doing.

Mr. Grandy said residents are not very familiar with the complaint process. He said people who are traditional underserved or impoverished are likely to perceive law enforcement more negatively than those who are more privileged.

Mr. Grandy said moving forward the CPC will work to build more collaboration between residents and police officers in order to identify solutions to address ongoing safety concerns. He said the CPC will continue to address the issues raised in the report. As a result of community conversations, they have embedded a Professionals Standards Bureau Complaint Form on [www.DaytonCPR.org](http://www.DaytonCPR.org) that can be accessed by any computer or smart phone.

**ADDITIONS OR DELETIONS TO THE CALENDAR**

The Clerk of Commission, Ms. Rashella Lavender, requested the addition of Informal Resolution No. 962-18-Supporting Issue 6 Five Rivers MetroParks Replacement and Additional Levy.

**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. K E Rose Company Ltd.** (installation services for adding winter equipment to a current fleet vehicle) **\$14,245.00**

**1.**

**CITY COMMISSION OFFICE**

**B1. Cox Ohio Publishing Dayton Daily News** (legal publication services as needed through 12-31-18) **4,000.00**

**FIRE**

**C1. Alexander-Patterson Group, Inc.** (office furniture including installation services through 09-30-22) **18,614.70**

**PUBLIC WORKS**

**D1. 72 Hour LLC dba National Auto Fleet Group** (one four-wheel drive pickup truck with bed liner and theft deterrent system) **29,914.19**

**D2. Glickler Funeral Home** (indigent burial services as needed through 12-31-20) **6,000.00**

**D3. Valley Asphalt Corporation** (asphalt paving materials as needed through 12-31-21) **12,000.00**

**D4. MD Solutions LLC** (guardrails, attenuators, and related parts as needed through 12-31-18) **10,000.00**

**WATER**

**E1. PVS Technologies, Inc.** (Ferrous Chloride as needed through 12-31-18) **7,000.00**

**E2. Badger Meter, Inc.** (five Trimble handheld units with Orion software) **37,400.00**

**E3. Everett J Prescott, Inc.** (water main pipes, fittings, valves and related items as needed through 12-31-18) **67,000.00**

-Depts. of Aviation, Fire, Public Works, Water and The City Commission Office. **Total: \$206,173.89**

**2. 3SG Plus, LLC – Service Agreement** – to provide services to migrate the existing electronic document image files into the Onbase document imaging system – Dept. of Central Services/Information Technology. **\$105,133.42**  
**(Thru 05/31/19)**

3. **C2 IT Advisors, LLC – Service Agreement** – to provide services to create a two-year Information Technology strategic plan – Dept. of Central Services/Information Technology. **\$56,000.00**  
**(Thru 02/28/19)**
4. **Dunbar Armored, Inc. – Service Agreement** – to provide professional armored car services – Dept. of Economic Development. **\$15,000.00**  
**(Thru 12/31/19)**
5. **Yusko Group, Inc. (dba Siena Consulting) – Contract Modification** – for a second amendment to perform a content validation study for the Firefighter Recruit examination – The Civil Service Board. **\$15,000.00**  
**(Thru 07/01/24)**
6. **Yusko Group, Inc. (dba Siena Consulting) – Contract Modification** – for a second amendment to perform a content validation study for the Police Recruit examination – The Civil Service Board. **\$15,000.00**  
**(Thru 07/01/25)**
7. **Fahlgren Inc. – Contract Modification** – for a second amendment for consulting services for meeting facilitation and related services – Dept. of Procurement, Management & Budget. **\$45,000.00**  
**(Thru 12/31/19)**

**C. Revenue to the City:**

8. **PSA Airlines, Inc. – Lease Agreement** – to renovate and occupy a 5,760± square foot office within a building located at 3628-46 Cargo Road – Dept. of Aviation/AP Admin. & Finance. **\$252,193.25**  
**(Thru 01/31/25)**
9. **Montgomery County Juvenile Court – Service Agreement** – for parenting time mediation services for families referred by the court – Dept. of Planning & Community Development. **\$45,000.00**  
**(Thru 12/31/19)**
10. **Christian Egli – Other** – for a Special Use Permit to install underground conduit, communication and alarm wires into the public right-of-way at 515 and 522 Springfield Street – Dept. of Public Works/Civil Engineering. **\$200.00**  
**(Paid to the City)**

**CITIZENS' COMMENTS ON CALENDAR ITEMS**

There were no citizen's comments on calendar items.

**DISCUSSION OF CALENDAR ITEM**

There was no discussion of calendar items.

**APPROVAL OF CITY MANAGER'S REPORTS**

**Commissioner Joseph made a motion to approve the City Manager's Reports. Commissioner Shaw 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**

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

**Emergency Ordinance No. 31688-18-** Petitioning the County Commissioners of Montgomery County, Ohio, for Annexation of Approximately 10.9412 Acres of Land, Owned by the City of Dayton, to the City of Dayton and Part of and Necessary to the Continued Operation of the Dayton International Airport, and Declaring an Emergency.

**Commissioner Mims moved that this being an emergency measure for the immediate consideration of the Ordinance. Commissioner Fairchild seconded the motion. The motion was passed with a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild. The question being shall Emergency Ordinance No. 31688-18 be passed. 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 Emergency Ordinance was passed.**

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

**Emergency Resolution No. 6374-18-** Authorizing the Acceptance of a Grant Award from the Attorney General of Ohio in an Amount not to Exceed Seventy-One Thousand Four Hundred Forty Dollars and Zero Cents (\$71,440.00) on Behalf of the City of Dayton, and Declaring an Emergency.

Commissioner Shaw moved that this being an emergency measure for the immediate consideration of the Resolution. Commissioner Joseph seconded the motion. The motion was passed with a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Joseph, Mims, Shaw and Fairchild. The question being shall Emergency Resolution No. 6374-18 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 Emergency Resolution was adopted.

### **RESOLUTIONS - FIRST READING**

**Resolution No. 6375-18-** Adopting the Amended Montgomery County Solid Waste Management Plan.

**Resolution No. 6376-18-** Declaring the Intention of the Commission to Vacate the Alley West of Great Miami Boulevard from the Alley North of West Grand Avenue to Shaw Avenue, and the Alley North of West Grand Avenue from West Grand Avenue to the Alley West of Great Miami Boulevard.

**Resolution No. 6377-18-** Declaring the Intention of the Commission to Vacate South Ford Street from Sears Street to the East Terminus, Steam Street from South Ford Street to North Ford Street, and the Southern 4.5 Feet of North Ford Street from Sears Street to Webster Street.

### **THIS ITEM WAS ADDED**

#### **INFORMAL RESOLUTION**

**Informal Resolution No. 962-18** - Supporting Issue 6 a Five Rivers MetroParks Replacement and Additional Levy.

**Commissioner Joseph made a motion to adopt Informal Resolution No. 962-18. Commissioner Shaw seconded the motion. 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**

Citizens' comments were received from the following:

1. **Mr. Ellis Hutchinson, Jr.** – 212 Wilkinson Street – spoke about vacant land and its possible use by the community.
2. **Mr. Willie Feaster** - 1146 Gunther Road – spoke about issues on Third and Main Streets.

**COMMENTS BY THE CITY MANAGER**

The City Manager, Ms. Shelley Dickstein, invited Mr. Stephan Marcellus, Division Manager, Recreation and Youth Services, to the podium to talk about the change for Recreation and Youth Services *Trunk or Treat event*.

Mr. Marcellus said the *Trunk or Treat* event will take place on Wednesday, October 31, 2018, from 6:00 p.m. until 8:00 p.m. at the Dayton Convention Center as opposed to Kettering Field. He said this is a safe alternative to Trick or Treating. He said there will be fire and police cars present along with games and prizes. Mr. Marcellus said participants may park in the Oregon District Garage and this event is free and open to the public.

**COMMENTS BY THE CLERK OF COMMISSION**

The Clerk of Commission, Ms. Rashella Lavender, announced the City Commission meeting on October 31, 2018, will be held at 8:30 a.m. as opposed to 6:00 p.m.

**COMMENTS BY THE CITY COMMISSION**

**Commissioner Joseph**

Commissioner Joseph highlighted his attendance at the Jewish Federation Memorial for victims of the mass shooting at the synagogue in Pittsburg Pennsylvania. He also highlighted the passing of former Dayton City Commissioner Mr. Abner Orick.

**Commissioner Mims**

Commissioner Mims highlighted the life and times of Commissioner Abner Orick.

Commissioner Mims highlighted the Black Elected Officials first-time voting event for high school seniors on Thursday, November 1, 2018.

**Commissioner Shaw**

Commissioner Shaw highlighted his attendance at the National Conference for Community and Justice of Greater Dayton (NCCJ) Awards and pointed out that Mr. Bryan Stewart, Legislative Aide, received the Humanitarian Award.

**Commissioner Fairchild**

Commissioner Fairchild highlighted his attendance at the Stoddard Avenue Pumpkin Glow. He also encouraged citizens to early vote and said the Greater Dayton Regional Transit Authority (GDRTA) is providing free bus rides for early voting.

Commissioner Fairchild highlighted the life and times of Commissioner Abner Orick.

**Mayor Whaley**

Mayor Whaley highlighted the life and times of Commissioner Abner Orick.

Mayor Whaley said she will be voting at the Board of Elections for Early Vote.

Mayor Whaley said the “Show up for Shabbat” vigil service will take place on Saturday, November 3, 2018, at Temple Israel.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 9:35 a.m.

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**Mayor Nan Whaley**

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

## WORK SESSION

A copy of prepared material has been recorded as Communication & Petition Number 21353 dated October 31, 2018.

The Dayton City Commission met in a Work Session on Wednesday, October 31, 2018, at 9:40 a.m., following 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 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. Commissioner Fairchild later joined the Work Session.

Ms. Shelley Dickstein, City Manager, Mr. Joe Parlette, Deputy City Manager, Mr. Gil Turner, Interim Deputy City Manager, Ms. Diane Shannon, Director of Management and Budget, Ms. Abbey Patel-Jones, Budget Analyst I, and Mr. Terry Slaybaugh, Director of Aviation, were the presenters.

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

- September Overview
- Third Quarter Results – Department of Aviation

### September Overview

Ms. Shannon reported revenues have climbed 5.3 percent compared to the same quarter of 2017. Year-to-Date revenue reflects the positive impacts of "Your Dollars, Your Neighborhood" due to the lag attributable to January of 2017. She said expenditures at the end of September are under budget by 2.2 percent. Personnel costs are under budget while Contracts and Materials and Other Uses have increased at an inflationary rate of 2.6 percent. At the end of September, Sources exceed Uses by \$5.9M.

### Revenue Trends

Ms. Patel-Jones reported that baseline income tax increased 5.9 percent and were \$5.3M over the year-to-date estimate; while total income tax collections increased 7.6 percent. She said withholding collections climbed 7.9 percent. The taxes on business profits grew 12.9 percent with Corporation posting nearly all of the gains. Taxes paid by individuals are higher registering 3.9 percent growth than the same time as last year. Withholding taxes have increased 7.9 percent while the tax on business profits have climbed 12.9 percent.

Ms. Patel-Jones said at the end of September, Other Charges for Services are down 17 percent below the same period as last year. On a cash basis, EMS fees are down 7.3 percent (beginning in 2019, the reporting of EMS fees on a cash basis to more consistently reflect collection activity).

Other Revenue, which represents various miscellaneous sources, is up 9.6 percent through September. Fines and Forfeitures have increased 12.6 percent year-over-year, but remain 30 percent under the year-to-date budget.

### Expenditure Trends

Ms. Patel-Jones said Contracts and Materials grew 1.9 percent higher than at the same time in 2017. The increase reflects: Maintenance costs have increased 7.2 percent associated with the City's radio maintenance program. Management and Public Service Contracts are up by 1.7 percent due cost of the Regional Dispatch Center and increased use of Public Defenders for indigent defendants. Payments to Internal Service Funds are up by 2.7 percent due to the elimination of accrual period and an increase to rates charged by Fleet Management. Real estate taxes are up 7.6 percent after the second half payments posted (result of the triennial assessment). Miscellaneous charges are slightly up due to increases in Contractual Insurance and Marketing Expenses. The offset is by reduced spending for Waste Disposal Fees by 2.9 percent and reduce spending by 5.2 percent in Utilities including electric and voice/data services.

Ms. Shannon reported that the City's Bond Ratings affirmed by Moody's and S & P: "Very strong management with strong financial policies and practices under our Financial Management Assessment methodology" – *S&P Report*. "The stable outlook reflects our expectation that the City will continue to adhere to long-standing policies and practices that have enabled it to withstand severe economic downturns in the past" - *Moody's Report*.

She said the Dayton Region once again outpaced growth at the state level, registering a 7.0 percent increase since January of 2014. Nationwide GDP growth registered 3.5 percent for the first estimate of 2018-Q3. Activity in the manufacturing sector continues above the neutral threshold of 50. Inflation continued slowly upward until a recent ramp up. She said given the correlation between economic downturns and the inversion of the yield curve, the graph will be monitored monthly.

At the end of September, the City is ahead of budget plan with Sources exceeding Uses by \$5.9M.

Department of Aviation

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

Total revenue and other sources, less PFC/CFC revenue, is down 6.7 percent year-over-year. Enplanements were 4.9 percent lower compared to 2017 due to the loss of Southwest Airlines offset by increased capacity from other airlines. Expenditures for the third quarter are \$159,200 lower than in 2017. At the end of the third quarter of 2018, Sources exceeded Uses by \$87,900.

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 19.8 percent of the total airline space rent. The Airline Revenue remained flat year-over-year. Parking is the largest category of Non-Airline Revenue. Non-Airline Revenue is directly correlated to enplanements. Concession Revenue in total remains flat to projection. In 2017, a one-time land sale of \$1.1M occurred in the third quarter. The \$1.1M accounts for the majority of the difference year-over-year.

Mr. Slaybaugh said Contracts, Materials and Other Uses are three percent higher than in 2017. However, two additional payments were made for 2017 in 2018 to reconcile parking management expense. He explained focused efforts were made on the Business Travel Center and advertising to increase direct service flights.

He said American Airlines is the largest carrier with 44 percent of the total enplanements. United Airlines increased 12.9 percent and Allegiant Airlines and Delta Airlines increased over 2017. Southwest stopped operating in Dayton in June of 2017. Enplanements are down 4.9 percent compared to 2017 as a result.

Mr. Slaybaugh said the Department will have a balanced budget in 2018.

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

The Work Session concluded at 10:26 a.m.