

On Wednesday, August 31, 2016, at 6:02 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 Williams 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 Williams, Joseph, Mims and Shaw 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 the motion to approve the minutes from the August 24, 2016, meeting.

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

COMMUNICATIONS AND PETITIONS

Communication #21159

State of Ohio, Department of Liquor Control – Permit Application D1, D2 D3 Permit #4847230 – Kramer & Zimmerman, Inc., 1018 Irving Ave & Patio, Dayton, Ohio 45419.

The Clerk of Commission reported receipt of Permit Application D1, D2, D3 Permit #4847230 – Kramer & Zimmerman, Inc. 1018 Irving Ave. & Patio, Dayton, Ohio 45419. The application was referred through the City for investigation.

Communication #21160

State of Ohio, Department of Liquor Control – Permit Application D5 Permit #1010940 – Joshua B. Brown, DBA DK Effect Brewcade, 1600 E. 3rd Street, Dayton, Ohio 45403.

The Clerk of Commission reported receipt of Permit Application D5 Permit #1010940 – Joshua B. Brown, DBA DK Effect Brewcade, 1600 E. 3rd Street, Dayton, Ohio 45403. The application was referred through the City for investigation.

Communication #21161

Handout for the Finance Committee Briefing update and Parking Consultant report.

SPECIAL AWARDS/PRESENTATIONS

Mayor Whaley invited Mr. Kevin Moore, Human Race Theatre Company, to the podium to give a community update.

Mr. Moore said the Human Race Theatre Company has been in existence for 30 years. He said thanks to the unending support of the many artists, directors, designers, and their Board of Directors, they have been able to bring entertainment to the Dayton area.

Mayor Whaley said calendar item No. 11. Informal Resolution No. 926-16 is a resolution that honors the Human Race Theatre Company on their 30th anniversary and designates it as Dayton's official professional theatre company.

ADDITIONS OR DELETIONS TO THE CALENDAR

The Clerk of Commissioner, Ms. Rashella Lavender, requested the addition of the legislation regarding annexation of property.

Ms. Dickstein had no additions or deletions to the calendar.

REPORTS:

1. Purchase Orders:

WATER

- | | |
|---|--|
| A1. Chemical Services, Inc. (Sodium Hydroxide odor control chemical) | \$20,000.00 |
| A2. Ohio Machinery Company (one CAT brand hydraulic hammer)
-Dept. of Water. | 17,491.00
Total: \$37,491.00 |
2. **Dr. Stephen McConnell – Service Agreement** – to provide psychological services for offenders currently on probation – The Municipal Court/Court Administrator. **\$15,000.00**
(Thru 6/2017)
3. **EBenefits Solutions, LLC – Service Agreement** – to provide a streamlined year-round approach to benefits administration and open enrollment – Dept. of Human Resources. **\$321,227.00**
(Thru 8/2019)
4. **Hazen & Sawyer – Contract Modification** – for a third amendment to cover additional services needed to continue with consultation services and identification of alternatives to lime addition for odor control within the Wastewater Collection System – Dept. of Water/Water Engineering. **\$132,000.00**
(Thru 12/2017)
5. **Wright Brothers Aero, Inc. – Contract Modification** – for a first amendment for Porter Services with Wright Brothers Aero, Inc. at the Dayton International Airport – Dept. of Aviation/AP Admin. & Finance. **\$23,419.35**
6. **YMCA – Service Agreement** – to complete biometric screenings for City employees – Dept. of Human Resources. **\$68,400.00**

B. Construction Contracts:

7. **Saturn Electric – Award of Contract** – for Terminal Drive Lighting Improvements at the Dayton International Airport (14.1% SBE Participation, 10% Goal) – Dept. of Aviation/AP Admin. & Finance. **\$831,875.00**
(Thru 9/2018)

CITIZENS' COMMENTS ON CALENDAR ITEMS

There were no citizens' comments on calendar items.

DISCUSSION OF CALENDAR ITEMS

Calendar Item No. 3. – EBenefits Solutions, LLC-Service Agreement

Ms. Dickstein said this service agreement will address internal customer service needs.

Calendar Item No. 7. – Saturn Electric – Award of Contract

Ms. Dickstein said this item which will add new lighting will enhance customers drive at the Dayton International Airport.

APPROVAL OF CITY MANAGER'S RECOMMENDATIONS

Commissioner Joseph made the 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 Williams, Joseph, Mims and Shaw.

LEGISLATION

EMERGENCY RESOLUTIONS – FIRST AND SECOND READING

Emergency Resolution No. 6206-16 - Authorizing the City Manager to Enter into the FY2015-2016 Choice Neighborhoods Planning Grant Agreement with the U.S. Department of Housing and Urban Development (HUD), and Declaring an Emergency.

Commissioner Mims moved that this being an emergency measure for the immediate consideration of the Resolution. Commissioner Williams seconded the motion. The motion was passed with a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims, and Shaw. The question being shall Emergency Resolution No. 6206-16 be adopted. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims, and Shaw. The Emergency Resolution was adopted.

Emergency Resolution No. 6207-16 - Declaring the Official Intent and Reasonable Expectation of the City of Dayton on Behalf of the State of Ohio to Reimburse Its General Fund for the Wayne Avenue Reconstruction Project (OPWC Project Number CD30T) with the Proceeds of Tax Exempt Debt of the State of Ohio, 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 Williams, Joseph, Mims, and Shaw. The question being shall Emergency Resolution No. 6207-16 be adopted. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims, and Shaw. The Emergency Resolution was adopted.

EMERGENCY ORDINANCE – FIRST READING

Emergency Ordinance No. 31511-16 – Amending Sections 37.06, 37.10, 115.30 and 115.60; Repealing Existing Sections 37.06, 115.30, 115.60, 115.301, 115.302 and 115.303 of the Revised Code of General Ordinances Relating to Transportation Network Companies, and Declaring an Emergency.

INFORMAL RESOLUTION

Informal Resolution No. 926-16 - Recognizing The Human Race Theatre Company on Its Thirtieth Anniversary and Designating It as Dayton’s Official Professional Theatre Company.

Commissioner Williams made a motion to adopt Informal Resolution No. 926-16. Commissioner Mims seconded the motion. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims and Shaw. The Informal Resolution was adopted.

THIS ITEM WAS ADDED

EMERGENCY ORDINANCE – FIRST AND SECOND READING

Emergency Ordinance No. 31512-16 – Petitioning the County Commissioners of Montgomery County, Ohio, for Annexation of Six Tracts of Land to the City of Dayton, Consisting of Real Property owned by the city of Dayton and Contiguous to and Necessary to the Continued Operation of the Dayton International Airport, 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 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims, and Shaw. The question being shall Emergency Ordinance No. 31512-16 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were, Mayor Whaley, Commissioners Williams, Joseph, Mims, and Shaw. The Emergency Ordinance was passed.

BOARD APPOINTMENTS

Commissioner Joseph made the motion to reappoint Mr. Terry Slaybaugh to the Miami Township-Dayton Joint Economic Development District Board, representing the businesses, for a term ending September 21, 2020. Commissioner Shaw seconded the motion. The motion was passed with a 5-0 vote.

CITIZENS’ COMMENTS

Citizens’ comments were received from the following:

1. **Ms. Donna O’Neill, 526 Grafton Ave.** – spoke about the violence in her community.

2. **Ms. Patricia Finch, 209 Wroe Ave.** – spoke about the violence in her community.
3. **Mr. Roger Moses, 2326 Bonnieview Ave.** – spoke about the vacant house next door.

Mayor Whaley asked for an update on Ms. Paula Humphrey's case.

Chief Biehl said community policing is driven by demand and service. He said in response to the issues Ms. Humphrey's has brought to the attention of the Dayton City Commission additional police resources have been issued. He said at this time there is no further information on her case.

Commissioner Williams said he was very sorry for the crime that was perpetrated on Ms. Humphrey. He said our thoughts and prayers are with her.

Mayor Whaley said the Dayton City Commission is committed to increasing the number of police officers in the community. She said that this is one of the reasons why the income tax levy is on the ballot this November. She wished Ms. Humphrey a speedy recovery.

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 African-American Cultural Festival and the proclamation given to Ms. Margaret Peters and Mr. Jesse Gooding.

Commissioner Williams

Commissioner Williams highlighted his attendance at the African-American Cultural Festival. He said he had an opportunity to present a proclamation and the Key to the City to Mr. David Webb and the Funk Music Hall of Fame.

Commissioner Shaw

Commissioner Shaw highlighted his attendance at the African-American Festival event.

ADJOURNMENT

There being no further business, the meeting was adjourned at 6:30 p.m.

Mayor Nan Whaley

Attest: _____
Clerk of Commission

WORK SESSION

A copy of prepared material has been recorded as Communication & Petition Number 21161 dated August 31, 2016.

The Dayton City Commission met in a Work Session on Wednesday, August 31st at 4:36 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 Williams, Joseph, Mims and Shaw were present.

Mr. Kery Gray, 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. Barbara LaBrier, Director of Management and Budget, Ms. Diane Shannon, Deputy Director of Management and Budget, Ms. Monica Jones, Assistant to the City Manager, and Mr. Andy Miller, Consultant with Carl Walker, were the presenters. The topics were about an update on the Finance Committee's Briefing and Parking Consultant Report.

Finance Committee Briefing

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

- General Fund Revenues/Expenditures
- Update on 2017 Budget Planning

Ms. LaBrier reported that through July, General Fund revenues and other sources are 0.3 percent less than the estimate compared to the same period in 2015. Expenditures are 4.2 percent under budget and have declined 2.2 percent from the first seven months of 2015. Overall, at the end of July, total sources exceeded total uses by \$3.1 million.

Ms. Shannon reported that income tax collections are slightly ahead of the estimate and have increased 2.1 percent compared to the same period last year. She said withholding collections are up 2.8 percent representing an equivalent number of pay periods compared to the same time in 2015. The tax on business profits has declined \$138,000 entirely attributable to corporations, while partnership profits have increased \$117,300. Taxes paid by individuals have gained two percent compared to the first seven months of 2015, and refunds are down \$188,100 compared to the same time last year.

Ms. LaBrier reported that property tax and other tax revenue is \$200,000 ahead of the estimate and is \$300,000 higher than the same period in 2015. She said the amounts of advances against the second half settlement are higher in 2016. The second half settlement is expected in September. The 2016 estimate is 1.8 percent growth (actual values came in flat due to the Board of Revisions changes). The millage distribution to the General Fund in 2016 is unchanged from 2015 at 4.5 mills (the remaining 5.5 mills support debt in the Bond Retirement Fund).

The Local Government Fund receipts are four percent below the year-to-date estimate and are 11 percent lower than the same period last year. She said the revenues have declined \$339,500 reflecting the impact of the State's action to reduce the municipal direct allocation which began in July of 2015. Additionally, the County Undivided portion is down \$115,700. The State has revised the Local Government Fund (LGF) calendar estimate downward by 1.8 percent for the last six months of 2016, and the decrease to the City of Dayton is estimated at \$110,700.

She said fines and forfeits are slightly under the estimate by seven percent and are substantially less than 2015 due to the elimination of public safety photo enforcement. License and permit revenues are slightly below the estimate. Overall and compared to the prior year, they are up 11 percent primarily due to building and zoning permits.

Ms. LaBrier said the 2017 budget planning is in the process and the City Manager's Office is meeting with the larger departments to discuss the 2017 budget challenges. She shared the proposed dates for work sessions with the City Commission to review the 2017 budget recommendations.

Ms. LaBrier said timing issues are adjusting, and that careful monitoring of the budget is required of the departments. She said the City continues to have significant unmet infrastructure needs and a long-term structural challenge. Further State cuts are coming and the City continues to be susceptible to State actions that negatively impact the budgets of local government.

Downtown Parking Analysis Report

Ms. Monica Jones, Assistant to the City Manager, introduced Mr. Andy Miller, Consultant with Carl Walker, and acknowledged staff involved with the Downtown Parking Analysis report. They provided an overview regarding the Downtown Parking Analysis:

Purpose of Study

- Not a Parking Supply & Demand Study
- On-Street Meter and Enforcement Program Primary Focus
- Overall Organizational and Management Structure Also Analyzed

- Focus on Current Technologies Used
- Identify Attitudes and Perceptions of Downtown Customers and Stakeholders
- Identify Best Practices From Other Regional Cities

Project Approach and Methodology

- Direct Field Observations of Meter and Enforcement Program
- Review and Analysis of Five-Year Financial and Enforcement Trends
- Interviews with Key Staff and Front Line Personnel
- Extensive Stakeholder Outreach
- Online Survey to Identify Attitudes and Perception
- Comparable City Analysis to Compare Dayton to Other Regional Cities

Summary of Stakeholder Findings

- There was widespread agreement that the overall parking supply in the downtown area is adequate and that parking supply/availability is not an issue
- The on-street parking enforcement program is overzealous and the harsh behavior of enforcement personnel is a deterrent to people visiting downtown
- The physical condition of some of the private off-street garages and surface lots is poor, with the Leigh Garage and the surface lots next to the 111 Building on First Street are specific examples
- People like the IPS credit card capable parking meters and they would like to see more credit card capable technology deployed on-street
- Common complaints about the confusing number of different time limits and comments that 75 minute meters in particular make no sense
- Common complaints that even the two-hour meters do not provide sufficient time to shop or conduct business downtown with the fear of a parking ticket
- People would like to be able to pay for on-street parking with a mobile phone/parking app that people have experienced in other cities
- Concerns were expressed about the perceived lack of safety and lack of cleanliness in some of the alley and pedestrian connections to parking facilities
- People do not like the back-in angled parking on Third Street at the Cannery
- There were some comments about the need for better way finding signage for off-street public parking facilities
- Some concerns were expressed about the needs of a growing downtown residential population specifically parking for residential visitors and loading/unloading needs at residential facilities

Summary of Online Survey Results

- The majority of respondents believe there is an adequate supply of parking
- Parking in close proximity to their destination is the primary motivator for where customers park
- Customers want to be able to pay by credit card and/or pay-by-mobile parking apps
- The majority of respondents rated the overall Dayton parking situation to be average to excellent
- Customers prefer to park on-street and not in lots or garages
- The majority of customers want more time than two hours to conduct their visit downtown
- Multiple time limits at parking meters are confusing, the 75-minute time limit in particular
- Downtown employees are a loyal customer base for downtown restaurants and venues
- Only 32 percent of downtown businesses pay for their customer parking, 68 percent do not validate

Summary of Primary Recommendations

- Maximize Capabilities of Existing IPS “Smart” Meters – No Cost
- Adopt Pay-by-Mobile Parking Technology – Very Low Cost
- Enforce Existing Zoning and Fire Safety Codes – Labor Costs
- Acquire New Ticket-Writing and Back-End Technology – Low Cost
- Privatize Meter and Enforcement Program – Cost Savings & Service Improvement
- Revise Fine Rates to Graduate Scale – Additional Financial Analysis/Costs
- Define New Management and Organizational Model – Additional Analysis/Costs
- Deploy New, Credit Card Capable Meter Technology On-Street – Capital Investment
- Consider Eliminating/Reducing Number of Time Limits – Potential Revenue Increase
- Reconsider Back-In Angled Parking – Low Cost

Ms. Dickstein briefly highlighted the next steps:

- Finalize draft report (four to six weeks out)

- Pull together an interdepartmental team to review the recommendation and analysis
- Present recommendations to the City Commission for their review

Mayor Whaley commended staff and the consultant on their work and the report. She said that she is not surprised with the results, and that she appreciates the citizens' input. She pointed out that some mobile apps are not good and encouraged staff to be selective with identifying mobile apps.

Commissioner Joseph thanked everyone for their hard work.

The Work Session concluded at 5:47 p.m.