

**TOWN OF DAYTON
REGULAR COUNCIL MEETING
COUNCIL CHAMBERS DAYTON TOWN HALL
Monday, January 8th, 2024
6:00 p.m.**

AGENDA

1. Call to Order Mayor Jackson
 - a. Roll Call by Clerk
 - b. Invocation
 - c. Pledge of Allegiance
 - d. Proclamation of “National Law Enforcement Appreciation Day”
2. Approval of Minutes for the Regular Town Council Meeting of December 11, 2023.
3. Action Items*
 - a. Resolution Regarding Time of Regular Meeting & Inclement Weather Meeting Times
 - b. Consideration – Town of Dayton Council Code of Ethics
 - c. Appointment Actions
4. Public Comment
5. Staff Reports
 - a. Manager’s Report
 - b. Police Department’s Report
 - c. Attorney’s Report
 - d. Mayor & Council Reports
6. Unfinished Business
 - a. Dayton Crossing Street Name Approval
7. New Business
8. Adjournment

Important Notice: Town Council Livestream Available

This meeting will be available for livestream viewing via Zoom at the link provided below. Please note that this is provided for viewing purposes only and all attendees will be muted and no comment will be accepted or allowed from Zoom.

Join Zoom Meeting:

<https://us02web.zoom.us/j/86063178268?pwd=M2xyMjdaZDd4amlXYktOUINQZzZEZz09>

Meeting ID: 860 6317 8268

Passcode: 105070

Dial in: 1-301-715-8592

*Please Note: All Action Items are for Council's consideration and are considered as drafts until voted on by Council and signed by the Mayor and certified by the Clerk.



STAFF REPORT

TO: Town Council

VIA: Brian J. Borne, Town Manager

DATE: January 8, 2024

FROM: Brian J. Borne, Town Manager

PREPARED BY: Vice Mayor, Bradford Dyjak

SUBJECT: Proclamation recognizing January 9th as ‘National Law Enforcement Appreciation Day’

SUMMARY STATEMENT

To show our support for law enforcement, and specifically recognize our local Dayton Police Department.

REVIEW

To recognize the daily efforts and sacrifices made by law enforcement officers and their families in order to protect our schools, workplaces, roadways, homes, businesses, etc.

RECOMMENDATION

Procliam that January 9th is “National Law enforcement Appreciation Day” in Dayton.

Attachment(s):



PROCLAMATION
Recognizing January 9th as “National Law Enforcement Appreciation Day”

WHEREAS, the health and safety of all Virginians is important to the happiness, prosperity, and well-being of our Commonwealth's families and communities; and

WHEREAS, Virginia is the proud home of more than 19,000 dedicated law enforcement officers who put their lives on the line to keep our communities safe with many of those residing in Dayton and Rockingham County; and

WHEREAS, we appreciate the extraordinary efforts and sacrifices made by officers and their family members daily, in order to protect our schools, workplaces, roadways, and homes; and

WHEREAS, we particularly remember almost 2 years ago that Bridgewater College Police Officers John Painter and Vashon “J.J.” Jefferson nobly protected the students and staff of Bridgewater College on February 1, 2022, along with the support of numerous law enforcement agencies, including our Dayton Police Chief Justin Trout and Lieutenant Travis “T.J.” Hooker, each responding to the scene with bravery; and

WHEREAS, National Law Enforcement Appreciation Day is an opportunity to show our support for law enforcement, and specifically recognize our local Dayton Police Department.

NOW, THEREFORE, BE IT PROCLAIMED, by the Dayton Town Council and on behalf of the residents that January 9th is "**National Law Enforcement Appreciation Day**" in Dayton, and that the Council encourages commemoration throughout the rest of the month.

This 8th day of January 2024

Cary A. Jackson, Mayor
Town of Dayton

Attest: _____
Clerk of Council

**TOWN OF DAYTON
REGULAR COUNCIL MEETING
COUNCIL CHAMBERS, DAYTON TOWN HALL
December 11, 2023**

COUNCIL MEMBERS PRESENT: Mayor Cary Jackson, Vice Mayor Bradford Dyjak, Robert Seward, Bob Wolz, Melody Pannell, and Emily Estes. Pursuant to Virginia State Code 2.2-3708.2 and the Town's Resolution authorizing electronic participation in Town meetings, Susan Mathias joined remotely via zoom from North Brandford, CT, due to a medical condition of a family member.

COUNCIL MEMBERS ABSENT: None.

ALSO PRESENT: Jordan Bowman, Town Attorney; Brian Borne, Town Manager; Police Chief Justin Trout, Christine Wade, Deputy Clerk, Meggie Roche, Economic & Community Development Coordinator, and Christa Hall, Treasurer.

CALL TO ORDER: Mayor Jackson called the meeting to order at 6:03 p.m., welcomed guests both in person and those joining remotely as the meeting is also available for live stream viewing via Zoom. He stated that the Council would only hear public comment tonight from those attending in-person and had signed up to speak and that speakers would be limited to five minutes each. Deputy Clerk Wade called the roll for the Town Council. Mayor Jackson led the Invocation and the Pledge of Allegiance. Before starting the public hearing, he stated he wanted to welcome officially the new Town Manager Brian Borne and give him a few minutes to share. Mr. Borne said it was great to be here in Dayton. He was out on Saturday at the parade and tree lighting, and it was a wonderful experience and a great way to see and meet some of the townspeople. The parade had a great turnout and it looked as if everyone was having a good time. He also said that the staff had worked hard all week for that event and was continuing to work hard for the event on Wednesday. He felt that they worked together as a team to make events happen. He concluded by stating that he looked forward to working with everyone and was excited for the future.

PUBLIC HEARING: Mayor Jackson opened the public hearing for the council to hear public comments regarding the franchise agreement with Shentel at 6:06 p.m. Speakers are asked to speak directly to the Council, stating their name and address. Since there was no one signed up to speak, Mayor Jackson asked Mr. French with Shentel, if he would like to come up and speak and give a quick introduction as to what this project will look like. Mayor Jackson adjourned public hearing at 6:08 pm

APPROVAL OF MINUTES: Mayor Jackson asked for a motion to approve the minutes as written for the Regular Council Meeting of November 13, 2023. Councilperson Seward replied so moved; the motion was seconded by Vice Mayor Dyjak and there was no additional discussion. The motion was approved by an all-in favor vote of 7 to 0.

ACTION ITEM: Mayor Jackson stated that the first action item on the agenda is for an ordinance granting a cable television franchise. He asked the Town Attorney, Mr. Bowman, if he had any info to be added to it. Mr. Bowman stated that everyone had his written report and he felt that Mr. French had fairly summarized it. It was identical to what other towns had been doing and what Bridgewater had done earlier this year. It creates another cable option for Dayton residents, and no one must buy anything. Mayor Jackson thanked Mr. Bowman and then asked for a motion to grant the ordinance for the cable television franchise to Shenandoah Cable Television, LLC. Councilperson Estes replied so moved and Councilperson Pannell seconded. The motion passed with a all-in favor vote of 7-0.

PUBLIC COMMENT: Mayor Jackson recognized Town resident Deb Crank. Ms. Crank said that it was ‘Tis the Season to be thankful and stated her 12 days of thankfulness. Number one, our shops are so busy, that some didn’t have a chance to provide for the Town party yet. So, she will be bringing donations from Nannys Nook, The Rustic Oracle and The Cottage to Town Hall. The videos, Facebook and newsletters continue to grow the Town’s businesses and they are thankful. Number Two, for the generous donations of money and gifts for the 4 giving trees for our students at Wilbur Pence Middle School and Turner Ashby High School. Number Three, the new Town Manager. Number Four, Dayton Days, Small Town Celebrations and Redbud and all the other events including Dove Park’s current set up for Christmas. Small Town brings out such a magical Christmas for all those who live here and those who visit. Number Five, the street sweeper, and the operator who keeps our streets clean and the mechanic who keeps it running. Number Six, our historical downtown district who doesn’t qualify for low-income status, we are all blessed. Number Seven, being awarded \$50,000 for a planning grant. Number Eight, shop owner making space for another shop owner who was displaced. Number Nine, for the upgraded purple park a.k.a. Sunset Park playground equipment. Number Ten, for those who work long hours keeping the streets clean during snow events and the officers who keep our streets safe. Number Eleven, our new state-of-the-art water plant that provides safe, clean water. Lastly, Number Twelve, Meggie for giving 1,000% during 2023 and never giving up on our Town and Christine who took a chance and came to our Town. We thank you. For 2024, I have briefly spoken to the Chief, Meggie, and Christine about doing a community “pull tab” donation. Meaning the little pull tabs that you get off your aluminum cans are a fundraiser for the Ronald McDonald House, and we could do it for Charlottesville. Ms. Crank will gather more information and present it to Meggie sometime in January.

MANAGER’S REPORT: Town Manager Brian Borne provided a report, which is attached. He reiterated that he had already shared about the Christmas parade and that it was a spectacular event, and it was amazing the amount of work that the staff gets done. He said that the staff really worked well together, and he appreciates that. Mr. Borne wanted to make sure everyone was aware that he was preparing the staff for the fiscal year 2025 budget. And as a reminder there will be a 3% water rate increase as of July 1, 2024. He also shared that the Town closed on the Shank property today, and that was for the new water storage tank. He concluded by stating that the Town is looking at investing in a compensation study for the Town.

POLICE REPORT: Chief Justin Trout stated that the Council had his report and if they had any questions, he was happy to answer. Vice Mayor Dyjak spoke up and said that the Police accreditation was this last week, and he was very excited to see the results when they were ready. He gave congratulations to the Chief and everyone that helped. Chief Trout stated the Police Department will go before the commission in March for accreditation status.

TOWN ATTORNEY REPORT: Town Attorney Jordan Bowman said he didn’t have anything else to add, but that was excited to be able to work with Mr. Borne.

MAYOR AND COUNCIL REPORTS: Vice Mayor Dyjak gave a report for Economic & Community Development. He started by saying welcome to the new Town Manager, Mr. Borne. It was a great time to be a Dayton resident this past weekend with the parade. He said that a lot of

people are looking for the Christmas spirit this time of the year. We have that, but the other eleven months we have community spirit here in Dayton. Thanks to the merchants for the small-town Christmas, a lot of people that visit during the Thanksgiving holiday like to come to Dayton for this event and then realize why we love living here. Vice Mayor Dyjak wanted to remind everyone of the Christmas party on Wednesday and that he heard that there were some elves judging the Town Christmas decorations. Don't forget Santa's mailbox which is located at Town Hall and on Main Street at Mane Street Salon. Also, the Wreaths across America is Saturday, December 16th at 11:30 a.m. beginning at Wilber Pence Middle School with the ceremony and then traveling to the gravesite across the road. He thanked the staff again for all they had done and accomplished in 2023 and looked forward to working with the new Town Manager and staff for 2024. Next, he shared that the Finance Committee did meet, and reported we are in good shape and ready to move forward and begin to plan next year's budget.

Mayor Jackson asked for a report from Infrastructure and Police. Councilperson Seward stated there was no meeting for either.

Councilperson Wolz reported for Parks, Recreation and Beautification and stated that there was no meeting, but that they did have a nice parade and Christmas tree lighting. It went well and there were a lot of smiling faces.

Mayor Jackson asked Councilperson Pannell for a Personnel report and she replied that they did not meet and there was no report.

Mayor Jackson asked if there were any comments. Councilperson Wolz said that he wanted to thank everyone that voted for him in the last election.

UNFINISHED BUSINESS: Mayor Jackson said that we did have one item in unfinished business; it was for the approval for the street names for the new Dayton Crossing Subdivision. The engineer nor developer did not attend and therefore there would be no discussion and they would table it again. Vice Mayor Dyjak asked if we were tabling it until the next meeting. Town Attorney Bowman suggested to table it indefinitely. Vice Mayor Dyjak made the motion to table it indefinitely or until a new list is provided. Councilperson Seward, so moved, and Councilperson Estes seconded. The motion was approved by an all-in favor vote of 7 to 0.

NEW BUSINESS: None.

ADJOURNMENT: With there being no further business to come before the Council, Councilperson Estes made a motion to adjourn. Councilperson Wolz seconded the motion and it passed unanimously. The meeting was adjourned at 6:23 p.m.

Respectfully Submitted,

Cary Jackson, Mayor

Brian Borne, Clerk of Council

ATTACHMENT TO DTC 12.11.23 REGULAR MEETING MINUTES

Town Manager's Report
Brian J. Borne
November 2023

Town Manager's Office:

- Cross training employees in Public Works and Water has begun.
- Review of job descriptions underway.
- Policy reviews underway.
- Property closing update for water tank construction at meeting.
- Budget review and preparation of FY 2025 Budget Schedule is underway.
- At the request of Dominion Energy, met regarding their Rural Broadband Program.

Police Department:

1. Personnel

A. Employee recognitions

- Breanna Burkhead (Accreditation Assistant) and all officers for the work they have done in preparation for the department Accreditation Assessment.

B. Training

- All officers completed cyber awareness training.

2. Activity Report November 2023

Calls for Service	Incident Reports	IBR Reports	Arrests	Crashes	Citations
452	449	3	1	1	95

3. Project Updates

- Accreditation
 - Accreditation Assessment is December 3-6, 2023.
- Sentara Cares Grant
 - Grant was approved. AEDs have been ordered.
- VRSA Grant
 - Utilized in conjunction with the Sentara Cares Grant.
- DCJS ARPA Law Enforcement Equipment and Technology Grant.
 - Grant has been closed. Waiting for reimbursement.
- Heat Grant Awarded.
 - Discuss with the Town Manager in December.

Public Works:

- Jennifer obtained her Commercial Pesticide Applicator license.
- Greenway lights and electrical outlets have been installed.
- The sidewalk and pavement patching have been completed following the water leak repair.
- Leaf collection is wrapping up for the season.

Water Department:

- Water plant treated 46.115 million gallons of water in the month of November.
- No water was purchased from the County or sold to the County.
- Well 2 pump replacement is complete, and the well is back in operation.
- High service pump 3 replacement is complete.

Treasurer's Office:

- The treasurer completed the VGFOA Finance Officer's Certification Program and attended the VGFOA Fall Conference in Charlottesville.
- Staff met with the Finance Committee to discuss the Auditor's Financial Report for FY23. Staff will work on the auditor recommendations for a Federal Procurement Policy and a revised PTO policy to come before Council at an early 2024 Council meeting. Staff will finalize the FY23 journal entries and Capital Carry over to close out the FY23 budget (no Council action needed).
- Staff will work with the Town Attorney to revise the fee schedule to address how to best handle pop-up vendors and food trucks in Town for consistency, clarity, and enforcement. Staff will work with the appropriate Council committees for recommendations to the full Council.
- Staff is working on the FY24 budget amendment & will present it at the April Council meeting.
- Staff mailed 33 cut-off notices for unpaid water service. Service interruption is scheduled for December 20, 2023. There were no service interruptions in November.
- Real Estate Tax Bills and Vehicle License Fee Bills were mailed in November and are due on December 5th. We have collected 73% for Real Estate Taxes and 57% for Vehicle License Fees. Those numbers should increase significantly in early December.

Community & Economic Development:

Economic Development

- Wayfinding Signage: Installation of the directional signs began and will be completed in early December. A new design that meets VDOT standards was approved for the gateway signs. The new design is very similar to the original design, minus the stone base to allow for the breakaway poles required by VDOT. Installation of the gateways is expected in January.
- Downtown Revitalization Grant: The RFP for consultant services will be released in December with responses due mid-January. Staff expects a consultant to be chosen by the end of January and will present the chosen consultant at the February Council meeting for award.
- Façade Enhancement Grant: No new applications received.

Community Development

- Three zoning permits were issued.
- One Certificates of Occupancy was issued.
- No Chicken Keeping application was received.
- No Short-Term Rental Applications were received.
- No applications for a Home Occupations Permit were received.
- Responded to 8 zoning inquiries.
- Dayton Crossing site plans are under review. Staff reached out to the developer to discuss alternative street names as directed by the Council. The developer has not provided alternative street names as of 12/5.

Events

- Holiday event reminders:
 - The Christmas Tree Lighting was postponed until Saturday, December 9 due to forecasted rain on Friday evening. The tree lighting will immediately follow the parade.
 - The Christmas Parade will be on December 9 at 10 am.
 - The resident Christmas party will be on December 13 from 6:30 pm to 8:30 pm at Woodmen Life.
 - The deadline to enter the Holiday decorating contest is December 4. Judging will take place on the evening of December 14 and winners will be announced on December 17.
 - Santa's mailbox is at Town Hall and Mane Street Salon.

Other

- Holiday newsletter sent out 12/1.
- Staff has received no applications for the EDA or BZA. The vacancies will remain open until filled.
- Attended HRMPO Policy Board meeting on November 16 as an alternate.

Town of Dayton Budget v. Actual Report FY24 PERIOD ENDING 11/30/2023											
REVENUES	Budget	MTD	YTD	Variance	% Rcvd	EXPENDITURES	Budget	MTD	YTD	Variance	% Used
General Fund											
Property Taxes	\$ 166,500	\$ 166,726	\$ 166,726	\$ 226	100%	General Government	\$ 635,791	\$ 105,307	\$ 333,009	\$ 302,782	52%
Other Local Taxes	\$ 416,250	\$ 75,133	\$ 198,744	\$ (217,506)	48%	Public Safety	\$ 816,130	\$ 57,712	\$ 348,170	\$ 467,960	43%
Permits, Privilege Fees & Licenses	\$ 500	\$ 40	\$ 1,505	\$ 1,005	301%	Public Works	\$ 529,165	\$ 42,369	\$ 195,091	\$ 334,074	37%
Fines & Forfeitures	\$ 42,500	\$ 7,023	\$ 34,338	\$ (8,162)	81%	Parks, Rec & Culture	\$ 201,506	\$ 10,771	\$ 55,289	\$ 146,217	27%
Rev. from use of money & prop.	\$ 500	\$ 100	\$ 175	\$ (325)	35%	Community Development	\$ 196,794	\$ 9,346	\$ 66,859	\$ 129,935	34%
Charges for services	\$ 165,000	\$ 13,718	\$ 54,004	\$ (110,996)	33%	TOTAL GF EXPENDITURES	\$ 2,379,386	\$ 225,505	\$ 998,418	\$ 1,380,968	42%
Other	\$ 116,000	\$ 445	\$ 5,085	\$ (110,915)	4%	Capital Projects (will have carry over from FY23--amounts pending final computation)					
State & Federal Funding	\$ 133,872	\$ -	\$ 64,143	\$ (69,729)	48%	PD Equipment*	\$ 50,000	\$ 5,320	\$ 67,173	\$ (17,173)	134%
Transfer from Water & Sewer	\$ 1,338,264	\$ -	\$ -	\$ (1,338,264)	0%	Greenway Project	\$ 54,438	\$ -	\$ -	\$ 54,438	0%
TOTAL GF REVENUES	\$ 2,379,386	\$ 263,185	\$ 524,720	\$ (1,854,666)	22%	King Street Extension	\$ 75,649	\$ -	\$ -	\$ 75,649	0%
General Capital Fund											
Transfer from Water & Sewer	\$773,879					Sign Program	\$ 250,812	\$ 168,095	\$ 239,897	\$ 10,915	96%
Carry over funds from PY						Sidewalks	\$ 42,980	\$ -	\$ 14,315	\$ 28,665	33%
Water & Sewer Capital Fund											
Transfer from Water & Sewer Fund	\$446,575					Town Street & Alley Resurfacing	\$ 50,000	\$ -	\$ -	\$ 50,000	0%
Carry over funds from PY	\$0					Land Acquisition & Amenities	\$ 75,000	\$ 2,500	\$ 26,350	\$ 48,650	35%
TOTAL CAPITAL FUND	\$1,220,454					Playground Equipment	\$ 65,000	\$ 52,993	\$ 52,993	\$ 12,007	82%
Water & Sewer Fund											
Charges for Service	\$3,733,600	\$365,874	\$1,404,925	\$ (2,328,675)	38%	Public Works Vehicle *	\$ -	\$ 3,029	\$ 55,319	\$ (55,319)	
W&S Conn Fees	\$20,000	\$0	\$12,750	\$ (7,250)	64%	Dump Truck	\$ 75,000	\$ 6,853	\$ 63,206	\$ 11,794	84%
Interest	\$10,000	\$5,747	\$40,460	\$30,460	405%	Ventrac Mower	\$ 25,000	\$ -	\$ 34,895	\$ 105	100%
Misc.	\$2,500	\$540	\$690	\$ (1,810)	28%	Water Line Extension	\$ 145,000	\$ -	\$ -	\$ 145,000	0%
Funding from Reserves	\$112,075	\$0	\$0	\$ (112,075)	0%	Water Storage Facility	\$ 100,000	\$ -	\$ -	\$ 100,000	0%
TOTAL W&S REVENUES	\$3,878,175	\$372,161	\$1,458,825	\$ (2,419,350)	38%	Water/Sewer Line Replacement	\$ 201,575	\$ 111,126	\$ 111,791	\$ 89,784	55%
						TOTAL CAPITAL PROJECTS					
						\$ 1,220,454 \$ 349,916 \$ 665,939 \$ 554,515 55%					
						Water & Sewer Fund					
						Operating \$ 705,646 \$ 115,372 \$ 334,204 \$ 371,442 47%					
						HRRSA \$ 1,809,265 \$ 156,940 \$ 778,194 \$ 1,031,071 43%					
						Water Fund Contingency \$ 25,000 \$ - \$ - \$ 25,000 0%					
						TOTAL W & S EXPENDITURES					
						\$ 2,539,911 \$ 272,312 \$ 1,112,398 \$ 1,427,513 44%					
						Transfer to General \$1,338,264					
						Transfer to Capital-Water & Sewer \$0					
						Transfer to Reserves \$0					
						TOTAL CAPITAL TRANSFER					
						\$1,338,264					
						TOTAL EXPENDITURES					
						\$ 7,478,015 \$ 847,733 \$ 2,776,755 \$ 4,701,260 37%					
TOTAL REVENUES						NET TOTAL					
\$ 7,478,015 \$ 635,346 \$ 1,983,545 (\$ 5,494,470) 27%						(\$ 212,387) (\$ 793,210)					

* pending budget amendment



STAFF REPORT

TO: Town Council
VIA: Brian J. Borne, Town Manager
DATE: January 8, 2024
FROM: Brian J. Borne, Town Manager
PREPARED BY: Christine Wade
SUBJECT: Resolution Regarding Time of Regular Council Meeting

SUMMARY STATEMENT

To set the time and date of the 2024 regular Council Meetings and inclement weather meeting times.

REVIEW

To set the time and date of the 2024 regular Council Meetings and inclement weather meeting times.

RECOMMENDATION

Council to consider approval of the 2024 regular Council Meeting dates and inclement weather times.

Attachment(s):
Resolution

**RESOLUTION REGARDING TIME OF REGULAR
MEETINGS AND INCLEMENT WEATHER MEETING TIMES**

WHEREAS, the Town of Dayton wishes to establish the time of its regular council meetings, and

WHEREAS, the Town of Dayton wants to empower the Mayor and, if the Mayor is unable to act, the Vice-Mayor to reset the regular meeting time in the event weather or other conditions are such that it is hazardous for members to attend the regular meeting,

NOW, THEREFORE, be it resolved by the Town Council of the Town of Dayton, Virginia,

1. Regular meetings of the Town Council shall be held on the second Monday of each month beginning at 6 p.m.
2. When a meeting date falls on a legal holiday, the meeting shall be held on the day following at 6 p.m. unless otherwise designated by the council.
3. If the Mayor, or, if the Mayor is unable to act, the Vice-Mayor, finds and declares that weather or other conditions are such that it is hazardous for members to attend the regular meeting the meeting shall be held at 6 p.m. on the day following.
4. If the Mayor, or, if the Mayor is unable to act, the Vice-Mayor, finds and declares that such weather or other condition continues on the day following, the meeting shall be held at 6 p.m. one week after the originally scheduled meeting.
5. All regular meetings of the council shall be open to the public, unless closed pursuant to state law.

CERTIFICATE

The undersigned Mayor and Clerk of the Town Council of the Town of Dayton, Virginia hereby certify that the foregoing constitutes a true and correct copy of the Town of Dayton Resolution Regarding Time of Regular Meetings and Inclement Weather Meeting Times adopted by the Town Council at a meeting held on January 8, 2024. A record of the roll-call vote by the Town Council is as follows:

<u>NAME</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Cary Jackson, Mayor				
Bradford Dyjak				
Emily Estes				
Robert Seward				
Susan Mathias				
Melody Pannell				
Bob Wolz				

Date: January 8, 2024

ATTEST: _____
Clerk, Town Council of the
Town of Dayton

Mayor, Town of Dayton, Virginia



STAFF REPORT

TO: Town Council
VIA: Brian J. Borne, Town Manager
DATE: January 8, 2024
FROM: Brian J. Borne, Town Manager
PREPARED BY: Christine Wade
SUBJECT: Town of Dayton Council Code of Ethics

SUMMARY STATEMENT

To consider the Town of Dayton Council Code of Ethics

REVIEW

To be reviewed in 2025.

RECOMMENDATION

Council to consider approval of the 2024 Town of Dayton Council Code of Ethics.

Attachment(s):
Town of Dayton Code of Ethics

**RESOLUTION TO ADOPT A CODE OF ETHICS FOR THE MEMBERS OF THE
TOWN OF DAYTON TOWN COUNCIL AND FOR THE MEMBERS OF ALL BOARDS,
COMMITTEES AND COMMISSIONS APPOINTED BY THE DAYTON TOWN
COUNCIL**

WHEREAS, the citizens and businesses of the Town of Dayton are entitled to have fair, ethical and accountable local government which has earned the public's full confidence; and

WHEREAS, in keeping with the Town of Dayton's commitment to excellence, all public officials, both elected and appointed, must comply with both the letter and spirit of the laws and policies affecting the operation of government; and

WHEREAS, all public officials, both elected and appointed, are required to be impartial and fair in their judgment and actions and ensure that public office is used for the public good; and

WHEREAS, the Town of Dayton Town Council has determined that the adoption of a Code of Ethics for its members and the members of all Council-appointed boards, committees and commissions will assist in achieving these ends; now, therefore, be it

RESOLVED by the Town of Dayton Town Council this 8th day of January 2024, That the following Code of Ethics is hereby adopted:

TOWN OF DAYTON CODE OF ETHICS

Preamble

The citizens and businesses of the Town of Dayton, are entitled to have fair, ethical, and accountable local government, which has earned the public's full confidence for integrity. The effective functioning of democratic government requires that public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government; that public officials be independent, impartial and fair in their judgment and actions; that public office be used for the public good, not for personal gain; and that public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the Dayton Town Council has adopted this Code of Ethics for members of the Dayton Town Council and of the Council's commissions and committees, to assure public confidence in the integrity of local government and its effective and fair operation.

1. Act in the Public Interest

Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of the Town of Dayton and not for any private or personal interest, and they will assure fair and equitable treatment of all persons, claims, and transactions coming before the Dayton Town Council, the Council's commissions and committees.

2. Comply with the Law

Members shall comply with the laws of the nation, the Commonwealth of Virginia, and the Town of Dayton in the performance of their public duties. These laws include, but are not limited to: the United States and Virginia constitutions; the Code of the Town of Dayton; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and the Town of Dayton ordinances and policies.

3. Conduct of Members

The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of the public, other members of the Dayton Town Council, commissions, committees, or the staff.

4. Respect for Process

Members shall perform their duties in accordance with the processes and rules of order established by the Dayton Town Council and Council's commissions and committees governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the Dayton Town Council by the Town of Dayton staff.

5. Conduct of Public Meetings

Members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.

6. Decisions Based on Merit

Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

7. Communication

Members shall publicly and promptly share substantive information that is relevant to a matter under consideration by the Dayton Town Council, commissions and committees, which they may have received from sources outside of the public decision-making process.

8. Conflict of Interest

In order to assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence government decisions in which they have a material financial interest and shall disclose any substantial organizational responsibility or personal or business relationship to the parties in any matter coming before them. This paragraph is not intended to unduly restrict members who have minor business or professional

dealings with clients whose matters come before them.

In accordance with the law, members shall disclose investments, interests in real property, sources of income, and gifts; and they shall abstain from participating in deliberations and decision-making where conflicts may exist.

9. Gifts and Favors

A member shall not accept for himself or herself or for family members, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of governmental duties.

10. Confidential Information

Members shall respect the confidentiality of information concerning the property, personnel, or affairs of the Town of Dayton. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial, or other private interests.

11. Use of Public Resources

Members shall not use public resources that are not available to the public in general, such as the Town of Dayton's staff time, equipment, supplies or facilities, for private gain or personal purposes.

12. Representation of Private Interests

In keeping with their role as stewards of the public interest, members of the Dayton Town Council shall not appear on behalf of the private interests of third parties before the Dayton Town Council or any, commission, committee, or proceeding involving the Town of Dayton, nor shall members of the Dayton Town Council's commissions or committees appear before their own bodies or before the Dayton Town Council on behalf of the private interests of third parties, except that members of the Dayton Town Council's commissions and committees may appear before other public bodies, including the Dayton Town Council, to advocate for a particular application or other matter of public business related to their role as a public official.

13. Advocacy

Members shall represent the official policies or positions of the Dayton Town Council, commissions, or committees to the best of their ability when designated as delegates for this purpose. When representing their individual opinions and positions, members shall explicitly state they do not represent their body or the Town of Dayton, nor will they allow the inference that they do.

14. Policy Role of Members

The Dayton Town Council determines the policies of the Town of Dayton with the advice, information, and analysis provided by the public, Dayton Town Council's commissions and

committees, and the Town of Dayton staff. The Dayton Town Council delegates authority for the administration of the Town of Dayton to the Town of Dayton Town Manager.

Members, therefore, shall not interfere with the administrative functions of the Town of Dayton or the professional duties of the Town of Dayton staff; nor shall they impair the ability of staff to implement the Dayton Town Council policy decisions. Inquiries to staff shall only be made through the Town Manager of the Town of Dayton.

15. Independence of the Dayton Town Council and Commissions

Because of the value of the independent advice of the Dayton Town Council, commissions, and committees to the public decision-making process, members of the Dayton Town Council shall refrain from using their positions to unduly influence the deliberations or outcomes of the Dayton Town Council, commission, or committee proceedings.

16. Positive Work Place Environment

Members shall support the maintenance of a positive and constructive workplace environment for the Town of Dayton employees and for citizens and businesses dealing with the Town of Dayton. Members shall recognize their special role in dealings with the Town of Dayton employees and in no way create the perception of inappropriate direction to staff.

17. Implementation

As an expression of the standards of conduct for members expected by the Town of Dayton, the Town of Dayton Code of Ethics is intended to be self-enforcing. It therefore becomes most effective when members are thoroughly familiar with and embrace its provisions.

For this reason, ethical standards shall be included in the regular orientations for candidates for the Dayton Town Council, applicants to the Dayton Town Council, commissions, committees, and newly elected and appointed officials. In addition, the Dayton Town Council, Council's commissions and committees shall biennially review the Code of Ethics and the Dayton Town Council shall consider recommendations from commissions, and committees to update it as necessary.

18. Compliance and Enforcement

The Town of Dayton Code of Ethics expresses standards of ethical conduct expected of members of the Dayton Town Council, commissions, and committees. Members themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government.

The Chairs of the Dayton Town Council's commissions and committees and the Mayor of the Dayton Town Council have the additional responsibility to intervene when actions of members that appear to be in violation of the Code of Ethics are brought to their attention.

The Dayton Town Council may impose sanctions on members whose conduct does not comply with the Town of Dayton's ethical standards, such as public or private reprimand, formal

censure, loss of seniority or committee assignment, or budget restriction. Where allowed by law, the Dayton Town Council also may remove members of the Dayton Town Council's appointed commissions, and committees from office.

A violation of this Code of Ethics shall not be considered a basis for challenging the validity of a decision made by the Dayton Town Council, Council's commission or committee.

**MODEL OF EXCELLENCE DAYTON TOWN COUNCIL
MEMBER STATEMENT**

By the adoption of this Code of Ethics, the members of the Dayton Town Council, agree to uphold the Code of Ethics for elected and appointed officials. Further, we certify that we will:

- Recognize the worth of individual members and appreciate their individual talents, perspectives, and contributions;
- Help create an atmosphere of respect and civility where individual members, Town of Dayton staff, and the public are free to express their ideas and work to their full potential;
- Conduct my personal and public affairs with honesty, integrity, fairness, and respect for others;
- Respect the dignity and privacy of individuals and organizations;
- Keep the common good as my highest purpose and focus on achieving constructive solutions for the public benefit;
- Avoid and discourage conduct which is divisive or harmful to the best interests of the Town of Dayton;
- Treat all people with whom I interact in the manner I wish to be treated.

CERTIFICATE

The undersigned Mayor and Clerk of the Town Council of the Town of Dayton, Virginia hereby certify that the foregoing constitutes a true and correct copy of the Town of Dayton Resolution a Code of Ethics adopted by the Town Council at a meeting held on January 8, 2024. A record of the roll-call vote by the Town Council is as follows:

<u>NAME</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Cary Jackson, Mayor				
Bradford Dyjak				
Emily Estes				
Robert Seward				
Susan Mathias				
Melody Pannell				
Bob Wolz				

Date: January 8, 2024

ATTEST: _____
Clerk, Town Council of the
Town of Dayton

Mayor, Town of Dayton, Virginia



STAFF REPORT

TO: Town Council
VIA: Brian J. Borne, Town Manager
DATE: January 8, 2024
FROM: Meggie Roche
PREPARED BY: Christine Wade
SUBJECT: Appointment Action

SUMMARY STATEMENT

Consideration of appointment action for Brian Borne as Technical Advisory Committee Alternate to the Harrisonburg-Rockingham Metropolitan Planning Organization

REVIEW

RECOMMENDATION

To approve the appointment action for Brian Borne as Technical Advisory Committee Alternate.
Attachment(s):
Appointment Action

Appointment Actions

Harrisonburg-Rockingham Metropolitan Planning Organization
Appoint Brian Borne as Technical Advisory Committee Alternate

Town Manager's Report
Brian J. Borne
December 2023

Town Manager's Office:

- Attended Dayton Christmas Parade.
- Attended Dayton Resident Christmas Party.
- Walked Silver Lake Nature Trail project.
- Preparations underway for bringing Compensation Study forward for consideration.
- One-on-One meetings with Department Heads are complete. Stay Interviews with all employees are scheduled for January 10-12.

Police Department:

1. Personnel

A. Employee recognitions

- All officers participated in the Christmas Community Outreach Initiative.

B. Training

- All officers were trained on the new AEDs.

2. Activity Report December 2023

Calls for Service	Incident Reports	IBR Reports	Arrests	Crashes	Citations
582	573	5	0	4	126

3. Project Updates

- Accreditation
 - Accreditation Assessment was completed.
 - Meeting with Accreditation Board in the spring.
- Sentara Cares Grant/ VRSA Grant
 - AEDs implemented and officers trained.
- DCJS ARPA Law Enforcement Equipment and Technology Grant.
 - Grant has been closed. Waiting for reimbursement.
- Heat Grant Awarded.

Public Works:

1. Personnel

- 1 vacancy for Building and Grounds Technician/Water Plant Trainee. Interviews will be held in January.

2. Public Works Department Reports

- Staff decorated the town for Christmas and the equipment/float for the parade.

- One snow call-out by VDOT in the month of December.
- Christmas tree pick-up will be the week of January 2-5, then on Mondays during Bio pick-up.
- Leaf collection finished up on December 4th.

3. Water Department Reports

- Water Plant treated 48.657 million gallons of water in the month of December.
- No water was purchased from the County or sold to the County.
- High service pump 1 motor failed; working with Sydnor to get it replaced.

Economic and Community Development:

1. Economic Development

- Wayfinding Signage: Installation of the directional signs has been completed, minus one directional sign on Mason Street that will be installed in January due to a utility conflict. Work on the southern gateway location is progressing.
- Downtown Revitalization Grant: The RFP for consultant services was released on January 2. Responses are due on January 29. The Project Management Team will make a selection based on the criteria in the RFP and the winning bid will be presented at the February council meeting for award.
- Façade Enhancement Grant: One new application from UMA, Inc. was received. There will be an EDA meeting on January 11 at 5:30 pm to consider the application.

2. Community Development

- One zoning permits was issued.
- No Certificates of Occupancy were issued.
- No Chicken Keeping application were received.
- No Short-Term Rental Applications were received.
- No applications for a Home Occupations Permit were received.
- Responded to 4 zoning inquiries.
- The developer of Dayton Crossing has requested staff come up with street names. They will be presented at the January council meeting.

3. Events

- Holiday event wrap-up:
 - The Christmas Parade followed by the Tree Lighting on December 9 was an overall success despite the rescheduling of the tree lighting. Thank you to all of the groups and businesses that entered a float – we had 28 entries. Staff is working on plans for next year to keep the two events together and have the tree lighting in the evening. Attendance at the Tree Lighting ceremony was estimated at 75.
 - Thank you to all of the businesses that donated door prizes to the Resident Christmas Party! Attendance was estimated at 80-90 people.
 - Congratulations to our holiday decorating contest winners!

- People's Choice Award WINNER: 365 Ashby Street
- Clark Griswold Award WINNER: 145 Eastview Street
- Clark Griswold Award Honorable Mention: 220 Eastview Street
- Classic Holiday Elegance Award WINNER: 105 Willow Drive
- Classic Holiday Elegance Award Honorable Mention: 802 Thompson Street
- Winter Wonderland Award WINNER: 119 Rhodes Hill Drive
- Winter Wonderland Award Honorable Mention: 510 Mason Street
- Santa's Workshop Award (Business Category) WINNER: Mane Street Salon (201 Main Street)
- Santa's Workshop Award (Business Category) Honorable Mention: Heritage Real Estate (205 Main Street)

4. Other

- Attended VAZO training December 6-8.
- Staff has received no applications for the EDA or BZA. The vacancies will remain open until filled.

Treasurer:

- Staff continues to work on a Federal Procurement Policy and a revised PTO policy to come before Council at an upcoming Council meeting.
- Staff will finalize the FY23 journal entries and Capital Carry over to close out the FY23 budget (no Council action needed). Changes will be reflected on the Financial Report presented in February.
- Staff continues to work to revise the fee schedule to address how to best handle pop-up vendors and food trucks in Town for consistency, clarity, and enforcement. Staff will work with the appropriate Council committees for recommendations to the full Council.
- Staff is working on the FY24 budget amendment & will present it at the April Council meeting.
- Staff will begin a meeting with department heads for FY25 budget preparation.
- Items for Council Consideration: Compensation Study quote from the Berkley Group in the amount of \$18,082

Town of Dayton
 Budget v. Actual Report
 FY24 PERIOD ENDING 12/31/2023

REVENUES	Budget	MTD	YTD	Variance	% Rcvd
General Fund					
Property Taxes	\$ 166,500	\$ 903	\$ 167,629	\$ 1,129	101%
Other Local Taxes	\$ 416,250	\$ 17,425	\$ 216,169	\$ (200,081)	52%
Permits, Privilege Fees & Licenses	\$ 500	\$ 25	\$ 1,530	\$ 1,030	306%
Fines & Forfeitures	\$ 42,500	\$ 7,713	\$ 42,051	\$ (449)	99%
Rev. from use of money & prop.	\$ 500	\$ 75	\$ 250	\$ (250)	50%
Charges for services	\$ 165,000	\$ 14,137	\$ 70,201	\$ (94,799)	43%
Other	\$ 116,000	\$ 4,130	\$ 9,215	\$ (106,785)	8%
State & Federal Funding	\$ 133,872	\$ 32,007	\$ 96,150	\$ (37,722)	72%
Transfer from Water & Sewer	\$ 1,338,264	\$ -	\$ -	\$ (1,338,264)	0%
TOTAL GF REVENUES	\$ 2,379,386	\$ 76,415	\$ 603,195	\$ (1,776,191)	25%
General Capital Fund					
Transfer from Water & Sewer	\$773,879				
Carry over funds from PY					
Water & Sewer Capital Fund					
Transfer from Water & Sewer Fund	\$446,575				
Carry over funds from PY	\$0				
TOTAL CAPITAL FUND	\$1,220,454				
Water & Sewer Fund					
Charges for Service	\$3,733,600	\$322,986	\$1,727,910	(\$2,005,690)	46%
W&S Conn Fees	\$20,000	\$0	\$12,750	(\$7,250)	64%
Interest	\$10,000	\$32,257	\$72,716	\$62,716	727%
Misc.	\$2,500		\$685	(\$1,815)	27%
Funding from Reserves	\$112,075	\$0	\$0	(\$112,075)	0%
TOTAL W&S REVENUES	\$3,878,175	\$355,243	\$1,814,061	(\$2,064,114)	47%
TOTAL REVENUES	\$ 7,478,015	\$ 431,658	\$ 2,417,256	(\$5,060,759)	32%

EXPENDITURES	Budget	MTD	YTD	Variance	% Used
General Government	\$ 635,791	\$ 46,779	\$ 379,788	\$ 256,003	60%
Public Safety	\$ 816,130	\$ 55,762	\$ 401,460	\$ 414,670	49%
Public Works	\$ 529,165	\$ 17,745	\$ 213,105	\$ 316,060	40%
Parks, Rec & Culture	\$ 201,506	\$ 10,604	\$ 65,893	\$ 135,613	33%
Community Development	\$ 196,794	\$ 6,594	\$ 73,453	\$ 123,341	37%
TOTAL GF EXPENDITURES	\$ 2,379,386	\$ 137,484	\$ 1,133,699	\$ 1,245,687	48%
Capital Projects (will have carry over from FY23--amounts pending final computation)					
PD Equipment*	\$ 50,000	\$ 4,217	\$ 71,389	\$ (21,389)	143%
Greenway Project	\$ 54,438	\$ 10,453	\$ 10,453	\$ 43,985	19%
King Street Extension	\$ 75,649	\$ -	\$ -	\$ 75,649	0%
Sign Program	\$ 250,812	\$ -	\$ 239,897	\$ 10,915	96%
Sidewalks	\$ 42,980	\$ -	\$ 14,315	\$ 28,665	33%
Town Street & Alley Resurfacing	\$ 50,000	\$ -	\$ -	\$ 50,000	0%
Land Acquisition & Amenities	\$ 75,000	\$ -	\$ 26,350	\$ 48,650	35%
Playground Equipment	\$ 65,000	\$ -	\$ 52,993	\$ 12,007	82%
Public Works Vehicle *	\$ -	\$ -	\$ 55,319	\$ (55,319)	
Dump Truck	\$ 75,000	\$ -	\$ 63,206	\$ 11,794	84%
Ventrac Mower	\$ 35,000	\$ -	\$ 34,895	\$ 105	100%
Water Line Extension	\$ 145,000	\$ -	\$ -	\$ 145,000	0%
Water Storage Facility	\$ 100,000	\$ 226,765	\$ 226,765	\$ (126,765)	227%
Water/Sewer Line Replacement	\$ 201,575	\$ -	\$ 111,791	\$ 89,784	55%
TOTAL CAPITAL PROJECTS	\$ 1,220,454	\$ 241,435	\$ 907,373	\$ 313,081	74%
Water & Sewer Fund					
Operating	\$ 705,646	\$ 86,746	\$ 422,505	\$ 283,141	60%
HRRSA	\$ 1,809,265	\$ 159,262	\$ 937,456	\$ 871,809	52%
Water Fund Contingency	\$ 25,000	\$ -	\$ -	\$ 25,000	0%
TOTAL W & S EXPENDITURES	\$ 2,539,911	\$ 246,008	\$ 1,359,961	\$ 1,179,950	54%
Transfer to General	\$1,338,264				
Transfer to Capital-Water & Sewer	\$0				
Transfer to Reserves	\$0				
TOTAL CAPITAL TRANSFER	\$1,338,264				
TOTAL EXPENDITURES	\$ 7,478,015	\$ 624,927	\$ 3,401,033	\$4,076,982	45%
NET TOTAL		(\$193,269)	(\$983,777)		

*pending budget amendment



STAFF REPORT

TO: Town Council

VIA: Brian J. Borne, Town Manager

DATE: January 8, 2024

FROM: Brian J. Borne, Town Manager

PREPARED BY: Meggie Roche, Community & Economic Development Coordinator

SUBJECT: Dayton Crossing Street Names

SUMMARY STATEMENT

Town Council is requested to consider street names for the new Dayton Crossing Subdivision.

REVIEW

The Developer of Dayton Crossing has requested that staff come up with street names for the new subdivision. There are 4 total streets to be named. Below is a list of 8 options.* The only street name the developer feels strongly about including is Menno Simons.

- Menno Simons Drive
- Dayton Crossing Drive
- Southview Street
- Whetzel Way
- Burkholder Street
- Collier Court
- Fletchall Street
- Rifetown Road
- Conservatory Lane
- Marval Lane

*Pending GIS confirmation from Rockingham County that there are no duplicates in the County.

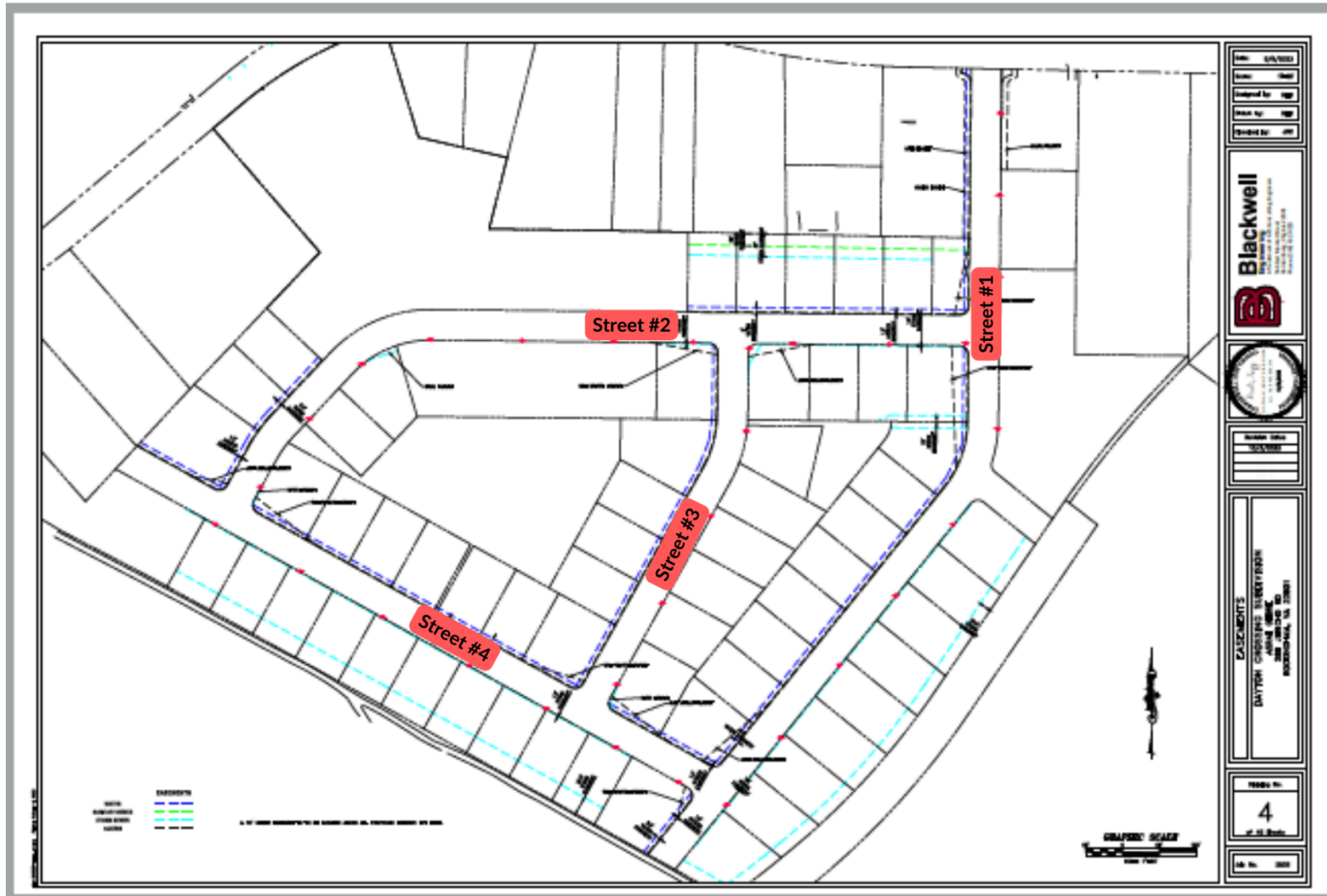
RECOMMENDATION

The Town of Dayton Staff recommends Town Council consider approval of 4 street names out of the list.

Attachment(s):

Attachment A: Dayton Crossing Street Map

Dayton Crossing Street Names



Not a final site plan. Intended for visual purposes only.