

CITY OF DAYTON
COUNCIL MEETING
NOVEMBER 16, 2010

A regular meeting of Dayton City Council was held on Tuesday, Nov. 16, 2010, 7:00 p.m. in the Council Chamber of the Dayton City Building. Mayor Rankle opened the meeting with a moment of silent prayer and led the Pledge of Allegiance.

ROLL CALL:

Mayor Rankle	present	Member Gunning	present
Member Ashford	absent	Member Allen	present
Member Brooks	present	City Adm. Redmond	present
Member Volter	present	City Att. Fischer	present
Member Boruske	present		

MAYOR'S REPORT:

Congratulations to Michael Giffen, Main St. Manager, who did a fantastic job organizing the Fall Festival. Thanks to Allen Smith for organizing the haunted hayrides, great job.

Congratulations to all who won in the recent council election. Thanks to Ron Gunning, Bobby Allen and Ernie Brooks for their years of service to the community.

For the record: Mayor Rankle announced the city offers a home conversion grant and a sidewalk grant; he took advantage of both grants this year. The Mayor does not feel he should be treated as a second or third rate citizen and should be eligible for grants offered by the city. There is still about \$8,600 left in the sidewalk grant fund. To apply for a sidewalk grant the property must be owner/occupied.

The city was recently on the news in reference to city worker taking down signs that were posted on telephone poles, for a missing girl. We did take the sign down, along with the City of Bellevue, because we have an ordinance against posting signs on telephone poles. The signs are in the Clerk's Office of the city building, and the information is on the city's web page. We hope for her safety and will help out in anyway we can.

CITY ADMINISTRATOR'S REPORT:

Only one bid was received for the 1998 Ford Crown Vic. 4-door that we advertised in the paper. We recently spent over \$600.00 on a transmission cooler. I think the city should junk the vehicle and sell it for parts. Motion by Member Boruske, seconded by Member Volter to reject the bid and use the vehicle for parts. Motion carried—so ordered.

CONSENT AGENDA:

Motion by Member Allen, seconded by Member Gunning to approve the minutes from the Oct. 5, 2010 meeting. Motion carried—so ordered.

ORDINANCE AND ORDERS:

First Reading:

CITY OF DAYTON, KENTUCKY

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AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE DAYTON, KENTUCKY CODE OF ORDINANCES, CHAPTER 111, ALCOHOLIC BEVERAGES.

BE IT ORDAINED BY THE CITY OF DAYTON, CAMPBELL COUNTY, KENTUCKY:

SECTION ONE: That the Dayton, Kentucky Code of Ordinances, Chapter 111, Section 111.04 is hereby amended as follows:

There shall be issued by the City Clerk/Treasurer the following kinds of licenses:

(A) (1) A license covering the sale of malt beverages containing 0.5% or more alcohol by volume, over bars, fountains, or at tables where the beverage is consumed on

the premises of the licensee is required. The beverage may be served in glasses, steins, or other containers after being drawn from a tap or spigot connected with a barrel, keg, or other large bulk container or may be served in bottles or cans which have been packaged off the premises of the licensee. Licensees may also sell such malt beverages in bottles, jugs, or other containers to be consumed off the premises.

(2) The annual license fee shall be \$200.00 per year for new applicants and \$150.00 per year for renewal.

(B) The annual license fee covering the sale of all alcoholic beverages not mentioned in subsection A of this section by the drink, to be consumed on the premises of the licensee, shall be \$675.00 ~~for the year beginning July 1, 1995.~~

(C) The annual license fee covering the sale of all alcoholic beverages not mentioned in subsection A of this section in unbroken packages of any size, not to be consumed on the premises of the licensee shall be \$600.00 .

(D) The annual license fee covering the sale of all alcoholic beverages not mentioned in subsection A of this section at wholesale, in cases, to persons or firms holding a retail liquor license shall be \$600.00.

(E) The annual license fee covering the sale of all alcoholic beverages not mentioned in subsection A of this section at clubs or lodges which have been in continuous existence within the city for at least one year before making application and having a regular membership shall be \$225.00 .

(F) The temporary license fee covering the sale of all alcoholic beverages not mentioned in subsection A of this section for less than a full year shall be \$166.66 per month or part of a month.

(G) The temporary license fee covering the sale of all alcoholic beverages mentioned in subsection A of this section for less than a full year shall be \$25.00 per month or part of a month.

(H) The annual license fee covering the sale of all alcoholic beverages mentioned in subsection A of this section at wholesale by distributorship sold at delivery to persons or firms holding a retail malt beverage license shall be \$400.00.

(I) The annual license fee covering the sale of only restaurant wine shall be \$300.00.

~~(J)~~ (J) The license fee for a license authorized to be issued under this section which application for such license is made after July 1 of any year shall be charged an amount equal to as many twelfths of the annual license fee as there are calendar months, including the month in which the license is granted, until the following July 1, except that no license shall be issued for a shorter period than six (6) months. No abatement of license fees shall be permitted to any person who held a license of the same kind for the same premises in the preceding license period and who was actually doing business under the license during the last month of the preceding license period.

SECTION TWO: This ordinance shall be signed by the Mayor, attested by the City Clerk, recorded, published and shall be in effect at the earliest time provided by law.

PASSED by City Council of the City of Dayton, Kentucky assembled in regular session.

First Reading: Nov. 16, 2010
Second Reading: Dec. 7, 2010

CITY OF DAYTON, KENTUCKY

by _____
Kenneth E. Rankle
its Mayor

ATTEST:

Donna Leger, its Clerk

DEPARTMENT HEAD REPORT'S:

Dennis Lynn, Fire Chief: The fire department is waiting for parts to fix the control lights on the ambulance. We are currently using an ambulance from Central Campbell.

Don Riley, Director of Code: Mr. Riley submitted a copy of his report to Mayor and Council.

Michael Giffen, Main St. Manager: Thanks to Rick Lucas and public works for their help at the Fall Festival. Dayton has been chosen, along with the city of Bellevue to host "Give Back Cincinnati's" tenth annual Paint the Town on June 11, 2011. A group of volunteers will come into the city for one-day and paint over 40 homes. The homes selected must be owner/occupied and the owner must be financially or physically unable to do the work. Applications will be available at City Hall. We are currently looking for an area to park over 600 vehicles.

Donna Leger, Clerk/Treas: The auditor will be in this week, working on the 2009/2010 audit.

Rick Lucas, Supt. Public Works: The new garbage cans on the avenue are compliments of Metal Solutions; they were free to the city. Residents can call the city building for leaf pickup. The snow removal equipment is ready to go and the salt has been delivered. Last Friday the public works department disposed of 328 tires, six computers and eight propane tanks.

Lt. Mark Antrobus, Police Dept.: At the end of November two Police Officer's will be leaving. Officer Matt Marksbury is going to Newport and Officer Pete Schierloh is retiring. Motion by Member Allen, seconded by Member Gunning to accept both resignations. Motion carried—so ordered. Mayor Rankle said Officer Marksbury will be required to pay back part of his training cost.

STANDING COMMITTEE REPORTS:

Finance (Member Volter):

Our next meeting will be scheduled pending the auditor's report.

Public Safety (Member Allen):

No report.

Public Works (Member Ashford):

No report.

Parks & Real Estate (Member Brooks):

The parks are being winterized this week.

Personnel, Law & Printing (Member Gunning):

No report.

Economic Development (Member Boruske):

No report.

PETITIONS:

Member Volter said Jennifer Sierra, 200 Block Sixth Ave., has an issue with cats, several running loose and messy. Donna Leger will contact animal control tomorrow.

Member Volter has received more than one complaint about garbage pickup. Our resident's garbage cans are being damaged, cans missing and rude CSI drivers. City Adm. Redmond said the CSI contract is in the third year with a possible eight year renewal. At the end of the fourth year we can cancel the contract. The new manager for CSI was in the office last week and she understands our concerns.

AUDIENCE:

Bill Burns: The area between Main St. and Clay St. on Fourth Avenue is not well lighted. It's very dark and a person recently fell in this area. Mr. Burns said he respects the cities sign ordinance but it was written in 1979. Is the city going on record for or against the smoking ban? Mayor Rankle said the county will have the first reading of an ordinance tomorrow but the city has not seen the ordinance. City Att. Fischer said after the first reading the county will publish the ordinance and then hold the second reading. Dennis Lynn, Fire Chief, said a copy of the ordinance is on the County web site. Mr. Burns said he is dead against the smoking ban.

Joan Cashwell: Ms. Cashwell asked if the Police of Chief was gone and why? Mayor Rankle said yes, he's gone because of irreconcilable differences.

Mayor Rankle entertained a motion to go into executive session to discuss KRS 61.810 (b) deliberations on the future acquisition or sale of real property by a public agency, but only when publicity would be likely to affect the value of a specific piece of property to be acquired for public use or sold by a public agency. (c) discussion of proposed or pending litigation against or on behalf of the public agency. Motion by Member Boruske, seconded by Member Allen to go into executive session. Motion carried—so ordered.

Motion by Member Allen, seconded by Member Gunning to go back into regular session. Motion carried—so ordered.

Motion by Member Boruske, seconded by Member Allen to adjourn. Motion carried—so ordered.

Respectfully submitted,

Donna Leger
Clerk/Treas.

ATTEST:

Kenneth E. Rankle
Mayor