

CITY OF DAYTON, KENTUCY
CITY COUNCIL MEETING
October 2, 2007

A regularly scheduled meeting of the Dayton City Council was held on Tuesday, October 2, 2007, 7:00 p.m. in the council chamber of the Dayton City Building, 514 Sixth Avenue. Mayor Rankle opened the meeting with the pledge of allegiance and a moment of silent prayer.

ROLL CALL

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

MAYOR'S REPORT

Mayor Rankle introduced Mr. Bobby Fuller, the city's new Superintendent of Public Works. Over 70 applications were received. Motion by Member Gunning, seconded by Member Volter, to approve Mayor Rankle's appointment of Mr. Fuller. All in favor, none opposed, motion carried--so ordered. Mr. Fuller will begin work on October 15th.

Mayor Rankle introduced Mr. Titus Byer, Program Director of the YMCA Teen Center. He stated that the Center serves 50 young people every day between the hours of 3 p.m. and 6 p.m., the hours of the highest crime rate for kids. Art, science, soccer, kick ball, and learning new skills are activities at the center. The emphasis is on building character, not on negative things. On Mondays and Fridays, senior citizens play euchre and other card games.

City Administrator Redmond said the real change on Berry Street will be at the floodwall, and it is very possible the developers of the riverfront project will acquire the Teen Center building, and we will need to think about relocating it. We need to be thinking about possibly building a complete YMCA facility. Mr. Redmond said this project would not be over our head. We need not only to preserve but also to build.

Mayor Rankle then recognized Mr. Vice Dawn, owner of Riverside Supervalu Market. He has requested permission from council to put up a new sign, which has a reader board that is six feet wide and three feet tall. The county planners are willing to write the text to allow this. Member Ashford moved to have the county rewrite the text to allow this sign in the Neighborhood Commercial zone, and Member Boruske seconded the motion. Mr. Redmond stated there is a meeting with the planners next week, so they will have it for their November meeting. Mr. Dawn said he is making half a million dollars' worth of improvements in the store. There will be 25% more shopping area, and 4,000-5,000 more items. Motion carried--so ordered.

CITY ADMINISTRATOR'S REPORT

City Administrator Redmond said we will move the regular November meeting to the Riverpoint Condominium clubhouse because the residents have asked for the meeting.

CITY ATTORNEY'S REPORT - no report

DEPARTMENT HEAD'S REPORT

Police Chief Jim Werner said the Police Department has received their new uniforms and all officers will be in uniform by October 15th. This will put pride back in the Police Department.

Chief Werner explained a problem that had occurred in another city, which involved over 200 people. Several departments had responded, but ours was the only one with a taser. He asked Council to please consider buying more tasers; we have a trained instructor. He would like to have 9 tasers, which would cost \$7000. Member Volter asked if that should be referred to the finance committee. The cost per taser is \$814.95. The tasers have been used 5 times since the Chief has taken over. The cartridge can only be used one time. Member Volter moved to buy 4 tasers, Member Allen seconded the motion. Motion carried--so ordered.

CONSENT AGENDA

Motion by Member Hurtt to approve the minutes of the public hearing held on September 18th 2007, seconded by Member Volter. Motion carried--so ordered. Motion by Member Ashford to approve the minutes of the September 18, 2007 city council meeting, seconded by Member Allen. Motion carried--so ordered.

CORRESPONDENCE- none

ORDINANCES AND ORDERS

First Reading:

CITY OF DAYTON, KENTUCKY

2007 -22

AN ORDINANCE AMENDING THE DAYTON CODE OF ORDINANCES CHAPTER 50, §50.09 INCREASING THE WASTE COLLECTION FEE

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

SECTION ONE: The Dayton Code of Ordinances Chapter 50, is amended in Chapter 50.09 (B) as follows:

(A) For the purpose of this section the following definitions shall apply unless the context clearly indicates or requires a different meaning:

(1) "OWNER OF IMPROVED REAL ESTATE." The titleholder of record.

(2) "PERSON, FIRM OR CORPORATION DOING BUSINESS IN THE CITY OF DAYTON, KENTUCKY." The person, firm or corporation in whose name the occupational license fee for said business is registered.

(B) There is hereby levied and imposed upon the owners of improved real estate in the City of Dayton, Kentucky and upon persons, firms, and corporations doing business in the City of Dayton, Kentucky, a waste collection service fee as follows:

1. For each residential unit, the sum of ~~One Hundred Thirty (\$130.00) Dollars per annum in fiscal year 2004, 2005 and 2006 and One Hundred Thirty six (\$136.00) per annum in fiscal year 2007~~ One Hundred Forty Three (\$143.00) Dollars per annum in fiscal years 2008, 2009 and 2010, One Hundred Forty Nine (\$149.00) Dollars per annum in fiscal year 2011, One Hundred Fifty Five (\$155.00) Dollars per annum in fiscal year 2012, One Hundred Sixty One (\$161.00) Dollars per annum in fiscal year 2013 and 2014, One Hundred Sixty Eight (\$168.00) Dollars per annum in fiscal year 2015 and 2016, and each fiscal year thereafter, payable as stated herein;

2. For each business or commercial unit, the sum of ~~One Hundred Forty four (\$144.00) Dollars per annum in fiscal year 2004, 2005 and 2006 and One Hundred Fifty (\$150.00) per annum in fiscal year 2007~~ One Hundred Fifty Eight (\$158.00) Dollars per annum in fiscal years 2008, 2009, and 2010, One Hundred Sixty Four Dollars (\$164.00) Dollars per annum in fiscal year 2011, One Hundred Seventy Dollars (\$170.00) Dollars per annum in fiscal year 2012, One Hundred Seventy Six (\$176.00) Dollars per annum in fiscal year 2013 and 2014, One Hundred Eight Three (\$183.00) Dollars per annum for fiscal 2015 and 2016, and each fiscal year thereafter, payable as stated herein;

3. For each business or commercial unit averaging the use of more than the equivalent of 10 eighteen gallon trash containers per pickup shall contract directly with and pay directly a private waste collection service;

(C) The waste collection service fee provided by this section shall be added to the yearly ad valorem tax bill for the said property and shall be collected on or before the date due for such ad valorem taxes. All waste collection service fees remaining unpaid after such date shall be deemed delinquent and shall be subject to the same penalty as set for delinquent ad valorem taxes for the same year in addition to any other penalty provided under this Chapter. Further, delinquent waste collection fees may be collected by the City Attorney in civil suit against the responsible party if all other methods of collection fail in any manner allowed by law.

(D) All proceeds collected under this section shall be paid into a separate fund to pay for the collection of waste, collection of debris, and upkeep and cleanliness of the city and its properties. Nothing in this section shall be interpreted to prohibit payment of monies from the separate fund into the city's General Fund for service of the type described herein paid from General Fund revenues.

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, Campbell County, Kentucky assembled in regular session.

First Reading: October 2, 2007
Second Reading: October , 2007

CITY OF DAYTON, KENTUCKY

by _____
Kenneth E. Rankle
its Mayor

ATTEST:

Donna Leger, its Clerk

Mr. Redmond stated that the bid for waste was advertised. We received bids from Bavarian, Rumpke, and CSI which was the best bid. The waste bill will go up 27 cents a week. We will be meeting with them on Wednesday at 10: a.m. and will discuss recycling and portolets. They have asked for 8 holidays a year: Thanksgiving, Christmas, New Year's Day, Memorial Day, 4th of July etc. We will have the second reading this week along with the tax ordinance on Thursday at 12:00 noon.

Second Reading:

CITY OF DAYTON, KENTUCKY

2007 - #20

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF DAYTON CHAPTER 154, SECTIONS 154.176, CLASSIFICATION OF SIGNS

This ordinance amends Sections 154.176(F) of the Dayton Code of Ordinance to change the distance a projecting sign can extend from a building. The distance is changed from "...up to one-half (1/2) of the width of the sidewalk" to "...six (6) inches from the edge of pavement/outside curb of the street."

I, **JOHN C. FISCHER**, an attorney licensed to practice law in the Commonwealth of Kentucky, acting as attorney for the City of Dayton, Kentucky, do hereby certify that this summary was prepared by me at the direction of the Council of the City of Dayton, and that said summary is a true and accurate summary of the contents of the ordinance.

JOHN C. FISCHER

Motion to approve Ordinance 2007-#20 by Member Boruske, seconded by Member Gunning.

Roll Call:

Member Allen	aye	Member Volter	aye
Member Ashford	aye	Member Boruske	aye
Member Hurtt	aye	Member Gunning	aye

Motion carried--so ordered.

CITY OF DAYTON, KENTUCKY

2007 - # 21

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DAYTON

This ordinance rezones 59.511 acres of those lands north of Dodd Drive and Mary Ingles Highway from Clark Street to Burma Road more particularly described in a metes and bounds description and a map attached to the ordinance to be designated as an MLU zone. It, further declares that a Stage I and Stage II development plan be submitted and approved prior to any development.

I, **JOHN C. FISCHER**, an attorney licensed to practice law in the Commonwealth of Kentucky, acting as attorney for the City of Dayton, Kentucky, do hereby certify that this summary was prepared by me at the direction of the Council of the City of Dayton, and that said summary is a true and accurate summary of the contents of the ordinance.

JOHN C. FISCHER

Motion to approve Ordinance No. 2007#21 by Member Boruske, seconded by Member Allen.

ROLL CALL:

Member Ashford	aye	Member Boruske	aye
Member Hurtt	aye	Member Gunning	aye
Member Volter	aye	Member Allen	aye

Motion carried--so ordered.

STANDING COMMITTEE REPORTS

Finance (Member Volter): Next meeting will be October 23rd at 5:30 p.m.

Public Safety (Member Allen): No report.

Public Works (Member Ashford): No report.

Parks and Real Estate (Member Hurtt): Motion by Member Hurtt to set the due date for the property tax bills as November 19, 2007. Second by Member Ashford. Motion carried--so ordered.

Personnel, Law & Printing (Member Gunning): no report.

Economic Development (Member Boruske): no report.

UNFINISHED BUSINESS

Member Boruske moved to get out of the cable board. Even if we don't get a distribution from the board, we would still have a savings of \$40,000. Member Allen seconded the motion. Motion carried--so ordered.

ROLL CALL:

Member Hurtt	aye	Member Gunning	aye
Member Volter	aye	Member Allen	aye
Member Boruske	aye	Member Ashford	aye

Mayor Rankle said we should draft a letter to the Attorney General asking for an opinion on the interlocal agreement. Mr. Redmond said that the Fiscal Court has made an effort. They asked the city to please compromise. Last time the board made a distribution, the city got 8% of \$170,000. Right now the balance on hand is \$733,000. They have a quarter of a million dollars in excess revenue. There has been no compromise. Mr. Redmond recommended the city notify the board of our withdrawal effective September 30th, 2007. We will pay the quarterly payment, and also ask for the Attorney General's opinion.

NEW BUSINESS

Member Volter said that she had purchased energy-saving bulbs at the City Building in Bellevue for .99 each, limit of 12 per household. The City of Ft. Mitchell will be selling them until the end of December between 10:00 a.m. and 4:00 p.m. Mayor Rankle recognized Mr. Michael Swango, 513 Tenth Avenue, who asked about how the new development would effect Berry Street. The street will go up and over the floodwall. Mr. Swango asked about trash pickup. Mr. Redmond said that no demolition materials or construction materials will be allowed in the trash pickup. We will continue to have yard waste picked up. CSI will come for a special fee. We need to start reducing the waste stream.

It is anticipated that more property will be taken for the riverfront development.

Dr. Cook thanked Mayor and Council for the sign ordinance.

Motion to adjourn by Member Boruske, second by Member Hurtt.

Meeting adjourned.

Respectfully Submitted,

Barbara Washington
Assistant City Clerk/Treasurer

ATTEST:

Kenneth E. Rankle, Mayor