

CITY COUNCIL MEETING
City of Dayton, Kentucky
August 7, 2007

A regular meeting of the Dayton, Kentucky City Council was held on Tuesday, August 7, 2007, 7:00 p.m. in the Council Chamber of the Dayton City Building. Mayor Rankle opened the meeting with the Pledge of Allegiance and a moment of silent prayer.

ROLL CALL:

Mayor Rankle	present	Member Boruske	present
Member Ashford	present	Member Gunning	present
Member Hurtt	present	Member Allen	present
Member Volter	present	City Administrator Redmond	present
Member Boruske	present	City Attorney Fischer	present

MAYOR'S REPORT

Mayor Rankle announced that the Dayton Senior Citizens Picnic will be held Wednesday, September 12th at the VFW. Call if you need a ride.

We finally have the approval from FEMA to change the flood map and bring in dirt to raise the riverbank. Mayor Rankle stated that August 24th will be Northern Kentucky Developers' Day. There will be a boat ride past Dayton, Bellevue, Newport, Covington and Ludlow. Three buses will bring the 300 participants back, and each city will have a chance to tell the others what is happening in their city. Mr. Redmond is going, and council is invited.

Musicfest was held on Friday and Saturday night, and was a huge success. The Park Board made lots of money for the basketball courts.

CITY ADMINISTRATOR'S REPORT

City Administrator Dennis Redmond said, in reference to handicapped parking, this council has a concern about those who really need handicap parking. In 2007 we have granted one new space and taken down 9 because of people moving or passing away. He recommended denying handicap parking for 319 5th because there is adequate off street parking. He also recommended denying handicap parking for 310 5th, because there is adequate parking in the rear. He recommended denying handicap parking for 767 3rd Avenue, because the resident is legally blind and does not drive. We have had a change in ordinance and all three residents have been written. Ms. Davis of 310 5th Avenue stated it is a lot farther to walk, and the alley is not in good shape, and would not be as convenient as it would be for the house at 319. Mr. Redmond suggested that council act on 2 and in courtesy to Ms. Davis, go look at it. Member Boruske motioned to eliminate the two spaces, and Member Ashford seconded the motion. The motion carried--so ordered. Ms. Davis said because of vandalism, she will try to enclose the space. Mr. Redmond said if the space is fenced and her parking area eliminated, she would be entitled to a space.

Police Chief Jim Werner stated that the church at 8th and Walnut would like to have the handicap space moved around the corner. It currently is on 8th, they want to move it to Walnut. It is used only on Sunday. Member Ashford voted to allow the move, and Member Hurtt seconded the motion. Motion carried--so ordered.

Mr.Redmond stated it had been said in the community that he had made derogatory remarks at the last council meeting. He had no recollection of doing so but did apologize.

CITY ATTORNEY'S REPORT-no report

CITY ENGINEER'S REPORT -no report

DEPARTMENT REPORTS

Main Street Manager Marvin Knobloch thanked everyone for their support on the 5th Annual Dayton Day at Coney. He is working on Developers' Day too.

He also reported he met the new owner of the former McCarthy's restaurant. The new name will be Sixth Avenue Diner and it will be a no-smoking, family restaurant. It will be open for breakfast, lunch and dinner.

There will be a Dayton Open House on September 15, 2007.

CONSENT AGENDA

Member Ashford motioned to approve the minutes of the July 3rd council meeting, the July 17th council meeting, and two public hearings held on July 17th. Member Allen seconded the motion. Motion carried--so ordered.

CORRESPONDENCE

1. Assistant Clerk Barbara Washington read a note to Mayor and Council from Tom Schwartz on behalf of the Band Director and the Dayton High School Marching Band Students, commending Public Works Superintendent Don Riley and his crew.

2. Request from Mike Mocchiola to have a car stop on September 7th and 8th at 6th and Berry and 6th and O'Fallon-- no objection from Council.

3. Request for approval for St. Bernard Festival in Gil Lynn Park August 31st, and September 1st--no objection from Council.

4. Request for approval for New Beginnings Community Church to have a special event on September 16th at the Towne Center between 6:00 and 7:30--no objection from Council.

ORDINANCES AND ORDERS

Second reading;

CITY OF DAYTON, KENTUCKY

ORDINANCE 2007-16

An ordinance of the City Council of the City of Dayton, Kentucky, authorizing the issuance of up to \$1,300,000 principal amount of the City of Dayton, Kentucky tax increment and special assessment revenue
An ordinance of the City Council of the City of Dayton, Kentucky, authorizing the issuance of up to bonds, series 2007 (Belmont Lake Project) (The "Bonds", issued for the purpose of financing the acquisition, construction, and equipping of certain public infrastructure improvements located in the City of Dayton, Kentucky; and approving, authorizing and acknowledging the execution and delivery of (1) a trust indenture between U.S. Bank National Association, a national banking association, and City of Dayton, Kentucky; (2) A placement agreement among the City of Dayton, Kentucky and RBC Capital Markets (The "placement agent"); (3) A service agreement between the City of Dayton, Kentucky and Belmont Lake, LLC (The "developer") and (4) any and all other related documents necessary thereto.

Motion to approve Ordinance 2007 -16 by Member Ashford, seconded by Member Hurtt.

ROLL CALL:

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

Motion carried--so ordered.

First reading:

CITY OF DAYTON, KENTUCKY

2007- 19 R

AN ORDER ADOPTING THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) LETTER OF MAP REVISION (LOMR) DATED JULY 31, 2007 TO THE FLOOD INSURANCE RATE MAP (FIRM) BASED ON THE FLOOD INSURANCE STUDY (FIS) FOR CAMPBELL COUNTY, DATED SEPTEMBER 20, 2004.

BE IT ORDERED BY THE CITY OF DAYTON, CAMPBELL COUNTY, KENTUCKY

SECTION ONE: The City hereby adopts the revisions to the Dayton portion of the flood insurance map contained in the Federal Emergency Management Agency (FEMA) Letter of Map Revision (LOMR) dated July 31, 2007 to the Flood Insurance Rate Maps (FIRMS) based upon the Flood Insurance Study (FIS) for Campbell County, dated September 30, 2004. The City shall enforce all of its flood damage control regulations against all property located in flood prone areas as shown by the FIRM and LOMR.

SECTION TWO: This order shall be signed by the Mayor, attested by the City Clerk, recorded, and shall be in effect at the earliest time provided by law and a certified copy provided to the necessary officials and agencies.

PASSED by City Council of the City of Dayton, Campbell County, Kentucky assembled in regular session this ____ day of _____, 2007.

CITY OF DAYTON, KENTUCKY

by _____
KENNETH E. RANKLE
its Mayor

ATTEST:

DONNA LEGER, its Clerk

Motion to approve Resolution 19R by Member Allen, seconded by Member Volter.

ROLL CALL:
Member Gunning aye Member Hurtt aye
Member Allen aye Member Volter aye
Member Ashford aye Member Boruske aye

Motion carried--so ordered.

First reading:

THE CITY OF DAYTON, KENTUCKY

2007 - 17

AN ORDINANCE AMENDING THE DAYTON CODE OF ORDINANCES CHAPTER 152 § 152.07 REGARDING SPECIAL FLOOD HAZARD AREAS

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

SECTION ONE: That the the City of Dayton, Kentucky Code of Ordinances Chapter 152, § 152.07 is hereby amended as follows:

The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in the Flood Insurance Study (FIS) for Campbell County, dated September 30, 2004 with the accompanying Flood Insurance Rate Maps (FIRMS) as amended by Federal Emergency Management Agency (FEMA) Letter of Map Revision (LOMR) dated July 31, 2007 and other supporting data are adopted by reference and declared to be a part of these regulations by the City of Dayton, and for those land areas acquired by the City of Dayton through annexation. This FIS and attendant mapping is the minimum area of applicability of this ordinance and may be supplemented by studies for other areas which allow implementation of this ordinance and which are recommended to the City Council by the Floodplain Administrator and are enacted by City Council pursuant to statutes governing land use management regulations. The FIS and/or FIRM are permanent records of the City of Dayton and are on file and available for review by the public during regular business hours at the City of Dayton at 514 Sixth Avenue, Dayton, KY

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

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

First Reading:
Second Reading:

THE CITY OF DAYTON, KENTUCKY

by: _____
Kenneth E. Rankle
its Mayor

ATTEST:

Donna Leger, its Clerk

STANDING COMMITTEE REPORTS

Finance (Member Volter): no report

Public Safety (Member Allen):

1. New uniforms for the Police Department - there is money in the general fund budget for uniforms if money is shuffled. New uniforms will be worn starting October 1st.
2. Changing Ervin Terrace to two-way between 5th and 6th - Member Allen moved to make Ervin Terrace a two-way street between 5th and 6th, and to contact state about placing a light. City Administrator Redmond stated he thought the state would recommend making the street two-way with signs. Member Ashford said to do a light with the two-way, and seconded the motion. Motion carried--so ordered. The railroad will work on the Vine Street crossing within the next 14 days, putting down hot mix.

Public Works (Member Ashford): Member Ashford said that the contract for street work has been awarded and signed. There is no start date as yet.

Parks & Real Estate (Member Hurtt): Musicfest made \$8500. On September 8th, the Park Board will sponsor a free movie with free pop corn. New basketball courts will be put in. There will be a special meeting on August 13th to discuss movie night, Musicfest and to pay bills.

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

Economic Development (Member Boruske): no report

UNFINISHED BUSINESS - Member Volter announced a public meeting at Newport High School, August 9th, 5-8 p.m. for the presentation of 14 different plans for solving traffic problems and to get the public's input. Bellevue Vet's won't be affected.

NEW BUSINESS - Discussion of sex offenders living in Dayton, especially Tom Fleishman who is always at 501 Berry but says he doesn't live there. Chief Werner will investigate this.

Motion to adjourn by Member Boruske, seconded by Member Ashford.

Meeting adjourned.

Respectfully Submitted,

Barbara Washington
Assistant Clerk/Treasurer

ATTEST:

Kenneth E. Rankle, Mayor