

CITY OF DAYTON, KENTUCKY
CITY COUNCIL MEETING
NOVEMBER 5, 2008

A regular meeting of the Dayton City Council was held on Wednesday, November 5, 2008, 7:00 p.m. in the Council Chamber of the Dayton City Building. Mayor Rankle opened the meeting with a silent prayer and Pledge of Allegiance.

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 Attorney Fischer	present
Member Boruske	present		

MAYOR'S REPORT

Mayor Rankle congratulated Councilmembers for their win in the election, and expressed regrets to Member Hurtt.

Mayor Rankle introduced Mr. Tony Thomas of CSI. Mr. Thomas informed Council that there are now 29 residents who have subscribed to the recycling program. The cost is \$3.50 a week. The cost to the city for a recycling box will be approximately \$60 a month, depending on the size of the box. A smaller container can be put on castors. It should be put where city staff can keep an eye on it. Items accepted will be glass, aluminum cans, paper and plastics #1 and #2. Member Volter said the school has a recycling bin for paper; she would like to see the school keep getting the paper. Mr. Thomas said that the recycling box is a good way to start the program, but curbside is mainstream. The parking lot in the 600 block of Sixth Avenue was mentioned as a possible location because Public Works is too out of the way. Member Ashford moved to place a recycling container in the city, and Member Hurtt seconded the motion.

City Administrator Redmond said that he believes under the current system, we encourage the production of trash and garbage. People who put out more trash should pay more. If you limit the amount of trash that people can throw away, it encourages people to use the recycling program. Mr. Redmond asked if it were true that the drivers are given bonuses for a heavier truck. Mr. Thomas said they are paid by the stop. Mr. Thomas said that the City of Covington calls the Code Enforcement Officer who writes a citation. CSI picks up the trash. There also is a Pay as you Go program, which has reduced trash by 30% for participating cities. Mr. Redmond said we have to give 7 days notice for a blight violation. City Attorney Fischer said we can cite immediately. The police can cite on a city citation. Member Ashford said we need to appoint Bobby, Rick and Jeremy as citation officers.

Mr. Thomas said that he will get licensing information for FEMA to the city. The program will be tried for 3 months. Motion carried--so ordered.

Mayor Rankle said he wished to make the following appointments: Denise Ashford to the Park Board; Mike Lenz and Kurt Belcher to the Parking Citation Hearing Board; Roy Siemer to the Sargeant Park Board; Shirley Bishop and Bonnie Lindon to the Code Enforcement Board; Dr. Barbara Cook to the Ethics Board; Tom Buschle and Shannon Downard to the Planning and Zoning Board; and Donald Lynn to the Board of Adjustment. Member Allen moved to accept the appointments and Member Hurtt seconded the motion. Motion carried, so ordered.

Mayor Rankle asked if Bobby Allen wished to serve again on the OKI Regional Council; he replied yes. Motion by Member Boruske, seconded by Member Gunning, to approve Member Allen's appointment to the OKI Regional Council. Motion carried--so ordered.

CITY ADMINISTRATOR'S REPORT

City Administrator Redmond presented a handicap parking request from Nathan Richter, 520 8th Avenue, for which he recommended approval. Member Boruske motioned to approve the request and Member Allen seconded the request. Motion carried--so ordered.

Mr. Redmond said he has met with Cincinnati Bell who wants to provide cable tv service to the City of Dayton, replicating what Insight is doing by using the phone lines. They have done this for Lebanon, Ohio and they are pleased. He asked for council's opinion. The consumers will pay a fee which Cincinnati Bell will collect for us. Member Ashford motioned to give City Attorney Fischer and City Administrator Redmond the authority to negotiate a franchise agreement with Cincinnati Bell, not to exceed 15 years. Member Boruske seconded the motion. Motion carried--so ordered.

Mr. Redmond said there has been a court decision regarding the payment of overtime relating to the incentive pay firefighters receive. This means we paid them wrong even though we did what the Department of Labor told us to do. The incentive amount is \$3100 per year, but it costs cities an additional \$1835 for OT. He wanted the Fire Board members to be aware that they may find it necessary to pay \$151,000 to 16 firefighters. The Kentucky League of Cities recommends no action at this point because the Legislature will meet again on January 1st.

CONSENT AGENDA

Motion to approve the minutes of the September 2, 2008 meeting by Member Ashford, seconded by Member Hurtt. Motion carried--so ordered.

Motion to approve the minutes of the October 7, 2008 meeting by Member Ashford, seconded by Member Hurtt. Motion carried--so ordered.

Motion to approve the minutes of the October 14, 2008 special meeting by Member Ashford, seconded by Member Hurtt. Motion carried--so ordered.

Mayor Rankle said that from now on, if a document makes the minutes extremely long, it will be on file in the Clerk's office instead of being copied for Council.

ORDINANCES AND ORDERS

2008 #5R

DESIGNATION OF APPLICANT'S AGENT

BE IT RESOLVED by the City Council of Dayton, Kentucky that Bobby Fuller, Agent, is hereby authorized to execute for and in behalf of the City of Dayton, a public entity established under the laws of the Commonwealth of Kentucky, this application and to file it in the appropriate State Office for the purpose of obtaining certain Federal financial assistance under the Disaster Relief Act (Public Law 288, 93rdCongress) or otherwise available from the President's Disaster Relief Fund.

THAT The City of Dayton, a public entity established under the laws of the Commonwealth of Kentucky, hereby authorizes its agent to provide to the State and to the Federal Emergency Management Agency (FEMA) for all matters pertaining to such Federal disaster assistance the required assurances and agreements.

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.

PASSED by City Council of the City of Dayton, Kentucky assembled in regular session this 5 day of November 2008.

CITY OF DAYTON, KENTUCKY

by _____
Kenneth E. Rankle, its Mayor

ATTEST:

Donna Leger, its Clerk

Motion to approve Resolution 2008-5R by Member Boruske, seconded by Member Gunning.

ROLL CAKK

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

Motion carried--so ordered.

DEPARTMENT HEADS REPORT

Fire Chief Denny Lynn reported that the next Fire Board meeting will be held on December 3rd. He said one of the houses that burned will be torn down, and the other may be rebuilt.

Police Chief Jim Werner said that at the end of the month, Officer Holt will be leaving. He has compiled a short list of applicants and will be looking at those who are already certified. Mr. Redmond asked Chief Werner to give Officer Holt his regrets.

Superintendent of Public Works, Bobby Fuller, has been working on a FEMA claim for damage done during Hurrican Ike. Mr. Fuller said there is a shortage of salt this year and we have bought our allotted amount. The schedule will be hills, the bus route and the areas around the schools. Member Ashford said we need a new truck; we only have 2 real trucks. He said we should give Codes Officer Tabar the red Dodge, and replace that with the new truck. Mr. Fuller said the last truck was \$26,000 equipped. Member Ashford said we need another new truck.

Member Boruske said it is not in the budget. Member Ashford stated that he thinks we can find it. He said he had wanted to buy 2 last year. Mr. Ashford said we need to buy another police cruiser. He has spoken with council from other cities who have purchased Impalas. The gas mileage is 30% better than the Crown Victorias. They are front wheel drive with a V6 engine. There are less repairs. Chief Werner said the most recent Crown Victoria was \$25,000. Member Boruske said the vehicles are not in the budget. Member Ashford said he felt this was a fiscal emergency. We need the vehicles in the worst way. Member Ashford moved to buy a new truck not to exceed \$26,000 and a new police cruiser, not to exceed \$25,000, and

the amount is to be paid out of the Economic Development Fund. The motion was seconded by Member Volter. Mayor Rankle stated that he had made a commitment to Officer Tabar to get him a vehicle. City Administrator Redmond stated the vehicles are not in the budget. He spent months working on the budget, but if council isn't going to go by the budget, we might as well have a figure for money coming in and a figure for money going out. The city doesn't have a financial problem now but if council keeps spending money that isn't budgeted, it will. Mr. Redmond did say however, that yes, we can take the money out of the Economic Development Fund to purchase the vehicles.

ROLL CALL

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

Mayor Rankle voted aye to break the tie. Motion carried--so ordered.

Mayor Rankle stated he would like to reduce the real estate tax penalty to 10%. Member Boruske motioned to reduce the real estate tax penalty to 10%. Member Allen seconded the motion. Motion carried--so ordered.

COMMITTEE REPORTS

Finance (Member Volter): The next finance committee meeting will be held November 17th at 6:00 p.m.

Public Safety (Member Allen): Member Allen had several cases of blight that he has reported to Codes Officer Tabar.

Public Works (Member Ashford): Nothing further.

Parks and Real Estate (Member Hurtt): The Park Board is working on assessing damage from the storm. There is a light pole down which is not covered by insurance. It will cost \$3500 to take 3 trees down. The Park Board is going to purchase a handicap accessible swingset. The old one will come out. The Board is applying for a grant to put in a tot lot in the spring.

The 4th homeowner has purchased a home in Dayton under the Home Consortium. All of the money is gone under that program until next July. There is another federal program that people can use to help them buy a home. We will be getting more information on that shortly.

Personnel, Law and Printing (Member Gunning): No report.

Economic Development (Member Boruske): No report.

PETITIONS

Mr. Jeff Volter, 323 Sixth Avenue, expressed gratitude to Member Hurtt for the dedication she has put forth on behalf of the city

Mr. Rufus Wiedemeyer, 841 Ervin Terrace, approached Council regarding how to start a Neighborhood Watch. He was referred to Chief Werner or Councilman Allen. Mr. Wiedemeyer asked for a garbage can at 9th and Ervin Terrace. He also complained about the blue paint used at Dayton Square Apartments to cover graffiti. Mr. Redmond told him there wasn't anything legally that could be done, but we will send Mr. Tabar up there to try to convince the owners to change it.

UNFINISHED BUSINESS - none.

NEW BUSINESS

Member Hurtt stated at KLC she learned about ways for cities to "go green", such as using permeable pavement, and rain barrels to catch rain water, and energy audits. Cities are saving money using LED fixtures

Member Gunning noted he would not be at the December meeting because he is getting a knee replacement.

EXECUTIVE SESSION

Motion to go into executive session for the purpose of KRS 61.810 (c) discussions of proposed or pending litigation against or on behalf of the public agency by Member Boruske. Motion seconded by Member Gunning. Motion carried so ordered.

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

Motion to adjourn by Member Boruske, seconded by Member Gunning. Motion carried--so ordered.

Meeting adjourned.

Respectfully Submitted,

Barbara Washington

ATTEST:

Mayor Kenneth E. Rankle

