

CITY OF DAYTON, KENTUCKY
COUNCIL MEETING
FEBRUARY 5, 2008

A regular meeting of Dayton City Council was held on Tuesday, February 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 the 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	absent	City Att. Fischer	present
Member Boruske	present		

MAYOR'S REPORT:

The city is working hard on the web page. The cameras to film the council meetings, have been ordered and should be in by the end of the week. We're planning on airing the council meetings on Thursday night and Friday Morning. They are currently being aired on ICN6 and we've had positive comments.

The cities of Ludlow, Covington, Newport, Bellevue and Dayton have all signed a letter that states interest in bringing to a vote the issue of casino gambling. If so, this should be a regional thing, not just one city should benefit.

CITY ADMINISTRATOR'S REPORT:

Motion to have the police boat declared surplus. Motion by Member Ashford, seconded by Member Hurtt to declare the police boat surplus. Comment: Mayor Rankle said the boat was donated and City Adm. Redmond said the boat has no interior. Motion carried—so ordered.

City Adm. Redmond said everyone should have a copy of the audit ending June 30, 2007. This is a clean audit. Motion by Member Boruske, seconded by Member Gunning to approve the audit ending June 30, 2007. Motion carried—so ordered.

CONSENT AGENDA:

Motion by Member Allen, seconded by Member Hurtt to approve the minutes as received from the Jan. 8th, 2008 special council meeting. Motion carried—so ordered.

ORDINANCES & ORDERS:

Second Reading:

CITY OF DAYTON, KENTUCKY

2008 - 1

**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(G) of the Dayton Code of Ordinance to allow Class 7 signs, which are commercial pole or ground signs to be animated with LED lights as long as same does not endanger pedestrian or vehicle traffic.

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 by Member Boruske, seconded by Member Ashford to approve 2008#1 as read.

ROLL CALL:

Member Ashford	Aye	Member Boruske	Aye
Member Hurtt	Aye	Member Gunning	Aye
Member Volter	Absent	Member Allen	Aye

Motion carried—so ordered.

CITY OF DAYTON, KENTUCKY

2008- 1R

AN ORDER OPPOSING RELINQUISHMENT OF STATE AND FEDERAL RESPONSIBILITY FOR REPLACEMENT OF THE INTERSTATE 75 BRIDGE OVER THE OHIO RIVER.

WHEREAS, the federal government is, by failing to provide sufficient funding, abdicating its responsibility for providing a safe and adequate bridge to carry interstate traffic across the Ohio River on I-75 at Cincinnati; and

WHEREAS, the Kentucky state government is considering legislation which would abdicate its responsibility for providing same by calling for local government to undertake liability for interstate transportation; and

WHEREAS, local government does not have the wherewithal to undertake such a liability without imposing taxes, including tolls, on local citizens to support interstate transportation which benefits commerce throughout the Midwest and Southeast from Michigan to Florida; and

WHEREAS, a toll system on the major interstate artery in the Midwest would cause more traffic problems that already exist because of previous inadequate funding and engineering on the part of the federal administration as well as the governments of the State of Ohio and Commonwealth of Kentucky; and

WHEREAS, a such a toll system would cause a major shift in local traffic with numerous drivers taking an alternative route, particularly the I-471 bridge in Campbell County; and

WHEREAS, the I-471 bridge, which is a major access artery to Dayton, is already unsafe and a major traffic gridlock point at many times of the day and

WHEREAS, added traffic shifted from the I-75 Brent Spence bridge due to a toll system could cause the I-471 Daniel Carter Beard bridge to become as obsolete as the Brent Spence bridge is already; and

WHEREAS, it is patently unfair for local users of an interstate bridge to bear a great majority of costs of one interstate highway bridge when other major interstate bridges throughout the nation are not paid for by their local users;

NOW, THEREFORE, BE IT ORDERED/RESOLVED BY THE CITY OF DAYTON, CAMPBELL COUNTY, KENTUCKY, THAT:

SECTION ONE: For the reasons stated above, the City of Dayton, Kentucky, declares its opposition to any legislation which would require, encourage or allow for the imposition of additional local taxes or highway tolls for the maintenance, upkeep or replacement of any interstate highway and specifically, for replacement of the Interstate 75 Brent Spence Bridge over the Ohio River;

SECTION TWO: The City hereby directs that this Order be forwarded immediately to the Governor of the Commonwealth of Kentucky, to U.S. Senators Jim Bunning and Mitch McConnell, and any declared candidates standing for election as U.S. Senator from Kentucky, to U.S. Representative Geoff Davis and any declared candidate standing for election as U.S. Representative from the fourth congressional district; to the Speaker of the Kentucky House of Representatives and to the President of the Kentucky Senate; to every member of the Kentucky legislature representing any portion of the eight (8) county Northern Kentucky Region; to each member of the Campbell County Fiscal Court, to the Mayor and Council or Commission of every city in Campbell, Kenton and Boone County; to all local media, both print and electronic, and to all other person who may have a part in making such a decision

SECTION THREE: 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, Campbell County, Kentucky assembled in regular session this 5th day of February, 2008.

CITY OF DAYTON, KENTUCKY

by _____
KENNETH E. RANKLE
its Mayor

ATTEST:

DONNA LEGER, its Clerk

Member Ashford said it's unbelievable that the Federal Government would have the locals pay a toll. This will hurt both Kentucky and Ohio people. Motion by Member Hurtt, seconded by Member Allen to approve 2008-1R as read. City Adm. Redmond said on the floor, Senator Ken Shaunessey said the only new bridges would be built in Iraq and Afghanistan. I question the wisdom of the ones who are bringing this issue up in Frankfort. This will affect our children's future.

ROLL CALL:

Member Hurtt	Aye	Member Gunning	Aye
Member Volter	Absent	Member Allen	Aye
Member Boruske	Aye	Member Ashford	Aye

Motion carried—so ordered.

DEPARTMENT HEAD'S REPORT:

Marvin Knobloch, Main St. Manager, said the next Business Owners Meeting would be on Wednesday, Feb. 20th, 12:00 p.m. The host is Key Bank. The Community Calendar is now on the web page. If you would like to submit anything for the calendar contact Marvin. The Main Street Board is selling banners to businesses in Dayton. These banners will be put up along Sixth Avenue. The cost is \$200.00 plus the bracket. The banners will go up this month depending upon the weather.

Dennis Lynn, Fire Chief, reported that the Fire Dept. received a Federal Grant for \$74,000. This will be used to upgrade air packs, cameras, ventilation system and purchase air bottles. If anyone would like to stop over the fire department the reconstructed Fire Truck is due back tomorrow at 10:00 a.m. The next Fire Board meeting is Feb. 27th. Member Ashford said the Fire Department could not afford to purchase a new truck for \$350,000 so the old truck was reconstructed for \$150,000. This was a good deal. Another set of grants will be available through the KLC the end of March.

Bobby Fuller, Supt. of Public Works, reported that there have been several equipment breakdowns but things are back up and going. A copy of his report was previously passed out. City Adm. Redmond said the finance committee has approved rearranging money in the budget so public works can purchase a new truck. We have no choice. The 91 Chevy needs a transmission and the cost is \$1,800.00. The truck is only worth \$1,200.00. Next year the other two trucks will need to be replaced. City Adm. Redmond said the same holds true in the Police Department. They are hampered with cruisers that have 200,000 miles. Two of the cruisers are not worth fixing. We have to move on this between now and March. The Finance Committee also agreed to give the Police Dept. extra money to fix up existing cruisers. Member Ashford said a truck in Public Works is a must. We have no backup. City Adm. Redmond said the money needed is in the General Fund Budget but will come from various accounts. Motion by Member Hurtt, seconded by Member Ashford to declare the 91 Chevy in Public Works as surplus and the four cruisers in the Police Department as surplus. Motion carried—so ordered.

Donna Leger, Clerk/Treas., advised that the Clerk's Office has a new employee, Joni Mallery. After 10 years in the Clerk's Office Michelle Carr will now be the Police Clerk. Bobby Fuller reported that he

also has two new employees in Public Works, Rick Lucas and Jeremy Lynn. Mayor Rankle said the department head was allowed to choose the employee and everything has worked out great.

Standing Committee Reports:

Public Safety (Member Allen):
No report.

Public Works (Member Ashford):
No report.

Parks & Real Estate (Member Hurtt):
The next Park Board Meeting is Feb. 18th. Member Gunning asked about the vandalism at Gil Lynn Park. Chief Werner said the suspects were caught and it's still in the courts. Mayor Rankle has been asked if the city will have the Mary Ingles Festival this year? Mayor Rankle said because \$2,500 of city funds is used, an elected official or an employee of the city must chair the event. Currently no one is interested. Tom Schwartz offered his help, so the city does not lose the event.

Personnel Law & Printing (Member Gunning):
No report.

Economic Development (Member Boruske):
No report.

CORRESPONDENCE:

Thank you to the Main Street Board for the Façade Grant that Dr. Barbara Cook received.

Mayor Rankle asked if anyone in the audience would like to speak.

Mike Swango said he thinks council should keep the Halloween Party in the Park. It's a good reflection on the city. The steps from 8th. Ave. to 10th Ave off of Brooklyn, are in very bad need of repair. The deck area needs to be removed or repaired. Bobby Fuller will address this tomorrow.

Mayor Rankle said council decided to try something new this year with Halloween. We'd like to have Halloween on Halloween Night from 6-8 p.m. I'm going to talk with Bellevue and with help from the Police and Fire Department we'd like to give it a try. Bill Burns said he was surprised at the sudden change by council. Last year council wanted the party in the park because it was safe and secure for the children. Plus, Friday Night is football night. The last three years have gone over great in the park, lets think about the kids. Mayor Rankle said there were about 1300-1400 kids at the park last year and not all of them were from Dayton. Mr. Burns said the flag at the monument needs to be replaced, he has called the VFW. Where is the flag at Gil Lynn Park? Member Hurtt said it may have been taken down because of disrepair and another one has been ordered. Mr. Burns asked if there would be a floodwall opening at Walnut Street. Mayor Rankle answered no, not that we know of.

Titus Byer, YMCA Teen Center, said the year-end totals for the Teen Center was 700 teens in 2007. Last Wednesday we had a record 72 teens. On Feb. 13th, thanks to Member Hurtt, the Teen Center will offer a technology class to seniors. This will include e-mailing, excel, word, etc. The teen center has 6 computers and the Principal of Lincoln Elementary School has offered use of their computers. We currently offer chess and craft classes with about 20 people participating and we still have the table tennis classes. There is something going on everyday. The funding has been cut for the after school program and were trying to raise \$5000.00. Member Ashford has been a supporter of the YMCA for several years and I would like to personally thank him.

Shirley Bishop would like the city to keep Mary Ingles Days. This is a very positive thing for the city and we need to keep the history of Mary Ingles going. It's wonderful to know we have something historical.

UNFINISHED BUSINESS:

Member Gunning asked about the Traffic Light on Ervin Terrace. What is the update on this situation? Mayor Rankle said Chief Cole of Bellevue is running radar on the Avenue. Mayor Rankle feels the light is needed. Discussion on the light and changing the one-way street. City Adm. Redmond said there are three issues. #1 – can we afford to make Ervin Terrace two ways, North and South from Fifth to Sixth Ave? #2 –The traffic study on the light. #3 – The audible signal. The Department of Transportation is doing a traffic study on all the lights on Route 8. They say we don't need the light at Ervin Terrace. If you eliminate parking on one side of Ervin Terrace, between 5th & 6th, you can have two-way traffic.

The Department of Transportation would like to move the audible signal. City Adm. Redmond said he couldn't understand why the street is one-way. Member Ashford said a child was hit there in 1988. Mr. Swango said when he comes down Ervin Terrace from 10th Avenue he uses the light. He often sees people using the one-way part of Ervin Terrace as two ways. He does not see why it can't be a two way street. Member Gunning would like to see it changed to two-ways. Member Ashford said he always goes to a street with a light when going onto Sixth Ave. City Adm. Redmond said it was never the intent of council to eliminate the light. Motion by Member Gunning, seconded by Member Allen to change Ervin Terrace, between 5th & 6th Ave., two ways and no parking on the Eastside. Comments: Member Ashford asked about the traffic light. City Adm. Redmond said the Department of Transportation would have to add the light. Only the Eastside parking will be eliminated. Mayor Rankle said this would be done by ordinance. All in favor – Member Boruske abstained. Motion carried—so ordered.

NEW BUSINESS:

There will be a meeting about the Home Consortium Funding at the Campbell County Library on Thursday from 6-8p.m. Dayton, Bellevue, Newport, Covington, Ludlow and Bromley are all involved. These are loans to low income families to be used for down payments on a new home. They must build the home and stay in the home a number of years. The first round of funding will be in July. The classification of low income will be defined by each person's family size. The city wants to work closely with the Home Consortium.

Does anyone have any comments on the Wednesday Only trash pickup? Member Ashford said the one-day pickup is good. The signs that public works put up informing the residents of the change worked well. City Adm. Redmond said we currently have 30-40 garbage cans that have not been claimed. Tom Schwartz said CSI has been picking up along the avenue during morning rush hour. Bobby Fuller, Supt. P.W., said Roger the route supervisor said they would not start picking up on the avenue until after 9:00 a.m. If you see a problem contact the city building.

EXECUTIVE SESSION:

Mayor Rankle entertained a motion to go into executive session to discuss KRS 61.810 © discussions of proposed or pending litigation against on or behalf of the public agency. Motion by Member Allen, seconded by Member Hurtt to go into executive session. Motion carried—so ordered.

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

Council reconvened and discussed the Queen City Marina Lease and the possible notification of the leaseholder in reference to moving the floating equipment further West, near to the O'Fallon Landing area. Upon motion of Member Boruske, seconded by Member Ashford the City Administrator and City Attorney was instructed to notify (in writing) Bob Nolan the operator and President of Queen City Marina that the six month notice as provided for in the lease is hereby activated. Motion carried—so ordered.

Motion by Member Hurtt, seconded by Member Gunning to adjourn. Motion carried—so ordered.

Respectfully submitted,

Donna Leger
Clerk/Treas.

ATTEST:

Kenneth E. Rankle
Mayor

