

CITY OF DAYTON, KENTUCKY
CITY COUNCIL MEETING
June 2, 2009

A regular meeting of the Dayton City Council was held on June 2, 2009 at 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 Boruske	present
Member Ashford	present	Member Gunning	present
Member Brooks	absent	Member Allen	present
Member Volter	present	City Att. Fischer	present
		City Adm. Redmond	

Mr. Redmond commented that Member Brooks was obligated to attend a school function this evening.

MAYOR'S REPORT

Mayor Rankle stated that Vic Boruske has submitted his resignation from the Planning and Zoning Board. Member Allen moved to accept the resignation and Member Boruske seconded the motion. The motion carried—so ordered.

Mayor Rankle said that after the 9:30 mass on June 14th, the food pantry at St. Bernard's will be rededicated.

Mayor Rankle thanked everyone for participating in the Memorial Day Parade.

Mayor Rankle said we have a short presentation and recognized Mr. Terry Chan, CEO and President of C & M Investment Group. Mr. Chan said C&M and DCI are investment partners in the riverfront development. NKU will also be involved. They have recently opened a School of Informatics, which is the study of how information flows.

Phase I will be around the Marina. There will be a board walk and world market. It will be a development that will benefit everyone. They do not want the city to be separate from the development.

Mr. Redmond said that LG, another investor, came to Dayton. They are looking for an American Midwest city in which to make a significant difference overnight. They want a signature project to show what LG can do. There will be LED street lights which will also provide wireless connectivity for the internet.

Mr. Chan stated that LG has signed a memo of understanding, which they take very seriously. Mr. Redmond said that there are no guarantees. We know that 5/3 Bank and Bank of America won't finance the project. We need innovative financing structure and strategic partners with foreign investment. Except for losing Dodd Drive and the use of the practice football field, we haven't given up much. All lease payments are still being made. Mr. Chan is going to put his own money into the Raymee building when the deal is closed. He will have his own business in the building.

Mr. Chan thanked Mayor Rankle and City Administrator Redmond for their help. They have done far more than other city officials have done.

CITY OF DAYTON, KENTUCKY

2009- 10R

AN ORDER AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDMENT TO AN AGREEMENT WITH THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET REGARDING THE DAYTON TOWNE CENTER PROJECT

WHEREAS, on September 28, 2006, the City of Dayton, Kentucky and the Kentucky Transportation Cabinet (KYTC) entered into an agreement for the Dayton Towne Center; and,

WHEREAS, the Parties desire to amend said agreement;

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

SECTION I The City hereby enters into an amendment to agreement numbered PO2-628- 0900024702 which replaces agreement PO2-628-06000003831(formerly known as C-05053505) with the Kentucky Transportation Cabinet. A copy of the agreement is attached hereto and made part hereof by reference.

SECTION TWO: The Mayor is hereby authorized to execute the amended agreement and all other documents required by KYTC for the furtherance of the above-referenced project and to act as the authorized correspondent for said project. The Mayor and any other necessary official is authorized to sign all documents necessary to effect the above provisions.

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 upon motion by _____ and second by _____ and all present voting in favor, assembled in regular session this ____ day of _____, 2009.

CITY OF DAYTON, KENTUCKY

by _____
KENNETH E. RANKLE
its Mayor

ATTEST:

DONNA LEGER, its Clerk

Member Boruske moved to accept Resolution 2009-10R, and Member Ashford seconded the motion.

ROLL CALL:

Member Allen	aye	Member Volter	aye
Member Ashford	aye	Member Boruske	aye
Member Brooks	absent	Member Gunning	aye

Motion carried—so ordered.

Second Reading:

CITY OF DAYTON, KENTUCKY

2009 - #6

AN ORDINANCE AMENDING CHAPTER 114, SECTION 114.07 OF THE DAYTON CODE OF ORDINANCES REGULATING TIME AND LOCATION OF YARD SALES.

This ordinance amends Chapter 114, Section 114.07 of the Dayton Code of Ordinance to regulate yard sales. The ordinance requires that no goods for sale be placed in any public sidewalk, street, alley or other right of way, that no customers be required to stand in a public sidewalk, street, alley or other right of way to view or purchase goods for sale. Further the ordinance provides that no yard sale be operated prior to 7:00 a.m. nor after 6:00 p.m.

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 Ordinance No 2009-#7.

ROLL CALL:

Member Ashford	aye	Member Boruske	aye
Member Brooks	absent	Member Gunning	aye
Member Volter	aye	Member Allen	aye

Motion carried—so ordered.

Motion to approve the minutes of the May 5, 2009 and May 19, 2009 Council meeting by Member Ashford, seconded by Member Boruske. Motion carried—so ordered.

First Reading:

CITY OF DAYTON, KENTUCKY

2009- #7

AN ORDINANCE AMENDING THE CITY OF DAYTON, KENTUCKY'S ANNUAL BUDGET FOR FISCAL YEAR JULY 1, 2008, THROUGH JUNE 30, 2009, & ESTIMATING REVENUES & RESOURCES AND APPROPRIATING FUNDS FOR THE OPERATION OF CITY GOVERNMENT.

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

SECTION ONE That the annual budget for the fiscal year beginning July 1, 2008, and ending June 30, 2009, is hereby amended as follows:

	General Fund	Municipal Road Aid
Resources available:		
Fund balance forward	822,114	-0-

Estimated revenues:			
Property tax	997,000		
Licenses and permits	1,104,650		
Intergovernmental	56,020		89,900
Fines and penalties	48,500		
Charges for services	309,450		
Other	833,300		
Interest	26,000		
Total est. revenue	3,374,920		89,900
Total resources available for appropriation	4,197,034		89,900
Appropriations:			
General Government	452,963		
Police Department	877,867		
Fire Department	700,686		
Public Works	384,551		
Building Services	76,709		
Waste Collection	230,000		
Professional Services	1,417,382	<u>1,444,514</u>	59,900
Main Street	127,876		
Total appropriations	4,268,034 <u>4,295,166</u>		59,900
Excess of resources over/under appropriations	(71,000) <u>(98,132)</u>		30,000
Transfers from other funds	71,000 <u>(98,132)</u>		
Transfers to other funds			(30,000)
Estimated fund balances	-0-		-0-

	Park Board Fund		Park Tax
Resources available			
Fund balance forward	32,519 <u>37,523</u>		-0-
Estimated revenues:			
Misc.	10,700 <u>18,000</u>		
Charges for services			
Other			
Interest	500		
Property Tax			75,362 <u>95,000</u>
Total est. revenue	11,200 <u>18,500</u>		75,362 <u>95,000</u>
Total resources available for appropriation	43,719 <u>56,023</u>		75,362 <u>95,000</u>
Appropriations:			
Salary	10,000		
Utilities	5,634		
Operations	16,528 <u>30,000</u>		
Repair/Maintenance	2,000		
Misc.	200		
Total appropriations	34,362		-0-
Excess of resources over/under appropriations	9,357 <u>47,834</u>		75,362 <u>95,000</u>
Transfers from other funds	34,362		
Transfers to other funds			(75,362) <u>(95,000)</u>
Estimated fund balances	43,719 <u>56,023</u>		-0-

	Urban Renewal		Sargent Park
Resources available:			
Fund balance forward	807,670		37,233 <u>42,622</u>
Estimated revenues:			
Charges for services	12,000		1,500 <u>400</u>
Other (Interest)	20,000		250 <u>75</u>
Intergovernmental			
Total estimated revenue	32,000		1,750 <u>475</u>
Total resources available for appropriation	839,670		38,983 <u>43,097</u>
Appropriations:			
Capital Outlay	140,000		
Recreation			4,000 <u>1,000</u>
Debt Service			
Total appropriations	140,000		4,000 <u>1,000</u>
Excess of resources over/under appropriations	699,670		34,983 <u>42,097</u>
Transfers from other funds			
Transfers to other funds			
			(7,494)
Estimated fund balances	699,670		34,983 <u>34,603</u>

	Sanitation District		Civic Club
Resources available:			
Fund balance forward	49,035		1,833
Estimated revenues:			
Lease Payments			
Charge for service			4,000
Other (Interest)	1,000 <u>500</u>		
Total estimated Revenue	1,000 <u>500</u>		4,000
Total resources available for appropriation	50,035 <u>50,208</u>		5,833 <u>7,531</u>
Appropriations:			
Capital Outlay	500 <u>342</u>		
Debt Service	33,623		
Misc			5,000 <u>6,000</u>
Total appropriations	34,123 <u>33,965</u>		5,000 <u>6,000</u>
Excess of resources over/ under appropriations	15,912 <u>16,243</u>		833 <u>1,531</u>
Transfers from other funds			
Transfers to other funds			
	(16,243)		
Estimated fund balances	15,912	-0-	833 <u>1,531</u>

	Infrastructure
Resources available:	
Fund balance forward	-0- <u>296</u>
Estimated revenues:	
Intergovernmental Interest	294 <u>100</u>
Total estimated Revenue	294 <u>100</u>
Total Resources Available	294 <u>396</u>
Appropriations:	294 <u>16,230</u>
Total Appropriations	294 <u>16,230</u>
Excess of resources over/ under appropriations	-0- <u>(15,834)</u>
Transfers from other funds	<u>16,243</u>
Transfers to other funds	
Estimated fund balances	-0- <u>396</u>

All of the appropriations subcategories above are for information only and not for specific appropriation. Appropriations in one subcategory may be transferred to another subcategory. only the totals under appropriations are meant to be the limit of expenditures allowable under this budget.

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

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

First Reading:
Second Reading:

CITY OF DAYTON, KENTUCKY

by. _____
Kenneth E. Rankle
its Mayor

ATTEST:

Donna Leger, Clerk

CITY OF DAYTON, KENTUCKY

2009-#8

AN ORDINANCE ADOPTING THE CITY OF DAYTON, KENTUCKY'S ANNUAL BUDGET FOR FISCAL YEAR JULY 1, 2009, THROUGH JUNE 30, 2010, & ESTIMATING REVENUES & RESOURCES AND APPROPRIATING FUNDS FOR THE OPERATION OF CITY GOVERNMENT.

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

SECTION ONE That the annual budget for the fiscal year beginning July 1, 2009, and ending June 30, 2010, is hereby adopted as follows:

Resources available:	General Fund	Municipal Road Aid
Fund balance forward	453,701	69,000
Estimated revenues:		
Property tax	1,076,575	
Licenses and permits	826,630	
Intergovernmental	68,963	98,000
Fines and penalties	44,900	
Charges for services	331,200	
Other	361,564	
Interest	17,000	

Total est. revenue	2,726,882	98,000
Total resources available for appropriation	3,180,583	167,000
Appropriations:		
General Government	458,517	
Police Department	828,684	
Fire Department	701,883	
Public Works	501,788	
Building Services	66,772	
Waste Collection	230,000	
Professional Services	458,837	137,000
Main Street	24,740	
Total appropriations	3,271,221	137,000
Excess of resources over/under appropriations	(90,638)	30,000
Transfers from other funds	90,638	
Transfers to other funds		(30,000)
Estimated fund balances	-0-	-0-

	Park Board Fund	Park Tax
Resources available		
Fund balance forward	56,023	-0-
Estimated revenues:		
Misc.	18,000	
Charges for services		
Other		
Interest	500	
Property Tax		95,000
Total est. revenue	18,500	95,000
Total resources available for appropriation	74,523	95,000
Appropriations:		
Salary	10,000	
Utilities	5,634	
Operations	30,000	
Repair/Maintenance	2,000	
Misc.	200	
Total appropriations	47,834	-0-
Excess of resources over/under appropriations	26,689	95,000
Transfers from other funds	34,362	
Transfers to other funds		(95,000)
Estimated fund balances	61,051	-0-

	Urban Renewal	Sargent Park
Resources available:		
Fund balance forward	699,670	34,603

Estimated revenues:

Charges for services	12,000	
Other (Interest)	8,000	250
Intergovernmental		
Total estimated revenue	20,000	250

Total resources available for appropriation 719,670 34,853

Appropriations:

Capital Outlay	140,000
Recreation	
Debt Service	
Other Obligation	200,000
(pending council approval)	
Total appropriations	340,000

Excess of resources over/under appropriations 379,670 34,853

Transfers from other funds

Transfers to other funds

Estimated fund balances 379,670 34,853

	Civic Club	Infrastructure
Resources available:		
Fund balance forward	1,531	396
Estimated revenues:		
Charge for service	4,000	
Other (Interest)		100
Total estimated Revenue	4,000	496
Total resources available for appropriation	5,531	496
Appropriations:		
Misc	5,000	496
Total appropriations	5,000	496
Excess of resources over/under appropriations	531	-0-
Transfers from other funds		
Transfers to other funds		
Estimated fund balances	531	-0-

All of the appropriations subcategories above are for information only and not for specific appropriation. Appropriations in one subcategory may be transferred to another subcategory. only the totals under appropriations are meant to be the limit of expenditures allowable under this budget.

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

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

First Reading: June 2, 2009
 Second Reading: June 16, 2009

CITY OF DAYTON, KENTUCKY

by. _____
 Kenneth E. Rankle
 its Mayor

ATTEST:

Donna Leger, Clerk

DEPARTMENT HEADS REPORT

Mayor Rankle said we will need to hire a new Main Street Manager, since Marvin Knobloch resigned. It will be a 20- hour a week job, 4 days a week. We will get a plaque for Marvin to show our appreciation. We will miss him.

CORRESPONDENCE

No correspondence.

STANDING COMMITTEE REPORTS

Finance (Member Volter): No report.

Public Safety (Member Allen): No report

Public Works (Member Ashford): No report

Parks & Real Estate (Member Gunning): No report

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

Economic development (Member Boruske): No report

PETITIONS:

Member Volter said there is no traffic study west of Bellevue. We need to make more noise about the traffic problems on Route 8.

Mr. Mark Smith owns the house at 617 Benham. He asked the City to fix the curb on Seventh Street near his house. About 30 feet of curb is missing. The curb was patched but lasted only weeks. The street is caving in and he has water in the basement. He said the street needs to be fixed right. He also stated he does not feel safe outside the yard. Mr. Redmond said he will have Bobby Fuller, Superintendent of Public Works, look at the curb.

Mr. Matt Brant, owner of a new house on Seventh Avenue, also complained about residents on Seventh Avenue. He asked why he had to build and reside in his home within two years, while another party bought a lot and hasn't built on it yet. Mr. Redmond said the economy is an issue. We could enforce the agreement. He said if Mr. Brant's parents are still interested, they should call him.

Ms. Penny Hurtt said the Home Consortium has more money now, and will start making loans again on July 1st. Realtors have all the details. This is not Section 8—it actually helps people get out of Section 8.

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

Motion carried—so ordered.

Respectfully Submitted,

Barbara Washington
Assistant City Clerk/Treasurer

ATTEST :

Kenneth E. Rankle, Mayor