

CITY OF DAYTON, KY
CITY COUNCIL MEETING
May 4, 2010

A regular meeting of the Dayton City Council was held on Tuesday, May 4, 2010, 7:00 p.m. in the Council Chamber of the Dayton City Building. Mayor Rankle opened the meeting with a moment of silent prayer and led the Pledge of Allegiance.

ROLL CALL

Mayor Rankle	present	Member Boruske	absent
Member Ashford	present	Member Gunning	present
Member Brooks	absent	Member Allen	present
Member Volter	present	City Attorney Fischer	present
		City Adm. Redmond	present

Mayor's Report

Mayor Rankle congratulated City Administrator Redmond on his 35th year as City Administrator.

Mayor Rankle introduced Ms. Julie Smith Morrow, who is running for the State of Kentucky Senate, opposing Katie Stine. She lives in Newport, has been elected twice to the Newport School Board, and believes she can make a difference. She feels there has been a lack of commitment to education. She is the Vice President of the Freestore Food Bank and has a background in plant genetics. She is interested in education and agriculture and said that she would support our riverfront. She said she would give serious consideration to the gaming issue and believes we should support the horse industry. Mayor Rankle thanked her for coming and invited her to come back closer to the election.

Mayor Rankle stated that May 15th is Police Officer's Memorial Day and the week in which it falls is National Police Week.

Mayor Rankle reminded everyone that the city-wide yard sale is Saturday, May 8th, from 9:00 a.m.-3:00 p.m.

Mayor Rankle said Mr. Kendall owns Lots 2, 4, 6, and 8 on Third Avenue, and is interested in purchasing the lot at 1122 Third Ave. The city spent money to take down four structures on the property. Mr. Kendall has a lawn care business and is interested in investment property. He will build an American Standard manufacturing building. Mr. Redmond recommends the City sell the property. Member Volter commented there will be no payroll taxes at this time but the building will increase the value for property tax purposes. Member Ashford is in favor of selling the lot. It will be advertised with a minimum price of \$10,560. This will be added to the agenda of a council meeting which will be held the 3rd Tuesday of May. Member Ashford motioned to put 1122 Third Avenue out for sealed bid; Member Volter seconded the motion. None opposed, all in favor--so ordered. The ad will say we can reject all bids.

There is a question about a car on blocks on the street near Radac; Codes Administrator Riley will check into it.

City Administrator's Report

Handicap parking request from Mr. Robert Caudill, 417 8th Avenue. City Administrator Redmond stated that Mr. Caudill does not own his home, and there is off-street parking. He said he recommended that council reject the request or take no action. There was no action taken by Council.

Mayor Rankle said an error was made when Hendy submitted their bid; three line items had the correct amount but were added incorrectly. The total should have been \$27,000, not \$20,000. We need to approve \$27,000. There also is a matter of adding the work on Belmont and additional curbing on steep Dayton to the contract. Motion by Member Ashford, seconded by Member Allen to accept the amended Hendy contract, not to exceed \$32,000. There were no other bidders. Motion carried--so ordered.

Ms. Karen Turk, 335 Sixth Avenue, expressed appreciation to Council for listening to complaints about the audible signal at 6th and Ervin Terrace. All eight signals have been adjusted and there has been a vast improvement. Mayor Rankle said the only alternative is to take the light out. Mr. Redmond said there is no four-month period that we have not had a problem with that signal. A reasonable accommodation would be to move the signal to a more commercial area.

City Attorney's Report

Facade Grant - Mayor Rankle stated we appointed very competent people to the facade grant committee, Sandy Trutsel, Kathy Gordon, and Mike Lenz. The goal is to improve properties that need to be improved. There was no interest in the program among the business owners four years ago. In October, grants up to \$100,000 for Renaissance Kentucky will open up. Ms. Gordon said she thought we should apply.

Member Gunning motioned to approve the minutes of the April 6th council meeting, Member Allen seconded the motion. Motion carried--so ordered.

On the third Tuesday of this month, election day, we will have a short meeting for second readings of Ordinances 2010 #4 and #5, and for the opening of bids for Third Street lot. Council will also be given budget worksheets.

ORDINANCES AND ORDERS:

CITY OF DAYTON, KENTUCKY

2010 - #4

AN ORDINANCE AMENDING THE DAYTON CODE OF ORDINANCES CHAPTER 50.10 REGARDING HOURS OF SERVICE FOR COLLECTION OF GARBAGE AND SCRAPPING

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

SECTION ONE: The Dayton Code of Ordinances Chapter 50, Section 50.10 "Hours of Service" is amended as follows:

(A). No person, association, corporation, or other entity engaged in the business or activity of collection of garbage and refuse or in the business or activity of scrapping within the city shall permits its drivers or collectors to collect except between the hours of 6:30 a.m. and 9:00 p.m. For purposes of this section, "scrapping" shall be defined as the collecting, gathering or hauling of any waste, or any old, abandoned or unwanted metal, wood, glass, block, brick, rubber, plastic, vinyl, slate, building material, roofing material, wrought iron, wiring, piping, copper, aluminum, steel, or any other material whether for resale, collecting, recycling, reuse or discarding.

(B) No person actually engaged in the collection of garbage and refuse or in the activity of scrapping within the city shall make collections except between the hours of 6:30 a.m. and 9:00 p.m. For purposes of this section, "scrapping" shall be defined as the collecting, gathering or hauling of any water, or any old, abandoned or unwanted metal, wood, glass, block, brick, rubber, plastic, vinyl, slate, building material roofing material, wrought iron, wiring, piping, copper, aluminum, steel, or any other material whether for resale, collecting, recycling, reuse or discarding.

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:
Second Reading:

CITY OF DAYTON, KENTUCKY

by _____
Kenneth E. Rankle
its Mayor

ATTEST:

Donna Leger, its Clerk

CITY OF DAYTON, KENTUCKY

2010 - #5

AN ORDINANCE AMENDING PORTIONS OF THE DAYTON CODE OF ORDINANCES CHAPTER 72 PROHIBITING PARKING OF ANY SCRAPPING VEHICLE.

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

SECTION ONE: Section 72.01 of the Dayton Code of Ordinances is amended as follows:

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

"ALLEY." Any public right-of-way within the city not more than 15 feet in width.

"MOBILE UNIT." Any device, whether or not attached to a motor vehicle, in, upon or by which any person or property is or may be transported or drawn upon a public highway when attached to a motor vehicle.

"MOTOR TRUCK." Any motor propelled vehicle designed for carrying freight or merchandise. It shall not include vehicles designed primarily for passenger transportation or equipped with frames, racks or bodies having a load capacity of not exceeding 1,000 pounds.

"MOTOR VEHICLE." Every device in, upon, or by which any person or property is or may be transported or drawn upon a public highway, excepting devices moved by human power.

"OVERSIZE VEHICLE." Any motor vehicle or mobile unit that exceeds eighty (80) inches in height or exceeds ninety-six (96) inches in width or both.

"PLACE WITHIN THE CITY." Any public right-of-way within the city or any public parking lot or private parking lot over which control has been expressly granted to the City by the owner in writing.

"SCRAPPING VEHICLE." Any vehicle that is used for the purpose of collecting, gathering or hauling of any waste, or any old, abandoned or unwanted metal, wood, glass, block, brick, rubber, plastic, vinyl, slate, building material, roofing material, wrought iron, wiring, piping, copper, aluminum, steel, or any other material whether for resale, collecting, recycling, reuse or discarding.

Every device in, upon, or by which any person or property is or may be transported or drawn upon a public highway, excepting devices moved by human power.

"SEMI-TRAILER." Any vehicle designed to be attached to, and having its front end supported by, a motor truck or truck tractor, intended for the carrying of freight or merchandise and having a load capacity of over 1,000 pounds.

"STAND." To park or stop whether or not the propelling device is engaged and whether or not the vehicle is attended.

"TRAILER." Any vehicle or mobile unit that is designed to be attached to, and have its front end supported by a motor vehicle, including but not limited to, boat trailers; camper trailers; utility trailers or any trailer used for the purpose of hauling materials or merchandise.

"TRUCK TRACTOR." Any motor propelled vehicle designed to draw and to support the front end of a semi-trailer. The semi-trailer and truck tractor shall be considered to be one unit.

SECTION TWO: Section 72.13 of the Dayton Code of Ordinances is amended as follows:

A. It shall be unlawful to permit any motor truck, oversize vehicle, scrapping vehicle, semi-trailer, trailer, or truck tractor to stand in any place within the city.

B. The prohibition stated in division (A) of this section shall not apply to any motor truck, oversize vehicle, scrapping vehicle, semi-trailer, trailer, or truck tractor during the time it is being loaded or unloaded with passengers or cargo or during the time its occupants are making a service call.

SECTION THREE: 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, Kentucky assembled in regular session.

First Reading:
Second Reading:

CITY OF DAYTON, KENTUCKY

by _____
Kenneth E. Rankle
its Mayor

ATTEST:

Donna Leger, its Clerk

DEPARTMENT HEAD'S REPORT

Mrs. Sherry Mulla has a complaint regarding big heavy trucks using Sixth Avenue from Main Street to Route 8 instead of the using the truck route. This was turned over to the Police Dept.

Codes Director Don Riley said the Codes Board has gotten very serious regarding violations.

Public Works Supervisor, Rick Lucas said street signs are in, we are waiting for the brackets. We're working on the parade route. Bluegrass Paving is in town paving. Mr. Lucas said we fixed the sidewalk under the trestle and will send the railroad a bill. Public Works is also fixing bad places on Lynn and will fix a spot on Clay Street near the bus stop.

CORRESPONDENCE-none

STANDING COMMITTEE REPORTS

Finance (Member Volter): No report.

Mr. Redmond said that our financial condition is better than we thought we would be.

Public Safety (Member Allen): Member Allen said the Eagles would like to have the street blocked off again this year for their festival May 15th, except for emergency vehicles. Member Allen moved to give permission to block the street, and Member Ashford seconded the motion. Motion carried--so ordered.

Public Works (Member Ashford); Mr. Ashford stated the guys have done a great job on the monument and the floodwall.

Parks and Recreation Member Brooks): Ms. Penny Hurtt addressed Council, stating assistance for first-time home owners will again be available In July. Realtors will have information, call Covington Housing or call Penny.

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

Economic Development (Member Bouruske): No report.

UNFINISHED BUSINESS:

Mr. Riley will do follow-up regarding the shack at 631 3rd.

Mr. Redmond said he received a call from the developers today, saying Dayton, Kentucky has been recognized as an EB5, the first regional center in Kentucky.

Mr. Elmer Perry stated that he can't hear the council meetings on TV. Mr. Redmond said we can turn on the microphones.

Member Gunning motioned to adjourn the meeting, and Member Allen seconded the motion--motion carried.

Meeting adjourned.

Respectfully Submitted,

Barbara Washington
Assistant City Clerk/Treasurer

ATTEST:

Kenneth E. Rankle, Mayor