

CITY OF DAYTON
COUNCIL MEETING
JUNE 1, 2010

A regular meeting of Dayton City Council was held on Tuesday, June 1, 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 Gunning	present
Member Ashford	present	Member Allen	absent
Member Brooks	present	City Adm. Redmond	present
Member Volter	present	City Att. Fischer	present
Member Boruske	present		

MAYOR'S REPORT:

The Memorial Day Parade went well and was well attended. The city never looked better, thanks to Public Works.

The city sponsored a concert at Gil Lynn Park this past Saturday. If you attended the concert let us know if you liked it or if you have any ideas. Call with suggestions about a band or an event you would like to see at the park.

The city is currently working on the certification for the floodwall, which is due March 11, 2011. The mapping has been completed; it was due by June 6th. The engineering work will be done by the corp. of engineers and will cost \$12,000 - \$15,000. The video of the pipe will be done by the Sanitation District and must be completed by September 9, 2010. Concrete work is needed and two different ponding areas must be fixed. Mayor Rankle would like the Sanitation District and DCI to be notified in writing by City Att. Fischer to work as quickly as possible to remove the concrete within 20' of the toe of the floodwall. There are also six pieces of pipe that are exposed and needs to be given a cathodic treatment, this is a special chemical paint that makes the pipe last four to five times longer. Motion by Member Boruske, seconded by Member Gunning to have City Att. Fischer send a letter to the Sanitation District and DCI. Motion carried—so ordered.

Mayor Rankle said the Sanitation District needs to purchase an easement from the city in reference to the new sewer line behind the floodwall. The Sanitation District said the only thing they did was help the citizens of Dayton. The Mayor does not agree with that. City Att. Fischer will draft a letter to the Sanitation District about the easement.

The Point Laundry on Lindsey Street is in negotiations with homeowners about the closing of an alley on Lindsey. The alley has not been closed and will not be closed unless all homeowners agree. The Point Laundry will come back to council and request an alley closing once everyone agrees.

In 1994 the city purchased 1122 Third Avenue through the Economic Development Fund. The total cost was \$10,560. The lot was declared surplus and advertised for sale with a minimum bid of \$10,560. The bids were opened on May 26, 2010 at 4:00 p.m. Only one bid was received. The bid was from Jeff Kendall for \$10,560. City Adm. Redmond suggested the city sell the property. Since the lot was purchased with Economic Development money there must be a commercial building built within a certain time. The bid received will be rejected with a counter offer of \$10,560 on the condition a building is built on the property within a year or the property will revert back to the city for \$10,560. Motion by Member Boruske, seconded by Member Gunning to approve the sale of 1122 Third Avenue for \$10,560 with the conditions listed.

ROLL CALL:

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

Motion carried—so ordered

Assuming the neighbors come to an agreement does anyone have a problem with the closing of the alley on Lindsey Street? City Adm. Redmond said in his opinion there will be no obstacle once Mr. Ashcraft agrees or sells his property. The Point Laundry has purchased 222 & 226 Lindsey Street.

Council will need a second meeting this month for the second reading of the budget ordinances. A public hearing will be held on Tuesday, June 15, 2010 and must be advertised.

CITY ADMINISTRATOR'S REPORT:

As a matter of record the position of Main Street Manager has been offered to and accepted by Michael Giffen. Michael will be working with the Main Street, grant writing and in the codes department. He is a graduate of the University of Kentucky with a degree in finance. His salary will come from the Main Street Budget and Codes Department. City Adm. Redmond asked council to give Michael Giffen the authority to send notices and write citations. Motion by Member Volter, seconded by Member Boruske that Michael Giffen be authorized to write citations. Member Ashford said this is really needed. Motion carried—so ordered.

CONSENT AGENDA:

Motion by Member Ashford, seconded by Member Volter to approve the minutes from the May 4, 2010 council meeting as received. Member Boruske abstained. Motion carried—so ordered.

Motion by Member Boruske, seconded by Member Gunning to approve the minutes from the May 18, 2010 council meeting as received. Member Ashford and Member Brooks abstained. Motion carried—so ordered.

Second Reading:

CITY OF DAYTON, KENTUCKY

2010 - #6

AN ORDINANCE ESTABLISHING A NEW SECTION OF THE DAYTON CODE OF ORDINANCES SETTING FORTH REQUIREMENTS FOR ISSUANCE OF ADMINISTRATIVE SEARCH WARRANTS.

This ordinance sets forth the requirements for obtaining an administrative search warrant for inspection of properties which may not meet building, maintenance, fire safety or other codes enacted under the police powers of the city.

I, John C. Fischer, an attorney licensed to practice law in the Commonwealth of Kentucky, as City 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 Volter to approve 2010#6 as read.

ROLL CALL:

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

Motion carried—so ordered.

First Reading 2010#7

CITY OF DAYTON, KENTUCKY

2010- #7

AN ORDINANCE AMENDING 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 amended 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 <u>60,287</u>	-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	<u>47,000</u>	
Repair/Maintenance	2,000	<u>5,000</u>	
Misc.		200	
Total appropriations	47,834	<u>67,834</u>	-0-
Excess of resources over/under appropriations	26,689	<u>6,689</u>	95,000
Transfers from other funds	34,362		
Transfers to other funds			(95,000)
Estimated fund balances	61,051	<u>41,051</u>	-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		
<u>KIA Grant</u>	<u>200,000</u>	
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:
Second Reading:

CITY OF DAYTON, KENTUCKY

by. _____
Kenneth E. Rankle

ATTEST:

 Donna Leger, Clerk

CITY OF DAYTON, KENTUCKY

2010- #8

AN ORDINANCE ADOPTING THE CITY OF DAYTON, KENTUCKY'S ANNUAL BUDGET FOR FISCAL YEAR JULY 1, 2010, THROUGH JUNE 30, 2011, & 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, 2010, and ending June 30, 2011, is hereby adopted as follows:

	General Fund	Municipal Road Aid
Resources available:		
Fund balance forward	172,448	75,000
Estimated revenues:		
Property tax	1,116,888	
Licenses and permits	987,050	
Intergovernmental	83,377	112,000
Fines and penalties	40,000	
Charges for services	330,620	
Other	335,697	
Interest	6,700	
Total est. revenue	2,900,332	112,000
Total resources available for appropriation	3,072,780	187,000
Appropriations:		
General Government	479,111	
Police Department	913,350	
Fire Department	727,964	
Public Works	341,451	
Building Services	82,980	
Waste Collection	235,000	
Professional Services	340,865	132,000
Main Street	37,059	
Sidewalk Grants		25,000
Total appropriations	3,157,780	157,000
Excess of resources over/under appropriations	(85,000)	30,000
Transfers from other funds	85,000	
Transfers to other funds		(30,000)
Estimated fund balances	-0-	-0-

	Park Board Fund	Park Tax
Resources available		
Fund balance forward	45,000	-0-
Estimated revenues:		
Misc.	18,000	
Charges for services		
Other		
Interest	350	
Property Tax		95,000
Total est. revenue	18,350	95,000
Total resources available for appropriation	63,350	95,000
Appropriations:		
Salary	10,000	
Utilities	5,634	
Operations	30,000	
Repair/Maintenance	5,000	
Misc.	1,000	
Total appropriations	51,634	-0-
Excess of resources over/under appropriations	11,716	95,000
Transfers from other funds	34,362	
Transfers to other funds		(95,000)
Estimated fund balances	46,078	-0-

	Urban Renewal	Sargent Park
Resources available:		
Fund balance forward	600,000	34,731
Estimated revenues:		
Charges for services	18,000	
Other (Interest)	3,500	250
Intergovernmental		

Total estimated revenue	21,500	250
Total resources available for appropriation	621,500	34,981
Appropriations:		
Capital Outlay	140,000	
Recreation		
Debt Service		
Total appropriations	140,000	-0-
Excess of resources over/under appropriations	481,500	34,981
Transfers from other funds		
Transfers to other funds		
Estimated fund balances	481,500	34,981

	Civic Club	Infrastructure
Resources available:		
Fund balance forward	5,000	16,366
Estimated revenues:		
Charge for service	4,000	
Other (Interest)		100
Total estimated Revenue	4,000	16,466
Total resources available for appropriation	9,000	16,466
Appropriations:		
Misc	5,000	16,466
Total appropriations	5,000	16,466
Excess of resources over/under appropriations	4,000	-0-
Transfers from other funds		

Transfers to other funds

Estimated fund balances 4,000 -0-

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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

DEPARTMENT HEAD'S REPORT:

Rick Lucas, Supervisor of Public Works, reported the new signs have been installed on Sixth Avenue. Bluegrass paving will be in town the week of June 14th.

James Werner, Police Chief, said the police department has been very busy with investigations. The SRO Officer resigned last week and the city will advertise for a new SRO Officer.

Don Riley, Codes Director, gave council a copy of his report. Member Ashford asked if many fines had been given out on blighted property and Member Volter asked about vacant property that is owned by banks. The Code Board has been meeting monthly. City Adm. Redmond said the city will put liens on property that the city has to cut. Currently there are two homes on Dayton Avenue. City Att. Fischer said after July 15, 2010 the city will receive some help since the banks must notify the city when property is purchased by or returned to the banks.

CORRESPONDENCE:
None

STANDING COMMITTEE REPORTS:

Finance (Member Volter):
No report.

Public Works (Member Ashford):
The school was upset with the blacktop schedule. Bluegrass Paving had to work around the rain, etc. Bluegrass did a beautiful job. Rick Lucas and his crew did a great job on the Avenue.

Park & Real Estate (Member Brooks):
Mayor Rankle said the netting at Gil Lynn Park may need to be extended up Berry Avenue. Member Brooks will bring this up at the next Park Board meeting. City Adm. Redmond said inappropriate play is the reason the balls are going over the netting. The people are standing in the outfield and hitting balls.

City Adm. Redmond asked about the building next to Mr. Klostermans. Don Riley, Codes Director, said one addition and some siding will be taken down and the building will be repaired to code. After this it should be structurally sound.

PERSONNEL LAW & PRINTING (Member Gunning):
No report.

ECONOMIC DEVELOPMENT (Member Boruske):
No report.

Audience:

Mrs. Klosterman wanted to know if people need lids on their garbage cans. The people in the house next door to her set out their garbage in plastic bags, which the dogs get into. City Adm. Redmond said if something is leaking from the bags or they are opened up by an animal; that's a violation. Don Riley, Director Codes, will check the area tomorrow.

Cathy Gordon reported the progress on the Façade Grants. The committee only had \$20,000 to work with and the response was great. We heard from 4 businesses and 34-36 homeowners. The committee rejected three applicants for lack of information. Everyone had a really good chance of getting some money. The next round will be concrete grants. The Façade Grant homes will be exempt from the concrete grants. If any of the people who were awarded Façade grants to do not go forward the committee has a plan in place. If rejected the committee will look back at the applications and look at the ones with the most need. Once the project is completed and inspected the money will be given out. Mayor Rankle said the committee did a great job.

Cathy Gordon asked what the foundation was for requesting ordinance 2010#6. This request comes from the Fire Department. City Att. Fischer said there's a procedure in state law to receive a search warrant from a Judge but certain City Officials can request a search warrant. They must have reasonable cause to believe there is some problem or violation then they will make application to the Judge and he or she will issue the warrant. In most cases the owner will be asked first. In certain cases you don't want to wait or give notice. Under the current law the fire department can inspect a three family unit. If the owner won't let the fire department do the inspection, the fire department can go to the Judge and ask for a warrant.

Cathy Gordon asked the wage for the new Main Street Manager. City Adm. Redmond answered \$24,000 from the Main Street budget and \$12,000 from the Building/Codes budget.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Member Volter reported on the progress of the Historical Preservation Committee. The committee has been meeting monthly and working hard. The next step will be a public hearing. Mr. Lynn Adams will be the architect. This group wants to set reasonable regulations. Member Volter said we don't want to make it a hindrance for anyone to fix up their property. City Adm. Redmond felt that without tax incentives some buildings will not be able to renovate; such as Henry Barnes Lodge and the Carpet Building. The old Dayton High School is a Historical Site on the National Register. Speers is not on the National Register.

ADJOURNEMENT:

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

Respectfully submitted,

Donna Leger
Clerk/Treas.

ATTEST:

Kenneth E. Rankle
Mayor

