

CITY OF DAYTON, KENTUCKY
COUNCIL MEETING
PUBLIC HEARING
JUNE 15, 2010

A regular meeting of Dayton City Council was held on Tuesday, June 15, 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	present
Member Brooks	present	City Adm. Redmond	present
Member Volter	absent	City Att. Fischer	present
Member Boruske	present		

Mayor Rankle introduced Michael Giffen. Michael will be the Main Street Manager and also working with codes on the Avenue. Michael said he is excited to be in Dayton and looking forward to working here.

City Adm. Redmond requests a handicap parking space in the 700 block of Sixth Avenue. Michael Giffen, Main Street Manager, said the 600 block of Sixth Avenue has three handicap parking spaces and there are none in the 700 block of Sixth Avenue. His recommendation is to install a handicap parking space in front of Tharp Realty. Member Boruske said what about Mr. Tharp's clients? Michael felt this would be a benefit to Mr. Tharp. City Adm. Redmond highly recommends the sign be placed in this block. Motion by Member Boruske, seconded by Member Brooks to place a handicap parking sign in front of Tharp Realty. Motion carried—so ordered.

Mayor Rankle opened up the Public Hearing for comments regarding the 2010/2011 budget. The public hearing was advertised and all members were notified in advance. City Adm. Redmond said \$183,000 of the surplus from 2009/2010 was moved into the new budget to balance the budget. City Adm. Redmond thinks this will be a balanced budget with no deficit spending. This budget includes salary increases. The City of Dayton is one of few communities that are adopting a balanced budget without extreme fees. After we receive this year's audit, sometime after September, the new figures will be available and we can come back to council and amend the budget if needed.

Bill Burns, asked about the salary for the Main Street Manager and if benefits were included. Michael Giffen will be paid \$36,000 per year with full benefits. This is \$24,000 from the Main Street budget and \$12,000 from the Codes/Building Department budget.

Mayor Rankle asked for anymore questions or comments on the 2010/2011 budget.

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

This ordinance amends the budget for Fiscal Year 2010 for the Park Board Fund, and Urban Renewal Fund.

I, John C. Fisher, 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. Fisher

Motion by Member Boruske, seconded by Member Gunning to approve 2010#7 as read.

ROLL CALL:

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

Motion carried—so ordered.

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.

This ordinance adopts the budget for Fiscal Year 2010 for the General Fund, Municipal Aid Fund, Park Board Fund, Park Tax Fund, Urban Renewal Fund, Sargent Park Fund, the Civic Club Fund, and the Infrastructure Fund.

I, John C. Fisher, 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. Fisher

Motion by Member Boruske, seconded by Member Gunning to approve 2010#8 as read.

ROLL CALL:

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

Motion carried—so ordered.

First Reading:

CITY OF DAYTON, KENTUCKY

2010 -# 9

AN ORDINANCE AMENDING OTHER CHAPTER 150, SECTION 150.03 OF THE DAYTON CODE OF ORDINANCES ADOPTING THE 2006 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE.

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

SECTION ONE: The Dayton Code of Ordinances Chapter 150, Section 150. 03 is hereby amended as follows:

150.03

(A) That certain document, three copies of which are on file in the office of the city, being marked and designated as the “~~2003~~ 2006 International Property Maintenance Code” as published by the International Code Council, Inc. (ICC) is hereby adopted as the property maintenance code of the city for the control of buildings and structures as herein provided; and each and all of the regulations of the “~~2003~~ 2006 International Property Maintenance Code”, are hereby referred to, adopted and made part hereof as if fully set forth herein.

(B) Nothing in this section or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired or liability incurred, or any cause of causes of action acquired or existing under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this section.

(C) (1) Section PM-106.3 Penalty: is hereby amended as follows: Any person, firm or corporation who shall violate any provision of this code in addition to the penalties found in Dayton Code of Ordinances Chapter 150, Section 150.98 shall, upon conviction thereof, be subject to a fine of not less than \$50, nor more than \$250, or imprisonment for a term not to exceed 30 days, or both, at the discretion of the court. The violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violations, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of the code or the order or direction made pursuant thereto. Any action taken by the City, its agents and assigns, on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate. Each day that a violation continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense.

(2) Section PM-111.1 Application for Appeal: is hereby amended as follows: Any person , firm or corporation affected by any notice which has been issued in connection with the enforcement of any provision of this code, or of any rule or regulation adopted pursuant thereto, shall have the right to request and shall be granted a hearing on the matter before the Dayton Code Enforcement Board; provided that such person firm or corporation shall file, in the office of the Board, a written petition requesting such hearing and containing a statement of the grounds therefore within 20 days after the date the notice was served.

(3) Sections PM-111.2 Membership of board, PM-111.2.1 Alternate members, Section PM-111.2.2 Chairman, Section PM-111.2.3 Disqualification of member Section PM-111.2.4 Secretary, Section 111.2.5 Compensation of members, Section PM-111.3 Notice of meeting, Section PM-111.4 Open hearing, Section PM-111.4.1 Procedure, Section PM-111.5 Postponed hearing, Section 111.6 Board decision, Section PM-111.6.1 Records and copies and Section PM-111.6.2 Administration are deleted.

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: June 15, 2010
Second Reading: July 6, 2010

CITY OF DAYTON, KENTUCKY

by _____
KENNETH E. RANKLE
its Mayor

Mayor Rankle would like a letter drafted and passed out to all households from Ervin Terrace to Dayton Avenue, in reference to the street repaving. Signs are currently posted that say no parking for 4 days. Several residents have called the city building. City Adm. Redmond said it will be inconvenient but they are getting a new street. Mayor Rankle said most people park on the sidewalk in this area. A resident in the audience asked; where is everyone going to park? People can still park on the sidewalk or in their driveway but they maybe blocked in at times. Bluegrass will be working on different parts of the street at different times. Member Boruske questioned whether parking on the sidewalk would be a good idea. Blacktop or tar may get on the cars. He thinks everyone should move their cars until the job is completed. Member Ashford said the city is spending a lot of money and everyone will be happy once the job is completed.

Bill Burns reported that the intersection of Dayton Avenue and Osage is broken up pretty bad. There's a big dip, this should be looked at before they blacktop.

Motion by Member Allen, seconded by Member Gunning to adjourn the regular council meeting and the public hearing. Motion carried—so ordered.

Respectfully submitted,

Donna Leger
Clerk/Treas.

ATTEST:

Kenneth E. Rankle
Mayor