CITY OF DAYTON

COUNCIL MEETING

January 5, 2016

A regular meeting of Dayton City Council was held on Tuesday, January 5, 2016, 7:00 p.m. in the board meeting room of the Dayton Independent Schools Administration Building, Third & Clay Street. Dayton, KY.

**ROLL CALL:**

Mayor Boruske Aye Member Gifford Aye

Member Neary Aye Member Lynn Aye

Member Burns Aye City Adm. Giffen Aye

Member Tucker Aye City Att. Edge Aye

Member Baker Aye

Mayor Boruske opened the meeting with a silent prayer and led the Pledge of Allegiance.

**Audience:**

Kathy Gordon, 314 Fourth Ave., asked about the status of adding a stop light at Sixth & Vine or Sixth & Ervin Terrace. She feels this is a safety issue when exiting onto the Avenue. Mayor Boruske advised the city is waiting on the development between O’Fallon & Walnut to better determine where the light needs to be placed.

**Mayor’s Report:**

Mayor Boruske asked Member Baker if he would still like to be on the OKI Board (Ohio, Kentucky, and Indiana). Member Baker thinks this is an important post that deserves a lot of attention. The Fire Board has taken up a lot of time and Member Baker feels someone else should be appointed. Mayor Boruske asked if anyone from Council is interested. Member Neary said he will accept the appointment.

Mayor Boruske presented a list of Board Appointments to Council.

* Don Lynn- Board of Adjustments
* Tom Ranson and Barry Baker-Board of Arch. Review
* Deborah Willman- Code Enforcement Board
* Archie Pearson- Ethics Board
* Alberta Boruske- Housing Authority Board
* Brian Frommeyer and Craig Cornett- Park Board
* Sandy Trutschel and Tom Haddock- Planning & Zoning Board

Fire Board- Yearly 2016

* Jerry Gifford
* Ben Baker
* Jeff Haas

Sargeant Park-Yearly 2016

* Joe Tucker
* Donna Leger
* Mayor Boruske

Historical Museum Board

* Jane Hebel

Motion by Member Gifford, seconded by Member Burns to accept all board members. Motion carried-so ordered.

Mayor Boruske asked Council if they are in favor of Member Neary being appointed to OKI Board. All in favor-none opposed.

**City Administrator’s Report:**

Handicap parking request from Jack Smith, 324 Fourth Avenue. The applicant is not the homeowner, but has obtained a signature from the homeowner. The applicant meets all the requirements for a handicap sign in front of the property. Motion by Member Gifford, seconded by Member Lynn to approve the handicap parking request. Motion carried- so ordered.

A public hearing/open forum will be held on January 21, 2016 at 7 pm. This event is hosted by the City & KZF Design, Inc. An updated draft of the comprehensive study done for the Riverfront Commons trail and Community Pier will be presented by KZF Design, Inc. and the City. They have been working on these plans for over a year. City Adm. Giffen and representatives from KZF will be present to answer questions. City Adm. Giffen will contact Southbank.

The city was approached by a developer that owns property on the corner of Tenth & O’Fallon, and upper Walnut Street. The developer has approached City Adm. Giffen, Mayor Boruske and the Campbell County PVA about building single-family homes on the site. City Adm. Giffen met with the developers, who are serious about finalizing site plans to submit to Campbell County Building Department. The reason this information is mentioned tonight is there are several paper streets along the hillside that the developer is asking the city to look at vacating. They need the paper streets to construct driveways for the single family homes. City Adm. Giffen is asking for a motion to allow the city to take this to the Planning & Zoning Board. In conjunction with the developer submitting plans to the Planning & Zoning Board in the future. The Planning & Zoning Board will look at the site plans to determine to vacate or not vacate the paper streets. It will come back to council for the final closure of the right of ways. The city needs to initiate the move to send this application to the Planning & Zoning Board for review. That is what I’m asking for tonight. Motion by Member Tucker, seconded by Member Neary to send this request to Planning & Zoning.

Comments: Member Lynn wanted to make sure that the motion was to move forward but council was not approving anything. City Adm. Giffen said the motion only allows the plans to be submitted to Planning & Zoning. The Planning & Zoning Board determines if this will be beneficial to the city. City Att. Edge stated this is with the expectation that the developer will pay for any kind of surveys or title work. There will be no expense to the city. Several homeowner will need to sign off on the closing of the alleys. City Att. Edge advised that the money has to be deposited ahead of time and the property owners and developer determine how the funds are created and given to the city. Member Burns was concerned about a retaining wall or a way to handle drainage from the hillside. City Adm. Giffen said the hillside will be addressed. Motion carried—so ordered.

Anthony Cadle, Main Street Manger, said he has submitted his resignation to Mayor Boruske. City Adm. Giffen congratulated and thanked Anthony for his service to the city for the last 1 ½ years and wished him the best of luck.

There was a nice article in the River City News that recounted Dayton’s progress in 2015.

**City Att. Report:**

Last month we talked about the easement for the Belmont Rd. ordinance. The agreements for the easements were sent to council last week and revisions were sent over the weekend. City Att. Edge advised that council needs to approve the acceptance of the easements. After that, council can have a second reading of ordinance 2015#11. Member Neary asked if the ordinance is the same as the first reading expect for the exhibits. City Att. Edge stated no, the exhibits stay the same in the ordinance, the easement is a separate document. City Att. Edge asked council for a motion to accept the easements as drafted. Motion by Member Burns, seconded by Member Gifford to accept the easements. Motion carried- so ordered.

**Consent Agenda:**

Motion by Member Gifford, seconded by Member Burns to approve the minutes from the December 1, 2015 meeting as received. Motion carried—so ordered.

Motion by Member Baker, seconded by Member Lynn to approve the minutes from the December 15, 2015 meeting as received. Motion carried—so ordered.

**Ordinances and Orders:**

# CITY OF DAYTON, KENTUCKY

**ORDINANCE NO. 2015-#11**

**AN ORDINANCE CLOSING AND ABANDONING A FORTY (40) FOOT WIDE UNIMPROVED PORTION OF LOWER BELMONT ROAD.**

This ordinance closes and abandons a forty (40) foot wide unimproved portion of lower Belmont road and abutting property owners known as 604 Belmont Road, 611 Belmont Road and 103 Belmont Road.

I, Tom Edge, 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.

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**TOM EDGE**

Motion by Member Baker, seconded by member Gifford to approve 2015#11 as read.

Roll Call:

Member Gifford Aye Member Burns Aye

Member Lynn Aye Member Tucker Aye

Member Neary Aye Member Baker Aye

Motion carried- so ordered.

**Department Heads:**

Donna Leger, Clerk/ Treasurer, submitted the monthly financials and a check register. Handicap renewals and occupational/payroll renewals have been mailed out. The second delinquent tax notices will be sent out shortly. The auditors, as of yesterday have completed their field work.

Chief Halfhill, Police Chief, handed out statics for 2015 that compares to 2014. Chief Halfhill will have this available on the website and Facebook. This report shows police actively patrolling the streets for a safer community. A new police officer was hired. Jared DeMoisey is a 20 year veteran from Boone County Sheriff’s Department and has 17 years as a field training officer, which is great because he can help mentor the younger Officers. Sgt. Marksberry will bring Tessa (K-9) to the next council meeting. Member Burns commended Chief Halfhill and his Officers for the job they are doing.

Michael Auteri, Fire Chief, submitted a copy of his report. The Chief’s reports showed the 2015 Statistical Data. The Firefighters trained with Newport Fire and Police Departments in December at Newport High School for incidents that may involve an active shooter in a school. Two employees on the FDBD Truck Committee will be leaving on Tuesday, January 5, to visit the Rosenbauer Fire Truck Plant in Sioux Falls, South Dakota. Rosenbauer will pay for the trip. The newest Firefighter/Medic, Josh Moeves, started work on November 30. A special Board Meeting was held on December 8 to accept a bid for a new ladder truck. The next Fire Board Meeting will be held on Wednesday, February 17, 6 pm at the Fire Station. FDBD Local #3751 and Santa Claus helped 10 local families this holiday season. This is something the Fire Fighters have done since 2001. Century Construction is getting closer to finishing the restroom remolding. Chief Auteri added that it has been a pleasure working with Mayor Boruske, City Administrator Giffen and Dayton City Council this past year. We’ve accomplished a lot this year within the Fire Department.

Anthony Cadle, Main Street Manager, submitted his CCAP report. The city received another application for CCAP and it is currently in the review stages. Two other applications were approved. The Museum will be open the second & fourth Saturday from 10 am -2 pm. Anthony thanked Mayor Boruske and City Adm. Giffen, noting it has been a pleasure working for the city the last year and half and he has learned a lot.

**Standing Committee Report:**

Public Safety (Member Gifford): The Safety Committee met and agreed that a stop sign needs to be installed by the railroad tracks on Vine Street. Motion by Member Gifford, seconded by Member Burns to install a stop sign on Vine by the tracks. Comments: Is this at Ninth & Vine? Member Gifford said this is by the house before the gravel road on Vine Street. Motion carried—so ordered.

Public Works (Member Burns): Some of the signs in Dayton are in bad shape. Member Burns would like City Adm. Giffen to get with Rick Lucas, Public Works Superintendent, about the conditions of the signs and come up with a plan.

Parks and Real Estate (Member Tucker): The Park Board had a meeting last night. Member Tucker was not in attendance. The Park Board will be taking bids on concrete work. The ad for bids will be listed in the Recorder next month.

Personnel, Law & Printing (Member Neary): City Adm. Giffen spoke with Campbell County Planning & Zoning and they have suggested updating the city’s zoning ordinances. The purpose is for Dayton and Campbell County to be on the same page with zoning. Member Neary spoke with council members from Bellevue about their nuisance ordinance. He thinks their ordinance has more teeth than Dayton’s. Member Neary feels Dayton needs to update some of the city ordinances to be more effective.

Economic Development (Member Baker): Over the last year Member Baker has been working with Anthony Cadle on the CCAP program. For every dollar spent, the city received $8.96 in return, which is a 90% on return investment. Member Baker thanked Anthony for all his hard work.

**Unfinished Business:**

Member Neary wanted an update on Dayton Pike Park. City Adm. Giffen advised there is not much of a change. Correspondence was received from Department of Local Government stating that 2 years ago they instructed the city to do the wrong type of environmental study. City Adm. Giffen will get in contact with the firm that conducted the study and with the Department of Local Government. Once the correct study is completed this should move the application forward for approval. City Adm. Giffen is making sure the survey will not cost the city any money. The survey should take only 2 months.

**New Business:**

Member Baker and Member Neary passed out a screen shot of the intersection of Second Ave. and Kenton St. about a guardrail that is in the middle of the road. This guardrail tends to collect trash and other debris. Member Baker wanted to know why this was installed in that location. Mayor Boruske said this was installed due to a request from a business in the Industrial Park. Member Baker asked if the city is able to get this reopened. City Adm. Giffen will reach out to the business owner in the Industrial Park.

City Adm. Giffen introduced the new code director, Richard McAllister. Richard started yesterday.

**Adjournment:**

Motion by Member Lynn, seconded by Member Burns. Motion carried- so ordered.

Respectfully submitted,

Donna Leger

Clerk/Treas.

ATTEST:

Virgil L. Boruske

Mayor