CITY OF DAYTON

COUNCIL MEETING

January 2, 2018

A regular meeting of Dayton City Council was held on Tuesday, January 2, 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 Haas Aye

Member Volter Aye Member Lynn Aye

Member Burns Aye City Adm. Giffen Aye

Member Neary Aye City Att. Edge Aye

Member Baker Aye

Mayor’s Report:

Motion by Member Baker, seconded by Member Lynn to approve the minutes from the December 5, 2017 council meeting as received. Motion carried—so ordered.

# CITY OF DAYTON, KENTUCKY

**MUNICIPAL ORDER NO. 2018#1R**

A MUNICIPAL ORDER AUTHORIZING EXECUTION OF A DISTRIBUTION AGREEMENT FOR AMOUNTS COLLECTED IN COLLABORATION WITH OTHER LOCAL GOVERNMENT ENTITIES FOR PAST DUE PAYROLL TAXES.

**WHEREAS**, the City of Dayton agreed to collaborate with other local government entities in prosecuting its claim for unpaid payroll taxes from 2014 through the 2nd quarter of 2017;

**WHEREAS**, the City of Dayton, along with the other local government entities desires to resolve said claims without additional litigation and costs;

**WHEREAS**, the City of Dayton and the other local government entities have been presented with a collective offer of settlement;

**WHEREAS**, the City of Dayton desires to accept said offer contingent upon acceptance by the other local government entities; and

BE IT HEREBY ORDERED BY THE CITY OF DAYTON, KENTUCKY AS FOLLOWS:

## Section I

That the Mayor is hereby authorized to execute a Distribution Agreement by and between the Kenton County Fiscal Court, Campbell County Fiscal Court, the City of Covington and City of Dayton related to settlement and distribution of funds collected for past due payroll taxes owed by companies distributing alcohol within the City’s jurisdiction. This authorization is contingent upon approval by each of the aforementioned local government entities. A copy of the agreement is attached hereto and incorporated.

## Section II

That the City authorizes the Mayor to execute any contracts and agreements necessary to the execution of this agreement and any additional documents related to the settlement and release of claims for the aforementioned companies.

## Section III

That this Order shall be maintained and indexed in the Official Order Book by the City Clerk/Treasurer, dated Jan. 2, 2018.

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MAYOR VIRGIL L. BORUSKE

ATTEST:

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Motion by Member Volter, seconded by Member Lynn to approve 2018-1R as read.

ROLL CALL:

Member Lynn Aye Member Neary Aye

Member Volter Aye Member Baker Aye

Member Burns Aye Member Haas Aye

Motion carried—so ordered.

City Administrator’s Report:

The playground equipment has been installed at the Vine Street Park. Thanks to Southbank and the R. C. Durr Foundation for their cash donation of $20,000. The Riverfront Commons Design should be completed within the next few weeks. There will be a Planning & Zoning meeting here tomorrow night at 7:00 p.m. This will be the stage one plan reviews. On Tuesday, Jan. 9, 6:00 p.m., the final three presentation for the design of the new city building will be given.

The connection point through the transitional site was going to be done through Brendon Sullivan and Jim Reed. At this point they are not going to be doing that development. Mr. Imboden has found a different developer for that site, the first seven lots. The change of the lot lines was previously approved by council, but these lot lines have not been changed, reported City Adm. Giffen. After discussion, council decided to resend the previous motion. Motion by Member Neary to revoke the previous order of city council (July 18, 2017) to extend the property lines at Manhattan Harbour by 20 feet seconded by Member Volter.

ROLL CALL:

Member Volter Aye Member Baker Aye

Member Burns Aye Member Haas Aye

Member Neary Aye Member Lynn Aye

Motion carried—so ordered.

City Adm. Giffen noted the site plan that was approved a few years ago is still in place. The site will still be developed it will just not be developed by Brendan Sullivan.

The Riverwalk bid will go out in February or March and the project should start in the Spring or Summer. We’ll be meeting with GRW sometime this month on the time frame for the sidewalks. City Att. Edge said the sidewalks on Dayton Pike may take some time, due to all the steps the Department of Transportation has put into place. City Adm. Giffen noted some of the areas may not require as much approval. This would include the property already owned by the city. We could start working on this area first. Bob Yoder, Main St. Manager, spoke with GRW this week and they are finishing up some of the preliminary design work and will meet with us later this month.

Department Head’s Report:

Donna Leger, Clerk/Treas., submitted the monthly financials.

Robert Yoder, Main Street Manager, reported the holiday shop, and DHS band performance was a success. This month Bucks Barbecue, Devine Waffle & Weks, and Dayton Vintage shop will open in the CBD. A copy of the CCAP report was submitted to council. Most of the expenditure is rental abatements. We currently have several CCAP applications in process. Mr. Yoder is working with Duke Energy on plans for adding street lights at additional locations along Sixth Avenue. The city has applied for and received approval from KYTC District 6 to put in a crosswalk across KY 8 at McKinney St. In January of last year, we had over 50,000 sq. ft. of available space in the Industrial Park. As of today there is only 8,500 sq. ft. available.

David Halfhill, Police Chief, submitted a report showing police activity from 2014- 2017. We’ve progressed as a department since 2014. The Chief reported he can see the change, people are out walking and enjoying the city more. Chief Halfhill reported our K9 recently had two surgeries, and all is good. Our K9 is very beneficial and is important for Dayton and the Northern Kentucky area.

Michael Auteri, Fire Chief, submitted a copy of his report. The FDBD assisted 12 families this year with Santa on the fire truck. The firefighters gave out food baskets as well as toys to these families. Fireman Joe retired December 20, 2017. Joe Stambush has been providing fire safety to the cities of Dayton and Bellevue for the past 17 years. Chief Auteri updated everyone concerning Kris Harrison and the comments made on social media the last couple of days. Captain Richmond spoke with Kris Harrison several times since the fire on Third Avenue. We are, and have been in the process of completing an application to Carnegie Hero Commission to recognize Mr. Harrison on this rescue. The Fire Department also provided Mr. Harrison’s family with food and toys for Christmas. The FDBD does a lot behind the scenes. This is not all put on social media.

Chief Auteri reported, due to legislation he will be retiring on Feb. 1, 2018. This council has been awesome to work with. I was thinking about what we’ve accomplished in the lasts three year. The ladder truck, bathroom remodel, much needed new roof, the black mold was treated, etc. Everything that we’ve asked for and needed we’ve received. I’m very appreciative for all that Mayor and Council has given us. We have a really good group of firefighters right now. Captain Richmond will be the acting Chief. Everyone thanked Chief Auteri for his service.

City Adm. Giffen submitted a copy the Code Director’s report.

Petitions:

Member Neary was asked by a resident in the 900 block of Sixth Avenue, if that block could be changed to one way in the West bound direction. Reason being, it’s too narrow for traffic. Member Neary would like council to take a look at this area before the next council meeting.

Unfinished Business:

Member Volter distributed a hand out listing the CERS rates which take effective July 2018. Unless the legislation does something to change this, these will be the new rates for the City of Dayton and Fire Department Bellevue Dayton. The increase is more than a quarter of a million dollars. We have several projects coming up that will have expenses. Those expenses and this possible increase has me a little concerned with financing a new city building. Saying that, “I’m all for a new city building, we need one but I want to make sure we can afford to make the payments. We all need to think about these cost before we sign anything”.

City Adm. Giffen is currently working on a budgetary proposal that will show city expenses.

Member Neary asked about recent changes in the Park Board. Is there a meeting planned? City Adm. Giffen has contacted the members and only one person has responded. A meeting will be held this month. Member Neary would like to see a plan for expenditures of those funds and improvements at Sargeant Park as part of this plan.

Executive Session:

Mayor Boruske entertained a motion to go into executive session to discuss KRS 61.810 (b) deliberations on the future acquisition or sale of real property by a public agency, but only when publicity would be likely to affect the value of a specific piece of property to be acquired for public use or sold by a public agency. Motion by Member Neary, seconded by Member Haas to go into executive session. Motion carried—so ordered.

Motion by Member Neary, seconded by Member Haas to go back into regular session. Motion carried—so ordered.

Adjournment:

Motion by Member Neary, seconded by Member Lynn to adjourn. Motion carried—so ordered.

Respectfully submitted,

Donna Leger

Clerk/Treas.

ATTEST:

Virgil L. Boruske

Mayor