

CITY OF DAYTON
COUNCIL MEETING
April 16, 2019

A regular meeting of Dayton City Council was held on Tuesday, April 16, 7:00 p.m. in the board meeting room of the Dayton Independent Schools Administration Building, Third & Clay Street. Dayton, KY.

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

ROLL CALL:

Mayor Baker	Aye	Member Burns	Aye
Member Volter	Aye	Member Lynn	Aye
Member Neary	Aye	City Adm. Giffen	Aye
Member Beseler	Aye	City Att. Edge	Aye
Member Cornett	Aye		

Audience:

Amanda Bowman, 227 Sixth Ave., submitted a Special Event Application for the Dayton Community Garden. They would like to have a Mother's Day Plant Sale at the Towne Center (Monument) on May 11th from 11:00 a.m. until 2:00 p.m. Vendors will be required to pay a \$5.00 fee. Motion by Member Neary, seconded by Member Burns to approve this application. Motion carried—so ordered.

Mayor's Report:

In the last month or so we have been working very hard on the storm water run-off issues. Mayor Baker thanked the Storm Water Task Force and SD1 for all they have done.

Motion by Member Cornett, seconded by Member Neary to approve the minutes from the March 5, 2019 council meeting as received. Motion carried—so ordered.

**CITY OF DAYTON, KENTUCKY
RESOLUTION NO. 2019-3R**

A RESOLUTION BY THE CITY OF DAYTON, KENTUCKY, TO AUTHORIZE THE MAYOR TO SIGN GRANT AGREEMENT FOR THE CITY OF DAYTON RIVERFRONT COMMONS PROJECT (ITEM NO 06-00453.00) (FEDERAL PROJECT NUMBER 3002-332).

WHEREAS, The City of Dayton desires to enter into an agreement for grant funds for the City of Dayton Riverfront Commons Project, design phase; and

WHEREAS, the City Attorney has reviewed the agreement and approves as to form and legality of the agreement.

NOW, THEREFORE BE IT RESOLVED, BY THE CITY OF DAYTON, KENTUCKY that the Mayor is authorized to sign a Grant Agreement for THE CITY OF DAYTON RIVERFRONT COMMONS PROJECT (ITEM NO. 06-00453.00) (FEDERAL PROJECT NUMBER 3002-332), design phase in the amount of \$126,000. which is attached and incorporated hereto.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the City of Dayton, Kentucky as the recipient agrees, ratifies and adopts all statements, representations, warranties, covenants, and agreements contained in the aforementioned and herein incorporated Grant Agreement. Furthermore, the City of Dayton as the recipient also agrees to all terms and conditions stated in the Grant Agreement.

So Adopted this 16 th. day of April 2019.

MAYOR BEN BAKER

ATTEST:

DONNA LEGER
CITY CLERK/TREASURER

Motion by Member Volter, seconded by Member Lynn to approve 2019-3R as read.
Comments: Member Neary would like to know who will be involved in the design phase discussion. Member Neary would like to be included in this group. City Adm. Giffen noted this is for the trail only.

ROLL CALL:

Member Cornett	Aye	Member Volter	Aye
Member Burns	Aye	Member Neary	Aye
Member Lynn	Aye	Member Beseler	Aye

Motion carried—so ordered.

**CITY OF DAYTON, KENTUCKY
MUNICIPAL ORDER NO. 2019#4R**

A MUNICIPAL ORDER ACCEPTING THE COMPLETED AUDIT FOR YEAR ENDING JUNE 30, 2018 AND AUTHORIZING REPORTING AND PUBLICATION IN ACCORDANCE WITH KRS 91A.040.

WHEREAS, the Van Gorder, Walker & Co., Inc. completed an audit for the City of Dayton for the Fiscal Year ending June 30, 2018 that was received on March 5, 2019; and

WHEREAS, the City Council has been presented a copy of the audit in accordance with KRS 91A.040(4)(e) at regular meeting held March 5, 2019.

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

Section I

That the City Council hereby accepts the audit by prepared by Van Gorder, Walker & Co., Inc. for Fiscal Year ending June 30, 2018, attached and incorporated herein, presented at regular meeting held on March 5, 2019.

Section II

That the Mayor and any other necessary officials are authorized to report and submit the audit to the Department of Local Government in accordance with KRS 91A.040, publish in accordance with KRS Chapter 424, as required by KRS 91A.040 and all other necessary actions as required by Kentucky Revised Statute.

Section III

That this Order shall be maintained and indexed in the Official Order Book by the City Clerk/Treasurer.

So ordered by the City Council of the City of Dayton, Campbell County, Kentucky assembled in regular session this 16 day of April, 2019.

MAYOR BEN BAKER

ATTEST:

DONNA LEGER
CITY CLERK/TREASURER

Motion by Member Neary, seconded by Member Beseler to approve 2019#4R as read.
Comments: Member Burns noted this was a fantastic audit, and thanked the Administrative Staff.

ROLL CALL:

Member Burns	Aye	Member Neary	Aye
Member Lynn	Aye	Member Beseler	Aye
Member Volter	Aye	Member Cornett	Aye

Motion carried—so ordered.

**CITY OF DAYTON, KENTUCKY
RESOLUTION NO. 2019-#5R**

A RESOLUTION BY THE CITY OF DAYTON, KENTUCKY, TO
SUPPORT APPLICATION BY THE CITY FOR THE 2019
RECREATIONAL TRAIL PROGRAM GRANT FUNDS.

WHEREAS, the City desires to develop recreational resources to provide for the health and well-being of the general public by means of developing a recreational trail within the city limits; and

WHEREAS, the City intends to submit an application for the 2019 Recreational Trail Program Grant from the Department of Local Government for funding of up to eighty percent (80%) of the proposed project costs in developing a recreational trail;

NOW, THEREFORE BE IT RESOLVED, BY THE CITY OF DAYTON, KENTUCKY to hold in reserve twenty percent (20%) of the proposed project costs for the purpose of matching the 2018 Recreational Trail Program Grant; and

NOW, THEREFORE BE IT FURTHER RESOLVED, BY THE CITY OF DAYTON, KENTUCKY THAT the City of Dayton, Kentucky supports the 2019 Recreational Trail Program Grant request as submitted by the City of Dayton, Kentucky for the development of the Sargeant Park Recreational Trail Project.

So Adopted this 16 day of April 2019.

MAYOR BEN BAKER

ATTEST:

DONNA LEGER
CITY CLERK/TREASURER

Bob Yoder, Economic Development Director, reported most of this grant will be used to remove the dead and diseased Ash Trees at Sargeant Park. Some of the funding will be to improve and repairs the trails. The quote is \$80,000 and the city would owe 20% of the grant amount.
Motion by Member Neary, seconded by Member Beseler to approve 2019-5R as read.

ROLL CALL:

Member Lynn	Aye	Member Beseler	Aye
Member Volter	Aye	Member Cornett	Aye
Member Neary	Aye	Member Burns	Aye

Motion carried—so ordered.

Second Reading:

**CITY OF DAYTON, KENTUCKY
ORDINANCE NO. 2019-#5**

AN ORDINANCE ABOLISHING CHAPTER 98 OF THE CITY OF DAYTON CODE OF ORDINANCES WHICH ESTABLISHES A TREE BOARD TO REGULATES TREES WITHIN THE CITY.

NOW, THEREFORE BE IT ORDAINED BY THE CITY OF DAYTON, CAMPBELL COUNTY, KENTUCKY AS FOLLOWS:

Section I

That Chapter 98 of the City of Dayton Code of Ordinances is hereby abolished and repealed in whole.

Section II

That this Ordinance shall be signed by the Mayor, attested by the City Clerk/Treasurer, recorded and published. Same 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: 3/5/19
Second Reading: 4/16/19

MAYOR BEN BAKER

ATTEST:

DONNA LEGER
CITY CLERK/TREASURER

Motion by Member Volter, seconded by Member Cornett to approve 2019#5 as read.
Comments: Member Neary said this is sad. Earth day is next week. Mayor Baker noted this board was only used for tree grants. Mr. Yoder does not know of any grant that requires a tree board. Member Cornett noted we can always re-enact the board if needed.

ROLL CALL:

Member Volter	Aye	Member Cornett	Aye
Member Neary	Nay	Member Burns	Aye
Member Beseler	Nay	Member Lynn	Aye

Motion carried—so ordered.

**CITY OF DAYTON, KENTUCKY
ORDINANCE NO. 2019-#6**

AN ORDINANCE AMENDING CHAPTER 51 (SEWERS) OF THE CITY OF DAYTON CODE OF ORDINANCES.

This ordinance amends Chapter 51 of the City of Dayton Code of Ordinance relating to sewers to update the ordinance to comply with the City’s Interlocal Agreement with Sanitation District #1

who has taken all operational and supervisory responsibility with the City's stormwater and sewer systems. These revisions include redacting provisions of statutes related to fees, rates, violations and processes to obtain necessary permits.

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.

TOM EDGE

Motion by Member Lynn, seconded by Member Burns to approve 2019#6 as read.

ROLL CALL:

Member Neary	Aye	Member Burns	Aye
Member Beseler	Aye	Member Lynn	Aye
Member Cornett	Aye	Member Volter	Aye

Motion carried—so ordered.

**CITY OF DAYTON, KENTUCKY
ORDINANCE NO. 2019-#7**

**AN ORDINANCE AMENDING THE CIVIL FINE
SCHEDULE FOR VIOLATIONS OF CITY OF DAYTON
CODE OF ORDINANCES CHAPTER 50 (GARBAGE).**

This ordinance amends Chapter 50 of the City of Dayton Code of Ordinance relating to garbage by amending the penalty provision for violations of this chapter of ordinances from the standard city civil fine schedule to fifty dollars (\$50.00) per violation.

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.

TOM EDGE

Comments: Member Volter asked what the fines were. Phil Liles, Director of Codes, reported it was \$250.00 for the 1st offense, \$500.00 for the 2nd offense, and \$1000.00 for the 3rd offense. The recommendation is to amend that to \$50.00 for each infraction. Phil Liles, Director of Codes, noted we don't want to put a burden on our citizens we just want the problem corrected. First the owner is contacted and asked to remove/remedy the situation before a citation is written. If Public Works needs to remove the violation, more money is charged to the homeowner. Member Volter asked, after the citation is written how many days before Public Works removes the violation? Phil Liles said two days. After that the homeowner is charged a removal fee. Motion by Member Neary, seconded by Member Cornett to approve 2019#7 as read.

ROLL CALL:

Member Beseler	Aye	Member Lynn	Aye
Member Cornett	Aye	Member Volter	Aye
Member Burns	Aye	Member Neary	Aye

Motion carried—so ordered.

First Reading:

**CITY OF DAYTON, KENTUCKY
ORDINANCE NO. 2019-#8**

AN ORDINANCE AMENDING THE ADOPTED CITY OF DAYTON, KENTUCKY'S ANNUAL BUDGET FOR FISCAL YEAR JULY 1, 2018 THROUGH JUNE 30, 2019, & ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS FOR THE CITY TO THE FULL EXTENT AUTHORIZED BY KRS 82.082 AND INTERPRETATIVE CASE LAW.

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

Section I: That the annual budget for the fiscal year beginning July 1, 2018 and ending June 30, 2019 to estimate revenues and resources and appropriate funds for the City to the full extent authorized by KRS 82.082 and interpretative case law, is hereby adopted as follows:

Resource Available	General Fund	Municipal Road Aid	Parks
Fund Balance Forward	90,000 132,000	167,260	41,619 69,175
ESTIMATED REVENUES:			
Transfers from other Accounts/Funds			
Property Tax	1,552,200		100,000
Licenses and Permits	1,322,900		
Intergovernmental	69,700	105,000	
Fines & Penalties	86,000		
Charges for Services	441,250		
Other	1,810,300		2,000
Interest	16,000	700	200
Total Estimated Revenue	5,298,350	105,700	102,200
Total Resources Available for Appropriation	5,388,350 5,430,350	272,960	143,819 171,375
APPROPRIATIONS:			
General Government	452,821.42 472,821.42		
Police Department	1,284,756.30 1,306,756.30		
Fire Department	928,833.00		
Public Works	342,309.77	30,000	65,000
Building Services	75,711.85		
Waste Collection	194,000.00		
Professional Services	2,030,840.00	242,960	
Main Street	79,077.66		
Park Salary			12,500
Utilities/Operations			20,600 47,600
Repair/Maintenance			10,500
Miscellaneous			1,000
Total Appropriations	5,388,350 5,430,350	272,960	109,600 136,600
Excess of resources over/under appropriations	0	0	34,219 34,775
Transfers to other funds	464,000	0	
Estimated fund balances	0	0	34,219 34,775

Resource Available	Economic Development	Sargent Park Trust Fund	TIF	Capital Outlay
Fund Balance Forward	946,375	38,358	1,500	0
ESTIMATED REVENUES:				
Transfers from other Accounts/Funds				
Transfers from Reserves				464,000
Charges for Services				
Land Sale Payment				
Other (Taxes/Interest)	1,000	200	125,000	
Intergovernmental	0			
Total Estimated Revenue	1,000	200	125,000	
Total Resources Available for Appropriation	947,375	38,358	126,500	464,000

APPROPRIATIONS:				
Capital Improvements	200,000	10,000		160,000
CCAP	128,000			
Demolition	20,000			
Grant(s) Match				239,000
Equipment				65,000
Bonds				
TIF Payment			125,000	
Total Appropriations	348,000	10,000	125,000	464,000
Excess of resources over/under appropriations	599,375	28,558	1,500	0
Transfers to other funds				
Estimated fund balances	599,375	28,558	1,500	0

Section II. 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: _____

MAYOR BEN BAKER

ATTEST:

DONNA LEGER

**CITY OF DAYTON, KENTUCKY
ORDINANCE NO. 2010-#9**

AN ORDINANCE ACCEPTING THE BID OF MCIMETRO FOR A TWENTY YEAR NON-EXCLUSIVE FRANCHISE FOR THE USE OF THE PUBLIC STREETS, ALLEYS AND OTHER PUBLIC GROUNDS OF THE CITY FOR THE TRANSMISSION AND DISTRIBUTION OF COMMUNICATION SERVICES THROUGH AND FOR CONSUMPTION WITHIN THE CITY.

WHEREAS, MCImetro is a public utility providing communications services in Kentucky subject to the provisions of Sections 163 and 164 of the Kentucky Constitution and K.R.S. 96.010 through 96.045; and

WHEREAS, Section 163 of the Kentucky Constitution prohibits public utilities from using the streets, alleys and other public grounds within a city without a franchise for that use; and

WHEREAS, MCImetro and the City desire to enter into a franchise agreement under which MCImetro may access and use the streets, alleys, and public grounds of the City for the provision of communications services within the City; and

WHEREAS, the City enacted Ordinance 2018-#3 to establish a franchise for the provision of communications services within the City (the “**Ordinance**”) and has published notice of said Ordinance in accordance with Kentucky law; and

WHEREAS, MCIMetro submitted a bid for the provision of communications services within the City; and

WHEREAS, the City has determined that MCImetro's bid satisfied the requirements of the Ordinance and accepted said bid by an affirmative vote that also authorized and directed the Mayor to enter into this Agreement with MCImetro.

NOW, THEREFORE BE IT ORDAINED BY THE CITY OF DAYTON, CAMPBELL COUNTY, KENTUCKY AS FOLLOWS:

Section I – Acceptance of Bid

The attached bid or franchise agreement from MCImetro satisfies the requirements of Ordinance 2018#3 and hereby accepted as tendered.

Section II – Grant of Franchise

Pursuant to City of Dayton Ordinance 2018#3, MCImetro is hereby granted a non-exclusive twenty (20) year franchise for the use of the City streets, alleys and public grounds for the transmission and distribution of communication services through and for consumption within the City.

Section III – Provisions Severable

The provisions of this ordinance are severable; and the invalidity of any provision of this ordinance shall not affect the validity of any other provision thereof; and such other provisions shall remain in full force and effect as long as they remain valid in the absence of those provisions determined to be invalid.

Section IV – Conflicting Ordinances Repealed

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section V – Effective Date and Publication

This Ordinance shall be signed by the Mayor, attested by the City Clerk, recorded, and shall be in effect at the earliest time provided by law after publication in summary pursuant to KRS 83A.060(9).

PASSED by City Council of the City of Dayton, Campbell County, Kentucky assembled in regular session.

First Reading: _____

Second Reading: _____

MAYOR BEN BAKER

ATTEST:

DONNA LEGER
CITY CLERK/TREASURER

**CITY OF DAYTON, KENTUCKY
ORDINANCE NO. 2019-#10**

**AN ORDINANCE CORRECTING A SCRIVENER'S ERROR IN
THE CITY ZONING ORDINANCE SECTIONS 10.15 AND 10.17.**

WHEREAS, the City of Dayton enacted Ordinance 2014-#19 allowing certain residences within the Central Business District and the Neighborhood Commercial District;

WHEREAS, the City of Dayton subsequently enacted Ordinance 2017-#6 renumbering the City's

zoning ordinance;

WHEREAS, Ordinance 2017-#6 did not accurately reflect the changes in the zoning ordinance made by Ordinance 2014-#19; and

WHEREAS, the City desires to correct this scrivener's error.

NOW, THEREFORE BE IT ORDAINED BY THE CITY OF DAYTON, CAMPBELL COUNTY, KENTUCKY AS FOLLOWS:

Section I

That Chapter 154, Section 10.15(C)(3) of the City of Dayton Code of Ordinances is amended as follows:

~~(3) Residential dwelling units, second and third floors only with businesses on the first floor only.~~
Residential dwelling units, second and third floors or attached to the rear of a commercial use.

Section II

That Chapter 154, Section 10.17(C)(2) of the City of Dayton Code of Ordinances is amended as follows:

~~(3) Residential dwelling units, second and third floors only with businesses on the first floor only.~~
Residential dwelling units, second and third floors or attached to the rear of a commercial use.

Section III

That this Ordinance shall be signed by the Mayor, attested by the City Clerk/Treasurer, recorded and published. Same shall be in effect at the earliest time provided by law.

First reading on this __ day of _____, 2019.

Second reading on this __ day of _____, 2019.

PASSED by City Council of the City of Dayton, Campbell County, Kentucky assembled in regular session.

MAYOR BEN BAKER

ATTEST:

DONNA LEGER
CITY CLERK/TREASURER

**CITY OF DAYTON, KENTUCKY
ORDINANCE NO. 2019-#11**

**AN ORDINANCE MODIFYING AND ADOPTING
THE AMENDED MANHATTAN HARBOUR
COMMUNITY PATTERN BOOK.**

WHEREAS, pursuant to agreement with DCI Properties-DKY, LLC, an Ohio limited liability company (hereafter "DCI") and Manhattan Harbour Project LLC, a Kentucky limited liability company (hereafter "MHP") for development of Ohio riverfront property presently titled in the City which requires the City's approval of development specifics, and DCI and MHP and their sub-developers approved and submitted certain documents, modifications and reformatting to the Manhattan Harbour Development Community Pattern Book and;

WHEREAS, the City desires that its approval be enforced now and in the future after said property is conveyed to DCI and MHP under the agreement; and

WHEREAS the Dayton Planning and Zoning Commission has approved the request to modify the Manhattan Harbour Community Theme/Pattern Book;

NOW, THEREFORE BE IT ORDAINED BY THE CITY OF DAYTON, CAMPBELL COUNTY, KENTUCKY AS FOLLOWS:

Section I

City Council for the City of Dayton hereby approves and adopts the modifications to the Manhattan Harbour Community Theme/Pattern Book. A copy of said book is attached hereto and made part hereof by

reference;

Section II

The City hereby ordains that the said Manhattan Harbour Community Theme/Pattern Book, be included as restrictions in any deed conveyed by the City to DCI and MHP, for all real estate in the Manhattan Harbour development;

Section III

This Ordinance shall be signed by the Mayor, attested by the City Clerk, recorded, 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: _____

MAYOR BEN BAKER

ATTEST:

DONNA LEGER
CITY CLERK/TREASURER

City Administrator's Report:

Request for a handicap parking sign from Gary Volkering, 823 Sixth Avenue. Mr. Volkering meets all the requirements. Motion by Member Cornett, seconded by Member Burns to approve the handicap parking space. Motion carried—so ordered.

The City received three bids for banking service. At this point the City will stay with our current bank since we have a very favorable interest rate which is more than double of what we were offered by any other bank. We are aware that our current bank is merging.

Money was paid from the General Fund for road repair/sidewalks curbs. This was for the Seventh Avenue Curb, new catch basin, and grates. City Adm. Giffen asked approval to repay the General Fund from the Municipal Aid Fund in the amount of \$2,475.05. Motion by Member Neary, seconded by Member Volter to reimburse the General Fund for these expenses. Comments: Member Burns would like to see a better solution on Seventh Avenue. The blacktop curb will be destroyed. City Adm. Giffen said this was done because emergency vehicles can go over blacktop better than they can go over concrete. Member Burns said the blacktop will break. Motion carried—so ordered.

Bluegrass Paving will be back soon to finish the work they did not complete last year.

Department Head's Report:

Chris Adkins, Fire Chief, submitted a copy of his report. The Fire Board meeting is tomorrow night at 6:00 p.m.

David Halfhill, Police Chief, submitted a copy of his report.

Bob Yoder, Economic Development Director, submitted his report.

Main Street:

We are progressing on plans for a monthly flea market in the City Parking Lot, 600 block of Sixth Avenue. More to announce at the May council meeting.

The Main Street Board will be taking over the Taste of Dayton this fall. The next Main Street Meeting is Tuesday, April 30, 7:00 p.m. at the old YMCA building.

CCAP:

I'll be sending you a report on the CCAP Expenditures for the 3rd Quarter of FY2018-2019.

This has been the most successful year to date of the program. The Ribbon Cutting for Avenue Pharmacy was a success, and the renovation of that building is amazing.

Grants:

Dayton KY 8/TANK Route 12 Improvement Project. This grant was submitted 18 months ago.

Governor Bevin has committed to allocate \$123,594 from the federal Transportation Alternatives Program (TAP). This is the Dayton Kentucky Tank Route improvement project. At the turn-around end of Clark Street we'll be putting a concrete pad and bus shelter for those who use the bus service in the Industrial Park. More benches, and trash cans will also be added. At Sixth & O'Fallon and Sixth & Clay we'll be adding receptacles for cigarette butts, benches, and six more light poles. This grant will upgrade the services for those who take public transportation in Dayton.

Still working on the Sixth Avenue TAP and Dayton Pike SRTS Project. Still waiting on approval for our Right of Way plan from the State. I contact them weekly.

CY2019 TAP Grant:

Submitting application to connect the sidewalk along Dayton Pike from Chateau Ridge to the end of the City of Fort Thomas's Sidewalk Project at North Ridge Lane. The City of Ft. Thomas is coming down to North Ridge Lane with a sidewalk.

CY2019 Recreational Trails Grant/Land and Water Conservation Grant

Submitting application to improve and create recreational trails in Sargeant Park.

Crumb Rubber Grant: Benches and Picnic Table for Clark St. Park and Jamestown Park

There will be a Board of Architectural Review meeting on May 14, 7:00 p.m. at Bucks BBQ. Check the Dayton Community News for Articles on Historic Preservation.

Member Neary said this month is Pedestrian Safety Month and he would like to get prices on pedestrian crossing solar flashing lights. Mr. Yoder will bring back a cost to council.

Phil Liles, Director of Codes, submitted a copy of his report. There were sixty letters issued for the month of March. Of those, thirteen were citations and forty violations. Thirty-two cases were closed in March. Member Cornett thanked Mr. Liles for the reminder he put in the Community News. Member Volter told Mr. Liles to keep up the good work.

Member Burns thanked Donna Leger, Clerk/Treas., for the outstanding job she does on the audit, and the monthly financial reports she sends to council. This budget is what runs this City.

Unfinished Business:

Member Neary would like a timeline for the New City Building. The city spent \$35,000 for KZF to do an estimated cost for a New City Building. Can we put a copy of the KZF report on the city web page? Member Neary would like to hold a public meeting on Tuesday, May 21st, and have KZF Design present their plans for a New City Building behind the Monument. City Adm. Giffen

will contact KZF Design, but if the city is looking at a second option the two options need to be compared side by side so the public knows what's at stake. I can't put together a reasonable cost analyst until I have all the information. There is a lot of unknowns. If KZF presents on May 21 and we wait 6 to 12 months for the second option, what KZF presents is irrelevant. City Adm. Giffen would like direction on where this is going. If we're going to pursue a second option we need to do that, and then present these options side by side. Member Lynn noted, we've been waiting for the other option since Feb. and it's not back. We own this land. We've been working on this site for 10-15 years in order to build a City Building. I agree with other options, but this is not working out because they (option 2) won't get back with the city. Mayor Baker noted there was a meeting today to discuss cost with option 2. We've had other meetings with option 2 over the last two months. Member Cornett questioned whether or not this would be a viable option. The City has already spent \$547,000 to get the land behind the monument ready, and Member Cornett is not willing to spend any more money. Mayor Baker said a new study would be a fraction of that cost because we've already done a lot of the work in the first study. City Adm. Giffen noted there are steps we'll need to take if we go through another agency. It will cost money. I don't think it's fair to KZF, or the city to present something that immediately, or 6 months to a year be tossed out the window. This has already been delayed a year. I need some direction soon. We can't keep this hanging over us budget wise. Member Lynn suggested putting information into an e-mail to council, as he had no idea the Administration was meeting with someone from the second option. Member Lynn is not in favor of the second option. Mayor Baker asked City Adm. Giffen to keep council informed of these meetings. City Adm. Member Cornett said council can make the decision on when to start. Member Volter would like this to be an informational meeting for the public. A presentation of the study we had done for a new city building. It's not about making a decision, it's about getting the information out to our citizens. Member Burns noted Police Officers are working in unsafe conditions. We have a problems in the Police Department, and we can't keep putting this off. City Adm. Giffen said the facilities we now have are inadequate. Member Beseler said as time goes on you'll see we don't have enough money to spend this amount for a single project. Member Lynn said we can't keep spending money on options. Motion by Member Lynn, seconded by Member Neary to have KZF present their presentation for a New City Building at a public meeting on May 21st.

ROLL CALL:

Member Cornett	Aye	Member Volter	Aye
Member Burns	Aye	Member Neary	Aye
Member Lynn	Aye	Member Beseler	Aye

Motion carried—so ordered.

Motion by Member Lynn, seconded by Member Burns to look at option 1, Berry Street and look at option 2, the one in current discussion, and do not have any further options available for a city building. Comments: Member Neary felt this will limit our options. Member Lynn said we can talk about this for the next 6 years and the only thing we're really doing is wasting time and money. By that time the City Building will cost three times as much. We can't just keep spending money on all these options.

ROLL CALL:

Member Burns	Aye	Member Neary	Nay
Member Lynn	Aye	Member Beseler	Nay
Member Volter	Nay	Member Cornett	Aye

Tie (3 Aye/3Nay). Mayor Baker votes Nay. Motion fails.

New Business:

Member Cornett asked if the Storm Water Task Force has a solution for the Tom Dilts issue. City Adm. Giffen noted the area will be dye-tested the next time we have a heavy rain. Member Volter will also be checking on a run-off situation at Sixth & Benham St. Member Burns would like the Task Force to check Fairview also.

Member Neary suggested the Park Board be involved in Sargeant Park. City Adm. Giffen said the Park Board recently met.

Member Burns asked why the floodgate is still up. City Adm. Giffen reported Public Works is short staffed, it will be down shortly.

New Business:

Prus Construction has started the first phase of the Riverfront Commons project. Hopefully by the end of the summer we'll have the first phase of the trail open.

Executive Session:

Mayor Baker 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. This is in reference to property located at 118 Sixth Avenue. Motion by Member Neary, seconded by Member Volter to go into executive session. Motion carried—so ordered.

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

Motion by Member Volter, seconded by Member Lynn for City Att. Edge, City Adm. Giffen, and Mayor Baker to proceed with negotiations and bring back legal documents to council, to be finalized.

ROLL CALL:

Member Lynn	Aye	Member Beseler	Aye
Member Volter	Aye	Member Cornett	Aye
Member Neary	Aye	Member Burns	Nay

Motion carried—so ordered.

Adjournment:

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

Respectfully submitted,

Donna Leger
Clerk/Treas.

ATTEST:

Ben Baker
Mayor