CITY OF DAYTON

COUNCIL MEETING

June 4, 2019

A regular meeting of Dayton City Council was held on Tuesday, June 4, 2019 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

Mayor Baker announced that tonight the city will be honoring one of our own citizens, Mr. Kris Harrison.

Dayton is 1.9 Square Miles and contains many different aspects of things from businesses, buildings, schools, and homes. But what makes Dayton special is the people that occupy these buildings, the people we call our neighbors.

Dayton is lucky to have the neighbors that we do. The kind of folks who will go out of their way to help a neighbor with their yard work, get their groceries in the house, or in some extreme cases such as we see today, save a life.

We have known this all along, but today, the country has taken notice. Today we are lucky to honor Kris Harrison with the nationally recognized Carnegie Medal. This medal is chosen to be awarded by a commission of a 21 member board who look at stories of heroism across the nation and choose a select few that will receive these awards if they meet the criteria set forth. That criteria is “The rescuer must be a civilian who knowingly and voluntarily risks his or her own life to an extraordinary degree.”

On the November night that Kris ran into a burning building to save his neighbor’s life, he certainly met that criteria.

On the front of the medal it bears the image of Andrew Carnegie and on the back the words “Greater love hath no man than this that a man lay down his life for his Friends”.

So tonight it’s an honor to be able to present this award on behalf of the Carnegie commission and Kris, it’s an honor to represent Dayton in saying “Thanks for being a great neighbor”.

Senator Will Schroder gave Mr. Harrison a Senate Citation, and Mr. Dennis Keene awarded Mr. Harrison with the highest citation of appreciation from the House of Representatives.

Mayor Baker also awarded Mr. Harrison with a Key to the City.

Mr. Harrison said he was overwhelmed, and very thankful to everyone for the recognition.

Audience:

Cathy Volter, 336 Riverpointe Drive, addressed council. Ms. Volter ask about the sidewalk safety grant. City Adm. Giffen said he is in contact with the State weekly. Ms. Volter is concerned about the safety of small children walking on Dayton Pike. Something needs to be done and done quickly.

Gordon Henry is the new Executive Director of the Dayton Housing Authority. Mr. Henry said he is looking forward to his new position, and being involved in the City.

Mayor’s Report:

With the retirement of Roxanne Craig from Dayton Housing Authority the Housing Board did an extensive search for a new director and we are excited to welcome Gordon Henry to our team. The Housing Authority received 65 resumes. Mr. Henry was highly recommended.

We’ve been working with Prus construction and Southbank Partners and are making great strides in the completion of Phase 1 of the riverfront commons, which is a bike/walking path that runs on the north side of Manhattan Blvd, right next to the river. This should be completed by end of summer.

Motion by Member Neary, seconded by Member Volter to approve the minutes from the May 7, 2019 meeting as received.

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-#12**

**AN ORDINANCE AMENDING ORDINANCE 2018-#5 SETTING FORTH COMPENSATION AND NUMBER OF AUTHORIZED POSITIONS FOR EMPLOYEES UNDER THE DAYTON JOB CLASSIFICATION SYSTEM.**

This ordinance amends the Dayton Job Classification System by amending the amount of pay for several city employment positions and the number of positions available.

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 Volter, seconded by Member Lynn to approve 2019#12 as read. Comments: Member Neary feels this is short changing Public Works. Another full time employee is needed in Public Works. City Adm. Giffen noted this ordinance allows for an extra laborer and a crew leader. But, this is not reflected in the 2019/2020 budget at this time. Member Volter would like the Mayor, City Adm. Giffen, and the Finance Committee to take a hard look at giving the employees more of a payroll increase. He would like to see more than 3% across the board. The City is losing good people due to wages.

ROLL CALL:

Member Volter Aye Member Cornett Aye

Member Neary Aye Member Burns Aye

Member Beseler Aye Member Lynn Aye

Motion carried—so ordered.

First Reading:

**CITY OF DAYTON, KENTUCKY**

**ORDINANCE NO. 2019-#13**

**AN ORDINANCE ADOPTING THE CITY OF DAYTON, KENTUCKY'S ANNUAL BUDGET FOR FISCAL YEAR JULY 1, 2019 THROUGH JUNE 30, 2020, & 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, 2019 and ending June 30, 2020 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** | 290,528 | 114,963 | 47,074 |
|  |  |  |  |
| **ESTIMATED REVENUES:** |  |  |  |
| Transfers from other Accounts/Funds |  |  |  |
| Property Tax | 1,597,200 |  | 100,000 |
| Licenses and Permits | 1,397,400 |  |  |
| Intergovernmental | 72,700 | 110,000 |  |
| Fines & Penalties | 85,000 |  |  |
| Charges for Services | 411,250 |  |  |
| Other | 1,561,660 |  | 2,000 |
| Interest | 30,000 | 700 | 200 |
| **Total Estimated Revenue** | 5,155,210 | 110,700 | 102,200 |
|  |  |  |  |
| **Total Resources Available for Appropriation** | 5,445,738 | 225,663 | 149,274 |
|  |  |  |  |
| **APPROPRIATIONS:** |  |  |  |
| General Government | 516,559 |  |  |
| Police Department | 1,394,674 |  |  |
| Fire Department | 964,382 |  |  |
| Public Works | 361,096 | 30,000 | 65,000 |
| Building Services | 80,286 |  |  |
| Waste Collection | 225,000 |  |  |
| Professional Services | 1,823,275 | 195,663 |  |
| Main Street | 80,466 |  |  |
| Park Salary |  |  | 12,500 |
| Utilities/Operations |  |  | 20,600 |
| Repair/Maintenance |  |  | 10,500 |
| Miscellaneous |  |  | 1,000 |
| **Total Appropriations** | 5,445,738 | 225,663 | 109,600 |
|  |  |  |  |
| **Excess of resources over/under appropriations** | 0 | 0 | 39,674 |
| Transfers to other funds | 0 | 0 |  |
| **Estimated fund balances** | 0 | 0 | 39,674 |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Resource Available** | **Economic Development** | **Sargeant Park Trust Fund** | **TIF** | **Capital Outlay** |
| **Fund Balance Forward** | 798,198 | 38,358 | 1,500 | 0 |
|  |  |  |  |  |
| **ESTIMATED REVENUES:** |  |  |  |  |
| Transfers from other Accounts/Funds |  |  |  |  |
| Transfers from Reserves |  |  |  | 465,232 |
| 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** | 799,198 | 38,558 | 126,500 | 465,232 |
|  |  |  |  |  |
| **APPROPRIATIONS:** |  |  |  |  |
| Capital Improvements | 250,000 | 12,000 |  | 135,000 |
| CCAP | 63,616 |  |  |  |
| Demolition | 20,000 |  |  |  |
| Grant(s) Match |  |  |  | 234,000 |
| Equipment |  |  |  | 96,232 |
| Bonds |  |  |  |  |
|  |  |  |  |  |
| TIF Payment |  |  | 125,000 |  |
|  |  |  |  |  |
| **Total Appropriations** | 333,616 | 12,000 | 125,000 | 465,232 |
|  |  |  |  |  |
| **Excess of resources over/under appropriations** | 465,582 | 26,558 | 1,500 | 0 |
| Transfers to other funds |  |  |  |  |
| **Estimated fund balances** | 465,582 | 26,558 | 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: June 4, 2019

Second Reading:

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MAYOR BEN BAKER

ATTEST:

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DONNA LEGER

CITY CLERK/TREASURER

**CITY OF DAYTON, KENTUCKY**

**MUNICIPAL ORDER NO. 2019-6R**

A resolution of the City of Dayton, Kentucky authorizing the Mayor to make application for and, upon approval, to enter into an agreement with the Kentucky Office of Homeland Security (KOHS), to execute any documents which are deemed necessary by KOHS to facilitate and administer the project and to act as the authorized correspondent for this project. This resolution also establishes procurement policy for any KOHS approved project for the FY-2019 application cycle.

**WHEREAS**, the City of Dayton Kentucky desires to make an application for United States Department of Homeland Security and/or Commonwealth of Kentucky funds for a project to be administered by Kentucky Office of Homeland Security:

**WHEREAS**, it is recognized that an application for and approval of Kentucky Office of Homeland Security funds impose certain obligations and responsibilities upon the city:

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

Section I

The Mayor is hereby authorized to execute and furnish all required documentation, including a memorandum of agreement, as may be required by KOHS for the furtherance of the above-referenced project and to act as the authorized correspondent for said project.

Section II

For the purpose of any KOHS funded projects using FY-2018 funds the city will use the provisions of KRS 45A for the purchase of equipment and/or services. For any equipment and/or services under $20,000 three (3) quotes will be obtained. For any equipment and/or services that exceeds $20,000 the provisions of KRS 45A will apply.

Section III

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

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MAYOR BEN BAKER

ATTEST:

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DONNA LEGER

CITY CLERK/TREASURER

Motion by Member Lynn, seconded by Member Cornett to approve 2019-6R 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**

**RESOLUTION NO. 2019-#7R**

A RESOLUTION BY THE CITY OF DAYTON, KENTUCKY SUPPORTING THE OHIO RIVER VALLEY WATER SANITATION COMMISSION (ORSANCO).

**WHEREAS**, the Ohio River Valley Water Sanitation Commission (ORSANCO) was established June 30, 1948 to control and abate pollution in the Ohio River; and

**WHEREAS**, ORSANCO is an interstate commission representing the federal government and eight states including the Commonwealth of Kentucky; and

**WHEREAS**, ORSANCO operates programs to improve water quality in the Ohio River and its tributaries; and

**WHEREAS**, these programs include setting wastewater discharge standards, performing biological assessments, monitoring for chemical and physical properties of waterways, conducting surveys and studies; and

**WHEREAS**, ORSANCO is an interstate commission representing eight states and the federal government including the Commonwealth of Kentucky; and

**NOW, THEREFORE BE IT RESOLVED,** BY THE CITY OF DAYTON, KENTUCKY that the City of Dayton, Kentucky express its support for the programs and activities of ORSANCO to improve the water quality of the Ohio River and its tributaries.

So adopted this 4th day of June 2019.

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MAYOR BEN BAKER

ATTEST:

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DONNA LEGER

CITY CLERK/TREASURER

Motion by Member Beseler, seconded by Member Volter to approve2019-7R 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.

City Administrator’s Report:

A handicap parking request was submitted by Laura Long, 722 Fifth Avenue. Ms. Long meets all the requirements of the ordinance. Motion by Member Cornett, seconded by Member Burns to approve a handicap parking space for Ms. Long.

ROLL CALL:

Member Cornett Aye Member Volter Aye

Member Burns Aye Member Neary Aye

Member Lynn Aye Member Beseler Aye

Motion carried—so ordered.

Received a Special Event Application from First Baptist Church on Dayton Avenue. They are requesting the street closed on Dayton Avenue, North of the alley to the corner of Fifth Avenue for their Vacation Bible School Family Night. This request is for June 7, from 4:00 p.m. until 9:00 p.m. Motion by Member Cornett, seconded by Member Burns to approve this request.

ROLL CALL:

Member Burns Aye Member Neary Aye

Member Lynn Aye Member Beseler Aye

Member Volter Aye Member Cornett Aye

Motion carried—so ordered.

Per request of council, City Adm. Giffen and Rick Lucas, Supt. Public Works, reviewed the safety issue at Sixth & Vine Street. The city tree is causing most of the visibility issues when vehicles are turning onto the Avenue. Member Volter would be in favor of removing the tree, if it’s a safety issue. Motion by Member Volter, seconded by Member Neary to remove the tree because of safety concerns. Comments: Member Beseler would like to have time to review the area first. He is not in favor of removing a nice mature tree. Member Cornett has never had an issue with a tree while entering Sixth Avenue at this location. Member Volter withdrew his motion and Member Neary withdrew his second until council has a change to review the area.

Update on the Sixth & Berry Intersection. Our request was submitted and KYTC is still in the review stage. If you have a chance stop down and take a look at work on the Riverfront for the Riverfront Commons Project. City Adm. Giffen meet with the construction crew and engineers today. It should be open to the public by the end of June. It looks great, they’ve done a good job. Phase two of the design will start this summer. By the summer of next year 2/3 of the project should be done. Thanks to Southbank and Robert Yoder, Economic Development Director.

Department Head’s Report:

Phillip Liles, Codes Director, submitted a copy of his report. Eighty five letters were sent out in May, of those 59 violations and 26 citations. Twenty-eight of those letters were for grass cutting and 40 cases closed in May. Member Burns said at the corner of Seventh & Berry the step to that building is hazardous to people entering the building or coming around the corner. Member Neary noted he appreciated the work Mr. Liles is doing to locate vacant properties in the city.

Chris Adkins, Fire Chief, submitted a copy of his report. Chief Adkins thanked council for approving the Homeland Security order tonight. This is for the Fire Dept. to secure a grant to purchase new gear. Chief Adkins met with City Adm. Giffen and they are working on the budget. Hoping to hear something soon about the Radio Grant. All departments in the county went together on this grant.

David Halfhill, Police Chief, submitted a copy of his report. Activity in the Police Department has increased with the warm weather. Chief Halfhill thanked Officer Getz for his involvement with the youth of the city. Some kids were out tie-dying shirts and Officer Getz stopped by asking if they needed anything. Officer Getz then went to the store and purchased T-shirts, and brought them back boxes of ice cream. We want to keep officers like that in our city. The Police Department currently has a great group of Officers.

Robert Yoder, Economic Development Director, submitted a copy of his report.

Dayton Flea: A monthly Flea Market at the City Parking Lot in the 600 Block of Sixth Ave. The Third Saturday of the Month dates: June 15, July 20, August 17, September 21, and October 19. From 9:00 a.m. until noon. Spaces $10 no electricity access, $20 with electricity access. Reserve a space at [www.daytonky.com/daytonflea](http://www.daytonky.com/daytonflea)

The Main Street Board will be taking over the Taste of Dayton this fall. There are new owners at 526 6th Avenue. They are looking to rent out this property. Expect two new businesses to open in the next month: Lunch/Coffee shop at 301 6th Ave., and clothing business at Sixth & Main. Our next Main Street Meeting is Tuesday, June 25, 2019 at 7PM - at Bucks BBQ. There will be a B.A.R meeting on June 11 at Buck’s BBQ. Check the Dayton Community News for Articles on Historic Preservation. CY2019 Land & Water Conservation Fund Grant has been submitted. This grant is funding for trails at Sargeant Park

Unfinished Business:

The city has been told Tapestry will start renting apartments this summer. That will bring a lot of traffic into the city. Member Burns would like to see the road behind the floodwall (Manhattan Blvd.) and the Berry Street ramp completed as soon as possible. City Adm. Giffen noted the developers responsible are 50% Mr. Stark and 50% Mr. Imboden. City Adm. Giffen will meet with Mr. Stark & Mr. Imboden on this issue.

Member Neary reported 500-600 new residents will be in these apartments within the next year. We need to have another look at Fifth & O’Fallon, the 7-way stop. Traffic flow will be an issue. City Adm. Giffen will setup a meeting with the developers along with Mayor Baker. For Public Safety reasons Mayor Baker would like Berry Street to be a priority.

Member Lynn asked about the Dayton Pike paving. City Adm. Giffen noted they are waiting for drier weather.

SD1 and the Water Company are both working on Ervin Terrace. SD1 is working and focusing on the Belmont section. The Water District is focusing on Ervin Terrace. The storm water task force met with SD1 and discussed SD1’s work on Belmont and new catch basins at different locations. City Adm. Giffen, Rick Lucas & Phil Liles have some other ideas they’ll discuss with SD1 to help with the water issue on Ervin Terrace. We also met with The Northern Kentucky Water District and are pushing hard for new curbing. Member Neary asked if we addressed the issue with the city building roof. City Adm. Giffen reported we did repairs related to leakage from the a/c units. Money is in the 2019/2020 budget for a new roof.

Member Lynn noted since KZF did a nice job on their report, where does the city stand on option B for the new city building. City Adm. Giffen e-mailed council about the price he received from option B. Member Giffen has called 5/6 times and e-mailed 5/6 times with no response. All the information I have is what they sent in the e-mail. Member Lynn would like to know what direction council is going. Mayor Baker said he is still waiting to get a final price or at least a close to price from option B. After that we’ll need a valuation with KZF’s information on what it would take to turn that building into operational space for the police and administration. Then we should be able to make a decision on which direction to go. Member Cornett asked how much longer we will wait with option B. Mayor Baker said until we get a firm answer and then it will go back to council. Hopefully in the next month or so.

New Business:

Member Cornett would like to have a street light installed in the middle of the 100 block of Fifth Avenue. City Adm. Giffen will contact Duke Energy. Member Cornett announced tentative dates for the following events: Sept. 7th – Music Fest, Sept. 21st – Psalms Festival and Sept. 28th. – Taste of Dayton.

Member Neary would like to see the Main St. Board along with the Civic Activities Board market what we have in Dayton with a “Welcome Packet” for new home owners. We need to make new people feel welcome. Mayor Baker has a copy of an old packet Donna Leger, City Clerk/Treas., gave him. Mayor Baker will discuss this with Robert Yoder, Economic Development Director.

Member Beseler wants to see money for marketing in the new budget. He would like to hire a professional to brand the city. We need to set Dayton, Kentucky apart from Dayton, Ohio. City Adm. Giffen asked Member Beseler to take the lead on this project. Member Neary would also like to help. Mr. Yoder will provide information to Member Beseler and Member Neary on Gateway Apartments and Red knot.

Mayor Baker and City Adm. Giffen will be part of the 2020 Census Board. Mayor Baker asked for volunteers. Member Volter and Member Cornett also agreed to participate, along with Jay Brewer, DHS Superintendent. If need be, Member Neary will also participate.

A question was asked about trapping animals. City Adm. Giffen spoke with Animal Control. It’s against the law to trap and relocate wild life. Transporting is illegal because of disease.

Adjournment:

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

Respectfully submitted,

Donna Leger

Clerk/Treas.

ATTEST:

Ben Baker

Mayor