

CITY OF DAYTON
COUNCIL MEETING
May 7, 2019

A regular meeting of Dayton City Council held on Tuesday, May 7, 2019, 7:00 p.m. in the board meeting room of the Dayton Independent School Administration Building, Third & Clay Street, Dayton, KY.

Roll Call:

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

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

Audience:

Mandy Metz, 201 Clay St., Apt C2. One of Mandy's relatives was involved in a car wreck on the avenue over the weekend. Mandy brought Facebook pictures and comments to council for them to review. The wreck involved an oversized mail carrier van that parked on the avenue. When someone is pulling out from the side streets, and there are big vehicles that park on the avenue, it reduces visibility. Mandy would like council to put up some mirrors or extend the yellow lines or do a study to see what can help alleviate accidents. Member Volter asked if we can extend the yellow lines for safety concerns. Member Neary mentioned two or three years ago he proposed an informal traffic study on Sixth Avenue and Ervin Terrace, but it was shelved until construction is completed on Sixth Avenue and Walnut Street. Maybe once this project is done, this can be reopened. City Adm. Giffen stated Public Works Superintendent Rick Lucas and himself could look at extending the yellow lines.

Caitlin Sparks, 708 Vine St., would like council to support keeping the Ohio River Valley Water Sanitation Commission (ORSANCO) an active board for our region. ORSACNO currently monitors water quality and drinking water for eight states. If this commission were to disband, it would end pollution control standards and would turn over the responsibility for setting pollution control levels in the Ohio River to individual states and the federal EPA. On June 6, 2019, ORSACNO may decide at the meeting to dissolve. Before this meeting, she would like council or the mayor to draft a letter or a resolution in a show of support to keep ORSACNO. Member Neary made a motion for City Att. Edge to prepare a resolution of support for ORSACNO, seconded by Member Beseler.

Roll Call:

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

Motion carried so ordered.

Mayor's Report:

Mayor Baker advised that the city staff has been working on a deal to reopen Riverside Market as a grocery store. The city did have something come through in the last hour, but the city needs to review this further and will advise council on the outcome. City Att. Edge stated once the information has been reviewed, the city will provide information to council and set up a special meeting depending on the circumstances.

Motion by Member Neary, seconded by Member Lynn to approve the April 16, 2019, minutes as received. Motion carried- so ordered.

Erin Kendrick-Peabody from US Census addressed council about the importance of engaging with their community and making them aware of the impact the US Census can make for communities. The US Census provides billions of federal funding that is distributed across the country based on the census. The current US Census will take place on April 1, 2020, and they are looking for part-time employees and volunteers to help get the word out about the census. She will be available if any committee needs information.

Second 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.

This ordinance amends the budget for Fiscal Year beginning on July 1, 2018 through June 30, 2019 for the General Fund and Parks fund by increasing the fund balance brought forward from the prior Fiscal Year and appropriating those funds amongst the categories of General Government, Police Department and Utilities/Operations.

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#8 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.

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

This ordinance adopts and incorporates a twenty year non-exclusive franchise agreement, as required by the Kentucky Constitution and Kentucky Revised Statute, with MCImetro for the use of public streets, alleys and other public grounds for the transmission and distribution of communication services throughout the City of Dayton.

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, ESQ.

Motion by Member Volter, seconded by Member Cornett to approve 2019#9 as read.

Roll Call:

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

Motion carried- so ordered.

**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.**

This ordinance amends and corrects a scrivener's error Chapter 154, Sections 10.15(C)(3) and 10.17(C)(2) of the City of Dayton Code of Ordinances as it relates to residential dwelling units in the Central Business District and Neighborhood Commercial District.

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 Cornett, seconded Member Lynn to approve 2019#10 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-#11**

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

This ordinance adopts and incorporates the amended Manhattan Harbour Community Theme/Pattern Book as previously approved by the City of Dayton Planning and Zoning Commission. The Pattern Book is also required to be included as a deed restriction for any property in the Manhattan Harbour development conveyed by the City to the Developer.

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.

Motion by Member Volter, seconded by Member Cornett to approve 2019#11 as read.

Comments:

Member Burns is all for the development, but he doesn't want to see the developer start a project and leave three unfinished buildings for a few years down the road. Member Volter stated the Pattern Book

has nothing to do with the individual development, but it's more of a control mechanism for the city. Member Neary said he would like the ramp on Berry Avenue and at the top of the flood wall to get built before the buildings go in.

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-#12**

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

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

SECTION ONE: Compensation ranges for employees and number of authorized positions under the Dayton Job Classification System shall be as follows:

<u>Position</u>	<u>(No. Authorized)</u>	<u>Pay Range</u>
City Administrative Officer	(1)	50,000.00 - 82,000.00 90,000
Assistant City Administrator	(0)	22,000.00 - 36,000.00
City Clerk/Treasurer	(1)	35,000.00 - 65,000.00 70,000
Ass't City Clerk/Treasurer	(2)	25,000.00 - 39,000.00
Administrative Secretary	(0)	24,000.00 - 35,000.00

Chief of Police	(1)	45,000.00 – 75,000.00 85,000
Police Captain	(0)	39,000.00 – 59,000.00 70,000
Police Lieutenant	(1)	39,000.00 – 60,000.00 65,000
Police Sergeant	(2)	39,000.00 – 57,500.00 60,000
Police Corporal	(1)	34,700.00 - 53,000.00 55,000
Police Officer	(9) 10	31,000.00 – 50,000.00 53,000
Police Recruit	(0)	30,000.00 - 33,500.00
Part-time Patrol Officer	(2)	15.00 - 17.00 per hour
Police Clerk	(1)	8.00 – 17.00 per hour 19.00
Superintendent, Public Works	(1)	35,000.00 – 55,000.00 60,000
Crew Leader	(4) 1	25,000.00 - 33,000.00 45,000
Laborer	(2) 3	10.00 - 19.00 per hour
Laborer (23 hrs/week)	(0)	7.00 - 12.00 per hour
Seasonal Laborer (4/1-10/31)	(2)	7.00 – 13.00 per hour
City Codes Director	(0)	22,000.00 – 43,000.00 50,000
City Inspector	(0)	
Blight Inspector (20 hrs/week)	(0)	14.90 - 18.00 per hour
Janitor (10 hrs/week)	(0)	7.00 - 11.00 per hour
Recreation Director	(0)	
Economic Development Director	(1)	30,000.00 - 41,000.00 50,000

SECTION TWO: Unless otherwise stated, the compensation stated in Section One shall be a yearly amount based upon the normal number of hours required for each position under the Job Classification System and does not include overtime pay as authorized under the Employee Personnel Policy.

SECTION THREE: City Council may, by resolution, authorize the payment of a year-end incentive to any or all employees in an amount not to exceed One Hundred Dollars (\$100.00)

SECTION FOUR: Any and all ordinances including or portions thereof in conflict herewith are hereby repealed.

SECTION FIVE: 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: _____

Second Reading: _____

MAYOR BEN BAKER

ATTEST:

DONNA LEGER
CITY CLERK/TREASURER

City Administrator's Report:

The city received one bid for the Public Safety Radios. The bid was from Mobilcom, and it included Public Works and the Police Department. The total for both departments is \$ 96, 232.00. Member Neary questioned why there was only one bid. City Adm. Giffen stated there are only two major companies in this area. Chief Halfhill said we're the only city that put the radios out to bid, but the majority of the cities are going with Mobilcom. Chief Halfhill would like stay with Mobilcom (Motorola) because if there are any issues, it would be covered under the contract. Chief Adkins advised that dispatch won't go live until everyone is ready. Motion by Member Neary for Mayor Baker to enter into a contract with Mobilcom for \$96,232.00 for Public Safety Radios for the Public Works Department and the Police Department, seconded by Member Cornett.

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 Adm. Giffen received the comprehensive plan today and will take the next step for council to review at a later date. The first phase of the Riverfront Commons is under construction. Prus Construction Company started a few weeks ago and will hopefully have the trail open by the end of summer. Tapestry and Gateway apartments are under construction and Tapestry is planning to start leasing the first building by late summer early fall.

Department Heads:

Fire Chief Adkins submitted a copy of his report. Chief Adkins will be meeting with the president, vice president and the manufacturer on the issues they are having with the ladder truck on how to get it resolved.

Police Chief Halfhill submitted a copy of this report. Member Neary would like to know if Chief Halfhill is monitoring speeders coming down the avenue. Chief Halfhill stated he is working with Public Works Superintendent Rick Lucas on the Safety Grant for next year on getting a mobile speed sign that can provide data on what time the cars are coming to and from town and how fast they are going. Also, Public Works Superintendent Rick Lucas posted rolling stop signs to remind people to stop, or they will be cited.

Code Officer Phil Liles submitted a copy of his report. Officer Liles stated he had seventy-one cases for April. Sixty-one cases for violations and ten cases for citations. Officer Liles closed forty-three cases, and this is due to change in ownership, old cases that didn't have pictures or people that have taken care of the violations. Officer Liles said the Code Board meets every second and fourth Monday if there are appeals.

Economic Development Bob Yoder stated a monthly Dayton Flea Market will be at the 600 block of Sixth Avenue from 9 am to Noon on June 15, July 20, August 17, September 21 and October 19. Spaces can be rented with no electricity for \$10.00 or \$20.00 with power.

The Main Street will be doing the Taste of Dayton this fall. The next Main Street meeting will be Tuesday, May 28, 7 pm at Hometown Heroes. The Tap Grant and Recreational Trails Grant applications were submitted. A public meeting will be on May 28 for improving Recreational Trails and picnic/shelter restrooms. A Board of Architectural Review meeting will be May 14 at Bucks BBQ.

Unfinished Business:

Member Volter is concerned about the negotiations with Riverside Market and would like to make sure the city will be protected in this deal since it seems the owner and investor are unable to get along. City Att. Edge will provide information to council to clarify their concerns.

Member Neary asked if City Adm. Giffen was able to get pricing on flashing pedestrian signs. City Adm. Giffen stated he hasn't.

New Business:

Member Neary mentioned that due to a storm last week, the traffic lights were out at Sixth/Berry, and stop signs were placed at the four-way intersection. Member Neary felt that the stop signs helped with traffic issues in that area. Member Neary made a motion to change Sixth Avenue and Berry Avenue to a four-way stop, seconded by Member Volter. City Adm. Giffen advised when he has talked to KYTC in the past about this issue. KYTC warned that once you remove a traffic light, you won't be able to get it back. Chief Halfhill is concerned this will back traffic up more on Sixth Avenue. Member Neary feels a four-way stop will help alleviate traffic issues. Member Neary withdrew his motion, and Member Volter withdrew his second. A new motion was made to make the traffic light at Sixth Avenue and Berry Avenue a four-way stop for at least three months, seconded by Member Volter.

Comments:

Member Burns is concerned that if this is temporary for three months and it changes back, it will confuse people. Member Lynn stated he would like to see how it would affect school traffic rather than summer travel. City Adm. Giffen will contact KYTC tomorrow and ask about the process to do this and follow up with council on his findings.

Roll Call:

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

Motion carried- so ordered.

Mayor Baker reminded everyone that May 21 at Dayton High School there will be a meeting with KZF for the new city building proposal.

Mayor Baker entertained a motion to go into executive session for 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 on O'Fallon Avenue.

Motion by Member Volter, seconded by Member Lynn to go into executive session. Motion carried- so ordered.

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

Adjournment:

Motion by Member Volter, seconded by Member Cornett to adjourn. Motion carried- so ordered.

Tiffany Myers
Assistant Clerk/Treas.

Donna Leger
Clerk/Treas.

ATTEST:

Ben Baker
Mayor