CITY OF DAYTON

SPECIAL COUNCIL MEETING

September 1, 2020

The City of Dayton, Kentucky, will hold a special council meeting that will be viewable to the public via electronic media and web on September 1, 2020. The meeting can be accessed from the City of Dayton’s YouTube page at <https://www.youtube.com/user/CityofDaytonKY>. The Special City Council meeting will begin at 7:00 p.m.

Those interested in making public comment during the September 1, 2020, Dayton Special Council meeting can do so by coming to the board meeting room of the Dayton Independent School Administration Building, 200 Clay Street, Dayton, Kentucky, the corner Third & Clay Street, Dayton, KY. A computer with video and audio will be set up to provide those interested to make comments via Zoom.

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

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 Arrived Late

Member Cornett Present

Audience:

City Adm. Giffen mentioned that he received a parking complaint where someone was fixing cars on the street, and that issue has been forwarded to the police department.

Council Member Beseler said this issue is from a Facebook post. The citizen would like to know if the city has any plans to address people rolling through stop signs at O'Fallon, Manhattan Dr., and Fifth Avenue. Mayor Baker said Member Neary had done work before for traffic flow issues. The city will continue to look into these issues. Mayor Baker stated there was overgrowth by a stop sign on Manhattan Dr. onto Fifth Avenue. Public Works has since cut down the overgrowth, and the stop sign is visible.

Member Cornett stated her issues are from text messages she received and Facebook posts, and they are all grass complaints. Most of them are about the 600 Block Fourth Avenue, Clay Street between Fourth & Fifth Avenue, Fourth and Walnut, and 900 Block of Thornton St. Two of these properties are abandoned

and in need of maintenance. Member Cornett questioned if we could hire a local company to maintain these properties since we would get that money back on taxes. City Adm. Giffen mentioned that we would solicit bids for this. The city has done this in the past, but it was expensive to do so. Member Cornett mentioned that someone needs to reach out to the local businesses about keeping their properties maintained because some are not, and they are starting to look bad.

Member Burns questioned if the grass cutting would be under a contract. City Adm. Giffen said yes, it would go under contract. But this is not something that the city has budgeted for and would need to amend the General Fund budget. Member Cornett asked if someone has reached out to the jail to see when we can get the jail workers back to help the public works department. Mayor Baker said he reached out to Judge Pendery a few weeks ago to ask that same question. The city has always had 6-9 workers that helped maintain the city, and in the last two months, we had only one public works employee working. Member Cornett said the public works does an excellent job and would hate the city to fall backwards. She would like to see how we can help public works.

City Adm. Giffen said the jails have made it clear that they will not release any inmates until the virus is controlled at a federal level. Member Volter mentioned that the city should hold a two-day event for residents to help clean the city up. Member Cornett stated she is more concerned about the vacant properties, and the citizens cannot go onto these properties. Mayor Baker liked Member Volter's ideal and said that he and his neighbors kept the alley behind their houses clean. Member Neary stated that this issue happens every August regardless of the inmates help because everything starts to grow around this time. He would like to look at the city contracting someone to cut the floodwall for next year. That way, this can help the public works department. Cutting the floodwall is very time-consuming. Council can amend the budget if we need to outsource. City Adm. Giffen said the city has looked into this in the past, and it is expensive; the city received a quote between $40,000 -$50,000. We can get some numbers together for this or possibly hire another public works employee.

Mayor’s Report:

Mayor Baker said a local business had an outdoor event over the weekend that went well. The employees were wearing their mask, and everyone was maintaining six feet distance when he was there. He appreciated the business reaching out to the city. The city has also received 12 resumes for the Code Enforcement position and has conducted two interviews. The administration listened to council and added a seasonal public works employee, his name is Jordan Robbins, and he is a Dayton high school graduate.

Mayor Baker requested a motion for approval of the minutes. Member Burns questioned if council would need to rescind a motion that was made last month for the new position of a Neighborhood Project Coordinator since we are not hiring for that position. He does not want this position to sit on the books for months. City Adm. Giffen stated there is no need to rescind this because this was passed in an ordinance and not a motion. Plans are to bring an amended ordinance in October to remove this position and add a few other things. If council has an ordinance today to bring before council, let us do that now. Other than that, this will be amended in the October meeting.

Motion by Member Neary, seconded by Member Lynn, to approve the August 4, 2020 minutes.

Roll Call:

Member Lynn Aye Member Beseler Aye

Member Volter Aye Member Cornett Aye

Member Neary Aye Member Burns Nay

Motion carried- so ordered.

**FIRST READING:**

# CITY OF DAYTON, KENTUCKY

**ORDINANCE NO. 2020-#12**

**AN ORDINANCE PROVIDING FOR THE IMPOSITION, LEVY, COLLECTION AND APPORTIONMENT OF TAXES FOR THE CITY OF DAYTON, CAMPBELL COUNTY, KENTUCKY FOR THE FISCAL YEAR JULY 1, 2020 THROUGH JUNE 30, 2021.**

**WHEREAS,** KRS 83 A.130 to 83A.150 and KRS 92.280 and KRS 92.330 require that the legislative body of each city levy an ad valorem tax for city purposes, that this be done by ordinance to provide for sufficient revenue to operate city government, and

**WHEREAS,** KRS Chapter 132 requires that this be calculated in accordance with the provisions of that chapter, and KRS 134.800 and KRS 134.810 require that ad valorem taxes on motor vehicles and motorboats be collected by the City Clerk and that such taxes shall become due and delinquent as set forth in KRS 134.810 and that such taxes not paid when due shall be subject to the penalty and interest as specified therein,

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

**SECTION 1. Real Property – General Tax.**

An ad valorem tax rate of .434 cents on each $100.00 (one hundred dollars) of assessed valuation of real property subject to taxation under the laws of the Commonwealth of Kentucky is hereby levied for city purposes.

**SECTION 2. Real Property – Park Tax.**

An ad valorem tax rate of .050 cents on each $100.00 (one hundred dollars) of assessed valuation of real property subject to taxation under the laws of the Commonwealth of Kentucky is hereby levied for city purposes.

**SECTION 3. Other Personal (Tangible) Property.**

An ad valorem tax rate of 0.750 cents on each $100.00 (one hundred dollars) of assessed valuation of personal property (other than motor vehicles and motorboats) subject to taxation under the laws of the Commonwealth of Kentucky is hereby levied for city purposes.

**SECTION 4. Motor Vehicles and Motorboats.**

An ad valorem tax rate of $.5009 cents on each $100.00 (one hundred dollars) of assessed valuation of motor vehicles and motorboats subject to taxation under the laws of the Commonwealth of Kentucky is hereby levied for city purposes.

**SECTION 5. Bank Deposits.**

There shall be imposed and collected for said City, as permitted under KRS Chapter 136 on the taxable fair cash value of bank deposits within the city as assessed, corrected, altered, certified and returned by the Revenue Cabinet or as assessed by the Mayor and Council, if for any reason said deposits have not been listed in any manner for taxation, sum equal to twenty-five thousandths of one percent (.025%) of those deposits. The levy called for in this Section shall be imposed, levied, collected and apportioned for payment of incidental expenses of the City. Those banks upon which the above tax is imposed may pay the sum due less 2% if paid by December 31, 2020 or the full amount by January 31, 2021. Thereafter the penalty and interest herein shall be imposed.

**SECTION 6. Due Date, Payment, Discount and Penalty.**

The taxes mentioned in this Ordinance Sections 1, 2 and 3 shall be due and payable at the Office of the City Clerk by November 30, 2020 and shall become delinquent the day immediately following if not paid. Taxes paid during the first three days after they become delinquent will be a assessed a 1% penalty. Any taxes not paid more than three days after they become delinquent shall be subject to a penalty of 10% and shall accrue interest at a rate of twelve percent (12%) per annum until paid. The delinquent taxpayer shall also pay all costs, attorney’s fees, and other expenses incidental to any action taken by the city for collection of the delinquent tax bill.

**SECTION 7. Effective Date and Use Thereof.**

This Ordinance shall be effective immediately upon publication and applies to the 2020 calendar year tax assessment and all receipts shall be used for city purposes and accounted in the 2020-2021 fiscal year and subsequent fiscal years in reference to delinquent collections.

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

First Reading: September 1, 2020

Second Reading: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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MAYOR BEN BAKER

ATTEST:

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DONNA LEGER

CITY CLERK/TREASURER

City Administrator’s Report:

The Campbell County Fire District received a grant for the 800 MHZ radios. He thanked Karen Strickley for writing this grant because it will help our fire department.

Updates/ New Business:

Member Burns wanted to know if the city heard anything about how voting would be handled for the November election. City Adm. Giffen will look into this.

Updates/Old Business:

Member Neary would like an updated timeline on the grants in the city. City Adm. Giffen said the Riverfront Commons and sidewalk bump outs are on hold and are unlikely to see construction this year. Economic Developer Bob Yoder gave updates on various grants he is working on. Two grants (Sargeant Park & Jamestown Park) are on hold because they involve volunteers, and due to COVID, we are unable to start on these. Member Beseler would like to see a garbage can at Sargeant Park and move the dumpster at the park from the front entrance. Economic Developer Bob Yoder will get with Public Works.

Member Burns wanted to know if the tax ordinance will be posted on the webpage. City Adm. Giffen said the October meeting will be in person because the city will need to have a public hearing. Member Burns asked if the city has received any designs for the mural yet. Mayor Baker stated the company had sent a few designs, but nothing is final. He will share with council once he gets some designs.

City Att. Edge entered the meeting.

City Adm. Giffen asked City Att. Edge some questions council had earlier in the meeting. The city had technical difficulties at the beginning of the meeting. The city was not able to live stream with YouTube, but we are recording the meeting. Would this be legal even if this is not live streamed on YouTube? City Att. Edge stated this should be fine, and as long as the city tried. The courts understand that technical issues could come up. City Adm. Giffen clarified that the city had the school administration building open for residents to bring their concerns to council and offered an email option for the citizens, too. City Adm. Giffen stated another question from council was, do we have an update on how voting will be conducted this fall? City Att. Edge said the information he is receiving from the county clerk is that all the polling places will be open, except if you vote at a senior center, that has changed. They are having absentee voting, early voting, and drop box options.

City Adm. Giffen brought up another concern that happened earlier in the meeting to City Att. Edge for advice. Member Burns questioned if the city should rescind an ordinance passed last month for a new position that the city decided against. The city has no intention of filling this roll. City Adm. Giffen advised earlier in the meeting that an amended ordinance would need to be done and brought before council. We could not rescind because no motion was made as this was drafted in an ordinance. City Att. Edge stated an amended ordinance would need to be done.

Adjournment:

Motion by Member Cornett, seconded by Member Neary. Motion carried- so ordered.

Tiffany Myers

Assistant Clerk/Treas.

Donna Leger

Clerk/Treas.

ATTEST:

Ben Baker

Mayor