

CITY OF DAYTON
COUNCIL MEETING
OCTOBER 7, 2014

A regular meeting of Dayton City Council was held on Tuesday, October 7, 2014, 7:00 p.m. in the board meeting room of the Dayton Independent Schools Administration Building, Third & Clay Street, Dayton, KY. Mayor Rankle opened the meeting with a silent prayer and led the Pledge of Allegiance.

ROLL CALL:

Mayor Rankle	present	Member Gunning	present
Member Hurtt	present	Member Gifford	present
Member Burns	present	City Adm. Giffen	present
Member Volter	present	City Att. Fischer	present
Member Boruske	present		

MAYOR'S REPORT:

The next council meeting will be held on Tuesday, Nov. 18, 2014.

Discussion on when to hold Trick or Treat. Member Hurtt would like to keep Trick or Treat on Halloween, Oct. 31st. as the city has done the last few years. Member Burns said Friday Night, Oct. 31st is the High School Football Game and Senior Night for Dayton High School. Member Volter suggested Trick or Treat be held before the game starts. Motion by Member Hurtt, seconded by Member Volter to have Trick or Treat on Friday, Oct. 31st from 5:00 p.m. until 7:00 p.m.

ROLL CALL:

Member Hurtt	Aye	Member Boruske	Aye
Member Burns	Nay	Member Gunning	Aye
Member Volter	Aye	Member Gifford	Aye

Motion carried—so ordered.

Mr. Imboden announced that Dayton will have "Home Fest" next year and showcase the Riverfront Development. The show starts Sept. 19, 2015. The plan is to have 8 or 9 homes built by the time Home Fest arrives. We really need to promote Dayton. Developer Brendan Sullivan said his team is on board to focus on multifamily homes north of the Ohio River. Mr. Sullivan said his team has been working for eight months on this project. They are extremely excited. The development will start in late spring or summer. The development will start west of Family Dollar and continue east. Mr. Imboden said his group did a traffic study and Mr. Sullivan did a market study. An open forum meeting is a great idea.

CITY ADMINISTRATOR'S REPORT:

Request from Thomas Spradlin, 907 Thornton Ave., for a handicap parking space. Mr. Spradlin now owns his home and meets the criteria. Motion by Member Hurtt, seconded by Member Boruske to approve Mr. Spradlin's handicap space. Motion carried—so ordered.

Request for a handicap parking space from Michael Hardin, 1112 Fourth Ave. Mr. Hardin does not meet the requirements. City Adm. Giffen spoke with Mr. Hardin and explained to him council is working on changes to the ordinance. City Adm. Giffen suggested the request be tabled for now.

The City received two bids for the Street Repaving, Eaton Asphalt for \$230,192.00 and Bluegrass Paving for \$212,525.50. City Adm. Giffen and Rick Lucas, Supt. P.W., agreed that Bluegrass

Paving is a great company to work with. Bluegrass can start as early as next week. Motion by Member Boruske, seconded by Member Gunning to award the bid to Bluegrass Paving for \$212,525.50. Motion carried—so ordered.

Mayor Rankle reported that Morton Salt could not supply salt to the city this year. The salt was purchased from another supplier. The city received 150 tons of salt and will get another 100 tons of salt later. The cost went from \$62.00 per ton to \$140.00 per ton. The salt cost \$15,000 over budget.

City Adm. Giffen had City Att. Fischer review the ordinance for the NCD Zone and it does not allow residential above commercial units. This is in reference to the two vacant lots at 135 & 137 Sixth Avenue. If council wants to continue with the proposal from Mr. Lynn Adams a text amendment is needed. City Adm. Giffen recommended a motion to request staff to bring forward proposed text amendments for consideration related to, 1. Mix use of residential and business establishments in the same structure, for both NCD and CBD. 2. Address/modernize parking ratios related to business use in an urban environment. Motion by Member Boruske, seconded by Member Burns to send the request to Planning & Zoning. Motion carried—so ordered.

About 10 items have been salvaged from 135 & 137 Sixth Avenue. Anthony Cadle, Main St. Manager, will look at the value of each item. City Att. Fischer said the city can sell the items or have an auction.

City Adm. Giffen reminded everyone that they have the option to purchase insurance for their sewer lines or water lines from Utility Partners. The Sanitation District is no longer covering damage to the lateral lines. This insurance will help pay for sewer line or water line repairs. The insurance pays up to \$4,000 and an additional \$4,000 if a street cut is needed. The cost is \$5.50 per month for the water line insurance and \$5.50 per month for the sewer line insurance. Member Volter asked who was responsible to repair the street. Mayor Rankle said the homeowner. This has been a topic at the Mayor's Group. The group feels the Sanitation District can do the repairs much cheaper even if they charge the residents.

City Adm. Giffen thanked Jennifer, Catherine, Ben and Leslie who started the Pier Project. Council approved up to \$21,000 for the plan. The firm KZF Design met the budgeted demand. The City is excited to work with KZF. KZF will start work on the Riverfront Master Plan in November. In mid-December there should be public input meetings. The completion date should be in mid-February. One grant has been submitted for the Riverfront Commons.

Consent Agenda:

Motion by Member Volter, seconded by Member Hurtt to approve the minutes from the September 2, 2014 meeting as received. Motion carried-so ordered.

ORDINANCES & ORDERS:

Second Reading:

CITY OF DAYTON, KENTUCKY

2014 - #16

AN ORDINANCE AMENDING ORDINANCE 2012- #6 SETTING FORTH COMPENSATION AND NUMBER OF AUTHORIZED POSITIONS FOR EMPLOYEES UNDER THE DAYTON JOB CLASSIFICATION SYSTEM. ORDINANCES IN CONFLICT REPEALED

This ordinance sets forth employee positions, the salary ranges therefore exclusive of overtime as mandated by law, and the number of authorized positions. It amends: a) to add a Police Sergeant, and Police Officer; b) eliminate a Police Corporal and Police Recruit position; c) change Main Street Manager from part time to full time position; and d) increase the

maximum pay for City/Clerk Treasurer, Police Chief; Police Captain, Police Sergeant, Police Clerk, Superintendent of Public Works, Codes Director, and Main Street Manager.

I, John C. Fischer, 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.

JOHN C. FISCHER

Motion by Member Hurtt, seconded by Member Burns to approve 2014#16 as read.

ROLL CALL:

Member Burns	Aye	Member Gunning	Aye
Member Volter	Aye	Member Gifford	Aye
Member Boruske	Aye	Member Hurtt	Aye

Motion carried—so ordered.

CITY OF DAYTON, KENTUCKY

2014 - #17

AN ORDINANCE CLOSING AND ABANDONING A TEN (10) FOOT WIDE UNNAMED ALLEY RUNNING PARALLEL TO AND JUST WEST OF VINE STREET SOUTH FROM THIRD AVENUE 110 FEET TO ANOTHER UNNAMED ALLEY.

This ordinance closes a ten (10) foot wide unnamed alley running parallel to and just west of Vine Street north from Third Avenue 110 feet to another unnamed alley in Dayton and abutting property known as 224 Third Avenue, 304 Vine Street, 306 Vine Street and 308 Vine Street within the City..

I, John C. Fischer, an attorney licensed to practice law in the Commonwealth of Kentucky, as City 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.

JOHN C. FISCHER

Motion by Member Boruske, seconded by Member Gunning to approve 2014#17 as read.

ROLL CALL:

Member Volter	Aye	Member Gifford	Aye
Member Boruske	Aye	Member Hurtt	Aye
Member Gunning	Aye	Member Burns	Aye

Motion carried—so ordered.

First Reading:

CITY OF DAYTON, KENTUCKY

2014 -#18

AN ORDINANCE AMENDING THE DAYTON CODE OF ORDINANCES, CHAPTER 72, §§ 72.12, CHANGING REQUIREMENTS FOR DESIGNATION OF PARKING SPACES FOR PERSONS WITH A PHYSICAL DISABILITY.

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

SECTION ONE: The Dayton Code of Ordinances of the City of Dayton, Kentucky is hereby amended in Chapter 72, Section 72.12 as follows:

(A) City Council may designate any place within the City as restricted to standing of vehicles displaying license plates or other insignia issued by the Commonwealth of Kentucky or any other state to vehicles owned by or regularly transporting persons with a physical disability.

(B) Any citizen may make application to the City Council to designate and City Council may designate any place within the City as restricted to standing of vehicles carrying license plates or other insignia issued by the Commonwealth of Kentucky or any other state to vehicles owned by or regularly transporting persons with a physical disability upon the following conditions:

1. The applicant must [~~be the owner of and~~] reside [~~or reside with the owner~~] at the property where the designated parking spot is to be located and, if the applicant is not the owner of the property, present written consent from the owner authorizing the application.;

2. The applicant must show proof of ownership of a license plate or other insignia issued by the Commonwealth of Kentucky to vehicles owned by or regularly transporting persons with a physical disability; or City Council must find, after contested hearing, that applicant meets the requirements for such license plate but was denied same due either to

a) Improper interpretation of the statutory guidelines, or

b) Failure to own an automobile.

3. The space requested must be directly adjacent to or as near as possible to the applicant's permanent residence; and

4. The applicant's residence must lack adequate off-street parking; and

5. The space to be designated must not interfere with public safety; and

6. The applicant must agree to reimburse the City for its reasonable costs of installation and maintenance of the space and accompanying sign as well as recordkeeping thereon; and

7. The applicant must agree to reapply for such designated space each succeeding year during the month of January or lose such designation;

SECTION TWO: 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: 10/7/14

Second Reading:

CITY OF DAYTON, KENTUCKY

by _____

Kenneth E. Rankle

its Mayor

ATTEST:

Donna Leger, its Clerk

DEPARTMENT HEAD'S REPORT:

Anthony Cadle, Main St. Manager, announced that Buona Vita Pizzeria has new hours. Buona Vita will be open on Sunday from 11:00 a.m. until 8:00 p.m. The last meeting of the Main Street Board covered several issues. These issues included Board Membership, Bi-Laws, Lantern Sales and the Fall Festival. The Fall Festival will be Oct. 18 from 4:00 p.m. until 10:00 p.m. There will be music, drinks, food, and 25 vendors. The museum will be open. The 700 block of Sixth Avenue will be closed. About 30 volunteers are needed. The deadline for the softball field grant was missed. The requirements were seating for 200 people and an electric score board. Mr. Cadle noted he tried all angles.

Donna Leger, Clerk/Treas., submitted a copy of her report and a copy of the current financials. The real estate tax bills have been mailed. Anyone with an escrow must forward their bills to their escrow company. If you have any questions or did not get your bill please call the Clerk's Office. Thanks to everyone who volunteered their time and donated money/gifts for the Senior Citizens Picnic on Sept. 10th.

Don Riley, Codes Director, submitted a copy of his report. It is not permitted to store an inoperable vehicle or unlicensed vehicle outside. Parking on the grass is not permitted. All off street parking must be cement or asphalt.

Rick Lucas, Supt. Public Works, reported due to scheduled repairs on waterlines and gas lines the following streets will not be paved this year. This includes Maple Street, 300 Block of Ninth Ave., Ninth & Vine, 600, 700 & 800 Block of Eighth Avenue and Dayton Pike. Member Gifford stated the bottom of O'Fallon Ave. is horrible. Mayor Rankle felt it's the responsibility of the construction company or Mr. Imboden to patch the road. Member Boruske said most of the time Dayton and Bellevue work together on O'Fallon Avenue repairs. City Adm. Giffen thanked Dennis Keene, State Rep., for his work on trying to get an additional \$125,000 for street work.

Michael Auteri, Fire Chief, submitted a copy of his report. The Fire Department is accepting employment applications to establish a list for future Firefighter/Paramedic job openings. Mr. Newcomb, Vice President of Medicount (our medical billing agency) will attend the October Fire Board Meeting to answer any questions in relation to medic billing. On September 9, Chief Auteri, Dayton Police and Dayton Independent School officials met to review active shooter/lock down plans at Lincoln Elementary School and Dayton High School. The Firefighters/Medics attended an after-action River fest meeting at Daymar College on September 9th. Each agency in attendance discussed issues they may have encountered during the event and discussed ways in which to make next year's event better for emergency personnel. September 10, the Fire Department attended the Dayton Senior Citizens' Picnic at the VFW. Member Burns reported the Fire Dept. had 150 runs in Sept. and 170 runs in August. The Fire Department does a fantastic job. Mrs. Weir thanked the Fire Department for their help on August 3, 2014. She had a heart attack and if it were not for the Squad she feels she would not be here right now.

Scott O'Brien, Police Chief, submitted a copy of his report. Currently there has been several out of state calls from someone posing as a representative from Duke Energy; this is a scam. Look up the official phone number if you have questions for Duke Energy. The City of Dayton along with the City of Bellevue received a \$100,000 grant for Homeland Security to purchase cameras. This will include 19 cameras per city. Thanks to Rep. Dennis Keene for getting us a meeting with Gene Kaiser, head of Homeland Security and thanks to Gene Kaiser for meeting with us. The guidelines require a six month study by FEMA. It will be about a year before the City receives the cameras. Corporal Manning has resigned. She did an excellent job for the City. Interviews for her job will start tomorrow.

Justine, YMCA, reported more programs were added to the after school program. Over 30 middle and high school students are now attending. A Super Hero Club started at Lincoln School. This is a comic book club and a fun way to learn. The Teen Center is open Monday-Thursday from 6:00 – 8:00 p.m. and Friday & Saturday from 6:00 p.m. – 10:00 p.m.

CORRESPONDENCE:

Thank you from Barb Washington for the proclamation and key to the city.

STANDING COMMITTEE REPORT:

Public Safety (Member Volter):

The board had a brief meeting tonight. About 25 people showed up for the Block Watch Meeting.

Parks & Real Estate (Member Burns):

Anthony Cadle, Main Street Manager, gave an outstanding presentation to the Park Board in reference to the ball fields.

PETITIONS:

Jennifer Sierra, reported she has received complaints from residents about odors and rodents coming from the trailer in the 700 block of Third Ave. Don Riley, Codes Director, had not received these complaints. Any notice Don has sent to the owner has been addressed. Don will address Jennifer's complaint. The first neighborhood block watch had a great turnout. Chief O'Brien has the city divided into four zones. Each zone will have their own meeting. Chief O'Brien will attend all the meetings.

Mr. Schulsher, East Dayton Baptist Church, reported trouble with the trailers next to the church property. Kids are hanging in the trailers and partying. Chief Auteri will address the issue tomorrow.

Mr. Hass asked if residents were notified about the District B polling change. City Att. Fischer said a notice went out with the city tax bills. He was not sure if notification from the County Clerk has gone out. It should go out the first week in October. A notification will go out before the election. The Legislators put the homes on Lincoln Road with even house numbers in the 68 House District. These homes will vote in Ft. Thomas but get a Dayton ballot.

ADJOURNMENT:

Motion by Member Hurtt, seconded by Member Burns to adjourn. Motion carried—so ordered.

Respectfully submitted,

Donna Leger
Clerk/Treas.

ATTEST:

Kenneth E. Rankle
Mayor