

CITY OF DAYTON
COUNCIL MEETING
April 7, 2015

A regular meeting of Dayton City Council was held on Tuesday, April 7, 2015, in the board meeting room of the Dayton Independent Schools Administration Building, Third & Clay Street, Dayton, KY.

ROLL CALL:

Mayor Boruske	present	Member Gifford	absent
Member Neary	present	Member Lynn	present
Member Burns	present	City Adm. Giffen	present
Member Tucker	present		
Member Baker	present		

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

MAYOR'S REPORT:

Justine Ryan, YMCA, introduced the two site coordinators for Dayton. Stephanie Craven works at Lincoln School and Jamie Gordon works at the High School.

Motion by Member Neary, seconded by Member Burns to approve the audit year ending June 30, 2014. Motion carried—so ordered.

CITY ADMINISTRATOR'S REPORT:

Welcome to Annie Wuestefeld the city's new Code Enforcement Officer. She is doing a fantastic job and has a lot of experience in the field. Welcome to Tiffany Myers as the new Assistant Clerk Treasurer.

The developers are not here tonight. The developers submitted a pattern book to Campbell County Planning & Zoning for review. At the May 6, 2015 meeting the Planning & Zoning staff will review the pattern book. A special Planning & Zoning training session and annual election for Chair and Vice Chair will be held on April 29, 2015, 7:00 p.m. Both meeting will be held at this location.

CONSENT AGENDA:

Motion by Member Baker, seconded by Member Lynn to approve the minutes from the Feb. 3, 2015 meeting as received. Motion carried—so ordered.

Motion by Member Lynn, seconded by Member Baker to approve the minutes from the March 3, 2015 meeting as received. Motion carried—so ordered.

ORDINANCES & ORDERS:

2015#4R

CITY OF DAYTON, KENTUCKY
MUNICIPAL ORDER NO. 2015-4R

A MUNICIPAL ORDER AUTHORIZING THE
CITY TO ENTER INTO A LEGAL SERVICES
AGREEMENT WITH ATTORNEY TOM EDGE.

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

Section I

That the City is hereby authorized to enter into a Legal Services Agreement with Attorney Tom Edge for legal services on behalf of the City.

Section II

That the Mayor and any other necessary official is authorized to sign all documents necessary to effect the above provision.

Section III

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

MAYOR VIRGIL L. BORUSKE

ATTEST:

DONNA LEGER
CITY CLERK/TREASURER

Motion by Member Burns, seconded by Member Neary to approve 2015#4R as read.

ROLL CALL:

Member Neary	Aye	Member Baker	Aye
Member Burns	Aye	Member Gifford	Absent
Member Tucker	Aye	Member Lynn	Aye

Motion carried—so ordered.

2015-5R

CITY OF DAYTON, KENTUCKY
MUNICIPAL ORDER NO. 2015-5R

A MUNICIPAL ORDER ADOPTING GRANT
AWARD POLICIES FOR THE COMMERCIAL
COMMUNITY ADVANTAGE PROGRAM

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

Section I

That the City has authorized a Commercial Community Advantage Program to award grants to businesses in the Community based on the Policies as set forth and attached hereto.

Section II

That the City authorizes the Mayor to execute any contracts and agreements necessary to the execution of this program or to ensure proper liability upon any grant recipient in the event that the terms in these Policies or any additional conditions are breached.

Section III

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

MAYOR VIRGIL L. BORUSKE

ATTEST:

DONNA LEGER
CITY CLERK/TREASURER

Motion by Member Tucker, seconded by Member Baker to approve 2015#5R as read.
Comments: Member Neary said Anthony Cadle, Main St. Manager, has put together a tremendous program. The administration of this program is in good hands with City Adm. Giffen, Anthony Cadle, Main St. Manager, and Mayor Boruske. Member Neary is concerned that once the program starts council does not have much input. Member Neary would like a full report monthly of all the activity. The agreement does say council can make changes as needed.

Member Lynn would like the rental part to be 50% across the board, for all three years.

Member Burns said he is not against the CCAP Program but it's a lot of money (\$500,000) for a two block area. The job as a council member is to make sure the money is there for Police protection, Fire protection and Public Works, for this reason Member Burns said he will not vote for the program tonight. This needs to be looked at again. Member Neary said if the City spends zero, then zero is invested. With maximum participation, which would be 8 or 9 new businesses, the city would spend \$480,000 and get \$1.6 million in private investments.

Member Burns	Nay	Member Gifford	Absent
Member Tucker	Aye	Member Lynn	Aye
Member Baker	Aye	Member Neary	Aye

Motion carried-so ordered.

CITY OF DAYTON, KENTUCKY
RESOLUTION NO. 2015-6R

**A RESOLUTION TO ACCEPT LICENSE
APPLICATIONS FROM CITIZENS WHO
WOULD LIKE TO OWN AND OPERATE A
LITTLE FREE LIBRARY.**

WHEREAS, Little Free Libraries are a community movement in the United States and worldwide that offers free books housed in small containers to members of the local community;

WHEREAS, a Little Free Library program will help promote literacy in the city, improve neighborhood aesthetics and increase pedestrian activity in an effort to promote safety; and

WHEREAS, the City will accept license applications from citizens who desire to participate on a first come first serve basis.

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

Section I

That the City will accept applications for licenses from citizens who would like to have a Little Free Library. These applications will be reviewed by the City Council on a case by case basis.

Section II

That the City, by municipal order, may approve, approve subject to conditions, or deny a citizen's application for a Little Free Library.

Section III

That this Resolution shall be signed by the Mayor, attested by the City Clerk/Treasurer, and placed of record in the official City's records.

MAYOR VIRGIL L. BORUSKE

ATTEST:

DONNA LEGER
CITY CLERK/TREASURER

Motion by Member Neary, seconded by Member Lynn to approve 2015#6R as read. Comments:
Member Baker said he was one of the first people to get a Little Library.

Member Tucker	Aye	Member Lynn	Aye
Member Baker	Aye	Member Neary	Aye
Member Gifford	Absent	Member Burns	Aye

Motion carried—so ordered

Second Reading 2015#1

CITY OF DAYTON, KENTUCKY

2015-1#

**AN ORDINANCE AMENDING ORDINANCE 2014- #16 SETTING FORTH COMPENSATION AND NUMBER
OF AUTHORIZED POSTIONS 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 another Police Sergeant, and two Police Officers; b) eliminated a Police Captain, Police Corporal and Part- Time Patrol Offices.

I, Tom Edge, an attorney licensed to practice law in the Commonwealth of Kentucky, do herby certify that this summary was prepared by me at the direction of the Council of the City of Dayton, and that said summary is true and accurate summary of the contents of the ordinance.

TOM EDGE

Member Lynn, seconded by Member Neary to approve 2015#1 as read.

Member Baker	Aye	Member Neary	Aye
Member Gifford	Absent	Member Burns	Aye
Member Lynn	Aye	Member Tucker	Aye

Motion carried—so ordered.

First Reading 2015#2

**CITY OF DAYTON, KENTUCKY
ORDINANCE NO. 2015 - #2**

**AN ORDINANCE RESCINDING ORDINANCE 2004-09,
WHICH ESTABLISHED A REVOLVING LOAN FUND**

WHEREAS, the City does not require nor use a revolving loan fund as established by Ordinance 2004-09.

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

Section I. That Ordinance 2004-09, as codified by City of Dayton Code of Ordinances, Section 35.30 et. seq., is rescinded.

Section II. This ordinance shall be in full force and effect from and after its adoption, approval and publication as is required by law.

MAYOR VIRGIL L. BORUSKE

ATTEST:

DONNA LEGER
CITY CLERK/TREASURER

First Reading 2015#3

Member Neary motioned to table the first reading of ordinance 2013#3 as he has been in discussion with City Att. Edge and City Adm. Giffen and this will effect another ordinance and board. Member Neary would like to do both ordinances at the same time. He would like this reading delayed until City Att. Edge can put together the revised Main Street Ordinance. Seconded by Member Tucker.

ROLL CALL:

Member Gifford	Absent	Member Burns	Nay
Member Lynn	Nay	Member Tucker	Aye
Member Neary	Aye	Member Baker	Aye

Comments: Member Baker said today was the first time he saw the ordinance. Motion carried—so ordered.

DEPARTMENT HEAD'S REPORT:

Justine Ryan, YMCA, thanked everyone who attended the YMCA fundraiser at the New Riff in Newport. The 21st Century Grant is going well. About 70-100 students are involved. The ACT Boot Camp is also going well with 20 students from Dayton and 20 students from Bellevue. The YMCA is in need of advisory council members. They will meet once a month to share ideas and give input. Contact Justine if interested.

Donna Leger, Clerk/Treas., submitted a copy of the monthly financials. Welcome to Tiffany Myers who started on March 23, 2015 as the new Assistant Clerk/Treas.

David Halfhill, Police Chief, submitted a copy of his report. The next Block Watch meeting is Monday, April 13, 7:00 p.m. at the First Baptist Church.

Mike Auteri, Fire Chief, submitted a copy of his report. On March 24th a meeting was held with Tim & Ted from Med Account, the EMS billing company. They will attend the next Fire Board Meeting on April 15, 6:00 p.m. at the Fire Station. March 25th was Career Day at Lincoln School and March 26th was Career Day at Dayton High School. The reports list fire inspections for March, burn permits, EMS Runs and Fire Runs.

Member Neary noted since Chief Auteri's presentation of his five year plan he would like to know why there is a need for new defibrillators. Chief Auteri said the life span of the defibrillator is only five years. Because of the age of the defibrillators the Fire Dept. is unable to upgrade the software. With the new defibrillators the information can be sent to the hospital while the patient is in their house. The FDBD has the oldest ones in the County and they are used every day. The medic unit is inspected yearly. All the medics are trained on the new systems. Member Neary said this is a top priority for Public Safety. Motion by Member Neary to authorize the Mayor to take \$34,000 out of the city's surplus to add to Bellevue's money if they approve to purchase a new defibrillator. Comments: Member Burns said this needs to be approved in the budget. Mayor Boruske said the budget will be passed in June or July. Council is over stepping the Fire Board. Member Baker said this will be part of the 2015 budget. Mayor Boruske said we need to go through the budget process. Chief Auteri has submitted his budget. Member Tucker asked if the defibrillators were in the budget. Chief Auteri replied yes. Member Lynn said the defibrillators are working, they just need upgraded. Motion fails for lack of a second.

Rick Lucas, Supt. Public Works, reported his department is currently working on Sargeant Park. The floodgates will be taken down next week. The backhoe should be back by the end of this week or first of next week.

Anthony Cadle, Main Street Manager, thanked everyone who helped in any way with the Easter Egg Hunt. Dayton and Bellevue will hold a block party on O'Fallon Avenue between Eighth & Ninth, this Memorial Day. There will be food, drinks and music. Thanks to council for passing the CCAP. Mayor Boruske thanked Anthony and City Adm. Giffen for the work they did on the CCAP Program.

STANDING COMMITTEE REPORTS:

Finance (Member Lynn):

The committee is waiting to see the budget paperwork.

Park & Real Estate (Member Tucker):

The new Park Board is up and running. There will be a lot of work on the fields at Gil Lynn Park.

*Personnel, Law & Printing (Member Neary):

Member Neary welcomed City Attorney Edge. Member Neary asked about posting the City Ordinance on line. City Adm. Giffen met with a representative of Waltz Business Solutions and City Attorney Edge. This is still a work in process and the information will be brought to the May meeting.

Economic Development (Member Baker):

Many meetings have been held in reference to the CCAP.

AUDIENCE:

Member Tucker said the Park Board is getting a work list together.

Jim McClaren, 911 Fourth Ave. said his home in in the Industrial Park Zone. He is asking \$30,000 for his home but is unable to sell. Does council have any plans to resend phase 5. He can't add to or really improve the property. He needs to add a porch. Any consideration to give relief to some of these property owners. Mayor Boruske will look into these concerns. City Adm. Giffen said the Industrial Park is a high priority.

Beth Neyman asked about the burnt house on Ervin Terrace. Mayor Boruske said the city is working on this issue. The owner is in the military.

ADJOURNMENT:

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

Respectfully submitted,

Donna Leger
Clerk/Treas.

ATTEST:

Virgil L. Boruske
Mayor