

CITY OF DAYTON
Public Hearing & Regular Council Meeting
September 20, 2022

Dayton City Council held a Public Hearing and Regular Council meeting on Tuesday, September 20, 2022, at 7:00 pm at the Dayton Community Center, 625 Second Avenue.

Roll Call:

Mayor Baker	Present	Member Kelly	Present
Member Volter	Present	Member Lovins	Present
Member Neary	Present	Member Beseler	Present
Member Nyman	Present	City Admin. Fossett	Present

Mayor Baker opened the meeting with a prayer and the pledge of allegiance.

Mayor's Report: Police Chief Halfhill introduced new Officer Mallory Kubala. Officer Kubala is from Dayton and a Dayton High School graduate. She received her bachelor's degree in criminal justice. She will head to the Police Academy in October and graduate in spring. Mayor Baker swore Officer Mallory in, and Chief Halfhill presented her with her badge. Also, Chief Halfhill promoted Officer Getz to Sargent. Sergeant Getz took a test and came out on top.

Pursuant to KRS 132.027, the City of Dayton will hold a Public Hearing to hear comments from the public regarding the 2022 proposed tax rate. The Public Hearing closed at 7:16 p.m.

Motion by Member Volter, seconded by Member Kelly, to approve September 6, 2022, minutes. Member Beseler abstained. Motion carried- so ordered.

Second Reading:

CITY OF DAYTON, KENTUCKY
ORDINANCE NO. 2022#22

**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, 2022,
THROUGH JUNE 30, 2023.**

This ordinance sets the real property ad valorem tax rate for the city for the present fiscal year at .470 per hundred dollars of value for the general fund and .050 per hundred dollars of value for parks. The tax rate for automobiles and watercraft is set at .5009 per hundred dollars of value and at .750 per hundred dollars of value for all other personal property.

The ordinance requires that all Real Property and Other Tangible Property (excluding motor vehicles and motorboats) taxes be paid by November 30, 2022. Taxes not paid by this date shall become delinquent. Taxes paid during the first three days after they become delinquent will be 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.

The ordinance also sets the bank deposits at twenty-five thousandths of one percent (.025%) of those deposits. The payor of these taxes may pay the sum due less 2% if paid by December 31, 2022, or the full amount by January 31, 2023.

Motion by Member Volter, seconded by Member Lovins to approve Ordinance 2022#22 as read. City Admin. Fossett stated that the city is taking the 4% this year like we did last year. He also explained how IRBs work.

Roll Call:

Member Lovins	Aye	Member Neary	Aye
Member Beseler	Aye	Member Nyman	Aye
Member Volter	Aye	Member Kelly	Aye

Motion carried- so ordered.

Second Reading:

**CITY OF DAYTON, KENTUCKY
ORDINANCE NO. 2022#23**

AN ORDINANCE CREATING SECTION 150.04, A NEW SECTION OF CHAPTER 150 OF THE DAYTON CODE OF ORDINANCES, TO ADOPT THE NFPA 1 FIRE CODE, NFPA 101 LIFE-SAFETY CODE, AND NFPA 70 NATIONAL ELECTRIC CODE.

NOW, THEREFORE, THE CITY OF DAYTON, CAMPBELL COUNTY, KENTUCKY, HEREBY ORDAINS AS FOLLOWS:

Section I

A new Section 150.04 of Chapter 150 of the City of Dayton Code of Ordinances is adopted as follows:

§150.04 Adoption of NFPA 1 Fire Code, NFPA 101 Life Safety Code, and NFPA 70 National Electric Code.

Fire and life-safety regulations promulgated by National Fire Protection Association – specifically the 2018 edition of “NFPA 1 Fire Code,” the 2018 edition “NFPA 101 Life Safety Code,” and the 2017 edition “NFPA 70 National Electric Code,” and future amendments to these codes -- are hereby adopted for use in and application to all buildings and structures in the City of Dayton, Kentucky.

Section II

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

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

First Reading: Sept. 6, 2022

Second Reading: _____

MAYOR BEN BAKER

ATTEST:

TIFFANY MYERS
INTERIM CITY CLERK

Motion by Member Neary, seconded by Member Lovins to Ordinance 2022#23 as read.

Roll Call:

Member Beseler	Aye	Member Nyman	Aye
Member Volter	Aye	Member Kelly	Aye
Member Neary	Aye	Member Lovins	Aye

Motion carried- so ordered.

Resolution/Orders:

**CITY OF DAYTON, KENTUCKY
ORDER/RESOLUTION NO. 2022#32R**

**AN ORDER/RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
DAYTON, KENTUCKY, APPOINTING TARA CHAMBERS TO THE DAYTON
HOUSING AUTHORITY.**

WHEREAS, the City of Dayton, Kentucky, has established a Housing Authority pursuant to KRS Chapter 80; and

WHEREAS, under KRS Section 80.040 and Section 34.16 of the Dayton Code of City Ordinances, the Mayor of the City appoints members of the Housing Authority, subject to the approval of City Council; and

WHEREAS, the City wishes to appoint a new member to the Housing Authority.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAYTON, KENTUCKY THAT:

The City appoints Tara Chambers to the Dayton Housing Authority to terms that will expire on December 31, 2025.

This Resolution shall become effective immediately upon approval by the City Council of the City of Dayton, Kentucky.

AND IT IS SO RESOLVED. Passed and approved by the City Council of the City of Dayton, Kentucky, on this 20th day of September 2022.

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

MAYOR BENJAMIN BAKER

ATTEST:

TIFFANY MYERS

CITY CLERK/TREASURER

City Admin. Fossett said Mrs. Chambers has experience working for housing. Gordon Henry approves of her. Motion by Member Volter, seconded by member Neary to approve Resolution/Order 2022#32R as read.

Roll Call:

Member Volter	Aye	Member Kelly	Aye
Member Neary	Aye	Member Lovins	Aye
Member Nyman	Aye	Member Beseler	Aye

Motion carried- so ordered.

**CITY OF DAYTON, KENTUCKY
ORDER/RESOLUTION NO. 2022#33R**

**AN ORDER/RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
DAYTON, KENTUCKY, APPOINTING ANGELA BEHNE AS ASSISTANT
CITY CLERK/TREASURER.**

WHEREAS, City Council appointed Tiffany Myers as City Clerk-Treasurer on September 6, 2022, leaving her former position as Assistant City Clerk/Treasurer vacant; and

WHEREAS, Section 31.37 of the City Code of Ordinances requires the Mayor to appoint the Assistant City Clerk/Treasurer with approval of City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
OF DAYTON, KENTUCKY THAT:

The City appoints Angela Behne as Assistant Clerk/Treasurer, effective September 28, 2022.

AND IT IS SO ORDERED AND RESOLVED. Passed and approved by the City Council of the City of Dayton, Kentucky, on this 20th day of September 2022.

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

MAYOR BENJAMIN BAKER

ATTEST:

TIFFANY MYERS
CITY CLERK/TREASURER

City Admin. Fossett stated that when conducting our interviews for City Clerk, Angela was in mind for the assistant role. Motion by Member Volter, seconded by Member Nyman to approve Resolution/Order 2022#33R as read.

Roll Call:

Member Neary	Aye	Member Lovins	Aye
Member Nyman	Aye	Member Beseler	Aye
Member Kelly	Aye	Member Volter	Aye

Motion carried-so ordered.

**CITY OF DAYTON, KENTUCKY
ORDER/RESOLUTION NO. 2022#34R**

AN ORDER/RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DAYTON, KENTUCKY, APPROVING THE SALE OF 1109 SEVENTH AVENUE, DAYTON, KY. TO GMFRO, LLC.

WHEREAS, on June 7, 2022, City Council, in accordance with the provisions of KRS 82.083, declared 1109 Seventh Avenue as surplus property; and

WHEREAS, the City listed the property for sale with a real estate agent and received a bid from GMFRO, LLC, to purchase this property for \$55,000.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAYTON, KENTUCKY
THAT:

The City approves the sale of 1109 Seventh Avenue to GMFRO, LLC, for the sales price of \$55,000, subject to deductions for real estate commissions and certain closing costs.

AND IT IS SO ORDERED AND RESOLVED. Passed and approved by the City Council of the City of Dayton, Kentucky, on this 20th day of September 2022.

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

MAYOR BENJAMIN BAKER

ATTEST:

TIFFANY MYERS
CITY CLERK/TREASURER

City Admin. Fossett stated that the city purchased 1109 7th Ave. at auction for \$30,000.00 and spent \$1,500.00 to clean it up. The property needs a lot of work. The city posted this on the MLS, and the city sold it for \$55,000.00 to GMFRO, LLC. Motion by Member Beseler, seconded by Member Lovins to approve Resolution/Order 2022#34R as read.

Roll Call:

Member Nyman	Aye	Member Beseler	Aye
Member Kelly	Aye	Member Volter	Aye
Member Lovins	Aye	Member Neary	Aye

Motion carried-so ordered.

Audience:

Jerry Huntley, 585 Manhattan Blvd. Mr. Huntley said he is very impressed with our Public Works crew and how much they can get done with only four guys. He wanted to know if there was a way to help Public Works get the equipment needed to keep the walking trails cleared. It's so overgrown that it has become a safety issue. He understands the equipment would cost \$70,000.00 and would like to know if there is a grant that he can apply for. City Admin. Fossett stated that he has talked to Campbell County to see if we can have them trim the area, but they can't get to it until the end of the year, and we could only request them to do this once a year. He has also looked into financing options to purchase additional equipment for the Bobcat. The city will continue to see what we can do to ensure the trails stay cleared. Mr. Huntley said he is working on fixing the lighting issue but didn't know if the city could get involved because it's taking so long to reach an agreement. Member Lovins asked if the city could rent the equipment. City Admin. Fossett said he would look into this. Member Neary would like the city to look at the long-term maintenance of lighting and trails.

Unfinished Business:

Member Beseler wants to ensure the developer is not dumping anything behind the floodwall. We need to protect our river.

New Business:

Member Volter stated that the crosswalks at 5th & Berry need to be repainted because they are faded to the point that you can't see the lines.

Member Neary would like to see how many properties and lots the city owns to see if they can be sold. Also, he would like another public works employee added to the budget next year; they

are so overloaded with work they can't keep up. City Admin. Fossett said a lot of the properties are lots of burnouts. We don't own any public structures; we only have lots.

Executive Session: Mayor Baker entertained a motion to go into executive session for KRS 61.810 (F) discussions or hearings which might lead to the appointment, discipline, or dismissal of an individual employee.

Motion by Member Nyman, seconded by Member Beseler, to go into executive session. Motion carried- so ordered.

No action was taken in the executive session. Motion by Member Volter, seconded by Member Neary, to go back into regular session. Motion carried- so ordered.

Adjournment:

Motion by Member Neary, seconded by Member Lovins, to adjourn the meeting. Motion carried- so ordered.

Tiffany Myers

City Clerk/Treasurer

ATTEST:

Ben Baker

Mayor