

**CITY OF DAYTON, KENTUCKY
ORDINANCE NO. 2023#1**

AN ORDINANCE ESTABLISHING AN ENTERTAINMENT DESTINATION CENTER IN THE CITY OF DAYTON; AND FURTHER DIRECTING THE CITY OF DAYTON TO APPLY FOR AN ENTERTAINMENT DESTINATION CENTER LICENSE FROM THE KENTUCKY DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL; AND FURTHER ESTABLISHING THE REQUIREMENTS FOR A LICENSEE TO SELL ALCOHOLIC BEVERAGES WITHIN THE COMMON AREAS OF THE ENTERTAINMENT DESTINATION CENTER.

WHEREAS, KRS 243.030(21) authorizes the issuance of an Entertainment Destination Center (EDC) License by the Kentucky Department of Alcoholic Beverage Control; and

WHEREAS, in addition to the Central Business Historic District and other attractions, the creation of an EDC in the designated area as described herein certain boundaries of the City will aid in the economic growth of tourism in the City; and

WHEREAS, the City seeks to create an EDC on Sixth Avenue for which it shall obtain a license from the Kentucky Department of Alcoholic Beverage Control; and

WHEREAS, the City further seeks to establish the requirements for a licensee to sell alcoholic beverages within the common areas of the EDC.

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

Section 1. A new Section 111.20 of the Dayton Code of Ordinances, under Chapter 111, Alcoholic Beverages, shall state as follows:

The geographical boundaries of the Entertainment Destination Center (“EDC”) in the City of Dayton lie within and immediately adjacent to the following description:

The Entertainment Destination Center is a geographic area that is bordered on the north by the structures and sidewalks fronting Sixth Avenue, including Sixth Avenue and its sidewalks, on the south by the structures and sidewalks fronting Sixth Avenue, and including Sixth Avenue and its sidewalks, on the east by Main Street and on the west by O'Fallon Avenue. The geographic area also includes Berry Avenue and its sidewalks, and the structures and sidewalks fronting Berry Avenue, from Sixth Avenue to Fifth Avenue on the north, including Monument Park, and Berry Avenue and its sidewalks, and the structures and sidewalks fronting Berry Avenue, from Sixth Avenue to Seventh Avenue on the south.

A map of the EDC is attached as an exhibit to this ordinance, which is incorporated herein.

Section 2. A new Section 111.21 of the Dayton Code of Ordinances shall state as follows:

(a) The City of Dayton shall apply for an EDC license.

(b) A business located within the EDC that sells alcoholic beverages shall hold the necessary alcoholic beverage license or licenses for its premises.

(d) During days and times designated by the City, patrons may leave the premises of businesses located in the EDC that sell alcoholic beverages with alcoholic beverage drinks and consume those drinks in any EDC common area, as outlined above, or at other licensed premises within the EDC if permitted by said business, if the City:

(1) Possesses or owns the common area;

(2) Provides adequate security for the common area;

(3) Ensures that the public streets are controlled in a manner that promotes public safety and pedestrian protection from vehicular traffic;

(4) Prohibits patrons from taking alcoholic beverages outside the physical boundaries of the entertainment destination center;

(5) Requires any drinks that are removed from the licensed premises within the EDC be in a particular type and/or style of cup as determined by the City.

(e) The City shall have the authority to draft, create, and enforce further regulations within the EDC, by executive order, which does not require an additional or amended ordinance.

First Reading: Feb. 7, 2023
Second Reading:

CITY OF DAYTON, KENTUCKY

By: _____
Mayor Ben Baker

ATTEST:

Tiffany Myers, City Clerk

**CITY OF DAYTON, KENTUCKY
ORDER/RESOLUTION NO. 2023-9R**

**AN ORDER/RESOLUTION OF THE DAYTON CITY COUNCIL
AUTHORIZING THE MAYOR TO EXECUTE A REAL ESTATE PURCHASE
AGREEMENT TO PURCHASE PROPERTY LOCATED AT 705 BOONE
STREET, DAYTON, KY., AND AUTHORIZING THE CITY ADMINISTRATOR
TO PREPARE AND EXECUTE A CHARITABLE CONTRIBUTION TAX-
EXEMPT CERTIFICATION FORM ON BEHALF OF THE CITY IN
CONNECTION WITH THIS PURCHASE.**

WHEREAS, AVM Investments, Inc. (“AVM”) is willing to sell the real estate located at 705 Boone Street, Dayton, Ky. (“Real Estate) and the City of Dayton, Kentucky (“City”) is willing to purchase this Real Estate upon terms and conditions set forth in a Real Estate Purchase Agreement (“Purchase Agreement”), which is attached hereto and made by reference a part hereof.

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

The Mayor is hereby authorized to execute to a Real Estate Purchase Agreement to purchase property located at 705 Boone Street, Dayton, Ky. in the amount of \$5,000 and authorizing the City Administrator to prepare and execute a charitable contribution tax-exempt certification form in the amount of \$9,000 from the City to AVM in connection with the sale and transfer of this Real Estate to the City.

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

AND IT IS SO ORDERED AND RESOLVED. Passed and approved by the City Council of the City of Dayton, Kentucky, on this 7th day of February 2023.

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 OF DAYTON, KENTUCKY
RESOLUTION/ORDER NO. 2023-10R**

**AN ORDER/RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
DAYTON, KENTUCKY, APPOINTING ANGIE BEHNE AS INTERIM CITY
CLERK ON A TEMPORARY BASIS.**

WHEREAS, City Clerk Tiffany Myers is resigning her position with the City of Dayton, Kentucky (“City”), effective February 14, 2023; and

WHEREAS, the City is currently conducting a search for Ms. Myers’ replacement; and

WHEREAS, Angie Behne currently serves as Assistant City Clerk in the City.

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

The City hereby appoints Angie Behne as Interim City Clerk, effective February 15, 2023, until such time as a new full-time City Clerk is appointed by the Mayor and City Council and increases Ms. Behne’s hourly wage rate by \$4 per hour in recognition of the additional duties and responsibilities she will be undertaking in her role as Interim City Clerk, with her hourly rate returning to its previous rate when a new City Clerk is appointed by City Council.

AND IT IS SO RESOLVED AND ORDERED. Passed and approved by the City Council of the City of Dayton, Kentucky, on this 7th day of February 2023.

This Order/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 OF DAYTON, KENTUCKY
ORDER/RESOLUTION NO. 2023-11R**

**AN ORDER/RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
DAYTON, KENTUCKY, APPROVING NEW PERSONNEL POLICIES IN AN
UPDATED CITY OF DAYTON EMPLOYEE HANDBOOK.**

WHEREAS, the personnel policies for employees and elected officials of the City of Dayton, Kentucky (“City”) have not been updated for many years; and

WHEREAS, the City wishes to update its personnel policies to make them compliant with current state and federal laws and regulations and best practices; and

WHEREAS, the attached City of Dayton Employee Handbook will update the city’s personnel policies.

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

The attached City of Dayton Employee Handbook (“Employee Handbook”), which is attached hereto and made by reference a part hereof, is hereby adopted by the City Council of the City of Dayton, Kentucky.

To comply with future changes made in state or federal law or for other appropriate reasons, the City shall have the authority to amend the personnel policies contained in the Employee Handbook by executive order without the need for an amended Order/Resolution.

AND IT IS SO ORDERD AND RESOLVED. Passed and approved by the City Council of the City of Dayton, Kentucky, on this 7th day of February 2023.

This Order/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