



CITY OF DAYTON

Regular Council Meeting Minutes

June 6, 2023

Dayton City Council held a Regular Council meeting on Tuesday, June 6, 2023, at 7:00 pm at the Dayton Community Center, 625 Second Avenue.

City Clerk Tristan Klein delivered the roll call. Members present were Mayor Baker, Member Nyman, Member Kelly, Member Lovins, Member Volter, Member Neary, City Administrator Fossett, and City Attorney Edmondson.

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

Mayor's Report:

Mayor Baker thanked all departments and council members for their work making the Memorial Day parade a success for the City of Dayton.

Minutes:

Motion by Member Volter to approve the May 2023 City Council Minutes. Motion seconded by Member Lovins. All voted aye. Motion carried.

Citizens to address the City:

There were no audience comments regarding legislation on the agenda.

Ordinances:

- **Second Reading of Ordinance No. 2023-03**– An Ordinance amending Chapter 110 of the City of Dayton, Kentucky, Code of Ordinances, including the schedule occupational license fees businesses owe to the City based on their total gross receipts.

Motion made by Member Volter to approve Ordinance 2023#03. Motion seconded by Member Kelly. Comments: No comments by City Council.

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

Motion carried-so ordered.

- **Second Reading of Ordinance No. 2023-04** – An Ordinance adding a new section 37.02 and amending section 37.04 of the Dayton Code of Ordinances related to the payment, collection, and enforcement of the City’s ad valorem property taxes.

Motion made by Member Volter to approve Ordinance 2023#04. Motion seconded by Member Lovins.

Comments: No comments by City Council.

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

Motion carried-so ordered.

- **Second Reading of Ordinance No 2023-05** – An Ordinance prohibiting the operation of recycling operations and storage of recycling materials in residentially and commercially zoned areas of the City of Dayton.

Motion made by Member Nyman to approve Ordinance 2023#05. Motion seconded by Member Volter.

Comments: Member Nyman questioned the process of the criminal penalty covered in Ordinance No 2023-05 versus the existing process of enforcement. City Administrator Fossett explained that the additional options offered in Ordinance 2023-05 can expedite the process of addressing these code issues and can give options more appropriate for issues that involve rental properties.

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

Motion carried-so ordered.

- **Second Reading of Ordinance No 2023-06** – An Ordinance adding a new section 72.15, titled “Vehicles Carrying Recycling Materials,” to the Dayton Code of Ordinances.

Motion made by Member Lovins to approve Ordinance 2023#06. Motion seconded by Member Kelly.

Comments: Members Nyman and Kelly asked for clarification on the enforcement of the eight-hour limit for vehicles carrying recycling materials to be parked.

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

Motion carried-so ordered.

- **Second Reading of Ordinance No 2023-07** – An Ordinance adopting the City of Dayton, Kentucky’s annual budget for the fiscal year running from July 1, 2023, through June 30, 2024, and estimating revenues and resources and appropriating funds for the City to the full extent authorized by KRS 82.082 and interpretative case law.

Motion made by Member Nyman to approve Ordinance 2023#07. Motion seconded by Member Lovins.

Comments: Member Neary asked for clarification on the outstanding debt related to Riverfront Commons and the Riverfront Commons project. City Administrator Fossett gave a brief overview of the ongoing project in other surrounding Northern Kentucky cities and how they will connect with Dayton’s portion of the Riverfront Commons project. Member Neary asked if it would be possible to get an estimated timeline for the project from Southbank Partners.

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

Motion carried-so ordered.

- **Second Reading of Ordinance No 2023-08** – An Ordinance amending section 380.08(C)(1) of the Dayton Code of Ordinances related to appeals of Code Enforcement citations.

Motion made by Member Volter to approve Ordinance 2023#08. Motion seconded by Member Nyman.

Comments: No comments by City Council.

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

Motion carried-so ordered.

- **Second Reading of Ordinance No 2023-09** – An Ordinance amending the City of Dayton, Kentucky’s annual budget for the fiscal year running from July 1, 2022, through June 30, 2023, and estimating revenues and resources and appropriating funds for the City to the full extent authorized by KRS 82.082 and interpretative case law.

Motion made by Member Nyman to approve Ordinance 2023#09. Motion seconded by Member Kelly.

Comments: No comments by City Council.

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

Motion carried-so ordered.

- **First Reading of Ordinance No 2023-10** – An Ordinance closing and vacating two alleys located in the blocks bounded by Third Avenue, Clay Street, Fifth Avenue, and Greendevils Lane.

Comments: No comments by City Council.

- **First Reading: Ordinance 2023-11** – An Ordinance adopting an updated Code of Ethics and authorizing the City to enter into an Interlocal Cooperation Agreement with the Northern Kentucky Regional Ethics Authority and the cities and counties who are members of this Authority.

Comments: Member Nyman asked for clarification on the duties of the Ethics Board.

Orders/Resolutions:

- **Order Resolution 2023-20R** – An Order-Resolution authorizing Mayor Benjamin Baker to sign the Joinder Agreement with KDC for participation in the 457 Plan and the 401(k) plan for the benefit of the City of Dayton’s Eligible Employees

Motion was made by Member Kelly to adopt Order Resolution 2023-20R. Motion seconded by Member Volter.

Comments: No comments by City Council.

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

Motion carried-so ordered.

- **Order Resolution 2023-21R** – An Order-Resolution of the Dayton City Council sponsoring a text amendment to the City’s Zoning Ordinance allowing both attached and detached single-family residential dwellings in the R-1JJ Zone.

Motion was made by Member Volter to adopt Order Resolution 2023-21R. Motion seconded by Member Lovins.

Comments: Members Neary and Volter asked for clarification on the restrictions regarding the attached single-family residential dwellings being used as rental properties.

Member Neary	Aye
Member Nyman	Aye
Member Kelly	Aye

Member Lovins Aye
Member Volter Aye

Motion carried-so ordered.

Department Head Reports:

Code Enforcement: Code Enforcement Officer Cassie Patterson delivered the monthly report for Code Enforcement. She reported that the new Rental Inspector began, and letters for inspection were being sent out. She reported that 339 Rental Inspection applications had been received by City Hall, with a total of 969 units. She also reported that 180 notices of lack of payment had been sent out. Inspections were set to begin in two weeks.

Fire Department: Fire Chief Chris Atkins reported on the community-wide CPR class the Fire Department hosted. He also reported one vacancy and some upcoming promotions due to retirements.

Police Department: Police Chief David Halfhill reported that activity had picked up in May and highlighted the increase in tickets for out-of-state license plates. He also reported that following Memorial Day, the curfew for underage children has been updated and is being actively enforced. Chief Halfhill also discussed a meeting between City Administrator Fossett, Assistant Administrator Barks, and himself with an Enterprise representative exploring the option of leasing police vehicles rather than buying outright.

City Administration: City Administrator Fossett reported that the July meeting would need to be scheduled for the third Tuesday due to Independence Day. He also reported that the start of the bump-out project should be beginning in the next week.

Audience: Dave Kobza addressed the City Council regarding invasive Japanese Knotweed near the Manhattan Harbor development area and unsecured tanks of unknown liquid in the Queen City Riverboats parking lot.

New Business: none

Adjournment:

Motion was made by Member Volter to adjourn the meeting at 8:15 PM. Motion seconded by Member Nyman. Meeting adjourned.

Ben Baker

Mayor

Attest:

Tristan Klein

City Clerk/ Treasurer