



CITY OF DAYTON

Regular Council Meeting Minutes
September 5, 2023

Dayton City Council held a Regular Council meeting on Tuesday, September 5, 2023, at 7:00 p.m. at the Dayton Community Center, 625 Second Avenue.

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

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

Mayor’s Report:

Mayor Baker highlighted the ongoing projects in Dayton, including the bump-out project and updated lighting along 6th Avenue, and thanked everyone for their patience as this project moves forward.

Minutes:

Motion by Member Nyman to approve the August 2023 City Council Minutes. Motion seconded by Member Volter. Member Kelly and Member Lovins abstained from voting. All others 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 2023-12** – An Ordinance amending Sections 72.27 and 72.99 of Chapter 72, Parking Regulations, of the Dayton Code of Ordinances.

Motion made by Member Lovins to approve Ordinance 2023-12. Motion seconded by Member Nyman. Comments: No comments by City Council.

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

Motion carried – so ordered.

- **Second Reading: Ordinance 2023-13** – An Ordinance amending Sections 150.80, 150.82, 150.85, 150.89 of the City’s Residential Rental License and Safety Inspection Program.

Motion made by Member Volter to approve Ordinance 2023-13. Motion seconded by Member Nyman. Comments: No comments by City Council.

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

Motion carried – so ordered.

- **Second Reading: Ordinance 2023-14** – An Ordinance amending Section 37.15 and Section 99.99 of the City of Dayton Code of Ordinances to incorporate changes in state law regarding the collection of code-enforcement liens.

Motion made by Member Kelly to approve Ordinance 2023-14. Motion seconded by Member Nyman.
 Comments: No comments by City Council.

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

Motion carried – so ordered.

- **Second Reading: Ordinance 2023-15** – An Ordinance amending Section 111.12 of the Dayton Code of Ordinances regarding the times when retail sales of alcoholic beverages are prohibited.

Motion made by Member Volter to approve Ordinance 2023-15. Motion seconded by Member Nyman.
 Comments: No comments by City Council.

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

Motion carried – so ordered.

- **First Reading: Ordinance 2023-16** – 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, 2023, through June 30, 2024.

Comments: No comments by City Council.

- **First Reading: Ordinance 2023-17** – An Ordinance amending Article VII, Section 7.0, words and phrases, and Article X, Section 10.8, R-1JJ (Residential One-JJ) Zone (R-1JJ Zone), of the City of Dayton, Kentucky, Zoning Code, codified in Chapter 154 of the Dayton Code of Ordinances, to add attached single-family residential dwellings as permitted use in R-1JJ Zone.

Comments: Member Nyman asked for clarification on the reason for this amendment. Member Kelly asked for clarification on how the single-family dwellings would be deeded. Member Lovins asked if the developer in question intended to sell or rent the new single-family homes. City Administrator Fossett said the developer intends to sell the single-family homes. Member Neary pointed out that this will impact all R-1JJ lots, not just the one in question that is proposed to be developed.

- **First Reading: Ordinance 2023-18** – An Ordinance amending Sections 72.04 and 72.14 of Chapter 72, Parking Regulations, of the City of Dayton Code of Ordinances.

Comments: City Administrator Fossett explained that this ordinance changes the allowance from 15 ft on each side of a fire hydrant to 5 ft on each side of a fire hydrant and clarifies that the registration sticker must be affixed to the license plate.

- **First Reading: Ordinance 2023-19** – 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.

Comments: Assistant Administrator Jerrod Barks offered some clarification on the updates to the FY 23 budget. Member Neary pointed out the change in Capital Spending, and Assistant Administrator Barks explained that it is due to the open grants that did not get completed in the fiscal year.

Orders/Resolutions:

- **Order Resolution 2023-23R** – An Order-Resolution authorizing the mayor to enter into various agreements with Enterprise Fleet Management for the lease and management of vehicles used by the City of Dayton, Ky. during the term of the lease.

Motion was made by Member Volter to approve Order Resolution 2023-23R. Motion seconded by Member Lovins.

Comments: Member Neary asked for clarification on how much the City Council is approving in the budget for the Enterprise program, and City Administrator Fossett explained that the amount had already been budgeted to purchase vehicles but would be spent on the Enterprise lease instead. Member Neary questioned the severance clause of the Enterprise Lease Agreement. City Administrator Fossett and Police Chief Halfhill offered further clarification on the severance process for the lease agreement.

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

Motion carried – so ordered.

- **Order Resolution 2023-24R** – An Order-Resolution authorizing the Mayor to enter into a contract with Eaton Asphalt in the amount of \$118,833.00 for a street repaving project in the City of Dayton, payable from Municipal Road Aid Funds.

Motion was made by Member Nyman to approve Order Resolution 2023-24R. Motion seconded by Member Kelly.

Comments: Member Volter asked what the estimated income from Municipal Road Aid was for the year. City Administrator Fossett and City Clerk Klein verified that the FY24 distribution of Municipal Road Aid would be \$115,000. Member Lovins asked how long the bid was guaranteed and what the guaranteed completion date would be.

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

Motion carried – so ordered.

Department Director Reports:

Fire Department: Fire Chief Adkins reported that he is fully staffed, and his crew worked the Labor Day Fireworks with no issues. He also reported that since the school year began, they have been working with the schools on fire drills and making sure the schools are up to date with their safety and codes.

Police Department: Police Chief Halfhill reported that it was an uneventful Labor Day. Chief Halfhill also thanked the City Council and Administration for Order Resolution 23R. He reported that the curfew has been updated to 10 p.m. on weeknights and that School Resource Officer Brendel is back working with the schools. Police Chief Halfhill reported that Dayton is the 22nd safest city in Kentucky.

City Administration: City Administrator Fossett gave an update on the bump-out projects and the updated lighting project on 6th Avenue. City Administrator Fossett also gave an update on the Berry Street connector, which is set to begin on September 11.

Audience Comments:

Kathy Volter: Dayton citizen Kathy Volter addressed the City Council about the need for streetlights on Dayton Pike, near the park. She also asked if there could be additional measures added to the new

proposed crosswalk on 6th Avenue by the city building to draw the attention of drivers to the crosswalk and better protect children who may use the crosswalk.

Susan Vader: Dayton citizen Susan Vader asked the City Council if there is a Dayton Ordinance regarding blocking your own driveway and addressed the City Council regarding parking issues on Ervin Terrace and Tenth Avenue.

New Business: Mayor Baker encouraged everyone to attend River City Music Fest on September 9th, and Member Neary reminded everyone of Final Friday on September 29th. Mayor Baker informed the City Council that there will be a second meeting on September 19th.

Adjournment:

Motion was made by Member Neary to adjourn the meeting at 8:05 PM. Motion seconded by Member Nyman. Meeting adjourned.

Ben Baker

Mayor

Attest:

Tristan Klein

City Clerk/ Treasurer