

CITY OF DAYTON, KENTUCKY

ORDINANCE NO. 2025#1

AN ORDINANCE ADOPTING THE CITY OF DAYTON, KENTUCKY'S ANNUAL BUDGET FOR THE FISCAL YEAR RUNNING FROM JULY 1, 2025, THROUGH JUNE 30, 2026, AND ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS FOR THE CITY TO THE FULL EXTENT AUTHORIZED BY KRS 82.082 AND INTERPRETATIVE CASE LAW.

WHEREAS, a proposed annual operating budget has been prepared and delivered to the City Council of the City of Dayton, Kentucky; and,

WHEREAS, the City Council, having reviewed and discussed the proposed budget, desires to adopt it for Fiscal Year 2026.

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

1. The Annual Operating Budget for the Fiscal Year beginning July 1, 2025, and ending June 30, 2026, including all sources of estimated revenues and appropriations for all City funds as set forth in Exhibit 1, which is attached and made by reference a part hereof, is hereby adopted.
2. All encumbrances outstanding on June 30, 2025, for goods not yet provided or services not yet rendered are hereby reappropriated to conform with generally accepted accounting principles for the Fiscal Year beginning July 1, 2025, and ending June 30, 2026.
3. The balance of all capital construction, renovation, improvement projects and grants currently approved and/or nearing completion are hereby approved for reappropriation and carry over for the Fiscal Year beginning July 1, 2025, and ending June 30, 2026.
4. The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase, or provision shall for any reason be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.
5. All prior Municipal Order/Resolutions and/or or Ordinances or parts of any thereof that are in conflict with this Ordinance are hereby repealed.
6. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on May 13, 2025, and given final reading on June 10, 2025, and this Ordinance shall be in full force and effect upon signature, recordation, and publication in summary pursuant to KRS Chapter 424.

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

First Reading: May 13, 2025

Second Reading: June 10, 2025

MAYOR BEN BAKER

ATTEST:

TRISTAN KLEIN
CITY CLERK/TREASURER

City of Dayton Budget 2026

The annual budget for fiscal year beginning July 1, 2025 and ending June 30, 2026 is hereby adopted as follows:

Resources Available	General Fund	Municipal Aid Fund	Econ. Development	Park Board	TIF
Fund Balance Forward:	\$ 5,481,500.00	\$ 30,000.00	\$ 470,000.00	\$ 50,000.00	\$ 840,000.00
Estimated Revenue					
Taxes	\$ 2,138,000.00				\$ 1,150,000.00
Licenses and Permits	\$ 2,608,200.00				
Fines	\$ 177,200.00				
Intergovernmental	\$ 118,000.00	\$ 160,000.00		\$ 150,000.00	
Charges for Services	\$ 411,550.00				
Miscellaneous	\$ 565,250.00			\$ 400.00	
Grant Restricted	\$ 3,201,920.00			\$ 72,000.00	
Interest	\$ 30,000.00	\$ 600.00	\$ 7,000.00	\$ 1,000.00	\$ 6,000.00
Total Estimated Revenue	\$ 9,250,120.00	\$ 160,600.00	\$ 7,000.00	\$ 223,400.00	\$ 1,156,000.00
Available Appropriations					
	\$ 14,731,620.00	\$ 190,600.00	\$ 477,000.00	\$ 273,400.00	\$ 1,996,000.00
Appropriations					
General Government	\$ 780,000.00				\$ 150,000.00
Police	\$ 1,545,600.00				
Fire	\$ 1,382,390.00				
Public Works	\$ 600,000.00	\$ 30,000.00		\$ 77,500.00	
Code Enforcement	\$ 150,000.00				
Parks				\$ 170,000.00	\$ 150,000.00
Economic Development			\$ 50,000.00		
Waste Collection	\$ 522,000.00				
Professional Services	\$ 100,000.00	\$ 130,000.00			
TIF Payment					\$ 850,000.00
Miscellaneous	\$ 61,500.00				
Capital Spending	\$ 6,482,400.00				
Total Appropriations	\$ 11,623,890.00	\$ 160,000.00	\$ 50,000.00	\$ 247,500.00	\$ 1,150,000.00
Est. Ending Fund Balances					
	\$ 3,107,730.00	\$ 30,600.00	\$ 427,000.00	\$ 25,900.00	\$ 846,000.00

**CITY OF DAYTON, KENTUCKY
ORDINANCE 2025#2**

AN ORDINANCE AMENDING CHAPTER 95 OF THE OF THE CITY OF DAYTON, KENTUCKY, CODE OF ORDINANCES (“CODE”) TO ADD A NEW SECTION PROHIBITING THE USE OF MOTORIZED VEHICLES IN SARGEANT PARK OTHER THAN IN THE PARKING AREAS OF THE PARK, INCLUDING A CRIMINAL PENALTY FOR FAILURE TO COMPLY WITH THIS CODE SECTION.

WHEREAS, the City of Dayton, Kentucky (“City”) operates seven public parks in the City, which are open to the public; and

WHEREAS, the City has constructed a number of trails in Sargeant Park, which a passive park located at 999 Covert Run Road, for use by hikers and mountain (nonmotorized) bikers; and

WHEREAS, the City wishes to prohibit the use of motorized vehicles in Sargeant Park and impose a criminal penalty for those who operate motorized vehicles in this park; and

WHEREAS, the City needs to add a new section to its Code to reflect this prohibition and penalty.

NOW, THEREFORE, BE IT HEREBY ORDAINED AND RESOLVED BY THE DAYTON CITY COUNCIL AS FOLLOWS:

The City of Dayton Code of Ordinances – specifically, Title IX: General Regulations, Chapter 95: Parks -- is hereby amended to add a new section, Section 95.39, as follows:

§ 95.39 MOTORIZED VEHICLES PROHIBITED IN SARGEANT PARK

(A) Operation of motorized vehicles in Sargeant Park prohibited. No person shall drive or ride any motorized vehicle, including but not limited to an automobile, motorcycle, motorized “dirt bike, scooter, golf cart, all-terrain vehicle, snowmobile, or other motorized vehicle in Sargeant Park other than in the designated parking areas serving this park, which are located off of Covert Run Pike and

Lincoln Road. However, this section shall not apply any vehicles performing authorized maintenance or construction in the park.

(B) Criminal Penalty. A violation of this ordinance shall be a Class A misdemeanor and a person convicted thereof in a court of competent jurisdiction shall be sentenced to shall pay a criminal fine not to exceed the maximum amount of five hundred dollars (\$500) and/or serve a term of imprisonment not to exceed the maximum period of twelve (12) months. Any motorized vehicle used in violation of this subchapter also may be impounded by the City.

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: May 13, 2025

Second Reading: _____

MAYOR BEN BAKER

ATTEST:

TRISTAN KLEIN
CITY CLERK/TREASURER

**CITY OF DAYTON, KENTUCKY
ORDER-RESOLUTION NO. 2025#8R**

**AN ORDER/RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
DAYTON, KENTUCKY, APPOINTING INDIVIDUALS TO VARIOUS CITY
BOARDS AND COMMISSIONS.**

WHEREAS, the City of Dayton, Kentucky (“City”), has established various City boards, commissions, and foundations pursuant to state law and City ordinances and a trust agreement;

WHEREAS, under certain ordinances codified in the Dayton Code of City Ordinances, including those created by Kentucky statutes, the Mayor of the City appoints members of the Commission, subject to the approval of City Council; and;

WHEREAS, the City wishes to make new appointments of members to some of these boards, commissions, and foundations.

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

The City hereby appoints the following individuals to the city boards, commissions, and foundations identified below:

Code Enforcement Board

Jeff Volter is appointed to the Code Enforcement Board. His term shall end on December 31, 2028.

Planning and Zoning Commission

Nathan Kroeger is appointed to the Planning and Zoning Commission to replace Sasja Fenimore, who resigned from the Commission. His term shall end on December 31, 2029.

Sargeant Park Foundation

City Clerk/Treasurer Tristan Klein is appointed to the Sargeant Park Foundation to replace Tiffany Myers, pursuant to the terms of a Trust Agreement between the City of Dayton and the Sargeant Park Foundation dated August 5, 1986.

AND IT IS SO ORDERED AND RESOLVED. Passed and approved by the City Council
of the City of Dayton, Kentucky, on this 13th day of May 2025.

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

MAYOR BENJAMIN BAKER

ATTEST:

TRISTAN KLEIN
CITY CLERK/TREASURER

**CITY OF DAYTON, KENTUCKY
ORDER-RESOLUTION NO. 2025#9R**

AN ORDER-RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MUNICIPAL AID CO-OP PROGRAM CONTRACT BETWEEN THE CITY OF DAYTON, KENTUCKY, AND THE COMMONWEALTH OF KENTUCKY, TRANSPORTATION CABINET, DEPARTMENT OF RURAL AND MUNICIPAL AID FOR THE FISCAL YEAR BEGINNING JULY 1, 2025, AS PROVIDED IN THE KENTUCKY REVISED STATUTES, AND ACCEPTING ALL STREETS REFERRED TO THEREIN AS BEING STREETS WHICH ARE A PART OF THE INCORPORATED CITY.

NOW, THEREFORE, BE IT ORDERED AND RESOLVED BY THE CITY OF DAYTON, KENTUCKY, AS FOLLOWS:

The Dayton, Kentucky, Board of City Council ("City Council") does hereby accept all streets referred to in the attached Municipal Road Aid Cooperative Program Agreement ("Contract") as being city streets, which are a part of the City of Dayton, Kentucky ("City"); and

The City Council does hereby ratify and adopt all statements, representations, warranties, covenants, and agreements contained in this Contract and does hereby accept the Contract, and by such acceptance, agrees to all the terms and conditions therein stated; and

The Mayor of the City of Dayton is hereby authorized and directed to sign the Contract on behalf of the City and the Dayton Clerk is hereby authorized and directed to certify thereto.

SO ORDERED and RESOLVED by the City Council of the City of Dayton, Kentucky, on this the 13th day of May 2025.

ADOPTED: May 13, 2025

By: _____
Ben Baker
Mayor

Attest:

By: _____
Tristan Klein
City Clerk/Treasurer

CERTIFICATION

I, Tristan Klein, do hereby certify that I am the duly qualified and acting Clerk/Treasurer of the City Council of Dayton, Kentucky, and as such, I further certify that the foregoing as well as attached Exhibit "A," which is incorporated by reference herein, is a true, correct, and complete copy of an Order/Resolution duly adopted by the City Council of the City at a regular meeting properly held on May 13, 2025, signed by the Mayor and is now in full force and effect, all as appears from the official records of the City in my possession and under my control.

IN WITNESS WHEREOF, I have hereunder set my hand this _____ day of _____
2025.

Tristan Klein
City Clerk

EXHIBIT “A”

Municipal Road Aid Cooperative Program Agreement

MUNICIPAL ROAD AID COOPERATIVE
PROGRAM AGREEMENT

THIS AGREEMENT, entered into as of the date of the signature below of the Secretary of the Transportation Cabinet, is made by and between the Commonwealth of Kentucky, Transportation Cabinet, Department of Rural and Municipal Aid (“the Department”), and the Legislative Body of the Incorporated City of **DAYTON**, Kentucky (the “City”).

WHEREAS, Kentucky Revised Statutes (KRS) § 177.365(1) provides that 7.7% of revenue resulting from the imposition of motor fuel taxes on taxpayers pursuant to KRS § 138.220(1)(2), KRS § 138.660(1)(2), and KRS § 234.320 shall be set aside by the Finance and Administration Cabinet for the construction, reconstruction, and maintenance of urban roads and streets, and for no other purpose (“Municipal Road Aid Funds”), and

WHEREAS, the City has accepted an invitation from the Department to allow it to participate in a cooperative program to aid the City in the construction, reconstruction, and maintenance of certain roads and bridges using its share of the Municipal Road Aid Funds apportioned to it by the Department as provided below (the “Cooperative Program”), and

NOW THEREFORE, in consideration of the terms and conditions contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Department and the City agree as follows:

1. Apportionment of Municipal Road Aid Funds. The City’s apportionment of Municipal Road Aid Funds shall be based on revenue estimates supplied by the Office of State Budget Director. For the Fiscal Year beginning July 1, 2025, this amount is **\$132,457.74** (the “Apportionment”). The above referenced estimate is based on the most recent available data and

is subject to change according to available revenue. The Apportionment shall be distributed by the Department to the City in accordance with the terms of this Agreement.

2. Assignment of the Apportionment. The City hereby assigns all of its right, title and interest in and to the Apportionment to the Transportation Cabinet's Division of Accounts for Fiscal Year 2026.

3. Distribution of Municipal Road Aid Funds. The City and the Department agree that the Apportionment shall be distributed by the Department to the City as follows:

a. First Distribution. The Department shall initially distribute to the City sixty percent (60%) of the Apportionment, less three percent (3%) of the Apportionment set aside for the emergency fund below. This initial amount is **\$77,090**.

b. Second Distribution. The Department shall distribute up to and including an additional thirty percent (30%) of the Apportionment to the City, less three percent (3%) of the Apportionment set aside for the emergency fund below. The amount of the second distribution will depend on how actual revenues compare to revenue estimates.

c. Final Distribution. The Department shall allocate and distribute the remaining balance of the Apportionment, less three percent (3%) set aside for the emergency fund below. The Final Distribution shall be based on actual revenues tabulated after the end of the fiscal year (June 30).

4. Emergency Fund. The City agrees that three percent (3%) of the Apportionment shall be withheld by the Department in an emergency fund (the "Emergency Fund"). The Emergency Fund shall include three percent (3%) of the total apportionments of all participants in the Cooperative Program, plus any remaining balances from previous fiscal years. The Department, upon written application from a duly authorized representative of the City, may

disburse these funds to the City for the purpose of it using said funds for emergency roadway and bridge projects designated by the City and lying within city limits. The Department may disburse up to fifty percent (50%) of the approved funds to the City for the purpose of it using said funds for emergency roadway and bridge projects designated by the City. Following the completion of the project, after final cost documentation has been submitted and processed, the Department will then distribute the determined remaining amount. If the actual cost of an emergency project is less than the amount of Emergency Funds disbursed by the Department, then the City shall reimburse the difference to the Department.

5. Disbursement of Funds. Upon execution of this Agreement, the Department will disburse the foregoing allocated funds directly to the City to pay for materials, labor and equipment necessary for the City to accomplish construction, reconstruction, and maintenance on streets designated by the City and lying within city limits. This assistance is extended insofar as funds are available from the Apportionment. The City shall be responsible for all costs associated with the construction, reconstruction and maintenance of roadways and bridges in excess of the amount of the Apportionment allocated and disbursed by the Department to the City. The Department may assist the City in fulfilling its needs by disbursing funds to the City for materials and work performed by contract, for materials obtained by contract and for the rental or purchase of road maintenance and construction equipment. Any rental rates shall be based on current edition of the "Blue Book for Rental of Equipment" or the Department's official rental rates. The Department may also disburse funds to the City for the hourly rate for personnel who perform the work. This rate may include employee fringe benefits such as leave overlay, retirement, social security, insurance, etc.

6. Use of Municipal Road Aid Funds. The City agrees and certifies that the Apportionment will be expended by the City solely for the purpose of construction, reconstruction, and maintenance of city streets as defined in KRS § 177.365(4).

7. Rights of Way. The City, if required under applicable law, will acquire any rights-of-way contemplated under this Agreement and assume responsibility for any claims for damages arising from such acquisitions.

8. Indemnification. The City shall fully indemnify, hold harmless and defend the Department from and against all claims, actions, suits, demands, damages, liabilities, obligations, losses, settlements, judgments, costs and expenses (including without limitation reasonable attorney's fees and costs), whether or not involving a third party claim, which arise out of, relate to or result from (a) any breach of any representation or warranty of the City contained in this Agreement, (b) any breach of any covenant or other obligation or duty of the City under this Agreement or under applicable law, in each case whether or not caused by the negligence of the Department and whether or not the relevant claim has merit.

9. Reimbursement of Losses. The City will reimburse the Department for losses it may sustain arising out of performance of this Agreement. Such loss as sustained by the Department may be charged to the Apportionment in this or future fiscal years.

10. Termination of Agreement. The Department reserves the right to cancel this Agreement at any time deemed to be in the best interest of the Department by giving thirty (30) days written notice of such cancellation to the City. If this Agreement is canceled under this provision, then the City will receive any unpaid portion of the Apportionment from the Finance and Administration Cabinet.

11. Access to Records. The City acknowledges and agrees that pursuant to KRS § 177.369(3) it shall retain all records of the expenditures of the Apportionment for a period of five (5) years and said records, including any books, documents, papers, records, or other evidence, which are directly pertinent to this agreement [records and other prequalification information confidentially disclosed as part of the bid process shall not be deemed as directly pertinent and shall be exempt from disclosure as provided in KRS 61.878(1)(c)], shall be subject to audit by the Finance and Administration Cabinet or its duly authorized agent and made accessible by the City to the Finance and Administration Cabinet or its duly authorized agent for said period of time in order to determine the proper expenditure of said money for the purposes required by KRS § 177.365(1). The City also recognizes that any books, documents, papers, records, or other evidence received during a financial audit or program review shall be subject to the Kentucky Open Records Act, KRS § 61.870 to KRS § 61.884.

12. Authorization. The Legislative Body of the City shall pass a resolution adopting and approving the terms of this Agreement in the form of the resolution attached to this Agreement and made a part hereof. The Chief Executive Officer of the City, and the Commissioner of the Department, or their authorized representatives, insofar as their actions are in accord with the laws of the Commonwealth of Kentucky, shall act for their respective parties on all matters arising under this Agreement.

13. Choice of Law and Venue. All questions as to the execution, validity, interpretation, construction and performance of this Agreement shall be governed by the laws of the Commonwealth of Kentucky. Furthermore, the parties hereto agree that any legal action which is brought on the basis of this Agreement shall be filed in the Franklin County Circuit Court of the Commonwealth of Kentucky.

IN WITNESS WHEREOF, the undersigned have executed this Agreement as of the dates listed below.

CITY of DAYTON, KENTUCKY

BY: _____
Chief Executive Officer (Mayor)

Date: _____

(For Kentucky Transportation Cabinet use only)

**DEPARTMENT OF RURAL AND MUNICIPAL AID
OFFICE OF RURAL & SECONDARY ROADS**

BY: _____
Commissioner

Date: _____

APPROVED AS TO FORM AND LEGALITY:

BY: _____
Office of Legal Services

Date: _____

**COMMONWEALTH OF KENTUCKY
TRANSPORTATION CABINET**

BY: _____
Secretary

Date: _____

CITY OF DAYTON, KENTUCKY
ORDER-RESOLUTION NO. 2025#10R

AN ORDER-RESOLUTION AUTHORIZING THE KENTUCKY
TRANSPORTATION CABINET TO CHANGE THE ROUTE OF
KY. 8X FROM CLAY STREET BETWEEN FOURTH AND SIXTH
STREETS TO MAIN STREET BETWEEN FOURTH AND SIXTH
STREETS.

WHEREAS, the Kentucky Transportation Cabinet (“KYTC”) maintains Kentucky Route 8X (“Ky. 8X”) through the City of Dayton, Kentucky (“City”); and

WHEREAS, Ky. 8X is currently traverses the City via Sixth Avenue between O’Fallon Avenue and Clay Street, Clay Street between Fourth Avenue and Sixth Avenue, and Fourth Avenue between Clay Street and Mary Ingles Highway; and

WHEREAS, Dayton Independent Schools has several buildings located on Ky. 8X along Clay Street and Fourth Avenue, including an elementary school, and the school district will complete construction of new athletic complex in this area in the summer 2025, which is expected to draw large crowds to athletic and other events at the facility when it opens; and

WHEREAS, in the interest of public safety and other reasons, the City of Dayton has requested that KYTC move the route of Ky. 8X one block east from Clay Street to Main Street to avoid this area; and

WHEREAS, KYTC has indicated to the City that is amenable to moving Ky. 8X from Clay Street to Main Street, subject to certain conditions, which are outlined below.

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

The City Council of the City of Dayton, Kentucky, hereby authorizes and requests that KYTC officially move the route of Ky. 8X from Clay Street between Fourth Avenue and Sixth Avenue to Main Street between Fourth Avenue and Sixth Avenue, subject to the following conditions requested by KYTC:

1. The City of Dayton repave and restripe the following street sections consistent with KYTC standards:
 - a. Sixth Avenue between Clay Street and Main Street; and
 - b. Main Street between Fourth Avenue and Sixth Avenue
2. The City install ADA-accessible ramps at the intersections of the streets identified in Paragraph 1 if they are not already installed at these intersections.
3. After the route change is made, the City will undertake maintenance responsibility of Clay Street between Fourth Avenue and Sixth Avenue and Fourth Street between Clay Street and Main Street, and KYTC will undertake maintenance responsibility for Sixth Avenue between Clay Street and Main Street and Main Street between Fourth Avenue and Sixth Avenue.
4. The above-referenced improvements and maintenance responsibilities will begin after KYTC officially authorizes the above-referenced route change and installs directional signs along the new route. The City shall have six months after this date to undertake the improvements identified in Paragraphs 1 and 2 above.

SO ORDERED and RESOLVED by the City Council of the City of Dayton, Kentucky, on this the 13th day of May 2025.

ADOPTED: May 13, 2025

By: _____
Ben Baker
Mayor

Attest:

By: _____
Tristan Klein
City Clerk/Treasurer

CERTIFICATION

I, Tristan Klein, do hereby certify that I am the duly qualified and acting Clerk/Treasurer of the City Council of Dayton, Kentucky, and as such, I further certify that the foregoing is a true, correct, and complete copy of an Order/Resolution duly adopted by the City Council of the City at a regular meeting properly held on May 13, 2025, signed by the Mayor and is now in full force and effect, all as appears from the official records of the City in my possession and under my control.

IN WITNESS WHEREOF, I have hereunder set my hand this _____ day of _____
2025.

Tristan Klein
City Clerk