

**CITY OF DAYTON, KENTUCKY
ORDER/RESOLUTION NO. 2026-9R**

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH STEPHEN ARTHUR KUNATH AND KATHERINE JANE KUNATH AND TO ACCEPT A DECLARATION OF EASEMENT FROM THEM FOR THE PURPOSE OF MAKING PUBLIC IMPROVEMENTS AT 152 GRANT PARK DRIVE FOR THE PURPOSE OF COLLECTING AND DIRECTING STORMWATER AND GROUNDWATER FROM THIS PROPERTY AND DIRECTING IT INTO THE PUBLIC STORMWATER SYSTEM ON GRANT PARK DRIVE.

WHEREAS, the City of Dayton (“City”), the Grant Park Homeowners Association, Stephen Arthur Kunath and Katherine Jane Kunath, who own 152 Grant Park Drive (“Subject Property”), and the Sanitation District No. 1 (“SD1”) have agreed to work together jointly to address stormwater issues at the Subject Property and on and under the streets, sidewalks, and right-of-ways abutting this property;

WHEREAS, SD1 maintains a municipal separate stormwater-sewer system on Grant Park Drive pursuant to a Transfer and Assignment of the SD1 Stormwater Drainage System Agreement to SD1 from the City;

WHEREAS, SD1 provides a Stormwater Public Cost-Share Program to help local governments construct stormwater projects to address stormwater drainage issues (“Cost-Share Program”);

WHEREAS, the City has applied to SD1 for financial assistance through its Cost-Share Program and SD1’s Board of Directors has approved its request;

WHEREAS, the owners of the Subject Property (“Property Owners”) have agreed to pay \$2,500 each toward the project costs to connect discharge pipes from their sump pumps into the public stormwater system on Grant Park Drive and also collect other stormwater and groundwater flowing on and under their property and direct it into this system as part of the project (“Stormwater Remediation Project”);

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

Section 1. The Mayor is authorized to enter into a contract with the Property Owners to undertake the Stormwater Remediation Project and accept a Declaration of Easements by the Property Owners to allow for construction of the Stormwater Remediation Project and placement of public improvements on the Subject Property. An example of the contract, including one with a Declaration of Easements, is attached as Exhibit A.

Section 2. Subject to the City’s execution of the above-referenced documents by the Property Owners, the Mayor is authorized to file the executed Declaration of Easements with the Campbell County Clerk’s Office, and he is further authorized to execute and deliver such other commercially reasonable instruments and agreements as may be required to carry out the Stormwater Remediation Project.

Section 3. It is hereby found and determined that all formal actions of the City Council concerning and relating to the passage of this Order/Resolution were taken in an open meeting of the City Council, and that all deliberations of this City Council and of any of its committees, if any, that resulted in such formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements of the Kentucky Revised Statutes.

NOW THEREFORE, IT IS FURTHER ORDERED AND RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAYTON, KENTUCKY, on this _____ day of _____, 2026.

That this Order/Resolution shall be signed by the Mayor, attested to by the City Clerk/Treasurer, recorded and be effective upon adoption.

ADOPTED: _____, 2026

By: _____
Ben Baker
Mayor

Attest:

By: _____
Tristan Klein
City Clerk/Treasurer

CERTIFICATION

I, the undersigned, do hereby certify that I am the duly qualified and acting Clerk/Treasurer of the City Council of Dayton, Kentucky, (the "City"), and as such, I further certify that the foregoing (with the attached Exhibit "A"), 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 _____, 2026, 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 _____ 2026.

Tristan Klein
City Clerk/Treasurer

EXHIBIT "A"