

# **DAYTON TOWN COUNCIL MINUTES**

**November 11, 2013**

## **Joint Public Hearing With Planning Commission**

Mayor Long called the Town Public Hearing to order at 7:09 pm and PC Chairperson Lehman called the PC Public Hearing to order at 7:09 pm. Attorney Ham stated that the Joint Public Hearing was for the Title 9 Revisions concerning side yard and setback requirements, paving requirements, parking space size and providing certain powers to the zoning administrator. Mayor Long asked for comments pertaining to the revisions. Resident, Mr. Jacobsen asked what brought the change on. Mayor Long responded that it was possibly due to new sub-divisions and to give more flexibility. Councilperson Daly asked if parking spaces would be repainted. John Crim replied that they would not. It is mostly for new commercial properties. Alex from the DNR asked the same question, "why now?". Mayor Long stated that it is in hopes that the Council is being pro-active.

With no further comments, Mayor Long closed the Town Public Hearing and Chairperson Lehman closed the PC public hearing at 7:19pm.

A motion by PC member Critcher that Council approve the three Title 9 Revisions as presented was seconded by Mr. Bowman and passed unanimously by the Planning Commission.

Chairperson Lehman then adjourned the Planning Commission meeting at 7:20

**COUNCIL MEMBERS PRESENT:** Mayor Charles Long, Council members Shelley Newman, Steve Dean, Laura Daily, Josh Lyons, Jeff Daly and Kehris Snead.

**COUNCIL MEMBERS ABSENT:**

**ALSO PRESENT:** Jason Ham, Attorney; Chief Conley; Justin Moyers, Treasurer; John Crim; PC members; Gerald Lehman, Jerry Critcher, Gary Bowman, and Becky Eberly; several local citizens and students.

**CALL TO ORDER:** Mayor Long called the meeting to order at 7:03 p.m. and welcomed the guests and new Council Member Shelley Newman. The Pledge of Allegiance and Invocation were led by Mayor Long.

**MINUTES:** Mayor Long asked for comments pertaining to minutes of the council meeting dated October 14, 2013. Hearing none, a motion by Councilperson Snead was seconded by Councilperson Daily and passed by Council. (those in favor; Newman, Dean, Daily, Long, Lyons, Daly, Snead)

**MOVED, THAT MINUTES OF THE OCTOBER 14, 2013  
COUNCIL MEETING BE APPROVED AS WRITTEN.**

Mayor Long asked for comments pertaining to the minutes of the special council meeting dated October 24, 2013. Hearing none, a motion by Councilperson Lyons was seconded by Councilperson Daly and passed by Council. (those in favor; Newman, Dean, Daily, Long, Lyons, Daly, Snead)

**MOVED, THAT MINUTES OF THE OCTOBER 24, 2013  
SPECIAL COUNCIL MEETING BE APPROVED AS  
WRITTEN.**

**TREASURER'S REPORT:** Justin Moyers  
Real Estate and vehicle tax bills have been mailed out.

**PLANNING COMMISSION:** Gerald Lehman  
Lehman recommended to Council to approve the Title 9 revisions.

**POLICE REPORT:** Chief Conley

Chief Conley gave the report for the month of October.

**STAFF REPORT:** John Crim

Tourist Information Center has been certified. Hope to get interstate signs soon. Would like to have Grand Opening for the Center. College Street Project coming along. Exercise equipment has been installed at Cooks Creek Park. Snow trucks are inspected and ready. Residential leaf pick-up has started. Heavy trash has been picked up.

**COMMITTEE REPORTS:**

**Sewer Authority:** John Crim

No report at this time.

**Finance Committee:** Josh Lyons

No report at this time.

**Personnel Committee:** Steve Dean

Met at 5:30 this evening. Changes were made to the Personnel Manual.

**Economic Development Committee:** Jerry Critcher

Hope to organize a meeting within the week.

**Community Relations Committee:** Laura Daily

Met October 24<sup>th</sup>. It was decided to keep the Town Christmas Party scheduled for December 11<sup>th</sup> at 6:30. Christmas Parade will be held December 7<sup>th</sup>. Discussed Red Bud Festival, date not set yet.

**Infrastructure Committee:** Steve Dean

No report at this time.

**UNFINISHED BUSINESS:**

A motion by Councilperson Snead to approve the Personnel Manual as presented with changes was seconded by Councilperson Lyons and passed by roll call vote. (those in favor; Newman, Dean, Daily, Long, Lyons, Daly, Snead)

**NEW BUSINESS:**

\*Title 9-Zoning – Attorney Jason Ham briefed on the revision to Chapter 3, Administration and Enforcement, 9-9(e). A motion by Councilperson Daly to approve the Title 9 Revisions as presented was seconded by Councilperson Snead and passed by roll call vote. Certificate of roll-call vote appended to minutes.

**MOVED, TO ADOPT TOWN OF DAYTON  
ORDINANCE AMENDING ADMINISTRATION AND  
ENFORCEMENT.**

\*Title 9-Zoning – Attorney Jason Ham briefed on the revision to Chapter 5 & 6, with respect to side and front yard requirements. A motion by Councilperson Dean to approve the Title 9 Revisions as presented was seconded by Councilperson Lyons and passed by roll call vote. Certificate of roll-call vote appended to minutes.

**MOVED, TO ADOPT TOWN OF DAYTON  
ORDINANCE AMENDING SIDE AND FRONT YARD  
REQUIREMENTS.**

\*Title 9-Zoning – Attorney Jason Ham briefed on the revision to Chapter 20, minimum off street parking requirement. A motion by Councilperson Daly to approve the Title 9 Revision as presented was seconded by Councilperson Daily and passed by roll call vote. Certificate of roll-call vote appended to minutes.

**MOVED, TO ADOPT TOWN OF DAYTON  
ORDINANCE AMENDING OFF STREET PARKING  
REQUIREMENT.**

\*Poultry Ordinance – Attorney Jason Ham briefed on an Ordinance enacting a new Chapter 4 of Title 1 entitled “Fowl, Chickens and other Domestic Birds.” A motion by Councilperson Daly to adopt the Ordinance as presented was seconded by Councilperson Snead and passed by roll call vote. (those in favor; Newman, Dean, Daily, Long, Lyons, Daly, Snead)

**MOVED, TO ADOPT TOWN OF DAYTON FOWL,  
CHICKEN AND DOMESTIC BIRDS ORDINANCE.**

\*Resolution – Justin Moyers briefed on the VRS Opt Out Resolution. The town has sought other means to provide insurance to employees. A motion by Councilperson Dean to approve the Resolution as presented was seconded by Councilperson Snead and passed by roll call vote. (those in favor; Newman, Dean, Daily, Long, Lyons, Daly, Snead)

**MOVED, TO APPROVE TOWN OF DAYTON VRS  
OPT OUT RESOLUTION.**

**OPEN FORUM:**

A resident asked Council to be respectful of the residential area when planning events for the College Street Park.

**MAYOR AND COUNCIL COMMENTS:**

Mayor Long welcomed new Council Member, Shelley Newman.

**APPROVAL OF BILLS:**

A motion by Councilperson Daily to approve bills totaling \$393,566.84 was seconded by Councilperson Newman and passed by Council by roll call vote: (those in favor; Newman, Dean, Daily, Long, Lyons, Daly, Snead).

**MOVED, THAT BILLS TOTALING \$393,566.84 BE  
APPROVED.**

A motion by Councilperson Daly to recess into closed session concerning the matter of the Artisans Courtyard Lease was seconded by Councilperson Snead and passed unanimously.

**MOVED, TO RECESS INTO CLOSED SESSION UNDER THE STATE CODE.**

Recessed to closed session at 8:00 pm.

Back in regular session at 8:17 pm.

A motion by Councilperson Dean that the session was held in conformity to the State Code was seconded by Councilperson Snead and passed unanimously. (Resolutions appended to minutes)

There being no further business to come before Council, a motion to adjourn by Councilperson Dean was seconded by Councilperson Lyons and passed unanimously by Council.

The meeting adjourned at 8:19 pm.

Respectfully Submitted,

---

Charles T. Long, Mayor

---

Jeanette Thompson, Recorder

