

**MAYSVILLE BOARD OF COMMISSIONERS**  
**Thursday, 13 February 2014; 5:15 p.m.**  
**REGULAR MEETING**  
**Maysville Municipal Building**

The Board of Commissioners of the City of Maysville, Kentucky met in a regular meeting on Thursday, Feb. 13, 2014 at 5:15 p.m. at the Maysville Municipal Building. Present: Commissioner Victor McKay, Commissioner Kelly Ashley, Commissioner Judy Pfeffer, Commissioner Rick Litton and Mayor David Cartmell. Also present: City Manager Ray Young, City Clerk Lisa Dunbar, City Attorney Sue Brammer, Projects Coordinator David Hord, Police Chief Ron Rice, Fire Chief Eric Bach, Asst. Comptroller/HR Director Karen Cracraft, Utility Manager Eddie Wenz, Tourism Director Suzie Pratt, Public Works Director Rick Truesdell, Zoning Administrator Matt Wallingford, Building Official Wells, Codes Officer Nicole Jones, and Asst. City Attorney Kelly Caudill. Absent: Comptroller Romie Griffey. Others present: The Ledger Independent and WFTM.

MINUTES & DEPARTMENT REPORTS

**Motion** by Commissioner Litton, second by Commissioner McKay to approve the minutes and department reports. Upon call of roll, voting is as follows: Voting aye: Commissioner Litton, Commissioner Ashley, Commissioner Pfeffer, Commissioner McKay and Mayor Cartmell, Motion passes.

BART BRYANT: BRIDGE LIGHTING

State Highway District 9 Engineer Bart Bryant informed the Board of Commissioners that due to safety risks related to electrical wiring for the necklace lighting on the Simon Kenton Bridge, the lighting would be shut off until an safety assessment can be done. The wiring for the 14-year-old lighting no longer meets code. The tower and street lighting would remain on, he said.

PUBLIC COMMENT

Maysville-Mason County Chamber of Commerce Director Vickie Steigleder invited to join her in Frankfort to receive Work Read In Progress Community certification.

RESIGNATION: POLICE DEPARTMENT

The Board of Commissioners was presented with the following resignation:

January 31, 2014

I, Christopher Shane Adams, will be resigning from the position of patrolman from the Maysville Police Department.

Christopher Shane Adams

**Motion** by Commissioner Pfeffer, second by Commissioner McKay to accept the resignation of Christopher Shane Adams from the Maysville Police Department. Upon call of roll, voting is as follows: Voting aye: Commissioner Litton, Commissioner Ashley, Commissioner Pfeffer, Commissioner McKay and Mayor Cartmell, Motion passes.

RETIREMENT: POLICE DEPARTMENT

The Board of Commissioners was presented with the following retirement:

To: Chief Ron Rice  
Maysville Police Department  
Fr: Steven K. Moss  
Da: 31 January 2014  
Re: Retirement

Chief Rice,

I am submitting my intent to retire. I have submitted the necessary paperwork to the Kentucky Retirement Systems and my retirement date is 1 April 2014. My termination date from employment with the Maysville Police Department will be 31 March 2014.

I have met with a retirement counselor and fulfilled all requirements on my end to make my retirement happen. If there are any question, please contact the Kentucky Retirement System in Frankfort.

Thank you,  
Steven Moss

**Motion** by Commissioner Pfeffer, second by Commissioner Ashley to approve the retirement of Office Steve Moss. Upon call of roll, voting is as follows: Voting aye: Commissioner Litton, Commissioner Ashley, Commissioner Pfeffer, Commissioner McKay and Mayor Cartmell, Motion passes.

PROMOTION: PUBLIC WORKS

The Board of Commissioners was presented with the following request for promotion:

Da: February 10, 2014  
To: Honorable Mayor and City Commissioners  
Fr: Rick Truesdell, Public Works Director  
Re: Full Time Position Opening

It is my recommendation that Austin Gripshover be moved from seasonal to full time status. Effective date February 17, 2014.

**Motion** by Commissioner Pfeffer, second by Commissioner Ashley to approve the promotion of Austin Gripshover to full time employee. Upon call of roll, voting is as follows: Voting aye: Commissioner Litton, Commissioner Ashley, Commissioner Pfeffer, Commissioner McKay and Mayor Cartmell, Motion passes.

APPROVAL OF FYE 2013 AUDIT

**Motion** by Commissioner Pfeffer, second by Commissioner Litton to approve the audit for FYE 2013. Upon call of roll, voting is as follows: Voting aye: Commissioner Litton, Commissioner Ashley, Commissioner Pfeffer, Commissioner McKay and Mayor Cartmell, Motion passes.

RESOLUTION TO APPROVE UPDATED PERSONNEL MANUAL

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 14-03**

A RESOLUTION ADOPTING PERSONNEL MANUAL

WHEREAS, the staff has revised the Personnel Manual containing employment policies of the City of Maysville, Kentucky; and

WHEREAS, the Board of Commissioners of the City of Maysville, Kentucky, have reviewed the revised Personnel Manual,

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Personnel Manual attached hereto is hereby adopted.

**Motion** by Commissioner Ashely, second by Commissioner Litton to adopt the resolution as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Litton, Commissioner Ashley, Commissioner Pfeffer, Commissioner McKay and Mayor Cartmell, Motion passes.

RESOLUTION ADOPTING REVISED FAMILY AND MEDICAL LEAVE POLICY

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 14-04**

1 RESOLUTION ADOPTING REVISED FAMILY  
AND MEDICAL LEAVE POLICY

WHEREAS, the City has reviewed its Family and Medical Leave Policy and has determined that it needs to be updated to comply with changes in the law;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Family and Medical Leave Policy attached hereto is hereby adopted.

**Motion** by Commissioner McKay, second by Commissioner Pfeffer to adopt the resolution as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Litton, Commissioner Ashley, Commissioner Pfeffer, Commissioner McKay and Mayor Cartmell, Motion passes.

RESOLUTION AUTHORIZING LOCATION RELEASE

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 14-05**

1 RESOLUTION AUTHORIZING LOCATION RELEASE

WHEREAS, Tremendous! Entertainment, Inc. and Discovery Communications, Inc. have asked permission to photograph and record scenes at the Cox Building,

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute the Location Release.

**Motion** by Commissioner Ashley, second by Commissioner Pfeffer to adopt the resolution as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Litton, Commissioner Ashley, Commissioner Pfeffer, Commissioner McKay and Mayor Cartmell, Motion passes.

RESOLUTION AUTHORIZING APPLICATION FOR SUBSTANCE ABUSE  
PREVENTION GRANT

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 14-06**

1 RESOLUTION AUTHORIZING APPLICATION  
FOR SUBSTANCE ABUSE FOR PREVENTION GRANT

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to sign a grant application Grant with Buffalo Trace Agency for Substance Abuse Policy for funding for substance abuse prevention.

**Motion** by Commissioner Pfeffer, second by Commissioner Ashley to adopt the resolution as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Litton, Commissioner Ashley, Commissioner Pfeffer, Commissioner McKay and Mayor Cartmell, Motion passes.

RESOLUTION: REZONING REQUEST

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 14-07**

1RESOLUTION APPROVING RECOMMENDATION OF MASON COUNTY JOINT  
PLANNING COMMISSION DENYING REQUEST TO REZONE 1.279 ACRE PARCEL  
AT THE CONVERGENCE OF OLD U.S. 68 AND U.S. 62

WHEREAS, Melony Furby Denham requested the Mason County Joint Planning Commission (the "**PLANNING COMMISSION**") to consider a zoning map amendment which would rezone her lots located at the convergence of old U.S. 68 and U.S. 62 from R-1A single family residential to P-1 professional office; and

WHEREAS, the Planning Commission, after conducting a public hearing on January 2, 2014, voted on January 2, 2014 to recommend that the Denham zone change request be denied, and adopted findings and conclusions;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the recommendation of the Planning Commission to deny the Denham rezoning request is approved, and the Denham request is hereby denied.

Melon Furby Denham presented a letter to the Board of Commissioners: Attachment A

**Motion** by Commissioner Pfeffer, second by Commissioner McKay to adopt the resolution as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Litton, Commissioner Ashley, Commissioner Pfeffer, Commissioner McKay and Mayor Cartmell, Motion passes.

ORDINANCE REVISING FINANCIAL DISCLOSURE STATEMENT REQUIREMENTS

The Board of Commissioners was presented with the following ordinance upon first reading:

**1COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Ordinance No. 14-\_\_\_\_\_**

**1AN ORDINANCE REVISING  
1FINANCIAL DISCLOSURE STATEMENT REQUIREMENTS**

Summary

This Ordinance amends Code of Ordinances Section 31.35 to change the requirement that annual financial disclosure statements must be filed by officers and employees who are authorized to make purchases or award contracts involving the expenditure of more than \$100 to more than \$300.

**Motion** by Commissioner Pfeffer, second by Commissioner Ashley to pass the ordinance as presented on first reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Litton, Commissioner Ashley, Commissioner Pfeffer, Commissioner McKay and Mayor Cartmell, Motion passes.

ORDINANCE AMENDING CODE OF ORDINANCES FIRE/POLICE VACATIONS

The Board of Commissioners was presented with the following ordinance upon

**1COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Ordinance No. 14-\_\_\_\_\_**

**AN ORDINANCE REVISING POLICE AND FIRE VACATIONS**

Summary

This Ordinance amends Code of Ordinances Section 90.31 to state that department members shall be entitled to select the time of their annual leave in accordance with their seniority instead of by grade, to delete the requirement that all vacations for firefighters shall be taken between June 1 and October 1 annually, and to add that no more than one member of the fire department per shift may be absent on annual leave at any one time without consent of the Fire Chief.

**Motion** by Commissioner Ashley, second by Commissioner Litton to pass the ordinance as presented on first reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Litton, Commissioner Ashley, Commissioner Pfeffer, Commissioner McKay and Mayor Cartmell, Motion passes.

ORDINANCE AMENDING CODE OF ORDINANCES RE: TAXI FARES

The Board of Commissioners was presented with the following ordinance upon second reading:

**1COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Ordinance No. 14-06**

**AN ORDINANCE INCREASING TAXICAB FARES**

Summary

This Ordinance amends Code of Ordinances Section 232.13 to change the maximum taxi cab fare for travel entirely within either Zone 1 or Zone 2 from \$3.75 to \$4.75 and raises the fare for travel between Zone 1 and Zone 2 from a \$5.00 maximum fare to a \$6.00 maximum fare.

**Motion** by Commissioner Ashley, second by Commissioner Litton to adopt the ordinance as presented on second reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Litton, Commissioner Ashley, Commissioner Pfeffer, Commissioner McKay and Mayor Cartmell, Motion passes.

ORDINANCE AMENDING CODE OF ORDINANCES CHAPTER 112 RE: EMPLOYEE HANDBOOK/SICK TIME

The Board of Commissioners was presented with the following ordinance upon second reading:

**1COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Ordinance No. 14-\_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 112 OF THE  
CODE OF ORDINANCES TO COMPLY WITH  
CHANGES IN THE EMPLOYEE HANDBOOK**

Summary

This Ordinance amends Code of Ordinances Section 112.04 to delete the provision that no employee shall be paid sick leave during the first year of employment; amends Code of Ordinances Section 112.05 to delete the reference to the 1993 FMLA; amends Code of Ordinances Section 112.06 to add that an employee that begins participation in CERS after January 1, 2014 is not eligible to receive service credit for accrued sick leave hours at the time of retirement; deletes Code of Ordinances Section 112.08 requiring that collateral benefits be credited against City sick leave pay; and amends

Code of Ordinances Section 112.09 to add that a sick bank leave recipient may not receive over 800 hours of donated sick time for any one occurrence of illness or injury.

**Motion** by Commissioner Ashley, second by Commissioner McKay to adopt the resolution as presented upon second reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Litton, Commissioner Ashley, Commissioner Pfeffer, Commissioner McKay and Mayor Cartmell, Motion passes.

ORDINANCE AMENDING CODE OF ORDINANCES RE: EMPLOYEE HANDBOOK, CHAPTER 90

The Board of Commissioners was presented with the following ordinance upon second reading:

**1COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Ordinance No. 14-08**

**AN ORDINANCE AMENDING CHAPTER 90  
OF THE CODE OF ORDINANCES TO COMPLY WITH THE CHANGES IN  
EMPLOYEE HANDBOOK**

Summary

This Ordinance amends Code of Ordinance Section 90.04 to require that the written application be filed with Human Resources Department and state relevant information required by the Human Resources Director; amends Code of Ordinances Section 90.06 to change the requirement that a police or fire officer reside within ten miles by road from the Maysville City Building to fifteen minutes response time to the Maysville City Building, to require police applicants to pass a drug screen, and fire applicants to complete the Candidate Physical Ability Testing and adding fire officer training requirements; amends Code of Ordinances Section 90.07 to delete from behavior resulting in disciplinary action garnishment, to add mental or physical unfitness for the position, to add being intoxicated or buying or using alcoholic beverages while on duty, to add use of illegal drugs or narcotics, to add selling, trading, or buying chances or bets or any other gambling while on duty, to add sexual conduct on duty, to add theft, to add misdemeanor involving conduct amounting to moral turpitude or a pattern of misconduct as displayed by a series of misdemeanor convictions and to delete failure to support family; to amend Code of Ordinances Section 90.10 to add that temporary appointees of the Police and Fire Department must have an employment application on file in the Human Resources Department prior to employment and must adhere to all policies and procedures as required by other non-temporary personnel, to delete that appointment of emergency fire fighters shall first be made from then eligible applicants, then from available former fire fighters, and to delete the requirement that the Fire Chief shall request the Board to advertise and conduct examinations for new applicants if the provisional appointments are expected to continue for more than 30 days; to amend

Code of Ordinances Section 90.25 to change the probationary period for Fire Department from 12 months to eighteen months; to amend Code of Ordinances Chapter 90.27 to add the written exam and oral interview shall be administered by the Human Resources Director as well as the Chief and City Manager, and the Human Resources Director shall be involved in combining the scores; amends Code of Ordinances Section 90.29 to state that the Fire Department may fight fires at buildings beyond the City boundaries at the discretion of the Fire Chief, and delete the \$250 per hour charge for fire trucks dispatched to a fire outside the City limits; amends Code of Ordinances Section 90.30 to require a signed acknowledgement from members of Police Department that work four ten hour shifts, and add that the City Manager may review all overtime hours; and amends Code of Ordinances Section 90.33 to require that male officers shall keep hair neatly styled while on duty, changes the requirement for mustaches to delete the extent of growth and thickness requirements and to add that mustaches must not interfere with breathing apparatuses required by the Fire Department, allows female officers to wear small post earrings, and requires tattoos and piercings shall not be apparent or visible when the officer is in uniform.

**Motion** by Commissioner Ashley, second by Commissioner Litton to adopt the resolution as presented upon second reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Litton, Commissioner Ashley, Commissioner Pfeffer, Commissioner McKay and Mayor Cartmell, Motion passes.

#### RESOLUTION AUTHORIZING INSURANCE APPLICATION FOR CITY

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 13-08**

RESOLUTION AUTHORIZING  
INSURANCE APPLICATION

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute the underwriting renewal survey/application from Kentucky League of Cities Insurance Services.

**Motion** by Commissioner Ashley, second by Commissioner Litton to adopt the resolution as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Litton, Commissioner Ashley, Commissioner Pfeffer, Commissioner McKay. Abstain: Mayor Cartmell, Motion passes.

#### RESOLUTION AUTHORIZING INSURANCE APPLICATION FOR PLANNING COMMISSION

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 13-09**

RESOLUTION AUTHORIZING  
INSURANCE APPLICATION FOR PLANNING COMMISSION

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute the underwriting renewal survey/application from Kentucky League of Cities Insurance Services on behalf of the Mason County Joint Planning Commission.

**Motion** by Commissioner Pfeffer, second by Commissioner Litton to adopt the resolution as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Litton, Commissioner Ashley, Commissioner Pfeffer, Commissioner McKay. Abstain: Mayor Cartmell, Motion passes.

RESOLUTION AUTHORIZING LETTER OF SUPPORT FOR KLC

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 14-10**

1RESOLUTION SUPPORTING KSBIT LAWSUIT

WHEREAS, Kentucky League of Cities has requested that the City support the lawsuit concerning the recovery of KSBIT funds,

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized to sign the Statement of Position in Sharon P. Clark v. Kentucky School Boards Insurance Trust.

**Motion** by Commissioner Pfeffer, second by Commissioner McKay to adopt the resolution as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Litton, Commissioner Ashley, Commissioner Pfeffer, Commissioner McKay and Mayor Cartmell, Motion passes.

ADJOURNMENT

**Motion** by Commissioner Pfeffer, second by Commissioner Ashley to adjourn. Upon call of roll, voting is as follows: Voting aye: Commissioner Litton, Commissioner Ashley, Commissioner Pfeffer, Commissioner McKay and Mayor Cartmell, Motion passes.

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MAYOR

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CITY CLERK