

MAYSVILLE BOARD OF COMMISSIONERS

Thursday, 13 October 2011; 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, Oct. 13, 2011 at 5:15 p.m. at the Maysville Municipal Building. Present: Commissioner John Mains, 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, Comptroller Romie Griffey, City Engineer Sam Baker, Police Chief Ron Rice, Fire Chief Eric Bach, Asst. Comptroller/HR Director Karen Cracraft, Utility Manager Eddie Wenz, Tourism/Renaissance Director Duff Giffen, Public Works Director Rick Truesdell, Zoning Administrator Matt Wallingford, Building Official Wells, Codes Officer Nicole Jones, and Asst. City Attorney Kelly Caudill. Others present: The Ledger Independent and WFTM.

MINUTES OF 9/8/11 MEETING AND DEPARTMENT REPORTS

Motion by Commissioner Litton, second by Commissioner Pfeffer to approve the minutes of the Sept. 8, 2011 regular meeting and department reports as submitted. Upon call of roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Ashley, Commissioner Pfeffer, Commissioner Litton, and Mayor Cartmell, Motion passes.

APPOINTMENTS AND REAPPOINTMENTS

The Mayor made the following recommendations for appointment:

- Stacy Temple, CVB, term to expire 10/11/13
- Kenny Pitakis, Industrial Development Authority, term to expire 10/11/15

Motion by Commissioner Pfeffer, second by Commissioner Litton to approve the appointments as recommended. Upon call of roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Ashley, Commissioner Pfeffer, Commissioner Litton, and Mayor Cartmell, Motion passes.

DISCUSSION OF GARBAGE COLLECTION

Larry Riddle of Municipal Equipment showed the Board of Commissioners a 95 gallon, wheeled bin that will be used in a pilot program by public works during November to see if such a bin will be appropriate for some neighborhoods. Riddle said that other cities have found that the bins save time and money and prevent worker injuries.

APPOINTMENT OF POLICE CHAPLAIN

The following memorandum was submitted to the Board of Commissioners:

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Date: October 10, 2011
From: Ronald Rice, Police Chief
Re: Volunteer Chaplain
To: Honorable Mayor and City Commission

Keeping with the vision of the Maysville police department to provide an ecumenical pastoral presence in the community, to Law Enforcement personnel and the victims of tragedy, I respectfully request the appointment of the Reverend Anthony S. Liess, of Maysville's First Baptist Church, as a voluntary Chaplain with the police department.

The volunteer chaplains program is designed to assist police officers and the people of the community through a field service ministry and I believe Pastor Liess will be a valuable asset in this endeavor.

Respectfully,
Ronald J. Rice
Chief

Motion by Commissioner Litton, second by Commissioner Mains to appoint Anthony S. Liess as voluntary chaplain to the police department. Upon call of roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Ashley, Commissioner Pfeffer, Commissioner Litton, and Mayor Cartmell, Motion passes.

APPOINTMENT OF POLICE OFFICER

The following letter was presented to the Board of Commissioners:

Date: Sept. 12, 2011
From: Ronald Rice, Police Chief
Re: Appointment
To: Honorable Mayor and City Commission

I respectfully request the appointment of Brittani Price as a probationary police officer with the Maysville Police Department. Brittani has completed all components of the Cities and the department Criminal Justice training hiring standards, and we anticipate Brittani will be an excellent addition to our department.

Respectfully,
Ronald J. Rice
Chief

Motion by Commissioner Pfeffer, second by Commissioner Mains to appoint Brittani Price to the position of probationary police officer. Upon call of roll, voting is as follows:

Voting aye: Commissioner Mains, Commissioner Ashley, Commissioner Pfeffer, Commissioner Litton, and Mayor Cartmell, Motion passes.

PROMOTION OF FIRE OFFICER

The following letter was presented to the Board of Commissioners:

October 11, 2011

To: Mayor Cartmell and City Commissioners

I would like to recommend that Glenn Riggs be removed from probationary status to full time status with the fire department. Glenn has completed all the required 400 hours of fire training during his first year of employment. Glenn is currently in the paramedic program and will complete the class in the next couple of months.

Glenn has been a great employee and will be for years to come.

Respectfully,

Chief Eric Bach

Motion by Commissioner Pfeffer, second by Commissioner Mains to promote Fire Officer Glenn Riggs to full time status. Upon call of roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Ashley, Commissioner Pfeffer, Commissioner Litton, and Mayor Cartmell, Motion passes.

REPORT ON LEVEE CERTIFICATION PROJECT

City Engineer Sam Baker told the Board of Commissioners that the city had received the Phase I report with suggestions for Phase II scope and cost. Phase II will give specifics of needed repairs. FEMA letter has been received, which begins the clock on completion of repairs on December 2013.

RESOLUTION APPROVING FEMA LETTER

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
RESOLUTION NO. 11-68**

RESOLUTION AUTHORIZING LETTER OF AGREEMENT
AND REQUEST FOR PROVISIONALLY ACCREDITED LEVEE TO FEMA

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY that the Mayor is hereby authorized and directed to execute a Letter of Agreement to FEMA agreeing to provide FEMA with all necessary information before December 9, 2013.

ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MAYSVILLE, KENTUCKY, this 13 October 2011.

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

MUNICIPAL ORDER AUTHORIZING ELECTRICAL INSPECTOR

The following municipal order was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
MUNICIPAL ORDER NO. 11-01**

**MUNICIPAL ORDER AUTHORIZING
ELECTRICAL INSPECTORS**

WHEREAS, an advertisement was placed in the Ledger Independent on September 14, 2011 to solicit proposals for the purpose of providing electrical inspectors within the City of Maysville; and

WHEREAS, proposals were received from Brack Eugene Conley, Robert Scott, and Larry Rice; and

WHEREAS, the City Manager has recommended that Brack Eugene Conley, Robert Scott, and Larry Rice be allowed to do electrical inspections within the City of Maysville, IT IS NOW ORDERED BY THE CITY OF MAYSVILLE, KENTUCKY, that Brack Eugene Conley, Robert Scott, and Larry Rice be allowed to do electrical inspections in the City of Maysville for a term to expire June 30, 2013, upon the purchase of a City of Maysville occupational license.

Motion by Commissioner Pfeffer, second by Commissioner Mains to approve the municipal order as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Ashley, Commissioner Pfeffer, and Mayor Cartmell, Voting no: Commissioner Litton. Motion passes.

RESOLUTION AWARDING CONTRACT FOR SECOND STREET SEWER PROJECT

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 11-69**

**RESOLUTION AUTHORIZING CONTRACT FOR
COMBINED SEWER OVERFLOWS PHASE I**

WHEREAS, the City of Maysville advertised for bids in accordance with plans and specifications as follows:

- A. Combined Sewer Overflows Phase I
- B. Advertised: May 14, 2011
- C. Bid opening: June 2, 2011

WHEREAS, the following bids were received:

- | | |
|---------------------------|----------------|
| 1. CJ Hughes Construction | \$6,649,276.05 |
| 2. Lagco, Inc. | \$6,785,737.61 |
| 3. Howell Contractors | \$6,934,879.00 |
| 4. BP Pipeline | \$7,242,796.39 |

WHEREAS, the Department of Transportation had required full-depth flowable fill for trench backfill and the Department of Transportation has now agreed to accept an alternative trench backfill method using crushed stone,

WHEREAS, the City Engineer has negotiated with the low bidder for a change in the trench backfill method resulting in a final contract price of \$5,155,005; and

WHEREAS, the City Engineer and City Manager have recommended the acceptance of the first bid above as reduced by Change Order No. 1 to \$ 5,155,005 as the best bid,

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, as follows:

- 1. The bid of CJ Hughes Construction in the sum of \$5,155,005 for the subject contract described above is hereby accepted on behalf of the City of Maysville.

2. The Mayor is hereby authorized and directed to execute all contractual documents necessary or appropriate to effectuate acceptance of said bid and to consummate the contract on behalf of the City of Maysville.

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

RESOLUTION AUTHORIZING CONTRACT FOR HEALTHCARE INSURANCE

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
RESOLUTION NO. 11-70**

RESOLUTION AUTHORIZING CONTRACT FOR HEALTHCARE INSURANCE WITH
THE DEPARTMENT OF EMPLOYEE INSURANCE

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute the contract for healthcare insurance coverage with the Department of Employee Insurance of the Kentucky Personnel Cabinet and any other necessary documents for healthcare insurance for employees beginning January 1, 2012 for a minimum of three years.

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

RESOLUTION AWARDING ENGINEERING CONTRACT FOR PHASE II OF LEVEE CERTIFICATION PROJECT

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 11-71**

RESOLUTION AUTHORIZING CONTRACT WITH AMEC, INC
FOR PHASE II FEMA LEVEE CERTIFICATION PROJECT

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is

hereby authorized and directed to execute a contract with AMEC, Inc. for Phase II of the FEMA Levee Certification Project for a sum of \$328,995.

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 Mains, Commissioner Ashley, Commissioner Pfeffer, Commissioner Litton, and Mayor Cartmell, Motion passes.

RESOLUTION AUTHORIZING GRANT APPLICATION FOR LITTER ABATEMENT

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
RESOLUTION NO. 11-72**

**RESOLUTION AUTHORIZING GRANT APPLICATION
FOR 2012 LITTER ABATEMENT GRANT**

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY that the Mayor is hereby authorized and directed to execute a Grant Application to Energy and Environment Cabinet, Department for Environmental Protection, Division of Waste Management for a Litter Abatement Grant.

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 Mains, Commissioner Ashley, Commissioner Pfeffer, Commissioner Litton, and Mayor Cartmell, Motion passes.

ORDINANCE AMENDING CODE OF ORDINANCES SECTION 90.04: POLICE & FIRE REQUIREMENTS

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 11-__**

**AN ORDINANCE AMENDING CODE OF ORDINANCES
SECTION §90.04
Summary**

This Ordinance amends Code of Ordinances Section 90.04 to add that police officers and fire fighters who have completed all Kentucky training requirements are not required to take the examination.

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

ORDINANCE AMENDING CODE OF ORDINANCES SECTION 400.09: ELECTRICAL INSPECTION FEES

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 11- _____**

**AN ORDINANCE AMENDING CODE OF ORDINANCES
SECTION §400.09 ELECTRIC INSPECTIONS**

Summary

This Ordinance amends Code of Ordinances Section 400.09 to increase the fees for electrical inspections from a range of \$20 to \$60 to a range of \$35 to \$75, to change the mileage charge on percentage rates from \$0.22 per mile plus \$15 per hour driving time to the state rate plus \$35 per hour, and to change the percentages charged for the electrical portion of any Capital Construction Contract.

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

ORDINANCE ACCEPTING 0823 ACRE FOR ROSA DRIVE EXTENSION

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 11- _____**

**AN ORDINANCE ACCEPTING 0.823 ACRE
FOR ROSA DRIVE EXTENSION**

Summary

This Ordinance accepts 0.823 acre from Hospice of Hope, Inc., including the utility agreements within the street right-of-way and appurtenant utility easements to construct an extension of Rosa Drive.

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

CLOSED SESSION

Motion by Commissioner Mains, second by Commissioner Pfeffer to go into closed session pursuant to KRS 61.810(1)(c) to discuss pending litigation. Upon call of roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Ashley, Commissioner Pfeffer, Commissioner Litton, and Mayor Cartmell, Motion passes.

OPEN SESSION

Motion by Commissioner Ashley, second by Commissioner Pfeffer to return to open session. Upon call of roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Ashley, Commissioner Pfeffer, Commissioner Litton, and Mayor Cartmell, Motion passes.

ADJOURNMENT

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

Mayor

City Clerk