

MAYSVILLE BOARD OF COMMISSIONERS
REGULAR MEETING
Thursday, 10 October 2013; 5:15 p.m.
Maysville Municipal Building

The Board of Commissioners of the City of Maysville, Kentucky met in a regular meeting on Thursday, Oct, 10, 2013 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, Comptroller Romie Griffey, Projects Coordinator David Hord, Police Chief Ron Rice, Fire Chief Eric Bach, Asst. Comptroller/HR Director Karen Cracraft, Utility Manager Eddie Wenz, Tourism Suzie Pratt, Public Works Director Rick Truesdell, Zoning Administrator Matt Wallingford, Building Official Wells, and Codes Officer Nicole Jones. Absent: Asst. City Attorney Kelly Caudill. Others present: The Ledger Independent and WFTM.

MINUTES AND DEPARTMENT REPORTS

Motion by Commissioner Pfeffer, second by Commissioner Litton to approve the minutes from the Sept. 12 and 30 meetings and department reports 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.

PUBLIC COMMENT

Nancy Morgan, Jersey Ridge Apartments read a statement, exhibit A, to the commission questioning provisions of the new bed bug ordinance. City Manager Ray Young responded that the City is trying to prevent the resale of infested items.

John Gray, introduced himself and his May 1, which sells long-distance cards and awards cash prizes for participating customers.

RESIGNATION: PUBIC WORKS

The following memorandum was presented to the Board of Commissioners:

Da: October 7, 2013
To: Karen Cracraft, Human Resources Director
Fr: Rick Truesdell, Director of Public Works
Re: Victor Thoroughman

On Oct. 7, Victor Thoroughman resigned his full-time position at the Public Works Department.

Motion by Commissioner Litton, second by Commissioner Pfeffer to accept the resignation of Victor Thoroughman. 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 CONTRACT CHANGE ORDER FOR GOOSE CREEK SLUICE GATE REPAIR

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 13-60**

RESOLUTION AUTHORIZING
CHANGE ORDER WITH RANGER STEEL, INC.

WHEREAS, the City previously entered into a contract for flood wall repair, Goose Creek with Ranger Steel, Inc. for a cost of \$123,255; and

WHEREFORE, the City has made the decision to delete the installation of a tunnel entrance grate for a deduction of \$6,019 and is adding two work items that were previously unknown at a cost of \$10,740;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute the Contract Change Order with Ranger Steel, Inc. with the net change to the contract of an addition of \$4,721 for a new contract total of \$127,976.

Motion by Commissioner McKay, 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 AUTHORIZING CONTRACT CHANGE ORDER FOR SHORT STREET PUMP STATION REPAIR

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 13-61**

RESOLUTION AUTHORIZING
CHANGE ORDER WITH WINDRIDGE CONSTRUCTION, INC

WHEREAS, the City has entered into a contract with Windridge Construction, Inc. for Short Street Outfall Pipe Replacement at a cost of \$427,725; and

WHEREAS, there are additional work requirements required by CSX Railroad at a cost of \$45,850;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute the Contract Change Order with Windridge Construction, Inc. for Short Street Outfall Pipe Replacement for a new contract total of \$473,575.

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 AUTHORIZING LEASE FOR CHFS SOCIAL SERVICES OFFICE

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 13-62**

RESOLUTION AUTHORIZING LEASE
WITH COMMONWEALTH OF KENTUCKY

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute a lease renewal agreement with the Commonwealth of Kentucky for CHFS Social Services, 201 Government Street, Maysville, Kentucky.

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 and Mayor Cartmell, Motion passes.

RESOLUTION AUTHORIZING LEASE FOR DEPARTMENT OF JUVENILE JUSTICE

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 13-63**

RESOLUTION AUTHORIZING LEASE
WITH COMMONWEALTH OF KENTUCKY

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute a lease renewal agreement with the Commonwealth of Kentucky for Department of Juvenile Justice, 201 Government Street, Maysville, Kentucky.

Motion by Commissioner Peffer, 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 AUTHORIZING LEASE FOR WORKFORCE DEVELOPMENT

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 13-64**

**RESOLUTION AUTHORIZING LEASE
WITH COMMONWEALTH OF KENTUCKY**

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute a lease renewal agreement with the Commonwealth of Kentucky for Department of Workforce Development, 201 Government Street, Maysville, Kentucky.

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 AUTHORIZING MAYOR TO SIGN SAFE ROUTES TO SCHOOL
GRANT APPLICATION

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 13-65**

RESOLUTION AUTHORIZING GRANT APPLICATION

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute a grant application for the Safe Route to School Grant.

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 AMENDING CODE OF ORDINANCES 231.09 TO REPEAL PROHIBITION OF ALCOHOL SALES ON ELECTION DAY

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

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 13-30**

AN ORDINANCE AMENDING CODE OF ORDINANCES SECTION 231.09

Summary

This Ordinance amends Code of Ordinances §231.09 to repeal the requirement that premises cannot sell alcohol on election days.

Motion by Commissioner Pfeffer, second by Commissioner McKay 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 231.03 TO ADD NEW CATEGORIES AND REVISE LICENSE FEES

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

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 13-31**

AN ORDINANCE AMENDING CODE OF ORDINANCES SECTION 231.03 TO ADD NEW CATEGORIES AND REVISE LICENSE FEES

Summary

This Ordinance amends Code of Ordinances §231.03 to add new categories, revise license fees and delete the provision re private clubs.

BE IT ORDAINED BY THE CITY OF MAYSVILLE, KENTUCKY, as follows:

(1) Code of Ordinances Section 231.03 is hereby amended to read in its entirety as follows:

§ 231.03 LICENSES; LICENSE FEES.

(A) (1) The following kinds of alcoholic beverage licenses, to expire the same date as the state license, may be issued under this chapter upon payment of the following annual license fees:

<i>License</i>	<i>Fee</i>
<u>Rectifier</u>	<u>\$750</u>
Sale of distilled spirits and wine at wholesales <u>Wholesaler</u>	\$750 <u>\$787</u>
Sale of distilled spirits and wine at retail by the package, for consumption off the premises <u>LP Quota Retail Package</u>	\$450 <u>\$472</u>
Sale of distilled spirits and wine at retail by the glass, for consumption on the premises <u>LD Quota Retail Drinks</u>	\$450 <u>\$472</u>
<u>Non-quota type 1 Retail Drink License</u>	<u>\$1100</u>
<u>Non-quota type 2 Retail Drink License</u>	<u>\$550</u>
<u>Non-quota type 3 Retail Drink License</u>	<u>\$275</u>
<u>Extended hours</u>	<u>\$1,000</u>
<u>Caterer</u>	<u>\$450</u>
<u>Bottling house</u>	<u>\$1,000</u>
<u>Malt beverage brewer</u>	<u>\$500</u>
Distribution of beer and malt beverages <u>Malt beverage distributor's license</u>	\$150 <u>\$157</u>
Sale of beer and malt beverages at retail <u>Non-quota retail malt beverage package license</u>	\$75 <u>\$78</u>
<u>Distiller's license</u> <u>Distiller</u>	<u>\$500</u>
<u>Microbrewery</u> <u>Malt Beverage Microbrewery</u>	<u>\$500</u>
<u>Non-quota type 4 retail malt beverage drink license</u>	<u>\$78</u>
<u>Malt beverage brew on premises license</u>	<u>\$100</u>
<u>Limited restaurant</u>	<u>\$600</u>
<u>Limited golf course</u>	<u>\$600</u>

(2) ~~Provided, that private clubs shall pay half of the above fees for license years beginning July 1, 1983, and thereafter.~~

(B) No license listed above shall be deemed to include any other listed license, and any person applying for more than 1 above-listed license shall pay the aggregate fees thereof.

Motion by Commissioner Pfeffer, second by Commissioner Ashley 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, and Mayor Cartmell, Nays: Commissioner McKay, Motion passes.

ORDINANCE DEDICATING SCHIDLE LANE

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 13-32**

**AN ORDINANCE ACCEPTING
150 FEET OF SCHIDLE LANE**

Summary

This Ordinance accepts 150 feet of Schidle Lane from Robert Schidle, Jr. and Marilyn H. Schidle, including the utilities within the street right-of-way and appurtenant utility easements.

Motion by Commissioner Pfeffer, second by Commissioner Ashley 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.

CLOSED SESSION

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

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

No action was taken.

ADJOURNMENT

Motion by Mayor Cartmell, second by Commissioner Litton 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.

MAYOR

CITY CLERK