

MAYSVILLE BOARD OF COMMISSIONERS
Monday, 13 October 2014; 5:15 p.m.
SPECIAL MEETING
Maysville Municipal Building

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

MINUTES AND REPORTS

Motion by Commissioner McKay, second by Commissioner Pfeffer to approve the minutes of the September regular meeting 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.

RESIGNATION: FIRE DEPARTMENT

The following letter was presented to the Board of Commissioners:

Sept. 18, 2014
Dear Chief Bach,

I am writing this letter to submit my formal resignation from the Maysville Fire Department. This letter shall serve as my two weeks notice. It has been a privilege and honor to serve the community of Maysville and Mason County. It has also been an honor to serve with the other members of the Fire department and I have enjoyed my time here. I am very thankful to Chief Bach for investing in me and giving me the opportunity to learn and grow. It has been a joy to serve under Captain Smith and Lt. Sutton and I am thankful for their respect for everyone. As of October 6 I will be starting with the Anderson Tsp. Fire and Rescue Department in Hamilton Co. Ohio. I am choosing to leave due to more opportunities, higher pay and relocations.

Sincerely,
Josh Kirk

Motion by Commissioner Pfeffer, second by Commissioner Ashley to accept the resignation of Josh Kirk from the fire department. Upon call of roll, voting is as follows: Voting aye: Commissioner Litton, Commissioner Ashley, Commissioner Pfeffer, Commissioner McKay and Mayor Cartmell, Motion passes.

APPOINTMENT: FIRE DEPARTMENT

The following memo was presented to the Board of Commissioners:

To: City Manager Ray Young, Mayor and City Commission
Fr.: Fire Chief Eric Bach
Da: October 8, 2014
Re: Josh Figgins

I would like to recommend that Josh Figgins be appointed as a Probationary Fire Office with our department. Josh has taken and passed all phases of the hiring process. Josh is a Paramedic, he has several fire training hours and has passed the Kentucky mandated, Candidate Physical Ability Test, which is a strenuous physical agility test required to be a paid firefighter in the state.

Josh will be a great asset to the City and our department for years to come.

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

PROMOTION: POLICE DEPARTMENT

The following letter was presented to the Board of Commissioners:

Date: October 8, 2014
From: Chief Rice
Subject: Appointment of Communications Supervisor
To: Honorable Mayor and City Commission

Respectfully request the appointment of Kenneth W. Adamson as Supervisor of the Telecommunications Section of the Maysville police department E-911 center.

Kenny has eighteen years of experience as a dispatcher/Tellcommunicator with Maysville, serving in all aspects of the field. He has accumulated over 570 hours of continuous training; served in positions with the Kentucky State police, and the Mount Sterling-Montgomery County 911, where he held the position of supervisor for two years.

Respectfully,
Ronald J. Rice
Chief of Police

Motion by Commissioner Ashley, second by Commissioner Pfeffer to approve the promotion of Kenneth Adamson to Supervisor. Upon call of roll, voting is as follows: Voting aye: Commissioner

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

REAPPOINTMENT

The Mayor recommended the following reappointments: Mindy Howell and Lynn David to the Maysville-Mason County Convention and Visitors Bureau, terms to expire Oct. 11, 2017.

Motion by Commissioner Ashley, second by Commissioner Pfeffer to approve the reappointments of Mindy Howell and Lynn David to the CVB. Upon call of roll, voting is as follows: Voting aye: Commissioner Litton, Commissioner Ashley, Commissioner Pfeffer, Commissioner McKay and Mayor Cartmell, Motion passes.

ORDINANCE APPROVING STREET CLOSURE

City Manager Young explained to the Board of Commissioners that the director of Comprehend Inc. had requested that Reynolds Alley be closed for safety reasons. After looking at the situation with the fire and police chiefs, Young recommended that the alley be made one way from Lexington to Walnut Street, stop signs by installed as well as rumble strips to slow traffic and improve safety.

No action was taken by the Board of Commissioners.

POLICE HONOR GUARD UNIFORMS

Police Chief Rice had Office Zack Sutton model the new police honor guard uniforms for the Board of Commissioners. The uniforms will first be used at the Danny Hay Memorial on Oct. 16, 2014.

DISCUSSION: BRIDGE LIGHTS

District Engineer Bart Bryant and consultant Paul Sloan brought the Board of Commissioners up to date on the inspection of the ribbon lighting on the Simon Kenton Bridge. Sloan said there were numerous significant problems including wiring not being UV resistant, junction boxes not being UL rated for high voltage, dry rot, exposed copper, and missing or disconnected ground wires. According to City Manager Young, the Secretary of Transportation is not prepared to do anything until the Owensboro lawsuit has been settled so it may be some time before the lights are turned back on.

DISCUSSION: TOLL HOUSE

One of the original toll houses has been found in Minerva, and it has been proposed that it be moved from that location to property behind the Paxton Inn in Old Washington. The Wallingford Trust will pay for restoration, and Philip Breen requested that the City pay to have the structure moved to the new location.

Motion by Commissioner Pfeffer, second by Commissioner Ashley to appropriate funds not in excess of \$20,000 to move the building from Minerva to Old Washington. Upon call of roll, voting is as follows: Voting aye: Commissioner Litton, Commissioner Ashley, Commissioner Pfeffer, Commissioner McKay and Mayor Cartmell, Motion passes.

DISCUSSION: VIDEOS

City Manager Young said that there had been four responses to the bid request, but staff was not ready to address with the Board yet.

DISCUSSION: COMMUNITY OF DISTINCTION

Videos with Terry Bradshaw would be five minutes long, played on cable nineteen times regionally and once nationally for \$19,000. The Board of Commissioners did not feel that it was a good deal since the City had no control over what channels the video would play on.

DISCUSSION: RETIREMENT MAGAZINE

A story about the City would appear in Retirement Magazine which is sold at rest stops. In exchange, the magazine would want a letter from the City to sell ads within the community. The Board of Commissioners declined.

RESOLUTION RE: CRUMB RUBBER GRANT

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 14-72**

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 KLCIS Safety Grant for crumb rubber mulch.

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 WITH COMMONWEALTH FOR WORKFORCE DEVELOPMENT

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 14-74**

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

**RESOLUTION AUTHORIZING LEASE WITH COMMONWEALTH FOR DEPARTMENT
OF JUVENILE JUSTICE**

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 14-75**

**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 Litton, 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 LEASE WITH COMMONWEALTH FOR CHILDREN AND
FAMILY SERVICES**

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 14-73**

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 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.

RESOLUTION AUTHORIZING ACCEPTANCE OF EDA GRANT

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 14-76**

**RESOLUTION AUTHORIZING ACCEPTANCE OF
EDA FININCAIAL ASSISTANCE AWARD**

WHEREAS, the City of Maysville applied for a EDA Financial Assistance Award for the water tank construction in the Industrial Park III, and

WHEREAS, the City has been awarded a grant of \$1,152,000;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute the Financial Assistance Award for construction of the water storage tank.

Motion by Commissioner Ashley, 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.

RESOLUTION APPROVING LITTER ABATEMENT GRANT

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 14-78**

**RESOLUTION AUTHORIZING
LITTER ABATEMENT 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 Litter Abatement Grant Program.

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.

RESOLUTION AUTHORIZING PURCHASE OF JERSEY RIDGE PROPERTY FOR PUMP STATION

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 14-77**

**RESOLUTION AUTHORIZING
PURCHASE OF JERSEY RIDGE PROPERTY FOR PUMP STATION**

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the City agrees to purchase acreage on Jersey Ridge Road, Maysville, Kentucky from Bradley R. Brewer and Amber Brewer for the sum of \$5,000 for a sewer pump station. The Mayor is hereby authorized and directed to execute the Consideration Statement in the deed and any other necessary paperwork to effectuate the sale.

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 PURCHASE OF 515 E. 2ND STREET

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 14-80**

**RESOLUTION AUTHORIZING
PURCHASE OF 515 E. SECOND STREET**

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the City agrees to purchase 515 E. Second Street, Maysville, Kentucky from Margie Brammeier for the sum of \$5,000. The Mayor is hereby authorized and directed to execute the Consideration Statement in the deed and any other necessary paperwork to effectuate the sale.

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 ENGINEERING FIRM FOR WATER TANK

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 14-81**

**RESOLUTION AUTHORIZING
ENGINEERING CONTRACT WITH STRAND ASSOCIATES, INC.**

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to enter into a contract with Strand Associates, Inc. for engineering services for the construction of the Industrial Park Water Tank in the sum of \$125,000 for basic services, \$75,000 for services as Resident Project Representative, and an amount for additional services not to exceed \$30,000, upon approval of the contract by the EDA.

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 ADOPTING WIND ENERGY CONVERSION SYSTEM REGULATIONS

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
ORDINANCE NO. 14-24**

**AN ORDINANCE ADOPTING
WIND ENERGY CONVERSION SYSTEMS REGULATIONS**

SUMMARY

AN ORDINANCE ADOPTING FINDINGS OF FACT, CONCLUSIONS OF LAW AND RECOMMENDATIONS OF THE MASON COUNTY JOINT PLANNING COMMISSION PERTAINING TO WIND ENERGY CONVERSION SYSTEMS (WECS); AMENDING CODE OF ORDINANCES CHAPTER 320, ARTICLE V TO ADD DEFINITIONS PERTAINING TO WECS; AMENDING CODE OF ORDINANCES, SECTION 320.406.6 TO LIMIT LARGE SCALE WECS TO THE RURAL INDUSTRIAL ZONES (I-3) AND CREATING PERMIT REQUIREMENTS, SETBACKS AND REGULATIONS REDUCING THE IMPACT THEREOF;

AMENDING CODE OF ORDINANCES, SECTION 320.408 (2) TO PERMIT SMALL SCALE WECS AND MID-SCALE WECS AS ACCESSORY USES; AND IMPOSING ADDITIONAL REQUIREMENTS FOR SUCH ACCESSORY USES.

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 ACCEPTING HOLLAN DRIVE AND HOLLAN CIRCLE AS PUBLIC WAYS

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 14-26**

AN ORDINANCE ACCEPTING
HOLLAN DRIVE AND HOLLAN CIRCLE

Summary

This Ordinance accepts Hollan Drive and Hollan Circle from Menemsha Limited Partnership, including the utilities within the street right-of-way and appurtenant utility easements.

Motion by Commissioner Pfeffer, second by Commissioner McKay to adopt the ordinance 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 ACCEPTING LAND USE TEXT AMENDMENTS: IMPOUND LOTS, SALVAGE YARDS AND RESIDENTIAL TREATMENT CENTERS

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 13C-25**

AN ORDINANCE ADDING ZONING FOR SALVAGE YARDS
AND RESIDENTIAL TREATMENT CENTERS

SUMMARY

This Ordinance amends Code of Ordinances §320.406.6 to state that Salvage Yards are a conditional use in the B-1 Zone and permitted in the I-1 and I-2 Zone and that residential

treatment centers are a conditional use in B-2 and I-1A Zone and not permitted in any other zones.

Motion by Commissioner Litton, 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.

ORDINANCE ADDING DEFINITIONS: IMPOUND LOTS, SALVAGE YARDS AND RESIDENTIAL TREATMENT CENTERS

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 14-27**

**AN ORDINANCE ADDING DEFINITIONS FOR IMPOUND LOT,
SALVAGE YARD, RESIDENTIAL TREATMENT CENTERS**

Summary

This Ordinance amends Chapter 320 Article V Definition to add definitions for Impound Lot, Salvage yard, and Residential Treatment Centers.

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.

CLOSED SESSION: LITIGATION

Motion by Commissioner Litton, second by Commissioner Pfeffer to go into 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 Pfeffer, second by Commissioner Ashley 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 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.


MAYOR


CITY CLERK