

MAYSVILLE BOARD OF COMMISSIONERS

Thursday, 11 December 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, Dec. 11, 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, Utility Manager Eddie Wenz, Public Works Director Rick Truesdell, Zoning Administrator Matt Wallingford, Building Official Wells, Codes Officer Nicole Jones, and Asst. City Attorney Kelly Caudill. Absent: Tourism Director Suzie Pratt. Others present: The Ledger Independent and WFTM.

MINUTES & REPORTS

Motion by Commissioner McKay, second by Commissioner Pfeffer to approve the minutes and 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

Steve Thomas requested that the Board of Commissioners amend ordinance to allow bow hunting of deer in agricultural areas within the city limits. City Manager Young told them that surrounding property owners would have to be notified and it would be February before an ordinance could be amended if Commission chose to do so.

STEPHANIE STAMPER: PIT BULL DOGS

Stephanie Stamper addressed the Board of Commissioners. She indicated that she was there representing a local family which had its pet dogs confiscated by police. She presented a proposal to the Board of Commissioners (Attachment A) to replace the current section of the ordinance, which prohibits Pit Bull breeds within the city limits. Stamper and the group with her indicated that they would be at the January meeting for a response.

RESIGNATION: FIRE DEPARTMENT

The Board of Commissioners was presented with a resignation letter from Fire Office Jeff Maxey (Attachment B).

Motion by Commissioner Ashley, second by Commissioner Pfeffer to approve the resignation of Jeff Maxey 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 Board of Commissioners was presented with a recommendation letter from Fire Chief Bach to appoint Blake Lewis as a probationary firefighter (Attachment C).

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

RESIGNATION: ROBERT BOONE AND JOE WILLIAMS

The Board of Commissioners was presented with resignation letters from Robert Boone from the Arts Commission (Attachment D) and Joe Williams from Board of Architectural Review (Attachment E).

Motion by Commissioner Litton, second by Commissioner Ashley to approve the resignations of Robert Boone and Joe Williams. Upon call of roll, voting is as follows: Voting aye: Commissioner Litton, Commissioner Ashley, Commissioner Pfeffer, Commissioner McKay and Mayor Cartmell, Motion passes.

APPOINTMENT: PUBLIC WORKS

The Board of Commissioners was presented with a letter from Public Works Director Rick Truesdell recommending the appointment of Johnny Stahl as a bus driver (Attachment F).

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

APPOINTMENTS & REAPPOINTMENTS

The Mayor presented the Board of Commissioners with the following:

- Bobbie Brothers, Board of Architectural Review to expire 12/17
- Doug Bowery, Board of Ethics, to expire 12/17
- Tom Everett, Cemetery Advisory Board, to expire 12/17
- Dave Maher, Airport Board, to fill unexpired term to expire 5/18
- Michael Parker, Chamber representative, Dawn Browning, Cultural Arts representative, Kristen Carlson, Resident representative, to the Renaissance Board, to expire 12/18.

Motion by Commissioner Litton, second by Commissioner Ashley to approve the appointments and reappointments as recommended. 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 ACQUISITION OF WATER TANK PROPERTY

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 14-89**

**RESOLUTION AUTHORIZING
ACQUISITION OF WATER TANK PROPERTY**

WHEREAS, Maysville-Mason County Industrial Development Authority has agreed to deed the property for the location of the water storage tank for Mason County Industrial Park III for no monetary consideration but in order to allow the City to construct a water storage tank and to further economic development,

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute the consideration statement for 0.5 acres, more or less, and 0.6 acre Permanent Access Easement Mason County Industrial Park III, Maysville, Mason County, 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 CLEAR SITE CERTIFICATE

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 14-90**

**RESOLUTION AUTHORIZING
CLEAR SITE CERTIFICATE**

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute the Site Certificate as the loan recipient for Federally Assisted Drinking Water State Revolving Loan Fund.

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 and Mayor Cartmell, Motion passes.

RESOLUTION PROCLAIMING MAYSVILLE A PURPLE HEART CITY

The following resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY

**CITY OF MAYSVILLE
Resolution No. 14-93**

**RESOLUTION PROCLAIMING
PURPLE HEART CITY**

WHEREAS, the people of the City of Maysville have great admiration and the utmost gratitude for all the men and women who have selflessly served their country and this community in the armed forces, and

WHEREAS, veterans have paid the high price for freedom by leaving their families and communities and placing themselves in harm's way for the good of all; and

WHEREAS, the contributions and sacrifices of the men and women from the City of Maysville who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens, and

WHEREAS, many men and women in uniform have given their lives while serving in the Armed Forces, and

WHEREAS, many citizens of our community have earned the Purple Heart Medal, as a result of being wounded while engaged in combat with an enemy force, construed as a singularly meritorious act of essential service, and

WHEREAS, March 4, 2015 has officially been designated as the day in which to remember and recognize veterans who are recipients of the Purple Heart Medal.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that Maysville is hereby proclaimed a Purple Heart City, honoring the service and sacrifice of our nation's men and women in uniform wounded or killed by the enemy while serving to protect the freedoms enjoyed by all Americans.

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.

ORDINANCE ACCEPTING 0.0003 ACRE TRACT OF HOLLAN DRIVE & HOLLAN CIRCLE

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

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

**AN ORDINANCE ACCEPTING 0.0003 ACRE TRACT OF
HOLLAN DRIVE AND HOLLAN CIRCLE**

Summary

This Ordinance accepts 0.0003 acre tract of 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 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.

Commission agreed to meet on Tuesday, Dec. 16, 2014 at noon in order to vote on the second reading of this ordinance.

RESOLUTION TO PURCHASE POLICE CRUISERS

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 14-91**

RESOLUTION AWARDING BID FOR
POLICE CRUISERS

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

- A. Four Police Cruisers
- B. Advertised: November 22, 2014
- C. Bid opening: December 9, 2014

WHEREAS, the following bid was received:

- 1. Mann Chrysler of Maysville \$99,088.00

WHEREAS, Lieutenant Rob Corns has recommended the award of the bid to Mann Chrysler of Maysville,

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

- 1. The bid of Mann Chrysler of Maysville in the sum of \$99,088.00 which price includes trade ins of a 2005 Ford Crown Victoria and 2006 Ford Crown Victoria in the amount of \$2,000, for the subject contract described above is hereby accepted on behalf of the City of Maysville.

2. The Mayor is hereby authorized and directed forthwith 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 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.

RESOLUTION AUTHORIZING APPLICATION FOR CLG GRANT

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 14-92**

RESOLUTION AUTHORIZING CLG 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 a CLG Grant to register part of the downtown historic district on the National Register of Historic Places.

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.

SET DATE FOR SINE DIE

Motion by Commissioner Litton, second by Commissioner Pfeffer to meet at noon on Dec. 31, 2014 for sine die. 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

Sean Conley also addressed the Board of Commissioners regarding the hours allowed for food trucks. Conley wants to have a gourmet coffee truck, but would need the hours amended to begin at 6 a.m. Commissioners indicated they would be agreeable to considering that ordinance amendment and City Attorney Brammer said she could have a first reading available for Tuesday's special meeting.

CLOSED SESSION

Motion by Commissioner Pfeffer, second by Commissioner McKay to go into closed session pursuant to KRS 61.810(1)(f) to discuss the appointment, discipline, or dismissal of an employee. 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 Litton 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 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.


MAYOR


CITY CLERK

12/10/14

To: Mayor David Cartmell and Board Members
 From: City of Maysville's responsible pet owners

Requesting:

- Remove this unacceptable breed specific ban on "Pitt Bulls", the nations most stereotyped, abused breed of dog ever known, completely and immediately from chapter 199.09.
- the name "Pitt Bull Dog" and its definition be removed from 199.01
- "pitt bull" be taken out of the definition of "vicious dog", as there is absolutely no scientific studies or proof that all pitt bulls should be distinguished as "vicious dogs"

Also, in an attempt to create a safer environment for both people, their pets and a more humane way of housing dogs and reducing disturbances of the peace, we request the new enactments below be added within the Maysville dog laws.

(A) Dog attack prevention ordinance: (requesting to be added to Chapter 199 in place of 199.03 as a safer more humane means of containment.

ALL dogs owned within city limits with the exception of a "vicious dog" (to be mandated as indoor dogs only!

Definition:

Indoor dogs: dogs must live inside the home of the adult owner or be kept indoors with the ADULT handler or caretaker of the dog at all times.

Exceptions:

- *An outside containment to be required of a 6ft tall constructed privacy fencing (a solid wall fencing preventing dogs from barking, harassing neighbors or possibly biting children through fence) that is to be constructed in a way that visitors entering the home do not come into contact with the dog. The dog must have a doghouse suitable to its size with a floor and straw bedding during the winter months. Fresh, unfrozen water available at all times and food available daily*
- *When walking dogs on or off the owner/handlers property, dogs must be contained by an adult on 2 leashes, one attached to a harness and another to a collar to prevent dogs from slipping out of collars and escaping the owner/handler.*

Page 2.

- *Mandate ALL Pitt Bulls to be altered as this drastically reduces any dogs level of aggression.*



BUFFALO TRACE DISTRICT HEALTH DEPARTMENT
MASON AND ROBERTSON COUNTIES
130 East Second Street, Maysville, KY 41056
606.564.9447
606.564.7696 (FAX)

Animal bites in Maysville reported to the Mason County Health Department since 2011

12/13/2011 Rottweiler – argument by owners
12/1/2011 Daschaund – two dogs fighting
11/10/2011 Chow – not found
10/30/2011 Beagle – two people trying to catch dog
9/27/2011 Snozzler – female with pups
9/16/2011 Lab – two dogs fighting
6/17/2011 German shepherd - fenced in yard
5/30/2011 Cocker Spaniel - person walking along road
5/21/2011 Jack Russell – owner bitten
5/9/2011 Jack Russell -- person walking along road
4/15/2011 Mixed – dog bit grandson
2/5 2011 Chihuahua – owner bitten
1/17/2011 German shepherd – training accident

10/30/2012 Mastiff – quarantined at the Mason County animal shelter
10/3/2012 Mixed – quarantined at the Mason County animal shelter
9/10/2012 White long hair floppy ear dog – not found
8/16/2012 Chow – two dogs fighting
7/1/2012 Belgian Mountain – two dogs fighting
6/1/2012 Weiner dog - child lying on dog
5/9/2012 Pit bull – dog in apartment building – quarantined at the Mason County animal shelter
4/10/2012 Chihuahua – walking – dog got off chain
1/5/2012 – Shepherd – quarantined at Mason County animal shelter

12/7/2013 Rottweiler – not found
10/11/2013 Chihuahua -- dog in apartment building
10/7/2013 German shepherd – person walking along road
10/7/2013 Lab – not found
7/6/2013 Terrier – child getting dog under bed
6/7/2013 Border collie – quarantined at Mason County animal shelter
5/3/2013 German shepherd – bitten on left hand
1/24/2013 German shepherd – picking up garbage

11/10/2014 Pit bull – together with German shepherd person bitten did not know dog did the
11/10/2014 German shepherd - biting
11/08/2014 Red healer - child playing with dog
9/22/2014 Rottweiler – person bitten while petting dog
9/1/2014 Doodle – person walking along road



BUFFALO TRACE DISTRICT HEALTH DEPARTMENT

MASON AND ROBERTSON COUNTIES
130 East Second Street, Maysville, KY 41056
606.564.9447
606.564.7696 (FAX)

- 8/15/2014 Pit bull mix – person walking along road
- 7/29/2014 Shepherd mix – child bitten in back yard dog not found
- 7/25/2014 Chihuahua – child with parents
- 7/24/2014 large black dog – not found
- 7/19/2014 Husky – child bitten in fenced yard
- 7/14/2014 Pug – person bitten in neighbor's house
- 7/12/2014 Jack Russell -- owner bitten
- 5/2/2014 Daschaund – owner bitten
- 1/9/2014 Boxer -- person bitten in neighbor's house

Subject: Fw: Jeff Maxey
From: "Eric Bach" <ebach@maysvilleky.net>
Date: 12/8/2014 7:35 AM
To: "Lisa Dunbar" <Irdunbar@maysvilleky.net>

----- Original Message ----- From: "Tammy Maxey" <tammymaxey865@yahoo.com>
To: <ebach@maysvilleky.net>
Sent: Sunday, December 07, 2014 11:26 AM
Subject: Jeff Maxey

Robert J Maxey
865 Grassy Knoll
Flemingsburg, KY 41041

December 4, 2014

TO WHOM IT MAY CONCERN:

I am writing to inform you that I will be resigning from my current position as Firefighter/Paramedic with the Maysville Fire Department. My last day of work will be December 19, 2014.

I was recently offered a new opportunity with Fleming County EMS, and I have decided to accept that position.

I want to give you all a sincere thanks for all the opportunities you have given me and for all the knowledge I have gained while employed at the Maysville Fire Department.

It has been a honor to serve Maysville, Kentucky as well as Mason County Kentucky. I began my career with Maysville Fire Department later in life than anticipated, due to that fact I no longer wish to pursue a career as a firefighter.

Sincere thanks,
Robert Jeffrey Maxey

Sent from my iPhone=

MAYSVILLE FIRE DEPARTMENT

To: Mayor Cartmell and City Commission

From: Fire Chief Eric Bach

Date: December 5, 2014

Re: Probationary Firefighter

I am recommending that Blake Lewis be appointed as a probationary firefighter with our department. Blake is an certified as an Emergency Medical Technician and has passed his mandated (CPAT) Candidate Physical Ability Test, which is required by the Kentucky Fire Commission to be hired as a paid firefighter.

Blake is a great young man and is very excited to begin his career here at the Maysville Fire Department. Blake will be a great addition to our department.

ROBERT BOONE

311 Commerce Street
Maysville, KY 41056

Phone: (606) 584-5231
booneformaysville@gmail.com

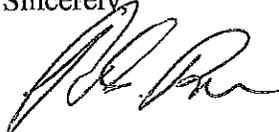
December 3, 2014

Dear Mayor Cartmell:

It has been a pleasure serving our community with arts-related programming on the Maysville-Mason County Arts Commission since April 2013. I am thankful for this opportunity to help bring the Arts further into our community and to see firsthand the joy and light the Arts can bring to people's lives.

I am writing, because my recent election to the Maysville City Commission necessitates my resignation from the arts commission. Please accept this letter as my formal resignation. I look forward to serving our city in my new capacity and look forward to working with you, Victor, Judy, and Kelly.

Sincerely,



Robert Boone

November 30, 2014

Maysville/Washington Board of Architectural Review
216 Bridge Street
Maysville, Ky. 41056

Att: Matt Wallingford

Due to health issues, I find it necessary to submit my resignation to the Board of Architectural Review.

I have served since the inception of this Board, and have enjoyed every moment.

Thanks to all who have assisted me in any way.

Very sincerely,

Joe Williams

City of Maysville

Memo

To: Mayor & City Commission
From: Rick Truesdell, Public Works Director
Karen Cracraft, HR Director
Date: December 11, 2014
Re: New transit driver

We would like to recommend Johnny Stahl as a full-time bus driver with the Transit Dept effective January 5, 2015. Johnny is an experienced driver and has the required CDL license and passenger endorsement. The Transit Department is currently short-handed on drivers and he will make a good addition to the staff.