

MAYSVILLE BOARD OF COMMISSIONERS
REGULAR MEETING
Thursday, 12 December 2013; 5:15 p.m.
Municipal Building

The Board of Commissioners of the City of Maysville, Kentucky met in a regular meeting on Thursday, Dec. 12, 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 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. Others present: The Ledger Independent and WFTM.

MINUTES & DEPARTMENT REPORTS

Motion by Commissioner Litton, second by Commissioner Pfeffer to approve the minutes of the Nov. 14, 2013 regular and Nov. 21, 2013 special 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.

PERSONNEL

Motion by Commissioner Pfeffer, second by Commissioner Ashley to approve the promotion of Brian Simms as recommended by Fire Chief Bach, the promotion of Officer Christopher Adams as recommended by Police Chief Rice, and the retirement of Wayne Poe from the Department of Public Works. Upon call of roll, voting is as follows: Voting aye: Commissioner Litton, Commissioner Ashley, Commissioner Pfeffer, Commissioner McKay and Mayor Cartmell, Motion passes.

BUILD A BED

Betty Coutant presented information promoting the Build a Bed program, which provides beds to needy children. Working with the program through Morehead State University, Coutant is the Buffalo Trace representative. Children are provided a bed, mattress, bedding, stuffed animal, book and light.

Motion by Commissioner Litton, second by Commissioner Ashley to donate \$1,500 to the Build a Bed program. Upon call of roll, voting is as follows: Voting aye: Commissioner Litton, Commissioner Ashley, Commissioner Pfeffer, Commissioner McKay and Mayor Cartmell, Motion passes.

COMPREHEND

Comprehend Director Pamela Vaut and David Greene gave a presentation on the organizations range of services.

RESOLUTION AUTHORIZING AGREEMENT RE: SHORT STREET PUMP STATION

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 13-76**

RESOLUTION AUTHORIZING AGREEMENT

RE SHORT STREET PUMP STATION OUTFALL CONTRACT

WHEREAS, the City of Maysville awarded a bid for the Short Street Pump Station Outfall Contract to Wind Ridge Construction, LLC; and

WHEREAS, the City of Maysville has decided to stop the project at this time,

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY that the Mayor is hereby authorized and directed to enter into an agreement with Wind Ridge Construction, LLC to pay Wind Ridge Construction for its work to date and agree that the job will be completed by Wind Ridge Construction, LLC if the City of Maysville decides to complete the job within 12 months.

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 AWARDDING CONTRACT WITH RED PIXEL FOR PHONE APP
UPGRADE

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 13-77**

RESOLUTION AUTHORIZING
LICENSE AGREEMENT WITH RED PIXEL STUDIOS

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute a License Agreement with Red Pixel Studios for an upgrade to the City of Maysville phone app.

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 AUTHORIZING FACILITY ENCROACHMENT AGREEMENT WITH CSX

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 13-78**

RESOLUTION AUTHORIZING
FACILITY ENCROACHMENT AGREEMENT WITH CSX

WHEREAS, the City is working on a twenty-four inch pipeline crossing which extends beneath CSX property,

NOW THEREFORE, BE IT RESOLVED, by the City of Maysville, Kentucky that the Mayor is hereby authorized and directed to execute the Facility Encroachment Agreement between CSX Transportation, Inc. and the City of Maysville, Kentucky and that the City staff is authorized to obtain the required insurance limits stated in the agreement.

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 AMENDING CODE OF ORDINANCES RE: LAND USE

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

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

AN ORDINANCE ADDING SUBPONEA REQUIREMENTS
SUMMARY

This Ordinance amends Code of Ordinances Section 320.405 to require that subpoena requests to the Board of Adjustments be submitted at least 10 days prior to a public hearing.

Motion by Commissioner McKay, second by Commissioner Pfeffer 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 ADDING DEFINITION FOR INTERNET SWEEPSTAKES CAFÉ

The Board of Commissioners was presented with the following ordinance upon

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

AN ORDINANCE ADDING A DEFINITION
FOR INTERNET SWEEPSTAKES CAFÉ

SUMMARY

This Ordinance amends Chapter 320 Article V Definition to add a definition for Internet Sweepstakes Café.

Motion by Commissioner Litton, second by Commissioner Pfeffer 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 ADDING INTERNET SWEEPSTAKES CAFÉ AS A CONDITIONAL USE
IN THE I-1A LIGHT INDUSTRIAL ZONE

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

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

AN ORDINANCE ADDING INTERNET SWEEPSTAKES CAFÉ AS
A CONDITIONAL USE IN THE I-1A LIGHT INDUSTRIAL ZONE

SUMMARY

This Ordinance amends Code of Ordinances §320.406.6 to state that Internet Sweepstakes Cafés shall be considered a conditional use in the I-1A Light Industrial Zone and not permitted in any other zone.

Motion by Commissioner Pfeffer, second by Commissioner McKay 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 REQUIREMENTS FOR CELLULAR TOWERS

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

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

AN ORDINANCE AMENDING REQUIREMENTS
FOR CELLULAR ANTENNA TOWERS

SUMMARY

This Ordinance amends Code of Ordinances Section 320.413 to require backup generators at all new cell tower sites or any existing site that receives any form of upgrade.

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

ORDINANCE AMENDING CODE OF ORDINANCES SECTION 138.02 COMPETITIVE BIDDING

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

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

AN ORDINANCE AMENDING CODE OF
ORDINANCES SECTION 138.04 COMPETITIVE BIDDING

Summary

This Ordinance Amends Code of Ordinances §138.04 to add a section that the City will abide by Federal Transit Administration Circular 4220.1F and 49CFR, Part 18 for public transit procurement.

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 111.02: VACATIONS

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

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 13-34**

AN ORDINANCE AMENDING CODE OF ORDINANCES SECTION 111.02
TO DELETE THE PROVISIONS FOR 40 HOURS OF
VACATION AT 9 MONTHS

Summary

This Ordinance amends Code of Ordinances §111.02 to delete the provisions for 40 hours of vacation at 9 months.

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.

ORDINANCE AMENDING CODE OF ORDINANCES 111.03, 111.04, 111.05

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

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 13-35**

AN ORDINANCE AMENDING CODE OF ORDINANCES
SECTION 111.03,111.04, AND111.05

Summary

This Ordinance amends Code of Ordinances §111.03, §111.04, and §111.05 to delete vacation pay at separation, state vacation shall be taken in the year the vacation time is applied, and to delete the reference to nine months.

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.

ADJOURNMENT

Motion by Commissioner Pfeffer, second by Commissioner McKay 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