

MAYSVILLE BOARD OF COMMISSIONERS

Thursday, 14 April 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, April 14, 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 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. Absent: City Clerk Lisa Dunbar. Others present: The Ledger Independent and WFTM.

MINUTES 3/10/11 & 3/24/11 & DEPARTMENT REPORTS

Motion by Commissioner Pfeffer, second by Commissioner Ashley to approve the minutes of the March 10 and March 24, 2011 commission meetings and the department reports 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.

PUBLIC COMMENT

Jim Gallenstein Jr. addressed the Board of Commissioners regarding a letter received by his friend Todd Antrobus about a food trailer at the former Wildcat car lot on U.S. 68 saying that the trailer was in violation of City Ordinance. Zoning Administrator Wallingford explained the mobile unit and the roadside sales ordinances. Gallenstein felt the tone of the letter was inappropriately strong for a first time letter. City Manager Young explained that food trailers are allowed only for promotional and festival events. Gallenstein asked that the issue be looked at by the Commission on a case by case basis. City Attorney Brammer explained that it would be considered arbitrary and it would be illegal under state law.

POLICE DEPARTMENT PROMOTION

The following letter was presented to the Board of Commissioners:

April 13, 2011

Honorable Mayor and City Commissioners

I would like to recommend that Officer Ryan B. Hull be appointed from a probationary recruit status to a Police Officer Level One Status with the department. Ryan has

completed all of his training requirements as well as the time spent with a field-training officer. Ryan has been doing a good job and will make a great addition to our department.

Respectfully,

Ronald J. Rice
Chief of Police

Motion by Commissioner Mains, second by Commissioner Litton to approve the promotion of Officer Ryan B. Hull to Police Officer Level One Status. Upon call of roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Ashley, Commissioner Pfeffer, Commissioner Litton, and Mayor Cartmell, Motion passes.

MAYSVILLE FIREFIGHTERS ASSOCIATION RUN/WALK

Motion by Commissioner Pfeffer, second by Commissioner Ashley to support Maysville Firefighters Association 5K run/2 mile walk on April 23. 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 CITY SOCIAL NETWORKING SITES

Matt Wallingford explains to Board of Commissioners that social networking can lead to greater transparency and increased interaction with the community. City already has a Facebook page and will also have a Twitter blog. These can be good for communicating city meetings, transportation, events, job openings, etc. Videos of department work, city meetings, and other events could be posted to YouTube.

RESOLUTION AUTHORIZING MAY OR SIGN CERTIFICATION OF LOCAL APPROVAL FOR WOMEN'S CRISIS CENTER

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 11-26**

**RESOLUTION AUTHORIZING CERTIFICATION
OF LOCAL APPROVAL FOR WOMEN'S CRISIS CENTER**

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, the Mayor is hereby authorized and directed to execute and deliver a Certification of Local Approval for Non-Profit Organizations to the Women's Crisis Center for its 2011 ESG Grant.

Motion by Commissioner Pfeffer, second by Commission Mains 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 MAYOR TO SIGN LOCAL GOVERNMENT REPORT FOR NATIONAL REGISTER NOMINATION

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 11-27**

RESOLUTION AUTHORIZING REPORT FOR
NATIONAL REGISTER NOMINATION

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, the Mayor is hereby authorized and directed to execute and deliver the Local Government Report for National Register Nomination.

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

RESOLUTION AUTHORIZING PAYMENT TO HAZMAT 8

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 11-28**

RESOLUTION AUTHORIZING PAYMENT TO HAZMAT 8

WHEREAS, the City of Maysville previously entered into a Mutual Aid Agreement for Hazmat 8 which has a suggested monetary amount of \$.25 per capita; and

WHEREAS, Hazmat 8 has sustained its operation without monetary contribution from the City of Maysville during the last 3 years but needs revenue this year in order to maintain training and equipment maintenance;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the amount of \$.25 per capita is authorized to be paid to Hazmat 8.

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

RESOLUTION AUTHORIZING REVISED DRUG & ALCOHOL POLICY FOR
MAYSVILLE TRANSIT SYSTEM

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 11-29**

**A RESOLUTION AUTHORIZING REVISED DRUG
AND ALCOHOL POLICY FOR MAYSVILLE TRANSIT SYSTEM**

WHEREAS, the Federal Transit Administration requires a Drug and Alcohol Policy in accordance with provisions, requirements and regulations of the Federal Transit Administration Drug and Alcohol rules; and

WHEREAS, the City has revised its policy to comply with required policy modifications of the Federal Transit Administration;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the revised Drug and Alcohol Policy for Maysville Transit System attached hereto is hereby adopted by 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: CRUMB RUBBER GRANT AGREEMENT

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 11-30**

**RESOLUTION AUTHORIZING
CRUMB RUBBER GRANT AGREEMENT**

WHEREAS, the City of Maysville has applied for a Crumb Rubber Grant for January Park Playground which grant has been approved;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute and deliver the Crumb Rubber Grant Agreement accepting the grant of \$9,900 and agreeing to provide a 25 % match which may be through in kind services.

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

ORDINANCE CLOSING THE ALLEY BETWEEN CENTRAL AVENUE AND OAK ALLEY; SECOND READING

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 11C-03**

**AN ORDINANCE CLOSING ALLEY BETWEEN
CENTRAL AVENUE AND OAK ALLEY**

Summary

This Ordinance orders closure as a public way of the alley between Central Avenue and Oak Alley subject to reservation of existing utility lines and easements.

Motion by Commission Pfeffer, second by Commissioner Mains to adopt the ordinance as presented on second 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 ENACTING CODE OF ORDINANCES CHAPTER 230 TO IMPOSE TIME OF DAY RESTRICTIONS ON SOLICITING; SECOND READING

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 11-04**

AN ORDINANCE ENACTING CODE OF ORDINANCES CHAPTER 230

TO IMPOSE TIME OF DAY RESTRICTIONS ON SOLICITING

Summary

This Ordinance enacts Chapter 230 of the Code of Ordinances to define soliciting as seeking to obtain orders, subscriptions to publications, and donations. This Ordinance prohibits solicitation at residences before 9:00 a.m. or after 8:00 p.m.

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

RECOMMENDATION FROM PLANNING & ZONING ADMINISTRATION TO AMEND SIGN ORDINANCE

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

COMMONWEALTH OF KENTUCKY CITY OF MAYSVILLE Ordinance No. 11C-

AN ORDINANCE AMENDING SIGN REGULATIONS

Summary

This Ordinance amends Code of Ordinances Section 320.411 to state that Administration will be by the Zoning Administrator and the Codes Enforcement Office, provides that signs will conform with the International Building Code and Kentucky Amendments; provides that directional or instructional signs shall not contain advertising copy and not exceed twelve square feet; flags may not exceed forty square feet in area; flag poles shall not exceed forty feet in height; wall mounted flags shall be limited to one per parcel and shall not exceed forty square feet in area; historic signs are allowed upon approval with a sign permit but signs located in a historic district shall receive approval from the Board of Architectural Review; campaign signs may not erected earlier than thirty days prior to the election and shall be removed within five days following the election; one off premise sign is allowed for real estate sales; on site real estate signs shall not exceed twenty square feet in a residential zone, sixty-four square feet in commercial, agricultural or industrial zones and a hundred square feet if located at least a hundred feet from the existing right a way in a commercial, agricultural or industrial zone; off site real estate signs shall not exceed six square feet; business special event signs may be displayed up to seven days prior to the event and shall be removed immediately following the event; miscellaneous signs are prohibited; abandoned signs located on property which is vacant or unoccupied for a period of ninety days are prohibited; the prohibition on A frame signs is deleted; advertising

vehicles may not be placed on private property; changing signs are prohibited; and illegal signs shall be removed by the City.

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

RESOLUTION AWARDING CONTRACT FOR DEMOLITION OF 1043 THIRD STREET

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 11-31**

**RESOLUTION AWARDING BID FOR DEMOLITION
OF 1043 EAST THIRD STREET**

WHEREAS, the City of Maysville has received the following bids for demolition of 1043 East Third Street:

- | | | |
|-----|------------------------------|---------|
| (1) | Wind Ridge Construction, LLC | \$1,949 |
| (2) | Classic Remodeling | \$2,275 |
| (3) | Bradford Towing | \$2,850 |
| (4) | Independent Excavating, Inc. | \$3,300 |
| (5) | Kennedy Trucking | \$3,550 |
| (6) | H&S Excavating and Trucking | \$3,845 |

WHEREAS, the Code Enforcement Officer and Zoning Administrator have recommended acceptance of the first bid above as the best bid,

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

- (1) The bid of Wind Ridge Construction, LLC in the sum of \$1,949 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 Ashley, second by Commissioner Litton 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 WITH EMERGENCY MANAGEMENT

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 11-32**

**RESOLUTION AUTHORIZING MAYOR TO SIGN
EMERGENCY MANAGEMENT CONTRACT**

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to sign the Emergency Management Contract with the Commonwealth of Kentucky to recoup money for projects resulting from last year's emergency declaration.

Motion by Commissioner Pfeffer, second by Commissioner Mains 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.

SPECIAL MEETING DATE

The Board of Commissioners agreed to meet in special session Tuesday, Apr. 19, 2011 at noon.

ADJOURNMENT

Motion by Commissioner Ashley, second by Commissioner Litton 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.