

Maysville City Commission
Thursday April 8, 2010; 5:15 p.m.
REGULAR MEETING

The Board of Commissioners of the City of Maysville, Kentucky met in a regular meeting on Thursday, April 8, 2010 at 5:15 p.m. at the Maysville Municipal Building. Present: Commissioner John Mains, Commissioner Judy Pfeffer, Commissioner Rick Litton, Commissioner Kelly Ashley and Mayor David Cartmell presiding. Also present: City Manager Ray Young, City Clerk Lisa Dunbar, City Attorney Sue Brammer, Comptroller Romie Griffey, Police Chief Kent Butcher, Asst. Comptroller/HR Director Karen Cracraft, City Engineer Sam Baker, Utility Manager Eddie Wenz, Tourism/Renaissance Director Duff Giffen, Public Works Director Rick Truesdell, Zoning Administrator Matt Wallingford, Building Official Gary Wells, and Code Officer Nicole Jones, Absent: Fire Chief Eric Bach and Asst. City Attorney Kelly Caudill. Also present: The Ledger Independent and WFTM.

MINUTES FROM 3/11/10 MEETING & DEPARTMENT REPORTS

Motion by Commissioner Pfeffer, second by Commissioner Ashley to accept the minutes of the March 11, 2010 meeting and department reports. Upon call of the roll, voting as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. Motion passes.

PUBLIC COMMENT

Rick Van Meter, local representative for Geoff Davis thanked the Commission for participation in a recent appearance by the congressman and requested that they add their e-mail addresses to the congressman's mailing list.

APPOINTMENT OF POLICE OFFICER RECRUIT

The following memo was presented to the Commission:

To: Honorable Mayor and City Commission
Fr: Chief James K. Butcher
Re: Appointment
Da: March 31, 2010

I respectfully request the appointment of Ryan B. Hull to a probationary police officer with the Maysville Police Department beginning April 12th of this year. Ryan comes to us as a certified police officer having graduated the police academy in 2005. Ryan has completed all components of the city's hiring process and we anticipate that Ryan will be an excellent addition to our department.

Motion by Commissioner Litton, second by Commissioner Pfeffer to approve the appointment as recommended. Upon call of the roll, voting as follows: Voting aye:

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

DISCUSSION: ARTS COMMISSION

City Manager Young asked the Commission for feedback on the make up of the Arts Commission Board. Commissioner Mains suggested that the board, which currently has 18 members, should have no more than 11, with about half being appointed by the City Commission.

MOTION APPROVING AUDIT FOR FYE 6/30/09

Motion by Commissioner Pfeffer, second by Commissioner Mains to approve the audit for fiscal year ending June 30, 2009. Upon call of the roll, voting as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. Motion passes.

MOTION AUTHORIZING SALE OF SURPLUS PROPERTY

Motion by Commissioner Ashley, second by Commissioner Pfeffer to authorize the sale of surplus property. Upon call of the roll, voting as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. Motion passes.

WASHINGTON SEWER PROJECT

The city manager reported that manholes have been delivered, and work will begin on Monday, April 12, near the AmVets park.

RESOLUTION AUTHORIZING SIGNING OF KET RELEASE FORM

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 10-25**

A RESOLUTION AUTHORIZING KET RELEASE FORM

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute a KET Release Form consenting to the participation in Kentucky's Underground Railroad- Passage to Freedom.

Motion by Commissioner Pfeffer, second by Commissioner Mains to adopt the resolution as presented. Upon call of the roll, voting as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. Motion passes.

RESOLUTION AUTHORIZING LETTER TO REQUEST CHANGE IN SPEED LIMIT ON MAPLE LEAF ROAD

The following resolution was presented to the Board of Commissioners:

**2COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 10-26**

A RESOLUTION TO REQUEST LOWER SPEED
LIMIT ON MAPLE LEAF ROAD

WHEREAS, the City of Maysville wants to avoid traffic problems caused by allowing a speed limit of 55 mph on a section of Maple Leaf Road from US 68 to the AA Highway;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to send a letter to the Kentucky State Highway Department requesting the state to lower the speed limit on Maple Leaf Road from US 68 to the AA Highway from 55 mph to 45 mph.

Motion by Commissioner Pfeffer, second by Commissioner Ashley to adopt the resolution as presented. Upon call of the roll, voting as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. Motion passes.

RESOLUTION AUTHORIZING APPLICATION FOR SAVE AMERICA'S TREASURES GRANT

The following resolution was presented to the Board of Commissioners:

**3COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 10-27**

A RESOLUTION AUTHORIZING GRANT APPLICATION TO SAVE AMERICA'S
TREASURES

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute and deliver a grant application to Save America's Treasures.

Motion by Commissioner Litton, second by Commissioner Ashley to adopt the resolution as presented. Upon call of the roll, voting as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. Motion passes.

RESOLUTION AUTHORIZING CONTRACT FOR HVAC FOR COX BUILDING

The following resolution was presented to the Board of Commissioners:

**4COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 10-28**

**A RESOLUTION AWARDED CONTRACT FOR
COX BUILDING HVAC**

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

- (a) Subject: Cox building HVAC Design- Build
- (b) Advertised: August 13, 2009
- (c) Bid Opening: September 1, 2009

WHEREAS, the following bid was the only bid received:

- (1) Fisher & Barger, Inc. of Maysville \$ 512,600

WHEREAS, the City Engineer and City Manager have recommended acceptance of the bid as the best bid,

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

- (1) The bid of Fisher & Barger, Inc. of Maysville in the sum of \$512,600 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 Mains, second by Commissioner Litton to adopt the resolution as presented. Upon call of the roll, voting as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. Motion passes.

RESOLUTION AUTHORIZING LEASE OF OFFICE SPACE AT PUBLIC WORKS TO KCTCS

The following resolution was presented to the Board of Commissioners:

**5COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 10-29**

**A RESOLUTION AUTHORIZING LEASE OF UPSTAIRS OFFICE
SPACE OF THE PUBLIC WORKS BUILDING**

WHEREAS, Kentucky Community and Technical College System has asked to lease approximately 1200 square feet of office space located in the upstairs of the Public Works Building at 1720 Martha Comer Drive, Maysville, Kentucky from the City of Maysville for a cost of \$ 0.00 for classroom space;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute a lease agreement with Kentucky Community and Technical College System for office space in the upstairs of the Public Works Building.

Motion by Commissioner Litton, second by Commissioner Mains to adopt the resolution as presented. Upon call of the roll, voting as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. Motion passes.

RESOLUTION NAMING TACTICAL MEDIC

The following resolution was presented to the Board of Commissioners:

**6COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 10-30**

**A RESOLUTION AUTHORIZING
NAMING TACTICAL MEDIC**

WHEREAS, Dr. Craig Denham has agreed to volunteer as a Tactical Medic to work with the Emergency Response Team as needed;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that Dr. Dr. Craig Denham is hereby named as Tactical Medic for the Emergency Response Team to provide emergency medical care to wounded officers, civilian

victims, or wounded suspects, provide administrative assistance to the Maysville Police and Fire Department, and develop training for police and emergency personnel.

Motion by Commissioner Pfeffer, second by Commissioner Ashley to adopt the resolution as presented. Upon call of the roll, voting as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. Motion passes.

ORDINANCE REQUIRING CLEAN UP OF PET WASTE IN DOWNTOWN

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 10C-02**

AN ORDINANCE REQUIRING CLEANUP OF PET
WASTE IN THE HISTORIC DISTRICT
Summary

This Ordinance establishes a new section of Chapter 191 Animals to provide that any owner, keeper or walker of any animal on public property in the Historic District shall have the responsibility of cleaning up the animal waste and disposing of it in a sanitary manner. It shall also be the duty of said person to have in his possession suitable equipment or supplies to pick up, remove and dispose of the animal waste.

Motion by Commissioner Mains, second by Commissioner Pfeffer to adopt the ordinance as presented on second reading. Upon call of the roll, voting as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. Motion passes.

ORDINANCE AMENDING CODE OF ORDINANCE CHAPTER 191.99: PENALTIES

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 10C-03**

AN ORDINANCE AMENDING CODE OF ORDINANCES
SECTION §191.99

Summary

This Ordinance amends code of ordinances section §191.99 to include violation of section §191.05.

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

1. Code of Ordinances Section §191.99 is hereby amended to read in its entirety as follows:

§ 191.99 PENALTY.

Violation of any provision of §§ 191.02 through ~~191.04~~ **191.05** shall be a Class III violation punishable under § 11.01.
(1991 Code, § 191.99)

Motion by Commissioner Ashley, second by Commissioner Litton to adopt the ordinance as presented on second reading. Upon call of the roll, voting as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. Motion passes.

CLOSED SESSION

Motion by Commissioner Litton, second by Commissioner Ashley to go into closed session pursuant to KRS 61.810(1)(d) to discuss personnel. Upon call of the roll, voting as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. Motion passes.

RETURN TO OPEN SESSION

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

No action was taken.

ADJOURNMENT

Motion by Commissioner Pfeffer, second by Commissioner Litton to adjourn. Upon call of the roll, voting as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. Motion passes.

Mayor

City Clerk