

MAYSVILLE CITY COMMISSION
Thursday, 10 June 2010; 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, June 10 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. Also present: City Manager Ray Young, City Clerk Lisa Dunbar, City Attorney Sue Brammer, Comptroller Romie Griffey, Police Chief Kent Butcher, Fire Chief Eric Bach, City Engineer Sam Baker, 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. Absent: Asst. Comptroller/HR Director Karen Cracraft and Asst. City Attorney Kelly Caudill. Others present: The Ledger Independent and WFTM.

MINUTES OF 5/13/10 & 5/27/10 MEETINGS & DEPARTMENT REPORTS

Motion by Commissioner Ashley, second by Commissioner Litton to approve minutes of 5/13/10 and 5/27/10 meetings and monthly department reports. Upon call of roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell, Motion passes.

DISCUSSION: REC PARK POOL

City Engineer reported that when pool filter upgrades were completed and the pool was filled, significant leaks were found. Public works has been removing old caulk from joints and sandblasting. When that is done, new caulk and epoxy tape will be put in. It will take at least a week. City Manager Young told commission that later this year, commission will have to consider the future of the pool because this is not a 20 year fix. Options like installing a liner are being researched.

RESOLUTION AUTHORIZING ARTS COUNCIL GRANT

The following resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 10-43

RESOLUTION AUTHORIZING REQUEST FOR GRANT EXTENSION

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute a request for a grant extension for the

Cultural Arts District Partnership Grant.

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

RESOLUTION AUTHORIZING CONTRACT WITH ROYAL BLUE ENTERTAINMENT

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 10-44**

RESOLUTION AUTHORIZING CONTRACT WITH ROYAL BLUE ENTERTAINMENT

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute a contract with Royal Blue Entertainment to provide entertainment for the Simon Kenton Festival.

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

RESOLUTION AUTHORIZING MUNICIPAL AID AGREEMENT

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 10-45**

A RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF A MUNICIPAL AID COOP PROGRAM CONTRACT BETWEEN THE CITY OF MAYSVILLE AND THE COMMONWEALTH OF KENTUCKY, TRANSPORTATION CABINET, DEPARTMENT OF INTERGOVERNMENTAL PROGRAMS FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, AS PROVIDED IN THE KENTUCKY REVISED STATUTES AND ACCEPTING ALL STREETS REFERRED TO THEREIN AS BEING STREETS WHICH ARE A PART OF THE INCORPORATED AREA.

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

The City of Maysville does hereby accept all streets referred to in said Contract as being city streets which are a part of the City of Maysville; and the City of Maysville, does hereby ratify and adopt all statements, representations, warranties, covenants, and agreements contained in said Contract and does hereby accept said Contract and by such acceptance agrees to all the terms and conditions therein stated; and the Mayor is hereby authorized and directed to sign said Contract as set forth on behalf of the City of Maysville, and the City Clerk is hereby authorized and directed to certify thereto.

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

RESOLUTION AUTHORIZING CDBG APPLICATION FOR ASSISTED LIVING FACILITY

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 10-46**

A RESOLUTION AUTHORIZING THE FILING OF A KENTUCKY SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR DEVELOPMENT OF THE KENTON POINT ASSISTED LIVING PROJECT

WHEREAS, it is necessary and in the public interest that the City avail itself of the financial assistance provided by Title I of the Housing and Community Development Act of 1974, as amended, in order to improve handicapped accessibility to the city council; and

WHEREAS, it is recognized that the Federal/State contract for such financial assistance pursuant to said Title I will impose certain obligations and responsibilities upon the City and will require among other things:

- a. Approval of a satisfactory application transmitted to the Kentucky Department of Local Government;
- b. Certification on behalf of the City Commission and Mayor, relating to activities such as civil rights, citizen participation, relocation payments, acquisition of properties, national environmental policies and accounting practices; and

- c. Other local obligations and responsibilities in connection with the undertaking and carrying out of the Kentucky Community Development Block Grant Program;

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

1. The Mayor is authorized and directed to prepare and submit to the Kentucky Department of Local Government such certifications as required to assure full compliance with all laws and regulations related to Community Development Block Grants for public facilities;
2. An application for a Kentucky Community Development Block Grant in the behalf of the City for a grant not to exceed \$1,000,000 of such Title I funds is hereby approved, and that the Mayor is hereby authorized to execute and file such application with the Kentucky Department of Local Government and to provide such additional information and to furnish such documentation as may be required of the City relating to the Kentucky Community Development Block Grant Program for planning funds for the proposed Kenton Point Assisted Living Project, located in the City of Maysville of Mason .

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

ORDINANCE ADOPTING CITY OF MAYSVILLE BUDGET FOR FYE 6/30/10

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance 10-__**

AN ORDINANCE ADOPTING THE CITY OF MAYSVILLE, KENTUCKY ANNUAL BUDGET FOR FISCAL YEAR 1 JULY 2010 THROUGH 30 JUNE 2011 BY ESTABLISHING REVENUES AND RESOURCES AND APPROPRIATING FUNDS FOR THE OPERATION OF CITY GOVERNMENT.

WHEREAS, an annual budget proposal and message has been prepared and delivered to the Board of Commissioners by the City Manager pursuant to KRS 91A.030 and Code of Ordinances section 131.01; and

WHEREAS, the Board of Commissioners has reviewed such budget proposal and made necessary modifications.

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

The annual budget for the City's fiscal year ending 30 June 2011, summarized by resources, revenues, and appropriations as follows, is hereby adopted:

	<u>GENERAL FUND ECONOMIC</u>	<u>LOCAL GOVERNMENT PROGRAM FUND</u>	<u>MUNICIPAL ROAD AID FUND</u>
RESOURCES AVAILABLE			
FUND BALANCES CARRIED FORWARD	8,000,000	175,000	300,000
ESTIMATED REVENUES:			
Property taxes	885,000		
License & Permits	7,307,000		
Intergovernmental Revenues	4,877,000	25,000	185,000
Other Revenue	<u>145,000</u>	<u> </u>	<u> </u>
Total Estimated Revenues	<u>13,214,000</u>	<u>25,000</u>	<u>185,000</u>
TOTAL RESOURCES AVAILABLE FOR APPROPRIATIONS	21,214,000	200,000	485,000
General Government & Public Safety	2,453,000		
Police	2,136,000	100,000	
Fire	1,485,000	100,000	
Public Works & Streets	2,727,000		350,000
Other	189,000		
Parks & Recreation	86,000		
Capital Expenditures	<u>5,252,000</u>	<u> </u>	<u> </u>
Total Appropriations	<u>14,328,000</u>	<u>200,000</u>	<u>350,000</u>
ESTIMATED FUND BALANCES			
END OF YEAR	6,886,000	0	135,000

Motion by Commissioner Ashley, second by Commissioner Litton to pass the budget ordinance for FYE 6/30/11 on first reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell, Motion passes.

ORDINANCE ADOPTING PAY PLAN BEGINNING 7/1/10

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 10-__**

AN ORDINANCE ADOPTING PAY PLAN FOR CLASSIFIED CITY EMPLOYEES AND NON-ELECTED OFFICIALS FOR SERVICES RENDERED BEGINNING 1 JULY 2010.

Summary

This Ordinance adopts a pay plan for regular City employees and non-elected officials by job classification for services rendered on and after 1 July 2009 until amended.

Motion by Commissioner Pfeffer, second by Commissioner Mains to pass the ordinance on the 2010-2011 pay plan on first reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell, Motion passes.

ORDINANCE AMENDING CODE OF ORDINANCES 113.02: USE OF CITY VEHICLES

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

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

AN ORDINANCE AMENDING CODE OF ORDINANCES SECTION 113.02

Summary

This Ordinance amends Code of Ordinances Section 113.02 to allow the Building Official/Inspector and Assistant Fire Chief to use city vehicles for the performance of their municipal duties and to commute to and from work and deletes the use of a city vehicle by the Codes Enforcement Officer.

Motion by Commissioner Pfeffer, second by Commissioner Ashley to pass the ordinance amending Code of Ordinances 113.02 on first reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell, Motion passes.

SET DATE FOR SPECIAL MEETING & PUBLIC HEARING

Commission agreed to hold a public hearing for municipal aid funds and hold a special meeting at 8:30 a.m., June 24, 2010.

CLOSED SESSION

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

OPEN SESSION

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

ATTORNEY CONTRACT

Motion by Commissioner Pfeffer, second by Commissioner Litton to enter into contract with attorney Steven Martin of Zeigler & Schneider PSC to determine compliance with wage and hour laws. Upon call of roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell, Motion passes.

ADJOURNMENT

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