

MAYSVILLE CITY COMMISSION
Thursday, 8 July 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, July 8 at 5:25 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, Asst. Comptroller/HR Director Karen Cracraft, City Engineer Sam Baker, Zoning Administrator Matt Wallingford, Building Official Wells, and Asst. City Attorney Kelly Caudill. Absent: Utility Manager Eddie Wenz, Tourism/Renaissance Director Duff Giffen, Public Works Director Rick Truesdell, and Codes Officer Nicole Jones. Others present: The Ledger Independent and WFTM.

MINUTES OF 6/10/10 & 6/24/10 MEETINGS & DEPARTMENT REPORTS

Motion by Commissioner Pfeffer, second by Commissioner Mains to approve minutes of 6/10/10 and 6/24/10 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.

PUBLIC COMMENT

Jack Hussey thanked the city for its assistance with set up for the American Cancer Society Relay for Life at the recreation park in June.

Bruce Carlson addressed the Board of Commissioners regarding plans for the Carlson (fka Ace Hardware) Building on Second Street. Carlson passed around photos of proposed plans to put a café on the side of the building facing the park that is under construction.

RETIREMENT OF POLICE CHIEF

The following memo was presented to the Board of Commissioners:

To: The Honorable Mayor and City Commission
Fr: Chief James K. Butcher
Da: July 08, 2010
Re: Retirement

After much thought and many sleepless nights, I have decided to announce my retirement effective July 31, 2010. I have been blessed to have along and successful career as a police officer with the City of Maysville. There are many people to thank, from those who hired me in September of 1976 to those who continue to support me today. I would like to thank all fo the city staff that I have worked with during my tenure

as Chief. I would like to express special thanks to Ray Young, Romie Griffey, Sue Brammer and Karen Cracraft for their many years of support and advice.

I appreciate the current Mayor and City Commission for their trust in me to serve as Chief as well as those whom I have worked with in the past. The Police Department has seen major changes the past five years and I feel fortunate to have been a small part of that. I would like to thank the citizens of Maysville for the trust they placed in me to serve as a police officer.

A special thanks to Major Ron Rice and Kelly Baxter who assisted me as Chief and to all of the men and women of the Maysville Police Department and Dispatch Center who have and always will have my love and affection as they continue to serve. I also had the privilege to work as an E.M.T. with the Maysville Fire Department for a number of years and I appreciate their dedication to our community.

I would like to dedicate my thirty-four years of service to Officer Daniel L. Hay who ended his watch on October 16, 1979.

With Love and Respect,
James K. Butcher

Motion by Commissioner Litton, second by Commissioner Pfeffer to accept Police Chief Butcher's letter of retirement. Upon call of roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell, Motion passes.

CODES DEPARTMENT REPORT

Zoning Administrator Matt Wallingford reported that the Codes Department has been working for about 18 months on an unsecured, burnt out building on the corner of Short and West Second streets. In May of 2009 James Blount got a demolition permit on the property, but failed to complete the job. In May of 2010, the owner a Mr. Rosser, took out a 30 day permit, but failed to do any work. Rosser now refuses to do anything. The Codes Board in June gave him 30 days to demolish or secure the building. If he doesn't complete the work, he will be cited in District Court.

RESOLUTION AUTHORIZING CONTRACT WITH JIMMY CHURCH BAND

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 10-48**

A RESOLUTION AUTHORIZING CONTRACT
WITH JIMMY CHURCH BAND.

WHEREAS, Jimmy Church Band has been booked to perform in downtown Maysville, on September 17, 2010;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute the contract between Jimmy Church Band and the City of Maysville to perform on September 17, 2010 in downtown Maysville.

Motion by Commissioner Pfeffer, second by Commissioner Ashley to sign the contract with Jimmy Church Band. Upon call of roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell, Motion passes.

RESOLUTION: AGREEMENT WITH ASCAP

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 10-49**

RESOLUTION RE: AGREEMENT WITH ASCAP

WHEREAS, the American Society of Composers, Authors and Publishers, (ASCAP) has sent the City of Maysville a License Agreement for June 1, 2010 through May 31, 2011;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized to execute the License Agreement between ASCAP and the City of Maysville and payment of the annual license of \$305 is hereby authorized.

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 MEMORANDUM OF AGREEMENT WITH KCTCS ON COX BUILDING

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 10-50**

A RESOLUTION AUTHORIZING MEMORANDUM OF
AGREEMENT WITH KCTCS ON COX BUILDING

WHEREAS, Kentucky Community and Technology College System (“**KCTCS**”) has a Culinary Arts Program and has agreed to locate the program on the first floor of the Cox Building;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute the Memorandum of Agreement between the City of Maysville and KCTCS which provides that City will renovate the first floor to meet the program’s requirements, the City will provide the space for free, KCTCS will provide movable catering equipment for the space, and KCTCS will pay the utilities.

Motion by Commissioner Pfeffer, second by Commissioner Litton to sign the agreement with KCTCS. 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 71.207: ARTS COMMISSION

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

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

AN ORDINANCE AMENDING CODE OF ORDINANCES §71.207

Summary

This Ordinance amends Code of Ordinances § 71.207 to change the number of members of the Arts Commission from nine appointed by the City and nine appointed by the Mason Fiscal Court to four appointed by Mason Fiscal Court and five appointed by the City.

Motion by Commissioner Litton, Commissioner Ashley to pass the Ordinance as presented 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 ACCEPTING DEDICATION OF SPRUCE, BIRCH & COTTONWOOD
CTS

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

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 10-C-_____**

**AN ORDINANCE ACCEPTING DEDICATION OF SPRUCE COURT,
BIRCH COURT, AND COTTONWOOD COURT**

Summary

This Ordinance accepts the dedication as a public way of the right-of-way of Spruce Court, Birch Court, and Cottonwood Court, containing an area of 2.211 acres, more or less, including the utility improvements within the street right-of-way and appurtenant utility easements.

Motion by Commissioner Litton, second by Commissioner Ashley to pass the Ordinance as presented 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 AUTHORIZING REZONING OF CHAMNESS PROPERTY

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 THE OFFICIAL ZONING MAP TO REZONE 1.4391

ACRES AT 825 KENTON STATION ROAD FROM I-1B (LIGHT INDUSTRIAL) to B-1 (GENERAL BUSINESS)

Summary

This Ordinance rezones from I-1B (Light Industrial) to B-1 (General Business) 1.4391 acres located 825 Kenton Station Road, Maysville, Kentucky. This Ordinance amends the official zoning map of the City of Maysville accordingly.

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, Commissioner Litton, and Mayor Cartmell. Abstention: Commissioner Ashley. Motion passes.

ORDINANCE AMENDING CODE OF ORDINANCES 113.02: USE OF CITY VEHICLES

The Board of Commissioners was presented with the following ordinance upon second 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 Litton to pass the ordinance amending Code of Ordinances 113.02 on second reading. 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 Pfeffer, second by Commissioner Ashley 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.

Mayor

City Clerk