

MAYSVILLE BOARD OF COMMISSIONERS

Thursday, 11 August 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, August 11, 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 Clerk Lisa Dunbar, 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. Others present: The Ledger Independent and WFTM.

MINUTES & DEPARTMENT REPORTS

Motion by Commissioner Ashley, second by Commissioner Litton to approve the minutes from the July 14, 2011 meeting 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.

DISCUSSION: ELECTRICAL INSPECTOR

City Manager Young explained to the Board of Commissioners that the ordinance governing electrical inspections had not been looked at for about 20 years, and the city had not considered the position of electrical inspector for a long time. Although, the current inspector does an excellent job, he said he felt it was fair to take bids and open the position up to other qualified inspectors. The city could approve more than one. He proposed that bids be advertised and an amended ordinance looked at next month. Commissioners agreed to look at the issue again next month. No vote was taken.

UPDATE ON LEVEE CERTIFICATION

City Engineer Sam Baker reported that he had attended a meeting that day in Huntington on levee certification. The City received its Corp of Engineers report in July, and there were expected and new issues that were cited on the report. He is expecting to get the new FEMA map in November after which the city will have two years to correct cited problems. Those may be different from the Corp of Engineers issues because the two agencies look at different things. The firm the City hired has been gathering data and will be ready to begin. Fixing problems will be a major expense for the city for which there is no funding available to help. One of the issues that will be looked at are pipes that run under the flood wall and levee. Vegetation within 15' of the wall or toe of the levee will have to be removed.

RESOLUTION AWARDING DEMOLITION BID FOR 332 E. 4TH STREET

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 11-58**

**RESOLUTION AWARDING BID FOR DEMOLITION
OF 332 EAST FOURTH STREET**

WHEREAS, the City of Maysville has received the following bids for demolition of 332 East Fourth Street, Maysville, Kentucky:

- | | |
|------------------------|---------|
| (1) Classic Remodeling | \$2,900 |
| (2) Bradford Towing | \$4,450 |

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 Classic Remodeling in the sum of \$2,900 for 332 East Fourth Street 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 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 AWARDING DEMOLITION BID FOR 330 E. 6TH STREET

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 11-59**

RESOLUTION AWARDING BID FOR DEMOLITION
OF 330 EAST SIXTH STREET

WHEREAS, the City of Maysville has received the following bids for demolition of 330 East Sixth Street, Maysville, Kentucky:

- (1) Bradford Towing \$1,625
- (2) Classic Remodeling \$1,900

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 Bradford Towing in the sum of \$1,625 for 330 East Sixth Street 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 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 DECLARING INTERNATIONAL ASSISTANCE DOG WEEK

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 11-60**

RESOLUTION TO DECLARING INTERNATIONAL
ASSISTANCE DOG WEEK

WHEREAS, assistance dogs transform the lives of their human partners with physical and mental disabilities;

WHEREAS, assistance dogs include service dogs, guide dogs, hearing alert dogs and alert/seizure response dogs;

WHEREAS, guide dogs assist people with vision loss, leading these individuals around physical obstacles and to destinations such as seating, crossing streets, entering or

exiting doorways, elevators and stairways, etc.;

WHEREAS, service dogs assist people with disabilities with walking, balance, dressing, transferring from place to place, retrieving and carrying items, opening doors and drawers, pushing buttons, pulling wheelchairs and aiding with household chores such as putting in and removing clothes from the washer and dryer;

WHEREAS, hearing alert dogs alert people with a hearing loss to the presence of specific sounds such as doorbells, telephones, crying babies, sirens, another person, buzzing timers or sensors, knocks at the door as well as smoke, fire and clock alarms;

WHEREAS, seizure alert/seizure response dogs alert or respond to medical conditions, such as heart attack, stroke, diabetes, epilepsy, panic attack, anxiety attack, post-traumatic stress and seizures;

WHEREAS, medical alert/medical response dogs alert or respond to oncoming medical conditions, such as heart attack, diabetes, epilepsy, panic attack, anxiety attack, post-traumatic stress disorder;

WHEREAS, International Assistance Dog Week, August 7-16, 2011, provides an opportunity for us to raise awareness of the selfless way all types of assistance dogs assist individuals with mitigating their disability-related limitations; and

WHEREAS, Limestone Pets Helping People is joining forces with assistance dog partners, organizations, and concerned citizens throughout Maysville, Kentucky and America to raise awareness of assistance dogs and observe International Assistance Dog Week;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the week of August 7-13, 2011 is declared Assistance Dog Week in the City of Maysville to reaffirm the City's commitment to respect, celebrate and recognize assistance dogs and their partners this week and throughout the year.

Motion by Commissioner Litton, 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 AWARDING ANNUAL PAVING CONTRACT

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 11-61**

RESOLUTION AWARDING ANNUAL PAVING

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

- A. Annual Paving
- B. Advertised: July 16, 2011
- C. Bid opening: August 3, 2011

WHEREAS, the following bids were received:

- 1. HG Mays Corporation \$57,195.13
- 2. Brown County Construction Co., Inc. \$61,957.41

WHEREAS, the City Engineer and City Manager have recommended the 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 HG Mays Corporation in the sum of \$57,195.13 for the subject contract described above is hereby accepted on behalf of the City of Maysville.
- 2. The Mayor is hereby authorized and directed 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 Litton, 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.

RESOLUTION AWARDING CONTRACT FOR PAXTON INN DRAINAGE

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 11-62**

RESOLUTION AUTHORIZING BUFFALO TRACE/GATEWAY NARCOTICS TASK
FORCE EQUITABLE SHARING AGREEMENT AND CERTIFICATION REPORT

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute and deliver to the United States Department of the Treasury and Department of Justice, the Equitable Sharing Agreement and Certification Report for Buffalo Trace/Gateway Narcotics Task Force.

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

ORDINANCE ADOPTING THE PVA ASSESSMENT FOR 2011

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

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

AN ORDINANCE ADOPTING THE ASSESSMENT OF THE MASON COUNTY PROPERTY VALUATION ADMINISTRATOR FOR REAL AND PERSONAL PROPERTY IN THE CITY OF MAYSVILLE FOR TAX YEAR 2011.

BE IT ORDAINED BY THE CITY OF MAYSVILLE, KENTUCKY, that the assessment of real and personal property made by the Mason County Property Valuation Administrator, reviewed by the Mason County Board of Assessment Appeals, equalized and certified by the Kentucky Revenue Cabinet, and certified by the Mason County Clerk to the City Treasurer as set out below is hereby accepted and adopted as the assessment of taxable property in the City of Maysville for tax year 2010, which assessment shall be subject to taxation at the rates to be fixed by Ordinance.

2011 TAX ASSESSMENT

Real Property	\$444,545,523
Tangible Personal Property	98,520,904
Inventories	34,541,601
Un-manufactured Tobacco	17,497

The text of this Ordinance shall be published in full.

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

ORDINANCE SETTING AD VALOREN TAX RATE

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

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

AN ORDINANCE FIXING CITY OF MAYSVILLE AD VALOREM TAX LEVIES ON MOTOR VEHICLES DUE IN 2012 AND ON ALL OTHER TAXABLE PROPERTY DUE IN 2011 AND LEVYING A FRANCHISE TAX ON FINANCIAL INSTITUTIONS DUE IN 2012

WHEREAS, the 2012 ad valorem tax rate on motor vehicles is fixed by KRS 132.487(2) at the rate which could have been levied on 1 January 1983 assessments; and

WHEREAS, the Board of Commissioners hereby foregoes any other ad valorem tax increases for 2011 which would result from raising and compensating tax rate, as authorized by KRS 132.027; and

WHEREAS, KRS 136.575 authorizes a franchise tax on financial institutions measured by deposits in the institutions located within the city at a rate up to 0.025% of the deposits, due by 31 January 2012.

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

(1) That for the use and benefit of the General Fund, there is hereby levied the following ad valorem taxes on each \$100.00 of assessed value taxable by the City:

- a) \$0.2460 on motor vehicles taxable in 2012, pursuant to KRS 132.487;
- b) \$0.015 on unmanufactured tobacco taxable in 2011, pursuant to KRS 136.575;
- c) \$0.159 on all other real and personal property taxable in 2011, pursuant to KRS 92.280 and 132.027, and Kentucky Constitution section 157.

(2) That for the use and benefit of the General Fund, there is levied a franchise tax on financial institutions equal to 0.025 percent of deposits in such institutions located within and taxable by the City, to be billed by the City by 1 December 2011 and due with two percent discount if paid by 31 December 2011 or without discount if paid by 31 January 2012, pursuant to KRS 136.575.

(3) That the City Clerk shall notify the Kentucky Revenue Cabinet of the ad valorem tax and franchise tax rates hereby levied by 1 October 2011.

(4) The text of this Ordinance shall be published in full.

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

ORDINANCE RE: RENAISSANCE BOARD

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

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

**AN ORDINANCE AMENDING RENAISSANCE COMMITTEE MEMBERSHIP
SECTION §71.240**

Summary

This Ordinance amends Code of Ordinances Section 71.240 to state as current members' terms expire, new members will be appointed from the following groups: two downtown business owners, two downtown residents, one Maysville-Mason County Arts Commission member, one Cultural Arts District member, one Destination Downtown member, one Maysville Players member, one Tourism member, one Entrepreneurial Center member, one Community College member, and one Chamber of Commerce member.

Motion by Commissioner Mains for discussion, second by Commissioner Ashley.

After discussion, a motion was made by Commissioner Mains to pass the ordinance with the amendment that a member of the Rescue the Russell Board be added bring the members of the Renaissance Committee from 12 to 13. Commissioner Ashley seconded the motion. Upon call of roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Ashley, Commissioner Pfeffer, Commissioner Litton, and Mayor Cartmell, Motion passes.

ORDINANCE AMENDING LAND USE ORDINANCE TO INCLUDE PRIVATE SCHOOL
IN R-1 & R-2; FIRST READING

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 11C-08**

AN ORDINANCE AMENDING CODE OF ORDINANCES
SECTION §320.406.62

Summary

This Ordinance amends Code of Ordinances Chapter 320.406.62 to allow schools as a conditional use in R-1 Single Family Residential, in R-2 Two Family Residential, and A-2, Agricultural.

Motion by Commissioner Pfeffer, second by Commissioner Mains to pass the ordinance as presented on first 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 APPROVING PAY PLAN FOR FY 2012; FIRST READING

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 11-09**

AN ORDINANCE ADOPTING PAY PLAN FOR CLASSIFIED
CITY EMPLOYEES AND NON-ELECTED OFFICIALS FOR
SERVICES RENDERED BEGINNING 1 JULY 2011.

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 2011 until amended.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF MAYSVILLE, KENTUCKY, that the pay plan attached hereto as **EXHIBIT A** shall govern the compensation of all regular city employees and non-elected officials for services rendered on and after 1 July 2011 until amended by ordinance.

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

SET DATE FOR SPECIAL MEETING

The Board of Commissioners agreed to meet in special session on Tuesday, Aug. 30, 2011.

CLOSED SESSION

Motion by Commissioner Litton, second by Commissioner Ashley to adjourn in to closed session pursuant to KRS 61.810(1)(b) to discuss the sale or acquisition of real property. Upon call of roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Ashley, Commissioner Pfeffer, Commissioner Litton, and Mayor Cartmell, Motion passes.

RETURN TO OPEN SESSION

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

ADJOURNMENT

Motion by Commissioner Pfeffer, second by Commissioner Mains 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.

Mayor

City Clerk

	<u>2011-2012</u>	<u>2011-2012</u>
<u>POLICE</u>		
Colonel (Chief)	\$43,000.00	\$57,000.00
Lt. Colonel (Asst. Chief)	\$42,000.00	\$47,250.00
Lieutenant	\$37,000.00	\$42,750.00
Sergeant - 2	\$16.50	\$18.50
Sergeant - 1	\$16.00	\$17.00
P.O. 3	\$14.50	\$16.95
P.O. 2	\$13.00	\$15.50
P.O. 1 (after 1 year)	\$12.50	\$14.00
P.O. - Recruit	\$12.00	\$13.00
Records Clerk	\$9.00	\$14.00
Communications Supervisor	\$30,000.00	\$36,000.00
Communications Officer - 3	\$12.00	\$13.50
Communications Officer - 2	\$10.50	\$13.00
Communications Officer - 1	\$10.00	\$11.50
Communications - PT/Seasonal	\$7.50	\$9.00

<u>FIRE</u>		
Colonel (Chief)	\$40,000.00	\$52,000.00
Major (Asst. Chief)	\$32,000.00	\$39,000.00
Captain	\$9.50	\$11.00
Fire Officer / Paramedic	\$9.00	\$10.75
Fire Officer / EMT	\$7.50	\$9.50
Fire Officer - PT	\$7.25	\$8.25

<u>PUBLIC WORKS</u>		
Director	\$45,000.00	\$57,000.00
Street Superintendent	\$37,000.00	\$42,000.00
Field Supervisor	\$26,000.00	\$45,600.00
Med Equipment Operator	\$11.00	\$15.00
Administrative Support	\$9.00	\$14.00
Truck Driver - CDL	\$8.50	\$13.00
Laborer or Custodial	\$7.75	\$12.50
Rec. Park Supervisor	\$26,000.00	\$35,000.00
Rec. Park Maintenance	\$7.75	\$12.50
Seasonal / PT Labor	\$7.50	\$12.85

<u>CITY TRANSIT</u>		
Bus Driver - CDL w/passenger	\$9.00	\$14.00
Mechanic	\$11.00	\$17.50

<u>ENGINEERING</u>		
City Engineer	\$60,000.00	\$81,000.00
Asst Engineer	\$50,000.00	\$65,000.00

	<u>LOW</u> <u>2010-2011</u>	<u>HIGH</u> <u>2010-2011</u>
<u>CODES</u>		
Building Inspector	\$33,000.00	\$40,000.00
Zoning Administrator	\$33,000.00	\$44,750.00
Codes Clerk	\$9.00	\$11.00
<u>TOURISM</u>		
Renaissance / Tourism Director	\$33,000.00	\$47,000.00
Asst Tourism Director	\$20,000.00	\$27,000.00
Conference Center Mgr	\$20,000.00	\$27,000.00
Tour Guides / Seasonal	\$7.25	\$8.25
<u>ADMINISTRATION</u>		
City Manager	\$65,000.00	\$73,500.00
Comptroller - PT	\$26,000.00	\$28,000.00
HR Director / Asst Comptroller	\$33,000.00	\$46,000.00
Accounts Payable Clerk	\$28,000.00	\$43,000.00
City Clerk	\$10.00	\$14.75
Payroll Clerk	\$10.00	\$14.75
<u>LEGAL</u>		
City Attorney	\$25,000.00	\$30,000.00
Asst. City Attorney	\$7,500.00	\$10,000.00