

## MAYSVILLE BOARD OF COMMISSIONERS

Thursday, 14 January 2016; 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, Jan. 14, 2016 at 5:15 p.m. at the Maysville Municipal Building. Present: Commissioner Judy Pfeffer, Commissioner Kelly Ashley, Commissioner Robert Boone, Commissioner Victor McKay, and Mayor David Cartmell. Also present: City Manager Ray Young, City Clerk Lisa Dunbar, City Attorney Sue Brammer, Comptroller Penny Stanfield, Projects Coordinator David Hord, Police Chief Ron Rice, Fire Chief Eric Bach, Asst. Comptroller/HR Director Karen Cracraft, Utility Manager Eddie Wenz, Tourism Director Suzie Pratt, Public Works Director Rick Truesdell, Zoning Administrator Matt Wallingford, Building Official Wells, and Codes Officer Nicole Jones, and Asst. City Attorney Kelly Caudill. Others present: The Ledger Independent, The Maysville Mercury, and WFTM.

#### DEBBIE ALLISON RE: UTILITIES ON DUKE OF YORK PROPERTY

Ms. Allison approached the Board of Commissioners regarding an exposed sewer line at the back of her property. City Manager Young said that Projects Manager Hord and Utility Manager Wenz would look at the situation.

#### APPOINTMENTS & REAPPOINTMENTS

Mayor Cartmell recommended appointing Valerie Bennett-Jones as citizen member and reappointing John Estill to the Buffalo Trace Area Development District board.

**Motion** by Commissioner Pfeffer, second by Commissioner Ashley to approve the Mayor's recommendations. Upon call of roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Ashley, Commissioner Boone, Commissioner McKay and Mayor Cartmell, Motion passes.

#### APPOINTMENT: PUBLIC WORKS

The following memorandum was presented to the Board of Commissioners:

Date: January 6, 2016  
To: Honorable Mayor and City Commissioners  
From: Rick Truesdell, Public Works Director  
Re: Full Time Position Opening

It is my recommendation that Betty Jones be move from probation status to full time status. Effective date January 18, 2016. She has CDL's with passenger endorsement.

**Motion** by Commissioner Pfeffer, second by Commissioner Boone to approve the promotion of Betty Jones to full-time status. Upon call of roll, voting is as follows: Voting aye: Commissioner

Pfeffer, Commissioner Ashley, Commissioner Boone, Commissioner McKay and Mayor Cartmell, Motion passes.

RESIGNATION: POLICE DEPARTMENT

The following memorandum was presented to the Board of Commissioners:

To: Chief of Police  
From: Barry L. Sparks  
01/05/16  
Reference to resignation

Though I have enjoyed my time as a Maysville police officer, and appreciate Maysville for allowing me to serve her, effective immediately I hereby resign my position as a Maysville Police Officer.

Signed: Barry L. Sparks

**Motion** by Commissioner Pfeffer, second by Commissioner Boone to accept the resignation of Barry L. Sparks from Maysville Police Department. Upon call of roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Ashley, Commissioner Boone, Commissioner McKay and Mayor Cartmell, Motion passes.

APPOINTMENTS: POLICE DEPARTMENT

The following memorandum was presented to the Board of Commissioners;

Date: January 13, 2016  
From: Chief Rice  
Subject: Recruit Officers  
To: Honorable Mayor and City Commissioners

Respectfully request the appointment of Jonathon Hughes; Garrett Ingram; and Timothy Smith as probationary officers with the Maysville police department. These individuals are certified peace officers and have met all city hiring requirements.

Ronald J. Rice  
Chief

**Motion** by Commissioner Ashley, second by Commissioner Pfeffer to approve the appointment of Jonathon Hughes, Garrett Ingram, and Timothy Smith to Maysville Police Department as probationary officers. Upon call of roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Ashley, Commissioner Boone, Commissioner McKay and Mayor Cartmell, Motion passes.

DISCUSSION: PILOT PROGRAM

Comptroller Penny Stanfield advised the Board of Commissioners of the disbursement of payment from International Paper in lieu of taxes to various taxing districts.

DISCUSSION: STREET SWEEPER

City Manager Young suggested that the City go with the less expensive option of hiring a service to sweep the streets on a monthly basis from April through December rather than purchase a new street sweeper. The Board of Commissioners agreed that the City should go out for bids for the service.

RESOLUTION AWARDDING BID FOR DEMOLITION OF 420 WOOD STREET

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 16-01**

**RESOLUTION AWARDDING BID FOR DEMOLITION  
OF 420 WOOD STREET**

WHEREAS, the City of Maysville has received the following bids for demolition of 420 Wood Street, Maysville, Kentucky:

(1)	M & M Construction Services, LLC	\$7,260
(2)	Bonar Excavating	\$8,820

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 M & M Construction Services, LLC in the sum of \$7,260 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 16-01. Upon call of roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Ashley, Commissioner Boone, Commissioner McKay and Mayor Cartmell, Motion passes.

RESOLUTION AUTHORIZING CLG GRANT APPLICATION

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 16-02**

**RESOLUTION AUTHORIZING CLG GRANT APPLICATION**

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute a grant application for a CLG Grant to register West Second Street on the National Register of Historic Places.

**Motion** by Commissioner Ashley, second by Commissioner Pfeffer to adopt Resolution 16-02. Upon call of roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Ashley, Commissioner Boone, Commissioner McKay and Mayor Cartmell, Motion passes.

RESOLUTION SUPPORTING LEWIS & CLARK NATIONAL TRAIL

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 16-03**

**RESOLUTION IN SUPPORT OF  
LEWIS AND CLARK NATIONAL HISTORIC TRAIL**

WHEREAS, The Lewis and Clark National Historic Trail was established by Congress in 1978 and extended to the West from Wood River, Illinois, to the mouth of the Columbia River in Oregon and Washington;

WHEREAS, the National Park Service has been directed to conduct a Special Resource Study to assess the suitability and feasibility of extending the Lewis and Clark National Historic Trail by including Eastern Legacy sites, which are the historic routes and sites in the east that were vital to the preparation and planning of the Lewis and Clark Corps of Discovery expedition; and

WHEREAS, extending the Lewis and Clark National Historic Trail eastward fulfills the objectives of the National Trails System to provide for the increasing outdoor recreation needs of an expanding population and to promote the preservation of, public access to, travel within, and the enjoyment and appreciation of open-air, outdoor areas and historic resources of the nation; and

WHEREAS, William Clark, co-commander of the Corps of Discovery expedition, along with ten other members of the expedition, were Kentuckians who were involved in every pivotal event during the Corps of Discovery expedition; and

WHEREAS, Meriwether Lewis, William Clark, and other members of the expedition, and tribal people under their care, traveled through Kentucky after exploring the West; and

WHEREAS, Kentucky newspapers were the first newspapers in the country to publish reports of the success of the Corps of Discovery expedition, and the first reports of the death of Governor Meriwether Lewis were published in the Kentucky newspapers; and

WHEREAS, tourism is a major component of Kentucky's economy and the addition of 52 counties in Kentucky to the Lewis and Clark National Historic Trail would greatly benefit the tourism industry and overall economy of the Commonwealth.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the National Park Service of the United States Department of the Interior is hereby urged and petitioned to expeditiously complete and provide to Congress the Eastern Legacy Special Report Study and the report of the Eastern Legacy Special Resource Study should include a recommendation that the Lewis and Clark National Historic Trail be extended to the east by including the historically significant eastern corridors of the Corps of Discovery expedition for the period of 1803 through 1809.

**Motion** by Commissioner Pfeffer, second by Commissioner Boone to adopt Resolution 16-03. Upon call of roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Ashley, Commissioner Boone, Commissioner McKay and Mayor Cartmell, Motion passes.

#### ORDINANCE AMENDING JURISDICTION OF CODES ENFORCEMENT BOARD

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

**COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Ordinance No. 16-06**

**AN ORDINANCE AMENDING JURISDICTION OF  
CODES ENFORCEMENT BOARD**

Summary

This Ordinance amends Code of Ordinances Section 195.06 to add to the jurisdiction of Codes Enforcement Board Chapter 201Abandoned and Vacant Property Registration Provisions.

**Motion** by Commissioner Boone, second by Commissioner Ashley to pass Ordinance 16-06 as presented upon first reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Ashley, Commissioner Boone, Commissioner McKay, Nay: Mayor Cartmell, Motion passes.

#### ORDINANCE AMENDING CODE OF ORDINANCES SECTION 11.01

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

**COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Ordinance No. 16-07**

**AN ORDINANCE AMENDING CODE OF ORDINANCES SECTION 11.01 TO ADD CIVIL  
FINES FOR ABANDONED AND VACANT PROPERTY REGISTRATION**

Summary

This Ordinance amends Code of Ordinances §11.01 to add violation of abandoned and vacant property registration in Chapter 201 as 11.01 (B) 2 fines.

**Motion** by Commissioner Boone, second by Commissioner McKay to pass Ordinance 16-07 as presented upon first reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Ashley, Commissioner Boone, Commissioner McKay; Nay: Mayor Cartmell, Motion passes.

ORDINANCE AMENDING CHAPTER 71.240 RE: RENAISSANCE BOARD

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

**COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Ordinance No. 16-08**

**AN ORDINANCE AMENDING CODE OF  
ORDINANCES SECTION 71.240 THROUGH 71.243**

Summary

This Ordinance amends Code of Ordinances Section 71.240 through 71.243 to change the name of Maysville Renaissance Committee to Maysville Main Street and to change the membership to delete a member from Destination Downtown and to change the number of downtown business owners from two to three.

**Motion** by Commissioner Ashley, second by Commissioner Pfeffer to pass Ordinance 16-08 as presented upon first reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Ashley, Commissioner Boone, Commissioner McKay and Mayor Cartmell, Motion passes.

ORDINANCE INCREASING INSURANCE TAX

Ordinance 16-09 stricken from agenda.

ORDINANCE RE: REZONING INDUSTRIAL PARK 4

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

**COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Ordinance No. 16C-10**

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP TO REZONE 167.237 ACRE INDUSTRIAL PARK AT THE NORTHEASTERN CORNER, AA HIGHWAY AND FLEMING ROAD FROM LIGHT INDUSTRIAL I-1A TO HEAVY INDUSTRIAL I-2A

Summary

This Ordinance rezones from Light Industrial I-1A to Heavy Industrial I-2A 167.237 acre Industrial Park (known as Industrial Park IV) located at the northeastern corner of the intersection of the AA Highway and Fleming Road, Maysville, Kentucky. This Ordinance amends the official zoning map of the City of Maysville accordingly.

**Motion** by Commissioner Pfeffer, second by Commissioner Ashley to pass Ordinance 16C-10 as presented upon first reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Ashley, Commissioner Boone, Commissioner McKay and Mayor Cartmell, Motion passes.

ORDINANCE AMENDING ZONING ORDINANCE

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

**COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Ordinance No. 16-11**

AN ORDINANCE AMENDING CHAPTER 320

SUMMARY

This Ordinance amends Chapter §320 Article V Definitions to add definitions for winery, micro-winery, distillery, micro-distillery, brewery, micro-brewery, and brewpub. This Ordinance also amends Code of Ordinances §320.406.6 to permit distilleries and breweries in I-1A, conditional in I-1B, and permitted in I-3 if over fifty acres and conditional in I-3 if under 50 acres; to permit micro-distilleries, micro-breweries and micro-wineries in B-1, B-2, B-3, A-1, A-2, I-1, I-2, C, and I-3 as a conditional use in R-4, permitted in downtown Maysville D-1 and conditional in old Washington D-1, to permit brewpubs in B-1, B-2, B-3, D-1 and C and as a conditional use in R-4; and to delete the listing for distillery in Business and Services Uses.

**Motion** by Commissioner Pfeffer, second by Commissioner Boone to pass Ordinance 16-11 as presented upon first reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Ashley, Commissioner Boone, Commissioner McKay and Mayor Cartmell, Motion passes.

ORDINANCE AMENDING CITY MANAGER DUTIES

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

**COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Ordinance No. 16-12**

**AN ORDINANCE AMENDING CODE OF  
ORDINANCES SECTION 70.001 APPOINTMENT AND  
QUALIFICATIONS OF CITY MANAGER**

Summary

This Ordinance amends Code of Ordinances Section 70.001 to require that the City Manager have a Master's degree in Business or Public Administration or the equivalent and to add requirements for language skills, mathematical skills, reasoning ability, computer skills, and a current driver's license.

**Motion** by Commissioner Pfeffer, second by Commissioner Ashley to pass Ordinance 16-12 for discussion.

**Motions withdrawn** to revise education and experience.

ORDINANCE RE: VACANT PROPERTY

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

**COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Ordinance No. 16-01**

**AN ORDINANCE ENACTING  
ABANDONED AND VACANT PROPERTY REGISTRATION PROVISIONS**

Summary

This Ordinance establishes an abandoned/vacant residential property registration program requiring that abandoned property which is vacant and in violation of any ordinance of the City of Maysville be registered with the City within sixty (60) days after abandonment. The Ordinance provides that no later than one year after residential property becomes vacant, the

owner shall register with the Codes Enforcement Officer. The owner shall notify the Codes Enforcement Officer within ten (10) days of any change of information. There is no fee to register residential property. Vacant and abandoned property shall be posted with a name and 24-hour contact phone number of the person responsible for maintenance. The person responsible for maintenance of the property shall inspect it every thirty (30) days. The abandoned or vacant property shall be maintained free of leaves, debris, and graffiti. The yards shall be landscaped and maintained. Pools shall be kept in working order. Doors and windows shall be weather tight and secured. The buildings shall be maintained in good repair. Penalty shall be those set forth in § 11.01 (B) (2).

**Motion** by Commissioner Ashley, second by Commissioner McKay to adopt Ordinance 16-01 as presented upon second reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Ashley, Commissioner Boone, Commissioner McKay; Nay: Mayor Cartmell, Motion passes.

ORDINANCE AMENDING THE PER DIEM EXPENSE

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

**COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Ordinance No. 15-02**

**AN ORDINANCE AMENDING THE PER DIEM EXPENSE**

Summary

This Ordinance amends Code of Ordinances Section 113.01 to change the per diem expense from \$32 per diem to \$38 per diem.

**Motion** by Commissioner Pfeffer, second by Commissioner Boone to adopt Ordinance 16-02 as presented upon second reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Ashley, Commissioner Boone, Commissioner McKay and Mayor Cartmell, Motion passes.

ORDINANCE AMENDING CODE OF ORDINANCES SECTION 93.16

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

**COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Ordinance No. 16-03**

**AN ORDINANCE AMENDING  
CODE OF ORDINANCES SECTION 93.16**

Summary

This Ordinance amends Code of Ordinances Section 93.16, to change the compensation for members of the Washington-Maysville Volunteer Fire Department from one hour of federal minimum wage per fire run and \$10 per month to a monthly stipend of \$25 per month for members who attend monthly meetings and meet minimal training requirements.

**Motion** by Commissioner Pfeffer, second by Commissioner Ashley to adopt Ordinance 93.16 as presented upon second reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Ashley, Commissioner Boone, Commissioner McKay and Mayor Cartmell, Motion passes.

ORDINANCE RE: HOLIDAY PAY

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

**COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Ordinance No. 16-04**

**AN ORDINANCE  
RE HOLIDAY PAY**

Summary

This Ordinance adds Code of Ordinances Section 110.03 to provide that employees shall receive double time for hours actually worked on a holiday.

**Motion** by Commissioner Pfeffer, second by Commissioner Ashley to adopt Ordinance 16-04 as presented upon second reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Ashley, Commissioner Boone, Commissioner McKay and Mayor Cartmell, Motion passes.

ORDINANCE ALLOWING TWO VACATION DAYS FOR EMPLOYEES WHO HAVE ACCUMULATED 800 SICK HOURS

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

**COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Ordinance No. 16-05**

**AN ORDINANCE ALLOWING TWO VACATION DAYS  
FOR EMPLOYEES WHO HAVE ACCUMULATED 800 SICK HOURS**

Summary

This Ordinance adds Code of Ordinances Section 112.10 to allow employees who have accumulated 800 sick hours by December 31 to receive two additional vacation days in the following calendar year.

**Motion** by Commissioner Pfeffer, second by Commissioner McKay to adopt Ordinance 16-05 as presented upon second reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Ashley, Commissioner Boone, Commissioner McKay and Mayor Cartmell, Motion passes.

FY 2015 AUDIT APPROVAL

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

**Motion** by Commissioner Boone, second by Commissioner McKay to approve the FY 2015 audit. Upon call of roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Ashley, Commissioner Boone, Commissioner McKay and Mayor Cartmell, Motion passes.

ADJOURNMENT

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

  
MAYOR

  
CITY CLERK

