

## MAYSVILLE BOARD OF COMMISSIONERS

Thursday, 11 February 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, Feb. 11, 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, Asst. Police Chief Jared Muse, 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.

### MINUTES & REPORTS

**Motion** by Commissioner Pfeffer, second by Commissioner McKay to approve the minutes of the Jan. 14 regular meeting and Jan. 14, Jan. 15, Jan. 21, and Feb. 8, 2016 special meetings. Upon call of roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Ashley, Commissioner Boone, Commissioner McKay and Mayor Cartmell, Motion passes.

### PUBLIC COMMENT

Charles Cotterill wanted to address the Board of Commissioners regarding an ordinance pertaining to pawnbrokers, which had been stricken from the agenda, and was informed that the item was still on the agenda for discussion later.

### APPOINTMENTS & REAPPOINTMENTS

The Mayor recommended that Peggy Gilligan be reappointed to the Codes Enforcement Board with term to expire Feb. 10, 2019.

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

### PROMOTION: FIRE DEPARTMENT

The following memo was presented to the Board of Commissioners:

To: City Manager Ray Young, Mayor Cartmell, and City Commissioners  
Fr: Fire Chief Kevin Doyle  
RE: Kyle Brant Promotion

Da: February 2, 2015

Kyle Brant was hired as a Firefighter/EMT in August of 2014. Kyle has a great interest in the fire service and has exceeded all expectations regarding his position with the City of Maysville. Currently, he is participating in the Paramedic Program at MCTC which will benefit our department tremendously upon completion. Following eighteen months as a probationary firefighter, I recommend that at this time, he is promoted to regular non-probationary status.

**Motion** by Commissioner Boone, second by Commissioner Ashley to approve the promotion of Kyle Brant from probationary to non-probationary 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: COMMUNICATIONS

The Board of Commissioners was presented with the following letter:

Samantha Radeke  
388 Skyline Dr.  
Maysville, KY 41056

February 5<sup>th</sup>, 2015 (incorrect year lrd)

Major Jared Muse  
Maysville Police Department  
212 Government St.  
Maysville, KY 41056

Dear Mr. Major Muse:

I would like to inform you that I am resigning from my position as Dispatcher with the Maysville Police Department for the City of Maysville effective March 5<sup>th</sup>, 2016.

I have accepted a new position at AT&T as a Sales Consultant in Maysville. Thank you for the professional and personal development that you have provided me during my tenure with the company. I have enjoyed my position as a dispatcher very much, as I have developed new skills that will allow me to be successful with my career path. Going forward, I hope you can accept my thirty-day notice and continue to support me and my future endeavors. It has been a challenge and I have enjoyed every minute of it.

If I can be any help during or even after this transition, please do not hesitate to ask.

Respectfully,

Samantha Radeke

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

#### WOMEN'S CRISIS CENTER

Melissa Greenwell of the Women's Crisis Center and David Green from Comprehend Inc. approached the Board of Commissioners regarding a New Year's Eve fundraiser for their organizations. **See Attachment A.**

The Board of Commissioners agreed to support the fundraiser and City Attorney Brammer said that she would draw up an ordinance amendment suspending the noise ordinance for two hours on New Year's Eve.

#### ORDINANCE AMENDING THE PAYSCALE

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

**COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Ordinance No. 16-15**

AN ORDINANCE AMENDING PAY PLAN FOR CLASSIFIED  
CITY EMPLOYEES AND NON-ELECTED OFFICIALS FOR  
SERVICES RENDERED BEGINNING 1 MARCH 2016.

#### Summary

This Ordinance amends the pay plan for regular City employees and non-elected officials by job classification to add a job classification for Assistant Manager.

**Motion** by Commissioner Pfeffer, second by Commissioner Ashley to pass Ordinance 16-15 as presented upon first reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay and Mayor Cartmell, Voting nay: Commissioner Boone, Motion passes.

#### ORDINANCE AMENDING CHAPTER 70.001 – APPOINTMENT & QUALIFICATIONS OF CITY MANAGER

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 degree in administration or business and experience as a City Manager or Assistant City Manager or equivalent business experience. A Master's degree in public administration or business is preferred. The ordinance also adds requirements for reading, analyzing and communication skills.

Motion by Commissioner Boone, second by Commissioner Ashley to pass Ordinance 16-12 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.

APPOINTMENT OF ASSISTANT CITY MANAGER

The following memorandum was presented to the Board of Commissioners:

Memorandum

To: Mayor and City Commission  
Fr: Ramon M. Young, City Manager  
Re: City Manager Position  
Da: Feb. 5, 2016

I am recommending Martin Mathew Wallingford for the position of City Manager upon my departure. I am also recommending that he serve as Assistant City Manager until that time.

Matt will enter the position with nearly 15 years of experience with the City. During that period he has worked with each department.

Should Matt be approved, he will be the most qualified City Manager that the City of Maysville has ever had.

I plan to continue living in Maysville for many years to come, and I firmly believe that this is the best possible candidate for the job.

**Motion** by Commissioner Boone, second by Commissioner Ashley to appoint Martin Mathew Wallingford to the position of Assistant City Manager. 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 APPLICATION FOR TRANSIT GRANT

The following resolution was presented to the Board of Commissioners:

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

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA, FOR A GRANT UNDER FIXING AMERICA'S SURFACE TRANSPORTATION ACT (FAST ACT)

WHEREAS, the Secretary of Transportation is authorized to make grants for mass transportation projects; and

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of the project costs; and

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Fixing America's Surface Transportation Act (FAST Act) the City gives an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the Department of Transportation requirements thereunder; and

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Section 504 of the Rehabilitation Act of 1973, that in connection with the filing of an application for assistance the City gives an assurance that it will comply with Section 504 of Rehabilitation Act of 1973 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is required by the U.S. Department of Labor in accordance with the provisions of Section 5333(b) of the Fixing America's Surface Transportation Act (FAST Act), that in connection with the filing of an application for assistance under the Fixing America's Surface Transportation Act (FAST Act), and in the absence of a waiver from the U.S. Department of Labor, the City gives an assurance that it will comply with Section 5333(b) of the Fixing America's Surface Transportation Act (FAST Act), and the U.S. Department of Labor requirements thereunder; and

WHEREAS, it is the goal of the City that disadvantaged business enterprises be utilized to the fullest extent possible in connection with this project, and the definite procedures shall be established and administered to ensure that disadvantaged businesses shall have maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts or consultant and other services.

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

RESOLUTION COMMITTING LOCAL SHARE OF FUNDS FOR TRANSIT

The following resolution was presented to the Board of Commissioners:

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

**A RESOLUTION COMMITTING THE LOCAL SHARE OF FUNDS TO SECURE A  
SECTION 5307/5311 GRANT APPLICATION**

WHEREAS, the City of Maysville is authorized by Kentucky Revised Statutes Section 96.189 to apply for and accept grants of money to assist in the implementation of a transit system in the local service area; and

WHEREAS, the City of Maysville has applied to the Kentucky Transportation Cabinet and the Federal Transit Administration of the United States Department of Transportation Act of 1964, in connection with the Section 5307/5311 project; and

WHEREAS, said application requires assurance of the City of Maysville relative to the commitment of the local share for the Section 5307/5311 project(s).

NOW THEREFORE, BE IT RESOLVED BY THE City of Maysville, Kentucky as follows:

1. The City of Maysville hereby gives assurance that it is its intent to commit its local share of the funds necessary to support this project to improve transit service in local service area for a minimum of five (5) years from the inception of the project. Said local share of expenses is to be paid from the General Fund, including bus fares.
2. The City of Maysville hereby gives assurance that it intends to continue the operation of transit service for a minimum of five (5) years.

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

RESOLUTION RE: PROCUREMENT FOR TRANSIT

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY**

**CITY OF MAYSVILLE  
Resolution No. 16-06**

**A RESOLUTION CONFIRMING PROCUREMENT ORDINANCE**

WHEREAS, The City of Maysville has adopted Procurement Regulations and Procedures by Ordinance which are set out in Chapter 138 and attached hereto;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that it confirms to the US Department of Transportation and the Kentucky Transportation Cabinet that the attached Procurement Regulations and Procedures are in full force and effect.

**Motion** by Commissioner Ashley, second by Commissioner Boone to adopt Resolution 16-06 as presented. 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 SPLASH PAD GRANT**

The following resolution was presented to the Board of Commissioners:

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

**RESOLUTION AUTHORIZATION  
SPLASH PAD GRANT APPLICATION**

WHEREAS, the City of Maysville proposes to develop recreational resources to provide for the health and well being of the general public, and

WHEREAS, the City of Maysville intends to make application to the Department of Local Government for assistance under the Land and Water Conservation Fund Act of 1965, and

WHEREAS, the Land and Water Conservation Fund is limited to funding a maximum of fifty percent (50%) of proposed project costs.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the City of Mayville hold in reserve fifty percent (50%) of the proposed project costs for the purpose of matching the Land and Water Conservation Fund assistance, and

BE IT FURTHER RESOLVED, that in the event a grant is awarded, the City of Maysville understands that it will sign assurance to comply with all applicable Federal and State laws, rules and regulations, especially Title VI of the Civil Rights Act and Section 504 of the 1973 Rehabilitation Act.

**Motion** by Commissioner Pfeffer, second by Commissioner McKay to adopt Resolution 16-07 as presented. 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 MATCHING FUNDS FOR TRAILS GRANT

The following resolution was presented to the Board of Commissioners:

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

**RESOLUTION AUTHORIZATION  
RECREATIONAL TRAILS GRANT**

WHEREAS, the City of Maysville proposes to develop recreational resources to provide for the health and well being of the general public, and

WHEREAS, the City of Maysville intends to make application to the Department of Local Government for assistance under the Recreational Trails Program, and

WHEREAS, the Recreational Trails Program is limited to funding a maximum of fifty percent (50%) of proposed project costs estimated not to exceed \$100,000.00.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the City of Maysville hold in reserve fifty percent (50%) of the proposed project costs for the purpose of matching the Recreational Trail Program assistance, and

BE IT FURTHER RESOLVED, that in the event a grant is awarded, the City of Maysville hold in reserve fifty percent (50%) of the proposed project costs for the purpose of matching the Recreational Trail Program assistance, and that in the event a grant is awarded, the City understands that it will sign assurance to comply with all applicable Federal and State laws, rules and regulations, especially Title VI of the Civil Rights Act and Section 504 of the 1973 Rehabilitation Act.

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

RESOLUTION RE: AIRCRAFT

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY**

**CITY OF MAYSVILLE  
Resolution No. 16-09**

**RESOLUTION AUTHORIZING LOAN AGREEMENT WITH UNITED STATES OF  
AMERICA FOR AIRCRAFT**

WHEREAS, there is currently a GS-4D aircraft on static display at the Fleming - Mason Airport, which aircraft is on loan from the United States of America; and

WHEREAS, United States of America requires a contract and inventory to be signed annually requiring the City of Maysville, Kentucky, to use the property for static display purposes only;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute and deliver the 2016 loan agreement and inventory for the period from April 1, 2016 to March 31, 2017, to the United States of America.

**Motion** by Commissioner Ashley, second by Commissioner Pfeffer to adopt Resolution 16-09 as presented. 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 GRANT APPLICATION FOR HIGHWAY SAFETY**

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 16-10**

**RESOLUTION AUTHORIZATION  
GRANT APPLICATION FOR HIGHWAY SAFETY**

BE IT RESOLVED BY THE City of Maysville, Kentucky, the Mayor is hereby authorized and directed to execute a grant application to the Kentucky Office of Highway Safety.

**Motion** by Commissioner Boone, second by Commissioner Ashley to adopt Resolution 16-10 as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Ashley, Commissioner Boone, Commissioner McKay and Mayor Cartmell, Motion passes.

**RESOLUTION RENEWING LEASE ON PAXTON HOUSE**

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE**

**Resolution No. 16-11**

**A RESOLUTION TO LEASE PAXTON HOUSE**

WHEREAS, the City has been leasing Paxton House for use as a visitor's center in Old Washington; and

WHEREAS, the term of the lease has expired;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is directed and authorized to execute a lease with Elizabeth Wallingford Old Washington Preservation, Inc. for the lease of Paxton House for no rent but with utilities to be paid by the City.

**Motion** by Commissioner Pfeffer, second by Commissioner McKay to adopt Resolution 16-11 as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay and Mayor Cartmell, Abstained: Commissioner Boone, Motion passes.

**RESOLUTION APPROVING INSURANCE APPLICATION**

The following resolution was presented to the Board of Commissioners:

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

**RESOLUTION AUTHORIZING  
INSURANCE APPLICATION**

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute the underwriting renewal survey/application from Kentucky League of Cities Insurance Services.

**Motion** by Commissioner Pfeffer, second by Commissioner Ashley to adopt Resolution 16-12 as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Ashley, Commissioner Boone, Commissioner McKay and Mayor Cartmell, Motion passes.

**RESOLUTION APPROVING INSURANCE APPLICATION FOR JOINT PLANNING  
COMMISSION**

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE**

**Resolution No. 16-13**

RESOLUTION AUTHORIZING  
INSURANCE APPLICATION FOR JOINT PLANNING COMMISSION

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute the underwriting renewal survey/application from Kentucky League of Cities Insurance Services on behalf of the Mason County Joint Planning Commission.

**Motion** by Commissioner Ashley, second by Commissioner Pfeffer to adopt Resolution 16-13 as presented. 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 INVESTMENT POLICY

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

**COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Ordinance No. 16-13**

AN ORDINANCE AMENDING INVESTMENT POLICY

Summary

This Ordinance amends Code of Ordinances §132.02 (B) (1) to include the cemetery funds.

**Motion** by Commissioner Pfeffer, second by Commissioner Ashley to pass Ordinance 16-13 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.

FOR DISCUSSION: ORDINANCE FOR THE PURPOSE OF REGULATING  
PAWNBROKERS AND BUSINESSES WHICH PURCHASE PERSONAL PROPERTY FOR  
THE PURPOSE OF RESELLING OR EXCHANGING THE PROPERTY

A number of small business owners and other citizens addressed the Board of Commissioners regarding an ordinance which had been stricken from the agenda. Mayor Cartmell asked Assistant Police Chief Muse if he had reviewed the ordinance, and Major Muse said he had. He read the section they'd discussed:

**REGISTER TO BE KEPT.**

- A. Every person or business, as described herein, shall keep a register of all loans and purchases, of all articles, made by him. The register shall show the dates of all loans or purchases, and the name of all persons who have left any property on deposit as collateral security or as a delivery or sale. Opposite

the names and dated shall be written in plain hand a full description of all property purchased or received on deposit as collateral security, the time when the loan falls due, the amount of purchase money, the amount loaned, and the interest charged. The register shall at all times be open to the inspection of any police officer of the city when in the discharge of his official duty.

- B. Any person intending to engage in business as described herein who will not operate that business at any established and permanent location shall give the Chief of Police at least seventy-two (72) hours prior notice of the location and date and hours of the operations of such business.
- C. In addition to the written daily reports described herein, all persons engaging in business as described herein shall within thirty (30) days of the adoption of this ordinance open and maintain an account with L.E.A.D.S. Online, Inc., an inventory tracking system which is capable of delivery and transmission of all statutorily required information via computer. The owner or operator of a business will be required to upload the information to L.E.A.D.S. Online, Inc. within 24 hours of receipt of the goods purchased or pawned.

Major Muse explained that the L.E.A.D.S. program is a tool that allows police to not have to go around to each business when looking for stolen property.

Jerry Schumacher, candidate for City Commission, said he felt it was an invasion of privacy to have personal belongings on a list and that it might run small businesses out of town due to the amount of work and cost involved.

City Manager Young asked if the police department had sufficient officers to enforce the registration requirement. Muse agreed that might be a problem.

Patty Pitts, owner of Pat's East End Variety, said that she goes to wholesale and estate auctions where she buys three or four truckloads at a time and doesn't have time to inventory everything she buys.

Commissioner Boone asked if the ordinance might cause thieves to take stolen goods out of town. Major Muse said that frequently occurs now, and thieves from out of town bring stolen goods in Maysville.

City Attorney Brammer said that state statute already requires pawnbrokers to keep registration of items and the ordinance would require other businesses to do the same as well as require use of the L.E.A.D.S. program.

Daniel Sammons, owner of EZ Cash, Pawn & Jewelry, as well as other business owners said that they do their best to work with Maysville Police Department already, and Sammons said that the L.E.A.D.S. program listed in the ordinance is costly. Major Muse agreed that the police have a good working relationship with the business owners.

Commissioner McKay said that he didn't think there was a need for the ordinance at this or any time.

George Morgan had a question regarding the yard sale portion of the ordinance; he said sells at yard sales, flea markets and at Patty Pitts' store. Morgan said he bought \$5,000 worth of merchandise and can't inventory all that or pay for the L.E.A.D.S. program. Morgan said that he and Pitts have given the police department information of people with stolen property and while the goods are recovered, the police don't bring charges against the thieves.

Commissioner Pfeffer said that the item had been stricken from the agenda because it obviously needed more work.

Katie Cotterill asked if the police were having problems with store owners and that was what brought about the ordinance. Major Muse said it was not the reason.

Mitch Thomas said that stolen property should be returned to the rightful owners and losing money on items that are later found to be stolen is just a risk of doing business.

Katie Cotterill again asked if there was anything that precipitated Sue doing research and writing the ordinance. Mayor Cartmell said that he and Chief Rice asked her to due to an up tick in burglaries. She asked if the Chief came to him, and the Mayor said it was a mutual thing. Betty Coutant asked if these were home burglaries or thefts from stores. Mayor Cartmell said there were many different kinds theft.

Robbie Detro, candidate for City Commission, said he had heard that the Mayor had been the victim of theft and that was what motivated the ordinance. Charles Cotterill, owner of Cotterill's Antiques, Auction & Realty, said that the Mayor and Major Muse came into his shop in October and identified property on the counter that had been stolen from the Mayor's aunt's house. Cotterill said that incident precipitated the ordinance. Cotterill then asked the other Commissioners if they'd been involved in the drafting of the ordinance or were they aware of any rise in thefts. They said they had not.

Mr. Cotterill said that he felt the way the ordinance had been put on the agenda and then scratched was improper. City Attorney Brammer explained that as it was a regular meeting, items may be put on or scratched from the agenda at any time.

Pam Fulton, owner of Sportsman's Gun & Pawn, said she's been in the pawn business for twelve years and has had probably twelve stolen items in that time. She didn't think an ordinance enacting more regulations was necessary.

The Mayor thanked everyone for coming and moved to the next item on the agenda.

#### ORDINANCE AMENDING JURISDICTION OF THE CODES ENFORCEMENT BOARD

The following ordinance was presented to the Board of Commissioners upon second 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 201 Abandoned and Vacant Property Registration Provisions.

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

ORDINANCE AMENDING CODE OF ORDINANCES SECTION 11.01 TO REVISE CIVIL  
FINES FOR RENTAL DWELLING LICENSING

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

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

- (1) Code of Ordinances Section 11.01 is hereby amended to read in its entirety as follows:

**§ 11.01 CLASSIFICATION OF VIOLATIONS.**

- (A) Unless otherwise provided hereinafter, all code violations are declared to be misdemeanors and are classified into the following criminal penalty categories and shall be subject to the following fines and/or imprisonment:

Class	Fine per Violation	Imprisonment per Violation
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I	\$100.00 to \$500.00	Up to 60 days
II	\$50.00 to \$250.00	Up to 30 days
III	\$10.00 to \$100.00	None
IV	\$15.00 within 24 hours, \$25.00 after	None
V	\$1.00 within 24 hours, \$2.00 after	None
VI	\$3.00 within 24 hours, \$5.00 after	None
VII	\$1,000.00	None
VIII	\$500.00 to 4,000.00	Up to 1 year
IX	\$100.00 to \$4,000.00	None
X	\$500.00	Up to 1 year

(B) Violations of Ordinances that are enforced by the Code Enforcement Board shall be subject to the following schedule of civil fines:

	Violation	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	All Others
1.	Dangerous Animals (Chapter 191)	\$ 25.00	\$ 50.00	\$100.00
2.	International Property Maintenance Code; Swimming Pool; Rental Dwelling Licensing; (Chapters 278, 279, [and] 200, <del>and 201</del> )	\$100.00	\$125.00	\$250.00
3.	Collection of Refuse (Chapter 152)	\$ 10.00	\$ 25.00	\$ 50.00
4.	Weeds (Chapter 194)	\$ 50.00	\$ 75.00	\$ 100.00
5.	Junk Vehicles	\$100.00	\$250.00	\$500.00 plus \$100.00 (Chapter 192) per day while Violation continues
6.	Land Use Management Supplementary Regulation (320.408) and Sign Regulations (320.411)	\$25.00	\$ 50.00	\$100.00

7.	Windows and doors per building (Chapter 276)	\$500.00	\$750.00	\$1,000.00
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(2) This Ordinance shall be published in full.

**Motion** by Commissioner Pfeffer, second by Commissioner Boone to adopt Ordinance 16-07 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 FOR THE PURPOSE OF REGULATING PAWNBROKERS AND  
BUSINESSES WHICH PURCHASE PERSONAL PROPERTY FOR THE PURPOSE OF  
RESELLING OR EXCHANGING THE PROPERTY

Commissioner McKay asked City Attorney Brammer if the Board could go back and vote on the ordinance which had been prepared regarding the regulation of pawnbrokers and resellers. City Attorney Brammer said they could and she would read the summary of the ordinance for the record.

**COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Ordinance No. 16-14**

**AN ORDINANCE REGULATING THE BUSINESS OF PAWNBROKERS, AND  
BUSINESSES WHICH PURCHASE PERSONAL PROPERTY FOR THE PURPOSE OF  
RESELLING OR EXCHANGING THE PROPERTY**

Summary

This Ordinance adds Code of Ordinance Chapter 241 to require pawn brokers and businesses which purchase personal property for the purpose of reselling or exchanging the property to keep a register of all loans and purchases of all articles describing the property, time when the loan falls due, the amount of purchase money, the amount loaned, and interest charged which register is open to inspection at all times by any police officer; requiring at least seventy-two (72) hours notice to the Chief of Police of the location and date and hours of operation of businesses not operated in an established permanent location; requiring businesses to open and maintain an account with L.E.A.D.S. Online, Inc. and to upload information within 24 hours of receipt of goods purchased or pawned; to not receive by pledge or pawn any article from a minor at any time or from any person between 8:00 p.m. and 7:00 a.m., to give receipts for each article, to give receipts for the payment of loans; to allow the Police Department to enforce the provisions; and to provide a penalty of Class II violation punishable under Section 11.01.

**Motion** by Commissioner McKay, second by Commissioner Boone to pass the ordinance as presented upon first reading. Upon call of roll, voting is as follows: Voting nay: Commissioner

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

ORDINANCE AMENDING CHAPTER 70.240 RENAISSANCE BOARD

The following ordinance was presented to the Board of Commissioners upon second 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 Pfeffer, second by Commissioner Ashley to adopt Ordinance 16-08 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: REZONE INDUSTRIAL PARK 4

The following ordinance was presented to the Board of Commissioners upon second 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 adopt Ordinance 16-10 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 ZONING ORDINANCES SECTION 320

The following ordinance was presented to the Board of Commissioners upon second 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 adopt 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.

CLOSED SESSION

**Motion** by Commissioner Ashley, second by Commissioner Ashley to go into closed session pursuant to KRS 61.810(1)(f) to discuss personnel. Upon call of roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Ashley, Commissioner Boone, Commissioner McKay and Mayor Cartmell, Motion passes.

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

DISMISSAL: PUBLIC WORKS

**Motion** by Commissioner Pfeffer, second by Commissioner Ashley to dismiss Jared Gulley for failure to follow policy.

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