

## MAYSVILLE BOARD OF COMMISSIONERS

Thursday, 08 October 2015; 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, Oct. 8, 2015 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, Asst. City Clerk Sharon Swisher, City Attorney Sue Brammer, Comptroller Penny Stanfield, Projects Coordinator David Hord, Police Chief Ron Rice, Fire Chief Kevin Doyle, 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. Absent: City Clerk Lisa R. Dunbar. Others present: The Ledger Independent, The Maysville Mercury, and WFTM.

### MINUTES & REPORTS

**Motion** by Commissioner Pfeffer, second by Commissioner Boone to approve the minutes of the Sept. 10 and 18 meetings as well as department reports 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.

### PUBLIC COMMENT

Mayor Cartmell recognized Boy Scout Troop 221 and students from St. Patrick School in attendance.

Charlotte Hilterbrand presented a petition, see Attachment A, asking the city to pave the dirt road north of the 400 block of West Second Street. Commissioner Ashley stated that ownership of the property needs to be determined. City Manager Young will have the deeds checked for ownership.

### DEKALB LODGE

Ken Pickrell and Mike Stitt of the DeKalb Lodge addressed the commission with concerns about 14 West Second Street which is adjacent to the lodge property. Mr. Pickrell read a letter for the record; see Attachment B.

Tim Griefenkamp expressed concerns regarding fire hazards as the two buildings share a common wall. Dave Collins added that the lodge has discussed the possibility of moving. Mr. Pickrell asked that the city commission take action to have the building repaired. City Manager Young replied that the owners have been contacted but the building does

not present a safety issue at this time. He added that Building Inspector Wells and the fire department would inspect the property again.

#### ORDINANCE ENACTING TRASH COLLECTION FEES

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

**COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Ordinance No. 15-28**

#### **AN ORDINANCE AMENDING CHAPTER 152 COLLECTION OF REFUSE AND IMPOSING CHARGES FOR GARBAGE SERVICES**

##### Summary

This Ordinance amends Chapter 152 to provide fees for garbage collection, dumpsters, and recycling and to add that billing will be done through the Maysville Utility Commission Water bill. The property owner is liable for the fee if not paid by the occupant. The City may disconnect utility services if the garbage fees are not paid.

Glen George asked if people who were out of town for several months but kept their water on would receive a trash collection bill. City Manger Young replied that if the city is notified of the situation there will be no charge. Also a bill will not be issued to someone with a private contractor for pickup with proof of a contract. Robbie Detro stated that he did not think charging the property owners for unpaid charges incurred by the renters was fair. Mr. Young responded that the utility commission's policy regarding unpaid water bills is the same.

**Motion** by Commissioner Pfeffer, second by Commissioner Ashley to adopt Ordinance 15-28 as read upon second reading. Upon call of the roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Ashley, Commissioner Boone, Commissioner McKay and Mayor Cartmell, Motion passes.

#### APPOINTMENTS & REAPPOINTMENTS

The Mayor presented the following appointments to the Board of Commissioners:

Angie Cooper to CVB , term to expire 10/11/18  
Travis Scaggs to replace Robert Roe, Arts Commission  
Ben Breslin to replace Don Buckley, Board of Architectural Review

**Motion** by Commissioner Pfeffer, second by Commissioner Boone to approve the appointments as recommended. 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: October 5, 2015  
To: Honorable Mayor and City Commissioners  
From: Rick Truesdell, Public Works Director  
Re: Full Time Position Opening

It is my recommendation that Jonathon Dodson be moved from seasonal status to full time status. Effective date October 12, 2015.

**Motion** by Commissioner Pfeffer, second by Commissioner McKay to approve the appointment 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.

APPOINTMENT: PUBLIC WORKS

The following memorandum was presented to the Board of Commissioners:

Date: October 5, 2015  
To: Honorable Mayor and City Commissioners  
From: Rick Truesdell, Public Works Director  
Re: Full Time Position Opening

It is my recommendation that Roger Hodge be moved from seasonal status to full time status. Effective date October 12, 2015.

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

APPOINTMENTS: VOLUNTEER FIRE BOARD

The following memorandum was presented to the Board of Commissioners:

To: City Manager Ray Young, Mayor David Cartmell, and City Commission  
From: Fire Chief Kevin Doyle  
Date: October 6, 2015  
Re: WVFD trustees

At a Washington Volunteer Department meeting held on September 28, 2015, department members elected recommendations for a board of trustees. I agree with their recommendations and would like the city commission to approve the

appointment of Kyle Brant, Jeff Brammer, Aric Fox, and Michael Mains as department trustees

**Motion** by Commissioner Boone, second by Commissioner McKay to approve the appointments 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 memorandum was presented to the Board of Commissioners:

To: City Manager Ray Young, Mayor David Cartmell, and City Commission  
From: Fire Chief Kevin Doyle  
Date: October 06, 2015  
Re: Glenny Riggs promotion

I would like to recommend that Glenny Riggs be promoted from probationary status to a full time fire officer. He has completed an eighteen month probationary period and had exceeded all expectations. Glenny is a certified career firefighter recognized by the Kentucky State Fire Commission and a certified Paramedic. I have no doubt that his future here will be important to the leadership of this department.

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

RESOLUTION APPROVING DONATION OF 2006 CROWN VICTORIA

**COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 15-92**

**RESOLUTION APPROVING  
DONATION OF 2006 CROWN VICTORIA**

WHEREAS, the 2006 Crown Victoria owned by the City has excessive mileage and no monetary value,

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the 2006 Crown Victoria owned by the City be donated to the Mason County Area Technology Center.

**Motion** by Commissioner Ashley second by Commissioner Pfeffer to adopt resolution 15-92 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 APPLICATION FOR KIA FUNDING FOR CSO PROJECT

**COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 15-93**

**RESOLUTION AUTHORIZING APPLICATION  
FOR KIA FUNDING FOR CSO PROJECT**

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to submit a grant application to KIA for funding for CSO Project.

**Motion** by Commissioner Ashley, second by Commissioner Pfeffer to adopt resolution 15-93 as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Ashley, Commissioner Boone, Commissioner McKay. Abstain: Mayor Cartmell. Motion passes.

RESOLUTION AUTHORIZING ADVERTISING FOR ASSISTANT CITY MANAGER POSITION

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 15-94**

**RESOLUTION AUTHORIZING ADVERTISING FOR ASSISTANT CITY MANAGER POSITION**

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY , that the Human Resources Director is hereby authorized and directed to advertise for applications for Assistant City Manager.

Commissioner Boone stated that he felt seven to eight months of additional salary for an assistant would be too much. City Manager Young explained that someone needed to be in place before budget time to provide for a smooth transition.

Bill Boggs questioned whether any of the city commission intended to apply for the position. Commissioner Boone replied that he was happy in his current position in the education field and did not intend to apply. Commissioner Pfeffer, Commissioner Ashley, and Mayor Cartmell replied no.

Human Resources Director Cracraft, City Manager Young, Commissioner Boone and Commissioner Pfeffer will meet to draft the advertisement for the position.

**Motion** by Commissioner Pfeffer, second by Commissioner McKay to adopt resolution 15-94 as presented. Upon call of the roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay, and Mayor Cartmell. Voting nay: Commissioner Boone. Motion passes.

#### RESOLUTION AUTHORIZING CONDEMNATION OF 715 LIMESTONE TERRACE

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 15-95**

**RESOLUTION AUTHORIZING  
CONDEMNATION OF 715 LIMESTONE TERRACE**

WHEREAS, the property located at 715 Limestone Terrace, Maysville, Kentucky was condemned by the City of Maysville;

WHEREAS, the City has demolished the property and filed a lien for \$3,350;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, the City Attorney is hereby authorized and directed to file a foreclosure action against Arnold Fite and Genevieve Fite for the property known as 715 Limestone Terrace, Maysville, Kentucky.

**Motion** by Commissioner Pfeffer, second by Commissioner McKay to adopt resolution 15-95 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 CMRS

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY**

**CITY OF MAYSVILLE  
RESOLUTION No. 15-96**

**RESOLUTION AUTHORIZING  
GRANT APPLICATION FOR CMRS**

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute a grant application to Commercial Mobile Radio Service Board for the 911 center.

**Motion** by Commissioner Ashley, second by Commissioner Boone to adopt resolution 15-96 as presented. Upon call of the roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Ashley, Commissioner Boone, Commissioner McKay and Mayor Cartmell. Motion passes.

ORDINANCE RE; AMENDING CHAPTER 93.13-VOLUNTEER UNIFORMS

The following ordinance was presented to the Board of Commissioners on second reading;

**COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Ordinance No. 15-29**

**AN ORDINANCE AMENDING CHAPTER 93.13 TO DELETE UNIFORMS FOR  
WASHINGTON-MAYSVILLE FIRE DEPARTMENT**

Summary

This Ordinance amends Code of Ordinances Chapter 93.13 to delete the requirement that the volunteer fire fighters shall wear the same uniform as the regular fire department.

**Motion** by Commissioner Boone, second by Commissioner Ashley to adopt ordinance no. 15-29 on second reading Upon call of the roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Ashley, Commissioner Boone, Commissioner McKay and Mayor Cartmell. Motion passes.

ORDINANCE AMENDING CHAPTER 320

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

**COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE**

## Ordinance No. 15-30

### AN ORDINANCE AMENDING CHAPTER 320

#### SUMMARY

This Ordinance amends Chapter §320 Article V Definitions to add a definition for indoor storage units; amends §320.401.2 (C) (1) to require the Planning Commission to conduct a public hearing within sixty days of receipt of an administratively completed map amendment application unless the time frame is waived by the applicant; amends §320.406.6 to permit indoor storage units in Zones B-1, B-2, B-3, D-1, I-1, and I-2, and as a conditional use in Zone C; amends §320.406.6 to delete Internet Sweepstakes Café; and amends §320.403.2 to add if an applicant for conditional use permit submits a modified plan that expands the previously established geographic boundaries that the modified plan must be resubmitted to the Board of Adjustments within fourteen days of submission to regulatory authorities for review, the Board of Adjustments may deny the applicant's conditional use permit for the expanded geographic area, and failure to provide notification to the Board of Adjustments is grounds for the Board of Adjustments to revoke the conditional use permit following a hearing.

**Motion** by Commissioner Boone, second by Commissioner Pfeffer to adopt ordinance no. 15-30 upon second reading. Upon call of the roll, voting is as follows: voting aye: Commissioner Pfeffer, Commissioner Ashley, Commissioner Boone, Commissioner McKay and Mayor Cartmell, Motion passes.

#### DISCUSSION RE:CHRISTMAS LIGHTS

Commissioner Pfeffer stated that she had been asked by the downtown merchants if Christmas decorations on the poles downtown could be put up the week before Nov. 6-7. Commissioner Ashley felt it was too early. Commissioner McKay stated that there would be a conflict with Veteran's Day. Decorations will not be put up early.

#### CLOSED SESSION

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

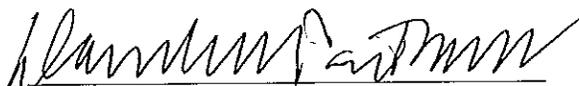
**Motion** by Commissioner Pfeffer, second by Commissioner Boone to return to open session. Upon call of roll, voting is as follows: Voting aye: Commissioner Pfeffer,

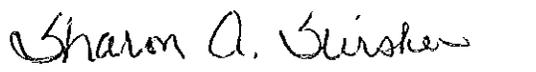
Commissioner Ashley, Commissioner Boone, Commissioner McKay and Mayor Cartmell, Motion passes.

No action was taken.

ADJOURNMENT

Motion by Commissioner Ashley, second by Commissioner Pfeffer 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

  
ASST. CITY CLERK

10-8-15

( Petition to have pavement  
of Road - from Maysville Depot  
for Residents of West Second St.

1. Charlotte K. Hiltbrand
2. Rhonda King
3. Angela Jitt
4. Nicki Baker
5. Billie Long
6. Anthony Lang
7. Kayla Graves
8. ~~Christy Hilt~~
9. ~~SR~~
10. Genie Wallace
11. Robert Wallace
12. Tom ~~W~~
13. Mary Lou Cord
14. Michael D. Kay
15. Vern Smyth
16. Pat Dyle
17. Jane Baker
18. Libby Brammer

DeKalb Lodge No. 12  
Independent Order Of Odd Fellows  
Maysville, Kentucky

September 15, 2015

Re: DeKalb Lodge #12 Collapsed Roof Problems

Dear City Commissioners,

The reason for this letter is our concern about the continuing and desecrating condition of the Old Merz building on Second Street in downtown Maysville. This building is situated right beside our property and many of our lodge members are expressing a real concern about the failing condition of this property and its effect on our building if something should ever happen.

The most recent problem we have experienced with this building is the collapsing of a back section of roof that has a shared wall with our property. With the collapsing of this roof, we feel it has harmed the stability of the existing wall. We would like for this to be inspected by a qualified building inspector.

Our Lodge has in days past dealt with wet basement problems from clogged down spouts and roof water draining from adjacent property and we successfully worked together with our neighbor to resolved our problem.

With the most recent collapsing of the roof adjoining our building, we have some real concerns about basement water problems that may occur during the winter season that will soon be upon us.

We have talked with the current owner of this property in the past, with little success. We also discussed this issue with Ray Young in the summer of 2012. We need some assistance from city government to get this problem looked into and some appropriate action taken to see about fixing this problem before it escalates to a more serious condition and possibility resulting in significantly increasing the repair cost.

We would be glad to attend a City Council meeting to discuss our concerns and address any questions you may have about this issue.

Thank you for your attention to this matter.

Sincerely,

Real Estate Committee, DeKalb Lodge #12  
Michael Stitt, Chairman  
Kenny Pickrell  
Leland Pollitt