

Maysville City Commission
10 January 2008
REGULAR MEETING

The Board of Commissioners of the city of Maysville, Kentucky met in a regular meeting on 10 January 2008 at 5:15 p.m. at the Maysville Municipal Building. Present: Commissioner Kelly Ashley, Commissioner Judy Pfeffer, Commissioner John Mains, Commissioner Rick Litton and Mayor David Cartmell presiding. Also present: City Manager Ray Young, City Clerk Lisa Dunbar, City Attorney Sue Brammer, Fire Chief Eric Bach, Police Chief Kent Butcher, Director of Public Works Jim Fryman, City Engineer Sam Baker, Utility Manager Eddie Wenz, Tourism/Renaissance Director Duff Giffen, Zoning Administrator Matt Wallingford, Codes Officer Jack Fultz, and Asst. Comptroller/HR Director Karen Cracraft.
Also present: The Ledger Independent and WFTM.

MINUTES & REPORTS

Motion by Commissioner Litton, second by Commissioner Ashley, to accept the minutes from December 13, 2007 and December 21, 2007, and department reports as submitted. Upon call of the roll, voting is as follows: Voting aye: Commissioner Ashley, Commissioner Pfeffer, Commissioner Mains, Commissioner Litton and Mayor Cartmell.

RESIGNATION FROM HUMANS RIGHTS COMMISSION

The following letter was presented to the Board of Commissioners:

Dec. 19, 2007

To Maysville Human Rights Commission

I, Chris Bone, regretfully am required to (resign) my spot on the Human Rights Commission due to my relocation to Paris, Kentucky. I wish to thank the Commission for the opportunity to serve on the Commission.

Sincerely,
Chris M. Bone

Motion by Commissioner Mains, second by Commissioner Pfeffer to accept the resignation of Chris Bone from the Human Rights Commission. Upon call of the roll, voting is as follows: Voting aye: Commissioner Ashley, Commissioner Pfeffer, Commissioner Mains, Commissioner Litton and Mayor Cartmell.

TRAILS GRANT DISCUSSION

Cara Clarke, from Maysville Community & Technical College, addressed the Board of Commissioners regarding the trails project the college has planned. MCTC has received \$10,000 private donation and is seeking support from the city and county. The trail will

be used for exercise and educational purposes. The college is hoping to link the trails up with the new veterans park on AA Highway.

RESOLUTION AUTHORIZING SUPPORT FOR TRAILS GRANT

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 08-06**

A RESOLUTION AUTHORIZING SUPPORT FOR TRAIL GRANTS

WHEREAS, Maysville Community and Technical College is applying for a recreational trails program application for the construction of a trail; and

WHEREAS, the trail way would be a natural extension of the walkway adjacent to Martha Comer Drive and would help link the new veterans' park to the college campus; and

WHEREAS, the walkway would beautify our area and promote the benefits of a healthy lifestyle;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to write a letter in support of the recreational trail program application of the Maysville Community and Technical College and that the City agrees that if the grant is received by Maysville Community and Technical College to pay \$25,000 of the proposed project cost.

Motion by Commissioner Mains, second by Commissioner Ashley, to adopt the resolution as presented. Upon call of the roll, voting is as follows: Voting aye: Commissioner Ashley, Commissioner Pfeffer, Commissioner Mains, Commissioner Litton and Mayor Cartmell.

DISCUSSION OF DOWNTOWN PARKING

City Manager Ray Young outlined three options with downtown parking: Continue the moratorium on enforcement which was authorized by the commission in November; return to the current ordinance and enforcement through Mason County District Court; or have the staff come up with a new ordinance which includes enforcement through the Codes Board. The City Manager recommended utilizing the Codes Board, and the Board of Commissioners asked for a proposal for the February meeting.

RESOLUTION AUTHORIZING RESERVE FOR COLLEGE ARBORETUM

The following resolution was presented to the Board of Commissioners:

1COMMONWEALTH OF KENTUCKY

**CITY OF MAYSVILLE
Resolution No. 08-04**

A RESOLUTION AUTHORIZING RESERVE FOR COLLEGE ARBORETUM

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

WHEREAS, the City intends to make preapplication to the Governor's Office for assistance under the Land and Water Conservation Fund Act of 1965 for the College Arboretum, and

WHEREAS, the Land and Water Conservation Fund is limited to funding a maximum of fifty percent (50%) of proposed project costs estimated not to exceed \$75,000;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the City hold in reserve fifty percent (50%) of the proposed project costs for the purpose of matching the Land and Water Conservation Fund assistance. In the event a Grant is awarded, the Mayor is hereby authorized and directed to sign assurances 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 Litton, to adopt the resolution as presented. Upon call of the roll, voting is as follows: Voting aye: Commissioner Ashley, Commissioner Pfeffer, Commissioner Mains, Commissioner Litton and Mayor Cartmell.

RESOLUTION AUTHORIZING LETTER OF COMMITMENT TO MAIN STREET & RENAISSANCE PROGRAMS

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 08-01**

A RESOLUTION AUTHORIZING ANNUAL LETTER OF COMMITMENT FOR KENTUCKY MAIN STREET PROGRAM AND THE KENTUCKY RENAISSANCE ON MAIN PROGRAM

WHEREAS, the City of Maysville, Kentucky, realizes the importance of participating in the Kentucky Main Street Program and the Kentucky Renaissance on Main Program; and

WHEREAS, the City is required to execute an Annual Letter of Commitment providing that it will employ a local Main Street manager, maintain an organization focused on downtown revitalization, budget necessary funds, provide reports, and attend training,

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute and deliver the Annual Letter of Commitment required for certification by the Kentucky Main Street Program and the Kentucky Renaissance on Main Program.

Motion by Commissioner Ashley, second by Commissioner Pfeffer, to adopt the resolution as presented. Upon call of the roll, voting is as follows: Voting aye: Commissioner Ashley, Commissioner Pfeffer, Commissioner Mains, Commissioner Litton and Mayor Cartmell.

RESOLUTION AUTHORIZING APPLICATION FOR SAVE AMERICAN'S TREASURES

The following resolution was presented to the Board of Commissioners:

**1CITY OF MAYSVILLE
COMMONWEALTH OF KENTUCKY
Resolution No. 08-02**

A RESOLUTION AUTHORIZING APPLICATION FOR
SAVE AMERICA'S TREASURES

WHEREAS, the City of Maysville, Kentucky has purchased the Cox Building in downtown Maysville, Kentucky; and

WHEREAS, the City intends to apply to Save America's Treasures for funds of the restoration of the Cox Building;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to sign the application form with the National Park Service to apply for a Save America's Treasures Grant for the Cox Building.

Motion by Commissioner Litton, second by Commissioner Pfeffer, to adopt the resolution as presented. Upon call of the roll, voting is as follows: Voting aye: Commissioner Ashley, Commissioner Pfeffer, Commissioner Mains, Commissioner Litton and Mayor Cartmell.

RESOLUTION AUTHORIZING KENTUCKY CHANGERS PROJECT

The following presentation was presented to the Board of Commissioners:

**1CITY OF MAYSVILLE
COMMONWEALTH OF KENTUCKY
Resolution No. 08-03**

A RESOLUTION AUTHORIZING KENTUCKY CHANGERS PROJECT

WHEREAS, the Kentucky Baptist Convention has agreed to send youth volunteers to repair exteriors of residences located within the City of Maysville, Kentucky; and

WHEREAS, Kentucky Baptist Convention has requested the City to enter into an Agreement with Kentucky Baptist Convention to repair the exterior and interior of City properties within Maysville, Kentucky owned by the City and an Agreement between the City, Kentucky Baptist Convention, and Buffalo Trace Area Development District to repair the exteriors of residences within Maysville and Mason County providing that the City shall be responsible for selecting residences to be part of the project and the City shall provide materials and supplies necessary to make repairs;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute the Kentucky Changers Project Agreements obligating the City to select residences and to provide building materials and supplies to be used by youth volunteers in the Kentucky Baptist Convention to repair exteriors of residences within the City in the summer of 2008.

Motion by Commissioner Mains, second by Commissioner Litton, to adopt the resolution as presented. Upon call of the roll, voting is as follows: Voting aye: Commissioner Ashley, Commissioner Pfeffer, Commissioner Mains, Commissioner Litton and Mayor Cartmell.

RESOLUTION AUTHORIZING HAZMAT EIGHT-WMD AFFILIATION AGREEMENT

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 08-05**

A RESOLUTION AUTHORIZING HAZMAT EIGHT-WMD, INC. AFFILIATION AGREEMENT

WHEREAS, the City of Maysville, Kentucky (hereinafter "**City**"), has been presented with an Affiliation Agreement with HAZMAT Eight-WMD, Incorporated (hereinafter "**HAZMAT**") which provides that HAZMAT will be affiliated with and made an operational unit of the Emergency Management Services Organization of the City; and

WHEREAS, the Agreement provides that HAZMAT shall respond to hazardous material incidents occurring in the City upon request; the City will develop a pool of personnel to supplement and augment the regular personnel of HAZMAT; HAZMAT shall provide specialized training to the supplementary City personnel; the City shall assist HAZMAT in recovery of all expenses incurred by HAZMAT when responding to an incident in the City; and the City agrees to contribute directly to HAZMAT a cash contribution in a minimum amount of \$2,248.25 during the fiscal year;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the HAZMAT EIGHT-WMD, INC. / City of Maysville Affiliation Agreement is hereby approved and adopted. The Mayor is hereby authorized and directed to execute the Agreement on behalf of the City of Maysville.

Motion by Commissioner Litton, second by Commissioner Pfeffer, to adopt the resolution as presented. Upon call of the roll, voting is as follows: Voting aye: Commissioner Ashley, Commissioner Pfeffer, Commissioner Mains, Commissioner Litton and Mayor Cartmell.

ORDINANCE AMENDING CODE OF ORDINANCES 176.01

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

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 07C-21**

**AN ORDINANCE AMENDING CODE OF ORDINANCES SECTION 176.01
TO REVISE WARRANTY REQUIREMENTS FOR STREET AND UTILITY
CONSTRUCTION**

Summary

This Ordinance amends Code of Ordinances Section 176.01 to change the requirement for the bonds securing warranty agreements to 35% of development costs or 35% of the cost estimate as determined by the City Engineer.

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

PUBLIC DISCUSSION

Residents of Valley View Subdivision's Neighborhood Watch Program requested additional street lighting. City Manager Ray Young told the group that the City Engineer and Planning and Zoning Administrators would study the situation and come up with a plan.

SET DATE FOR SPECIAL MEETING

As Comptroller Romie Griffey and Commissioner John Mains will be out of town the second week of February, Commissioner Mains requested that the Board of Commissioner's meeting be held a week earlier.

Motion by Commissioner Litton, second by Commissioner Ashley, to hold a special meeting Thursday, February 7, 2008 at 5:15 p.m. in lieu of the regular monthly meeting.

Former Commissioner Bill Boggs expressed his concern that too many special meetings were held in 2007. One quarter of the monthly meetings were moved to an alternate date; making them special meetings at which the Board of Commissioners may not stray from the agenda and the public cannot speak.

Upon call of the roll, voting is as follows: Voting aye: Commissioner Ashley, Commissioner Pfeffer, Commissioner Mains, Commissioner Litton and Mayor Cartmell.

ADJOURNMENT

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

David Cartmell, Mayor

City Clerk