

Maysville City Commission
Thursday, Jan. 8, 2009; 5:15 p.m.
REGULAR MEETING

The Board of Commissioners of the city of Maysville, Kentucky met in a regular meeting on 8 January 2009 at 5:15 p.m. at the Maysville Municipal Building. Present: Commissioner John Mains, Commissioner Judy Pfeffer, Commissioner Rick Litton, Commissioner Kelly Ashley and Mayor David Cartmell presiding. Also present: City Manager Ray Young, City Clerk Lisa Dunbar, City Attorney Sue Brammer, Fire Chief Eric Bach, Asst. Police Chief Ron Rice, 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, Asst. Comptroller/HR Director Karen Cracraft, and Asst. City Attorney Kelly Caudill. Absent: Comptroller Romie Griffey
Also present: The Ledger Independent and WFTM.

MINUTES & DEPARTMENT REPORTS

The minutes of the Dec. 11, 2008 regular and Dec. 33, 2008 special meetings and department reports were presented to the Board of Commissioners.

Commissioner Pfeffer noted errors in expiration dates on appointments and motions on two resolution votes in the Dec. 11, 2008 meeting minutes.

Motion by Commissioner Litton, second by Commissioner Ashley to accept the Dec. 11 and Dec. 30, 2008 minutes and department reports with corrections as noted. Upon call of the roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

MAYSVILLE ABORETUM PLAN WITH MCTC

Dr. Ed Story and Dr. George Jones of Maysville Community and Technical College presented the Board of Commissioners with a plan to create a walking trail on the college property, which would connect with the Veteran's Park on Kentucky 9.

RESOLUTION AUTHORIZING FUNDING FOR MCTC ARBORETUM

The following resolution was presented to the Board of Commissioners:

1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 09-01

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

RECOMMENDATION FOR CODES ENFORCEMENT OFFICER

The following recommendation was presented to the Board of Commissioners:

To: City Manager
Fr: Matt Wallingford
Re: Nicole Jones/Recommendation
Da: January 6, 2009

I would like to recommend that Nicole Jones be promoted to Codes Enforcement Officer for the City of Maysville to replace Jack Fultz. Nicole has been employed as the Codes Clerk for approximately three years. In her capacity as Codes Clerk, she has handled all of the paper work for the Codes Officer as well as attended and participated in all Codes Enforcement Board meetings. She is very familiar with all of the aspects of my office including code enforcement, building inspections, and planning and zoning; and filled in for Jack on extended absences or vacations.

She has shown excellent patience and professionalism when dealing with the public. I feel that she brings a lot of knowledge and hard work to the City, and she would perform well as the Codes Enforcement Officer.

Motion by Commissioner Mains, second by Commissioner Pfeffer to appoint Nicole Jones to the position of Codes Officer. Upon call of the roll, voting is as follows: Voting

aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

APPOINTMENTS TO DISPATCHER POSITION AT POLICE DEPARTMENT

The following recommendation was presented to the Board of Commissioners:

January 6, 2009

Mr. Raymond Young, City Manager
City of Maysville

I would like to request the employment of two dispatchers for the Maysville/Mason County 911 Dispatch Center. I recommend the following individuals.

Cyndi Layne Henderson

Tanisha R. Stitt

Both of these applicants have successfully completed pre-employment requirements for the Department of Criminal Justice Training.

Respectfully,
James K. Butcher
Chief of Police

Motion by Commissioner Litton, second by Commissioner Pfeffer to appoint Cyndi Layne Henderson and Tanisha R. Stitt as dispatchers at the Maysville/Mason County 911 Dispatch Center. Upon call of the roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

RESIGNATION OF EMS DIRECTOR

The following letter was presented to the Board of Commissioners:

Mayor David Cartmell
Commissioners Kelly Ashley, Judy Pfeffer, Rick Litton, and John Mains
City Manager Ray Young

After careful consideration I have decided to submit my resignation from the position of Emergency Management Director effective January 5, 2009. After serving as director for ten years I feel new leadership is necessary for continued growth.

I wish to thank both City and County governments for their unwavering support during my tenure. The citizens' safety and well being has been at the top of each governemtn bodies agenda.

A challenging new opportunity has become available and I have decided to accept the position of Highway Safety Technician at the Buffalo Trace Area Development District.

Again, thank you for allowing me to serve our community.

Respectfully submitted,
Wayne Muse

Motion by Commissioner Pfeffer, second by Commissioner Ashley to accept the resignation of EMS Director Wayne Muse. Upon call of the roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

GEOFF DAVIS REPRESENTATIVE

Bill Tom Cooper, field representative for Sen. Geoff Davis, addressed the Board of Commissioners to remind them and the public that he is in the area to answer any questions or give them any help that he can. He is currently trying to set up a public meeting for Buffalo Trace Area public servants and the senator for February.

RESIGNATION OF JASON HORD OF POLICE DEPARTMENT

The following letter was presented to the Board of Commissioners:

To: Col. Kent Butcher
Fr: Ofc. Jason L. Hord
Re: Resignation
Da: December 17, 2008

This letter shall serve as official notice of my resignation to be effective January 9, 2008. I have accepted a position with the City of Independence, KY Police Department.

I would like to thank both the members of the Maysville Police Department and the City of Maysville for the opportunity to work here in Maysville. The experience that I have gained here will help me throughout my career.

Respectfully,
Jason L. Hord

Motion by Commissioner Pfeffer, second by Commissioner Ashley to accept the resignation of Officer Jason Hord from Maysville Police Department. Upon call of the

roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

I.N. FOSTER FUND SIGNEE

Motion by Commissioner Ashley, second by Commissioner Pfeffer to make Commissioner John Mains a signee on the I.N. Foster fund. Upon call of the roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes. Abstain: Commissioner Mains.

RESOLUTION APPROVING INSPECTION CONTRACT FOR WASHINGTON SEWER PHASE I

The following resolution was presented to the Board of Commissioners:

**1CITY OF MAYSVILLE
COMMONWEALTH OF KENTUCKY
Resolution No. 09-02**

**A RESOLUTION AUTHORIZING AGREEMENT WITH CANN-TECH, LLC FOR THE
WASHINGTON SEWER SYSTEM PHASE I INSPECTION**

WHEREAS, the City needs project inspection and construction administration for the Washington area sewers improvement lift station replacement project, known as Washington Sewer System Phase I;

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute the Professional Consultant Firm Agreement between the City of Maysville and Cann-Tech, LLC for full time project inspection and construction administration for the duration of the Washington area sewer improvement contract 2-lift station replacement project at a cost not to exceed \$12,500.

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

RESOLUTION APPROVING RE-ENGINEERING CONTRACT FOR WASHINGTON SEWER PHASE II

The following resolution was presented to the Board of Commissioners:

**1CITY OF MAYSVILLE
COMMONWEALTH OF KENTUCKY
Resolution No. 09-03**

A RESOLUTION AUTHORIZING AGREEMENT WITH CANN-TECH, LLC FOR
WASHINGTON SEWER SYSTEM, PHASE II

WHEREAS, the City needs design services for changes to gravity sewer lines in the Washington area for Washington Sewer Phase II.

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute the Professional Consultant Firm Agreement between the City of Maysville and Cann-Tech, LLC for design services for changes to gravity sewer lines in the Washington area at a cost not to exceed \$18,000.

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

RESOLUTION APPROVING GIS MAINTENANCE CONTRACT WITH BTADD

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 09-04**

A RESOLUTION AUTHORIZING CONTRACT WITH BUFFALO TRACE AREA
DEVELOPMENT DISTRICT FOR GIS MAINTENANCE CONTRACT

WHEREAS, the City needs maintenance of the GIS system in order to comply with Federal and State requirements; and

WHEREAS, Buffalo Trace Area Development District (BTADD) has made a proposal to maintain the GIS system for a total cost of \$12,000 per year;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute an agreement with BTADD for GIS maintenance for a price of \$12,000 per year.

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

RESOLUTION AUTHORIZING MAYOR TO SIGN LETTER OF COMMITMENT AND
RECERTIFICATION FOR RENAISSANCE ON MAIN 2009

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 09-05**

**A RESOLUTION AUTHORIZING ANNUAL LETTER OF COMMITMENT FOR THE
KENTUCKY RENAISSANCE ON MAIN PROGRAM AND RE-CERTIFICATION
APPLICATION**

WHEREAS, the City of Maysville, Kentucky, realizes the importance of participating in 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 Renaissance manager, maintain an organization focused on downtown revitalization, budget necessary funds, provide reports, and attend training, and a re-certification application,

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 Renaissance on Main Program and the re-certification application.

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 Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

**RESOLUTION TO SUBMIT INTENT TO APPLY FOR TEA-21 GRANT FOR
ENVIRONMENTAL REMEDIATION ON HAYSWOOD HOSPITAL**

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 09-06**

**A RESOLUTION AUTHORIZING INTENT TO APPLY TO THE KENTUCKY
TRANSPORTATION CABINET FOR ENVIRONMENTAL REMEDIATION GRANT**

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is authorized and directed to execute and deliver to the Kentucky Transportation Cabinet an intent to apply with required assurances concerning City responsibilities, for a project

for environmental remediation on the Hayswood Hospital under the Transportation Equity Act for the 21st Century (TEA-21).

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 Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

RESOLUTION TO SUBMIT INTENT TO APPLY FOR TEA-21 GRANT FOR SIDEWALK REPAIR ON 3RD STREET

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 09-07**

A RESOLUTION AUTHORIZING INTENT TO APPLY TO THE KENTUCKY
TRANSPORTATION CABINET FOR SIDEWALK REPAIR GRANT

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is authorized and directed to execute and deliver to the Kentucky Transportation Cabinet an intent to apply with required assurances concerning City responsibilities, for a project for sidewalk repair on Third Street in Maysville, Kentucky under the Transportation Equity Act for the 21st Century (TEA-21).

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

RESOLUTION TO SUBMIT INTENT TO APPLY FOR TEA-21 GRANT FOR INTERIOR RESTORATION ON COX BUILDING

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 09-08**

A RESOLUTION AUTHORIZING INTENT TO APPLY TO THE KENTUCKY
TRANSPORTATION CABINET FOR COX BUILDING GRANT

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is authorized and directed to execute and deliver to the Kentucky Transportation Cabinet an intent to apply with required assurances concerning City responsibilities, for a project

for interior restoration on the Cox Building under the Transportation Equity Act for the 21st Century (TEA-21).

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

RESOLUTION AUTHORIZING MAYOR TO SIGN STATEMENT OF COMPLIANCE WITH NATIONAL BRIDGE POSTING STANDARDS

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 09-09**

A RESOLUTION AUTHORIZING STATEMENT OF COMPLIANCE WITH NATIONAL BRIDGE POSTING STANDARDS

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is authorized and directed to execute the Statement of Compliance with National Bridge Posting Standards, Bridge Posting Requirements to certify that the City of Maysville has posted all city maintained bridge structures with safe load capacities of less than 18 tons in accordance with the National Bridge Inspection Standards.

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

RESOLUTION RE: LIBRARY INNOVATION GRANT

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 09-10**

A RESOLUTION AUTHORIZING GRANT APPLICATION FOR PUBLIC LIBRARY INNOVATION GRANT

WHEREAS, Mason County Public Library and the City of Maysville are eligible to apply for a grant from the International City/County Management Association for a mobile computer training lab; and

WHEREAS, the mobile computer training lab would help the citizens of Maysville communicate and be more productive;

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is authorized and directed to execute the grant application and any other necessary grant paperwork including a letter of support for the grant.

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 Mains, Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

LIMESTONE CABLEVISION RATE INCREASE

The following letter was read for the record:

Mr. Ray Young
City of Maysville
216 Bridge St.
Maysville, KY 41056

Dear City Manager Young:

This letter is to inform you and the Council that effective March 1, 2009 we must raise some of our cable vision fees and to announce some changes to our channel lineup. We feel Limestone Cablevision continues to provide the best lineup of local and satellite television channels available in our area.

As of March 1, 2009, the Broadcast Basic local service will increase to \$15.50 per month. This increase was precipitated this year mainly due to an increase in our fees from the over-the-air channels. All over-the-air channels from Cincinnati and Lexington have dramatically increased their rates they charge us this year. Although we had anticipated an increase in rates, the amount of increase has been overwhelming, in some cases as much as \$1.40 per customer per month. And that was only one channel and we have eight (8) over-the-air channels.

The Preferred Cable Service will increase to \$40.25 per month and we will be adding more High Definition channels. All Digital packages will also rise accordingly. The Premium Channels; HBO and Showtime (Analog Packages Only) monthly cost of \$12.95 each, per channel, will remain the same.

On February 17, 2009 all over-the-air television stations will stop broadcasting an analog signal and will switch to a digital signal only. This means anyone with an older television set that accepts analog signals only will not be able to receive the over-the-air channels. We have already made the necessary provisions on our system to ensure

there will be no interruption of service to our subscribers. We will be carrying all over-the-air stations in two (2) formats, the digital format and an analog format.

Limestone Cable Vision, Inc. remains the only television service provider in this area offering subscribers the over-the-air channels from Lexington, Kentucky and Cincinnati, Ohio areas, plus digital channels and complete internet service. We dislike increasing our cable vision fees, but as we stated our costs increased at a dramatic rate this year and we must pass some of that on to our subscribers. We feel as a locally owned cable operator that our prices are very competitive and fair to our subscribers for the services we offer.

Respectfully,
Ron Buerkley,
System Manager

SPECIAL MEETING DATE

The regular February meeting was rescheduled as a special meeting on Thursday, Feb. 5, 2009.

ADJOURN

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

David Cartmell, Mayor

City Clerk