

Maysville City Commission
Thursday, Oct. 9, 2008; 5:15 p.m.
REGULAR MEETING

The Board of Commissioners of the city of Maysville, Kentucky met in a regular meeting on 9 October 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, Asst. Police Chief Ron Rice, Comptroller Romie Griffey, 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 Gary Wells, and Asst. City Attorney Kelly Caudill. Absent: Asst. Comptroller/HR Director Karen Cracraft.
Also present: The Ledger Independent and WFTM.

MINUTES & DEPARTMENT REPORTS

The minutes of Sept. 11, 2008, regular, and Sept. 19, 2008, special meetings and reports of the Fire, Police, Codes, and Pubic Works departments, City Engineer, Utility Commission, and Treasurer's Report were presented to the Board of Commissioners.

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

APPOINTMENTS & REAPPOINTMENTS

The Mayor recommended the following appointments to the Board of Commissioners:
Industrial Development Authority
Warren Markwell, 10/12 – reappointment

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

DISCUSSION OF BIDS FOR WASHINGTON AREA SEWER CONTRACTS

City Engineer Sam Baker told the Commission that while all bids on the Contract 1 came in under estimate, contractors indicated that there were changes that could be made to the specs to lower cost. Baker recommended that the Commission reject the bid and redesign the project.

RESOLUTION AWARDING CONTRACT FOR WASHINGTON AREA SEWER IMPROVEMENTS, CONTRACT 2

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 08-53**

**A RESOLUTION AWARDING CONTRACT FOR WASHINGTON
AREA SEWER IMPROVEMENTS, CONTRACT 2**

WHEREAS, the City of Maysville advertised for bids in accordance with plans and specifications as follows:

- (a) Subject: Washington Area Sewer Improvements
- (b) Advertised: September 19, 2008
- (c) Bid Opening: October 7, 2008

WHEREAS, the following bids were received:

- | | | |
|-----|----------------------------|--------------|
| (1) | Winelco, Inc. | \$241,900 |
| (2) | Grant's Excavating | \$258,000 |
| (3) | DF Bailey | \$272,150.57 |
| (4) | Vanguard Contracting | \$285,780 |
| (5) | Kenny, Inc. | \$311,945 |
| (6) | Bray-Arnspenger Excavating | \$421,899.23 |

WHEREAS, the City Manager and the City Engineer 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 Winelco, Inc. in the sum of \$241,900 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 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.

RESOLUTION AUTHORIZING EXECUTION OF LEASE TO AMVETS

The following resolution was presented to the Board of Commissioners:

**1CITY OF MAYSVILLE
COMMONWEALTH OF KENTUCKY
Resolution No. 08-51**

A RESOLUTION AUTHORIZING EXECUTION OF LEASE TO AMVETS

WHEREAS, Amvets 6th District Department of Kentucky Incorporated, ("**Amvets**") has agreed to lease the property known as the Amvet Park on AA Highway, Maysville, Kentucky from the City of Maysville, Kentucky (the "**City**");

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute a lease between Amvets and the City, agreeing to lease the Amvet Park for a period commencing 1 November 2008 and expiring on 30 June 2009, which lease shall automatically renew for five one-year additional term from 1 July through 30 June each, with no further action necessary to effectuate the renewal, subject to termination upon notice by either Amvets or the City, for rent of \$1 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 Ashley, Commissioner Pfeffer, Commissioner Mains, Commissioner Litton and Mayor Cartmell.

RESOLUTION ACCEPTING TRANSFER OF MAYSVILLE CEMETERY CO.
PROPERTY

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 08-52**

RESOLUTION ACCEPTING TRANSFER OF MAYSVILLE
CEMETERY COMPANY PROPERTY

WHEREAS, Maysville Cemetery Company, a Kentucky non-profit corporation, has operated a cemetery in Maysville, Kentucky since 1849; and

WHEREAS, Maysville Cemetery Company wants to deed the real estate and transfer all personal property owned by Maysville Cemetery Company to the City of Maysville so that the cemetery may be operated by the City of Maysville through its Cemetery Board of Trustees;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute a consideration statement on the deed from the Maysville Cemetery Company to the City of Maysville and to accept all personal property owned by the Maysville Cemetery Company. IT IS FURTHER RESOLVED that the deed shall contain language that the City shall honor all outstanding cemetery lot deeds and maintenance contracts, that the City will continue to use all the premises for cemetery purposes only, and that the City shall provide for the management, supervision and care of the cemetery.

Motion by Commissioner Mains, 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 SUPPORTING VETERANS' ADMINISTRATION HEALTHCARE IN MAYSVILLE

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 08-53**

RESOLUTION SUPPORTING VETERAN'S ADMINISTRATION
HEALTHCARE IN MAYSVILLE

WHEREAS, Maysville, Kentucky has many veterans who have served our country; and

WHEREAS, veterans in Maysville do not have easy access to Veteran's Administration healthcare and have to travel to receive healthcare from the VA; and

WHEREAS, Amvets are attempting to obtain VA Healthcare in Maysville;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to send letters supporting Amvets effort to obtain VA healthcare in Maysville.

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 Ashley, Commissioner Pfeffer, Commissioner Mains, Commissioner Litton and Mayor Cartmell.

ORDINANCE ADOPTING DONATED SICK LEAVE PROGRAM

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

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 08C-19**

AN ORDINANCE ADOPTING DONATED SICK LEAVE PROGRAM

Summary

This Ordinance establishes a donated sick leave program to allow employees to voluntarily donate accrued sick leave hours to another employee who has exhausted his paid benefits and is absent from work thirty days (whichever is longer) to receive donated sick leave from other full-time regular employees. Employees may not contribute more than 10% of their accrued sick leave balance to another employee during a calendar year. A donation must be not less than 4 hours and no more than 80 hours.

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

ORDINANCE EXEMPTING SERVICE DOGS FROM THE PIT BULL ORDINANCE

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

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 08C-20**

**AN ORDINANCE EXEMPTING SERVICE DOGS FROM
THE PIT BULL PROHIBITION**

Summary

This Ordinance amends Code of Ordinances § 199.09 to allow pit bull service dogs that are used to accommodate a disability and were owned prior to September 1, 2008 and amends Code of Ordinances Sections § 199.10 and §199.11 to revise the number of the sections.

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

ORDINANCE AMENDING ORDINANCE SECTION 71.145; MAYSVILLE CEMETERY CO.

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

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 08C-21**

AN ORDINANCE AMENDING ORDINANCE SECTION §71.145

Summary

This Ordinance amends City of Maysville Ordinance Section §71.145 to delete the authority to share the expenses with the adjoining non-profit Maysville Cemetery Company.

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

ORDINANCE REPEALING SPECIAL EVENTS COMMISSION

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

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 08C-22**

AN ORDINANCE REPEALING MAYSVILLE SPECIAL EVENTS COMMISSION

Summary

This Ordinance repeals the Ordinances creating the Maysville Special Events Commission since it has been replaced by the Renaissance Committee.

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

ORDINANCE RE RENAISSANCE BOARD

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

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 08C-23**

AN ORDINANCE RE RENAISSANCE COMMITTEE

Summary

This Ordinance establishes the Renaissance Committee which consists of 12 members who are appointed by the Mayor with approval by the Board of Commissioners for a 4 year term to serve without compensation. The responsibility of the Renaissance Committee is to optimize Maysville's historic downtown area.

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

NOVEMBER MEETING DATE

The Board of Commissioners agreed to move the date of the November meeting to Thursday, Nov. 6, 2008, at 5:15 p.m.

ADJOURNMENT

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