

Maysville City Commission
8 February 2007
REGULAR MEETING

The Board of Commissioners of the City of Maysville, Kentucky met in regular session on 8 February 2007 at 5:15 p.m. at 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, Comptroller Romie Griffey, Director of Public Works Jim Fryman, Fire Officer Dan Lester, Asst. Police Chief Ron Rice, City Engineer Sam Baker, Utility Manager Eddie Wenz, Tourism/Renaissance Director Duff Giffen, Zoning Administrator Matt Wallingford, Codes Officer Gary Wells, and Assistant Comptroller Karen Cracraft. Absent: Fire Chief Eric Bach, Police Chief Kent Butcher and Assistant City Attorney Steve Zweigart. Others present: WFTM and the Ledger Independent.

MINUTES & REPORTS

Motion by Commissioner Litton, second by Commissioner Pfeffer to approve the minutes for Jan. 10, 2007 and all department 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.

RECOVERY CENTER

Donna Penrose, director of Comprehend, addressed the Board of Commissioners concerning the community's need for a drug recovery center.

Motion by Commissioner Ashley, second by Commissioner Mains for the Mayor to sign a letter of support for a drug recovery center to be constructed in the city. Upon call of the roll, voting is as follows: Voting aye: Commissioner Ashley, Commissioner Pfeffer, Commissioner Mains, Commissioner Litton, and Mayor Cartmell.

LAWSUIT TO RECOVER PAYROLL TAXES

City Attorney Sue Brammer asked the Board of Commissioners to approve the filing of a lawsuit against business owners who had failed to pay payroll taxes to the city.

Motion by Commissioner Litton, second by Commissioner Pfeffer to approve lawsuit to collect payroll taxes from businesses which have not submitted their taxes. Upon call of the roll, voting is as follows: Voting aye: Commissioner Ashley, Commissioner Pfeffer, Commissioner Mains, Commissioner Litton, and Mayor Cartmell.

RESOLUTION AUTHORIZING CONTRACT FOR RIVER PARK

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 07-10**

**A RESOLUTION AWARDING CONTRACT FOR OPERATION OF
THE MAYSVILLE RIVER PARK**

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

- (a) Subject: Operation of the Maysville River Park
- (b) Advertised: 19 January 2007
- (c) Bid Opening: 5 February 2007

WHEREAS, proposals were received from the following persons:

- (1) Jack Fultz, and Kim Fultz
- (2) Gene Hook and Glenn George

WHEREAS, the City Manager and the Director of Public Works have recommended acceptance of the first proposal as the best proposal,

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

(1) The proposal of Jack Fultz and Kim Fultz 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 Ashley, second by Commissioner Pfeffer to adopt resolution as read. Upon call of the roll, voting is as follows: Voting aye: Commissioner Ashley, Commissioner Pfeffer, Commissioner Mains, Commissioner Litton, and Mayor Cartmell.

RESOLUTION AUTHORIZING RIVERWALK AGREEMENT

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 07-06**

**A RESOLUTION AUTHORIZING MAYSVILLE
RIVERWALK AGREEMENT**

WHEREAS, the City of Maysville, Kentucky has received the following 2006 Kentucky General Assembly House Bill 380 (Budget Bill) project to be administered by the Kentucky Governor's Office for local development:

\$500,000 Maysville Riverwalk

WHEREAS, it is recognized that the project listed above imposes certain obligations and responsibilities upon the City of Maysville;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized to execute and furnish all required documentation, including a memorandum of agreement, as may be required by the Governor's Office for Local Development for the furtherance of the above referenced project and to act as the authorized correspondent for said project.

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

RESOLUTION AUTHORIZING MAYSVILLE RIVERWALK PHASE II

The following resolution was presented to the Board of Commission:

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

**A RESOLUTION AUTHORIZING MAYSVILLE
RIVERWALK PHASE II**

WHEREAS, the City of Maysville, Kentucky has received the following 2006 Kentucky General Assembly House Bill 380 (Budget Bill) project to be administered by the Kentucky Governor's Office for Local Development:

\$160,000 Maysville Riverwalk Phase II

WHEREAS, it is recognized that the project listed above imposes certain obligations and responsibilities upon the City of Maysville;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized to execute and furnish all required documentation, including a memorandum of agreement, as may be required by the Governor's Office for Local Development for the furtherance of the above referenced project and to act as the authorized correspondent for said project.

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

RESOLUTION AUTHORIZING AGENCY AGREEMENT FOR I.N. FOSTER FUND

The following resolution was presented to the Board of Commissioners:

**1CITY OF MAYSVILLE
COMMONWEALTH OF KENTUCKY
Resolution No. 07-11**

A RESOLUTION AUTHORIZING AGENCY AGREEMENT FOR I.N. FOSTER FUND

WHEREAS, the Board of Commissioners of the City of Maysville, Kentucky are the committee members of the I.N. Foster Fund; and

WHEREAS, Mason District Court has authorized the committee for I.N. Foster Fund to sell one-half the share of U.S. Bank, N.A. stock held in the I.N. Foster Fund and reinvest the proceeds; and

WHEREAS, the City has determined because of the size of the fund and the need for professional investment advice that the fund should be professionally managed.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is authorized and directed to execute an Agency Agreement with Bank of Maysville to sell one-half the shares of U.S. Bank, N.A. stock held by the I.N. Foster Fund, to reinvest the proceeds of stock, and to

manage all assets of the I.N. Foster Fund with the income to be paid to the City of Maysville to be distributed among the poor children of the City of Maysville.

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

RESOLUTION AUTHORIZING AGENCY AGREEMENT FOR I.N. FOSTER FUND

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 07-08**

**A RESOLUTION AUTHORIZING SIGNATURES
FOR I. N. FOSTER FUND**

WHEREAS, the Board of Commissioners of the City of Maysville, Kentucky are the committee members of the I. N. Foster Fund; and

WHEREAS, signatures for the I. N. Foster Fund have previously been the Mayor and Bill Boggs and Bill Boggs is no longer a City Commissioner;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor and Kelly Ashley are hereby authorized to jointly sign checks on the I. N. Foster Fund.

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

RESOLUTION AUTHORIZING LOAN AGREEMENT WITH UNITED STATES OF AMERICA FOR AIRCRAFT

The following resolution was presented to the Board of Commissioners:

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

**A 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 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 2007 loan agreement for the period from April 1, 2007 to March 31, 2008, to the United States of America.

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

Mayor

City Clerk