

**Maysville City Commission
12 June 2008
PUBLIC HEARING**

Maysville City Commission Public Hearing was held June 12, 2008 at 5:15 p.m. for the purpose of obtaining public comments regarding the proposed annual budget and the use of Municipal Aid Funds and Local Government Economic Assistance Funds as contained in the budget. Present: Commissioner Kelly Ashley, Commissioner Judy Pfeffer, Commissioner John Mains, Commissioner Rick Litton and Mayor David Cartmell presiding.

There were no comments from the public.

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

**Maysville City Commission
12 June 2008
REGULAR MEETING**

The Board of Commissioners of the city of Maysville, Kentucky met in a regular meeting on 12 June 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, 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, Asst. Comptroller/HR Director Karen Cracraft, and Asst. City Attorney Kelly Caudill. Also present: The Ledger Independent and WFTM.

MINUTES & REPORTS

Motion by Commissioner Ashley, second by Commissioner Pfeffer, to accept the minutes from the May 8, 2008, regular meeting and department reports. Upon call of the roll, voting is as follows: Voting aye: Commissioner Ashley, Commissioner Pfeffer, Commissioner Mains, Commissioner Litton and Mayor Cartmell.

APPOINTMENTS & REAPPOINTMENTS

Recommendation by Mayor Cartmell to make the following reappointments:

Jean Black to the Human Rights Commission to fill the unexpired term of Dorothy Maddox. Term expires March 9, 2010.

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

RECOGNITION OF GIRL SCOUT TROOP #381

The Mayor and City Commission recognized the efforts of Girl Scout Troop #381 in their landscaping project adjacent to the St. Patrick parking lot at the foot of the Simon Kenton Bridge.

ORDINANCE AMENDING CODE OF ORDINANCES SECTION 195.06 TO ADD SECTION 320.411 TO THE JURISDICTION OF THE CODES ENFORCEMENT BOARD

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

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 08C-04**

AN ORDINANCE AMENDING CODE OF ORDINANCE SECTION 195.06 TO ADD SECTION 320.411 TO THE JURISDICTION OF CODES ENFORCEMENT BOARD

Summary

This Ordinance amends Code of Ordinances Section 195.06 to add Land Use Management Sign Regulations, 320.411, to the Jurisdiction of the Code Enforcement Board.

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

(1) Code of Ordinances Section 195.06 is hereby amended to read in its entirety as follows:

§ 195.06 JURISDICTION

The Code Enforcement Board shall have jurisdiction to enforce and shall enforce Code of Ordinances Chapters 152, 192, 194, 199, 279, and 320.408, **and 320.411**

(2) This Ordinance shall be published in full.

Motion by Commissioner Pfeffer, second by Commissioner Mains, to adopt the ordinance as read in full 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.

ORDINANCE AMENDING CODE OF ORDINANCES SECTION 11.01 TO ADD CIVIL FINES FOR VIOLATION OF LAND USE MANAGEMENT SIGN REGULATIONS

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

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

AN ORDINANCE AMENDING CODE OF ORDINANCES SECTION 11.01 TO ADD CIVIL FINES FOR VIOLATION OF LAND USE MANAGEMENT SIGN REGULATIONS

Summary

This Ordinance amends Code of Ordinances Section 11.01 to add a section for Civil Fines for Land Use Management Sign Regulations.

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

(1) Code of Ordinances Section 11.01 is hereby amended to read in its entirety as follows:

§ 11.01 CLASSIFICATION OF VIOLATIONS.

(A) Unless otherwise provided hereinafter, all code violations are declared to be misdemeanors and are classified into the following criminal penalty categories and shall be subject to the following fines and/or imprisonment:

Class	Fine per Violation	Imprisonment per Violation
I	\$100.00 to \$500.00	Up to 60 days
II	\$50.00 to \$250.00	Up to 30 days
III	\$10.00 to \$100.00	None
IV	\$15.00 within 24 hours, \$25.00 after	None

V	\$1.00 within 24 hours, \$2.00 after	None
VI	\$3.00 within 24 hours, \$5.00 after	None
VII	\$1,000.00	None
VIII	\$500.00 to 4,000.00	Up to 1 year
IX	\$100.00 to \$4,000.00	None
X	\$500.00	Up to 1 year

(B) Violations of Ordinances that are enforced by the Code Enforcement Board shall be subject to the following schedule of civil fines:

	Violation	1 st Offense	2 nd Offense	All Others
1.	Dangerous Animals	\$ 25.00	\$ 50.00	\$100.00
2.	(Chapter 191) International Property Maintenance Code	\$100.00	\$125.00	
3.	(Chapter 279) Collection of Refuse (Chapter 152)	\$ 10.00	\$ 25.00	\$ 50.00
4.	Weeds (Chapter 194)	\$ 10.00	\$ 25.00	\$ 50.00
5.	Junk Vehicles (Chapter 192)	\$100.00	\$250.00	\$500.00 plus \$100.00 per day while violation continues
6.	Land Use Management Supplementary Regulation (320.408) and Sign Regulations (320.411)	\$25.00	\$50.00	\$100.00

(Am. Ord. 86C-3, passed 3-25-86; Am. Ord. 89C-10, passed 6-8-89; Am. Ord. 89C-41, passed 12-12-89; Am. Ord. 91C-8, passed 5-7-91; Am. Ord. 94C-49, passed 12-28-94)

Statutory reference:

Ordained penalty may not be less than statutory penalty for same offense, see Ky. Const. 168
City authority to enforce ordinances by fines, penalties, forfeitures, injunctions, abatement

orders, see KRS 83A.065
Fines for misdemeanors, see KRS 534.040(2)(a)
Imprisonment of misdemeanors, see KRS
532.090(1)
Codes Enforcement Board proceedings, KRS 65.8825

Case reference:

City ordinance may not redefine elements of an offense to impose criminal penalties greater than allowed by statute, *Pierce v. Commonwealth*, 777 S.W.2d 926 (Ky. App. 1989)

Opinion reference:

KRS 82.020 is a pre-emption statute that forbids city from redefining crime and punishment under Kentucky Penal Code, OAG 90-95

Motion by Commissioner Mains, second by Commissioner Pfeffer, to adopt the ordinance as read in full 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.

ORDINANCE ESTABLISHING CIVIL PENALTY FOR VIOLATION OF LAND
USE MANAGEMENT SIGN REGULATIONS

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

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

**AN ORDINANCE ESTABLISHING CIVIL PENALTY FOR VIOLATION OF LAND
USE MANAGEMENT SIGN REGULATIONS**

Summary

This Ordinance enacts Code of Ordinances Section 320.411.99 to make violations of Code of Ordinances Section 320.411 enforced by the Code Enforcement Board and subject to civil fines of \$25 to \$100.

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

1. Code of Ordinances Section 320.411.99 is hereby adopted to read in its entirety as follows:

§ 320.411.99 PENALTY.

Violation of any provision of 320.411 shall be

- (a) Enforced by the Code Enforcement Board and shall be punishable by a civil fine under § 11.01(b)(6).
- (b) This Ordinance shall be published in full.

Motion by Commissioner Pfeffer, second by Commissioner Mains, to adopt the ordinance as read 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.

ORDINANCE AMENDING LAND USE MANAGEMENT ORDINANCE
GOVERNING TEMPORARY SIGNS

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 08C-12**

AN ORDINANCE AMENDING CODE OF ORDINANCES SECTION 320.411.3

Summary

This Ordinance amends Code of Ordinances Section 320.411.3 to allow temporary signs to be posted no more than 8 days before the event and removed no later than 48 hours after an event. A maximum of four signs are permitted.

Motion by Commissioner Mains, second by Commissioner Pfeffer to pass the ordinance as read in summary 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.

RESOLUTION AWARDDING CONTRACT FOR PURCHASE OF FUEL FOR
FISCAL YEAR 2009

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 08-32**

A RESOLUTION AWARDING CONTRACT FOR PURCHASE
OF FUEL FOR FISCAL YEAR 2009

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

- (a) Subject: Fuel Purchase for Fiscal Year 2009
- (b) Advertised: June 2, 2008
- (c) Bid Opening: June 9, 2008

WHEREAS, the following bids were received:

- (1) Lykins Enterprises, Inc.
 - Gasoline Rack + .02/gallon plus freight rate
 - Diesel Rack + .02/gallon plus freight rate

- (2) Harper Oil Products
 - Gasoline Rack + .014/gallon plus freight rate
 - Diesel Rack + .014/gallon plus freight rate

WHEREAS, the City Manager recommended acceptance of the first bid as the best bid, because Harper Oil Products has additional travel fees that cause the Harper Oil Products bid to be higher,

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

- (1) The bid of Lykins Enterprises, Inc. 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 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 EXTENDING RIVERWALK GRANT AGREEMENTS

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 08-33**

**A RESOLUTION RE EXTENSION OF
RIVERWALK GRANT AGREEMENTS**

WHEREAS, the Commonwealth of Kentucky Governor's Office for Local Development, (hereinafter "GOLD") and the City of Maysville, Kentucky entered into Memorandums of Agreement for the Riverwalk and for Riverwalk Phase II Grants which provide that the agreements continue until June 30, 2008;

WHEREAS, the Riverwalk and Riverwalk Phase II projects have not been completed and the agreements need to be extended.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is authorized and directed to execute amendments to the Memorandums of Agreement extending the agreements to December 31, 2008.

(2) This Ordinance shall be published in full.

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 AWARDING CONTRACT FOR COMMERCIAL SLOPE MOWER

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 08-34**

**A RESOLUTION AWARDING CONTRACT FOR COMMERCIAL SLOPE
MOWER**

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

- (a) Subject: Commercial Slope Mower
- (b) Advertised: May 10, 2008
- (c) Bid Opening: May 21, 2008

WHEREAS, the following bid was received:

(1) Kut Kwick Corporation \$50,480

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 Kut Kwick Corporation in the sum of \$50,480 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 Litton, 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 AUTHORIZING AGREEMENT WITH CANN-TECH LLC FOR WASHINGTON SEWER SYSTEM PHASE II

The following resolution was presented to the Board of Commissioners:

**1CITY OF MAYSVILLE
COMMONWEALTH OF KENTUCKY
Resolution No. 08-36**

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

WHEREAS, the City needs professional engineering work for Phase II of the Washington sewer system improvements;

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute a Professional Consultant Firm Agreement between the City of Maysville and Cann-Tech, LLC for Phase II construction services at a cost of \$32,000.

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.

RESOLUTION RE: LETTER TO KENTUCKY DEPARTMENT FOR
ENVIRONMENTAL PROTECTION

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

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 08-35**

A RESOLUTION RE LETTER TO KENTUCKY DEPARTMENT FOR
ENVIRONMENTAL PROTECTION

WHEREAS, the City of Maysville, Kentucky entered into a consent judgment with the Kentucky Department for Environmental Protection which requires the City to implement certain programs; and

WHEREAS, the City needs an extension to implement CMOM Programs;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute a letter to the Kentucky Department for Environmental Protection requesting the date for implementation of the CMOM Programs be extended to January 31, 2009.

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.

ORDINANCE ON OCCUPATIONAL LICENSE TAX

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 08-07**

1Summary

THIS ORDINANCE ADOPTS A NEW OCCUPATIONAL LICENSE TAX. THE ORDINANCE REPEALS CHAPTERS 134 OCCUPATIONAL LICENSE TAX AND CHAPTER 135 EMPLOYEES LICENSE TAX. THE ORDINANCE REQUIRES EVERY PERSON AND BUSINESS ENTITIES ENGAGED IN BUSINESS IN THE CITY OF MAYSVILLE OBTAIN AN

OCCUPATIONAL LICENSE FOR A FEE OF \$75.00 BEFORE THE COMMENCEMENT OF BUSINESS. THE ORDINANCE IMPOSES AN OCCUPATIONAL LICENSE TAX OF 1.95% OF ALL WAGES AND COMPENSATION PAID OR PAYABLE IN THE CITY BY EVERY RESIDENT AND NON-RESIDENT WHO IS AN EMPLOYEE. THE ORDINANCE ESTABLISHES AN OCCUPATIONAL LICENSE TAX OF .075% OF THE GROSS RECEIPTS FROM BUSINESS CONDUCTED IN THE CITY OR \$75.00 WHICH EVER IS GREATER. THE ORDINANCE REQUIRES APPORTIONMENT OF GROSS RECEIPTS FOR BUSINESS ENTITIES WITH SALES REVENUE IN MORE THAN ONE TAX DISTRICT AND APPORTIONMENT OF WAGES FOR WORK DONE WITHOUT THE CITY. THE ORDINANCE REQUIRES EMPLOYERS TO WITHHOLD THE EMPLOYEES OCCUPATIONAL LICENSE TAX. ALL BUSINESS ENTITIES ARE REQUIRED TO FILE A RETURN BY APRIL 15TH OF EACH YEAR AND INCLUDE COPIES OF ITS FEDERAL INCOME TAX RETURN. APPLICATION FOR REFUNDS UNDER THE ORDINANCE MUST BE MADE WITHIN TWO YEARS FROM THE DATE THE OVERPAYMENT WAS MADE. CITY EMPLOYEES SHALL KEEP ALL INFORMATION CONFIDENTIAL. A PENALTY OF 5% OF THE TAX IS IMPOSED FOR FAILURE TO FILE RETURNS AND FAILURE TO PAY THE TAX. 12% INTEREST IS DUE ON TAXES NOT PAID WHEN DUE. BUSINESS ENTITIES AND EMPLOYERS WHO WILLFULLY FAIL TO MAKE A RETURN, MAKE A FALSE RETURN, OR FAIL TO PAY TAXES OWED OR COLLECTED WITH THE INTENT TO EVADE PAYMENT OF THE TAX SHALL BE GUILTY OF A CLASS A MISDEMEANOR. ANY PERSON VIOLATING THE CONFIDENTIALITY PROVISION OF THE ORDINANCE SHALL BE FINED NOT MORE THAN \$500 OR IMPRISONED FOR NOT LONGER THAN SIX MONTHS, OR BOTH BY INTENTIONALLY INSPECTING CONFIDENTIAL TAXPAYER INFORMATION. ANY PERSON VIOLATING THE CONFIDENTIALITY PROVISION OF THIS ORDINANCE BY DIVULGING CONFIDENTIAL TAXPAYER INFORMATION SHALL BE FINED NOT MORE THAN \$1,000 OR IMPRISONED FOR NOT MORE THAN ONE YEAR, OR BOTH. THE DIRECTOR OF FINANCE SHALL ENFORCE THIS CHAPTER. THIS ORDINANCE IS EFFECTIVE AS OF JANUARY 1, 2008.

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 ADOPTING THE CITY OF MAYSVILLE KENTUCKY ANNUAL BUDGET FOR FYE 2009

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 08-08**

AN ORDINANCE ADOPTING THE CITY OF MAYSVILLE, KENTUCKY ANNUAL BUDGET FOR FISCAL YEAR 1 JULY 2008 THROUGH 30 JUNE 2009 BY

ESTABLISHING REVENUES AND RESOURCES AND APPROPRIATING FUNDS FOR THE OPERATION OF CITY GOVERNMENT.

WHEREAS, an annual budget proposal and message has been prepared and delivered to the Board of Commissioners by the City Manager pursuant to KRS 91A.030 and Code of Ordinances section 131.01; and

WHEREAS, the Board of Commissioners has reviewed such budget proposal and made necessary modifications.

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

The annual budget for the City's fiscal year ending 30 June 2009, summarized by resources, revenues, and appropriations as follows, is hereby adopted:

	<u>GENERAL FUND</u>	<u>LOCAL GOVERNMENT ECONOMIC FUND</u>	<u>MUNICIPAL ROAD AID PROGRAM FUND</u>
RESOURCES AVAILABLE FUND BALANCES CARRIED FORWARD	8,000,000	150,000	300,000
ESTIMATED REVENUES:			
Property taxes	945,000		
License & Permits	6,760,000		
Intergovernmental Revenues	1,997,000	50,000	150,000
Other Revenue	<u>1,329,000</u>	_____	_____
Total Estimated Revenues	<u>11,031,000</u>	<u>50,000</u>	<u>150,000</u>
TOTAL RESOURCES AVAILABLE FOR APPROPRIATIONS	19,031,000	200,000	450,000
General Government & Public Safety	2,978,000		
Police	2,060,000	100,000	
Fire	1,655,000	100,000	
Public Works & Streets	2,553,000		350,000
Other	290,000		
Parks & Recreation	129,000		
Capital Expenditures	<u>4,290,000</u>		

Total Appropriations	<u>13,955,000</u>	<u>200,000</u>	<u>350,000</u>

ESTIMATED FUND BALANCES
END OF YEAR 5,076,000 0 100,000

Motion by Commissioner Mains, 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 ADOPTING PAY PLAN FOR CLASSIFIED CITY EMPLOYEES & NON-ELECTED OFFICIALS

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 08- 09**

AN ORDINANCE ADOPTING PAY PLAN FOR CLASSIFIED CITY EMPLOYEES AND NON-ELECTED OFFICIALS FOR SERVICES RENDERED BEGINNING 1 JULY 2008.

Summary

This Ordinance adopts a pay plan for regular City employees and non-elected officials by job classification for services rendered on and after 1 July 2008 until amended.

Motion by Commissioner Litton, 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 PROHIBITING PIT BULL DOGS

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

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 08C-10**

AN ORDINANCE PROHIBITING PIT BULL DOGS

Summary

This Ordinance amends Code of Ordinances Chapter 199 to prohibit pit bull dogs in the City of Maysville. The Ordinance amends Code of Ordinances §199.02, 199.05, and 199.07 to delete the references to registration of pit bull dogs and the prohibition of pit bull dogs in multi-family dwellings. The Ordinance adds a provision that if a pit bull dog is found within the City after September 1, 2008 that the police department will seize and impound the pit bull dog. A pit bull dog seized will only be released to an owner producing evidence that the pit bull dog is to permanently taken out of the City of Maysville. If such proof is not provided, the pit bull dog shall be destroyed.

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 AMENDING CHAPTER 320, ARTICLE V; RE: PRIVATE CLUBS/LODGES

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

1COMMONWEALTH OF KENTUCKY CITY OF MAYSVILLE ORDINANCE NO. 08C-13

AN ORDINANCE AMENDING CODE OF ORDINANCES SECTION 320
ARTICLE V

Summary

This Ordinance amends Code of Ordinances Section 320 Article V to add a definition for private clubs/lodges.

Motion by Commissioner Mains, 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.

RESOLUTION AUTHORIZING CONTRACT WITH HEY MR. D.J.

The following resolution was presented to the Board of Commissioners:

1COMMONWEALTH OF KENTUCKY

**CITY OF MAYSVILLE
Resolution No. 08-37**

A RESOLUTION AUTHORIZING CONTRACT WITH HEY MR. D.J.

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute a contract with Hey Mr. D.J. for July 4, 2008.

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.

SET DATE FOR SPECIAL MEETING

The Board of Commissioners agreed to set dates for special meetings on Monday, June 23, 2008 at noon and, in place of the regular July meeting, Wednesday, July 2, 2008 at noon.

CLOSED SESSION

Motion by Commissioner Litton, second by Commissioner Ashley to go into closed session to discuss personnel pursuant to KRS 61.810(1)(f). Upon call of the roll, voting is as follows: Voting aye: Commissioner Ashley, Commissioner Pfeffer, Commissioner Mains, Commissioner Litton and Mayor Cartmell.

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

No action was taken.

ADJOURNMENT

Motion by Commissioner Litton, 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.