

**Maysville City Commission
13 September 2007
REGULAR MEETING**

The Board of Commissioners of the city of Maysville, Kentucky met in a regular meeting on 13 September 2007 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, City Engineer Sam Baker, Utility Manager Eddie Wenz, Tourism/Renaissance Director Duff Giffen, Zoning Administrator Matt Wallingford, Codes Officer Gary Wells, Assistant Comptroller Karen Cracraft and Asst. City Attorney Steve Zweigart. Absent: Director of Public Works Jim Fryman.

Also present: The Ledger Independent and WFTM.

MINUTES & REPORTS

Motion by Commissioner Ashley, second by Commissioner Litton, to approve minutes of August 9, 2007 regular meeting and officers' 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.

REAPPOINTMENTS

The following reappointments were presented to the Board of Commissioners:

John Brannen to Maysville Utility Commission, exp. 9/1/10
Bob Valentine to Industrial Development Authority, exp. 10/11/11
Tina Jackson & Sherry Rice to CVB, exp. 10/11/10

Motion by Commissioner Litton, second by Commissioner Pfeffer, to approve the reappointments 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 ON RIVERWALK PROJECT

The following resolution was presented to the Board of Commissioners:

1 **COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 07-52**

**A RESOLUTION AWARDING CONTRACT FOR
RIVERWALK PROJECT**

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

(a)	Subject:	Riverwalk Project
(b)	Advertised:	August 30, 2007
(c)	Bid Opening:	September 6, 2007

WHEREAS, the following bids were received:

(1)	Independent Excavating	\$469,117.04
(2)	Sunesis Construction	\$494,852.00

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 Independent Excavating in the sum of \$469,117.04 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 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 SISTER CITIES MEMBERSHIP

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 07-50**

A RESOLUTION AUTHORIZING SISTER CITIES MEMBERSHIP

WHEREAS, the City of Maysville, Kentucky has determined that membership in Sister Cities International would be beneficial to the City to learn, work, and solve problems through cultural, educational, municipal, and business exchanges and projects;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute a membership application for Sister Cities International on behalf of the City of Maysville, Kentucky, provided, that no travel to the Sister City will occur at the expense of the City of Maysville without specific approval from the Board of Commissioners.

Motion by Commissioner Ashley, 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 SALE OF 0.255 ACRE, EAST 2ND & CASTO

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 07-51**

A RESOLUTION AUTHORIZING SALE OF 0.255 ACRE,
EAST SECOND STREET AND CASTO STREET

WHEREAS, the City of Maysville acquired property from various property owners for the Mason County Health Department project; and

WHEREAS, the Mason County Public Health Taxing District has determined that its building will be located on 0.255 acre on the south side of East Second Street and the east side of Casto Street in Maysville, Kentucky; and

WHEREAS, the City of Maysville agreed in the Interlocal Agreement entered into between Mason County Public Health Taxing District and the City of Maysville to sell the

property to the Mason County Public Health Taxing District;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor and City Clerk are hereby authorized and directed to execute a Deed to effectuate the sale of 0.255 acre on the south side of East Second Street and east side of Casto Street in Maysville, Kentucky to Mason County Public Health Taxing District for \$200,000 and the Mayor is further authorized and directed to execute the Closing Statement and any other necessary documents.

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.

ORDINANCE AMENDING CODE OF ORDINANCES SECTIONS 133.06 & 133.07:
DEFINITION OF DOWNTOWN DISTRICT

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 07C-16**

AN ORDINANCE AMENDING CODE OF ORDINANCE SECTIONS 133.06 and 133.07

Summary

This Ordinance amends Code of Ordinances Section 133.06 to delete the definition of downtown business district and add a definition of downtown district to include all areas within the tax credit boundaries on the map attached hereto. The Ordinance amends Code of Ordinances Section 133.07 to refer to the downtown district rather than downtown business district.

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 ESTABLISHING POLICE DEPARTMENT HOME FLEET

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 07C-12**

AN ORDINANCE ESTABLISHING POLICE DEPARTMENT HOME FLEET

Summary

This Ordinance enacts Code of Ordinances Section 90.22 to establish a home fleet for the Maysville Police Department. Police Department employees shall be allowed to drive their assigned vehicles home if they reside in Mason County, Kentucky. No vehicles will be driven outside Mason County, Kentucky without prior approval from the Chief of Police. Police who reside outside the city limits of Maysville, Kentucky shall pay a fee for gasoline which fee shall be set annually by the City Manager and Chief of Police.

Motion by Commissioner Litton, second by Commissioner Pfeffer 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.

ORDINANCE SETTING REQUIREMENTS FOR REFUNDS OF INSURANCE LICENSE TAX

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 07C-13**

AN ORDINANCE SETTING REQUIREMENTS FOR REFUNDS OF INSURANCE LICENSE TAX

Summary

This Ordinance establishes a new section of Chapter 136 Insurance License Tax to provide that requests for refunds for insurance license tax must be made in writing within two years of the end of the calendar year in which said tax is paid. The refund request requires supporting documentation of the name and address of each insured upon whom tax was erroneously paid, the type of risk, the amount of insurance premium and such other information as may be reasonably requested by the City.

Motion by Commissioner Pfeffer, second by Commissioner Mains to adopt 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.

ORDINANCE FIXING AD VALOREM TAX LEVIES

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 07-14**

AN ORDINANCE FIXING CITY OF MAYSVILLE AD VALOREM TAX LEVIES ON MOTOR VEHICLES DUE IN 2008 AND ON ALL OTHER TAXABLE PROPERTY DUE IN 2007 AND LEVYING A FRANCHISE TAX ON FINANCIAL INSTITUTIONS DUE IN 2008

WHEREAS, the 2008 ad valorem tax rate on motor vehicles is fixed by KRS 132.487(2) at the rate which could have been levied on 1 January 1983 assessments; and

WHEREAS, the Board of Commissioners hereby foregoes any other ad valorem tax increases for 2007 which would result from raising and compensating tax rate, as authorized by KRS 132.027; and

WHEREAS, KRS 136.575 authorizes a franchise tax on financial institutions measured by deposits in the institutions located within the city at a rate up to 0.025% of the deposits, due by 31 January 2008.

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

(1) That for the use and benefit of the General Fund, there is hereby levied the following ad valorem taxes on each \$100.00 of assessed value taxable by the City:

- a) \$0.2460 on motor vehicles taxable in 2008, pursuant to KRS 132.487;
- b) \$0.015 on unmanufactured tobacco taxable in 2007, pursuant to KRS 136.575;
- c) \$0.147 on all other real and personal property taxable in 2007, pursuant to KRS 92.280 and 132.027, and Kentucky Constitution section 157.

(2) That for the use and benefit of the General Fund, there is levied a franchise tax on financial institutions equal to 0.025 percent of deposits in such institutions located within and taxable by the City, to be billed by the City by 1 December 2007 and due with two percent discount if paid by 31 December 2007 or without discount if paid by 31 January 2008, pursuant to KRS 136.575.

(2) That the City Clerk shall notify the Kentucky Revenue Cabinet of the ad valorem tax and franchise tax rates hereby levied by 1 October 2007.

(3) The text of this Ordinance shall be published in full.

Motion by Commissioner Ashley, second by Commissioner Litton 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.

ORDINANCE ADOPTING THE ASSESSMENT OF THE MASON COUNTY PVA

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 07-15**

AN ORDINANCE ADOPTING THE ASSESSMENT OF THE MASON COUNTY
PROPERTY VALUATION ADMINISTRATOR FOR REAL AND PERSONAL
PROPERTY IN THE CITY OF MAYSVILLE FOR TAX YEAR 2007.

BE IT ORDAINED BY THE CITY OF MAYSVILLE, KENTUCKY, that the assessment of real and personal property made by the Mason County Property Valuation Administrator, reviewed by the Mason County Board of Assessment Appeals, equalized and certified by the Kentucky Revenue Cabinet, and certified by the Mason County Clerk to the City Treasurer as set out below is hereby accepted and adopted as the assessment of taxable property in the City of Maysville for tax year 2007, which assessment shall be subject to taxation at the rates to be fixed by Ordinance.

2007 TAX ASSESSMENT

Real Property	\$418,306,465
Tangible Personal Property	121,037,972
Inventories	32,413,514
Un-manufactured Tobacco	0

The text of this Ordinance shall be published in full.

Motion by Commissioner Pfeffer, 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.

OCTOBER MEETING

Board of Commissioners agreed to meet in special session on Thursday, October 18, 2007, as the Kentucky League of Cities Conference occurs during week of regular meeting.

DISCUSSION

Mayor Cartmell said Covington has gotten all CDL traffic off the Roebling Bridge, and he would like the city to look into banning heavy trucks from the Simon Kenton Bridge and all be local truck traffic from downtown streets. Staff is to meet with Katrina Bradley from Transportation Cabinet.

ADJOURNMENT

Motion by Commissioner Ashley, second by Commissioner Litton, 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