

**Maysville City Commission**  
**23 June 2008**  
**SPECIAL MEETING**

The Board of Commissioners of the city of Maysville, Kentucky met in a special meeting on 23 June 2008 at 12 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, Comptroller Romie Griffey, Police Chief Kent Butcher and Asst. Comptroller Karen Cracraft.

Also present: The Ledger Independent.

RESIGNATION OF POLICE OFFICER JOSH HICKS

The following letter was presented to the Board of Commissioners:

June 19, 2008

Honorable Mayor and City Commission  
Maysville, Kentucky

On the 16<sup>th</sup> of June I received with regrets the resignation of Officer Josh Hicks who has been with the Police Department for the past five years. Josh has served on the emergency response team as well as the bike patrol program and in many other areas of responsibility. I would like to wish Josh well as he pursues another career and also thank him for his dedication to the city and the department.

Respectfully,  
James K. Butcher  
Chief of Police

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

APPOINTMENT OF PROBATIONARY POLICE OFFICER

The following memo was presented to the Board of Commissioners:

To: Honorable Mayor and City Commissioners  
Fr: Chief James K. Butcher  
Re: Appointment  
Da: June 23, 2008

I respectfully request the appointment of Matthew S. Walton to a probationary police officer with the Maysville Police Department. Mr. Walton has completed our hiring process, as well as other components required by the Department of Criminal Justice Training. We anticipate Matthew will be an excellent addition to our department.

Respectfully,  
James K. Butcher  
Chief of Police

Motion by Commissioner Litton, second by Commissioner Mains to appoint Matthew S. Walton as a probationary police officer. 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**

1 Summary

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 15<sup>TH</sup> 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 Mains, second by Commissioner Ashley to adopt 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 Litton, second by Commissioner Pfeffer to adopt 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 Ashley, second by Commissioner Pfeffer to adopt 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.

ADJOURNMENT

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

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David Cartmell, Mayor

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City Clerk