

Maysville City Commission
Thursday, Feb. 11, 2010; 5:15 p.m.
REGULAR MEETING

The Board of Commissioners of the City of Maysville, Kentucky met in a regular meeting on Thursday, Feb. 11, 2010 at 5:15 p.m. at the Maysville Municipal Building. Present: Commissioner Judy Pfeffer, Commissioner Rick Litton, Commissioner Kelly Ashley and Mayor David Cartmell presiding. Also present: City Manager Ray Young, City Clerk Lisa Dunbar, City Attorney Sue Brammer, Police Chief Kent Butcher, Fire Chief Eric Bach, Asst. Comptroller/HR Director Karen Cracraft, City Engineer Sam Baker, Tourism/Renaissance Director Duff Giffen, Public Works Director Rick Truesdell, Zoning Administrator Matt Wallingford, Building Official Gary Wells, and Codes Officer Nicole Jones. Absent: Commissioner John Mains, Comptroller Romie Griffey, Utility Manager Eddie Wenz, and Asst. City Attorney Kelly Caudill.
Also present: The Ledger Independent

MINUTES & DEPARTMENT REPORTS

Motion by Commissioner Litton, second by Commissioner Pfeffer to accept the minutes of the Jan. 14, 2010 regular meeting and department reports as submitted.

Upon call of the roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. The motion passes.

APPOINTMENTS & REAPPOINTMENTS

The Mayor made the following recommendations for appointment or reappointment:

Board of Examiners: Jim Rawlings, exp. 3/11/14

Human Rights Commission: Jean Black & Ann Johnson, exp. 3/9/13

Housing Commission: Lynn Eberly, exp. 3/13/14

Renaissance Committee: Jim Purdon, exp. 12/31/13

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

UPDATE ON THE COX BUILDING

City Engineer Baker told the Commission that city crews have removed petitions from the first floor and set aside any elements that will be reused. They have also begun cleaning out the basement. If they run out of interior work, they will begin work on the windows.

UPDATE ON RECREATION PARK POOL

City Engineer Baker told the Commission that work has begun on the surge pool at the recreation park, but work had to be halted due to inclement weather. He said he believes that the project can be completed before the pool is due to open.

POLICE DEPARTMENT PROMOTION

The following letter was presented to the Board of Commissioners:

January 20, 2010

Honorable Mayor and City Commission

I would like to recommend that Officer Eric H. Hylander be appointed from a probation recruit status to a Police Officer Level One Status with the department. Eric has completed all of his training requirements as well as the time spent with a field-training officer. Eric has been doing a good job and will make a great addition to our department.

Respectfully,
James K. Butcher
Chief of Police

Motion by Commissioner Ashley, second by Commissioner Pfeffer to approve the promotion of Eric Hylander from probationary status to Police Officer Level One. Upon call of the roll, voting as follows: Voting aye: Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. Motion passes.

PUBLIC WORKS PROMOTION

The following memorandum was presented to the Board of Commissioners:

Date: February 15, 2010
To: Ramon Young, City Manager
From: Rick Truesdell, Public Works Director
Re: Full Time Position Opening

Due to the full time position opening in the Department it is my recommendation that Mason Pollock be promoted to full time status. I recommend the effective date of February 15, 2010.

Motion by Commissioner Pfeffer, second by Commissioner Litton to approve the promotion of Mason Pollock to full-time employee. Upon call of the roll, voting as

follows: Voting aye: Commissioner Pfeffer, Commissioner Litton, Commissioner Ashley, and Mayor Cartmell. Motion passes.

LIMESTONE CABLEVISION RATE INCREASE

The following letter was read for the record:

January 25, 2010

Dear Mayor Cartmell:

This letter is to inform you and the Council that effective April 1, 2010 we must raise some of our cablevision fees and to announce some changes to our channel lineup. We fell Limestone Cablevision continues to provide the best lineup of local and satellite television channels available in our area.

As of April 1, 2010, the Broadcast Basic local service will increase to \$16.50 per month. This increase was precipitated due to the increasing cost of carrying the over-the-air channels that has made the headlines lately.

The Preferred Cable Service will increase to \$42.50 per month and we will be adding more High Definition channels. All Digital packages will increase \$2.50 per package. The Premium Channels, HBO and Showtime (Analog Packages Only), monthly Cost will rise to \$13.95 per channel. ...

RESOLUTION AUTHORIZING LEASE FOR WINDOW SPACE

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 10-14**

A RESOLUTION AUTHORIZING LEASE FOR WINDOW SPACE

WHEREAS, the City wants to display art banners downtown as part of the Kentucky Art Council Best Practices; and

WHEREAS, the White Manor Hotel will be a visible location to display the banners;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute a lease with Kevin W. McRoberts and Donna J. McRoberts for window space on the west and north side of the White Manor Hotel property to display art banners at a rent of \$1 per year.

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

RESOLUTION AUTHORIZING CONTRACT FOR DOWNTOWN MARKET STUDY

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 10-15**

A RESOLUTION AUTHORIZING CONTRACT FOR DOWNTOWN MARKET STUDY

WHEREAS, the City of Maysville requested proposals for a downtown Market Study, and;

WHEREAS, the following proposals were received:

(1)	Economic Development Visions	\$8,500 (plus \$1,500 travel)
(2)	Preservation Services and Technology Group	\$17,500
(3)	RKG Associates	\$23,000
(4)	Buxton	\$25,000
(5)	Clue Group	\$26,000 (plus \$1,500 travel)
(6)	Preston- Osborne	\$46,000

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute a contract with Economic Development Visions for a downtown market study for the price of \$8,500.00 plus related travel expenses.

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

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE DEPARTMENT OF TRANSPORTATION, USA, FOR A GRANT UNDER SAFETEA-LU

The following resolution was presented to the Board of Commissioners:

**1CITY OF MAYSVILLE
COMMONWEALTH OF KENTUCKY
Resolution No. 10-16**

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA, FOR A GRANT UNDER THE SAFE, ACCOUNTABLE, FLEXIBLE, EFFICIENT TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS (SAFETEA-LU),

WHEREAS, the Secretary of Transportation is authorized to make grants for mass transportation projects; and

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of the project costs; and

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), the City gives an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the Department of Transportation requirements thereunder; and

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Section 504 of the Rehabilitation Act of 1973, that in connection with the filing of an application for assistance the City gives an assurance that it will comply with Section 504 of Rehabilitation Act of 1973 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is required by the U.S. Department of Labor in accordance with the provisions of Section 5333(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), that in connection with the filing of an application for assistance under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), and in the absence of a waiver from the U.S. Department of Labor, the City gives an assurance that it will comply with Section 5333(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), and the U.S. Department of Labor requirements thereunder; and

WHEREAS, it is the goal of the City that disadvantaged business enterprises be utilized to the fullest extent possible in connection with this project, and the definite procedures

shall be established and administered to ensure that disadvantaged businesses shall have maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts or consultant and other services.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is authorized:

- Section 1. to execute and file an application on behalf of the City of Maysville with the U.S. Department of Transportation, to aid in the financing of the capital, administrative and operating expenses.
- Section 2. to execute and file with such application an assurance or any other document required by the U.S. Department of Transportation effectuating the purpose of Title VI of the Civil Rights Act of 1964.
- Section 3. to set forth and execute affirmative minority business policies in connection with the project's procurement needs.
- Section 4. to set forth and execute with such application an assurance that the Maysville Transit System will comply with the conditions of the Section 5333(b) Warranty as required by the U.S. Department of Labor effectuating the purposes of Section 5333(b) of Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU),
- Section 5. to furnish such additional information as the U.S. Department of Transportation may require in connection with the application or the project.
- Section 6. to execute grant contract agreements on behalf of City of Maysville with the Kentucky Transportation Cabinet for aid in the financing of the capital, administrative, and operating expenses of the Maysville Transit Authority.
- Section 7. This Resolution shall be in full force and effect from and after the date of its adoption.

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

RESOLUTION COMMITTING LOCAL FUNDS FOR GRANT APPLICATION FOR TRANSIT

The following resolution was presented to the Board of Commissioners:

**1CITY OF MAYSVILLE
COMMONWEALTH OF KENTUCKY
Resolution No. 10-17**

A RESOLUTION COMMITTING THE LOCAL SHARE OF FUNDS NECESSARY FOR A
GRANT APPLICATION TO AID IN THE ADMINISTRATION AND OPERATION
EXPENSE OF THE LOCAL TRANSIT SYSTEM.

WHEREAS, the City of Maysville is authorized by Kentucky Revised Statutes Section 96.189 to apply for and accept grants of money to assist in the implementation of a transit system in the local service area; and

WHEREAS, the City of Maysville has applied to the Kentucky Transportation Cabinet and the Federal Transit Administration of the United States Department of Transportation Act of 1964, in connection with the Section 5307/5311 project; and

WHEREAS, said application requires assurance of the City of Maysville relative to the commitment of the local share for the Section 5307/5311 project(s).

NOW THEREFORE, BE IT RESOLVED BY THE City of Maysville, Kentucky as follows:

- 1.The City of Maysville hereby gives assurance that it is its intent to commit its local share of the funds necessary to support this project to improve transit service in local service area for a minimum of five (5) years from the inception of the project. Said local share of expenses is to be paid from the General Fund, including bus fares.
- 2.The City of Maysville hereby gives assurance that it intends to continue the operation of transit service for a minimum of five (5) years.

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

RESOLUTION ENDORSING CONTINUATION OF BUFFALO TRACE/GATEWAY
NARCOTICS TASK FORCE

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 10-18**

A RESOLUTION ENDORSING CONTINUATION OF THE BUFFALO TRACE /
GATEWAY NARCOTICS TASK FORCE

WHEREAS, the City of Maysville, Kentucky (the “**City**”) is concerned about illegal narcotics sales and usage; and

WHEREAS, the Buffalo Trace / Gateway Narcotics Task Force was formed under an Interlocal Cooperative Agreement by cities and counties located in the Buffalo Trace and Gateway Area Development Districts to combat the sales and illegal usage of drugs; and

WHEREAS, the City endorses the continuation of the Buffalo Trace / Gateway Narcotics Task Force;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the City will provide up to \$15,000 toward the match of any federal or state funds to assist in the continuation of an enforcement unit, with said funds to be allocated from the FY2010 budget.

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

RESOLUTION AUTHORIZING LOAN AGREEMENT WITH USA FOR AIRCRAFT

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 10-19**

**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 2010 loan agreement for the period from April 1, 2010 to March 31, 2011, to the United States of America.

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

RESOLUTION AUTHORIZING MAYOR TO SIGN LEASE AGREEMENT FOR EQUIPMENT FOR WASHINGTON SEWER PROJECT

The following resolution was presented to the Board of Commissioners:

**1COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 10-20**

A RESOLUTION AUTHORIZING LEASE AGREEMENT
WITH WILSON EQUIPMENT COMPANY

WHEREAS, the City needs a track hoe for the Washington Sewer Project;

WHEREAS, the City has received a proposal from Wilson Equipment Company to rent a track hoe for a rate of \$3500 per month;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to sign a lease agreement with Wilson Equipment Company to lease a track hoe for the Washington Sewer Project.

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

ADJOURNMENT

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

Mayor

City Clerk