

MAYSVILLE BOARD OF COMMISSIONERS

Tuesday, 22 August 2017; noon

SPECIAL MEETING

Maysville Municipal Building

The Board of Commissioners of the City of Maysville, Kentucky met in a regular meeting on Tuesday, Aug. 22, 2017 at 12 p.m. at the Maysville Municipal Building. Present: Commissioner Schumacher, Commissioner Judy Pfeffer, Commissioner Kelly Ashley, Commissioner Victor McKay, and Mayor David Cartmell. Also present: City Manager Matt Wallingford, City Clerk Lisa Dunbar, City Attorney Sue Brammer, Comptroller Penny Francis, Projects Coordinator David Hord, Police Chief Ron Rice, Asst. Comptroller/HR Director Karen Cracraft, Public Works Director Mike Barbee, Zoning Administrator George Larger. Also present, The Ledger Independent.

MOTION TO FILE SUIT TO TERMINATE PERPETUAL CARE FUND

Motion by Commissioner Pfeffer, second by Commissioner Ashley to file lawsuit to terminate perpetual care fund for the cemetery and distribute funds to the City for use at the cemetery. Upon call of roll, voting is as follows: Voting aye: Commissioner Schumacher, Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay and Mayor Cartmell, Motion passes.

RESOLUTION AUTHORIZING MEMORANDUM OF AGREEMENT AND PERPETUAL TRAIL EASEMENT

The following resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 17-81

RESOLUTION AUTHORIZING
MEMORANDUM OF AGREEMENT AND PERPETUAL TRAIL EASEMENT

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute the Commonwealth of Kentucky Department for Local Government Office of Federal Grants Recreational Trails Program Memorandum of Agreement and the Perpetual Trail Easement for the walking trail at Downing Drive.

Motion by Commissioner Pfeffer, second by Commissioner McKay to adopt Resolution 17-81 as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Schumacher, Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay and Mayor Cartmell, Motion passes.

RESOLUTION AUTHORIZING KENTUCKY 911 GRANT AGREEMENT

The following resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 17-82

RESOLUTION AUTHORIZING
KENTUCKY 911 GRANT AGREEMENT

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute the Kentucky 911 Services Board Grant Fund Agreement to fund the purchase and installation of the CAD System.

Motion by Commissioner Ashley, second by Commissioner Schumacher to adopt Resolution 17-82 as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Schumacher, Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay and Mayor Cartmell, Motion passes.

RESOLUTION AUTHORIZING AMENDMENTS TO CITY EMPLOYEE HANDBOOK

The following resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 17-83

RESOLUTION AUTHORIZING AMENDMENTS
TO CITY EMPLOYEE HANDBOOK

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Employee Handbook be updated to delete the language that the Human Resources Director may make recommendations to the City Manager; to add language that unless otherwise directed by the City Commission, the City Manager may hire temporary, seasonal, or part time employees as needed; to delete the language that payroll may be made on a weekly basis; to delete the reference to the supervisor approving time cards and noting items on time cards and add language about employee's time worked record; to delete the deduction for Commonwealth Credit Union and delete the language about direct deposit under voluntary payroll deduction programs and move direct deposit to pay plan; to add the requirement that direct deposit of payroll taxes is required of all employees; to delete the list of holidays and state that the City will adhere to the designated holiday schedule for the Commonwealth of Kentucky; to delete the requirement that compensation for jury duty shall be refunded to the City; to add under educational reimbursement that the maximum amount of reimbursement is \$3,000 per

fiscal year for books and tuition only; and to revise the language on drug and alcohol testing when an employee is involved in a motor vehicle accident to require a testing for any accident or incident that requires off site medical attention to employee or another party.

Motion by Commissioner Schumacher, second by Commissioner Ashley to adopt Resolution 17-83 as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Schumacher, Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay and Mayor Cartmell, Motion passes.

RESOLUTION AUTHORIZING CLG GRANT AGREEMENT

The following resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 17-84

RESOLUTION AUTHORIZING 2017 CLG GRANT AGREEMENT

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute the 2017 CLG Grant Letter of Agreement.

Motion by Commissioner Pfeffer, second by Commissioner Schumacher to adopt Resolution 17-84 as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Schumacher, Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay and Mayor Cartmell, Motion passes.

ORDINANCE AMENDING GARBAGE COLLECTION ORDINANCE

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

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 17-35

AN ORDINANCE AMENDING CODE OF ORDINANCES §152.04

Summary

This Ordinance amends Code of Ordinances § 152.04 Schedules to require a \$10 fee for special pickup of garbage and require that furniture, all upholstered items and all mattresses are required to be wrapped in plastic prior to pickup

Motion by Commissioner Schumacher, second by Commissioner Pfeffer to pass Ordinance 17-35 amending garbage collection as presented upon first reading. Upon

call of roll, voting is as follows: Voting aye: Commissioner Schumacher, Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay and Mayor Cartmell, Motion passes.

ORDINANCE AMENDING STREET SWEEPING ORDINANCE

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

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 17-27

AN ORDINANCE AMENDING
CODE OF ORDINANCES CHAPTER 257

Summary

This Ordinance amends Code of Ordinances Chapter 257 Schedule III Street Sweeping Schedule to change the hours to 4:00 a.m. to 10:00 a.m., to change the time when the street sweeping ordinance is in effect from April 1 to December 1, to add the south side of Fourth Street, to add all of Forest Avenue, to add that Second Street will be between Carmel Street and Bridge Street, and to add all of Union Street. This Ordinance also amends Code of Ordinances §256.99 to change the penalties for parking in a street sweeper zone to a violation under Code of Ordinances §11.01 (C) with a fine of \$25 for the first offense, \$50 for second offense, and a boot on the car, payment of \$50 within 24 hours, and towing if the fine is not paid within 24 hours for third offense and all others.

Motion by Commissioner Ashley, second by Commissioner Schumacher to pass Ordinance 17-27 amending the street sweeping ordinance as presented upon first reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Schumacher, Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay, Nays: Mayor Cartmell, Motion passes.

ORDINANCE AMENDING ORDINANCE ON PENALTIES

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

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 17-33

AN ORDINANCE AMENDING
CODE OF ORDINANCES SECTION 11.01 PENALTIES

Summary

This Ordinance amends Code of Ordinances Section 11.01 to add 11.01 (C) with a fine of \$25 for the first offense, a fine of \$50 for the second offense, for third offense and all others a fine of \$50, a boot on vehicle, and a fine if not paid within 24 hours, vehicle will be towed.

Motion by Commissioner Schumacher, second by Commissioner Pfeffer to pass Ordinance 17-33 setting penalties as presented upon first reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Schumacher, Commissioner Pfeffer, Commissioner Ashley, and Commissioner McKay, Nays: Mayor Cartmell, Motion passes.

ORDINANCE ADOPTING PVA ASSESSMENT FOR 2017

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 17-24**

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 2017.

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 2017, which assessment shall be subject to taxation at the rates to be fixed by Ordinance.

2017 TAX ASSESSMENT

Real Property	\$453,851,836
Tangible Personal Property	113,133,612
Inventories	34,541,932

The text of this Ordinance shall be published in full.

Motion by Commissioner Pfeffer, second by Commissioner McKay to adopt Ordinance 17-24 adopting the PVA assessment as presented upon second reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Schumacher, Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay and Mayor Cartmell, Motion passes.

ORDINANCE SETTING AD VALOREM AND OTHER TAX RATES

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 17-25**

AN ORDINANCE SETTING CITY OF MAYSVILLE AD VALOREM TAX LEVIES ON MOTOR VEHICLES DUE IN 2018 AND ON ALL OTHER TAXABLE PROPERTY DUE IN 2017 AND LEVYING A FRANCHISE TAX ON FINANCIAL INSTITUTIONS DUE IN 2018.

WHEREAS, the 2018 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 2017 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 2018.

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 2018, pursuant to KRS 132.487;
- b) \$0.158 on all other real and personal property taxable in 2017, 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 2017 and due with two percent discount if paid by 31 December 2017 or without discount if paid by 31 January 2018, pursuant to KRS 136.575.

(3) That the City Clerk shall notify the Kentucky Revenue Cabinet of the ad valorem tax and franchise tax rates hereby levied by 1 October 2017.

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

Motion by Commissioner Schumacher, second by Commissioner Ashley to adopt Ordinance 17-25 setting ad valorem and other tax rates as presented upon second reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Schumacher, Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay and Mayor Cartmell, Motion passes.

ADJOURNMENT

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


MAYOR


CITY CLERK

