

MAYSVILLE BOARD OF COMMISSIONERS

Thursday, 12 January 2017; 5:15 p.m.

REGULAR MEETING

Maysville Municipal Building

The Board of Commissioners of the City of Maysville, Kentucky met in a regular meeting on Thursday, Jan. 12, 2017 at 5:15 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 Stanfield, Projects Coordinator David Hord, Police Chief Ron Rice, Fire Chief Kevin Doyle, Asst. Comptroller/HR Director Karen Cracraft, Tourism Director Suzie Pratt, Public Works Director Rick Truesdell, Zoning Administrator George Larger, Building Official Wells, Codes Officer Nicole Jones, and Main Street Director Caroline Reece. Absent: Asst. City Attorney Kelly Caudill. Others present: The Ledger Independent and WFTM.

MINUTES & REPORTS

Motion by Commissioner Pfeffer, second by Commissioner Schumacher to approve the minutes of the Dec. 8 and 20, 2017 meetings and department reports 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.

PUBLIC COMMENT

Brian Helphenstine addressed the Board of Commissioners regarding body cameras for police officers for transparency and handed out information about a Martin Luther King Jr. event he organized at the Mason County Public Library.

APPOINTMENTS & REAPPOINTMENTS

The Mayor recommended the following appointments:

- Board of Architectural Review, Nuno Fernandes, term to expire 12/31/19
- Industrial Development Authority, Robert Boone, term to expire 10/11/20
- Ethics Board, Debbie Lewis, term 12/8/18 & Kay Miller, unexpired term 12/18/17

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

PROMOTIONS: FIRE

The Board of Commissioners were presented with a memo recommending the promotion of TJ Warder and Ian Riggins to full-time firefighter status.

See Attachment A

Motion by Commissioner Ashley, second by Commissioner Pfeffer to promote TJ Warder and Ian Riggins to full-time firefighter status. Upon call of roll, voting is as follows: Voting aye: Commissioner Schumacher, Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay and Mayor Cartmell, Motion passes.

ELECTION RESULTS

The City Clerk read the results of the Board of Commissioners election for the record.

- Kevin Fulton 1,314
- Kelly Ashley 1,481
- James R. "Rick" Litton 1,155
- Robbie Detro 1,125
- Victor McKay 2,279
- Judy C. Pfeffer 1,393
- Jerry Schumacher 1,327

BOARD ASSIGNMENTS

Motion by Mayor Cartmell, second by Commissioner McKay to make the following board assignments:

- Communications Committee: Commissioner Ashley
- Recreation Park Board: Commissioner Pfeffer
- I.N. Foster Committee: Commissioner McKay
- Landfill Board: Commissioner Ashley
- Audit Committee: Commissioner Pfeffer and Commissioner Schumacher

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

NEW YEAR CELEBRATION

Women's Crisis Center Director Melissa Greenwell and David Green from Comprehend Inc. thanked the Board of Commissioners for the City's help in making their New Year's Eve fundraiser a success.

See Attachment B

DISCUSSION: NATIONAL WEATHER SERVICE STORM READY COMMUNITY

DES Director Tim Nolder informed the Board of Commissioners about Maysville receiving the designation of National Weather Service Storm Ready Community.

DISCUSSION: COLUMBIA GAS

Dave Lemons of Columbia Gas informed the Board of Commissioners about projects that will be under way this summer, including work on service lines on Carmel Street from the creek to the tracks, Third Street, Forest Avenue and Arrington Avenue as well as completion of Edgemont work.

DISCUSSION: UTILITY COMMISSION

City Manager Wallingford told the Board of Commissioners that Comptroller Graeraff will research savings if the City absorbs the Maysville Utility Commission. A joint meeting of the City Commission and Utility Commission will be scheduled.

STAFF ELD

DISCUSSION: STREET SWEEPER

City Manager Wallingford sought the Board of Commissioners input on street sweeping. The City has been paying \$1,300 per month for street sweeping. Commissioner Pfeffer said she didn't think it was worth it because the streets are still dirty. The Board agreed that staff should look into purchasing a small street sweeper that wouldn't require a CDL driver.

DISCUSSION: INSURANCE TAX

City Manager Wallingford proposed a 1% increase in the insurance tax. Commissioner Schumacher was opposed. Commissioner Pfeffer played devil's advocate in asking where else the City would get needed revenue. City Manager Wallingford said that we couldn't keep dipping into the reserve or it would be gone. City Attorney Brammer was asked to prepare an ordinance and the Board could reconsider it in February.

RESOLUTION AUTHORIZING MAYOR TO SIGN CONTRACT FOR SECTION 125 PLAN

The following resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 17-01

RESOLUTION AUTHORIZING SECTION 125 PLAN DOCUMENTS

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute an application for new services and the Proposed Section 125 Plan Document Services with McGregor & Associates, Inc.

Motion by Commissioner Schumacher, second by Commissioner Ashley to adopt Resolution 17-01 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 AWARDING BID ON SEWER PROJECT

The following resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 17-02

RESOLUTION AWARDING ENGINEERING CONTRACT TO CANN-TECH, LLC

WHEREAS, the City of Maysville advertised for requests for proposals from engineers for the Maysville Wastewater Treatment Plant Upgrade Project; and

WHEREAS, the proposals were received from Cann-Tech, LLC, GRW Engineers, Inc. Howerton Engineering & Surveying, PLLC, Kentucky Engineering Group, PLLC, Kenvirons, Inc., and Strand Associates; and

WHEREAS, the proposals have been reviewed and scored by reviewers from the City, and Cann-Tech, LLC received the highest score;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that Cann-Tech, LLC is awarded the contract with the City of Maysville for engineering services for the Maysville Wastewater Treatment Plant Upgrade Project. The Mayor is hereby authorized and directed to execute a contract with Cann-Tech, LLC.

Motion by Commissioner Ashley, second by Commissioner Schumacher to adopt Resolution 17-02 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 OF APPRECIATION FOR RICK LITTON

The following resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 17-03

RESOLUTION OF APPRECIATION FOR RICK LITTON

WHEREAS, the City of Maysville, wishes to acknowledge the passing of our former Mayor and City Commissioner, James Richard "Rick" Litton on December 25, 2016; and

WHEREAS, Rick Litton served the City of Maysville as Mayor from 1990 - 1999 and as a City Commissioner from 1977-1985, 1988-1989, and 2002-2015; and

WHEREAS, Rick Litton was instrumental in the government of the city and in helping the citizens of Maysville through his work with city government and through his charitable endeavors in the community such as Habitat for Humanity;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that it does hereby declare its appreciation of the leadership and valuable contributions that Rick Litton made to the City of Maysville through his many years in local government

Motion by Commissioner Schumacher, second by Commissioner Pfeffer to adopt Resolution 17-03 as presented.

RESOLUTION AUTHORIZING THE MAYOR TO SIGN MUNICIPAL ROAD AID AGREEMENT

The following resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 17-04

A RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF A MUNICIPAL AID COOP PROGRAM CONTRACT BETWEEN THE CITY OF MAYSVILLE AND THE COMMONWEALTH OF KENTUCKY, TRANSPORTATION CABINET, DEPARTMENT OF RURAL AND MUNICIPAL AID FOR THE FISCAL YEAR BEGINNING JULY 1, 2016, AS PROVIDED IN THE KENTUCKY REVISED STATUTES AND ACCEPTING ALL STREETS REFERRED TO THEREIN AS BEING STREETS WHICH ARE A PART OF THE INCORPORATED AREA.

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

The City of Maysville does hereby accept all streets referred to in said Contract as being city streets which are a part of the City of Maysville; and the City of Maysville, does hereby ratify and adopt all statements, representations, warranties, covenants, and agreements contained in said Contract and does hereby accept said Contract and

by such acceptance agrees to all the terms and conditions therein stated; and the Mayor is hereby authorized and directed to sign said Contract as set forth on behalf of the City of Maysville, and the City Clerk is hereby authorized and directed to certify thereto.

Motion by Commissioner Pfeffer, second by Commissioner Ashley to adopt Resolution 17-04 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 RE: LETTER OF SUPPORT FOR ROTARY CLUB RACES

The following resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 17-05

RESOLUTION AUTHORIZING
LETTER OF SUPPORT FOR ROTARY TWO BRIDGE RUN

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute a letter of support to Commonwealth of Kentucky for the Rotary Two Bridge 10-Miler and 5K to be held on April 22, 2017.

Motion by Commissioner Schumacher, second by Commissioner Pfeffer, to adopt Resolution 17-05 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 RESTRICTIONS ON COX BUILDING

The following resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 17-06

RESOLUTION AUTHORIZING
RESTRICTIONS ON COX BUILDING

WHEREAS, the Maysville Conference Center, East Second Street, Maysville, Kentucky has deed restrictions that it shall be maintained as a public property and shall be used for a public purpose until May 28, 2020; and

WHEREAS, the City of Maysville wishes to sell the Maysville Conference Center; and

WHEREAS, the restrictions are in favor of and enforceable by Kentucky Housing Corporation and/or Department of Local Government; and

WHEREAS, the Kentucky Housing Corporation relinquished any rights to Department of Local Government on February 13, 2004; and

WHEREAS, the Department for Local Government has agreed to release the restrictions on the Maysville Conference Center provided that the restrictions be placed on the Cox building, 2 East Third Street, Maysville, Kentucky;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor and City Clerk are hereby authorized and directed to execute Covenants and Restrictions on the Cox Building, 2 East Third Street, Maysville, Kentucky requiring the Cox Building to be maintained as public property and used for a public purpose to serve and benefit the community at large until May 28, 2022.

Motion by Commissioner Ashley, second by Commissioner Pfeffer to adopt Resolution 17-06 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.

MUNICIPAL ORDER RE: HOLIDAYS

The following municipal order was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
MUNICIPAL ORDER No. 17-01

MUNICIPAL ORDER DECLARING HOLIDAYS

IT IS NOW ORDERED BY THE CITY OF MAYSVILLE, KENTUCKY, that employees will be entitled to the same holidays as Commonwealth of Kentucky employees beginning in 2017.

See Attachment C

Motion by Commissioner Schumacher, second by Commissioner Pfeffer to adopt Municipal Order 17-01 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 CLOSING PORTION OF PEACH ALLEY

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 17C-01**

**AN ORDINANCE CLOSING A PORTION OF
PEACH ALLEY BORDERED BY COMPREHEND**

Summary

This Ordinance orders closure of the public way of the portion of Peach Alley bordered by Comprehend, Inc. Regional Mental Health-Mental Retardation Board, Inc. subject to reservation of existing utility lines and easements.

Motion by Commissioner Ashley, second by Commissioner Pfeffer to pass Ordinance 17C-01 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 DONATED SICK TIME

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 16-31**

AN ORDINANCE AMENDING DONATED SICK LEAVE PROGRAM

Summary

This Ordinance amends Code of Ordinances Section 112.09, Donated Sick Leave Program, to add that if the donor has reached the maximum of 800 sick hours and is eligible to receive an incentive at year end, donor will not be penalized for donating accrued sick hours to a fellow employee.

Motion by Commissioner Pfeffer, second by Commissioner Ashley to adopt Ordinance 16-31 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 ADOPTING PROPERTY REDEVELOPMENT INITIATIVE

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 16-32**

**AN ORDINANCE ADOPTING CODES OF ORDINANCES CHAPTER 201,
COMMUNITY DEVELOPMENT INITIATIVE**

SUMMARY


This Ordinance creates Code of Ordinances Chapter 201, Community Development Initiative, to allow potential developers to file an application to be approved developers; to identify privately owned vacant or abandoned properties and submit a proposal to the City on such property; City Staff will review potential properties to see if the City has legal grounds to bring a foreclosure action, if the City has legal grounds, the developer will pay the cost of bringing the foreclosure action by depositing sufficient funds in escrow with the City; the City will file the foreclosure action; if someone other than the City acquires the property at the foreclosure sale, the developer will be reimbursed from the escrow account for the amount paid to the City by the Master Commissioner; if the City is the successful bidder, the foreclosure cost will be paid out of the escrow account, and the developer will execute an agreement with the City to redevelop the property according to an approved development plan.

Motion by Commissioner Ashley, second by Commissioner Pfeffer to adopt Ordinance 16-32 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.

ADJOURNEMENT

Motion by Commissioner Ashley, second by Commissioner Schumacher 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



ATTACHMENT A
MAYSVILLE FIRE DEPARTMENT

216 BRIDGE STREET
MAYSVILLE, KENTUCKY 41056
(606) 564-2541 • Fax (606) 564-2543
kevindoyle@maysvilleky.net

KEVIN DOYLE
Fire Chief

To: City Manager Matt Wallingford, Mayor Cartmell, and City Commissioners

From: Fire Chief Kevin Doyle

RE: TJ Warder and Ian Riggins

Date: January 4, 2017

In July of 2015, TJ Warder and Ian Riggins were hired as probationary firefighters. TJ is a paramedic and came to us with some fire experience. His knowledge has proven how beneficial he is to our department and he stands out as a dedicated and reliable employee. Ian Riggins began as an EMT and has worked hard to acquire the needed certifications as a professional firefighter. He also recently completed the paramedic program at MCTC where he excelled in his class and will be completing his National Registry exam in the coming weeks, which makes him even more of an asset. I am recommending that TJ Warder and Ian Riggins are promoted from probationary firefighters to full time status, as they both have proven to be an important piece of the Maysville Fire Department.



January 10, 2017

Dear Mayor and City Commissioners:

Women's Crisis Center and Comprehend, Inc. began discussions a year ago to hold a fundraiser on New Year's Eve. Over the last year, we worked with many community partners that supported our efforts and were thrilled at the idea of having an event like this in our community.

Our goal was to host an event that we could be proud of bringing to Maysville; to give something to the community, while gaining support for our agencies. We exceeded our own expectations with this event. We were able to provide a night of entertainment for the whole family that people are still talking about. In its first year, this event filled up hotels, brought people to our town, and generated revenue for businesses and vendors.

With your support, we plan to hold this event annually. This is an event that, we feel, will only grow. We are already making plans to extend our advertising to bring in even more people from out of town and to put a spotlight on our city.

We would like to ask you for your continued support of this event, by allowing us the use of venue space to hold the event, allowing an extension of the noise ordinance until at least midnight, and by offering assistance in the purchase of the fireworks.

We are truly grateful to the City of Maysville for allowing us the opportunity to make this event a reality, and we would appreciate the chance to continue to improve on it.

Sincerely,

Wm. David Green *Melissa Greenwell*

Wm. David Green
Director of Marketing
Comprehend, Inc.
611 Forest Avenue
Maysville, KY 41056

Melissa Greenwell
Buffalo Trace Director
Women's Crisis Center
111 E. Third St.
Maysville, KY 41056

City of Maysville Holiday Schedule 2017

**New Years Day
Monday, January 2**

**Martin Luther King Jr Day
Monday, January 16**

**Good Friday (1/2 day)*
Friday, April 14**

**Memorial Day
Monday, May 29**

**Independence Day
Tuesday, July 4**

**Labor Day
Monday, September 4**

**Veterans Day
Friday, November 10**

**Thanksgiving
Thursday & Friday, November 23-24***

**Christmas
Monday & Tuesday, December 25-26**

**New Years
Friday, December 29 & Monday, January 1, 2018**

**Residential garbage pick-up available on Fri April 14 and Fri Nov 24 only
No residential garbage pick up on all other holidays.
Garbage will be collected next work day (Mon-Fri) following holiday*

No transit bus service on holidays