

MAYSVILLE BOARD OF COMMISSIONERS

Tuesday, 17 July 2018; 5:15 p.m.

SPECIAL MEETING

Maysville Municipal Building

The Board of Commissioners of the City of Maysville, Kentucky met in a special meeting on Thursday, July 17, 2018 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 Francis, Projects Coordinator David Hord, Police Chief Ron Rice, Fire Chief Kevin Doyle, Asst. Comptroller/HR Director Karen Cracraft, Tourism Director Lacey Holleran, Public Works Director Mike Barbee, Zoning Administrator George Larger, Building Official Gary Wells, Codes Officer Nicole Brooks, Utility Manager Darren Garrison, and Asst. City Attorney Kelly Caudill. Absent: Main Street Director Caroline Reece.

CONSENT AGENDA

Motion by Commissioner Schumacher, second by Commissioner Pfeffer to approve the minutes of the May 30, June 7 and 26, 2018, minutes 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.

REAPPOINTMENT

The Mayor presented the following reappointment:

Tim Teagarden, Joint Planning, exp. 7/31/22

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

APPOINTMENT

The Mayor presented the following appointment:

Lauren Lax to fill the unexpired term of Stacy Temple, CVB, exp. 10/11/19

Motion by Commissioner Pfeffer, second by Commissioner Schumacher to approve the appointment 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.

RESIGNATION: POLICE

See ATTACHMENT A

Motion by Commissioner McKay, second by Commissioner Schumacher to accept the resignation of Tim Smith from the Maysville Police Department. Upon call of roll, voting is as follows: Voting aye: Commissioner Schumacher, Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay and Mayor Cartmell, Motion passes.

APPOINTMENT: POLICE

See ATTACHMENT B

Motion by Commissioner Pfeffer, second by Commissioner Ashley to appoint John M. Merson Jr. to the Maysville Police Department as a probationary. Upon call of roll, voting is as follows: Voting aye: Commissioner Schumacher, Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay and Mayor Cartmell, Motion passes.

DISCUSSION: GARBAGE

The Commission was presented with a garbage collection service analysis (ATTACHMENT C) by Comptroller Francis, which compared the revenues and expenses of conventional, automated, and outsourced conventional garbage collection. Both conventional and automated showed a loss while outsourcing broke even.

Motion by Commissioner Pfeffer, second by Commissioner Ashley to form a committee consisting of Commissioner Schumacher and Commissioner McKay to consider bidding service. Upon call of roll, voting is as follows: Voting aye: Commissioner Schumacher, Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay and Mayor Cartmell, Motion passes.

RESOLUTION ADOPTING CEMETERY RULES & REGULATIONS

The following resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 18-62

RESOLUTION ADOPTING MAYSVILLE & MASON COUNTY CEMETERY RULES AND REGULATIONS
AND PRICE LIST

WHEREAS, the Board of Trustees of the Maysville & Mason County Cemetery have reviewed and recommended Rules and Regulations and a Price List;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF MAYSVILLE, KENTUCKY, that the City of Maysville, Maysville & Mason County Cemetery Rules and Regulations and the City of Maysville, Maysville & Mason County Cemetery Price list attached hereto are hereby approved and adopted by the City of Maysville.

Motion by Commissioner Schumacher, second by Commissioner Pfeffer to adopt Resolution 18-62 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 CHANGE ORDER #3 FOR WASTE WATER TREATMENT PLANT

The following resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 18-63

RESOLUTION AUTHORIZING CHANGE ORDER
ON WASTE WATER TREATMENT PLANT IMPROVEMENTS

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to sign Change Order #3 decreasing the contract price by \$5,808.06 to change the baffle walls from painted CMU to cast in place concrete for a contract total of \$2,987,658.46.

Motion by Commissioner Pfeffer, second by Commissioner Ashley to adopt Resolution 18-63 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 CONTRACT WITH MASON COUNTY HEALTH DEPARTMENT

The following resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 18-64

A RESOLUTION AUTHORIZING CONTRACT WITH MASON COUNTY
DISTRICT HEALTH DEPARTMENT

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute a Contract with Mason County District Health Department for a term

beginning July 1, 2018 and ending June 30, 2019 in which the Health Department agrees to provide TB Skin Tests, Tetanus and Diphtheria Vaccines, and Hepatitis A and B Vaccines to City employees at the prices listed in the Contract.

Motion by Commissioner Schumacher, second by Commissioner Pfeffer to adopt Resolution 18-64 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 APPROVING MONTHLEY SEWER LINE PROJECT PAYMENT

The following resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 18-65

RESOLUTION AUTHORIZING
MONTHLY LANDFILL SEWER LINE PAYMENT

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY that the monthly landfill sewer line payment of \$407,102.61 is hereby authorized to be paid.

Motion by Commissioner Ashley, second by Commissioner Schumacher to adopt Resolution 18-65 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 NAMING ENTERTAINMENT DESTINATION CENTER

The following resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 18-66

RESOLUTION NAMING
ENTERTAINMENT DESTINATION CENTER

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the City of Maysville Entertainment Destination Center is hereby named The Landing at Limestone.

Motion by Commissioner Schumacher, second by Commissioner Ashley to adopt Resolution 18-66 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 CHAPTER 197 – EQUAL RIGHTS

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

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 18-22

AN ORDINANCE REVISING CODE OF ORDINANCES §197

SUMMARY

This Ordinance revises Code of Ordinances §197 to include in the definitions of discrimination, sex, age, gender identity, sexual orientation, family status or physical disability, to add a definition for gender and add a definition for hearing officer, and to add a definition for sexual orientation. This Ordinance deletes the previous unlawful practices section, adds a section authorization working agreements with the Kentucky Commission on Human Rights, makes unlawful to discriminate in any way prohibited by Kentucky Statutes based upon race, color, religion, national origin, sex, age, gender identity, sexual orientation, disability, familial status or physical disability of any kind. This Ordinance adds a section that the provisions regarding sexual orientation or gender identity shall not apply to religious institutions or other organizations operated for charitable or educational purposes owned, operated or controlled by a religious institution and prohibits the City from substantially burdening a person's freedom of religion. This ordinance states that the Maysville Human Rights Commission shall enter into a working agreement with the Kentucky Commission on Human Rights for discrimination claims except Maysville Human Rights Commission reserves to its self the resolution of claims of discrimination based on sexual orientation or gender identity. The Ordinance sets through the process for filing and processing complaints and provides for hearing in front of a hearing officer appointed by the Maysville Human Rights Commission.

Motion by Commissioner Schumacher, second by Commissioner McKay to pass Ordinance 18-22 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 CHAPTER 71 – HUMAN RIGHTS COMMISSION

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

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE

Ordinance No. 18-23

AN ORDINANCE REVISING FUNCTIONS OF
COMMISSION ON HUMAN RIGHTS

SUMMARY

This Ordinance revises Code of Ordinances §71.097 to include gender identity and sexual orientation in the categories safe guarded from discrimination.

Motion by Commissioner Schumacher, second by Commissioner Pfeffer to pass Ordinance No. 18-23 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 TO AMEND UTILITY COMMISSIONER PAY

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

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 18-16

AN ORDINANCE REVISING CODES OF ORDINANCES § 71.004 COMPENSATION FOR UTILITY
COMMISSION

Summary

This Ordinance changes the compensation of members of the Utility Commission from \$3,600 per year to \$1,800 per year.

Motion by Commissioner McKay, second by Commissioner Ashley to adopt Ordinance No. 18-16. Upon call of roll, voting is as follows: Voting aye: Mayor Cartmell, Voting nay: Commissioner Schumacher, Commissioner Pfeffer, Commissioner Ashley, and Commissioner McKay, Motion fails.

ORDINANCE CLOSING SECTION OF MULBERRY ALLEY

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

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 18C-17
AN ORDINANCE CLOSING PORTION OF MULBERRY ALLEY

Summary

This Ordinance orders closure as a public way of Mulberry Alley from January Street to Fourth Street subject to reservation of existing utility lines and easements.

Motion by Commissioner Ashley, second by Commissioner Schumacher to adopt Ordinance No. 18C-17 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 AMENDING THE OFFICIAL ZONING MAP TO REZONE 42.542 ACRES, AA HIGHWAY WEST OF INDUSTRIAL PARK IV TO B-2 HIGHWAY BUSINESS FROM A-1 AGRICULTURAL TRANSITION

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 18C-18**

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP TO REZONE 42.542 ACRES, AA HIGHWAY WEST OF INDUSTRIAL PARK IV TO B-2 HIGHWAY BUSINESS FROM A-1 AGRICULTURAL TRANSITION

Summary

This Ordinance rezones from A-1 Agricultural Transition to B-2 Highway Business 42.542 acres located on the AA Highway West of Industrial Park IV, Maysville, Kentucky. This Ordinance amends the official zoning map of the City of Maysville accordingly.

Motion by Commissioner Pfeffer, second by Commissioner Ashley to adopt Ordinance No. 18C-18 as presented upon second reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Ashley, and Mayor Cartmell, Voting nay: Commissioner Schumacher and Commissioner McKay, Motion passes.

ORDINANCE SETTING PAY SCALE FOR FYE 2019

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 18-19**

AN ORDINANCE ADOPTING PAY PLAN FOR CLASSIFIED

CITY EMPLOYEES AND NON-ELECTED OFFICIALS FOR
SERVICES RENDERED BEGINNING 1 JULY 2018

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 2018 until amended.

Motion by Commissioner Ashley, second by Commissioner Pfeffer to adopt Ordinance No. 18-19 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 AMENDING STREET SWEEPER SCHEDULE

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

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 18-20

AN ORDINANCE AMENDING
CODE OF ORDINANCES CHAPTER 257

Summary

This Ordinance amends Code of Ordinances Chapter 257 Schedule III Street Sweeping Schedule to delete Cottage Street.

Motion by Commissioner Schumacher, second by Commissioner Ashley to adopt Ordinance No. 18-20 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 AMENDING LAND USE MANAGEMENT ORDINANCE – SINGS

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

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 18-21

AN ORDINANCE REVISING CODE OF ORDINANCES 320.411 SIGN REGULATIONS

SUMMARY


This Ordinance revises Code of Ordinances 320.411 to provide content neutral sign standards. This Ordinance deletes interior signs, memorial signs, noticeable bulletin boards, warning signs, non-commercial signage and public notice language from the exempt sign section. The Ordinance adds to the exempt sign section governmental signs and notices, changes the time requirement for temporary signs, adds obscured signs, public utility signs, and realty signs. This Ordinance deletes off premise signs, obscene and liable signs from prohibited signs. This Ordinance adds maximum sign areas for both temporary and permanent signs. This Ordinance allows historic signs upon approval of a sign permit and adds the requirement for billboard signs. This Ordinance adds a provision to apply for dimensional variances for square footage allotments and dimensional variances.

Motion by Commissioner Schumacher, second by Commissioner Ashley to adopt Ordinance No. 18-21 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 Schumacher, second by Commissioner Pfeffer 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

Chief Ron Rice
Maysville Police Department
212 Government St, Maysville Kentucky, 41056

JULY
MEG

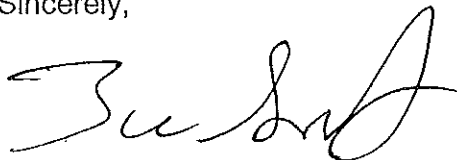
Dear Chief Rice

I regret to inform you that I have decided to leave MPD and pursue a new opportunity with the Flemingsburg Police Department as the Fleming County's School Resource Officer. The last day which I'm able to work will be the 31st of July, 2018.

I've had nothing but positive experiences working as a Patrolman with the Maysville Police Department. I appreciate the opportunity you presented to me and I am sincerely grateful for everything you have done.

I wish you and the rest of the MPD staff all the best.

Sincerely,

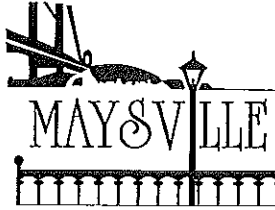


Tim Smith

Police Department

ATTACHMENT B

**Ronald J. Rice
Chief of Police**



**City of Maysville, Kentucky
212 Government Street
Maysville, Kentucky 41056
Phone: 606-564-9411
Fax: 606-564-9416**

Date: July 13, 2018

From: Chief Rice

Subject: Probationary Officer Appointment

To: Honorable Mayor and Commissioners

Respectfully request the appointment of John M. Merson, Jr. as a probationary officer with the department. John is currently a certified Telecommunicator with the department and has been since June 2016.

John has completed the necessary hiring requirements with the Department of Criminal Justice and as stated by his current supervisor, "is ready to move up to the major league".

I'm confident John will excel as an officer as he has as telecommunicator for the city.


Ronald J. Rice
Chief

City Of Maysville
 Garbage Collection Service Analysis
 Prepared on 6/21/18

	<u>Conventional</u>	<u>Automated</u>	<u>Outsourced</u>
Revenues	400,000	400,000	454,000
Expenses			
Tipping fees	82,000	80,000	
Payroll & Benefits	275,000	150,000	
Fuel	16,000	10,000	
Maintenance	20,000	10,000	
Equipment	150,000		
Lease Payment		150,000	
Overhead	40,000	40,000	
Outsourced Contractor			454,000
Total Expense	<u>583,000</u>	<u>440,000</u>	<u>454,000</u>
Profit/(Loss)	(183,000)	(40,000)	-

Notes

*Outsourced price per household \$12 per month with 3,150 accounts billed currently

*Automation financed for 5 years.

*No rate increase included

*Overhead includes insurance, facility useage, additional payroll for Dennis, Bentley, Debbie, billing, etc

*The value of the trash collection fleet is \$120,000 that would be available to sell or trade-in on other equipment if the service is outsourced.