

MAYSVILLE BOARD OF COMMISSIONERS  
Thursday, 7 June 2018  
SPECIAL MEETING  
Maysville Municipal Building

The Board of Commissioners of the City of Maysville, Kentucky met in a special meeting on Thursday June 7, 2018 at 5:15 p.m. at the Maysville Municipal Building. Present: Commissioner Jerry 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, Police Chief Ron Rice, Fire Chief Kevin Doyle, Asst. Comptroller/HR Director Karen Cracraft, Public Works Director Mike Barbee, Zoning Administrator George Larger, Codes Officer Nicole Brooks, Main Street Director Caroline Reece, Utility Manager Darren Garrison, and Asst. City Attorney Kelly Caudill. Absent: Tourism Director Lacey Holleran, Projects Coordinator David Hord, and Building Official Gary Wells.

CONSENT AGENDA

**Motion** by Commissioner Schumacher, second by Commissioner Pfeffer to approve the minutes of May 10, 2018 and department reports as submitted. 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 recommended the following reappointment:

- Travis Scaggs, Arts Commission, term expiration 6/30/2022

**Motion** by Commissioner Ashley, second by Commissioner Schumacher to reappoint Travis Scaggs to the Arts Commission. 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 DEPARTMENT

The Police Chief Ron Rice submitted the attached memorandum to the Board of Commissioners. See ATTACHMENT A

**Motion** by Commissioner Schumacher, second by Commissioner Pfeffer to appoint Juan T. Davis Jr. to 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.

DISCUSSION: WALD PARK

City Manager Wallingford reminded the Board of Commissioners that they had approved a donation of \$5,000 to Wald Park in the 2018 budget, when the park was substantially complete, which it now is.

**Motion** by Commissioner Pfeffer, second by Commissioner Ashley to pay \$5,000 donation to Wald Park. 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 STATE DRUG/ALCOHOL POLICY

The following resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 18-53

RESOLUTION POLICY ADOPTING DRUG AND ALCOHOL POLICY

WHEREAS, the City of Maysville, Kentucky has a Drug and Alcohol Policy for transportation employees in compliance with Federal Transit Administration requirements;

WHEREAS, the Commonwealth of Kentucky has developed a new state wide drug and alcohol policy;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Drug and Alcohol Policy effective as of 5/4/2018 is hereby adopted by the City of Maysville.

**Motion** by Commissioner Schumacher, second by Commissioner Pfeffer to adopt Resolution 18-53 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 AGREEMENT WITH BTADD FOR ENHANCED 911 SYSTEM  
ADMINISTRATION AND DATA MAINTENANCE

The following resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 18-54

RESOLUTION AUTHORIZING AGREEMENT WITH  
BTADD FOR ENHANCED 911 SYSTEM ADMINISTRATION

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute an agreement between the City of Maysville and Buffalo Trace Area Development District for Enhanced 911 System Administration and Data Maintenance for a cost not to exceed \$16,000.

**Motion** by Commissioner Ashley, second by Commissioner Schumacher to adopt Resolution 18-54 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 TRUST PARTICIPATION AGREEMENT WITH KLC INSURANCE SERVICE FOR GENERAL TRUST

The following resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 18-55

RESOLUTION AUTHORIZING TRUST  
PARTICIPATION AGREEMENT FOR GENERAL INSURANCE TRUST

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute the Trust Participation Agreement for the Kentucky League of Cities Insurance Services General Insurance Trust.

**Motion** by Commissioner Pfeffer, second by Commissioner Ashley to adopt Resolution 18-55 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 MONTHLY SEWER LINE PROJECT PAYMENT

The following resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 18-56

RESOLUTION AUTHORIZING  
MONTHLY LANDFILL SEWER LINE PAYMENT

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY that the monthly landfill sewer line payment of \$289,798.20 is hereby authorized to be paid.

**Motion** by Commissioner Ashley, second by Commissioner Schumacher to adopt Resolution 18-56 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 ACCEPTING FUEL BID

The following resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 18-57

A RESOLUTION AWARDDING CONTRACT FOR PURCHASE  
OF FUEL FOR FISCAL YEAR 2019

WHEREAS, the City of Maysville advertised for bids in accordance with plans and specifications as follows:

- |     |              |                                    |
|-----|--------------|------------------------------------|
| (a) | Subject:     | Fuel Purchase for Fiscal Year 2019 |
| (b) | Advertised:  | May 11, 2018                       |
| (c) | Bid Opening: | May 31, 2018                       |

WHEREAS, the following bids were received:

- |     |            |                       |                                 |
|-----|------------|-----------------------|---------------------------------|
| (1) | Valor Oil  |                       |                                 |
|     | Gasoline   | Rack+freight+ mark-up | Rack+\$0.0450/ gallon over rack |
|     | Diesel     | Rack+freight+ mark-up | Rack+\$0.0450/ gallon over rack |
| (2) | Hudson Oil |                       |                                 |
|     | Gasoline   | Rack+freight+ mark-up | Rack+\$0.04/ gallon over rack   |
|     | Diesel     | Rack+freight+ mark-up | Rack+\$0.04/gallon over rack    |

WHEREAS, the City Manager and Public Works Director recommended acceptance of the first bid,

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

(1) The bid of Valor Oil, for the subject contract described above is hereby accepted on behalf of the City of Maysville.

(2) The Mayor is hereby authorized and directed forthwith to execute all contractual documents necessary or appropriate to effectuate acceptance of said bid and to consummate the contract on behalf of the City of Maysville.

**Motion** by Commissioner Ashley, second by Commissioner McKay to adopt Resolution 18-57 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: LEPP

The following resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 18-58

RESOLUTION APPROVING  
LAW ENFORCEMENT PROTECTION GRANT APPLICATION

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute a grant application to Homeland Security for equipment for the police department and to execute and furnish all required documentation, including a Memorandum of Agreement as may be required by Kentucky Office of Homeland Security for the furtherance of the project and to act as the authorized correspondent for said project.

**Motion** by Commissioner Pfeffer, second by Commissioner Schumacher to adopt Resolution 18-58 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 MEMORANDUM OF AGREEMENT FOR EMS WITH KCTCS

The following resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 18-59

RESOLUTION AUTHORIZING MEMORANDUM OF AGREEMENT  
BETWEEN KCTCS AND MAYSVILLE EMS

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute the Memorandum of Agreement between KCTCS and Maysville EMS for clinical education for students in the EMS Paramedic Program.

**Motion** by Commissioner McKay, second by Commissioner Pfeffer to adopt Resolution 18-59 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 ORDERS ON WASTE WATER TREATMENT PLANT IMPROVEMENTS

The following resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 18-60

RESOLUTION AUTHORIZING CHANGE ORDERS  
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 #1 increasing the contract price with Dugan and Myers, LLC by \$29,106.07 to remove poor soil and replace with #57 stone, 8 inch clarifier drain valve, and ladder on splitter box and to execute and deliver Change Order #2 increasing the contract price \$51,462.45 to remove additional poor soil and replace with flowable fill and DGA for a contract total of \$2,992,768.52.

**Motion** by Commissioner Pfeffer, second by Commissioner Schumacher to adopt Resolution 18-60 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 HOSPICE OF HOPE INC MORTGAGE

The following resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 18-61

RESOLUTION AUTHORIZING  
RELEASE OF HOSPICE OF HOPE, INC. MORTGAGE

HEREAS, as part of the Community Development Block Grant to the City of Maysville, Kentucky for Hospice of Hope, Inc., Hospice of Hope, Inc. granted a mortgage on Lot 1 and Lot 2 , Kenton Pointe Drive, Maysville, Mason County, Kentucky to the City of Maysville which mortgage matured April 1, 2018; and

WHEREAS, the note provided that if Hospice of Hope, Inc. failed to fill 51% of the job positions created as required by the Community Development Block Grant Agreement, that Hospice would repay \$750,000; and

WHEREAS, the note also provided for a 5 year term that has now expired; and

WHEREAS, Hospice of Hope, Inc. fulfilled the requirements of the Community Development Block Grant agreement;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute a mortgage release for the mortgage from Hospice of Hope, Inc. to the City of Maysville, Kentucky for Lot 1 and Lot 2, Kenton Pointe Drive, Maysville, Kentucky.

**Motion** by Commissioner Schumacher, second by Commissioner McKay to adopt Resolution 18-61 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 BUDGET FOR FISCAL YEAR 2019

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

COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Ordinance 18-15

AN ORDINANCE ADOPTING THE CITY OF MAYSVILLE, KENTUCKY ANNUAL BUDGET FOR FISCAL YEAR 1 JULY 2018 THROUGH 30 JUNE 2019 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:

(1) The annual budget for the City's fiscal year ending 30 June 2019, 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</u>	<u>UTILITY FUND</u>
RESOURCES AVAILABLE FUND BALANCES CARRIED FORWARD	9,500,000	76,000	0	1,000,000
ESTIMATED REVENUES				
Property taxes	995,000			
Licenses & permits	8,457,625			
Intergovernmental Revenues	1,017,500	12,000	180,164	3,000
Other revenue	<u>1,784,110</u>	<u>0</u>	<u>          </u>	<u>4,496,250</u>
Total Estimated Revenues	<u>12,254,235</u>	<u>12,000</u>	<u>180,164</u>	<u>4,499,250</u>
TOTAL RESOURCES AVAILABLE FOR APPROPRIATIONS	<u>21,754,235</u>	<u>88,000</u>	<u>180,164</u>	<u>5,499,250</u>
General Government	3,117,189			
Police	2,520,400	25,000		
Fire	2,474,200	25,000		
Public Works & Streets	2,654,500	25,000	180,164	
Utility				4,521,000
Other	236,000			
Parks & Recreation	219,000			
Contingency	8,622,346	13,000		978,250
Capital Expenditures	<u>1,910,600</u>	<u>          </u>	<u>          </u>	<u>          </u>
Total Appropriations	<u>21,754,235</u>	<u>88,000</u>	<u>180,164</u>	<u>5,499,250</u>

**Motion** by Commissioner Pfeffer, second by Commissioner Schumacher to pass Ordinance 18-15 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 UTILITY COMMISSION PAY



The following ordinance was presented to the Board of Commissioners upon first 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 Pfeffer, second by Commissioner McKay to pass Ordinance 18-16 as presented on first reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner McKay and Mayor Cartmell, Nays: Commissioner Schumacher and Commissioner Ashley, Motion passes.

ORDINANCE CLOSING SECTION OF MULBERRY ALLEY

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

**Motion** by Commissioner Pfeffer, second by Commissioner Schumacher to pass Ordinance 18C-17 as presented on 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 APPROVING REZONING REQUEST BY STEVE THOMAS

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

WHEREAS, the Mason County Joint Planning Commission on May 2, 2018 conducted a public hearing and made Findings of Fact, Conclusions of Law, and a Recommendation to the Board of Commissioners of the City of Maysville, Kentucky to deny Steve Thomas' zoning map amendment request for 42.542 acres located on the AA Highway West of Industrial Park IV to B-2 Highway Business from A-1 Agricultural Transition; and

WHEREAS, the proposed zoning map amendment is consistent with the Maysville/Mason County Comprehensive Plan, the Maysville/Mason County Land Use Management Ordinance, and virtually all previous local land use planning efforts; and

WHEREAS, the eventual rezoning of A-1 Agricultural Transition land is essential to Maysville's continued growth and economic development; and

WHEREAS, virtually all A-2 Agricultural land, which comprises 80-90% of land in unincorporated Mason County, is being and will continue to be preserved as viable agricultural land; and

WHEREAS, the rezoning of the property in question will not significantly alter the character of the area due to being surrounded on three sides by B-2 Highway Business and I-2 Heavy Industrial land; and

WHEREAS, rezoning land along major highways within Maysville city limits to B-2 Highway Business should result in the highest, best use of the land;

**Motion** by Commissioner Pfeffer, second by Commissioner Ashley to pass Ordinance 18-18 as presented on first reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Ashley, and Mayor Cartmell, Nays: Commissioner Schumacher and Commissioner McKay, Motion passes.

SET SPECIAL MEETING DATE

The Board of Commissioners agreed to meet next in special session at noon on Tuesday, June 26, 2018.

CLOSED SESSION

**Motion** by Commissioner Schumacher, second by Commissioner Ashley to go into closed session pursuant to KRS61.810(1)(f) to discuss appointment, discipline, or dismissal of an employee. Upon call of roll, voting is as follows: Voting aye: Commissioner Schumacher, Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay and Mayor Cartmell, Motion passes.


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

No action was taken.

ADJOURNMENT

**Motion** by Commissioner Schumacher, 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

**Police Department**

**Ronald J. Rice**  
**Chief of Police**



**ATTACHMENT A**

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

Date: June 4, 2018

From: Chief Rice

Subject: Probationary Police Officer

To: Honorable Mayor and City Commissioners

Request the appointment of Juan T. Davis Jr. as a probationary police officer with the Department. Mr. Davis has completed the hiring process both locally and with the Department of Criminal Justice.

He appears eager to enter the field of law enforcement, is a native of Maysville, and a student of Morehead State University.

Respectfully,

A handwritten signature in cursive script, appearing to read "Ronald J. Rice".

Ronald J. Rice  
Chief

