

MAYSVILLE BOARD OF COMMISSIONERS
Thursday, 8 November 2018; 5:15 p.m.
REGULAR MEETING
Maysville Municipal Building

The Board of Commissioners of the City of Maysville, Kentucky met in regular session on Thursday, Nov. 8, 2018 at 5:15 p.m. at the Maysville Municipal Building. Present were Commissioner Jeff Brammer, Commissioner Judy Pfeffer, Commissioner Kelly Ashley, Commissioner Victor McKay, and Mayor David Cartmell. Also present were City Manager Matt Wallingford, City Clerk Lisa Dunbar, City Attorney Sue Brammer, Comptroller Penny Francis, HR Director Karen Cracraft, Project Coordinator David Hord, Public Works Director Mike Barbee, Police Chief Ron Rice, Fire Chief Kevin Doyle, Planning & Zoning Administrator George Larger, Codes Office Nicole Brooks, Tourism Director Lacey Holleran, Main Street Director Caroline Reece, and Assistant City Attorney Kelly Caudill. Absent: Utility Manager Darren Garrison and Building Inspector Gary Wells. The invocation was given by County Commissioner Joe McKay.

CONSENT AGENDA

- a. **Minutes:** Regular meeting Oct. 11 & special meeting Oct. 16, 2018
- b. **Department Reports:** Engineering Department, Utility Department, Treasurer/Finance, Codes Department, Main Street, Police Department, Fire Department, Public Works Department, City Clerk, Tourism Department
- c. **Boards & Commissions**
 - None
- d. **Personnel**
 - Appointment of Caleb Lewis to Fire Department
 - Promotion of Kyle Carpenter to rank of Lieutenant in Fire Department
 - Resignation of Chris Padelford from Police Department

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

PUBLIC COMMENT

Bryan Helphinstine asked for information about the Washington Meeting House. He was looking for a place to hold an event for Narcotics Anonymous on New Year's Eve. City Manager Wallingford told him to talk to the City Event Manager.

Ellen Cartmell introduced Bryce Gooding who is an intern at the health department and a Morehead State student.

DISCUSSION: DWAYNE MEADOWS – TOWING LIST

Dwayne Meadows explained that he had a new towing business and requested being put on the rotation for accident calls when individuals did not have a preference of service. Police Chief Rice said that he prefers no more than three towing services on the list because towing operators listen to police calls and bicker over who gets called and why. There was discussion of going to a bid system and capping the price that operators can call for in-county tows.

DISCUSSION: POLICE & FIRE ACCOMPLISHMENTS

Chief Rice said that E911 dispatch was audited by the state police and scored a 100%, and Chief Doyle explained that after a recent inspection, the fire department’s ISO rating went from 3 to 4, which puts it in the top 10% nationwide.

DISCUSSION: COLUMBIA GAS

Columbia Gas representative David Lemons talked about plans for 2018, including 2nd Street from Wall to Bridge streets and from 3rd Street to the floodwall; Limestone Terrace, Tyler Street, 5th Street. City Manager Wallingford said the City intends to hold a public forum for downtown business owners and residents about the 2nd Street project.

RESOLUTION AUTHORIZING SOCIAL MEDIA POLICY

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 18-103

RESOLUTION ADOPTING SOCIAL MEDIA PUBLIC COMMENT POLICY

WHEREAS, the City of Maysville has social media pages to inform the public quickly; and

WHEREAS, some of the City of Maysville social media pages allow public interaction in the form of comments;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the attached Social Media Public Comment Policy is hereby adopted and shall be posted on the City of Maysville social media pages.

Motion by Commissioner Pfeffer, second by Commissioner Ashley to adopt Resolution 18-103 as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Brammer, Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay and Mayor Cartmell, Motion passes.

RESOLUTION AUTHORIZING MEMORANDUM OF AGREEMENT WITH DLG ON PARK GRANT

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 18-104

RESOLUTION AUTHORIZING MEMORANDUM OF AGREEMENT
FOR FOREST AVENUE CITY PARK

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, the Mayor is hereby authorized and directed to execute Memorandum of Agreement with Commonwealth of Kentucky, Department for Local Government for Forest Avenue City Park.

Motion by Commissioner Ashley, second by Commissioner McKay to adopt Resolution 18-104 as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Brammer, Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay and Mayor Cartmell, Motion passes.

RESOLUTION ACCEPTING BID ON DEFIBRILLATORS

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 18-105

RESOLUTION AWARDING DEFIBRILLATORS BID

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

- a. Defibrillators
- b. Advertised date: October 8, 2018
- c. Bid opening: October 17, 2018

WHEREAS, the following bid was received:

- 1. Zoll Medical Corporation \$49,586.74

WHEREAS, the Fire Chief has recommended the acceptance of the bid,

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

1. The bid of Zoll Medical Corporation in the sum of \$49,586.74 for the subject contract described above is hereby accepted on behalf of the City of Maysville.

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

Motion by Commissioner Pfeffer, second by Commissioner Brammer to adopt Resolution 18-105 as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Brammer, Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay and Mayor Cartmell, Motion passes.

RESOLUTION AUTHORIZING FEMA FUNDING APPLICATIONS FOR LIMESTONE PUMP STATION

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 18-106

RESOLUTION OF THE CITY OF MAYSVILLE, KENTUCKY, AUTHORIZING THE MAYOR TO PURSUE FEMA FUNDING APPLICATIONS, IN REGARDS TO THE LIMESTONE PUMP STATION, IN AN EFFORT TO OBTAIN FUNDS THAT CAN BE USED TO PURCHASE AND INSTALL A FOURTH PUMP THAT WILL ASSIST TO MITIGATE FUTURE DISASTER RESULTING FROM FLOODING

WHEREAS, this resolution authorizes the Mayor to sign and execute any and all documents deemed necessary to submit and carry forward the associated applications; and

WHEREAS, this resolution authorizes the Mayor to act as the correspondent for this project; and authorizes the Mayor to take action with providing, signing, or executing, any and all additional information and/or documentation as may be required for the application;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that a project proposal/grant application on behalf of the City of Maysville for disaster mitigation efforts be made to FEMA, that the City shall provide all information and documentation as required; and the Mayor shall act as the authorized representative for the project.

Motion by Commissioner Ashley, second by Commissioner McKay to adopt Resolution 18-106 as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Brammer, Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay and Mayor Cartmell, Motion passes.

RESOLUTION ACCEPTING BID ON WEST 2ND STREET SIDEWALK PROJECT

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 18-107

RESOLUTION AWARDING WEST SECOND STREET SIDEWALK IMPROVEMENTS BID

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

- a. West Second Sidewalk Improvements
- b. Advertised date: September 24, 2018
- c. Bid opening: October 15, 2018

WHEREAS, the following bids were received:

1.	Straight Edge Construction, LLC	\$372,948.00
2.	Adleta, Inc.	\$476,389.32
3.	Jefferson Contracting, LLC	\$489,285.30
4.	Adams Contracting, LLC	\$798,536.00

WHEREAS, the Projects Coordinator has recommended the acceptance of the first bid as the best bid,

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

1. The bid of Straight Edge Construction, LLC in the sum of \$372,948.00 for the subject contract described above is hereby accepted on behalf of the City of Maysville.

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

Motion by Commissioner Ashley, second by Commissioner Pfeffer to adopt Resolution 18-107 as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Brammer, Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay and Mayor Cartmell, Motion passes.

ORDINANCE AWARDING FRANCHISE FOR SOLID WASTE COLLECTION

The Board of Commissioners were presented with the following Ordinance on first reading:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 18-35

AN ORDINANCE AWARDING A FRANCHISE FOR THE COLLECTION FOR RESIDENTIAL SOLID WASTE IN THE
CITY OF MAYSVILLE

SUMMARY

This Ordinance awards the Franchise for solid waste collection to Rumpke of Ohio, Inc. for a period from January 1, 2019 to December 31, 2020 which the City can renew for 2 additional two year terms.

WHEREAS, §163 of the Kentucky Constitution requires that public utilities acquire a franchise before operating within the City; and

WHEREAS, §164 of the Kentucky Constitution requires that franchise privileges are subject to the bidding and advertising requirements set forth in applicable Kentucky law and that bids received must be open publicly; and

WHEREAS, the City in accordance with these requirements advertised for bids for the award of a residential solid waste collection franchise and received one bid for such franchise; and

WHEREAS, the bid was received was opened publicly and has been evaluated by the City Manager, who is recommended that the bid specified below be accepted as being the best bid received; and

WHEREAS, the Board of Commissioners has likewise reviewed the bids received, has considered the recommendation of the City Manager, and finds that to be in the public interest that the bid recommended for acceptance by the City Manager be accepted;

Motion by Commissioner Pfeffer, second by Commissioner Ashley to pass Ordinance 18-35 as presented on first reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Brammer, Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay and Mayor Cartmell, Motion passes.

ORDINANCE AMENDING CODE OF ORDINANCES SECTION 320.305 - CHANGE OF PENALTIES

The Board of Commissioners were presented with the following Ordinance on first reading:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 18-36

AN ORDINANCE AMENDING CODE OF ORDINANCES §320.305

SUMMARY

This Ordinance amends Code of Ordinance §320.305 to change the penalties for a violation of any provision of KRS100.201 through 100.347 to a Class XII violation punishable under §11.01. Each day of violation shall constitute a separate offense. This Ordinance also changes violations of any other provision of KRS Chapter 100 to be a Class I violation.

Motion by Commissioner Pfeffer, second by Commissioner Brammer to pass Ordinance 18-36 as presented on first reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Brammer, Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay and Mayor Cartmell, Motion passes.

ORDINANCE AMENDING CODE OF ORDINANCES SECTION 11.01 – CONDEMNED PROPERTY FINES

The Board of Commissioners were presented with the following Ordinance on first reading:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 18-37

AN ORDINANCE AMENDING CODE OF ORDINANCES §11.01

Summary

This Ordinance amends Code of Ordinances §11.01 to add 11.01 (B) (8) of a civil fine removing a condemnation sign or occupying a condemned property of \$150 for first offense, \$200 for second offense, and \$250 for all others. This Ordinance also adds a category XII to 11.01 (A) with a fine of \$10 to \$500 per day.

Motion by Commissioner McKay, second by Commissioner Ashley to pass Ordinance 18-37 as presented on first reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Brammer, Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay and Mayor Cartmell, Motion passes.

ORDINANCE AMENDING CODE OF ORDINANCES SECTION 278.99 – CIVIL FINES

The Board of Commissioners were presented with the following Ordinance on first reading:

COMMONWEALTH OF KENTUCKY

CITY OF MAYSVILLE
Ordinance No. 18-38

AN ORDINANCE AMENDING CODE OF ORDINANCES §278.99

Summary

This Ordinance amends Code of Ordinances §278.99 to state that violations are punishable by civil fine under §11.01 (B) (8).

Motion by Commissioner Pfeffer, second by Commissioner McKay to pass Ordinances 18-38 as presented on first reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Brammer, Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay and Mayor Cartmell, Motion passes.

ORDINANCE AMENDING CHAPTER 152.04-.08 – TRASH ORDINANCE

The Board of Commissioners were presented with the following Ordinance on first reading:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 18-39

AN ORDINANCE AMENDING CODE OF ORDINANCES CHAPTER 152

SUMMARY

This Ordinance amends Code of Ordinance Chapter 152 to state that residential garbage will be collected privately. A fee of \$13 per month shall be collected through the Maysville Utility Commission. The Ordinance further states that garbage and recycling collection may be on different days. Residents may have one bulk item picked up per week.

Motion by Commissioner Pfeffer, second by Commissioner Ashley to pass Ordinance 18-39 as presented on first reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Brammer, Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay and Mayor Cartmell, Motion passes.

ORDINANCE AMENDING CODE OF ORDINANCES 320.411.99 – CODE ENFORCEMENT BOARD

The Board of Commissioners were presented with the following Ordinance on second reading:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 18-34

AN ORDINANCE AMENDING CODE OF ORDINANCES §320.411.99

Summary

This Ordinance amends Code of Ordinances §320.411.99 to state that violations of any provision of Code of Ordinances Chapter 320.411 through 320.411.5 shall be enforced by Mason District Court or the Code Enforcement Board and punishable by a civil fine under §11.01 (A) Class IX or §11.01 (B) (6) .

Motion by Commissioner Pfeffer, second by Commissioner Ashley to adopt Ordinance 18-34 as presented on second reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Brammer, Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay and Mayor Cartmell, Motion passes.

CLOSED SESSION

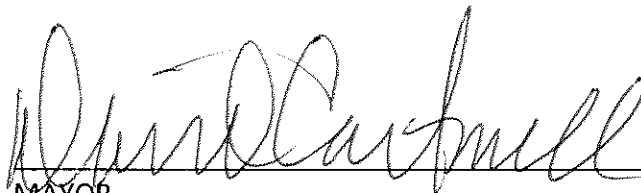
Motion by Commissioner Pfeffer, second by Commissioner Ashley to go into closed session pursuant to KRS 61.810(1)(b) to discuss acquisition of property. Upon call of roll, voting is as follows: Voting aye: Commissioner Brammer, Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay and Mayor Cartmell, Motion passes.


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

No action was taken.

ADJOURNMENT

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


MAYOR


CITY CLERK