

MAYSVILLE BOARD OF COMMISSIONERS

Thursday, 11 October 2018; 5:15 p.m.

REGULAR MEETING

Maysville Municipal Building

Invocation was given by Police Chief Ron Rice.

The Board of Commissioners of the City of Maysville, Kentucky met in regular session on Thursday, Oct. 11 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, Utility Manger Darren Garrison, Planning & Zoning Administrator George Larger, Building Inspector Gary Wells, Codes Office Nicole Brooks, Tourism Director Lacey Holleran, and Assistant City Attorney Kelly Caudill. Absent: Main Street Director Caroline Reece.

CONSENT AGENDA

- A. **Minutes:** Regular Meeting Sept. 13, 25 & 27, 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**
 - a. Reappointment of Pam Fulton, Marla Jackson & Gerry Schumacher to CVB, exp. 10/11/21
- D. **Personnel**
 - a. Resignation of Wayne Steele from Public Works Department
 - b. Resignation of Charles Toller from Public Works Department
 - c. Retirement of Eric Sutton from Fire Department

Motion by Commissioner McKay, second by Commissioner Pfeffer to approve the consent agenda 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.

PUBLIC COMMENT

Bryan Helphinstine asked about the Mayor striking a stop sign in July. The Mayor responded that he fixed the sign himself.

DISCUSSION: EAST END

Commissioner McKay suggested that the City lease the former US Bank Building near IGA, which could be used as a police substation. The Board agreed that this was a good idea as did Police Chief Rice. The lease cost would be \$1,500.

City Manager Wallingford reported that there are three more dilapidated buildings that the City intends to demolish and that a small public works building will be located near the new park on Forest Avenue.

DISCUSSION: STREET SWEEPER

Although there have been complaints by the public that the new street sweeper does not pick up anything, Public Works Director Barbee reported that the sweeper picks up 1 ½ -2 tons of dirt and debris a week.

RESOLUTION AUTHORIZING MONTHLY SEWER LINE PAYMENT

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 18-92

RESOLUTION AUTHORIZING
MONTHLY LANDFILL SEWER LINE PAYMENT

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY that the monthly landfill sewer line payment of \$1,678,760.10 is hereby authorized to be paid.

Motion by Commissioner Pfefer, second by Commissioner Ashley to adopt Resolution 18-92 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 TO LEASE 1220 FOREST AVENUE

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 18-95

RESOLUTION TO LEASE 1220 FOREST AVENUE FOR A POLICE STATION

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute and enter into a lease with Bagnoli Properties, LLC to lease 1220 Forest Avenue, Maysville, Kentucky to use as a second police station.

Motion by Commissioner Pfeffer, second by Commissioner Ashley to adopt Resolution 18-95 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 SUPPORTING MASON COUNTY APPALACHIAN REGIONAL COMMISSION

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 18-96

RESOLUTION SUPPORTING MASON COUNTY JOINING APPALACHIAN REGIONAL COMMISSION

WHEREAS, Mason Fiscal Court has passed a Resolution to ask to join the Appalachian Regional Commission; and

WHEREAS, the City of Maysville believes that it is in the best interest of all of the citizens of Mason County, including the citizens of Maysville, to have Mason County join the Appalachian Regional Commission.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute a letter of support evidencing the support of the City of Maysville for Mason County to join Appalachian Regional Commission.

Motion by Commissioner McKay, second by Commissioner Pfeffer to adopt Resolution 18-96 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 GARBAGE BID

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 18-97

RESOLUTION AWARDDING BID FOR

RESIDENTIAL WASTE SERVICES FRANCHISE

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

- a. Residential Waste Services
- b. Advertised date: September 13, 2018
- c. Bid opening: October 3, 2018

WHEREAS, the following bid was received:

- 1. Rumpke Residential \$12.50 per month

WHEREAS, the Public Works Director and the City Manager have recommended the acceptance of the bid above as the best bid,

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

- 1. The bid of Rumpke in the sum of \$12.50 per month for residential pickup 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 Ashley to adopt Resolution 18-97 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 AMENDING CODE OF ORDINANCES 320.411.99 – CODE ENFORCEMENT BOARD

The Board of Commissioners were presented with the following Ordinance on first 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) .

BE IT ORDAINED BY THE CITY OF MAYSVILLE, KENTUCKY, that §320.411.99 is hereby amended to read in its entirety as follows:

§ 320.411.99 PENALTY.

Violation of any provision of § 320.411 through 320.411.5 shall be enforced by the Mason District Court or Enforcement Board and shall be punishable by a civil fine under §11.01 (A) Class IX or § 11.01(B)(6).

Motion by Commissioner McKay, second by Commissioner Pfeffer to pass Ordinance 18-34 as presented upon 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 ENACTING AND ADOPTING CODE OF ORDINANCES

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

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 18-30

AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES OF THE CITY OF MAYSVILLE, KENTUCKY

SUMMARY

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio has completed the 2018 supplement to the Code of Ordinances of the City of Maysville, which supplement contains all ordinances of a general nature enacted since the prior supplement to the Code of Ordinances of this municipality; and

WHEREAS, American Legal Publishing Corporation has recommended the revision of addition of certain sections of the Code of Ordinances which are based on or make references to sections of the Kentucky Revised Statutes;

WHEREAS, it is the intent of Council to accept these updated sections in accordance with the changes of the law of the Commonwealth of Kentucky;

Motion by Commissioner Pfeffer, second by Commissioner Ashley to adopt Ordinance 18-30 as presented upon 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.

ORDINANCE AMENDING 320.108.99

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

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 18-31

AN ORDINANCE AMENDING CODE OF ORDINANCES §320.408.99

Summary

This Ordinance amends Code of Ordinances §320.408.99 to state that violations of any provision of Code of Ordinances Chapter 320.408 shall be enforced by the Code Enforcement Board or by Mason District Court and punishable by a civil fine under §11.01 (A) Class 1X or §11.01 (B) (6) .

BE IT ORDAINED BY THE CITY OF MAYSVILLE, KENTUCKY, that §320.408.99 is hereby amended to read in its entirety as follows:

§ 320.408.99 PENALTY.

Violation of any provision of §320.408 shall be enforced by the Code Enforcement Board or Mason District Court and shall be punishable by a civil fine under §11.01 (A) Class 1X or §11.01(B).

Motion by Commissioner Ashley, second by Commissioner McKay to adopt Ordinance 18-31 as presented upon 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.

ORDINANCE AMENDING CODE OF ORDINANCES 21.11 AND 231.12 – EDC

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

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 18-33

AN ORDINANCE AMENDING
ENTERTAINMENT DESTINATION CENTER ORDINANCE

Summary

This Ordinance amends §231.13 Entertainment Destination Center to require alcohol vendors within the Entertainment Destination Center to serve drinks to go in clear cups that have the logo or name of the vendor on the cup.

Motion by Commissioner Pfeffer, second by Commissioner McKay to adopt Ordinance 18-33 as presented upon 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.

SET DATE FOR SPECIAL MEETING

The Board of Commissioners agreed to hold a special meeting at noon on Tuesday, Oct. 16, 2018.

CLOSED SESSION

Motion by Commissioner Pfeffer, second by Commissioner Brammer to go into closed session pursuant to KRS 61.810(1)(b) to discuss the acquisition of property and (1)(c) to discuss pending litigation. 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 Ashley, second by Commissioner McKay 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.

ACQUISITION OF 428 BUCKNER STREET

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 18-101

RESOLUTION AUTHORIZING ACQUISITION OF
428 BUCKNER STREET

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute a consideration statement on a deed from Patricia Pitts to the City of Maysville conveying 428 Buckner Street for no monetary consideration but in order to comply with a Court order.

Motion by Commissioner Pfeffer, second by Commissioner Brammer to adopt Resolution 18-101 as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Brammer,

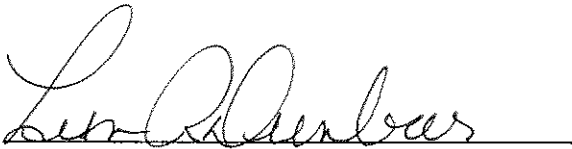
Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay and Mayor Cartmell,
Motion passes.

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