

MAYSVILLE BOARD OF COMMISSIONERS

Thursday, 12 October 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, Oct. 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 Francis, Projects Coordinator David Hord, Police Chief Ron Rice, Fire Chief Kevin Doyle, Asst. Comptroller/HR Director Karen Cracraft, Public Works Director Mike Barbee, Zoning Administrator George Larger, Building Official Gary Wells, Codes Officer Nicole Brooks, Main Street Director Caroline Reece, Utility Manager Darren Garrison, and Asst. City Attorney Kelly Caudill. Absent: Tourism Director Suzie Pratt.

MINUTES & REPORTS

Motion by Commissioner McKay, second by Commissioner Ashley to approve the minutes of the Sept. 14 and Oct. 2, 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

There was no public comment.

REAPPOINTMENTS

The Mayor made the following recommendations:

- Mindy Howell and Lynn David, Convention & Visitors Bureau, expiration 10/11/20
- Ward Blakefield, Industrial Development Authority, expiration 10/11/21

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

RETIREMENT: UTILITY

See ATTACHMENT A

Motion by Commissioner Pfeffer, second by Commissioner McKay to approve the retirement notice of Kathy Warner from the Utility 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: FIRE DEPARTMENT

See ATTACHMENT B

Motion by Commissioner Ashley, second by Commissioner Schumacher to appoint Jonathan Hughes as a probationary fire fighter as recommended by Chief Doyle. Upon call of roll, voting is as follows: Voting aye: Commissioner Schumacher, Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay and Mayor Cartmell, Motion passes.

DISCUSSION: LIST OF PROPERTIES WITH LIENS

City Manager Wallingford recommended to the Board of Commissioners that they consider the list of properties on which the City has priority liens and recommend a few properties to pitch to developers. If a developer is found for a property, the City would force sale on the property through the Master Commissioner. The City would then have the property appraised, and the developer would give the City that amount plus fees to put into escrow. The City would then bid on the property at Master Commissioner sale up to that amount and then transfer the property to the developer. If the City was out bid, the escrow would be returned to the developer and the City would get the amount of the lien from the new owner.

The Board of Commissioners agreed to look over the list and make recommendations to the City Manager.

DISCUSSION: CENTRAL ALLEY

Resident Debbie Allen voiced her desire to keep the alley closed since it is her only access to her backyard. Residents Kelsey McManus, Brenda Dickson, and Bonnie Morrow spoke in favor of closing the alley.

Motion by Commissioner Pfeffer, second by Commissioner Ashley to file suit to close Central Alley and retain easement. Upon call of roll, voting is as follows: Voting aye: Commissioner Pfeffer, Commissioner Ashley, Commissioner McKay and Mayor Cartmell, Voting nay: Commissioner Schumacher, Motion passes.

DISCUSSION: ENTERTAINMENT DESTINATION CENTER LICENSE

The City Clerk informed the Board of Commissioners that during a meeting with the state Alcoholic Beverage Control Director Christy Trout and Counsel Steve Humphress, she had learned that the City could get around the issue of limited quota licenses by creating an Entertainment Destination Center in downtown and purchasing a state ABC license for it. An EDC license enables any business within or adjacent to the EDC to

qualify for an NQ-2 license, which normally applies to restaurants, racetracks and motels.

Such a license would enable spas and salons to get a license to legally sell wine as part of their service. It would also enable bars to operate without a quota license, including wine bars or bourbon bars. Main Street Director Reece said she knew of at least two businesses that the City lost due to lack of available quota licenses.

City Manager Wallingford said that staff would develop a plan and bring it back to the Board of Commissioners for consideration.

DISCUSSION: MIKE WARD, CSX

CSX Train Master Mike Ward explained to the Board of Commissioners that trains blocking railroad crossings on the east end were due to the increased length of trains. When CSX was taking on or off-loading at International Paper, the train backs up through town. They tried to minimize the frequency of these crossing closings, but it was unavoidable.

Some members of the public questioned the safety of this situation if there was a fire on the east end of town. Fire Chief Doyle said all fire department trucks are able to go under the railroad viaduct on East Second Street. The problem was that some fire hydrants might be on the opposite side of the track from the actual fire. Chief Doyle said that they do have good communications with the Train Master who will get trains moved when necessary, but it does take time.

RESOLUTION NAMING DOG PARK

The following resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 17-92

RESOLUTION NAMING THE RICK LITTON MEMORIAL DOG PARK

WHEREAS, James Richard "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; and

WHEREAS, Rick Litton died on December 25, 2016; and

WHEREAS, the City of Maysville wishes to acknowledge its appreciation of the leadership and contributions that Rick Litton made to the City of Maysville;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Dog Park is hereby named the Rick Litton Memorial Dog Park.

Motion by Commission Schumacher, second by Commissioner Pfeffer to adopt Resolution 17-92 naming dog 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 AUTHORIZING APPLICATION FOR KLCIS LIABILITY GRANT

The following resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 17-91

RESOLUTION AUTHORIZING KLCIS LIABILITY GRANT APPLICATION

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute the application for the 2017 KLCIS Liability Grant.

Motion by Commissioner Pfeffer, second by Commissioner McKay to adopt Resolution 17-91 authorizing application for KLCIS Liability Grant. 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 241 – PRECIOUS METAL DEALERS

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

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 17-38

AN ORDINANCE REGULATING THE BUSINESS OF PRECIOUS METAL DEALERS AND OTHER BUSINESSES WHICH PURCHASE PERSONAL PROPERTY FOR THE PURPOSE OF RESELLING OR EXCHANGING THE PROPERTY

Summary

This Ordinance adds Code of Ordinance Chapter 241 to require precious metal dealers and other businesses which purchase personal property for the purpose of reselling or exchanging the property to keep a register of all purchases of all articles describing the property, and the amount of purchase money or maintain a L.E.A.D.S. online account; requiring a ten (10) day hold on items purchased, except firearms, unless the purchase is from other dealers, estates, banks, attorneys, or executors; transactions with persons convicted of larceny related offenses are prohibited; and the Chapter contains a penalty of Class II violation punishable under § 11.01.

Motion by Commissioner Ashley, second by Commissioner Pfeffer to pass Ordinance 17-38 amending Chapter 241, regulating the business of precious metal dealers and other businesses which purchase personal property for the purpose of reselling or exchanging the property. Upon call of roll, voting is as follows: Voting aye: Commissioner Pfeffer, and Mayor Cartmell, Voting nay: Commissioner Schumacher, Commissioner Ashley, and Commissioner McKay, Motion fails.

ORDINANCE AMENDING CODE OF ORDINANCES CHAPTER 300

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

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 17-39

AN ORDINANCE AMENDING
CODE OF ORDINANCES CHAPTER 300

Summary

This Ordinance amends Code of Ordinances Chapter 300 Landscaping Regulations to add that plans will be approved, permits issued, and variances granted by City Engineer or Projects Coordinator.

Motion by Commissioner Ashley, second by Commissioner Schumacher to pass Ordinance 17-39 amending Chapter 300 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 CODE OF ORDINANCES CHAPTER 320

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

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE

Ordinance No. 17-40

AN ORDINANCE AMENDING
CODE OF ORDINANCES CHAPTER 320.401.3 and 320.408.12

Summary

This Ordinance amends Code of Ordinances §320.401.3 and §320.408.12 to add Projects Coordinator.

Motion by Commissioner Schumacher, second by Commissioner Pfeffer to pass Ordinance 17-40 amending chapter 320 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 CODE OF ORDINANCES 273.03

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

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 17-42

AN ORDINANCE AMENDING
CODE OF ORDINANCES §273.03

Summary

This Ordinance amends Code of Ordinances § 273.03 Site Development Permits to add Projects Coordinator.

Motion by Commissioner Schumacher, second by Commissioner Pfeffer, to pass Ordinance 17-42 amending Code of Ordinances 273.03 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 CODE OF ORDINANCES SECTION 290.069

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

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 17-43

AN ORDINANCE AMENDING
CODE OF ORDINANCES §290.069

Summary

This Ordinance amends Code of Ordinances § 290.069 to add Projects Coordinator.

Motion by Commissioner Pfeffer, second by Commissioner Ashley to pass Ordinance 17-43 amending Code of Ordinances 290.069 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 CODE OF ORDINANCES CITY CLERK

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

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 17-45

AN ORDINANCE AMENDING
CODE OF ORDINANCES SECTIONS ON CITY CLERK §70.055 AND §70.056

Summary

This Ordinance amends Code of Ordinances Section 70.055 to require that the City Clerk have graduated from an accredited college or university with at least a two year degree, shall be chosen on the basis of his or her technical, organizational, communication, and customer service skills, and shall be required to attain certification with the Kentucky Municipal Clerks Association within three years of appointment. The Ordinance amends Code of Ordinances Section 70.056 to delete that the City Clerk will act as personal secretary to the City Manager and perform general secretarial assistance to the City Engineer, deletes the requirement that the City Clerk shall act as the receptionist in the City offices, and adds that the City Clerk will perform general administrative assistance services for the City Manager, Mayor, and Commissioners.

Motion by Commissioner Ashley, second by Commissioner Pfeffer to pass Ordinance 17-45 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 CODE OF ORDINANCES 270.01

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

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 17-46

AN ORDINANCE AMENDING
CODE OF ORDINANCES §270.01

Summary

This Ordinance amends Code of Ordinances § 270.01 to delete the City Engineer as a Building Official, to add that the Building Official/Inspector is designated as the Building Official for local enforcement of the Kentucky Building Code and the International Residential Code and the Codes Enforcement Officer may exercise the powers in the absence of the Building Official/Inspector.

Motion by Commissioner Schumacher, second by Commissioner Pfeffer to pass Ordinance 17-46 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 CODE OF ORDINANCES SECTION 111.01

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

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 17-37

AN ORDINANCE AMENDING
CODE OF ORDINANCES §111.01

Summary

This Ordinance amends Code of Ordinances § 111.01 to delete the definition for holiday.

Motion by Commissioner Schumacher, second by Commissioner Pfeffer to adopt Ordinance 17-37 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 ORDINANCE

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

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 17-44

AN ORDINANCE AMENDING
CODE OF ORDINANCES CHAPTER 257

Summary

This Ordinance amends Code of Ordinances Chapter 257 Schedule III Street Sweeping Schedule to add streets and change the day of the week certain streets are being cleaned.

Motion by Commissioner Ashley, second by Commissioner Pfeffer to adopt Ordinance 17-44 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.

RESOLUTION AWARDING BID FOR DEMOLITION OF TWO PROPERTIES

The following resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 17-93

RESOLUTION AWARDING BID FOR DEMOLITION
OF 779 FLEMINGSBURG ROAD AND 200 EAST FOURTH STREET

WHEREAS, the City of Maysville, has received a bid from Jarrells Excavating & Demolition for demolition of 779 Flemingsburg Road and 200 East Fourth Street, Maysville, Kentucky in the following amounts:

(1)	779 Flemingsburg Road	\$7,400
(2)	200 East Fourth Street	\$9,800
(3)	Both 779 Flemingsburg Road and 200 East Fourth Street	\$16,200

WHEREAS, the Code Enforcement Officer has recommended that the bid not be awarded and that the City re-advertise for bids,

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the bid of Jarrells Excavating & Demolition is not accepted and the Code

Enforcement Officer is hereby authorized to advertise for bids for demolition of 779 Flemingsburg Road and 200 East Fourth Street.

Motion by Commissioner Schumacher, second by Commissioner Ashley to adopt Resolution 17-93 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 FEMA APPLICATION

The following resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 17-94

RESOLUTION AUTHORIZING FEMA APPLICATION


BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to file an application with FEMA for grant funding to help pay for the update of the Hazard Mitigation Plan for the Buffalo Trace ADD counties and cities and to serve as the lead applicant.

Motion by Commissioner McKay, second by Commissioner Pfeffer to adopt Resolution 17-94 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.

ADJOURN

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



MAYSVILLE FIRE DEPARTMENT ATTACHMENT B

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: Hughes Recommendation

Date: October 11, 2017

Jonathan Hughes recently interviewed for a position at the fire department. Jonathan comes to us with 9 years of firefighting experience, some of which has been with a career department. He has also been a certified EMT for 8 years and has all the requirements and training needed to be recognized as a career firefighter by the Kentucky State Fire Commission. Knowing what an asset he would be to our department, I am recommending that he is appointed probationary firefighter.



ATTACHMENT A
MAYSVILLE UTILITY COMMISSION

216 BRIDGE STREET • P.O. BOX 406 • MUNICIPAL BUILDING
(606) 564-3531 • Fax (606) 564-4046
MAYSVILLE, KENTUCKY 41056

DARREN GARRISON
Manager

TO: Mayor, City Commission, Utility Commission

From: Delores Kathy Warner, Billing Clerk

Subject: Retirement

Date: August 29, 2017

Please accept this memo as notification of my retirement as Billing Clerk. Thank you for the opportunity to serve the City of Maysville in this position. I have enjoyed my employment here and the people.

My last day will be October 31, 2017.