

MAYSVILLE BOARD OF COMMISSIONERS

Thursday, Aug. 9, 2012; 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, Aug. 9, 2012 at 5:15 p.m. at the Maysville Municipal Building. Present: Commissioner John Mains, Commissioner Kelly Ashley, Commissioner Judy Pfeffer, Commissioner Rick Litton and Mayor David Cartmell. Also present: City Manager Ray Young, City Clerk Lisa Dunbar, City Attorney Sue Brammer, Comptroller Romie Griffey, City Engineer Sam Baker, Fire Chief Eric Bach, Asst. Comptroller/HR Director Karen Cracraft, Utility Manager Eddie Wenz, Tourism/Renaissance Director Duff Giffen, Public Works Director Rick Truesdell, Zoning Administrator Matt Wallingford, Building Official Wells, Codes Officer Nicole Jones, and Asst. City Attorney Kelly Caudill. Absent: Police Chief Rice. Others present: The Ledger Independent and WFTM.

MINTUTES 7/12/12 MEETING AND DEPARTMENT REPORTS

Motion by Commissioner Ashley, second by Commissioner Litton to approve the minutes of July 12, 2012 meeting and department reports as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Ashley, Commissioner Pfeffer, Commissioner Litton, and Mayor Cartmell, Motion passes.

APPOINTMENTS

Mayor Cartmell recommended appointing Police Chief Ron Rice to the Buffalo Trace/Gateway Narcotics Task Force.

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

Commissioner Litton said he supported the reappointment of Bill Boggs to the task force because he has done an excellent job over the past 23 years that he's been on it. Not reappointing him would mean giving up Maysville's biggest supporter as well as chairmanship on the board. Boggs, he said, has been effective at getting funding at a time when funding is difficult to get.

The Mayor countered that he wanted the chief of the largest police force involved in the task force on the board.

Upon call of roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Ashley, Commissioner Pfeffer, and Mayor Cartmell; nays: Commissioner Litton. Motion passes.

REPORT ON COX BUILDING

Renaissance Director Giffen reported that the dedication for the Cox Building will be Sept. 7 at 11 a.m. with Congressman Mitch McConnell in attendance.

REPORT ON SEWER PROJECT

Utility Manager Wenz reported that the East Second Street sewer project should be filled and paved by the end of September and all streets by the end of October, which will make it ahead of schedule. The streets will not be paved until spring.

RESOLUTION AWARDDING PAVING CONTRACT

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 12-50**

RESOLUTION AWARDDING ANNUAL PAVING

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

- A. Annual Paving
- B. Advertised: July 13, 2012
- C. Bid opening: July 31, 2012

WHEREAS, the following bids were received:

- 1. HG Mays Corporation \$270,823.98
- 2. Brown County Construction Co., Inc. \$287,698.44

WHEREAS, the Projects Coordinator and City Manager have recommended the acceptance of the first bid above as the best bid,

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

- 1. The bid of HG Mays Corporation in the sum of \$270,823.98 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 and to consummate the contract on behalf of the City of Maysville.

Motion by Commissioner Pfeffer, second by Commissioner Mains to adopt the resolution as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Ashley, Commissioner Pfeffer, Commissioner Litton, and Mayor Cartmell, Motion passes.

RESOLUTION AWARDING GARBAGE PACKER

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 12-51**

RESOLUTION AWARDING PACKER BID

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

- A. Subject: Packer
- B. Advertised: July 27, 2012
- C. Bid opening: August 7, 2012

WHEREAS, the following bids were received:

- 1. Municipal Equipment
 - Leach Alpha \$129,668
 - Wayne Fury \$129,069
 - New Way Cobra \$125,841
- 2. MeNelins \$139,407

WHEREAS, the Public Works Director and City Manager have recommended the acceptance of the bid of Municipal Equipment for the Leach Alpha as the best bid because it is the packer best suited for the needs of the City of Maysville,

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

- 1. The bid of Municipal Equipment for the Leach Alpha in the sum of \$129,668 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 and to consummate the contract on behalf of the City of Maysville.

Motion by Commissioner Ashley, second by Commissioner Mains to adopt the resolution as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Ashley, Commissioner Pfeffer, Commissioner Litton, and Mayor Cartmell, Motion passes.

RESOLUTION ALLOCATING FUNDS FOR NARCOTICS TASK FORCE

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 12-52**

RESOLUTION ENDORSING CONTINUATION OF THE BUFFALO TRACE / GATEWAY NARCOTICS TASK FORCE

WHEREAS, the City of Maysville, Kentucky (the “**City**”) is concerned about illegal narcotics sales and usage; and

WHEREAS, the Buffalo Trace / Gateway Narcotics Task Force was formed under an Interlocal Cooperative Agreement by cities and counties located in the Buffalo Trace and Gateway Area Development Districts to combat the sales and illegal usage of drugs; and

WHEREAS, the City endorses the continuation of the Buffalo Trace / Gateway Narcotics Task Force;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the City will provide up to \$15,000 toward the match of any federal or state funds to assist in the continuation of an enforcement unit, with said funds to be allocated from the FY2013 budget.

Motion by Commissioner Pfeffer, second by Commissioner Ashley to adopt the resolution as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Ashley, Commissioner Pfeffer, Commissioner Litton, and Mayor Cartmell, Motion passes.

RESOLUTION AUTHORIZING MAYOR TO SIGN NARCOTICS TASK FORCE EQUITABLE SHARING AGREEMENT

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 12-53**

**RESOLUTION AUTHORIZING BUFFALO TRACE/GATEWAY NARCOTICS TASK
FORCE EQUITABLE SHARING AGREEMENT AND CERTIFICATION REPORT**

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute and deliver to the United States Department of the Treasury and Department of Justice, the Equitable Sharing Agreement and Certification Report for Buffalo Trace/Gateway Narcotics Task Force.

Motion by Commissioner Ashley, second by Commissioner Pfeffer to adopt the resolution as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Ashley, Commissioner Pfeffer, Commissioner Litton, and Mayor Cartmell, Motion passes.

RESOLUTION NAMING KENTON POINT WAY

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 12-54**

**A RESOLUTION CHANGING NAME OF
ROSA DRIVE TO KENTON POINTE WAY**

WHEREAS, Hospice of Hope, Inc. has requested that the name of Rosa Drive be changed to Kenton Pointe Way;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that Rosa Drive is hereby renamed Kenton Pointe Way.

Motion by Commissioner Pfeffer, second by Commissioner Mains to adopt the resolution as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Ashley, Commissioner Pfeffer, Commissioner Litton, and Mayor Cartmell, Motion passes.

RESOLUTION AUTHORIZING GRANT AGREEMENT WITH FAA

The following resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 12-55**

RESOLUTION AUTHORIZING GRANT AGREEMENT
WITH FEDERAL AVIATION ADMINISTRATION

WHEREAS, the City of Maysville, Mason County, City of Flemingsburg, Fleming County, and the Fleming-Mason Airport Board have received a grant for environmental study and pavement maintenance,

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute the acceptance of the Grant Agreement on behalf of the City of Maysville, and the City Clerk is authorized and directed to attest to his signature.

ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MAYSVILLE, KENTUCKY, this 9 August 2012.

Motion by Commissioner Pfeffer, second by Commissioner Mains to adopt the resolution as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Ashley, Commissioner Pfeffer, Commissioner Litton, and Mayor Cartmell, Motion passes.

ORDINANCE FIXING AD VALOREM TAX RATES

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 12-13**

AN ORDINANCE FIXING CITY OF MAYSVILLE AD VALOREM TAX LEVIES ON MOTOR VEHICLES DUE IN 2013 AND ON ALL OTHER TAXABLE PROPERTY DUE IN 2012 AND LEVYING A FRANCHISE TAX ON FINANCIAL INSTITUTIONS DUE IN 2013

WHEREAS, the 2013 ad valorem tax rate on motor vehicles is fixed by KRS 132.487(2) at the rate which could have been levied on 1 January 1983 assessments; and

WHEREAS, the Board of Commissioners hereby foregoes any other ad valorem tax increases for 2012 which would result from raising and compensating tax rate, as authorized by KRS 132.027; and

WHEREAS, KRS 136.575 authorizes a franchise tax on financial institutions measured by deposits in the institutions located within the city at a rate up to 0.025% of the deposits, due by 31 January 2013.

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

(1) That for the use and benefit of the General Fund, there is hereby levied the following ad valorem taxes on each \$100.00 of assessed value taxable by the City:

- a) \$0.2460 on motor vehicles taxable in 2013, pursuant to KRS 132.487;
- b) \$0.015 on unmanufactured tobacco taxable in 2012, pursuant to KRS 136.575;
- c) \$0.160 on all other real and personal property taxable in 2012, pursuant to KRS 92.280 and 132.027, and Kentucky Constitution section 157.

(2) That for the use and benefit of the General Fund, there is levied a franchise tax on financial institutions equal to 0.025 percent of deposits in such institutions located within and taxable by the City, to be billed by the City by 1 December 2012 and due with two percent discount if paid by 31 December 2012 or without discount if paid by 31 January 2013, pursuant to KRS 136.575.

(3) That the City Clerk shall notify the Kentucky Revenue Cabinet of the ad valorem tax and franchise tax rates hereby levied by 1 October 2012.

(4) The text of this Ordinance shall be published in full.

Code of Ordinances reference: Chapter 133

Motion by Commissioner Mains, second by Commissioner Pfeffer to pass the ad valorem tax rates as presented on first reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Ashley, Commissioner Pfeffer, Commissioner Litton, and Mayor Cartmell, Motion passes.

ORDINANCE ADOPTING PVA ASSESSMENT

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

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 12-14**

AN ORDINANCE ADOPTING THE ASSESSMENT OF THE MASON COUNTY PROPERTY VALUATION ADMINISTRATOR FOR REAL AND PERSONAL PROPERTY IN THE CITY OF MAYSVILLE FOR TAX YEAR 2012.

BE IT ORDAINED BY THE CITY OF MAYSVILLE, KENTUCKY, that the assessment of real and personal property made by the Mason County Property Valuation Administrator, reviewed by the Mason County Board of Assessment Appeals, equalized and certified by the Kentucky Revenue Cabinet, and certified by the Mason County Clerk to the City Treasurer as set out below is hereby accepted and adopted as the assessment of taxable property in the City of Maysville for tax year 2012, which assessment shall be subject to taxation at the rates to be fixed by Ordinance.

2012 TAX ASSESSMENT

Real Property	\$444,720,235
Tangible Personal Property	97,736,614
Inventories	41,700,793
Un-manufactured Tobacco	148,879

The text of this Ordinance shall be published in full.

Motion by Commissioner Ashley, second by Commissioner Pfeffer to pass the tax assessment ordinance as presented on first reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Mains, Commissioner Ashley, Commissioner Pfeffer, Commissioner Litton, and Mayor Cartmell, Motion passes.

SET DATE FOR SPECIAL MEETING

The Board of Commissioners agreed to meet in special session at noon on Monday, Aug. 13, 2012.

ADJOURNMENT

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

MAYOR

CITY CLERK