

MAYSVILLE BOARD OF COMMISSIONERS
Tuesday, 13 February 2018; noon
SPECIAL MEETING
Maysville Municipal Building

The Board of Commissioners of the City of Maysville, Kentucky met in a regular meeting on Tuesday, Feb. 13, 2018 at 13p.m. at the Maysville Municipal Building. Present: Commissioner Schumacher, Commissioner Judy Pfeffer, and Mayor David Cartmell. Also present: City Manager Matt Wallingford, City Clerk Lisa Dunbar, City Attorney Sue Brammer, and Comptroller Penny Francis. Absent: Commissioner Kelly Ashley and Commissioner Victor McKay.

RESOLUTION AUTHORIZING LEASE MODIFICATION WITH COMMONWEALTH OF KENTUCKY

The following resolution was presented to the Board of Commissioners:

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

RESOLUTION APPROVING LEASE MODIFICATION AGREEMENT
WITH DEPARTMENT FOR WORK FORCE INVESTMENT

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute a Lease Modification Agreement with Department for Work Force Investment to decrease the lease space and to decrease the rent from \$62,529 per year to \$56,810.

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

BOND ORDINANCE AUTHORIZING SEWER SYSTEM REVENUE BONDS

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

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 18-11

NOTICE OF ENACTMENT AND SUMMARY OF BOND ORDINANCE

ORDINANCE OF THE CITY OF MAYSVILLE, KENTUCKY, AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SALE OF \$1,815,000 PRINCIPAL AMOUNT OF CITY OF MAYSVILLE SEWER SYSTEM REVENUE BONDS, SERIES

2018 FOR THE PURPOSE OF FINANCING THE COST (NOT OTHERWISE PROVIDED) OF THE CONSTRUCTION OF EXTENSIONS, ADDITIONS AND IMPROVEMENTS TO THE EXISTING SEWER SYSTEM OF SAID CITY; SETTING FORTH TERMS AND CONDITIONS UPON WHICH SAID BONDS MAY BE ISSUED AND OUTSTANDING; PROVIDING FOR THE COLLECTION, SEGREGATION AND DISTRIBUTION OF THE REVENUES OF SAID SEWER SYSTEM; AND PROVIDING FOR AN ADVERTISED, PUBLIC, COMPETITIVE SALE OF SAID BONDS.

As required by KRS 83A.060(9), I hereby certify that an Ordinance bearing the above title was given first reading (by Title and Summary) by the Board of Commissioners of the City of Maysville, Kentucky, at a duly convened meeting of said Board held on February 8, 2018, and was given second reading (by Title and Summary) and enacted by said Board at a duly convened meeting held on February 13, 2018, and that the following is a Summary of such Ordinance prepared by W. Randall Jones, an attorney duly licensed in the Commonwealth of Kentucky, of the firm of Rubin & Hays, Attorneys at Law, Louisville, Kentucky. (Signed W. Randall Jones)

SUMMARY OF ORDINANCE

Said Ordinance authorizes the issuance of \$1,815,000 of City of Maysville Sewer System Revenue Bonds, Series 2018 (the "Bonds"), for the purpose of financing the cost (not otherwise provided) of the construction of the Project referred to in said title; authorizes interim financing to pay the costs of said Project pending the issuance of the Bonds; designates Engineers for the Project and the depository bank of the proceeds of the Bonds and of certain funds to be maintained in connection with the Bonds; provides for a Sinking Fund for the payment of principal and interest on the Bonds, an Operation and Maintenance Fund, and a Depreciation Fund; provides that said Bonds are secured by a pledge of the gross revenues of the System; establishes the method of payment of the principal of and interest on the Bonds, and the conditions and restrictions for the issuance of bonds ranking on a parity with the Bonds; provides certain covenants of the City for the further protection of the holders of the Bonds, including covenants as to compliance with the Internal Revenue Code of 1986; and prescribes terms and conditions upon which bids will be received for the purchase of the Bonds.

Motion by Commissioner Pfeffer, second by Commissioner Schumacher to adopt Ordinance 18-11 as presented on second reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Schumacher, Commissioner Pfeffer, and Mayor Cartmell, Motion passes.

MUNICIPAL ORDER RE: SALE OF REVENUE BONDS

The following municipal order was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Municipal Order No. 18-02**

SALE ORDER

MUNICIPAL ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF MAYSVILLE, KENTUCKY, ACCEPTING THE SUCCESSFUL BID FOR THE PURCHASE OF \$1,815,000 PRINCIPAL AMOUNT OF CITY OF MAYSVILLE SEWER SYSTEM REVENUE BONDS, SERIES 2018.

WHEREAS, Notice of Sale of \$1,815,000 of City of Maysville Sewer System Revenue Bonds, Series 2018 (the "Bonds") has heretofore been given in strict compliance with the proceedings of this Board of Commissioners of the City of Maysville, Kentucky (the "City") and with the provisions of the publication laws applicable thereto, thus enabling everyone interested in said Bonds to present a proposal in connection therewith, and

WHEREAS, the only bid received for the purchase of said Bonds was the bid of the United States of America, acting through Rural Development ("RD"), which bid was a bid of par for all of the Bonds at a single interest rate not to exceed 2.25% per annum, subject to the right of the City to request that such Bonds shall bear interest at such lower interest rate as may be in effect for RD loans at the time of delivery of the Bonds, and

WHEREAS, it is deemed advisable that the Board of Commissioners adopt a Municipal Order accepting said bid,

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MAYSVILLE, KENTUCKY, AS FOLLOWS:

SECTION 1. That it is hereby determined that the bid of RD for the purchase of the Bonds, scheduled to mature on January 1 in each of the respective years, 2020 through 2057, inclusive, as advertised, and as authorized by the Bond Ordinance (the "Bond Ordinance") heretofore adopted, at a price of par (\$1,815,000) for Bonds bearing interest at an interest rate not to exceed 2.25% per annum (or at such lower interest rate as may be in effect for RD loans at the time of delivery of the Bonds), is the best bid received, with the most favorable net interest cost to the City; and that said Bonds be and they are hereby awarded to RD as being a sale of said Bonds on the best terms and for the best interests of the City.

SECTION 2. That the interest rate on said Bonds is hereby fixed at said rate of 2.25% per annum (or at such lower interest rate as may be applicable, as aforesaid) as set out in such accepted bid.

SECTION 3. That in accordance with the terms of the commitment of RD, approved by the City and the RD, said Bonds shall be issued to RD as a single Bond, in fully registered form.

SECTION 4. That said Bonds shall be delivered by the City Treasurer and/or other proper City officials to RD as soon as said Bonds are printed and ready for delivery in accordance with

the Bond Ordinance, and that all of the proceeds of the sale of said Bonds shall be used only as provided in the Bond Ordinance.

SECTION 5. That the acceptance of said bid subjects the City to no obligation to deliver the Bonds if for any reason the City is unable to obtain the final approving legal opinion of Rubin & Hays, Louisville, Kentucky, as to said Bonds, or if said Bonds should be subject to ad valorem taxation by the Commonwealth of Kentucky or by any political subdivision thereof, or if the receipt of interest on said Bond should be includable in gross income for Federal income tax purposes, or subject to income taxation by the Commonwealth of Kentucky, prior to or on the delivery date of said Bonds, and RD shall not be required to accept delivery of said Bonds without the final approving opinion of Rubin & Hays accompanying said Bonds, or if said Bonds or the interest thereon shall become includable in gross income for Federal income tax purposes or subject to ad valorem or income taxation of the Commonwealth of Kentucky prior to or on such delivery date.

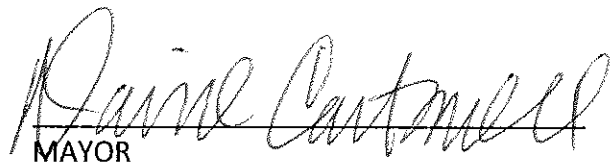
SECTION 6. That the Mayor is hereby authorized to request, at the appropriate time prior to the delivery of the Bonds, that RD reduce the interest rate on the Bonds to such lower interest rate as may be in effect for RD loans at the time of delivery of the Bonds, without any further action by this Board of Commissioners.

SECTION 7. That all motions, orders and resolutions, or parts thereof, in conflict herewith, be and the same are hereby amended or repealed to the extent of such conflict, and this Municipal Order shall be in force immediately upon its adoption.

Motion by Commissioner Schumacher, second by Commissioner Pfeffer to adopt municipal order 18-02 as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Schumacher, Commissioner Pfeffer, and Mayor Cartmell, Motion passes.

ADJOURNMENT

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


MAYOR


CITY CLERK