

MAYSVILLE BOARD OF COMMISSIONERS
Thursday, 11 February 2021; 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, Feb. 11, 2021 at 5:15 p.m. at the Maysville Municipal Building. Present were Commissioner Ann Brammer, Commissioner David Cartmell, Commissioner Andrew Wood, Commissioner Victor McKay, and Mayor Charles T. Cotterill. Also present were City Manager Matt Wallingford, City Clerk Lisa R. Dunbar, City Attorney Kelly Caudill, Comptroller Penny Stanfield, Public Works Director Dennis Truesdell, Police Chief Jared Muse, and Fire Chief Kevin Doyle.

CONSENT AGENDA

- **Minutes:** Jan. 14 and 28, 2020, regular meetings
- **Department Reports:** Engineering Department, Utility Department, Treasurer/Finance, Codes Department, Main Street, Police Department, Fire Department, Public Works Department, City Clerk, Tourism Department
- **Appointment/Reappointments:** Ben Breslin and Harry Mann to Codes Enforcement Board, exp. 2/10/2024
- **Personnel:** Tyler French and Austin Fraley promoted to PO-1 status in police department.

Motion by Commissioner McKay, second for discussion by Commissioner Cartmell who pointed out a typo in the Jan. 14 minutes. Approve upon correction. Upon call of roll, voting is as follows: Voting aye: Commissioner Brammer, Commissioner Cartmell, Commissioner Wood, Commissioner McKay and Mayor Cotterill, Motion passes.

COLUMBIA GAS PROJECT

David Lemons with Columbia Gas was unable to attend due to weather conditions. City Manager Wallingford briefly described the Third Strett gas project, which will be between Limestone Street and Maddox Alley, as well as Cherry, Catholic, and Mitchell alleys.

DISCUSSION: SPRINTER AMBULANCE

Fire Chief Doyle explained to the Board of Commissioners that he intended to pursue the purchase of a mini-mod ambulance to be used for transfers rather than a sprinter ambulance as he had requested in the budget. The mini-mod was an additional \$12,000, but he had the funds and it could be used as a back-up emergency ambulance. The sprinter ambulance could not.

RESOLUTION AUTHORIZING APPLICATION FOR FAST ACT GRANT WITH U.S. DEPARTMENT OF TRANSPORTATION

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 21-04

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA, FOR A GRANT UNDER FIXING AMERICA'S SURFACE TRANSPORTATION ACT (FAST ACT) and A RESOLUTION COMMITTING THE LOCAL SHARE OF FUNDS NECESSARY TO SECURE A SECTION 5311/5339/5310/5303/5304 GRANT APPLICATION.

WHEREAS, the Secretary of Transportation is authorized to make grants for mass transportation projects; and

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of the project costs; and

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Fixing America's Surface Transportation Act (FAST Act), the applicant gives an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the Department of Transportation requirements thereunder; and

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Section 504 of the Rehabilitation Act of 1973, that in connection with the filing of an application for assistance the applicant gives an assurance that it will comply with Section 504 of Rehabilitation Act of 1973 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is required by the U.S. Department of Labor in accordance with the provisions of Section 5333(b) of the Fixing America's Surface Transportation Act (FAST Act), that in connection with the filing of an application for assistance under the Fixing America's Surface Transportation Act (FAST Act), and in the absence of a waiver from the U.S. Department of Labor, the applicant gives an assurance that it will comply with Section 5333(b) of the Fixing America's Surface Transportation Act (FAST Act), and the U.S. Department of Labor requirements thereunder; and

WHEREAS, it is the goal of the applicant that disadvantaged business enterprises be utilized to the fullest extent possible in connection with this project, and the definite procedures shall be established and administered to ensure that disadvantaged businesses shall have maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts or consultant and other services.

NOW, THEREFORE, BE IT RESOLVED BY THE Board of Commissioners, City of Maysville, Kentucky, hereinafter referred to as Applicant's Governing Board, of the City of Maysville,

Kentucky, hereinafter referred to as Applicant, authorizes the following in regards to Charles T. Cotterill, Mayor, hereinafter referred to as Agency Representative:

- Section 1. That Agency Representative of the Applicant is authorized to execute and file an application on behalf of the Applicant with the U.S. Department of Transportation, to aid in the financing of the capital, operating, administrative assistance projects described in the attachment.
- Section 2. That Agency Representative is authorized to execute and file with such application an assurance or any other document required by the U.S. Department of Transportation effectuating the purpose of Title VI of the Civil Rights Act of 1964.
- Section 3. That Agency Representative of the Applicant is authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.
- Section 4. That Agency Representative of the Applicant is authorized to set forth and execute with such application an assurance that the Applicant will comply with the conditions of the Section 5333(b) Warranty as required by the U.S. Department of Labor effectuating the purposes of Section 5333(b) of Fixing America's Surface Transportation Act (FAST Act).
- Section 5. That Agency Representative is authorized to furnish such additional information as the U.S. Department of Transportation may require in connection with the application or the project.
- Section 6. That Agency Representative is authorized to execute grant contract agreements on behalf of Applicant with the Kentucky Transportation Cabinet for aid in the financing of the capital, operating, administrative assistance project(s).
- Section 7. That Agency Representative is authorized to sign all grant, budgets, application and contract agreements via electronic signature on behalf of Applicant with the Kentucky Transportation Cabinet.
- Section 8. This Resolution shall be in full force and effect from and after the date of its adoption.

WHEREAS, Applicant is authorized by Kentucky Revised Statute 96.189 to apply for and accept grants of money to assist in the implementation of a transit system or for transportation planning in City of Maysville service area; and

WHEREAS, Applicant has applied to the Kentucky Transportation Cabinet and the Federal Transit Administration of the United States Department of Transportation Act of 1964, in connection with the Section 5311/5339/5310/5303/5304 project; and

WHEREAS, said Applicant requires assurance of the Applicant's Governing Board relative to the commitment of the local share for the Section 5311/5339/5310/5303/5304 project(s).

NOW THEREFORE, BE IT RESOLVED BY THE Board of Commissioners, City of Maysville, Kentucky,

1. That the Applicant's Governing Board hereby gives assurance that it is the intent of this Body to commit its local share of the funds necessary to support this project to improve transit service in Applicant's service area, as stated above, for a minimum of five years from the inception of the project. Said local share of expenses is to be resolved from General Fund, including bus fares;
2. That the Applicant's Governing Board hereby gives assurance that it is the intent of this Body to continue the operation of transit service or planning for transit service for a minimum of five years.

Motion by Commissioner Wood, second by Commissioner McKay to adopt Resolution No. 21-04 as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Brammer, Commissioner Cartmell, Commissioner Wood, Commissioner McKay and Mayor Cotterill, Motion passes.

RESOLUTION AUTHORIZING LOAN AGREEMENT WITH UNITED STATE OF AMERICA FOR AIRCRAFT

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 21-05

RESOLUTION AUTHORIZING LOAN AGREEMENT WITH UNITED STATES OF AMERICA FOR AIRCRAFT

WHEREAS, there is currently a GS-4D aircraft on static display at the Fleming - Mason Airport, which aircraft is on loan from the United States of America; and

WHEREAS, United States of America requires a contract and inventory to be signed annually requiring the City of Maysville, Kentucky, to use the property for static display purposes only;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute and deliver the 2021 loan agreement and inventory for the period from April 1, 2021 to March 31, 2022, to the United States of America.

Motion by Commissioner McKay, second by Commissioner Brammer to adopt Resolution No. 21-05 as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Brammer, Commissioner Cartmell, Commissioner Wood, Commissioner McKay and Mayor Cotterill, Motion passes.

RESOLUTION AUTHORIZING APPLICATION FOR BUFFALO TRACE ASAP FUNDING FOR
SUBSTANCE ABUSE PREVENTION, INTERVENTION OR TREATMENT PROGRAMS

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 21-06

RESOLUTION AUTHORIZING FY 2021-2022 BT-ASAP
FUNDING APPLICATION

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute an application to Buffalo Trace ASAP for the grant funding of substance abuse prevention, intervention or treatment programs.

Motion by Commissioner Brammer, second by Commissioner McKay to adopt Resolution No. 21-06 as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Brammer, Commissioner Cartmell, Commissioner Wood, Commissioner McKay and Mayor Cotterill, Motion passes.

RESOLUTION AWARDING CONTRACT FOR RIVER PARK LEASE TO MARCIA MONTIETH

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 21-07

RESOLUTION AWARDING CONTRACT FOR OPERATION OF
THE MAYSVILLE RIVER PARK

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

- (a) Subject: Operation of the Maysville River Park
- (b) Advertised: January 20, 2021
- (c) Bid Opening: February 5, 2021

WHEREAS, sealed bids were received from the following persons:

- 1) Ernest Pierceall \$7,550
- 2) Marcia Monteith \$10,101

WHEREAS, the City Manager has recommended acceptance of the second bid, as the best bid,

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

- (1) The bid of Marcia Montieth for the subject contract described above is hereby accepted on behalf of the City of Maysville.
- (2) The Mayor is hereby authorized and directed forthwith 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 Wood, second by Commissioner Brammer to adopt Resolution No. 21-07 as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Brammer, Commissioner Cartmell, Commissioner Wood, Commissioner McKay and Mayor Cotterill, Motion passes.

RESOLUTION AUTHORIZING APPLICATION FOR CITY OF MAYSVILLE INSURANCE

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 21-08

RESOLUTION AUTHORIZING
INSURANCE APPLICATION

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute the underwriting renewal survey/application from Kentucky League of Cities Insurance Services.

Motion by Commissioner McKay, second by Commissioner Wood to adopt Resolution No. 21-08 as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Brammer, Commissioner Wood, Commissioner McKay and Mayor Cotterill; Abstain: Commissioner Cartmell; Motion passes.

RESOLUTION AUTHORIZING APPLICATION FOR JOINT PLANNING COMMISSION INSURANCE

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 21-09

RESOLUTION AUTHORIZING

INSURANCE APPLICATION FOR JOINT PLANNING COMMISSION

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute the underwriting renewal survey/application from Kentucky League of Cities Insurance Services on behalf of the Mason County Joint Planning Commission.

Motion by Commissioner Wood, second by Commissioner McKay to adopt Resolution No. 21-09 as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Brammer, Commissioner Cartmell, Commissioner Wood, Commissioner McKay and Mayor Cotterill, Motion passes.

RESOLUTION FOR UTILITY ASSISTANCE

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 21-10

A RESOLUTION OF THE CITY OF MAYSVILLE, MASON COUNTY, KENTUCKY, AUTHORIZING BUFFALO TRACE AREA DEVELOPMENT DISTRICT, AS THE LOCAL AREA DEVELOPMENT DISTRICT, TO PROVIDE ADMINISTRATION FOR THE CDBG CV CORONAVIRUS RESPONSE UTILITY ASSISTANCE PROGRAM.

WHEREAS, the City of Maysville has approved to apply to the 2020 Kentucky Community Development Block Grant Coronavirus Response Utility Assistance Program to provide assistance to eligible utilities and households located within Maysville;

WHEREAS, the Kentucky Community Development Block Grant program requires project administration by a Certified CDBG Administrator and Buffalo Trace Area Development District has agreed to provide necessary professional services to prepare and submit the CDBG application for the City of Maysville;

WHEREAS, upon award of CDBG funding, the City of Maysville will contract with Buffalo Trace Area Development District to provide project administration for the funded project.

Motion by Commissioner McKay, second by Commissioner Brammer to adopt Resolution No. 21-10 as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Brammer, Commissioner Cartmell, Commissioner Wood, Commissioner McKay and Mayor Cotterill, Motion passes.

RESOLUTION ACCEPTING BID FOR EXCAVATOR

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 21-11

RESOLUTION AWARDING EXCAVATOR BID

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

- a. Excavator
- b. Advertised date: January 23, 2021
- c. Bid opening: February 5, 2021

WHEREAS, the following bids was received:

1.	Bobcat	\$ 62,333.26
2.	Meade Equipment	\$ 68,025.00
3.	Rudd	\$ 68,835.00
4.	Newman Tractor	\$ 75,000.00
5.	CAT	\$ 75,009.61
6.	Wilson	\$ 80,835.00
7.	United Rental	\$ 82,598.00
8.	Encon	\$ 83,060.80
9.	Wilson	\$ 83,250.00
10.	Wilson	\$ 83,580.00
11.	Bobcat	\$ 83,610.88
12.	Southern Equipment	\$ 93,150.00
13.	Southern Equipment	\$ 95,450.00
14.	Brandeis	\$120,714.00

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

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

1. The bid of Newman Tractor, in the sum of \$75,000 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 Wood, second by Commissioner McKay to adopt Resolution No. 21-11 as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Brammer,

Commissioner Cartmell, Commissioner McKay and Mayor Cotterill, Motion passes.
Commissioner Wood was out of the room.

RESOLUTION AWARDING BID FOR THIRD STREET WATER LINE PROJECT

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Resolution No. 21-12

RESOLUTION AWARDING
THIRD STREET WATER LINE CONTRACT

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

- a. Third Street Water Line Project
- b. Advertised date: January 22, 2021
- c. Bid opening: February 4, 2021

WHEREAS, the following bids was received:

1.	Jones Contracting	\$359,875.00
2.	Frederick and May Construction	\$384,830.00
3.	ConnHurst, LLC	\$398,932.50
4.	United Pipeline, Inc.	\$427,405.00
5.	Independent Excavating, Inc.	\$436,800.00
6.	Southern Ohio Trenching	\$486,945.00
7.	CJ Hughes Construction Co., Inc.	\$492,805.00
8.	Todd Jones Contracting	\$530,147.42
9.	BP Pipeline	\$532,075.00
10.	Triple B Construction	\$579,322.34

WHEREAS, the Cann Tech, LLC has recommended the acceptance of the second bid as the best responsible bid,

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

1. The bid of Frederick and May Construction in the sum of \$384,830.00 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 McKay, second by Commissioner Brammer to adopt Resolution No. 21-12 as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Brammer, Commissioner Cartmell, Commissioner Wood, Commissioner McKay and Mayor Cotterill, Motion passes.

ABANDONED PROPERTY

Commissioner Cartmell said he had been contacted by a business owner who has property listed on the abandoned property list. The subject told him that he was fixing the property up to house employees. City Manager Wallingford said that any property owner who can go before the code board and show that they are making required repairs will be removed from the list. The goal of the abandoned property ordinance is not to make money; it is to get properties fixed up, he said.

CLOSED SESSION

Motion by Commissioner Wood, second by Commissioner Brammer to go into closed session pursuant to KRS 61.810(1)(f): Discussion or hearing that may lead to the dismissal of an individual employee. Upon call of roll, voting is as follows: Voting aye: Commissioner Brammer, Commissioner Cartmell, Commissioner Wood, Commissioner McKay and Mayor Cotterill, Motion passes.

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

Motion by Commissioner Wood, second by Commissioner Brammer to terminate the employment of Anthony John Berry Jr. Upon call of roll, voting is as follows: Voting aye: Commissioner Brammer, Commissioner Cartmell, Commissioner Wood, Commissioner McKay and Mayor Cotterill, Motion passes.

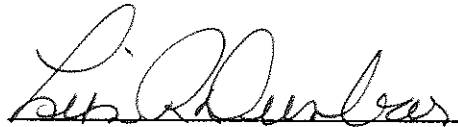
STATEMENT RE SHOWBOAT MAJESTIC

Mayor Cotterill said that Commission and staff had asked questions and done their due diligence regarding the relocation of the Showboat Majestic, and the owner had chosen to relocate elsewhere.

ADJOURNMENT

Motion by Commissioner McKay, second by Commissioner Brammer to adjourn at 6:00 p.m. Upon call of roll, voting is as follows: Voting aye: Commissioner Brammer, Commissioner Cartmell, Commissioner Wood, Commissioner McKay and Mayor Cotterill, Motion passes.


MAYOR


CITY CLERK