

MAYSVILLE BOARD OF COMMISSIONERS  
Thursday, 10 March 2022; 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, Mar. 10, 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 Debra L. Cotterill. Also present were City Manager/Asst. Clerk Matt Wallingford, City Attorney Kelly Caudill, HR Director Rhonda Rose, Public Works Director Dennis Truesdell, Asst. Police Chief Michael Palmer, Fire Chief Kevin Doyle, Project Coordinator David Hord, and Utility Manager Mark Julian. Absent: City Clerk Lisa R. Dunbar, Comptroller Penny Stanfield, Planning & Zoning Administrator George Larger, Building Inspector Jim Fawcett, Codes Office Nicole Brooks, Tourism Director Lacey Holleran, Main Street Director Caroline Reece, and Assistant City Attorney Sue Brammer.

MINUTES AND REPORTS

**Motion** by Commissioner McKay, second by Commissioner Brammer to approve the minutes of the regular Feb. 10, 2022 meeting and department reports. Upon call of roll, voting was as follows: Voting aye: Commissioner Brammer, Commissioner Cartmell, Commissioner Wood, Commissioner McKay and Mayor Cotterill, Motion carried.

APPOINTMENTS

Mayor Cotterill recommended appointment of Lamont Johnson to serve on the Maysville Housing Commission, term ending Mar. 13, 2026.

**Motion** by Commissioner Cartmell, second by Commissioner Brammer to approve the appointment of Lamont Johnson to the Maysville Housing Commission. Upon call of roll, voting was as follows: Voting aye: Commissioner Brammer, Commissioner Cartmell, Commissioner Wood, Commissioner McKay and Mayor Cotterill, Motion carried.

Mayor Cotterill recommended appointment of Kirby Rosser to serve on the Buffalo Trace Area Development District Board of Directors, term to expire Jan. 31, 2025.

**Motion** by Commissioner Cartmell, second by Commissioner Brammer to approve the appointment of Kirby Rosser to the Buffalo Trace Area Development District Board of Directors. Upon call of roll, voting was as follows: Voting aye: Commissioner Brammer, Commissioner Cartmell, Commissioner Wood, Commissioner McKay and Mayor Cotterill, Motion carried.

PUBLIC ANNOUNCEMENTS

Mayor Cotterill announces that there will be a ribbon cutting for the YMCA's virtual workout center tomorrow at 8:30 a.m. and all are welcome.

#### BRYAN HELPHINSTINE – RESIDENTIAL TREATMENT CENTER

Mr. Helphinstine was looking for help locating properties for a recovery center. He mentioned the former Wild Bull property on KY 11, and the former Buchanan's Station in Germantown. He also inquired about property near Woodmen of the World off of KY 9, as well as the property across KY 9 from the hospital.

City Manager Wallingford told Bryan to contact his office if he found relevant property so that the City could work with him on zoning regulations.

#### PUBLIC COMMENT

Kirby Bennett addressed the Commission about excessive vegetation around steps that lead from 5<sup>th</sup> Street, near the former Hayswood Hospital, up to 6<sup>th</sup> Street; as well as a small parking lot located near the hospital.

Mr. Wallingford told Mr. Rosser that he would check to see if the City owned the steps, and if it did, he would have the vegetation cut back.

Commissioner McKay asked Project Manager Hord to provide an update on the Columbia Gas line project.

Mr. Hord said that the Third Street project has one more tie-in to be completed. He anticipated having the street milled within the next 10 days or so, and as soon as the asphalt plant opened, which he anticipated would be the end of March/early April, the road will be paved. He said that Forest Avenue would take another four to five months to be completed and that sidewalk repairs around town have already commenced.

#### UPDATE/DISCUSSION: ABANDONED/BLIGHTED PROPERTY TAX ORDINANCE

Mr. Wallingford updated the Board of Commissioners on the Abandoned/Blighted Property Tax Ordinance that was adopted by the City in December of 2020. He stated that in early 2021, 135 properties were identified by staff and approved as vacant/blighted by the Vacant Property Review Commission in January. Approximately 35 appeals from property owners were submitted, and once the hearings were conducted, 11 properties were removed from the list during the hearings, and 24 property owners were given permission to obtain Property Maintenance Permits. So long as those property owners continue to show improvement on their properties, they would remain off of the higher tax list. By early 2022, only 59 properties remained on the approved list. Mr. Wallingford informed the Commission that the ordinance is working, as either property owners are doing improvements or they are selling their property. He commended Codes Officer Brooks on the work she has done enforcing the ordinance.

#### DISCUSSION: QUARTERLY CLEANUP

Mr. Wallingford and Public Works Director Truesdell told the Board of Commissioners that they would like to have a quarterly clean-up April 1<sup>st</sup> through April 11<sup>th</sup>. Dumpsters would be placed around town for City citizens to utilize. Mr. Truesdell said there would be a tire drop-off at Public Works on Martha Comer Drive during the day of the event. City citizens could drop off four tires for free. Anything over four would be charged a disposal fee of \$7 or \$8. He also told the Board of Commissioners that appliance drop offs would be at Public Works and Police Station #2 on Forest Avenue. After further discussion, Mr. Truesdell recommended extending the cleanup two days to April 13<sup>th</sup>.

#### DISCUSSION: STREET SWEEPER

Mr. Wallingford thanked the Board of Commissioners for coming to City Hall to look at a new street sweeper that a company was demonstrating the previous week. He said that Mr. Truesdell was going to propose money in the budget for a new sweeper. If the Board of Commissioners was inclined to purchase the sweeper, he iterated that it was time to start running the existing street sweeper this year so citizens would become accustomed to moving their vehicles. He recommended starting the sweeper back up on April 1<sup>st</sup>, and giving citizens a warning during through the end of the month. The Police Department would start writing tickets on May 1<sup>st</sup>.

#### DISCUSSION: SIDEWALK SURVEY

Mr. Wallingford reminded the Board of Commissioners that the group discussed sidewalk repairs last year during the budget sessions. He and Mr. Truesdell watched a seminar put on by the Kentucky League of Cities in which they stated sidewalks are public ways and the responsibility of local government. Mr. Wallingford had reached out to Precision Concrete to do a survey of all City sidewalks. That survey has been completed and results showed that it would cost approximately \$87,000 to repair sidewalks with a half-inch to 2-inch lip, and \$110,000 for sidewalks with a quarter-inch to two-inch lip. He recommended doing the \$110,000 project. He also mentioned that the City would replace sidewalks that could not be repaired.

Commissioner Wood asked if the City had to or should bid the project.

Mr. Wallingford said that Precision Concrete's method is proprietary and that no other company can do what they do.

Commissioner Wood asked about utilizing a process that raises the damaged sidewalks.

Mr. Truesdell told him that a demonstration utilizing the process was done several years ago and that it is much more expensive than what Precision could do.

The Commission agreed to move forward with a budget amendment later in the Fiscal Year.

MUNICIPAL ORDER: MATERNAL/PATERNAL LEAVE POLICY

The following Municipal Order was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Municipal Order No. 22-01**

**MUNICIPAL ORDER REGARDING MATERNITY AND PARENTAL LEAVE**

WHEREAS, the city recognizes that employees may need to be absent from work to care for a newborn child or new adopted or foster child (referred to as parental leave in this policy), or due to a pregnancy-related condition (referred to as pregnancy leave in this policy). The city provides pregnancy and parental leaves of absence to all eligible employees in accordance with the Kentucky Pregnant Workers Act (KPWA), Pregnancy Discrimination Act (PDA), Americans with Disabilities Act (ADA) and any applicable law.

NOW, THEREFORE, BE IT ORDERED AS FOLLOWS:

- (1) The human resources officer is responsible for the administration of this policy. If you have any questions regarding this policy or if you have questions about pregnancy or parental leave that are not addressed in this policy, please contact the human resources officer.
- (2) If an employee needs to take parental leave for the birth of their child or to care for a newly adopted child, they should provide advance notice to their department director or the human resources officer. When possible, they should give at least a 30-day notice of their request for leave. If a 30-day notice is not possible because of medical necessity or for other reasons, they should give as much advance notice to the city as possible.
- (3) If an employee is suffering from a pregnancy-related disability and requires a reasonable accommodation (which may include leave) for this purpose, they should speak with their department director and/or the human resources officer to discuss a reasonable accommodation. Employees may be required to submit medical certification of their disability.
- (4) During pregnancy and parental leave, employees eligible for FMLA will continue to be paid their normal rate of pay for up to **four weeks**. **Employees receiving Pregnancy and Parental Leave are prohibited from engaging in outside employment.** Employees who engage in other employment or in self-employment while on authorized Pregnancy and Parental Leave will be terminated unless written authorization has been granted prior to commencement of the leave of absence. Employees not eligible for FMLA may use any or all

their accrued but unused vacation or other paid time off during their Pregnancy and Parental Leave. Employees should contact the human resources officer with any questions about your eligibility for FMLA leave.

- (5) After the first four weeks of paid leave, qualifying employees are required to use any accrued and unused vacation and sick leave while on FMLA leave.
- (6) During Pregnancy and Parental Leave, all benefits provided under an employee benefit plan are governed by the terms and conditions of the applicable employee benefit plan documents in accordance with applicable law. For all other benefits, an employee on Pregnancy or Parental Leave will receive the same rights and benefits as employees on a paid/an unpaid leave of absence.
- (7) An employee's job will be held for them in accordance with applicable law while they are on pregnancy or parental leave.
- (8) If an employee is on pregnancy-related disability leave, when they are able to return to work, they must submit a doctor's certification stating they are medically able to return to their normal duties. Their continued absence from work beyond their required disability leave period (as determined by their physician) and exhaustion of all other available leave, may be deemed a voluntary abandonment of their job. Nothing in this policy requires the city to reemploy individuals who are not eligible for reemployment rights under applicable law.
- (9) The city prohibits and will not tolerate discrimination or retaliation against any employee or applicant because of that person's pregnancy or parental leave. Specifically, no one will be denied employment, reemployment, promotion or any other benefit of employment or be subjected to any adverse employment action based on that person's pregnancy or parental leave. In addition, no one will be disciplined, intimidated or otherwise retaliated against because that person exercised rights under this policy or applicable law.
- (10) The city is committed to enforcing this policy against discrimination and retaliation. However, the effectiveness of our efforts depends largely on employees telling us about inappropriate workplace conduct. If employees feel that they or someone else may have been subjected to conduct that violates this policy, they should immediately report it. If employees do not report such conduct, the city may not become aware of a possible violation of this policy and may not be able to take appropriate corrective action.

Commissioner Wood objected to the language in paragraphs (9) and (10) as sounding like it was written by a plaintiff's attorney and that having it in the policy might lead an employee to bring suit against the City.

HR Director Rose said that Kentucky Pregnant Workers Act (KPWA), Pregnancy Discrimination Act (PDA), Americans with Disabilities Act (ADA) are all referenced in the first paragraph and their provisions apply even if discrimination and enforcement are not spelled out in those paragraphs.

City Attorney Caudill said that the last two paragraphs could be removed as part of the motion.

**Motion** by Commissioner Wood, second by Commissioner Brammer to adopt Municipal Order No. 22-01 with paragraphs (9) and (10) removed. Upon call of roll, voting was as follows: Voting aye: Commissioner Brammer, Commissioner Cartmell, Commissioner Wood, Commissioner McKay and Mayor Cotterill, Motion carried.

#### RESOLUTION AUTHORIZING MUNICIPAL ROAD AID CO-OP PROGRAM

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 22-11

A RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF A MUNICIPAL AID COOP PROGRAM CONTRACT BETWEEN THE CITY OF MAYSVILLE AND THE COMMONWEALTH OF KENTUCKY, TRANSPORTATION CABINET, DEPARTMENT OF RURAL AND MUNICIPAL AID FOR THE FISCAL YEAR BEGINNING JULY 1, 2022, AS PROVIDED IN THE KENTUCKY REVISED STATUTES AND ACCEPTING ALL STREETS REFERRED TO THEREIN AS BEING STREETS WHICH ARE A PART OF THE INCORPORATED AREA.

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

The City of Maysville does hereby accept all streets referred to in said Contract as being city streets which are a part of the City of Maysville; and the City of Maysville, does hereby ratify and adopt all statements, representations, warranties, covenants, and agreements contained in said Contract and does hereby accept said Contract and by such acceptance agrees to all the terms and conditions therein stated; and the Mayor is hereby authorized and directed to sign said Contract as set forth on behalf of the City of Maysville, and the City Clerk is hereby authorized and directed to certify thereto.

**Motion** by Commissioner Wood, second by Commissioner Brammer to adopt Resolution No. 22-11 as presented. Upon call of roll, voting was as follows: Voting aye: Commissioner Brammer, Commissioner Cartmell, Commissioner Wood, Commissioner McKay and Mayor Cotterill, Motion carried.

RESOLUTION AUTHORIZING APPLICATION FOR FAST ACT GRANT

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 22-12

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 Debra L. 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 McKay, second by Commissioner Brammer to adopt Resolution No. 22-12 as presented. Upon call of roll, voting was as follows: Voting aye: Commissioner Brammer, Commissioner Cartmell, Commissioner Wood, Commissioner McKay and Mayor Cotterill, Motion carried.

RESOLUTION AUTHORIZING APPLICATION FOR CRUMB RUBBER GRANT

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 22-13

RESOLUTION AUTHORIZING  
APPLICATION FOR CRUMB RUBBER GRANT

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to sign an Application for a Crumb Rubber Grant.

**Motion** by Commissioner Wood, second by Commissioner Cartmell to adopt Resolution No. 22-13 as presented. Upon call of roll, voting was as follows: Voting aye: Commissioner Brammer, Commissioner Cartmell, Commissioner Wood, Commissioner McKay and Mayor Cotterill, Motion carried.

RESOLUTION AUTHORIZING MAYOR TO PURSUE FUNDING THROUGH FEMA PROGRAMS

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 22-14

RESOLUTION OF THE CITY OF MAYSVILLE, MASON COUNTY KENTUCKY, AUTHORIZATING THE MAYOR TO PURSUE FUNDING APPLICATION(S) THROUGH FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) HMPG, PDM, AND OTHER SUCH PROGRAMS OFFERED BY FEMA

WHEREAS, this resolution authorizes the Mayor to sign and execute any and all documents pertaining to applications between City of Maysville and FEMA;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is authorized to pursue funding through the Federal Emergency Management Agency, HMPG, PDM, and other such programs offered by FEMA.

**Motion** by Commissioner McKay, second by Commissioner Brammer to adopt Resolution No. 22-14 as presented. Upon call of roll, voting was as follows: Voting aye: Commissioner Brammer, Commissioner Cartmell, Commissioner Wood, Commissioner McKay and Mayor Cotterill, Motion carried.

RESOLUTION AUTHORIZING CONTRACT WITH RETIRED POLICE OFFICER CHRIS NEAL

The following Resolution was presented to the Board of Commissioners:

CITY OF MAYSVILLE  
Resolution No. 22-15

RESOLUTION AUTHORIZING REHIRING OF RETIRED POLICE OFFICER

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute the contract for rehire with retired Officer Jeffrey Hord for full time for a period of one year effective on September 1, 2021.

**Motion** by Commissioner McKay, second by Commissioner Brammer to adopt Resolution No. 22-15 as presented. Upon call of roll, voting was as follows: Voting aye: Commissioner Brammer, Commissioner Cartmell, Commissioner Wood, Commissioner McKay and Mayor Cotterill, Motion carried.

RESOLUTION AUTHORIZING CONTRACT WITH RETIRED POLICE OFFICER JEFF HORD

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE

**Resolution No. 22-16**

**RESOLUTION AUTHORIZING REHIRING OF RETIRED POLICE OFFICER**

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute the contract for rehire with retired Officer Chris Neal for full time for a period of one year effective on December 1, 2021.

**Motion** by Commissioner McKay, second by Commissioner Wood to adopt Resolution No. 22-15 as presented. Upon call of roll, voting was as follows: Voting aye: Commissioner Brammer, Commissioner Cartmell, Commissioner Wood, Commissioner McKay and Mayor Cotterill, Motion carried.

RESOLUTION AUTHORIZING RENEWAL SURVEY WITH KLCIS

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 22-17

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 Brammer to adopt Resolution No. 22-17 as presented. Upon call of roll, voting was as follows: Voting aye: Commissioner Brammer, Commissioner Cartmell, Commissioner Wood, Commissioner McKay and Mayor Cotterill, Motion carried.

RESOLUTION AUTHORIZING TRAILS GRANT APPLICATION

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 22-18

RESOLUTION AUTHORIZING  
RECREATIONAL TRAILS GRANT

WHEREAS, the City of Maysville proposes to develop recreational resources to provide for the health and well being of the general public, and

WHEREAS, the City of Maysville intends to make application to the Department of Local Government for assistance under the Recreational Trails Program, and

WHEREAS, the Recreational Trails Program is limited to funding a maximum of eighty percent (80%) of proposed project costs estimated not to exceed \$250,000.00.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the City of Maysville hold in reserve twenty percent (20%) of the proposed project costs for the purpose of matching the Recreational Trail Program assistance, and

BE IT FURTHER RESOLVED, that in the event a grant is awarded, the City of Maysville hold in reserve twenty percent (20%) of the proposed project costs for the purpose of matching the Recreational Trail Program assistance, and that in the event a grant is awarded, the City understands that it will sign assurance to comply with all applicable Federal and State laws, rules and regulations, especially Title VI of the Civil Rights Act and Section 504 of the 1973 Rehabilitation Act.

**Motion** by Commissioner Brammer, second by Commissioner Wood to adopt Resolution No. 22-18 as presented. Upon call of roll, voting was as follows: Voting aye: Commissioner Brammer, Commissioner Cartmell, Commissioner Wood, Commissioner McKay and Mayor Cotterill, Motion carried.

RESOLUTION OF ADOPTION OF BTADD REGIONAL HAZARDOUS MITIGATION PLAN

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 22-19

Resolution of Adoption of the  
Buffalo Trace Regional Hazard Mitigation Plan Update  
FEMA Approved Plan Update

WHEREAS, certain areas of the City of Maysville, Kentucky are subject to periodic flooding, tornados, severe winter storms, severe thunderstorms, and landslides and other natural hazards that have potential to cause damages to people and properties within the area; and

WHEREAS, the City of Maysville desires to prepare and mitigate for such natural hazards; and

WHEREAS, under the Disaster Mitigation Act of 2000, the United States Federal Emergency Management Agency (FEMA) requires that local jurisdictions have in place a FEMA-approved Hazard Mitigation Action Plan as a condition of receipt of certain future Federal mitigation funding after November 1, 2004; and

WHEREAS, the Buffalo Trace Regional Mitigation Plan Update was developed in accordance with the regulations of the Disaster Mitigation Act of 2000 and the guidance provided by the Federal Emergency Management Agency; and

WHEREAS, to assist cities and counties in meeting this requirement, the Buffalo Trace Area Development District has facilitated the development of a multi-jurisdictional Hazard Mitigation Plan covering member jurisdictions of the Buffalo Trace Area Development District including the City of Maysville, Kentucky;

NOW, THEREFORE, BE IT RESOLVED, THAT THE CITY OF MAYSVILLE hereby:

1. Adopts those portions of the Buffalo Trace Regional Hazard Mitigation Plan Update that pertain to the City of Maysville, Kentucky; and
2. Vests the City of Maysville Office of Emergency Management with the responsibility, authority, and the means to:
  - (a) Inform all concerned parties of this action.
  - (b) Develop an addendum to this Hazard Mitigation Plan if the town's unique situation warrants such an addendum.
  - (c) Oversee the development and incorporation of the Hazard Mitigation Plan update information into existing policies, procedures and community plans, including but not limited to the local comprehensive plan.
3. Appoints Buffalo Trace Area Development District Regional Mitigation Committee to assure that the Hazard Mitigation Plan be reviewed according to the Plan Maintenance Procedures of the plan and that any needed adjustment to the plan be developed and presented to the Mason County Mitigation Committee and to the City of Maysville for consideration.
4. Agrees to consider any other official actions as may be reasonably necessary to carry out the objectives of the Buffalo Trace Regional Hazard Mitigation Action Plan for the City of Maysville, Kentucky.

**Motion** by Commissioner McKay, second by Commissioner Brammer to adopt Resolution No. 22-19 as presented. Upon call of roll, voting was as follows: Voting aye: Commissioner Brammer, Commissioner Cartmell, Commissioner Wood, Commissioner McKay and Mayor Cotterill, Motion carried.

CLOSED SESSION

**Motion** by Commissioner Cartmell, second by Commissioner Wood to go into closed session pursuant to KRS 61.810(1)(f): Discussion which might lead to the appointment of an individual. Upon call of roll, voting was as follows: Voting aye: Commissioner Brammer, Commissioner Cartmell, Commissioner Wood, Commissioner McKay and Mayor Cotterill, Motion carried.

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

No action was taken.

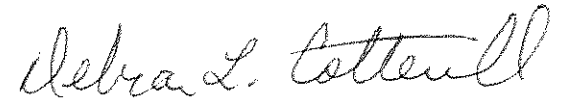
FURTHER DISCUSSION

Commissioner Cartmell said that the Simon Kenton statue had been cast and would be delivered June 1. He had talked to Mr. Truesdell about building a platform for it.

ADJOURNMENT

**Motion** by Commissioner Brammer, second by Commissioner Wood to return to adjourn at 6:26 p.m. Upon call of roll, voting was as follows: Voting aye: Commissioner Brammer, Commissioner Cartmell, Commissioner Wood, Commissioner McKay and Mayor Cotterill, Motion carried.

  
CITY CLERK

  
MAYOR