

MAYSVILLE BOARD OF COMMISSIONERS  
Thursday, 26 March 2020; 4:45 p.m.  
REGULAR MEETING  
Maysville Municipal Building  
Facebook Livestream

The Board of Commissioners of the City of Maysville, Kentucky met in regular session on Thursday, March 26 2020 at 4:45 p.m. at the Maysville Municipal Building. Present were Commissioner Andrew Wood, Commissioner Jeff Brammer, Commissioner Kelly Ashley, 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, HR Director Karen Cracraft, Utility Manager Darren Garrison, and Projects Manager David Hord.

DISCUSSION: HARRIETT BEECHER STOWE PROPERTY

City Manager Wallingford explained that the Heritage Council has informed the City that the Harriett Beecher Stowe property can be given to a non-profit as long as it is used in part as a museum. The Elizabeth Wallingford Foundation would be willing to take on the property, if the City were to take care of drainage issues on the property and donate \$5,000/year for seven years for maintenance. The advantage of having a non-profit own the property would be that it would be more likely to get grants than the City.

Project Manager Hord said that an archeological study will need to be done because the drainage will require a trench at least 6-feet deep. The study will cost \$ 10,000-15,000.

Mayor Cotterill said that he would like to know if any other nonprofit organizations would be interested in the property. City Manager Wallingford said that he would reach out to them and find out.

RESOLUTION AUTHORIZING CONTRACT WITH ALL PUMPS SALES & SERVICE

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 20-20

RESOLUTION AWARDING WASTEWATER TREATMENT PLANT AUGER SYSTEM BID

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

- a. Wastewater Treatment Plant Auger System
- b. Advertised date: March 4, 2020

c. Bid opening: March 16, 2020

WHEREAS, the following bid was received:

1. All Pumps Sales and Service, Inc. \$148,000

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

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

1. The bid of All Pumps Sales and Service, Inc., in the sum of \$148,000 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 McKay, second by Commissioner Brammer to adopt Resolution No. 20-20 as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Wood, Commissioner Brammer, Commissioner Ashley, Commissioner McKay and Mayor Coterrill, Motion passes.

RESOLUTION AUTHORIZING KLCIS GRANT APPLICATION

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 20-21

A RESOLUTION AUTHORIZING KLCIS GRANT APPLICATION

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute a Grant Application to KLCIS for items related to COVID-19, PPE and Safety.

**Motion** by Commissioner Ashley, second by Commissioner McKay to adopt Resolution No. 20-21. Upon call of roll, voting is as follows: Voting aye: Commissioner Wood, Commissioner Brammer, Commissioner Ashley, Commissioner McKay and Mayor Coterrill, Motion passes.

MUNICIPAL ORDER PROVIDING LEAVE UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

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

COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
MUNICIPAL ORDER No. 20-02

MUNICIPAL ORDER PROVIDING FOR LEAVE UNDER THE FAMILIES FIRST CORONAVIRUS  
RESPONSE ACT

WHEREAS, the President signed into law the “Families First Coronavirus Response Act” to assist with the impact of COVID-19, employees may be eligible for additional leave under the law;

WHEREAS, to comply with the temporary leave requirements, the City of Maysville is altering its leave policy for city employees;

NOW, THEREFORE, BE IT ORDERED AS FOLLOWS:

1. Pursuant to the Emergency Paid Sick Leave Act, all employees are eligible for two weeks of paid leave at their regular rate of pay for the following reasons. Eligible full-time employees will receive up to eighty (80) hours of paid sick leave. Eligible part-time employees will receive pay based on the average number of hours worked over the last six months. The Act allows the employers to exclude healthcare providers and emergency responders from the definition of employees who are allowed to take such leave.
  - a. Subject to a federal, state or local quarantine or isolation order related to COVID-19;
  - b. Advised by a healthcare provider to self-quarantine due to COVID-19 concerns;
  - c. Experiencing COVID-19 symptoms and seeking medical diagnosis;
  - d. Caring for an individual subject to a federal, state or local quarantine or isolation order or advised by a healthcare provider to self-quarantine due to COVID-19 concerns (caring for another who is subject to an isolation order or advised to self-quarantine as described above is not limited to only family members).
  - e. Caring for the employee’s child if the child’s school or place of care is closed or the child’s care provider is unavailable due to COVID-19 precautions; or
  - f. Experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.
2. Pursuant to the Emergency Family Medical Leave Expansion Act (EFMLEA), an employee that has been employed for thirty (30) days or more is eligible for up to twelve (12) weeks of job-protected leave to allow the employee, who is unable to work or telework, to care for the employee’s child (under 18 years of age) if the child’s school or place of care is

closed or the childcare provider is unavailable due to a public health emergency. The Act allows the employers to exclude healthcare providers and emergency responders from the definition of employees who are allowed to take such leave.

- a. The first 10 days of EFMLEA-qualified leave are unpaid. An employee may either be eligible for Emergency Paid Sick Leave as outlined in paragraph 1. or may take other paid leave concurrently with the EFMLEA.
  - b. Beginning the third week of EFMLEA, an eligible employee shall be paid according to the following:
    - i. Full-time employees at two-thirds the employee's regular rate for the number of hours the employee would otherwise be normally scheduled. The EFMLEA limits this pay entitlement to \$200 per day and \$10,000 in the aggregate per employee.
    - ii. Employees who work a part-time or irregular schedule are entitled to be paid based on the average number of hours the employee worked for the six months prior to taking Emergency FMLA. Employees who have worked for less than six months prior to leave are entitled to the employee's reasonable expectation at hiring of the average number of hours the employee would normally be scheduled to work.
  - c. The city will return the employee to their prior position in accordance with the restoration requirements of the FMLA.
  - d. The city's FMLA leave is otherwise unchanged and any EFMLEA leave will count toward the employee's total twelve (12) weeks of job-protected FMLA leave.
3. The executive authority shall determine which employees are eligible for continued work or telework based on the needs and capacity of the city.

All other Employee Manual rules shall remain in force.

This order will terminate at the expiration of the Families First Coronavirus Relief Act, currently set for December 31, 2020.

**Motion** by Commissioner Ashley, second by Commissioner Brammer to adopt Municipal Order No. 20-02. Upon call of roll, voting is as follows: Voting aye: Commissioner Wood, Commissioner Brammer, Commissioner Ashley, Commissioner McKay and Mayor Cotterill, Motion passes.

#### DECLARATION OF STATE OF EMERGENCY

**Motion** by Commissioner Wood, second by Commissioner McKay making State of Emergency Re: COVID-19 and dated March 15, 2020 a matter of rec ord. Upon call of roll, voting is as

follows: Voting aye: Commissioner Wood, Commissioner Brammer, Commissioner Ashley, Commissioner McKay and Mayor Coterill, Motion passes.

ORDINANCE AMENDING CODE OF ORDINANCES SECTION ON ADOPTION OF BUILDING CODES AND FIRE SAFETY STANDARDS

The Board of Commissioners were presented with the following Ordinance on second reading:

COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Ordinance No. 20-05

AN ORDINANCE AMENDING  
CODE OF ORDINANCES SECTION ON ADOPTION OF BUILDING CODES AND FIRE SAFETY  
STANDARDS §270.01

Summary

This Ordinance amends Code of Ordinances Section 270.01 to update the ordinance and to implement legislative changes.

**Motion** by Commissioner Ashley, second by Commissioner Brammer to adopt Ordinance No. 20-05 as presented upon second reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Wood, Commissioner Brammer, Commissioner Ashley, Commissioner McKay and Mayor Coterill, Motion passes.

ORDINANCE AMENDING CODE OF ORDINANCES CHAPTER 231.09—HOURS FOR SALE OF ALCOHOLIC BEVERAGES

The Board of Commissioners were presented with the following Ordinance on second reading:

COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Ordinance No. 20-06

AN ORDINANCE AMENDING CODE OF ORDINANCES SECTION 231.09 – HOURS OF SALE AND CONSUMPTION OF ALCHOLIC BEVERAGES

This Ordinance amends Code of Ordinances Section 231.09 to clarify hours for sale and consumption of alcoholic beverages to cease Tuesday through Friday, 12:01 a.m. and Saturday, Sunday and Monday, 1:00 a.m.

**Motion** by Commissioner McKay, second by Commissioner Ashley to adopt Ordinance No. 20-06 as presented upon second reading. Upon call of roll, voting is as follows: Voting aye:

Commissioner Wood, Commissioner Brammer, Commissioner Ashley, Commissioner McKay and Mayor Cotterill, Motion passes.

ORDINANCE AMENDING WATER AND SEWER RATES

The Board of Commissioners were presented with the following Ordinance on second reading:

COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Ordinance No. 20C-07

AN ORDINANCE AMENDING ORDINANCE 17C-21 AND CODE OF ORDINANCES CHAPTER 150 SECTION 150.16 TO PUBLISH CURRENT WATER RATES, ADJUST THE RATES AND TO ADD A CONSUMER PRICE INDEX ADJUSTMENT TO CHARGES FOR WATER AND SEWER SERVICES

Summary

This Ordinance amends Ordinance 17C-21 and Code of Ordinance Chapter 150 Section 150.16 to publish and adjust water and sewer rates and to provide for an annual consumer price index adjustment to individual water and sewer rates. This amendment is necessary to provide Maysville Utility Department revenues for operation and maintenance expenses and for required updates to the system.

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

Ordinance No. 17C-21 (1) is amended to read in its entirety as follows:  
Sec. 150.16. - Water ~~and Sewer~~ Rates.

~~[Reasonable rates for minimum monthly meter charges, water volume charges and private fire protection charges to produce necessary revenues shall be adopted periodically by the City Commission based upon a recommendation of the Utility Commission and upon evidence at a public hearing prior to each rate increase.]~~

(A) WATER SERVICE MINIMUM METER CHARGES.

Minimum monthly water meter charges are as follows:

<u>METER SIZE</u>	<u>MONTHLY WATER METER CHARGE</u>
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3/4" and 5/8"	\$[9.30]	<u>9.51</u>
1"	[23.21]	<u>23.82</u>
1½"	[69.63]	<u>70.02</u>
2"	[106.77]	<u>119.94</u>
3"	[185.64]	<u>191.88</u>
4"	[231.17]	<u>263.70</u>
6"	[464.16]	<u>477.27</u>

(B) Charge for Sanitary Sewer service is \$[7.90] 8.08 per 1,000 gallons flat rate fee with a 3,000 gallon minimum.

(C) Surcharge of 25% of Water Bill to all customers outside the City Limits.

(D) A 25% Surcharge added to all Multi-family Apartment (4 or more) with one master meter and to all hotels and motels.

(E) The Industrial Recovery Cost shall be added to the above schedule based upon calculated extra cost for treatment on industrial sewage, of not less than \$0.05 per 1,000 gallons.

(F) A penalty of 5% on all bills will be charged if not paid by the 15<sup>th</sup> of the following month.

(G) WATER SERVICE VOLUME CHARGES. Monthly water volume charges are revised as follows:

<u>GALLONS PER MONTH</u>	<u>MONTHLY WATER SERVICE CHARGE PER 1,000 GALLONS</u>	
First 1,000 Gallons		
Minimum	\$[9.30]	<u>9.51</u>
Next 3,000	[4.66]	<u>4.77</u>
Next 6,000	[3.97]	<u>4.06</u>
Next 40,000	[3.05]	<u>3.12</u>
Over 50,000	[1.85]	<u>1.89</u>

~~[(H) MINIMUM VOLUME CHARGES. In The event a special water rate shall be fixed by Maysville Utility Commission for a peculiar or unusual situation not within the scope of its usual experience, and not specifically contemplated herein, no such rate shall be less than 1.40 per 1,000 gallons.]~~

~~[(H) NEGOTIATED WHOLESALE RATES. Contracted water rates in effect for wholesale water customers, including the [City of Flemingsburg], Western Lewis-Rectorville Water District, Western Mason Water District, Buffalo Trail Water Association, Inc., and Fleming County [Rural] Water Association, shall be increased [15%. Southern Mason Water District shall be the same rates as the City of Maysville.] to 2.3953 per 1000 gallons.~~

(J) PRIVATE FIRE PROTECTION CHARGES. Annual private fire protection charges shall continue as follows:

<u>FIRE USE CONNECTIONS</u>	<u>ANNUAL PRIVATE FIRE PROTECTION CHARGES</u>
2 ½"	\$208.15
4"	285.89
6"	423.78
8"	708.40
10"	1062.60

(K) SEWER SERVICE MINIMUM MONTHLY SEWER METER Charges:

<u>METER SIZE</u>	<u>MONTHLY SEWER CHARGE</u>	
3/4" and 5/8"	\$ [23.70]	<u>24.24</u>
1"	[ 31.60]	<u>32.32</u>
1½"	[134.30]	<u>137.36</u>
2"	[260.70]	<u>266.64</u>
3"	[ 474.00]	<u>484.80</u>
4"	[ 774.20]	<u>791.84</u>
6"	[1,666.90]	<u>1,704.88</u>

(L) NO EXCEPTIONS. All metered water must go through rate schedule steps.

(M) All of the rates set forth in Sections 150.16 (A), 150.16 (G), and 150.16 (J) above shall increase for the change in the Consumer Price Index as maintained and reported by the United States Department of Labor and as reported to all local governments by the Kentucky Department for Local Government (DLG) in February of each year for the preceding calendar year. The percentage of increase as set forth in the letter from DLG shall be applied to the above rate table to develop the new rates to be used. The initial implementation of the automatic rate increase or decrease shall become effective and be used for the billings mailed on or about July 1, 2020. For all future years, the increase or decrease shall be effective and be used with the billings mailed on or about April 1 or each such subsequent year.




**Motion** by Commissioner Ashley, second by Commissioner Wood to adopt Ordinance No. 20-07 as presented upon second reading. Upon call of roll, voting is as follows: Voting aye: Commissioner Wood, Commissioner Brammer, Commissioner Ashley, Commissioner McKay and Mayor Coterill, Motion passes.

ADJOURNMENT

**Motion** by Commissioner Ashley, second by Commissioner Brammer to adjourn. Upon call of roll, voting is as follows: Voting aye: Commissioner Wood, Commissioner Brammer, Commissioner Ashley, Commissioner McKay and Mayor Coterill, Motion passes.

Adjournment at 5:15 p.m.

  
CITY CLERK

  
MAYOR