

**MAYSVILLE BOARD OF COMMISSIONERS**  
Thursday, 10 September 2020; 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, Sept. 10, 2020 at 5:15 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 Rhonda Rose, Public Works Director Dennis Truesdell, Police Chief Jared Muse, Fire Chief Kevin Doyle, Project Coordinator David Hord, and Utility Manager Luke Huron.

CONSENT AGENDA

- **Minutes:** August 13 & 27, 2020 regular meeting
- **Department Reports:** Engineering Department, Utility Department, Treasurer/Finance, Codes Department, Main Street, Police Department, Fire Department, Public Works Department, City Clerk, Tourism Department
- **Resignations:** Police Department – Justin Cooley, effective Sept. 12, 2020  
Fire Department – Clark Throckmorton, effective Sept. 19, 2020
- **Appointments:** Police Department Chaplains – Elizabeth Smith and Adam Burton

**Motion** by Commissioner McKay, second by Commissioner Ashley to approve the consent agenda as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Wood, Commissioner Brammer, Commissioner Ashley, Commissioner McKay and Mayor Cotterill, Motion passes.

Mayor Cotterill recognized Bentley Applegate who was appointed Street Superintendent at the August 27 meeting.

APPOINTMENT: FIRE DEPARTMENT

The Board of Commissioners was presented with the following memo:

To: City Manager Matt Wallingford, Mayor Cotterill, and City Commission  
From: Fire Chief Kevin Doyle  
RE: McRoberts Recommendation  
Date: September 2, 2020

Johana McRoberts has fulfilled all the requirements for full time employment at Maysville Fire Department. She has been an EMT for over two years and volunteered as a firefighter for over a year. We have been fortunate to have her as part time employee and she has proven to be a reliable and intelligent person that works hard to meet her goals. She recently completed her

Candidate Physical Agility Testing and is eager to become a career firefighter with our department. I am recommending that Johana she is appointed to probationary firefighter.

**Motion** by Commissioner Brammer, second by Commissioner Ashley to appoint Johana McRoberts as a probationary firefighter. Upon call of roll, voting is as follows: Voting aye: Commissioner Wood, Commissioner Brammer, Commissioner Ashley, Commissioner McKay and Mayor Cotterill, Motion passes.

#### RESOLUTION AUTHORIZING REHIRE OF RETIRED POLICE OFFICER

The following Resolution was presented to the Board of Commissioners:

**COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 20-60**

#### 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 a period of one year.

**Motion** by Commissioner Ashley, second by Commissioner Brammer to adopt Resolution No. 20-60 as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Wood, Commissioner Brammer, Commissioner Ashley, Commissioner McKay and Mayor Cotterill, Motion passes.

Officer Hord was sworn in by Mayor Cotterill.

#### DISCUSSION: MARSHALL KEY HOUSE

City Manager Wallingford informed the Board of Commissioners that there were no bids submitted at the August 31, 2020 bid opening on the sale of Marshall Key House and the appraisal came back \$0. Therefore, the City can do as it likes with the property, but any purchaser will be subject to the original covenant with the Kentucky Heritage Council. He said that he would like to discuss the property with a local non-profit organization. Projects Manager Hord said that the non-profit had expressed the willingness to negotiate.

Mayor Cotterill said that he would like the property to be listed with a real estate agent and thought that Craig Stanfield deserved the opportunity given his involvement with the project. He said he does not want the City to be on the hook for mowing, an archeological study or the installation of a French drain. The City Manager said that he does think the City is responsible for the French drain because it has been in the budget for the past two years.

Commissioner Wood said that he would like to try approaching the Heritage Council about getting the covenant altered either at a meeting or in a letter. City Attorney Caudill said that the Heritage Council had not responded to previous outreach, but he would be willing to work with Commissioner Wood to try again.

Commissioner Ashley said that as a real estate agent himself, he couldn't imagine trying to list the property with the covenant attached. The covenant requires the proposed purchaser to meet with the Heritage Council 30 days prior to closing so the purchaser is aware of the provisions of the covenant, which requires the property to in part be used for public purpose. If the City decided to list the property with a real estate agent, he recommended no more than six months. The City Manager reminded the Board of Commissioners that the Heritage Council would be doing a reassessment in the spring to see what progress the City had made on the property.

The Board of Commissioners agreed to table the issue until the October 8 meeting so that Commissioner Wood could contact the Heritage Council.

RESOLUTION AUTHORIZING LEASE WITH COMMONWEALTH OF KENTUCKY FOR HEALTH & FAMILY SERVICES

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 20-56

RESOLUTION AUTHORIZING LEASE  
WITH COMMONWEALTH OF KENTUCKY

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute a lease renewal agreement with the Commonwealth of Kentucky for Health and Family Services, 201 Government Street, Maysville, Kentucky.

**Motion** by Commissioner McKay, second by Commissioner Brammer to adopt Resolution No. 20-56 as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Wood, Commissioner Brammer, Commissioner Ashley, Commissioner McKay and Mayor Cotterill, Motion passes.

RESOLUTION AUTHORIZING LEASE WITH COMMONWEALTH OF KENTUCKY FOR WORKFORCE INVESTMENT

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY

CITY OF MAYSVILLE  
Resolution No. 20-57

RESOLUTION AUTHORIZING LEASE  
WITH COMMONWEALTH OF KENTUCKY

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute a lease renewal agreement with the Commonwealth of Kentucky for Department of Workforce Investment, 201 Government Street, Maysville, Kentucky.

**Motion** by Commissioner Brammer, second by Commissioner Ashley to adopt Resolution No. 57 as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Wood, Commissioner Brammer, Commissioner Ashley, Commissioner McKay and Mayor Cotterill, Motion passes.

RESOLUTION AUTHORIZING LEASE WITH COMMONWEALTH OF KENTUCKY FOR DEPARTMENT OF CORRECTIONS

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 20-58

RESOLUTION AUTHORIZING LEASE  
WITH COMMONWEALTH OF KENTUCKY

BE IT RESOLVED BY THE CITY OF MAYSVILLE, KENTUCKY, that the Mayor is hereby authorized and directed to execute a lease renewal agreement with the Commonwealth of Kentucky for Department of Corrections, 101 East Second Street, Maysville, Kentucky.

**Motion** by Commissioner Ashley, second by Commissioner Brammer to adopt Resolution No. 20-58 as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Wood, Commissioner Brammer, Commissioner Ashley, Commissioner McKay and Mayor Cotterill, Motion passes.

RESOLUTION AWARDING ANNUAL PAVING CONTRACT

The following Resolution was presented to the Board of Commissioners:

COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Resolution No. 20-59

RESOLUTION AWARDING ANNUAL PAVING CONTRACT

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

- A. Annual Paving
- B. Advertised: August 14, 2020
- C. Bid opening: August 31, 2020

WHEREAS, the following bids were received:

- |                                      |              |
|--------------------------------------|--------------|
| 1. Brown County Construction Company | \$150,000.00 |
| 2. HG Mays Corporation, Inc.         | \$186,458.00 |

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 Brown County Construction Company in the sum of \$150,000.00f or 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 McKay, second by Commissioner Ashley to adopt Resolution No. 20-60 as presented. Upon call of roll, voting is as follows: Voting aye: Commissioner Wood, Commissioner Brammer, Commissioner Ashley, Commissioner McKay and Mayor Cotterill, Motion passes.

DISCUSSION: CONDEMNED WAREHOUSE

City Attorney Caudill reported back to the Board of Commissioners on questions they had at the August 27 meeting. He learned that a personal judgment can be made against an owner. So, if the City had a master commissioner sale of a property that did not cover the cost of demolition, then a personal judgment could be made against the current owner of the property.

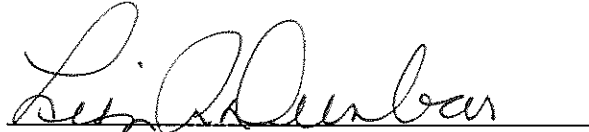
His research also showed that transfer of condemned property could not be prevented. Condemnations are public notice and liens against property are shown on the deed. It is up to the purchaser to be aware of these actions against a property.

ADJOURNMENT

**Motion** by Commissioner McKay, second by Commissioner Ashley to adjourn. Upon call of roll, voting is as follows: Voting aye: Commissioner Wood, Commissioner Brammer, Commissioner Ashley, Commissioner McKay and Mayor Cotterill, Motion passes. Adjournment at 5:43 p.m.



MAYOR



CITY CLERK