

**CITY COUNCIL MEETING
Minutes of July 16, 2019**

After the pledge and invocation by Amy Hurst, Mayor Stinson called the Falmouth City Council Meeting to order at 7:00 p.m. The following Council Members answering roll call:

Amy Hurst	Present	Joyce Carson	Present
Shannon Johnson	Present	David Klaber	Present
Amy Hitch	Present	Luke Price	Present

Also Present: Attorney Brandon Voelker

APPROVAL OF MINUTES – June 18, 2019 Meeting

MOTION: Amy Hurst made a motion to approve the minutes of June 18, 2019, seconded by Shannon Johnson. Motion carried 6-0-0.

ORDINANCES/RESOLUTIONS

Resolution 07.16.19:1: A resolution accepting the reappointment of members of the Northern Kentucky Regional Ethics Authority Enforcement Committee for a two-year term, commencing February 1, 2019 and expiring January 31, 2021.

MOTION: Amy Hitch made a motion to approve **Resolution 07.16.19:11**, seconded by Joyce Carson; all aye. Motion carried 6-0-0.

Resolution 07.16.19:2: A resolution authorizing the Mayor to execute the documents relating to the R&D loan amount of One Million Six Hundred Sixty Thousand dollars for improvements to the regional sewer plant.

MOTION: Luke Price made a motion to approve **Resolution 07.16.19:2**; seconded by David Klaber; all aye. Motion carried 6-0-0.

OLD BUSINESS:

Mayor Stinson asked for final discussion on the banking RFP proposals and if a decision was forthcoming. Council members gave their final remarks regarding each bank and the consensus was narrowed to two. Councilmember Amy Hitch refrained from comments as she is an employee of one of the banks.

MOTION: Joyce Carson made a motion to move the City banking business to Heritage Bank, seconded by Shannon Johnson. Motion carried 5-0-1. Amy Hitch recused herself from voting.

NEW BUSINESS

Mayor Stinson told Council annual contract renewal with the NKADD had been received. He explained this is for the services of Bill Mitchell as well as other duties they perform for the City.

MOTION: Amy Hitch made a motion to approve the annual contract for the NKADD, seconded by Joyce Carson; all aye. Motion carried 6-0-0.

MOTION: Shannon Johnson made a motion authorizing the Mayor and Attorney to sign and execute necessary USDA Bond documents; seconded by David Klaber; all aye. Motion carried 6-0-0.

There was discussion regarding setting the date for Halloween Trick-or-Treat. While most support the efforts of the Trunk-or-Treat being held at the fairgrounds, Council felt the door-to-door trick-or-treating was being done away with.


MOTION: Shannon Johnson made a motion to set the Halloween Trick-or-Treating to Thursday, October 31, 2019 from 6:00 PM -- 8:00 PM. Joyce Carson seconded. Motion carried 6-0-0.

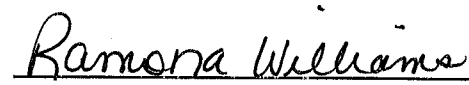
ANNOUNCEMENTS

Shannon Johnson asked for support and attendance to an event being held August 6 from 6-8 called National Night Out. It is a program that is nationwide bringing communities together to engage with Police personnel. At dusk a Disney movie will be shown as "Movie in the Park". Donations are being requested to help defray the cost of movie licencing.

ADJOURNMENT

MOTION: Amy Hurst made a motion to adjourn, second by Shannon Johnson. All aye 6-0-0.


Ron Stinson, Mayor


Attest: City Clerk

RESOLUTION NO. 07.16.19:1

City of Falmouth

AN RESOLUTION ACCEPTING THE RE-APPOINTMENT OF MARCUS CAREY, ROBERT F. GREENE, DARRYL CUMMINS, ROBERT SANDERS, TOM QUIRK, AND WESLEY WILLIAMS AND APPOINTMENT OF BRYCE C. RHOADES AS MEMBERS OF THE NORTHERN KENTUCKY REGIONAL ETHICS AUTHORITY ENFORCMENT COMMITTEE FOR A TWO-YEAR TERM, COMMENCING FEBRUARY 1, 2019 AND EXPIRING ON JANUARY 31, 2021.

* * *

WHEREAS, Ordinance No. 38.04 # (as amended) established a code of ethical conduct applicable to the officers and employees of the City of Falmouth and its agencies; and

WHEREAS, the City of Falmouth entered into an inter-local agreement to join the Northern Kentucky Regional Ethics Authority (NKREA) to implement said CODE OF ETHICS; and

WHEREAS, Article III(A) of the Inter-local gives the NKREA Authority Board the authorization to select members of the NKREA Enforcement Committee subject to the approval of each member jurisdiction's relevant legislative body;

WHEREAS, at the NKREA's Annual Meeting held December 7, 2016 the Authority Board re-nominated Marcus Carey, Robert F. Greene, Darryl Cummins, Carolyn Lainhart, Robert Sanders, and Tom Quirk to each serve a two-year term on the NKREA Enforcement Committee;

WHEREAS, NKREA Enforcement Committee Member Carolyn Lainhart resigned and Bryce Rhoades was appointed by the NKREA Authority Board to fill Carolyn Lainhart's term; and

NOW, THEREFORE,
BE IT RESOLVED BY THE CITY OF FALMOUTH, PENDLETON
COUNTY, KENTUCKY:

Section 1

That the appointment of Marcus Carey, Robert F. Greene, Darryl Cummins, Robert Sanders, Tom Quirk, Wesley Williams, and Bryce Rhoades as members of the NKREA Enforcement Committee for a two-year term commencing on February 1, 2019 and expiring on January 31, 2021 is hereby approved.

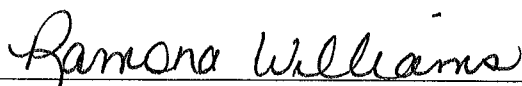
Section 2

That this order/resolution shall take effect and be in full force when passed and recorded according to law.



JUDGE/EXECUTIVE or MAYOR

ATTEST:



CLERK

Passed: 7-16-19

Ramona Williams

From: King, Stephanie <stephanie.king@nkadd.org>
Sent: Tuesday, July 02, 2019 9:51 AM
To: ccleves@bellevueky.org; Meyer, Joe; arobinson@crescent-springs.ky.us; Lenhof, Marty; Fette, Jessica; Whalen, Diane; Moriconi, Chris; jboone@ludlow.org; melbourne@mw.twcbc.com; kzembrodt@parkhillsky.net; Fields, David; Hamberg, Jim; Bell, Dan; Plummer, David; Brown, Gabe; Skinner, Rick; Ronbarth66@gmail.com; Ron Stinson
Cc: Marianne Roseberry; ggabbard@cityofindependence.org; kwebb@taylormillky.gov; arobinson@crescent-springs.ky.us; Barton, Brandi; Ramona Williams; Bellevue Mary Scott; Sherry Hoffman; ezell@cityofelsmere.com; sstevenson@cityofwalton.org; Park Hills Julie Alig; dwahoff@cityofunionky.gov; Ludlow Laurie Sparks; Maggie Nyhan; nancy.zeilman@florence-ky.gov; melbourne@mw.twcbc.com; WOODLAWNKY.CLERK@GMAIL.COM; Williamstown Vivian Link
Subject: 2019 NKREA Appointment Resolution
Attachments: 2019_Appointment resolution .docx
Importance: High

NKREA Authority Board Members,

You are receiving this email because your city/county is a member of the Northern Kentucky Regional Ethics Authority. As a member of the Authority Board you recently received a nomination ballot and had an opportunity to cast your vote for members of the Enforcement Committee. The members outlined in the attached resolution were appointed/reappointed by a majority vote. *You have 15 days or until July 17th to appeal the decision of the vote.*

Also, as a member of the ethics authority, your jurisdiction is required to pass a resolution appointing the Enforcement Committee for a 2-year term. I have attached a sample resolution for your convenience. Please return a copy of the complete resolution to me via email or regular mail once your jurisdiction has passed the resolution.

I have copied your city/county clerks on this email as well for convenience.

Please let me know if you have questions or concerns. You can reach me via phone on my direct line at 859-283-8175.

Thanks,
Stephanie King
NKREA Staff

Stephanie King

Community Development Specialist
Northern Kentucky Area Development District
phone: 859.283.8175 | fax: 859.283.8178
nkadd.org | [Facebook](#) | [LinkedIn](#) | [YouTube](#)

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LOAN RESOLUTION
(Public Bodies)

A RESOLUTION OF THE _____ 07.16.19:2

OF THE Falmouth, City of

AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS

FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

WHEREAS, it is necessary for the Falmouth, City of
(Public Body)

(herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of One Million Six Hundred Sixty Thousand & 00/100 Dollars

pursuant to the provisions of KRS 81; and

WHEREAS, the Association intends to obtain assistance from the United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association:

NOW THEREFORE, in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal ly permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so, without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contractor agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by USDA. No free service or use of the facility will be permitted.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0572-0121. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.
12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to time require.
13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.
14. That if the Government requires that a reserve account be established, disbursements from that account(s) may be used when necessary for payments due on the bond if sufficient funds are not otherwise available and prior approval of the Government is obtained. Also, with the prior written approval of the Government, funds may be withdrawn and used for such things as emergency maintenance, extensions to facilities and replacement of short lived assets.
15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain USDA's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.
16. To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facility's construction or operation.
17. To accept a grant in an amount not to exceed \$ 554,000.00

under the terms offered by the Government; that the Mayor

and _____ of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Association and the Government or assignee.

The vote was: Yea 6 Nays 0 Absent 0

IN WITNESS WHEREOF, the _____ of the Falmouth, City of has duly adopted this resolution and caused it

to be executed by the officers below in duplicate on this July, 16th day of 2019

(SEAL)

By Ron Stinson

 Ron Stinson
 Title Mayor

Attest:
Ramona Williams

Title City Clerk

CERTIFICATION TO BE EXECUTED AT LOAN CLOSING

I, the undersigned, as _____ of the Falmouth, City of

hereby certify that the _____ of such Association is composed of
_____ members, of whom, _____ constituting a quorum, were present at a meeting thereof duly called and
held on the _____ day of _____ ; and that the foregoing resolution was adopted at such meeting

by the vote shown above, I further certify that as of _____ ,
the date of closing of the loan from the United States Department of Agriculture, said resolution remains in effect and has not been
rescinded or amended in any way.

Dated, this _____ day of _____

Title _____