

ORIGINAL

CITY COUNCIL MEETING
Minutes January 17, 2023



After pledge and invocation, Mayor Ernst called the Meeting to order.

Amy Hurst	Present	Joyce Carson	Present
Sabrina Hazen	Present	Tim Morrison	Present
Darryl Ammerman	Present	Luke Price	Present

Present: Attorney Brandon Voelker

Mayor Ernst opened the meeting by presenting the revised agreement with the Pendleton County Sheriff's office to council stating the only revision had been taking out one line in the wording related to overtime specific hours. A full chamber of citizens including members from the Dispatch Center, along with Constable Lou McCord were in attendance. As discussion ensued, Luke Price pointed out there is an ordinance on the books establishing a police department with a chief and 3 officers. He said until such time as action was taken on the ordinance it should be upheld and the police department restaffed. A motion was made to the effect:

MOTION: Luke Price made a motion for the City to enter into the temporary agreement for police coverage with the county until the police department can be restaffed, but stop soliciting for a long term proposal. Darryl second. Roll call vote: Amy Hurst-yes; Sabrina Hazen- yes; Darryl Ammerman-yes, Joyce Carson-yes, Tim Morrison-yes; Luke Price, yes.

More discussion took place with Mayor Ernst being vocal as to his reasons for pursuing outsourcing. The money saved could be reinvested in other areas, he wanted to see the numbers in a proposal from the County before he would agree to stop, and his constituents during his campaign wanted this. He wanted to an RFP immediately. He was asked if he had started the interview process with any applicants received, to which he said he was still reviewing. There had been two applications received for the Chief position and several for officers. He was questioned on why the delay. More debate ensued into a lengthy discussion with Sabrina Hazen finally stating she had listened to enough. There had to be a common ground reached on the issue, but she felt a push for a proposal was a stalling tactic for restaffing the department. She understood from a joint meeting with the Judge, Sherriff Brewer, Mayor, City Clerk, and three Council members, that a committee would be formed to discuss exactly what Attorney Voelker was saying, deciding the level of service needed, number it might take to do so, etc. As she left that meeting, that was her understanding, and now suddenly the tone had changed and that would not be entertained. She felt the outsourcing option needed to be reviewed at length as too many variables such as the City losing authority/control over what took place. Tim Morrison felt whatever was decided should require checks and balances to make sure they are held accountable and responsible. Sabrina Hazen restated she felt a Committee should be formed to address the City's expectations and desires for police coverage.

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After another lengthy time of entertaining comments from the attendees, dispatch personnel wished to address the issue of safety sending officers to situations that potentially could be deadly. Not enough on hand now to answer in the time frame needed. Sending one person to a situation is dangerous. Several spoke on the safety issue of the lack of officers both with the County and City.

MOTION: Luke Price then made another motion to stop soliciting proposals and not outsource. Joyce second. Roll Call Vote: Luke Price-yes; Tim Morrison-no; Joyce Carson-yes; Sabrina Hazen-no; Darryl Ammerman-yes; Amy Hurst-yes. Motion carried 4-2-0.

After this discussion and the desire of Mayor Ernst to request proposals for outsourcing the police, a motion was made.

MOTION: Tim Morrison made a motion supporting the mayor to request a proposal for outsourcing police with 24/7 coverage. Darryl Ammerman seconded. Roll Call Vote: Amy Hurst-yes; Sabrina Hazen-yes; Darryl Ammerman-yes; Joyce Carson-no; Tim Morrison-yes; Luke Price-no. Motion Carried 4-2-0.

Sabrina Hazen was adamant about a committee being formed, per meeting with county, and recommendation of City Attorney, to discuss the needs and desires of the city for police protection, however that looked.

MOTION: Sabrina Hazen made a motion to establish a committee to examine and determine what the City policing needs would be, regardless of restaffing the City Police Department or outsourcing. Seconded by Tim Morrison. Roll Call Vote: Amy Hurst-yes; Sabrina Hazen-yes; Darryl Ammerman-yes; Joyce Carson-yes; Tim Morrison-yes; Luke Price-no. Motion Carried 5-1-0.

Mayor Ernst would approach the County to request a proposal for outsourcing the police protection by the Sheriff's Office. Attorney Voelker did suggest that any committee formed hold Special Meetings for discussion of police matters.

GUESTS

Mr. Steve Groh was then recognized to speak. He wanted to address the council in regard to the blighted properties and actions he felt could be taken and were not. Again, Attorney Brandon Voelker deferred to the legal process stating several of the properties in question were abandoned, trying to find proper parties responsible had found issues with deeds and proper owners.

APPROVAL OF MINUTES

Minutes of Regular Meeting December 20, 2022 and Special Meeting and Caucus meeting, January 3, 2023. Clerk Williams stated she had found and corrected an error relating to a motion having been omitted.

MOTION: Luke Price made a motion to approve the minutes, seconded by Joyce Carson. All aye. Motion carried 6-0-0.

ORDINANCES/RESOLUTIONS/MUNICIPAL ORDERS

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Resolution 1.17.23:1 A resolution approving the reappointments to the NKREA (Northern Kentucky Regional Ethics Agency). This is an agreement with the NKADD (Northern Kentucky Area Development District) for maintaining an Ethics Board for several cities and the appointment of board members.

MOTION: Luke Price made a motion to approve Resolution 1.17.23;1; seconded by Amy Hurst. All aye. Motion carried 6-0-0.

OLD BUSINESS

Keene Dougherty was present to give the Council an update on issues with several pumps, including the Main Street pump. There had been another pump go out at the water plant and it was discovered that potentially pumps had been installed in the wrong places. He was working with the supplier to determine what was ordered, versus what was received, and the installation thereof. Currently, they were back on-line and operating, but awaiting word from the vendor as to repairs that must be made.

NEW BUSINESS

Dave Klaber and John Lucas were present to discuss the quotes received for replacing/repairing the heating system at the fire house. The current system was installed after the flood, but during the recent cold event found that 2 of the 3 units were not working. Quotes for repairs and/or replacement had been submitted by Cahill and Johnson. As money was available in the budget, it was decided to move with Option #1 from Cahill which was to replace all 3 existing heaters, connect existing vents, reuse main electric, connect existing gas mains, and install new thermostats for each heater. Cahill HVAC will provide all hanging hardware, equipment, labor to complete project 100%. It was recommended to stay with gas instead of conversion to electric.

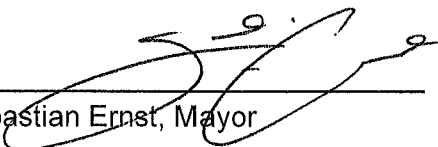
OTHER

ANNOUNCEMENTS


Mayor Ernst referred to the agenda for a list of announcements.

ADJOURNMENT

MOTION: Sabrina Hazen made a motion to adjourn; seconded by Joyce Carson. All aye; Motion carried 6-0-0.



Sebastian Ernst, Mayor



Attest: City Clerk

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CITY OF FALMOUTH

RESOLUTION 01.17.23:1

A RESOLUTION ACCEPTING THE RE-APPOINTMENT OF MARCUS CAREY, DARRYL CUMMINS, ROBERT SANDERS, TOM QUIRK, BRYCE C. RHOADES, AND JACK WESTWOOD AND THE APPOINTMENT OF JAMES DADY AS MEMBERS OF THE NORTHERN KENTUCKY REGIONAL ETHICS AUTHORITY ENFORCEMENT COMMITTEE FOR A TWO-YEAR TERM, COMMENCING FEBRUARY 1, 2023 AND EXPIRING ON JANUARY 31, 2025.

* * *

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

WHEREAS, 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, the Authority Board re-nominated Marcus Carey, Darryl Cummins, Robert Sanders, Tom Quirk, and Bryce Rhoades to each serve a two-year term on the NKREA Enforcement Committee;

WHEREAS, NKREA Enforcement Committee Member James Dady was appointed by the NKREA Authority Board to fill the committee's vacancy; and

NOW, THEREFORE,
BE IT RESOLVED BY THE City Council OF
the City of Falmouth, Pendleton COUNTY,
KENTUCKY:

Section 1

That the appointment of Marcus Carey, Darryl Cummins, Robert Sanders, Tom Quirk, Bryce Rhoades, Jack Westwood and James Dady as members of the NKREA

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Enforcement Committee for a two-year term commencing on February 1, 2023 and expiring on January 31, 2025 is hereby approved.

Section 2

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



MAYOR SEBASTIAN ERNST

ATTEST:



CLERK, RAMONA WILLIAMS

Passed: 1-17-23

NORTHERN KENTUCKY REGIONAL ETHICS AUTHORITY

This INTERLOCAL COOPERATION AGREEMENT, dated as of the ___th day of ____, 2023, is made and entered into by and among such cities and counties of the Commonwealth of Kentucky as shall become signatories hereto.

WITNESSETH:

WHEREAS, local government officials have a responsibility to the citizens which they serve to ensure that the highest ethical standards are maintained in the performance of their responsibilities; and

WHEREAS, the General Assembly of the Commonwealth of Kentucky has enacted KRS 65.003, which requires cities and counties to enact and enforce a code of ethics governing the conduct of local government officers and employees beginning no later than January 1, 1995; and

WHEREAS, the Interlocal Cooperation Act, KRS 65.210 to 65.300, specifically authorizes public agencies to jointly exercise any authorities that are delegated to the public agency individually; and

WHEREAS, KRS 65.003(2) specifically authorizes cities and counties to utilize the provisions of the Interlocal Cooperation Agreement to implement the requirements of the statute; and

WHEREAS, the parties to this agreement have determined it is in the best interests of their governmental jurisdictions to utilize the authorities granted by KRS 65.210 to 65.300 to create a joint board to implement the enforcement provisions contained in KRS 65.003.

NOW, THEREFORE, it is agreed as follows:

I. Purpose of the Agreement

Consistent with the responsibility imposed on cities and counties to establish the enforcement entity that is responsible for implementation of the enforcement process, the signatories to this agreement are expressly utilizing the authorities contained in the Interlocal Cooperation Act to jointly establish and operate the Northern Kentucky Regional Ethics Authority. Upon establishment of this Authority, its Board of Directors is expressly authorized to create and appoint the membership of an operational committee, to be known as the Northern Kentucky Ethics Enforcement Committee, to carry out the enforcement activities necessitated by the implementation of ethics ordinances by the cities and/or counties that are party to this agreement.

II. Membership

The membership of the Northern Kentucky Regional Ethics Authority is comprised of the chief elected official (Mayor or County Judge/Executive) from the following participating local governments:

1. Mayor, City of Bellevue
2. Mayor, City of Bromley
3. Mayor, City of Covington
4. Mayor, City of Crescent Springs
5. Mayor, City of Dry Ridge
6. Mayor, City of Elsmere
7. Mayor, City of Erlanger
8. Mayor, City of Falmouth
9. Mayor, City of Florence
10. Mayor, City of Highland Heights
11. Mayor, City of Independence
12. Mayor, City of Ludlow
13. Mayor, City of Melbourne
14. Judge/Executive, Owen County
15. Mayor, City of Park Hills
16. Judge/Executive, Pendleton County
17. Mayor, City of Taylor Mill
18. Mayor, City of Southgate
19. Mayor, City of Union
20. Mayor, City of Walton
21. Mayor, City of Williamstown
22. Mayor, City of Woodlawn

The members of the Northern Kentucky Regional Ethics Authority shall serve as its Board of Directors. Additional cities or counties may become members of the Northern Kentucky Regional Ethics Authority by properly adopting and signing this agreement.

III. Functions and Powers

A. Northern Kentucky Regional Ethics Authority

1. The Northern Kentucky Regional Ethics Authority (“the Authority”) is expressly authorized to establish and select the membership that will serve on the Northern Kentucky Ethics Enforcement Committee (“the Committee”). Each member of the Board of Directors of the Authority shall select the members to serve on the enforcement committee. The appointment(s) made by the members of the Authority shall be subject to the approval of the relevant local government’s legislative body. No member of the Committee shall hold any elected or appointed

office, whether paid or unpaid, or any position of employment with any local government that is party to this agreement. The persons chosen to serve on this Committee shall serve in this position for a period of two years, and may be reappointed for any number of consecutive terms. All members of the Committee shall serve without compensation, but shall be reimbursed for all necessary and reasonable expenses.

B. Northern Kentucky Ethics Enforcement Committee

The Northern Kentucky Ethics Enforcement Committee is expressly authorized to perform all activities necessary to ensure the comprehensive enforcement of the ethics ordinances enacted by the signatories of this agreement. The responsibilities mandated by KRS 65.003 which are imposed on this committee are as follows:

1. Maintenance of financial disclosure statements submitted by the public officials, officers and employees as designated in each local government's ethics code. All financial disclosure statements are deemed public documents and are subject to inspection under the Kentucky Open Records Act.
2. Receipt of complaints alleging possible violations of the ethics codes.
3. Issuance of opinions in response to inquiries relating to the ethics codes.
4. Investigation of possible violations of the codes of ethics.
5. Imposition of penalties provided for violations to the codes of ethics.

The Northern Kentucky Ethics Enforcement Committee is hereby designated all powers and authorities necessary to organize itself and adopt rules of procedures as deemed necessary to accomplish these responsibilities. The Committee shall elect a Chairperson annually from its membership, who shall be presiding officer and a full voting member of the Committee. To ensure the orderly procedural implementation of these responsibilities, the Northern Kentucky Enforcement Committee is expressly authorized to enter into agreements with the Northern Kentucky Area Development District to provide necessary support services.

IV. Financing

All costs associated with the implementation of the authorities outlined in this agreement are to be borne as follows:

1. Every participating governmental jurisdiction shall remit a fee of \$600 on January 1st of each year to cover the direct costs of the Northern Kentucky Regional

Ethics Authority and its enforcement committee. Three hundred dollars (\$300.00) of the fee will go toward administrative expenses such as collection and retention of financial disclosure forms, etc. To the extent the additional funds are not utilized during the year of remittal, the balance will be applied to the next year's fee. All direct costs associated with enforcement activities necessitated by an investigation of an allegation shall be borne by local government whose code is the catalyst for the investigation.

V. Duration of Agreement

This agreement shall be in perpetuity unless terminated as outlined in Section VI of this agreement.

VI. Termination of Agreement

Any member of this agreement may terminate its membership by providing written notice to the remaining members sixty (60) days prior to the effective date of its withdrawal. In the event a participating member withdraws for this agreement, the member shall forfeit its right to any equipment or supplies that have been acquired by the Northern Kentucky Regional Ethics Authority for operation of the organization. In the event this agreement is terminated completely and no members remain party to this agreement. The supplies, equipment, and any unexpended funds shall be divided proportionally among its members.

In support of this INTERLOCAL COOPERATION AGREEMENT, and as the duly authorized agent for the City of Bromley, I have hereunto set my hands this ____ day of _____, 2023.

Mike Denham
Mayor, City of Bromley

Notarization

In support of this INTERLOCAL COOPERATION AGREEMENT, and as the duly authorized agent for the City of Covington, I have hereunto set my hands this ____ day of _____, 2023.

Joseph Meyer
Mayor, City of Covington

Notarization

In support of this INTERLOCAL COOPERATION AGREEMENT, and as the duly authorized agent for the City of Crescent Springs, I have hereunto set my hands this ____ day of _____, 2023.

Mike Daugherty
Mayor, City of Crescent Springs

Notarization

In support of this INTERLOCAL COOPERATION AGREEMENT, and as the duly authorized agent for the City of Dry Ridge, I have hereunto set my hands this ____ day of _____, 2023.

Greg Brockman
Mayor, City of Dry Ridge

Notarization

In support of this INTERLOCAL COOPERATION AGREEMENT, and as the duly authorized agent for the City of Elsmere, I have hereunto set my hands this ____ day of _____, 2023.

Marty Lenhof
Mayor, City of Elsmere


Notarization

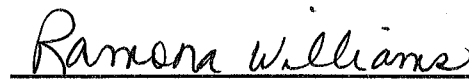
In support of this INTERLOCAL COOPERATION AGREEMENT, and as the duly authorized agent for the City of Erlanger, I have hereunto set my hands this ____ day of _____, 2023.

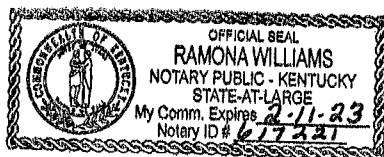
Jessica Fette
Mayor, City of Erlanger

Notarization

In support of this INTERLOCAL COOPERATION AGREEMENT, and as the duly authorized agent for the City of Falmouth, I have hereunto set my hands this ____ day of _____, 2023.


Sebastian Ernst
Mayor, City of Falmouth


Notarization



In support of this INTERLOCAL COOPERATION AGREEMENT, and as the duly authorized agent for the City of Florence, I have hereunto set my hands this ____ day of _____, 2021.

Diane Whalen
Mayor, City of Florence

Notarization

In support of this INTERLOCAL COOPERATION AGREEMENT, and as the duly authorized agent for the City of Highland Heights, I have hereunto set my hands this ____ day of _____, 2023.

Greg Meyers
Mayor, City of Highland Heights

Notarization

In support of this INTERLOCAL COOPERATION AGREEMENT, and as the duly authorized agent for the City of Independence, I have hereunto set my hands this ____ day of _____, 2023.

Chris Reinersman
Mayor, City of Independence

Notarization

In support of this INTERLOCAL COOPERATION AGREEMENT, and as the duly authorized agent for the City of Ludlow, I have hereunto set my hands this ____ day of _____, 2023.

Josh Boone
Mayor, City of Ludlow

Notarization

In support of this INTERLOCAL COOPERATION AGREEMENT, and as the duly authorized agent for the City of Melbourne, I have hereunto set my hands this ____ day of _____, 2023.

Ronnie Walton
Mayor, City of Melbourne

Notarization

In support of this INTERLOCAL COOPERATION AGREEMENT, and as the duly authorized agent for Owen County, I have hereunto set my hands this ____ day of _____, 2023.

Casey Ellis
Judge Executive, Owen County

Notarization

In support of this INTERLOCAL COOPERATION AGREEMENT, and as the duly authorized agent for the City of Park Hills, I have hereunto set my hands this ____ day of _____, 2023.

Kathy Zembrodt
Mayor, City of Park Hills

Notarization

In support of this INTERLOCAL COOPERATION AGREEMENT, and as the duly authorized agent for Pendleton County, I have hereunto set my hands this ____ day of _____, 2023.

David Fields
Judge/Executive, Pendleton County

Notarization

In support of this INTERLOCAL COOPERATION AGREEMENT, and as the duly authorized agent for the City of Taylor Mill, I have hereunto set my hands this ____ day of _____, 2023.

Daniel L. Bell
Mayor, City of Taylor Mill

Notarization

In support of this INTERLOCAL COOPERATION AGREEMENT, and as the duly authorized agent for the City of Southgate, I have hereunto set my hands this ____ day of _____, 2023.

Jim Hamberg
Mayor, City of Southgate

Notarization

In support of this INTERLOCAL COOPERATION AGREEMENT, and as the duly authorized agent for the City of Union, I have hereunto set my hands this ____ day of _____, 2023.

Larry King Solomon
Mayor, City of Union

Notarization

In support of this INTERLOCAL COOPERATION AGREEMENT, and as the duly authorized agent for the City of Walton, I have hereunto set my hands this ____ day of _____, 2023.

Gabe Brown
Mayor, City of Walton

Notarization

In support of this INTERLOCAL COOPERATION AGREEMENT, and as the duly authorized agent for the City of Williamstown, I have hereunto set my hands this ____ day of _____, 2023.

Rick Skinner
Mayor, City of Williamstown

Notarization

In support of this INTERLOCAL COOPERATION AGREEMENT, and as the duly authorized agent for the City of Woodlawn, I have hereunto set my hands this ____ day of _____, 2023.

Ronald A. Barth
Mayor, City of Woodlawn

Notarization