

City of Falmouth December 19, 2023

City Council Regular Meeting

Minutes

City Council Convened at 7:00 p.m., Mayor Sebastian Ernst presiding.

Present were Councilmembers Joyce Carson, Sabrina Hazen, Amy Hurst, Bob Pettit, and Luke Price.

Also in attendance were City Attorney Brandon Voelker and City Clerk Susan Bishop.

Mayor Ernst called the meeting to order.

Councilmember Sabrina Hazen announced that council had adopted their own agenda. Motion by councilmember Luke Price to approve city councils adopted agenda, second by Sabrina Hazen. All aye. Motion passed.

Council recited the Pledge of Allegiance to the Flag and observed a moment of invocation presented by City Clerk Susan Bishop

Approval of Minutes:

Motion to approve the minutes of the regular meeting October 17, 2023, special meeting October 24, 2023, caucus meeting November 7, 2023, regular meeting November 21, 2023, special meeting December 5, 2023, and special meeting December 14, 2023 was made by Councilmember Luke Price, second by Councilmember Amy Hurst. All aye. Motion passed.

Ordinances/Resolutions/Municipal Orders:

The first reading of Ordinance 2023:9, Budget Amendment to provide funds for Special Counsel, was read by City Attorney Brandon Voelker.

Motion by Councilmember Bob Pettit to appoint David Klaber to the vacant council position, second by Councilmember Joyce Carson. All aye. Motion passed.

David Klaber received the oath of office and was sworn in by City Clerk Susan Bishop.

Announcements were read by Mayor Ernst.

Motion by Councilmember Joyce Carson to go into closed session per KRS 61.810 (1)(f) discussion of possible dismissal of a member, second by Councilmember Bob Pettit. All aye. Motion passed. Council members left city hall chambers.

Mayor Sebastian Ernst showed a PowerPoint presentation to city residents and interested members in the audience his end of year financial review. He explained things that he has accomplished during his first year in office as mayor. He also explained financial issues within each department and the plan he was already working on for the FY 24-25 budget.

Councilmembers returned to the chambers from their closed session discussion.

Motion by Councilmember Amy Hurst to come out of closed session, second by Councilmember David Klaber. All aye. Motion passed.

Councilmember Sabrina Hazen presented a resolution; number to be assigned by City Clerk. Motion by Councilmember Joyce Carson to read the resolution, second by Councilmember Sabrina Hazen. All aye. Motion passed.

Resolution issuing charges of Misconduct and setting a Public Hearing was read by Councilmember Joyce Carson.

Motion by Councilmember Sabrina Hazen to adopt the resolution, second by Councilmember Luke Price. All aye. Motion passed.

Adjournment:

Motion to adjourn was made by councilmember Luke Price, second by councilmember Joyce Carson. All aye. Motion passed.

The meeting was adjourned.

Mayor, Sebastian Ernst

Attest: City Clerk, Susan L. Bishop

COUNTY OF PENDLETON CITY OF FALMOUTH RESOLUTION NO. 12.19, 23.1

A RESOLUTION ISSUING CHARGES OF MISCONDUCT AND SETTING A PUBLIC HEARING PURSUANT TO KRS 83A.040(9)

Whereas, KRS 83A.040(9), sets forth applicable provisions of law for the removal of any elected officer for misconduct, incapacity, or willful neglect in the performance of the duties of his or her office; and

Whereas, KRS 83A.040(9), provides that a public hearing shall be conducted, with due deliberation and creation of a record, for any removal hearings pursuant thereto; and

Whereas, to afford Mayor Sebastian Ernst with sufficient opportunity to prepare for this public hearing, the Falmouth City Council hereby presents Mayor Sebastian Ernst with the following list of charges to be considered at the public hearing for which removal is sought.

Now, Therefore, Be It Resolved by the City Council of Falmouth, Kentucky:

That pursuant to KRS 83A.040(9), the Falmouth City Council by this Resolution adopts and sets forth the following Charges of Misconduct against Mayor Sebastian Ernst:

- 1. Mayor Ernst acted with misconduct and/or willful neglect in the performance of the duties of his office when he prohibited a civic organization from using city property because he deemed that the group fails to meet his "Conservative Christian values." See, Exhibit 1, a copy of the Mayor's text message to Rick Brown, November 18, 2023.
- 2. Mayor Ernst acted with misconduct and/or willful neglect in the performance of the duties of his office when he began using his personal Facebook account as the official account for the office of Falmouth Mayor and then used that account to market property he and/or his mother own for sale or lease. These actions violate Falmouth Ord. §39.15(b), "No officer or employee shall intentionally use or attempt to use his or her official position with the city to secure unwarranted privileges or advantages for himself or herself or others." See, Exhibit 2, page 8 a copy of the Mayor's Facebook post describing various actions he is or will take as mayor and also announcing that he has "retail space available" with a photograph of a building the mayor owns, on October 30, 2023. See also, page 10 of this exhibit in which the mayor announces there is commercial space available in Falmouth, which he owns on September 15, 2023.
- 3. Mayor Ernst acted with misconduct and/or willful neglect in the performance of the duties of his office when he attempted to extort Council member Robert Pettit into resignation. See, Exhibit 3, a copy of a message from the mayor to the council member on November 12, 2023 demanding his resignation or else he would attend a school board meeting "to present evidence of assault on a minor. [The mayor will] have the parents and families willing to come with [him] to demand a criminal investigation."

| Furthermore, that these Charges of Misconduct shall come for a hearing during a special called meeting of the Falmouth City Council on |
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| Introduced and adopted this 19th day of December 2023, by the Council of the City of Falmouth, with the following Councilmembers voting as follows: |
| Motion Councilmember Jahrens Lazen Spronding Councilmember Lake Price |
| Councilmember Robert Pettit |
| Councilmember Amy Beckett Hurst |
| Councilmember Joyce Carson Quinter Lawrence |
| Councilmember Luke Price |
| Councilmember Sabrina Hazen Councilmember David Klaber Councilmember David Klaber |
| Councilmember David Klaber De D Klale |
| This Resolution has been adopted by having received a majority of the votes by the |
| Council of the City of Falmouth, Kentucky. |
| Swan Bishop |
| City of Falmouth Clerk |

Proof Of Service

Susan Bishop

City of Falmouth Clerk

Pendelton Co. Republican Party

Exhibit 1

72/7/23, 3:26 PM

Dur Chairman recently pol. - Pendleton County Republican Party 2.0 I Facebook





















Pendleton County Republican Party 2.0 November 19 at 625 AM 3

Our Chairman recently got this in a text from the Mayor of Falmouth Sebastian Errist.

The following text is from the mayor of Folmouth Kentucky.

Hey Rick. Spring for not fraving City Hall unlocked this last. Wednesday. I got fied up and hever saw you tried calling. However, going forward, City Hall-will no longer be available for the Republican Party meetings. I don't believe the current Pendleton County Republic Party aligns with my Conservative Christian values. Papologize for any inconvenience this may cause you or the party. If you ever need anything else, don't healtate to ask. Hope we can still be friends.

We will advise everyone once we have found a new location for our meetings as to the time and date and location going forward.

Secretary: Steven Dr. Roster



28 comments 17 shares.











Write a comment...



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| Sebastian Ernst Nov 24 • My GATES TEACHER is now a BUSINESS WOMAN. Welcome to the other side Mrs. Michelle Williamson Lustenberg Never give up on your dreams. | | | | | | | |
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| Sebastian Ernst Nov 16 © More big news coming Falmouth's way. Be sure to like and follow their page! | | | | | |
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| Sebastian Ernst Nov 13 · Stand up for your children. If you don't, nobody else will. This morning I submitted an official FOIA request to show everyone just how deep the rabbit hole goes. I demand a criminal investigation into these attacks. | | | | |
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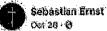
Sebastian Ernst

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I will NEVER back down
from a fight that benefits
the people I serve, even if
I'm standing alone.

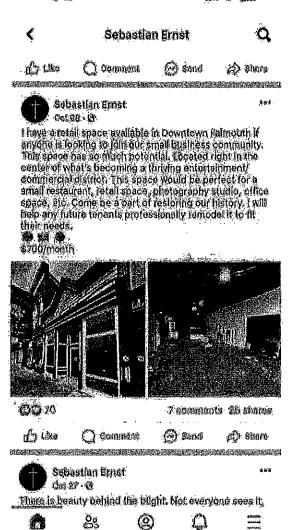
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I have a retail space available in Downtown Falmouth if anyone is fooking to Join our small business community. This space has so much potential. Located right in the center of what's becoming a thriving entertainment commercial district. This space would be perfect for a small restaurant, retail space, photography studie, office space, etc. Come be a part of restoring our him. See more





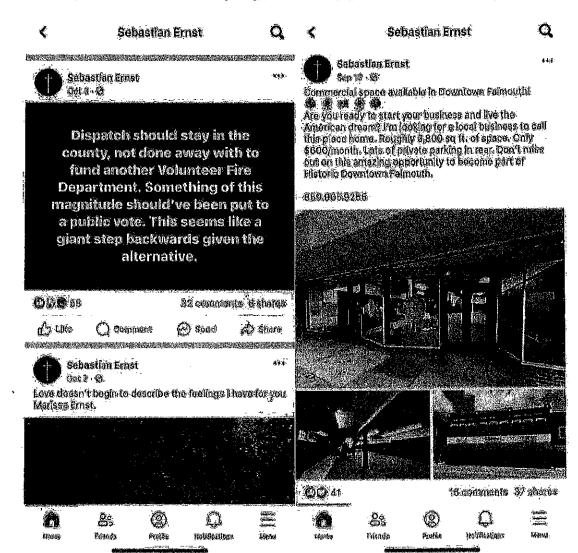
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Sebastian Ernst Sebastian Ernst j veinniem C.7 Like C Sona A) share *** Sebastian Ernst Sebastian Ennst A頭子 蘭 AUG 22 . 13 Altention Local Roolers: Life as a politician isn't always easy. You certainly can't please everyone, even when you try. A year ago I painted a building wall downtown white for all the local shildren The City of Falmouth is seeking bids to remove and replace the 16,000 s.f. roof of the former school at 500 Chapel St., Falmouth 41640. The current roof is a to paint during the Artwolk. They came up with all kinds of unique ideas for the wall. It was a great activity for the polyurethane foam roof ever two (2) layers of built-up tids, and I was happy to be a part of it. It certainly wasn't meant to be permanent, and those that helped with the project knew this. It was a fun activity for the children to tout.. The work includes all removel, haul-oil, insulation, racting, (lashings, acusterilashings, parapets, scuppets, and metal copings. Bids are requested by August 21, get involved in, and I'm glad we did it. A year later I found 2023 at 2:00 pm, emailed to an investor willing to help me cestore the same building that most people would rather see torn down. The same firermes@HermesConstructionCo.com. Any questions please call Tyson at 859-992-2470. If you'd like to people advocating it be destroyed are upset that it is schedule a time to look at the roof, please contact Mayor now getting painted and restored to its former glory. Sebastlan Ernst at 859-905-9255. feel I have an obligation as your Mayor to promote the preservation and restoration of these buildings the best I can. In fact, it's one of the principals I ran on, it's a shame some would use these honorable intentions to east stones at me. I own the building, I took pictures of the artwork to preserve what the children drew for us that day, I replaced it with something that went diong with the voterans memorial. Three simple, yet powerful words: We the People, I felt it would portray the same message as what we promoted that day as a community. I only flope the oldizens of Felmouth are pleased with the results in the end. I'm doing everything I can to bring this city back to life. I know with everything I do, there will be people that will attempt to twist my beliefs and my actions into something vile and wrong, "Ill just never understand why. I know who I work for though, and I will stay the course no matter what. **O O** 44 ist community 34 shares 96 33 **(2)** 23 **(2)**

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Hanging out with the First Lady in Nashville for the

Sebastian Ernst

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All of these tilings can happen in the next terryears if you just about up, ask questions and demand actions will be laying out my financial plan indepail at the next regular meeting on the 19th at 1.00-pm. If they remove me, at least you all will have the knowledge you need to save sating with.



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Write a comment...





Sebastian Ernst 4 days ago • 🔞

You don't have to read a press release to know what's in our water. This is our most recent sample testing. I'll make sure this is posted to our Falmouth website so this information is public record and accessible by All. Everyone deserves to know what's in their drinking water.

There is lead in the water. Been there a long time. Lead is reading an average of 3.9 ppb, which is below "State Acceptable Levels". The goal, however, is 0.0. There is no safe level of this metal in the human body. It's a pure toxin, it causes abnormal brain development, long term health problems, and birth defects. And we know where it's coming from based on the age and imaging we had done on our 80 year old reservoir that holds all our drinking water after it's treated. We can fix the problem, but we have to build a new reservoir. This one is past its life expectancy. It was built in the 1940's.

PFAS is well known about as well and has been discussed at Council meetings for the last 5 years or so, but we can't afford to correct the problem. We know it's in the water and that it causes cancer, but we never built a project profile to correct this contaminant over the years. You better believe we are now. We need a roughly \$5 million dollar upgrade to address this issue.

We can either keep putting bandaids over bandaids, or fix the problem. Our water department doesn't have the funds to correct any of this. The money made off water was lost by a sewer department that loses \$225,000 a year. Thats why we don't have the funds to fix anything. We CANNOT afford to take on this insurmountable debt, in the form of loans, alone. And we don't have to.

It's why I'm increasing wholesale rates to the county to bring in another \$150,000 or so a year to our water department. This hasn't been done in over 30 years. This will help us financially, but it's not nearly enough. Which is why we must do the following:

If we come together with East Pendleton and Pendleton water, we can build a new state of the art facility that can take out these contaminates. It could've been done DECADES AGO. Wayne Lonaker has been pushing for this idea for at least the past 15 years and been rejected every single time he approached a different Falmouth Mayor. Until me. And I promise he will be the one to cut the ribbon when it's done.

Why was this not brought to me when I was a Councilman? How are we supposed to fix issues we aren't even told about?

We do have poisons in our water. We can't deny it and say everything's just fine. Not when we have the ability to correct the problem. This is such a defeatist belief in that we don't have to improve, so we won't.

We WILL form a new county water district out of the flood zone, and you will see massive improvements to the quality of your drinking water because of it. These facts are not meant to induce panic, but to inform the population so they can make up their own mind about what we should do as a city going forward: Keep doing what we're doing, or make the necessary changes to improve our lives and our health in the process.

Don't shoot the messenger.







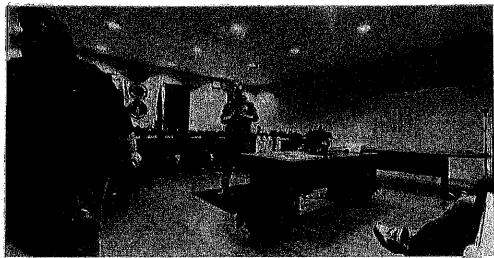












youruse com Falmouth KY City Council Meeting 12/5

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1 comment 5 shares









Heather Lonaker Couldn't hear very well

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Write a comment...





Sebástian Ernst 3 days ago · 🔇

Falmouth City Councillas calling a last minute special meeting tomorrow 12/5 at 6:15pm to start the impeachment process of your Mayor.

They'll ignore laws, ignore evidence being destroyed, ignore illegal background checks being conducted on elected officials they disagree with, ignore and cover up credible allegations of abuse and harassment by public employees and elected officials (their friends), but god forbid you try to improve our infrastructure that's falling apair in front of our eyes, expose corruption that they helped cover for, and put forth a pien that will allow us to rebuild falmouth over the next three years and improve our citizens quality of life.

These people can't stand to see the progress made over this last year. They told everyone for decades that it wasn't possible. IT IS POSSIBLE! And I'm not going anywhere until this city is cleaned up, we provide safe recreational opportunities for our young families, and build a thriving



Q















All of these things can happen in the next few years it you just show up, ask questions, and demand action. I will be laying out my financial plan in detail at the next regular meeting on Dec. 19th at 7:00 pm. If they remove me, atleast you all will have the knowledge you need to save reimouth.



CITY OF FAUMOUTH DECEMBER 3, 1923 10.16 FB 10.16 FB

CITY COUNCIL SPECIAL MENTING

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204 comments 36 shares

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View more comments



Kevin Poseberru

12/6/23, 12:64 PM

Falmouth-City Council is calling a fast infante special meeting tomorrows 12/5 at 6:15pm to start the impeaciment process of your Mayor.

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They'll ignore laws, ignore evidence being destroyed, ignore illegal buckground checks being conducted on elected officials they disagree with, ignore and cover up credible allegations of abuse and harasament by public employees and elected officials (their friends), but God forbid you try to improve our infrastructure that's falling apart in front of our eyes, expose corruption that they helped cover for, and put forth a plan that will allow us to rebuild Palmenthover the next three years and improve our citizens quality of life.

These people can't stand to see the progress made over this last year. They told everyone for decades that it wasn't possible. IT IS POSSIBTEL And I'm not going anywhere until this city is cleaned up, we provide safe recreational opportunities for our young families, and build a thriving downtown for our citizens to enjoy.

Aft of these things can happen in the next few years if you just show up, ask questions, and demand action. I will be laying out my financial plan in detail at the next regular meeting on Dec. 19th at 7:90 pm. If they remove me, affect you all will have the knowledge you need to save Falmouth.



CITY OF FALMOUTH

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AGENDA

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Sebastian Ernst

An overview of last nights meeting. I want everyone to know that good policy is my only priority. It is the only way we can save falmouth.



foxin com

City Council launches investigation into NKY mayor This is a liftle bit of a dompster the stuation here, the mayor said



2 comments 3 shares



Comment



Share.





















Sebastian Einst

Sabrina Christine. You only speak for you'rself, You are not Councils spokespagion, And you're misteading people. Overally attent will up down with my plan. You pilek out one sentence and by to discredit everything else I sald by scaring peoples with a rate ingrease. Electric will be way cheaper than the small increase that is necessary for sewer to prevent our sewage from duringing into our flivers and backing up in our citizens basements.

The majority of council don't want these things to happen. And it's why they haven't looked into these things over the years, done their own research, or supported them when I privocated for them in the past.

You are a new council woman. These issues for predate the few conversations you've been apart of these post few months. Everything being done this year has been at my direction. These aren't things that were in motion until now. The majority do not and have not supported these thanges as I have been presenting them for years.

They discuss and make up their minds before the meetings it's viny council, not you, tried to illegally pass an ordinance to undo my Mayotal decisions receptly. Our filty attorney confirmed to me this wax a vigiation of the Open Meetings Act, and it's why he sent you all a memo outlining why it was liegal.

I'm glad I have your support on the plans I laid out, even though you attempt to mislead and gaslight. But these plans have been laid out numerous times over the years with no action. I'm now demanding action and the public needs to be engaged in order to force us to make the best decision possible. I'm trying to engage the public right now, NOTYOU. We talk all the time. The same can't be said of the others even thought (would love to.

I went hear from the others at the meetings, not just you. And these convensations we're having and the discussions at the last two meetings are a perfect example of what's been going on in these meetings for years. You are very inquisitive and supportive, and you want to look into these things; I don't teel that from anyone but you, unfortunately. And I think you understand that and it's why you took offense and feel my actions lately are directed towards you in any way, they aren't They're directed at a legislative body that has failed our community for decades, and I see why.

Your actions since the last meeting have been unwarranted given none of my statements were directed towards you. You pounced on a single statement that was made AFTER COUNCIL LEFT, about PFAS and lead. Instead of staying and listering to what I was going to say about the topic, which I presented to the people last night you all left. The PUBLIC AGREES.

You're better than that Sabrina, and you ALL immediately jumped at the change to remove me for making statements that are supported by documents, facts, and conversations from experts. This is all apparent to anyone who's been paying attention.

17m Like Reply

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Q

















Larry Ruggley Semper Fi

48w Like Reply



Write a comment...





Sebastian Ernst January 2 • 😝

Citizens of Falmouth.

As of my first day in office, all but one officer will have left the Falmouth Police Department. As someone who has served our country and donned the uniform, this is very disheartening to hear. I have the utmost respect for anyone willing to put on the uniform and risk their lives to keep others safe, That's my definition of a hero.

Given these circumstances, I am calling a special council meeting Jan. 3rd at 6:30pm to explore our options. I believe now is the time to discuss a possible contract between Falmouth and the Fiscal Court that would allow the city to cover the expense of hiring additional deputies. Not only will this save Falmouth hundreds of thousands of dollars every year that can be used to start rebuilding our town, it'll also increase police presence in the county. This isn't a new idea either, we currently have a similar contract with the county for fire protection. I'm only advocating that this option be explored before we move forward.

I urge every Falmouth citizen to come be a part of this discussion. The results of these meetings could have a lasting impact on the future of our city. Be a part of it.

Sebastian Ernst. Mayor of Falmouth ---







I need a resignation letter from you today. Walk away from this madness while you still can it's only going to get worse otherwise. Don't let them take you down with them.

The school board meeting is tomorrow at 6:00 pm If I don't have your resignation by 3:00 pm today, I will be posting the time and location of the board meeting and I will be there myself to present evidence of assault on a minor. I have the parents and families willing to come with me to demand a criminal investigation. If I attend I will be going after his job and his freedom, just like you did mine. Do the right thing.

SUN 2:35 PM

I need an answer.



Exhibit 3