

May 24, 2005

The City of Cynthiana Board of Commissioners met in regular session on May 24, 2005 at 7:05 P.M. Present were Mayor Wells, Attorney Lair, Commissioner Clayton, Doan, Martin, and New.

MEETING CALLED
TO ORDER

Mayor Wells called the meeting to order.

Mayor Wells announced that there will be a Memorial Day Service at the Court House on Monday with Lt. Col. Chris Aycock as the speaker. Boy Scout Troop 60 will post the flags.

MEMORIAL DAY
SERVICE

Mayor Wells read a letter from Ashley Tucker, a student at the Harrison County Middle School, thanking the Mayor for the flowers throughout town. Ashley included a poem "In Grandmother's Garden" written by Faith Baldwin.

LTR FROM ASHLEY
TUCKER

Mayor Wells recognized Squire Frankie C. Taylor. Squire Taylor requested the Safety Dept. close Walnut Street for the Grist Mill Day celebration from May 27, 2005 9:00 P.M. to 9:00 P.M. May 28, 2005.

GRIST MILL DAY

Bill Kelly and family will provide bean soup, cornbread, and bologna sandwiches. A donation will be received to benefit the Museum. The Museum will be open during the celebration. Commissioner Martin advised he would contact the Police Department.

Squire Taylor reported that the County has funded \$300.00 in an effort to have banners stretching across U.S. 27 welcoming visitors to Cynthiana. Squire Taylor requested the City of Cynthiana consider funding this project, also. The individuals working on this project are Squire Taylor, Commissioner Clayton, Steve Moses, and Shane Stephens.

BANNERS

Mayor Wells advised the minutes from May 10, 2005 have been distributed. Commissioner Doan made a motion to accept the minutes of May 10, 2005 as printed. Commissioner New seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Motion carried.

MINUTES OF MAY
10, 2005 APPROVED

Mayor Wells suggested the agenda be changed to accommodate representatives of companies there for the bid openings.

Attorney Lair advised the first bid opening was for concrete work to be performed on Webster Avenue. The bids were as follows:

BID OPENINGS:

1. Schroder Construction

Curb & Gutter: 569 Linear Ft.	\$7966.00
Sidewalk: 2,202 Sq. Ft.	\$9909.00
Handicapped Ramps (2)	100.00 + 4.50/Sq.Ft.

CONCRETE WORK
ON WEBSTER AV

2. Ron's Concrete

Curb & Gutter: 569 Linear Ft.	\$6260.00
Sidewalk: 2,202 Sq. Ft.	9,909.00
Handicapped Ramps (2)	600.00 Total

Commissioner Clayton requested a recess in order for Commissioner New and himself to review the concrete bids, and, hopefully, take action later in the meeting. He requested that Attorney Lair finish the bid opening process.

RECESS
REQUESTED

Attorney Lair advised there were no bids received on the repair to the WTP roof.

NO BIDS ON ROOF REPAIR @ WTP

The next item up for bids was the laboratory analysis for FY 2005-2006.

LAB ANALYSIS BIDS

Attorney Lair opened up bids from the following:

1. Fouser Environmental
2. Microbac Labs Inc.
3. McCoy and McCoy
4. Enviro Data Group
5. Environmental Enterprises

Commissioner Clayton made a motion to defer action until the next regular scheduled Commissioner meeting in order to study the bids.

MOTION TO DEFER ACTION

Commissioner Martin seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Motion carried.

Attorney Lair requested the Mayor continue with her report before the chemical bids were opened.

MAYOR'S REPORT

Mayor Wells expressed sympathy to Police Officer Terry Gray on the death of his father and to James Sapp, WTP operator, on the death of his brother, Paul Vickers. Get well wishes were also sent to Connie Kennedy, wife of Dave Kennedy.

SYMPATHY TO CITY EMPLOYEES

Mayor Wells reminded the Board of budget workshops scheduled for June 1 and June 2 at 3:30 P.M. each day.

BUDGET WORKSHOPS

Mayor Wells sent Certificates of Appreciation to Gary and Teresa Philpot for dry-cleaning donated coats for the needy when they owned Wardrobe Cleaners. Certificates of Appreciation were also sent to individuals who are involved in the Summer Meal Program: Shiela W. Price, Lisa Grubbs, Kenny Copes, Robbie Fryman, and Tracy Markland.

CERTIFICATES OF APPRECIATION

Mayor Wells advised she was a guest of Avi and Karen Bear at the last Rotary meeting. The speaker was Ronald Hustedde from UK's Entrepreneurial Endeavors.

ANNOUNCEMENTS

Mayor Wells advised she was in receipt of information on the Adelpia sale, but there is not an ordinance yet.

Mayor Wells reminded the public of the Grist Mill Day celebration on May 28.

Bobby Craft of the Airport Board advised the 6th Annual Young Eagles will once again sponsor free airplane rides on June 4, 2005 from 10:00 A.M. to 3:00 P.M. Parental permission is necessary. Officer Don will also be on hand to give helicopter rides.

Mayor Wells reminded the public that the City has Ordinance #1389 that enables the City to supplement sidewalk repair by breaking up and removing the old sidewalk. Please call or come to the front office for an application.

Commissioner New congratulated the Fillies and Breds on the District Softball and Baseball wins.

Attorney Lair opened the following chemical bids:

CHEMICAL BIDS

1. Chemical Resources, Inc.

2. Klear Chemicals
3. Premier Products and Services
4. USALCO - No Bid
5. General Chemicals
6. General Products
7. Jones Chemicals - No Bid
8. Applied Specialty Inc.
9. SAL Chemical – No Bid
10. Ulrich Chemical
11. Brenntag-Mid-South
12. Univar USA Inc.
13. Hillyard Inc. – No Bid
14. Carmeuse National Chemical

Commissioner Clayton made a motion to defer action on chemical bids until next regularly scheduled Commissioner’s meeting. Commissioner Martin seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Motion carried.

MOTION TO DEFER
ACTION

Mayor Wells reported the following correspondence was received:

CORRESPONDENCE

- Letter was received from the EPA advising the design portion of the application for the WWTP is incomplete. The following is a list of items that need to be corrected and submitted within 30 days of the notice.
 1. Provide four copies of revised plans.
 2. Show the location of the electrical control panels on the details, drawings for pump stations and plant equipment.
 3. The computations for cascade aeration include a computation of DO above the cascade in areas where water does not fall in a thin film with turbulence. The computation provided are not appropriate for these situations. Please revise the computations.
 4. There is an elevation shown on profile of the clarifiers on sheet M2 that exceeds 1100 feet. This elevation is over 300 feet above the plant. Please correct this elevation.
 5. Sheet M10 shows the bottom of the effluent channel as 718.10 feet and sheet M2 shows this elevation as 719.10 feet. Please correct this elevation.
- Letter from Jody Hughes with the DOW Infrastructure Authority advised \$5,276,000.00 has been allotted for the construction of the new WWTP and pump station, funds have been approved to do the water line loop at the Industrial Park II, and \$200,000.00 has been allocated to construct the Eastern Transmission bypass.
- Letter from Justice & Public Safety Cabinet concerning LLEB-609-04 grant for the Police Dept. This grant is considered closed.
- BGADD will host a meeting to discuss the Workforce Investment Act.
- Deborah Fisher, President of the Chamber of Commerce, sent a budget request of \$5,000.00.
- EDA’s John Gatling sent a request asking for \$70,000 for the upcoming fiscal year.
- Mayor received a thank you note from Barbara Wornall concerning the street light placed on her street.
- A copy of letter prepared by Gene Fuller to Barbara Risk at DOW concerning a water main break.
- Received invitations to a breakfast with the Ombudsman and a working lunch with Tom Leith on PRIDE grant.

Mayor Wells stated that she and the Board of Commissioners had sent a letter to Mr. James A. Brown and the Economic Development Authority Board listing items the Board felt should be implemented to insure the Board of Commissioners were fully included in the decision making

process. A written response was received from James A. Brown stating the request for a written budget allocation had been fulfilled. The other items requested would be brought up to the Board at the next Board meeting.

A letter of permission was received from Judge-Executive Dean Peak allowing the City to place utility lines on County property.

Mayor Wells advised that Charles Feix, Library Board, had donated \$100.00 toward the flower project. However, the City has previously funded this project and will continue to do so. The donation was returned to Mr. Feix.

FLOWER DONATION
RETURNED

Mayor Wells wrote the following letters:

CORRESPONDENCE

1. Letter to Senator R. J. Palmer concerning City projects and compliments on his speech at The Democratic Woman's Club .
2. Letter to Barbara Pretszch concerning trash receptacles.
3. Memo to Doan/McIlvain concerning repairs to the E-911 Center.
4. Mayor Wells signed a letter stating the City Public Works crew would help with the gravel trail to be constructed through a PRIDE grant.
5. Letter to EDA signed by Board of Commissioners.
6. Letter of thanks to Mr. and Mrs. Avi Bear.

Mayor Wells attended a special school program at St. Edward's School hosted by Alson Cole's 5th grade class.

Mayor Wells recognized Attorney John Lair.

LEGALS

Attorney Lair advised he had spoken with Paul Combs concerning the wording of the personnel job description of the Code Enforcement Director. Certain changes have been made changing this position to a position not requiring swearing in. Attorney Lair read these changes to the Board amending Ordinance #1393 establishing the positions of Code Enforcement Director and Code Enforcement Officer.

ORDINANCE #
1395 (1st Reading)

Commissioner Martin made a motion to accept the first reading of Ordinance #1395 amending Ordinance #1393 establishing the Code Enforcement Director position. Commissioner Clayton seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Motion carried.

The next item on the agenda was Code Enforcement concerning rental property and real estate. Attorney Lair advised he had not prepared an ordinance for tonight's meeting because the members were to read the recommendations and then discuss any questions the Board has.

DISCUSSION ON
CODE
ENFORCEMENT
FOR RENTAL PROP-
ERTY & REAL EST.

Mayor Wells questioned if anyone had comments. Commissioner Clayton, Mayor Wells, and Attorney Lair all had some changes they suggested or questioned. Attorney Lair commented ambiguity is created if references are made to the same problem in different wording in different ordinances.

Discussion was held on the pros & cons of renters required to have utilities in their names, Questions were raised about civil penalties, frequency of inspections, and who would perform inspections.

Several suggestions were made, so Attorney Lair and Dave Kennedy will amend and then bring to the Board again.

Commissioner Doan made a motion to take a recess. Commissioner Clayton seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Motion carried. Meeting recessed at 8:47 P.M.

MOTION TO
RECESS

Commissioner Doan made a motion to reconvene after a recess. Commissioner New seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Motion carried. Meeting convened at 9:25 P.M.

RETURN TO
REGULAR SESSION

After reviewing the concrete bids during the recess, Commissioner Clayton made a motion to accept the bid of Ron's Concrete in the amount of \$16,769.00 contingent on seeing proof of workmen's compensation by 1:00 P.M. May 25, 2005. If proof of insurance not provided by 1:00 P.M. on May 25, 2005, bid will be awarded to next bidder. Commissioner Martin seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Motion carried.

MOTION TO
ACCEPT BID OF
RON'S CONCRETE
TO REPAIR
SIDEWALKS ON
WEBSTER AV

Mayor Wells asked for a report from Public Utilities Commissioner Tommy L. Clayton.

PUBLIC UTILITIES
REPORT

Commissioner Clayton read a letter of resignation from Gail Isaac of the WWTP effective May 20, 2005. Commissioner Clayton made a motion to accept with regret the resignation of Gail Isaac from the WWTP effective May 20, 2005. Commissioner Martin seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Motion carried. Motion carried.

MOTION TO
ACCEPT
RESIGNATION OF
GAIL ISAAC
EFFECTIVE 5/20/05

Commissioner Clayton made a motion to advertise for a temporary Maintenance Worker I for the WWTP. Commissioner Doan seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Motion carried.

MOTION TO
ADVERTISE FOR
TEMPORARY
MAINT. WORKER I

Commissioner Clayton made a motion to promote Nick Dotson, an employee of the WTP, from a WTP Operator Class III to a WTP Operator IV. Salary to be commensurate with position. Commissioner Martin seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Motion carried.

MOTION TO
PROMOTE NICK
DOTSON FROM
CLASS III WTP
OPERATOR TO
CLASS IV WTP
OPERATOR

Commissioner Clayton and Commissioner New will visit with the people on Webster Avenue on 5/25/2005.

Commissioner Clayton commented the letter from DOW concerning the permit to construct the WWTP should not throw off the timeframe. The City should receive "conditional" approval, but easements must be in place.

COMMENTS ON
CONSTRUCTION
PERMIT FOR WWTP

Commissioner Clayton advised a building will have to be constructed over the settling basins at the WTP. The design of this building will be budgeted in 2005-2006, and the construction will be budgeted the following year in 2006-2007.

WTP BUILDING
OVER SETTLING
BASINS

Mayor Wells recognized Commissioner of Public Works James R. New.

Commissioner New passed out copies of an application to each

<p>Commissioner. Commissioner Clayton made a motion to make a contingency offer of employment to an individual for a temporary Public Works Maintenance I. All pre-employment requirements will have to be met. Commissioner Doan seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Motion carried.</p>	<p>MOTION TO MAKE CONTINGENCY OFFER OF EMPLOYMENT FOR TEMP. PW MAINT. I WORKER</p>				
<p>Commissioner New attended the Chamber of Commerce Board meeting, and will be attending the Enforcement Response meeting Thursday at BGADD.</p>	<p>ENFORCEMENT RESPONSE MTG</p>				
<p>Mayor Wells recognized Commissioner of Public Finance and Property Wm. C. Doan.</p>	<p>PUBLIC FINANCE & PROPERTY REPORT</p>				
<p>Commissioner Doan made a motion to pay the following bills:</p>	<p>BILLS</p>				
<table border="0"> <tr> <td>General Fund</td> <td>\$ 56,177.61</td> </tr> <tr> <td>Water Fund</td> <td>\$105,069.05</td> </tr> </table>	General Fund	\$ 56,177.61	Water Fund	\$105,069.05	
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Cash-in-Bank Water Fund	171,726.61				
<p>Commissioner New seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Motion carried.</p>					
<p>Mayor Wells recognized Commissioner of Public Safety James H. Martin.</p>	<p>PUBLIC SAFETY REPORT</p>				
<p>Commissioner Martin made a motion to make an offer of employment to FF Recruit Whitney Lancer Mastin effective 5/23/2005. Salary will be \$9.00 Per Hour for 400 hours of training. Commissioner Clayton seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Motion carried.</p>	<p>OFFER OF EMPLOYMENT TO LANCER MASTIN AS FF EFFECTIVE 5/23/05</p>				
<p>Commissioner Martin made a motion to make an offer of employment to a FF Recruit Michael Joseph Nelson effective May 23, 2005. Salary will be \$9.00 Per Hour for 400 hours of training. Commissioner Clayton seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Motion carried.</p>	<p>OFFER OF EMPLOYMENT TO JOSEPH NELSON AS FF EFFECTIVE 5/23/05</p>				
<p>Chief Stinson had no report.</p>					
<p>Commissioner Doan made a motion to move to executive session for the purpose of discussing acquisition of land and a personnel matter. Commissioner Martin seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Motion carried. Executive session started at 9:43 P.M.</p>	<p>MOTION TO MOVE TO EXECUTIVE SESSION</p>				
<p>Commissioner Doan made a motion to move to regular session. Commissioner Martin seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Motion carried.</p>	<p>MOTION TO RETURN TO REGULAR SESSION</p>				
<p>Mayor Wells advised that while in executive session, acquisition of property was discussed. Mayor Wells made a motion to authorize and retain City Attorney Lair to seek three easements needed for the new WWTP. Commissioner Doan seconded. In favor: Commissioner Clayton:</p>	<p>ATTY LAIR AUTHORIZED TO SEEK EASEMENTS FOR WWTP</p>				

yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Motion carried.

Mayor Wells advised a personnel matter was discussed, but no action was taken.

PERSONNEL
MATTER – NO
ACTION TAKEN

Commissioner Clayton made a motion to have Attorney Lair respond to a realtor that the City of Cynthiana is no longer interested in a certain piece of property and thank them for their service. Commissioner Doan seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Motion carried.

AUTHORIZATION
FOR ATTY LAIR TO
CONTACT REALTOR
TO ADVISE CITY NO
LONGER
INTERESTED IN
PROPERTY

Mayor Wells recognized Beth Hutchison, Renaissance Director. Ms. Hutchison advised the Renaissance program has drafted a quarterly newsletter, which she asked the Commission to review and pass along their comments.

RENAISSANCE
DIRECTOR'S
REPORT

Ms. Hutchison also noted the Renaissance Program could possibly assist with the banner program discussed by Squire Taylor. She also advised the facades on the properties owned by the First United Methodist Church have been retrieved. They are full of concrete, and this must be removed before they can be utilized.

FACADES
RETRIEVED FROM
METHODIST
CHURCH
BUILDINGS

She asked that individual owners apply for the \$500.00 façade grants now available.

Mayor Wells announced that City Attorney John Lair will be the speaker at the Commencement Exercises on May 27, 2005.

ATTY LAIR TO
SPEAK AT HCHS
COMMENCEMENT

There being no more business to discuss, Commissioner Clayton made a motion to adjourn. Commissioner Doan seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Motion carried. Meeting adjourned at 11:00 P.M.

ADJOURNMENT

Kathy M. Brooks, Deputy City Clerk

Virgie Florence Wells, Mayor