

January 10, 2006

The City of Cynthiana Board of Commissioners met in regular session on January 10, 2006 at 7:00 P.M. at City Hall. Present were Mayor Wells, Attorney Lair, Commissioners Clayton, Doan, Martin, and New.

Mayor Wells called the meeting to order.

MEETING CALLED
TO ORDER

Mayor Wells recognized Mrs. Ann VonGruenigen who stated her purpose before the Board was to respectfully request a street in Cynthiana be renamed to honor Dr. Martin Luther King, Jr. Mrs. Marilyn David Wash also submitted a letter making such a request. A copy is hereto attached and made a part hereof. Poplar Street was suggested since it is mostly a residential area; only a few businesses would have to change letterhead, etc.

REQUEST FOR A
STREET TO BE
NAMED AFTER
*DR. MARTIN L. KING,
JR.*

Mrs. Wash invited everyone to participate in the Martin Luther King, Jr. parade that will be held on January 16, 2006. The parade and devotion will start at the Ebenezer United Methodist Church and proceed downtown ending at the St. James AME Church with a program headed by Dr. Mary Smith. A luncheon will follow.

Mayor Wells advised three gentlemen had previously requested that Pearl Street be named after Dr. King. She advised that the new viaduct will create a new street area and perhaps this new area could be named after Dr. King. She stated the Board would take this worthy request under advisement.

Mayor Wells advised that the City of Cynthiana lost a firefighter to cancer on December 19, 2005. Kathy Brooks prepared the following article for the employee newsletter:

MEMORIAM –
JESSE DALE COOK

IN MEMORIAM

On December 19, 2005, cancer took the life of Jesse Dale Cook. Dale met the news that he had terminal illness with great fortitude and courage. His attitude was one of acceptance; he made arrangements and gave away his possessions with a peace that only comes from a deep spiritual life. He spent his remaining time in his home with his family who loved and cared for him in his last days.

Dale became a City firefighter on October 7, 2002. He was a dedicated firefighter and enjoyed his work. He was a generous person who was willing to help with special projects, such as, the Food Pantry Drive, the annual employee picnic, and hanging the Christmas decorations.

Dale's smile and his gentle manner should serve as an inspiration to all of us who face adversity and illness. He was with us for only a short while, but his memory will be with us forever. He will be missed. Our deepest sympathy is extended to his family and friends.

Mayor Wells advised the minutes of December 13, 2005 have been prepared for approval. Commissioner Doan made a motion to accept the minutes of December 13, 2005 as printed. Commissioner New seconded. In favor: Commissioner Clayton: abstained, due to absence; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Motion carried.

MINUTES OF
12/13/2005
APPROVED

Mayor Wells advised a special meeting was held on December 28, 2005. Deputy Clerk read those minutes for the record. Commissioner Martin made a motion to accept the minutes of Special Meeting held on December 28, 2005. Commissioner Clayton seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: abstained, due to absence; Mayor Wells: yes; Opposed: none. Motion carried.

MINUTES OF
SPECIAL MEETING
12/28/2005
APPROVED

Mayor Wells made the following announcements:

MAYOR'S REPORT

- The Housing Authority under the leadership of Mike Buis has received a Neighborhood Network Grant in the amount of \$150,000.00 which will expand computer classes to include Clifton Village. This grant was one of 38 grants received nationwide by Housing Authorities. It will be used to expand the Learning Center. Martha Short and Pat Barnes wrote the grant.
- Chairperson Juanita Ingram has announced the Raggedy Ann Festival has been changed to Saturday, April 22, 2006 so that it will not be in conflict with the Easter holiday.
- BGADD has released information on seat belt usage. Harrison County's current usage is 53.1%. This is down 2.4%.
- Mayor Wells advised she is in receipt of a call from a Jerry Rhodes of Altoona, Pa. Mr. Rhodes and a friend were flying near Cynthiana when their plane starting icing up. They landed at the Cynthiana-Harrison County Airport. Mr. Rhodes said that Bobby Craft, Airport Manager, and Richard Carl, mechanic, welcomed them and took care of them. They took them to Biancke's Restaurant for meals and lodged them at the Evergreen Motel. Mr. Rhodes described the Evergreen Motel as "our vintage motel which was spotlessly clean." Mr. Rhodes stated: "Be proud of what you have in Cynthiana."
- Mayor Wells advised she had written letters of thanks to Rick Chasteen and Charles Schroeder for their work on securing the flagpole at the Handy Farm.
- Mayor Wells reported she had contacted a person who had previously expressed interest in the heading up the Fabulous 4th Celebration.

Mayor Wells reported that she had contemplated naming the short street between South Walnut Street and Waterworks/Abdallah Park Road "Post-it Note Way". However, when she contacted E-911, she was told this street has been named Crown Jewel Street. The City of Cynthiana will need to officially accept the naming of this street.

MOTION TO ACCEPT
NAME OF STREET:
CROWN JEWEL ST.

Commissioner Doan made a motion to accept the name of Crown Jewel Street for the small short street between South Walnut Street and Waterworks/Abdallah Park Road. Commissioner Martin seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Motion carried.

- Mayor Wells advised she has been actively seeking funds for the Ballpark Pump Station. She has written Senator R. J. Palmer and contacted Shawn Dyer of the Governor's office about this project.

Mayor Wells stated she wanted to address the issue of the Wal-Mart Construction project. On December 16, 2005, Mayor Wells and Commissioner Clayton signed a letter to the CMW, Inc. (Wal-Mart's engineers) stating the City of Cynthiana has completed review of the plans submitted. The City of Cynthiana gave conditional approval for this project based upon meeting the conditions as set forth in the June 21, 2005 letter regarding the sanitary sewer and the October 20, 2005 letter regarding the storm water. This is the last correspondence the City has had on this project.

WAL-MART
CONSTRUCTION
PROJECT

- Mayor Wells reported the City had sent letters of welcome to four new businesses in town.
- The regular meeting of the Planning and Zoning Board will be held January 16, 2006 at the Sheriff's Office. The Burrier property is on the

agenda.

- The City of Cynthiana will install a water line to the Handy Farm from Vine Street. This will enable the watering of the new plants on the new walking trail.
- Cedar Ridge Health Center and St. Edward's Catholic School are now preparing newsletters. They are very nice.
- Mayor Wells advised she attended the first annual lighting of the tree at Battle Grove Cemetery. Policeman Lance Hutchison was the guest speaker.
- The 409 Council will meet January 27, 2006.

Mayor Wells acknowledged Attorney John Lair.

Attorney Lair read Ordinance #1411 amending the Interlocal Cable Commission agreement to include Woodford County. Commissioner Martin made a motion to accept the second reading of Ordinance #1411. Commissioner Clayton seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Motion carried.

Attorney Lair read Ordinance #1412 amending the zoning map for property located on the corner of Bridge Street and S. Church Street. Commissioner Clayton made a motion to accept the second reading of Ordinance #1412. Commissioner Martin seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Motion carried.

Mayor Wells questioned City Clerk McIlvain concerning UDAG monies. City Clerk McIlvain advised she had gathered information about the use of these funds, and has scheduled a meeting with interested parties. Mayor Wells asked to be apprised of this information.

Attorney Lair read Ordinance # 1386A establishing dates and times for the Code Enforcement Board meetings. Commissioner Clayton made a motion to accept the first reading of Ordinance #1386A. 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 read Ordinance #1413 adopting the new update for the Cynthiana-Harrison County- Berry Planning and Zoning laws update. Commissioner Doan made a motion to accept the first reading of Ordinance #1413. Mayor Wells seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Motion carried.

Mayor Wells acknowledged Terry Stinson, Code Enforcement Officer. Chief Stinson advised he had received a few complaints with regards to the renter's ordinance. However, the application forms have not been finalized, but he has investigated two complaints. The City Clerk's office is taking names and addresses; when forms are complete, they will be mailed.

Mayor Wells recognized Beth Hutchinson, Renaissance Director.

Ms. Hutchinson reported that the Renaissance program has been the recipient of over \$42,000 worth of work that was performed by volunteers. This is a wonderful statement for our community. She would like to challenge the community to exceed \$100,000 worth of volunteering in 2006.

LEGALS

ORDINANCE # 1411 –
(1st Reading) –
AMENDING INTER-
LOCAL CABLE
COMMISSION
AGREEMENT

ORDINANCE #1412 –
(2nd Reading) –
AMENDING ZONING
MAP FOR PROPERTY
CORNER OF BRIDGE/
S CHURCH ST.

UDAG FUNDS

ORDINANCE # 1386A
– (1st Reading) – EST.
DATES AND TIME
FOR CODE ENF.
BOARD MTGS.

ORDINANCE #1413 –
(1st Reading) –
ADOPTING NEW
UPDATE ON ZONING
LAWS

CODE ENFORCEMENT REPORT

RENAISSANCE DIRECTOR REPORT

With regards to the TEA-21 funds, the Renaissance Board is soliciting input on intersection and eastside of South Main Street. This is a window of opportunity to link the downtown area and the Harrison Square area. A causeway is being discussed as a means to do this link. Discussions are being held on developing a walkway between the John Hunt Morgan Bridge and the West Pleasant Street also.

Merchants can participate in a trip per month to travel and study viable downtown areas. Midway is the destination in January.

A Touch of Red art exhibition is scheduled for opening on Valentine's Day. Each exhibit regardless of medium must have a touch of red in it. Each piece will be critiqued by a knowledgeable artist. She urged local artists to participate.

There is a national program called America in Bloom that will send a clutch of experts into a community to assess the visual quality of your community. There are nine different aspects that will be assessed. Consideration is being given to participating in this program.

A retreat is being planned that will focus on Visions for Downtown over the next 6-7 years. The Renaissance Board is looking for two working Board members that can work three to five hours per week. There will be all day training concerning the basics on the Main Street Program on January 25 and 26 in Georgetown and Frankfort. Ms. Hutchinson invited any of the Board to attend these sessions with her.

The Renaissance office will be supplying banners for the downtown area for the GO RED campaign in February. The GO RED campaign recognizes women's risk for heart disease.

Mayor Wells recognized Commissioner of Public Utilities Thomas L. Clayton.

Commissioner Clayton advised Roger Dale North has successfully completed the Drinking Water Treatment Operator's Certification program. Commissioner Clayton made a motion to promote Roger Dale North from Water Treatment Operator III to Water Treatment Operator IV effective December 24, 2005. Salary 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.

Commissioner Clayton advised that all of the operators at the Water Treatment Plant are now Class IV operators.

Commissioner Clayton suggested that the Board consider hiring a person to act as a contact person for the Public Works and Public Utilities departments. This contact person would be directly under the Commissioner, but would act as a go-to person when the Commissioner is unavailable. Commissioner Clayton also stated he felt that this person would alleviate a lot of work placed on the front office staff. Commissioner New stated he felt this was a good idea. Commissioner Doan stated he appreciated Commissioner Clayton making this suggestion early in the year.

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

Commissioner New advised that Manfred Chladek has been working for the Public Works Department as a temporary employee. Commissioner New made a motion to hire Manfred Chladek as a full-time employee in the Public Works Department as a Maintenance Worker I effective January 21, 2006. Commissioner Doan seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New:

PUBLIC UTILITIES
REPORT
MOTION TO
PROMOTE ROGER
DALE NORTH TO
CLASS IV WTP
OPERATOR

REQUEST FOR
BOARD TO
CONSIDER HIRING
A DIRECTOR OF
PUBLIC WORKS &
PUBLIC UTILITIES

PUBLIC WORKS
REPORT

MOTION TO HIRE
MANFRED
CHLADEK
EFFECTIVE 1/21/2006

yes; Mayor Wells: yes; Opposed: none. Motion carried.

Commissioner New cautioned citizens to not put items near their trashcans that they do not want picked up by the Sanitation Department. If items are left near trashcans, they must assume that it is to be picked up. All citizens are urged to recycle.

Mayor Wells recognized Commissioner of Public Finance and Property Wm. C. Doan.

PUBLIC FINANCE & PROPERTY REPORT

Commissioner Doan stated the City of Cynthiana did not have a meeting the end of December 2005, and he feels that the public should be aware of the City's bills and account balances as of 12/31/2005:

BILLS AS OF 12/31/2005

General Fund bills	\$64,868.12
Water Fund bills	61,767.95
Cash-in-Bank General Fund	770,982.60
Cash-in-Bank Water Fund	264,507.56
Municipal Aid Road Fund	1,116.22

MOTION TO PAY BILLS

Commissioner Doan made a motion to pay the following bills which includes quarterly payments:

General Fund bills	\$154,530.51
Water Fund bills	39,204.60
Cash-in-Bank General Fund	670,642.62
Cash-in-Bank Water Fund	328,070.68
Municipal Aid Road Fund	1,116.22

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

REPAIR OF FENCE AT LANDFILL, INSTALLATION OF GATES AND NO TRESPASSING SIGNS, REQUEST FOR COUNTY TO PATROL

Commissioner Doan advised that Tony Herrington, who owns property adjacent to the landfill, had informed him that someone had cut the new woven wire fence so that they could ride their ATV. Mr. Herrington has repaired the fence, but once a fence is cut, it is never as strong. Commissioner Doan stated he would like to install new steel gates, erect "No Trespassing" signs, and ask the Sheriff's Department to patrol on a regular basis. With the installation of the Wetlands equipment, this area will have to be secured better. Commissioner Doan also suggested that the fencerow along the front of the property be cleaned out and some plantings be made to enhance this area. The Board agreed.

For an update on the feasibility study, Commissioner Doan stated that Mr. Kennedy's proposal requested a committee be appointed with whom to work. Commissioner Doan asked Chief Stinson, Chief Muntz, and City Clerk McIlvain, department heads whose department occupy space in City Hall, to serve on the committee. Commissioner Doan reported that there have been two committee meetings. Mr. Kennedy also held individual meetings to complete surveys, gather information, and review the needs of the departments over the next several years. Mr. Kennedy has also been evaluating all properties available to the City. He is taking into consideration their requests and is working on a plan.

FEASIBILITY STUDY UPDATE

Mayor Wells recognized Commissioner of Public Safety James H. Martin.

PUBLIC SAFETY REPORT

Commissioner Martin made a motion to rehire Shayne Moore as a certified firefighter effective December 24, 2005. Salary to be commensurate with position. Commissioner Clayton seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner

MOTION TO REHIRE SHAYNE MOORE AS CERTIFIED FIRE FIGHTER

New: yes; Mayor Wells: yes; Opposed: none. Motion carried.

Commissioner Martin made a motion to hire Paul J. Simpson as a Firefighter recruit effective January 9, 2006 at an hourly rate of \$9.31 per hour during the required 400 hours of training. Mr. Simpson has completed all pre-employment requirements. Commissioner New seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Motion carried.

MOTION TO HIRE
PAUL J. SIMPSON AS
FIREFIGHTER
RECRUIT

Commissioner Martin read letter of resignation from Police Officer James Beckett. Commissioner Martin made a motion to accept the resignation of Officer James Beckett from the Police Department effective January 11, 2006. Commissioner Doan seconded with regret. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Motion carried.

MOTION TO
ACCEPT
RESIGNATION OF
JAMES BECKETT
FROM POLICE DEPT.
EFFECTIVE 1/11/06

Commissioner Martin made a motion to advertise for Police Officer applications. Certified preferred, but not required. Commissioner Clayton seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Motion carried.

MOTOIN TO
ADVERTISE FOR
POLICE OFFICER
APPLICATIONS

Commissioner Martin explained that the City of Cynthiana has just re-employed Shayne Moore as a certified Firefighter. Shayne was not employed by the City of Cynthiana for approximately two months. He was rehired with the recommendation of Chief Stinson and fills a position that requires mandatory training and certification. While previously employed by the City, Mr. Moore accrued 400 hours of sick leave which he lost when he resigned.

MOTION TO AWARD
200 HOUR OF SICK
PAY TO FF SHAYNE
MOORE

However, the City personnel policy in Section VI, C-8, states: "When a former employee is re-employed, the City Commission shall determine whether the person shall receive any unused sick leave credit from the previous employment."

Upon consideration of the short length of time FF Moore was not employed by the City of Cynthiana and the qualities he brings to the City as an employee, the Safety Commissioner, Chief Stinson, and the Human Resource Departments recommended that FF Moore be given credit for one-half or 200 hours of his unused sick time.

Commissioner Martin made a motion to give FF Shayne Moore credit for one-half or 200 hours of his unused sick time. Commissioner Clayton seconded.

Mayor Wells questioned why FF Moore was not given credit for the full 400 hours. She stated she felt he deserved the full 400 hours because he came back and humbly asked for his job back. Commissioner Martin advised he discussed with Charleen McIlvain, City Clerk, and Chief Stinson. Commissioner Martin requested that Chief Stinson address the Mayor's question.

Chief Stinson stated that he felt if the entire 400 hours was credited to Mr. Moore, that action could set a precedent. He advised he had already been approached by more than one firefighter asking if they could resign from the City during the summer months because they could make so much more money during that time of year, then come back and be reinstated without losing any of their benefits. Chief Stinson stated that since Mr. Moore had voluntarily left the City's employ, and would still be gone if he would have received the wages he was expecting, he felt that 200 hours was being generous.

Commissioner Doan called for the vote. Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes. Opposed: none. Motion carried.

Commissioner Martin asked Chief Stinson if he had anything to report. Chief

STINSON & MUNTZ

Stinson advised he would request the Board to consider some way to compensate the City employees with more money and/or benefits because we are losing employees to other agencies. They are receiving better wages for the same work. The City is losing good quality employees.

REQUEST BOARD TO
IMPROVE WAGES
AND BENEFITS FOR
EMPLOYEES

Chief Muntz agreed with Chief Stinson. He advised that he was spending so much time recruiting and testing employees that could be spent on police work. He advised the Board that even a contract is not a reason to stay because other agencies are buying up these contracts. He felt that the City was going to have to make an effort to improve the employee package so that we might retain the employees.

Commissioner Clayton commented that the Board of Commissioners needs to work together in a team effort to make sure the City runs smoothly. Board members are going to agree and disagree, but ultimately what they decide must be for the good of the citizens of Cynthiana. Because one disagrees does not mean that they are taking a side or standing against one another.

Dale North, City employee, requested an executive session to discuss a personnel matter. Attorney Lair questioned if Mr. North had approached his Commissioner about this matter. Mr. North advised that he had not. Mayor Wells advised that Mr. North needs to discuss the issue with Commissioner Clayton. If Commissioner Clayton feels that an executive session would be in order, then he would be the one to request an executive session to discuss the matter, not Mr. North. Mr. North was agreeable.

REQUEST FOR
EXECUTIVE
SESSION DENIED

There being no further business to discuss, Commissioner Clayton made a motion to adjourn. Commissioner Martin seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Meeting adjourned at 8:55 P.M.

MOTION TO
ADJOURN

Charleen M. McIlvain, City Clerk

Virgie Florence Wells, Mayor