

October 24, 2006

The City of Cynthiana Board of Commissioners met in regular session on October 24, 2006 at 7:00 P.M. in the Commissioner's Room at City Hall. Present were Mayor Wells, Attorney Lair, Commissioners Clayton, Doan, Martin, and New.

Mayor Wells called the 20th regular meeting of the year to order.

The first order of business was a proclamation announcing the month of November 2006 will be National Hospice/Palliative Care Month. Representing Hospice of the BlueGrass were Amy Quinn, Director, Mary McKenzie, Grief Counselor, Lisa Feedback, Office Manager, Lisa Case, Nursing Manager, Kelly Kendall, Public Relations, Meg Ammerman, Counselor, and volunteer, Sheila Price. Lee Kendall, photographer, was also in attendance. A copy of the proclamation is hereto attached and made a part hereof.

Mayor Wells advised the minutes of October 10, 2006 have been printed for approval. Commissioner Doan made a motion to accept the minutes as printed. 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 made the following announcements:

1. The United Community Fund Drive is now underway.
2. The Honorable Ernie Fletcher will be in Cynthiana at noon on 10/26/2006 at the new Health Dept. on Oddville Avenue. He is presenting the City a check for the new pump station on River Road.
3. The Advisory Board of Community Action will meet at noon on 10/26/2006.
4. There will be meeting at the Health Department at 10:00 A.M. on 11/21/2006 to review and discuss the action plan for the Handy Farm. Fiscal Court members, City Commission, and Handy Farm Committee members, and the Handy House Committee are asked to be present at this meeting. Mr. Pollack of the Heritage Council will be in attendance. Mr. Robert K. Owen, President of the local Historical Society, encouraged everyone to attend this very important meeting.
5. Approval has been received from the EPA approving the booster pump at White Oak Estates.
6. Mayor Wells advised The Ombudsman Program is celebrating 25 years.
7. The Licking River Valley RC&D will hold their Board meeting on October 26, 2006. Commissioner Doan stated he was planning on Attending.

Mayor Wells wrote letters to the residents of White Oak Estates advising them that a new booster pump will be added that will increase their water pressure. Mayor Wells wrote a letter of encouragement to the staff at the Water Treatment Plant. Improvements have been made in the plant and in the production of potable water.

Mayor Wells read a letter from the Alcohol Beverage Control Board advising that the City of Cynthiana could adopt an ordinance that would allow liquor sales on Sunday, December 31, 2006. This ordinance would be for one time only – December 31, 2006. A copy of this letter was distributed to the Board and to the press. Mayor Wells asked for comments from the City Attorney. Attorney Lair stated that this was not a legal decision, but a policy decision that the Board would have to make. Mayor Wells commented that she had been approached by some of the local liquor storeowners about allowing the opening of the stores on New Year's Day.

The Commissioners did not make any comments until Commissioner Clayton stated that he saw no need to change anything. Commissioner Doan stated he felt that if people chose to purchase liquor they would do so on Saturday. Beth

MEETING CALLED
TO ORDER

NOVEMBER 2006 –
NATIONAL
HOSPICE/PALLIATIVE
CARE MONTH

MINUTES OF
OCTOBER 10, 2006
APPROVED

MAYOR'S REPORT
ANNOUNCEMENTS

ORDINANCE
ALLOWING LIQUOR
SALES ON SUNDAY,
DECEMBER 31, 2006

ATTORNEY LAIR
INSTRUCTED TO
PREPARE

Hutchinson asked if this letter was concerning liquor stores and restaurants. Attorney Lair stated that the selling of packaged liquor is the issue. Mayor Wells instructed Attorney Lair to prepare an ordinance to be presented at the next regularly scheduled meeting. Attorney Lair advised he would need a time frame to include in this ordinance. After discussion, Mayor Wells instructed him to state sales would be allowed from 1:00 P.M. to midnight.

ORDINANCE

Mayor Wells congratulated Luke Perraut upon earning the Eagle Scout Award.

Mayor Wells advised she attended the NAACP Banquet on October 21, 2006. Diana Ires, guest speaker, addressed the group about Unity in the Community.

Mayor Wells recognized Attorney John Lair for legals.

LEGALS

Attorney Lair read Ordinance # 1426 amending the ordinance concerning water tap-on fees.

ORDINANCE #1426
(2nd Reading) –
AMENDMENT TO
WATER TAP FEES

Commissioner Clayton made a motion to accept the second reading of Ordinance #1426. 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 # 1427 amending the sewer tap-on fees.

Commissioner Martin made a motion to accept the second reading of Ordinance #1427. Commissioner New seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Motion carried.

ORDINANCE #1427
(2nd Reading) –
AMENDMENT TO
SEWER TAP FEES

Attorney Lair read Ordinance #1428 implementing a zone change for property located on South Church Street across from Ken's New Market, between Horn's Auctions and Cynthiana Tire from I-1 (Light Industry) to B-1 (Central Business District) for 1.198 acres. The purpose of this zone change is to develop a site for use as a retail/commercial store.

Commissioner Doan made a motion to approve the first reading of Ordinance #1428. Commissioner Clayton seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Motion carried.

ORDINANCE #1428
(1st Reading) – ZONE
CHANGE TO S.
CHURCH STREET

Attorney Lair read Ordinance #1429 implementing a zone change for property located at 119 Vine Street; on the southeast corner of Oddville Avenue and Vine Street changing from R-1 (Residential) to R-1C, Residential for 0.507 acres. The purpose of the request is to divide one lot into three lots in order to separate three existing single-family houses.

Commissioner New made a motion to accept the first reading of Ordinance #1429. Commissioner Clayton seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Motion carried.

ORDINANCE #1429
(1st Reading) – ZONE
CHANGE TO VINE
STREET

Attorney Lair advised that for sometime the City of Cynthiana has subscribed to the McQuillian Municipal Law Treatise. The price of this publication has increased considerably, but Attorney Lair has found that access to this publication can be made online at a considerable savings.

AUTHORIZATION
FOR ATTORNEY TO
PURCHASE AND SIGN
CONTRACT FOR
MCQUILLIAN
MUNICIPAL LAW
TREATISE

Commissioner Doan made a motion for Attorney Lair to proceed with the purchase of the McQuillian Municipal Law Treatise online and authorize Attorney Lair to sign this contract. 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 stated that Mr. York requested that he prepare a contract for electrical services, and legal work is being performed concerning the site for one of the City's water towers.

Mayor Wells recognized Beth Hutchinson, Renaissance Director.

RENAISSANCE
REPORT

Ms. Hutchinson advised that Terrifying Tuesday will be held downtown from 4:45 P.M. to 7:00 P.M. The Scarecrow Contest will be held at that time, and Trick-or-Treating will be held on Wicked Walnut. She encouraged everyone to participate in the authentic period costume contest.

The TEA-21 project has been able to secure 4000 yards of free compost and Landmark Stone Co. has made a donation of the stone for the TEA-21 project. This is a very generous offer made by this company, and it much appreciated.

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

PUBLIC UTILITIES
REPORT

Commissioner Clayton had no report.

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

PUBLIC WORKS
REPORT

Commissioner New advised the Leaf Pickup Schedule beginning October 30, 2006.

Public Works/Public Utility Director Kenneth York was recognized.

PUBLIC WORKS/
UTILITY DIRECTOR
REPORT

Mr. York advised that the Public Works crew had two major leaks to repair this morning: a 10" main on S. Church Street and a 10" main on Pike Street. There was not citywide boil water advisory; only a small area was affected. He advised that he had reviewed the lighting in the White Oak Estates and Robynwood Heights. He will contact the appropriate supplier and discuss the options.

Commissioner Clayton commented that he and Commissioner Martin could not always attend meetings that are scheduled in the morning since both of them hold down jobs. It is impossible to get away to attend some meetings. It would be considerate to schedule some of these meeting in the afternoons or evenings.

TIMEFRAME OF
SCHEDULED MTGS.

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

PUBLIC FINANCE
& PROPERTY REPORT

Commissioner Doan made a motion to pay the following bills:

BILLS

General Fund	\$ 75,521.55
Water Fund	\$111,278.04
Cash-in-Bank General Fund	\$ 648,326.96
Cash-in-Bank Water Fund	\$ 175,536.89
Municipal Aid Road Fund	\$ 18,861.45

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 Doan advised the 2006 Property Tax Bills have been mailed. There are due November 30, 2006. If a mortgage company has requested your tax bill, it has been mailed to the mortgage company. Two copies have been mailed: one for the taxpayer, one for remittance. Please place the tax bill number on your check.

TAX BILLS

Commissioner Doan questioned the status of the Flood Control Project. Mayor Wells stated that the proper paperwork has to be signed, etc. Attorney Lair to assist with this project.

FLOOD CONTROL
PROJECT

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

PUBLIC SAFETY
REPORT
MOTION TO
ADVERTISE FOR
POLICE OFFICER

Commissioner Martin made a motion to advertise for a Police Officer. A certified Officer is 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.

Commissioner Doan asked if this would bring the Police Department to full staff. Commissioner Martin replied that it would.

Commissioner Martin recognized Assistant Police Chief Ray Johnson.

REPORT FROM
ASST CHIEF
JOHNSON

Asst. Chief Johnson asked that parents make sure their trick-or-treaters have a flashlight or reflective tape on their costumes. He also cautioned that everyone make sure their taillights and headlights are working properly.

He also thanked the Board for the new facility at 420 E. Pleasant. The morale of the department has increased, and he encouraged people to stop by for a tour of the building.

Mayor Wells advised the walk through of the old Blue Grass Energy building has been cancelled.

Commissioner Clayton made a motion to move to executive session for the purpose of discussing disciplinary 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.

EXECUTIVE SESSION
– DISCIPLINARY
ACTION

Commissioner Martin made a motion to return to regular session. Commissioner Clayton seconded. In favor: Commissioner Clayton: yes; Commissioner Doan: yes; Commissioner Martin: yes; Commissioner New: yes; Mayor Wells: yes; Opposed: none. Motion carried.

RETURN TO
REGULAR SESSION

Attorney Lair advised that while in executive session an employee disciplinary action was discussed. The employee in the Safety Department whose hearing was requested and scheduled for October 9, 2006 was withdrawn by the employee. A conclusion was reached by the Safety Commissioner and the employee. There will be no further action on this employee.

There being no further 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. Meeting adjourned at 8:43 P.M.

ADJOURNMENT

Charleen McIlvain, City Clerk

Virgie Florence Wells, Mayor