

September 23, 2008

The City of Cynthiana Board of Commissioners met in regular session on September 23, 2008, at 5:30 P.M. Present were Mayor Brown, Attorney Lair, Commissioners Doan, Keith, and New. Commissioner Martin was absent.

Mayor Brown called the meeting to order and welcomed all present.

MEETING CALLED
TO ORDER

The first item on the agenda was the approval of the minutes from the September 9, 2008 meeting. Commissioner Doan made a motion to approve the minutes of September 9, 2008 as presented. Commissioner Keith seconded. In favor: Commissioner Doan: yes; Commissioner Keith: yes; Commissioner New: yes; Mayor Brown: yes; Opposed: none. Motion carried.

MINUTES OF SEPT.
9, 2008 APPROVED

Mayor Brown requested Attorney Lair address the legal issues before the Board.

LEGAL ISSUES

Attorney Lair read Ordinance #1452 levying a property tax on real, personal, and mixed property for the City of Cynthiana, Kentucky for the year 2008. The tax rate for 2008 is fixed at 14.8 cent on each and every \$100 worth of taxable real property, and 17.65 cents on each and every \$100 worth of taxable personal and mixed property.

ORDINANCE #1452
– (Second Reading)
LEVYING A
PROPERTY TAX

Commissioner Keith made a motion to accept the second reading of Ordinance #1452. Commissioner Doan seconded. In favor: Commissioner Doan: yes; Commissioner Keith: yes; Commissioner New: yes; Mayor Brown: yes; Opposed: none. Motion carried.

Commissioner Doan commented that this rate is the compensating rate.

Attorney Lair read Ordinance #1453 levying an ad valorem property tax on all motor vehicles by the City of Cynthiana, Kentucky for the year 2009. The ad valorem property tax rate for the year is hereby fixed at 16 cents on each and every \$100 worth of motor vehicles as assessed by the property valuation administrator as of January 1, 2009.

ORDINANCE #1453
– (Second Reading)
SETTING THE AD
VALOREM TAX RATE

Commissioner Doan made a motion to accept the second reading of Ordinance #1453. Commissioner Keith seconded. In favor: Commissioner Doan: yes; Commissioner Keith: yes; Commissioner New: yes; Mayor Brown: yes; Opposed: none. Motion carried.

The next item on the agenda was the opening of bids for 2008-2009 Municipal Aid Road Fund paving. Attorney Lair noted that only one bid was received:

BID OPENING FOR
PAVING – ACTION
DEFERRED

Hinkle Contracting Co. \$200,125.00 Total

Bituminous Binder	150 Tons @	\$98.00/Ton	=	\$14,700.00
Bituminous Surface	1450 Tons @	\$86.50/Ton	=	125,425.00
Tack	1200 Gals. @	\$ 2.00/Gal.	=	2,400.00
Milling	900 Tons @	\$64.00/Ton	=	57,600.00

Hinkle advised that these prices are only good through October 31, 2008. The cost of any work carried over into the 2009 season will be based on the cost of liquid asphalt and fuel at that time. Hinkle also advised that if the City of Cynthiana will allow Hinkle Contracting to keep the millings generated from this work, the milling cost will be reduced by \$10.00 per ton. (\$54.00/Ton)

The street breakdown is as follows:

Waterworks Road – Trench Patch	\$ 8,000.00
Western Avenue	\$45,000.00
Parkway Drive	\$15,000.00
Oxley Drive	\$35,000.00
Battle Grove Avenue	\$44,000.00
E. Pearl St.	\$ 8,500.00
Stone Avenue	\$23,500.00
N. Locust Street	\$16,500.00
Rebel Hill	\$ 4,625.00

Commissioner Doan made a motion to defer action on this bid until the streets could be prioritized. Commissioner Keith seconded. In favor: Commissioner Doan: yes; Commissioner Keith: yes; Commissioner New: yes; Mayor Brown: yes; Opposed: none. Motion carried.

The next item was the opening of bids for solid waste collection and disposal. Specifications requested that each vendor bid on two options:

BID OPENING FOR
SOLID WASTE
COLLECTION AND
DISPOSAL – ACTION
DEFERRED

Definitions: **Alt. A** – Rate per residential and small business unit per month – refuse- for one pickup per week at curbside, (includes pick-up of bulky waste items at least twice per month).

Alt. B – Rate per residential and small business unit per month – refuse – one pickup per week at curbside (includes pickup of bulky waste items at least twice per month) and also includes pickup of recyclables twice per month at curbside.

Attorney Lair advised four bids were received:

- 1. Rumpke Alt. A: \$11.70 per unit per month
 Alt. B: \$12.99 per unit per month
- 2. Veolia Alt. A: \$11.10 per unit per month + fuel
 Surcharge
 Alt. B: \$13.30 per unit per month + fuel
 Surcharge
- 3. Legacy Carting Alt. A: \$10.70 per unit per month
 Alt. B: \$11.90 per unit per month
- 4. CSI Republic Alt. A: \$13.49 per unit per month
 Services Alt. B: \$15.77 per unit per month

Commissioner Keith made a motion to defer action in order to evaluate the bids. Commissioner Doan seconded. In favor: Commissioner Doan: yes; Commissioner Keith: yes; Commissioner New: yes; Mayor Brown: yes; Opposed: none. Motion carried.

In Commissioner Martin’s absence, Commissioner New advised that Halloween’s Trick or Treat will be held October 31, 2008 from 6:00 P.M. to 8:00 P.M. for children 12 and under.

TRICK-OR-TREAT

Mayor Brown acknowledged Commissioner of Public Property and Finance William C. Doan.

PUBLIC PROPERTY
& FINANCE REPORT

Commissioner Doan made a motion to pay the following bills:

BILLS

General Fund	\$51,182.97
Water Fund	\$58,303.11
Cash-in-Bank General Fund	\$233,718.99
Cash-in-Bank Water Fund	\$223,082.30

Municipal Aid Road Fund \$ 18,228.68

Commissioner Keith seconded. In favor: Commissioner Doan: yes; Commissioner Keith: yes; Commissioner New: yes; Mayor Brown: yes; Opposed: none. Motion carried.

Commissioner Doan advised that he had spoken with Chris Hall of Tetra-Tech concerning the landfill project. The training and start-up date is scheduled for October 1, 2008. Wastewater treatment employees will receive training, as well as, other City employees. These pumps work in much the same way as the lift stations operate.

UPDATE ON
LANDFILL PROJECT

Commissioner Doan advised that the City of Cynthiana had five certificates of deposit in the total amount of \$373,740.00 to invest. All four banking institutes responded to the bid request:

INVESTMENTS

Harrison Deposit Bank	3.455%
Kentucky Bank	3.84%
Fifth Third Bank	3.92%
Farmers National Bank	4.00%

Commissioner Doan advised the Farmers National Bank received the certificates of deposit.

Commissioner Doan advised WHHS has announced new viewing times for the City Commission meeting: Sundays and Wednesdays at 1:00 P.M., 8:00 P.M. and midnight.

WHHS SCHEDULE
FOR AIRING
COMMISSION MTG

Commissioner Doan advised he has been in touch with Ben Clifford concerning the tree removal on Main Street. Mr. Clifford has been trying to clear some of the debris caused by wind damage last Sunday, but he should be able to remove the trees within a few days.

UPDATE ON TREE
REMOVAL

Commissioner Doan reported that at the last Joint City/County meeting, he suggested that the Recreation Board minutes be placed on file in the City office in order for the Board to review. Commissioner Doan advised that the minutes have been received and are now on file for review.

RECREATION
BOARD MEETING
MINUTES ON FILE

Mayor Brown recognized Commissioner of Public Utilities John M. Keith, Jr.

PUBLIC UTILITIES
REPORT

Commissioner Keith reported the Division of Water had made a recent inspection of the Water Treatment Plant. The personnel and the plant received a glowing report. Mayor Brown asked that Commissioner Keith provide each Board member with a copy of the report.

WTP INSPECTION

Commissioner Keith requested Asst. Chief Ray Johnson report on the Confederate Drive/Pike Street intersection. Asst. Chief Johnson advised that he had contacted all but five residents on Confederate Drive. Most of the residents advised that they used Confederate only to enter Sonley Heights. Mayor Brown suggested that Asst. Chief Johnson also contact the residents on Oxley Avenue and Sherwood Drive because the number of vehicles on their streets will increase. He agreed to do so, and stated he would report at the next scheduled meeting.

REPORT ON
CONFEDERATE DR/
PIKE ST.
INTERSECTION

Commissioner Keith advised that he had wanted a city-wide fall cleanup, however, the county is planning a county-wide cleanup. A date has not been set.

FALL CLEANUP

<p>Mayor Brown recognized Commissioner of Public Works James R. New.</p> <p>Commissioner New reported the salt contract for 2008-2009 has been received from Morton Salt. The rate has increased from \$49.37/Ton to \$103.07/Ton. This is a substantial increase, but there is a shortage of salt. Our allotment for this year is 200 Tons.</p>	<p>PUBLIC WORKS REPORT</p>
<p>Commissioner New made a motion to sign the contract with Morton Salt for 200 Tons of salt @ \$103.07/Ton for the winter of 2008-2009. Commissioner Keith seconded. In favor: Commissioner Doan: yes; Commissioner Keith: yes; Commissioner New: yes; Mayor Brown: yes; Opposed: none. Motion carried.</p>	<p>MORTON SALT CONTRACT APPROVED</p>
<p>Commissioner New advised he needs to transfer the Sanitation employees since there is a company picking up our garbage.</p>	<p>TRANSFER OF SANITATION EMPLOYEES TO PUBLIC WORKS:</p>
<p>Commissioner New made a motion to transfer C. J. Current from Truck Driver/Sanitation Worker II to a Public Works Maintenance Worker II effective September 24, 2008. Commissioner Keith seconded. In favor: Commissioner Doan: yes; Commissioner Keith: yes; Commissioner New: yes; Mayor Brown: yes; Opposed: none. Motion carried.</p>	<p>C. J. CURRENT</p>
<p>Commissioner New made a motion to transfer Estill J. Barnett from a Sanitation Worker II to a Public Works Maintenance Worker II effective September 24, 2008. Commissioner Keith seconded. In favor: Commissioner Doan: yes; Commissioner Keith: yes; Commissioner New: yes; Mayor Brown: yes; Opposed: none. Motion carried.</p>	<p>ESTILL J. BARNETT</p>
<p>Commissioner New made a motion to transfer Lawrence Nickerson from a Truck Driver/Sanitation Worker II to Public Works Maintenance Worker II effective September 24, 2008. Commissioner Doan seconded. In favor: Commissioner Doan: yes; Commissioner Keith: yes; Commissioner New: yes; Mayor Brown: yes; Opposed: none. Motion carried.</p>	<p>LAWRENCE NICKERSON</p>
<p>Commissioner New made a motion to transfer Erman Kelly III from a Sanitation Worker I to a Public Works Maintenance Worker I effective September 24, 2008. Commissioner Doan seconded. In favor: Commissioner Doan: yes; Commissioner Keith: yes; Commissioner New: yes; Mayor Brown: yes; Opposed: none. Motion carried.</p>	<p>ERMAN KELLY III</p>
<p>Commissioner New made a motion to transfer Matthew Courtney from a Sanitation Worker I to a Public Works Maintenance Worker I effective September 24, 2008. Commissioner Keith seconded. In favor: Commissioner Doan: yes; Commissioner Keith: yes; Commissioner New: yes; Mayor Brown: yes; Opposed: none. Motion carried.</p>	<p>MATTHEW COURTNEY</p>
<p>Commissioner New advised that our recycling materials are now being taken to Richmond, Kentucky to the Bluegrass Regional Recycling Center. The City will receive compensation for the goods.</p>	<p>RECYCLING UPDATE</p>
<p>Mayor Brown, Commissioner Doan, and Commissioner Keith stated that they had received numerous calls about the recycling. Evidently, there was a rumour circulating that the City was not going to pickup recycling anymore. This is false. The City will continue to pickup as always.</p>	
<p>Commissioner New advised that due to the changes in the Sanitation Department, Commissioner New made a motion to lay off William E.</p>	<p>WM. E. SLADE, JR. LAID OFF</p>

Slade, Jr. effective October 7, 2008 due to a lack of work. Commissioner Doan seconded. In favor: Commissioner Doan: yes; Commissioner Keith: yes; Commissioner New: yes; Mayor Brown: yes; Opposed: none. Motion carried.

EFFECTIVE
10/7/2008

Commissioner New made a motion to hire Tony Kearns for one week. (Motion died for lack of a second.)

DISCUSSION RE:
RE-HIRING A
SEASONAL WORKER

Commissioner Doan questioned why we would hire Mr. Kearns since at the last meeting he was dismissed as a seasonal worker. Commissioner New advised that there was a certain situation that he did not feel comfortable discussing in public, but he felt Mr. Kearns could assist the City for another week. However, Mayor Brown, Attorney Lair, and Commissioner Keith advised they knew nothing about this situation. Attorney Lair requested that Commissioner New and City Clerk McIlvain retire from the chamber in order to be apprised of the situation.

Mayor Brown moved on with his report.

MAYOR'S REPORT

Mayor Brown reported that he had discussed the purchase of a new chipper and a new leaf vacuum with Commissioner New and Alan Swinford. The current equipment is past repair. Mr. Swinford stated that Public Works has to repair this equipment every other day. Mayor Brown advised this equipment is available for purchase on state contract. The City can acquire a 9" Kubota Chipper for \$22,300.00 and a gas powered leaf vacuum for \$6200.00.

Commissioner Doan made a motion to move ahead with the purchase of a chipper for \$22,300.00 and a leaf vacuum for \$6200.00 on state contract. Commissioner Keith seconded. In favor: Commissioner Doan: yes; Commissioner Keith: yes; Commissioner New: yes; Mayor Brown: yes; Opposed: none. Motion carried.

Mayor Brown advised Governor Beshear's office has notified him that the City of Cynthiana has been awarded a grant in the amount of \$835,000.00. These funds will be used at the Devil's Backbone. This is extremely good news.

GRANT IN THE
AMOUNT OF
\$835,000 RECEIVED
FOR USE @ DEVIL'S
BACKBONE PUMP

Mayor Brown advised he received information from the City's insurance carrier that the area around the barns and house located at the Handy Farm Park should be off limits to individuals. There should be "No Trespassing" signs erected in the vicinity of the house and barns. Mayor Brown recommended the City comply with the carrier's request.

Commissioner Keith made a motion to erect "No Trespassing" signs at the Handy Farm Park house and barns. Commissioner Doan seconded. In favor: Commissioner Doan: yes; Commissioner Keith: yes; Commissioner New: yes; Mayor Brown: yes; Opposed: none. Motion carried.

MOTION TO POST
"NO TRESPASSING"
SIGNS @ HANDY
FARM PARK
BUILDINGS

Attorney Lair, City Clerk McIlvain, and Commissioner New returned to the meeting. Attorney Lair determined that this item could be discussed in executive session.

Commissioner New made a motion to move to executive session in order to discuss a personnel matter. Commissioner Keith seconded. In favor: Commissioner Doan: yes; Commissioner Keith: yes; Commissioner New: yes; Mayor Brown: yes; Opposed: none. Motion carried. Moved to executive session at 6:28 P.M.

EXECUTIVE
SESSION –
PERSONNEL
ACTION

Commissioner Keith made a motion to return to regular session.
Commissioner Doan seconded. In favor: Commissioner Doan: yes;
Commissioner Keith: yes; Commissioner New: yes; Mayor Brown: yes;
Opposed: none. Motion carried. Returned to regular session at 7:03 P.M.

RETURN TO
REGULAR SESSION

Commissioner New reported that while in executive session, a personnel
matter was discussed but no action taken.

NO ACTION TAKEN

Commissioner New commented that the new paint job on the Glenn
Abney building on South Main looks very good.

There being no further business to discuss, Commissioner Doan made a
motion to adjourn. Commissioner Keith seconded. In favor:
Commissioner Doan: yes; Commissioner Keith: yes; Commissioner New:
yes; Mayor Brown: yes; Opposed: none. Meeting adjourned at 7:05 P.M.

ADJOURNMENT

Charleen McIlvain, City Clerk

James A. Brown, Mayor