

January 13, 2009

The City of Cynthiana Board of Commissioners met in regular session on January 13, 2009 at 5:30 P.M. in the Commissioner's Room at City Hall. Present were Attorney Lair, Commissioners John M. Keith, Jr, Mark Mattmiller, Amanda Moore, and James R. New.

Commissioner Keith called the meeting to order at 5:30 P.M.

MEETING CALLED TO ORDER

Commissioner Moore stated she understood both Commissioner Keith's and Commissioner Mattmiller's points on wanting to be Mayor pro-tem. They both have the best and good intentions, and they both feel it is in the best interest of the City for him to serve as Mayor pro-tem. Through cooperation and mutual agreement, Commissioner Keith and Commissioner Mattmiller have agreed to split the title. Commissioner Keith will serve for the first period. This decision was made in the best interest of the City.

MAYOR PRO-TEM ISSUE ADDRESSED

Commissioner Moore made a motion to appoint Commissioner Keith to serve as Mayor pro-tem. Commissioner New seconded. In favor: Commissioner Keith: yes; Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner New: yes; Opposed: none. Motion carried.

MOTION TO APPOINT COMMISSIONER KEITH AS MAYOR PRO-TEM

Commissioner Mattmiller commented that he was completely in favor of the resolution to the matter of Mayor pro-tem. The Commission had frank and honest dialogue which is the underpinning of good government. The talk of the Governor appointing someone was premature; Commissioner Mattmiller said he told everyone that this situation would never go that far.

Commissioner Mattmiller stated there was not a difference in philosophy, but healthy dialogue – open and honest dialogue. When votes go 5-0, it is an indication of no dialogue or discussion. The key words are discussion and open: the door is open to this Commission.

Mayor pro-tem Keith advised the approval of minutes is next on the agenda.

Commissioner New made a motion to accept the minutes of a special meeting held on December 17, 2009. Commissioner Moore seconded. In favor: Commissioner Keith: yes; Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner New: yes; Opposed: none. Motion carried.

APPROVAL OF MINUTES FROM 12/17/2008

Commissioner New made a motion to approve the minutes of the Special Meeting held on January 5, 2009. Commissioner Moore seconded. In favor: Commissioner Keith: yes; Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner New: yes; Opposed: none. Motion carried.

APPROVAL OF MINUTES FROM 1/5/2009

Mayor pro-tem Keith acknowledged Jeff Neal of the Seldon Renaker Inn.

JEFF NEAL/CITIZENS FOR ACTION COMMITTEE: CONCERNS ADDRESSED

Mr. Neal stated that he had written a memo to each Commissioner outlining concerns that he had about Cynthiana:

1. He would like to see the Police Force at full capacity.
2. Ordinances that are not being enforced.
3. Resolve the Handy Farm House issue.
4. Revive the Downtown Renaissance Program

5. Have a County wide newsletter to keep citizens informed
6. Address the dilapidated building situation.

Commissioner Mattmiller questioned Mr. Neal about the noise situation that he had been before the Board about on a previous occasion. Mr. Neal advised that the situation is better, but it is also colder weather and not as many people out. Mr. Neal stated the Citizens for Action Group try to keep their agenda to small things that can be handled.

Mayor pro-tem Keith advised that he would try to address each of Mr. Neal's concerns. First, citizens need to understand that this Commission is regulated by the Kentucky's Open Meetings Statute. No more than two Commissioners can meet together at any given time unless the press is notified 24 hours in advance. The public's business has to be conducted in the public.

OPEN MEETINGS LAW

Mayor pro-tem Keith requested the Commissioner of Public Safety Moore address Mr. Neal's concerns about the Police Department being at full capacity.

POLICE DEPARTMENT

Commissioner Moore advised that she had discussed with Chief Johnson. It cost approximately \$20,000.00 - \$25,000.00 to put a police officer trainee through the academy. There is a demanding application process of tests, back ground checks, and physical fitness to be met. The Police Academy is an 18 week training period, and each officer receives an hourly pay wage while in training. The trainee is not street worthy even when he finishes his training. He must ride with another officer in order to learn the "ropes" and the town.

Any officer that graduates from the Academy is asked to sign a 3 year contract. If an officer tries to leave the City's employ, they must buy the contract.

Karen Kreger, Committee member, questioned if the Police Department would implement the "cruiser take home" program. Chief Johnson felt the Department will revisit this issue; there are good and bad points.

Mayor pro-tem Keith stated that code enforcement is a major issue with citizens. He feels that the Code Enforcement Board needs to meet on a regular basis. Mr. Neal's concern with ordinances was mainly the sidewalk ordinance.

CODE ENFORCEMENT

Commissioner New addressed the issue of keeping the City cleaner. He advised that he has two men who sweep and clean the downtown on a daily basis.

CLEAN CITY

Mayor pro-tem Keith advised a Renaissance Director is in the budget. He stated he would initiate the process to hire a Director at the next regularly scheduled meeting.

RENAISSANCE
DIRECTOR

Mayor pro-tem Keith reported that the state of the economy is not good, therefore, groups such as the Economic Development Agency have not had any success in locating businesses in this area. There are not enough funds to be able to do much repair or spruce up some of our buildings. However, the committees in which the City participates have competent individuals serving.

COMMITTEES

Mayor pro-tem Keith acknowledged Attorney John Lair.

LEGALS

Attorney Lair stated the first order of business in the withdrawal of Ordinance #1454. Attorney Lair explained that the first reading of Ordinance #1454 was to annex property along Millersburg Pike belonging to Dr. and Mrs. Clarke, Mr. and Mrs. Larry Wiley, and Mr. and Mrs. James A. Brown. However, Dr. and Mrs. Clarke have decided not to participate in the annexation. Ordinance #1456 annexed the property belonging to Mr. and Mrs. Wiley and Mr. and Mrs. Brown. Ordinance #1454 needs to be withdrawn for consideration.

ORDINANCE #1454-
(Second Reading) –
WITHDRAWN FROM
FURTHER
CONSIDERATION

Commissioner Mattmiller made a motion to withdraw Ordinance #1454 from further consideration. Commissioner New seconded. In favor: Commissioner Keith: yes; Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner New: yes; Opposed: none. Motion carried.

Attorney Lair read Ordinance #1457 relating to compensatory time. Commissioner Moore made a motion to table the approval of Ordinance #1457 until she has had time to address the situation with the two employees involved in the Public Safety Department. Commissioner Mattmiller seconded. In favor: Commissioner Keith: yes; Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner New: yes; Opposed: none. Motion carried.

ORDINANCE #1457 –
MOTION TO TABLE
ORDINANCE –
COMPENSATORY
TIME

Attorney Lair advised that he has received a list of candidates from Judge-Executive Barnett to serve on the BGADD Advisory Committees:

BGADD ADVISORY
COMMITTEE
APPOINTMENTS

- | | |
|--------------------|---------------------------------|
| 1. Darrell Terhune | Development |
| 2. Bob Laytart | Homeland Security |
| 3. Paula Taylor | Human Services |
| 4. Charles Tribble | Natural Resources |
| 5. Pat Grenier | Tourism, Historic, & Recreation |

Commissioner New questioned if this slate of officers was willing to serve. He was advised that Judge Barnett had contacted each candidate, and they were willing to serve.

Commissioner Mattmiller made a motion to approve the slate of individuals submitted by the Harrison County Fiscal Court for the BGADD Advisory Committees. Commissioner New seconded. In favor: Commissioner Keith: yes; Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner New: yes; Opposed: none. Motion carried.

Mayor pro-tem Keith recognized Commissioner of Public Safety Amanda Moore.

PUBLIC SAFETY
REPORT

Commissioner Moore reported that the Cynthiana Fire Department has received a grant in the amount of \$10,401.00 to purchase a mobile data computer. This laptop will be placed in the rescue squad truck.

FIRE DEPT. – GRANTS

The Cynthiana Fire Department also has received notification that they are in line to receive \$2200.00 to purchase new radios.

Mayor pro-tem Keith reported that Public Utilities is running smoothly. The Water Plant is pulling water from the South Fork of the Licking River. This process requires more chemicals.

PUBLIC UTILITIES
REPORT

Mayor pro-tem Keith acknowledged Commissioner of Public Works James R. New.

PUBLIC WORKS
REPORT

Commissioner New made a motion to advertise for bids for a new dump

MOTION TO

truck. Bids to be opened at the January 27, 2009 meeting.
Commissioner Moore seconded. In favor: Commissioner Keith: yes;
Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner
New: yes; Opposed: none. Motion carried.

ADVERTISE FOR A
DUMP TRUCK

Commissioner New reported that the old WWTP located at 418 N. Locust
could stand to be professionally cleaned. This office building will be used
as a meeting place for the Public Works Department and as an office for
the Public Works Supervisor. The duct work in this building has not been
properly cleaned since the 1997 flood. Supervisor Allen M. Swinford
advised the building has been cleaned out, but a good cleaning needs to
be done before any painting is done. The Public Works staff will paint.

MOTION TO AWARD
BID TO CLEAN 418 N.
LOCUST ST TO FRESH
START CLEANER

Commissioner New has received two quotations:

1. Service Pro	\$5,321.14
2. Fresh Start	1,909.46

Commissioner Moore questioned what would happen if the bidder did not
meet our expectations. Commissioner Keith replied that they would not
receive payment until the City is satisfied.

Commissioner New made a motion to award the bid for cleaning 418 N.
Locust Street to Fresh Start in the amount of \$1,909.46. Commissioner
Moore seconded. In favor: Commissioner Keith: yes; Commissioner
Mattmiller: yes; Commissioner Moore: yes; Commissioner New: yes;
Opposed: none. Motion carried.

Commissioner New asked that the citizens be patient about leaf pickup.
The crew has had problems with the dump truck. The leaves raked to the
curb got wet and froze. The leaf vacuum cannot pick them up. Now they
are having to use shovels and the skidster to retrieve these leaves.
Supervisor Swinford advised that there are two to four men daily doing
leaf pickup.

LEAF PICKUP

Mayor pro-tem Keith acknowledged Commissioner of Public Property and
Finance.

PUBLIC PROPERTY
AND FINANCE
REPORT

Commissioner Mattmiller made a motion to pay the following bills:

BILLS

General Fund	\$172,643.48
Water and Sewer Fund	91,593.28
Cash-in-Bank General Fund	123,025.52
Cash-in-Bank W & S Fund	296,903.47
Municipal Aid Road Fund	47,685.21

Commissioner New seconded. In favor: Commissioner Keith: yes;
Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner
New: yes; Opposed: none. Motion carried.

Commissioner Mattmiller reported that \$17,323.99 of the General Fund
payables is for one-half of the parking lot at the Handy Farm. Also, the
electrical and plumbing work previously approved by Commissioner Doan
is completed.

Mayor pro-tem Keith asked Wayland Quesenberry to address the Board
concerning grants.

APPROVAL TO APPLY
FOR GRANTS

Mr. Quesenberry advised that both grants are related to the Handy Farm Park.

One of the grants is a Recreation Trails grant for a Mountain Bike Trail. This trail would be placed on the farside of the Park behind the 27 North Water Tower. There is approximately 11 acres there that is wooded and steep and thick with undergrowth. This 11 acres is not included in the Master Plan because it is too steep. He emphasized that these bikes are not motorized. The cost of this project is approximately \$60,000.00 with a 50/50 split. This would amount to about \$15,000.00 for both City/County.

The next grant is to secure crumb rubber to cover two playgrounds at the Park. This substance is processed from ground up rubber tires and used as a 6" base for playground areas. This material is safe for children and prevents bone breaks. This project will cost approximately \$50,000.00 with a 75/25 split.

Commissioner Mattmiller made a motion to authorize Mr. Quesenberry to move forward with these grant applications. Commissioner New seconded. In favor: Commissioner Keith: yes; Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner New: yes; Opposed: none. Motion carried.

Mr. Quesenberry advised that he would present a Resolution for the Board's approval at the next meeting.

Commissioner Mattmiller advised he has received a request for an increase in the 2008-2009 appropriation to the Chamber of Commerce to assist with utility improvements in the amount of \$2300.00 to \$2500.00. This is a one-time request.

REQUEST AND APPROVAL FOR INCREASE IN APPROPRIATION TO CHAMBER OF COMMERCE

Commissioner Mattmiller made a motion to allocate \$2500.00 to the Chamber of Commerce in order to assist with utility improvements at the Chamber Office. Commissioner New seconded. In favor: Commissioner Keith: yes; Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner New: yes; Opposed: none. Motion carried.

Mr. Brian Kirby of CEDA/WJL has advised that \$37,000,000.00 is available from recovered funds that can be utilized to further rehabilitate the Westside of Cynthiana. Mr. Kirby had been scheduled to meet with Mayor Brown before his illness. Mr. Kirby would like to submit a letter of request for this CDBG funding in order to enhance our Westside Redevelopment Project, however, he needs the Board's approval.

APPROVAL TO SEND LETTER OF REQUEST FOR CDBG FUNDS TO ENHANCE WESTSIDE REDEVELOPMENT PROJECT

Commissioner Mattmiller made a motion to authorize Brian Kirby to pursue more funding to enhance our Westside Redevelopment Project. Commissioner New seconded. In favor: Commissioner Keith: yes; Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner New: yes; Opposed: none. Motion carried.

Mayor pro-tem Keith advised that the agenda has been covered and the meeting stands adjourned. Meeting adjourned at 6:56 P.M.

ADJOURNMENT

