

January 27, 2009

The City of Cynthiana Board of Commissioners met on January 27, 2009 at 5:30 P.M. in the Commissioner's Room at City Hall. Present were Mayor pro-tem John M. Keith, Jr., Commissioners Mattmiller, Moore, and New.

Mayor pro-tem Keith called the meeting to order and welcomed visitors.

The first item on the agenda is Mr. Bryan Kirby of CEDA/WJL. Mr. Kirby advised that he was present to present resolutions that would move the Westside Redevelopment Project forward. A resolution has been prepared taking official action on one-half of the properties involved. Within two weeks, we should be able to make an offer on all the properties (14 in all).

The next item on the agenda was the approval of the minutes from January 13, 2009. Commissioner New made a motion to approve the minutes as presented. Commissioner Moore seconded. In favor: Mayor pro-tem Keith: yes; Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner New: yes; Opposed: none. Motion carried.

The next item is the approval of the minutes of a public hearing held on January 26, 2009. The public hearing was to accept comments from the public concerning an application for funds to construct a mountain bike trail at the Handy Farm Park.

Commissioner New made a motion to approve the minutes of the Public Hearing on January 26, 2009 as presented. Commissioner Moore seconded. In favor: Mayor pro-tem Keith: yes; Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner New: yes; Opposed: none. Motion carried.

Mayor pro-tem Keith requested Attorney Lair address the legal issues before the Board.

Attorney Lair advised that in the absence of Mayor James A. Brown, who is still recovering at Cardinal Hill Hospital, the Board will need to authorize Mayor pro-tem John M. Keith, Jr. to sign all Resolutions that will be presented and approved by the Board at this meeting.

Commissioner New made a motion to authorize Mayor pro-tem John M. Keith, Jr. to sign any approved resolutions presented at this meeting. Commissioner Moore seconded. In favor: Mayor pro-tem Keith: yes; Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner New: yes; Opposed: none. Motion carried.

Attorney Lair read Resolution 2009-#1 authorizing a drawdown of funds for debts incurred from September 2008 through January 2009 in the amount of \$20,400.00 on the Westside Redevelopment Project – Phase II. Invoices have been documented and recorded.

Commissioner Moore made a motion to approve Resolution 2009-#1 authorizing the payment of debts in the amount of \$20,400.00 on the Westside Redevelopment Project – Phase II. Commissioner Mattmiller seconded. In favor: Mayor pro-tem Keith: yes; Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner New: yes; Opposed: none. Motion carried.

MEETING CALLED TO ORDER

BRYAN KIRBY –
CEDA/WJL –
WESTSIDE REDEVELOPMENT PROJECT
PHASE II

MINUTES OF
1/13/2009 APPROVED

MINUTES OF PUBLIC
HEARING HELD
1/26/2009
APPROVED

LEGAL ISSUES

AUTHORIZATION FOR
MAYOR PRO-TEM
KEITH TO SIGN
RESOLUTIONS
APPROVED @ MTG.

RESOLUTION 2009-
#1 – DRAWDOWN OF
FUNDS ON WESTSIDE
REDEV. PROJECT -
PHASE II

Attorney Lair read Resolution 2009-#2 approving the determination of just compensation for acquisition of property in the Cynthiana Westside Redevelopment Project – Phase II: 203 W. Mill St., 205 W. Mill St., 213 W. Mill Street, 116 N. Locust St., 112 N. Locust St., and 110 N. Locust St.

RESOLUTION 2009-
#2 – APPROVING
DETERMINATION OF
JUST COMPENSATION
ON WESTSIDE
REDEVELOPMENT -
PHASE II

Commissioner New made a motion to approve Resolution 2009-#2 as presented. Commissioner Mattmiller seconded. In favor: Mayor pro-tem Keith: yes; Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner New: yes; Opposed: none. Motion carried.

Attorney Lair read Resolution 2009-#3 authorizing the filing of a 2009 Kentucky Neighborhood Stabilization Program application for up to \$2 million in grant funds.

RESOLUTION 2009-
#3 – APPROVING
2009 APPLICATION
FOR UP TO \$2
MILLION IN FUNDS

Commissioner Moore made a motion to approve Resolution 2009-#3 as presented. Commissioner New seconded. In favor: Mayor pro-tem Keith: yes; Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner New: yes; Opposed: none. Motion carried.

Attorney Lair read Resolution 2009-#4 approving the filing of a joint City/County application to secure funding to implement a program to put crumb rubber material on playgrounds.

RESOLUTION 2009-
#4 – APPROVING
CITY/COUNTY
APPLICATION FOR
CRUMB RUBBER

Commissioner New made a motion to approve Resolution 2009-#4 as presented. Commissioner Moore seconded. In favor: Mayor pro-tem Keith: yes; Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner New: yes; Opposed: none. Motion carried.

Attorney Lair read Resolution 2009-#5 to approve the submission of joint grant application by City/County to provide funding to implement a mountain bike trail at the Handy Farm Park.

RESOLUTION 2009-
#5 APPROVING
CITY/COUNTY
APPLICATING FOR
A MOUNTAIN BIKE
TRAIL

Commissioner New made a motion to approve Resolution 2009-#5 as presented. Commissioner Mattmiller seconded. In favor: Mayor pro-tem Keith: yes; Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner New: yes; Opposed: none. Motion carried.

Attorney Lair read Resolution 2009-#6 authorizing Mayor pro-tem John M. Keith, Jr. to sign the agreement between the Kentucky Transportation Cabinet and City of Cynthiana for the sidewalk replacement project No. PO2-628-00021279 SRTS 3007 (010) in the amount of \$247,000.00.

RESOLUTION 2009-
#6 – AUTHORIZING
MAYOR PRO-TEM
KEITH TO SIGN
AGREEMENT FOR
SIDEWALKS TO
SCHOOLS

Commissioner Mattmiller made a motion to authorize Mayor pro-tem Keith to sign agreement PO2-628-00021279 SRTS 3007 (010) between Kentucky DOT and City of Cynthiana to secure \$247,000.00 for sidewalk replacement. Commissioner Moore seconded. In favor: Mayor pro-tem Keith: yes; Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner New: yes; Opposed: none. Motion carried.

Mayor pro-tem advised that the action taken by the approval of Resolution 2009-#3 will require a public hearing. This public hearing has been set for Thursday, January 29, 2009 at 6:00 P.M. in the Commissioner's Room at City Hall. He asked all Commissioners to make sure they were available.

PUBLIC HEARING
TIME DETERMINED
FOR 2009
APPLICATION
PROCESS

Attorney Lair advised the next item on the agenda was the opening of bids for a dump truck. There were five bidders:

- | | |
|-------------------------------|--------------------------------------|
| 1. Paul Miller Ford | \$41,084.00 |
| 2. Peterson Truck Center | \$52,651.00 |
| 3. Jack Kain Ford | \$42,683.74 F450
\$44,037.74 F550 |
| 4. Jeff Jones for H. A. Jones | \$60,230.00 |
| 5. Nolan Ford | \$36,634.00 |

Commissioner New made a motion to defer action until these bids could be compared and studied. Commissioner Mattmiller seconded. In favor: Mayor pro-tem Keith: yes; Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner New: yes; Opposed: none. Motion carried.

Commissioner New advised Public Works desperately needs a dump truck, so he would like to award this bid as soon as possible. It was suggested that Board meet at 5:45 P.M. on Thursday, January 29, 2009 for that purpose. This will be before the Public Hearing.

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

Commissioner Moore made a motion to re-classify E-911 Telecommunicator Jennifer Alcorn from a full-time Telecommunicator to a part-time E-911 Telecommunicator effective 1/31/2009. Commissioner New seconded. In favor: Mayor pro-tem Keith: yes; Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner New: yes; Opposed: none. Motion carried.

Commissioner Moore advised that will leave a position for a full-time Telecommunicator open. Commissioner Moore made a motion to advertise for a full-time Telecommunicator position within the Department and outside the Department. Certification preferred, but not required. Commissioner New seconded. In favor: Mayor pro-tem Keith: yes; Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner New: yes; Opposed: none. Motion carried.

Commissioner Moore made a motion to withdraw Ordinance #1457 from further consideration. The first reading of this Ordinance was held on December 17, 2008. Commissioner New seconded. In favor: Mayor pro-tem Keith: yes; Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner New: yes; Opposed: none. Motion carried.

Commissioner Moore made a motion to implement a compensatory buy back with a limit of 50 hours for Police Chief Johnson and Fire Chief Jay Sanders. Commissioner Mattmiller seconded.

Commissioner Moore explained that Police Chief Johnson is short on personnel and Chief Sanders has two firefighters who are deployed. This forces the two chiefs to wear many hats in different shifts. Commissioner Moore stated she felt this was only fair to them. Commissioner Mattmiller stated he had reviewed the budget in this department. The overtime budget is strained, however, this could be accomplished under the line item of regular salary.

In favor: Mayor pro-tem Keith: yes; Commissioner Mattmiller: yes;

BID OPENINGS –
ACTION DEFERRED
FOR STUDY

BID AWARD WILL
BE ON 1/29/2009 AT
5:45 P.M. – DUMP
TRUCK

PUBLIC SAFETY
REPORT

MOTION TO RE-
CLASSIFY JENNIFER
ALCORN TO PART-
TIME
TELECOMMUNICATOR

MOTION TO
ADVERTISE FOR FULL
TIME
TELECOMMUNICATOR

MOTION TO
WITHDRAW
ORDINANCE #1457
FROM FURTHER
CONSIDERATION

MOTION TO
IMPLEMENT A
COMPENSATORY
BUY-BACK FOR CHIEF
JOHNSON AND CHIEF
SANDERS

Commissioner Moore: yes; Commissioner New: yes; Opposed: none.
Motion carried.

Commissioner Moore also noted this will allow her time to review the personnel policies and procedures concerning this compensatory time issue.

Mayor pro-tem Keith recognized Commissioner of Public Property and Finance Mark Mattmiller.

PUBLIC PROPERTY
AND FINANCE
REPORT

Commissioner Mattmiller made a motion to pay the following bills:

BILLS

General Fund	\$79,137.15
Water Fund	\$48,018.65
Cash-in-Bank General Fund	\$209,339.97
Cash-in-Bank Water Fund	\$271,892.90
Municipal aid Road Fund	67,125.60

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

Commissioner Mattmiller advised citizens that property taxes are now delinquent, and reported on publishing dates. Also, the Residential Rental License fee of \$10.00 per unit will double to \$20.00 per unit if not paid by January 31, 2009.

DELINQUENT TAXES
ARE DUE

Commissioner Mattmiller advised that he had been in contact with Rick Chasteen, Recreation Director, about the condition of the City Hall Gym. It was generally agreed that this facility is not in good condition, and the Recreation Department has requested some repairs. Commissioner Mattmiller advised that he hoped to have information at the next meeting about grant possibilities for a gym.

REPORT ON MTG.
WITH RECREATION
DEPARTMENT
CONCERNING GYM

Commissioner Mattmiller reported that Mr. Chasteen had questioned him about utilizing some of the area in Suite 5 for a Recreation Office. The Board will further investigate.

Commissioner Mattmiller reported that he has received several calls about the Time Warner Cable bill increase. The only tier the City has any control over is the Basic tier, and that did not increase.

CABLE BILLS

Commissioner Mattmiller also advised he has received many complaints about the dilapidated buildings in the Main Street area, Pike Street, Walnut Street, and W. Pleasant area. Code Enforcement Officer Wayland Quesenberry had taken some pictures and reported on some of the buildings in this area. In some instances, the property owners are planning to demolish and some property owners have been cited.

DILAPIDATED
BUILDINGS

Commissioner Mattmiller noted that Commissioner Doan was the City's representative on the Licking River Valley RC&D Council. He enjoyed this duty, and Commissioner Mattmiller made a motion to reappoint William C. Doan to continue to serve as the City's representative on the LRVRC&D Council. Commissioner New seconded. In favor: Mayor pro-tem Keith: yes; Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner New: yes; Opposed: none. Motion carried.

MOTION TO APPOINT
COMMISSIONER
DOAN TO SERVE AS
CITY'S
REPRESENTATIVE ON
LRV RC&D COUNCIL

In the past, the City of Cynthia has appointed a Commissioner to act on

MOTION TO APPOINT

behalf of the City at the Farm Service Agency. Commissioner Mattmiller made a motion to appoint Commissioner James R. New to act on behalf of the City of Cynthiana to the Farm Service Agency. Commissioner New seconded. In favor: Mayor pro-tem Keith: yes; Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner New: yes; Opposed: none. Motion carried.

JAMES R. NEW TO
SERVE AS CITY
AGENT TO FARM
SERVICE AGENCY

Commissioner of Public Utilities John M. Keith, Jr. reported that the City is attempting to clean up the mess at the old WWTP. He indicated that the company removing the old RBC have left quite a mess.

PUBLIC UTILITIES
REPORT

Commissioner Keith is very pleased with the work at the WTP reporting that the City of Cynthiana suffers only a 7% water loss on a monthly basis. This is the amount of water processed measured against gallons metered. There are possibly some leaks that have not surfaced, however, the department is continually seeking to improve this percentage.

Commissioner of Public Works James R. New advised the City personnel has compiled a list of surplus material. Commissioner New made a motion to advertise for bids on the following surplus materials:

PUBLIC WORKS
REPORT –

1. Standard pickup truck bed
2. Metal box bed that held leaves
3. Concrete mixer
4. Truck mounted salt spreader
5. Two old generators
6. One Bush Hog
7. Two snow plows
8. Two old tailgates
9. One small storage building

MOTION TO DECLARE
SURPLUS AND
ADVERTISE FOR BIDS

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

Commissioner New reported on the trash pickup for City residents. He reminded them at Legacy Carting starts picking up by 6:00 A.M. He stated customers must have their garbage out by 6:00 A.M. He encouraged everyone to set their containers out the night before. Legacy is keeping a record of who has their cans out by 6:00 A.M. If your cans are not out, they will not return to pick up your garbage.

LEGACY CARTING
PICKUP SCHEDULE

Commissioner New advised that he is very proud of his Public Works crew. They have been working in two crews on eight hour shifts. They have worked continuously since this snow and ice storm started. Commissioner New urged everyone to be patient; they are working non-stop in order to clear the streets.

PUBLIC WORKS
RUNNING TWO
CREWS

There being no further business to discuss, Mayor pro-tem declared the meeting adjourned at 6:50 P.M.

ADJOURNMENT

Charleen McIlvain, City Clerk

John M. Keith, Jr., Mayor pro-tem