

October 13, 2009

The City of Cynthiana Board of Commissioners met in regular session on October 13, 2009 at 5:30 P.M. in the Commissioner's Room at City Hall. Present were Mayor Keith, Attorney Lair, Commissioner Grayson, Commissioner Mattmiller, and Commissioner Moore.

Mayor Keith called the meeting to order. Mayor Keith changed the order of the agenda allowing the legal items to be addressed first.

MEETING CALLED TO ORDER

Attorney Lair read Resolution 2009-#38 authorizing pay resolution #17 of the Westside Redevelopment Project – Phase II in the amount of \$21,155.00.

Commissioner Mattmiller made a motion to approve Resolution 2009-#38. Commissioner Moore seconded. In favor: Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner Grayson: yes; Mayor Keith: yes; Opposed: none. Motion carried.

RESOLUTION 2009-#38 – WESTSIDE REHABILITATION PHASE II

Commissioner New arrived at 5:34 P.M.

Attorney Lair read Resolution 2009-#39 establishing a policy for a drug-free workplace.

Commissioner Grayson made a motion to approve Resolution 2009-#39. Commissioner Moore seconded. In favor: Commissioner Grayson: yes; Commissioner Moore: yes; Commissioner Mattmiller: yes; Commissioner New: yes; Mayor Keith: yes; Opposed: none. Motion carried.

RESOLUTION 2009-#39 – ESTABLISHING A POLICY FOR A DRUG FREE WORKPLACE

Attorney Lair read Ordinance # 1466 amending the zoning map on a lot on the corner of Sea Biscuit Way/Connersville Pike from I-1 (Industry One District) to I-2 (Industry Two District). The purpose of the zone change is to permit a propane gas station to locate in the new industrial park.

ORDINANCE #1466 – (1st Reading) – ZONE CHANGE SEABISCUIT/CONNERSVILLE RD

Commissioner New made a motion to accept the first reading Ordinance #1466. Commissioner Grayson seconded. In favor: Commissioner New: yes; Commissioner Grayson: yes; Commissioner Mattmiller: yes; Commissioner Moore: yes; Mayor Keith: yes; Opposed: none. Motion carried.

The next item on the legal agenda was the opening of bids for demolition of properties for the Westside Redevelopment Project – Phase II. Two bids were received:

BID OPENING – TAKEN UNDER ADVISEMENT

- | | |
|--|-------------------------|
| 1. McCauley Excavating | \$13,500.00 (3 Parcels) |
| 2. Herrington Investments | \$16,410.00 (4 Parcels) |
| Herrington Investments
(2 bids in one envelope) | \$12,120.00 (3 Parcels) |

Commissioner Mattmiller made a motion to take under advisement the bids. They will be mailed to CEDA for review and recommendation. Commissioner Moore seconded. In favor: Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner Grayson: yes; Commissioner New: yes; Mayor Keith: yes; Opposed: none.

Attorney Lair advised that the Code Enforcement Board hearing convened, but one member had to leave due to an emergency.

CODE ENFORCEMENT BOARD HEARING

Therefore, the hearing will have to be reset.

TO BE RESCHEDULED

Attorney Lair advised that he is scheduled to meet October 14, 2009 at 9:00 A.M. with Billy Fowler and Bill Kuster in order to discuss the Handy House lease.

Commissioner Mattmiller reported that when the Industrial Park II was purchased, the City and County co-signed as guarantor for the Economic Development Authority on this transaction. It is time to renew the line of credit and approval from the Board of Commissioners is needed in order for the Mayor to sign. The amount the City would be responsible for is 50% of \$75,350.00.

Commissioner Mattmiller made a motion to approve authorization for Mayor Keith to sign as guarantor for the Economic Development Authority for 50% of note in amount of \$75,350.00. Commissioner New seconded. In favor: Commissioner Mattmiller: yes; Commissioner New: yes; Commissioner Grayson: yes; Commissioner Moore: yes; Mayor Keith: yes; Opposed: none. Motion carried.

MAYOR AUTHORIZED
TO SIGN AS A
GUARANTOR FOR THE
EDA

Mayor Keith advised that the minutes of September 22, 2009 have been presented for approval.

MINUTES OF
9/22/2009 APPROVED

Commissioner Moore made a motion to approve the minutes of September 22, 2009 as presented. Commissioner Mattmiller seconded. In favor: Commissioner Moore: yes; Commissioner Mattmiller: yes; Commissioner Grayson: yes; Commissioner New: yes; Mayor Keith: yes; Opposed: none. Motion carried.

Mayor Keith reported the minutes of the Special Meeting on September 30, 2009 have been presented for approval.

MINUTES OF SPECIAL
MTG 9/30/2009
APPROVED

Commissioner Moore made a motion to approve the minutes of a Special Meeting on September 30, 2009. Commissioner Grayson seconded. In favor: Commissioner Moore: yes; Commissioner Grayson: yes; Commissioner Mattmiller: yes; Commissioner New: yes; Mayor Keith: yes; Opposed: none. Motion carried.

Mayor Keith advised the minutes of a Special Meeting held on October 6, 2009 have been submitted for approval.

MINUTES OF SPECIAL
MTG 10/6/2009
APPROVED

Commissioner New made a motion to approve the minutes of a Special Meeting held October 6, 2009. Commissioner Moore seconded. In favor: Commissioner New: yes; Commissioner Moore: yes; Commissioner Grayson: yes; Commissioner Mattmiller: yes; Mayor Keith: yes; Opposed: none. Motion carried.

Mayor Keith requested Public Works Director Gary Royalty give a report on City projects:

PUBLIC WORKS
DIRECTOR PROJECTS
REPORT

- Bids will be opened on November 5, 2009 for the improvements at the Main Licking Pump Station.
- A purchase order has been approved to study the fantail mussel at the Main Licking Pump.
- The Water Treatment Plant had the distinction of being nominated as one of the outstanding treatment facilities in the State.
- One of the Water Treatment Operator was also nominated as the

- outstanding Water Treatment Plant Operator.
- The Water Treatment Plant will continue to pump water from the Main Licking River until October 31, 2009 at which time water will be treated from the South Fork of the Licking River.
- The Wastewater Treatment facility is a new building, and paperwork is being prepared to submit for our KPDES permit. This paperwork is due 1/31/2010. The City is awaiting final lab analysis.
- The Wastewater Treatment Plant is having trouble treating phosphorus.
- The latest bio-monitoring passed.
- The Wastewater Treatment personnel have monitored over 8000 ft. of sewer line. Roots were cleaned out of section of pipe on Webster/Springdale area.
- The manholes on Battle Grove Avenue have been raised in anticipation of the upcoming blacktopping.
- The Water Distribution team has replaced a valve on Church Street.
- 23 old service lines have been taken up – 7 on South Main St.
- Two 10" main breaks have been repaired as well as an 8" break on Battle Gove.
- The fire hydrant flushing has been completed
- Repairs have been made to the valves at the U.S. 27 North tower.
- Public Works has mowed continuously in this heavy rain period.
- Public Works demolished the sidewalks on South Main St.
- The fall brush pickup schedule is now in progress.
- Leaf pick up will start in November.
- Public Works assisted with the water line breaks.
- Dave Kennedy is working on the specifications on the Sidewalks to School Project.
- The TEA-21 Streetscape project is almost complete. The Neal Co. has only to place stamped concrete inserts, flower pots, and street lights.
- The viaduct construction is underway and that has required utility relocation.
- A contract has been awarded for the repair of the lights on the West Pleasant Street Bridge.

Mayor Keith reported that the Fire Chief advised the Fire Department had made over 839 incidents so far this year.

Mayor Keith acknowledged Commissioner of Public Safety Amanda Moore. PUBLIC SAFETY REPORT

Commissioner Moore made a motion to hire John Batte as a full-time firefighter recruit effective October 6, 2009. Mr. Batte has completed all pre-employment requirements. Commissioner Mattmiller seconded. In favor: Commissioner Moore: yes; Commissioner Mattmiller: yes; Commissioner Grayson: yes; Commissioner New: yes; Mayor Keith: yes; Opposed: none. Motion carried. MOTION TO HIRE JOHN BATTE EFFECTIVE 10/6/2009

Commissioner Moore made a motion to hire Randall Herrington as a part-time certified firefighter effective October 14, 2009. Mr. Herrington has completed all pre-employment requirements. Commissioner Mattmiller seconded. In favor: Commissioner Moore: yes; Commissioner Mattmiller: yes; Commissioner Grayson: yes; Commissioner New: yes; Mayor Keith: yes; Opposed: none. Motion carried. MOTION TO HIRE RANDALL HERRINGTON EFFECTIVE 10/14/2009

Commissioner Moore made a motion to hire Glynden King as a part-time MOTION TO HIRE

certified firefighter effective October 14, 2009. Mr. King has completed all pre-employment requirements. Commissioner New seconded. In favor: Commissioner Moore: yes; Commissioner New: yes; Commissioner Grayson: yes; Commissioner Mattmiller: yes; Mayor Keith: yes; Opposed: none. Motion carried.

GLYNDEN KING
EFFECTIVE
10/14/2009

Commissioner Moore made a motion to make an offer of employment to a certified Police Officer subject to completing all pre-employment requirements. This individual has completed all testing, interviews, and background checks. Commissioner New seconded. In favor: Commissioner Moore: yes; Commissioner New: yes; Commissioner Grayson: yes; Commissioner Mattmiller: yes; Mayor Keith: yes; Opposed: none. Motion carried.

OFFER OF
EMPLOYMENT TO A
CERTIFIED POLICE
OFFICER

Commissioner Moore reported this was the third meeting since she had approached the subject of the Take Home Fleet program. Commissioner Mattmiller stated he would like to have a list of each vehicle and how many shifts each cruiser is driven. He questioned if some cruisers are being used more than others. Chief Johnson replied that one cruiser is assigned to each officer. All cruisers are being used. Commissioner Mattmiller advised he would like to study further.

TAKE HOME FLEET
REPORT

Commissioner Grayson questioned what is the maximum mileage on a cruiser. Chief Johnson advised some of the cruisers have over 100,000 miles.

Commissioner Moore stated she would bring this up again at the next meeting. She stated that this proposal is a benefit for the officers and the City.

Mayor Keith acknowledged Commissioner of Public Finance and Property Mark Mattmiller.

PUBLIC FINANCE &
PROPERTY REPORT

Commissioner Mattmiller commented that he would like to add all the work performed at the Rev. Ross Park to Mr. Royalty's list of projects. There was a great deal of work performed at the park before the Labor Day weekend, and Public Works was responsible for getting the job done.

Commissioner Mattmiller made a motion to pay the following bills:

BILLS

General Fund	\$182,749.61
Water & Sewer Fund	\$ 92,405.52
Cash-in-Bank General Fund	\$ 5,883.49
Cash-in-Bank W & S Fund	\$ 93,627.26
Municipal Aid Road Fund	\$140,348.92

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

Commissioner Mattmiller discussed the inevitable water rate increase and advised the City is currently working on determining the amount of increase.

WATER RATE
INCREASE

Mayor Keith recognized Commissioner of Public Utilities Billy K. Grayson.

PUBLIC UTILITIES
REPORT

Commissioner Grayson reported that 12 or 13 adults have taken it upon themselves to remove nails from utility poles. This has certainly helped.

PICK A PROJECT
UPDATE

<p>Commissioner Grayson made a motion to accept the resignation of Brandon Eads, a Water Plant Operator effective 10/17/2009. Commissioner New seconded. In favor: Commissioner Grayson: yes; Commissioner New: yes; Commissioner Mattmiller: yes; Commissioner Moore: yes; Mayor Keith: yes; Opposed: none. Motion carried.</p>	<p>MOTION TO ACCEPT RESIGNATION OF BRANDON EADS FROM THE WTP EFFECTIVE 10/17/2009</p>								
<p>Mayor Keith recognized Commissioner of Public Works James R. New.</p>	<p>PUBLIC WORKS REPORT</p>								
<p>Commissioner New announced the fall chipping schedule:</p>	<p>CHIPPING SCHEDULE</p>								
<table border="0"> <tr> <td data-bbox="250 733 535 774">East of Main Street</td> <td data-bbox="686 733 980 774">Week 10/12 – 10/16</td> </tr> <tr> <td></td> <td data-bbox="686 774 980 814">Week 10/26 – 10/30</td> </tr> <tr> <td data-bbox="250 814 535 849">West of Main Street</td> <td data-bbox="686 814 980 849">Week 10/19 – 10/23</td> </tr> </table>	East of Main Street	Week 10/12 – 10/16		Week 10/26 – 10/30	West of Main Street	Week 10/19 – 10/23			
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	Week 10/26 – 10/30								
West of Main Street	Week 10/19 – 10/23								
<p>Leaf pick up schedule is as follows:</p>	<p>LEAF PICK UP SCHEDULE</p>								
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West of Main Street	Week 11/9 – 11/13								
	Week 11/23 – 11/27								
<p>Commissioner New made a motion to dismiss Sean Sumpter, a Public Works Maintenance Worker, during his probationary period effective immediately. This decision was made after careful consideration and regret. Commissioner Moore seconded. In favor: Commissioner New: yes; Commissioner Moore: yes; Commissioner Grayson: yes; Commissioner Mattmiller: yes; Mayor Keith: yes; Opposed: none. Motion carried.</p>	<p>MOTION TO DISMISS SEAN SUMPTER EFFECTIVE IMMEDIATELY</p>								
<p>At this time, Mayor Keith and Commissioner Moore acknowledged Firefighter Greg Knight whose retirement was effective September 30, 2009. FF Greg Knight was presented gifts from his department and the City of Cynthiana. A reception will follow the meeting.</p>	<p>FIREFIGHTER GREG KNIGHT HONORED</p>								
<p>Commissioner Mattmiller made a motion to move to executive session in order to discuss the potential acquisition of real estate. Commissioner Moore seconded. In favor: Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner Grayson: yes; Commissioner New: yes; Mayor Keith: yes; Opposed: none. Motion carried.</p>	<p>EXECUTIVE SESSION POTENTIAL ACQUISITION OF REAL ESTATE</p>								
<p>Meeting moved to executive session at 6:40 P.M.</p>									
<p>Commissioner Mattmiller made a motion to return to regular session. Commissioner Moore seconded. In favor: Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner Grayson: yes; Commissioner New: yes; Mayor Keith: yes; Opposed: none.</p>	<p>MOTION TO RETURN TO REGULAR SESSION</p>								
<p>Mayor Keith advised that no action was taken.</p>	<p>NO ACTION TAKEN</p>								
<p>There being no further business to discuss, Commissioner Moore made a motion to adjourn. Commissioner New seconded. In favor: Commissioner Moore: yes; Commissioner New: yes; Commissioner Grayson: yes; Commissioner Mattmiller: yes; Mayor Keith: yes; Opposed: none. Meeting adjourned at 6:54 P.M.</p>	<p>MOTION TO ADJOURN</p>								

Charleen McIlvain, City Clerk

John M. Keith, Jr., Mayor