

October 26, 2010

The City of Cynthiana Board of Commissioners met in regular session on October 26, 2010 at 5:30 P.M. in the Commissioner's Room at City Hall. Present were Mayor Keith, Attorney Lair, Commissioners Grayson, Mattmiller, and Moore. Commissioner New was absent.

Mayor recognized Wayland Quisenberry, Code Enforcement Officer.

CODE ENFORCEMENT
REPORT

Mr. Quisenberry reported he was issuing courtesy calls to people informing them they cannot put their leaves into the streets until night before leaf pickup.

Mayor Keith reminded everyone that leaves in the street will clog storm drains and create problems.

After Mayor Keith reviewed Mr. Quisenberry's report, he thanked him for taking care of the numerous cars and other Code Enforcement issues he has been working on.

Mayor Keith recognized Dave Kennedy who reported that proposals were received from four engineering firms to perform the engineering services for the SRTS Grant.

DAVE KENENDY
REPORTED ON SRTS
GRANT

Commissioner Mattmiller stated that he had spoken with Mr. Kennedy and learned that there was \$25,000 allocated in the SRTS Grant for these services.

Commissioner Moore asked if it was determined who was actually in charge of this grant and if the issue with the federal mandates had been resolved.

Dave Kennedy reported that Jackie Jones, with DOT in Frankfort, was in charge of this federal grant and that the firm awarded this service is familiar with these issues and would assist the City with compliance.

ENGINEERING
SERVICES FOR SRTS
GRANT AWARDED TO
CDP ENGINEERS

Commissioner Mattmiller made a motion to award the engineering services to CDP Engineers, Lexington, per the recommendation of the committee appointed to review the proposals. Commissioner Grayson seconded. In favor: Commissioner Mattmiller: yes; Commissioner Grayson: yes; Commissioner Moore: no; Mayor Keith: yes. Motion carried.

Mayor Keith asked Dave Kennedy to review the bids on the pavilion project.

PAVILION BIDS
RECEIVED

Mr. Kennedy reported three bids were received.	
Herrington Investments	\$52,560
Judy Construction	\$62,200
The Neal Co.	\$61,786

Mr. Kennedy stated he had spoken to the Judge Barnett. This lowest bid puts the project approximately \$5,000 over budget with the City and County picking up the additional cost. Mayor Keith expressed his concern with the additional costs.

ACTION DEFERRED

Mayor Keith made a motion to postpone action and City meet with the county and the contractor to possibly negotiate a better price. Commissioner Moore seconded. In favor: Commissioner Moore: yes; Commissioner Grayson: yes; Commissioner Mattmiller: yes; Mayor Keith: yes. Opposed: none. Motion carried.

Mayor Keith recognized Mike Aldridge, Chair of Code Enforcement Board.

MIKE ALDRIDGE,
CODE ENFORCEMENT
BOARD CHAIR
REQUESTS FINES BE
INCREASED

Aldridge said Commission had a copy of their minutes from the October 21, 2010 meeting where their board discussed the penalties and what happens after the third citation is issued. He questioned the steps after the Code Enforcement Officer has given the third notice. His board wants to change the three offenses to \$50, \$75, \$125 and after third offence; it would then be \$100 per week until something is done.

Commissioner Mattmiller questioned if this is where we are now. Are the remaining ten vehicles just setting there with nothing more being done?

Mr. Quisenberry said yes. He can fine daily but he does not know how much to fine.

Commissioner Moore questioned if the remaining 10-12 have been fined but not paid. There are no ramifications if not paid.

Mike Aldridge stated he wants fines raised.

Commissioner Grayson asked if the fines are paid in the City Clerk's Office.

Commissioner Moore asked if the fines went to the General Fund.

Lair said the question is where is the teeth in this issue. Lair explained the Code Enforcement Board is suppose to enter a judgment against them at their meeting and then send the owner a notice which has a time frame to appeal. The Code Enforcement Board then files a lien against the property where violation has occurred. He has helped Quisenberry before and would help him again with this. Once the lien is filed, the owner cannot get a mortgage. If the lien becomes large enough the City can foreclose on the lien.

LAIR REPORTS CODE
ENFORCEMENT
PROCESS TO FILE
LIENS WHEN FINES
UNPAID

Mr. Quisenberry said he was hoping for something simpler. Lair said file the lien and get a judgment on the property. It is all spelled out in the ordinance.

Commissioner Grayson inquired about the issue of piles of trash he sees on streets. As much as five mattresses, several cans, and other piles of furniture at one site. Grayson is not in favor of raising fines at this time. He has seen improvements. Mr. Quisenberry is now talking to people and they are making changes. He prefers a system rather than getting into their pockets. He wants to look at the entire issue.

Commissioner Moore questioned why it took two weeks and what is the green notice.

Mr. Quisenberry stated he gave a courtesy call (the green notice) for one week and then one week on the notice of violation.

Commissioner Mattmiller stated that the courtesy call was never intended to be one week but a couple of days. He has previously discussed this with Mr. Quisenberry and sent him memos on this. Discretion was to be used with each case. Repeat violators and major violations were to forgo the courtesy call and be addressed immediately.

Commissioner Grayson said if we need to do something, we need to do it right. He informed Quisenberry that he had been doing a good job.

Mayor Keith thanked Mr. Aldridge and the board for being conscientious.

Mayor Keith advised the minutes of the October 12, 2010 meeting have been submitted for approval.

Commissioner Moore stated that in the third paragraph on the second page, the word "would" should be corrected to "why" with regards to the money for WEDCO.

Commissioner Grayson made a motion to approve the minutes with the correction. Commissioner Moore seconded. In favor: Commissioner Grayson: yes; Commissioner Moore: yes; Commissioner Mattmiller: yes; Mayor Keith: yes. Opposed: none. Motion carried.

APPROVE 10/12/10
MINUTES

Mayor Keith recognized Attorney Lair.

NO LEGAL ACTION
NEEDED

Attorney Lair reported there were several things going on but no action was needed at this time.

Mayor Keith recognized Commissioner Mattmiller

Commissioner Mattmiller made a motion to pay the following bills:

BILLS

General Fund	\$136,713.89
Water & Sewer Fund	\$ 65,934.95
Cash-in-Bank General Fund	\$ 67,048.64
Cash-in-Bank W & S Fund	\$179,389.61
Municipal Aid Road Fund	\$ 41,527.00

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

Commissioner Mattmiller reported he is in receipt of a change order from Superior Demolition in the amount of \$3,077.62 on the 215 S. Main St. demolition.

Commissioner Mattmiller made a motion to approve the change order from Superior Demolition. Commissioner Grayson seconded. In favor: Commissioner Mattmiller: yes; Commissioner Grayson: yes; Commissioner Moore: yes; Mayor Keith: yes. Opposed: none. Motion carried.

APPROVE CHANGE
ORDER WITH
SUPERIOR
DEMOLITION ON 215
S. MAIN ST.

Commissioner Mattmiller reported that the 2010 property tax bills have been mailed, are due on or before November 30, 2010 to avoid a penalty and that mortgage company requests have been honored. Tax bills can be paid in person at the City Clerk's Office, mailed or dropped into the night deposit box in the front door of City Hall.

PROPERTY TAX BILLS

Mayor Keith recognized Commissioner Moore.

Commissioner Moore announced Trick-or-Treat would be Saturday, October 30th from 6:00 – 8:00 P.M. for ages twelve and under. The sirens will sound to start and end Trick-or-Treat.

TRICK-OR-TREAT

Commissioner Moore said she would like to establish a committee to gather information and investigate the feasibility of the City becoming a Fire Based EMS. She had requested City Clerk McIlvain take some information to Attorney Lair. She would like specific positions on this committee such as the Fire Chief, other Fire Dept. personnel, County officials, etc.

COMMITTEE TO
REVIEW FIRE BASED
EMS

Mayor Keith asked if this would be county wide.

Commissioner Moore said that is one of the issues that would be explored before committing.

Mayor Keith said this is a valid issue to look into. He questioned if Northern Harrison County, Harrison County and Berry Departments would be involved.

Commissioner Grayson questioned if this was regulated by the state and how many EMS departments can we have.

Commissioner Moore stated this is what will be explored.

Commissioner Mattmiller stated he had previously talked to people in Northern KY but it never came up again. He does know that the county appropriates money each year to Brown's Ambulance.

Mayor Keith asked Commissioner Moore to put something together for the next meeting.

Commissioner Moore requested a special meeting be scheduled to discuss Hazardous Duty Retirement.

REQUEST SPECIAL MEETING

Commissioner Moore stated that the Handy House lease issue has been ongoing for a year. She wants to address this issue before the first of the year and would like it to also be on the agenda for the special meeting.

Mayor Keith recognized Commissioner Grayson.

Commissioner Grayson reported that he had been hearing around town that Tractor Supply had to take down their fence, paint it black and put back up. He wanted the public to know that the City did NOT have anything to do with this as the rumors are circulating. P & Z may have done this. It may be a Tractor Supply requirement but the City is not involved.

TRACTOR SUPPLY FENCE

Commissioner Grayson reported that the Main Street lot has been resurfaced and looks good. A big thanks is due Judge Barnett, his road crew and the City's Public Works crew. This a good example of what can be done when we work together.

MAIN STREET LOT PAVED WITH HELP OF COUNTY

Commissioner Grayson met with Dr. Mulberry to insure the parking lot improvements did not make cause him problems. He thanked the Mulberry's for the improvements they are making downtown.

Commissioner Grayson reported he wants the City to consider using a wider, longer and nicer street sign, perhaps with color as replacements are made.

Commissioner Grayson reported that waterline replacements continue on North Main St. The crews are working hard and doing a good job. There have been two main breaks but the crew was right on top of it because they have good coverage now.

WATER LINE REPLACEMENTS ON N. MAIN ST.

Commissioner Mattmiller reported for Commissioner New that leaf pickup begins on November 1st emphasizing not to put the leaves out until the night before.

There being no further business to come before the Commission, Commissioner Moore made a motion to adjourn. Commissioner Grayson seconded. In favor: Commissioner Moore: yes; Commissioner Grayson:

yes; Commissioner Mattmiller: yes; Mayor Keith: yes. Opposed: none.
Motion carried. 6:40 P.M.

Charleen McIlvain, City Clerk

John M. Keith, Jr.