

November 23, 2010

The City of Cynthiana Board of Commissioners met in regular session on November 23, 2010 Commissioner's Room at City Hall. Present were Mayor Keith, Attorney Lair, Commissioners Grayson, Mattmiller, Moore and New.

Mayor recognized Bonnie Skinner, the new Cynthiana-Harrison County Planning & Zoning Administrator. Ms. Skinner was present to introduce herself to the City Commission. She reported to the Commission that she is excited about her new job. She is working on a website that will contain applications and helpful information, the Comprehensive Plan update, will hold public meetings, and is working on in-house training for Board members.

BONNIE SKINNER,
P&Z ADMINISTRATOR

Mayor thanked Ms. Skinner for coming. He appreciated what she was doing. Mayor also acknowledged the presence of Avi Bear, P & Z Board Chairman.

Mayor recognized Wayland Quisenberry, Code Enforcement Officer.

CODE ENFORCEMENT
REPORT

Mr. Quisenberry reported he was working on property on North Main St. The PVA told him they did not have a deed to this property. He is concerned about where the City property boundaries are to determine if old vehicles are on city property.

Mayor Keith recognized Beverly Cooper.

BEVERLY COOPER
SEWER BACKUP IN
BASEMENT

Mrs. Cooper was before the Commission about a sewer backup problem that occurred in her basement after heavy rains on May 2, 2010. This was discovered on a Sunday morning. Serve-Pro was called out of Lexington who cleaned up the basement, hauled the sewage away, sprayed disinfectant and left fans to help dry the basement.

This was presented to the City as a claim but was denied by the City's insurance company. The claim was resubmitted and again denied. Mrs. Cooper said she had negotiated with Serve-Pro for an amount of \$4,752. She requested the City reimburse her for one-half of this cost.

Mrs. Cooper reported that during her own investigation, she learned that Hinkle had paved over the manhole in front of her house six years earlier and that the City maintenance records showed that they entered the manhole at 411 E. Bridge St. to the intersection of Bridge and Webster. Her house is located at 415 E. Bridge St. She said the City found tree roots in the line in front of her house so they should be responsible for this problem. She stated the insurance adjuster informed her that the City is not liable because it was tree roots. She thinks the City should be responsible for tree roots. She said she knew that in order to be liable, the City had to be negligent. She said the City has been negligent.

Commissioner Mattmiller asked if the sewage came up out of the floor drain. It did. He also inquired if she had a sump pump in her basement. She does not. He asked if she knew where her drain ran to. She does not.

Mayor Keith stated the City would take this request under consideration.

MINUTES 11/09/10
APPROVED

Mayor Keith advised the minutes of the November 9, 2010 meeting have been submitted for approval.

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

11/09/10 MINUTES
APPROVED

Mayor Keith recognized Attorney Lair.

Attorney Lair reported Mike Palmer, Harrison County EMS, has delivered a
very lengthy flood plain ordinance stating the City must adopt this
ordinance to remain in the Flood Insurance Program. A summary has
been prepared.

FIRST READING
ORDINANCE #1474
FLOOD DAMAGE
PREVENTION

Attorney Lair read a summary of Ordinance #1474 – the Cynthiana Flood
Damage Prevention Ordinance.

Commissioner New made a motion to approve the first reading of the
summary of Ordinance #1474. Commissioner Mattmiller seconded. In
favor: Commissioner New: yes; Commissioner Mattmiller: yes;
Commissioner Grayson: yes; Commissioner Moore: abstained. Mayor
Keith: yes. Opposed: none. Motion carried.

Attorney Lair reported there was an amendment to the K.U. contract to
add a street light at 103. E. Pearl. Street. Commissioner Mattmiller made
a motion to authorize the Mayor to sign the K.U. contract amendment to
add a street light at 103 E. Pearl Street. Commissioner New seconded.
In favor: Commissioner Mattmiller: yes; Commissioner New: yes;
Commissioner Grayson: yes; Commissioner Moore: yes; Mayor Keith: yes.
Opposed: none. Motion carried.

AMEND K.U.
CONTRACT TO ADD
LIGHT AT 103 E.
PEARL ST.

Commissioner Moore asked how much this light would cost.

Commissioner Mattmiller stated \$11.72 per month.

Attorney Lair reported that Commissioner Mattmiller met with members of
the Fiscal Court and Billy Fowler from the Historical Society. They are all
in agreement on the Handy House lease. There were minor modifications
pertaining to the gutters and foundations.

HANDY HOUSE LEASE

Commissioner Mattmiller reported that he suggested these two items
come out since the historical standards will outline these requirements.
The lease will determine when to construct any utilities to the property.

Commissioner Mattmiller made a motion to approve the lease and
authorize the Mayor to sign the lease. Commissioner Moore seconded.
Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner
Grayson: yes; Commissioner New: yes; Mayor Keith: yes. Opposed: non.
Motion carried.

Attorney Lair reported that the legal description and the new Secretary
Standards would be attached and become a part of the lease.

Commissioner Grayson stated it was time to get this matter out of the
way. The rehab plan is not defined but the attachment will support this.

Mayor Keith recognized Commissioner Mattmiller

Commissioner Mattmiller made a motion to pay the following bills:

BILLS

General Fund	\$194,139.14
Water & Sewer Fund	\$ 44,847.69

Cash-in-Bank General Fund	\$328,344.83
Cash-in-Bank W & S Fund	\$190,518.94
Municipal Aid Road Fund	\$ 53,256.66

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

Commissioner Mattmiller reported the total contains the \$100,000 to the HCAL Project for part of the required local match. \$100,000 to HCAL PROJECT

Commissioner Mattmiller stated that as everyone knew, the sewer fund has been running in the deficit. To date, this fiscal year, it is \$51,601. It was \$138,520 short in FYE 2010. In his opinion, this deficit will need to be addressed. There is a Public Hearing later tonight relating to a much needed sewer project. There will have to be increase considerations to meet the grant and loan requirements for this proposed project. SEWER RATE INCREASE NEEDED

Mayor Keith recognized Commissioner Moore.

Commissioner Moore made a motion to offer employment to an individual as a part-time certified firefighter subject to completing all pre-employment requirements. Commissioner Mattmiller seconded. Commissioner Moore: yes; Commissioner Mattmiller: yes; Commissioner Grayson: yes; Commissioner New: yes; Mayor Keith: yes. Opposed: none. Motion carried. OFFER EMPLOYMENT TO CERTIFIED PART-TIME FIREFIGHTER

Commissioner Moore said she will need an executive session later to discuss employment of a specific individual.

Mayor Keith recognized Commissioner Grayson.

Commissioner Grayson reported the new viaduct will open December 17th. The water distribution and public works employees are working together to complete the waterline replacement work before then. VIADUCT TO OPEN DEC. 17, 2010

Commissioner Grayson made a notion to accept the resignation of Harry Johnson effective December 1, 2010, the WTP Supervisor who has been here four years overseeing the upgrades and improvements at the plant. Commissioner Mattmiller seconded. In favor: Commissioner Grayson: yes; Commissioner Mattmiller: yes; Commissioner Moore: yes; Commissioner New: yes; Mayor Keith: yes. Opposed: none. Motion carried. RESIGNATION OF HARRY JOHNSON, WTP SUPERVISOR

Mayor Keith commented Johnson had done a fine job. He was a tremendous asset to our plant with all that he had done.

Commissioner Grayson reported that he had just learned today that Christine "Dusty" Florence has passed her test for her Class IV license.

Commissioner Mattmiller asked when they will start tearing down the old viaduct. This will start next week. The City will be able to use some of this to fill in where they are tearing down an old pump house.

Mayor Keith reported that when the new viaduct is opened, North Church Street will be closed for work to connect to the new viaduct. Church Street will not reopen until June 2011. N. CHURCH ST. TO CLOSE FOR WORK

Mayor Keith acknowledged Commissioner New.

Commissioner New reported that leaf pickup was extended one more week. Salt has been delivered and ready for winter. There will be three trucks running.

WATER LINE
REPLACEMENTS ON
N. MAIN ST.

Commissioner New thanked Gary Royalty for everything that he has done to for him and the P.W. Dept. Gary has been easy to work with, very knowledgeable. Commissioner New also thanked the P.W. employees. They come out in all kinds of weather, get in holes of water and are the least complaining of all City workers.

THANKS TO GARY
ROYALTY AND P.W.

Mayor Keith stated there was a Public Hearing scheduled for 6:30. He will entertain a motion to recess to hold the Public Hearing.

RECESS FOR PUBLIC
HEARING

Commissioner Grayson made a motion to recess. Commissioner Moore seconded. In favor: Commissioner Grayson: yes; Commissioner Moore: yes; Commissioner Mattmiller: yes; Commissioner New: yes; Mayor Keith: yes. Opposed: none. Motion carried. Recess 6:30 P.M. for Public Hearing.

Commissioner Moore made a motion to reconvene the regular meeting. Commissioner New seconded. Commissioner Moore: yes; Commissioner New: yes; Commissioner Grayson: yes; Commissioner Mattmiller: yes; Mayor Keith: yes. Opposed: none. Motion carried. Reconvened 6:45 P.M.

RECONVENE
MEETING

Commissioner Moore made a motion to go into executive session for the purpose of discussing the employment of a specific individual. Commissioner New seconded. Commissioner Moore: yes; Commissioner New: yes; Commissioner Grayson: yes; Commissioner Mattmiller: yes; Mayor Keith: yes. Opposed: none. Motion carried.

EXECUTIVE SESSION

Commissioner Moore made a motion to return to regular session. Commissioner New seconded. Commissioner Moore: yes; Commissioner New: yes; Commissioner Grayson: yes; Commissioner Mattmiller: yes; Mayor Keith: yes. Opposed: none. Motion carried.

Mayor reported no action taken.

Mayor acknowledged a visitor, Angela Dews of New York. Ms. Dews thanked the City for leasing the Handy House to the Historical Society. This is very important to her. Her great great great great grandfather, Riley Frazer Williams, was a slave there. She has been coming to this area once a year to research her family heritage.

There being no further business to come before the Commission, Commissioner New made a motion to adjourn. Commissioner Moore seconded. In favor: Commissioner New: yes; Commissioner Moore: yes; Commissioner Grayson: yes; Commissioner Mattmiller: yes; Mayor Keith: yes. Opposed: none. Motion carried. 6:58 P.M.

Charleen McIlvain, City Clerk

John M. Keith, Jr.

