

January 13, 2015

The City of Cynthiana Board of Commissioners met in regular session on January 13, 2015 at 5:30 P.M. in the Commissioner's Room at City Hall. Present were Mayor Smith, Commissioners Grayson, Mattmiller, Slade and Tapp and Attorney Lair.

Mayor Smith called the meeting to order and recognized Mike Barres of Calvary Assembly of God Church who gave the invocation before the start of the Commission meeting.

CALL TO ORDER  
REV. MIKE BARRES-  
INVOCATION

Mayor Smith reported that he received a letter from Becky Barnes of The Cynthiana Democrat prior to the meeting lodging an official complaint against the City for a series of meetings. He will get back to her on this after he has had a chance to discuss this with Attorney Lair.

OFFICIAL COMPLAINT  
FROM THE CYN  
DEMOCRAT

Mayor Smith recognized Emily Ammerman, Main Street Program Director.

E.AMMERMAN – MAIN  
ST. PROGRAM

Ammerman said she was there to welcome the new Commission and give them a packet of information with regards to downtown activities including a parking lot and burying the utility lines on Pike Street. She stated she would like for the Commission to make a decision in the next couple of months on the burying of the Pike Street utilities. She also reported that Main Street has been working with P&Z a lot on Code Enforcement and met with the Heritage Council about becoming a certified local government. She also said that P&Z would like an answer on a letter asking for more money. She stated that if they hire qualified people who can do the work rather than the state, they can make more money and would then need less from the City.

P&Z REQUEST FOR  
MORE FUNDING FOR  
CODE ENF

Commissioner Slade asked if it was \$6,000 additional they now want or \$9,000. It is \$6,000 more than the City has in their current budget which is \$30,000. They originally asked for \$26,000 but are now asking for \$36,000.

Mayor Smith reported one of the biggest complaints he gets is about downtown. He would like to see a major downtown cleanup in the spring. They need to get a list of all of the buildings that need painting and cleanup the parking lots.

CITY-WIDE SPRING  
CLEAN-UP

Commissioner Slade asked if they are going to address P&Z's request for more funding for Code Enforcement tonight.

Commissioner Grayson said he would rather not tonight. He has an action plan to present and one of those things is to have McIlvain look deeply into our finances and what projects we are committed to so that we know what funds are available or not.

Mayor Smith said they would address this at the next meeting.

Mayor Smith stated there were minutes to approve.

Commissioner Slade made a motion to approve the minutes of the December 22, 2014 special meeting. Commissioner Tapp

APPROVE 12/22/14  
SPECIAL MEETING  
MINUTES

seconded. Vote: Commissioner Slade: yes; Commissioner Tapp: yes; Commissioner Grayson: yes; Commissioner Mattmiller: yes; Mayor Smith: yes. Motion carried.

Commissioner Slade made a motion to approve the minutes of the January 2, 2015 special meeting. Commissioner Grayson seconded. Vote: Commissioner Slade: yes; Commissioner Grayson: yes; Commissioner Mattmiller: yes; Commissioner Tapp: yes; Mayor Smith: yes. Motion carried.

APPROVE 01/02/15  
SPECIAL MEETING  
MINUTES

Commissioner Grayson made a motion to approve the minutes of the January 9, 2015 special meeting. Commissioner Tapp seconded. Vote: Commissioner Grayson: yes; Commissioner Tapp: yes; Commissioner Mattmiller: yes; Commissioner Slade: yes; Mayor Smith: yes. Motion carried.

APPROVE 01/09/15  
SPECIAL MEETING  
MINUTES

Commissioner Grayson asked if these things acted upon at the January 9<sup>th</sup> meeting have been carried out. They assume they have been.

Mayor Smith recognized Attorney Lair.

Attorney Lair reported he has an amendment to the grievance policy prepared. The current policy is unclear that the Commission can step in and act on any grievance so that is addressed in the amendment. He can read it tonight or they can wait and review it. Mayor Smith said they will wait. Commissioner Mattmiller said he would just like a copy for now.

Attorney Lair stated he had sent the Board of Commissioners a memo about the recent Supreme Court decision on Police Officers Bill of Rights. It has been determined that now all things internally or externally with police officers have to adhere to the Police Officers bill of Rights.

SUP COURT RULING  
ON CHAPTER 15

Mayor Smith recognized Commissioner Grayson.

FINANCE REPORT

Commissioner Grayson made a motion to pay the following bills:

PAYABLES REPORT

General Fund	\$ 240,569.69
Water & Sewer Fund	\$ 102,081.83

Commissioner Slade seconded. Vote: Commissioner Grayson: yes; Commissioner Slade: yes; Commissioner Mattmiller: yes; Commissioner Tapp: yes; Mayor Smith: yes. Motion carried.

Commissioner Grayson reported cash in bank:

General Fund	\$ 210,958.63
Water & Sewer Fund	\$ 184,956.45
Municipal Road Aid Fund	\$ .82

Commissioner Grayson said he has a 2015 Action Plan for finance and property. He would like to see everyone have this.

2015 ACTION PLAN

Commissioner Grayson reported that he discussed last year at budgeting time to take a look at restructuring the 911 Center and location. He would like a feasibility study to look at this issue. There are two groups in City Hall 24 hours per day, the Fire

FEASIBILITY STUDY  
ON COMBINING 911 &  
FIRE DEPT

Department and 911 Center. He wants to put a committee together to strictly study to see if it is feasible to combine 911 and the Fire Department. The study would see if it is feasible and practical. He emphasized that no one would lose their job. This is strictly a feasibility study. This would be done internally at no cost.

Commissioner Grayson made a motion to set up a committee to do a feasibility study of the two departments to see if 911 and the Fire Department could be combined since they are both here 24/7. Commissioner Mattmiller seconded. Vote: Commissioner Grayson: yes; Commissioner Mattmiller: yes; Commissioner Slade: yes; Commissioner Tapp: yes; Mayor Smith: yes. Motion carried.

Commissioner Grayson reported they needed to appoint another Commissioner to the Parks and Recreation Advisory Board. He has one more year with his term expiring December 2015. Commissioner Keith was the other member. Commissioner Grayson made a motion to appoint Commissioner Mattmiller to the Parks and Recreation Advisory Board. Commissioner Tapp seconded. Vote: Commissioner Grayson: yes; Commissioner Tapp: yes; Commissioner Mattmiller: abstain; Commissioner Slade: yes; Mayor Smith: yes. Motion carried.

MATTMILLER  
APPOINTED TO PARKS  
AND REC BOARD

Mayor Smith recognized Commissioner Tapp.

PUBLIC SAFETY

Commissioner Tapp made a motion to advertise for Police Officers. Certified preferred but not required. Commissioner Slade seconded. Vote: Commissioner Tapp: yes; Commissioner Slade: yes; Commissioner Grayson: yes; Commissioner Mattmiller: yes; Mayor Smith: yes. Motion carried.

AD FOR POLICE  
OFFICERS

Commissioner Tapp made a motion to advertise for part-time Telecommunicators. He stated we need two – three more. Commissioner Slade seconded. Vote: Commissioner Tapp: yes; Commissioner Slade: yes; Commissioner Grayson: yes; Commissioner Mattmiller: yes; Mayor Smith: yes. Motion carried.

AD FOR PT  
TELECOMMUNICATORS

Commissioner Tapp asked Fire Chief Sanders to give a report.

Chief Sanders reported the new fire engine is on the road now but they do need a few more pieces of equipment for the truck. He is getting prices on a jaws unit for this truck. That ranges from \$19,000 - \$26,000. Engine 8 is shot, it cannot be started. They have to jump it every day. They need to do something with it. The City of Berry is interested. Thanks to the Walmart Manager who gave the Fire Department exercise equipment.

FIRE CHIEF DEPT  
REPORT

Commissioner Mattmiller asked if there was a reason they are not acting on the fire truck now.

Commissioner Tapp stated they should donate it to Berry.

POSSIBLY DONATE  
FIRE TRUCK TO BERRY

Commissioner Tapp asked the Fire Chief if they jaws of life could be refurbished to which the Chief stated they would still be twenty years old.

Commissioner Grayson asked Attorney Lair if they needed to declare the fire truck surplus before donating it and could they donate it to another City. Lair will read on that while they continue

the meeting.

Commissioner Tapp asked Police Chief Johnson to make a report.

Chief Johnson reported the Police Department received another Hwy Safety Grant for 2015, the Inter-local Agreement with other Police Departments and Sheriff Offices has been completed and will be introduced at the state capital next week. There is a drug drop-box located at the Police Department for unwanted/unused prescriptions and other items. Between April and December, 37.15 lbs. were dropped off. There have been numerous complaints lately of parking on sidewalks which is not allowed. Officers have been writing tickets for this offense. There is an Ice Blackbox app where you can photograph crime taking place and report it. Contact Sgt. Alan Judy for more information.

POLICE CHIEF DEPT  
REPORT

Commissioner Tapp made a motion to hire Wilbur Gross as a part-time Telecommunicator effective January 6, 2015. Salary commensurate with position. Commissioner Slade seconded. Vote: Commissioner Tapp: yes; Commissioner Slade: yes; Commissioner Grayson: yes; Commissioner Mattmiller: yes; Mayor Smith: yes. Motion carried.

HIRE WILBUR GROSS  
PT  
TELECOMMUNICATOR

Attorney Lair reported that KRS 82.083 sets out three reasons how surplus property can be disposed of and transferring to another government agency is one of those.

Commissioner Tapp stated he wanted to report on Community Oriented Policing. They have several young officers. They have had a meeting and will be dividing up the neighborhoods and assigning an officer to get to know the residents in their area.

Commissioner Tapp reported he wants to expand the area that police cruisers can be taken home. He wants it to be increased to a 30 mile radius of Cynthiana. The officers who drive out of the City would reimburse the City for one tank of gas per month. He stated that Lexington does this and so do other cities. He stated it is not right that some officers can take their cars home and other cannot. Commissioner Tapp made a motion to increase the take home cruiser policy to a 30 mile radius of Cynthiana. Commissioner Mattmiller seconded.

EXPAND CRUISER  
TAKE-HOME DISTANCE

Commissioner Grayson said he is not in favor of this. They would be putting too many miles on these cruisers, adding to wear and tear and oil changes. Commissioner Grayson made a motion to table this for now. The motion to table died for a lack of a second.

Vote on motion to expand cruiser take-home distance:  
Commissioner Tapp: yes; Commissioner Mattmiller: yes;  
Commissioner Grayson: no; Commissioner Slade: yes; Mayor Smith: yes. Motion carried.

Commissioner Tapp stated the Police Department had two good drug busts with the State Police and Sheriff's Office.

Mayor Smith recognized Commissioner Slade.

PUBLIC WORKS

Commissioner Slade reported Alan Swinford had been off, used up all of his FMLA, an unpaid leave of absence, and had not requested

another unpaid leave of absence. He did not report back to work following a leave of absence and therefore, he made a motion to terminate the employment of Alan Swinford effective immediately. Commissioner Tapp seconded. Vote: Commissioner Slade: yes; Commissioner Tapp: yes; Commissioner Grayson: yes; Commissioner Mattmiller: yes; Mayor Smith: yes. Motion carried.

TERMINATE ALAN SWINFORD

Commissioner Slade reported that Harley Flack has attended the classes, taken the test and obtained his Water Distribution System operator Class I Certification through the Division of Water. To be consistent with this in the past, Commissioner Slade made a motion to increase Harley Flack's hourly wage by 35cents for obtaining his certification effective December 15, 2015. Commissioner Grayson seconded. Vote: Commissioner Slade: yes; Commissioner Grayson: yes; Commissioner Mattmiller: yes; Commissioner Tapp: yes; Mayor Smith: yes. Motion carried.

H.FLACK OBTAINED DIST CERT – 35CENT INCREASE

Commissioner Slade reported they have salt on hand. There have been several reports of water coming out of the sidewalk. They have to first determine if it is the City's or a service line. Then the other utilities have to be located before then can repair this. That takes up to two days for a line locate. They are trying to salt in these areas.

Mayor Smith recognized Commissioner Mattmiller.

PUBLIC UTILITIES

Commissioner Mattmiller reported Eric Hutchison, who worked in water distribution, has taken another full-time job but requested to remain a part-time employee who may be available to come out nights and weekends to help. A discussion with the Director of Public Works/Utilities revealed this would be a good thing. Commissioner Mattmiller made a motion to change the classification of Eric Hutchison from a full-time employee to a part-time employee. Any hours he would work would be requested by the supervisors and approved by the Director of Public Works/Utilities. Commissioner Slade seconded. Vote: Commissioner Mattmiller: yes; Commissioner Slade: yes; Commissioner Grayson: yes; Commissioner Tapp: yes; Mayor Smith: yes. Motion carried.

CHG ERIC HUTCHISON FROM FT TO PT

Mayor Smith reported the annual Martin Luther King, Jr. Day March will be January 19, 2015 beginning at 10:00am at the Ebenezer Church.

MAYOR SMITH

Mayor Smith reported he will be attending the City Officials Academy January 21-23 and encouraged the Commissioners to attend.

Mayor Smith reported that on January 22, 2015 from 6:00-8:00pm there will be a presentation by the Heroin Impact Response Task Force at the Cynthiana Christian Church. He encouraged everyone to attend.

Mayor Smith reported the Harrison County Historical Society book is almost complete. He encouraged everyone to support that effort.

Mayor Smith recognized Douglas Hall in the audience who asked to speak on generalities. He wants a better city map, wanted to know why officers' wages could not be raised, why City Hall could not be painted and look better and questioned the funding for 911.

Commissioner Mattmiller made a motion to go into executive session to discuss pending litigation and possible litigation under KRS 61.810 (1)(b). Commissioner Grayson seconded. Vote: Commissioner Mattmiller: yes; Commissioner Grayson: yes; Commissioner Slade: yes; Commissioner Tapp: yes; Mayor Smith: yes. Motion carried.

EXEC SESSION

Commissioner Grayson made a motion to return to regular session. Commissioner Tapp seconded. Vote: Commissioner Grayson: yes; Commissioner Tapp: yes; Commissioner Mattmiller: yes; Commissioner Slade: yes; Mayor Smith: yes. Motion carried.

RETURN TO REG  
SESSION

Mayor Smith reported pending litigation was discussed. No action taken. Possible litigation was discussed. Commissioner Slade made a motion to authorize the City Attorney to write a letter to an individual regarding proposed litigation. Commissioner Tapp seconded. Vote: Commissioner Slade: yes; Commissioner Tapp: yes; Commissioner Grayson: yes; Commissioner Mattmiller: yes; Mayor Smith: yes. Motion carried.

Commissioner Mattmiller made a motion to adjourn. Commissioner Slade seconded. Vote: Commissioner Mattmiller; yes; Commissioner Slade: yes; Commissioner Grayson: yes; Commissioner Tapp: yes; Mayor Smith: yes. Motion carried.

ADJOURN

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Charleen McIlvain, City Clerk

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James Smith, Mayor