

July 5, 2016
Commission Meeting

The City of Cynthiana Board of Commissioners met in regular session July 5, 2016 at 5:30 P.M. in the Commissioner's Room at City Hall. Present were Mayor Smith, Commissioners Grayson, Mattmiller, Slade and Griggs and Attorney Lair.

Mayor Smith called the meeting to order.

CALL TO ORDER

Mayor Smith recognized Jason Rice with the New Beginnings Worship Center to present the invocation.

JASON RICE
INVOCATION

Mayor Smith recognized Hank Graddy, an attorney employed by the Heritage Council.

VISITORS

Attorney Graddy reported that he appeared before the Fiscal Court last week to ask that the demolition contract for the Handy House be put on hold. The Fiscal Court decided to move on with the contract. He thanked Mayor Smith for putting him on the agenda. Attorney Graddy stated that because his report to the Fiscal Court lacked specificity that he has two people to join him tonight. Both of these people have intent to give checks to the City Attorney to hold for details to be worked out to stop the demolition of the Handy House for a period of 60 days. Attorney Graddy asked that Griffin Vanmeter come forward. Mr. Vanmeter would like to offer a cash offer of \$10,000 to purchase the Handy House with the effort of turning it into a true asset for this community. Mr. Vanmeter has a lot of confidence that it can be turned into an asset for the community. He stated he is bona fide buyer and would be able to renovate the house all by himself. Mr. Vanmeter stated that there is a world of potential here. Mayor Smith asked what are some potential uses for the house. Mr. Vanmeter stated there are limited possibilities for the house. Mr. James Swinford stated that Flat Run Veterans Park is a recreational park for the citizens of Cynthiana and Harrison County. That is what it was purchased for. There is a master plan. Attorney Graddy stated that it is either a \$10,000 asset or a \$60 or \$70 thousand dollar liability. They are requesting a joint meeting with the Fiscal Court and the City Commission to come up with terms to restore the house.

HANK GRADDY
ATTORNEY FOR
HERITAGE COUNCIL

Commissioner Griggs questioned that the city would have a cost of 60-70 thousand dollars. She has not heard that cost. The cost would be \$7500 divided between the city and county. Commissioner Griggs stated that his figures are not correct.

Eric Whisman with the Kentucky Trust for Historic Preservation is here to present a check for \$1000 to take ownership for a 60 day option to find another candidate if Mr. Vanmeter is not an acceptable candidate for the city and county. Mr. Whisman also requested a joint meeting. He also wanted to go on record that he knows the company that is doing the demo and \$7500 will be exponentially short. Mr. Whisman stated the city would be sorry that they went that route. Commissioner Grayson asked that he repeat what he just said. Mr. Whisman restated what he said and confirmed that it is just his personal opinion. Commissioner Grayson stated that is what he wanted to hear, that it is just his opinion. Mr. Whisman concluded that he is ready to give a check for \$1000 tonight, he believes Mr. Vanmeter is a good candidate to complete this project.

Lois Gross asked if \$10,000 is what the property is appraised for. Mayor Smith commented that anyone could make an offer for any amount on a property. James Swinford asked is that what we are doing auctioning off the Handy House. Mayor Smith stated no sir, we are not auctioning off the Handy House, do you want to make an offer. Mr. Swinford stated he may have to before we leave here tonight. Mr. Swinford made a bid of \$10,001.

Commissioner Grayson stated that as Commissioner of Public Property his responsibility is to do what he was asked to do a couple of months ago, to find someone to tear down the Handy House respectfully. Mr. Grayson stated that in 2005 the price to update the master plan to relocate the aquatic center would be \$12,000 with the \$10,000 offer we are still in the hole for \$2000. Commissioner Grayson stated this has gone on and on and it is time to finish it. The decision has been made. If the Commission wants to give it to someone else they can. Commissioner reported that he has a reliable person to do the demolition. Mr. Whisman shakes his head in disagreement. Commissioner Grayson stated as before one opinion is as good as another opinion.

Commissioner Grayson stated he has done this with dignity and respect.

Commissioner Slade asked Attorney Lair if it is possible to have a joint meeting and make a decision. Is it legal? Attorney Lair stated yes it is probably possible.

Commissioner Grayson asked about the contract that Judge Barnett and Mr. Ponder of Salvage Nation. Attorney Lair stated he does have a contract and if the city approves the Mayor to sign it would be legal.

Attorney Lair stated that Judge Barnett and the Fiscal Court would have to agree to have a joint meeting. Commissioner Slade stated that he thinks that the county should hear the new offer.

Commissioner Griggs stated that we cannot assume the county would agree to the meeting.

Attorney Graddy asks that the City hold off on signing the contract until he has a chance to bring the offer before the Fiscal Court and the City in a special joint meeting.

Commissioner Mattmiller stated that it is like a parent thing, like if a child asks his grandmother if he can go swimming and she says no, not before supper, and he then goes and asks grandfather and he says sure. All parties should get together at the same time and decide.

Commissioner Griggs feels like the citizens that were interested in speaking regardless of what side they were for or against have spoken, the Fiscal Court, and the Commissioners have spoken. Then put a dollar amount and a few weeks something else will be put in the mix. Commissioner Griggs stated we have a lot of work to do; we need to move on with this. Commissioner Griggs stated that with respect I thought this was already decided, we need to move on with other business.

Commissioner Slade made a motion to have a joint meeting with the county with only one item on the agenda and to make a decision that

night on the Handy House. If the Fiscal Court doesn't agree to have a joint meeting then the City is to consider the contract before us tonight. Commissioner Mattmiller seconded.

Mayor Smith made a motion to amend the motion to have a deadline set to before the end of July 2016. Commissioner Mattmiller seconded. Vote: Mayor Smith: yes; Commissioner Mattmiller: yes; Commissioner Grayson: no; Commissioner Slade: yes; Commissioner Griggs: no. Amended Motion carried.

Vote on motion: Commissioner Slade: yes; Commissioner Mattmiller: yes; Commissioner Grayson: no; Commissioner Griggs: no; Mayor Smith: yes. Motion carried.

Commissioner Slade would like to introduce a visitor to tonight's commission meeting. Due to the Arts Council and the Harrison County Foundation with a small grant there is a mural being completed downtown. Commissioner Slade recognized the man behind the magic in just 5 days and 70 cans of spray paint Sergie Odeith. Mr. Odeith created the Walking Dead Mural which is the first of a series planned for the downtown area.

WALKING DEAD MURAL
ARTIST SERGIE
ODEITH

Mayor Smith reported that there are minutes to approve.

Commissioner Slade made a motion to accept the minutes of the June 21 2016 Regular Commission meeting. Commissioner Grayson seconded. Vote: Commissioner Slade: yes; Commissioner Grayson: yes; Commissioner Mattmiller: yes; Commissioner Griggs: yes; Mayor Smith: yes. Motion carried.

APPROVE 6/21/2016
MEETING MINUTES

LEGALS

Attorney Lair reported that the first item on the agenda is for the Mayor to enter into an agreement for an asbestos study. The agreement is for QAS in the amount of \$65.00 per hour and \$10.00 per sample with an estimate of 10 samples. This is for the removal of the Handy House and the study needs to be done before demolition. Mayor Smith made a motion to authorize the Mayor to enter into an agreement for an asbestos study. Commissioner Mattmiller seconded. Vote: Mayor Smith: yes; Commissioner Mattmiller: yes; Commissioner Grayson: yes; Commissioner Slade: yes; Commissioner Griggs: yes. Motion carried.

AUTHORIZE MAYOR TO
ENTER INTO
CONTRACT WITH QAS
FOR ASBESTOS STUDY
AT HANDY HOUSE

Attorney Lair stated that there is motion that was tabled to authorize Mayor Smith to sign contract with Salvage Nation for demolition of Handy House. Motion was tabled to get performance bond added into contract. Mayor Smith made a motion to take motion off the table. Commissioner Mattmiller seconded. Vote: Mayor Smith: yes; Commissioner Mattmiller: yes; Commissioner Grayson: yes; Commissioner Slade: yes; Commissioner Griggs: yes. Motion carried.

MOTION TO TAKE
MOTION OFF TABLE

On the motion that was tabled to authorize the Mayor to sign original contract with Salvage Nation excluding performance bond. Commissioner Grayson made the motion on June 21, 2016. Commissioner Griggs seconded. Vote: Commissioner Grayson: no; Commissioner Griggs: no; Commissioner Mattmiller: no; Commissioner Slade: no; Mayor Smith: no. Motion carried.

TABLED MOTION

Mayor Smith made a motion to authorize the Mayor to sign a contract with Salvage Nation concerning the demolition of the Handy House should the Fiscal Court not agree to a joint meeting or in the event of a joint meeting restoration is voted down. Commissioner Griggs seconded. Attorney Lair reminded the commission that there are requirements that need to be attached to the contract such as workers compensation and liability insurance a performance bond. Attorney Lair asked the commission for permission to call Mr. Graddy and inform him of the action taken after he left tonight's meeting. No objection. Vote: Mayor Smith: yes; Commissioner Griggs: yes; Commissioner Grayson: yes; Commissioner Mattmiller: yes; Commissioner Slade: no. Motion carried.

MOTION TO AUTHORIZE MAYOR TO SIGN CONTRACT WITH SALVAGE NATION IN THE EVENT OF NO COUNTY MEETING OR RESTORATION VOTED DOWN AT CITY/CO JOINT MEETING

Attorney Lair stated the last item on the legal agenda is the opening of a bid for a 1996 Dodge Ram.

There is only 1 bid. Mayor James Smith in the amount of \$101.00. Commissioner Mattmiller made a motion to accept the bid. Commissioner Grayson seconded. Commissioner Slade asked if it is legal for the Mayor to bid. Attorney Lair stated yes it needed to be disclosed that he is the Mayor. It is the finding of the Commission that it is in the best interest of the public, it is a reasonable bid, and it is the only bid. Vote: Commissioner Mattmiller: yes; Commissioner Grayson: yes; Commissioner Slade: yes; Commissioner Griggs: yes; Mayor Smith: abstain. Motion carried.

OPENING BID & AWARD 1996 DODGE RAM

Mayor Smith recognized Commissioner Grayson.

FINANCE REPORT

Commissioner Grayson made a motion to pay the following bills:

PAYABLES REPORT
MOTION TO PAY BILLS

General Fund \$ 32,686.66

Water & Sewer Fund \$ 34,167.38

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

Commissioner Grayson reported cash in bank:

CASH IN BANK

General Fund \$ 645,183.05

Water & Sewer Fund \$ 185,661.91

Municipal Road Aid Fund \$ 126,521.47

Mayor Smith recognized Commissioner Slade.

Commissioner Slade stated he has nothing to report.

Mayor Smith recognized Commissioner Griggs.

MAINTENANCE DEPT REPORT

Commissioner Griggs made a motion to hire an individual as a temporary Maintenance Worker I upon successful completion of all pre-employment requirements. Commissioner Grayson seconded. Vote: Commissioner Griggs: yes; Commissioner Grayson: yes; Commissioner Mattmiller: yes; Commissioner Slade: yes; Mayor Smith: yes. Motion carried.

MOTION TO OFFER EMPLOYMENT TO TEMP MAINT WORKER I

Commissioner Griggs reported that the water line is installed on Clifton and is ready to be tested. Four valves have been installed on Bridge Street. Mowing continues. Crews are focusing on cleaning the downtown area. Crews have also been installing stop signs.

Mayor Smith recognized Commissioner Mattmiller.

Commissioner Mattmiller made a motion to offer employment to an individual as a part-time Rental license inspector/assistant to the Mayor and Board of Commissioners contingent on successful completion of all pre-employment requirements. Commissioner Slade seconded. Vote: Commissioner Mattmiller: yes; Commissioner Slade: yes; Commissioner Grayson: yes; Commissioner Griggs: yes; Mayor Smith: yes. Motion carried.

Commissioner Mattmiller reported that we are now pumping water from the Main Licking and is going well. The chemical feed building is operational.

Commissioner Mattmiller reported that with the assistance of Deputy Clerk, Samantha Wright has prepared a map of FRVP so that the Recreation Department will be able to look at what we have and see where things will go such as basketball court and disc golf.

Mayor Smith made a motion to approve appointments to the City of Cynthiana Ethics Board, Frazier Lebus with a term expiring March 27, 2019, Trent Harris with a term expiring March 27, 2018, and Mary Todd Ashbrook with a term expiring March 27, 2017. Commissioner Grayson seconded. Vote: Mayor Smith: yes; Commissioner Grayson: yes; Commissioner Mattmiller: yes; Commissioner Slade: yes; Commissioner Griggs: yes. Motion carried.

Mayor Smith made a motion to authorize the Mayor to apply for variances for (3) lots in the Westside Redevelopment Project to allow houses to be built on these lots. Commissioner Grayson seconded. Vote: Mayor Smith: yes; Commissioner Grayson: yes; Commissioner Mattmiller: yes; Commissioner Slade: yes; Commissioner Griggs: yes. Motion carried.

Mayor Smith reported that the disc golf equipment discussed at the last meeting has been ordered. Also the \$5000 check that Howard Fryman from Rotary Club questioned about last week has been located, the county has it and the county has also agreed to match the city with \$5000 so there is now \$15,000 allocated for a basketball court.

Mayor Smith made a motion to go into executive session to discuss acquisition of real property pursuant to KRS 61.810(1) b and a personnel issue of a specific individual pursuant to KRS 61.810(1) d. Commissioner Griggs seconded. Vote: Mayor Smith: yes; Commissioner Griggs: yes; Commissioner Grayson: yes; Commissioner Mattmiller: yes; Commissioner Slade: yes. Motion carried.

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

PUBLIC UTILITIES
REPORT
MOTION TO OFFER
EMPLOYMENT TO
RENTAL LICENSE
INSPECTOR

MAYOR'S REPORT

MOTION TO
AUTHORIZE MAYOR TO
APPLY FOR VARIANCES
WESTSIDE
REDEVOLPMENT

ADJOURN

EXECUTIVE SESSION

RETURN TO REGULAR
SESSION

Commissioner Slade made a motion to authorize Mayor Smith to acquire a small parcel of land south of Indian Creek Road on terms to be negotiated by the Mayor. Commissioner Grayson seconded. Vote: Commissioner Slade: yes; Commissioner Grayson: yes; Commissioner Mattmiller: yes; Commissioner Griggs: yes; Mayor Smith: yes. Motion carried.

MOTION TO
AUTHORIZE MAYOR TO
PURCHASE SMALL
PARCEL ON LAND
SOUTH OF INDIAN CR
ROAD

Mayor Smith reported no action taken on personnel issue.

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

Jamie Hutchison, City Clerk

James Smith, Mayor

7/5/2016