

The City Council of the City of Eminence, Kentucky met in a regular session on Monday, July 12, 2010 at 6:15 p.m. at the Eminence City Hall with Mayor Jim Pettit and the following members present: Danny Meadows, Polly Troxell, Shawn Bright, Drane Stephens, and Lee Ann Armstrong. Absent was Member Leo Mason. Also in attendance were Attorney William Brammell, City Clerk Sandra Doane, Public Works Director William Smith, Police Chief Carey Duncan, Employee Tim Fitzgerald, Henry County Local Representative Jonna Spelbring Priester, and several citizens.

Pledge of allegiance held.

Mayor Pettit reminded everyone to have their cell phones either off or on silent and not to ask to speak unless on the agenda.

Mayor Pettit called the meeting to order at 6:15 p.m.

**Subject: Acceptance of Credit/Debit Cards** – Travis Littrell with National Processing Company (NPC) was present to discuss the possibility of the City and Water Works being able to accept debit and credit card payments toward water/sewer bills and tax bills. Mr. Littrell explained that the water bill credit/debit card acceptance could be based on a convenience fee which is paid by the consumer in the amount of \$5.00 for a bill up to \$150.00 or by an interchange rate plus additional fees along with a \$9.95 per month fee which would be paid by the City. The credit/debit card acceptance for property taxes would be based up on a 3% consumer fee of the tax amount. All of the contracts require a one-time start-up fee in the amount of \$39.99.

Member Bright arrived at 6:20 p.m.

Mr. Littrell explained that this would be a totally secure web-based program with a machine to swipe the cards or the numbers can be keyed in. The information will be archived for thirteen months. Complete reports can be retrieved on a daily, weekly or monthly basis. There is no early termination fee with the contract and no personal guarantor is required.

Attorney Brammell stated he has reviewed the contract and is okay with the contract. The questions he had have been answered by Mr. Littrell.

Member Stephens stated he feels the convenience fee is the way to proceed as it would not involve any ongoing expense for the City, but would allow us to provide a good service.

Motion made by Member Stephens to authorize the Mayor to enter into contracts with National Processing Company (NPC) for debit/credit card acceptance service with a convenience fee of \$5.00 to be charged for utility bills not exceeding \$150.00 and for debit/credit card acceptance

service with a 3% fee of the bill amount to be charged for taxes. Motion seconded by Member Armstrong. On a call of vote by Clerk Doane, all members present voted “Yea”.

**OLD BUSINESS:**

**Subject – Concrete Bid Opening** – Mayor Pettitt opened the following bids for concrete for our sidewalk project.

Allstate Ready Mix, Inc., LaGrange, KY 40031 – 81.70 per yard  
KCI Companies, Cecilia, KY 42724 (has plant in Shelbyville) – 76.00 per yard  
Pearce Ready Mix Concrete, Inc., Buckner, KY 40010 – 80.00 per yard plus delivery

Discussion held with the apparent low bidder being KCI Companies out of Cecilia, KY; however Council wanted to check with all the bidders to clarify that the bids were all inclusive of delivery. Attorney Brammell stated it is appropriate to clarify with the bidders before awarding the bid.

**Subject: Sidewalk Removal & Installation Bid Opening** - Mayor Pettitt opened the following bids for the sidewalk removal & installation.

Max Quire, Bagdad, KY - \$42,203.00  
Stanley Concrete, LLC, Smithfield, KY 40068 - \$32,303.00  
Karsner Construction Co., Inc., Frankfort, KY 40601 - \$53,468.00  
Roederer Construction, Inc., LaGrange, KY 40031 - \$73,280.00  
Gra-Kat Services, LLC, Shelbyville, KY 40065 - \$38,485.25  
Jeff Cozine Concrete Construction, Eminence, KY 40019 - \$6,460.00

Discussion held due to the large difference between the bids concerning whether the bidders were bidding on the same criteria. Mayor Pettitt stated each bidder had exactly the same information. Member Armstrong questioned whether Mr. Cozine, as a small company with no employees would be able to complete the job in the required time. Mr. Cozine put on his form three weeks from the start date as the anticipated completion date with us giving 35 days in the bid criteria. The bidding specifications sheet and the actual advertisement in the paper were reviewed by council.

Motion made by Member Stephens and seconded by Member Troxell to accept the bid from Jeff Cozine Concrete Construction in the amount of \$6,460.00 subject to verification of his understanding of the scope of work and time limit involved to complete the work. On a call of vote by Clerk Doane, all members present voted “Yea”.

**Subject: Minutes** – The minutes of the previous regular session held on June 14, 2010 were reviewed. Mayor Pettitt asked for any additions or changes to the minutes. With no additions or changes forthcoming, Mayor Pettitt stated they would stand approved as presented.

## **REPORTS:**

**Subject: Police Department Report** – Chief Carey Duncan reviewed the monthly activity report with council which showed total contacts of 241 for June. Nineteen individuals were arrested on thirty-five separate charges. The Department had two driving under the influence and six other alcohol related incidents.

**Subject: Property Ordinance Enforcement Report** – Chief Duncan reported there were five ordinance notices issued and no citations issued in June for property ordinance violations.

**Subject: Police Comments** – Chief Duncan reported that he has received a very complimentary letter from the Fletcher Law Firm about Officer Rodney Hawkins and his courtesy to the individual writing the letter.

**Subject: Public Works Department Report** – Public Works Director William Smith reviewed the monthly activity report with council. Mr. Smith reported that the street paving list should have been reviewed by all members with the paving to start soon. Member Meadows stated he feels we need to add Henry Street from the cross street (Shadyview) to Mulberry Road and Carroll Avenue. Member Meadows also suggested that the next time we blacktop anywhere we need to mill down the blacktop as we are getting too high. Mayor Pettit objected to adding Henry Street as he did not want the public to feel as if he blacktopped his own street. Member Meadows stated he is not the only one who lives on this street and he feels it is in need of repair. Discussion held with Consensus to add these two streets

**Subject: Administrative Office Report** – City Clerk Sandra Doane reviewed the monthly administrative office report with council reporting that end of the year functions are being completed in order to get the books to the auditor earlier this year.

**Subject: Fire Department Report** – Member Meadows reviewed the June monthly Fire Department report which showed seven total runs and special details. Member Meadows reported that Chief Lucas is back to work. The Department has issued a no burn at this time.

**Subject: Festivals Update** – Member Armstrong reported that Eminence Day planning is on target with Rick Van Hoose being confirmed as Grand Marshall. Another planning meeting will be held on Thursday evening at 6:30 p.m. The booth rental is doing extremely well.

Music on Main was cancelled due to the possibility of rain. We will not reschedule for this month, but may do one in October.

**Subject: Parks Update** – Member Stephens reported he is disappointed that the electric pole has not been installed at the park. He has spoken with Todd Chesser with Kentucky Utilities who also thought it should have been done by now. Todd assured Member Stephens he would take care of this for us.

**Subject: Movies at the Park** – Member Armstrong reported on the Movies at the Park which had approximately 100 in attendance. She suggested not showing any previews as it does make

the movie run late. Project Prom did the cleanup for being allowed to set up concessions. Member Armstrong thanked Public Works Director William Smith for obtaining a better base for the water fountain.

The next movie, Cloudy with a Chance for Meatballs will be shown on Friday, July 23, 2010.

### **NEW BUSINESS:**

**Subject: Eminence Education Foundation Appointment** – Mayor Petitt reported that the City has one appointment to the Eminence Education Foundation Board and that our current representative has resigned. Mayor Petitt recommended Danny Meadows as our replacement. Motion made by Member Stephens to approve the appointment of Danny Meadows as the City representative on the Eminence Education Foundation Board of Directors. Motion seconded by Member Armstrong. On a call of vote by Clerk Doane, Members Stephens, Armstrong, Bright and Troxell voted “Yea”. Member Meadows abstained from the vote.

**Subject: Warrants** - The warrants presented for payment were reviewed. Motion made by Member Bright and seconded by Member Meadows to approve the warrants for payment as presented. On a call of vote by Clerk Doane, all members present voted “Yea”.

**Subject: New Business/Council** – Mayor Petitt asked if any council member had anything they wanted to discuss.

Member Armstrong stated that the Eminence Booster Club wants to purchase signs to put underneath of our “Welcome to Eminence” signs which would read “Home of the Warriors” and would like permission to install these under the City signs on the same post. Motion made by Member Troxell and seconded by Member Meadows to approve the installation of these signs underneath the City’s signs on the same post. On a call of vote by Clerk Doane, voting “Yea” were Members Troxell, Meadows, Bright, and Stephens. Abstaining from the vote was Member Armstrong. Public Works Director William Smith stated his department would be willing to install these signs for the Booster Club.

**Subject: Mayor’s Update** – Mayor Petitt reported that Tim Fitzgerald has received his certification as a Class II Water Distribution Operator and in turn has received the specified bonus and salary increase.

Mayor Petitt reported that he has been informed that we are required to have licenses for the playing of any type of recorded music, with the cost based upon current information, being \$589.00 per year for the two different licenses required. This would provide us a blanket license for any recorded music we want to play. Attorney Brammell reported there is some enforcement across the country going on with the penalty and performance cost being more than the license costs as we would be violating federal copyright laws. Motion made by Member Meadows and seconded by Member Troxell to authorize the Mayor to enter into contracts with BMI and ASCAP for the required licensing. On a call of vote by Clerk Doane, voting “Yea” were Members Meadows, Troxell, Bright, and Stephens. Abstaining was Member Armstrong.

Mayor Pettitt reported that we need to approve for Leo Mason to perform at Eminence Day. Motion made by Member Bright and seconded by Member Armstrong to enter into a paid agreement with Leo Mason to provide music with the reasons to allow this being his local stature in the community and the unique ability of his talents and draw to the public and that no other person can provide the same service in the same way and it is in the best interest of the City that Leo Mason provide the services notwithstanding that he is an officer of the City. On a call of vote by Clerk Doane, all members present voted "Yea".

**Subject: Closed Session** – None needed.

With no further business to be discussed, motion made by Member Bright and seconded by Member Stephens to adjourn. All members present voted "Yea". Meeting adjourned at 7:28 p.m.

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JIM PETITT, MAYOR  
CITY OF EMINENCE, KENTUCKY

ATTEST: \_\_\_\_\_  
SANDRA A. DOANE, CITY CLERK  
CITY OF EMINENCE, KENTUCKY