

The City Council of the City of Eminence, Kentucky met in a regular session on Monday, May 9, 2011 at 6:15 p.m. at the Eminence City Hall with Mayor Drane Stephens and the following members present: Polly Troxell, Tom Shroyer, Treva Browning, Danny Meadows and Lee Ann Armstrong. Absent was Leo Mason. Also in attendance were Attorney William Brammell, Asst. City Clerk Robin Mullins, Police Chief Carey Duncan, Employee Tim Fitzgerald, Henry County Local Representative Jonna Priester, Citizens: Rose Ann Martin, Joyce Meyer and Helen Moore.

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

Pledge of allegiance held.

Subject: Public Hearing – Mayor Stephens called the MAP and LGEA public hearing to order at 6:15 p.m.

Individuals present for the public hearing were the same as listed above.

Mayor Stephens explained the required uses for the Local Government Economic Assistance funds stating they must be used for public safety. The only expense budgeted for the next fiscal year is \$3,000.00 for the purchase of signs.

Mayor Stephens explained the required uses for the Municipal Aid Program funds stating they must be used on streets, roads, sidewalks, etc. Mayor Stephens reviewed the proposed expenditures from the Municipal Aid Program fund for the 2011/2012 fiscal year.

Mayor Stephens asked for comments from the public and if we had received any written comments concerning the proposed uses for either fund. Asst. Clerk Mullins stated no written comments had been received for either fund.

With no written or oral comments from the public regarding the proposed uses and budget for the MAP and LGEA funds, the public hearing was closed at 6:30 p.m.

Regular meeting opened at 6:30 p.m.

OLD BUSINESS:

Subject: Minutes – The minutes of the previous regular session held on April 11, 2011 were reviewed. Mayor Stephens asked for any additions or changes to the minutes. With no additions or changes forthcoming, Mayor Stephens stated they would stand approved as presented.

Subject: Amendment of Water and Sewer Ordinance – Attorney Brammell held the second reading of an amendment to the water and sewer ordinance which would allow a once per calendar year sewer adjustment for filling of permanently installed swimming pools. Motion made by Member Meadows and seconded by Member Shroyer to adopt the ordinance amendment as read. On a call of vote by Asst. Clerk Mullins, all members present voted “Yea”.

Subject: Resolution Establishing Rules for Coach D. Park – Attorney Brammell read a resolution establishing rules for Coach D. Park. Member Meadows asked Henry County Local Representative Jonna Priester to publish a copy of the rules in the local. Motion made by Member Armstrong and seconded by Member Troxell to approve the resolution as read establishing rules for Coach D. Park. On a call of vote by Asst. Clerk Mullins, all members present voted “Yea”.

REPORTS:

Subject: Police Department Report – Chief Carey Duncan reviewed the monthly activity report with council which showed total contacts of 399 for April. Twenty-Five individuals were arrested on sixty separate charges. The Department had thirteen driving under the influence and four other alcohol related incidents. Chief Duncan explained there had been a burglary home invasion and an arrest had been made.

Subject: Property Ordinance Enforcement Report – Chief Duncan reported there was no ordinance notices issued in April for property ordinance violations. Mayor Stephens stated that he and Asst. Clerk Mullins were working together on the grass complaints. They had sent out five courtesy notice letters to citizens and four yards had been mowed as of today.

Subject: Police Comments – None.

Subject: Public Works Department Report – In the absence of Public Works Director William Smith, employee Tim Fitzgerald reviewed the monthly activity report with council. Mr. Fitzgerald reported that the Public Works Director attended the Quarterly Water Management Council Meeting at KIPDA and the Local Water Council Meeting at the Judges’ Office. Judge Brent reassured us that Eminence would receive funding first when funds were available. There were minor problems at pump stations and plant due to excessive flow. They also had to make an emergency purchase of a grinder for the wastewater plant. The council wanted to thank the public works department for all the work they have done at the park. Member Armstrong asks if the park could be sprayed before DJ in the Park. Mr. Fitzgerald also asked Chief Duncan if they could help make sure the restrooms at the park were opened in the morning.

Subject: Administrative Report – Asst. Clerk Mullins, reviewed the monthly administrative report with council reporting that 97% of the 2010 tax bills have been collected. Final delinquent tax notices have been mailed and we are continuing to receive requests for contracts to make delinquent tax payments.

Mayor Stephens reported on the third quarter financial statements/budget review indicating that he has reviewed them in depth with no significant concerns. Requested council review and if they have any questions to contact either him or Clerk Doane. Member Shroyer asked if we would need to do line item changes if line items were over. Attorney Brammell stated that at this point line item changes are not needed as long as the bottom line is not over.

Subject: Fire Department Report – Member Meadows reviewed the Fire Department report with council which showed fifteen runs and special details in April for 144 ½ total man hours. Member Meadows stated that the fire department wants to proceed with updating the bathroom in the original location and would meet with Mayor Stephens.

Discussion held on the unusable 1975 fire pumper. After discussion, motion was made by Councilman Meadows stating that the 1975 Pierce Custom Fire Pumper should be declared surplus property in that

it was originally purchased as a rescue truck and that it is no longer serviceable as such. Based thereon he moved that the council make the said finding, declare the vehicle surplus and advertise for bids on its purchase alternatively as a titled vehicle or as scrap. The motion was seconded by Member Armstrong. On a call of vote by Asst. Clerk Mullins, all members present voted "Yea". Fire Chief Lucas asked if we could move the truck to the city lot for viewing before it is advertised.

Fire Chief Lucas presented a proposal to purchase a 2009 Ford F550 4X4 as the new rescue truck. He traveled to Lawrenceburg, Tennessee over the weekend to look at the truck. The original purchase price on the rescue truck was \$89,000.00, but he talked them down to \$80,000.00. However, there is another Fire Department in New York interested in purchasing the truck and whoever gets their funding and contract first will get it. Member Meadows suggested we use the \$9,700.00 in the Depreciation Fund-Fire Truck Account as a down payment and use the \$10,000.00 yearly that is allotted for the account for future payments. The only thing that would need to be done to the truck is lettering. Attorney Brammell stated we could forgo the bidding process if this purchase is declared an emergency. Chief Lucas stated that this is an emergency since we don't have a rescue truck and we will have to take two to three trucks to cover an accident. The rescue truck is used more than 75% of the time. Mayor Stephens asked Fire Chief Lucas to go get the contract faxed over for Attorney Brammell to review. Chief Lucas returned 10 minutes later and said New York had already signed a contract and they have until Wednesday to get funding. If they fail to get funding then the truck is ours. Mayor Stephens stated if this deal falls through we need to take our time and find exactly what we are looking for. Motion made by Member Meadows and seconded by Member Browning to authorize the Mayor to proceed with purchase of the 2009 Ford F550 4X4 rescue pumper truck from M3 Fire Apparatus for the fire department at a purchase price not to exceed \$80,000, contingent upon the following

1. Mayor properly declaring an emergency so as to permit proceeding without bidding;
2. Review and approval of contract form by the City Attorney; and
3. Truck availability.

On a call of vote by Asst. Clerk Mullins, all member present voted "Yea".

Subject: Festival Update – Member Armstrong stated the committee met on April 26th and touched base on the festivals. Nothing to report at this time on Eminence Day. Music on Main will be Friday, May 13, 2011 from 7:00 p.m. to 11:00 p.m. Notification will be in the paper on Wednesday, May 11, 2011. There will be three vendors; J.T. Stinson said we could use his trailer; the band will be Timothy Day & the Nights. Member Armstrong also asked if the police could help out. DJ in the Park will be Saturday, May 28, 2011 from 6:00 p.m. to 10:00 p.m. The DJ will be paid by the Henry County Care Team. The Eminence Senior Class will have their annual picnic at Coach "D" Park on May, 20, 2011.

Subject: Parks Update – There hasn't been a meeting, but Mayor Stephens said everything was complete except for lighting. The park is in good shape and there will not be any other projects unless the grant is received.

Subject: Community Center Update – Mayor Stephens stated there wasn't a meeting for the month of April. Over 2,000 people have signed in, so they are doing better than expected.

NEW BUSINESS:

Subject: Open Citizen Comments/Questions – Helen Moore of 492 Sulphur Ave was present to request help with her neighbor's dogs. She stated that there were four dogs that belonged to one owner that were loose and chasing neighbors. She stated Chief Duncan has been helping and patrolling

but nothing is really working. Chief Duncan stated that he had served four or five citations to this one person and she had court today. Mrs. Moore wanted to know if we could rewrite the dog ordinance to make it more forceful. Mayor Stephens and Attorney Brammell stated we needed to wait and see what the county is going to do after the hiring of an Animal Control Officer for the new fiscal year. Mayor Stephens stated after July 1, we would see what changes, if any, need to be made to our ordinance.

Subject: Mayor's Update – Mayor Stephens asked the council if they would be interested in charging a fee for the registration of vacant property. When companies are registering the vacant property they are asking what the fee is. Clerk Doane checked with several other cities and the fees seem to range from \$25.00 to 100.00. The council decided the fee should be \$50.00. Attorney Brammell will draft an amendment to the ordinance adding the fee.

Mayor Stephens stated he had put \$15,000.00 in the budget for Wi-Fi. So far there have been two estimates - one at \$52,000.00 and the other at \$6,500.00. Mayor Stephens stated there are problems with both estimates. He was told it didn't matter how strong the signal was if the equipment the citizens used wasn't strong enough to reach the signal. So he will keep looking until he was sure we can do the project correct.

Mayor Stephens asked the council if they were still interested in doing a City-Wide Trash Day. The Council stated they were and would like to do it in June or July. Mayor Stephens is going to get some information on dumpsters and recycling and report back at the June meeting.

Mayor Stephens read a letter of thanks from Eminence Superintendent Buddy Berry thanking the Police Department for having a traffic officer present in the morning and afternoon.

Subject: New Business/Council – Mayor Stephens asked if any council member had anything they wanted to discuss. Member Meadows stated he feels like we need to push the county to have a better way to alert the citizens in the rural area. The sirens can't be heard in the rural area and the one call now came out to late. Mayor Stephens said maybe the county needs to look at their one call now system and remove the numbers that are no longer in service. This will speed up the process.

Subject: Johnny Pittman/Zone Change - Attorney Brammell stated that a zone change was needed for the property located at 448 West Broadway to go from a B-1 to B-2. Johnny Pittman is in the process of opening a used car lot, with 20 to 25 vehicles. Attorney Brammell stated there were three courses of action we could take: 1. Take no action; 2. Consider – have discussion and vote; or 3. Schedule a hearing and hear proof ourselves. After discussion, motion made by Member Armstrong and seconded by Member Meadows to approve the recommendation from Henry County Planning and Zoning to allow the zone change from B-1 to B-2 for the property located at 448 West Broadway. On a call of vote by Asst. Clerk Mullins, all members present voted "Yea".

Subject: Amendment to the Personnel Policy Ordinance – Mayor Stephens held the first reading of an amendment to the personnel policy ordinance which would require an employee who has to work on holidays and employees who are scheduled to be off duty on the observance of the holiday to receive equivalent time off at a later date as soon as practical following the holiday. The department supervisor may recommend to the Mayor and the Mayor may approve that the employee receive payment for the holiday in lieu of scheduling a later day off. All accrued holidays and personal days shall be lost if not taken during the holiday year.

Subject: Budget Message – Mayor Stephens presented the fiscal year July 1, 2011 through June 30, 2012 budget and read his corresponding budget message. Mayor Stephens asked council to continue to

review the line item budget and if they have any questions to contact either himself or Clerk Doane. Mayor Stephens reported the budget committee has reviewed and given their approval of the budget as presented to full council tonight.

Subject: Budget Ordinance – Attorney Brammell held first reading of the budget ordinance for fiscal year July 1, 2011 through June 30, 2012.

Subject: Warrants – The warrants were presented for payment. Motion made by Member Meadows and seconded by Member Armstrong to approve the warrants for payment as presented. On a call of vote by Asst. Clerk Mullins, all members present voted “Yea”.

Subject: Closed Session – None needed.

With no further business to be discussed, motion made by Member Meadows and seconded by Member Troxell to adjourn. All members present voted “Yea”. Meeting adjourned at 8:15 p.m.

DRANE STEPHENS, MAYOR
CITY OF EMINENCE, KENTUCKY

ATTEST:

SANDRA A. DOANE, CITY CLERK
CITY OF EMINENCE, KENTUCKY