

The City Council of the City of Eminence, Kentucky met in a regular session on Monday, October 10, 2011 at 6:15 p.m. at the Eminence City Hall with Mayor Drane Stephens and the following members present: Polly Troxell, Treva Browning, Danny Meadows, Lee Ann Armstrong and Leo Mason. Absent were Member Tom Shroyer and Attorney William Brammell. Also in attendance were City Clerk Sandra Doane, Police Chief Carey Duncan, Police Officer Phillip Parham, Public Works Director William Smith, Magistrate Scott Bates, Employee Tim Fitzgerald, Attorney Barry Baxter (representing Southern States) and David Huff with Southern States.

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

Pledge of allegiance held.

**OLD BUSINESS:**

**Subject: Minutes** – The minutes of the previous regular session held on September 12, 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.

**GUESTS:**

**Subject: Haunted House** – George Banks arrived and addressed council about the haunted house being set up at the Renaissance Faire. Mr. Banks stated they had the haunted house at New Castle last year but will be holding it at the Renaissance Faire this year. All the profits go to the youth of the community. He has eight to nine thousand dollars invested in this project. Mr. Banks stated that the school can use his props for a designated time with all the admission money to go to them and feels we can work together on this project. He wants the local youth to go here rather than having to drive to Louisville or other places. He is accepting donations and volunteers to help with the haunted house. He will even provide transportation if needed. Mayor Stephens stated this has always been a major fund raiser for the seniors so he hopes we can work everything out. Member Armstrong stated this is a traditional fundraiser for the seniors and they were assured they would be able to have the haunted forest that night. Mr. Banks stated this can all be worked out with the seniors being allowed to use his equipment for a few hours at no charge. They will need a guide and a ticket taker for the designated time. They can set their own fee during their time frame. The high school seniors want to have their haunted forest from 6:00 to 8:00 p.m. on Saturday night, October 29<sup>th</sup>. Mr. Banks indicated this would be okay and that they can use his props within their area. They will need to come out and go through the haunted house ahead of time to learn the props and the forest area. Mayor Stephens stated he would meet with Ed Frederick of the Renaissance Fair to work everything out and will get back in touch with Mr. Banks after this meeting to get everything clarified and set up.

**Subject: Henry County EMS** – Scott McClamroch with the Henry County EMS was present to give an update on the EMS services. Mr. McClamroch reported that the County now has a paramedic available 24/7 along with two emergency medical technicians 24/7. A second truck is also out during the daytime hours. The paramedic assesses at the scene to determine if they are needed or not to go to the hospital. Mr. McClamroch reported that Magistrate Scott Bates is the EMS Chairman. The EMS has operated in the black the last few years but are now having more difficulty with this. Scheduled runs do generate income, but there are no dialysis patients right now who need transporting. This is a good thing for our community but has required some belt tightening on the part of the EMS. The emergency response time for Eminence is between 5 and 7 minutes with the national average being 8-1/2 minutes. Some volunteers do still make runs in Eminence, Campbellsburg and Pleasureville when needed. Before 1997 we only had volunteer service in the County. An ambulance is still parked at our EMS building in Eminence and the helicopter pad is still being used. If at any point the building is no longer being used for EMS, it will revert back to the City of Eminence. Mayor Stephens asked about the status of the AED's. It was reported that Magistrate Beasley is still working on this for us. Typically the County will pay ½ of one per year with the City to pay the other half. The AED's purchased need to be compatible with the County EMS equipment. More and more businesses are getting AED's now which is very valuable for the County. For a patient in need of one, five to seven minutes is too long to wait for the ambulance to arrive with an AED. Judge Brent indicated that we could go ahead and get two since it is already October and the County would pay ½ of each. Mr. McClamroch stated to call him if any questions at 845-5400.

**Subject: 911 Fund** – Judge John Logan Brent had arrived to discuss our concerns with the 911 fund. Judge Brent reviewed some of the income and expense items with council. Judge Brent indicated that six or seven years ago they did pay a portion of the 911 salary (about \$5,000.00) out this fund but don't now. This was an allowed expense due to new addressing being needed when new properties are developed. When 911 first started in 1997-1998 the contracted amount with the state police was \$30,000.00 per year for fifteen years. It has not increased to \$45,000.00 per year. Judge Brent indicated that vehicle maintenance, 911 equipment repairs, purchase of radios, batteries and repeaters for the police and fire are paid from this fund with the exception of Eminence since we stopped participating in the expenses. Batteries alone are several hundred dollars. Other expenses are digital pagers, rent on tower properties, repairs to towers, utilities, and reserve funds. He has included 911 addressing signs to be paid from this fund, but has never spent any money for signs from this fund. The fund balance for this account has gone from \$126,000.00 to 60,000.00 to 26,989.72 at the end of June, 2011. More and more general funds are having to go into this account. Judge Brent stated the problem is not the expenses it is the receipts which have gone from \$91,155.00 at 6-30-06 to \$61,797.00 at 6-30-10 and to \$58,697.00 at 6-30-11. Of course, part of the less income is Eminence's decision to not pay the past few years. The loss of house phones with people going to just cell phones in the County is the problem. Member Meadows asked about the difference in what we pay versus what the other cities pay. Judge Brent indicated that Pleasureville pays more money in proportion to their use than we do. He did have the state police confirm various addresses outside of the city limits which have Eminence as the city and they held strong that they would not have listed them as Eminence. Mayor Stephens asked what the reserve for transfer expense was with Judge Brent indicating it is a cushion for all other areas.

Judge Brent stated when he came into office he had the 911 fund separated from the general fund for transparency purposes. Member Meadows asked Judge Brent if he receives monthly reports. Judge Brent stated he did not receive monthly reports on the number of runs. Question asked if our charge could go down if our use goes down. Judge Brent stated 29.5% of all calls still come out of Eminence which hasn't changed much since the beginning of 911. Motion made by Member Meadows and seconded by Member Armstrong to pay \$5,000.00 this year toward the 911 service with the money to come out of the budgeted amount for Wi-Fi. On a call for vote by Clerk Doane, all members present voted "Yea".

Judge Brent gave an update on the County. Judge Brent stated he has a good relationship with Mayor Stephens and really appreciates that.

Judge Brent commended the City on our park development and renovations. He feels that one statement we can make is to show we care about our kids and families. Our park is a statement of pride which he feels we need more than anything else.

Judge Brent assured the City that our sewer project is #1 on the list and if Frankfort gives the County any money we will be the first to get it for our project.

Judge Brent discussed the economic development council with the City. All Mayors have a seat on the Board and are allowed one other appointee. Doug Bates is the City's appointee. They have been discussing a professional facilitator to help the County and appreciate the City's commitment of \$5,000.00 a year for three years. It has been determined that \$150,000.00 to \$200,000.00 a year is needed so this hiring of a facilitator may not happen.

Member Meadows asked Judge Brent if Highway 55 South in Eminence is scheduled to be blacktopped. Judge Brent stated the County has no control over this state highway and only has input on the secondary roads. The State District 5 office is who we should contact.

Member Troxell stated she is so proud that the Henry County Park is moving faster than originally anticipated. The park is being used so much that parking is a problem at the park.

### **REPORTS:**

**Subject: Police Department Report** – Police Officer Phillip Parham reviewed the monthly activity report with council which showed total contacts of 308 for September. Thirteen individuals were arrested on forty-three separate charges. The Department had six driving under the influence and two other alcohol related incidents. Member Meadows asked if the department had any leads on the recent break-ins. Officer Parham stated they are still working the cases. Officer Parham recommended dead bolts with a key inside.

**Subject: Property Ordinance Enforcement Report** – No report.

**Subject: Police Comments** – None.

**Subject: Public Works Department Report** – Public Works Director William Smith reviewed the monthly activity report with council. Mr. Smith reported that the paving is complete and came in under budget. The speed humps have been installed with warning signs put up. Mr. Smith reported that two representatives from District 5 did look at South Main for evaluation, but it is not on the list for this year. They also looked at the intersection at the traffic light and agreed that the bumps should be taken out and the lanes marked with paint so that wheelchairs and mechanical chairs could get across. Mr. Smith reported that the bank drive thru is almost ready with East Broadway being opened back up. The drive thru will have a right turn only onto Main Street. They paved the parking area and re-marked the parking spots for us with everything anticipated for completion on Monday. The City has benefitted from their project by using excess concrete, repairs to our catch basin, etc. The sidewalk work is complete with the exception of seeding. Mr. Smith reported he has met with Derrick Engineering and walked our site for the wastewater plant expansion. Mr. Derrick will be drafting plans for the Division of Water. Mayor Stephens stated he plans to organize a site visit to the sewer plant for the Council.

**Subject: Administrative Office Report** – City Clerk Sandra Doane reviewed the monthly administrative office report with council reporting that the 2011 property taxes have been processed and mailed with approximately \$8,250.00 having already been collected as of this report date. Clerk Doane reported we have received reimbursement from Henry County Water District No. 2 of all our costs associated with notification to our customers for their violation. Clerk Doane reported we have received federal excise tax reimbursement for 7-1-10/6-30-11 in the amount of \$1,500.14.

Clerk Doane reviewed the estimate of \$1,600-2,100.00 for updating the City's Code of Ordinances. This amount is within the budgeted amount. Consensus of Council to proceed with this project based upon the estimate.

**Subject: Fire Department Report** – Member Meadows reviewed the Fire Department report with council which showed eleven total runs and special details in September for 88 total man-hours. Member Meadows thanked the Public Works Department for installing the new lights at the Fire Department. The Board is considering installing flood lights outside the door as well. Member Meadows reported we are still getting the generator, but have to bid it now. Member Meadows reported that some people are putting tires and other illegal items on fires after the Department has inspected the burn site. This will cause the people to be penalized if caught.

**Subject: Festivals Update** – No report

**Subject: Parks Update** – No report.

**Subject: Community Center Report** – Mayor Stephens reported attendance at the Community Center is averaging 2,200 per month. They are looking at how to get funds to put up wall padding.

**NEW BUSINESS:**

**Subject: Open Citizen Comments/Questions** – No one present who wished to address the council.

**Subject: Zone Change Request at 760 Elm Street** – The zone change request for Southern States at 760 Elm Street from B-2 to I-2 was discussed. This zone change request is being requested so that large quantities of liquid propane can be stored on the property. This is the same request as previously submitted. There are already some tanks there and they could put in the equal amount of additional tanks under the current zone. Mayor Stephens stated that if the Council decides to postpone their decision and hear the zone change arguments, Attorney Brammell wants to be present. Member Meadows asked if any citizens had objected to the zone change. Attorney Baxter stated that no objections were voiced. Motion made by Member Browning and seconded by Member Mason to approve the zone change as recommended by planning and zoning to change the zone from B-2 to I-2 including all the binding limiting elements as agreed to by Southern States as included with the zone change application. On a call for vote by Clerk Doane, all members present voted “Yea”. Member Browning inquired whether installing a berm would increase the safety. David Huff with Southern States stated no, it would actually increase the danger. They will still need to re-apply for their permit. Anything they are currently doing is grandfathered in, but they do not anticipate any other expansions at this time. They will also have to go to the Board of Adjustments. The propane tank is the only thing they are proposing at the present time.

**Subject: Garbage Franchise** – Postponed.

**Subject: Mayor’s Update** –Mayor Stephens reported he has been approached by an individual to be allowed to collect funds at our intersection for use in our County. Mayor Stephens reported he told the individual that we have always only allowed our Fire Department to collect for the crusade. Allowing collection is dangerous and the Police and Fire Department do not like this added concern. Mayor Stephens stated he feels we need a policy even if it is that we will not allow soliciting. Discussion held including the possibility of allowing only non-profit groups to solicit funds. Mayor Stephens stated he will work on this and see what others cities allow.

Mayor Stephens stated he has been approached for another speed hump on Hillcrest Drive in front of Steve and Peggy Mertz’s house. It was discussed that this would be expensive to do out of the blue without the blacktopping company’s assistance. Consensus to table this request until the next budget. Public Works Director Smith reported that the installation of the ones on Eminence Terrace has converted the traffic to Crabb Avenue which now needs a hump.

Mayor Stephens informed council of the disc course grand opening on October 22, 2011 at 9:00 a.m. at Harry Hill Park.

Mayor Stephens informed council of the Christmas Dinner to be held on December 13<sup>th</sup> at 6:30 p.m. at Scriber’s Station on Elm Street.

Mayor Stephens stated we will be selling the white pickup truck in the parking lot as surplus once we obtain the title. This was confiscated property.

**Subject: New Business/Council** – Mayor Stephens asked if any council member had anything they wanted to discuss. Member Armstrong stated that individuals are making u-turns from the funeral home front parking and getting into her grass. She needs to know what she can do about this. Council suggested putting timbers or yard bricks at the edge of her property.

**Subject: Warrants** - The warrants presented for payment were reviewed. Motion made by Member Troxell 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: Closed Session** – None needed.

With no further business to be discussed, motion made by Member Meadows and seconded by Member Armstrong to adjourn. All members present voted “Yea”. Meeting adjourned at 7:45 p.m.

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DRANE STEPHENS, MAYOR  
CITY OF EMINENCE, KENTUCKY

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