

The City Council of the City of Eminence, Kentucky met in a regular session on Monday, August 13, 2012 at 6:15 p.m. at the Eminence City Hall Council Chambers with Mayor Drane Stephens and the following members present: Polly Troxell, Tom Shroyer, Treva Browning, Danny Meadows, Lee Ann Armstrong, and Leo Mason. Absent was none. Also in attendance were Attorney William Brammell, City Clerk Sandra Doane, Public Works Director William Smith, Police Chief Carey Duncan, Citizen Jon Park, and Henry County Local Representative Brad Bowman.

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

Pledge of allegiance held.

Subject: County Business – Mayor Stephens reported that Magistrate Scott Bates was unable to attend but gave him a brief verbal report to present. Reported that the committee reviewing the conversion of the EMS building located in Eminence back to the City is not in agreement with some wanting to keep and use it for a backup station. Another holdup on a decision is the requirement for the voting machines to be located at the voting polls for a specific number of dates before and after an election. The machines are stored at the EMS Building. Mayor Stephens reported he has sent a copy of the deed and the minutes from previous years which mandate that the building and property come back to the City should it cease to be used as an EMS location. Magistrate Bates is fairly optimistic that this will come back to us due to the utilities and other costs associated with keeping the building as a backup for the County with minimal if no use.

Subject: Introduction – Mayor Stephens introduced Jon Park who is running for council and asked Mr. Park if he wished to address the council. Mr. Park declined.

Subject: Closing of a Public Way – Mayor Stephens stated he would be speaking for Brian Morris with Foresight Group on the closing of a public way. Mr. Morris is working with a development group on the potential development across the street and one of their next steps is to have the City close the public way. This closure does require the consent of all adjoining property owners, which has been received. This closure would also be contingent upon the property all being transferred into common ownership and retention of all easements for water/sewer lines. The recording of the plat will make this a done deal. Attorney Brammell held the first reading of an ordinance closing a public way pursuant to KRS 82.405. Mayor Stephens stated he would be calling a special meeting to hold the second reading of this ordinance.

Subject: Speed Bumps on Vernon Avenue – Mayor Stephens stated that since Jason Simpson, who had requested to be on the agenda to discuss speed bumps on Vernon Avenue, wasn't present this item will be postponed.

Subject: Speed Bumps on Hillcrest Drive – Mayor Stephens stated he had been asked by Renita Vargas to discuss her request and petition signed by Hillcrest Drive residents to install an

additional speed bump on their street. The petition requests that one additional speed bump be installed due to the large amount of kids in this area and the lack of sidewalks. Their suggested location for the speed bump was at approximately 275 Hillcrest Drive. Discussion held. Motion made by Member Armstrong and seconded by Member Browning to authorize the installation of one additional speed bump as requested on Hillcrest Drive. On a call for vote by Clerk Doane, all members present voted "Yea".

OLD BUSINESS:

Subject: Minutes – The minutes of the previous regular session held on July 9, 2012 were reviewed. Mayor Stephens asked for any additions or corrections to the minutes. Member Armstrong indicated that her name should be listed under the Public Works Department Report as the one who asked for a key to the water spout at the park rather than Member Troxell's name. Mayor Stephens stated this correction would be made and that the minutes would stand approved as corrected.

Subject: Ordinance Updating the Compensation Plan – Attorney Brammell held the second reading of an ordinance updating the City's Compensation Plan to include the consumer price index increase of 2.96%. Motion made by Member Armstrong and seconded by Member Mason to adopt the ordinance as read. On a call for vote by Clerk Doane, all members present voted "Yea".

REPORTS:

Subject: Police Department Report – Police Chief Carey Duncan reviewed the monthly activity report with council. Chief Duncan stated they had 251 total contacts for the month. Thirteen individuals were arrested on thirty-two separate charges. The Department had five driving under the influence and two other alcohol related incidents. Mayor Stephens thanked the Department for the great Eminence Day coverage. Member Armstrong inquired on how hard it would be for our department to enforce our current animal control ordinance. Chief Duncan stated that our ordinance merely states that dogs must be under the owners' control which could be ambiguous for an officer to determine. Mayor Stephens stated he had hoped to do something with the County but we may need to proceed with updating our ordinance without them and that he will work on this if council desires. We do try to have all calls on dogs handled by the Animal Control Officer. Chief Duncan stated we did have nine animal complaints in July. They can take care of the calls temporarily and have the dog picked up if necessary. Our ordinance will be looked at for update.

Subject: Property Ordinance Report – Chief Duncan reported that a couple of notices on the property ordinance were given with no citations written.

Subject: Police Comments – None.

Subject: Public Works Department Report – Public Works Director William Smith reviewed the monthly activity report with council. Member Meadows thanked the Public Works Department for all the work at the park with the mulch and landscaping. Member Mason thanked them for getting the electricity fixed for Eminence Day as no problems were experienced. Member Armstrong inquired if there were signs up warning of the speed bumps on

Crabb Avenue. Mr. Smith stated that there are signs up. Council expressed their appreciation for everyone's hard work for Eminence Day.

Subject: Administrative Office Report – City Clerk Sandra Doane reviewed the monthly administrative office report with council reporting that we have collected approximately 97% of the total 2011 property taxes and franchise additions as of August 9th.

Clerk Doane reported on various other receipts during the month including the receipt of subsidy funds from the Commonwealth of Kentucky for participating in the state's health insurance program. Clerk Doane reported on the booth rental income and advertisement income from Eminence Day. Clerk Doane reported that all general ledger work is complete and ready to go to the auditor for the fiscal year ending June 30, 2012.

Subject: Fire Department Report – Member Meadows reviewed the Fire Department report with council which showed five total runs and special details in July for total man-hours of 28. Member Meadows reported that Assistant City Clerk Robin Mullins attended the last meeting and reviewed the end of the year financial status with the Board. Member Meadows reported that Becky Lucas has been appointed to take Cheryl Hellhake's place on the Fire Board. Member Meadows reported that the Fire Department did not receive the forest grant this year.

Subject: Festivals Update – Member Troxell reported that she felt Eminence Day went great. Mayor Stephens thanked the festival committee for a great job all season. Member Armstrong reported that Mary Scriber did a great job on the booth rental with 60 booths being rented and that Margaret Beaumont did a great job on the advertisements. The Little Miss and Mister overflowed their space so it was a great success. Member Armstrong reported that the DJ in the Park was a great success with 300+ in attendance. The committee will be meeting to re-cap the events and generate some ideas for next year and address any concerns from this year.

Subject: Parks Update – Member Armstrong reported that the youth want to have more than one event at the Park. Member Armstrong requested that we have the vendor put more water/Gatorade instead of sodas in the drink machine. She asked why the water in the fountain is not cold. Mr. Smith reported that we would have to purchase a different type with a cooler on it if we want it cold. Discussion held that most parks only provide tap water. Member Armstrong reported that Clint Hedges is painting the silhouettes on the building. Member Stephens suggested that the downhill slope at the park would be a great place for an amphitheater.

Subject: Community Center Report – Nothing to report.

NEW BUSINESS:

Subject: Open Citizen Comments/Questions – Citizen Jon Park stated that he felt Eminence Day was a great day. Brad Bowman with the Henry Council Local asked Mayor Stephens if he could come by on Tuesday to discuss the development across the street from City Hall. Mayor Stephens stated he could be available around 9:00 a.m.

Subject: Use of Leo Mason's Band for Eminence Day – It was discussed that we had inadvertently forgotten to approve the use of Leo Mason's band for Eminence Day. Attorney Brammell stated we still needed to do this retroactively. Motion made by Member Meadows and seconded by Member Browning to authorize retroactive to Eminence Day the entering into a

paid agreement with Leo Mason to provide music at Eminence Day with the reason 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, voting “Yea” were Members Meadows, Browning, Shroyer, Troxell, and Armstrong. Abstaining was Member Mason.

Subject: Property Tax Rates – Mayor Stephens and Clerk Doane reviewed the compensating and 4% allowed property tax rates for 2012 with council. Both real property rates are slightly higher than last year’s rate with the personal property rates being significantly higher due to the much lower assessments. Discussion held with the consensus being to postpone the first reading of the tax rate ordinance until the special meeting. Member Shroyer suggested for the budget committee to get together to review the proposed rates and their affects on the budget. A committee meeting was set for Friday morning at 9:00 a.m.

Subject: Garbage Franchise – Mayor Stephens reported this will be addressed in the next couple of months.

Subject: Mayor’s Update – Mayor Stephens reported that the Four Season’s Garden Club awarded the City a grant in the amount \$300.00 for a beautification project. He has ordered flowering bulbs which will be planted by Jacob Clark, with assistance from Steve Metcalfe, as his eighth grade project.

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

Member Armstrong stated she has concern with the residents living behind the Peapods Daycare. The tenants who live there have changed with cursing, drinking and using of the bathroom outside being done in front of the kids. Mayor Stephens stated that Pastor Duncan has also complained about this and that he has asked that it be cleaned up and that the activities mentioned cease. It was discussed if there are enough property violations for a required demolition of this property.

Member Shroyer asked for a sewer project update. Public Works Director Smith stated that the plans are almost ready to submit to the state for approval. We had to add some additional testing for our permit approval. The design has been tentatively approved already. We are also waiting on Bryan Kirby to hear about our CDBG grant application. Everything should be submitted in the next two months

Member Shroyer asked about the mowing of 131 Shadyview Drive. Mayor Stephens stated we continue to work on mowing issues with employee, Tim Fitzgerald having mowed three more properties on Owen Street.

Subject: Warrants – The warrants were presented for payment. Motion made by Member Meadows and seconded by Member Mason 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 Shroyer and seconded by Member Troxell to adjourn. All members present voted "Yea". Meeting adjourned at 7:30 p.m.

DRANE STEPHENS, MAYOR
CITY OF EMINENCE, KENTUCKY

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