

The City Council of the City of Eminence, Kentucky met in a regular session on Monday, September 14, 2015 at 6:15 p.m. at the Eminence City Hall with Mayor Drane Stephens and the following members present: Danny Meadows, Polly Troxell, Leo Mason, Joey Bell, Tom Shroyer, and Lee Ann Armstrong. Absent were none. Also in attendance were City Attorney William Brammell, City Clerk Sandra Doane, Public Works Director Matt McAllister, Police Chief Kevin Kemper, Police Officer Phillip Parham, Magistrate Scott Bates, Tammy Stansbury with Woda Development Construction Management, Citizen Tex Selph, and Henry County Local Representative Chris Brooke.

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

Pledge of allegiance held.

Subject: County Business – Magistrate Scott Bates was present to update on County business. Reported that he understood we had another incident with a truck trying to turn off of Clear Creek Road. Police Chief Kevin Kemper stated he hit the pole but not our fire hydrant. The driver indicated that he was empty so he was under the 44,000 pound limit per the sign. Magistrate Bates stated he has asked Henry County’s State Highway Foreman, Terry Justice, to get a sign for Highway 55 instructing semis to go to Highway 1899 for travel to our factories. Member Armstrong stated they are also using Shadyview Drive and perhaps a sign there would be good. Chief Kemper stated there would probably not be a problem if the truckers would purchase a GPS specifically for truckers. We are also having problems with the semis when they leave Libertas Copper turning left onto Mulberry Road and getting tangled up down the road. Member Troxell suggested having Libertas Copper put up a sign at their plant for right turn only for semis out of their business. Consensus for Foreman Justice to stay after getting the sign on Highway 55; for the City to put up a sign at Shadyview Drive; and for the Mayor to contact Libertas Copper on putting up the no left turn sign at their factory. It was suggested that we ask the factories to also inform all their shippers of the proper route. Magistrate Bates reported he is getting a sign for Jackson Road at G.W. Perry’s to mark the curve.

Subject: Senior Development – Tammy Stansbury with Woda Development Construction Management of Shelbyville was present to discuss a proposed senior housing development that is proposed for the old “Hockensmith” property on South Main Street. Her partner, Neal Roberts, was unable to be present due to a death in his family. Their company has locations in 13 states now. The owners of the company are Jeff Woda and David Cooper. They have applied for a zone change from A-3 to R-3 on this property and don’t anticipate any problem. They are proposing 40 residential units; some one bedroom and some two bedrooms. They will have a fitness room, craft room, washer/dryer in each unit, and a community garden. Council asked about the size of the units. Ms. Stansbury was unsure about this but estimated around 720-800 square feet. Member Bell asked if they had an anticipated rental price yet. Ms. Stansbury stated not at this time. Ms. Stansbury stated the project is estimated between 5 and 6 million dollars. The structure will be

part brick and part plank. Mayor Stephens asked about the construction date. Ms. Stansbury stated the applications are due to Kentucky Housing by December 1st so she believes probably October, 2016 is a good anticipated construction start date. Ms. Stansbury stated if anyone had any ideas to get them to Mayor Stephens or Member Troxell and they would try and work them into the project.

Subject: Arborview Island Complaint – Tex Selph was present to discuss concerns he has with the removal of the island at Arborview Subdivision. Mr. Selph stated his concern is that the builders have done nothing over the years to keep this island cleaned and that the City did not contact everyone who lives there to see if they wanted the island removed. He has cleaned this island and entranceway himself in the past, but understands that nothing has been done this year. Mayor Stephens stated he received many complaints on the condition of the island and the visual barrier it created. Mr. Selph stated the island was cleaned up right before its removal and he still believes the residents should have been notified. Mayor Stephens stated we have been working with residents in this area for three years on reported speeding and safety concerns. The City has done numerous things to address these concerns. The entrance is actually too narrow at the beginning and our snow plow has trouble fitting. There are no sidewalks for the kids to play on so they play in the street. The island did create a visibility problem as well as a maintenance problem so it was deemed that removal would be the best option. Mr. Selph stated that having this entrance wider may create problems with people parking there. Mr. Selph stated he would like to have something put back – maybe a tree in the center so it won't look like something has been taken away. He stated it now looks odd as it is wider at the entrance. Member Shroyer suggested that a pyramid birch tree might work if located properly or a concrete divider. Mayor Stephens stated a concrete divider would still be a problem for the snow plow. Consensus to have Mayor Stephens, Public Works Director McAllister and Mr. Selph review and measure the area to see what would work and to come back with suggestions next month. Member Bell stated we need to look for something with low maintenance if we decide to make a change.

OLD BUSINESS:

Subject: Minutes – The minutes of the previous regular session held on August 10, 2015 were reviewed. Mayor Stephens asked for any additions or corrections to the minutes. With no additions or changes forthcoming, Mayor Stephens stated they would stand approved as presented.

Subject: Tax Rate Discussion – Mayor Stephens reported he had Clerk Doane do a little more research on what other entities in the County are adopting this year and asked Council to review the report. Member Troxell suggested that we change our mind and adopt the compensating rate based upon this information and that fact that we are not keeping ourselves on a level field, even though we have had the first reading of the ordinance. Attorney Brammell stated we would need to do another first reading if we make these changes. No one else agreed.

Subject: Ad Valorem Property Tax Ordinance - Attorney Brammell held the second reading of the ad valorem property tax rate ordinance setting the rate for 2015/2016 at .317 per \$100.00 assessment for real property, .3299 per \$100.00 assessment for personal property and .266 per

\$100.00 assessment for motor vehicles and watercrafts; all which are the same as last year with no increases in rate being made. Motion made by Member Meadows and seconded by Member Armstrong to adopt the ordinance as read. On a call for vote by Clerk Doane, voting “Yea” were Members Meadows, Armstrong, Shroyer, Bell and Mason. Voting “Nay” was Member Troxell.

Subject: Police Department Report – Chief Kevin Kemper reviewed the monthly activity report with council. Chief Kemper reported they had 317 total contacts for the month. Forty citations were issued on seventy charges. Eighteen individuals were arrested on forty-six charges. There was one ordinance violation.

Chief Kemper reported the department’s overtime was up this past month with a lot of it due to involvement with several cases in other counties.

Chief Kemper reported we have been awarded the Homeland security grant to purchase body armor vests for the officers, but cannot proceed on this purchase until authorized.

Chief Kemper reported we will probably get about \$6,000.00 in forfeiture money back soon with us already in the process of receiving \$5,145.00.

Reported they have been running radar on Harvest Drive with no problems with speed. Mayor Stephens reported they plan to minimize the obstruction of the speed limit signs by putting them on the light posts which has been approved by the developer. The issues discussed previously with the citizens who complained did not end after the meeting. He has made several trips out to the subdivision since the last meeting.

Chief Kemper reported we have hired a new police officer, Christopher Kyle Lucas, who is coming to us from the Spencer County Sheriff’s Department. He will be starting on September 17, 2015 and will be working the night shift for a few weeks with Officer Wilson.

Subject: Public Works Department Report – Public Works Director Matt McAllister reviewed the monthly activity report with council.

Mr. McAllister reported the welders have finished their part of the water tower rehabilitation project and the painters have blasted and applied the necessary coating on the inside of the tank. They will be rolling the last coat on the outside to minimize the possibility of paint going on anyone’s property. This project is near completion. There has been some overspray issues on citizen’s property, but nothing serious.

Mr. McAllister reported that approximately 85 of the new auto read meters have been installed on Highway 55 North, West Broadway, and Sulphur Avenue.

Mr. McAllister reported the airlines feeding the old and new blowers at the sewer plant have been connected so the entire aeration system can be run off of either set of blowers, thus saving us electricity.

The new security camera is up and running at the park but the breaker is still tripping. Mayor Stephens asked Mr. McAllister to proceed with getting our electrician, Greg Hutcherson, over to

check this problem out. This new camera allows us to zoom in onto the faces of the wrong-doer which will allow us to identify the person.

Several repair areas will be blacktopped soon. Mr. McAllister stated we would probably have to install a curb at Arborview Subdivision to hold mulch if we decide to put a tree in where the island was removed, which needs to be considered before a decision is made.

Subject: Amnesty Question – Mayor Stephens and Clerk Doane stated they would like Council to consider allowing an amnesty period for people to get the water/sewer bills into the correct name without charging a deposit. It was explained that we have several in deceased persons' names from many years ago that have never been put in the correct name. Council requested that a letter and a form approved by Attorney Brammell be sent to all residents where this is happening and perhaps to include a self-addressed stamped envelope. Motion made by Member Meadows and seconded by Member Troxell to grant a 60 day amnesty period to allow individuals to correct the name on their water/sewer bills that have been in a deceased person's name without a deposit being required. On a call for vote by Clerk Doane, all members present voted "Yea".

Subject: Second Leak Adjustment – Clerk Doane reviewed a leak adjustment given to Chat-N-Nibble Restaurant. The leak actually occurred upstairs in the IOOF lodge and has not been repaired at this time, only shutoff. The leak will probably run over into this month's bill based upon the time it was discovered. Consensus of council not to allow another adjustment at this time, but will consider once the leak is fixed and documented.

Subject: Administrative Office Report – City Clerk Sandra Doane reviewed the monthly administrative office report with council, reporting that approximately 98.14% of the 2014 tax bills have been collected as of September 10, 2015. The total outstanding 2014 base tax bills is \$6,634.93.

Clerk Doane reported we have received \$513.33 refund for the workers comp audit for fiscal year 7-1-14/7-1-15.

Reported that at August 31st we have collected \$1,750.00 in booth rentals and \$650.00 in sale of ads for Eminence Day.

Reported that we have hired Carroll Ray Tipton as a temporary employee to fill in for Rhoda Arington while she is on extended sick leave.

Clerk Doane reported that American Legal has agreed not to exceed the \$2,500.00 budgeted for the City's code update.

Mayor Stephens reported that he and Clerk Doane will be attending the KLC Conference later in the month.

Subject: Fire Department Report – Member Meadows reviewed the Fire Department report with council which showed nine total runs and special details in August for total man-hours of approximately sixty.

Member Meadows reported that the new fire vehicle has arrived and has been lettered and equipped with lighting. The old 2001 Jeep Cherokee is ready for disposal. Motion made by Member Meadows and seconded by Member Armstrong to declare the 2001 Jeep Cherokee surplus property as the original purchase was for use as a command vehicle and is no longer needed for this purpose due to purchase of a newer vehicle, and to authorize it for sale under sealed bid with bid opening scheduled for October 12, 2015. On a call for vote by Clerk Doane, all members present voted “Yea”.

Subject: Festivals Update – Member Mason reported the committee will be meeting tomorrow night to review Eminence Day and discuss upcoming events. The Halloween Renaissance Fair event will be on October 29th starting at 7:00 p.m.

Subject: Trick or Treating – Consensus of council to keep trick or treating on the 31st from 6:00 until 8:00 p.m. for residential and 4:00 until 6:00 p.m. for the businesses.

Subject: Parks Update – Mayor Stephens encouraged Council to go see the new ramp at the Park. It looks great and will help the handicapped to have better access the park.

Reported that the committee has met or talked about the bathhouse and hope to have some firm options for next month pending a little more research. We are still being told we will get our grant but we do not want to say definitely until the agreement is signed and ready to start.

NEW BUSINESS:

Subject: Open Citizen Comments - Mayor Stephens asked if anyone was present who wished to address Council. No one was.

Subject: Homeland Security Grant – Police Officer Phillip Parham reviewed a proposed grant application he is preparing to purchase new side arms and new Tasers for the department. Officer Parham stated the presently used Glocks are several years old with one having a cracked frame with the Tasers being old as well, of which only three currently work. If we are awarded the full grant, the City would only have to pay about \$14.00 each for the Tasers and nothing out of pocket for the guns. The price quote includes trading in the old Tasers. We are currently short on weapons if we hire another officer down the road. It was suggested to allow the officers to purchase the guns they are using at a low price. Attorney Brammell stated we would have to declare them surplus like we do everything else. Member Meadows asked if there is a City property list somewhere. Mayor Stephens stated yes. We do have some shotguns with short barrels which we would not ever be able to sell. The resolution approving application and administration of the Homeland Security Grant for purchase of Police Department pistols and Tasers was reviewed by Council. Motion made by Member Mason and seconded by Member Troxell to adopt Resolution 2015-008 as presented authorizing Mayor Stephens to make application for and administration of a Homeland Security Grant for purchase of Police Department pistols and Tasers. On a call for vote by Clerk Doane, all members present voted “Yea”.

Subject – Revised Water/Sewer Ordinance – Mayor Stephens instructed Council to review the latest draft of this ordinance for a possible first reading next month.

Subject: Mayor's Update – Mayor Stephens reported that KOI will be at their new location on Main Street by the first week in October. Reported that the donut/bakery store is still planned for location in the old Jennings Station on West Broadway. Reported that the auto auction looks really good with the original October date to open still in effect.

Subject: Council New Business – Member Meadows reported that Eminence Speaker will be holding an electronics recycling from 4:00 until 6:00 p.m. on Tuesday, September 15, 2015. We can take the old copier out there for recycling.

Police Chief Kemper stated he has had several calls on the vehicles being stored at the old Key Market property on Ballardsville Road. This is not in the City limits so we cannot do anything even though it looks really bad.

Subject: Warrants - The warrants for payment were presented and reviewed. 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 Troxell and seconded by Member Mason to adjourn. All members present voted “Yea”. Meeting adjourned at 8:07 p.m.

DRANE STEPHENS, MAYOR
CITY OF EMINENCE, KENTUCKY

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