

The City Council of the City of Eminence, Kentucky met in a public hearing and regular session on Monday, June 12, 2017 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, Fred Downey, and Lee Ann Armstrong. Absent was none. Also in attendance were City Attorney William Brammell, City Clerk Sandra Doane, Public Works Director Matt McAllister, Police Chief Kevin Kemper, Citizens Robert & Kay Heightchew and their son Justin, Rocky Toler, and Henry County Local Representative Chris Brooke.

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

Pledge of allegiance held.

**Subject: Public Hearing – Municipal Aid Program Funds and Local Government Economic Assistance Funds** – 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 estimated funds available and proposed expenditures from the Municipal Aid Program fund for the 2017/2018 fiscal year.

Mayor Stephens explained the required uses for the Local Government Economic Assistance funds stating they must be used for public safety. Mayor Stephens reviewed the estimated funds available and proposed expenditures from LGEA funds for fiscal year 2017/2018.

Clerk Doane stated no comments, written or oral, have been received from the public concerning either fund or their proposed uses.

With no written or oral comments from the public regarding the proposed uses and budget for the MAP and LGEA funds, Mayor Stephens closed the public hearing. Public hearing closed at 6:21 p.m.

Mayor Stephens called the regular meeting to order at 6:21 p.m. with the same individuals present as listed above.

**Subject: County Business** – Magistrate Scott Bates was not present. Mayor Stephens stated he has not heard anything from Scott about our previous requests. Mayor Stephens asked if anyone had anything to take back to Magistrate Bates. No one did. Member Meadows asked if we would be getting our salt from the County this year under their bid. Mayor Stephens stated no as we participated in the KACO Reverse Salt Auction.

**Subject: Car Show** – Sonya and Greg Kelley were unable to attend due to a death in their family but did call and give a verbal report on the car show scheduled for this Saturday. They have secured a DJ for the event. Randall Stivers is providing them electricity for the event and Rumpke is providing a portable restroom and trash boxes, all free of charge. They decided against food vendors as they want to promote the local food businesses in the area. CVS has agreed to allow the use of their front parking if needed for overflow. Ms. Kelley wants the City to notify the bank

and any other businesses needed about the closing of the streets on Friday night. Mayor Stephens reported he already asked Jeff with Browning Pontiac to have all cars moved off of these streets on Friday night. Mayor asked Chief Kemper to notify the bank employees. Our public works employees will provide cones and barricades on Friday before leaving work.

**Subject: Eminence Day 5K Run/Walk** – Justin Wayman was present to discuss with council the holding of a 5K run/walk on Eminence Day in an effort to promote health and to give back to the community with all proceeds to go to the Family Resource Center or the food pantry. Various routes were discussed with council in agreement for the event to end in town and possibly use the trail as part of the route. Suggested starting time was 8:00 a.m. so that the event would not interfere with the parade. Justin suggested a \$15.00 entry fee with \$5.00 to go for a shirt and \$10.00 to go to the chosen benefactor. Mr. Wayman was asked to map out a few routes and to come to the festival meeting scheduled for Thursday, June 15<sup>th</sup> at 7:00 p.m. to decide on the route and other items.

**Subject: Golf Carts** – Robert and Kay Heightchew, along with their son Justin, who live at 125 Spring Oak Drive were present to request Council to adopt an ordinance allowing golf carts on city streets and the bike path. Currently this is not allowed in the City. Per Kentucky Revised Statutes, the City can adopt an ordinance to allow this with certain stipulations. Discussion held including the liability to the City which Attorney Brammell stated if done by the statutes there would be no clear liability. Other concerns were drivers looking out for the carts; especially ones that are speeding. Member Mason suggested that we contact other communities that allow this and see how it is working for them. Other modes of transportation were also discussed including gators, ATV'S, mopeds, and motorized scooters. Consensus of council to research this further with other communities that allow this prior to making a decision.

**Subject: Handicap Parking** – Rocky Toler who lives in Eminence Village was present to discuss with Council the problems he is having with an individual who is using the handicap parking spots at Eminence Village. They are a young female who uses her grandmother's handicap permit. The grandmother does not live there. Mr. Toler stated his wife is on oxygen and must use a wheelchair. For her to have to walk and try to get in the car is just too much for her. When he asks the person to move her car she refuses. Discussion held including the fact that the permits should be associated with the specific individual and if that individual does not live there we need to make her move and issue a citation. Chief Kemper was asked to take care of this.

### **OLD BUSINESS:**

**Subject: Minutes** – The minutes of the previous regular session held on May 8, 2017 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: Cable Television Franchise Ordinance** – Attorney Brammell held the second reading of an ordinance authorizing the City to accept the bid submitted by Charter Communications and to authorize Mayor Stephens to sign the cable franchise agreement as submitted. Motion made by Member Troxell and seconded by Member Mason to adopt the ordinance as read authorizing the

Mayor to enter into the cable franchise agreement. On a call for vote by Clerk Doane, all members present voted “Yea”.

**Subject: Budget Ordinance** – Attorney Brammell held the second reading of the budget ordinance for fiscal year July 1, 2017 thru June 30, 2018 after Clerk Doane reviewed some slight modifications to the ordinance since the first reading. Motion made by Member Downey and seconded by Member Meadows 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 Kevin Kemper presented the monthly activity report to council. They had 277 total contacts for the month. Twenty-Five citations were issued on forty-four charges. Twelve individuals were arrested on twenty-five charges.

Chief Kemper reported on a road rage incident from March where an individual rolled down his window and pointed a handgun at a lady and her children for passing him. He continued to follow her as well. The individual was finally located in May and interviewed. The individual confessed with the handgun being recovered and the individual being charged.

Chief Kemper reported that information had been coming in about a possible meth dealer on Moody Drive. Surveillance was conducted and information gathered on the occupants. Two of them had outstanding drug related warrants and were arrested without incident.

Chief Kemper reported on a money forgery case that our department was involved with. After they gathered evidence and interviewed employees at McDonald’s who were presented the fake money they contacted Secret Service and the Henry County Sheriff’s Office with several arrests being made. Federal charges are pending.

Chief Kemper stated he is so proud of the professionalism and dedication of the current police department staff.

Chief Kemper reported on various training the department has had and will be having, a lot of which is very intense.

Member Meadows suggested tinting the windows of the new Charger. Chief Kemper stated he would rather not do that as his approach is more community oriented versus writing citations for everything.

Council commended Chief Kemper on handling the school camp-out which was not allowed on the school grounds this year.

Mayor Stephens stated we need to declare the Explorer as surplus property in order to sell it. Discussion held on being able to sell it without bidding. Attorney Brammell stated there have been some expansion of the statute for surplus property which he will need to check prior to giving a recommendation.

**Subject: Public Works Department Report** – Public Works Director Matt McAllister reviewed the monthly activity report with council. Reported on routine activities.

Mr. McAllister reported a 2” water line at the plant had to be repaired after it developed a leak beneath the floor of the office. Two new water services were installed in Elmcrest. The new dedicated digital water meter for the splash pad was installed and calibrated.

Mr. McAllister reported on an explosion which occurred at the Elmcrest sewer lift station which severely damaged the pump control panel. Rich Mayberry and Greg Hutcherson were able to get us back online quickly and Straeffler is currently having us a new replacement panel built. Mayor Stephens showed council pictures of the damage which was significant. It is very lucky that no one was standing close to the lift station when this happened or they would have been hurt. The estimated repair cost is around \$15,000.00.

Member McAllister reported that the splash pad and all of its components were de-winterized, cleaned, repaired and tested prior to opening to the public.

Discussion of the vandalism at the park was held. Suggestion made to possibly just close it down since it is being abused so much. Other ways to police it were discussed including adding more cameras; offering a reward for conviction; using portable restrooms and closing ours; calling a public meeting to discuss with the public our concerns and installing a fence with locking gates at night. Consensus was to put an appeal out on our City page to see if we can encourage people to help us catch the vandals.

**Subject: Administrative Office Report** – City Clerk Sandra Doane reviewed the monthly administrative office report with council reporting that her office has collected 97.3% of the 2016 tax billing as of June 9, 2017. Tax liens have been filed on 34 delinquent tax bills. We have not received payment on the supplemental tax bills sent to CVS for the tax years of 2014, 2015 and 2016. We did not file a lien on these yet as we are researching the law to see how much time we need to give them to pay these bills.

Clerk Doane reported on other receipts for the month including receipt of the final reimbursement on the splash pad grant.

Clerk Doane reported the new computers have been installed at the City Hall front offices with some minor glitches with moving over information.

Mayor Stephens stated he has told the auditor to forget about doing the separate water/sewer audit for fiscal year ending 6-30-16 and to adjust our bill accordingly.

**Subject: Audit Acceptance** – Mayor Stephens reported we need to accept the audit which was presented for review last month. Motion made by Member Meadows and seconded by Member Mason to accept the audit report for fiscal year ending June 30, 2016 as presented. On a call for vote, all members present voted “Yea”.

**Subject: Fire Department Report** – Member Meadows presented the fire department report.

Member Meadows shared a plaque the fire department received for donating 1,000,000.00 to the Crusade for Children since it started in 1954. Very few departments have received this award.

Member Meadows stated the department is getting several calls about burning down old houses. The department cannot do this for people.

**Subject: Festivals Update** – Member Troxell reported she has 15 ads sold so far which includes the council. Booths are still available. The committee will meet on Thursday night, June 15, 2017 at 7:00 p.m.

Member Armstrong reported that DJ in the Park is scheduled for July 22, 2017 with Brandon Frazier as the DJ. Justin Toole and Jordan Fairchild will be handling the 3 on 3 games; the senior class will be providing concessions; and the chalk walk will still be done. Member Armstrong asked Matt McAllister to get her banners updated and put up during the first week of July.

**Subject: Parks Update** – Mayor Stephens reported we should continue to come up with ways to police the park. He has purchased two hand blowers to be installed which would eliminate the towel problem. The splash pad water usage was reviewed with Mr. McAllister reporting that it has used 397,000 gallons since opening which should equate to about \$300.00 per week.

Hours of operation reviewed. Consensus to keep the hours as they are

### **NEW BUSINESS:**

**Subject: Annexation Ordinance – Steve Clark** – Attorney Brammell held the first reading of an ordinance annexing two pieces of property on Mulberry Road belonging to Steve and Charlene Clark into the City limits. Mayor Stephens stated he would like to have a special meeting to hold the second reading as one piece of property is waiting on this annexation to start construction of a home. Mayor Stephens called Thursday, June 15, 2017 at 6:45 p.m. as a special meeting to hold a second reading of this annexation ordinance and to review line item changes needed for the current budget. Public Works Director Matt McAllister asked if a motion is needed to allow the developer to install a septic system instead of getting on our sewer. Mayor Stephens stated one is not needed as the ordinance allows for exceptions with extenuating circumstances.

**Subject: Ordinance Updating Pay/Compensation Plan** – Attorney Brammell held the first reading of an ordinance updating the pay/compensation plan for the City of Eminence.

**Subject: Henry County Historical Society Donation** – Mayor Stephens stated Joe Yates has donated several historical items to the City from the historical society and asked for a donation. Consensus that the City cannot make monetary donations. Mayor Stephens asked Council to consider donating to them on their own. We will find a place to display the items donated to us.

**Subject: Speed Bump on King Street** – Mayor Stephens reported he has been asked about the speed bump on King Street. He advised the citizen that once the Tristan Ridge development is

finished he will ask them to repair the speed bump since it is their large trucks that have torn up the existing one.

**Subject: Hazard Mitigation Plan** – Attorney Brammell reviewed a resolution authoring the City to participate in the KIPDA Hazard Mitigation Plan. Motion made by Member Troxell and seconded by Member Armstrong to adopt the resolution as presented. On a call for vote, all members present voted “Yea”.

**Subject: Open Citizen Comments** – None.

**Subject: Garbage Franchise Renewal** – Clerk Doane reported the bid should be in the paper this week and next on the garbage franchise. She has also notified Rumpke and Industrial Disposal.

**Subject: Mayor’s Update** – Mayor Stephens reported he had nothing else to report.

**Subject: Council – New Business** – Member Mason stated he has received complaints about the field at the end of Merriweather which has grown up in weeds and also has many snakes in it. Mayor Stephens will check into getting this mowed.

Member Troxell stated she has been contacted about the house across the street from the apartments on North Main Street which also needs mowing.

Member Downey asked about the building on Main Street that needs a wall after the fire. Mayor Stephens stated we cited the owner and the court gave them a year to get it fixed.

Member Armstrong reported there are two properties on South Main that need mowing. Mayor Stephens asked council to give him addresses when reporting homes that need mowing.

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

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

With no further business to be discussed, motion made by Member Armstrong and seconded by Member Mason to adjourn. All members present voted “Yea”. Meeting adjourned at 8:45 p.m.

---

DRANE STEPHENS, MAYOR  
CITY OF EMINENCE, KENTUCKY

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