

The City Council of the City of Eminence, Kentucky met in a regular session on Monday, June 13, 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, Lee Ann Armstrong and Leo Mason. Absent was none. Also in attendance were Attorney William Brammell, City Clerk Sandra Doane, Police Major Kevin Kemper, Police Officer Phillip Parham, Public Works Director William Smith, Employee Tim Fitzgerald, Fire Chief Gary Lucas, and Henry County Local Representative Jonna Spelbring Priester.

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

Pledge of allegiance held.

**Subject: Geoff Davis Representative** – McKenzie Combs, Field Representative with Congressman Geoff Davis's office was present to introduce herself. Ms. Combs briefly explained the services her office can provide including assistance with individual casework for citizens if needed. Requested the City contact her if she can assist us in anyway.

**OLD BUSINESS:**

**Subject: Bid Opening – Sale of 1975 Fire Pumper** – Mayor Stephens stated no bids had been received on the sale of the 1975 fire pumper. Attorney Brammell stated we can either scrap the truck ourselves, sell or give it to another department or re-bid. We cannot, however, sell it to an individual. Discussion held including how to scrap it ourselves. Chief Lucas stated we would have to remove the tires and gas tank and would have to have someone tow the truck to the scrap yard. Council asked if we could give the tires and the gas tank to the individual doing the towing as payment for the tow. Attorney Brammell stated we could with a written agreement prior to the towing. Member Meadows and Chief Lucas will make the contacts necessary to see about getting the truck scrapped and taken to the scrap yard by a tow truck. Council in agreement to proceed with scraping this vehicle.

**Subject: Bid Opening – Purchase of Fire Department Rescue Truck** – Mayor Stephens opened the following bid for the purchase of a rescue truck:

M3Fire Apparatus, LLC, Lawrenceburg, TN - \$83,890.00

Discussion held. Attorney Brammell stated he had reviewed the sample contract given to him last month when we were looking at another vehicle from this company and his only concern is that the contract reads as is, where is with no warranty. Member Shroyer asked if we had seen and test driven the truck. Chief Lucas stated he has and he feels this company is very detailed and conscientious as they are former volunteer firefighters themselves. They actually buy and build trucks to specifications. Chief Lucas stated he is actually glad we didn't get the one from last month, not that there was anything wrong with it, but this one is being personalized for us

and our needs. Member Meadows stated the truck, if accepted, would be a turnkey vehicle with nothing else to add.

Member Shroyer asked about the payment arrangements. Mayor Stephens stated we plan to use the current depreciation fund of approximately \$9,700.00 as a down payment and obtain a loan through the Kentucky League of Cities for the balance of \$75,000.00 for seven years at a 1.7% effective interest rate. We would be changing the requested reserve money to the payment money in the budget and when we pay off the other two vehicles in 2013 and 2015 we could use these same payment amounts yearly to pay the new note off with no pre-payment penalties. The down payment would need to be made this fiscal year.

Motion made by Member Meadows to accept the bid of \$83,890.00 from M3 Fire Apparatus, LLC for the purchase of the 2008 Ford rescue truck and to direct the Mayor to enter into the purchase agreement with payment arrangements as detailed above. Motion seconded by Member Mason. On a call for vote by Clerk Doane, all members present voted "Yea".

**Subject: Minutes** – The minutes of the previous regular session held on May 9, 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 to the Personnel Policy Ordinance** – Mayor Stephens stated due to another needed change, the amendment to the personnel policy ordinance would require another first reading. Attorney Brammell 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. The amendment also includes changing the workweek and pay period from Sunday at 7:00 a.m. to Thursday at 7:00 a.m.

**Subject: Budget Ordinance** – Mayor Stephens and Clerk Doane reviewed four changes to the budget which included the increasing of funds for the rescue truck payment, adding the Fire Department bathroom remodeling back into the new budget, decreasing the carry forward balance for the MAP fund and the deletion of the budget for the fire truck depreciation fund as these funds will be spent prior to July 1<sup>st</sup>. Attorney Brammell held second reading of the budget ordinance for fiscal year July 1, 2011 through June 30, 2012 with the above changes incorporated within. Motion made by Member Meadows and seconded by Member Troxell to adopt the FY 7-1-11/6-30-12 budget ordinance as read including the employee's cost of living and salary adjustments as included in the budget with said increases to be effective with the first full pay period in July. On a call of vote by Clerk Doane, all members present voted "Yea".

## **REPORTS:**

**Subject: Police Department Report** – Major Kevin Kemper reviewed the monthly activity report with council which showed total contacts of 459 for May. Twenty-Three individuals were

arrested on sixty-two separate charges. The Department had fifteen driving under the influence and seven other alcohol related incidents. Mayor Stephens stated Chief Duncan was in training this week in Richmond.

**Subject: Property Ordinance Enforcement Report** – Mayor Stephens reported on the difficulties with trying to keep property maintained. Most people respond quickly once ownership is determined; however our employees are mowing a lot of property. Several properties were discussed.

**Subject: Police Comments** – Mayor Stephens commended the police department on the great job during cruising. The police were firm but not over-bearing. Member Troxell stated she had only heard one complaint. Member Meadows requested that the person organizing this event be asked not to hold it on Crusade weekend next year as it negatively affected the collections in town. Mayor Stephens stated he has already discussed this with the organizing person. He has also asked to be informed of the event which has worked out well.

**Subject: Public Works Department Report** – Public Works Director William Smith reviewed the monthly activity report with council. Reported that we have had two fire hydrants damaged recently and will be seeking compensation for the repairs.

Mr. Smith asked for additional guidance on the sewer adjustments for filling of pools and also whether we should offer the adjustment if not asked. Several have already been allowed or requested. Discussion held. Mayor Stephens stated we have been allowing them after they are filled due to the timing of our ordinance passing. Attorney Brammell reiterated that the ordinance states the pool must be permanent so if the pool is moveable it is not considered permanent. After much discussion and suggestions it was decided to only give adjustments when asked (no approaching people for automatic credits) and only if they are permanently installed pools (non-moveable) per the ordinance. The council discussed that they may revisit this ordinance before next year.

Mr. Smith reported that Troy Popp is back to work after his injury.

Mayor Stephens complimented the public works department on the transformation of the traffic island on Elm Street – it looks great with many great comments being heard.

Mr. Smith reported that the damage to the City Hall roof and overhang has been repaired, but we are still experiencing leaks on the right side of City Hall. The problem cannot be pinpointed for the leaks.

Member Armstrong stated she appreciated the public works department's work at the park. Vandalism at the park was discussed. The cameras seem to be helping with vandalism outside, but not inside the bathrooms.

**Subject: Administrative Office Report** – City Clerk Sandra Doane reviewed the monthly administrative office report with council reporting that her office has now collected 97.1% of the 2010 property tax bills and is continuing to work on the delinquent list. The liens have been

filed for 2010 delinquent taxes with only 47 bills currently being delinquent. Clerk Doane reported that her office will be working heavily on the yearend financial information this month and next in preparation for the audit.

Mayor Stephens asked Attorney Brammell to clarify the process for publication of delinquent taxes. Attorney Brammell stated we have to publish a warning first that we are going to publish the delinquent taxes and then publish the actual list the next week. Council in agreement to proceed. Attorney Brammell asked to work with the Clerk on the form and content for the advertisements. Mayor Stephens stated that based upon information obtained from the Kentucky League of Cities that if an agreement has been signed and is being met that the taxes are no longer considered delinquent and would not be published.

**Subject: Fire Department Report** – Member Meadows reviewed the Fire Department report with council which showed thirteen total runs and special details in May for 139  $\frac{3}{4}$  total man-hours. Member Meadows reported that the bathroom remodeling has been moved to the new fiscal year budget as the work cannot be done until then. Member Meadows expressed a concern with the fire department building for the near future. In some areas you can see through the walls. Council in agreement to proceed with looking into the grant possibilities for a new fire station. The big bus which was donated to the Fire Department several years ago was discussed with it being decided that the bus needs to be disposed of and moved off the City's property. Major Kemper stated we could obtain an abandoned title if we wanted on the bus; however, Attorney Brammell stated under the circumstances it was better not to pursue this. Member Meadows stated he would take care of seeing that it was disposed of.

**Subject: Festivals Update** – Member Mason reported on Eminence Day activities stating the committee met on May 17<sup>th</sup> with Terry Meiners being selected as the Grand Marshall this year. Wendell Berry was also asked, but refused stating he never does this type of event. Member Mason stated the advertising will be done the same with vendors/businesses being asked to participate with ads for \$25.00 each. Several booths have already been confirmed. The stage and tent rental has been secured for Eminence Day from the Shelby County Parks & Recreation Department. Sandy Hayden is in charge of the booths again this year. The bands are all scheduled to play. Mayor Stephens stated he has been approached about having an "American Idol" type contest between the bands. Member Mason stated this is not feasible between band changes but could be considered for another place; however we would then need sound equipment. The next meeting of the committee is tomorrow, June 14<sup>th</sup> at 6:00 p.m. at the Firehouse. Mayor Stephens reported he attended the event at the fairgrounds this past Saturday and received several comments that people felt they were not welcome to come to Eminence for our events. He assured them we want them here. Member Armstrong stated they always ask Henry County students and sports groups to participate in the parade and many have participated. Member Troxell stated she would attempt to do some public relations to some of the groups between now and our event.

**Subject: Parks Update** – Member Armstrong reported that the Eminence Seniors had their picnic at the park and had a great time. She thanked the public works department for all their work getting it ready for them. The DJ in the Park event was a great success with over 275 young people participating in the event. The Eminence Seniors did the concession and

subsequently the cleanup for the ability to have the concessions. The only issue was some of the cars going through Harold Chisholm's yard. This will be taped off for future events. The Care Team and Youth Coalition assists with this event.

The Music on Main event on Friday night had a good turnout with a lot of vendors present.

**Subject: Community Center Report** – Mayor Stephens stated he had no report as there was no meeting last month.

### **NEW BUSINESS:**

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

**Subject: Surplus Property – Parking Meter Heads** - Mayor Stephens reported he has been approached about selling our old parking meter heads. Public Works Director Smith stated we have maybe 50. This was tabled at this time to do some checking online for their value, etc.

**Subject: Mayor's Update** – Mayor Stephens discussed the city-wide trash day with council inquiring if we really need to have one as residents have a way to get rid of large items each month with the large pickup day by our disposal contractor. Mayor Stephens reviewed the prices he received for the dumpsters stating that this along with other costs involved would make this an expensive venture. Due to other required notices on the water bills we would not be able to put this on the bills until later in the fall. Discussion held with the council deciding not to have a city-wide trash day.

Mayor Stephens discussed the old trailer belonging to the City located at our 750 Ballardsville Road property and the fact that it is falling apart. We have already bid this in the past with no bids being received. He would like to see us demolish it with a planned future use of the property being a small storage unit for old records. Discussion held with Attorney Brammell agreeing that we could proceed with demolition if the council wishes. Motion made by Member Armstrong and seconded by Member Troxell due to bids already being requested in the past for sale of the trailer and no bids having been received that the Mayor is authorized to have our City employees demolish the old trailer at 750 Ballardsville Road with anything salvageable to be taken for scrap. On a call of vote by Clerk Doane, all members present voted "Yea".

Mayor Stephens reported there is some interest in the old Saydah building by a "green" manufacturing business which would employ 36 immediately with 150 employed in two years. The Seven Gables property is also being looked at for business growth.

**Subject: New Business/Council** – Mayor Stephens asked if any council member had anything they wanted to discuss. Member Troxell stated she has been approached about individuals living in a house on Sulphur Avenue with no water service. Mayor Stephens stated we are working on this problem as well as another one on King Street.

Member Shroyer asked if any discussion has been had about the re-surfacing of South Main Street as it is getting in really bad shape. Public Works Director Smith stated that we are usually contacted by District 5 on these projects and have not received anything about South Main Street.

Member Shroyer questioned if we needed to opt out of the new fireworks law. Attorney Brammell stated it was just recently adopted. Discussion held. It was decided to look into this for next year as we cannot get anything adopted prior to July 4<sup>th</sup> and anyone selling would have to have a state license and the limits on property needed in order to set off the fireworks would probably prohibit anyone in town from doing so anyway.

**Subject: Ordinance Amending the Ordinance Requiring Registration of Vacant Residential Property** - Attorney Brammell held the first reading of a summary ordinance amending the ordinance requiring registration of vacant residential property to require a \$50.00 per property registration fee.

**Subject: Warrants** - The warrants presented for payment were reviewed. Motion made by Member Troxell and seconded by Member Armstrong to approve the warrants for payment as presented with the exception of one check to Dell Marketing, LP for the projector mount, which has been returned. 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 Mason to adjourn. All members present voted “Yea”. Meeting adjourned at 7:57 p.m.

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DRANE STEPHENS, MAYOR  
CITY OF EMINENCE, KENTUCKY

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