

The City Council of the City of Eminence, Kentucky met in a regular session on Monday, March 14, 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 Chief Carey Duncan, Police Officer Phillip Parham, Public Works Director William Smith, Employee Tim Fitzgerald, Henry County Local Representative Jonna Priester and several citizens.

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

Pledge of allegiance held.

Subject: Public Hearing – Land and Water Grant - Mayor Stephens called the public hearing to order. Mayor Stephens reported that the City is applying for a land and water grant for Phase III of the Development of Coach D Park. The grant has a maximum amount of \$75,000.00 and is a 100% match. Mayor Stephens asked for public comments and passed out project concurrence forms. Citizen Mona Dowden asked for a detail of what we are proposing for the grant application. Mayor Stephens stated we plan to apply to resurface the tennis courts and new fencing; replace the roof on the old concession stand to change it to a conventional type to eliminate individuals from playing on the roof; overhaul the swing sets, build a second pavilion; and purchase a solar shade for the smaller play unit planned. The City is currently purchasing a smaller climbing unit for the younger children, purchasing benches, and beautifying the area over the hill. With no further comments or questions, Mayor Stephens adjourned the public hearing portion of the meeting at 6:28 p.m.

Regular meeting opened at 6:28 p.m.

Subject: Traffic Light at Elm Street and Highway 55 North – Mona Dowden was present to discuss with council her plans to pursue the installation of a traffic light at the intersection of Elm Street and Highway 55 North. She has heard several complaints about this intersection and the inability to see traffic which is northbound on Highway 55. She has young drivers of her own and feels this is needed very badly. She has contacted Representative Rick Rand who has indicated he will help and try to get this project approved. Mrs. Dowden stated she knows we contacted the state last year with the light being denied. She now feels the people need to get involved. She has a petition that is circulating with several pages already signed and hopes that the people will have a greater voice. Consensus of council to support this petition.

Subject: Citizen Concern Over Sewer Problem – Margie Bailey of 556 Sulphur Avenue was present to discuss a plumbing issue at her home. She stated she has always had an ongoing problem with the City taking care of this in the past for her. Stated she was devastated to find

out that the City can no longer assist her. Stated we needed to “love one another” and that she felt being told “no” was a problem. She wanted to know what has changed. Mayor Stephens stated that she has had a clog at her front porch area and in the past we have assisted. The lines need replacing. Mayor Stephens stated we still want to help, but was never supposed to go on private property. Mayor Stephens stated he is glad we were able to help in the past, but cannot help now. Attorney Brammell stated cities are only allowed to expend city funds for city problems and cannot take care of private property in any way. If in the past things have happened there is nothing we can do about that, but legally we should not have been doing so.

Subject: Citywide Wireless – George Banks with Computer Hawks was present to introduce himself and to let the council know he can also provide citywide wireless. His pricing is typically 40% lower than the Geek Squad. Mr. Banks reported he is expanding with a new store opening in Louisville. As he expands he will have job openings paying \$15.00 per hour for technicians. He is also offering classes with one being scheduled at the Campbellsburg Baptist Church to start on April 11, 2011. Member Meadows asked Mr. Banks if he had set up the City of New Castle. Mr. Banks replied that he had with a five mile radius but with no AP access points as they have not gone public. He does not recommend that businesses go wireless. Mr. Banks thanked the council for allowing him to attend and stated that if he can provide any assistance to the City to let him know.

OLD BUSINESS:

Subject: Minutes – The minutes of the previous regular session held on February 14, 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: Delinquent Property Tax Advertising – Mayor Stephens stated he wants to get the reminder letters out on the 2010 unpaid property taxes prior to advertising the delinquent tax payer list in the newspaper so as to be current on all delinquent advertising and possible foreclosure. Council in agreement with doing this.

Subject: Property Enforcement Officer – Mayor Stephens reported he is still considering how to proceed with this.

Subject: Barnes Property at 4721 Jackson Road – Attorney Brammell stated that all parties have agreed to the proposal presented last month with the agreement waiting signature by the Judge. Our proportionate share of the sale for delinquent taxes should be forthcoming. All liens will need to be released on this property.

Subject: Zoning Ordinance Amendment - Attorney Brammell held the second reading of a zoning ordinance amendment to change the wording from “building permit” to “zoning permit” throughout the ordinance. This is not a change which will directly affect the City in anyway.

Motion made by Member Meadows and seconded by Member Troxell to adopt the ordinance as read. On a call for vote by Clerk Doane, all members present voted "Yea".

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 1.50%. 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 – Chief Carey Duncan reviewed the monthly activity report with council which showed total contacts of 302 for February. Twenty-two individuals were arrested on fifty-four separate charges. The Department had thirteen driving under the influence and two other alcohol related incidents.

Subject: Property Ordinance Enforcement Report – Chief Duncan reported there was no ordinance notices issued in February for property ordinance violations.

Subject: Surplus Police Vehicle – Chief Duncan requested permission to sale the 2002 Ford Crown Victoria Police Cruiser. It has approximately 110,940 miles on it and has been just sitting for several months. Motion made by Member Meadows and seconded by Member Armstrong to declare the 2002 Ford Crown Victoria Police Cruiser as surplus property and authorize the sale of the vehicle under sealed bid, stating that its original use was for a police cruiser which is no longer needed. On a call for vote by Clerk Doane, all members present voted "Yea". Clerk instructed to advertise for two weeks with bid due at noon on April 11, 2011 with bid opening at the meeting on that night.

Subject: Police Comments – Chief Duncan commented that the Henry County Local has done a good job on the arrest blotter information in the paper.

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

Mayor Stephens reported that he believes he has the transfer of the old surplus lift station property on Elm Street resolved with it to be divided between the adjacent property owners of Gayle/Betty Moore and Linda Keith. The two property owners have agreed to split the original survey cost, the split survey cost, any other costs involved, and all transfer and deed costs for conveyance of this property to them.

Second leak adjustments were discussed for Martha Perry, Frances Jackson, and Robert Summerlin. Mayor Stephens reviewed the adjustment policy stating that we do have a right to deny an adjustment if we feel the leak was not fixed timely. Member Meadows stated he would like for us to consider an adjustment of the sewer for individuals who have pools. Mayor

Stephens gave Member Meadows the task of working with him and Attorney Brammell on a proposed amendment to the ordinance allowing a pool adjustment for presentation to the Council. Discussion held that only on adjustment per year would be given and only on the sewer with some stipulations on pool size, etc.

Based upon the formula used for adjustments the second leak adjustment amounts would be as follow: Martha Perry - \$30.11; Frances Jackson - \$327.04; and Robert Summerlin - \$100.37. Motion made by Member Mason and seconded by Member Browning to authorize the second leak adjustments listed above. On a call of vote by Clerk Doane, all members present voted "Yea".

Mayor Stephens reported that we have put a new culvert on our property at the surplus lift station on Elm Street which has greatly helped in this area. The adjoining property owners paid for the culvert and we did the installation. On the transfer of the property, the drawing has all been agreed to with pins to be set. The drawing will have to go to planning and zoning for signature and back to Attorney Brammell for the transfer paperwork. All the costs involved will be paid at closing. Member Shroyer asked when we need to approve the transfer. It was stated that previous council had already approved this transfer.

It was discussed that the Crabb Avenue ditch cleanout made a huge difference to the property owners on this street.

Member Troxell stated she had been approached by James Martin on Hillcrest Drive that his water meter was located at the culvert and was wondering if it could be moved. It was discussed if this was a problem since it has always been like that. Member Troxell indicated there was possibly a concern with it being read as it always has water in the jar. It was discussed that it is read through a reading tube or dipped out.

Citizen Margie Bailey stated that the ditching on Jackson Road causes her yard to fill up with water. Public Works Director Smith stated that there are no ditches or culverts anywhere on Jackson. Mayor Stephens stated he would look at this area.

Subject: Administrative Office Report – City Clerk Sandra Doane reviewed the monthly administrative office report with council reporting that her office has collected 91.5% of the 2010 property tax bills and is continuing to work on the delinquent list with Mayor Stephen's assistance. The 2010 delinquent letters are scheduled to go out this week. Clerk Doane reported that we received reimbursement \$1,910.99 in federal excise tax for the FYE 6-30-10. Clerk Doane reported that we have received \$5,009.83 for 2011 health insurance subsidy payment.

Clerk Doane requested permission to transfer the Depreciation Fund-Fire Truck account back to the City General Fund as this has not been funded as originally planned and has had no activity. Member Meadows stated he would rather see us activate the account and make some kind of yearly payment into the account. Member Shroyer agreed further stating that we should put the

current loan amount into this account once the current loans are paid off. Council in agreement to start funding this account again with the new budget year.

Subject: Fire Department Report – Member Meadows reviewed the Fire Department report with council which showed twelve total runs and special details in February for 255 ¾ total man-hours. Member Meadows reported that the large number of man hours is due to the tornado.

Member Meadows reported that the bathroom remodeling is on hold due to several questions including handicap accessibility. This will be investigated further before we proceed.

Question rose as to why we did not participate in the tornado drill. We were told by the dispatchers that we just didn't participate. A countywide survey needs to be completed on the use of the sirens and other warning measures. Question also rose as to why a one call did not go out from the City. Mayor Stephens stated he has changed the policy that the on duty police officer and/or fire department should let him know and he can send a message out from home. Clerk Doane can also send a message out in the Mayor's absence. Joyce Meyer discussed what we need to put on our website and if we need to advertise with the County on the one call. Mayor Stephens will coordinate with Planning and Zoning Director Jody Rucker on a joint advertisement about the One Call service.

Subject: Festivals Update – The committee reported on the Festivals planning. They are working on Music on Main and Eminence Day. Most of the bands have already been confirmed for the events at the same price as last year. Member Mason is working on getting prices for the purchase of a stage and tent with approximately \$3,500.00 being budgeted for this. Member Mason asked if we had a storage place for these items. Public Works Director Smith indicated that we do. The committee decided to leave the Music on Main at the Christian Church location. The committee also decided to always have Eminence Day on the second Saturday in August. The next committee meeting is scheduled for March 30th.

Subject: Parks Update – Member Meadows reported that the committee has met and he appreciated the assistance from the City Clerk on the budget. Member Armstrong reported that the committee has decided to discontinue the Movies in the Park as the turnout for this was not as good as it should have been for the money involved. Member Armstrong stated we need to complete Phase II of the park renovations which included the silhouette and some painting and pressure washing. Member Armstrong indicated she would like to have the painting done prior to April 30th as there will be some activities at the park that day. She has obtained two estimates on the painting and pressure washing - one from Jones & Son Painting for \$750.00 and one from C & R Landscaping for \$800.00. Council in agreement for Member Armstrong to proceed with either contractor she preferred who could meet the timing schedule needed. Member Troxell made the motion to move the \$4,000.00 originally budgeted for sealing the trail to the parks improvement category of the parks budget. Motion seconded by Member Shroyer. On a call for vote by Clerk Doane, all members present voted "Yea".

Mayor Stephens stated it has been requested that we put up two signs on the trail to indicate the distance for walkers/joggers. The trail is 4,568 feet in length which is approximately .85 of a mile. Mayor Stephens asked how the council wanted that signs to read with the consensus being .85 mile.

Subject: Community Center Update – Mayor Stephens stated he is on the Community Center Board. Reported that in January over 2,000 people used the center with 2,400 using it in February. Computer classes are being given at the center.

NEW BUSINESS:

Subject: Open Citizen Comments/Questions – Mayor Stephens asked for any open citizen comments or questions. Member Mason stated he has been asked about how to handle barking dogs. Attorney Brammell stated that state statutes cover this with the County Attorney to be who should be contacted for a complaint. Member Armstrong indicated that she has had complaints about pit bulls running loose on Hillcrest Drive and that she fears for the kids on this street. Judge Brent is aware of the ongoing problem with dogs and is working on a solution with the departure of the Humane Society from the community. Coyote sightings were also discussed.

Member Shroyer reminded council of the Economic Development meeting scheduled for 11:00 a.m. on Friday with KLC representative Tad Long.

Member Shroyer asked if we need the stop sign on Zelcova at the trail. It was discussed that we do as people are walking through.

Member Shroyer asked when the street cleaning is done. Public Works Director William Smith reported that they do it early on Sunday morning twice a month in the basic downtown area.

Subject: Mayor's Update – Mayor Stephens reported he has been asked to beautify the island area at the intersection of Elm Street and Highway 55. He is working on getting approval from the state since this is their property. Once approval is received he hopes to make this a Church or school group project. Mayor Stephens reported he is working on direct deposit for payroll and other cost cutting proposals with the City Clerk. He has obtained a trial postage meter with the cost to be \$19.99 per month if we decide to keep it.

Subject: Proposed Ordinance Requiring Visible House Numbers – Mayor Stephens reported that the County has an ordinance requiring visible house numbers. He will be researching this to see how we can implement it better in the City.

Subject: Land and Water Grant Resolution – Attorney Brammell read a resolution authorizing Mayor Stephens to apply for a land and water conservation grant for a maximum of 50% (75,000.00) of estimated parks improvements estimated at \$150,000.00. Motion made by

Member Meadows and seconded by Member Troxell to approve the resolution as read authorizing the application for land and water conservation grant funds. On a call for vote by Clerk Doane, all members present voted "Yea".

Subject: Warrants - The warrants presented for payment were reviewed. Motion made by Member Armstrong 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.

Council reminded to stay for a new picture for the Henry County Local publication.

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 8:20 p.m.

DRANE STEPHENS, MAYOR
CITY OF EMINENCE, KENTUCKY

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

