

The City Council of the City of Eminence, Kentucky met in a regular session on Monday, November 12, 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, Magistrate Scott Bates, Henry County Local Representative Brad Bowman, Industrial Disposal Representative Mike Patterson, Rumpke Representatives Greg Rumpke, Jeremy Rumpke and Michael Sweeten.

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

Pledge of allegiance held.

Subject: Garbage Franchise Bid Opening - Mayor Stephens opened two bids for a garbage collection franchise – one from Industrial Disposal and one from Rumpke. The rates for residential and commercial garbage pickup were as follows:

| <u>Time Period:</u> | <u>Industrial Disposal:</u> | <u>Rumpke:</u> |
|---------------------|------------------------------|------------------------------|
| 7-1-13/6-30-14 | 19.68/Month | 18.90/Month |
| 7-1-14/6-30-15 | 19.68/Month | 18.90/Month |
| 7-1-15/6-30-16 | 19.88/Month | 19.56/Month |
| 7-1-16/6-30-17 | 19.88/Month | 19.56/Month |
| 7-1-17/6-30-18 | 20.08/Month | 20.25/Month |
| | 4.00/Month Extra Cart Charge | 2.00/Month Extra Cart Charge |

Industrial Disposal will pick up large items on the last service day of the month at no additional charge. Rumpke's bid states they will allow one large item per month on any regular collection day; however upon verbal clarification with them they stated their policy is to collect one large item each regular collection day without any additional charge. Industrial Disposal's bid included two community wide free pickup days per year and Rumpke stated they would also, if it was a part of the resolution. Rumpke later agreed to also allow the two community wide free pickup days per year.

Rumpke bid for a maximum of 50 rear door pickups with Industrial Disposal bidding unlimited as long as deemed necessary by the City and no able bodied person lives in the home.

Industrial Disposal bid up to two 96 gallon rolling carts for residential customers with Rumpke agreeing to the specifications on carts as detailed in our resolution.

Rumpke listed no additional holidays, but acknowledged the ones we had in our specifications. Industrial Disposal listed additional holidays of Memorial Day, July 4th, and Labor Day.

Optional recycling proposals for curbside were as follows:

Rumpke – 18 Gallon Containers – Co-Mingled Collections – Same Day As Garbage Pickup
Weekly Collection – Invoice Customers Direct – No Franchise Fee Paid:

\$5.50/Month – 1-25% participation
\$5.00/Month – 26-50% participation
\$4.50/Month – 51-75% participation
\$4.00/Month – 76-100% participation

Industrial Disposal – 96 Gallon Containers – Co-Mingled Collections – Every Other Week
Collection – Subscription Basis Billed Direct to Homeowner, However Will Need 30%
Participation – City Must Keep Log of Subscribers – No Franchise Fee Paid:

\$3.95/Month

If City wants to provide recycling and will accept billing responsibility for all 100% of
our residents the price will be \$3.00 per month or if the City will pay for the residents
who want to subscribe with a minimum of 30% participation the price will be \$3.40 per
month billed direct to the City.

Mayor Stephens asked council if they had any questions of the bidders. Member Meadows
asked how many back door pickup services we have now. Clerk Doane stated she does not
readily know and would have to look this up. Member Meadows asked that this be included on
the comparative spreadsheet. Member Armstrong inquired if either company would pickup
refrigerators. Both responded that they would, however the Freon must have been removed and
there must be a certificate documenting this on the refrigerator. This would apply to any
appliance or equipment that has Freon.

Mayor Stephens asked if either company would like to speak.

Rumpke stated that they apparently are the lowest overall bidder, but acknowledged that both
companies are dependable companies. They do have the service for Henry County including the
recycling at drop-off locations. Mr. Rumpke stated he feels that every other week on the
recycling confuses people. Mr. Rumpke stated that the 18 gallon container for recycling should
work since they do weekly pickup, but would provide additional containers if needed. They do
the recycling for New Castle with only 14 people participating.

Industrial Disposal stated they have been our service provider the past ten years and appreciates
the business. Mr. Patterson stated he hopes we have been pleased with their service and feels
that their quality of service is higher. Mr. Patterson stated he feels the roller recycling containers
are better than the carts and that having hinges are important for controlling wind scattering
problems.

Mayor Stephens stated he will put together a comparative spreadsheet for the council and hopes that a decision can be made at the December 10th meeting. Michael Sweeten with Rumpke stated he will email references.

Subject: County Business – Magistrate Scott Bates was present and congratulated Council on their re-election. Stated that Jackson Road has been paved starting in the City and going out about two miles which has greatly improved this area. He has been told that Main Street has been added to next year’s paving list by the State. He did suggest anti-skid be added to the road surface north of the City, but they have not agreed to this since it is scheduled for re-paving. He is also working on getting guard rails for this curve. Member Meadows stated there have been 37 accidents in this curb since 2008 and really feels anti-skid would be helpful. Magistrate Bates stated he feels like Rick Rand and Paul Hornback will both help on this project.

Magistrate Bates stated the County has cut approximately \$200,000.00 from their budget even though it was quite controversial. Their revenue should be going back up some due to picking up three dialysis patients for transport. They have decided to keep the EMS building and house an ambulance here.

OLD BUSINESS:

Subject: Minutes – The minutes of the previous regular session held on October 8, 2012 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: Amendment to Water and Sewer Ordinance – Attorney Brammell held the second reading of an ordinance amending sections of the current water and sewer ordinance to change the due date for water/sewer/trash bills and to no longer allow extensions beyond the payment delinquent date. Motion made by Member Armstrong and seconded by Member Mason to approve the ordinance as read. On a call for vote by Clerk Doane, all members present voted “Yea”. Motion carried.

REPORTS:

Subject: Police Department Report – Police Chief Carey Duncan reviewed the monthly activity report with council. Chief Duncan stated they had 213 total contacts for the month. Eight individuals were arrested on eleven separate charges. The Department had two driving under the influence and one other alcohol related incident.

Chief Duncan stated they gave two notices on ordinance violations – one for ducks and one for goats. Chief Duncan stated there have been three more auto thefts since our last meeting, but no arrests have been made. Please continue to notify your neighbors to lock their vehicles. Chief Duncan stated that two units are currently at training – Major Kemper and Officer Rankin.

Subject: Public Works Department Report – Public Works Director William Smith reviewed the monthly activity report with council. Mr. Smith reported they have had their first water main break of the season. Mr. Smith reported that the new tank controls are working great as they are

now able to monitor them from the website and read the master meter from their homes or office which has eliminated the overtime on the weekend.

Mr. Smith reported that the City was found to be deficient in a couple of areas after the Division of Water review. One of the deficiencies was the lack of a formal cross connection control plan. One has been prepared for adoption by resolution. The plan calls for back flow preventers to keep homeowners flow from getting back into the system. Homeowners have to be notified and the resolution allows for enforcement of our plan. Motion made by Member Meadows and seconded by Member Shroyer to approve the resolution as presented adopting a cross connection prevention program. On a call for vote by Clerk Doane, all members present voted "Yea". Motion approved.

Mr. Smith reported that our KPDES Wastewater Permit Renewal Application has been submitted. Our expansion project should be ready at the end of the month for submittal which will require a new permit application at that time.

Mr. Smith reported that the park has been winterized. The trim on the shelter is being finished today.

Mr. Smith reported that the new truck approved in the budget has arrived and has been put in service. Matt McAllister is working on the lettering for the new truck. Mr. Smith stated he would like permission to sell the 2001 S-10 pickup and a 1986 dump truck, both of which are no longer needed. Motion made by Member Troxell and seconded by Member Mason to declare the 2001 S-10 pickup truck and the 1986 dump truck as surplus and to offer them for sale under competitive bidding with a bid opening to be at our December meeting. On a call for vote by Clerk Doane, all members present voted "Yea". Motion carried.

Subject: Administrative Office Report – Council congratulated Clerk Doane on her award as the second clerk in Kentucky to receive the Kentucky Master Municipal Clerk designation.

City Clerk Sandra Doane reviewed the monthly administrative office report with council reporting that we have collected approximately 80.6% of the 2012 tax bills through November 8th. Residents took advantage of approximately \$5,640.00 in discounts by paying early. Clerk Doane reported that we have collected \$14,594.29 in certified back deposit tax and received H.B. 413 funds for the first quarter in the amount of \$2,848.17.

Subject: First Quarter Budget Comparison – Mayor Stephens and Clerk Doane reviewed the first quarter budget comparison with council, noting no major concerns with all departments basically being on target.

Subject: Fire Department Report – Member Meadows reviewed the Fire Department report with council which showed eleven total runs and special details in October for total man-hours of approximately 29. Member Meadows reported that the Board had a question as to whether it could be added into our contract a stipulation to compensate the volunteers an extra amount as a result of any FEMA declared emergencies. Attorney Brammell stated he would review and address this question. It was discussed that this might create an employee/employer relationship which would be a problem. Clerk Doane asked to check with our auditor on this question.

Subject: Festivals Update – Member Armstrong reported on our Halloween events. Member Armstrong thanked employee, Tim Fitzgerald for all his assistance in providing hayrides. She suggested to keep all the times the same next year rather than having the haunted forest at one time and trick or treating at another as it caused some confusion and not to open the gate early as some booths were not ready. Member Armstrong stated we also need to make sure and remind the businesses next year about the Trick or Treating on Main, even though it has become an annual event.

Member Armstrong reported that Light Up Eminence is scheduled for Saturday, December 1st with the parade to start at 5:00 p.m. Santa will be arriving at this time as well. Events are still being worked on. Member Armstrong told Mayor Stephens she would like to have the army participate again if possible. A Christmas box has been set in the foyer at City Hall for collection of new toys and clothes for the Family Resource Center.

Subject: Parks Update – Mayor Stephens reported we can announce our parks and recreation grant receipt of \$42,200.00 for park improvements. This is a 50/50 matching grant. We had requested \$60,000.00. The Governor will be making an official presentation later. He will let them know, along with the Henry County Local when the official presentation date is announced.

Subject: Community Center Report – Nothing to report.

NEW BUSINESS:

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

Subject: Board of Adjustment Reappointment – Mayor Stephens presented a request from Planning and Zoning for reappointment of Frank Denton to the Board of Adjustments. Motion made by Member Troxell and seconded by Member Meadows to re-affirm Frank Denton's reappointment to the Board of Adjustments for another four year term. On a call for vote by Clerk Doane, all members present voted "Yea". Motion carried.

Subject: Amendment to Personnel Policy – Attorney Brammell held the first reading of an ordinance amending the personnel policy ordinance to add a records manager/office assistant position. Mayor Stephens stated this is the budgeted position scheduled to start in January for a part-time records manager and office assistant.

Subject: Animal Ordinance – Mayor Stephens reported that Chief Duncan and County Animal Control Officer Dan Flinkfelt are still working on a revised animal control ordinance. Mayor Stephens stated he would like for it to be ready after the holidays.

Subject: Mayor's Update – Mayor Stephens reminded Council that the Christmas dinner is scheduled for December 18th at 6:30 at Scribes. Mayor Stephens reported that the City Officials Academy is scheduled for January 16-18, 2013 in Lexington and encouraged all council members to attend.

Subject: New Business/Council – Mayor Stephens asked if any council member had anything they wanted to discuss. Member Armstrong reported that she has been receiving complaints that

no one is answering phone calls or responding to messages left at the animal shelter. Member Browning stated they are not updating their animal list either.

Member Armstrong stated she has received concerns about a potential business which might be locating on Jackson Road. Mayor Stephens responded that Planning and Zoning is aware of this and has sent a letter to the owners that no business can go at this location without a zone change approval. The owners assured him that they are only renovating the building to preserve it at this time

Member Shroyer asked council if they would be interested in looking into a commercial building preservation ordinance for the rest of the old buildings in town. He stated we could probably enforce some issues under our current properties ordinance. Discussion held with council in agreement to consider this. Member Shroyer stated he would get some sample ordinances.

Subject: Warrants – The warrants for payment were presented and reviewed. Motion made by Member Shroyer and seconded by Member Meadows 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 Meadows to adjourn. All members present voted “Yea”. Meeting adjourned at 8:14 p.m.

DRANE STEPHENS, MAYOR
CITYOF EMINENCE, KENTUCKY

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