

The City Council of the City of Eminence, Kentucky met in a regular session on Monday, March 14, 2016 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 was none. Also in attendance were City Attorney William Brammell, City Clerk Sandra Doane, Public Works Director Matt McAllister, Police Chief Kevin Kemper, Citizens John Adcock and Earl Lawson, Auditor Matt Huelsman, Outreach Coordinator/Facilitator Micah Howard and Henry County Local Representative Chris Brooke.

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

Pledge of allegiance held.

**Subject: Kentucky Career Center** - Micah Howard, Outreach Coordinator/Facilitator with Kentucky Career Center, was present to discuss services available from Kentucky Career Center to citizens in Eminence and Henry County. They provide assistance with job training, resumes, interview skills, and assistance in finding jobs free of charge to the individual. They have workshops on Mondays at the Henry County Library from 9:00 a.m. until at least noon and longer if needed. They can even use the library to print and scan documents while in this program. They can assist individuals under 24 with getting their GED. There is even a 7 months program to become a dental assistant. The criteria to receive these services is very easy to meet as you have to make under \$50,000.00, have no default loans and males must be registered with the selective service. Mr. Howard asking for the council's assistance in getting the word out about this free program.

**Subject: Subject: County Business** – Magistrate Scott Bates was absent doing prison ministry so no report. Mayor Stephens reported he has no update on the requested new sign for Narrow Gage Road that reads “No Semis beyond This Point”. Mayor Stephens asked if anything to take back to Magistrate Bates. No one had anything.

**Subject: Surplus Cruiser Bid Opening** – Mayor Stephens opened the following re-bids for purchase of the surplus 2005 Ford Explorer:

Karen Perryman, 303 Sycamore Terrace, Shelbyville, KY 40065 - \$2,700.00

Kenny Webb, 1312 Ballard Court, LaGrange, KY 40031 - \$3,001.00

Shelby Armstrong, 5902 S. Main St., Eminence, KY 40019 - \$2,352.00

Davis & Wood Properties, 10053 Elmburg Road, Pleasureville, KY 40057 - \$2,500.00

Shawn Woods, 197 College Street, New Castle, KY 40050 - \$2,400.00

Motion made by Member Meadows and seconded by Member Mason to accept the highest bid in the amount of \$3,001.00 from Kenny Webb for purchase of the 2005 surplus ford explorer and if

for any reason he were to change his mind to accept the second highest bid of \$2,700.00 from Karen Perryman. On a call for vote by Clerk Doane, all members present voted “Yea”.

**Subject: Audit FY Ending 6-30-15** – Auditor Matt Huelsman with Richardson, Pennington & Skinner, PSC of Louisville KY reviewed the audit report for the fiscal year ending June 30, 2015 with council. He reported that we received a clean, unqualified opinion. Reported that a new requirement of GASB 68 to require cities to show a proportioned share of the pension liability on their books has resulted in a liability of \$1,161,000.00. Discussion held on this including if we would ever actually be asked to pay this money and if it should be a line item in our budgets. Mr. Huelsman stated he did not know on the payment question and stated he would not include it in our budgets. Motion made by Member Shroyer and seconded by Member Troxell to accept the audit report as presented. On a call for vote by Clerk Doane, all members present voted “Yea”.

**Subject: Drone Ordinance Discussion** – John Adcock of 422 Elm Street discussed with council how to regulate drone usage in the City. Reported that he was told that people were in his yard Thursday night and Friday morning searching for a drone. He has a concern with this if someone was to fall in a hole what liability would he have. He understands there has been an incident of one flying in front of a truck. Member Meadows stated there is an article in the Courier today about drones and how they will be mostly controlled by the FCC and FAA. Attorney Brammell reported at this point the cities or state will not have any regulatory control as they are regulated by a higher authority. He does feel we will need guidelines. The FAA does require a license and our state legislators are currently considering how to get local control.

### **OLD BUSINESS:**

**Subject: Minutes** – The minutes of the previous regular session held on February 8, 2016 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: Zoning Ordinance Amendment** – Attorney Brammell held the second reading of an ordinance amending the planning and zoning ordinance to add Section 605 to allow the enforcement officer to assign an appropriate zone for a requested permitted or conditional use request as there is not a non-exhaustive allowed list in existence and to add Section 1105 which sets a fee for sign permits. Motion by Member Troxell and seconded by Member Meadows to adopt the zoning ordinance amendment as read. On a call for vote by Clerk Doane, all members present voted “Yea”.

**Subject: Alcohol Ordinance Amendment** – Attorney Brammell held the second reading of an amendment to the alcohol ordinance which will allow businesses selling alcohol to remain open on New Years’ Eve after midnight until 1:00 a.m. with no alcohol to be sold after midnight. Motion made by Member Meadows and seconded by Member Mason to adopt the alcohol ordinance amendment as read. On a call for vote by Clerk Doane, all members present voted “Yea”.

### **REPORTS:**

**Subject: Police Department Report** – Police Chief Kevin Kemper reviewed the monthly activity report with council. Chief Kemper reported they had 256 total contacts for the month. Thirty-four citations were issued on sixty charges. Ten individuals were arrested on eighteen charges.

Chief Kemper reported that Officers Wilson and Bailey worked a minor stabbing at a business on North Main. The suspect was arrested without incident and the investigation was handled quickly and efficiently by both officers.

Chief Kemper reported that Officer Wells has started a Facebook page for the Police Department. The public has already identified a couple who were shoplifting at CVS which strengthened a case in the County on a theft of cash and stolen car from that same day.

Chief Kemper reported that he and Officer Wells attended training with the US Department of Justice in Louisville recently.

Chief Kemper reported that the Main Street property ordinance violation is hopefully solved as the property is being sold. He will continue to work on the King Street property for a resolution of the problems there. Both properties belong to Thelma Smith.

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

In addition to normal activities, Mr. McAllister reported that they continue to dress up and maintain water main break locations with dense grade gravel and seed/straw prior to the blacktop plants opening which should be soon. More auto read meters have been installed on several streets in the Mulberry area.

Reported that the East Broadway #1 lift station pump has been repaired and reinstalled. They have cleared a few gravity sewer blockages around town.

Mr. McAllister reported that some of the warranty issues at the sewer plant have been addressed but not everything.

Mr. McAllister reported they are still making repairs and dressing up the chlorine room at Coach D Park with new doors on the front and back, all holes are covered in and a platform will be taken out. They have accepted the first shipment of equipment for the splash pad.

Mayor Stephens reported that the family of Arthur Henderson who owns a home on North Penn Avenue contacted him concerning a refund for their father's water/sewer charges from September, 2015 forward. They claim they called to have the water turned off as Mr. Henderson was in the nursing home. We have no record of this call for permanent turn-off. Discussion held. Motion made by Member Meadows and seconded by Member Mason to authorize this refund to Mr. Henderson upon receipt of proper power of attorney documents and a written request for refund from the family and to make sure to terminate the service in our records. On a call for vote by Clerk Doane, all members present voted "Yea".

Member Bell asked if we should initiate a minimum charge when services are turned off temporarily or at least charge a reconnect fee. Discussion held. No decision at this time.

**Subject: Administrative Office Report** – City Clerk Sandra Doane reviewed the monthly administrative office report with council reporting that the 2015 tax bill collection is at 96.3% at March 10, 2016. Total 2015 unpaid as of same date is \$13,329.54. Reported on insurance premium tax, franchise payment and occupational tax collection for February.

Clerk Doane reported we have received the insurance payment minus the deductible on the damage to the 2015 Dodge Durango.

Clerk Doane reported she is currently working on preparation of the 2016/2017 budget. Our new hire, Debbie Baer, is working out very well.

**Subject: Fire Department Report** – Member Meadows presented the monthly fire department report showing four total runs and special details for approximately 26-1/4 man-hours for February. Member Meadows suggested that the Fire Board by-laws need updating for procedures on election of officers in the event of resignation or death. Attorney Brammell stated there is no need for this by the City as the Department is not a City office or department even though we provide funding for them. They are considered a quasi-agency of the City.

**Subject: Website Update** – Mayor Stephens, with the assistance of Matt McAllister, presented a PowerPoint presentation of the website update proposals. He has asked Joyce Meyer, our site host, to look at other cities. More information and suggestions will follow.

**Subject: Festivals Update** – Members Mason and Troxell reported a meeting needs to happen soon. Member Troxell stated she has asked Jeanie Owens to take care of the booths this year. Member Bell stated his wife, Tonia may help on this as well. Thursday night, March 24<sup>th</sup> at 6:30 p.m. at City Hall was decided upon for the kick off meeting to plan Eminence Day. Mayor Stephens asked if everyone was okay with the breakdown on the festivals committee members list. Everyone was okay and agreed to help as needed in other places. Member Meadows asked about the committee for special projects and what else might fall under this. Mayor Stephens stated we can review this as things come up. Member Meadows stated having the City Clerk help with the one retirement party last year worked out well.

**Subject: Parks Update** – Mayor Stephens reported we are waiting on the start of installation of the splash pad. We have received at least one complaint that the park is not open yet. He has instructed the Public Works to get it open after their monthly meter reading this month. We do not usually open until the end of March anyway. Member Shroyer inquired if the equipment for the splash pad is secure on delivery. Mayor Stephens stated we have it locked up at the City's Municipal lot. Member Shroyer suggested we proceed with adding this to our insurance policy contents with whatever building it is located in.

### **NEW BUSINESS:**

**Subject: Personnel Policy Interpretation** – Discussion held on how the bereavement leave policy should be interpreted as it pertains to immediate in-laws and who this should include. Mayor Stephens stated we had an employee's wife's grandmother pass away and he interpreted the policy as not allowing paid bereavement leave for this. Discussion held with varying interpretations. Decision made that immediate in-laws should only extend to one generation out

such as children, parents, brothers and sisters and not grandparents. Attorney Brammell will draft an amendment to the policy for next month's meeting clarifying this.

**Subject: Funds for Rehab or Hazing of Property** – Mayor Stephens inquired if anyone is aware of funds that might be available to assist with rehab or hazing of a dilapidated home which has been purchased by a Church. No one knew of any funds available.

**Subject: ABC Commissioner Appointment** – No decision.

**Subject: Open Citizen Comments/Questions** – Earl Lawson who owns property on Merriweather was present to discuss the drainage under his property. He stated he is dealing with the Mayor and the Council, not the individual people. He doesn't understand why we cannot force the people who live across the road to purchase culverts to help with his problem. Attorney Brammell attempted to tell him we could not and that he should approach this as a private right against his neighbors if he wanted to, but there was nothing we could do about the situation.

**Subject: Mayor's Update** – Mayor Stephens presented a request from David Fitzgerald who owns property on Elm Street. Mr. Fitzgerald wants to build a garage to live in while he is building a house as the one on the property is beyond repair since all the copper has been stripped out of it. Public Works Director stated currently an outdoor building is over our 8" gravity line. The proposed garage would have to be placed downhill at least 7.5 feet from our line. Being that it would be downhill, our shallow line (4.5 feet) would not allow for gravity flow. The garage would have to pump uphill into our line. A new tap on would be required as well. Attorney Brammell stated the request for the garage and house would need to go to planning and zoning first anyway.

**Subject: Council – New Business** – Member Armstrong reported the DJ in the Park will have added play features this year, such as inflatables. Date is yet to be determined.

Member Troxell stated she has been asked numerous times if Norm's is closing. Discussion held. It has been stated that they will close within two to three weeks if new ownership does not happen.

Mayor Stephens reminded all departments to have their budget requests to him by April 8, 2016.

Member Shroyer stated he would like to review council and mayor salaries prior to the budget being finalized and that we would have to revise the ordinance for future officials.

**Subject: Warrants** - The warrants for payment were presented and reviewed. Motion made by Member Troxell 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 Meadows and seconded by Member Troxell to adjourn. All members present voted "Yea". Meeting adjourned at 8:08 p.m.

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DRANE STEPHENS, MAYOR

CITY OF EMINENCE, KENTUCKY

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