

The City Council of the City of Eminence, Kentucky met in a regular session on Monday, December 12, 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, Public Works Director William Smith, Wastewater Plant Operator Matt McAllister, Police Officer Phillip Parham, Magistrate Scott Bates, Henry County Local Representative Jonna Spelbring Priestler, Tony Adams, Rhonda Dees, Melissa Blankenship, Nikki Gamble, Emily Bryant, Brianna Moore, Ben Smith and Madison Pittman.

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

Pledge of allegiance held.

**Subject: County Update** – Magistrate Scott Bates was present representing the County. Mr. Bates reported that they are working on their budgets and the first of the year new jailer transition. Mr. Bates reported that Magistrate Beasley stills maintains that we will be able to get one AED free. Mayor Stephens reported that we have received one from the EMS and asked Magistrate Bates to coordinate our invoice for payment of our half cost.

**Subject: Henry County Youth Coalition** – The following representatives of the Henry County Youth Coalition were present: Nikki Gamble, Emily Bryant, Brianna Moore, Ben Smith, Madison Pittman, and coordinator Melissa Blankenship. The coalition made a presentation to request that the City amend their alcohol ordinance to require mandatory alcohol server training. The coalition represents seventh thru twelfth graders from both school districts. The presentation included sample ordinances from neighboring cities that already require the training. The coalition reported that funds are available thru fiscal year ending June 30, 2012 for businesses to train their employees for only \$10.00 per person. Two classes can be done with up to 20 participants per class. They can bring the training to us on one day and one evening, possibly at the library or extension office. Mayor Stephens stated we have considered this previously but due to the cost and employee turnover being high, the City decided not to require this. It was reported that Hometown Pizza does already require some type of training for their staff. Discussion held with the consensus of council being that we would investigate this further and have Attorney Brammell draft a sample ordinance amendment. ABC administrator Lee Ann Armstrong was asked to contact the state ABC Commission to determine why they recommend the ordinances of Elizabethtown and Owensboro over some of the others. Melissa Blankenship stated that the coalition will also be approaching the fiscal court if the countywide vote passes tomorrow to allow alcohol sales by the drink in the County. Mayor Stephens stated we will work with the County on getting the same ordinance in place if it does pass.

**Subject: Assistance Request for Project Prom** – Rhonda Dees and Tony Adams were present representing Eminence Project Prom to request the City's sponsorship of Project Prom. Mr. Adams reported that the prom is April 28<sup>th</sup> and that they will be transporting the students to and

from the Fun Park in Middletown. Mayor Stephens stated we can only contribute by the paying of an invoice if the council chooses to and cannot just give a donation. Motion made by Member Meadows and seconded by Member Browning to authorize the payment of an invoice in the amount of \$500.00 on behalf of Project Prom. On a call for vote by Clerk Doane, voting “Yea” were Members Meadows, Browning, Shroyer, Troxell and Mason. Abstaining was Member Armstrong. Motion carried.

### **OLD BUSINESS:**

**Subject: Minutes** – The minutes of the previous regular session held on November 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.

### **REPORTS:**

**Subject: Public Works Department Report** – Public Works Director William Smith stated he had no written report this month. Mr. Smith updated the council on the sewer expansion project reporting that he and Mayor Stephens attended a legislative breakfast at the KIPDA offices last week and that we are high on the list for being funded; however it will be March before we know if any additional legislative money will be given to us. The projects who are participating in the state revolving loan money are the ones being approved for construction. We may have to come up with an alternate funding source such as this. Member Shroyer asked if we are under any order from the Division of Water. Mr. Smith stated that we are not at the present but are operating on the 2007 expired permit due to the state not approving any new permits until just recently. We have been exceeding our effluent limit based upon the design capacity the past few years at the sewer plant, but have been meeting our permit. Mayor Stephens reported we are lucky that Rick Rand is the head of the appropriations committee at the state and if there are any funds available we will get them. We already have a lot of money and work invested in this project. The state is questioning the status of our project, as pertains to the money we have already been promised, since we have been waiting on the state to approve our project. Member Shroyer commented that if we do have to borrow a lot of the money we may have to raise the sewer rates; but we may have to look at borrowing money to move ahead with the project. Mayor Stephens stated he now has us on the state revolving fund lending cycle as we were not on this previously.

Wastewater Plant Operator Matt McAllister showed a video of the drainage on Merriweather close to Mr. Earl Lawson’s house. The video started at the beginning of Merriweather Avenue and went all the way down. The water at the beginning of the street all goes to a point behind Willie Smith’s house to a ditch. Water is staying in the ditches on the left side of the road and then going thru culverts and into other ditch areas before and after Mr. Lawson’s property. This area has been reviewed in all amounts of rain recently and it has been determined that the only water going under Mr. Lawson’s house comes from his lack of guttering and not from anything the City has done. Mayor Stephens reported he encouraged him to put up gutters, but he probably will not. Mayor Stephens reported he rode around with Mr. Lawson and learned a lot of history about the town and County.

Member Meadows asked if we gave up our legislative money to the County a few years back so they could move ahead with the park. Mr. Smith stated that we did but we were not ready to move ahead anyway as we had not received the Division of Water approval to use the Lentec system. Any money that comes down now is earmarked for our project.

Mayor Stephens announced that Matt McAllister is the City's new safety trainer and is doing monthly training for the public works department.

**Subject: Police Department Report** – Police Chief Carey Duncan reviewed the monthly activity report with council which showed total contacts of 254 for November. Nine individuals were arrested on thirty-one separate charges. The Department had five driving under the influence and two other alcohol related incidents. Chief Duncan reported that Officer Parham is #1 in our Division for the third year in a row and received the Governor's award for the most drunk driving arrests.

**Subject: Property Ordinance Enforcement Report** – Chief Duncan reported that no property owners were cited this month, however one has been told that they cannot raise chickens as was intended at the location on West Broadway which was discussed last month.

**Subject: Disposition of Confiscated Vehicle** – Chief Duncan reported that we finally, after a few problems, are getting the title to the confiscated truck into the City's name. Discussion held whether this vehicle would be of any benefit to the public works if we keep it. Public Works Director Smith stated he didn't think it would be as it is not four wheel drive and will be a gas guzzler. Chief Duncan stated we might not be able to keep it for the public works department due to regulations on confiscated items. Clerk Doane reported that the retail value on the truck is \$5,375. Discussion held. Motion made by Member Meadows and seconded by Member Armstrong to declare the 1999 Ford F250 confiscated truck as surplus, to declare that it has never been used by the City and was a court confiscated vehicle and to authorize the sale by sealed bid, once we receive the title from Frankfort, with a minimum bid requirement of \$4,000.00. On a call for vote by Clerk Doane, all members present voted "Yea".

**Subject: Police Comments** – None by Chief. Member Meadows commented on the good job by the department while the Chief was out of town. The recent thefts in the area were discussed and specifically the theft of copper from air conditioning units. Officer Parham suggested contacting our legislators to encourage more stringent laws on scrap yards to require a picture identification and license of all persons bringing in scrap.

**Subject: Administrative Office Report** – City Clerk Sandra Doane reviewed the monthly administrative office report with council reporting that we have collected approximately 80.4% of the total 2011 property taxes as of November 30<sup>th</sup>. Reported that the auditors started the in-house audit work on December 2<sup>nd</sup> and plan to have the audit completed by the end of the year. Clerk Doane reported that she and Mayor Stephens will be working on the Management and Discussion Analysis for inclusion in the audit.

**Subject: Fire Department Report** – Member Meadows reviewed the Fire Department report with council which showed ten total runs and special details in November for a total of 35-1/4 total man-hours. Member Meadows suggested that we park a fire truck or put up some type of barrier on Main Street while the kids are there next year for Light Up Eminence as one almost got hit this year. Member Meadows thanked the council who attended the Fire Department dinner.

**Subject: Festivals Update** – Member Troxell stated she plans to ask Mary Scriber to serve on the committee for Eminence Day next year. It was reported that we had a good crowd for Light Up Eminence this year. The good weather was a factor and possibly the “One Call” that the City put out.

**Subject: Parks Update** – Mayor Stephens reported we did not receive our Land and Water Grant, but were encouraged to re-apply next year.

**Subject: Community Center Report** – Mayor Stephens reported that the new Director at the Center has been decided on, but he is not at liberty to announce who at this time.

#### **NEW BUSINESS:**

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

**Subject: I-71 Corridor Resolution** – Mayor Stephens reported we have been asked to give our support to a planning study of the I-71 Corridor for expansion and upgrade. This will not create any financial responsibility for the City. Motion made by Member Troxell and seconded by Member Mason to adopt the resolution as presented to support a planning study to widen and upgrade the I-71 Corridor. On a call for vote by Clerk Doane, all members present voted “Yea”.

**Subject: Sewer Use Ordinance Amendment** – Attorney Brammell reviewed that we needed to update our sewer use ordinance to conform to some new standards. The updates were done by a consultant hired by the City. Attorney Brammell held the first reading of a summary ordinance updating the City’s sewer use ordinance.

**Subject: Updated Animal Ordinance** – Mayor Stephens reported he received about 15 different animal ordinances from other Kentucky cities after Clerk Doane put her global e-mail request out, some of which do have language concerning cats. He is in the process of reviewing these to see if any will work for us to add to the ordinance as proposed by Animal Control Officer Dan Flinkfelt.

**Subject: Holiday Assistance Request** – Mayor Stephens encouraged the council to assist Eminence Independent Schools and Family Resource and Youth Services Center with their request for holiday assistance to kids in the community.

**Subject: Planning and Zoning Board of Adjustment Appointment** - Mayor Stephens reported he received a letter from planning and zoning that Doug Kalbfleisch has resigned due to

health issues from the Board of Adjustments. This appointment belongs to the Mayors of all the incorporated cities. J. T. Stinson has been suggested as his replacement. Consensus of council to approve the Mayor's appointment of J.T. Stinson as the replacement on the planning and zoning board of adjustments.

**Subject: Mayor's Update** – Mayor Stephens reminded council of the Christmas Dinner to be held tomorrow evening at 6:30 p.m. We will probably start serving around 7:00 p.m.

Mayor Stephens reported he had some Light Up Eminence pictures he was going to show as a video, but has been having difficulty getting them open from the sender.

Mayor Stephens stated he plans on appointing a committee to work on the blighted property code enforcement the first of the year. This was previously worked on, but never finished. Council asked what was being planned for the property at the corner of Jackson Road and Highway 22 West. Mayor Stephens stated he did not know, but would check and let the council know.

Mayor Stephens reported he wants to work with the County to get house numbers posted conspicuously in the City. The Council 911 ordinance requires posting of house numbers. He has met with Scott McClamroch concerning this and a plan is in the works to request that the fiscal court buy the numbers to send with letters to individuals whose address is not properly posted. He will be working with the County to follow-up on this.

Mayor Stephens reported that the Eminence Village Apartment renovations are scheduled to start in the spring of 2012. This is a six and a half million dollar project. He has advised them that they will need stronger management to keep the complex clean or they will just be wasting their money.

**Subject: New Business/Council** – Mayor Stephens asked if any council member had anything they wanted to discuss. Member Armstrong congratulated the Eminence School on being recognized as a smoke-free campus by the state.

It was asked if any success has been made toward getting South Main Street blacktopped at Blackaby Lane and Main. Mayor Stephens reported that he has discussed this and the only thing we are going to be able to get is patching for now.

Leo Mason thanked the Police Chief and one of the officers for attending his church's services one Sunday. The community really appreciated having them there.

Member Troxell reported that Judge Brent sent his appreciation for the invite to our Christmas Dinner, but unfortunately cannot attend.

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

With no further business to be discussed, motion made by Member Mason and seconded by Member Meadows to adjourn. All members present voted "Yea". Meeting adjourned at 7:44 p.m.

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DRANE STEPHENS, MAYOR  
CITY OF EMINENCE, KENTUCKY

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