

The City Council of the City of Eminence, Kentucky met in a regular session on Monday, July 11, 2011 at 6:15 p.m. at the Eminence City Hall with Mayor Drane Stephens and the following members present: Polly Troxell, Treva Browning, Danny Meadows, Lee Ann Armstrong and Leo Mason. Absent Member Tom Shroyer. Also in attendance were Attorney William Brammell, City Clerk Sandra Doane, Police Chief Carey Duncan, Police Officer Phillip Parham, Public Works Director William Smith, Magistrate Scott Bates, Melinda Peyton, Dan Flinkfelt, Travis Buchanan, Tommy Lanham, 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: Abandoned Property-119 Maple Avenue** – Melinda Peyton who lives on Maple Avenue was present to discuss the abandoned property at 119 Maple Avenue and the condition of the yard. Ms. Peyton stated she has been mowing the property, but knows that someone is using the property for storage. She was told by the person using the property for storage to just “keep on mowing it” which has upset her. Mayor Stephens stated he is aware of the problem and is trying to verify ownership so he can proceed to get the right parties involved to maintain the property.

**Subject: County Business** – County Magistrate Scott Bates was present and asked if we have any concerns for the County. Mayor Stephens stated he would like the County’s help in getting Highway 55 South re-surfaced or at the very least patched and cleaned up. Magistrate Bates stated he would look into this, but suggested lobbying at the state level as well.

Mayor Stephens asked Magistrate Bates about the \$10,000.00 invoice we have received from the County for the 911 dispatch services. Mayor Stephens stated we have been refusing to pay this the last few years as we believe it to be double taxation as the County gets all of the money from our citizen’s phone bills which should take care of the funding requirements. Attorney Brammell stated that we have met with the Judge and Fiscal Court representatives on this issue in the past. Mayor Stephens asked the Council how they felt about this. Discussion held including that Eminence is billed a much larger amount than any other city for this service. Motion made by Member Meadows not to pay the 911 dispatch bill for \$10,000.00 based upon the reasoning above of double taxation. Motion seconded by Member Mason. On a call of vote by Clerk Doane, all members present voted “Yea”.

**Subject: Donation Request – Henry County Animal Shelter** – Mayor Stephens introduced Dan Flinkfelt, the new County Animal Control Officer as of July 1, 2011. Mr. Flinkfelt gave an update on the County’s new plan for animal control. The Humane Society is no longer serving Henry County. They still own the property on Main Street which the County is leasing from them. Mr. Flinkfelt reported that he would like to do a food bank which would allow citizens to

come to the center and pickup free dog or cat food for their animals. He has obtained a price from Southern States of \$5.50 per 40 pounds and requested that the City contribute \$104.00 to purchase this food. He did a countywide food bank this past Saturday with 600 pounds of food being given away. Mr. Flinkfelt stated that the shelter does not accept cats yet, but is planning on the new shelter in Pendleton being able to. He is working on grants to get this shelter. He would like to do the food bank once a month at different towns in order to re-build the trust back up for the animal control office. Member Troxell stated she doesn't feel people should have pets if they cannot feed them their selves. Attorney Brammell stated that if we decide to do this it must benefit the citizens of Eminence only, not the County. Member Browning asked if proof of residency could be requested. Mr. Flinkfelt stated he does have enough personnel to do it this way. Discussion held with Council deciding to table this for future discussion. Mr. Flinkfelt stated his hours are 10:00 a.m. through 4:00 p.m. Tuesday through Saturday with him being on call 24 hours a day. The new office number is 502-845-8050 and his cell is 502-777-2599. He asked that his home address not be given out.

**Subject: Henry County Leadership Class of 2011 Project** – Travis Buchanan and Tommy Lanham were present representing the 2011 Henry County Leadership Class to discuss their proposed project for the County. They plan to install a disc golf course at Harry Hill Park. Mr. Lanham gave a brief history on disc golf and requested the City sponsor one of the holes for a cost of \$500.00. There would be a 12 X 18 sign put at the tee-off. Discussion held. The closest courses are currently in Frankfort, Louisville, or the Owen County High School. Attorney Brammell stated if we choose to do this we must determine that it will benefit the citizens of Eminence. Maintenance of the course was discussed with Mr. Buchanan stating he believes it would be County maintained or possibly a club. Motion made by Member Meadows to sponsor a hole of disc golf in an amount not to exceed \$500.00 as it will benefit the citizens of Eminence by providing a family activity for sport and exercise. Member Troxell seconded the motion. On a call of vote by Clerk Doane, voting "Yea" were Members Meadows, Troxell, and Mason. Voting "Nay" was Member Browning. Abstaining was Member Armstrong due to her being a participant of the 2011 Leadership Class.

**Subject: Request to Amend Alcohol Ordinance** – Teresa Patton and Tom McGraw, representing Hometown Pizza, were present to request that the City amend the alcohol ordinance to allow the sale of alcohol until 10:30 on Sundays instead of the current 7:00 p.m. quitting time. Discussion held including that the 7:00 was chosen due to it being the time the Renaissance Fair closes and we initially started allowing Sunday sales with them being the only business who could meet all the criteria for Sunday sales. Discussion held with consensus of council being for Attorney Brammell to proceed with drafting an amendment to the alcohol ordinance changing the Sunday sales times to 1:00 through 11:00 p.m.

### **OLD BUSINESS:**

**Subject: Minutes** – The minutes of the previous regular session held on June 13, 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** – Attorney Brammell held the second 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. Motion made by Member Meadows and seconded by Member Armstrong to adopt the ordinance amendment as read. On a call of vote by Clerk Doane, all members present voted “Yea”.

**Subject: Ordinance Amending the Ordinance Requiring Registration of Vacant Residential Property** - Attorney Brammell held the second reading of a summary ordinance amending the ordinance requiring registration of vacant residential property to require a \$50.00 per property registration fee. Motion made by Member Meadows and seconded by Member Mason to adopt the amendment ordinance as read. On a call of 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 422 for June. Eleven individuals were arrested on twenty-three separate charges. The Department had three driving under the influence and two other alcohol related incidents.

**Subject: Property Ordinance Enforcement Report** – Chief Duncan stated he has no property ordinance report.

**Subject: Police Comments** – Chief Duncan stated that the Department has charged a woman with leaving her kids in a hot car with the windows rolled up and doors locked.

**Subject: Public Works Department Report** – Public Works Director William Smith reviewed the monthly activity report with council. It was reported that we have lost revenue at the Housing Authority due to a bad meter. We will be trying to recoup some of the money and have changed out the meter.

Mayor Stephens reported that he has walked Elm Street with last year’s contractor to get an idea of the cost for replacement sidewalk on this street. He will be looking at North Penn Avenue and would also like to see sidewalks installed from Family Physicians on Eminence Terrace up to Main Street. Mayor Stephens stated he wants to see the entire sidewalks handicap accessible and that he has sent some letters out to property owners about fixing their sidewalks. Member Meadows asked what we are doing about people parking on the sidewalks. Mayor Stephens stated the Police Department is giving warnings about this. Member Troxell asked if Mike Jackson’s sidewalk had been looked at with Mayor Stephens stating it had been.

**Subject: Administrative Office Report** – City Clerk Sandra Doane reviewed the monthly administrative office report with council reporting that her office has now collected 97.9% of the 2010 property tax bills and is continuing to work on the delinquent list. Clerk Doane reported that all end of the year transfers have been made with the occupational/net profits receipts coming in over budget. Clerk Doane reported that she has transferred the money from the depreciation fund to the general fund and made a \$9,700.00 down payment on the Fire Department Rescue truck.

**Subject: Fire Department Report** – Member Meadows reviewed the Fire Department report with council which showed fourteen total runs and special details in June for approximately 325 total man-hours. Member Meadows requested that Robin Mullins start attending the Fire Board meetings with the next one being August 3, 2011 at 7:00 p.m.

Mayor Stephens reported that the fire rescue truck is complete and was in a show last weekend in Nashville. We are still waiting on our financing. Attorney Brammell is working with the Kentucky League of Cities on the necessary paperwork. Attorney Brammell reported that their bond counsel prepares all the documents and that an ordinance would be required of the City. We were previously told everything would be ready by the end of June. Mayor Stephens was told today that they have not received an answer from the bank yet, but everything looks good. He will call a special meeting, if needed, when the financing is approved.

Mayor Stephens asked the Fire Department to decide which of the two copiers they want to keep so we can sale the other one as surplus. Member Meadows stated he feels maintenance agreements on these copiers are a waste of money. Council in agreement that Mayor Stephens should look at these agreements and evaluate the cost for calls versus the agreement and make a decision on this. The old copier was discussed. Motion made by Member Browning and seconded by Member Troxell to declare the oldest copier (or whichever one is determined to no longer be needed) located in the Fire Department as surplus as its original purpose was for office copying and that it is no longer needed for this purpose and to donate it to the Henry County Animal Control Office which makes it exempt from bidding requirements as we are giving it to another governmental entity. On a call of vote by Clerk Doane, all members present voted “Yea”. Mayor Stephens asked about the status of the old bus. Member Meadows stated he is still working on getting this moved off City property. Member Meadows reported that the old rescue truck will be taken to the scrap yard by Tony Harlow who will also be taking off the required tires and gas tank.

**Subject: Festivals Update** – Member Armstrong reported that our July Music on Main had low attendance probably due to the County Fair and other events that were going on at the same time. Next year they will try and coordinate the dates better and are looking at several other options such as moving to an asphalt environment so people can dance and looking at different musical groups if money is not an issue. Member Mason stated that having this on Fridays could also be a problem for working people to attend. It is for most of the band members. He stated not having a covered stage is also an issue for most groups. July is the last Music on Main for the year. Member Armstrong reported that they are selling ads around the Eminence Day event ad for \$25.00 each, which is the same as last year. Mayor Stephens reported he is fairly positive that we will be having the army marching band in the parade.

**Subject: Parks Update** – The park was discussed including weed control and bush replacement. Mr. Flinkfelt asked if it might be possible to develop a dog run area at the park. This would require all dogs to have a park pass with immunizations up to date. Mayor Stephens stated we would have to wait on looking into this as we have a current grant proposal pending which would use a lot of the park area up. Mayor Stephens suggested turning off or taking out some bulbs on the tennis court side of the park as the court is not being used. Council in agreement. Other discussion held.

**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: First Reading Budget Ordinance Amendment** – Clerk Doane reviewed some changes which are needed to the budget for the new fiscal year 7-1-11/6-30-12. Attorney Brammell held the first reading of an amended budget ordinance for fiscal year 7-1-11/6-30-12.

**Subject: Hazard Mitigation Plan Resolution** – Council reviewed a resolution requested by County Disaster Coordinator Bruce Owens. Consensus to postpone adopting this resolution until more information can be obtained on its purpose and our obligations if adopted.

**Subject: Mayor's Update** – Mayor Stephens reported that the Fire Department bathroom remodeling is due to start the end of July or first of August.

Mayor Stephens reported he is almost ready to table the idea of citywide Wi-Fi due to the ever changing technology and the \$80,000.00 to 90,000.00 startup money needed.

**Subject: New Business/Council** – Mayor Stephens asked if any council member had anything they wanted to discuss. Member Meadows reported there is a property on Maple Avenue which needs cleaning up and the wastewater disposal corrected as some of it is running down through the yard. This is not rental property. Mayor Stephens asked Member Meadows to give him the owner's name after the meeting.

**Subject: Warrants** - The warrants presented for payment were reviewed. Motion made by Member Browning 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 Browning to adjourn. All members present voted "Yea". Meeting adjourned at 8:10 p.m.

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DRANE STEPHENS, MAYOR  
CITY OF EMINENCE, KENTUCKY

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