

The City Council of the City of Eminence, Kentucky met in a regular session on Monday, February 13, 2012 at 6:15 p.m. at the Eminence City Hall with Mayor Drane Stephens and the following members present: Tom Shroyer, Treva Browning, Danny Meadows, Lee Ann Armstrong, and Leo Mason. Absent was Member Polly Troxell. Also in attendance were Attorney William Brammell, City Clerk Sandra Doane, Police Chief Carey Duncan, Water Distribution Operator Tim Fitzgerald, Magistrate Scott Bates, Nick Hawkins, Joey Bell, 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: County Update** – Magistrate Scott Bates was present to give an update on County business. Mr. Bates reported that they had attended Legislative Day in Frankfort last week where he had an opportunity to speak with Representative Rick Rand, Senator Ernie Harris, and Senator Paul Hornback, who may become our new senator with the district changes. Senator Harris is still optimistic that we may get some legislative money to help finance our sewer expansion project; however Representative Rick Rand and Senator Hornback are leaning toward there not being any funds available.

Mr. Bates stated that the County has reviewed all the secondary roads for blacktop prioritizing. Jackson Road from Highway 22 through the city limits will probably get resurfaced. He is still working on getting something done about Main Street. Member Meadows asked if the County would be willing to help with the area on South Main Street at the intersection of Blackaby Lane if the state will not do anything. Turning into or out of Blackaby Lane is dangerous as it actually raises your car up off the ground. Member Shroyer suggested perhaps grinding the bump down would help. Magistrate Bates stated he would check into the possibility of the County helping with this area. The City has already tried putting cold patch in this area and it will not hold.

Members Meadows and Armstrong requested that the County replace the rotting siren pole at the Fire Department. Magistrate Bates stated he would check on this.

**Subject: Candidate for Office** – Nick Hawkins was present to introduce himself as a candidate for Circuit Court Clerk. Mr. Hawkins stated he currently serves as the fourth district magistrate and would like to now change his service to the County by serving as the Circuit Court Clerk. Mr. Hawkins stated he is a lifelong County resident with two boys in the New Castle Grade School. His community is important to him and he would appreciate the Council's support. He will be going door to door soon. Mr. Hawkins gave his compliments to Magistrate Bates for his service as the City's magistrate.

**Subject: Confiscated Vehicle Bid Opening** – Mayor Stephens reported that no bids had been received for purchase of the confiscated surplus vehicle. Discussion held including that this sale will have to be shared with the Commonwealth Attorney's Office. Council inquired about the

division of the sale. Attorney Brammell stated he did not know what percentage would have to be given back to the Commonwealth Attorney, but would check the statutes to confirm that we may now sell it outright since we have gone through the bidding process with no bids being received. Motion made by Member Meadows and seconded by Member Mason to authorize Mayor Stephens to list the confiscated 1999 Ford F250 truck for sale at the price of \$4,000.00 and to further authorize Mayor Stephens to negotiate the price no less than \$3,000.00 pending Attorney Brammell's checking of the statutes regarding the sale of a confiscated vehicle. On a call of vote by Clerk Doane, all members present voted "Yea".

**Subject: Planning and Zoning Board Representative** – Mayor Stephens presented the name of Joey Bell as the City's new planning and zoning board representative replacing Howard Roberts who had to resign due to moving out of town. Motion made by Member Armstrong and seconded by Member Mason to approve and ratify the recommendation of Mayor Stephens to appoint Joey Bell as the City's representative on the Henry County Planning and Zoning Board. On a call of vote by Clerk Doane, all members present voted "Yea".

### **OLD BUSINESS:**

**Subject: Minutes** – The minutes of the previous regular session held on January 9, 2012 were reviewed. Mayor Stephens asked for any additions or changes to the minutes. With no changes or additions forthcoming, Mayor Stephens stated the minutes would stand approved as presented.

Mayor Stephens stated that Clerk Doane noticed that she had left the section pertaining to warrant approval out of the December minutes and has since added it. Motion made by Member Shroyer and seconded by Member Browning to approve the December 12, 2011 minutes as amended by Clerk Doane and presented to Council. On a call for vote, all members present voted "Yea".

**Subject: Ordinance Adopting Supplement to Code of Ordinances** – Attorney Brammell held the second reading of an ordinance adopting a supplement to the code of ordinances of the City of Eminence. Motion made by Member Meadows and seconded by Member Browning to approve the ordinance adopting a supplement to the code of ordinances for the City of Eminence as read by Attorney Brammell. On a call for vote, all members present voted "Yea".

### **REPORTS:**

**Subject: Police Department Report** – Police Chief Carey Duncan reviewed the monthly activity report with council. Fifteen individuals were arrested on thirty-one separate charges. The Department had seven driving under the influence and four other alcohol related incidents. Chief Duncan stated they had approximately 215 total contacts for the month. Mayor Stephens stated that the Chief is now giving more detailed information to the local newspaper as requested by Citizen Mary Ann Bright at the last meeting.

**Subject: Public Works Department Report** – In the absence of Public Works Director William Smith, Water Distribution Operator Tim Fitzgerald reviewed the monthly activity report with council. Mr. Fitzgerald reported on the 12 inch water main break on West Owen Street that

resulted in a boil water advisory for a couple of days. Member Armstrong inquired about the responsibility of providing water to students when we have boil water advisories. Mayor Stephens reported that the school was the first call he made and that it would be the school's responsibility. Mr. Fitzgerald reported that if the weather continues to be as good as it has, we will not need to order any more salt for road maintenance this year.

**Subject: Administrative Office Report** – City Clerk Sandra Doane reviewed the monthly administrative office report with council reporting that we have collected approximately 91.4% of the total 2011 property taxes as of February 8th. Clerk Doane reported that we notified all 2011 delinquent tax papers that the penalty was to go on February 1<sup>st</sup> and that we will be filing small claims against them on March 1, 2012. Another reminder notice will be sent out this week.

Clerk Doane reported that we have received the ½ reimbursement for the cost of the AED as agreed to from the County Fiscal Court.

Clerk Doane reported that her office is working on a long term records retention project to clean out old paperwork and to set up a destruction schedule to follow. The State Department of Libraries and Archives is assisting with this project. We have already shredded 1,500 pounds of old records per the retention schedule.

**Subject: Second Quarter Financial Report** – Mayor Stephens briefly reviewed the second quarter financial report with council and asked if anyone had any questions. Mayor Stephens reported he will be getting the budget committee together soon to review the current budget and to make plans for the next year. He has asked all department heads to have their budget requests into him by March 15<sup>th</sup>.

**Subject: Fire Department Report** – Member Meadows reviewed the Fire Department report with council which showed ten total runs and special details in January for a total of 198 total man-hours. The department has already had seven runs in February so far. The second quarter financial comparison for the Fire Department was reviewed. Member Meadows stated that the Board would like to install drywall on the ceilings and walls in the meeting room out of the current budget by doing a line item change. Mayor Stephens stated the committee will look into this. Member Meadows reported that the Department received the forestry grant in the amount of 5,000.00 which does require a 100% match. Member Meadows reported that we are one of the few departments who are still receiving this due to our good financial records.

**Subject: Festivals Update** – Member Armstrong reported nothing much has changed with the only thing happening right now being the procurement of the bands.

**Subject: Parks Update** – Member Armstrong reported there is nothing new to report. The signs have been repaired as discussed previously. The security at the pool will be included in the new budget. Mayor Stephens stated he wants the security cameras to go directly to the police department phones.

**Subject: Community Center Report** – Mayor Stephens reported that the new Director at the Center, Daniel Nation is on board and has some great ideas.

## **NEW BUSINESS:**

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

**Subject: Mayor/Council Cost of Living Increase** – Mayor Stephens asked Clerk Doane to discuss the cost of living increase. Clerk Doane stated that the Department for Local Government establishes the annual cost of living increase each year. The COL for this year is 2.96%. The total annual increase for the Mayor and Council would be \$1,257.12. Discussion held. Attorney Brammell stated the increase would be automatically given as it is written in the ordinance unless action taken to decline. Motion made by Member Shroyer and seconded by Member Meadows to decline the Mayor/Council increase of 2.96% this year. On a call for vote, all members present voted “Yea”.

**Subject: Updated Animal Ordinance** – Mayor Stephens stated he is waiting on this to coordinate with the County.

**Subject: Mayor’s Update** – Mayor Stephens reported he has received complaints about trucks on Hillcrest Drive which have been knocking down signs and mail boxes. He believes this is happening when the drivers are on Elm Street and do a GPS which takes them through the subdivision. Attorney Brammell stated we can put up signs wherever we want, but to be citable we would need an ordinance. Consensus of council to first try putting up signs prohibiting semi-truck traffic thru the subdivision with the signs to be located at the intersection of Vernon and Elm. Chief Duncan stated that if they disregard the signs, they can be cited under another statute.

Mayor Stephens reported that after discussing the very slim chance of us getting any legislative funds this year, he contacted Bryan Kirby with Community and Economic Development Associates out of Richmond about the possibility of doing a CDBG grant application for us. Mr. Kirby believes we will qualify for a \$500,000 grant based upon us also treating sewage for Pleasureville. They would administer the grant and help with the bidding process. He has authorized them to proceed with putting a notice of public hearing to be held prior to our March meeting in the newspaper on February 29<sup>th</sup> and that we need to proceed with the grant writer procurement process. The grant writer would not be paid unless we receive the grant. Council in agreement to proceed with this process.

**Subject: New Business/Council** – Mayor Stephens asked if any council member had anything they wanted to discuss. Member Armstrong stated she would like for the City to proceed with amending our alcohol ordinance to require the “Star” training for all employees who handle alcohol in any business that sells it. She recommended the training be required within 60 days of starting employment. There are grant funds available now which would allow the training for \$10.00 per person. Discussion held including the large turnover at some businesses which could soon create a large expense. Member Shroyer suggested having Attorney Brammell draft an amendment to require the “Star” training as discussed for a first reading at next month’s meeting

and to invite all the affected businesses to attend for their input prior to the second reading. A special meeting could even be held if necessary.

Member Meadows inquired where the recycling has been moved to. Mayor Stephens reported it has been moved to the city hall parking lot due to it getting blocked in at the school location. Member Meadows asked how citizens were to be informed of this move. Mayor Stephens reported the school was to put up a sign and we are going to put it on the water bills this month. It has already been put on our website.

Mayor Stephens indicated that all council should have a copy of the refusal letter from the state transportation cabinet on the installation of a stop light at the intersection of Highway 55 and Highway 22.

Council requested that all the play structures at the park be inspected for loose bolts, etc. Mayor Stephens stated he would take care of this and that the tree and brush removal is being worked on.

**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 for vote, 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 Mason to adjourn. All members present voted “Yea”. Meeting adjourned at 7:29 p.m.

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DRANE STEPHENS, MAYOR  
CITY OF EMINENCE, KENTUCKY

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