

The City Council of the City of Eminence, Kentucky met in a public hearing on Monday, May 14, 2012 at 6:00 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 was Member Tom Shroyer. Also in attendance were Attorney William Brammell, City Clerk Sandra Doane, Police Chief Carey Duncan, Citizens: Jerry Clark, Derrick Jeffries, Charles Turner, Joey Bell, and Tonya Bell.

Mayor Stephens called the public hearing to order at 6:00 p.m.

Pledge of allegiance held.

**Subject: Public Hearing – Municipal Aid Program Funds and Local Government Economic Assistance Funds** - Mayor Stephens explained the required uses for the Municipal Aid Program funds stating they must be used on streets, roads, sidewalks, etc. Mayor Stephens reviewed the estimated funds available and proposed expenditures from the Municipal Aid Program fund for the 2012/2013 fiscal year.

Mayor Stephens explained the required uses for the Local Government Economic Assistance funds stating they must be used for public safety. The only expense budgeted for the next fiscal year is \$3,000.00 for the purchase of signs.

Mayor Stephens asked for comments from the public and if we had received any written comments concerning the proposed uses for either fund. Clerk Doane stated no written comments had been received for either fund. Citizen Charles Turner suggested using some of the Municipal Aid Program funds to widen Blackaby Lane at the point that it becomes very narrow not allowing two cars to pass. Discussion held including the need for expanding the culvert and purchase of property to widen this street. Mayor Stephens stated he will look into this for a possible future project if determined feasible.

With no written or further oral comments from the public regarding the proposed uses and budget for the MAP and LGEA funds, the public hearing was closed at 6:15 p.m.

Mayor Stephens called the regular meeting to order at 6:15 p.m. with the same individuals present as listed above along with Public Works Director William Smith, Magistrate Scott Bates, Citizen Larry Montgomery, and Henry County Local Representative Brad Bowman.

**Subject: Citywide Wi-Fi** – Derrick Jeffries with AT & T was present to discuss the installation of citywide wireless internet for the City. Mr. Jeffries gave a presentation for wireless internet which would cover 1.1 square miles with three mesh nodes at three different locations in town. Each location would have an access point. The system would allow us to publicize public notices and events by using a splash pad popup. We could also sell ads to businesses for this site as well. Mr. Jeffries reviewed the equipment features and discussed that originally it was

thought that it would cost around \$38,725.00 but after the site survey by Firetide it has been proposed at \$26,366.00.

Member Shroyer arrived at 6:25 p.m. along with Citizens Bill Watts and Paul Watts.

Mr. Jeffries discussed that 110 power and ethernet cables would be needed at each node and explained how each would broadcast to each other in all directions. We would use a standard radio protocol of 802.11. The equipment would be installed by the City or separate contractor and maintained by the City. Security for the system was discussed. Mr. Jeffries stated it does have the capability to block some sites, but may not block all that we would want. Mr. Jeffries stated you can purchase extra filtering software that would white list and black list certain sites. A legal disclosure would be put on the opening splash pad. H.C. Local Representative Brad Bowman asked about the security on company or individual's own IP addresses. Mr. Jeffries stated he would have to clarify this. Mayor Stephens stated he hopes that selling advertisements will be a way to fund this on a yearly basis. Question asked about the software maintenance. Mr. Jeffries state it is covered and he will get more specific details on the technical support. Charles Turner asked if the system, being AT & T, would limit other equipment's use with Mr. Jeffries stating no, that any devise able to receive a wireless signal can use this. Firetide is a nationwide company.

The amount of bandwidth was discussed. Mr. Jeffries stated he felt we could start with 3 mb and expand as needed. Discussion held with Larry Montgomery stating that the school alone has 635 computers with probably 60% being used at one time. Mr. Montgomery stated his concern over the system actually working and not being meant to replace home service, but maybe it should. The internet will become as important as other utilities in the future. Mr. Jeffries stated that starting out with the higher megabyte system and then lowering it could present a problem and he feels we should start out low and go up. We can blackout a lot of streaming. Mr. Montgomery stated we would need streaming of classrooms for the school kids. Mayor Stephens suggested that perhaps the school could help with some of the funding. Concern expressed about the system attempted in Campbellsburg that failed and also questions asked about Carrollton's specs. Mayor Stephens stated we already have this from a previous presentation. The monthly bandwidth cost options were reviewed with 3 mb being \$770.45; 10 mb being \$1,200.00; 20 mb being approximately \$1,600.00; and 50 mb being approximately \$2,600.00. Mr. Jeffries stated he would get firm quotes on the larger bandwidth. Questions asked about the warranty on the system and how long the infrastructure would last. Mr. Jeffries will find this out for the City. Member Shroyer inquired about how we would reach kids that may live out of town. Citizen Joey Bell inquired about how this would actually work. Mr. Jeffries stated he would get a better map to show the actual pattern. Mayor Stephens stated we have enough in the budget to get this started and can also review before the next meeting. The original proposed amount was \$45,000.00 over a three year period, but now is \$26,366.00 for the initial installation. Sustainability is, of course, a concern to look at before we start this. Mr. Jeffries reviewed all of the concerns and questions so that he can obtain the answers before next month's meeting.

**Subject: County Business** – Magistrate Scott Bates was present to give a county update. Mr. Bates reported he is still working on getting the stripping done at the stop light. He reported he is still not having any luck getting a commitment for paving of Highway 55 through town. Jackson Road will be paved from West Broadway about two miles out. Mr. Bates inquired if we have received the AED for the Fire Department. It was stated that we have not. Mr. Bates reported he will check on this. Mr. Bates reported the County should have a new EMT supervisor hired this week.

### **OLD BUSINESS:**

**Subject: Minutes** – The minutes of the previous regular session held on April 9, 2012 and the special session held on May 2, 2012 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 of Water and Sewer Ordinance** – Mayor Stephens discussed with council, using a PowerPoint presentation calculation, the limit on minimum gallons of water to use for the amendment to the water and sewer ordinance allowing a sewer adjustment for filling of pools. Council decided that the adjustment would only be given to pools using in excess of 4,000 gallons capacity and that the City must be notified within 45 days of filling the pool for the adjustment to be allowed. Attorney Brammell held the second reading of an amendment to the water and sewer ordinance which would allow a once per calendar year sewer adjustment for filling of pools in excess of 4,000 gallons capacity. Motion made by Member Meadows and seconded by Member Shroyer to adopt the ordinance amendment as read allowing a once per year sewer adjustment for pool filling in excess of 4,000 gallons capacity. On a call for vote by Clerk Doane, all members present voted “Yea”.

**Subject: Street Solicitation (Bucket Brigades)** – Mayor Stephens reviewed an ordinance from the City of Grayson as pertains to street solicitation or bucket brigades and asked council if they wished to proceed with adopting one for the City of Eminence. Council in agreement for Mayor Stephens and Attorney Brammell to draft a similar ordinance based upon the Grayson one for the next meeting of the Council.

### **REPORTS:**

**Subject: Police Department Report** – Police Chief Carey Duncan reviewed the monthly activity report with council. Chief Duncan stated they had 263 total contacts for the month. Thirteen individuals were arrested on twenty-nine separate charges. The Department had four driving under the influence and two other alcohol related incidents. Mayor Stephens demonstrated the live camera coverage at the Park on the computer, reporting that the coverage is also great on an I-phone. We are still tweaking some small problems and have started with only one camera, but can expand for the future as needed. Chief Duncan stated that we can obtain a recording from the Company if a problem arises.

**Subject: Property Ordinance Report** – Chief Duncan reported that the property violations are included in the citations written. We are still working diligently on high grass problems, specifically on abandoned homes.

**Subject: Public Works Department Report** – Public Works Director William Smith reviewed the monthly activity report with council. Mr. Smith reported that his department has been fairly busy with several new water service installations.

**Subject: Administrative Office Report** – City Clerk Sandra Doane reviewed the monthly administrative office report with council reporting that we have collected approximately 97% of the total 2011 property taxes as of May 10th.

Clerk Doane reported her office is still working on records destruction per the state retention schedule with the help of the KY Department of Libraries and Archives.

**Subject: Third Quarter Budget Comparison** – Mayor Stephens reviewed the third quarter budget comparison stating he is pleased with the overall budget being under 75% at this time. Mayor Stephens asked if council had any immediate concerns with none forthcoming. Mayor Stephens stated if anyone has a question or needs a breakdown, to let him know.

**Subject: Fire Department Report** – Member Meadows reviewed the Fire Department report with council which showed six total runs and special details in April for a total man-hours of 19. Member Meadows reported he is obtaining prices for drywall work at the fire department. Member Meadows reported that the Fire Department budget comparison is also in line for the third quarter.

**Subject: Festivals Update** – Member Troxell reported on the first Music at the Depot. Member Troxell reported we had a great performer with the crowd continuing to flow in and out due to the rain. The tent was a life saver that allowed the performer to continue. The rain was hard on the vendors. Silver Wings is scheduled to play next month.

Member Armstrong reported that an Eminence Day Festival meeting was held on May 7<sup>th</sup> with twelve booths already established. The Captain Charles Pirate Ship will also be attending. Selling of the ads will start next week. There are three new additions to the parade. A drawing will be held among the elementary students with two of them being selected to ride with “Mater” in the parade.

**Subject: Parks Update** – Member Armstrong reported she has found a white butterfly bush that will be picked up on Wednesday for the Park. It has been donated with us only having to dig it up. The Mayor and some senior boys will be helping with this project.

**Subject: Community Center Report** – Nothing to report.

### **NEW BUSINESS:**

**Subject: Open Citizen Comments/Questions** – Charles Turner was present and asked what could be done about semis using engine retarders or jake brakes in town. This has been happening between 1:00 and 3:00 a.m. and is more of a shifting up of gears rather than use of jake brakes. Attorney Brammell reported that the state says our current ordinance against jake brakes is inconsistent with state law which makes ours unenforceable. Attorney Brammell suggested possibly running radar on them or citing under our noise ordinance. Chief Duncan stated it is next to impossible to enforce this under our noise ordinance. Public Works Director

Smith suggested posting something at all the factories' shipping departments concerning this. Mayor Stephens asked the Police Chief to run radar during this time frame on South Main Street.

**Subject: Mutual Aid Agreement – Water/Wastewater** – Mayor Stephens reported on the mutual aid agreement for our water/wastewater department which is being developed by KIPDA which would create a database on equipment and employees for Kentucky who could assist other communities during disaster times. Attorney Brammell stated he has reviewed the agreement which doesn't create any real obligation, but if we agree it does give guidelines for reimbursement of expenses. His only suggestion is to take out the reference to the Texas Code under the immunity section. Member Troxell made the motion which was seconded by Member Mason to authorize the Mayor to enter into this mutual aid agreement as presented after clarification on the Texas Code entry. On a call of vote by Clerk Doane, all members present voted "Yea".

**Subject: Mayor's Budget Message** – Mayor Stephens presented the fiscal year July 1, 2012 through June 30, 2013 budget and summarized his budget message (of which all had a copy) and reviewed some of the major expenditures. Member Shroyer questioned the proposed hiring of a part-time office employee to assist with the records management program. Member Shroyer requested that the Mayor come back to council for approval before hiring this position and if so he doesn't have a problem leaving it in the budget. Mayor Stephens stated it is not required of him to do this if the budget is approved with the position and salary in it. Attorney Brammell stated any hiring would have to fit within the pay perimeters under the specific job description for any new hires.

Member Meadows asked how old all the office employees were. Clerk Doane stated she is the oldest, if that is the question.

**Subject: Budget Ordinance FY 7-1-12/6-30-13** - Attorney Brammell held first reading of the budget ordinance for fiscal year July 1, 2012 through June 30, 2013.

**Subject: Mayor's Update** – Mayor Stephens reported he has checked on the banners across the street and that Kentucky Utilities is the one who stopped this due to the possibility of tangling in the electric wires. We can do this if we find something else to tie too.

Mayor Stephens reported that the new swing sets are installed at the park and look great.

**Subject: New Business/Council** – Mayor Stephens asked if any council member had anything they wanted to discuss. Member Meadows thanked the Public Works for fixing the intersection of Blackaby Lane and South Main.

Member Troxell stated she still wants the bushes and undergrowth cleaned out behind the houses on Hillcrest Drive.

Member Armstrong reported she has a concern with people parking in the City's lot who leave their cars all day, especially on festival days. Different ideas were discussed such as putting cones out ahead of time, a note on the cars, etc. Attorney Brammell stated we can regulate the parking if we choose.

Member Armstrong reported that another Alcohol Star Training Program will be held on June 5, 2012 from 5:00 until 9:00 at the Henry County Extension Office. Letters have gone out to all alcohol vendors. The cost will be \$35.00 per person with council members allowed to attend for free.

Member Mason reported on a lot at Aspen Court and Raintree Drive which needs mowing. Mayor Stephens reported that the landowner is deceased and he has been trying to work with the family on this, but is having some problems. Mayor Stephens stated if it is not mowed by the end of the week, he will have the city workers mow it and attach a lien.

**Subject: Warrants** – The warrants were presented for payment. Motion made by Member Browning 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 Meadows and seconded by Member Mason to adjourn. All members present voted “Yea”. Meeting adjourned at 8:34 p.m.

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DRANE STEPHENS, MAYOR  
CITY OF EMINENCE, KENTUCKY

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