

CITY COUNCIL MEETING  
2015  
EMINENCE CITY HALL COUNCIL CHAMBERS

MAY 11,  
EMINENCE, KENTUCKY

The City Council of the City of Eminence, Kentucky met in a public hearing on Monday, May 11, 2015 at 6:00 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 were none. Also in attendance were City Clerk Sandra Doane, Wastewater Plant Operator Matt McAllister, Citizens Doug Bates and Harold Chisholm.

City Clerk Sandra Doane called the public hearing to order at 6:00 p.m.

**Subject: Public Hearing – Municipal Aid Program Funds and Local Government Economic Assistance Funds** - Clerk Doane explained the required uses for the Municipal Aid Program funds stating they must be used on streets, roads, sidewalks, etc. Clerk Doane reviewed the estimated funds available and proposed expenditures from the Municipal Aid Program fund for the 2015/2016 fiscal year.

Clerk Doane explained the required uses for the Local Government Economic Assistance funds stating they must be used for public safety. No expenditures have been budgeted from this fund for the new fiscal year in order to build the fund back up.

Clerk Doane asked for comments from the public and reported we had received no written comments concerning the proposed uses for either fund.

Mayor Stephens arrived at 6:08 p.m.

With no written or oral comments from the public regarding the proposed uses and budget for the MAP and LGEA funds, motion made by Member Meadows and seconded by Member Troxell to close the public hearing. On a call of vote all members present voted “Yea”. Public hearing 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 Police Chief Kevin Kemper, Attorney William Brammell, Citizen Emma Foree and Henry County Local Representative Chris Brooke.

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

Pledge of allegiance held.

**Subject: County Business** – In the absence of Magistrate Scott Bates, Mayor Stephens asked if anyone had any County concerns to take back to Scott. Member Shroyer asked about the status of the signs. Mayor Stephens stated they did get signs up that said no entry of trucks over 44,000

pounds, which still may not be enough to stop trucks from making the turn. We did put up the reflective post at Clear Creek around our fire hydrant to protect it from getting run over and also contacted all the factories to notify their drivers not to use Clear Creek Road.

**Subject: Speed Bumps** – Mayor Stephens reported that Louis Edday had asked to be on the agenda to speak against the speed bumps on Crabb Avenue; however Mr. Edday was not present to do so. Mr. Edday had complained to him that the bumps are too big and cause him back problems. Emma Foree who lives at 167 Crabb Avenue was present to report that she appreciates the bumps being put in and she feels it is very unsafe for the kids in this area. Her granddaughter almost got hit by a speeder previously. The kids have to walk in the road as there are no sidewalks in this area and the children from the ball field also use this street. The residents in this area also have driveways that hold only one car so whenever they have company, they have to park in the street. She feels the speeders are the ones who don't like the speed bumps. Mayor Stephens stated we redid the speed bumps as humps which work better and will be painting them as soon as possible. We hope that the snow plows can go over the humps easier without taking them out. Harold Chisholm stated the ones on Eminence Terrace are bigger so he feels the ones on Crabb should be okay. Mayor Stephens reported he has received comments both ways – that the humps are too big and not big enough.

**Subject: Property Complaint** – Harold Chisholm was present to ask why we cannot get the property next door to him at 117 Hillcrest Drive taken care of. The grass is up to his knees in the back yard with the neighbor mowing the front yard. There are other problems with the property as well. Mayor Stephens reported it is hard to get upkeep on properties once they go into foreclosure; however he did talk to the mortgage holder who indicated they had fired the old company who was doing maintenance for them and have a new company in place who were supposed to mow it last Friday. Mr. Chisholm stated a couple of individuals supposedly did come and took pictures of the front yard which is being mowed by a neighbor and left. Mayor Stephens stated we can mow and put a lien on the property but hate to do this as we have no way of knowing what is in the yard. Mayor Stephens told Mr. Chisholm he would keep working on this and would be glad to share the contact number with him so he can call them direct. Mr. Chisholm stated he did call the number posted on the property and got nowhere with them. Other properties in town were also discussed with several to be cited soon. Some will require bush hogging rather than mowing as the grass is so tall.

**Subject: Economic Development** – Mayor Stephens reported he has asked Doug Bates, the City's representative on the Economic Development Board to address his thoughts on the progress with this and our continuing to fund this. Mr. Bates addressed Council sharing various economic development from the past and emphasizing that many projects were worked on a long time before anything actually happened. Mr. Bates stated that it is also very hard for a small County to hire someone with the expertise to do this job and he feels we are fortunate to have Mr. Dale. It was also stated that regardless if the business is actually in Eminence or other parts of the County or surrounding counties the benefit is seen in Eminence. Many companies looking to locate want shovel ready properties and they are going to look on the internet versus coming

onsite; so having a good website is very important. Mr. Bates stated he feels the economic development has a good purpose that is working toward the future and the person we have hired is reasonable. There are some small things in the works with interest there on some properties. We have to remember that Henry County has five incorporated cities which is a little unusual for a small county and each City wants the businesses to come to them. Mr. Bates stated he feels it is a small amount of money for the potential of much more as just one job helps the other businesses.

### **OLD BUSINESS:**

**Subject: Minutes** – The minutes of the previous regular session held on April 13, 2015 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: Wet or Dry Contract** – Mayor Stephens asked Council if anyone had questions on the proposed contract with Jay Hoffman with Wet or Dry to assist with our water tank painting and repair project. None did. Motion made by Member Meadows and seconded by Member Mason to authorize Mayor Stephens to enter into the contract as presented. On a call for vote by Clerk Doane, all members present voted “Yea”.

### **REPORTS:**

**Subject: Police Department Report** – Chief Kevin Kemper reviewed the monthly activity report with council. Chief Kemper reported they had 286 total contacts for the month. Nineteen individuals were arrested on twenty-nine charges. There was one ordinance violation. Chief Kemper stated the N. Main Street property violation is still in court.

Chief Kemper reported that a trespasser was reported at the School recently with three female staff members barring him from entry. The same individual left the school and went to McDonalds and caused a second incident. This has been handled with the individual being charged with two counts of criminal trespass 2<sup>nd</sup> degree. He has also been told that we will have a zero tolerance from him at this point forward. His family has also been notified.

The surplus police cruiser was discussed. Clerk Doane suggested possibly using an online service to dispose of this vehicle as it might bring in more money. Discussion held with it being determined to research the online sale for future use. Motion made by Member Armstrong to declare the 2005 Crown Vic Police Cruiser as surplus property and to advertise it for sale under sealed bid as the original purpose was to provide a good vehicle for the police department; however the vehicle is no longer needed due to its age and no longer having a need for the cruiser as we no longer have a part-time officer. Motion seconded by Member Meadows. On a call for vote by Clerk Doane, all members present voted “Yea”.

**Subject: Public Works Department Report** – Wastewater Plant Operator Matt McAllister reviewed the monthly activity report with council. Mr. McAllister reported they installed the 2”

meter at the insurance auto auction lot; ran tests on taking the water tower out of storage which did increase the pressure too much so they are looking at installing a pressure valve at Jackson road so we can control the pressure.

Mr. McAllister reported the proposed local limits are now at the Division of Water for their review.

Mr. McAllister reported that Pace is hopefully on the home stretch with our sewer plant upgrade with some grading and seeding left to do. They also need to fix some header pipes and there are some issues with the floating cover not doing well at a lower water level as they are sitting on the rip-rap. These two items will be directed by Dave Derrick and Lemna under the one-year warranty.

**Subject: Administrative Office Report** – City Clerk Sandra Doane reviewed the monthly administrative office report with council, reporting that approximately 96.5% of the 2014 tax bills have been collected as of May 6, 2015. The total outstanding 2014 base tax bills is \$12,540.46.

Clerk Doane reported receipt of the third quarter HB 413 funds.

Reported that our spring newsletter was mailed out on Friday. Reported she has spent a lot of time on this as well as the budget this past month.

**Subject: Fire Department Report** – Member Meadows reviewed the Fire Department report with council which showed thirteen total runs and special details in April for total man-hours of approximately fifty-two. Member Meadows reported that the command center vehicle will be kept on our lot for countywide use. The user must replenish the inventory after any use.

**Subject: Festivals Update** – Member Troxell reported that ads are being worked on. She did receive permission to use the Christian Church for the pageants with all the kids being asked to bring in food for the food pantry. The trophies are ordered, bands booked, signs ordered and booths being sold. The parade is still a slight problem as to where to setup. Member Bell will attempt to contact the new owners of the auction site. Joey was asked to contact Fire Chief Lucas as he has another idea as well. The next meeting is tomorrow night at 7:00 p.m.

**Subject: Parks Update** – Mayor Stephens stated that the pictures we get from our cameras at the Park are not really good enough to convict of any wrong doing; but still provide a way for the Police to see if anything seems wrong.

### **NEW BUSINESS:**

**Subject: Revised Coach D Ordinance** – Attorney Brammell held the first reading of the revised Coach D Ordinance which is being revised after suggestions from the ACLU.

**Subject: Mayor's Budget Message & First Reading of Budget Ordinance for the Fiscal year 7-1-15/6-30-16** – Mayor Stephens presented his budget message to council summarizing its content. Member Meadows asked council to consider putting \$20,000.00 to \$25,000.00 into the reserve per year for future fire truck purchases once the last fire truck loan is paid off. Mayor

Stephens asked Council to review the line item budget and if any questions to let him know. Attorney Brammell held the first reading of the budget ordinance for fiscal year 7-1-15/6-30-16.

**Subject: Resolution Approving Wastewater Treatment Project Expenses** – None submitted this month.

**Subject: Open Citizen Comments** – Matt McAllister stated he has a concern with four German shepherd dogs on Fairview that weigh about 60 pounds each being allowed to run loose and he is afraid for his young kids to be out in the yard. The dogs are not restrained and there is no fencing. Mayor Stephens reported we will check the ordinance and address accordingly.

**Subject: Mayor's Update** – Nothing new to report.

**Subject: Council New Business** – Member Bell reported he received an email from Mary Ann Bright concerning the permit for a garage located on West Broadway which is behind her property at 78 Thorne Heights that she feels is too close to her property. She stated it also causes drainage problems and a lot of noise and was told it was built over City water/sewer lines. Mayor Stephens reported that she had previously contacted all the council about this last year and upon investigation no infractions of the planning zoning ordinance were discovered and that the garage is not on any water/sewer lines.

Member Meadows there are several high grass issues which need citing. He stated there is a lot behind the property of Glenn Simpson and Roy Rose which needs mowing. Member Shroyer stated he believes the property goes with the first house on Moody Drive.

Member Armstrong stated she recently rode with Officer Parham and noticed the sign at the walking trail needs replacing as you cannot see the writing. There also are no signs at Oak Drive or Zelcova for the trail. We also need signs for no un-authorized vehicles on the trail. Member Armstrong encouraged all the Council to ride with the officers when possible as it was a great experience and gets you more involved.

Member Shroyer stated that Major Jones met with him about the concern with basketball goals being in the streets and will be getting with the Mayor on these issues as well. As it currently stands we cannot do a lot about this. The Council could possibly introduce an ordinance to enforce no goals on the streets. Attorney Brammell stated the council has the authority to regulate City and if they so choose they would be considered as trespassing. Currently the basketball goals on City streets could be considered as obstructing traffic but would have to be witnessed by the Police.

The motor bikes and mopeds on the trail was discussed again. We will need to be more specific on this as the regulations go by motor size even though our ordinance states no motorized vehicles allowed. This will be looked into further. Member Armstrong stated she has concerns with the poor of lack of lighting on the trail.

Attorney Brammell stated the Council would need to act prior to the Public Holdings meeting later this evening based upon the articles of incorporation which require a request from the City Council to dissolve the corporation if that is the Council's wishes. Motion made by Member

Troxell and seconded by Member Shroyer to adopt a resolution to take the steps necessary to terminate and dissolve said public holdings corporation. On a call for vote, all members present voted "Yea".

**Subject: Warrants** - The warrants for payment were presented and reviewed. Motion made by Member Meadows 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".

Mayor Stephens asked everyone to stay for a brief public holdings meeting.

With no further business to be discussed, motion made by Member Troxell and seconded by Member Meadows to adjourn. All members present voted "Yea". Meeting adjourned at 8:29 p.m.

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DRANE STEPHENS, MAYOR  
CITY OF EMINENCE, KENTUCKY

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