

The City Council of the City of Eminence, Kentucky met in a regular session on Monday, August 8, 2016 at 6:15 p.m. at the Eminence City Hall with Mayor Drane Stephens and the following members present: Danny Meadows, Polly Troxell, Leo Mason, Tom Shroyer, and Lee Ann Armstrong. Absent was Member Joey Bell. Also in attendance were City Attorney William Brammell, City Clerk Sandra Doane, Public Works Director Matt McAllister, Police Chief Kevin Kemper, Henry County Local Representative Chris Brooke, Tammy Stansbury with the Tristan Ridge Development, Will Hagan with Kerry Magan Engineers, and Citizens Wayne Dixie and Ernell Rumph.

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

Pledge of allegiance held.

Subject: County Business – Magistrate Scott Bates was absent so no report available. Mayor Stephens asked if there was anything to take back to Magistrate Bates. No one had anything.

Subject: Tristan Ridge Development -Tammy Stansbury with the Tristan Ridge Development and Will Hagan with Kerry Magan Engineers were present to discuss the water and sewer lines for this project. Mayor Stephens gave a brief summary of a previous meeting with them that he and Public Works Director Matt McAllister attended to discuss the needs for the water and sewer lines. It was decided that a total reconstruct would be best for them and for the City as we have numerous size pipes in this area. The originally estimated cost for the sewer line is between \$55,000.00 and \$80,000.00. Our current ordinance requires a \$2,000.00 impact fee per unit with the proposed construction having 44 units which would result in another \$88,000.00 cost to the project. Ms. Stansbury and Mr. Hagan are requesting assistance with a credit of the construction costs against the impact fee if council is in agreement. Mayor Stephens stated he and Mr. McAllister both feel that having new lines installed is a benefit to the City as well and that we had not budgeted these impact fees into the budget. There are two actual bids now with one being from Klemprer Excavating in the amount of \$63,811.00 and one in the approximate amount of \$68,000.00 from another company.

Discussion held including the drainage and erosion issue which is already on Blackaby Lane. Mr. Hagan showed a drawing of the entrance coming off of South King Street. Ms. Stansbury stated the development has two parcels with Phase II being the Blackaby Lane area and the drainage will be addressed. It would be futile for us to fix the drainage until the development is underway. Member Shroyer asked if Blackaby Lane was part of the 1990 sewer rehab project. Mr. McAllister stated he is not sure. Member Shroyer stated we all need to make sure we understand what an impact fee means – it is the impact on our system, treatment, etc. We do not want to set a precedent by waiving the impact fees. Attorney Brammell stated he feels we need to maintain the impact fee charges and make concessions with the actual cost to install the new sewer line. Attorney Brammell will draft a document for signature. Member Meadows inquired about the time line on

payment of the impact fees so as to coordinate with the construction costs. Ms. Stansbury stated the sewer will be installed during the site work with the fees to be paid as required by the City. Consensus of council to assist with the sewer line construction in the estimated amount of \$63,811.00, however this will have to be bid; with Tristan Ridge to pay all tap and impact fees as required by ordinance upon a signed document drafted by Attorney Brammell. Ms. Stansbury stated they will need a letter from the City that we can provide the required water and sewer services and will agree to maintain the lines after installation and inspection. They need to send it to Kentucky Housing within the next 30-45 days.

OLD BUSINESS:

Subject: Minutes – The minutes of the previous regular session held on July 11, 2016 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: Ordinance Regulation Activities within the City's Right of Way – Attorney Brammell held the second reading of an ordinance regulating certain activities within the city right of way and adjacent to public ways. Motion made by Member Troxell and seconded by Member Armstrong to adopt the ordinance as read. On a call for vote by Clerk Doane, all members present voted "Yea".

REPORTS:

Subject: Police Department Report – Police Chief Kevin Kemper reviewed the monthly activity report with council. Chief Kemper reported they had 258 total contacts for the month. Twenty-four citations were issued on forty charges. Thirteen individuals were arrested on twenty-four charges.

Chief Kemper reported on a successful cruise night event with only minor complaints. Reported on a drive by shooting at the Mulberry apartments as a result of two domestic incidents between a few people. Officer Bailey is working toward filing of criminal charges.

Chief Kemper reported on a shooting on North Main Street, also due to domestic problems. Chief Kemper stated everyone did exactly as he asked with outstanding professionalism throughout a very tense and fluid situation. The suspect has been arrested without incident after being released from the hospital.

Chief Kemper reported that the DJ in the Park and the 50th anniversary celebration held by Eminence Speaker, both went well without incident.

Chief Kemper stated that due to all the situations and events just mentioned the department had a lot of overtime this past month. Mayor and Council expressed their gratitude for all the officer's hard work and professionalism.

Mayor Stephens directed Council to review the letter of commendation for Chief Kemper as written by Sergeant Wells regarding the shooting incident.

Subject: Public Works Department Report – Public Works Director Matt McAllister reviewed the monthly activity report with council.

In addition to normal activities, Mr. McAllister reported they coordinated with a core sampling company preparing for the construction of the Tristan Ridge Development by assisting in the location of lines and services on the property.

Mr. McAllister reported that the three inch water line was installed at the park to supply sufficient water to the splash pad project. A ruptured water service on Lou Avenue had to be repaired. They are continuing to install more auto-read meters as time allows.

The yearly scan sampling to fulfill our pre-treatment requirements has been performed. A hole has been discovered in one of the effluent pumps at the sewer plant with us currently working with Derby City to make necessary repairs.

The sand and new volleyball net were installed at Coach D Park as requested.

The splash pad construction is underway and has passed the first inspection. Council asked for a tentative completion date. Mayor Stephens reported they were to form the concrete today, pour it tomorrow and install, test and run the pad on Thursday. If we do open this year we will need to wait on installing the blue rubber coating as it has to dry for at least a month. The area will also still be muddy until we have time to get the grass back. Council expressed that they would like to see if we can open this year. Mayor Stephens suggested a controlled open time this year to confirm all is working well, with Labor Day weekend a suggested trial opening. Citizen Rumph suggested tarping the ground to control the mud and dirt. Mayor Stephens stated we will have three sidewalks to get to the pad if the kids will use them.

Citizen Wayne Dixie asked if the lights at the park go off at a certain time at night. Per Mayor Stephens yes they do. Mr. Dixie suggested keeping the lights on all night to assist with seeing in the backyards. Mayor Stephens stated this has been considered but the kids will never go home if we leave them on all night and some of the neighbors complain about them being too bright. We will check to make sure all the street lights in the area are working probably. Maybe we can look at leaving the tennis court light on.

Mr. McAllister stated the contractor wants to know the timer settings for the active splash pad. It was suggested to do 10:00 a.m. thru 6:00 p.m. for testing, but teach us how to set for different times of the year. Member Meadows asked if it would have a sensor to turn off when bad weather is present. No one knew. Member Stephens stated he will keep Council posted on the progress and the testing day so they can attend if they like.

Subject: Landlords Keeping Water/Sewer Service in Their Names – Mayor Stephens discussed the many issues we are having with tenants moving into rental houses and not having the water/sewer service in their names. Many times this will go unnoticed by us for several months as we make them inactive when someone moves out and have no way of knowing when someone moves in and turns the water on themselves or the landlord turns it on. He suggested to require all the landlords to keep the services in their names and be responsible for the bills regardless of the tenant. Attorney Brammell stated he has a concern with the enforceability of this as it could be

determined as discrimination against renters. Public Works Director McAllister asked if we could charge an extra fee if the landlord allows a new tenant to move in prior to letting us know. Clerk Doane stated locking or taking the meter out would probably work well. Discussion held with no decision being made to make any changes.

Subject: Administrative Office Report – City Clerk Sandra Doane reviewed the monthly administrative office report with council reporting that the 2015 tax bill collection is at 98.4% at August 3, 2016. Total 2015 unpaid as of same date is \$5,060.29. The 2016 tax assessment has been received from the PVA.

Clerk Doane reported receipt of \$2,400.00 for liquor and beer licenses; receipt of \$2,360.88 for quarterly HB 413 law enforcement fees; and receipt of the \$1,500.00 federal overtime grant carried over from last year.

Reported our drive thru window was damaged by a vehicle and was deemed unrepairable due to its age. We turned this over to our insurance company and have received \$3,810.00 from them for replacement. Our deductible is \$1,000.00. The insurance company will attempt to get the money back from the individual who hit the drawer.

Subject: Fire Department Report – Member Meadows reviewed the June and July statistics for the department. Member Meadows stated one of the board members wants the City to give them their entire contractual fee each month, stating that instead of giving us back \$13,953.36 this year they would have given us \$20,311.69. Mayor Stephens stated we would not be giving this to them unless it is needed as there is no reason to take money out of the City's interest bearing account to give to one department to hold until the end of the fiscal year and that other departments are not given their money. Member Shroyer stated there is just one person who won't stop harassing them about this. Mayor Stephens stated he will attend the meeting and explain this to them.

Subject: Festivals Update – Member Troxell reported the committee met last week and that most of the booths have been sold. Member Mason stated the band trailer would be arriving on Friday night. Member Troxell stated she is still trying to confirm no issue with the parade starting point due to another event which has since been scheduled at this location.

It was discussed that bleachers are still needed for Eminence Day. We normally borrow these from the school if council still wants to ask due to some of the previous concerns. Discussion held. Mayor Stephens stated he would call for them tomorrow. He is hoping to have the Eades property on Main Street mowed by Eminence Day. He knows that Mr. Eades has met with the demolition people who are waiting on an affidavit on the stability of the other buildings prior to demolition of his burnt out building.

Subject: Parks Update – Mayor Stephens stated nothing else to report since we have already discussed the splash pad project.

NEW BUSINESS:

Subject: 2016 Property Tax Rates – Mayor Stephens reviewed the compensating and 4% allowed rates for the 2016 property taxes along with the history of rates adopted. The calculated

4% allowed rate on real property for 2016 is 0.328 per \$100.00 assessment with the calculated compensating rate being 0.316 per \$100.00 assessment. The corresponding personal property rates were reviewed with both rates also being 0.328 for the 4% allowed and 0.316 for the compensating. The last time the 4% allowed rate was adopted was in 2009. Discussion held. Consensus of council to adopt the compensating rates for real and personal property as this would be lower than last year's for individual taxpayers.

Subject: Ad Valorem Property Tax Ordinance - Attorney Brammell held the first reading of the ad valorem property tax rate ordinance setting the rate for 2016/2017 at .316 per \$100.00 assessment for real property, .316 per \$100.00 assessment for personal property and .266 per \$100.00 assessment for motor vehicles and watercrafts.

Subject: Mayor's Update – Mayor Stephens reminded council that tomorrow, August 9, 2016 is the filing deadline for running for Council.

Mayor Stephens reported the former Thelma Smith property on North Main has been torn down.

Subject: Council – New Business – Member Meadows stated he appreciates all the City's assistance with the Eminence Speaker 50th Anniversary Celebration. It was a great success with the food vendors doing great. The stage used was discussed as a possibility for the City on Eminence Day. Member Meadows stated he believes it cost around \$4,500.00 to rent for the stage and sound.

Member Meadows reported he would like for us to spray the weeds on Blackaby. Mr. McAllister stated he will call Kenny Tindall, State Highway Foreman, about mowing it and the bike path as well.

Subject: Warrants - The warrants for payment were presented and reviewed. Motion made by Member Troxell and seconded by Member Mason to approve the warrants for payment as presented. On a call of vote, all members present voted "Yea".

Subject: Closed Session – None needed. Mayor Stephens reported he has had no response on the letter that was sent about the road.

With no further business to be discussed, motion made by Member Troxell and seconded by Member Shroyer to adjourn. All members present voted "Yea". Meeting adjourned at 7:54p.m.

DRANE STEPHENS, MAYOR
CITY OF EMINENCE, KENTUCKY

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