

The City Council of the City of Eminence, Kentucky met in a regular session on Monday, July 11, 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, Joey Bell, Tom Shroyer, and Lee Ann Armstrong. Absent was none. Also in attendance were City Attorney William Brammell, City Clerk Sandra Doane, Public Works Director Matt McAllister, Police Chief Kevin Kemper, and Henry County Local Representative Chris Brooke.

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

Pledge of allegiance held.

**Subject: 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. Mayor Stephens reported that the Chestnut Grove detour should be over in two weeks.

**Subject: Parking Concerns** – Jeff Browning with Browning Chevrolet was present to discuss parking concerns for his employees. Mayor Stephens stated the issue arose with this when there was a van for sale left on the City street and when he had the Police Chief ask the owner to move it, said owner then complained about Browning’s employees parking in the spots all day long. There has been some ongoing parking concerns as the Browning’s do not feel it is right for the bank employees to be allowed to park all day and then his employees be asked to move.

Mr. Browning reviewed an excel spreadsheet detailing the total number of parking spots available in town and the number actually being used on a given day at different times. He also presented a slide presentation showing the lack of vehicles in town on a given day as well. Mr. Browning pointed out they average 21 repair tickets a day and have to have parking for their customers as well as their employees. He also has had a trailer that he has parked on Broadway which has also been a point of contention with everyone. He no longer parks it there.

Mr. Browning reviewed that his overall goal of the presentation was to convince Council to change East Broadway in front of the CVS and the lower section of East Broadway next to the bank to allow public and employee parking without the two hour parking limit. Also, he noted there are actually no two-hour parking signs anywhere in town. He would also like to have something to indicate no dead vehicle parking and no for sale vehicle parking on City streets.

Attorney Brammell indicated that all parking restrictions within the City are done by resolution so we can make whatever changes we see fit. Discussion held. Motion made by Member Troxell and seconded by Member Armstrong to open East Broadway in front of CVS and the lower section of East Broadway next to the bank to public and business use with no two hour parking limit and to disallow inoperable vehicles from being left on City streets anywhere in town. On a call for vote, all members present voted “Yea”.

Mr. Browning requested that the curb on Penn Avenue be removed so that they can move cars in and out without damaging them. He will pay for the removal and repair if allowed to do so. Consensus of council for Mayor Stephens and Public Works Director McAllister to look into this request.

### **OLD BUSINESS:**

**Subject: Minutes** – The minutes of the previous regular session held on June 13, 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.

### **REPORTS:**

**Subject: Police Department Report** – Police Chief Kevin Kemper reviewed the monthly activity report with council. Chief Kemper reported they had 419 total contacts for the month. One hundred three citations were issued on one hundred ninety-two charges. Thirty-two individuals were arrested on fifty-four charges.

Chief Kemper reported eight ordinance violations including the one on Main Street.

Chief Kemper reported that Officer Parham worked a residential burglary on Elm Street with an arrest being made. Officer John Bailey followed up with interviews and investigation which ended up closing multiple burglaries including one on Jackson Road and recovered hundreds of dollars of stolen property. He is also assisting departments in Northern Ohio with cases related to the same person.

Chief Kemper reported that Officer Wells has completed the School Resource Officer grant. It will be September before we hear from it.

The weekend cruising event went well with no problems reported. Member Meadows asked about the curfew ordinance stating that it is not being followed by all juveniles.

**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 the consumer confidence report was supplied to residents and businesses as required and published in the local newspaper.

Mr. McAllister reported that a ruptured cooling line on the Jackson Road booster pump had to be replaced. They are continuing to install more auto-read meters. They also performed flow and pressure tests on various hydrants at the request of ISO for the fire department.

Mr. McAllister reported there were some electrical issues at the sewer plant pump station which impacted the operation of the pumps and aerators.

Mr. McAllister reported the gravity sewer line and manholes on the proposed Tristan Ridge development were inspected and assessed in preparation of construction.

**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 July 6, 2016. Total 2015 unpaid as of same date is \$5,831.56. Liens have been filed on all delinquent 2015 property tax bills.

Clerk Doane reported on the payment in lieu of taxes from the Housing Authority.

Clerk Doane reported that we did receive the \$6,083.00 from the Homeland Security Grant for the Tasers as well as the reimbursement on the splash pad equipment. The only grant left outstanding at the end of the fiscal year is the Police Department federal overtime grant.

Clerk Doane reported the fire department returned \$13,953.36 in unspent funds to the City with them keeping \$2,500.00 for start-up funds for the new fiscal year.

Clerk Doane reported on training held to migrate to computerized counter receipts. Reported the consolidation to the general fund and closing of three bank accounts.

Clerk Doane reported her office is still working on the end of year posting and financial statements in preparation of the audit. Audit proposals have been requested from two new firms.

**Subject: Fire Department Report** – Member Meadows stated no meeting was held so no report available.

**Subject: Festivals Update** – Member Troxell reported the committee met and that help is needed with getting parade participants. Otherwise everything is going well. It was discussed that the Wheels van will need to be moved the day before from the parking lot for Eminence Day and for the Eminence Speaker celebration. Member Troxell will take care of this.

**Subject: Parks Update** – Mayor Stephens reported he asked the parks committee to visit the park this past weekend to review for the DJ in the Park. Member Armstrong presented a proposed drawing with all the events listed. She anticipates more kids participating this year. She would like to have the construction area taped off and the concrete corn holes moved. Consensus of council to eliminate the corn holes permanently. Discussion held on electricity for the inflatables. It was stated they should have generators, but she was asked to check. Member Armstrong also requested sand for the volleyball courts. Public Works Director McAllister asked to take care of getting this prior to DJ in the Park. Member Armstrong stated she would also like to have barriers around the sand and suggested PVC pipes which also help with drainage. The pipe is usually 6 or 8 inches with very little actually above ground. This will be looked into for the future. A new net was also requested. Mayor Stephens will order one. It was discussed to take the net down in the winter to help preserve it longer.

Discussion held on putting the rubberized fencing around the construction area. Mayor Stephens will take care of this. Mayor Stephens stated that public works will be down an employee for several weeks so they cannot take on a lot of new things. Member Shroyer stated he would be glad to pick up supplies if needed.

Mayor Stephens reported we have an issue with the splash pad installation. The installer has determined that the water line is only a 2” and needs to be a 3” and that the sewer lines are 4” and

need to be 6". Things can be reprogrammed but will not work properly. The contractor has stated he will take care of increasing the size of the sewer line but wants us to take care of the water line. The water line will have to come from the Coach D sign to the area which is approximately 400 feet. Mayor Stephens stated he has obtained a quote to install this water line which could run from \$5,100.00 to \$6,500.00. Attorney Brammell has reviewed the specifications and feels we could proceed with forcing the contractor to pay for both, but the cost involved could exceed the price of compromising on the additional costs. Member Meadows stated he feels we were subject to false representation as we were not informed of this need originally. Discussion held with council believing we are right in principal that we shouldn't have to pay for either. Consensus of council for the sake of getting the project done in a timely manner and to avoid legal issues to agree to pay for ½ of the water line installation with the contractor to pay for the other ½ and all the sewer line installation. Member Shroyer stated we need to amend the contract. Attorney Brammell stated the initial bid with attached terms and conditions constitute the agreement and that we would need to do a memorandum of change order. The first inspection will be after the water is installed and connected. The contractor contacted about the water line will do a good job and be in and out in a couple of days so this should not interfere with DJ in the Park.

#### **NEW BUSINESS:**

**Subject: Hazard Mitigation Plan** – Mayor Stephens reported we have been contacted by KIPDA to adopt their multi-jurisdictional hazard mitigation plan. Motion made by Member Mason and seconded by Member Armstrong to adopt the KIPDA Regional Hazard Mitigation Plan. On a call for vote, all members present voted “Yea”.

**Subject: Ordinance Regulation Activities within the City's Right of Way** – Attorney Brammell stated the ordinance requires a distance to be stated with council deciding on 10 feet. Attorney Brammell held the first reading of an ordinance regulating certain activities within the city right of way and adjacent to public ways. Member Mason stated we may need to add working on cars to the list of things not allowed. Attorney Brammell stated it is covered under section 2.

**Subject: Open Citizen Comments/Questions** – Mayor Stephens asked if anyone from the public wished to speak. No one did.

**Subject: Mayor's Update** – Mayor Stephens asked Member Shroyer for a report on the street sign project. Member Shroyer stated most of the signs need straightening with a few that need replacing. He will do a drive by on each street for a detailed plan.

Mayor Stephens reminded everyone of the Eminence Speaker celebration coming up this month.

Mayor Stephens reported he has been getting lots of complaints and questions about our yard sale policy. Clerk Doane stated she believes it is 5 allowed yard sales per year with a permit before it becomes a business. There is no cost for the permit.

Member Armstrong asked if something could be done about the tall grass next to her.

Mayor Stephens stated he has been asked by Johnson Flooring for a designated loading and unloading spot in front of their business on South Main Street. It was briefly discussed with it determined that we cannot do this on a state highway

Mayor Stephens stated the police have been invited to participate with a vehicle in the parade on August 20, 2016 in New Castle.

**Subject: Council – New Business** – Member Meadows questioned a leak adjustment that was given to 163 Raintree Drive as the landlord stated there was no leak. Clerk Doane stated she would check on this and make sure we are getting better verification.

Member Shroyer inquired on some tall grass asking if we are mowing it. Mayor Stephens stated that we are mowing several this year with most of it being contracting out to Steve Metcalf and Richard Jaehnigen.

**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.

With no further business to be discussed, motion made by Member Meadows and seconded by Member Shroyer to adjourn. All members present voted “Yea”. Meeting adjourned at 8:07 p.m.

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DRANE STEPHENS, MAYOR  
CITY OF EMINENCE, KENTUCKY

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