

The City Council of the City of Eminence, Kentucky met in a regular session on Monday, July 10, 2017 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, and Fred Downey. Absent was Member Lee Ann Armstrong. Also in attendance were City Attorney William Brammell; City Clerk Sandra Doane; Public Works Director Matt McAllister; Police Officer Phillip Parham; Citizens Jimmy Goodloe, Robert Heightchew, James Saunders and Todd Gaines; Rumpke Representatives Greg Rumpke, Jeremy Rumpke, and Chris Peirce; Republic Representative Michael Patterson; Santek Representative John McConnell; and Henry County Local Representative Chris Brooke.

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

Pledge of allegiance held.

**Subject: Garbage Franchise Bid Opening:** Mayor Stephens opened the following bids for the five-year garbage franchise:

Republic:		Rumpke:	
Commercial		Commercial	
7/1/18-6/30/19	17.90	7/1/18-6/30/19	19.75
7/1/19-6/30/20	18.26	7/1/19-6/30/20	19.75
7/1/20-6/30/21	18.62	7/1/20-6/30/21	20.34
7/1/21-6/30/22	19.00	7/1/21-6/30/22	20.34
7/1/22-6/30/23	19.38	7/1/22-6/30/23	20.95
\$1.95 Each Additional Cart		\$2.00 Each Additional Cart	
Republic:		Rumpke:	
Residential		Residential	
No Bid Unlimited, But Verbally Stated These		Bid Unlimited Pickup As Requested	
Prices For Up to Two Containers			
7/1/18-6/30/19	17.90	7/1/18-6/30/19	19.75
7/1/19-6/30/20	18.26	7/1/19-6/30/20	19.75
7/1/20-6/30/21	18.62	7/1/20-6/30/21	20.34
7/1/21-6/30/22	19.00	7/1/21-6/30/22	20.34
7/1/22-6/30/23	19.38	7/1/22-6/30/23	20.95
\$1.95 Each Additional Cart Above 2		Unlimited – No Extra Charge	

Various other additional services including holidays observed were discussed per vendor.

Recycling Bids:

Republic:	Rumpke:
5.95 Per Month Paid One Year in Advance	5.50 Per Month 0-25% Participation
2% Increase Per Year	5.00 Per Month 26-50% Participation
Requires 50% Participation	4.50 Per Month 51-75% Participation
	4.00 Per Month 76-100% Participation

## Prices Effective for 5 Years

Mayor Stephens stated we will consider a lot of things besides just the price on these bids. Mr. Patterson questioned why we bid this a year in advance. Attorney Brammell stated the requirement is in the constitution and showed Mr. Patterson the law on this. Member Downey asked if either company added fuel surcharges. Both stated they did not.

Mayor Stephens advised both bidders that we would award the franchise at our next meeting on August 14<sup>th</sup> and invited each to attend if they wished.

**Subject: County Business** – Magistrate Scott Bates was not present. Mayor Stephens stated he has nothing new to report from Scott about our previous requests. Mayor Stephens asked if anyone had anything to take back to Magistrate Bates. No one did.

**Subject: Congressman Massie's Representative** – Stacey Rockaway with Congressman Thomas Massie's office was present to introduce herself again and to let us know that if anyone has any federal or state issues or problems to contact them and they would be glad to assist. She suggested calling versus email or writing as all calls are returned in 24 hours. Ms. Rockaway reported on a congressional award program available to individuals between the ages of 13 ½ and 24. This program is no cost to the taxpayers and is funded by private and corporate sponsorship. It focuses on physical fitness, volunteerism and personal development. Derrick Boyle is the contact for this program.

**Subject: Car Show Follow-up** – The recent car show held as a fund raiser was a huge success and very nicely done. They are looking at bigger areas for the future as they were overflowing the designed spot in town this year.

**Subject: Policing and Riders in the Cruisers** – Citizen Jimmy Goodloe was present to discuss policing at night. He has witnessed an individual park their car at the school and then watch a neighbor's house for about 45 minutes. This concerns him as others have had their cars broken into already. Mayor Stephens stated we only generally have one officer at night after 9:00 p.m. unless events or big issues come up.

Mr. Goodloe also questioned why Firefighter William Dale rides with our officers and why he is sometimes on the scene before the police. Mayor Stephens stated that he helps out the department in numerous ways including riding with permission only. He understands that it is not legal for him to do any police work. Mr. Goodloe stated he does ask questions of people on the scene and that sometimes he comes in his own vehicle.

Mayor Stephens stated we need to take a break from this topic until a representative of the Police Department can get here to answer these questions.

**Subject: Leadership Project** – Mayor Stephens, acting as a member of the 2016 Leadership Class, requested the City sponsor their project which is the development of an arboretum in the new county park. They intend to put out 200 native Kentucky trees along with benches. He requested that the City sponsor a bench at the \$500.00 level. Motion made by Member Meadows and seconded by Member Troxell to sponsor this project with the purchase of a bench at the

\$500.00 level for the 2016 Leadership Class. On a call for vote by Clerk Doane, all members present voted “Yea”.

**OLD BUSINESS:**

**Subject: Minutes** – The minutes of the previous regular session held on June 12, 2017 and the minutes of the special session held on June 15, 2017 were reviewed. Mayor Stephens asked for any additions or corrections to the minutes. Member Meadows indicated a correction was needed with the list of attendees at the June 15<sup>th</sup> minutes. With no additional additions or changes forthcoming, Mayor Stephens stated they would stand approved as presented and amended, respectively.

**Subject: Ordinance Updating Pay/Compensation Plan** – Attorney Brammell held the second reading of an ordinance updating the pay/compensation plan for the City of Eminence. Motion made by Member Meadows to adopt Ordinance #2017-004 updating the pay/compensation plan for the City of Eminence as read. Motion seconded by Member Mason. On a call for vote, all members present voted “Yea”.

**Subject: Surplus Police Cruiser** – Attorney Brammell and Mayor Stephens reviewed the expanded statutes for disposal of surplus property which include selling at auction; selling outright if an appraisal with a value of under \$5,000.00 or less is obtained; getting an appraisal by an organization not affiliated with the City; or using a national publication for pricing. Council in agreement to use one of these methods. Mayor Stephens reported we also have another vehicle down at this time.

**Subject: Policing and Riders in the Cruisers** – Officer Parham arrived at this time stating that Chief Kemper has had a family emergency. Mayor Stephens asked Officer Parham if it was common for people to ride in the police vehicles and if so why it was happening so much. Officer Parham stated the riders usually assist or help the officer in some way and that Mr. William Dale, a firefighter, does ride often. He stated for someone on third shift having someone ride is invaluable since state police backup is usually 20-30 minutes away. They do not normally allow riders without some association with the City.

Member Bell stated he feels that officer safety is important and not a bad thing to have a rider to assist with directing traffic. He does have concerns if any investigative work is being done by this individual. Officer Parham related an incident recently from a live PD video where an officer was asking for help from a camera crew and they would not help him.

Mayor Stephens asked Mr. Goodloe what he would like to see happen with this concern. Mr. Goodloe stated that he feels Mr. Dale is always there and sometime even first on the scene. Mr. Goodloe stated he just doesn’t want the City to get in any trouble by allowing riders.

Member Mason expressed concerns as to why he would be riding during the day with the officer. Member Meadows questioned the legality of allowing Mr. Dale to ride. Attorney Brammell stated if he is representing himself as an officer or if he is hurt while in the vehicle we could have a problem. Officer Parham asked why the “Good Samaritan Law” would not apply. Attorney Brammell stated if Mr. Dale or anyone is regularly participating he becomes a quasi-employee with potential liability to the City.

Mayor Stephens stated he would address this concern.

**Subject: Golf Carts** – Robert Heightchew and James Saunders, who live at 125 Spring Oak Drive along with Todd Gaines who lives at 50 Oak Drive were present to hear the City’s discussion of whether to allow golf carts on City Streets after doing some research. Mr. Heightchew stated he would like to have them legalized but if not then he wants enforcement to be fair throughout the City. He reported there are still scooters on the bike trail. Mayor Stephens stated he has instructed the police to handle this.

Mayor Stephens reviewed the Carrollton ordinance with council and some of the requirements of their ordinance. Member Meadows stated he is okay with an ordinance similar to Carrollton with no allowance of all-terrain vehicles and with speeds not to exceed 35 mph. Officer Parham suggested also having day permits for special events, etc. Other members agreed. Mayor Stephens stated he would have the police liaison committee get together with the police to get the goals and suggestions together for an ordinance draft.

Mayor Stephens asked Officer Parham if he was aware after the last meeting of the request to enforce the no golf carts on City streets. Officer Parham stated he was not, but he was on vacation.

#### **REPORTS:**

**Subject: Police Department Report (Copy Attached Hereto)** – In the absence of Police Chief Kevin Kemper, Officer Parham presented the monthly activity report to council. They had 280 total contacts for the month. Fifty-Four citations were issued on ninety-two charges. Nineteen individuals were arrested on thirty-nine charges.

Officer Parham reported on various incidents during the month. Member Downey asked if he knew the fuel cost on the new vehicle versus the old police cruiser. Office Parham stated he did not know this information. Member Meadows inquired about the ordinance violations. Officer Parham stated they were all related to maintenance of property.

**Subject: Surplus Police Vehicle** - After the previous discussion on new ways to dispose of surplus property, motion made by Member Troxell and seconded by Member Downey to declare the 2010 Ford Explorer as surplus property as it was originally purchased as a police cruiser for public protection and is no longer needed for this purpose and to authorize the Mayor to sell under the new expanded KRS 82.083 (4g) after appropriate appraisal obtained. On a call for vote, all members present voted “Yea”.

**Subject: Public Works Department Report (Copy Attached Hereto)** - Public Works Director Matt McAllister reviewed the monthly activity report with council. Reported on routine activities.

Mr. McAllister reported they have conducted the copper and lead sampling which is required every three years.

Mr. McAllister reported on various other work during the month. Reported that we are still waiting on parts to get the blown-up lift station repaired so no final cost available for this yet.

**Subject: Second Leak Adjustment** – Clerk Doane reviewed a request for a second leak adjustment for Phillip Smith at 174 West Owen Street. The leak ran over into two months and has been repaired. The first adjustment was for \$46.97 with the second one coming to \$33.60. Motion made by Member Downey and seconded by Member Meadows to allow this second leak adjustment in the amount of \$33.60. On a call for vote, all members present voted “Yea”.

**Subject: Old Donated Pictures** – Mayor Stephens showed Council the old donated movie billings given to the City by Joe Yates with the Historical Society. Council in agreement to obtain prices for preserving them in a frame.

**Subject: Administrative Office Report (Copy Attached Hereto)** - City Clerk Sandra Doane reviewed the monthly administrative office report with council reporting that her office has collected 97% of the 2016 tax billing as of July 6, 2017. We still have not received payment on the supplemental tax bills sent to CVS for the tax years of 2014, 2015 and 2016 so a lien will be filed on these as well.

Clerk Doane reported on other receipts for the month including return of contractual fees from the Fire Department in the amount of \$13,076.26.

Clerk Doane reported 22 amnesty letters have been mailed out with 18 responding back to us.

Clerk Doane reported that Debbie Baer will be attending the Clerks Institute next week and has received a \$500.00 scholarship from the Clerks Association to attend.

**Subject: Fire Department Report** – Member Meadows reported no report as they did not meet last month. Expressed the department’s appreciation of the new sidewalk installation.

**Subject: Festivals Update** – Member Troxell reported she sold all the ads with a few left to collect from. Everything else is planned. The committee is meeting Thursday night at 7:00 p.m.

**Subject: Street Closing** – It was discussed that we need to close a couple of streets for Eminence Day to accommodate extra booths and events. Discussion held. Motion made by Member Meadows and seconded by Member Mason to authorize the temporary closing of East Broadway from Penn Avenue to Main Street in both directions at 7:00 p.m. on August 11, 2017 until Sunday August 13, 2017 at 6:00 a.m. in order to accommodate booths set up and take down for Eminence day. On a call for vote, all members present voted “Yea”.

**Subject: Parks Update** – Mayor Stephens reported we are monitoring the weather and turning off the splash pad if necessary, but this has not happened often. The hand dryers are scheduled to be installed next week.

### **NEW BUSINESS:**

**Subject: Yearly Salary Increases** – Council in agreement that no motion was necessary for these adjustments and to proceed with what was approved in the budget.

**Subject: OnSolve Revised Contract** – Mayor Stephens reported that he needed to proceed with signing the revised contract with our one call vender prior to June 30<sup>th</sup> in order to receive a price

which included unlimited use and to avoid paying the previous overage invoice. Asked council to ratify this decision. Motion made by Member Downey and seconded by Member Meadows to ratify the acceptance and authorization for the Mayor to sign the revised contract with OnSolve. On a call for vote, all members present voted “Yea”.

**Subject: Open Citizen Comments** – Todd Gaines of 50 Oak Drive was present to discuss the ignoring of stop signs located at both ends of Oak Drive. He stated the police do not even stop. Mr. Gaines also reported that one stop sign on Zelcova is even located on the wrong side of the walking trail. Office Parham stated he always stops at all stop signs but cannot speak for the other officers. He will do his best to monitor this more. Mayor Stephens stated he will take care of changing the one stop sign to the right side of the trail.

Mr. Gaines also expressed gratitude for the City mowing the field beside him; however, the bush hog is throwing all the weeds into his yard and his neighbors.

Mr. Jimmy Goodloe stated he would also like to see more police officers on his street as well.

**Subject: Mayor’s Update** – Mayor Stephens reported he had nothing else to report.

**Subject: Council – New Business** – None.

**Subject: Warrants** - The warrants for payment were presented and reviewed. Mayor Stephens stated we have several large payments for items that are paid on a yearly basis. 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 Troxell and seconded by Member Downey 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