

The City Council of the City of Eminence, Kentucky met in a regular session on Monday, December 10, 2012 at 6:15 p.m. at the Eminence City Hall Council Chambers with Mayor Drane Stephens and the following members present: Polly Troxell, Tom Shroyer, Treva Browning, Danny Meadows, Lee Ann Armstrong, and Leo Mason. Absent was none. Also in attendance were Attorney William Brammell, City Clerk Sandra Doane, Public Works Director William Smith, Police Chief Carey Duncan, Magistrate Scott Bates, Henry County Local Representative Brad Bowman, Industrial Disposal Representatives Mike Patterson and Dave Stucker, Rumpke Representatives Greg Rumpke, Jeremy Rumpke and Michael Sweeten.

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

Pledge of allegiance held.

**Subject: Surplus Vehicles Bid Opening** – Mayor Stephens opened the following bids on the advertised surplus vehicles:

1986 Ford Dump Truck:

Scott Bates, 2319 Jackson Road, Eminence, KY 40019	\$1,100.00
Coleman Colston, 9707 Castle Highway, Pleasureville, KY 40057	\$1,551.00
Jason Brown, 7850 Elmburg Road, Bagdad, KY 40003	\$806.38

2001 S-10 Chevy Pickup Truck:

Kenny Jones, 419 Clark Coombs Lane, Campbellsburg, KY 40011	\$500.00
Maurice Raisor, 1813 South Property Road, Eminence, KY 40019	\$1,125.00
Jason Brown, 7850 Elmburg Road, Bagdad, KY 40003	\$751.68

Member Meadows stated that book value on the S-10 truck is \$3,200.00 and he feels all the bids are too low. Motion made by Member Meadows and seconded by Member Troxell to reject all the bids on the 2001 S-10 Chevy Pickup truck and to advertise it for sale ourselves for \$2,500.00 and to authorize Mayor Stephens and Public Works Director William Smith to negotiate if necessary. On a call for vote by Clerk Doane, voting “Yea” were Members Meadows, Troxell, Shroyer, Browning, and Mason. Voting “Nay” was Member Armstrong.

Discussion held on the condition of the 1986 dump truck. Public Works Director Smith stated that the truck needs an alternator, tires and is wobbly in the front end. He believes we gave \$5,000.00 for it about 20 years ago.

Motion made by Member Mason and seconded by Member Armstrong to accept the highest bid of \$1,551.00 from Coleman Colston for the sale of the 1986 Ford Dump Truck. On a call for vote by Clerk Doane, all members present voted “Yea”.

**Subject: County Business** – Magistrate Scott Bates was present and gave a brief county update. Mr. Bates reported that the County has been working with the Sheriff's Department to finalize their budget and have managed to save the taxpayers approximately \$300,000.00 overall.

Mayor Stephens reported that we have some concerns about the dog catcher as people have been unable to contact anyone or get calls returned from the dog catcher. Member Armstrong stated that their Face book Page shows numerous complaints. She stated she thought moving the office was done in order to accommodate cats. Member Armstrong further stated that the dog catcher's wife gets angry with citizens. Mr. Bates stated there is a committee meeting on Wednesday night at 6:00 p.m. Roger Hartlage is the chairperson. Member Armstrong asked if it was okay to put this meeting on Face book. Mr. Bates stated he didn't know why it couldn't go on there as it is a public meeting. Mr. Bates reported that the Henry and Trimble County Judges have conferred and have let the Trimble County employee go.

### **OLD BUSINESS:**

**Subject: Minutes** – The minutes of the previous regular session held on November 12, 2012 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: Discuss and Award Garbage Franchise** – Mayor Stephens stated that all members should have copies of the information on references he called and also the information from Industrial Disposal defending their higher bid. Mayor Stephens reviewed the references he called. Mayor Stephens stated each member should have information requested by Member Shroyer comparing the bids based upon difference in revenue to the City. Mayor Stephens asked for questions and concerns.

Member Armstrong stated she approached this from a customer satisfaction point of view and thus contacted the Better Business Bureau. Based upon their information, Industrial Disposal has had 8 complaints in 2012 and Rumpke has had 114 complaints in 2012. Money is not the most important thing to her; customer service is the most valuable. Greg Rumpke responded stating that they are a large company operating under the same name always and in numerous states. Industrial Disposal operates under various names depending on the location for the business, so they have not been compared the same. Mr. Rumpke stated that his company has won the torch award from the Better Business Bureau in the past. They are also the third largest privately owned garbage collection company nationally. Mayor Stephens stated he feels we would need to get all of Industrial Disposal's operating names for comparison to be fair if this is a sticking point.

Member Meadows stated he has been told that if the garbage is not in a bag that Rumpke will not pull it out. Mr. Rumpke stated this is not the case.

Member Armstrong stated she has been told that the recycling is put in the garbage truck so she doesn't believe it does much good to re-cycle if the workers are putting it in the garbage truck.

Mr. Jeremy Rumpke stated this is also not true. Mayor Stephens stated he feels that both companies have amazing recycling facilities and feels confident this does not happen.

Member Shroyer stated that Industrial Disposal does not put the can back in the yard and leaves it in the road, subject to being hit by vehicles and that they do not pickup flying trash. He realizes that un-bagged garbage is a problem.

Mr. Greg Rumpke stated that the complaints against their company are mostly billing issues and not in the field service issues. The City will be the boss if they are the successful bidder and they would try and do things the way we want.

Mayor Stephens asked Industrial Disposal if they had any comments to make. Mike Patterson stated that their past service to the City speaks for them as well as their references. They also have a good problem resolution with prompt and thorough results which creates fewer calls to City Hall and Council Members. They also value service and many customers will also value this more than taking a risk on a new company. Mr. Patterson requested Council to value this service and history – they are here to take care of the City. David Stucker with Industrial Disposal stated he can resolve the problems on the cans. They check twice a week for any problems on Friday and Monday. He feels that the biggest difference between the two companies is the customer service. Mr. Patterson stated he is a Rumpke customer himself and does get good service for the most part. Both are quality companies.

Member Meadows stated that both companies reduce the bills for citizens at first from the current \$20.09 per month. Citizens will save either way – so if not broke, don't fix it.

Member Shroyer stated he feels that Rumpke's explanation on the complaints is valid and if we take the higher bid versus the lower bid we need to be able to explain this to the citizens. He is willing to give Rumpke a chance. Member Armstrong agreed.

Motion made by Member Armstrong and seconded by Member Meadows to accept the lower five year franchise bid from Rumpke for garbage collection and recycling services. On a call for vote by Clerk Doane, all members present voted "Yea". Member Shroyer stated he would like to negotiate carts versus baskets for recycling. Mr. Rumpke stated they would do a preference for the customers. Jeremy Rumpke is located in the Carrollton office.

Mayor and Council thanked Industrial Disposal for their past service to the City.

**Subject: Amendment to Personnel Policy** – Attorney Brammell held the second reading of a summary of an ordinance amending the personnel policy ordinance to add a records manager/office assistant position. Motion made by Member Meadows and seconded by Member Mason 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 Carey Duncan reviewed the monthly activity report with council. Chief Duncan stated they had 245 total contacts for the month.

Four individuals were arrested on eleven separate charges. The Department had two driving under the influence and one other alcohol related incident. Chief Duncan announced that Officer Parham has once again won the Governor's DUI Enforcement Award this year. Council expressed their congratulations for this award as well as the commendation letter for the whole department from the School Superintendent.

Chief Duncan stated they had no property ordinance violations this month. Member Meadows asked Chief Duncan to check on a garage on Thorne Heights which is about to fall over on the neighbor. Member Shroyer stated that kids are throwing rocks at the lampposts near Spring Oak Drive and have managed to break one.

Mayor Stephens stated he has been approached by someone who wanted to know why a one call has not been put out warning people about the car break-ins. Mayor Stephens inquired if council wants him to do one. Consensus was to proceed with the one call. The new calling system was discussed with concerns that it has lost the personal touch.

**Subject: Public Works Department Report** – Public Works Director William Smith reviewed the monthly activity report with council. Mr. Smith reported our engineers have finally gotten the plans to the Division of Water for our plant expansion project. Mr. Smith reported we are still waiting on our grant application. Mr. Smith reported a field trip to Taylorsville will be taken tomorrow to view the same sewer treatment system we are considering. Mayor Stephens invited any member who wished to attend. Mayor Stephens thanked the department for their extra work with Christmas decorations. Member Meadows stated he has been asked why we don't put some down toward North Main. Mayor Stephens stated we are planning on purchasing some new decorations in the next budget and will be able to. Mr. Smith stated we have only been putting them on the new light poles at present. The North Main Street merchants also want sidewalks and lamp posts same as the rest of the business district. It was explained that this was in a future phase of the project that did not happen.

Mr. Smith reported that the water and sewer extensions for the new CVS have been approved by the Division of Water.

**Subject: Administrative Office Report** – City Clerk Sandra Doane reviewed the monthly administrative office report with council reporting that we have collected approximately 81.5% of the 2012 tax bills through November 4th. She stated we will probably have several paid toward the end of December right before the penalty goes on. Clerk Doane reported that the auditors started their field work on our FY ending 6-30-12 audit on December 5<sup>th</sup> with anticipation of having it complete by the end of the year or first of the new year.

Mayor Stephens reported he has terminated the contract with the current cleaning person. He plans to go a different direction with this by having someone here during the day on a part-time basis for one to one and a half days a week.

**Subject: Fire Department Report** – Member Meadows reviewed the Fire Department report with council which showed seven total runs and special details in November for total man-hours of approximately 36. Member Meadows stated another wreck has happened on North Main by the Flower Box and he cannot understand why the State Transportation Department refuses to do anything.

Member Meadows reported that the Fire Department had a chance to purchase a 6 X 12 covered trailer complete with rescue equipment from Steel Technologies for \$3,000.00. The Board approved this expenditure with the understanding that the department will be selling seven MSA 2216 self contained breathing apparatus packs off the trailer to another Fire Department for \$5,000.00-\$6,500.00. Since these are going to another Fire Department it is not necessary to bid these out per Attorney Brammell; however they should still be declared as surplus. Motion made by Member Meadows and seconded by Member Armstrong to declare the seven MSA 2216 self contained breathing apparatus packs as surplus property as they came as a free item with the trailer and the department has no use for them as they are not the kind we use. On a call for vote by Clerk Doane, all members present voted “Yea”. Council asked Member Meadows for a list of the hazardous material/equipment inside the trailer. Member Armstrong asked if they could see the trailer and equipment. Member Meadows stated yes, once it is located in the building.

**Subject: Festivals Update** – Member Armstrong reported on our Light Up event. Stated we had great attendance, probably due in part to the great weather. One of the new vendors reported he did well. Santa had a long line of children all night waiting to see him.

**Subject: Parks Update** – No report. Mayor Stephens reported that he has met with one vendor on the splash pad proposal and another one virtually. A third vendor is planning to present the first of the year. There are all kinds of options and prices involved in this. Mayor Stephens stated he wants to have a meeting with the Parks Committee sometime after the holidays. Member Troxell requested it be prior to January 25<sup>th</sup>. Mayor Stephens stated he would love to break ground on this project in March if everything comes together timely and correctly.

Member Armstrong had to leave at this time (7:27 p.m.)

### **NEW BUSINESS:**

**Subject: Wireless Internet** – Mayor Stephens reviewed a quote for wireless internet for the community. The company is a partner of Insight. The setup proposed is close to our budgeted amount; however it would only provide service on Main Street from approximately Sulphur Avenue to Blackaby Lane and the monthly provider service will run \$900.00 a month to run the service. Consensus of council to put this project on hold for now.

**Subject: Open Citizen Comments/Questions** – No one present who wished to address council.

**Subject: Amendment to Personnel Policy** – Attorney Brammell held the first reading of a summary of an ordinance amending the personnel policy ordinance to add a part-time janitor position. Council inquired on the proposed salary for this position. This ordinance sets the pay parameter at a Grade 19 which is between \$9.02 and \$15.78 per hour.

**Subject: Bucket Brigade Ordinance Discussion** – Mayor Stephens reported that he has been told by people that it is like “an act of congress” to participate in a bucket brigade within the City since all participants are required to sign a notarized waiver in front of City Hall personnel. Mayor Stephens reported he did not remember us requiring this of all participants and wondered if just the event organizer could do this. Clerk Doane left the meeting briefly to get the ordinance and forms for review. After review it was determined that the notarization does not

have to be done at City Hall but can be done by any notary. Consensus of council to leave the ordinance as written.

**Subject: Animal Ordinance** – Mayor Stephens reported that Chief Duncan is still working on a revised animal control ordinance. Chief Duncan stated this is very hard to write and remain fair to everyone.

**Subject: Mayor’s Update** – Mayor Stephens reminded Council that the Christmas dinner is scheduled for December 18th at Scribes with dinner time changed to 7:00 p.m. Mayor Stephens reminded everyone of the City Officials Academy scheduled for January 16-18, 2013 in Lexington. Clerk Doane has gotten everyone registered.

Mayor Stephens reported we have some new businesses in town – Aquatica, a Toy Store who is planning on buying the property next to it for a small outlet mall in the future, and the Mexican Store is planning on re-opening as a clothing store soon. Discussion held of possible locations for other businesses being dislocated due to the new CVS construction.

**Subject: New Business/Council** – Mayor Stephens asked if any council member had anything they wanted to discuss. Member Meadows inquired about a wire hanging down low at the old Raisor, Zapp, and Woods lot. Public Works Director Smith stated it is an old phone line which can be removed.

**Subject: Warrants** – The warrants for payment were presented and reviewed. Motion made by Member Browning 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”.

**Subject: Closed Session** – None needed

With no further business to be discussed, motion made by Member Meadows and seconded by Member Browning to adjourn. All members present voted “Yea”. Meeting adjourned at 7:55 p.m.

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DRANE STEPHENS, MAYOR  
CITYOF EMINENCE, KENTUCKY

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