

The City Council of the City of Eminence, Kentucky met in a regular session on Monday, August 10, 2015 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 were none. Also in attendance were City Attorney William Brammell, City Clerk Sandra Doane, Public Works Director Matt McAllister, Police Chief Kevin Kemper, Rebekah Markoski with Security Pros, Magistrate Scott Bates, Citizens Carroll Lyons, Brandy Lyons, and Jennifer Payton, 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 – Magistrate Scott Bates was present to update on County business. Reported they have hired a new Road Department Supervisor to replace retiring Glenn Baxter. They will also have to replace Magistrate Nick Hawkins as he will be moving to Atlanta, GA. Magistrate Bates asked if the problem with semi-trucks getting onto Narrow Gage Road is any better. Mayor Stephens reported no known problems; however we are still waiting on the larger signs to be installed by the State on Highway 55. Magistrate Bates stated that Shelby County Judge Rothenburger has had DOT set at Narrow Gage some as well.

Mayor Stephens reported that a meeting with the State, County and the City is scheduled for Wednesday at 1:30 p.m. at City Hall to review a proposal on the Highway 55 widening project. Invited Council to attend.

Subject: Sealed Bid Opening – Mayor Stephens opened the sealed bids for the sale of the surplus 2005 Ford Crown Vic cruiser as follows:

Shane Case, 139 Zelcova Drive, Eminence, KY - \$1,500.00
Kevin Gregory, Sr., 102 Hillcrest Drive, Eminence, KY - \$858.00
Chris Reese, 114 East Prong Locust Rd., Milton, KY - \$888.88

Member Shroyer inquired on the value of the vehicle. Mayor Stephens stated he checked it several months ago and the estimated value is \$1,800.00 without deducting anything for high mileage, etc. Motion made by Member Troxell to accept the highest bid of \$1,500.00 from Shane Case for purchase of the 2005 Ford Crown Vic cruiser. Motion seconded by Member Mason. On a call for vote by Clerk Doane, all members present voted “Yea”.

Subject: Care, Inc. – Daniel Broaksma, Project Coordinator for Youth Coalition with Kids Choice Leaders, Krysten Moody and Devin Shaw, both Youth Coalition KC Leaders were present to discuss their program, Kids Choices Leaders, with Council. Care, Inc. is their fiscal parent. Their overall goal is to develop leadership skills and stop drug abuse. After reading an article on Coach D Park and the vandalism being done there, they want to work on this with us to stop the vandalism, littering, and bullying. Their slogan is “Kids Come First”. Their group started in

January with four members and now have fourteen. Some of their ideas include making posters for the park to encourage better treatment of the park. They have adopted turtles as their mascot who they have named Bobby and Shelley. They presented their proposed posters for location in the Park. They reported that did a cleanup at the Park and took pictures to share. It took about 1-1/2 hours to do this project, after which they had a reflection period.

Council inquired what material the posters would be made from. They responded corrugated plastic for the posters and the signs would be on metal. The kids in the group are from all around the County and will be recruiting others. Council gave unanimous approval for the group to proceed with this project, but reserved the right for the committee to approve the location of the signs and posters. Nellie Druin with the Care, Inc. stated she wants to do some PR on this project to send to the federal government to encourage other like groups. Council had no problem with this. Member Bell stated he appreciates the group caring enough to do something and suggested contacting other Church youth groups for possible members.

OLD BUSINESS:

Subject: Minutes – The minutes of the previous regular session held on July 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 – Sewer Use Ordinance – Attorney Brammell held the second reading of a summary of an amendment to the sewer use ordinance to update the local limits. Motion by Member Meadows and second by Member Armstrong to adopt the ordinance as read. On a call of vote by Clerk Doane, all members present voted “Yea”.

REPORTS:

Subject: Parks Update – It was reported that the committee of Mayor Stephens, Polly Troxell, and Lee Ann Armstrong met with the representative from Security Pros to discuss the camera issue at the Park. Member Meadows was on conference call with them. Rebekah Markoski with Security Pros was present to review the proposal to upgrade the system. The upgrade would include changing equipment and installing virtual guard on a month to month basis. The virtual guard would give a verbal challenge at night to the person at the park who might be doing something they shouldn't. The cameras would continue to monitor during the day. Mayor Stephens stated he likes the personalization of this and lowering of the cameras would allow us to see under the pavilions as well as be able to know who the person is. Ms. Markoski stated they normally do a three year contract but since we are an existing customer they are allowing month to month for the virtual guard during the summer months only versus charging every month for this. The additional charge after the initial equipment installation of \$500.00 would be \$425.00 per month. Member Armstrong stated the committee feels this may be needed and would like to try for a few months to see if it helps. They feel the \$425.00 is small compared to the vandalism repairs. Police Chief Kemper stated the current system does not allow them to see who the person is at the park and stated he would like to be included in any new training. Discussion held including

payment for this service out of the park renovations line item. Motion made by Member Meadows and seconded by Member Mason to authorize the Mayor to enter into a contract with Security Pros for this change to our service on a month to month basis for the additional price of \$425.00 per month after the initial equipment installation for \$500.00. On a call for vote by Clerk Doane, all members present voted “Yea”.

Mayor Stephens reported that a way to make the park handicap accessible has been determined by using the other side of the lot and installing a flat 5’ sidewalk with no rails or slopes needed. Consensus to proceed with this.

Discussion held on the park bathrooms. The committee has met several times on this and decided if we did not hear on our land and water grant application by July 1st that we would proceed with using part of our match money to go ahead and change the bathrooms. Mayor Stephens asked if we could possibly do the demolition ourselves. Public Works Director Matt McAllister stated we probably could. We would need to follow handicap guidelines on the replacement building. Member Armstrong stated we need to also keep a storage area of about 10’ X 10’. Consensus of council to proceed with getting some specifications and drawings put together to bring back to Council. Member Bell and Public Works Director McAllister will work on this project. Member Meadows suggested possibly using the masonry class at the reformatory to assist with this building. The Job Corp was also discussed as a possibility. A suggestion was made by Citizen Carroll Lyons to use a metal gate on the soft drink machine like what is used in rest areas.

Subject: Police Department Report – Chief Kevin Kemper reviewed the monthly activity report with council. Chief Kemper reported that all the officers have completed their Taser training. Reported that a resident of Dreams with Wings ran away and was located after about three hours by GPS in Elizabethtown. Chief Kemper reported on recovery of a lot of stolen property. Reported that the Sin City Nation Field Meet was a good event with no problems reported. Reported on the semi roll-over on North Main Street which backed up traffic for several hours. It took four wreckers to move the turned over tanker.

Chief Kemper reported they had 285 total contacts for the month. Forty-two citations were issued on seventy-six charges. Twenty individuals were arrested on forty-three charges. There were five ordinance violations.

Member Meadows asked how the search for another officer was going. Chief Kemper reported he is looking at a couple of prospects with one wanting to do off-duty work in Louisville as well which we do not allow. This might eliminate this candidate.

Chief Kemper reported the department is happy to have another copier with inquiry as to the disposition of the old one. Attorney Brammell stated if it has no value it can be trashed.

Subject: Public Works Department Report – Public Works Director Matt McAllister reviewed the monthly activity report with council. Mr. McAllister reported the repaired sinkhole on East Broadway has been blacktopped.

Mr. McAllister reported that two different valves on Elm Street have been repaired. They have also picked up 400 new Hersey auto read meters from Bardstown and will begin installing them

as time permits. The water tower update is underway with the welder to be done this week. Mr. McAllister reported that his department is continuously making adjustments to our new pressure reducing valve on Jackson Road to keep our pressure at the normal rate of 43-45 psi during this renovation. They have had some issues with water pressure over different areas of town.

The installation of safety nets over the wells of each pump station is continuing. Derby City has removed pumps from Coachmen's Lane and Elmcrest lift stations for repairs with the Coachmen's Lane one back in service. One of the new blower motors at the sewer plant has failed; but is under warranty.

Mr. McAllister reported that an inquiry has been made on a lot on Jackson Road between the Washburn and Burgin property for installation of water and sewer service. The owner claims that existing services are on this lot from many years ago. They have received permission from the property owner to try and locate these connections. Mr. McAllister asked how to proceed with the charges for water/sewer services at this lot. Discussion held. Attorney Brammell stated the burden is on the property owner to find the connections not the City. If none are found then the owner will have to pay the connection and impact fees like everyone else and if found the same rules will apply to this property as everyone else.

Member Meadows asked Mr. McAllister to check into some potholes on Elm Street at Dairy Queen. Mr. McAllister stated he would contact Terry Justice, the State Highway Foreman on this request.

Subject: Administrative Office Report – City Clerk Sandra Doane reviewed the monthly administrative office report with council, reporting that approximately 98.07% of the 2014 tax bills have been collected as of August 6, 2015. The total outstanding 2014 base tax bills is \$6,863.17.

Clerk Doane reported we have received \$3,398.76 per HB 235 for health insurance subsidy.

Reported that at July 31st we have collected \$1,350.00 in booth rentals and \$650.00 in sale of ads for Eminence Day.

Working on end of year documents in preparation of the annual audit which is scheduled for September 22, 23, and 24th.

Subject: Financial Statement Review – Mayor Stephens and Clerk Doane reviewed the budget comparison for the fiscal year ending June 30, 2015. All department totals were within their budget. Member Meadows asked about salt for next year. Mayor Stephens stated we participated in a reverse auction which has lowered our cost per ton to approximately 76.00 from the same provider who turned us down last year. Mayor Stephens asked council to review the budget comparison and if any questions to let him or Clerk Doane know

Subject: Fire Department Report – Member Meadows reviewed the Fire Department report with council which showed ten total runs and special details in July for total man-hours of approximately one hundred seventeen. Member Meadows reported that a 2007 Chevy Tahoe has been purchased for the price of \$15,800.00 including shipping as a replacement command vehicle.

It should arrive August 20th. The current command jeep will be declared surplus after all the equipment is taken off of it.

Subject: Festivals Update – Member Troxell reported everything went well for Eminence Day and that all the help was appreciated including Clerk Sandy Doane, Officer Mike Wells and Troy Popp. Member Bell thanked his wife, Tonia for her help and also Member Troxell for helping with the traffic at the parade lineup.

NEW BUSINESS:

Subject: Ordinance Requiring Visible House Numbers – Discussion held on requiring visible house numbers. It was discussed that the County has an ordinance requiring this but no enforcement. Member Meadows asked who would bear the expense of the numbers which could get costly to install large enough ones to see from a distance. The property owner would have to bear this expense. Consensus to try and promote the County requirement in the newsletter and on our websites and on the water bills.

Subject: Codification Update – Clerk Doane reviewed an estimate from our provider for an update to our code of ordinances. We have not updated this for about 2.5 years. The estimated cost to update this was between \$2,300.00 and \$3,000.00. We have \$2,500.00 budgeted for this expense. Motion made by Member Shroyer and seconded by Member Troxell to authorize this update with American Legal Publishing for a price not to exceed \$2,500.00. On a call for vote by Clerk Doane, all members present voted “Yea”.

Subject: Open Citizen Comments - Mayor Stephens asked if anyone was present who wished to address Council. Citizens from Quail Hollow Subdivision were present as follows: Carroll Lyons of 24 Quail Hollow Drive, Brandy Lyons of 24 Quail Hollow Drive, and Jennifer Payton of 16 Quail Hollow Drive. They discussed speeding and the danger to their children and requested Council put up signs for speeding and children at play and have the Police enforce. Mayor Stephens questioned if the City is responsible for the streets now. Attorney Brammell stated if the streets are up to the required specifications of the City then they are automatically dedicated to us and are our responsibility. Ms. Payton stated she has videos of the speeders and also that drag racing is going on. She questioned whether properly installed speed bumps would help. They are asking for 15 mph speed limit signs to be installed. Discussion held that 15 mph is too slow. Ms. Payton stated between 6:00 and 9:00 a.m. and between 5:00 and 8:00 p.m. are the worst times with the weekends being even worse. Police Chief Kevin Kemper stated that their radars are mounted so they have to sit in a spot where they can get the vehicles rather than being mobile. Much discussion followed with some heated moments. Member Mason asked if speed bumps were installed would the residents be ok with no snow removal as our plow cannot get over the bumps without tearing them out. Mr. Carroll suggested marking the speed bumps so the plow operator would know to lift the plows. It was also discussed how the other residents of this area would feel about the speed bumps and installation of 15 mph speed limit signs. Public Works Director McAllister stated he does not think we should put up the children at play signs as he remembers something about creating an additional liability for the City. Attorney Brammell will check into this. Council in agreement to install five 25 mph speed limit signs on our easements, follow-up

on the children at play question, have enforcement of the speed limits and re-evaluate in a few weeks with speed bumps a consideration. Question asked about who would handle the developer, Bill Porter, on his concerns. Mayor Stephens stated that he should be referred to him.

Mr. Carroll also asked Mayor Stephens to look at the area behind his house and the drainage problem he is having. Mayor Stephens stated he thought this was all resolved last year with the birm installation. Mr. Lyons stated what was done did help but his area still holds water. Mayor Stephens stated he would meet with Mr. Lyons on Saturday afternoon.

Subject: Tax Rate Discussion – Mayor Stephens reviewed the history of setting tax rates for new member, Joey Bell. Mayor Stephens and Clerk Doane reviewed the 2015 compensating and 4% allowed rates based upon the total assessment figures from the PVA. Clerk Doane pointed out the increase in exemptions of 511,200 more than last year and the large decrease in personal property assessment of negative 4,083,175. The calculated 4% allowed rate on real property for 2015 is 0.339 per \$100.00 assessment with the calculated compensating rate being 0.326 per \$100.00 assessment. The corresponding personal property rates were reviewed. The personal tax rates are much higher due to the lost assessment which makes the rate higher. Discussion held. Member Meadows stated he feels so many houses are for sale in Eminence partially due to the tax rates. Attorney Brammell stated we are handicapping future councils by not taking the 4% allowed rate and that we will not be looked at positively by grant decision makers if not doing so. Member Shroyer stated we have surplus funds in both main accounts and doesn't feel we should increase the rate. Member Troxell stated she feels we need to take the 4% allowed rate as we have not taken it since 2009 and not taking it will get us behind. Member Meadows stated he agrees with Member Shroyer that we are financially in good shape. Motion made by Member Meadows to keep all the rates the same as last year with no increase. Motion seconded by Member Shroyer. Attorney Brammell stated this does not require a motion at this time since we will only be doing a first reading of the ordinance. On a call for vote by Clerk Doane, all members present voted "Yea".

Subject: Ad Valorem Property Tax Ordinance - Attorney Brammell held the first reading of the ad valorem property tax rate ordinance setting the rate for 2015/20165 at .317 per \$100.00 assessment for real property, .3299 per \$100.00 assessment for personal property and .266 per \$100.00 assessment for motor vehicles and watercrafts; all which are the same as last year with no increases in rate being made.

Subject: Mayor's Update – Mayor Stephens reported he has been asked about whose responsibility it is to maintain the island at Arborview Subdivision. Discussion held. Attorney Brammell stated if there is no homeowners association then we are probably responsible. One resident has even asked to have it removed. One resident cannot even back out of her driveway correctly because of it. Motion made by Member Shroyer and seconded by Member Mason to remove the island at the entrance to Arborview Subdivision. Member Bell suggested sending a letter to all the residents first to see if anyone wants to be responsible for maintaining it before we remove it. On a call for vote by Clerk Doane, Members Shroyer, Mason, Troxell, Meadows and Armstrong voted "Yea". Member Bell abstained.

Subject: Council New Business – Member Mason asked about firemen riding with police officers and if this was allowed without a waiver being signed. Attorney Brammell stated no issue unless from an insurance liability standpoint or prohibition.

Member Armstrong reported she has been visiting all the alcohol establishments for compliance checks. She will be re-visiting some as not all the Star training is up to date. Police Chief Kemper will be going with her to some of the establishments.

Member Armstrong reported that the DJ in the Park event was well attended. The new DJ was very good. Asked about getting buckets with sand in them for cigarette butts.

Member Shroyer asked about the status of the burnt cleaners building. Mayor Stephens reported he has instructed the owner to have it all boarded up by winter. The owner stated he is waiting on two estimates to settle with the insurance company which should allow tearing down of the building.

Subject: Warrants - The warrants for payment were presented and reviewed. Motion made by Member Shroyer and seconded by Member Armstrong 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 Mason to adjourn. All members present voted “Yea”. Meeting adjourned at 9:23 p.m.

DRANE STEPHENS, MAYOR
CITY OF EMINENCE, KENTUCKY

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