

The City Council of the City of Eminence, Kentucky met in a regular session on Monday, June 9, 2014 at 6:15 p.m. at the Eminence City Hall 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 City Attorney William Brammell, City Clerk Sandra Doane, Public Works Director William Smith, Police Chief Carey Duncan, Business Owners Greg Doerr (The Saloon on Main) and George Saliba (McDonalds), Stacey Rockaway with Thomas Massie's office and Henry County Local Representative Chris Brooks.

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

Pledge of allegiance held.

**Subject: County Business** – Mayor Stephens reported that Magistrate Scott Bates is still working with his prison ministry and unable to attend. No report was presented. Mayor Stephens asked Council if anyone had any concerns to present to Magistrate Bates. None did.

**Subject: Alcohol Ordinance Concern** – Business owner Greg Doerr with The Saloon on Main was present to express a concern and question on our alcohol ordinance. Mr. Doerr stated his establishment is licensed to sell only beer due to not having a restaurant associated with his business; however his competitor, Scriber's, is licensed to sell alcoholic drinks due to having a restaurant. His question is why is Scriber's allowed to close their restaurant at 9:00 p.m. and then have the back room open until midnight selling alcoholic drinks. He does not believe that the back room seats 100 people by itself and why is he being allowed to continue serving alcohol after the restaurant closes. Mr. Doerr stated he does sell some food but is not a restaurant. Member Armstrong stated that Scriber's has to keep the restaurant open to qualify for the alcohol sales. Mayor Stephens asked if Council wanted to consider changing the ordinance to allow alcohol sales for Mr. Doerr. Attorney Brammell stated he is not sure we can change our ordinance as it is written per state law with food having to be a certain percentage of sales. We do, however, need to address the violation which is occurring at Scriber's. Discussion held on the County having a lesser seating requirement of only 50. Member Armstrong stated the County is only moist and are piggybacking off of Eminence which allows them to only have 50 seats required. Attorney Brammell stated he believes we have exercised our rights to the maximum without a referendum vote being required. Mr. Doerr stated that the Kentucky ABC told him they had no requirements on him being able to sell liquor, but that Eminence did not allow which was the rules he must follow.

**Subject: Congressman Thomas Massie's Representative** - Stacey Rockaway, representative of Congressman Thomas Massie's office, was present to inform Council of Congressman

Massie's interest in any questions, comments or concerns we might have. She stated he is always willing to provide letters of support on any grants we may be seeking, but does not have enough staff to find them for us. Ms. Rockaway stated their office can assist with Medicare, Social Security/Disability Claims, Veterans Administration problems, or other problems on behalf of citizens. He is also willing to assist with military academy nominations. Ms. Rockaway stated that Congressman Massie does review all of his calls and messages on a daily basis.

**Subject: McDonald's Update** – George Saliba with McDonald's was present to give an update on his new business. Mr. Saliba stated business has been great and the support from the City and its residents is appreciated. Any new business is a challenge with their focus being on speed and training, but all the comments are uplifting and motivating. He is committed to running a restaurant that everyone can be proud of and he will be there every day until his standards are all met. He has 65 crew members and 10 managers with additional staff coming from other stores to help the new people. The main negative comments have been about speed of service. Mr. Saliba stated that his Pendleton and LaGrange stores are both considered high volume stores and Eminence beat both the first week it was open. Mr. Saliba stated the concern with lighting has been taken care of with the ones of concern being turned off a closing and the angle has been changed as well.

#### **OLD BUSINESS:**

**Subject: Minutes** – The minutes of the previous regular session held on May 12, 2014 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 Updating Salary Scale** – Attorney Brammell held the second reading of an ordinance updating our current salary scale within the pay/compensation plan. 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".

**Subject: Budget Ordinance for the Fiscal year 7-1-14/6-30-15** – Attorney Brammell held the second reading of the budget ordinance for fiscal year 7-1-14/6-30-15. Motion made by Member Meadows and seconded by Member Armstrong to adopt the budget ordinance for fiscal year 7-1-14/6-30-15 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 reported they had 315 total contacts for the month. Thirteen individuals were arrested on thirty separate charges. The Department had four DUI's and eight other alcohol related charges this month. Member Armstrong asked if the vandalism is

any better at the Park. Chief Duncan stated no as there was an incident of sand being put in the commodes and sinks stopping them all up. Discussion held on tearing down the building and just putting in port-o-potties or building new restrooms which face the road. Hygiene with the port-o-potties would be a problem. Discussion held on offering a reward for information that would result in a conviction for these ongoing problems. Attorney Brammell stated we could authorize a reward and state specific circumstances for an individual incident. Motion made by Member Troxell to offer a reward of \$250.00 to any person providing information identifying the person or persons responsible for vandalism in the way of placing sand in the toilets and sinks at the Eminence Coach D Park on the weekend of June 6, 7, and 8<sup>th</sup> with the reward payable on conviction of the responsible person or persons. Motion seconded by Member Mason. On a call for vote by Clerk Doane, all members present voted “Yea”. Mayor Stephens stated he has asked the police to step up patrolling at the Park.

Discussion held on times to close the Park in the evenings. Motion made by Member Armstrong and seconded by Member Meadows to close the Park at 11:00 p.m. during the months of May, June, July and August and at 10:00 p.m. all other months. On a call for vote by Clerk Doane, all members present voted “Yea”. Public Works Director Smith was authorized to set the lights to go off at 11:00 p.m. and to order signs for placement at the Park with these hours of operation.

Chief Duncan reported that Lieutenant Jones is back to work after his workers comp injury.

**Subject: Public Works Department Report** – Public Works Director William Smith reviewed the monthly activity report with council. Mr. Smith reported that H & A Resource have been on site for two weeks draining the lagoons and hauling off the sludge and it will take approximately 2-3 weeks more to finish this part of the project. The contractor has ordered the equipment and KU has staked off the area for electricity installation. Mayor Stephens stated he would take anyone who wants to go tomorrow at 10:00 a.m. if not raining to see the site.

Member Meadows asked if we have been mowing private lots. Mr. Smith stated yes – several. Mayor Stephens stated we will be filing liens for all this mowing and hates that we are having to do it but with all the abandoned property it is impossible to find ownership that will take care of the property. Mayor Stephens reported that the burnt house on Thorne Heights has been cleaned up. Question asked about the relocation of the water meter at the Casey property on Mulberry. Mr. Smith stated this was done to get the meter onto the right property after it was sold off into different plots. Before any other meters are installed, the rest of the property will have to be annexed into the City limits.

**Subject: Wastewater Treatment Plant Expansion Project Update** – See report above.

**Subject: Administrative Office Report** – City Clerk Sandra Doane reviewed the monthly administrative office report with council, reporting that approximately 97.7 % of the 2013 tax bills and franchise additions have been collected at June 3<sup>rd</sup>. Liens will be filed this week on all remaining unpaid 2013 tax bills. Clerk Doane reported that we have received the yearly payment in lieu of taxes from the Housing Authority and the quarterly franchise fee from Kentucky Utilities Company.

Clerk Doane reported that the online payment of water/sewer bills has been slow taking off so please continue to help promote this.

**Subject: Fire Department Report** – Member Meadows reviewed the Fire Department report with council which showed thirteen total runs and special details in May for total man-hours of approximately one hundred five. Member Meadows reported that the rescue equipment approved for purchase last month has already been put to use at an accident to get the victims out of the vehicles.

**Subject: Festivals Update** – Member Armstrong reported on the last committee meeting held on June 5. Twenty three ads have been sold with one left open for the owner of the property we will be using to stage the parade. All the music is set and if it rains the pageants will be cancelled rather than moved.

**Subject: Parks Update** – Mayor Stephens stated there was nothing new to report. Member Meadows asked when the previously approved Eagle Scout project was due to start. Mayor Stephens stated all the paperwork has been signed and approved with him just waiting on release of the funds. It should all be completed by July 1<sup>st</sup>.

#### **NEW BUSINESS:**

**Subject: Resolution Approving Wastewater Treatment Project Expenses** – Attorney Brammell reviewed a resolution to approve one invoice on the wastewater treatment project payable to H & A Resources in the amount of \$1,000.00 (from KIA IEDF funds). Motion made by Member Mason and seconded by Member Troxell to approve the resolution as presented approving the invoice for payment. On a call for vote by Clerk Doane, all members present voted “Yea”.

**Subject: Cost of Living Increase** – Mayor Stephens requested a motion to approve the cost of living increases per the budget for all employees. Motion made by Member Shroyer and seconded by Member Mason to approve the cost of living increase for all employees per the budget to be effective with the pay period starting July 10, 2014. On a call for vote by Clerk Doane, all members present voted “Yea”.

**Subject: Revised Contracts for Residential and Commercial Water Service** – Council reviewed the revised contracts for residential and commercial water service which adds language to allow the landlords to access tenant’s information on the account and releases the City from all liability for releasing said information. Motion made by Member Meadows and seconded by Member Armstrong to approve the contracts for residential and commercial water service as revised. On a call for vote by Clerk Doane, all members present voted “Yea”.

**Subject: Noise Ordinance Follow-up** – Mayor Stephens reviewed the noise ordinance from Carrollton and asked Council to decide if they want to move forward with adopting a similar ordinance. Mayor Stephens asked for a volunteer to work with Attorney Brammell on drafting an ordinance. Member Mason volunteered to do this.

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

**Subject: Mayor's Update** – Mayor Stephens discussed a request to have a privacy fence installed beside the house on Penn Avenue next to CVS and McDonald's. Apparently someone with CVS told the resident that a privacy fence would be installed. CVS is now saying that is not the case and that it only required some type of buffer which they deem to be the trees. Five trees have been planted already and George Saliba with McDonald's is willing to do more if needed. Mayor Stephens stated he would try to talk to the CVS foreman, John Hoffman concerning this. Attorney Brammell stated that no contract exists with the City for a fence so this is not our problem. Discussion held with it being decided that the trees there should be sufficient and that once business settles down it will be better anyway.

Mayor Stephens stated that as reported McDonald's is doing great as is the Saloon on Main. The new United Citizens Bank is still on schedule for opening in July. Eminence Apothecary is doing well and has a grand opening set for June 20<sup>th</sup> and 21<sup>st</sup>. Free hotdogs will be provided and drawings for prizes will be held throughout the event.

**Subject: New Business/Council** – Mayor Stephens asked if any Council member had anything to discuss. Member Troxell stated she is basically in the backdoor of McDonalds and has no problem with anything.

Member Meadows asked if the property on Jackson Road has been mowed. Mayor Stephens stated yes but it will be a continuous problem all summer. Member Shroyer asked about the property next to the Apothecary. Mayor Stephens stated it is in the works.

Member Armstrong congratulated Chief Duncan and the Police Department on the commendation letter from Shannon Treece at the School.

**Subject: Warrants** - The warrants for payment were presented and reviewed. Motion made by Member Troxell 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 7:52 p.m.

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DRANE STEPHENS, MAYOR  
CITYOF EMINENCE, KENTUCKY

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