

**CITY OF BARDSTOWN
REGULAR COUNCIL MEETING MINUTES
01-13-2015
7:00 P.M.**

The City Council met in a regular session in the Council Chambers with Mayor John Royalty and the following Councilmen:

Councilman Buckman
Councilman Copeland
Councilman Hagan
Councilman Lydian
Councilman Simpson
Councilman Williams

Others present: City Attorney David Bruce Reynolds, City Clerk Barbie Bryant, Assistant City Administrator Larry Green, Chief Financial Officer Mike Abell, Police Captain Tom Roby, City Civil Engineer Jessica Filiatreau, Director of Public Works and Engineer Larry Hamilton, Executive Assistant to the Mayor Kathy Graham, Staff Engineer Eric Richter, City Electrical Engineer Jeff Mills, County Magistrate Keith Metcalf, Kentucky Standard reporter Randy Patrick, Nelson County Gazette Reporter Jim Brooks, Planning and Zoning Board member Todd Johnson, Historical Review Board member Pen Bogart, and identified citizens Melissa Filiatreau, Guthrie McKay, Julie Crume, Arthur Woodson, Kathleen and Bob Llewellyn.

The Mayor called the meeting to order and announced that the Council would go into Executive Session prior to the end of the meeting pursuant to KRS 61.810 (1)(c) for discussions of proposed litigation against or on behalf of the public agency.

Several citizens gave their opinions on whether the WHAS-TV (ABC affiliate) station should be kept or eliminated from Bardstown Cable programming lineup.

Councilman Hagan asked for a Point of Information regarding the four contracts under agenda item #2. City Electrical Engineer Mills provided the explanations and contents of each contract.

WHAS TV RENEWAL CONTRACT

City Electrical Engineer Mills presented the retransmission agreement for WHAS-TV, the ABC affiliate. Former Mayor Sheckles and Mayor Royalty were instrumental in negotiating reduced fees for years 2015-2017. **COUNCILMAN HAGAN MOVED TO APPROVE THE WHAS TV PROGRAMMING CONTRACT, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0.**

HBO AND CINEMAX CONTRACTS

COUNCILMAN WILLIAMS MOVED TO TABLE THE HBO AND CINEMAX CONTRACTS, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0.

WICKLAND BOONE SEWER BID

City Civil Engineer Filiatreau presented the bid for the Wickland Boone Sewer build:

**WICKLAND BOONE SEWER MAIN EXTENSION BID TABULATION CITY OF
BARDSTOWN, KENTUCKY
BID OPENING: JANUARY 7, 2015**

Contractor Name & City	Bid Amount
Rame Contracting, Springfield KY	\$177, 585.00
Cleary Construction, Tompkinsville KY	\$194,571.00
McKenzie Trucking, Harlan KY	\$213,544.58*,**
Bischoff Brothers Excavating, Bardstown KY	\$221,236.00*
Filcon Construction, Coxs Creek KY	\$242,000.00
MC Coleman Group, Louisville KY	\$247,478.00
Schroeder Construction, Elizabethtown KY	\$267,865.00
Norris Brothers Excavating, Crossville TN	\$276,248.24
Twin States Utilities, Inc., Mt. Hermon KY	\$279,270.00
Vanguard Construction, Campbellsville KY	\$287,000.00
Cumberland Pipeline LLC, Russell Springs KY	\$366,853.00

*Unit totals did not match Bid Form total
**Incomplete Bid

Rame Contracting is the apparent low bidder
City of Bardstown Allocated Budget Amount = \$196,500

COUNCILMAN WILLIAMS MOVED TO APPROVE THE BID FROM RAME CONTRACTING LLC., SPRINGFIELD KY, TO PROVIDE THE CONSTRUCTION WORK FOR THE WICKLAND BOONE SEWER MAIN EXTENTION FOR CITY PROPERTY AND AUTHORIZE THE MAYOR TO SIGN THE NECESSARY CONTRACT

IN THE AMOUNT OF \$177,595.00, DULY SECONDED BY COUNCILMAN LYDIAN AND CARRIED BY A VOTE OF 6 TO 0.

MINUTES

COUNCILMAN HAGAN MOVED TO APPROVE THE MINUTES OF 12-23-2014, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0.

COUNCILMAN HAGAN MOVED TO APPROVE THE MINUTES OF 12-30-2014, DULY SECONDED BY COUNCILMAN LYDIAN AND CARRIED BY A VOTE OF 6 TO 0.

COUNCILMAN HAGAN MOVED TO APPROVE THE MINUTES OF 01-06-2015, DULY SECONDED BY COUNCILMAN COPELAND AND CARRIED BY A VOTE OF 6 TO 0.

PROPOSED ORDINANCE B2015 – CABLE TV RATES AMENDMENT

Councilman Simpson introduced the ordinance and asked for its first reading. City Attorney Reynolds read the summary that outlined the increase to the Basic Cable rate for years 2015-2017 and a decrease in the High Definition Tier rate. No vote was taken.

ORDINANCE B2015-01 CLASSIFICATION AND COMPENSATION PLAN

City Clerk Bryant read the summary:

SUMMARY OF ORDINANCE B2015 – 01

This Ordinance amends Ordinance B2014-20 and CHAPTER 35, EMPLOYMENT POLICIES, THE **CLASSIFICATION PLAN AND COMPENSATION PLAN** of the municipal code by: amending the number of Authorized Positions, Job Classification titles, exempt status and pay grades of various authorized positions within the Classification and Compensation System, and amending the Job Classifications.

The amendment and addition reflecting number of positions, title, and pay grade respectively will be: **(1) Preservation Coordinator 34.**

AMEND THE FOLLOWING JOB CLASSIFICATION: Preservation Coordinator – Under general direction, administers the CLG-Preservation Program; assists the Bardstown Historical Review Board; coordinates local preservation efforts; administers City Sign Ordinance; performs other duties as required.

COUNCILMAN WILLIAMS MOVED TO APPROVE ORDINANCE B2015-01 CLASSIFICATION AND COMPENSATION PLAN AS STATED IN THE SUMMARY, DULY SECONDED BY COUNCILMAN BUCKMAN.

THE MAYOR CALLED THE ROLL AND THE FOLLOWING VOTED:

COUNCILMAN SIMPSON	-	AYE
COUNCILMAN BUCKMAN	-	AYE
COUNCILMAN WILLIAMS	-	AYE
COUNCILMAN HAGAN	-	AYE
COUNCILMAN LYDIAN	-	AYE
COUNCILMAN COPELAND	-	AYE

MAYOR ROYALTY THEN DECLARED ORDINANCE NO. B2015-01 ADOPTED. IT WILL BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. _____.

NEW APPOINTMENTS AND RE-APPOINTMENTS

COUNCILMAN HAGAN MOVED TO APPROVE THE NEW APPOINTMENT OF JIM KELLEY AS A RECOMMENDATION FOR A 3 YEAR TERM TO THE BARDSTOWN NELSON COUNTY TOURIST COMMISSION, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0.

COUNCILMAN SIMPSON MOVED TO APPROVE THE RE-APPOINTMENT OF SHEILA OSBOURNE FOR A 3 YEAR TERM TO THE BARDSTOWN NELSON COUNTY TOURIST COMMISSION, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0.

COUNCILMAN HAGAN MOVED TO APPROVE THE NEW APPOINTMENT OF SCOTT FRANK FOR A 2 YEAR TERM TO THE RECREATION BOARD AND THE RE-APPOINTMENT OF SARAH HARDIN BALLARD TO A 3 YEAR TERM ON THE HISTORICAL REVIEW BOARD, DULY SECONDED BY COUNCILMAN LYDIAN AND CARRIED BY A VOTE OF 6 TO 0.

MUNICIPAL ORDER M2015-01 COUNCIL COMMITTEES

MUNICIPAL ORDER NO. M2015-01

WHEREAS, the Mayor and City Council wish to name members to committees to study the policies and operations of the Fire and Police Departments (**SAFETY COMMITTEE**); to study the finances of the City (**FINANCE COMMITTEE**); to study the needs of the community and plan for future growth (**LONG-TERM PLANNING COMMITTEE, TRANSPORTATION COMMITTEE AND ANNEXATION COMMITTEE**);

to study the policies and operations of the Electric, Cable TV and Internet Departments of the City (**ELECTRIC AND CABLE TV COMMITTEE**); to study the policies and operations of the Water and Wastewater Departments of the City (**WATER AND WASTEWATER COMMITTEE**); to study the policies and operations of the Cemetery Department (**CEMETERY COMMITTEE**); to study the policies and operations of the Recreation Department of the City (**RECREATION COMMITTEE**); and to study the use and maintenance of the streets and the policies and operations of the Solid Waste Department (**STREET AND SOLID WASTE COMMITTEE**).

NOW THEREFORE, be it ordered by the City Council of the City of Bardstown, Commonwealth of Kentucky:

1. That the Safety Committee of the City Council whose members are: Chairman Councilman Bill Buckman, Councilman Bobby Simpson, Councilman Francis Lydian, Police Chief Rick McCubbin and Fire Chief Marlin Howard shall have regularly scheduled meetings on the second Monday of March, June, September and December each year at 5:00pm in the Mayor's Conference Room of City Hall located at 220 North Fifth Street.
2. That there is hereby named a Finance Committee of the City Council whose members shall be: Co-Chairman Mayor John Royalty, Co-Chairman Councilman Bobby Simpson, Councilman Roland Williams, Councilman Fred Hagan, Councilman Bill Buckman, and the Chief Financial Officer, and that the Finance Committee shall have meetings as needed.
3. That there is hereby named a Long-Term Planning Committee of the City Council whose members shall be: Chairman Councilman Francis Lydian, Councilman Fred Hagan, Councilman Kecia Copeland, Councilman Roland Williams and Councilman Bobby Simpson, and that the Long-Term Planning Committee shall have meetings as needed.
4. That the Electric and Cable TV Committee of the City Council whose members are: Chairman Councilman Bobby Simpson, Councilman Roland Williams, Councilman Bill Buckman, City Electrical Engineer Jeff Mills and Electric Superintendent Jeff Miller shall have regularly scheduled meetings on the first Tuesday of January, April, July and October each year at 4:00pm in the Council's Chamber located on the second floor at 116 North Fifth Street.
5. That there is hereby named a Water and Wastewater Committee of the City Council whose members shall be: Chairman Councilman Fred Hagan, Councilman Francis Lydian, Mayor John Royalty, Director of Public Works and Engineering Larry Hamilton and City Civil Engineer Jessica Filiatreau and that the Water and Wastewater Committee shall have meetings as needed.
6. That there is hereby created a Cemetery Committee of the City Council whose members shall be: Chairman Councilman Bobby Simpson, Councilman Francis Lydian, Director of Public Works and Engineering Larry Hamilton, Public Works Superintendent Ben Burd, Groundskeeper Phillip Grubbs, Sexton Barbie Bryant and citizen-member Evelyn Oakley, and that the Cemetery Committee shall have regularly scheduled meetings on the second Wednesday of February, May, August and November of each year at 8:30 a.m. at City Hall.
7. That there is hereby named a Recreation Committee of the City Council whose members shall be: Councilman Roland Williams and two (2) Mayor Appointees, along with the Recreation Board members, and that the Recreation Board shall have regularly scheduled meetings every other month beginning in January on the 4th Thursday, 6:00 PM in the City Council Chambers.
8. That there is hereby named a Street and Solid Waste Committee of the City Council whose members shall be: Chairman Councilman Bill Buckman, Councilman Bobby Simpson, Councilman Francis Lydian, Councilman Kecia Copeland, Councilman Roland Williams, Director of Public Works and Engineering Larry Hamilton and Public Works Superintendent Ben Burd and that the Street and Solid Waste Committee shall have meetings as needed.
9. That there is hereby named an Annexation Committee of the City Council whose members shall be: Chairman Councilman Fred Hagan, Councilman Bill Buckman, Councilman Kecia Copeland, Councilman Bobby Simpson, Asst. City Administrator Larry Green, Director of Public Works and Engineering Larry Hamilton and City Civil Engineer Jessica Filiatreau and that the Annexation Committee shall have meetings as needed.
10. That there is hereby named a Transportation Planning Committee of the City Council whose members shall be: Chairman Councilman Kecia Copeland, Councilmen Bill Buckman, Francis Lydian, Fred Hagan, Bobby Simpson and Roland Williams, Mayor John Royalty, Director of Public Works and Engineering Larry Hamilton, City Civil Engineer Jessica Filiatreau, State Representative David Floyd, David Haydon, Mark Mathis, Nelson County Engineer Jim Lemieux and Planning Commission Administrator Jan Johnston-Crowe, and that the Transportation Planning Committee shall have meetings as needed.

COUNCILMAN HAGAN MOVED TO ACCEPT MUNICIPAL ORDER M2015-01 COUNCIL COMMITTEES, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 5 TO 1. Councilman Copeland voted no.

MUNICIPAL ORDER M2015-02 NON-ELECTED OFFICIALS' APPOINTMENTS

MUNICIPAL ORDER NO. M2015-02

RESOLUTION

WHEREAS: Chapter 33 of the Bardstown City Ordinances requires the approval of the City Council for the recommended appointments of non-elected City Officials, and;

WHEREAS: The Mayor recommends the current personnel who occupy the positions of City Clerk, Chief Financial Officer, Police Chief, and Fire Chief be reappointed to their respective positions.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bardstown, KY that approval is given for Barbara Bryant as City Clerk; Mike Abell as Chief Financial Officer, Ronald Richard McCubbin as Police Chief and Marlin Howard as Fire Chief.

COUNCILMAN WILLIAMS MOVED TO ACCEPT MUNICIPAL ORDER M2015-02 NON-ELECTED OFFICIALS' APPOINTMENT THAT RECOMMENDS THE RE-APPOINTMENT OF THE CITY CLERK, CHIEF FINANCIAL OFFICER, POLICE CHIEF AND FIRE CHIEF, DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 6 TO 0. Councilman Hagan asked to be shown as abstaining.

MUNICIPAL ORDER M2015-03 SIGN ADMINISTRATOR DESIGNEE

MUNICIPAL ORDER NO. M2015-03

WHEREAS: The Nelson County Planning and Zoning Commission has notified the City of Bardstown that it will no longer be administering the Bardstown City Sign Ordinance, and;

WHEREAS: Chapter 98 – Sign Regulations, of the Bardstown City Ordinances states, in part, “The Sign Administrator shall be the Joint City-County Planning Commission of Nelson County, unless otherwise designated by the Mayor of the City of Bardstown or his/her designated representative,” and;

WHEREAS: The Preservation Coordinator, as a City employee, has been tasked with the responsibility to administer the Bardstown City Sign Ordinance, and;

WHEREAS: The Mayor wishes to designate the Preservation Coordinator as the Sign Administrator of the City of Bardstown.

NOW, THEREFORE, BE IT ORDERED by the City of Bardstown, KY that the Preservation Coordinator shall be the designated Sign Administrator effective upon approval, signature and recordation of this Municipal Order.

COUNCILMAN HAGAN MOVED TO INTRODUCE MUNICIPAL ORDER M2015-03 SIGN ADMINISTRATOR DESIGNEE, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0.

COMMITTEE REPORTS

Councilman Simpson reported on the Electric and Cable TV Committee meeting that was held on 01-06-2015. The City will provide families located on Guthrie and Demaree Drives, with updates for completion of the project to put utilities underground.

Councilman Lydian announced that he will schedule a Long Term Committee meeting during the month of February.

STAFF REPORTS

City Civil Engineer Filiatreau will submit an annual report to the Kentucky Division of Water for the progress of the City’s Wet Weather sewer program. Phase II of the Water Treatment Disinfectant Bi-Product Rule began last August and its regulations have been difficult to meet. She will be meeting with water districts and state officials to discuss proposed coordination of efforts leading to improved compliance with the new rules.

CEMETERY DEEDS

Two cemetery deeds were presented: Walker for two grave spaces and Oliver for one grave space. **COUNCILMAN SIMPSON MOVED TO ACCEPT THE CEMETERY DEEDS FOR FARION AND KAY WALKER AND AVA JUNE OLIVER, DULY SECONDED BY COUNCILMAN COPELAND AND CARRIED BY A VOTE OF 6 TO 0.**

Mayor Royalty then announced that the Council would go into an Executive Session pursuant to KRS 61.810 (1)(c) for discussions of proposed litigation against or on behalf of the public agency. **COUNCILMAN WILLIAMS MOVED TO GO INTO EXECUTIVE SESSION PURSUANT TO KRS 61.810 (1)(C) FOR DISCUSSIONS OF PROPOSED LITIGATION AGAINST OR ON BEHALF OF THE PUBLIC AGENCY, DULY SECONDED BY COUNCILMAN HAGAN AND CARRIED BY A VOTE OF 6 TO 0. THE TIME WAS 8:23PM.**

COUNCILMAN WILLIAMS MOVED TO COME OUT OF EXECUTIVE SESSION, DULY SECONDED BY COUNCILMAN LYDIAN, AND CARRIED BY A VOTE OF 6 TO 0. THE TIME WAS 9:00PM.

The minutes will reflect that no action was taken during the Executive Session.

PENDING LITIGATION

COUNCILMAN HAGAN MOVED TO GRANT THE MAYOR THE AUTHORITY TO EXECUTE THE CONSILIATION AGREEMENT AS CURRENTLY PROPOSED, REGARDING ACTION INVOLVING THE KENTUCKY COMMISSION ON HUMAN RIGHTS AND STEPHANIE HADLEY, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0.

ADJOURNMENT

COUNCILMAN HAGAN MOVED TO ADJOURN THE MEETING, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0.

CITY OF BARDSTOWN

ATTEST:

John Royalty, Mayor

Barbara Bryant, City Clerk