

CITY OF BARDSTOWN
REGULAR COUNCIL MEETING MINUTES
01-27-2015
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 Clerk Barbie Bryant, Assistant City Administrator Larry Green, Chief Financial Officer Mike Abell, Police Chief Rick McCubbin, Fire Chief Marlin Howard, Director of Public Works and Engineer Larry Hamilton, Executive Assistant to the Mayor Kathy Graham, City Electrical Engineer Jeff Mills, Risk Manager Greg Ashworth, County Magistrate Sam Hutchins, Nelson County Central Dispatch Director Debbie Carter, Historical Preservation Director Hope Hawkins, Kentucky Standard reporter Randy Patrick, Nelson County Gazette Reporter Jim Brooks, and identified citizens Norma Rapier, Joe Buckman, Kevin Grayson, Shonna Sheckles, Patricia Grundy, Robin Brock, Jewel Brock, Rosetta Dodson, Joseph A. Sheckles, Michael Johnson, Kim Linton, Carter Phillips and Austin Weller.

Mayor Royalty 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)(b) deliberations on the future acquisition of real property by a public agency, but only when publicity would be likely to affect the value of a specific piece of property to be acquired for public use by a public agency. He then addressed the audience.

Several citizens expressed their opinions concerning the Mayor's absence at the Martin Luther King Jr. celebration that was scheduled on January 19, 2015 and asked for clarification concerning comments he had made.

SWEARING IN CEREMONY

Mayor Royalty administered the Oath of Office to Barbie Bryant, City Clerk; Mike Abell, Chief Financial Officer; Rick McCubbin, Chief of Police; and Marlin Howard, Fire Chief.

KENTUCKY HERITAGE COUNCIL – CLG GRANT APPLICATION

COUNCILMAN HAGAN MOVED TO AUTHORIZE THE MAYOR TO SIGN THE CLG GRANT APPLICATION FOR THE AMOUNT OF \$21,442.50. THE MOTION WAS DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0.

HISTORICAL REVIEW BOARD

The following recommendations from the Bardstown Historical Review Board were presented:

- (a) COA-14-80. T&T Feed and Seed, LLC, Applicant, and Taylor Nalley, Owner, requests approval the installation of a bracketed sign at 117 West Stephen Foster Avenue. Recommendation: Approval of the installation of the sign with the condition that the size be exactly the same as the existing sign and that no supports be altered in any way.
- (b) COA-14-82. Pat's Place, Applicant, and Pat Adams., Owner, request approval for installed signage at 125 North Third Street. Recommendation: Approval of two sign for the storefront, with the condition that the Owner choose the two signs to keep within 30 days.
- (d) COA-14-84. K&N Investments, Applicant, and Norma Rapier, Owner, request approval to replace a face on a multi-faced sign at 458 East Stephen Foster Avenue. (It was determined by the HRB that the property at 111 Sylvan Drive is NOT part of the 250' expanse considered the historic district.) Recommendation: Approval of the replacement of the lower sign in the multi-faced sign "Kenny's Center". The sign is to read "Demaree & Hubbard/ Since 1919" and be red with white lettering.

COUNCILMAN SIMPSON MOVED TO APPROVE COA #14-80, COA #14-82, AND COA #14-84. THE MOTION WAS DULY SECONDED BY COUNCILMAN HAGAN AND CARRIED BY A VOTE OF 6 TO 0.

MINUTES

THE MINUTES OF THE CITY COUNCIL MEETING FOR 01-12-2015 AND 01-13-2015 WERE APPROVED BY UNANIMOUS CONSENT.

ORDINANCE B2015-02 CABLE TV RATES AMENDMENTS

City Clerk Bryant read the summary:

**SUMMARY
ORDINANCE NO. B2015 – 02**

AN ORDINANCE AMENDING AND ADOPTING AS AMENDED AN ORDINANCE STYLED: “AN ORDINANCE RELATING TO THE OPERATION OF A MUNICIPAL OWNED CABLE TELEVISION COMMUNICATIONS SYSTEM TO PROVIDE SERVICE TO RESIDENTS AND CUSTOMERS WITHIN THE CITY OF BARDSTOWN AND NELSON COUNTY, KENTUCKY, AUTHORIZING THE EXPENDITURE OF MONEY FROM THE 1984 BOND SALE AND FROM THE GENERAL FUND TO PURCHASE THE SYSTEM AND THE CREATION OF A DEPARTMENT WHICH SHALL BE CALLED THE BARDSTOWN CABLE TV DEPARTMENT”.

THE CITY OF BARDSTOWN DOES HEREBY ORDAIN THAT:

Sections 54.04 (D), Paragraphs (1) and (2), and (F), Paragraphs (1) and (2) - Installation and Reconnection Charges, Subscriber Rates, and Miscellaneous Charges, are amended as follows:

(D) All subscribers, except for multiple-use subscribers, and educational/charitable/ institutional subscribers, shall pay the following charges for the services as listed:

(1)Basic CATV Service

	<u>2015</u>	<u>2016</u>	<u>2017</u>
(a) Within Corporate Limits	[\$16.45] \$18.86 /month	\$19.76/mo	\$20.79/mo
(b) Outside Corporate Limits	[\$21.20] \$23.61 /month	\$24.51/mo	\$25.54/mo

(2) Expanded CATV Service (Requires Basic Service subscription, Channels 23-74)

High Definition Tier¹¹ [~~\$6.95~~] **\$3.95**/month additional

(F) Multiple-use subscribers, and educational/charitable/institutional subscribers, shall pay the following charges for the services as listed:

(1) Multiple-use (Bulk) subscribers shall pay the following charges for services as listed:

(a) Basic CATV Service

	<u>2015</u>	<u>2016</u>	<u>2017</u>
Within Corporate Limits	[\$16.45] \$18.86 /month	\$19.76/mo	\$20.79/mo
plus \$1.00 per month per additional outlet; required on all outlets.			
Outside Corporate Limits	[\$21.20] \$23.61 /month	\$24.51/mo	\$25.54/mo
plus \$1.00 per month per additional outlet; required on all outlets.			

(2) Educational/Charitable/Institutional subscribers shall pay the following charges for services as listed:

(a) Basic CATV Service

	<u>2015</u>	<u>2016</u>	<u>2017</u>
Within Corporate Limits	[\$16.45] \$18.86 /month	\$19.76/mo	\$20.79/mo
Outside Corporate Limits	[\$21.20] \$23.61 /month	\$24.51/mo	\$25.54/mo

This ordinance, including the rates and charges, shall be put into effect and collected from and after the close of business January 31, 2015, i.e. for bills due on or after February 01, 2015.

All ordinances in conflict herewith are hereby amended to the extent of such conflict. This ordinance shall be published in summary as required by law.

COUNCILMAN BUCKMAN MOVED TO APPROVE ORDINANCE B2015-02 CABLE TV RATES AMENDMENTS. THE MOTION WAS DULY SECONDED BY COUNCILMAN HAGAN.

THE MAYOR CALLED THE ROLL AND THE FOLLOWING VOTED:

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

MAYOR ROYALTY THEN DECLARED ORDINANCE NO. B2015-02 ADOPTED. IT WILL BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. _____.

CONTRACTS FOR HBO, CINEMAX, HBO AND CINEMAX ON DEMAND, IN DEMAND CABLE AMENDMENTS

COUNCILMAN SIMPSON MOVED TO APPROVE THE RENEWAL OF CONTRACTS FOR HBO, CINEMAX, HBO AND CINEMAX ON-DEMAND AND THE IN-DEMAND CABLE AMENDMENTS. THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0.

NEW APPOINTMENTS AND RE-APPOINTMENTS

The following recommendations were presented:

- Re-Appointment – Johnny Warren, 3 year term, expires 12-31-2014 BNC Tourist Commission
- Re-Appointment – Rick Caldwell, 3 year term, expires 01-24-2015, Tree Board
- New Appointment – Nick Kipper, 3 year term, expires 01-24-2015, Tree Board
- New Appointment – Chuck Russman, 1 year term, expires 01-01-2016, Joint Recreation Board
- Re-Appointment – Teddy Crume, 3 year term, expires 01-01-2015, Development Review Board
- Re-Appointment – Wes Parrish, 3 year term, expires 01-01-2015, Development Review Board

COUNCILMAN HAGAN MOVED TO APPROVE THE REAPPOINTMENTS OF JOHNNY WARREN TO THE BNC TOURIST COMMISSION, RICK CALDWELL TO THE TREE BOARD, TEDDY CRUME TO THE DEVELOPMENT REVIEW BOARD, AND WES PARRISH TO THE DEVELOPMENT REVIEW BOARD; AND THE NEW APPOINTMENTS OF NICK KIPPER TO THE TREE BOARD AND CHUCK RUSSMAN TO THE JOINT RECREATION BOARD. THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0.

MUNICIPAL ORDER M2015-04 AMENDMENTS TO COUNCIL COMMITTEES

MUNICIPAL ORDER NO. M2015-04

MUNICIPAL ORDER AMENDING THE COUNCIL COMMITTEES ESTABLISHED IN MUNICIPAL ORDER NO. M2015-01.

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

That the Council Committees be amended to reflect the days of meetings and the addition or deletion of assigned members in the following manner:

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~~] **Thursday** 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~~] **Councilman Bobby Simpson**, 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, **and** Councilman Kecia Copeland, [~~Councilman Roland Williams and Councilman Bobby Simpson,~~] and that the Long-Term Planning Committee shall have meetings as needed.
4. 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, **Councilman Kecia Copeland**, 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.
5. That there is hereby created a Cemetery Committee of the City Council whose members shall be: Chairman Councilman Bobby Simpson, Councilman Francis Lydian, **Councilman Fred Hagan**, 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.
6. 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, **City Civil Engineer Jessica Filiatreau** and Public Works Superintendent Ben Burd and that the Street and Solid Waste Committee shall have meetings as needed.

7. 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.
8. That there is hereby named a Transportation Planning Committee of the City Council whose members shall be: Chairman Councilman Kecia Copeland, [~~Councilmen~~] [~~Bill Buckman,~~] **Councilman** Francis Lydian, [~~Fred Hagan,~~] [~~Bobby Simpson and~~] **Councilman** 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 SIMPSON MOVED TO ACCEPT MUNICIPAL ORDER M2015-04 - AMENDMENTS TO COUNCIL COMMITTEES. THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 6 TO 0.

STAFF REPORTS

Police Chief McCubbin has received applications and will interview soon to fill the vacated position of Robin Cull. He will provide mandated in-house training to help decrease insurance costs through KLC. The firearm simulator is available and he encouraged the Council to participate.

Fire Chief Howard gave an update on the Texas A & M class that was held two weekends ago. This nationwide training session brought individuals to Bardstown and Nelson County to experience all that we have to offer.

COMMITTEE REPORTS

Councilman Williams reported on the Recreation Board meeting that was held on January 22, 2015. Now that the Joint Agreement has been terminated, the board is waiting on the decisions of the Council and Fiscal Court. In the meantime, the programs for soccer, football and basketball are doing well. The B.A.N.D. meeting was held last evening (January 26, 2015) and the Mayor, as the guest speaker, gave his vision for the administration.

CEMETERY DEEDS

One cemetery deed was presented: Kenneth Bricker, one grave space. **THE CEMETERY DEED FOR BRICKER WAS APPROVED BY UNANIMOUS CONSENT.**

COUNCILMAN HAGAN MOVED TO GO INTO EXECUTIVE SESSION PURSUANT TO KRS 61.810(1)(B) DELIBERATIONS ON THE FUTURE ACQUISITION OF REAL PROPERTY BY A PUBLIC AGENCY, BUT ONLY WHEN PUBLICITY WOULD BE LIKELY TO AFFECT THE VALUE OF A SPECIFIC PIECE OF PROPERTY TO BE ACQUIRED FOR PUBLIC USE BY A PUBLIC AGENCY. THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0. THE TIME WAS 8:25PM.

COUNCILMAN HAGAN MOVED TO COME OUT OF EXECUTIVE SESSION. THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS, 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.

ADJOURNMENT

THE MOTION TO ADJOURN WAS APPROVED BY UNANIMOUS CONSENT.

CITY OF BARDSTOWN

ATTEST:

John Royalty, Mayor

Barbara Bryant, City Clerk