

**CITY OF BARDSTOWN
REGULAR COUNCIL MEETING MINUTES**

2-14-12

7:00 P.M.

The City Council met in a regular session in the Council Chambers with Mayor William S. Sheckles and the following Councilmen:

Councilman Buckman
Councilman Hagan
Councilman Lydian
Councilman Williams
Councilman Reed
Councilman Simpson

Others present: Police Chief McCubbin, Interim Fire Chief Howard, Asst. City Administrator Green, Chief Financial Officer Abell, City Electrical Engineer Mills, City Civil Engineer Filiatreau, City Attorney Donan, City Clerk Blincoe, Nelson County Gazette reporter Jim Brooks, BRTv Managing Partner Roth Stratton, WYSB reporter Tom Redmon, The Kentucky Standard Editor Lisa Tolliver, Nelson County Magistrate Sam Hutchins, LeeAnn Starkey, Elijah Starkey, Sarah Starkey and Scott Starkey, Neal Pyle, Ernie Pyle and Justin Brown.

Mayor Sheckles called the meeting to order.

BOY SCOUT MERIT BADGE

The Mayor recognized the Starkey family who were attending the meeting with their son, Elijah, who was working on becoming an Eagle Scout. He would receive a merit badge for attending a City Council meeting.

MINUTES

The minutes from the 1-24-12 regular Council meeting were presented and **UPON MOTION OF COUNCILMAN LYDIAN, DULY SECONDED BY COUNCILMAN HAGAN AND CARRIED BY A VOTE OF 6 TO 0, THEY WERE APPROVED.**

The minutes from the 1-26-12 special Council meeting were then presented and **UPON MOTION OF COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 6 TO 0, THEY WERE APPROVED.**

CITY AUDIT-PEERCY AND GRAY, PSC

Mayor Sheckles asked that the Council review the City Audit that was distributed and he would call a Finance Committee meeting later to review the report. Chief Financial Officer Abell said that Linda Gray with Peercy and Gray, PSC, would attend a meeting to answer any questions that the Council may have regarding the audit.

SECOND READING-ORDINANCE NO. B2012-01-AMENDMENT TO CHAPTER 36 OF THE CODE OF ORDINANCES

The second reading of the ordinance was presented as follows:

ORDINANCE NO. B2012-01

AN ORDINANCE AMENDING AND ADOPTING AS AMENDED AN ORDINANCE PERTAINING TO CHAPTER 36, DEPARTMENTS, OF THE CITY OF BARDSTOWN'S CODE OF ORDINANCES FOR THE CITY OF BARDSTOWN, KENTUCKY.

WHEREAS: The present arrangement for the appointment of the Chief of the Bardstown Fire Department has created conflict within the ranks of the paid and volunteer fire fighters; and

WHEREAS: The above mentioned conflict has inhibited the effective operation of the Bardstown Fire Department; and

WHEREAS: The responsibility for providing fire protection services to the residents and businesses within the City of Bardstown lies with the Mayor and City Council; and

WHEREAS: In order to control the provision of said fire protection services, the Mayor must be able to hire and direct the Fire Chief of the Bardstown Fire Department.

NOW, THEREFORE, the City Council of the City of Bardstown does hereby ordain as follows:

That the Index of Chapter 36 be amended to read as follows:

Section

Police Department

36.01 Police Department established

Fire Department

36.10 Reaffirmation of existence; purpose; policies and procedures

36.11 Equipment; members

36.12 ~~Officers; Term of office~~ **Relationship to Bardstown/Nelson
County Volunteer Fire Department, Inc.**

36.13 Chain of Command

36.14 Duties of the chief

36.15 Paid full and part-time firefighters

36.16 Volunteer firefighters

36.17 Compensation

36.18 Fire alarms

36.19 Chief and assistant chief to report their absence

36.20 Chief to have power and privilege of policeman

36.21 Duty of police to assist at fires

36.22 Right-of-way of fire department; vehicles following fire
Apparatus too closely

36.23 Parking or blocking any fire station, parking lot, access
to fire grounds, fire lanes, fire hydrants, sprinkler
system hook-ups

36.24 False Alarms

Department of Recreation

36.35 Establishment

That Chapter 36.12 be amended as follows:

**§ 36.12 OFFICERS; TERM OF OFFICE RELATIONSHIP TO BARDSTOWN/NELSON
COUNTY VOLUNTEER FIRE DEPARTMENT, INC.**

~~(A) Chief.~~

~~(1) After an election by the members, the name of an individual shall be recommended for appointment by the Mayor. Upon receipt of said recommendation from the members of the Fire Department, the Mayor shall appoint the Chief for a one-year term with approval of the City Council. In the case of denial or removal of the Chief, the membership shall hold another election and recommend another name for appointment.~~

~~(2) Term of office. The term of office shall be for one year or until an election is held as provided for in the Standard Operating Procedures Manual and Handbook.~~

~~(B) Officers other than the Chief. The membership shall elect such other officers as may be necessary for the safe and efficient operation of the department and as enumerated in the chain of command.~~

~~(Ord. passed 9-14-26); Am. Ord. 615, passed 11-26-96)~~

The Bardstown/Nelson County Volunteer Fire Department, Inc., a fire department organized and incorporated under Chapter 273 and Chapter 75 of the Kentucky Revised Statutes, which provides services outside the city limits of the City of Bardstown, may be housed in and operate out of the facilities owned by the City of Bardstown so long as its chief and officers are the same as those of the City of Bardstown Fire Department.

This ordinance shall be in full force and effect following publication as required by law.

This ordinance or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

UPON MOTION OF COUNCILMAN REED, DULY SECONDED BY COUNCILMAN WILLIAMS, THE MAYOR CALLED THE ROLL AND THE FOLLOWING VOTED:

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

MAYOR SHECKLES THEN DECLARED ORDINANCE NO. B2012-01 ADOPTED AND BE RECORDED IN ORDINANCE BOOK NO. _____, PAGE NO. _____.

SECOND READING-ORDINANCE NO. B2012-02 AMENDMENT TO CHAPTER 33 OF THE CODE OF ORDINANCES

The ordinance was presented as follows:

ORDINANCE NO. B2012-02

AN ORDINANCE AMENDING AND ADOPTING AS AMENDED AN ORDINANCE PERTAINING TO CHAPTER 33, CITY OFFICIALS, OF THE CITY OF BARDSTOWN'S CODE OF ORDINANCES FOR THE CITY OF BARDSTOWN, KENTUCKY.

The City Council of the City of Bardstown does hereby ordain as follows:

That the Index of Chapter 33 be amended to read as follows:

Section

Nonelected City Officials

- 33.01 City Clerk
- 33.02 ~~Assessor~~ City Administrator
- 33.03 ~~City Administrator~~ Chief Financial Officer
- 33.04 ~~Chief Financial Officer~~ Police Chief
- 33.05 ~~Parking/Citation Officer~~ Fire Chief

That the following sections be amended to read as follows:

§ 33.01 CITY CLERK.

(A) The duties and responsibilities of the City Clerk shall include, but not limited to, the following:

(1) All duties required by law of the City Clerk under KRS 83A.085(3).

(2) Attending all regular and special council meetings, taking minutes, coding and filing minutes, filing ordinances, resolutions, executive orders, municipal orders, contracts, agreements, deeds and other official documents of the city, maintaining all records of council action, incurring their safe keeping, answering inquiries regarding council activities, insuring publication of ordinances, maintaining all records of the city not specifically assigned to other departments or offices and performing all other duties and responsibilities consistent with the position of City Clerk for the city.

(B) The compensation to be paid to the City Clerk shall be as set out in the Classification and Compensation Plan.

(C) The City Clerk shall be required to take the oath of office as prescribed by Section 228 of the Kentucky Constitution.

(D) No bond shall be required of the City Clerk.

(E) The City Clerk shall be appointed by the Mayor with approval of the City Council.

§ 33.02 ASSESSOR CITY ADMINISTRATOR.

(A) There is hereby created the office of City Administrator of the City of Bardstown, Kentucky.

(B) The powers and duties of this office are hereby established as follows:

(1) The City Administrator shall carry out all duties as stated in the class specifications of the city's Classification Plan and other duties lawfully delegated by appropriate order of the executive authority.

(2) The City Administrator shall have the same powers as the executive authority in carrying out such duties.

(C) The oath of office to be executed shall be that set forth in Section 228 of the Constitution of the Commonwealth of Kentucky.

(D) Compensation for this office shall be set in accordance with the City's Compensation and Classification Plan.

(E) The Personnel Policies and Procedures of the City shall apply to this office.

(F) No bond shall be required of the City Administrator.

(G) The City Administrator shall be appointed by the Mayor with approval of the City Council.

§33.03 CHIEF FINANCIAL OFFICER

(A) There is hereby created the office of Chief Financial Officer of the City of Bardstown, Kentucky.

(B) The duties and responsibilities of the Chief Financial Officer shall include, but not be limited to, the following:

(1) Serving as financial manager for the city, the Chief Financial Officer shall carry out all duties as stated in the class specification of the City's Classification Plan and other duties lawfully delegated by appropriate order of the executive authority in carrying out such duties.

(2) Approving all accounts payable, after insuring accurate invoice for services or products delivered, assisting with budget preparation and administration, supervising payroll preparation and distribution, administering all insurance programs, including liability, workers compensation, unemployment, health, life, etc., preparing reports or performing special assignments as requested, and performing all other duties and responsibilities consistent with the position of Chief Financial Officer for the City.

(C) The Chief Financial Officer shall be required to take the oath of office as prescribed by Section 228 of the Kentucky Constitution.

(D) A bond shall be required of the Chief Financial Officer ~~in the amount of \$10,000.~~

(E) The compensation to be paid to the Chief Financial shall be set out in the Classification and Compensation Plan.

(F) The Chief Financial Officer shall be appointed by the Mayor with approval of the City Council.

§ 33.04 POLICE CHIEF.

(A) There is hereby created the office of Police Chief of the City of Bardstown, Kentucky.

(B) The duties and responsibilities of the Police Chief shall include, but not be limited to, the following:

(1) Under general executive direction, plans, organizes, directs and coordinates and evaluates all activities and programs of the Police Department to protect individual rights, preserve the peace, prevent and suppress crime, protect life and property, identify and apprehend criminal offenders, and enforce

regulatory measures; perform related duties as required. Formulates and enforces departmental policies, regulations, goals and program priorities. Formulates and prescribes work methods and procedures to be followed; takes necessary steps to improve police operations. Makes or reviews all duty assignments within the department. Makes recommendations to the Mayor regarding personnel appointments, promotions, demotions or dismissals. Assists and makes arrests and is required to carry and utilize firearms in the course of duty as a sworn police officer.

(C) The oath of office to be executed shall be that set forth in Section 228 of the Constitution of the Commonwealth of Kentucky.

(D) Compensation for this office shall be set in accordance with the City's Compensation and Classification Plan.

(E) The Personnel Policies and Procedures of the City shall apply to this office.

(F) No bond shall be required of the Police Chief.

(G) The Police Chief shall be appointed by the Mayor with approval of the City Council.

§ 33.05 FIRE CHIEF.

(A) There is hereby created the office of Fire Chief of the City of Bardstown, Kentucky.

(B) The duties and responsibilities of the Fire Chief shall include, but not be limited to, the following:

(1) Under general executive direction, plans, organizes, directs, coordinates and evaluates all activities and programs of the fire department to provide continuous fire safety, including suppression, inspection and prevention, for the City; performs related duties as required. Formulates departmental operating policies and procedures following consultation with higher authority and subordinate officers to provide the highest degree of fire control and prevention with the personnel and equipment available. Responds to all major alarms; may assume control of the scene upon arrival. The Fire Chief shall appoint other officers as may be necessary for the safe and efficient operation of the department.

(C) The oath of office to be executed shall be that set forth in Section 228 of the Constitution of the Commonwealth of Kentucky.

(D) Compensation for this office shall be set in accordance with the City's Compensation and Classification Plan.

(E) The Personnel Policies and Procedures of the City shall apply to this office.

(F) No bond shall be required of the Fire Chief.

(G) The Fire Chief shall be appointed by the Mayor with approval of the City Council.

This ordinance shall be in full force and effect following publication as required by law.

This ordinance or parts of ordinances in conflict herewith are repealed to the extent of such

UPON MOTION OF COUNCILMAN BUCKMAN, DULY SECONDED BY COUNCILMAN HAGAN, THE MAYOR CALLED THE ROLL AND THE FOLLOWING VOTED:

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

MAYOR SHECKLES THEN DECLARED ORDINANCE NO. B2012-02 ADOPTED AND BE RECORDED IN ORDINANCE BOOK NO. _____, PAGE NO. _____.

REAPPOINTMENTS

Mayor Sheckles said that he wanted to reappoint Crystal Brady to another four-year term on the Planning Commission and reappoint Terry Geoghegan to another four-year term on the Bardstown/Nelson County Air Board. **UPON MOTION OF COUNCILMAN HAGAN, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 5 TO 1, THE REAPPOINTMENTS WERE APPROVED. COUNCILMAN REED VOTED NO.**

WATER/WASTEWATER COMMITTEE

Councilman Hagan reported on the preliminary long-term plan for the Water and Wastewater Committee and informed the Council that updates had been added regarding stormwater issues and major equipment in the Wastewater Department. He then briefly discussed the yearly stormwater plan for the City. Budget figures for both departments will be discussed and reported later.

WATER/WASTEWATER COMMITTEE MEETING

Councilman Hagan announced that a Water/Wastewater Committee meeting would be held on Tuesday, February 21, 2012 at 5:30 p.m. in the Mayor's Conference Room at City Hall.

CEMETERY COMMITTEE MEETING

Chairman Bobby Simpson reported on the meeting that was held on February 8, 2012. The Committee was recommending that the cemetery fees be increased in order to meet costs and to stay in line with prices charged by other similarly situated operations. The recommendation was to increase the fee for a single grave located in Sections 1-6 and Sections 13-18 to \$500 each, all other single lots would be raised to \$450 each. The committee also recommended increasing the fee for opening and closing a grave to \$400; increasing the fee for opening a baby grave or urn to \$150; increasing the fee for a baby grave to \$150 and striking wording in paragraphs B and C of Chapter 92.02.

The committee set the date of March 24, 2012 at 10:00 a.m. for the Spring Cleanup at the Bardstown Cemetery and asked families to remove any unsafe items not allowed on the graves prior to when the mowing begins. Each year the cemetery gets assistance with the cleanup activities from local churches and area Boy Scouts.

Councilman Simpson then brought up the possibility of locating additional land for the cemetery's use.

FIRST READING - ORDINANCE NO. B2012-03-CEMETERY ORDINANCE AMENDMENT

The ordinance was presented that would increase the cost of grave spaces in the Bardstown Cemetery to \$500 or \$450 each. The opening and closing fee would be increased to \$400; the fee for opening a baby grave or urn would be increased to \$150 and the cost of a baby grave would increase to \$150. Wording would be omitted in paragraphs B and C of Chapter 92.02 of the Cemetery Ordinance and the ordinance would also change the title of the Public Works Director to the Public Works Superintendent. Councilman Reed verified that there would be plenty of time for the public to comment on the ordinance prior to the second reading to be held in two weeks. **UPON MOTION OF COUNCILMAN HAGAN, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 6 TO 0, THE FIRST READING OF ORDINANCE NO. B2012-03 WAS APPROVED.**

JANUARY, 2012 FINANCIAL REPORT

Chief Financial Officer Abell informed the Council that the report had been emailed and to call his office with any questions or comments.

CHAPLIN CABLE TV BUILD

City Electrical Engineer Mills reported that the downtown Chaplin node was ready to be activated and as routine for new builds, a 90-day free cable-TV hookup would be offered to the residents.

POLICE DEPARTMENT

Police Chief McCubbin commended Detectives Smith and Davis for their excellent work on solving the twenty plus burglaries in the City. Most or all of the property has been returned to the victims.

FIRE DEPARTMENT

Interim Fire Chief Howard reported that there had been approximately a dozen runs in the City and about a dozen in the County this month. The department recently acquired a house located at 715 North Third Street to be burned for training purposes. This event has been tentatively set for May 12, 2012. The department provided the Mayor with two members and an alternate to serve on the Search Committee for the Fire Chief position. Interim Chief Howard then provided an open invitation to the Mayor and Council to stop by and visit the Fire Department.

SAFETY COMMITTEE MEETING

Mayor Sheckles reported that the Fire Chief application process was now closed and the next step is for the Search Committee to review the applicants in order to recommend three to the Mayor for the interview process.

The Safety Committee, made up of Councilmen Lydian, Simpson and Williams, will meet with the other members of the Search Committee on Monday, February 20, 2012 at 5:00 p.m. in the Mayor's Conference Room at City Hall to begin the hiring procedure. The other members of the Search Committee will be the two members from the Fire Department and Assistant City Administrator Green.

RECREATION BOARD MEETING

Councilman Reed announced that there was a tentative Recreation Board meeting scheduled for Thursday, February 24, 2012 in the Council Chambers at 6:00 p.m.

REDEVELOPMENT OF OLDER NEIGHBORHOODS

Councilman Buckman made a comment regarding the recent presentation made by Keith Free, Director of Owensboro's Community Development Department and hosted by the local Planning Commission. Mr. Free discussed Owensboro's redevelopment ("repopulation") efforts in the older neighborhoods of Baptisttown, Old Germantown District, and Mechanicsville. Buckman suggested that these repopulation efforts be included with discussions on the long-term plans for the City of Bardstown. Buckman also said that there were many roadblocks that would need to be eliminated in order to realize these redevelopment efforts in the City.

CITY FIVE-YEAR ANNIVERSARIES

The Mayor announced that for his second time around, Larry Hamilton was celebrating his five-year anniversary with the City's Administrative Department; Jonell Boone was also celebrating her five-year anniversary with the Finance Department part-time; Lieutenant Chris Brandon was celebrating his ten-year anniversary with the City's Police Department and Kerry Greenwell was celebrating her fifteen-year anniversary with the City's Finance Department this month.

CEMETERY DEEDS

Bardstown Cemetery deeds were presented for Robert Lee and Dorothy Jones, Cecil, Diana and John Baker, Bennie and Joyce Willett, and Barry and Wanda White. **UPON MOTION OF COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 6 TO 0, THE DEEDS WERE APPROVED.**

ADJOURNMENT

Being no further business to discuss and **UPON MOTION OF COUNCILMAN REED, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0, THE MEETING WAS ADJOURNED AT 7:58 P.M.**

ATTEST:

Bobbe Blincoe, City Clerk

CITY OF BARDSTOWN

William S. Sheckles, Mayor