

**CITY OF BARDSTOWN
REGULAR COUNCIL MEETING MINUTES
03-24-2015
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: Assistant City Administrator Larry Green, City Civil Engineer Jessica Filiatreau, Director of Public Works and Engineering Larry Hamilton, Chief Financial Officer Mike Abell, Software and Tax Liaison Tracy Hudson, City Attorney Tim Butler, Police Major Ray Lewis, Fire Chief Marlin Howard, Fire Supervisor Todd Spalding, Firefighter Justin Brown, City Clerk Barbie Bryant, Executive Assistant to the Mayor Kathy Graham, County Magistrates Keith Metcalf and Sam Hutchins, Kentucky Standard reporter Randy Patrick, Nelson County Gazette Reporter Jim Brooks, WBRT Reporter Sylvia Horlander, and identified citizens Eric Ringo, Johnnie Colwell, Kevin Smith, Danielle Jones, Johnny Warren, Ellen Finn, Frank Wilson, Emerson Ballard, Eddie Masterson, Davis "Tiger" Huston, David Haydon, and Rob Smotherman.

Mayor Royalty called the meeting to order and introduced Tim Butler as the new City Attorney. Mayor Royalty recognized Scout Troop 721, chartered out of the First Christian Church, whose members were attending in order to obtain their Merit Badge for Citizenship in the Community.

MAPLE HILL NEIGHBORHOOD WATCH PROGRAM

Danielle Jones, who resides at 105 S Elm Grove, came before the Council to request their help with lighting needs, signage, including a "Welcome to Bardstown" sign, and future growth for the Maple Hill neighborhood. The Maple Hill association is currently working with the Bardstown Police Department to enact a neighborhood watch program.

THE STEPHEN FOSTER STORY

Board Chairman Ellen Finn requested an annual contribution of \$10,000 from the Council. Councilman Williams asked if the Stephen Foster Story was a line item in the County's budget (not at this time). The Board will contact the County as well for an annual contribution request.

CHANGE ORDER #1 WICKLAND BOONE SEWER MAIN EXTENSION

COUNCILMAN HAGAN MOVED TO APPROVE CHANGE ORDER #1 IN THE AMOUNT OF \$4,813.25. THE MOTION WAS DULY SECONDED BY COUNCILMAN LYDIAN AND CARRIED BY A VOTE OF 5 TO 1. Councilman Simpson voted no.

HISTORICAL REVIEW BOARD

The following recommendation from the Bardstown Historical Review Board was presented:

- (a) COA-15-06. Damir Saric and Maja Kreso-Saric, Applicant, and Merima Kreso, Owner, propose to install two bracketed signs, an awning sign, paint, and add an Outdoor Café at 120 N 3rd St. Recommendation: Approval of the installation of the proposed signage with the condition the Applicant get administrative approval for the brackets, provide style, size, and the layout of outdoor café furniture.

COUNCILMAN SIMPSON MOVED TO APPROVE THE RECOMMENDATION FROM THE HISTORICAL REVIEW BOARD FOR COA #15-06. THE MOTION WAS DULY SECONDED BY COUNCILMAN HAGAN AND CARRIED BY A VOTE OF 6 TO 0.

NELSON COUNTY COMMUNITY CLINIC'S ANNUAL 5K

THE REQUEST FROM THE NELSON COUNTY COMMUNITY CLINIC FOR THEIR ANNUAL 5K ON 6-20-2015 WAS APPROVED BY UNANIMOUS CONSENT.

MAIN STREET MARTI GRAS

COUNCILMAN HAGAN MOVED TO APPROVE THE REQUEST FROM THE MAIN STREET PROGRAM TO CLOSE EAST AND WEST FLAGET AND THE FIRST BLOCK OF NORTH THIRD STREET ON 5-15-2015. THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0.

MINUTES

THE MINUTES FOR THE 03-10-2015 COUNCIL MEETING WERE APPROVED BY UNANIMOUS CONSENT.

THIRD BILLING CYCLE

Chief Financial Officer Abell recommended the addition of a third billing cycle for cable/internet customers to help lighten the load of front office personnel.

COUNCILMAN SIMPSON MOVED TO AUTHORIZE THE FINANCE DEPARTMENT TO PROCEED WITH THE THIRD BILLING AND PREPARE THE NECESSARY ORDINANCE AMENDMENTS. THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 6 TO 0.

CFO Abell also informed the Council that Flower Foods is due a refund for 5 years of property tax assessments. He also recommended the Council repeal in its entirety the ordinance that allows a tax exempt of property tax for manufacturing establishments. The 2014-15 budget will need to be amended.

PROPOSED ORDINANCE B2015 – PROPOSED ZONING REGULATIONS AMENDMENTS

Councilman Williams introduced the ordinance and asked for its first reading. City Clerk Bryant read the ordinance in full which creates accessibility improvements and the exceptions. No vote was taken.

COMMITTEE AND STAFF REPORTS

Councilman Buckman gave a report on the Safety Committee meeting that was held Thursday, March 12, 2015, 5:00pm in the Mayor's Conference Room located at City Hall. Discussions on the proposed merger of the fire departments and body cameras for the police department were the main topics.

Councilman Lydian would like the Council and Mayor to contribute funds from their contingency accounts to help fund the body cameras. The Mayor responded that it is planned for the City Attorney to be looking into legal concerns relating to record access and storage requirements.

Councilman Hagan gave a report on the Annexation Committee meeting that was held on March 18, 2015. The Annexation Committee recommended an economic analysis be presented to the council of the proposed annexation area - Maywood subdivision, Heaven Hill warehouses on Gilkey Run, McDonald Avenue, Barton Lake, and the required strip of land on nearby properties needed to tie together these individual properties. The analysis will be presented at the Working Session on April 7, 2015.

Councilman Copeland thanked the Human Rights Commission and stated that she stands behind their work. She also thanked the City Schools for being progressive in their recognition of Human Rights.

Director of Public Works and Engineering Hamilton informed the Council that the County passed a new street requirement where developers will be responsible for the repair of failing streets in new subdivisions until one half the units have been constructed. He encouraged the City Council to adopt that same requirement.

Fire Chief Howard assured the public that a consultant would be evaluating the direction of a merger between the Bardstown Fire Department and the Bardstown-Nelson County Volunteer Fire Department.

NEW APPOINTMENT OF THE CHIEF FINANCIAL OFFICER

Current CFO Mike Abell will retire on March 31, 2015. Upon the recommendation of Mayor Royalty, Tracy Hudson was introduced to the Council. **COUNCILMAN HAGAN MOVED TO APPOINT TRACY HUDSON AS THE NEW CHIEF FINANCIAL OFFICER FOR THE CITY OF BARDSTOWN. THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 6 TO 0.**

NEW APPOINTMENT TO THE HUMAN RIGHTS COMMISSION

Luke Barlow resigned his position and upon the recommendation of Mayor Royalty, Michael Johnson was introduced to fill the unexpired term. **THE MOTION TO APPOINT MICHAEL JOHNSON TO THE HUMAN RIGHTS COMMISSION WAS APPROVED BY UNANIMOUS CONSENT.**

KENTUCKY BOURBON FESTIVAL SPIRITS GARDEN

KBF Chair Tiger Huston gave a presentation on expanding the Spirit Garden to encompass the grounds of City Hall and Spalding Hall. The Spirit Garden will still be the focal point for alcohol purchases, but "21+ banded" participants will be able to roam the entire fenced-in area.

MOBILE FOOD VENDOR – KONA ICE

City Clerk Bryant gave a refresher course on the use of Special Permit Requests for Mobile Food Vendors. Kona Ice will use the parking lot of the Backyard Oasis on March 28, 2015. **THE MOTION TO APPROVE THE SPECIAL PERMIT REQUEST BY KONA ICE WAS APPROVED BY UNANIMOUS CONSENT.**

MUNICIPAL ORDER M2015-06 HISTORICAL REVIEW BOARD

City Clerk Bryant read the following:

MUNICIPAL ORDER NO. M2015-06

WHEREAS, the **Historical Review Board** was established on March 12, 1968 where meetings were held by the call of the Board Chairman; and.

WHEREAS, the Mayor and the Bardstown City Council wish to establish a regular meeting schedule on a monthly basis for the **Historical Review Board**.

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

That the **Historical Review Board** of the City of Bardstown shall have regularly scheduled meetings on the third Tuesday of each month at 6:30pm in the Bardstown City Council Chambers located at 116 N 5th Street, Bardstown KY, and that the board will consist of five (5) citizens appointed by the Mayor with approval of the Bardstown City Council or until their successors are appointed, each serving a term of three (3) years.

COUNCILMAN HAGAN MOVED TO APPROVE MUNICIPAL ORDER M2015-06. THE MOTION WAS DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0.

MUNICIPAL ORDER M2015-08 BANK AUTHORIZED SIGNATURES

City Clerk Bryant read the following:

MUNICIPAL ORDER NO. M2015-08

WHEREAS: Mike Abell will retire on March 31, 2015; and

WHEREAS: The Bardstown City Council approved the appointment of Tracy Hudson as the Chief Financial Officer, effective upon the retirement of Mike Abell.

NOW THEREFORE, BE IT HEREBY ORDERED, and authorized that all signature cards on all City of Bardstown (the "City") bank accounts, City safety deposit boxes and City investments be changed, effective April 01, 2015, to reflect that the following are the only persons authorized to sign documents, with any two of the following to sign for all withdrawals or checks:

- JOHN ROYALTY, MAYOR
- TRACY HUDSON, CHIEF FINANCIAL OFFICER
- ROBERT L. SIMPSON, COUNCILMAN
- WILLIAM BUCKMAN, COUNCILMAN

COUNCILMAN WILLIAMS MOVED TO APPROVE MUNICIPAL ORDER M2015-08. THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 6 TO 0.

MUNICIPAL ORDER M2015-09 AMEND CONDUCT OF CITY COUNCIL MEETINGS

City Clerk Bryant read the following:

MUNICIPAL ORDER NO. M2015-09

A MUNICIPAL ORDER AMENDING THE CONDUCT OF CITY COUNCIL MEETINGS ESTABLISHED IN MUNICIPAL ORDER NO. 2013-19.

NOW THEREFORE BE IT ORDERED by the City of Bardstown, Commonwealth of Kentucky:

That the CONDUCT OF CITY COUNCIL MEETINGS, **SECTION II: AGENDA**, C. Format (1)(a,b,c and f) be changed to reflect the following:

II. AGENDA

C. Format

1. The regular meeting agenda must include the following sections, unless they are indicated as "*optional*":

a. Receive Input from the Public

The presiding officer will allow the public to make the Council aware of their community concerns. Input received from the public will allow the city government to be proactive regarding community issues.

[a] b. Recognition of Groups or Individuals

The presiding officer may choose to recognize a group or individual at a more convenient time during a meeting, depending on the subject matter.

[b] c. Review of minutes

Reading of the minutes may be dispensed with by motion and vote. Minutes will not be read in their entirety if they were distributed to the City Council members at least twenty-four (24) hours

prior to the meeting's scheduled call to order time. Minutes may be amended by the City Council if desired.

[e] Reports of officers and committees

~~The Mayor, appointed city officials and City Council committee representatives may report. Items suggested for action by the Mayor or appointed city officials may be taken up at this time as long as a motion has been made and seconded by members of the City Council.~~

d. Unfinished business

This includes any items that were under consideration at the time of adjournment of the previous meeting, any unfinished business from the previous meeting that was not acted upon, and any items that were postponed to the current meeting.

e. New business

City Council members can introduce new items for consideration such as simple motions, resolutions, orders, and ordinances. Members may also take from the table any matter that is on the table. As long as any member claims the floor, the presiding officer may not close the floor from new business.

f. City Council member comments

City Council members are permitted to offer comments or observations about the community and operations of city business. **When public input relates directly to operation of city government or city business, the council as a legislative body or any individual council member who feels qualified to comment or enter into a discussion with the citizen(s) may do so.**

COUNCILMAN WILLIAMS MOVED TO APPROVE MUNICIPAL ORDER M2015-09. THE MOTION WAS DULY SECONDED BY COUNCILMAN LYDIAN AND LOST BY A VOTE OF 3 TO 4. Councilman Williams, Lydian, Copeland (yes), Councilman Simpson, Buckman, Hagan (no). Mayor Royalty voted no.

FIVE (5) YEAR ANNIVERSARIES

Mayor Royalty announced the 25 year anniversary of Mike Pile, who works in the Cable Department.

ADJOURNMENT

THE MOTION TO ADJOURN WAS APPROVED BY UNANIMOUS CONSENT.

CITY OF BARDSTOWN

ATTEST:

John Royalty, Mayor

Barbara Bryant, City Clerk