

CITY OF BARDSTOWN
REGULAR COUNCIL MEETING MINUTES
04-28-2015
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 Electrical Engineer Jeff Mills, Director of Public Works and Engineering Larry Hamilton, Chief Financial Officer Tracy Hudson, City Attorney Tim Butler, Police Lt. Chris Brandon, City Clerk Barbie Bryant, Kentucky Standard reporter Randy Patrick, Nelson County Gazette Reporter Jim Brooks, and citizens Janice Lear, Margaret Sims, Eric Ringo, Johnnie Colwell and C.R. Royalty.

Mayor Royalty called the meeting to order and recognized Janice Lear, who distributed a series of questions and concerns about the One Room Log Cabin School House. Mayor Royalty will follow-up.

HISTORICAL REVIEW BOARD

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

- (a) COA-15-08. Knights of Columbus, Applicant/Owner, proposes to remove and install mechanical equipment at 111 North 4th Street. Recommendation: Approval of the installation of the three units in place of the two dated units with the condition that the units be placed as far from the edge of the building as possible to aid in screening.
- (b) COA-15-09. Joetta Marie (MaryJo Nally), Applicant, and KAT Properties, Owner, requests to install a sign and awning at 119 North 3rd Street. Recommendation: Approval of the installation of the 43” by 41” sign and 1.5” bracket with finial with the condition that true color swatches be administratively approved. Approval of the installation of the striped awning, with no wording, as proposed.
- (c) COA-15-10. Darrell Hawkins, Applicant/Owner, proposes to replace front porch and sidewalk, add landscaping, and update parking at 302 South 3rd Street. The Applicant also requests approval for a conditional use permit. Recommendation: Approval of the installation of a new porch, columns, landscaping with the condition that the roof be a shed roof and extend 18 feet across the front of the structure, columns be round or Tuscan and no larger than 6-8” in diameter. Approval of the use of the Sunbeam Laundry building as a personal office under a Conditional Use Permit.
- (d) COA-15-12. Margaret Ballard, Applicant/Owner, proposes to install storm and entrance door at 202 South 1st Street. Recommendation: Approval of the installation of the doors with the condition that the storm door be administratively approved after it is assembled.
- (e) COA-15-14. Carl Donald Comer, Applicant/Owner, proposes to install a handicap ramp at 111 South 3rd Street. Recommendation: Approval of the installation of the handicap ramp with the condition that the wood be stained to blend with the house and surroundings and that the ramp be disassembled when ownership changes. Also, the addition of lattice will be administratively approved, if needed.

COUNCILMAN WILLIAMS REQUESTED A SUMMARY MOTION AND MOVED TO APPROVE THE RECOMMENDATIONS FROM THE HISTORICAL REVIEW BOARD FOR COA #15-08, COA #15-09, COA #15-10, COA #15-12, AND COA #15-14. THE MOTION WAS DULY SECONDED BY COUNCILMAN COPELAND AND CARRIED BY A VOTE OF 6 TO 0.

MINUTES

THE MINUTES FOR THE 04-14-2015 COUNCIL MEETING WERE APPROVED BY UNANIMOUS CONSENT.

MARCH FINANCIAL

The Financial Report for March, 2015 was distributed to the Council. CFO Hudson reported the budget was being reviewed by the Finance Committee and will be discussed at the Working Session on May 5th.

ORDINANCE B2015-04 REPEAL TAX EXEMPT FOR MANUFACTURING ESTABLISHMENTS

City Clerk Bryant gave the second reading:

ORDINANCE NO. B2015 – 04

AN ORDINANCE REPEALING IN ITS ENTIRETY AN ORDINANCE STYLED: AN ORDINANCE EXEMPTING MANUFACTURING ESTABLISHMENTS FROM CITY TAXES; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

WHEREAS, the original ordinance #808 dated June 15, 2004, provided an exemption from city taxes for 5 years, without specifying which taxes, and

WHEREAS, the said ordinance applied to any manufacturing operation not then located in the city if that entity would locate in Bardstown, without making a specific determination that a particular entity would locate in Bardstown only if such incentive were offered; and

WHEREAS, the original ordinance was amended on June 06, 2006 (Ordinance B2006-09) to identify city property taxation but did not specify whether that included both real and personal property taxation: and

WHEREAS, the wording of the said ordinance and amendment is far too broad and not specific as to which taxes are exempt and as to when the inducement is essential.

NOW, THEREFORE, BE IT ORDAINED, by the City of Bardstown, that the original tax exempt for manufacturing establishments ordinance, enacted on June 15, 2004, and any and all amendments enacted regarding that ordinance are hereby repealed in their entirety.

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

COUNCILMAN HAGAN MOVED TO APPROVE ORDINANCE B2015-04 REPEAL TAX EXEMPT FOR MANUFACTURING ESTABLISHMENTS. THE MOTION WAS DULY SECONDED BY COUNCILMAN LYDIAN.

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. B2015-04 ADOPTED. IT WILL BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. _____.

ORDINANCE B2015-05 REZONE #2437 JANICE C. ADAMS

City Attorney Butler gave the second reading in summary:

ORDINANCE NO. B2015 – 05

AN ORDINANCE AMENDING AND ADOPTING AS AMENDED ZONING MAP, ENTITLED, "ZONING MAP, CITIES OF BARDSTOWN, BLOOMFIELD, FAIRFIELD, NEW HAVEN, AND NELSON COUNTY, KENTUCKY" BY DESIGNATING 1.223 ACRES AT 971 BLOOMFIELD ROAD (US 62) FROM R-2 (TWO-FAMILY RESIDENTIAL DISTRICT) TO B-3 (REGIONAL RETAIL BUSINESS DISTRICT).

WHEREAS, the Joint City-County Planning Commission of Nelson County, Kentucky, on March 10, 2015, held a public hearing on the Application No. 2437 to rezone 1.223 acres at 971 Bloomfield Road (US 62) from R-2 (Two-family Residential District) to B-3 (Regional Retail Business District); and

WHEREAS, the City Council members conducted a review of the record and evidence presented before the Joint City-County Planning Commission of Nelson County, Kentucky, and recommended that any restrictions or conditions that may have been agreed to by the applicant and the Planning Commission be applied.

NOW THEREFORE, BE IT ORDAINED by the City of Bardstown, Kentucky, that:

Boundaries of the district as shown on district map, entitled, "**ZONING MAP, CITIES OF BARDSTOWN, BLOOMFIELD, FAIRFIELD, NEW HAVEN AND NELSON COUNTY, KENTUCKY**" are hereby amended for reasons adopted and all of which are made a part hereof as if fully set out herein, including the letter of recommendation dated March 25, 2015, from the said Joint City-County Planning Commission of Nelson County to the Bardstown City Council and the property as described:

“Beginning at a found 5/8 inch rebar with cap stamped “Hibbs 2981” in the south right-of-way line of Bloomfield Road (A.K.A. United States Highway 62), corner to a tract of land conveyed to Bypass Properties, LLC of record in Deed Book 477, Page 483 in the Office of the Clerk of Nelson County, Kentucky; thence with the south right-of-way line of Bloomfield Road, north 79 degrees 09’03” east

260.48 feet to a set ½ inch rebar with cap stamped “Wolf 3742” in the south right-of-way line of Bloomfield Road, corner to a tract of land conveyed to Bluegrass American Properties, LLC of record in Deed Book 448, Page 12 in the Clerk’s Office aforesaid; thence leaving the south right-of-way line of Bloomfield Road and running with the west line of said Bluegrass American Properties, LLC, south 06 degrees 01’36” east 220.24 feet to a found 5/8 inch rebar (no cap), corner to said Bluegrass American Properties, LLC, thence with the north line of said Bluegrass American Properties, LLC, south 74 degrees 13’37” west 89.84 feet to a found metal post, corner to said Bluegrass American Properties, LLC and Bypass Properties, LLC, thence with the north line of said Bypass Properties, LLC, north 81 degrees 29’39” west 169.85 feet to a found metal post, corner to said Bypass Properties, LLC, thence with the east line of said Bypass Properties, LLC, north 08 degrees 14’15” west 171.05 feet to the point of beginning, having an area of 1.223 acres.”

This ordinance or parts of ordinances in conflict herewith are repealed to the extent of such conflict. This ordinance shall be in full force and effect following publication in summary as required by law.

COUNCILMAN WILLIAMS MOVED TO APPROVE ORDINANCE B2015-05 REZONE #2437 JANICE ADAMS. THE MOTION WAS 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. B2015-05 ADOPTED. IT WILL BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. _____.

Mayor Royalty presented a new parliamentary procedure that allows the grouping of similar ordinances so as to bring them all before the Council by a single motion. **COUNCILMAN HAGAN MOVED TO APPROVE ORDINANCES B2015-06 THROUGH B2015-11 THAT ADDRESS THE MONTHLY BILLING CYCLES FOR UTILITIES. THE MOTION WAS DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6-0.** The Mayor then instructed the Council that he would call for an individual vote after each reading.

ORDINANCE NO. B2015 – 06

AN ORDINANCE AMENDING AND ADOPTING AS AMENDED AN ORDINANCE RELATING TO CHAPTER 51 SOLID WASTE MANAGEMENT OF THE CITY OF BARDSTOWN’S CODE OF ORDINANCES.

THE CITY OF BARDSTOWN, KENTUCKY, DOES HEREBY ORDAIN AS FOLLOWS:

That Section 51.10 DELINQUENCY be amended as follows:

SECTION 51.10 DELINQUENCY

~~[Any bill not paid by the due date listed on the bill shall be deemed delinquent and a late payment penalty shall be assessed to the account in an amount equal to 5% of the amount of the unpaid charges, and a service fee of \$3.00 shall be assessed to the account, though where the bill includes charges for more than one utility service, there shall be no duplication of the penalty and service fee].~~ **All customers will be billed monthly as specified in Combined Utilities System §55.05.**

All ordinances or parts of ordinances in conflict are hereby repealed to the extent of that conflict. This ordinance shall be in full force and effect following publication as required by law.

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. B2015-06 ADOPTED. IT WILL BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. _____.

ORDINANCE NO. B2015 – 07

AN ORDINANCE AMENDING AND ADOPTING AS AMENDED AN ORDINANCE STYLED:

AN ORDINANCE OF THE CITY OF BARDSTOWN, KENTUCKY, RELATING TO THE OPERATION OF THE CITY’S COMBINED UTILITIES SYSTEM, CHAPTER 55.

BE IT HEREBY ORDAINED BY THE CITY OF BARDSTOWN, KENTUCKY:

That Section 55.05 be added as follows:

Section

- 55.01 Affirmation of preamble recitals
- 55.02 Collection and application of revenues of system
- 55.03 Investments
- 55.04 Rate provisions
- 55.05 Billing, When Due, Penalty**

55.05 All customers will be billed monthly. Billing dates for groups of accounts shall be as deemed appropriate by the CFO or officer in charge of billing. Billing dates shall be on or near the 1st, 7th, 15th, or 21st of each month. Each bill shall show the charge for each of the services on that account. All bills shall be paid by the due date shown on such bills and all bills not paid by such time shall be subject to discontinuance of any or all services. One late or delinquent notice shall be rendered after the due date for each unpaid bill and shall give the customer notice that service may be disconnected on the 10th day after the notice is rendered. A late fee of 5% of the unpaid charges or \$3.50, whichever is the greater, shall be added to the account and shall be paid by the specified disconnect date.

All payments to accounts are applied proportionately to the service charges rendered, unless a customer, in writing to the CFO, specifies that the payment is for particular service. All payments may be applied to past due charges first and then current changes.

If payment of the account balance is not received by the City by the disconnect date, any and/or all services may be disconnected, provided however that if only cable service is unpaid, no other service shall be disconnected and provided that if a particular service is paid in full, that service cannot be disconnected. A disconnect fee will be charged to each account disconnected. That fee will be \$25 for customer accounts within the Bardstown City limits or \$40 for all other customers. The fee will be charged for each truck roll to that house to disconnect a specific service. The City shall charge only a \$10 disconnect fee if the only service disconnected is Internet and if that disconnect is done from the office.

Reconnection of service shall be made only after payment of all current and past-due bills and account balances and after the customer requests a reconnect. Reconnection of service will be performed as staff’s work schedules permit, typically next business day for water or electric and three (3) business days for cable. Reconnection of Internet disconnected from the office will be made during office hours on the day payment is received and reconnection is requested.

This ordinance or parts of ordinance in conflict herewith are repealed to the extent of such conflict. This ordinance shall be in full force and effect following publication as required by law.

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. B2015-07 ADOPTED. IT WILL BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. _____.

ORDINANCE NO. B2015 – 08

AN ORDINANCE AMENDING AND ADOPTING AS AMENDED AN ORDINANCE RELATING TO CHAPTER 52 WATER OF THE CITY OF BARDSTOWN’S CODE OF ORDINANCES.

THE CITY OF BARDSTOWN, KENTUCKY DOES HEREBY ORDAIN AS FOLLOWS:

That Section 52.06 BILLING, PAYMENT, DUE DATE AND PENALTY (B) and Section 52.11 TAMPERING WITH WATER METERS; FINES be amended as follows:

SECTION 52.06 BILLING, PAYMENT, DUE DATE AND PENALTY.

(B) ~~[All customers of the city will be billed monthly on or about either the first day (Cycle One) or the fifteenth day (Cycle Two) of each month for all water service used by them. All bills shall be due and payable immediately upon receipt thereof, and if not paid on or before either the fifteenth day of the month for Cycle One customers or the thirtieth day of the month, or the last day of February, for Cycle Two customers following the billing, a sum equal to 5% of the amount of the charges shall be added as a penalty as well as an additional service fee of \$3 per account, which shall be promptly paid by each customer in default. Any customer who fails to pay for water service pursuant to this section by the fifteenth day of the month for Cycle One customers or the thirtieth day of the month, or the last day of February, for Cycle Two customers shall be notified by mail of customer's delinquent status, and shall be given a deadline to respond. If at that time, no response has been given to the officer in responsible charge, water service shall be disconnected without further notice. Reconnection of service shall be made only after payment of all current and past due bills, service fees and penalties, to include an additional \$25 reconnect charge for customers within the city limits, or a \$40 reconnect charge for customers outside the city limits. An additional charge of \$15 shall be assessed for reconnects after hours pursuant to § 52.05. Payments made for service fees and disconnect and reconnect charges are not additive if more than one utility service is delinquent.]~~ **All customers will be billed monthly as specified in Combined Utilities System §55.05.**

SECTION 52.11 TAMPERING WITH WATER METERS; FINES

Customers shall be held responsible for tampering with, breaking seals of, interfering with, connecting or disconnecting the city's water meter (s), or other equipment of the city installed on the customer's premises, and shall be held liable for same according to law. Notwithstanding, any person who reconnects or bypasses a meter that has been disconnected for nonpayment of service will be assessed \$150 for the first occurrence and \$300 per occurrence for any additional occurrences in addition to any other applicable balances, fees or charges due. Likewise, any person who establishes water service by bypassing, connecting or reconnecting a meter will be assessed ~~[\$100]~~ **\$150** per occurrence. No one except the employees, or agents of the city shall be allowed to connect, disconnect or make any internal or external adjustments to any meter or any other piece of apparatus, which shall be the property of the city.

All ordinances or parts of ordinances in conflict are hereby repealed to the extent of that conflict. This ordinance shall be in full force and effect following publication as required by law.

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. B2015-08 ADOPTED. IT WILL BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. _____.

ORDINANCE NO. B2015 – 09

AN ORDINANCE AMENDING AND ADOPTING AS AMENDED AN ORDINANCE RELATING TO CHAPTER 53 WASTEWATER OF THE CITY OF BARDSTOWN'S CODE OF ORDINANCES.

THE CITY OF BARDSTOWN, KENTUCKY, DOES HEREBY ORDAIN AS FOLLOWS:

That Section 53.125 BILLING (B) be amended as follows:

SECTION 53.125 BILLING

(B) ~~[All customers of the city will be billed monthly on or about either the first day (Cycle One) or the fifteenth day (Cycle Two) of each month for all sewer service used by them. All bills shall be due and payable immediately upon receipt thereof, and if not paid on or before either the fifteenth day of the month for Cycle One customers or the thirtieth day of the month, or the last day of February, for Cycle Two customers following the billing, a sum equal to 5% of the amount of the charges shall be added as a penalty as well as an additional service fee of \$3 per account, which shall be promptly paid by each customer in default. Any customer who fails to pay for sewer service pursuant to this section by the fifteenth day of the month for Cycle One customers or the thirtieth day of the month, or the last day of February, for Cycle Two customers shall be notified by mail of customer's delinquent status, and shall be given a deadline to respond. If at that time, no response has been given to the officer in responsible charge, sewer service shall be disconnected without further notice. Reconnection of service shall be made only after payment of all current and past due bills, service fees and penalties, to include an additional \$25 reconnect charge for customers within the city limits, or a \$40 reconnect charge for customers outside the city limits. An additional charge of \$15 shall be assessed for reconnects after hours pursuant to § 50.05. Payments made for service fees and disconnect and reconnect charges are not additive if more than one utility service is delinquent.]~~ **All customers will be billed monthly as specified in Combined Utilities System §55.05.**

All ordinances or parts of ordinances in conflict are hereby repealed to the extent of that conflict. This ordinance shall be in full force and effect following publication as required by law.

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. B2015-09 ADOPTED. IT WILL BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. _____.

ORDINANCE NO. B2015 – 10

AN ORDINANCE AMENDING AND ADOPTING AS AMENDED AN ORDINANCE STYLED:

“AN ORDINANCE ESTABLISHING AND FIXING A SCHEDULE OF RATES TO BE CHARGED BY THE CITY OF BARDSTOWN FOR ELECTRICAL CURRENT USED BY RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL CUSTOMERS OF THE CITY OF BARDSTOWN; PROVIDING AND PRESCRIBING FOR BILLING, DUE DATES AND PENALTY FOR FAILURE TO PAY CHARGES DUE WITHIN THE TIME SO PRESCRIBED; ESTABLISHMENT AND FIXING A POWER COST ADJUSTMENT SURCHARGE FOR ALL CUSTOMERS REGARDLESS OF CLASSIFICATION.” CHAPTER 50.

THE CITY OF BARDSTOWN, KENTUCKY, DOES HEREBY ORDAIN AS FOLLOWS:

That Section 50.08 BILLING; WHEN DUE; PENALTY, (B) and Section 50.10 TAMPERING WITH ELECTRIC METERS; FINES be amended as follows:

SECTION 50.08 BILLING; WHEN DUE; PENALTY.

~~(B) [All customers of the city will be billed monthly on or about either the first day (Cycle One) or the fifteenth day (Cycle Two) of each month for all electric service used by them. All bills shall be due and payable immediately upon receipt thereof, and if not paid on or before either the fifteenth day of the month for Cycle One customers or the thirtieth day of the month, or the last day of February, for Cycle Two customers following the billing, a sum equal to 5% of the amount of the charges shall be added as a penalty as well as an additional service fee of \$3 per account, which shall be promptly paid by each customer in default. Any customer who fails to pay for electric service pursuant to this section by the fifteenth day of the month for Cycle One customers or the thirtieth day of the month, or the last day of February, for Cycle Two customers shall be notified by mail of customer’s delinquent status, and shall be given a deadline to respond. If at that time, no response has been given to the officer in responsible charge, electric service shall be disconnected without further notice. Reconnection of service shall be made only after payment of all current and past due bills, service fees and penalties, to include an additional \$25 reconnect charge for customers within the city limits, or a \$40 reconnect charge for customers outside the city limits. An additional charge of \$15 shall be assessed for reconnects after hours pursuant to § 50.05. Payments made for service fees and disconnect and reconnect charges are not additive if more than one utility service is delinquent.]~~ **All customers will be billed monthly as specified in Combined Utilities System §55.05.**

SECTION 50.10 TAMPERING WITH ELECTRIC METERS; FINES

Customer shall be held responsible for tampering with, breaking seals of, interfering with, connecting or disconnecting the city’s electric meter (s), or other electrical equipment of the city installed on the customer’s premises, and shall be held liable for same according to law. Notwithstanding, any person who reconnects or bypasses a meter that has been disconnected for nonpayment of service will be assessed \$150 for the first occurrence and \$300 per occurrence for any additional occurrences in addition to any other applicable balances, fees or charges due. Likewise, any person who establishes electric service by bypassing, connecting or reconnecting a meter will be assessed ~~[\$100]~~ **\$150** per occurrence. No one except, the employees, or agents of the city shall be allowed to connect, disconnect or make any internal or external adjustments to any meter or any other piece of apparatus, which shall be the property of the city.

All ordinances or parts of ordinances in conflict are hereby repealed to the extent of that conflict. This ordinance shall be in full force and effect following publication as required by law.

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. B2015-10 ADOPTED. IT WILL BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. _____.

ORDINANCE NO. B2015 – 11

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, KENTUCKY DOES HEREBY ORDAIN THAT:

Section 54.07 MONTHLY BILLING; LATE FEE; DISCONNECTION DUE TO DEFAULT (A) be amended as follows:

SECTION 54.07 MONTHLY BILLING; LATE FEE; DISCONNECTION DUE TO DEFAULT.

(A) ~~[All customers of the city will be billed monthly on or about the first day of each month for all CATV service used by them. All bills shall be due and payable immediately upon receipt thereof, and if not paid on or before the fifteenth day of the month following the billing, a sum equal to \$0.50 shall be added as a penalty as well as an additional service fee of \$3.00 per account, and shall be promptly paid by each customer so in default. Any customer who fails to pay for CATV service pursuant to this section by the fifteenth day of the month shall be notified by mail of customer’s delinquent status, and shall be given a deadline to respond. If at that time, no response has been given to the officer in responsible charge, CATV service shall be disconnected without any further notice. Reconnection of service shall be made only after payment of all current and past due bills, service fees and penalties, to include an additional reconnect charge pursuant to § 54.04. Payments due for service fees and disconnect and reconnect charges for cable TV shall be handled separately from other city utility service fees and a failure to pay cable TV service fees, disconnect and reconnect charges shall not constitute grounds to disconnect other city utility services.]~~ **All customers will be billed monthly as specified in Combined Utilities System §55.05.**

All ordinances or parts of ordinances in conflict are hereby repealed to the extent of that conflict. This ordinance shall be in full force and effect following publication as required by law.

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. B2015-11 ADOPTED. IT WILL BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. _____.

COMMITTEE AND STAFF REPORTS

Councilman Simpson reported that the Electric and Cable TV Committee held a meeting on April 14th and earlier today (04-28-2015). The City budget was the main focus.

Councilman Williams reported on the Finance Committee meeting that was held on April 16th. The Paul Combs’ study for the Classification and Compensation Plan was discussed, as well as the proposed budget.

Councilman Lydian had a Long Term Planning Committee meeting on April 22nd. He reported on the proposed loops around Bardstown that include the connection of New Haven Road to US Highway 245 and the connection of US31E (Louisville Road) to US62 (Bloomfield Road). In 2011, Councilman Hagan had presented a format for Long Range Planning per department; Councilman Lydian and Copeland agreed the proposed format should be implemented.

Councilman Hagan will call an Annexation Committee meeting within the next few weeks. As Chair of the Water and Wastewater Committee, he will also call a meeting to discuss the proposed budget.

Councilman Buckman reported that donated funds by the community secured the purchase of a 3rd canine for the Bardstown Police Department.

Director of Public Works and Engineering Hamilton reported that Kentucky Utilities will present their estimate of costs for the new formula rates and each city will have a time frame to review the “true-up” provision. Brown Thornton, with NewGen Strategies & Solutions, LLC will represent Bardstown, as well as eleven (11) additional cities. The proposed budget reflects this proposal at 7%.

City Electrical Engineer Mills reported the Smithsonian Channel will go dark on 04-30-2015. This affects approximately 130 Bardstown Cable TV customers. A direct mailer was sent to those customers asking for their feedback. Changing the location of this channel will affect the rate, not the budget.

SPECIAL PERMIT – FIREWORKS

St. Catharine’s College Volleyball Team sent a letter of request to partner with USA Fireworks for the weeks of June 22 through July 6, 2015 in the Wilson & Muir Bank and Trust Plaza parking lot. **COUNCILMAN HAGAN MOVED TO APPROVE THE SPECIAL PERMIT FOR ST. CATHARINE’S COLLEGE. THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6-0.**

CEMETERY DEEDS

THE MOTION TO APPROVE THE CEMETERY DEEDS FOR EVA MORELAND AND STACY AND JAMES ANDREW WOLF, JR., WAS APPROVED BY UNANIMOUS CONSENT.

ADJOURNMENT

THE MOTION TO ADJOURN WAS APPROVED BY UNANIMOUS CONSENT.

CITY OF BARDSTOWN

ATTEST:

John Royalty, Mayor

Barbara Bryant, City Clerk