

**CITY OF BARDSTOWN**  
**REGULAR COUNCIL MEETING MINUTES**  
**06-24-2014**  
**7:00 – 9:30 P.M.**

With Mayor Bill Sheckles presiding, the City Council met in a regular session in the Council Chambers with the following Councilmen:

- Councilman Joe Buckman
- Councilman Francis Lydian
- Councilman Tommy Reed
- Councilman John Royalty
- Councilman Bobby Simpson
- Councilman Roland Williams

Others present: Assistant City Administrator Larry Green, Director of Public Works and Engineering Larry Hamilton, Chief Financial Officer Mike Abell, City Civil Engineer Jessica Filiatreau, City Electrical Engineer Jeff Mills, City Attorney Bruce Reynolds, City Clerk Barbie Bryant, Fire Chief Marlin Howard, Police Major Ray Lewis, Nelson County Planning & Zoning Executive Director Jan Johnston-Crowe, Nelson County Magistrate Sam Hutchins, The Kentucky Standard reporter Randy Patrick, Nelson County Gazette reporter Jim Brooks, WBRT-TV cameraman Collin Rogers, WOKH reporter Sylvia Horlander, and citizens Michael Ballard, John B. Ballard, Newman Miller, Jeff McKenzie, Rosemary and Thomas Humkey, David H. Hall, George T. Wright, Wayne Downs, Elijah Rosenbaum and Danielle Jones.

**NALLY AND HAYDON SURFACING, LLC (DBT)**

City Civil Engineer Filiatreau presented the Utility Relocation Agreement between Nally and Haydon Surfacing, LLC (Design Build Team, DBT), agent of the Kentucky Transportation Cabinet, Department of Highways. DBT will construct the KY 245 widening from south of Filiatreau Lane to north of US 62, a distance of approximately 2.40 miles. **UPON MOTION OF COUNCILMAN LYDIAN, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0, THE COUNCIL’S RECOMMENDATION TO AUTHORIZE THE MAYOR TO SIGN THE CONTRACT WITH DBT WAS APPROVED.**

**COLORED CRUMB RUBBER MULCH BID**

Mayor Sheckles presented the bid tab to supply 52 tons of crumb rubber mulch for use in Jones Park and Harned Field.

International Mulch Company	\$24,177.00
Bluegrass Recreation	\$24,000.00 *
David Williams & Assoc.	\$28,864.00

\*Donna Paschal recommends Bluegrass Recreation’s bid of \$24,000.00

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**UPON MOTION OF COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 6 TO 0, THE BID FROM BLUEGRASS RECREATION FOR \$24,000.00 WAS APPROVED.**

**HISTORICAL REVIEW BOARD RECOMMENDATIONS**

Mayor Sheckles presented the following Historical Review Board recommendations:

- (a) COA-14-42. ARD, LLC, Applicant/Owner, proposes to demolish rear section and attached garage of the existing building at 305 North Third Street. Recommendation: Approval of the demolition of the rear 1936 square foot section of the structure with the condition that an Administrator or Board member be on-site during the removal of the addition.
- (b) COA-14-43. ARD, LLC, Applicant/Owner, proposes to install 5 parking spaces and landscaping at the property at 305 North Third Street. Recommendation: Approval of the installation of parking and landscaping.
- (c) COA-14-34. Debi Parrish, Applicant/Owner, requests to replace the landscaping at 114 East Stephen Foster Avenue. Recommendation: Approval of the replacement of landscaping as documented, including a stone bench and bourbon barrel planters.
- (d) COA-14-35. Debi Parrish, Applicant/Owner, requests a white-picket fence, “Primitive Crow Parking Only” sign and display of outdoor products at 114 East Stephen Foster. Recommendation: Approval of the installation of the fence and sign, as well as display of outdoor products with the condition that these products not be permanent.
- (e) COA-14-36. Choice Radio Central Corporation, Applicant, William Lockett, Owner, requests approval of previously installed antenna at 101 North Third Street. Recommendation: The application has been **tabled** pending further research from the Applicant regarding antenna options.

- (f) COA-14-37. Elizabeth Shropshire, Applicant/Owner, requests to paint door at 212 W Flaget. Recommendation: The approval to paint the door, Benjamin Moore Black.
- (g) COA-14-38. Harrison-Smith House, LLC, Applicant/Owner, requests approval to install a walk-in cooler at 103 East Stephen Foster. Recommendation: The approval of the installation of the walk-in cooler.
- (h) COA-14-39. Harrison-Smith House, LLC, Applicant/Owner, requests approval to install two signs and a monogram at 103 East Stephen Foster. Recommendation: The approval of the installation of patio, freestanding sign and iron bracketed sign with the condition that the materials be reviewed by Administrator. Any lighting changes will also need to be administratively approved.
- (i) COA-14-40. Harrison-Smith House, LLC, Applicant/Owner, requests approval to paint structures at 103 East Stephen Foster. Recommendation: The approval of the paint as applied with the condition that columns be ‘Quincy Granite’ and gutters match molding or house, whichever appropriate.
- (j) COA-14-41. John and Nancy Ballard, Applicant/Owner, requests approval to install and relocate windows at 210 East Flaget. Recommendation: The approval of the installation and relocation of windows as discussed in staff report.
- (k) COA-14-44. Ralph and Judy Buckley, Applicant/Owner, requests approval to install porch railing and gas light fixture at 109 East Broadway. Recommendation: The approval of the installation of the gas light. **The porch railing is tabled.**
- (l) COA-14-45. Ralph and Judy Buckley, Applicant/Owner, requests approval to paint the exterior of the structures at 109 East Broadway. Recommendation: The approval of the paint, with the condition that the gingerbread be painted the same ‘Decorator’s White’ as the rest of the trim and the porch ceiling will be the same color as the ‘Silver Mist’ door.

**UPON MOTION OF COUNCILMAN BUCKMAN, DULY SECONDED BY COUNCILMAN LYDIAN AND CARRIED BY A VOTE OF 6 TO 0, THE HISTORICAL REVIEW BOARD RECOMMENDATIONS FOR COA’S #14-42, #14-43, #14-34, #14-35, #14-37, #14-38, #14-39, #14-40, #14-41, #14-44, AND #14-45 WERE APPROVED WITH THE RECOMMENDED CONDITIONS SET FORTH BY HRB.**

**MY NEW KENTUCKY HOME HABITAT FOR HUMANITY**

Mayor Sheckles invited all Councilmen to the newest build for two homes on July 12<sup>th</sup> and 13<sup>th</sup>. The location of the homes will be 360 and 361 McGowan Avenue.

**MINUTES**

The minutes from the 06-10-2014 Regular Council meeting were presented. **UPON MOTION OF COUNCILMAN REED, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0, THE MINUTES WERE APPROVED.**

Minutes from the 10-16-2003 Special Council meeting had not been recorded in the #19 Minute Book, as discovered by City Clerk Bryant. **UPON MOTION OF COUNCILMAN REED, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0, THE COUNCIL APPROVED THE RECORDING OF THE 10-16-2003 MINUTES.**

**FIRST READING – PROPOSED ORDINANCE B2014-CEMETERY AMENDMENTS**

Councilman Simpson introduced proposed Ordinance B2014 – Cemetery Amendments and asked for a first reading. This ordinance will outline the cost of cremations, set refund policy and second rite of interment agreements. City Clerk Bryant read the proposed ordinance in full. **UPON MOTION OF COUNCILMAN SIMPSON, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0, PROPOSED ORDINANCE B2014-CEMETERY AMENDMENTS WAS APPROVED FOR FIRST READING.**

**FIRST READING – PROPOSED ORDINANCE B2014-CLASSIFICATION & COMPENSATION PLAN**

Councilman Williams introduced proposed Ordinance B2014 – Classification & Compensation Plan and asked for a first reading. City Clerk Bryant read a summary of the proposed ordinance. After some discussion, Councilman Williams asked that the proposed Ordinance B2014 – Classification & Compensation Plan be tabled.

**SECOND READING – ORDINANCE B2014-12 WATER AMENDMENTS**

City Clerk Bryant presented the summary of Ordinance B2014-12 for a second reading. Below is the ordinance in its full capacity:

**ORDINANCE NO. B2014 – 12**

**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 Chapter 52, WATER, Section 52.02 WATER CONNECTION CHARGE (A) and (B) of the Bardstown Municipal Code, be amended to read as follows:

52.02 WATER CONNECTION CHARGE.

(A) Every future tap on or connection to any water pipe, main, trunk line, interceptor, or other water line installation or facility of the system, shall be made only after written application for permission to make the same shall have been submitted to and approved by the officer having responsibility therefore, shall be made according to city regulations, policies and other governmental standards prescribed from time to time, and shall not be backfilled or covered over until inspected on behalf of the city for verification of conformity with such requirements. Each application for permission to tap on or make connection to any water installation or facilities shall, except as otherwise provided in this section, be for a single tap on or connection for a single unit user; a tap on or connection charge for each connection is hereby established:

**Water Connection Fees**

<u>Size (Inches)</u>	<u>In Town</u>	<u>Out of Town</u>
5/8 x 3/4	\$ <del>375</del> ( <u>700</u> )	\$ <del>425</del> ( <u>750</u> )
3/4	<del>475</del> ( <u>750</u> )	<del>525</del> ( <u>800</u> )
1	<del>600</del> ( <u>950</u> )	<del>650</del> ( <u>1,000</u> )
1-1/2	<del>850</del> ( <u>1,850</u> )	<del>900</del> ( <u>1,900</u> )
2	<del>1,100</del> ( <u>2,000</u> )	<del>1,150</del> ( <u>2,050</u> )

(B) All charges for tap-on or connections exceeding two inches in size **or being special in nature to meet varying flow parameters**, shall be fixed by the officer in responsible charge's office by separate negotiation and contract, which sum shall at all times be sufficient to cover expenses of the installation, all such connection charges shall be tendered and accompany the application to the city.

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 as required by law.

**UPON MOTION OF COUNCILMAN ROYALTY, 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 ROYALTY - AYE
- COUNCILMAN BUCKMAN - AYE

**MAYOR SHECKLES THEN DECLARED ORDINANCE NO. B2014-12 ADOPTED AND BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. \_\_\_\_\_.**

**SECOND READING – ORDINANCE B2014-13 REZONE #2419 COUNTY OF NELSON, KY**

City Clerk Bryant presented the summary of Ordinance B2014-13 for a second reading. Below is the ordinance in its full capacity:

**ORDINANCE NO. B2014-13**

**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 99.445 ACRES ON THE NORTH SIDE OF PARKWAY DRIVE, APPROXIMATELY 0.77 MILE WEST OF WOODLAWN ROAD (KY 605) AND 0 FEET SOUTH OF THE BLUEGRASS PARKWAY (REVISED LOT #16, NELSON COUNTY INDUSTRIAL PARK AMENDED FINAL PLAT) FROM I-1 (LIGHT INDUSTRIAL DISTRICT) TO I-2 (HEAVY INDUSTRIAL DISTRICT).**

**WHEREAS**, the Joint City-County Planning Commission of Nelson County, Kentucky, on June 4, 2014, held a public hearing on the Application No. 2419 to rezone 99.445 acres on the north side of Parkway Drive, approximately 0.77 mile west of Woodlawn Road (KY 605) and 0 feet south of the Bluegrass Parkway (Revised Lot #16, Nelson County Industrial Park Amended Final Plat) from I-1 (Light Industrial District) to I-2 (Heavy Industrial 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 June 4, 2014, from the said Joint City-County Planning Commission of Nelson County to the Bardstown City Council and the property as described:

“Being Revised Lot #16 of the Nelson County Industrial Park as shown on the Amended Final Plat recorded in Plat Cabinet 16, Slot 44 in the Office of the Clerk of Nelson County, Kentucky containing 99.445 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.

**UPON MOTION OF COUNCILMAN LYDIAN, DULY SECONDED BY COUNCILMAN SIMPSON, THE MAYOR CALLED THE ROLL AND THE FOLLOWING VOTED:**

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

**MAYOR SHECKLES THEN DECLARED ORDINANCE NO. B2014-13 ADOPTED AND BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. \_\_\_\_\_.**

**SECOND READING – ORDINANCE B2014-14 BICYCLES AMENDMENTS**

City Clerk Bryant presented the summary of Ordinance B2014-14 for a second reading. Below is the ordinance in its full capacity:

**ORDINANCE NO. B2014-14**

**AN ORDINANCE AMENDING AND ADOPTING AS AMENDED AN ORDINANCE CONTAINED IN THE BARDSTOWN CODE OF ORDINANCES, CHAPTER 73: BICYCLES.**

**NOW, THEREFORE, BE IT ORDAINED** and enacted by the City of Bardstown, Commonwealth of Kentucky, that Section 73.01 Purpose; Section 73.02 Registration and Training; Section 73.03 Regulations; Section 73.04 Enforcement and Section 73.99 Penalty be amended to read as follows:

**SECTION**

- 73.01 Purpose
- 73.02 ~~Registration and training~~
- 73.03(02) Regulations
- 73.04(03) Enforcement

**73.01 PURPOSE.**

The purpose of this chapter is to encourage safe bicycling and bicycle touring in and upon the streets and ways of the city and to enable bicycle owners and riders to ~~protect their equipment and to~~ acquaint themselves with the safe manner of operation and to avail themselves of modern techniques to make their presence known to other users of such streets and ways.

~~73.02 REGISTRATION AND TRAINING.~~

~~(A) Any person owning and/or operating a bicycle upon the streets and ways in the city may at such times and at such locations as hereinafter authorized present his bicycle to the police department for registration and/or may avail himself of a course of instruction relating to the required equipment and safe operation thereof.~~

~~(B) The police department, hereinafter referred to as department, is authorized and directed to establish reasonable facilities and qualified personnel to accomplish the purposes and requirements of this chapter.~~

~~(C) Registration. The department shall furnish bicycle registration forms, to be completed by the owner, which form shall contain information, including color, type, brand, and frame serial number, sufficient to identify the bicycle and its owner. Such forms shall be retained by the department and shall constitute prima facie evidence of ownership. The department may provide to such owner evidence of such registration, which evidence may be in the form of a registration certificate card to be carried by the owner or in the form of a plastic license suitable for attachment to the bicycle or both, and such evidence shall contain a numerical listing corresponding to registration records of the department.~~

~~(D) Training. The department shall establish suitable facilities and course of training with qualified instructors and to conduct a course of instruction adequate to acquaint bicycle riders with the laws and regulations governing required equipment and method of operation of bicycles.~~

~~(1) Such course of instruction shall be at no additional expense to the city, and the subject matter shall be in accordance with the directive established by this ordinance and/or as otherwise promulgated by the department, and as contained in K.R.S. Chapter 189 and regulations promulgated by the state department of transportation.~~

~~(2) The department shall establish and promulgate a procedure relating to the nature and method of training, length of course training and dates of commencement of such course, which dates and times may vary with the sufficiency of number of participants, who shall be awarded by the department, a certificate of graduation upon their satisfactory completion of such course.~~

~~(E) Gifts and contributions. The department is authorized to receive gifts, bequeaths or other funds, public or private, to help finance the activities herein authorized provided, however, that all such moneys shall be deposited with the city treasurer and disbursed in accordance with the directives of the police committee.~~

### 73.03(02) REGULATIONS.

(A) It shall be the duty of all persons operating a bicycle upon any public street, highway or ways in the city:

(1) To ride single file, in a straight line, in the right lane and as near the right hand curb as possible, on all main highways, thoroughfares and in central business sections and when riding on other streets ~~and ways~~ must not ride in groups ~~and or~~ more than 2 abreast.

(2) Before slowing, stopping, turning or changing the direction of any bicycle to give a signal, by the extension of the hand to indicate the desired action. In accordance with KRS 189.010, persons making a left turn are required to extend the left arm out horizontally. Right turns shall be indicated by extending the left arm out horizontally and turned upward at the elbow. A stop or slowing of a bicycle shall be indicated by extending either arm out horizontally and turned down at the elbow.

(3) To comply with all vehicle traffic laws, except where such laws, by their nature, do not apply to bicycles, and all vehicle signs and signals erected for the regulation of traffic.

(B) It shall be unlawful for any person to operate a bicycle upon any public street, highway or ways in the city:

(1) Without due regard for the safety of other persons and vehicles lawfully upon such street and ways, as well as for his own safety, and shall at all times and under all conditions yield the right- of-way to pedestrians on the streets, highways, parkways, public places and on crosswalks.

(2) To operate a bicycle during the period of one hour after sunset to one hour before sunrise unless such bicycle is equipped with one light in front ~~which will reveal clearly substantial objects at least 50 feet ahead~~ **of at least 130 lumens** and one red light at the rear of such bicycle visibly lighted for at least 500 feet, a red reflector meeting the requirements may be used in lieu of a red light.

(3) To operate a bicycle unless such bicycle is equipped with a horn or bell, or other sound device capable of making n abrupt sound sufficiently loud to be heard over all ordinary traffic conditions, and shall sound such horn or other sound device whenever necessary as the warning of approach of such vehicle to pedestrians or other vehicles, but shall not sound the horn or sound device unnecessarily.

(4) To operate a bicycle that is not equipped with adequate brakes, which are in proper working order.

(5) To attach himself or herself to any other moving vehicle.

(6) To operate a bicycle equipped for carrying only the rider to carry another person on the front or rear frame or handle bar of a bicycle.

(7) To engage in fancy or trick riding and without maintaining full control of such bicycle keeping both hands on the handle bar, except when necessary to signal.

(8) To operate a bicycle upon any sidewalk.

73.04 (03) ENFORCEMENT.

The **Bardstown Police** Department is given all incidental powers necessary in the strict enforcement of this chapter.

73.99 PENALTY.

(A) Any person who willfully violates any provisions of § 73.03(02) shall upon conviction be deemed guilty of a violation and shall be fined not more than \$100.

~~(B) Upon conviction of violation of this chapter or any other applicable regulation or statute and in lieu of or in addition to any other penalty imposed and upon order of the trial court, such violator shall attend the course of instruction established under the provisions of § 73.02(D).~~

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 in summary as required by law.

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

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

**MAYOR SHECKLES THEN DECLARED ORDINANCE NO. B2014-14 ADOPTED AND BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. \_\_\_\_\_.**

**SECOND READING – ORDINANCE B2014-15 CLOSURE OF A PUBLIC STREET, W JOHN FITCH**

Councilman Reed asked to be recused and left the meeting. David Hall made a presentation to the Council. A challenge that a public hearing should have been conducted prior to the proposed closing of W. John Fitch will be researched by City Attorney Reynolds. Councilman Royalty asked that the second reading of Ordinance B2014-15 be tabled. Councilman Reed returned to the meeting.

**SECOND READING – ORDINANCE B2014-16 ALCOHOLIC BEVERAGE AMENDMENTS**

City Clerk Bryant presented Ordinance B2014-16 for a second reading:

**ORDINANCE NO. B2014 – 16**

**AN ORDINANCE AMENDING CHAPTER 114:  
ALCOHOLIC BEVERAGES OF THE CITY OF BARDSTOWN’S CODE OF ORDINANCES**

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

That Section 114.40 HOURS OF SALE Subsections (A) and (B), be amended as follows:

114.40 HOURS OF SALE.

(A) Except as provided in division (D), no premises for which there has been granted a license for the sale of distilled spirits or wine at retail shall be permitted to remain open for any purpose between 1:00 a.m. and 8:00 a.m., or at any time during the 23 hours of a Sunday after 1:00 a.m., ~~However, that premise shall be permitted to remain open~~ **However, that premise shall be permitted to remain open** during the hours the polls are open on ~~any regular or primary, or regular, local option, school, or special election day. However, if a licensee provides a separate department within his licensed premises capable of being locked and closed off, within which is kept all stocks of distilled spirits and wine, and all fixtures and apparatus connected with his business as a licensee, and the department is kept locked during the times mentioned above, he shall be deemed to have complied with this section.~~ **any regular or primary, or regular, local option, school, or special election day.** (KRS 244.290)

(B) Except as provided in division (D), no brewer or distributor shall deliver any malt beverages on Sunday or between the hours of 12:00 midnight and 6:00 a.m. on any other day of the week. No retailer shall sell, give away, or deliver any malt beverages between 1:00 a.m. and 6:00 a.m. or at any time during the 23 hours of a Sunday after 1:00 a.m. ~~A retailer may sell malt beverages~~ **A retailer may sell malt beverages** ~~or~~ during the hours the polls are open on **a primary, or regular, local option or special** ~~an~~ election day. (KRS 244.480)

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.

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

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

MAYOR SHECKLES THEN DECLARED ORDINANCE NO. B2014-16 ADOPTED AND BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. \_\_\_\_\_.

**SECOND READING – ORDINANCE B2014-17 AMENDED BUDGET FY 2013-14**

City Clerk Bryant presented Ordinance B2014-17 for a second reading:

**ORDINANCE NO. B2014-17**

**AN ORDINANCE AMENDING ORDINANCE NO. B2013-09 THE CITY OF BARDSTOWN’S BUDGET ORDINANCE FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014.**

**WHEREAS** an annual budget for Fiscal Year 2013 – 2014 was adopted by the City Council of the City of Bardstown on June 25, 2013, and

**WHEREAS** there have been unanticipated changes in both revenues and expenditures during that period of time;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF BARDSTOWN, KY, THAT:**

Section I.

The annual budget for the fiscal year 2013-2014 be and is hereby amended as follows:

- 1) General Fund, Police line 10-0200-5520, increase by \$17,000 and transfer same amount from the Land Acquisition Fund, to cover the cost of unexpected major sewer line repairs.
- 2) General Fund, Recreation, line 10-0300-5520, increase by \$40,000 and transfer same amount from the Land Acquisition Fund, to cover the unexpected costs caused by a roof leak.
- 3) General Fund, COBEC, line 10-0300-5520, increase by \$75,000 and transfer same amount from the Land Acquisition Fund, to cover the unanticipated actual cost of the building renovations needed by renters.
- 4) General Fund, Fire, line 10-0400-7100, increase by \$25,000 and transfer same amount from the Land Acquisition Fund to cover improvements to the fire training center.
- 5) Combined Utilities Fund, Sewer, line 42-0200-7300, increase by \$150,000 and fund with unrestricted reserves, to cover the cost of the settlement of all legal matters related to the Town Creek Sewer Line project.

Section II.

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.

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

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

MAYOR SHECKLES THEN DECLARED ORDINANCE NO. B2014-17 ADOPTED AND BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. \_\_\_\_\_.

**SECOND READING – ORDINANCE B2014-18 ANNUAL BUDGET FY 2014-15**

City Clerk Bryant presented Ordinance B2014-18 for a second reading:

**ORDINANCE NO. B2014-18**

**AN ORDINANCE ADOPTING THE CITY OF BARDSTOWN, KENTUCKY, ANNUAL BUDGET FOR THE FISCAL YEAR, JULY 1, 2014, THROUGH JUNE 30, 2015, ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS FOR THE OPERATION OF THE CITY GOVERNMENT.**

WHEREAS, an annual budget proposal and message has been prepared and delivered to the City Council; and,

WHEREAS, the City Council has received such budget proposal and made desired modifications;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF BARDSTOWN, COMMONWEALTH OF KENTUCKY:

Section I

That the annual budget for the fiscal year beginning July 1, 2014, and ending June 30, 2015, is hereby adopted as attached hereto; and

Section II

That this ordinance shall become effective upon approval and publication as required by law.

Prior to the vote, Councilman Reed made the following statement: *“I owe this body an apology. In April, as we were all waiting for a budget, I deliberated on asking for a Financial or Budget Committee meeting, something that might educate us on our way to approving a 45 million dollar budget. I procrastinated, I was amiss. When we received the mayor’s budget 7 days prior to the first discussion and 7 days later to have the first reading, I tried to ask as many questions in an effort to clear up the ambiguity of a very complex budget. Again I apologize, clarification was difficult (all most impossible) and I hope councils in the future will be allowed to be part of this budget process to educate them to many of the complexities.”*

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

COUNCILMAN BUCKMAN	-	AYE
COUNCILMAN ROYALTY	-	NAY
COUNCILMAN LYDIAN	-	AYE
COUNCILMAN WILLIAMS	-	AYE
COUNCILMAN REED	-	NAY
COUNCILMAN SIMPSON	-	NAY

MAYOR SHECKLES VOTED AYE, AND THEN DECLARED ORDINANCE NO. B2014-18 ADOPTED AND BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. \_\_\_\_\_.

MUNICIPAL ORDER M2014-11 PERSONNEL POLICIES

Assistant City Administrator Green reported that the number of part-time employees had increased and several of those positions required work hours on major holidays.

**MUNICIPAL ORDER NO. M2014-11**

**MUNICIPAL ORDER AMENDING THE PERSONNEL POLICIES AND PROCEDURES ESTABLISHED IN MUNICIPAL ORDER NO. 91-8 AND AMENDED IN FULL IN MUNICIPAL ORDER NO. 2000-7 AND AMENDED IN MUNICIPAL ORDER NOS. 2003-16; 2004-4; 2007-8; 2008-08; 2009-07, 2009-15, 2011-03 AND 2013-03.**

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

That the PERSONNEL POLICIES AND PROCEDURES, SECTION V: COMPENSATION PLAN, C. Overtime (2); and SECTION VI: BENEFITS, B. Vacation (Annual Leave) (1), be changed to reflect the following:

C. Overtime:

2. Overtime pay will be granted based on all hours credited during the week. Holidays will be considered as hours worked for overtime pay purposes. Non-exempt employees shall receive overtime pay in all cases where they are asked to work or are called out for work after their regular scheduled work hours, except in cases where the overtime is coupled with time off without pay and the actual hours worked are not over 40. **Employees in established part-time positions will receive overtime pay for hours worked on holidays.**

B. Vacation (Annual Leave):

1. Employees occupying established full-time positions and who have worked a minimum of 90 hours during per calendar month shall be granted annual leave at full pay at the current rate of pay; employees in established part-time positions shall be granted annual leave **at one half the rate for those employees occupying full-time positions.** [~~on a pro-rated basis (for example, employees who work 20 hours per week shall be granted one half the vacation leave granted to full-time employees).~~]

UPON MOTION OF COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 5 TO 1, THE MUNICIPAL ORDER M2014-11 WAS APPROVED. Councilman Reed voted no.

**SPECIAL PERMIT - KONA ICE, MOBILE FOOD VENDOR**

The Mayor presented a Special Permit for Kona Ice to use the Welcome Center parking lot at One Court Square on July 3, 2014. **UPON MOTION OF COUNCILMAN SIMPSON, DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 6 TO 0, THE SPECIAL PERMIT WAS APPROVED.**

**COMMITTEE REPORTS**

Councilman Simpson reported a Safety Committee meeting was held on June 9, 2014. Fire Chief Howard gave an update on the Training Facility, hydrant testing, recertification in rope, confined space, trench and swift water rescue and ways to improve response times.

Councilman Williams announced a B.A.N.D. meeting would be held on July 15, 2014 at 6:30pm.

Councilman Reed announced a Recreation Board meeting would be held on Thursday, June 26, 2014 at 6:00pm.

**STAFF REPORTS**

Chief Financial Officer Abell reported one of the meter reading jeeps sold for \$7,200, a second is now up for auction, and a third will be auctioned soon.

City Electrical Engineer Mills announced an Electric and Cable TV Committee meeting is scheduled for July 1, 2014 at 4:00pm.

**RECOGNIZE INDIVIDUALS**

Mayor Sheckles recognized Rosemary and Thomas Humkey. Ms. Humkey had come to the meeting to discuss a Notice of Violation (NOV) she had received on a sign regulation. On advice of City Attorney Reynolds, Ms. Humkey will need to appeal the NOV before the City Council. The City Attorney explained that any information that she wants to put into the record may be included in the formal appeal. Ms. Humkey was then advised not to distribute to the Council a complaint on Jan Johnston-Crowe that she had brought with her to the meeting.

Mayor Sheckles also recognized Danielle Jones, who introduced her son Elijah Rosenbaum, who was attending the Council meeting as part of his Eagle Scout program.

**CEMETERY DEEDS**

Three Bardstown Cemetery deeds were presented; one grave site for Brenda Sue Fraley, two grave sites for Betty and Aubrey McGinnis, Jr. and two grave sites for Deborah and Larry Fore. **UPON MOTION OF COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0, THE DEEDS WERE APPROVED.**

**ADJOURNMENT**

There being no further business to discuss and **UPON MOTION OF COUNCILMAN LYDIAN, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 6 TO 0, THE MEETING WAS ADJOURNED.**

**CITY OF BARDSTOWN**

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William S. Sheckles, Mayor

**ATTEST:**

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Barbara Bryant, City Clerk