

**CITY OF BARDSTOWN  
REGULAR COUNCIL MEETING MINUTES  
07-22-2014  
7:00 – 10:05 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: Director of Public Works and Engineering Larry Hamilton, City Civil Engineer Jessica Filiatrea, City Electrical Engineer Jeff Mills, Cable Systems Engineer Nahom Ayele, City Attorney Bruce Reynolds, City Clerk Barbie Bryant, Fire Chief Marlin Howard, Police Chief Rick McCubbin, Code Enforcement Officer Steve Hatler, Bardstown Fire Supervisor Todd Spalding, Jt. Planning & Zoning Commission Executive Director Jan Johnston-Crowe, Magistrate Keith Metcalf, Magistrate Jeff Lear, Jt. Planning & Zoning Commission Chair Todd Johnson, Jt. Planning & Zoning Commission Attorney Mike Coen, Jt. Planning & Zoning Commission Assistant Cindy Pile, The Kentucky Standard reporter Randy Patrick, Nelson County Gazette reporter Jim Brooks, and citizens Doug Hubbard, Rosemary and Tom Humkey, Carolyn Welch, Ron Griffith, Kenny Linton, Joey Sheckles, Fred and Rachael Hampton, Frank Harned, Raymond King and Jerry Janes.

Mayor Sheckles announced that the Council would go into Executive Session prior to the conclusion of the meeting pursuant to KRS 61.810 (1) (c), to discuss pending litigation styled County of Nelson vs. City of Bardstown, Nelson Circuit Court Civil Action # 05-CI-00559 and pursuant to KRS 61.810 (1) (g), discussions between a public agency and a representative of a business entity and discussions concerning a specific proposal, if open discussion would jeopardize the upgrading of the business.

**CABLE TELEVISION SWEEP SERVICES BID**

City Electrical Engineer Mills presented the following bid recommendation:

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**CABLE TELEVISION  
SWEEP SERVICES  
BID TAB  
July 18, 2014, 10:00 AM**

<b><u>VENDOR</u></b>	<b><u>BID PRICE</u></b>
Jason L. Compton	\$96,000.00
Recommend: Jason L. Compton	\$96,000.00

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**UPON MOTION OF COUNCILMAN REED, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0, THE RECOMMENDATION TO ACCEPT THE BID FROM JASON L. COMPTON IN THE AMOUNT OF \$96,000.00 WAS APPROVED.**

**CONTRACT WITH TIME WARNER CABLE**

Cable Systems Engineer Ayele presented two contracts; first for an upgrade renewal and second for increased band width. The terms are for three years and will lower our existing costs as well as provide a back-up unit. **UPON MOTION OF COUNCILMAN LYDIAN, DULY SECONDED BY COUNCILMAN ROYALTY AND CARRIED BY A VOTE OF 6 TO 0, THE COUNCIL'S RECOMMENDATION TO AUTHORIZE THE MAYOR TO SIGN THE CONTRACT WITH TIME WARNER CABLE WAS APPROVED.**

**HISTORICAL REVIEW BOARD RECOMMENDATIONS**

Mayor Sheckles presented the following Historical Review Board recommendations:

- (a) COA-14-47. Christy Clark/The Old Stable, Inc., Applicant/Owner, proposes to demolish a patio addition at 116 West Stephen Foster Avenue. Recommendation: Approval of the demolition of the 390 square foot addition with the condition that a site plan and materials for COA 14-48 be administratively approved before the demolition begins.
- (b) COA-14-48. Christy Clark/The Old Stable, Inc., Applicant/Owner, proposes to build an open patio and half wall at 116 West Stephen Foster Avenue. Recommendation: Approval of plan with the condition that the design, materials, and landscaping be administratively approved.
- (c) COA-14-46. Christy Clark/The Old Stable, Inc., Applicant/Owner, proposes to install skylights at 116 West Stephen Foster Avenue. Recommendation: Approval of no more than 7 skylights with the condition that the window type and plan be administratively approved.

- (d) COA-14-50. Choice Radio Central Corporation/William Lockett, Applicant/Owner, requests two window signs at 101 North Third Street. Recommendation: Approval of the installation of the two signs, using only the sizes, colors, placement, and materials submitted with the application.
- (e) COA-14-49. Bardstown United Methodist Church, Applicant/Owner, requests approval of a sign at 116 East Flaget Avenue. Recommendation: The approval of the sign utilizing materials presented at the HRB Meeting.
- (f) COA-14-45 (Amended). Ralph and Judy Buckley, Applicant/Owner, requests approval of new paint colors for the exterior of the structures at 109 East Broadway. Recommendation: The approval of the “Silvermist” for the body of the structure, “Peacock Plume” for the door, porch ceiling and fish scales and either “Wool Skein” or “Greek Villa” for the trim, sashes, and pillars with the condition that the choice of trim, sash, and pillar color be provided to the Preservation Administrator.

**UPON MOTION OF COUNCILMAN BUCKMAN, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0, THE HISTORICAL REVIEW BOARD RECOMMENDATIONS FOR COA’S #14-47, #14-48, #14-46, #14-50, #14-49, AND #14-45(amended) WERE APPROVED WITH THE RECOMMENDED CONDITIONS SET FORTH BY HRB.**

**MUNICIPAL ORDER NO. M2014-12 – BUTTERMILK DAYS**

Mayor Sheckles presented the following:

**MUNICIPAL ORDER NO. M2014-12**

**BUTTERMILK DAYS 2014**

A Municipal Order authorizing that South Third Street be closed starting at the entrance of St. Monica’s parking lot south to McGee Street on Thursday, August 21, 2014 at noon and reopened on Sunday, August 24, 2014 at 5:00 p.m. for Buttermilk Days 2014. A “no-thru-traffic” barricade will be placed at the corner of South Third Street and Payne Street to facilitate the smooth flow of traffic.

There will be no parking allowed on Payne Street on Friday, August 22, 2014 at noon through Sunday, August 24, 2014.

**UPON MOTION OF COUNCILMAN REED, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0, MUNICIPAL ORDER NO. M2014-12 WAS APPROVED.**

**BUSINESS LICENSE FOR NEW PAWN SHOP**

Mayor Sheckles reported that Fred and Rachael Hampton would like permission to open a pawn shop to be named Bourbon City Pawn, Cash Loan and Security, LLC. Police Chief McCubbin had performed the necessary background checks. Councilman Williams asked that we redact the applicant’s Social Security numbers with future copies for review. Councilman Royalty noted the address had not been listed. Mr. Hampton explained that he had been in negotiations for the property prior to applying and that the address will be 117 Banjo St. **UPON MOTION OF COUNCILMAN ROYALTY, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 6 TO 0, THE BUSINESS LICENSE APPLICATION FOR BOURBON CITY PAWN WAS APPROVED.**

**FIRST READING – PROPOSED ORDINANCE B2014-CHAPTER 36, FIRE DEPARTMENT AMENDMENTS**

Councilman Simpson introduced the ordinance and City Attorney Reynolds gave a first reading in summary. This ordinance will implement a fair and equitable procedure for the collection of fees from insurance companies and non-taxpayers outside the city limits and outside the Bardstown-Nelson County Volunteer Fire Department Service area. It will also establish a billing system in accordance with State and Federal laws, regulations and guidelines. No vote was taken.

**SECOND READING – ORDINANCE B2014-20 CLASSIFICATION & COMPENSATION PLAN**

City Clerk Bryant presented the summary of Ordinance B2014-20 for a second reading. Below is the ordinance in its full capacity:

**ORDINANCE NO. B2014-20**

**AN ORDINANCE AMENDING AND ADOPTING AS AMENDED AN ORDINANCE STYLED: “AN ORDINANCE CREATING CLASSIFICATION PLAN AND COMPENSATION PLAN.”**

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

That Ordinance No. 498, previously amended by Ordinances 526, 535, 540,541, 574, 578, 590, 643, 735, 745, 765, 769, 812, B2006-19, B2007-1, B2008-25, B2009-19, B2011-03, B2012-17 and B2014-07 be amended to read as follows for the Authorized Positions and the Grade Scale and to Add to the Job Classifications:

**AUTHORIZED POSITIONS**

City of Bardstown [~~March, 2014~~] **July, 2014**

<i># of Positions</i>	<i>Exempt</i>	<i>Title</i>	<i>Grade</i>
<b>ADMINISTRATION</b>			
1	Exempt	City Administrative Officer	64
1	Exempt	Assistant CAO	45
1		City Clerk/Sexton	33
1		Executive Assistant to the Mayor	25
1		Risk Manager/EMA Liaison (Part-Time)	30
1		Groundskeeper	23
1		Ordinance Enforcement Officer (part-time)	12
1		Janitor (Part-Time)	10
<b>FINANCE</b>			
1	Exempt	Chief Financial Officer	46
1		Accountant	37
1		Billing Clerk, (Utilities)	23
1		Billing Clerk, (Cable/Internet)	23
1		Software and Tax Liaison	29
3		Customer Service Representative	17
5		Customer Service Representative, (Part-Time)	17
1		Receptionist	10
1		Meter Division Supervisor	26
1		Assistant Meter Division Supervisor	23
<del>5</del> <b>1</b>		Meter Technician	12
<b>POLICE</b>			
1	Exempt	Chief of Police	43
1		Administrative Assistant	20
1		Major/Assistant Chief	32
1		Captain/Assistant Chief	31
1		Lieutenant Special Investigations & Internal Affairs	30
<del>2</del> <b>0</b>		Sergeant	30
2		Investigator	25
1		Property Room Technician (Part-Time)	17
1		Crime Scene Technician (Part-Time)	23
20		Police Officer	25
		<del>{Police Officer (H)}</del>	<del>{25}</del>
		Police Officer Recruit	14
<b>PARKS &amp; RECREATION</b>			
	Exempt	Director of Parks & Recreation	42
1		Administrative Assistant/Gym Manager	25
1		Recreation Assistant (PT)	11
1		Grounds Superintendent	25
2		Maintenance Worker II Rec	15
		Maintenance Worker I Rec	10
<b>FIRE</b>			
1	Exempt	Fire Chief	43
1		Firefighter Supervisor	30
1		Firefighter Building Inspector	28
1		Firefighter Department Clerk	25
1		Firefighter Department Maintenance	24
<del>5</del> <b>2</b>		Firefighter	21
		<del>{Firefighter (H)}</del>	<del>{21}</del>
<b>3</b>		Firefighter 24/48	21
<b>0</b>		Firefighter (part time)	21

<b>PUBLIC WORKS AND ENGINEERING</b>			
1	Exempt	Director of Public Works and Engineering	60
<b>PUBLIC WORKS</b>			
1	Exempt	Superintendent of Public Works	43
1		Assistant Superintendent of Public Works	39
3		Heavy Equip Operator/Foreman	29
1		Maintenance Specialist	22
1		SSES Maintenance Manager (Part-Time)	22
1		Maintenance II SSES	15
7		Maintenance Worker II PW	15
		Maintenance Worker I PW	10
3		Sanitation Truck Driver	15
8		Sanitation Worker II	13
		Sanitation Worker I	10
1		Mechanic	25
1		Street Sweeper Operator	14
<b>1</b>		<b><u>Maintenance Worker II Recycling</u></b>	<b><u>18</u></b>
<b>ENGINEERING</b>			
1	Exempt	City Civil Engineer	55
1		Engineering Technician/MS4/GIS Coordinator	26
1		Engineering Assistant	21
<del>1</del> <b>0</b>	Exempt	Chief Wastewater Operator	35
5		WWTP Operator IV	28
		WWTP Operator III	23
		WWTP Operator III	20
		WWTP Operator I	12
		WWTP Trainee	12
		WWTP Laboratory Technician	16
<del>2</del> <b>3</b>		Lift Station Specialist	24
1	Exempt	Chief Water Plant Operator	37
1		WTP Maintenance Superintendent/Operator IV	27
7		WTP Operator, Class IV	25
		WTP Operator, Class III	23
		WTP Operator, Class III	18
		WTP Operator, Trainee	12
1		Lake Patrol ( <b><u>Part-Time</u></b> )	16
<b>ELECTRIC &amp; CABLE TV</b>			
1	Exempt	City Electrical Engineer	57
1	Exempt	Systems Engineer	43
<b>1</b>		<b><u>Staff Engineer</u></b>	<b><u>35</u></b>
1	Exempt	Electric Superintendent	43
4		Electric Lineman II	40
		Electric Lineman I	35
		Apprentice Electric Lineman	24
		Electric Groundman	11
1		Utilities Stock Clerk	19
1		Chief Cable Technician	37
1		Cable Construction Foreman	36
2		Cable Splicer II	31
		Cable Splicer II	27
3		Cable Installer	23
1		Cable Technician	30
1		IT Support Specialist II	26
1		IT Support Specialist I	13
3		IT Support Specialist I (Part-Time)	13
1		Cable/Internet Assistant	19

**CHANGE THE GRADE SCALE AS FOLLOWS:**

FY 14-15 <u>GRADE</u>	HOURLY RATE		ANNUAL SALARY		2% Increase
	<u>MINIMUM</u>	<u>MAXIMUM</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>	
10	9.66	16.41	20,083.04	34,141.16	
11	9.90	16.83	20,593.84	35,009.52	
12	10.15	17.25	21,104.64	35,877.88	
13	10.39	17.67	21,615.44	36,746.24	
14	10.65	18.11	22,153.12	37,660.31	
15	10.90	18.52	22,663.92	38,528.67	
16	11.18	19.01	23,255.38	39,534.14	
17	11.45	19.47	23,819.95	40,493.91	
18	11.75	19.97	24,438.28	41,545.08	
19	12.03	20.46	25,029.74	42,550.55	
20	12.34	20.98	25,674.96	43,647.43	
21	12.65	21.51	26,320.18	44,744.31	
22	12.98	22.06	26,992.29	45,886.89	
23	13.31	22.63	27,691.28	47,075.17	
24	13.64	23.18	28,363.38	48,217.75	
25	14.00	23.80	29,116.14	49,497.44	
26	14.36	24.41	29,868.90	50,777.13	
27	14.73	25.05	30,648.54	52,102.52	
28	15.12	25.71	31,455.07	53,473.62	
29	15.52	26.39	32,288.48	54,890.42	
30	15.94	27.09	33,148.78	56,352.92	
31	16.35	27.80	34,009.07	57,815.43	
32	16.79	28.54	34,923.14	59,369.33	
33	17.24	29.31	35,864.09	60,968.95	
34	17.69	30.08	36,805.04	62,568.56	
35	18.17	30.89	37,799.75	64,259.58	
36	18.66	31.73	38,821.35	65,996.30	
37	19.16	32.56	39,842.95	67,733.02	
38	19.67	33.44	40,918.32	69,561.15	
39	20.20	34.34	42,020.58	71,434.98	
40	20.75	35.27	43,149.72	73,354.52	
41	21.33	36.26	44,359.51	75,411.16	
42	21.90	37.22	45,542.41	77,422.10	
43	22.49	38.23	46,779.09	79,524.45	
44	23.12	39.31	48,096.42	81,763.91	
45	23.76	40.39	49,413.74	84,003.37	
46	24.42	41.51	50,784.84	86,334.23	
47	25.09	42.65	52,182.82	88,710.80	
48	25.79	43.84	53,634.57	91,178.77	
49	26.50	45.04	55,113.20	93,692.45	
50	27.23	46.30	56,645.61	96,297.53	
51	28.00	47.59	58,231.78	98,994.02	
52	28.80	48.96	59,898.60	101,827.62	
53	29.59	50.30	61,538.54	104,615.52	
54	30.41	51.70	63,259.13	107,540.52	
55	31.27	53.15	65,033.49	110,556.93	
56	32.16	54.67	66,888.50	113,710.45	
57	33.06	56.21	68,770.40	116,909.68	
58	33.99	57.79	70,706.07	120,200.31	
59	34.98	59.46	72,749.27	123,673.75	
60	35.96	61.13	74,792.47	127,147.20	
61	36.98	62.86	76,916.33	130,757.75	
62	38.01	64.62	79,067.06	134,414.01	
63	39.11	66.49	81,352.23	138,298.78	
64	40.21	68.36	83,637.39	142,183.56	

**ADD THE FOLLOWING JOB CLASSIFICATIONS:**

Class Title: Maintenance Worker II Recycling

Department: Public Works

Supervisor: Superintendent of Public Works

Supervises: May supervise Community Service & Communicare clients

Class Characteristics: Under general direction, and in cooperation with Nelson County and Communicare, Inc. receives recycling materials at the Recycling Center and picks up cardboard and other recycling materials from commercial garbage customers; performs related work as required.

General Duties and Responsibilities:

Essential: Receives and sorts recycled materials at the Recycling Center from the general public. Assists Communicare staff and clients in baling recycled materials when not otherwise occupied. Collects cardboard from commercial customers and other locations by hand, or by loading containers and transporting them to the Recycling Center. Maintains records of materials received. Operates truck and trailer to collect cardboard. May supervise Communicare clients, community service workers or others in the collection, receiving and handling of recycled materials. May perform other unrelated duties within the department.

Non-essential: None.

DESIRABLE QUALIFICATIONS

Training and Experience: No previous experience required. No educational requirements; however, must be able to follow oral and written instructions. Must complete all training required to work with Communicare clients.

Special Knowledge, Skills and Abilities:

Knowledge: Knowledge of equipment, materials, methods and techniques used in the collection, transport, and disposition of recycled materials. Knowledge of work hazards and applicable safety precautions associated with collection and disposal equipment and procedures.

Abilities: Ability to comply with established safety standards. Ability to operate motorized equipment. Ability to establish and maintain effective working relationships with Communicare clients, employees and the general public. Ability to perform heavy labor for extended periods of time, often under adverse weather conditions.

ADDITIONAL INFORMATION

Instructions: Many aspects of work are covered specifically, but must also use some of own judgment.

Processes: Work varies slightly; seldom required to take different, new or unusual approaches in completing work assignments.

Review of Work: Completed work is spot-checked.

Analytical Requirements: Problems require analysis based on precedent.

Tools, Equipment and Vehicles Used: Operates collection vehicles assigned to the Department; uses appropriate tools for minor equipment repairs.

Physical Requirements of the Job: Work involves sitting, standing, stooping, walking; must lift objects weighing more than 25 pounds as a job requirement; must be able to work outdoors during all weather conditions. Exposed to fumes, chemicals, and toxic substances.

Contacts: Public and internal contacts requiring tact and diplomacy are requirements of the job.

Confidential Information: Some use of confidential information.

Mental Effort: Moderate.

Interruptions: Continuous

Special Licensing Requirements: Must possess and maintain a valid commercial driver's license.

Availability: Must be able to respond to calls in emergency situations at all hours.

Certification Requirements: None.

Additional Requirements: Must maintain First Aid, and other required certifications to work with Communicare clients.

Overtime Provision: Non-exempt.

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Class Title: Staff Engineer

Department: Engineering/Cable Television/Internet

Supervisor: City Electrical Engineer

Supervises: None

Class Characteristics: Under general direction, assists in planning, organizing, and coordination of all activities and programs of the Electric, Cable Television, and IT Divisions; assists City Electrical Engineer with Departmental engineering activities; performs related work as required. Assists in the design, construction, and maintenance of the Electric and Cable Television system.

General Duties and Responsibilities:

Essential: Assists in the planning, organization and coordination of all activities and programs of the Electric, Cable Television and IT Divisions. Receives day-to-day inquiries, requests and problems and attends to their disposition or forwards to higher authority. Confers with Division personnel to discuss technical issues related to execution of work. Assists in establishing long-range plans for each Division, and assists in meeting the plans. Assists in preparing annual budget for each Division; assists in monitoring approved budgets. Assists in training personnel. Maintains system maps for Electric, Cable Television and IT Divisions. Assists in drafting regulations and ordinance modifications for review. Meets with vendors, contractors and customers. Assists in specifying and acquiring material & equipment for Electric, Cable and IT Divisions. Performs IT Division system analysis, installation, maintenance and monitoring. Maintains familiarity with National Electric and National Electric Safety Codes. Assists in maintaining PCB testing program. Assists in performance and analysis of electrical load flows. Assists in providing technical and engineering related data to federal and state agencies, engineering firms, architects, contractors, realtors and citizens. Assists in maintaining server systems, head-end network, and earth station including installation and maintaining of equipment, setting and maintaining signal levels, etc.

DESIRABLE QUALIFICATIONS

Training and Experience: Must have and accredited Electrical engineering degree and must have received certification or have ability to become certified upon meeting experience requirements.

Special Knowledge, Skills and Abilities:

Knowledge: Extensive knowledge of federal, state and local laws, administrative regulations and ordinances related to the electric and cable television and IT industries. Extensive knowledge of public administration principles, practices and methods as applied to public utilities. Extensive knowledge of practices, procedures and methods required for the operation of electric, cable television and IT industries. Extensive knowledge of the geography and topography of the service area. Extensive knowledge of and ability to assure compliance with safety requirements. Extensive knowledge of equipment, materials, methods and techniques used in the installation and maintenance of the City's cable television system.

Abilities: Ability to assure compliance with preventive maintenance and servicing programs. Ability to plan jobs, including necessary materials and personnel, to accomplish tasks in the most efficient and effective manner. Ability to communicate effectively, orally and in writing. Ability to establish and maintain effective working relationships with government agencies and employees, contractors, officials, employees, and the general public.

ADDITIONAL INFORMATION

Instructions: Very general; must use own judgment most of the time.

Processes: Must frequently refine existing work methods and develop new techniques, concepts, or programs within established limits or policies.

Review of Work: Work is generally not reviewed; may be required to provide written and verbal reports.

Analytical Requirements: Assignments require analysis of figures, data trends, and results of all kinds which directly affect the policy of the city.

Tools, Equipment and Vehicles Used: Vehicle; normal office equipment, including computer, telephone, etc.

Physical Requirements of the Job: Work involves sitting, standing, stooping, walking; lifting light objects of less than 25 pounds is a requirement of the job; must drive vehicle as a requirement of the job.

Contacts: Frequent public and internal contacts requiring tact and diplomacy are requirements of the job.

Confidential Information: Regular use of confidential information.

Mental Effort: Moderate.

Interruptions: Frequent.

Special Licensing Requirements: Must possess and maintain a valid driver's license.

Availability: Must be able to attend meetings during evenings and weekends. May respond to calls in major emergency situations at all hours.

Certification Requirements: None.

Additional Requirements: None

Overtime Provision: Exempt

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 WILLIAMS, DULY SECONDED BY COUNCILMAN LYDIAN, 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. B2014-20 ADOPTED AND BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. \_\_\_\_\_.**

### **HEARING ON HUMKEY APPEAL OF SIGN ORDINANCE INTERPRETATION**

Michael Coen, Attorney, Janet Johnston-Crowe, Sign Administrator and Steve Hatler, City Code Enforcement Officer appeared for the Joint City-County Planning Commission. Rosemary Humkey appeared without legal counsel. Mayor Sheckles asked City Attorney Reynolds to conduct the hearing. City Attorney Reynolds instructed the Council and those in attendance on the procedure for the presentation of evidence and positions concerning interpretations. He called on Joint City-County Planning Commission Attorney Coen, who gave an opening statement and presented evidence to members of the Council. A copy of the evidence was given to Rosemary Humkey. City Attorney then called on Ms. Humkey who gave an opening statement. Janet Johnston-Crowe was sworn in and testified on behalf of the Planning Commission as Sign Ordinance Administrator. Exhibits were presented concerning the interpretation of the ordinance and resulting citation for violation of City Sign Ordinance 98.05, 98.11C(1), 98.10F and 98.06A(1). City Code Enforcement Officer Steve Hatler was also sworn in and testified to the exhibits presented. Ms. Humkey was given the opportunity to ask questions of the witnesses.

Ms. Humkey declared she had no witnesses, however, she did present pictures of vehicles to the Council, and they were entered into evidence. She then gave a closing statement. Before a closing statement was given by Attorney Coen, the Council asked for an opportunity to question Ms. Humkey and Ms. Johnston-Crowe. Attorney Coen then gave a closing statement. The Mayor asked for the opinions of the Council and a vote was taken to determine if the Notice of Violation would be upheld.

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

City Attorney instructed Ms. Humkey that she would not be penalized and was found not to be at fault for this infraction. However he did emphasize the need to follow the City Ordinances and apply for a sign permit. The hearing was closed.

Joint Planning and Zoning Commission Chair, Todd Johnson, instructed the Mayor and Council that the Commission is not comfortable with administering the City's Sign Ordinances when the Administrator's interpretation is taken into question as shown by the outcome of this hearing. He advised the Mayor and Council that the City take over the administration of the Sign Ordinance. The Mayor responded that the request was duly noted.

### **MINUTES**

The minutes from the 07-08-2014 Regular Council meeting were presented. **UPON MOTION OF COUNCILMAN BUCKMAN, DULY SECONDED BY COUNCILMAN ROYALTY AND CARRIED BY A VOTE OF 5 TO 0, THE MINUTES WERE APPROVED.** Councilman Williams asked to be recused since he had been absent at the last meeting.

### **COMMITTEE REPORTS**

Councilman Williams reported that a B.A.N.D. Committee meeting had been held on 7-15-2014 and was well attended. He thanked Mayor Sheckles for attending and for addressing many of the issues that were discussed, i.e., Long Range Plan for a Southwest Connector Road and Road Diet on North Third Street. Several community improvement issues were also discussed.

The minutes from the July 16, 2014 Tree Board meeting were distributed for the Council's review.

### **STAFF REPORTS**

City Electrical Engineer Mills announced the SEC Network will launch on August 14<sup>th</sup>. A proposed mailer was distributed to the Council. The mailer will go to cable customers by the first week of August.

Fire Chief Howard thanked city personnel for their help during the process to amend and update ordinances that deal with the fire department.

### **EXECUTIVE SESSION**

Mayor Sheckles announced that the Council would now go into Executive Session prior to the conclusion of the meeting pursuant to KRS 61.810 (1) (c), to discuss pending litigation styled County of Nelson vs. City of Bardstown, Nelson Circuit Court Civil Action # 05-CI-00559 and pursuant to KRS 61.810 (1) (g), discussions between a public agency and a representative of a business entity and discussions concerning a specific proposal, if open discussion would jeopardize the upgrading of the business. **UPON MOTION OF COUNCILMAN ROYALTY, DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 6 TO 0, THE COUNCIL WENT INTO EXECUTIVE SESSION AT 8:55PM.**

**UPON MOTION OF COUNCILMAN ROYALTY, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0, THE COUNCIL CAME OUT OF EXECUTIVE SESSION AT 9:50PM.**

The minutes will reflect that no action was taken during the Executive Session.

### **COUNTY OF NELSON VS. CITY OF BARDSTOWN, CASE #05-CI-00559**

A case that had been on the docket since 2005 concerning the garbage pick-up for residence of Miller Springs Estate, Oakwood Subdivision and Patriot Drive was discussed. A contract between Nelson Fiscal Court and the City of Bardstown will allow the County to service the above mentioned residences with a monthly re-imbusement of \$2.00 per resident to the City for bulky item pick-up. Re-imburements for future cost increases will be determined by percentage. The agreement also emphasized that it would not act as a precedent to be followed in the event similar circumstances arose with future annexations. **UPON MOTION OF COUNCILMAN WILLIAMS, 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 AGREEMENT WITH NELSON FISCAL COURT WAS APPROVED.**

### **ADJOURNMENT**

There being no further business to discuss and **UPON MOTION OF COUNCILMAN ROYALTY, DULY SECONDED BY COUNCILMAN WILLIAMS 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