

**CITY OF BARDSTOWN
REGULAR COUNCIL MEETING MINUTES
12-10-2013
7:00 – 7:55 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 Attorney Tom Donan, City Clerk Barbie Bryant, Fire Chief Marlin Howard, Police Major Ray Lewis, Bardstown Nelson County Volunteer Fire Firefighters Chair Neal Pyle, The Kentucky Standard reporter Randy Patrick, WBRT Radio Co-Owner Roth Stratton, and citizens Michael Salsman, Alison Samuels, C.B. Hamilton, Mark Ballard and his daughter.

WATER SERVICE REQUEST – CASTLE COVE SUBDIVISION, PHASE III

City Civil Engineer Filiatreau presented the letter of request for water service for the extension of a 6” water main that will serve 13 single-family, residential lots. **UPON MOTION OF COUNCILMAN REED, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0, THE WATER SERVICE REQUEST FOR PHASE III OF THE CASTLE COVE SUBDIVISION WAS APPROVED.**

DRB-201 BCD PROPERTIES

The Development Review Board reviewed and recommended approval of the site, building, landscaping, and lighting plans for the 50’ by 80’ addition at 1200 Atkinson Hill Road for BCD Properties. **UPON MOTION OF COUNCILMAN BUCKMAN, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0, THE RECOMMENDATION FROM THE DEVELOPMENT REVIEW BOARD, WITH ITS CONDITIONS, WAS APPROVED.**

MINUTES

The minutes from the 11-26-2013 Regular Council meeting were presented. **UPON MOTION OF COUNCILMAN BUCKMAN, DULY SECONDED BY COUNCILMAN ROYALTY AND CARRIED BY A VOTE OF 6 TO 0, THE MINUTES WERE APPROVED.**

The minutes from the 12-03-2013 Special Council meeting were presented. **UPON MOTION OF COUNCILMAN REED, DULY SECONDED BY COUNCILMAN ROYALTY AND CARRIED BY A VOTE OF 6 TO 0, THE MINUTES WERE APPROVED**

ANNUAL AUDIT FOR YEAR ENDED JUNE 30, 2013

A formal presentation of the Annual Audit was made by Chief Financial Officer Abell. **UPON MOTION OF COUNCILMAN SIMPSON, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0, THE ANNUAL AUDIT WAS ACCEPTED.**

MUNICIPAL ORDER NO. 2013-19, CONDUCT OF CITY COUNCIL MEETINGS

Councilman Reed presented the following:

MUNICIPAL ORDER NO. 2013-19

**CITY OF BARDSTOWN
CONDUCT OF CITY COUNCIL MEETINGS**

To provide guidance and to insure that the City Council meetings of the City of Bardstown maintains order and completes the business at hand in a professional, successful and constructive manner, the following rules are adopted and become effective upon approval.

I. OFFICERS

A. Presiding Officer

The presiding officer shall be the Mayor. In the case of a vacancy in the office of the Mayor, the City Council shall elect from among its members, an individual to preside over the meetings of the City Council

in accordance with the provisions of KRS 83A.130. A City Council member serving as the presiding officer retains all of his or her legislative powers and duties.

The duties of the presiding officer are as follows:

1. Call the meeting to order.
2. Control the general flow of the meeting by announcing in proper order the business on the agenda.
3. Recognize members entitled to the floor.
4. State and put to a vote all motions (questions) that arise during the meeting and announce the results on all votes.
5. Rule all motions that are improperly made as “out of order.”
6. Enforce the City Council’s rule of order and maintain the decorum of the meeting.
7. Decide all points of order raised by the members.
8. Expedite business in every way compatible with the rights of the members.
9. Respond to all requests and inquiries of the members relevant to the business at hand.
10. Declare the meeting adjourned.

B. City Council Members

Only members of the City Council may introduce motions, second motions, debate issues, and vote on matters (except the Mayor may vote in the case of a tie on some items). City Council members should be knowledgeable about general parliamentary rules and standing rules adopted by the body, address all remarks through the presiding officer, and refrain from disturbing the meeting in any way (including obstructing business or using dilatory parliamentary tactics).

C. City Clerk

Listed below are the functions performed by the City Clerk at City Council meetings. In the absence of the City Clerk, the presiding officer or City Council must appoint another individual to perform the duties of the City Clerk.

The duties of the City Clerk are as follows:

1. Act as timekeeper during debate.
2. Take minutes of the meeting.
3. Track the progress of the meeting and the status of the agenda.
4. Read by title and summary (or in full when necessary) all ordinances, resolutions, orders, and other written items of business introduced for consideration.
5. Advise the presiding officer when requested to do so.
6. Record the vote on all matters and inform the presiding officer of the vote count, when applicable.
7. Perform any other function required by the rules of the City Council or requested by the presiding officer.

D. Parliamentarian

The parliamentarian gives explanations or advice on procedural matters, but he or she does not make rulings. (Only the presiding officer makes rulings on procedural matters.) The City Attorney shall act as the parliamentarian. In his or her absence, the City Clerk shall act as parliamentarian. If both the City Attorney and the City Clerk are absent, the presiding officer may appoint a temporary parliamentarian for the duration of the meeting or until either the City Attorney or the City Clerk arrives.

II. AGENDA

A. Preparation

The agenda will be prepared by the City Clerk after consultation with the Mayor, members of the City Council, and other appointed city officers.

B. Notice

1. Agendas for regular meetings, including any supporting documents for items on the agenda, will be included in the individual City Council member’s packet and made available to them no later than Friday preceding the regular scheduled City Council meeting on the first, second and fourth Tuesday of each month. (the first Tuesday, being a working session.)
2. If a special meeting is called in accordance with KRS 61.823, the agenda and written notice of the meeting will be delivered to each member at least twenty-four (24) hours in advance of the special meeting. In addition, each member will be contacted by phone if possible, or email and informed of the meeting and when the agenda will be delivered. All non-elected city officers and appropriate staff will be notified of any special meetings that are scheduled and shall be advised if their presence is necessary.
3. News media that have requested notification shall be notified of all meetings as required by statute. Regular and special meetings will be publicized as prescribed by Kentucky Revised Statutes, which shall take precedence over all other guidelines.

C. Format

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

- a. 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. 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.
 - c. 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.
 - g. Announcements
This is for any announcement to the City Council or those in attendance.
 - h. Adjournment
The meeting ends upon adjournment. Adjournment may happen one of the two following ways:
 - i. A motion may be made to adjourn. Upon approval by a vote of the City Council, the presiding officer declares the meeting adjourned.
 - ii. The presiding officer may, on his or her own, declare the meeting adjourned as long as no business is pending, no City Council member is attempting to claim the floor, there are no further announcements, and there are no objections from the City Council.
2. Action taken at special meetings is limited to items listed on the agenda in the notice. The special meeting agenda items must be limited to only address the specific purpose for which the meeting is called.

III. PROCEDURE

A. Convening the Meeting

Before the presiding officer calls the meeting to order, it is his or her duty to determine, although he or she need not announce, that a quorum is present. If a quorum is not present, the presiding officer waits until a quorum is present. If a quorum has not been obtained after 15 minutes, the presiding officer calls the meeting to order, announces the absence of a quorum, and entertains one of the following motions:

1. Take measures to obtain a quorum
2. Recess
3. Adjourn

Once a quorum is present, the presiding officer proceeds according to the meeting agenda.

B. Motions

Motions are how business is brought before the City Council and are how business is handled. There are five types of motions:

1. Main motions
2. Subsidiary motions
3. Privileged motions
4. Incidental motions
5. Motions that bring a question back before the body

The three steps by which motions are normally brought before the body are as follows:

1. A City Council member makes the motion. (The member says “I move to...”; “I move that...”; or “I offer...”)
2. Another member seconds the motion.
3. The presiding officer states the question on the motion. (This should not be confused with putting the question, which is to take a vote.)

C. Main Motions

A main motion is used to begin consideration of an issue. A main motion cannot be made while another motion is being considered. Once it is seconded, it may be debated, amended, adopted, or defeated. All of the subsidiary, privileged, and incidental motions apply to it.

D. Subsidiary Motions

Subsidiary motions assist the City Council in treating or disposing of a main motion. Each subsidiary motion outranks, or takes precedence over, the subsidiary motion(s) listed before it. The subsidiary motions are as follows:

1. **Postpone Indefinitely**
This motion postpones action on the proposal indefinitely, effectively killing the motion without actually voting on the main motion itself. It requires a second, is debatable, is not amendable, and requires a majority vote.
2. **Amend**
This motion changes the wording of the main motion (or subsequent motions) by adding, removing, or replacing text. It must also be germane to the underlying main motion. It requires a second, is debatable, is amendable (only one additional level of amendment), and requires a majority vote.
3. **Commit or Refer to a Committee**
This motion refers the main motion and any related amend motions to a committee of the City Council. It requires a second, is debatable, is amendable, and requires a majority vote.
4. **Postpone Definitely or to a Certain Time**
This motion postpones consideration of the main motion and related amend or commit motions to a point later in the meeting or to the next regular meeting. It requires a second, is debatable, is amendable, and requires a majority vote.
5. **Limit or Extend Limits of Debate**
This motion either imposes stricter time limits on debate or extends the time limits during debate. It requires a second, is not debatable, is amendable, and requires a two-thirds majority vote.
6. **Previous Question**
This motion stops debate and requires an immediate vote(s). It requires a second, is not debatable, is not amendable, and requires a two-thirds majority vote.
7. **Lay on the Table**
This motion sets aside the main motion and related subsidiary motions for a more pressing matter. It requires a second, is not debatable, is not amendable, and requires a majority vote.

E. Parliamentary Authority

In all cases of meeting procedure not addressed by Kentucky Revised Statutes, city ordinance, or this municipal order, the governing authority shall be the most recent edition of *Robert's Rules of Order Newly Revised*.

IV. STANDING RULES

A. Meeting Etiquette

Comments made during debate by members of the City Council must be germane to the issue at hand and must never attack or question the motives of other members.

Any individual who, in the opinion of the presiding officer or the City Council, becomes abusive, belligerent, profane, or disruptive to the meeting shall be asked to remain orderly or to leave the meeting. The presiding officer or City Council may require that the individual be escorted from the meeting room if necessary for the orderly conduct of the meeting.

The following fundamentals of parliamentary procedure shall be adhered to:

1. Justice and courtesy for all
2. Do only one thing at a time
3. Majority rules
4. But minority must be heard
5. The purpose is to facilitate action, not to obstruct it

Municipal Order No. 2013-19 has been reviewed and agreed upon by the City Council of the City of Bardstown and shall remain in effect until repealed, superseded, or amended by the City Council.

A copy of this municipal order will be posted and remain in the City Council chambers for viewing of all persons.

This order was presented to the City Council of the City of Bardstown during their regularly scheduled meeting conducted on December 10, 2013.

UPON MOTION OF COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 6 TO 0, MUNICIPAL ORDER NO. 2013-19 WAS APPROVED.

COMMITTEE REPORTS

Councilman Simpson reported on the Safety Committee meeting that was held on December 9, 2013. The Fire Department had several updates and amendments to ordinances; the Police Department would like to introduce a new ordinance that will address junk, secondhand and scrap dealers; both to be discussed in depth at the first Working Session for 2014 (January 7, 2014).

Councilman Reed announced that a Recreation Board Meeting would be held on Thursday, December 12, 2013, 6:00pm, in the Council Chambers.

Mayor Sheckles reminded all that the next Council meeting would be held on Monday, December 23, 2013, 7:00pm in the Council Chambers, due to the fact that the second Tuesday of the month falls on Christmas Eve.

SPEED LIMIT CONCERNS AND ELECTRIC TRANSFORMERS

Alison Samuels, who lives at 208 South First Street, addressed the Council with two requests: The first request was for a reduction in the speed limit on South First Street between East Stephen Foster and East Muir Street. She suggested that it be reduced from 35 mph to 25 mph to slow down the frequent speeders. Secondly, she inquired if a buffer could be constructed to conceal the newly constructed electrical transformer platform in the alley behind her residence. She stated that it is an “eye sore” and wanted to know why she and her neighbors were not informed about the electrical construction in advance.

Mayor Sheckles asked Police Major Lewis to provide the radar cart that displays the mph on South First Street for a week or two. After a brief discussion regarding the speed zones near schools in the city, the Council approved that recommendation. **UPON MOTION OF COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0, THE RECOMMENDATION WAS APPROVED TO PLACE 25 MPH SIGNS ALONG SOUTH FIRST STREET AND EAST MUIR STREET, BEGINNING NEAR EAST STEPHEN FOSTER AVE AND ENDING NEAR SOUTH THIRD STREET.**

Director of Public Works and Engineering Hamilton explained the need to have the transformers placed at the alley location based on the electric load. He explained the City’s plan to expand and improve the electrical infrastructure between the substations near Barton’s Distillery and Boone’s Butcher Shop. There was a discussion about possible screening efforts on either public or private properties. No action on this matter was taken.

FIVE YEAR ANNIVERSARIES

Mayor Sheckles announced that CFO Mike Abell and City Clerk Barbie Bryant will celebrate 10 years with the City this month.

ADJOURNMENT

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

CITY OF BARDSTOWN

ATTEST:

William S. Sheckles, Mayor

Barbara Bryant, City Clerk