

**CITY OF BARDSTOWN, KENTUCKY  
CITY COUNCIL SPECIAL MEETING MINUTES  
04/29/2020  
12:00 PM**

The City Council met in special session via video teleconference with Mayor Heaton and the following Council Members:

Councilman Joe Buckman  
Councilman David Dones  
Councilwoman Betty Hart  
Councilman Franklin Hibbs IV  
Councilman Bill Sheckles  
Councilman Roland E. Williams

Others present: City Attorney Audrey Haydon, HR Director/Risk Manager Greg Ashworth, Fire Chief Billy Mattingly, Chief Information Officer Nahom Ayele and City Clerk Gary Little.

Due to the COVID-19 State of Emergency, pursuant to KRS 61.823 (3) (4) and (5), and in accordance with Opinion 20-05 of the Kentucky Attorney General, there was no physical location designated for the public and/or media to view the meeting. This special meeting was broadcast for public viewing on Bardstown Cable TV Channels 19.2, 20 and 20.1 and on the City of Bardstown YouTube channel.

Mayor Heaton called the meeting to order at 12:00 PM.

**ORDINANCE B2020-07 CABLE TELEVISION AND INTERNET – SECOND READING**

City Attorney Audrey Haydon read a summary of Ordinance B2020-07 which creates new internet services and pricing for IPTV (Internet Protocol Television), PON (Passive Optical Network) fiber service, and Lifeline Cable Modem Service. Chief Information Officer Nahom Ayele discussed the purpose of the ordinance and explained that it establishes the necessary pricing structure for IPTV, Bring Your Own Device, Passive Optical Network and Lifeline Cable Modem services. The new Lifeline service is an affordable option available for senior citizens, students using Non-Traditional Instruction, or households that qualify for NSLP or SNAP. Mayor Heaton will issue an Executive Order to waive installation fees for ninety days for new subscribers to the Lifeline service.

**SUMMARY OF ORDINANCE NO. B2020-07**

**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(D), subsection (13) and Section 54.04(I), subsections (1), (2), (3), and (6) be amended as follows:

**SECTION 54.04 INSTALLATION AND RECONNECTION CHARGES, SUBSCRIBER RATES, AND MISCELLANEOUS SERVICE CHARGES.**

This section will be amended to create a new service for subscribers called Internet Protocol Television (“IPTV”) on the city’s physical network and sets monthly rates for that service, as set forth below:

(13) [Reserved] **Internet Protocol Television (IPTV)**

<b><u>BYOD Gateway Service.....</u></b>	<b><u>\$5.00/month additional</u></b>
<b><u>BYOD without DVR or Catchup/Restart.....</u></b>	<b><u>\$2.95/month additional</u></b>
<b><u>IPTV set-top.....</u></b>	<b><u>\$2.95/month additional</u></b>
<b><u>Extra DVR Hours .....</u></b>	<b><u>\$1.00/month additional/50hrs</u></b>
<b><u>Extra BYOD concurrent streams.....</u></b>	<b><u>\$1.00/month additional/2 extra</u></b>

Further, Section (I) shall be amended to reflect that Internet Service shall be amended to reflect two types of internet service – the existing internet service shall be now called “Cable Modem Service” and a new service known as Passive Optical Network (“PON”) Fiber Service will also be available to customers. Further, “Lifeline Service” shall be available to households that qualify for the lower cost service. Additionally, customers will be able to rent an Optical Network Terminal (“ONT”) at the same monthly cost as a modem. Rates for PON Fiber Service and Lifeline Service are set forth as follows:

(I) ~~Cable Modem~~ Internet Service

(1) Residential service:

(c) PON Fiber Service Within Corporate Limits

<u>100</u>	<u>Mb/s</u>	<u>\$51.25 per month</u>
<u>500</u>	<u>Mb/s</u>	<u>\$66.25 per month</u>
<u>1</u>	<u>Gb/s</u>	<u>\$76.25 per month</u>

(d) PON Fiber Service Outside Corporate Limits

<u>100</u>	<u>Mb/s</u>	<u>\$56.00 per month</u>
<u>500</u>	<u>Mb/s</u>	<u>\$71.00 per month</u>
<u>1</u>	<u>Gb/s</u>	<u>\$81.00 per month</u>

(e) Lifeline Cable Modem Service Within Corporate Limits<sup>1</sup>

<u>10</u>	<u>Mb/s</u>	<u>\$10.00 per month</u>
-----------	-------------	--------------------------

(f) Lifeline Cable Modem Service Outside Corporate Limits<sup>1</sup>

<u>10</u>	<u>Mb/s</u>	<u>\$14.75 per month</u>
-----------	-------------	--------------------------

<sup>1</sup> – available to households that qualify for NSLP or SNAP, seniors 65 or older, or other eligible criteria as may be determined by the City Council.

Section 54.04 (I)(2) shall reflect that what was previously Internet Service is now “Cable Modem Service” and PON Fiber Service rates for commercial service and connection and installation rates shall be as follows:

(c) PON Fiber Service Within Corporate Limits

<u>250 Mb/s (up to 25 users)</u>	<u>\$126.25 per month</u>
<u>500 Mb/s (up to 25 users)</u>	<u>\$146.25 per month</u>
<u>1 Gb/s (up to 25 users)</u>	<u>\$186.25 per month</u>
<u>Over 25 users, and/or over 1 Gb/s</u>	<u>(by contract)</u>

(d) PON Fiber Service Outside Corporate Limits

<u>250 Mb/s (up to 25 users)</u>	<u>\$131.00 per month</u>
<u>500 Mb/s (up to 25 users)</u>	<u>\$151.00 per month</u>
<u>1 Gb/s (up to 25 users)</u>	<u>\$191.00 per month</u>
<u>Over 25 users, and/or over 1 Gb/s</u>	<u>(by contract)</u>

(3) ~~Cable modem standard connections~~ Connection fees:

	<u>Inside Corporate Limits</u>	<u>Outside Corporate Limits</u>
(a) Full <u>cable modem</u> internet install:	<del>[\$91.00]</del> <u>36.00</u>	<del>[\$99.00]</del> <u>44.00</u>

Includes running a separate cable wire from the outside of the house to the computer, installing one ~~network card in one computer~~ cable modem, and configuring the computer to operate on the cable system.

	<u>Inside Corporate Limits</u>	<u>Outside Corporate Limits</u>
(b) Other installation components:		
<del>[1. Network card only</del>	<del>\$20.00</del>	<del>\$20.00]</del>
<u>1. Initial new OH install</u>	<u>\$52.00</u>	<u>\$60.00</u>
<del>[2. On-site setup</del>	<del>\$35.00</del>	<del>\$35.00]</del>
<u>2. Initial new UG install</u>	<u>\$127.00</u>	<u>\$135.00</u>

(c) PON Fiber installations:

	<u>Inside Corporate Limits</u>	<u>Outside Corporate Limits</u>
<u>1. Initial new OH install</u>	<u>\$60.00</u>	<u>\$68.00</u>
<u>2. Initial new UG install</u>	<u>\$135.00</u>	<u>\$143.00</u>

Finally, Section 54.04 (I)(6) regarding wholesale rates charged to Internet Service Providers shall be amended to include a wholesale rate for PON Fiber Service, which shall be a flat 60% of the city's retail rate.

This ordinance, including the rates and charges, shall be in full force and effect following publication in summary as required by law and put into effect and collected from and after the close of business April 30, 2020, i.e. for bills due on or after May 1, 2020.

This summary was certified by Audrey L. Haydon, City Attorney.

**COUNCILMAN DONES MOVED TO ADOPT ORDINANCE B2020-07 AS READ IN SUMMARY BY CITY ATTORNEY HAYDON. THE MOTION WAS DULY SECONDED BY COUNCILMAN HIBBS.**

**THE MAYOR CALLED THE ROLL AND THE FOLLOWING VOTED:**

COUNCILMAN DONES	-	AYE
COUNCILMAN SHECKLES	-	AYE
COUNCILMAN WILLIAMS	-	AYE
COUNCILMAN BUCKMAN	-	AYE
COUNCILWOMAN HART	-	AYE
COUNCILMAN HIBBS	-	AYE

**MAYOR HEATON THEN DECLARED ORDINANCE NO. B2020-07 ADOPTED. IT WILL BE RECORDED IN ORDINANCE BOOK NO. 11, PAGE NO. \_\_\_\_\_.**

**ADJOURNMENT**

**COUNCILWOMAN HART MOVED TO ADJOURN THE MEETING AT 12:09 PM. THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0.**

**CITY OF BARDSTOWN**

\_\_\_\_\_  
J. Richard Heaton, Mayor

**ATTEST:**

\_\_\_\_\_  
Gary Little, City Clerk