

**CITY OF BARDSTOWN, KENTUCKY**  
**CITY COUNCIL REGULAR MEETING MINUTES**  
**9/14/2021**  
**6:00 PM**

The City Council met in regular 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: Police Chief Kim Kraeszig, Fire Chief Billy Mattingly, City Attorney Audrey Haydon, Chief Financial Officer Aaron Boles, City Civil Engineer Jessica Filiatreau, City Clerk Gary Little, Assistant City Clerk Lisa Burdett, HR Director/Risk Manager Greg Ashworth, Bridgett Wilson, Victoria Hoff and Joshua Hoff.

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 video conference 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 6:00 PM and expressed condolences to Councilman Williams on behalf of the City of Bardstown for the passing of his wife. He asked for a moment of silence in memory of Rita Williams. The Mayor announced that there would be an Executive Session at the end of the regular meeting pursuant to KRS 61.810(1)(c) *Discussions of proposed or pending litigation against or on behalf of the public agency.*

**AMENDMENT #2 HDR ENGINEERING SERVICES – AMERICAN GREETINGS PUMP STATION**

City Civil Engineer Jessica Filiatreau requested approval for an amendment to the HDR Engineering Services Agreement to cover additional servicing fees due to the American Greetings pump station replacement taking sixty days longer than expected.

**COUNCILMAN DONES MADE A MOTION TO APPROVE AMENDMENT NO. 2 OF THE HDR ENGINEERING SERVICES AGREEMENT FOR THE AMERICAN GREETINGS PUMP STATION REPLACEMENT CONTRACT IN THE AMOUNT OF THREE THOUSAND EIGHT HUNDRED DOLLARS (\$3,800.00). THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0.**

**AMENDMENT #1 HDR ENGINEERING SERVICES – RISK AND RESILIENCE ASSESSMENT**

City Civil Engineer Jessica Filiatreau presented Amendment No. 1 to the HDR Engineering Services Agreement for the Risk and Resilience Assessment. The amendment is for HDR to provide an updated proposal for an Emergency Response Plan (ERP) Development required by America's Water Infrastructure Act (AWIA) and due within six months of completing the Risk and Resilience Assessment.

**COUNCILWOMAN HART MADE A MOTION TO APPROVE AMENDMENT NO. 1 OF THE HDR ENGINEERING SERVICES AGREEMENT FOR THE EMERGENCY RESPONSE PLAN DEVELOPMENT REQUIRED BY AMERICA'S WATER INFRASTRUCTURE ACT. THE MOTION WAS DULY SECONDED BY COUNCILMAN HIBBS AND CARRIED BY A VOTE OF 6 TO 0.**

**SERVICE REQUEST – MEADOWBROOKE ESTATES**

City Civil Engineer Jessica Filiatreau presented a sewer main service request for a new street on Lutheran Church Road. The gravity sewer main will flow into the existing Miller Springs pump station.

**COUNCILMAN DONES MADE A MOTION TO APPROVE THE GRAVITY SEWER MAIN EXTENSION REQUEST SUBMITTED BY HORIZON ENGINEERING FOR A NEW STREET ON LUTHERAN CHURCH ROAD. THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 6 TO 0.**

**SEWER UPGRADE AGREEMENT – RAISOR HOME BUILDERS, CORP.**

Civil Engineer Jessica Filiatreau detailed a sewer upgrade and reimbursement agreement with Raisor Home Builders for sewer capacity upgrades required to serve the Lutheran Church Road subdivision project.

**COUNCILMAN WILLIAMS MADE A MOTION TO APPROVE ENTERING INTO AN AGREEMENT WITH RAISOR HOME BUILDERS CORPORATION THAT WILL REQUIRE THEM TO PAY FOR THE PORTION OF THE MILLER SPRINGS PUMP STATION UPGRADES FOR THE CAPACITY THE DEVELOPMENT WILL BE UTILIZING AS A RESULT OF THE LUTHERAN CHURCH ROAD SUBDIVISION PROJECT. THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 6 TO 0.**

**CHANGE ORDER NO. 8 – PUBLIC WORKS PROJECT**

City Civil Engineer Jessica Filiatreau said that the new public works building is currently in use and she presented Change Order #8 for items that were not on the final bill.

**COUNCILMAN HIBBS MADE A MOTION TO APPROVE CHANGE ORDER NO. 8 SUBMITTED BY BCD, INC. FOR THE PUBLIC WORKS BUILDING PROJECT IN THE AMOUNT OF FOUR THOUSAND TWO HUNDRED EIGHTEEN DOLLARS AND FORTY-SIX CENTS (\$4,218.46). THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 6 TO 0.**

**DONATION REQUEST – BETHANY HAVEN**

Councilman Dones sponsored a donation request submitted by Bridgett Wilson on behalf of Bethany Haven for \$20,000 to assist with operating costs for their transition shelters and the Room in the Inn programs. Mayor Heaton suggested approving \$15,000.00 now, and evaluating the community development budget later in the year after other requests have been addressed.

**COUNCILWOMAN HART MADE A MOTION TO APPROVE THE DONATION REQUEST SUBMITTED BY BRIDGETT WILSON FOR BETHANY HAVEN IN THE AMOUNT OF FIFTEEN THOUSAND DOLLARS (\$15,000.00). THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0.**

**DONATION REQUEST – OLD BARDSTOWN VILLAGE AND CIVIL WAR MUSEUM**

Councilman Sheckles sponsored a donation request submitted by Frank Welch on behalf of the Old Bardstown Village and Civil War Museum for \$3,000.00 to assist in paying for the repair of their walkway ramp.

**COUNCILMAN SHECKLES MADE A MOTION TO APPROVE THE DONATION REQUEST SUBMITTED BY FRANK WELCH FOR THE OLD BARDSTOWN VILLAGE AND CIVIL WAR MUSEUM IN THE AMOUNT OF THREE THOUSAND DOLLARS (\$3,000.00). THE MOTION WAS DULY SECONDED BY COUNCILMAN HIBBS AND CARRIED BY A VOTE OF 6 TO 0.**

**REVIEW OF MINUTES**

**THE MINUTES FOR THE 8-24-2021 CITY COUNCIL REGULAR SESSION WERE APPROVED BY UNANIMOUS CONSENT.**

**FINANCIAL REPORT COMMUNITY GRANT FUND**

The City of Bardstown received additional CARES ACT funding and can increase the Community Grant Fund as a result. Mayor Heaton said that COVID has been hard on everyone and he suggested adding \$20,000 of this funding to the Community Grant Fund.

**SECOND READING OF ORDINANCE B2021-11 CHAPTER 35 EMPLOYMENT POLICIES**

City Attorney Audrey Haydon read the summary of Ordinance B2021-11 that amends Chapter 35 Employment Policies, The Classification and Compensation Plan.

**SUMMARY OF ORDINANCE B2021-11 CHAPTER 35 EMPLOYMENT POLICIES**

**CLASSIFICATION AND COMPENSATION PLAN**

**AN ORDINANCE AMENDING AND ADOPTING AS AMENDED AN ORDINANCE CREATING THE CLASSIFICATION AND COMPENSATION PLAN.**

This Ordinance amends CHAPTER 35 EMPLOYMENT POLICIES, THE CLASSIFICATION PLAN AND COMPENSATION PLAN of the municipal code by creating and amending the pay grade scale and number of authorized positions.

THE CITY COUNCIL OF THE CITY OF BARDSTOWN, KENTUCKY DOES HEREBY ORDAIN:

That Chapter 35, Employment Policies, the Classification Pay and Compensation Plan be amended by first increasing the total number of positions in the Engineering Department from 8 positions to 9 positions to include any combination of the following job titles:

<u>TITLE</u>	<u>GRADE</u>
WTP Maintenance Specialist	109
WTP Operator IV	109
WTP Operator III	106
WTP Operator II	104
WTP Operator I	103
WTP Operator Trainee	102

With respect to the Pay Grade Scale, the minimum and maximum pay for all pay grades shall be increased by 2.5% to reflect a cost of living increase.

All ordinances in conflict herewith are hereby repealed to the extent of such conflict. This ordinance shall take effect immediately upon its passage, approval and publication as required by law.

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

**COUNCILMAN WILLIAMS MOVED TO ADOPT ORDINANCE B2021-11 AS READ IN SUMMARY BY CITY ATTORNEY AUDREY HAYDON. THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN.**

**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. B2021-11 ADOPTED. IT WILL BE RECORDED IN ORDINANCE BOOK NO. 11, PAGE NO. \_\_\_\_\_.**

**FIRST READING OF B2021-12 PROPERTY TAX RATE 4%**

Chief Financial Officer Aaron Boles presented two options to the Council for this year’s property tax rates. The rates that were selected by the Council are lower than last year’s rates, but they will generate more overall revenue due to an increase in taxable property within the City. Councilman Dones introduced Ordinance B2021-12 to set the property tax rates for FY21 and asked that it be read by City Attorney Audrey Haydon. The public hearing that is required by law, and the second reading are scheduled for September 28, 2021.

**MUNICIPAL ORDER M2021-06 TAX MORATORIUM 418 EAST STEPHEN FOSTER AVENUE**

**COUNCILMAN BUCKMAN MADE A MOTION TO APPROVE MUNICIPAL ORDER M2021-06 FOR A FIVE YEAR TAX MORATORIUM AT 418 EAST STEPHEN FOSTER AVENUE. THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0.**

**HISTORICAL REVIEW BOARD APPOINTMENT**

**COUNCILMAN BUCKMAN MADE A MOTION TO APPOINT SUSAN SLOANE TO FILL THE UNEXPIRED 3-YEAR TERM OF LYSBETH BARKLEY ON THE HISTORICAL REVIEW BOARD TO TAKE EFFECT IMMEDIATELY AND RUN THROUGH JANUARY 10, 2023. THE MOTION WAS DULY SECONDED BY COUNCILWOMAN HART AND CARRIED BY A VOTE OF 6 TO 0.**

**MOBILE FOOD VENDOR APPLICATION – GREAT DANE PIZZA COMPANY**

**COUNCILMAN DONES MADE A MOTION TO APPROVE THE MOBILE FOOD VENDOR APPLICATION FOR THE GREAT DANE PIZZA COMPANY PENDING THE SUBMISSION OF THEIR STATEWIDE HEALTH DEPARTMENT PERMIT. THE MOTION WAS DULY SECONDED BY COUNCILWOMAN HART AND CARRIED BY A VOTE OF 6 TO 0.**

**MOBILE FOOD VENDOR APPLICATION – DEEZ BUTTS BAR-B-QUE**

**COUNCILMAN HIBBS MADE A MOTION TO APPROVE THE MOBILE FOOD VENDOR APPLICATION SUBMITTED BY DEEZ BUTTS BAR-B-QUE. THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 6 TO 0.**

**BOURBON CITY PEDALERS**

Victoria and Joshua Hoff presented their new pedicab business request to the Council. They would like to offer tours of the Historic District, as well as a complimentary taxi service, on a three-wheeled passenger cycle. The pedicab has headlights, taillights, turn signals, brakes and a battery back-up for power. The Council discussed allowing one pedicab at this time, while possibly revisiting the number of vehicles and the code of ordinances at some point in the future.

**COUNCILWOMAN HART MADE A MOTION TO APPROVE THE REQUEST BY OWNERS VICTORIA AND JOSHUA HOFF TO OPERATE A PEDICAB SERVICE, *BOURBON CITY PEDALERS*, WITHIN THE CITY LIMITS. THE MOTION APPROVES ONE PEDICAB WITH THE CONDITION THAT THE OWNERS SUBMIT AN INSURANCE CERTIFICATE WITH A MINIMUM LIABILITY COVERAGE OF ONE MILLION DOLLARS. THE CITY OF BARDSTOWN MUST ALSO BE LISTED AS ADDITIONAL INSURED. THE MOTION WAS DULY SECONDED BY COUNCILMAN HIBBS AND CARRIED BY A VOTE OF 6 TO 0.**

**CEMETERY DEEDS**

**THE MOTION TO APPROVE THE CEMETERY DEED FOR JASON SNELLEN WAS APPROVED BY UNANIMOUS CONSENT.**

**MAYOR'S UPDATE**

Mayor Heaton explained that the City Council meetings have returned to a video conference format because Bardstown and Nelson County have had substantial increases in COVID-19 cases. He encouraged people to get vaccinated.

**EXECUTIVE SESSION**

**COUNCILMAN BUCKMAN MADE A MOTION TO ENTER INTO EXECUTIVE SESSION PURSUANT TO KRS 61.810(1)(C) *DISCUSSIONS OF PROPOSED OR PENDING LITIGATION AGAINST OR ON BEHALF OF THE PUBLIC AGENCY*. THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0. The time was 7:25 pm.**

**COUNCILMAN HIBBS MADE A MOTION TO EXIT THE EXECUTIVE SESSION AND CONTINUE WITH THE REGULAR COUNCIL MEETING. THE MOTION WAS DULY SECONDED BY COUNCILMAN DONES AND CARRIED BY A VOTE OF 6 TO 0. The time was 7:34 pm.**

No action was taken during the Executive Session.

**COUNCIL MEMBER COMMENTS**

Councilman Williams thanked everyone for their support during this difficult time.

**ADJOURNMENT**

**COUNCILMAN BUCKMAN MADE A MOTION TO ADJOURN THE MEETING AT 7:35 PM. THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED WITH A VOTE OF 6-0.**

**CITY OF BARDSTOWN**

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J. Richard Heaton, Mayor

**ATTEST:**

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Gary Little, City Clerk

