

CITY OF BARDSTOWN, KENTUCKY
REGULAR CITY COUNCIL MEETING MINUTES
05-23-2017
7:00 PM

The City Council met in regular session in the Council Chambers with Mayor J. Richard Heaton and the following Councilmen:

Councilman Buckman
Councilman Copeland
Councilman Dones
Councilman Kelley
Councilman Sheckles
Councilman Williams

Others present: City Attorney Tim Butler, Police Officer Brad Carrico, City Civil Engineer Jessica Filiatreau, Engineering Assistant Beth Donahue, Nelson County Gazette Reporter Elijah Brooks, The Kentucky Standard Reporter Randy Patrick, and Citizens Kathy Kelley and Pat Whelan.

WTP BACKWASH PROJECT – CHANGE ORDER

City Civil Engineer Filiatreau presented the change order to the Council, The change order request from GRW Engineering includes installing two 16” butterfly valves into the new backwash piping, this will provide additional isolation and allow the use of the old backwash system in case of emergency.

COUNCILMAN KELLEY MOVED TO ACCEPT THE CHANGE ORDER REQUEST FROM GRW ENGINEERING IN THE AMOUNT OF \$8,781.57. THE MOTION WAS DULY SECONDED BY COUNCILMAN DONES AND CARRIED BY A VOTE OF 6 TO 0.

HISTORICAL REVIEW BOARD

The following recommendations from the Bardstown Historical Review Board were presented:

(b) COA-17-36. Harold Johnson, Applicant, Town and Country Bank and Trust, Owner, request to install a U.P.S dropbox at the rear of the property at 201 North 3rd Street. Recommendation: Approval to install the dropbox at the rear of the building at the proposed location.

(d) COA-17-38. Ralph and Judy Buckley, Applicants/Owners request to install a metal handrail on the front porch and back steps at 109 East Broadway Street. Recommendation: Approval to install the proposed handrail with the submitted design and color.

(f) COA-17-40. Weiland Shelburne, Applicant/Owner requests to install a new roof at 112 West Broadway Street. Recommendation: Approval to install the proposed roof with the following conditions: Conditions: If the applicant could choose a thinner seam and that would have to be approved by the Preservation Coordinator. The color of the roof would be the Colonial Red. The tuck pointing of the chimney would also have to be approved by the Preservation Coordinator.

(g) COA-17-41. Kandice Walton, Applicant/Owner requests to install a shed at 317 Raspberry Alley. Recommendation: Approval to install the proposed shed with the colors listed on the application.

(i) COA-17-43. John and Nancy Ballard, applicants/owners propose to install shed doors at 210 East Flaget Avenue. Recommendation: Approval to install the proposed shed doors with the stain color listed on the application.

COUNCILMAN WILLIAMS MOVED TO ACCEPT THE RECOMMENDATIONS FROM THE HISTORICAL REVIEW BOARD FOR COA #17-36, #17-38, #17-40, #17-41, AND #17-43 WITH THE CONDITIONS SET FORTH BY THE HRB. THE MOTION WAS DULY SECONDED BY COUNCILMAN COPELAND AND CARRIED BY A VOTE OF 6 TO 0.

Councilman Buckman recused himself from the meeting at 7:12pm prior to the additional HRB recommendations for the following:

(a) COA-17-35. Jimmy Crume, Applicant/Owner requests to demolish a shed at 210 East Broadway. Recommendation: Approval to demolish the shed.

(c) COA-17-37. Bardstown Main Street Program., Applicant, City of Bardstown, Owner request to install LED string lights down the alley way at West Raspberry Alley between 110 North 3rd Street and 112 North 3rd Street. Recommendation: Approval to install the lights with the following condition: Condition: The Preservation Coordinator will approve the final display of the lights in the alley.

(j) COA -17-44. Joe Buckman, applicant/ K and N Investments LLC., owners propose to renovate the storefront at 458 East Stephen Foster Avenue. Recommendation: Approval to renovate the storefront with the proposed design, colors, and materials.

COUNCILMAN SHECKLES MOVED TO ACCEPT THE RECOMMENDATIONS FROM THE HISTORICAL REVIEW BOARD FOR COA #17-35, #17-37, AND #17-44 WITH THE CONDITIONS SET FORTH BY THE HRB. THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 5 TO 0.

Councilman Buckman returned to the meeting at 7:15pm.

Councilman Dones recused himself from the meeting at 7:15pm prior to the additional HRB recommendation for the following:

(h) COA-17-42. Dana Dones, Applicant, Clear Properties LLC., Owner requests to install a new roof at 511, 511 ½, 513 North 3rd Street. Recommendation: Approval to install the roof with the following conditions: Conditions: The metal roof profile will be the NS 100 with the color Mansford Brown. For the shingle roof, it is going to be a three-dimensional shingle with the Driftwood color presented to the board. All of this must be presented to the Preservation Coordinator before it is installed.

COUNCILMAN BUCKMAN MOVED TO ACCEPT THE RECOMMENDATIONS FROM THE HISTORICAL REVIEW BOARD FOR COA #17-42 WITH THE CONDITIONS SET FORTH BY THE HRB. THE MOTION WAS DULY SECONDED BY COUNCILMAN SHECKLES AND CARRIED BY A VOTE OF 5 TO 0.

Councilman Dones returned to the meeting at 7:17pm.

NELSON COUNTY COMMUNITY CLINIC – RUN FOR THE HEALTH OF IT

COUNCILMAN SHECKLES MOVED TO ACCEPT THE REQUEST FROM THE NELSON COUNTY COMMUNITY CLINIC TO USE CITY STREETS TO HAVE A RUN/WALK ON JUNE 10, 2017 PROVIDED THEY ALSO RECEIVE THE APPROPRIATE PERMISSION FROM THE KY TRANSPORTATION CABINET. THE MOTION WAS DULY SECONDED BY COUNCILMAN KELLEY AND CARRIED BY A VOTE OF 6 TO 0.

MINUTES

COUNCILMAN KELLEY MOVED TO APPROVE THE REGULAR MEETING MINUTES FOR 05-09-2017. THE MOTION WAS DULY SECONDED BY COUNCILMAN COPELAND AND CARRIED BY A VOTE OF 6 TO 0.

FINANCIAL REPORT

Mayor Heaton announced that the first draft for the Fiscal Year 2017-2018 Proposed Budget will be distributed this week to the Council for review and that they should address questions or concerns to him and/or Chief Financial Officer Tracy Hudson.

SECOND READING OF ORDINANCE B2017-08 FY2016-17 BUDGET AMENDMENT

City Attorney Butler gave the second reading of Ordinance B2017-08.

ORDINANCE NO. B2017 – 08

AN ORDINANCE AMENDING AND ADOPTING AS AMENDED ORDINANCE NO. B2017-06 THE CITY OF BARDSTOWN'S BUDGET ORDINANCE FOR THE FISCAL YEAR JULY 1, 2016 THROUGH JUNE 30, 2017.

WHEREAS an annual budget for Fiscal Year 2016-2017 was adopted by the City Council of the City of Bardstown on June 28, 2016 (B2016-06) and amended on March 14, 2017 (B2017-06); and

WHEREAS there have been additional, unanticipated changes in expenditures since March of 2017.

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

Section I.

The annual budget for the fiscal year 2016-2017 is hereby amended as follows:

- 1) General Fund: Increase authorized expenditures from \$8,609,266 to \$8,691,266;

Section II.

The annual budget is hereby amended and attached hereto, reflecting the above referenced amendment to the General Fund expenditures that comprise the FY 2016-2017 budget for the City of Bardstown.

Section III.

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.

**CITY OF BARDSTOWN
SUMMARY OF OPERATING BUDGETS FY17**

Amended May 2017

	Revenues	Expenses	Total Revenue over (under) Expenditures
GENERAL FUND			
Prior Year Fund Balance	139,373	-	139,373
Administration	1,269,622	1,026,026	243,596
Police	168,646	2,861,843	(2,693,197)
Recreation	61,500	422,712	(361,212)
Pool	51,500	71,500	(20,000)
Fire	314,250	1,737,084	(1,422,834)
COBEC	76,000	82,301	(6,301)
Finance	6,190,320	1,105,470	5,084,850
Street	421,050	1,384,329	(963,279)
GENERAL FUND BUDGET	8,692,261	8,691,266	995
ENDING BALANCE			140,368

COMBINED UTILITIES			
Prior Year Fund Balance (partial)	2,000,000	-	2,000,000
Electric	15,410,000	15,765,299	(355,299)
Water	5,577,000	6,707,604	(1,130,604)
Sewer	4,110,000	3,939,800	170,200
Cable	7,980,000	7,840,716	139,284
Internet	3,342,000	3,294,581	47,419
Garbage	1,547,160	1,582,279	(35,119)
COMBINED UTILITIES BUDGET	39,966,160	39,130,279	835,881
TRANSFER TO CONSTRUCTION FUND			
ENDING BALANCE			835,881

GENERAL FUND & COMBINED UTILITIES ENDING BALANCE	48,658,421	47,821,545	976,249
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COUNCILMAN WILLIAMS MOVED TO APPROVE ORDINANCE B2017-08 FY2016-17 BUDGET AMENDMENT. THE MOTION WAS DULY SECONDED BY COUNCILMAN SHECKLES.

THE MAYOR CALLED THE ROLL AND THE FOLLOWING VOTED:

COUNCILMAN KELLEY	-	AYE
COUNCILMAN COPELAND	-	AYE
COUNCILMAN BUCKMAN	-	AYE
COUNCILMAN WILLIAMS	-	AYE
COUNCILMAN SHECKLES	-	AYE
COUNCILMAN DONES	-	AYE

MAYOR HEATON THEN DECLARED ORDINANCE NO. B2017-08 ADOPTED. IT WILL BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. _____.

REPORTS OF STAFF AND COMMITTEES

Cemetery Committee meeting held on 05-10-2017 – Chairman Buckman reported that the Bardstown Cemetery will need monies for future budgets due to the fact of operating on a Certificate of Deposit that was created in 2003 has dwindled to \$48,000.00. The landscape remodel and an addition of a columbarium area were reported.

City Civil Engineer Filiatreau reported that the City of Bardstown received the Transportation Alternative Program grant (\$138,000 in matching funds) that will allow the sidewalk connection along Highway 245 from Bloomfield Rd to US 31E.

UNFINISHED BUSINESS

The minutes from the following committee meetings were distributed for review:

Water and Wastewater Committee meeting held on 05-01-2017 – Chairman Sheckles reported the meeting covered proposed budget items which included Salary and Wages, Publication and Advertising and Capital Improvements.

Street and Solid Waste Committee meeting held on 05-03-2017 – Chairman Buckman reported the meeting covered proposed budget items which included the Five Year Plans for Street and Solid Waste.

MUNICIPAL ORDER M2017-08 AMEND COUNCIL COMMITTEES

City Attorney Butler read the following Municipal Order:

MUNICIPAL ORDER NO. M2017-08

WHEREAS: At a special called meeting held on April 13, 2017, the Bardstown City Council voted unanimously to remove John Royalty as the Mayor of Bardstown for misconduct; and

WHEREAS: At a special called meeting held April 18, 2017, the Bardstown City Council voted to appoint Councilman J. Richard Heaton as Mayor to fill the unexpired term of John Royalty until December 31, 2018; and

WHEREAS: At the regular meeting held April 25, 2017, the Bardstown City Council voted to appoint David Dones to fill the unexpired term of former Councilman J. Richard Heaton until December 31, 2018; and

WHEREAS: Mayor Heaton has recommended the formation of a Recreation Committee to address City issues since the City choose not to renew its joint inter-local agreement with Nelson County Fiscal Court.

NOW THEREFORE, be it ordered by the City Council of the City of Bardstown, Commonwealth of Kentucky:

That the Council Committees established through Municipal Order M2017-01 and amended in Municipal Order M2017-03 be amended in the following manner:

1. That the Safety Committee of the City Council whose members are: Chairman Councilman John Kelley, Councilman [~~Joe Buckman~~] **Kecia Copeland**, Councilman Bill Sheckles, the Police Chief or his/her designee and the Fire Chief or his/her designee shall have regularly scheduled meetings on the second Thursday of March, June, September and December each year at 5:00pm in the Mayor’s Conference Room of City Hall located at 220 North 5th Street.
2. That there is hereby named a Finance Committee of the City Council whose members shall be: Co-Chairman Mayor [~~John Royalty~~] **J. Richard Heaton**, Co-Chairman Councilman Roland Williams, Councilman John Kelley, Councilman [~~Dick Heaton~~] **Bill Sheckles** and the Chief Financial Officer, and that the Finance Committee shall have meetings as needed.
3. That there is hereby named a Long-Term Planning Committee of the City Council whose members shall be: Chairman Councilman Kecia Copeland, Councilman Joe Buckman and Councilman Roland Williams, and that the Long-Term Planning Committee shall have meetings as needed.
4. That the Electric and Cable TV Committee of the City Council whose members are: Chairman Councilman [~~Dick Heaton~~] **David Dones**, Councilman Roland Williams, Councilman Kecia Copeland, the City Electrical Engineer and the Electric Superintendent shall have regularly scheduled meetings on the first Tuesday of January, April, July and October each year at 4:00pm in the Council’s Chamber located on the second floor at 116 North 5th Street.
5. That there is hereby named a Water and Wastewater Committee of the City Council whose members shall be: Chairman Councilman Bill Sheckles, Councilman John Kelley, Councilman [~~Kecia Copeland~~] **David Dones**,

Mayor [~~John Royalty~~] **J. Richard Heaton**, the Director of Public Works and Engineering and the City Civil Engineer and that the Water and Wastewater Committee shall have meetings as needed.

6. That there is hereby created a Cemetery Committee of the City Council whose members shall be: Chairman Councilman Joe Buckman, [~~Councilman Dick Heaton~~], Councilman Bill Sheckles, the Director of Public Works and Engineering, the Public Works Superintendent, the Groundskeeper, the Sexton and the citizen-member, and that the Cemetery Committee shall have regularly scheduled meetings on the second Wednesday of February, May, August and November of each year at 8:30 a.m. in the Mayor’s Conference Room of City Hall located at 220 North 5th Street.

7. That there is hereby named a Street, Solid Waste and Transportation Planning Committee of the City Council whose members shall be: Chairman Councilman Joe Buckman, Councilman Roland Williams, Councilman Kecia Copeland, the Director of Public Works and Engineering and the City Civil Engineer and the Public Works Superintendent and that the Street, Solid Waste and Transportation Planning Committee shall have meetings as needed.

8. That there is hereby named an Annexation Committee of the City Council whose members shall be: Chairman Councilman [~~Dick Heaton~~] **John Kelley**, Councilman [~~John Kelley~~] **David Dones**, Councilman Bill Sheckles, the Human Resource Director, the Director of Public Works and Engineering and the City Civil Engineer and that the Annexation Committee shall have meetings as needed.

9. That there is hereby named a Recreation Committee of the City Council whose members shall be: Chairman Councilman Roland Williams, Councilman Kecia Copeland, Councilman David Dones and the Recreation Director; and that the Recreation Committee shall have regularly scheduled meetings quarterly beginning in June of 2017 on the 4th Thursday of the month, 5:00 PM in the City Council Chambers located on the second floor at 116 North 5th Street. Thereafter, the quarterly months will be September, December, March and June.

COUNCILMAN WILLIAMS MOVED TO APPROVE MUNICIPAL ORDER M2017-08 AMEND COUNCIL COMMITTEES. THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 6 TO 0.

COUNCIL COMMENTS

Councilman Kelley reported that he had received Attorney Scott Crosbie’s proposal of an agreement to defend the City of Bardstown and the City Council. He reported the proposal was the same as the previous agreements with the exception that the hourly attorney rate would increase to \$165.00. The information was sent to the Council prior to the meeting for their review. Councilman Kelley recommended to the Council that this proposal be accepted and that a contract be entered into with Attorney Crosbie to address and respond to the appeal of former Mayor John Royalty.

COUNCILMAN WILLIAMS MOVED TO RETAIN THE SERVICES OF SCOTT CROSBIE TO REPRESENT THE CITY OF BARDSTOWN AND THE CITY COUNCIL TO ANSWER THE APPEAL TO THE FINDINGS OF THE HEARING OF FORMER MAYOR JOHN ROYALTY. ALSO TO AUTHORIZE THE MAYOR TO SIGN ON BEHALF OF THE CITY AND COUNCILMAN KELLEY TO SIGN ON BEHALF OF THE COUNCIL. THE MOTION WAS DULY SECONDED BY COUNCILMAN COPELAND AND CARRIED BY A VOTE OF 6 TO 0.

CEMETERY DEEDS

THE MOTION TO APPROVE THE CEMETERY DEED FOR PAUL CUNDIFF WAS APPROVED BY UNANIMOUS CONSENT.

ADJOURNMENT

COUNCILMAN WILLIAMS MOVED TO ADJOURN THE MEETING AT 7:55PM. THE MOTION WAS DULY SECONDED BY COUNCILMAN COPELAND AND CARRIED BY A VOTE OF 6 TO 0.

CITY OF BARDSTOWN

J. Richard Heaton, Mayor

ATTEST:

Barbara Bryant, City Clerk