

**CITY OF BARDSTOWN, KENTUCKY
REGULAR CITY COUNCIL MEETING MINUTES
08-08-2017
7:00 PM**

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

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

Others present: City Attorney Tim Butler, City Clerk Mary Riley, City Electrical Engineer Jeff Mills, City Civil Engineer Jessica Filiatreau, CFO Tracy Hudson, HR Director / Risk Manager Greg Ashworth, Interim Police Chief CD Marksbury, Nelson County Gazette Reporter Jim Brooks, Kentucky Standard Reporter Randy Patrick, and Citizens Pat Whelan and Mary Anne Brown.

RECEIVE INPUT FROM PUBLIC

Mayor Heaton invited Citizen Mary Anne Brown to address the Council. Mrs. Brown indicated that the Internet staff at the City are competent and quick to resolve any problem and above all, they are friendly. However, she objects to the \$3 per month increase in the Internet rate which equates to a 12% increase in the past 19 months. While Mrs. Brown understands the increase in price for sharing the infrastructure and increased speeds, she has the most issue with having cable customers receive a reduction in their rate.

Jim Brooks explained an issue he had with Internet connectivity after a very close lightning strike. He was extremely pleased with the service he received from the Internet staff and how quickly he was back up and running, which is critical for his line of work. He pointed out that he would not have received that level of service and prompt reconnection had he been with a national provider. He appreciates the level of service and the courteous and knowledgeable help.

WATER TREATMENT PLANT IMPROVEMENTS – CHANGE ORDER

City Civil Engineer explained that the need for this Change Order was due to an error in the elevation indicated on an existing drawing. Once in the field, it was discovered that the elevation of the pipe was 1.5’ deeper than anticipating, thereby requiring the risers to bring the existing infrastructure up to grade.

UPON MOTION BY COUNCILMAN KELLEY, DULY SECONDED BY COUNCILMAN WILLIAMS, AND CARRIED BY A VOTE OF 6 TO 0, THE CHANGE ORDER WAS APPROVED AS SUBMITTED.

MINUTES

THE WORKING SESSION MEETING MINUTES FOR 08-01-2017 WERE APPROVED BY UNANIMOUS CONSENT.

2017 PROPERTY TAX RATE OPTIONS

Mayor Heaton and the Council discussed how each tax rate would potentially affect the resident of the City, as well as the effect on the City’s revenue. While no action was taken, there was a favorable consensus to keep the same rate as last year.

FIRST READING OF ORDINANCE B2017 – CABLE / INTERNET RATE AMENDMENTS

City Electrical Engineer Jeff Mills provided an overview of the rate amendments being proposed. Councilman Williams introduced the ordinance and asked that it be read in full. City Attorney Butler read the ordinance as follows:

ORDINANCE NO. B2017 – CABLE / INTERNET RATE ADJUSTMENTS

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 54.04(D)(1), 54.04(F)(1)(a), 54.04(F)(2)(a), and 54.04(I)(1, 2) be amended as follows:

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

(D) All subscribers, except for multiple-use subscribers, and educational/charitable/institutional subscribers, shall pay the following charges for the services as listed:

(1) Basic CATV Service

Programming Charge:	\$7.12 <u>\$8.24</u> /month, plus:
(a) Within Corporate Limits	\$10.00 <u>\$7.00</u> /month
(b) Outside Corporate Limits	\$14.75 <u>\$11.75</u> /month

This is the minimum CATV programming service level and may include local and distant broadcast signals, public, educational and governmental channels, home shopping network(s), and local origination channel(s).

Effective ~~February 1, 2016~~ **September 1, 2017**, the retail rate for Basic **CATV Service** under this section 54.04(D)(1), shall further be modified to reflect any increases or decreases in the applicable wholesale programming costs that occur subsequent to ~~February 1, 2016~~ **September 1, 2017**.

(F) Multiple-use subscribers, and educational/charitable/institutional subscribers, shall pay the following charges for the services as listed:

(1) Multiple-use (Bulk) subscribers shall pay the following charges for services as listed:

(a) Basic CATV Service

Programming Charge:	\$7.12 <u>\$8.24</u> /month, plus:
(a) Within Corporate Limits	\$10.00 <u>\$7.00</u> /month
(b) Outside Corporate Limits	\$14.75 <u>\$11.75</u> /month

plus \$1.00 per month per additional outlet; required on all outlets.

This is the minimum CATV programming service level and may include local and distant broadcast signals, public, educational and governmental channels, home shopping network(s), and local origination channel(s).

Effective ~~February 1, 2016~~ **September 1, 2017**, the retail rate for Basic CATV Service under this section 54.04(F)(1), shall further be modified to reflect any increases or decreases in the applicable wholesale programming costs that occur subsequent to ~~February 1, 2016~~ **September 1, 2017**.

(2) Educational/Charitable/Institutional subscribers shall pay the following charges for services as listed:

(a) Basic CATV Service

Programming Charge:	\$7.12 <u>\$8.24</u> /month, plus:
(a) Within Corporate Limits	\$10.00 <u>\$7.00</u> /month
(b) Outside Corporate Limits	\$14.75 <u>\$11.75</u> /month

This is the minimum CATV programming service level and may include local and distant broadcast signals, public, educational and governmental channels, home shopping network(s), and local origination channel(s).

Effective ~~February 1, 2016~~ **September 1, 2017**, the retail rate for Basic CATV Service under this section 54.04(F)(2), shall further be modified to reflect any increases or decreases in the applicable wholesale programming costs that occur subsequent to ~~February 1, 2016~~ **September 1, 2017**.

(I) Cable Modem Internet Service

(1) Residential service:

~~{6 Mb/s \$28.25 per month}~~

{10 Mb/s	\$33.25 per month
{20 Mb/s	\$43.25 per month
{40 Mb/s	\$53.25 per month
<u>10 Mb/s</u>	<u>\$31.25 per month</u>
<u>25 Mb/s</u>	<u>\$36.25 per month</u>
<u>50 Mb/s</u>	<u>\$46.25 per month</u>
<u>100 Mb/s</u>	<u>\$56.25 per month</u>

Customers may rent a modem from the City at a cost of \$3.00 per month or may provide their own modem meeting City specifications.

(2) Commercial service costs depend on the number of users and the bandwidth (speed) requested. Commercial customers may rent the modem at a cost of \$3.00 per month, or may provide their own modem meeting City specifications. The monthly rates for commercial services are:

{Up to 5 users, at 20 Mb/s	\$ 53.25 per month
{Up to 25 users, at 40 Mb/s	\$ 73.25 per month
{Up to 25 users, at 80 Mb/s	\$113.25 per month
{Over 25 users, and/or over 80 Mb/s	(by contract)}
<u>Up to 5 users, at 50 Mb/s</u>	<u>\$56.25 per month</u>
<u>Up to 25 users, at 80 Mb/s</u>	<u>\$76.25 per month</u>
<u>Up to 25 users, at 100 Mb/s</u>	<u>\$116.25 per month</u>
<u>Over 25 users, and/or over 100 Mb/s (by contract)</u>	

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 August 31, 2017, i.e. for bills due on or after September 01, 2017.

This ordinance or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

FIRST READING OF ORDINANCE B2017 – PROPERTY TAX RATE (SAME RATE)

Councilman Sheckles introduced the ordinance and asked that it be read in full. City Attorney Butler read the ordinance as follows:

AN ORDINANCE AMENDING AND ADOPTING AS AMENDED AN ORDINANCE STYLED “AN ORDINANCE LEVYING TAX ON PROPERTY SUBJECT TO TAX IN THE CITY OF BARDSTOWN: FIXING RATES THEREON AND DESIGNATING THE FUNDS AND PURPOSES FOR WHICH EXPENDITURES ARE AUTHORIZED FOR THE FISCAL YEAR JULY 1, 2017 TO JUNE 30, 2018.

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

1. That there be and hereby is levied the sum of \$0.1820 on each ONE HUNDRED dollars of real property subject to taxation, the sum of \$0.1912 on each ONE HUNDRED dollars of personal property subject to taxation, and the sum of \$0.24 on each ONE HUNDRED dollars of motor vehicle and water craft subject to taxation in the City of Bardstown for the fiscal year July 1, 2017 to June 30, 2018.
2. All monies hereinafter collected for taxes due for the year 2017-2018 and all years prior thereto shall be allocated to the General Fund for the general expenses of city government including, but not limited to, recreation, police and fire protection, general government, and the maintenance of streets and highways.
3. Collection of property tax bills of TEN DOLLARS (\$10.00) or less may be waived by the Chief Financial Officer.

4. All taxpayers whose taxes are not paid by the last day of October or by the thirtieth day after the mailing of the tax bill, whichever is later, shall pay a penalty of TEN PERCENT (10%) of the amount of taxes due and unpaid and in addition thereof shall pay interest on the unpaid taxes at the rate of ONE PERCENT (1%) per month or part thereof until paid.
5. A 2% Convenience Fee is levied on any credit card transaction payment of property tax bills.

This Ordinance shall be in full force upon its publication and all ordinances or parts of ordinances in conflict are hereby repealed to the extent of that conflict.

At the conclusion of the reading, Councilman Kelley pointed out the error in the date range in the introduction of the Ordinance. He asked that the dates July 1, 2016 to June 30, 2017 be corrected to represent the current budget year. CFO Hudson provided City Clerk Riley with the corrected version which has been published in these meeting minutes.

UPON MOTION BY COUNCILMAN BUCKMAN, DULY SECONDED BY COUNCILMAN WILLIAMS, AND CARRIED BY A VOTE OF 6 TO 0, A SPECIAL PUBLIC HEARING WILL BE SCHEDULED FOR AUGUST 22, 2017 AT 6:45PM, IMMEDIATELY BEFORE THE COUNCIL MEETING, TO RECEIVE PUBLIC FEEDBACK REGARDING THE TAX RATE FOR FISCAL YEAR 2017 - 2018.

MUNICIPAL ORDER M2017-12 COUNCIL TRAVEL / TRAINING POLICY AMENDMENT

City Attorney Butler read the following Municipal Order.

MUNICIPAL ORDER NO. M2017-12

WHEREAS, THE ANNUAL BUDGET HAS FUNDS FOR COUNCILMAN TRAINING AND TRAVEL;

WHEREAS, THE NEED EXISTS TO ESTABLISH GUIDELINES FOR EXPENDITURE OF THESE FUNDS;

THEREFORE, BE IT ORDERED BY THE BARDSTOWN CITY COUNCIL:

SECTION 1

That each Councilman is allotted an amount of \$1,000.00 for travel and training uses per calendar year. Funds may be utilized at each Councilman’s discretion for tuition for seminars, conferences, Kentucky League of Cities (KLC) classes and Academies, and any other training or trips that prepare him/her to better serve. These funds may also be used for car rental, mileage reimbursement, plane travel, parking, tolls, etc., for travel purposes to attend such training. However, costs for Councilmen to attend the annual Kentucky League of Cities conference in the fall of each year may be covered by funds allocated from the Administration’s budget for Travel, Lodging and Entertainment.

That an expense report (including receipts for mileage calculations) detailing all costs, will be submitted to the Chief Financial Officer for reimbursement within thirty (30) days from the conclusion of the training.

SECTION 2

That this order shall take effect and be in full force when passed and recorded according to law.

SECTION 3

This Municipal Order repeals and replaces Municipal Order M2016-17.

COUNCILMAN WILLIAMS MOVED TO APPROVE MUNICIPAL ORDER M2017-12 COUNCIL TRAVEL/TRAINING POLICY AMENDMENT. THE MOTION WAS SECONDED BY COUNCILMAN SHECKLES AND CARRIED BY A VOTE OF 6 TO 0.

CITY COUNCIL MEMBER COMMENTS

Mayor Heaton and Councilman Sheckles confirmed the Buttermilk Days Festival is scheduled to be held August 24th – 27th, 2017.

Mayor Heaton shared with the Council that Preservation Coordinator Rashae Jennings recently received two (2) Certified Local Government grant awards. The first matching grant of \$6,178.25 will assist with the production of three stand-alone workshops on different historic preservations topics. The second grant for \$7,817.70 will allow for the development of a digital walking tour of Bardstown.

CEMETERY DEEDS

THE CEMETERY DEEDS FOR MICHAEL WAYNE UNDERWOOD AND DONNA HASTA WERE APPROVED BY UNANIMOUS CONSENT.

ANNOUNCEMENTS

CFO Hudson reported that effective today, the City can now accept payments by credit card inside City Hall. The online payment portal has also been revised and updated.

Councilman Copeland reminded the Council that there will be an Urban Agriculture workshop on August 15th, 2017, presented by the Extension Office in conjunction with the Planning and Zoning Commissions. The topics to be discussed are incorporating chickens and bees in the City limits and she encouraged the Council to attend.

ADJOURNMENT

COUNCILMAN SHECKLES MOVED TO ADJOURN THE MEETING AT 7:43PM. THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 6 TO 0.

CITY OF BARDSTOWN

J. Richard Heaton, Mayor

ATTEST:

Mary Riley, City Clerk