

**CITY OF BARDSTOWN, KENTUCKY  
REGULAR CITY COUNCIL MEETING MINUTES**

**8/13/2019**

**6:00 PM**

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

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

Others present: City Attorney Audrey Haydon, Chief Financial Officer Tracy Hudson, Police Chief Kim Kraeszig, Fire Chief Billy Mattingly, City Civil Engineer Jessica Filiatreau, Chief Information Officer Nahom Ayele, Interim City Clerk Gary Little, Assistant City Clerk Lisa Burdett, Gregory Smith and Jody Stevenson with Smith Brothers Distributing, Richard Smith with HDR Engineering, Mike Mangeot with the Bourbon Festival, and citizen Pat Whelan.

Media present: Nelson County Gazette Reporter Elijah Brooks, Kentucky Standard Reporter Randy Patrick, PLG Reporter Matt Gordon.

**KENTUCKY BOURBON FESTIVAL**

Mike Mangeot, Executive Director of the Kentucky Bourbon Festival explained the road closures that will take place during the week of the Bourbon Festival, September 18-22, 2019.

**UPON MOTION BY COUNCILMAN HIBBS, DULY SECONDED BY COUNCILMAN WILLIAMS, THE ROAD CLOSURE REQUEST FOR THE KENTUCKY BOURBON FESTIVAL ON SEPTEMBER 18-22, 2019 WAS APPROVED. THE MOTION CARRIED 5 TO 0.**

**BUDWEISER CLYDESDALES**

Jody Stevenson, Area Sales Manager for Smith Brothers Distributing, provided the Bourbon Festival appearance schedule for the Budweiser Clydesdales and noted that any road closures would be temporary as the horses make their way through downtown Bardstown on September 19, 2019.

**UPON MOTION BY COUNCILMAN SHECKLES, DULY SECONDED BY COUNCILMAN DONES, THE ROAD CLOSURE REQUEST FOR THE BUDWEISER CLYDESDALES APPEARANCE ON SEPTEMBER 19, 2019 WAS APPROVED. MOTION CARRIED 5 TO 0.**

**NEW LIFE CENTER 5K RUN/WALK**

**UPON MOTION BY COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN HIBBS, THE ROAD CLOSURE REQUEST FOR THE NEW LIFE CENTER 5K RUN/WALK ON NOVEMBER 28, 2019 WAS APPROVED. MOTION CARRIED 5 TO 0.**

**ROWAN CREEK WASTEWATER IMPROVEMENTS – AMENDMENT #2**

Richard Smith, Project Manager with HDR Engineering, explained the Rowan Creek Wastewater System Improvements Amendment #2 which includes additional services for bidding, construction and funding administration of Contract #3. City Civil Engineer Jessica Filiatreau supported the amendment.

**UPON MOTION BY COUNCILMAN DONES, DULY SECONDED BY COUNCILMAN BUCKMAN, AMENDMENT NUMBER TWO IN THE AMOUNT OF ONE HUNDRED TWENTY-THREE THOUSAND THREE HUNDRED NINETY-TWO DOLLARS (\$123,392) SUBMITTED BY HORIZON ENGINEERING, LLC FOR ADDITIONAL SERVICES ON CONTRACT NUMBER THREE OF THE ROWAN CREEK WASTEWATER IMPROVEMENT PROJECT WAS APPROVED. THE MOTION CARRIED 5-0.**

**LAGOON CLEANING – REQUEST FOR PROPOSAL**

City Civil Engineer Jessica Filiatreau discussed the need for lagoon cleanouts at both wastewater treatment plants and reported that the City had requested proposals for the service. H&A Resource Management submitted a proposal of \$578.75 per dry ton with mobilization and demobilization fees of \$3450.00 per location.

**UPON MOTION BY COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN HIBBS, THE PROPOSAL SUBMITTED BY H&A RESOURCE MANAGEMENT TO PERFORM LAGOON CLEANING AT A COST OF FIVE HUNDRED SEVENTY-EIGHT DOLLARS AND SEVENTY-FIVE CENTS (\$578.75) PER DRY TON WITH MOBILIZATION FEES AS LISTED IN THEIR PROPOSAL WAS APPROVED. THE MOTION CARRIED WITH A VOTE OF 5-0.**

**POTTERSHOP PUMP STATION UPGRADE – CHANGE ORDER NO. 1**

HDR Engineering Project Manager Richard Smith explained the change order to the Rowan Creek Contract #2 in the amount of \$33,925.00, with 45 days to be added to the contract time. City Civil Engineer Jessica Filiatreau detailed that the additional expense would reduce system down-time during construction and correct conflicts with elevation changes and tie-in points.

**UPON MOTION BY COUNCILMAN SHECKLES, DULY SECONDED BY COUNCILMAN DONES, CHANGE ORDER NUMBER ONE TO THE POTTERSHOP PUMP STATION UPGRADE CONTRACT IN THE AMOUNT OF THIRTY-THREE THOUSAND NINE HUNDRED TWENTY-FIVE DOLLARS (\$33,925) ALONG WITH FORTY-FIVE (45) ADDITIONAL DAYS OF CONTRACT TIME WAS APPROVED. THE MOTION CARRIED 5-0.**

**BLACKBERRY ALLEY IMPROVEMENT REQUEST**

In a letter to the Mayor and City Council, David and Gayle Hobbs requested permission to add gravel to Blackberry Alley to improve access to their property at 216 East Flaget Avenue.

**UPON MOTION BY COUNCILMAN DONES, DULY SECONDED BY COUNCILMAN BUCKMAN, THE REQUEST BY DAVID AND GAYLE HOBBS TO IMPROVE BLACKBERRY ALLEY WAS APPROVED. THE MOTION CARRIED 5-0.**

**REVIEW OF MINUTES**

**THE MINUTES FOR THE 7/23/2019 AND 8/6/2019 CITY COUNCIL MEETINGS WERE APPROVED BY UNANIMOUS CONSENT.**

**PROPERTY TAX RATES**

Chief Financial Officer Tracy Hudson provided information pertaining to the property tax rates for FY2019/2020. She explained that the three choices are a compensating rate, the same rate as the previous year and a rate that would produce 4% more revenue. As a result of a brief discussion, an ordinance proposing that the rates remain the same will be presented to the Council at the next meeting.

**SECOND READING ORDINANCE B2019-10 CABLE TV/INTERNET RATE CHANGES**

Chief Information Officer Nahom Ayele reviewed the changes in Cable TV and Internet rates as presented in the summary of Ordinance B2019-10.

**SUMMARY OF ORDINANCE NO. B2019-10**

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

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

This section will be amended to reflect the new charges for cable television subscribers, both within the corporate limits and outside the corporate limits, as well as multiple-use and educational/charitable/institutional subscribers, as set forth on the attached table summarizing the changes, with the new rates to be in effect September 1, 2019. Additionally, this section will also be amended to reflect differentiated rates for both residential and commercial subscribers with cable modem internet service within the corporate limits and those outside the corporate limits. All cable modem internet service customers will have their connectivity speeds at least doubled. Cable modem internet service customers within the corporate limits will not have any change in their monthly rate, and those customers outside the corporate limits will see a rate increase as set forth on the attached table summarizing the changes, with the new rates to be in effect September 1, 2019. All proposed subscriber rates and charges are reflected on the table, attached to this summary as Exhibit A.

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 [~~January 31, 2016~~] **August 30, 2019**, i.e. for bills due on or after [~~February 01, 2016~~] **September 1, 2019**.

This ordinance or parts of ordinances in conflict herewith are repealed to the extent of such conflict. That from and after the passage, approval, and publication of this Ordinance, Chapter 54: Cable Television is amended and adopted in its entirety. (See Attached).

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

The complete text of the ordinance is available from the City Clerk at 220 North 5<sup>th</sup> Street, Bardstown, KY.

**COUNCILMAN DONES MOVED TO ADOPT ORDINANCE B2019-10 AS READ IN SUMMARY BY CITY ATTORNEY AUDREY HAYDON. THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS.**

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

COUNCILMAN DONES	-	AYE
COUNCILMAN SHECKLES	-	AYE
COUNCILMAN WILLIAMS	-	AYE
COUNCILMAN BUCKMAN	-	AYE
COUNCILWOMAN HART	-	(ABSENT)
COUNCILMAN HIBBS	-	AYE

**MAYOR HEATON THEN DECLARED ORDINANCE NO. B2019-10 ADOPTED. IT WILL BE RECORDED IN ORDINANCE BOOK NO. 11, PAGE NO. \_\_\_\_\_.**

**CITY CLERK APPOINTMENT**

Mayor Heaton recommended that Interim City Clerk Gary Little be appointed to the position of City Clerk.

**COUNCILMAN WILLIAMS MADE A MOTION TO APPROVE THE APPOINTMENT OF GARY LITTLE AS THE CITY CLERK OF BARDSTOWN. THE MOTION WAS DULY SECONDED BY COUNCILMAN HIBBS AND CARRIED BY A VOTE OF 5-0.**

**RESOLUTION R2019-06**

City Civil Engineer Jessica Filiatreau presented a resolution for the City of Bardstown to accept two approach roadway sections and their right of ways into the City Road System. These will be created by the widening of U.S. 150 near Hwy 245 which will be under construction soon.

**COUNCILMAN DONES MOVED TO APPROVE RESOLUTION R2019-06 ADOPTING AND APPROVING THE ACCEPTANCE OF APPROACH ROADWAY SECTIONS AND THEIR ADJACENT RIGHT OF WAYS INTO THE CITY ROAD SYSTEM. COUNCILMAN BUCKMAN SECONDED THE MOTION AND IT CARRIED WITH A VOTE OF 5-0.**

**RESOLUTION R2019-07**

City Attorney Audrey Haydon stated that a minor typographical error in the legal description of annexation Ordinance B2019-03 needed to be corrected.

**COUNCILMAN SHECKLES MOVED TO APPROVE RESOLUTION 2019-07 WHICH ADOPTS A CORRECTED AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCES 809 AND 813 AND AMENDED BY ORDINANCE B2019-03. COUNCILMAN WILLIAMS SECONDED THE MOTION AND IT CARRIED WITH A VOTE OF 5-0.**

**CITY DESIGNEE FOR NCEDA BOARD MEETINGS**

Mayor Heaton explained the need to have a designee represent the City at NCEDA Board meetings in the event that he cannot attend.

**COUNCILMAN DONES MADE A MOTION TO APPROVE THE APPOINTMENT OF ROLAND WILLIAMS AS THE CITY DESIGNEE IN THE ABSENCE OF THE MAYOR AT NELSON COUNTY ECONOMIC DEVELOPMENT AGENCY (NCEDA) BOARD MEETINGS. THE MOTION WAS DULY SECONDED BY COUNCILMAN HIBBS AND CARRIED BY A VOTE OF 5-0.**

**CITY COUNCIL MEMBER COMMENTS**

Councilman Sheckles thanked the Council and the city residents for their support of Buttermilk Days with the 25<sup>th</sup> Anniversary being this year, August 22-24, 2019.

**CEMETERY DEEDS**

**THE MOTION TO APPROVE THE CEMETERY DEEDS FOR TODD MCLEMORE AND GWEN WICKLIFFE WERE APPROVED BY UNANIMOUS CONSENT.**

**ADJOURNMENT**

**COUNCILMAN BUCKMAN MOVED TO ADJOURN THE MEETING AT 7:18 PM. THE MOTION WAS DULY SECONDED BY COUNCILMAN SHECKLES AND CARRIED BY A VOTE OF 5 TO 0.**

**CITY OF BARDSTOWN**

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J. Richard Heaton, Mayor

**ATTEST:**

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Gary Little, Interim City Clerk