

**CITY OF BARDSTOWN, KENTUCKY
REGULAR CITY COUNCIL MEETING MINUTES
5-08-2018
7:00 PM**

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

- Councilman Joe Buckman
- Councilman Kecia Copeland
- Councilman David Dones
- Councilman John Kelley
- Councilman Bill Sheckles
- Councilman Roland E. Williams

Others present: City Attorney Tim Butler, City Clerk Mary Riley, HR Director/Risk Manager Greg Ashworth, Chief Financial Officer Tracy Hudson, Police Chief Kim Kraeszig, Police Officer Thomas Rosel, Fire Chief Billy Mattingly, Fire Fighter Dennis Orr, City Civil Engineer Jessica Filiatreau, Historic Preservationist Rashae Jennings, Electric Superintendent Jeff Miller, Staff Engineer Eric Richter, Systems Engineer Nahom Ayele, Nelson County Gazette Reporter Elijah Brooks, The Kentucky Standard Reporter Randy Patrick, PLG-TV reporter Matt Gordon, citizens Pat Whelan and Nick Kipper and guests Andrea Schroeder and Jan Rose Coleman from LG&E/KU.

INPUT FROM THE PUBLIC

Citizen Nick Kipper was invited to address the Mayor and Council. He expressed his displeasure with the Council's decision at the last meeting to not move forward with voting on Ordinance B2018-08 Chapter 90 Animals that pertained to allowing chickens in the City limits. He believed this particular animal was being held to a different standard than the other noise nuisances that are not enforced such as barking dogs, loud children or blaring radios.

SWEARING IN CEREMONY

Mayor Heaton invited Police Chief Kraeszig and Fire Chief Mattingly to introduce their new staff members. Chief Kraeszig shared Officer Thomas Rosel's background of twenty-four (24) years in law enforcement and what an extensive set of skills he will bring to the Bardstown Police Department. Fire Chief Mattingly explained that Fire Fighter Dennis Orr retired last year as a Sergeant from the Louisville Division of Fire and brings 21 years of experience. As an Emergency Medical Technician and a Hazardous Materials Technician, Fire Fighter Orr will need only a minimal amount of training.

Mayor Heaton administered the Oath of Office to both Police Office Rosel and Fire Fighter Orr, which was followed by congratulatory applause.

LG&E GAS FRANCHISE AGREEMENT PRESENTATION

Jan Rose Coleman, Manager of Business Affairs with LG&E/KU, provided a brief overview of the history of the franchise agreement, including the maximum number of years allowed per agreement and how often the assessment amount can be reviewed and potentially changed by Council.

MINUTES

THE MINUTES FOR THE 5-01-2018 WORKING SESSION COUNCIL MEETING WERE APPROVED BY UNANIMOUS CONSENT.

FINANCIAL REPORT

CFO Hudson reviewed the budget amendment memo distributed to the Council and elaborated on particular items. Councilman Kelley reminded the staff and Council that the expense line item in CableNet that reflects property purchased for the Fire Department is really a loan from the CableNet fund to the Fire Department that will be paid back.

FIRST READING OF ORDINANCE B2018–BUDGET AMENDMENT FY 2017-2018

Councilman Sheckles introduced Ordinance B2018–Budget Amendment FY 2017-18 and asked that it be read in summary. City Attorney Butler read the following:

ORDINANCE NO. B2018–BUDGET AMENDMENT FY 2017-18

AN ORDINANCE AMENDING AND ADOPTING AS AMENDED ORDINANCE NO. B2017-15 THE CITY OF BARDSTOWN'S BUDGET ORDINANCE FOR THE FISCAL YEAR JULY 1, 2017 THROUGH JUNE 30, 2018.

WHEREAS, an annual budget for Fiscal Year 2017-2018 was adopted by the City Council of the City of Bardstown on October 24, 2017; and

WHEREAS, there have been unanticipated changes in both revenues and expenditures during that period of time.

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

Section I.

The annual budget for the fiscal year 2017-2018 be and is hereby amended as follows:

- 1) General Fund: Increase anticipated revenues from \$10,733,530 to \$11,172,290 and increase authorized expenditures from \$10,542,730 to \$10,637,875;
- 2) Combined Utilities Fund: Increase the anticipated revenues from \$43,059,500 to \$44,859,500 and increase expenditures from \$42,704,641 to \$44,504,641.

Section II.

The annual budget is hereby amended and attached hereto, reflecting the above referenced amendments to the General and Combined Utilities Funds, revenues and expenditures, that comprise the FY 2017-2018 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.

This summary was certified by Timothy Butler, City Attorney.

SECOND READING OF ORDINANCE B2018-11 GAS FRANCHISE

City Attorney Butler read the following:

ORDINANCE NO. B2018-11
COMMONWEALTH OF KENTUCKY
CITY OF BARDSTOWN

AN ORDINANCE CREATING A FRANCHISE FOR THE ERECTION, LAYING AND MAINTENANCE OF NATURAL GAS FACILITIES AND APPURTENANT FACILITIES AND EQUIPMENT IN, ALONG AND ACROSS THE PUBLIC WAYS, ROADS, STREETS, ALLEYS AND OTHER PUBLIC PLACES IN THE CITY OF BARDSTOWN, KENTUCKY: FOR FURNISHING AND SELLING NATURAL GAS BY MEANS OF SAID FACILITIES; AND PROVIDING FOR THE SALE OF SAID FRANCHISE.

WHEREAS, the City of Bardstown (“City”) wishes to ensure that natural gas service continues to be furnished to its citizens in a reliable and efficient manner;

WHEREAS, the City is aware that the provision of such service requires the continued use of public streets, ways, alleys and other public places;

WHEREAS, the franchise granted to and acquired by Louisville Gas and Electric Company on April 8, 1986, under which that utility provided such service, has expired by its terms; April 8, 2006

WHEREAS, the City wishes to provide for the sale of a new franchise for the benefit of its citizenry, giving effect to Section 96.010 of the Kentucky Revised Statutes;

NOW, THEREFORE, BE IT ORDAINED as follows:

Section 1. An exclusive franchise (“Franchise”) to use the City’s public rights-of-way, as described in the Franchise Agreement attached to this Ordinance, is hereby created.

Section 2. The Franchise created by this Ordinance shall be bid in accordance with the applicable requirements of the Constitution of the Commonwealth of Kentucky and Chapter 424 of the Kentucky Revised Statutes, as well as any applicable City ordinances.

Section 3. The Franchise created by this Ordinance shall be awarded to the highest and best bidder as shall be determined by the City in its sole discretion. In awarding the Franchise, the City shall consider the technical, managerial, and financial qualifications of the bidder to perform its obligations under the Franchise.

Section 4. The winning bidder and the City shall negotiate, execute and be bound by a Franchise Agreement with terms identical to, or substantially identical to, the Franchise Agreement referenced in Section 1 above and attached hereto, such Agreement to contain terms “that are fair and reasonable to the City, to the purchaser of the Franchise and to the patrons of the utility” (KRS Section 96.010). Such Franchise Agreement shall take effect on July 1, 2018, to allow the City and the winning bidder to develop appropriate procedures for identifying and reviewing the natural-gas consuming entities within the City’s corporate limits.

Section 5. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 6. Should any section, clause, line, paragraph, or part of this Ordinance or the attached Agreement be held unconstitutional or invalid for any reason, the same shall not affect the remainder of this Ordinance or the attached Agreement, as applicable.

Section 7. Time is of the essence in carrying out the terms and the provisions of this Ordinance and the Franchise created herein.

Section 8. This Ordinance shall become effective from and after its passage and publication as required by law.

COUNCILMAN WILLIAMS MOVED TO ADOPT ORDINANCE B2018-11 GAS FRANCHISE AS READ IN SUMMARY. THE MOTION WAS DULY SECONDED BY COUNCILMAN DONES.

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. B2018-11 ADOPTED. IT WILL BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. _____.

FIRE CHIEF BILLY MATTINGLY – STAFF REPORT

Chief Mattingly reported that the most recent hiring of Fire Fighter Dennis Orr meant that the department was finally fully staffed. He briefly discussed the Platoon system being utilized and reported on the free medicine disposal bags they are receiving that will be available to the public. Medication in the form of pills, liquid or patches can be placed in the bag and with the addition of water, the medication dissolves. Chief Mattingly promoted the upcoming Battle of the Badges Blood Drive on 7-26-2018 from 12-5 PM at KC Hall where the Fire Department will be competing with local First Responders for the highest donation levels to the Red Cross. He also proudly reported that the department’s Dispatch Time and Response Time have significantly decreased, which means they are out the door and arriving on scene to provide assistance more quickly.

HISTORIC PRESERVATIONIST RASHAE JENNINGS – STAFF REPORT

Preservationist Jennings reported on the significant increase in COA’s (Certificates of Appropriateness) compared to this time last year. The numbers have more than doubled, as well as there being an increase in sign permit applications due the commercial industry expansion Bardstown is experiencing. She updated the Council on the work of the volunteers who are scanning and archiving historically significant material which is stored at the COBEC building. She also touched on the steady increase in property values in the Historic District, which has been on an upward trend for quite some time. Lastly, Preservationist Jennings invited all to attend her workshop that Thursday evening on Historic Landscaping, also being held at the COBEC building.

ELECTRIC SUPERINTENDENT JEFF MILLER – STAFF REPORT

Electric Superintendent Miller explained why he is requesting another Lineman in his upcoming budget and he expanded on the LED lights being installed downtown, and in other parts of the City. These new bulbs will have a ten (10) year life span, as opposed to the two (2) year span of the current bulbs, and they emit a different light pattern that will spread light down the street, instead of the security light type that illuminates directly under the bulb. Other items that were discussed were the Barton’s Substation status and issues they have incurred, the project to remove contaminated transformers and the new outage management system.

STAFF ENGINEER ERIC RICHTER – STAFF REPORT

Staff Engineer Richter informed the Mayor and Council of the cable and internet fiber-to-home expansion in multiple parts of the county, along with the considerable increase in commercial installations due to the need for more bandwidth. He also explained the upcoming Analog Basic Conversion project for channels 2-22.

SYSTEMS ENGINEER NAHOM AYELE – STAFF REPORT

Systems Engineer Ayele thanked the Mayor and Council for the additional space that will come from the recent land purchases. He is excited to see what can be done now that there is room for growth. He also explained the work being completed in the Head End.

COUNCIL COMMENTS

Councilman Buckman invited everyone to attend the Cemetery Committee meeting the next morning, 5-09-2018 at 8:30 AM at City Hall.

CEMETERY DEEDS

THE CEMETERY DEEDS FOR MICHAL WILLIAMS, DOUGLAS AND DEBRA OSBORNE AND NANCY MORRELL WERE APPROVED BY UNANIMOUS CONSENT.

ANNOUNCEMENTS

Mayor Heaton reported that he and Police Chief Kraeszig would be at the Farmers Market early the next morning to lead hundreds of Bardstown students, staff and parents who were walking to school as part of the annual “Get in Step for K-PREP” event. K-PREP is the Kentucky Performance Rating for Educational Progress assessment program for grades 3-8.

ADJOURNMENT

COUNCILMAN COPELAND MOVED TO ADJOURN THE MEETING AT 8:02 PM. THE MOTION WAS DULY SECONDED BY COUNCILMAN KELLEY AND CARRIED BY A VOTE OF 6 TO 0.

CITY OF BARDSTOWN

J. Richard Heaton, Mayor

ATTEST:

Mary Riley, City Clerk