

**CITY OF BARDSTOWN, KENTUCKY
REGULAR CITY COUNCIL MEETING MINUTES
01-22-2019
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 David Dones
Councilman Betty Hart
Councilman Franklin Hibbs IV
Councilman Bill Sheckles
Councilman Roland E. Williams

Others present: City Attorney Audrey Haydon, City Clerk Mary Riley, HR Director/Risk Manager Greg Ashworth, Chief Financial Officer Tracy Hudson, Police Chief Kim Kraeszig, Fire Chief Billy Mattingly, City Civil Engineer Jessica Filiatreau, City Electrical Engineer Eric Richter, Electric Superintendent Jeff Mills, Systems Engineer Nahom Ayele, Nelson County Gazette Reporter Jim Brooks, Kentucky Standard Reporter Randy Patrick, Reporter Matt Gordon from PLG-TV and citizens Shonna Sheckles, Kecia Copeland and Pam Hill.

RECEIVE INPUT FROM PUBLIC

Citizen Shonna Sheckles asked the council to reconsider the second reading of the cemetery ordinance this evening and to go back to the table to further discuss the proposed price increased. She requested a graduated increase over a period of several years.

Mayor Heaton explained the loss in revenue over the last few years and where the funds come from to maintain the cemetery. He reiterated that the City must maintain the property into perpetuity and that the current pricing was not providing funding into the perpetual care fund to provide that indefinite maintenance. The number of lots sold each year, along with the remaining inventory available was quoted and the rates of other cities were reviewed. The Mayor ended by saying the Cemetery Sexton has the discretion to address some of the concerns Mrs. Sheckles expressed about residents who have temporarily moved away to further their education or join the military and then return to Bardstown years later. Her concern pertained to their residency status. The ordinance was written to allow adjustments to be made based on extenuating circumstances.

TOM BALLARD COMPANY – SPRINGFIELD ROAD – SEWER MAIN EXTENSION REQUEST

UPON MOTION BY COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN DONES, THE SEWER REQUEST FOR TOM BALLARD COMPANY FOR THE SPRINGFIELD ROAD PROJECT WAS APPROVED. MOTION CARRIED 6 TO 0.

4KV CONVERSION PROJECT – BID TAB FROM 1/10/2019

City Electrical Engineer Richter presented the bid tab for the 4KV Conversion Project that had a second bid opening on 1/10/2019. The first bid opening on 11/29/2018 produced two (2) bids that were over \$1M, well above the project budget. He explained that he had taken the feedback from the bidders and other contractors in the area and adjusted the bid specifications to extend the timeline of the projects. This second request for bids produced another two (2) bids and the bid prices were even higher than the first round of bids. Additional feedback was taken from the bidders and local contractors and a decision was made to alter the bid specifications to reflect a pricing structure based on an hourly rate, as opposed to a “per pole cost, time and material” pricing structure. He believes this may attract local contractors and possibly allow the City to supplement the work with use in-house personnel. He asked the council to reject the low bidder due to the price submitted being well above the project budget and to also cancel the unit-based pricing bid altogether so it can be rewritten using an hourly-based pricing structure.

UPON MOTION BY COUNCILMAN DONES, DULY SECONDED BY COUNCILMAN SHECKLES, THE 4KV CONVERSION PROJECT LOWEST BIDDER WAS REJECTED DUE TO THE BID SUBMISSIONS EXCEEDING THE PROJECT BUDGET. THE MOTION TO REJECT THE LOW BIDDER CARRIED 6 TO 0.

UPON MOTION BY COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN DONES, THE 4KV CONVERSION PROJECT BID WAS CANCELLED AS A RESULT OF THE BID SPECIFICATIONS CHANGING SIGNIFICANTLY WHICH WILL CREATE AN ENTIRELY NEW BID. THE MOTION TO CANCEL THE 4KV CONVERSION PROJECT BID CARRIED 6 TO 0.

HISTORICAL REVIEW BOARD

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

Councilman Dones recused himself and left the room at 7:27pm.

- (a) COA-18-158. Don Parrish, Applicant, St. Vincent de Paul, Owner, requests to install doors at 310 North 2nd Street.

Recommendation: Approval to install the proposed door.

- (b) COA-18-186. Reverend Terry Bradshaw, Applicant, Archbishop of Louisville, Owner, requests to install a fence at 310 West Stephen Foster Avenue.

Recommendation: Approval to install the proposed fence.

COUNCILMAN BUCKMAN MADE A MOTION TO ACCEPT THE RECOMMENDATIONS FROM THE HISTORICAL REVIEW BOARD FOR COA #18-158 AND #18-186 WITH THE CONDITIONS SET FORTH BY THE HRB. THE MOTION WAS DULY SECONDED BY COUNCILMAN HIBBS AND CARRIED BY A VOTE OF 5 TO 0.

Councilman Dones returned to the room at 7:28pm.

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

- (c) COA -19-01. WesBanco, Applicants/Owners, propose to install door at 315 North Third Street.
Recommendation: Approval to install the proposed door.
- ~~(d) COA -19-02. Conceptual Review: Bardstown for the Arts, Applicants, Nelson County Government, Owners, propose to install a sign at 90 Court Square.~~ Conceptual Review: No action is taken.
- (e) COA -18-95 Amended. Jacob and Katie Hall, Applicants/Owners, propose to keep the installed windows at 209 West Flaget Avenue
Recommendation: Approval to install the proposed windows with the following conditions:
Conditions: That the final muntin design would be staff approved by the preservation coordinator before being installed.

COUNCILMAN HART MADE A MOTION TO ACCEPT THE RECOMMENDATIONS FROM THE HISTORICAL REVIEW BOARD FOR COA #19-01 AND #18-95 WITH THE CONDITIONS SET FORTH BY THE HRB. THE MOTION WAS DULY SECONDED BY COUNCILMAN SHECKLES AND CARRIED BY A VOTE OF 6 TO 0.

MINUTES

THE MINUTES FOR THE 12/27/2018 SPECIAL COUNCIL MEETING WITH CORRECTIONS WERE APPROVED BY UNANIMOUS CONSENT.

THE 1/08/2019 REGULAR COUNCIL MEETING MINUTES WERE APPROVED BY UNANIMOUS CONSENT AS PRESENTED.

FINANCIAL REPORT – REVIEW OF FY18 AUDIT

CFO Hudson directed the mayor and council to several items contained in the audit that she thought were significant.

UPON MOTION BY COUNCILMAN SHECKLES, DULY SECONDED BY COUNCILMAN WILLIAMS, THE FY18 AUDIT WAS APPROVED AS PRESENTED. MOTION CARRIED 6 TO 0.

FIRST READING OF ORDINANCE B2019-CLASSIFICATION AND COMPENSATION PLAN

Prior to the first reading, the Mayor invited each department head who had a change being made by this ordinance to explain to the council why those changes were being made and whether there would be any budgetary impact.

Councilman Buckman introduced Ordinance B2019-Classification and Compensation Plan and asked that it be read in summary. City Attorney Haydon read the summary. No action was taken.

SECOND READING OF ORDINANCE B2019-01 CHAPTER 92: CEMETERY

City Attorney Haydon read the following ordinance.

ORDINANCE B2019-01 CHAPTER 92: CEMETERY

AN ORDINANCE AMENDING AND ADOPTING AS AMENDED AN ORDINANCE RELATING TO CHAPTER 92 CEMETERY OF THE CITY OF BARDSTOWN’S CODE OF ORDINANCES.

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

That amendments be made to CHAPTER 92: CEMETERY, SECTION 92.02 HOW DIVIDED AND SOLD; FEES AND CHARGES and also SECTION 92.07 UNUSED OR TRANSFER OF LOTS and to add SECTION 92.13 DEFINITION OF RESIDENCY FOR PURPOSES OF PURCHASING CEMETERY LOTS to the City of Bardstown’s Code of Ordinances as follows:

§ 92.02 HOW DIVIDED AND SOLD; FEES AND CHARGES

(A) A tract of land described in 92.01 shall be divided and set apart as heretofore, to wit: (See copy of plat filed with Sexton.) The cemetery is laid off in lots/rows and sold at the following rates:

[(A) Single lot in sections 1-6 and	[\$500]
{Sections 13-18}	
{All other single lots/rows}	[\$ 450]
[(B) Baby Grave or cremation grave	[\$ 150]
[(C) Opening and closing for grave	[\$ 400]
[(D) Opening and closing grave for urn	[\$ 150]
[(E) Opening and closing for baby grave	[\$ 150]

<u>(A) Single lot in Sections 1 – 6 and 13 - 18 City Resident:</u>	<u>\$950</u>
<u>(B) Single lot in Sections 7-12 and 19 – 34 City Resident:</u>	<u>\$850</u>
<u>(C) Single lot in any Section Nelson County Resident:</u>	<u>\$1,200</u>
<u>Non-County Resident:</u>	<u>\$1,500</u>
<u>(D) Baby Grave or Cremation Grave</u>	<u>\$250</u>
<u>(E) Opening and Closing for grave</u>	
<u>Monday – Friday</u>	<u>\$500</u>
<u>Saturday – Sunday</u>	<u>\$700</u>
<u>(F) Opening and Closing grave for cremation</u>	<u>\$250</u>
<u>(G) Opening and Closing for baby grave</u>	<u>\$250</u>
<u>(H) Transferring Ownership of a grave</u>	
<u>Administrative Fee per grave transfer</u>	<u>\$50</u>

Fees are to be evaluated annually by the Cemetery Committee and any changes are to be recommended by the Committee to the City Council.

(Ord. B2014-19, passed 7-8-2014) Penalty, see § 92.99

(B) Full graves purchased prior to an actual need shall be refunded at one-half the cost of the ~~current~~ **purchase** price upon transfer to the City. Receipt of the original purchase shall accompany the request for refund. **If no receipt exists, the Cemetery Sexton may use his or her discretion in determining the purchase price.** No cremation or baby grave purchase prior to actual need will be refunded. (Ord. B2014-19, passed 7-8-2014) Penalty, see § 92.99

§ 92.07 UNUSED OR TRANSFER OF LOTS

(B) No transfer of any lot shall be permitted, except upon the record books and with the consent of the City Council; and the deed of conveyance made, signed, approved and recorded as aforesaid shall be conclusive proof of ownership, and no person shall have the use of or title to any lot until the same is paid for or satisfactorily arranged. **After conclusive proof of ownership is provided to the Cemetery Sexton, the City may repurchase the lot for a price equivalent to half of the purchase price of the lot. A new lot may then be purchased at the current listed price.** (Ord. B2014-19, passed 7-8-2014) Penalty, see § 92.99

§ 92.13 DEFINITION OF RESIDENCY FOR PURPOSES OF PURCHASING CEMETERY LOTS

In order to establish residency for the purposes of purchasing a cemetery lot, an individual must present to the Cemetery Sexton documentation of his or her residency status. Residency may be established by presenting a government-issued photo identification listing a current address and a piece of mail addressed to the individual at that address, or any other documentation deemed acceptable by the Cemetery Sexton. If extenuating circumstances exist, it shall be at the discretion of the Cemetery Sexton to determine the documentation that may be accepted to establish residency and/or waive the residency requirement.

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

This ordinance shall be in full force and effect following publication in summary as required by law.

I certify that this summary was prepared by Audrey Haydon, City Attorney.

COUNCILMAN BUCKMAN MOVED TO ADOPT ORDINANCE B2019-01 AS READ IN FULL. THE MOTION WAS DULY SECONDED BY CONCILMAN DONES.

THE MAYOR CALLED THE ROLL AND THE FOLLOWING VOTED:

COUNCILMAN DONES	-	AYE
COUNCILMAN SHECKLES	-	AYE
COUNCILMAN WILLIAMS	-	AYE
COUNCILMAN BUCKMAN	-	AYE
COUNCILMAN HART	-	AYE
COUNCILMAN HIBBS	-	AYE

MAYOR HEATON THEN DECLARED ORDINANCE NO. B2019-01 ADOPTED. IT WILL BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. _____.

PROPOSED ELECTRIC UPGRADES TO CITY HALL

City Electrical Engineer Richter explained that the current 125 KW generator is not sufficient to keep the Cable Head End cool during unexpected outages and the 112.5 kVA transformer supplying all city hall is not sufficient for peak summer temperatures. While searching for a 300 KW unit, his department has located a 400 KW unit with a price \$15,000 less than the lower 300 KW unit. That vendor has agreed to hold that unit until the bid opens. The cost for the new generator will be spread across the building fund for all departments, while the renovation expense will come primarily from the Fire Department.

MUNICIPAL ORDER M2019-02 – COUNCIL COMMITTEES AMENDED

City Attorney Haydon read the amendments that had been made to M2019-01, namely numbers four (4), five (5) and eight (8).

MUNICIPAL ORDER NO. M2019-02

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, M2017-08, M2018-02 and M2019-01 be amended in the following manner:

1. That there is hereby named a Safety Committee of the City Council whose members shall be: Chairman Councilman Bill Sheckles, Councilman Betty Hart, Councilman Franklin Hibbs IV, the Police Chief or his/her designee and the Fire Chief or his/her designee; and 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 J. Richard Heaton, Co-Chairman Councilman Roland Williams, Councilman Betty Hart, Councilman 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 Mayor J. Richard Heaton, Councilman Joe Buckman, Councilman Franklin Hibbs IV and Councilman Roland Williams; and that the Long-Term Planning Committee shall have meetings as needed.
4. That there is hereby named an Electric and Cable TV Committee of the City Council whose members shall be: Chairman Councilman David Dones, Councilman Roland Williams, Councilman Franklin Hibbs IV, the City Electrical Engineer, the City Systems Engineer and the Electric Superintendent; and shall have regularly scheduled meetings on the [~~first~~] **second** Tuesday of January, April, July and October each year at [~~4:00pm~~] **5:00pm** in the City 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 Betty Hart~~], Councilman David Dones, Councilman Franklin Hibbs IV, the Administrative Engineer and the City Civil Engineer; and that the Water and Wastewater Committee shall have meetings as needed.
6. That there is hereby named a Cemetery Committee of the City Council whose members shall be: Chairman Councilman Joe Buckman, Councilman Bill Sheckles, Staff Civil Engineer, the Public Works Superintendent, the Groundskeeper, the Sexton and the citizen-member; and 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 Franklin Hibbs IV, the Staff Civil Engineer, 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 Betty Hart, Councilman David Dones, Councilman Bill Sheckles, [~~the Director of Public Works and Engineering~~], the Human Resource Director, 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 Betty Hart, Councilman David Dones and the Recreation Director; and shall have regularly scheduled meetings on the fourth Thursday of March, June, September and December at 5:00 PM in the City Council's Chamber located on the second floor at 116 North 5th Street.

UPON MOTION BY COUNCILMAN HIBBS, DULY SECONDED BY COUNCILMAN DONES, MUNICIPAL ORDER M2019-02 COUNCIL COMMITTEES AMENDED WAS APPROVED. MOTION CARRIED 6 TO 0.

ANNOUNCEMENTS

Councilmen Hart, Hibbs, Dones and City Attorney Haydon reported that the recent KLC Conference for newly elected officials provided useful information and great networking opportunities.

CEMETERY DEEDS

Councilman Dones recused himself and left the room at 8:06 PM.

THE MOTION TO APPROVE THE CEMETERY DEEDS FOR THE FOLLOWING PURCHASES WERE APPROVED BY UNANIMOUS CONSENT:

- A. David & Dana Dones, four graves
- B. Joan Clemons, one grave
- C. David & Regina Avis, four graves
- D. James "Kroger" & Karen Phillips, two graves
- E. James & Mary Settles, two graves
- F. Thomas & Dorothy Pike, two graves
- G. Michael & Karen Lyon, two graves
- H. Stephen J. & Mary J. Hagan, two graves
- I. William Michael & Mary Janice Burba, two graves
- J. Brenda Ford, three graves
- K. Janice Lyvers, one grave

Councilman Dones returned to the room and rejoined the meeting at 8:07 PM.

ADJOURNMENT

COUNCILMAN BUCKMAN MOVED TO ADJOURN THE MEETING AT 8:07 PM. THE MOTION WAS DULY SECONDED BY COUNCILMAN HART AND CARRIED BY A VOTE OF 6 TO 0.

CITY OF BARDSTOWN

J. Richard Heaton, Mayor

ATTEST:

Mary Riley, City Clerk