

**CITY OF BARDSTOWN, KENTUCKY  
WORKING SESSION CITY COUNCIL MEETING MINUTES  
02-07-2017  
5:00 PM**

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

Councilman Buckman  
Councilman Copeland  
Councilman Heaton  
Councilman Kelley  
Councilman Sheckles  
Councilman Williams

Others present: City Clerk Barbie Bryant, City Attorney Tim Butler, Police Chief Steve Uram, Fire Sergeant Scott Lawson, Firefighters Justin Brown and Ernie Pyle, Executive Assistant Beth Donahue, Nelson County Gazette Reporter Jim Brooks, The Kentucky Standard Reporter Randy Patrick, and citizens Bill Buckman, C.R. Royalty, Jimmy Yocum, Barbara Werner, Larry Donahue and Kathy Kelley.

The Mayor called the meeting to order.

**H&H ENTERPRISES, LLC – ZONING CHANGE REQUEST**

By consensus, the Council agreed that the recommendation for approval by the Joint Planning and Zoning would be accepted as presented.

**ZONING & SUBDIVISION REGULATIONS AMENDMENT**

Councilman Heaton discussed the proposed amendments to the zoning ordinance and verified that the changes to the subdivision regulations would not require action. The Joint Planning and Zoning Commission will present the final recommendations after their February 07, 2017.

**APPOINTMENT FOR THE POSITION OF E-911 DISPATCH DIRECTOR**

**COUNCILMAN HEATON MOVED TO APPROVE THE APPOINTMENT OF MILTON SPALDING AS THE E-911 DISPATCH DIRECTOR. THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0.**

**PUBLICATION OF ORDINANCE B2017-03 - WHISTLEBLOWER**

Councilman Williams requested Mayor Royalty direct the City Clerk to publish the ordinance as soon as possible.

**MUNICIPAL ORDER M2017-04 COUNCIL INFORMATION ACCESS AND IPAD PRIVACY**

City Clerk Bryant read the following Municipal Order:

**MUNICIPAL ORDER NO. M2017-04**

WHEREAS, various memorandums have been issued by the Executive Authority of the City of Bardstown which restrict the access of governmental function information by the Council Members of the City of Bardstown;

WHEREAS, the fundamental foundation for all governments in the United States of America is the establishment of separate branches of government that act as checks and balances on each other;

WHEREAS, the availability of information concerning governmental operations is necessary for each branch of government to perform its essential functions;

WHEREAS, in order to properly perform its functions each branch is entitled to have access to communication methods and technology independent of any other branch of government;

WHEREAS, the Executive Authority has furnished the Council Members I pads that are programmed in such a way that they are connected to an Icloud account over which the Council Members have no control or access as to what information is transmitted over the Icloud;

WHEREAS, the Council Members cannot add software (apps) to the Ipad without the Executive Authority granting the right to do so; and

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

1. Each Council Member shall be entitled to any information in the possession of any Department of the City of Bardstown unless the information is protected from such disclosure by law or regulation. The information shall include but not be limited to books, papers, maps, photographs, reports, cards, tapes, discs, diskettes, recordings, software, or other documentation regardless of physical form or characteristics. The request for information shall be made to the respective Department Head that has control of the information. In the event the information must be compiled from other records or data the Department Head shall cause the information to be compiled in the format requested by the Council Member unless the compilation of the information is unreasonable or overbearing. The information shall be furnished as soon as practicable after a request by the Council Member.

2. From all dates forward following the passage of this Municipal Order, the separation of Executive and Legislative Branch powers shall be respected which includes, but is not limited to, Council Members having control over the access to their email and I-Pad accounts, except as provided for under existing law or pursuant to their specific authorization. Subject to applicable laws and regulations, this Legislative Branch control and restricted access shall include, but not be limited to:

- A. Exclusive control, by each Council Member, to determine their unique access codes to their City Council I-Pads which is necessary to prevent or mitigate against unauthorized access;
- B. Control over access to all servers, including cloud-based servers, storing, preserving or maintaining legislative documents and similar Legislative Branch information exclusive to individual Council Members or the Council as a whole;
- C. The right to disable location-based services (e.g. GPS) for their I-Pad and other government-issued devices;
- D. The right and accessibility to download applications and related software (apps), individually and collectively, consistent with appropriate IT security safeguards and subject to the proper use of a government owned asset;
- E. The right to establish privacy and similar protections to prevent or mitigate against the unauthorized use of any installed application software;
- F. The right to deny any request for temporary possession of their I-Pad or similar government-issued device for software updates and/or to require certain limitations on the retention and/or disclosure of the I-Pad's contents and/or to require specific information concerning such a request.

**COUNCILMAN KELLEY MOVED TO APPROVE MUNICIPAL ORDER M2017-04 COUNCIL INFORMATION ACCESS AND IPAD PRIVACY. THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 6 TO 0.**

#### **WASHINGTON D.C. TRIP IN MAY 2017 FOR TWO BARDSTOWN POLICE OFFICERS**

Police Chief Uram requested permission to adjust the budget in the amount of \$2,000.00 to allow two police officers to attend the annual National Police Week 2017, May 11-17 in Washington D.C. The Council suggested different avenues to address the issue; allow the line item for "asset forfeiture" to cover the cost or amend the budget. Mayor Royalty and Councilman Williams agreed that a Finance Committee meeting would be called to consider the request.

In addition, the suggested Finance Committee meeting will address other departments for budget amendments.

#### **MUNICIPAL ORDER M2016-17 COUNCIL TRAVEL TRAINING POLICY**

Councilman Copeland would like the Council to revisit the policy to increase the budgeted amount of \$1,000. The Council will consider the issue during the budget process. She expressed the need for training opportunities by the staff of the Kentucky League of Cities.

#### **WORKING SESSION AGENDA**

Councilman Williams requested "Council Comments" be added to the agenda for future Working Session meetings, and placed at the end.

#### **ANNOUNCEMENTS**

Councilman Buckman announced that a Cemetery Committee meeting would be held on Wednesday, February 08, 2017, 8:30am in the Mayor's conference room at City Hall.

**ADJOURNMENT**

**THE MOTION TO ADJOURN THE WORKING SESSION MEETING AT 5:55PM WAS APPROVED BY UNANIMOUS CONSENT.**

**CITY OF BARDSTOWN**

\_\_\_\_\_  
John Royalty, Mayor

**ATTEST:**

\_\_\_\_\_  
Barbara Bryant, City Clerk