

CITY OF BARDSTOWN, KENTUCKY
WORKING SESSION CITY COUNCIL MEETING MINUTES
04-04-2017
5:00 PM

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

Councilman Buckman
Councilman Copeland - **absent**
Councilman Heaton
Councilman Kelley
Councilman Sheckles
Councilman Williams

Others present: City Attorney Tim Butler, Police Chief Steve Uram, City Clerk Barbie Bryant, Nelson County Gazette Reporter Jim Brooks, The Kentucky Standard Reporters Randy Patrick and Forrest Berkshire, and citizens Pat Settles, Bruce Reynolds, Barbara Werner and Janet Tonge.

City Attorney Butler called the meeting to order.

COUNCILMAN KELLEY MOVED TO APPOINT COUNCILMAN HEATON AS THE PRESIDING OFFICER. THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 5 TO 0.

WASHINGTON DC NATIONAL PRESERVATION CONFERENCE REPORT AND COUNCIL TRAVEL/TRAINING POLICY

Due to the absence of Councilman Copeland, Presiding Officer Heaton requested the agenda items be tabled until the next council meeting.

APPROVAL OF HEARING OFFICER FOR THE COUNCIL INVESTIGATION

COUNCILMAN KELLEY MOVED TO APPOINT FORMER CIRCUIT JUDGE DOUGHLAS GEORGE, AT A RATE OF \$200/HOUR, AS THE HEARING OFFICER FOR THE APRIL 12, 2017 HEARING TO CONSIDER THE REMOVAL OF JOHN ROYALTY AS MAYOR. THE MOTION WAS DULY SECONDED BY COUNCILMAN SHECKLES AND CARRIED BY A VOTE OF 5 TO 0.

MUNICIPAL ORDER M2017-05 PUBLIC HEARING ON REMOVAL-ATTENDANCE OF WITNESSES

City Clerk Bryant read the following:

MUNICIPAL ORDER M2017-05

WHEREAS, the Bardstown City Council authorized an investigation per the authority granted in KRS 83A.130(13) by passage of a motion at its November 22, 2016 meeting;

WHEREAS, on January 3, 2017, the law firm of Mattmiller and Crosbie, PLLC, was hired to conduct this investigation;

WHEREAS, on January 24, 2017, the City Council authorized the scope of the investigation to be expanded into additional areas of concern;

WHEREAS, on March 28, 2017, Scott Crosbie presented the final investigation report prepared by Mattmiller Crosbie, PLLC, to the City Council and City Clerk;

WHEREAS, on March 28, 2017, the City Council approved acceptance of the final investigation report;

WHEREAS, on March 28, 2017, the City Council set a public hearing for April 12, 2017, at 10:00 am (hereinafter referred to as "the hearing") to consider removing John Royalty as mayor of the City of Bardstown pursuant to the authority granted in KRS 83A.040(9);

WHEREAS, each participant in the hearing may desire to call certain Bardstown City Employees as witnesses to provide testimony during the hearing;

WHEREAS, the *City of Bardstown Personnel Policies Revised 2015* provide:

P. Cooperation with Investigations and Searches

The City requires all employees to cooperate fully and, when requested, to participate in City investigations. This includes but is not limited to being totally honest and forthright when responding to City inquiries, as well as completing documents and statements requested by the City.

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

1. The Bardstown City Council investigator, Scott Crosbie, or his designee, and Mayor John Royalty, or his counsel, may give e-mail notice (hereinafter referred to as "Notice") to any Bardstown City Employee requesting their attendance at the April 12, 2017 hearing and any related proceedings thereof.
2. Any Bardstown City Employee receiving Notice shall appear at the hearing and cooperate as provided under the *City of Bardstown Personnel Policies Revised 2015*.
3. Any Bardstown City Employee receiving Notice who appears at the hearing shall be compensated his or her normal rate of pay.
4. The Bardstown City Clerk shall timely distribute this municipal order to all Bardstown City Employees upon its adoption by the Bardstown City Council.

COUNCILMAN WILLIAMS MOVED TO APPROVE MUNICIPAL ORDER M2017-05 AS PRESENTED. THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 5 TO 0.

COUNCIL COMMENTS

Councilman Kelley confirmed that the Nelson County Circuit Clerk will provide courtroom B at the Justice Center for the hearing date of April 12, 2017. Councilman Kelley then presented the City Clerk with a letter announcing a Special Called meeting by the City Council for the date of April 12, 2017, 10:00am to be held at the Nelson County Justice Center, 200 Nelson County Plaza and asked the Clerk to post the agenda as required by law.

Councilman Williams was assured by Police Chief Uram that the City of Bardstown’s police force was represented at the funeral for Louisville Metro police officer Nick Rodman. Councilman Williams offered a concern for cross training of employees in the Public Works and Engineering Department that deal with dumpsters.

Councilman Kelley suggested that the Council be represented by counsel for litigation matters that may arise from the investigation for the removal of the mayor.

COUNCILMAN SHECKLES MOVED TO APPOINT FORMER CITY ATTORNEY BRUCE REYNOLDS AS COUNSEL FOR MATTERS OF LITIGATION CONCERNING MEMBERS OF THE BARDSTOWN CITY COUNCIL AT THE RATE OF \$150/HOUR AND THAT A MAJORITY OF THE COUNCIL BE REQUIRED TO SIGN THE CONTRACT. THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 5 TO 0.

Councilman Buckman announced that the Cemetery Restoration Seminar would be held this Friday, starting at 8:00am in the COBEC Building. Jason Church, a renowned cemetery preservationist from Louisiana, will give a lecture on cemetery documentation, photography, cleaning and preservation planning. A lunch will be provided, sponsored by the Kentucky Cemetery Association and through grant funds initiated through the Kentucky Heritage Council. Mr. Church will also give a “hands-on” training in the Bardstown Cemetery in the afternoon. Councilman Buckman praised the work of the City Historical Preservationist RaShae Jennings.

NEW APPOINTMENT FOR THE JOINT HUMAN RIGHTS COMMISSION

COUNCILMAN BUCKMAN MOVED TO APPROVE THE NEW APPOINTMENT OF JODI JENKINS TO THE JOINT HUMAN RIGHTS COMMISSION TO FILL THE UNEXPIRED TERM OF MIKE YADEN, WHICH WILL EXPIRE ON 03-01-2019. THE MOTION WAS DULY SECONDED BY COUNCILMAN SHECKLES AND CARRIED BY A VOTE OF 5 TO 0.

FINANCIAL REPORT

The following revised expense report was submitted per Municipal Order M2016-17:

National Preservation Conference, Washington DC, March 13-15, 2017		
Copeland		
Registration	\$ 337.00	
Room	\$ 1,528.68	
Meals	\$ 100.89	
Mileage	\$ 712.62	\$280.55 applied to 10-0100-6024
TOTALS	\$ 2,679.19	\$2,000 applied to 10-0100-6023

City Clerk Bryant asked for the Council’s approval to submit the report since the original motion specifically prohibited the use of the Travel Training funds for the Washington DC trip.

COUNCILMAN KELLEY MOVED TO AMEND THE APPROPRIATION OF FUNDS USED FOR COUNCILMAN COPELAND TO ATTEND THE NATIONAL PRESERVATION CONFERENCE IN WASHINGTON DC IN THE AMOUNT NOT TO EXCEED \$2,000.00 THROUGH THE COUNCIL CONTINGENCY FUND AND FOR THE AMOUNT OF \$280.55 THROUGH THE TRAVEL/TRAINING FUND. THE MOTION WAS DULY SECONDED BY COUNCILMAN SHECKLES AND CARRIED BY A VOTE OF 5 TO 0.

ADJOURNMENT

COUNCILMAN SHECKLES MOVED TO ADJOURN THE WORKING SESSION MEETING AT 5:31PM. THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED A VOTE OF 5 TO 0.

CITY OF BARDSTOWN

Councilman J. Richard Heaton, Presiding Officer

ATTEST:

Barbara Bryant, City Clerk