ROLL CALL: MAYOR BRIAN TRAUGOTT PRESIDED OVER MEETING. COUNCIL MEMBERS MARY BRADLEY, MIKE COLEMAN, LAURA DAKE, ANN MILLER AND OWEN ROBERTS WERE PRESENT. CITY ATTORNEY BILL MOORE WAS ALSO PRESENT.

DEPT. HEADS: JAMES FUGATE, BART MILLER, BRIAN WAINSCOTT AND ALLISON WHITE WERE PRESENT REPRESENTING THEIR RESPECTIVE DEPARTMENTS.

PUBLIC COMMENT
No public comment was received.

MOTION BY BRADLEY, SECONDED BY ROBERTS TO APPROVE AND ADOPT THE MINUTES OF THE JUNE 19, 2018 MINUTES OF THE COUNCIL.

Council member Laura Dake requested that the June 19, 2018 minutes be amended to reflect that she (Dake) was unaware of Ordinance No. 2018-20 being given first reading and that she would be emailing the Council proposed alternative tethering language.

MOTION BY DAKE, SECONDED BY MILLER TO AMEND THE JUNE 19, 2018 MINUTES TO REFLECT THAT SHE (DAKE) WAS UNAWARE OF ORDINANCE NO. 2018-20 BEING PROPOSED AS A FIRST READING AND THAT SHE (DAKE) WOULD BE PROVIDING COUNCIL MEMBERS WITH PROPOSED ALTERNATIVE TETHERING LANGUAGE PRIOR TO SECOND READING FOR THEIR CONSIDERATION.

The vote was as follows: Coleman, Dake, Miller and Roberts voting aye. Council member Bradley voted opposed.

MOTION BY DAKE, SECONDED BY MILLER TO APPROVE AND ADOPT THE MINUTES OF THE JUNE 19, 2018 MINUTES OF THE COUNCIL AS AMENDED.

The vote was as follows: Coleman, Dake, Miller and Roberts voting aye. Council member Bradley voted opposed.

At the request of Council member Bradley, City Attorney Moore gave second reading of Ordinance No. 2018-19 Enacting and Adopting a Supplement to the Code of Ordinances of the City of Versailles, Kentucky as follows:

CITY OF VERSAILLES, KENTUCKY
ORDINANCE NO. 2018-19

AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES OF THE CITY OF VERSAILLES, KENTUCKY

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio has completed the 2018 S-28 supplement to the Code of Ordinances of the City of Versailles, Kentucky, which supplement contains all ordinances of a general nature enacted since the prior supplement to the Code of Ordinances of this municipality; and

WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on or make references to sections of the Kentucky Revised Statutes; and

WHEREAS, it is the intent of the City Council to accept these updated sections in accordance with the changes of the law of the Commonwealth of Kentucky.
NOW, THEREFORE, BE IT ORDAINED by the City of Versailles, Kentucky:

SECTION 1. That the S-28 supplement to the Code of Ordinances of the City of Versailles, Kentucky, as submitted by American Legal Publishing Corporation of Cincinnati, Ohio and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.

SECTION 2. That this ordinance shall take effect and be in force from and after its date of passage, approval and publication as required by law.

Passed this 3RD day of July, 2018.

APPROVED:

__________________________
BRIAN TRAUGOTT, MAYOR

ATTEST:

________________________________________
ALLISON B. WHITE, CITY CLERK

MOTION BY MILLER, SECONDED BY BRADLEY TO APPROVE AND ADOPT ORDINANCE NO. 2018-19 ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES OF THE CITY OF VERSAILLES, KENTUCKY.

The vote was as follows: Bradley, Coleman, Dake, Miller and Roberts voting aye.

At the request of Council member Bradley, City Attorney Moore gave second reading of Ordinance No. 2018-20 as follows:

CITY OF VERSAILLES
ORDINANCE NO. 2018-20

TITLE: AN ORDINANCE AMENDING CHAPTER 90 OF THE CODE OF ORDINANCES TO ADD ADDITIONAL REGULATIONS FOR DOMESTIC ANIMALS WITHIN THE CITY LIMITS, INCLUDING REGULATION OF CHICKENS.

Whereas, the City of Versailles has determined that it is necessary and appropriate to update the City’s regulations concerning domestic animals located in the City; and

NOW, THEREFORE, BE IT ORDAINED IN THE CITY OF VERSAILLES, KENTUCKY as follows:

SECTION 1. The following ordinances contained in the Versailles Code of Ordinances are hereby repealed:

Section 90.01 – Running at Large
Section 90.02 – Impoundment Authorized; Alternative

SECTION 2. : A new Subsection of the Code of Ordinances defining terms relating to the ownership and keeping of animals within the City limits is adopted which provides:
DEFINITIONS

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ABANDON. To forsake entirely, or to neglect or refuse to provide or perform the legal obligations for care and support of an animal by its owner or keeper. Leaving any animal on public property or roadways or leaving any animal upon private property without the land owner’s consent.

ADEQUATE SHELTER. Shelter provided to all owned, domesticated animals, sufficient enough to protect the animal from weather conditions that may cause suffering, based upon the species, breed body condition, and health of the animal. Weather/Waterproof shelter, provided to any dog or cat primarily kept outdoors, that, if not manufactured for the sole purpose of housing dogs or cats, shall be structured sound, with a solid floor, at least 3 solid walls, sides, a solid roof, proper ventilation, bedding, and uncluttered by objects which are likely to cause injury or to be detrimental to the health of the dog or cat, and placed in an area that will shelter the dog or cat from the direct effect of wind, rain, and snow, with dimensions appropriate for the animal’s size.

ANIMAL. Any domesticated living creature, including, but not limited to, dogs, cats, fowl, livestock, and exotic pets.

FOOD. Foodstuff that is wholesome, uncontaminated, palatable, and of sufficient quality and nutritive value to maintain the normal condition and weight of the animal and provided at suitable intervals or at least once a day, unless restricted by a veterinarian.

OWNER or KEEPER. Any person or persons, firm, association, partnership or corporation owning, keeping, harboring or allowing a domestic animal to remain on his, her or its property.

RUNNING AT LARGE. Being off the premises of the owner or keeper, and not under the immediate control of the owner or keeper by a restraint device or voice command.

STRAY. An animal whose owner or keeper is unknown to the person who takes it up and is an animal that has escaped from its owner or keeper and wander or strays about on property not owned or occupied by the owner or keeper of the animal.

VETERINARY CARE. Care beyond general scope of care given by an owner, when care provided has not prevented pain and suffering of the animal. Care provided, either physically, or advisably, by a Veterinarian licensed by the Kentucky Board of Veterinary Examiners.

WATER. Access to a supply of clean, fresh, drinkable water, unless restricted by a veterinarian, which is provided in a sanitary manner, based upon species.

WILD ANIMAL. Any species of animal not normally domesticated by human beings including, but not limited to primates, bears, lions, tigers, cougars, leopards, wolves, or hybrid wolves of more than ¼ wolf, wolverines and other large (more than 35 lbs.) carnivores or omnivores, and any animal prohibited by the Kentucky Department of Fish and Wildlife.

CHICKEN. Domesticated bird of subspecies Gallus gallus domesticus that serves as a source of eggs.

COOP. Structure for keeping or housing of chickens permitted in this ordinance.

HEN. Female Chicken.

ROOSTER. Male Chicken.

SECTION 3. A new Subsection of the Code of Ordinances regulating the treatment of animals is adopted which provides:
MINUTES OF COUNCIL
VERSAILLES CITY HALL/5:30 P.M.

HUMANE TREATMENT

(A) No person (owner or keeper) shall fail to provide his or her animal(s) with sufficient, wholesome and nutritious food, water in sufficient quantities, proper air, shelter, space and protection from the weather, veterinary care when needed to prevent suffering and humane care and treatment.

(B) If any animal, including, but not limited to dogs, and excluding fowl, is to be tethered, by a chain, cable tie-out, or similar restraint, the tether shall be attached to a properly fitting collar/harness designed to be a holding device. The tether and collar shall be of a weight and material appropriate for the species, breed, condition, and size of the animal; cannot be of weight which will cause burden to the animal; be no less than ten (10) feet in length and have swivels on both ends. An owner shall not wrap a tether directly around an animal's neck, and, the tether shall be attached to a fixed immobile point that allows freedom of movement, while withstand the force necessary to restrain the animal. The area around the tethered animal shall be free of objects which could become tangled in the tether. If an animal is to be kept in an enclosure, the enclosure shall allow for freedom of movement, unless restricted by a veterinarian, and not allow the animal to stand in their feces and/or urine for prolonged periods. The enclosure shall be free of objects or contaminants which are likely to cause injury or be detrimental to the health of the animal, including, but not limited to, rusty or jagged metal objects, broken glass, or harmful chemicals solvents or agents.

(C) No person shall beat, cruelly treat, torment, overload, overwork, or otherwise chase any animal, or cause or permit any fight or other combat between animals. No person shall allow an animal, under their direct control by restraint or voice command, to intimidate, harass, or worry another animal which is upon its own property.

(D) No owner or keeper shall abandon an animal, abandonment consisting of leaving the animal for a period in excess of 24 hours without providing for someone to feed, water and check on the animal's condition. In the event that an animal is found so abandoned, the animal may be taken by the Dog Warden, Animal Control Officer or any peace officer and impounded in the animal shelter. The animal, if taken from private property, shall be kept at the Animal Control facility until either relinquished by the owner or keeper or, custody of the animal is determined by judicial process.

(E) This chapter does not preclude appropriate authorities or individuals from filing criminal charges under KRS 525.125 or KRS 525.130, statutes which relate to cruelty to animals.

SECTION 4 - A new Subsection of the Code of Ordinances regulating domestic animals within the City limits is adopted which provides:

NUISANCES

(A) No owner shall own, keep or harbor any animal, including but not limited to dogs and cats, which shall do any 1 or more of the following objectionable actions, each of which is hereby declared to be a public nuisance within this city:

(1) Habitual making noises, including, but not limited to barking, howling, yelping, or meowing loud enough to be heard beyond the premises of where it is kept or harbored or while trespassing upon any property or premises not owned by the owner or keeper of the animal. This would not pertain to noises made in response to unusual circumstances or deemed as typical response behavior;

(2) Habitual trespassing upon any property or premises not owned or occupied by the owner or keeper of the animal;

(3) Habitual turning over, getting into or otherwise damaging or disturbing any items of personal or public property located on any premises other than those owned or occupied by the owner or keeper of the animal;
(4) Habitual defecating upon any property or premises not owned or occupied by the owner or keeper of the animal;

(5) Habitual running after, jumping upon, chasing, barking at, biting at or in any other way frightening, molesting or scaring any person other than the owner of the animal and the members of the owner's immediate family.

(B) The Dog Warden, Animal Control Officer or any peace officer, upon receiving a nuisance complaint, shall investigate the complaint. Upon investigation, the Dog Warden, Animal Control Officer or peace officer may issue written notice of the complaint to the owner or keeper of the animal, secure a criminal complaint for violation of the nuisance ordinance, seize the animal pursuant to the provisions in 90.10, or both charge and seize the animal.

SECTION 5 - A new Subsection of the Code of Ordinances regulating the vaccinations of animals is adopted which provides:

RABIES VACCINATIONS

The owner or keeper of any animal over 4 months of age shall have the animal vaccinated against rabies by a licensed veterinarian. The veterinarian who vaccinates the animal shall issue to the owner thereof a vaccination certificate. The certificate shall bear the name and address of the veterinarian who issued it, along with a certificate number. The veterinarian shall also furnish each owner with a metal tag bearing the certificate number and the year of the vaccination.

SECTION 6 - A new Subsection of the Code of Ordinances regulating animals is adopted which provides:

RUNNING AT LARGE

It shall be unlawful for any owner or keeper to permit any animal, excluding cats, to be running at large within the city. The owner or keeper shall keep the animal behind a fence or on a visible leash at all times. An owner or keeper is deemed to have permitted the animal to run at large if a condition exists that the owner or keeper was, or should have been aware of, that would allow the animal to run at large.

SECTION 7 – A new Subsection of the Code of Ordinances prohibiting the poisoning of animals is adopted which provides:

POISONING PROHIBITED

It shall be unlawful for any person to place any poison, of any description, or any toxic substance, in any place, on his or her premises or elsewhere, where it may be easily found and consumed by an animal.

SECTION 8 – A new Subsection of the Code of Ordinances prohibiting the exhibition of wild animals is adopted which provides:

EXHIBITIONS PROHIBITED

Exhibitions of wild or vicious animals for display or for exhibition purposes, whether gratuitously or for a fee, is prohibited, unless the exhibitor is licensed or permitted to do so.

SECTION 9 – A new Subsection of the Code of Ordinances prohibiting the keeping of wild animals is adopted which provides:
WILD ANIMALS

The keeping of wild animals within any area of the city is hereby prohibited and declared to be unlawful. This section shall not apply to any zoological garden accredited by the American Association of Zoological Parks and Aquariums, appropriately licensed theatrical exhibits, carnivals or circuses, any authorized wildlife rehabilitator or licensed veterinary hospital for purposes of treating injured animals, or any federally licensed research institution.

SECTION 10 – A new Subsection of the Code of Ordinances regulating the keeping of chickens is adopted which provides:

FOWL (CHICKENS)

(A) The City of Versailles will allow residents of the City to keep chickens as pets, subject to the requirements of this Chapter, on single family residences or duplexes if both parties are in agreement, unless the presence of any particular chicken or chickens endangers the health, safety, peace, quiet, comfort, enjoyment or otherwise becomes a public nuisance to nearby residents or occupants.

(B) No person shall keep chickens inside a single family or multi-family dwelling unit.

(C) No roosters are allowed.

(D) A separate coop is required to house the chickens. Coops must be constructed and maintained to meet the following minimum standards:

1. Located in the rear or side yard.

2. Located at least eight (8) feet from the rear or side property lines and at least fifteen (15) feet from a neighboring residence.

3. Of reasonable size to accommodate the number of birds.

4. One standard door to allow humans to access the coop and one door for birds (if above ground level must also provide a stable ramp).

5. Adequate ventilation and/or insulation to maintain a comfortable coop temperature.

6. Animal proof – coop construction and materials must be adequate to prevent access by dogs, cats, rodents and other animals.

7. All coops shall be functionally constructed and maintained.

(E) A run or exercise area is required to meet the following minimum standards:

1. Located in the rear or side yard.

2. Adequate space for hens to move about freely.

3. A minimum of one gate to allow human access.

4. Adequate cover to keep the hens inside the run and predators out.

5. Any coop, fowl house, or fenced pen area shall be kept clean, sanitary and free from excessive accumulation of chicken excrement and objectionable odors.

SECTION 11 - A new Subsection of the Code of Ordinances regulating the impoundment of animals is adopted which provides:
IMPOUNDING

(A) Dogs running at large may be taken by the Dog Warden, Animal Control Officer or any peace officer and impounded in the animal shelter and there confined in a humane manner.

(B) Any cat found to be sick or injured shall be declared to be a public health hazard, and may be seized by the Dog Warden, Animal Control Officer or any peace officer and impounded in the animal shelter and there confined in a humane manner, unless the cat is suffering, whereupon it shall be transported immediately to a Veterinarian Clinic for treatment and/or euthanization.

(C) The Dog Warden, Animal Control Officer or any peace officer may impound any cat committing acts which constitute a nuisance as defined in §90.03. Any cat impounded shall be transported forthwith to the animal shelter and there confined in a humane manner.

(D) 1. All impounded dogs and cats, excepting feral cats, shall be kept for not less than 5 days, unless reclaimed, or relinquished, by their owner or keeper. Upon impoundment, if an owner is known, the Animal Control Officer shall immediately notify the owner, by telephone, written notice or mail, of the impoundment of the animal. An animal not claimed, or relinquished, by its owner or keeper within 5 days of its impoundment may be placed in a suitable new home or humanely euthanized as determined by the officials of the animal shelter.

2. In the event that an animal is to be adopted out, rather than euthanized, the prospective adoptive owner shall first purchase a rabies vaccination voucher from the Animal Control Shelter and have the animal sexually altered, if not already, within 10 days.

(E) An owner or keeper reclaiming an impounded animal shall pay boarding, vaccination, redemption and other related costs to the Woodford County Animal Shelter. Proof of vaccination for rabies shall be provided before the animal is released. If proof is not provided, the owner or keeper shall purchase a rabies vaccination voucher from the animal shelter before the animal is released.

SECTION 12 - A new Subsection of the Code of Ordinances regulating the keeping of vicious dogs is adopted which provides:

VICIOUS DOGS

No person shall keep or harbor any dog that shall bite or fiercely attack any person. This provision shall not apply to any case wherein the person bit or attacked shall break or enter, without permission any enclosure, and be pursued by the animal.

SECTION 13 – A new Subsection of the Code of Ordinances assigning civil liability for the actions of an animal to private property is adopted which provides:

CIVIL LIABILITY FOR DAMAGE

Any and all damages to persons or private property by an animal shall be the responsibility of the owner of the animal.

SECTION 14 – A new Subsection of the Code of Ordinances relating to animal excrement is adopted which provides:

EXCREMENT, REMOVAL AND CONTAINMENT

No person shall allow an animal under their control to be upon pubic property or upon the property of another, absent the consent of the owner or occupant of the property, without some device for the removal and containment of such animal’s excrement; nor shall any person fail to remove any excrement deposited by any animal under their control on public or private property. This section shall not apply to guide dogs under the control of a blind person.
SECTION 15 – A new Subsection of the Code of Ordinances relating to prohibited animals is adopted which provides:

PROHIBITED ANIMALS

No person shall keep or harbor within the City limits, except where zoned agricultural, any livestock, roosters, peafowl, geese, swans or turkeys.

INTRODUCED and given first reading at a meeting of the City Council of the City of Versailles, Kentucky, held on the 19th day of June, 2018, and fully adopted after the second reading at a meeting of said council held on the _____ day of __________, 2018.

CITY OF VERSAILLES

___________________________________
BRIAN TRAUGOTT, MAYOR

ATTEST:

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ALLISON B WHITE, CITY CLERK

MOTION BY BRADLEY, SECONDED BY COLEMAN TO APPROVE AND ADOPT ORDINANCE NO. 2018-20 ADDING ADDITIONAL REGULATIONS FOR DOMESTIC ANIMALS WITHIN THE CITY LIMITS.

Discussion

Council member Laura Dake continued to express her concerns regarding her dislike of the language under “Humane Treatment” (B) as regards tethering. Ms. Dake noted that she had provided the Council with proposed language for this section and had not received any comments. Ms. Dake further noted that she would not vote for the current ordinance language as was provided for in second reading. Council member Miller also briefly discussed her concern with some of the ordinance language and expressed her concern for “the rush” of adopting such an ordinance without additional discussion. Admin/Legal Chairperson Mary Bradley noted that the committee had spent “a lot of time and energy” in putting this ordinance together. City Attorney Moore noted that Council members can make a motion to amend any ordinance at any time, as well as present new ordinances at any time.

The vote was as follows: Bradley, Coleman and Roberts voting aye. Council members Dake and Miller voted opposed.

MOTION BY BRADLEY, SECONDED BY COLEMAN TO APPROVE AND ADOPT MUNICIPAL ORDER 2018-1 ADOPTING AND AMENDING THE FISCAL YEAR 2018-2019 PAY CLASSIFICATION AND COMPENSATION PLAN.

The vote was as follows: Bradley, Coleman, Dake, Miller and Roberts voting aye.

City Attorney Moore noted that the City had received a request to annex property at 906 Troy Pike and that given that the property is adjacent to City property, an “Intent To Annex” was not necessary.

At the request of Council member Bradley, City Attorney Moore gave first reading of Ordinance No. 2018-21 Annexing the Property Located at 906 Troy Pike and Containing a Total of 55.97 Acres.
The following bids were received for a Debris (Leaf) Vacuum for the Street Department:

<table>
<thead>
<tr>
<th>Company</th>
<th>Model</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Best Equipment</td>
<td>Giant Vac GVM600</td>
<td>$34,860.50</td>
</tr>
<tr>
<td>Old Dominion Brush</td>
<td>ODB Model LCT 600</td>
<td>$35,438.00</td>
</tr>
</tbody>
</table>

MOTION BY BRADLEY, SECONDED BY DAKE TO APPROVE AND ACCEPT BID RECEIVED BY BEST EQUIPMENT IN THE AMOUNT OF $34,860.50 FOR THE PURCHASE OF A DEBRIS (LEAF) VACUUM FOR THE STREET DEPARTMENT.

The vote was as follows: Bradley, Coleman, Dake, Miller and Roberts voting aye.

MOTION BY COLEMAN, SECONDED BY BRADLEY TO APPROVE AND ADOPT RESOLUTION NO. 2018-9 AS FOLLOWS:

CITY OF VERSAILLES, KENTUCKY
RESOLUTION 2018-9

WHEREAS, the protection of domestic animals is an integral part of maintaining a civilized society; and

WHEREAS, studies have indicated that abuse of animals more often than not leads to crimes of violence against humans; and

WHEREAS, Proverbs 12:10 teaches us that “The righteous care for the needs of their animals, but the kindest acts of the wicked are cruel;” and

WHEREAS, Kentucky has consistently ranked last among the states with regard to our animal cruelty laws; and

WHEREAS, the Kentucky General Assembly should enact legislation to provide felony penalties for neglect and sexual abuse of animals, require automatic forfeiture of offenders, and provide additional tools for prosecutors to effectively deal with animal abusers in order to prevent the commitment of additional heinous acts; and

WHEREAS, maintaining the status quo leads to embarrassment for the Commonwealth of Kentucky by showing no regard for our animal companions.

NOW, THEREFORE BE IT RESOLVED by the City Council of Versailles, Kentucky that the Kentucky General Assembly is strongly encouraged to enact legislation in the 2019 Regular Session that strengthen the animal cruelty laws within the Commonwealth.

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BRIAN TRAUGOTT, MAYOR

The vote was as follows: Bradley, Coleman, Miller and Roberts voting aye. Council member Dake opposed.

The following quotes were received for the VFD Replacement at Lift Station #2:

<table>
<thead>
<tr>
<th>Company</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Service Specialties, LLC</td>
<td>$5,424.00</td>
</tr>
<tr>
<td>Faust Electric</td>
<td>$7,440.00</td>
</tr>
<tr>
<td>CI Thornburg</td>
<td>$8,146.01</td>
</tr>
</tbody>
</table>
MOTION BY MILLER, SECONDED BY COLEMAN TO ACCEPT AND APPROVE QUOTE AS PRESENTED BY SERVICE SPECIALITIES, LLC. IN THE AMOUNT OF $5,424.00 FOR THE REPLACEMENT OF THE VFD AT LIFT STATION #2.

The vote was as follows: Bradley, Coleman, Dake, Miller and Roberts voting aye.

DEPARTMENT HEAD/COMMITTEE REPORTS

Police Chief Fugate requested Council approval to advertise for bids for four (4) new consoles for the new police station.

MOTION BY BRADLEY, SECONDED BY MILLER TO APPROVE REQUEST TO ADVERTISE FOR BIDS FOR FOUR (4) NEW DISPATCH CONSOLES FOR THE NEW POLICE STATION.

The vote was as follows: Bradley, Coleman, Dake, Miller and Roberts voting aye.

Council member Ann Miller reported that the Police/Fire Committee had met regarding changes to Section 92 and 32 of the City’s Code of Ordinances as relates to fire safety inspections and noted that further meetings will held to complete those suggested changes.

Council member Laura Dake reported that the Street/Stormwater Committee had met regarding stops signs/dumpsters/McDonald’s entrance/exit. Ms. Dake reported that a temporary barrier had been setup at McDonalds so you cannot turn right out of McDonald’s drive-thru. Ms. Dake noted that the committee will hold further meeting to address the other issues.

MOTION BY MILLER, SECONDED BY BRADLEY THAT THE MEETING OF THE COUNCIL ADJOURN.

The vote was as follows: Bradley, Coleman, Dake, Miller and Roberts voting aye.

APPROVED:

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BRIAN TRAUGOTT, MAYOR

ATTEST:

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ALLISON B. WHITE, CITY CLERK