

**MAY 7, 2019
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MINUTES OF REGULAR COUNCIL
VERSAILLES CITY HALL/5:30 P.M.**

ROLL CALL: MAYOR BRIAN TRAUGOTT PRESIDED OVER THE MEETING. ALSO PRESENT WERE COUNCIL MEMBERS MARY BRADLEY, MIKE COLEMAN, LAURA DAKE, GARY JONES, KEN KERKHOFF, AND FRED SIEGELMAN. CITY ATTORNEY BILL MOORE WAS ALSO PRESENT.

DEPT. HEADS: BART MILLER, MIKE MURRAY, ELIZABETH REYNOLDS, AND BRIAN WAINSCOTT WERE PRESENT REPRESENTING THEIR RESPECTIVE DEPARTMENTS.

PUBLIC COMMENT

No public comment was received.

MOTION BY BRADLEY, SECONDED BY DAKE TO APPROVE AND ADOPT THE MINUTES OF THE APRIL 16, 2019 REGULAR MEETING OF THE COUNCIL.

The vote was as follows: Bradley, Coleman, Dake, Jones, Kerkhoff and Siegelman voting aye.

Rich Pictor, Executive Director of Woodford County Parks and Recreation, presented to the Mayor and Council a plan to build new tennis courts at the existing site of the current courts. To subsidize the cost of the new courts, Mr. Pictor would like to apply for a Land and Water Conservation Fund (LWCF) grant, as well as a United States Tennis Association (USTA) Grant. The LWCF grant requires a resolution from the City of Versailles to commit to the additional funding which Mr. Pictor explained would be part of his normal Fiscal Year 2020-2021 budget and would not be a request for any additional monies from the City.

MOTION BY KERKHOFF, SECONDED BY SIEGELMAN TO AUTHORIZE THE MAYOR TO EXECUTE THE LAND AND WATER CONSERVATION FUND 2019 GRANT APPLICATION RESOLUTION ON BEHALF OF THE CITY TO APPLY FOR FUNDING FOR NEW TENNIS COURTS.

The vote was as follows: Bradley, Coleman, Dake, Jones, Kerkhoff and Siegelman voting aye.

Mayor Traugott informed the Council of recent legislative changes that had passed in Frankfort and provided a list of 2019 House and Senate Bills which effect local governments. He stated that Representative Joe Graviss would be at an upcoming council meeting to further discuss these changes. He also noted that Representative Graviss had voted well on each of these bills to benefit our local government. Mayor Traugott stated that changes would need to be made to some of our ordinances to reflect changes made in some of these bills.

Mayor Traugott distributed the proposed Fiscal Year 2019-2020 line-item budget and opened discussion by noting that each department's salary line-item included a 2.5% cost of living raise for employees. He also stated that the copy they were given included health insurance renewals at a 12% increase but that number is not final and they were hoping to get it down to a single digit number prior to passage of the budget ordinances. Mayor Traugott noted that revenue projections were affected by the "unknowns" associated with the upcoming closure of Ledvance. He also noted that Impact Fees had been a great revenue source for Enterprise Fund for the current year and in the new budget. Mayor Traugott stated that he is concerned about the 911 funding, with this budget reflecting 911 starting out approximately \$350,000 in the red. Other budget line-items that were discussed included the "Professional & Technical" line-item under Council which includes money for the Senior Citizens Center, KLC dues, Bluegrass ADD dues, Adult Day Care, Historical Society, Project Graduation, Versailles Municipal Housing monthly expense, Code Enforcement Board monthly expense, and a newly created Minority Empowerment Liaison position, along with other expenses. He noted that Worker's Comp premiums had decreased by \$58,000 overall due to a decrease in payroll as well as a lower mod factor rating. Mayor Traugott also explained that the bond proceeds from the forthcoming 2019 General Obligation Bond for the new Versailles Police Department Facility is included in this budget, as well as the first debt service payment on that bond. The Council scheduled a full Council Work Session to be held on Tuesday, May 21, 2019 at 4:15p.m. to address Department Heads with any departmental questions and further discuss the proposed budget.

At the request of Council member Coleman, City Attorney Moore gave second reading of Ordinance No. 2019-8 Repealing Chapter 75 of the Versailles Code of Ordinances and Adopting a New Chapter Addressing the Process to Obtain Permits for Parades and Events, Revocation of Permits, and Appeals from Denials of Permits as follows:

**CITY OF VERSAILLES
ORDINANCE NO. 2019-8**

TITLE: AN ORDINANCE REPEALING CHAPTER 75 OF THE VERSAILLES CODE OF ORDINANCES AND ADOPTING A NEW CHAPTER ADDRESSING THE PROCESS TO OBTAIN PERMITS FOR PARADES AND EVENTS, REVOCATION OF PERMITS, AND APPEALS FROM DENIALS OF PERMITS.

Whereas, the City desires to adopt a new chapter of its Code of Ordinances, replacing the current Chapter 75, to address the process for obtaining permits from the City for parades and events, the revocation of those permits, and the appeal from the City's denial of an application for a permit;

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

Section 1. Chapter 75 of the Code of Ordinances, including City Ordinance Nos. 75.01, 75.02, 75.03, 75.04, 75.05, 75.06, 75.07, 75.08, 75.09 and 75.10 are hereby repealed.

Section 2. A new section of the new Chapter 75 which the City recommends be codified as Section 75.01 containing definitions for the new Chapter is adopted to read as follows:

§ 75.01 DEFINITIONS

"PARADE." Any march or procession consisting of people, animals or vehicles, or combination thereof, except funeral processions, upon any public street, sidewalk or alley, which does not comply with the normal and usual traffic regulations and rules.

"GENERAL ASSEMBLY." Any meeting, demonstration, picket line, rally or gathering of more than twenty-five (25) persons for a common purpose as a result of prior planning that interferes with or has a tendency to interfere with the normal flow or regulation of pedestrian or vehicular traffic or occupies any public area in the place open to the general public to the hindrance of others.

"SPECIAL EVENT." Any activity which occurs upon private or public property that will affect the ordinary use of the public property, public streets, rights-of-way or sidewalks. This includes, but is not limited to fairs, festivals, foot runs, bicycle runs and block parties. Private social gatherings which will not require the use of City streets other than for lawful parking are not included.

"EVENT." For purposes of this chapter, the term "event" shall include a parade, general assembly, or special event.

"CITY SPONSORED EVENT." Any activity that the City of Versailles actively participates in as a provider of financial, organizational or marketing support and has received such designation by the Mayor.

Section 3. A new section of the new Chapter 75 which the City recommends be codified as Section 75.02 is adopted to read as follows:

§ 75.02 PERMITS

It shall be unlawful for any person to conduct an event upon any public street, sidewalk or alley in the city or knowingly participate in any such event unless and until a permit to conduct such an event has been obtained from the Chief of Police, or as hereinafter provided, from the City Council.

Section 4. A new section of the new Chapter 75 which the City recommends be codified as Section 75.03 is adopted to read as follows:

§ 75.03 COMMERCIAL PURPOSES

No permit shall be issued authorizing the conduct of an event which the Chief of Police finds is proposed to be held for the sole purpose of advertising or promotion of any product, goods, wares, merchandise, or business which is designed to be held solely for private profit.

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Section 5. A new section of the new Chapter 75 which the City recommends be codified as Section 75.04 is adopted to read as follows:

§ 75.04 INTERFERENCE

No person shall knowingly join or participate in any event conducted under permit from the Chief of Police in violation of any of the terms of the said permit, nor knowingly join or participate in any permitted event without the consent and over the objection of the permittee, or in any manner interfere with its progress or orderly conduct.

Section 6. A new section of the new Chapter 75 which the City recommends be codified as Section 75.05 is adopted to read as follows:

§75.05 APPLICATION FOR PERMIT

Any person who wants to conduct an event shall apply to the Chief of Police for a permit at least thirty (30) days in advance of the date of the proposed event. The Chief of Police may at his or her discretion, consider any application for a permit to conduct an event which is filed less than thirty (30) days prior to the date such event is to be conducted. The application for such permit shall be made in writing on a form approved by the Chief of Police. In order that adequate arrangements may be made for the proper policing of the event, the application shall contain the following information:

- (A) The name of the applicant, the sponsoring organization, event chairperson and the addresses and telephone numbers of each.
- (B) The purpose of the event, the date when it is proposed to be conducted, the location of the assembly area, the location of the disbanding area, route to be travelled and the approximate time when the event will assemble, start and terminate.
- (C) A description of the individual floats, marching units, vehicles, bands, including a description of any sound amplification equipment to be used.
- (D) An estimate of the number of participants, vendors, performers, and attendees.
- (E) A list of vendors who will be providing food or alcoholic beverages and, if alcoholic beverages are to be provided, the accompanying approval by the Mayor for a temporary event license detailing where alcoholic beverages may be sold and consumed in a public space.
- (F) Such other information as the Chief of Police may deem reasonably necessary.
- (G) Prior to the issuance of the permit, the applicant shall obtain from the City a business license and shall pay the business license fee, if applicable, as required under the City's Code of Ordinances. Each individual participating as vendor shall also obtain a business license from the City of Versailles, although vendors whose sole business in Versailles is participating in city-sponsored events shall be permitted to operate at such an event without a business license.
- (H) Indemnification. The person seeking a permit for any event shall sign a hold harmless indemnity agreement provided by the City wherein such person(s) shall agree to indemnify the City and hold it harmless from any damage to City property incurred during the event and from any claim made against the City which was incurred during and as a part of such event. The person seeking the permit shall also provide a signed hold harmless indemnity agreement from each food and alcohol vendor that will be participating in the event. Events that are not city sponsored shall also require certificates of insurance from vendors. The City Clerk shall have the authority in his or her reasonable discretion to require such a person to have issued a general liability insurance policy or bond wherein the City is insured with such coverage as determined by the City Clerk.
- (I) Conditions of Permit. The person seeking an event permit shall agree to inform other participants of the conditions surrounding issuance of the permit.

Section 7. A new section of the new Chapter 75 which the City recommends be codified as Section 75.06 is adopted to read as follows:

§ 75.06 ISSUANCE OR DENIAL OF PERMIT.

The Chief of Police shall issue an event permit conditioned upon the applicant's written agreement to comply with the terms of such permit unless the Chief of Police finds that:

- (A) The time, route and size of the event will disrupt to an unreasonable extent the movement of the other traffic;
- (B) The event is not a City sponsored event and blocks a main thoroughfare;
- (C) The event is of a size or nature that requires the diversion of so great a number of police officers of the city to properly police event area and the areas contiguous thereto would deny reasonable police protection to the city, or would block the flow of emergency vehicles;

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- (D) Such event will interfere with another event for which a permit has been issued or is anticipated to be issued;
- (E) The permit application is incomplete or contains false information;
- (F) The Chief of Police determines the event to be overly burdensome on businesses or residents.

Section 8. A new section of the new Chapter 75 which the City recommends be codified as Section 75.07 containing definitions for the new Chapter is adopted to read as follows:

§ 75.07 CONDITIONS OF PERMIT

As a condition of being issued an event permit, the recipient agrees to the following:

- (A) Participants shall be respectful of nearby businesses and residents.
- (B) Permittee agrees to clean up after the event and restore the public area to the condition it was prior to the event. In the instance this condition is not met, the city reserves the right to collect reimbursement from the permittee for any costs incurred to clean up after the event.
- (C) Permittee agrees to abide by all laws and regulations from all government entities with jurisdiction over the area and activity being performed.
- (D) If the event is a running or walking event, all participants must sign an approved waiver with the organizer and the route shall be clearly marked at organizers' expense.
- (E) If alcohol sales are to take place at the event, the City shall be named as an additional insured on the policy of the organizer. In addition, if a special temporary events alcohol license is utilized the area where such sale and possession is permitted must be designated in writing by the local ABC Administrator.
- (F) Attendees shall not promote violence or attempt to incite a riot against public safety.
- (G) Attendees at events shall be prohibited from wearing masks or other facial coverings unless part of a traditional holiday costume on the occasion of the holiday; a safety measure for a person lawfully engaged in trade, employment or a sporting activity; a theatrical production; or a gas mask used in an emergency or emergency drill.
- (H) All conditions of the permit shall be complied with so far as reasonably practicable, including any and all required licensing and permit requirements within the city, county and state jurisdictions.

Section 9. A new section of the new Chapter 75 which the City recommends be codified as Section 75.08 is adopted to read as follows:

§ 75.08 APPEAL PROCEDURE.

Upon a denial by the Chief of Police of an application made pursuant to Section 75.05 of this chapter, the applicant for an event permit may appeal from the determination of the Chief of Police within five (5) days thereafter to the City Council by filing a written notice of appeal for hearing by the City Council at its next meeting. Upon such appeal, the City Council may reverse, affirm or modify in any regard the determination of the Chief of Police.

Section 10. A new section of the new Chapter 75 which the City recommends be codified as Section 75.09 is adopted to read as follows:

§ 75.09 OFFICIALS TO BE NOTIFIED

Immediately upon the granting of a permit for an event the Chief of Police shall send a copy thereof to the following:

- (A) The Mayor
- (B) The City Clerk
- (C) The Fire Chief
- (D) The City Attorney
- (E) The Public Works Director

Section 11. A new section of the new Chapter 75 which the City recommends be codified as Section 75.10 is adopted to read as follows:

§ 75.10 REVOCATION OF PERMIT

Any permit for an event issued pursuant to this chapter may be summarily revoked by the Chief of Police at any time when the reason of disaster, public calamity, riot or other emergency, the Chief of Police determines that the safety of the public or property requires such revocation. Notice of such action revoking a permit shall be delivered in writing to the permittee by personal service or by certified mail.

Section 12. This ordinance shall become effective after passage and publication as required by law.

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Introduced and given first reading at a meeting of the City Council of the City of Versailles, Kentucky, held on the 16th day of April, 2019, and fully adopted after the second reading at a meeting of said council held on the 7th day of May, 2019.

CITY OF VERSAILLES

BRIAN TRAUGOTT, MAYOR

ATTEST:

ALLISON B. WHITE, CITY CLERK

MOTION BY SIEGELMAN, SECONDED BY DAKE TO APPROVE AND ADOPT ORDINANCE NO. 2019-8 REPEALING CHAPTER 75 OF THE VERSAILLES CODE OF ORDINANCES AND ADOPTING A NEW CHAPTER ADDRESSING THE PROCESS TO OBTAIN PERMITS FOR PARADES AND EVENTS, REVOCATION OF PERMITS, AND APPEALS FROM DENIALS OF PERMITS.

The vote was as follows: Bradley, Coleman, Dake, Jones, Kerkhoff and Siegelman voting aye.

At the request of Council member Bradley, City Attorney Moore gave first reading of Ordinance No. 2019-9 Creating an Entertainment Destination Center.

At the request of Council member Bradley, City Attorney Moore gave first reading of Ordinance No. 2019-10 Amending the City of Versailles, Kentucky Annual General Fund Budget for the Fiscal Year July 1, 2018 through June 30, 2019 by Estimating Revenues and Appropriations for the Operation of City Government Services.

At the request of Council member Coleman, City Attorney Moore gave first reading of Ordinance No. 2019-11 Amending the City of Versailles, Kentucky Annual Enterprise Fund Budget for the Fiscal Year Beginning July 1, 2018 through June 30, 2019 by Estimating Revenues and Appropriations for the Operation of the Enterprise Fund.

At the request of Council member Coleman, City Attorney Moore gave first reading of Ordinance No. 2019-12 Authorizing the Issuance of General Obligation Bonds, Series 2019 in the Aggregate Principal Amount of Approximately \$6,765,000 for the Purpose of Financing a Portion of the Costs of the Acquisition, Construction, Installation and Equipping of the Upgrades to a New Police Station for Use by the City and Currently Refunding the Outstanding City of Versailles, Kentucky General Obligation Bond Anticipation Notes, the Proceeds of Which Were Used to Finance on an Interim Basis a Portion of the Project.

Stan Kraemer, First Kentucky Securities, was present to answer any questions the Council may have regarding the bonding for the new police station. Mr. Kraemer stated that the City had borrowed money in 2018 for a one-year note to begin construction of the police station. The new bond will payoff the note and pay for finishing the construction.

Mayor Traugott presented to the Council Resolution 2019-2 requesting that the Kentucky Transportation Cabinet consider four road projects in Fiscal Year 2020, as follows:

**CITY OF VERSAILLES, KENTUCKY
RESOLUTION 2019-2**

WHEREAS, Versailles is blessed with many state-maintained roads within our corporate limits; and
WHEREAS, maintenance of these roads is important to both state and local government, and lack thereof is the source of many constituent complaints; and

WHEREAS, the Mayor and City Council should periodically notify the Kentucky Transportation Cabinet of their concerns and requests.

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NOW THEREFORE BE IT RESOLVED that the Versailles City Council formally request that the Transportation Cabinet consider the following projects in Fiscal Year 2020:

- Resurface South Main Street (KY-33) from mile point 12.2 to 13.7
- Resurface Elm Street (KY 1659) from Frankfort St (60X) to city limits
- Resurface U.S. 60 bypass and improve railroad crossings
- Continue progress towards Access Management Improvements on U.S. 60 from Woodford Feed to Marsailles Drive as included in the Biennial Highway Improvement Plan

Upon adoption, a copy of this resolution shall be submitted to District 7 Chief Engineer Kelly Baker.

**BRIAN TRAUGOTT, MAYOR
VERSAILLES, KENTUCKY**

MOTION BY SIEGELMAN, SECONDED BY BRADLEY TO APPROVE AND ADOPT RESOLUTION 2019-2 REQUESTING THAT THE KENTUCKY TRANSPORTATION CABINET CONSIDER FOUR ROAD PROJECTS IN FISCAL YEAR 2020.

The vote was as follows: Bradley, Coleman, Dake, Jones, Kerkhoff and Siegelman voting aye.

MOTION BY COLEMAN, SECONDED BY JONES TO ACCEPT THE BID FOR CABLE TELEVISION FRANCHISE AS PRESENTED BY METRONET TO PROVIDE CABLE TELEVISION SERVICE AND IPTV IN VERSAILLES, KENTUCKY.

The vote was as follows: Bradley, Coleman, Dake, Jones, Kerkhoff and Siegelman voting aye.

Public Works Director Bart Miller noted that Metronet is starting with the schools in Versailles and they should be working by the first day of school in August.

Public Works Director Bart Miller presented the following bids for 2019-2020 purchase of salt, further noting that the bid process was a reverse auction through KACO. The City can purchase up to 600 tons at the bid price. The bids were as follows:

Compass Minerals	\$82.29/ton
Detroit Salt Company	\$82.30/ton

MOTION BY BRADLEY, SECONDED BY SIEGELMAN TO APPROVE AND ACCEPT THE BID AS PRESENTED BY COMPASS MINERALS IN THE AMOUNT OF \$82.29 PER TON FOR THE PURCHASE OF UP TO 600 TONS FOR THE FISCAL YEAR 2019-2020 ROAD SALT PURCHASE.

The vote was as follows: Bradley, Coleman, Dake, Jones, Kerkhoff and Siegelman voting aye.

Mr. Miller informed the Council that he had made an emergency purchase of a 2012 Chevrolet Silverado for the cemetery department in the last week under the director of Mayor Traugott and City Attorney Bill Moore. He explained that a 2007 Chevrolet Silverado belonging to the City had recently been totaled in a minor accident with the other driver being at fault. The insurance paid the City \$10,473.00 for the totaled truck and he purchased the comparable replacement truck, which is five years newer, for \$10,712.00.

MOTION BY KERKHOFF, SECONDED BY BRADLEY TO APPROVE THE EMERGENCY PURCHASE OF A 2012 CHEVROLET SILVERADO FOR THE CEMETERY DEPARTMENT IN THE AMOUNT OF \$10,712.00.

The vote was as follows: Bradley, Coleman, Dake, Jones, Kerkhoff and Siegelman voting aye.

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Mr. Miller presented the following quotes for a chlorine analyzer for the Water Treatment Plant. He noted that this is a budgeted item.

Hach Company	\$3,447.55
USA Bluebook	\$3,629.00

MOTION BY SIEGELMAN, SECONDED BY COLEMAN TO ACCEPT THE QUOTE AS PROVIDED BY HACH COMPANY FOR A CHLORINE ANALYZER FOR THE WATER TREATMENT PLANT IN THE AMOUNT OF \$3,447.55.

The vote was as follows: Bradley, Coleman, Dake, Jones, Kerkhoff and Siegelman voting aye.

Assistant City Clerk Elizabeth Reynolds presented the Fiscal Year 2018-2019 Audit Proposal in the amount up to \$28,900.00 as presented by RFH, CPAs.

MOTION BY KERKHOFF, SECONDED BY BRADLEY TO ACCEPT THE FISCAL YEAR 2018-2019 AUDIT PROPOSAL AS PRESENTED BY RFH, CPAs IN THE AMOUNT NOT TO EXCEED \$28,900.00.

The vote was as follows: Bradley, Coleman, Dake, Jones, Kerkhoff and Siegelman voting aye.

MOTION BY SIEGELMAN, SECONDED BY COLEMAN TO APPROVE THE APPOINTMENT OF BOOKIE WILSON TO THE VERSAILLES HOUSING AUTHORITY FOR A TERM BEGINNING MAY 7, 2019 THROUGH DECEMBER 31, 2019. MS. WILSON WILL COMPLETE SARAH BYRD'S UNEXPIRED TERM.

The vote was as follows: Bradley, Coleman, Dake, Jones, Kerkhoff and Siegelman voting aye.

DEPARTMENT HEAD/ COMMITTEE REPORTS

Council member Siegelman requested that 108 Preston Court be considered for condemnation. Mayor Traugott stated that there are two options to move forward with that process – one being to send a request through the Building Inspector (Planning & Zoning) which is currently a vacant position being filled on a part-time temporary basis. The second option would be to have the Code Enforcement Officer site the property and move forward that way. Mayor Traugott asked Police Chief Murray to have an Officer look at the property and site the owner if necessary.

Mayor Traugott stated that the upcoming Relay for Life event is scheduled for Saturday, May 18th at Falling Springs parking lot.

Fire Chief Wainscott noted that a Cystic Fibrosis Walk is scheduled to be held at Whitaker Bank Park on the morning of May 18th.

Johnny Mills, Disaster and Emergency Management, noted that the new sirens had been installed and were functioning well at Industry Road. He also mentioned upcoming classes that are being offered through Emergency Management including a class on May 23rd regarding using your vehicle as a weapon and a class June 18th – 20th regarding emergency planning.

Council member Siegelman asked everyone to pray for those involved in the school shootings this afternoon in Colorado.

Events Coordinator Elisha Holt stated that the Kickoff to the Block Party Series will be held Friday, May 24th on Green Street in connection with Art In the Park which will be Saturday, May 25th on the grounds of The Paddock/Woodford Inn (formerly Addie's). She noted that there will be live music and a food area at Art In the Park.

Council member Dake informed everyone that the Big Spring Park Clean-Up Event will be held Saturday May 11th 9:00a.m. – 12:00p.m. Bluegrass Green Source has provided bags for the clean-up. That afternoon 12:00p.m. – 3:00p.m. there will be food trucks, inflatables, and games for everyone.

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Council member Bradley requested an Admin/Legal committee meeting be scheduled for Tuesday, May 21st at 4:00p.m. to discuss Code Enforcement.

Council member Dake requested a Street/Stormwater/Cemetery committee meeting be scheduled for Tuesday, May 21st at 3:30p.m. She stated that she would provide the agenda prior to the notice going out.

MOTION BY SIEGELMAN, SECONDED BY KERKHOFF THAT THE MEETING OF THE COUNCIL ADJOURN.

The vote was as follows: Bradley, Coleman, Dake, Jones, Kerkhoff and Siegelman voting aye.

APPROVED:

BRIAN TRAUGOTT, MAYOR

ATTEST:

ALLISON B. WHITE, CITY CLERK