

CITY OF BARDSTOWN
REGULAR COUNCIL MEETING MINUTES

4-14-09
7:00 P.M.

The City Council met in a regular session in the Council Chambers with Mayor J. Richard Heaton and the following Councilmen:

Councilman Reed
Councilman Williams
Councilman Lydian
Councilman Sheckles
Councilman Royalty
Councilman Simpson

Others present were: Police Chief Marksbury, Fire Chief Mattingly, Assistant City Administrator Green, City Civil Engineer Greenwell, City Attorney Donan, City Clerk Blincoe, The Kentucky Standard reporter Jenny Blandford, WBRT/WOKH reporter Fred Hagan, WYSB reporter Tom Redmon, PLG-TV reporter Tom Isaac, representatives from Smith Brothers Distributing, Robin Mills, Horizon Engineering, County Magistrate Sam Hutchins, Sam Wheatley and representatives from convenient stores, grocery stores and liquor stores.

Mayor Heaton called the meeting to order.

BID TAB - GARBAGE PACKER

City Civil Engineer Greenwell presented the bid tab. It was noted that the delivery schedule for the low bid from Jeff Jones Chevrolet was satisfactory with Public Works Superintendent Mike Burba. The bid tab was as follows:

**2009 20 Cubic Yard
Rear Loading Refuse Body Cab and
Chassis
April 3, 2009 - 10 a.m.**

BIDDER	MAKE	BID PRICE	DELIVERY	Model Yr.	PACKER
Jeff Jones Chevrolet	Chevrolet	\$102,705.00	225 days (1)	2009	New Way Cobra Series
Peterson Truck Center	GMC	\$103,815.00	30 to 50 days	2009	New Way Cobra Series
Municipal Equipment	Freightliner	\$104,000.00	In Stock (2)	2008	New Way Cobra Series
Municipal Equipment	Ford-F750	\$111,000.00	In Stock (2)	2009	New Way Cobra Series
Municipal Equipment	International	\$113,000.00	In Stock (2)	2009	New Way Cobra Series
Kentucky Freightliner	Freightliner	\$130,019.00	120 Days	2010 (3)	Apollo A300 Rear Loader

- NOTE:** 1. Jeff Jones indicated he gave himself the longest time it would take to deliver the truck. In the best case scenario it would be built in 90-120 days and 30 days for the packer install.
2. All of Municipals bids are complete units on the lot ready for delivery. Their third place bid is a 2008 model. Spec. 2009.
3. Kentucky freightliner bid a 2010 model Packer brand unknown. May reflect the high numbers in their bid.

Recommend: Jeff Jones Chevrolet \$102,705.00.
Line Item: 718 (Garbage Department) Budgeted: \$150,000.00

A discussion followed regarding the condition of the 1993 truck that will be replaced. This truck has been used only for backup. **UPON MOTION OF COUNCILMAN SIMPSON, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0, THE RECOMMENDED LOW BID FROM JEFF JONES CHEVROLET IN THE AMOUNT OF \$102,705.00 WAS APPROVED.**

SUNDAY ALCOHOLIC BEVERAGE SALES

Sam Wheatley, owner of the Maywood Chevron, distributed a list of several owners and managers of local convenient stores and grocery stores requesting that the Council amend the alcoholic beverage ordinance to allow their businesses to sell beer on Sundays. Guthrie McKay, Jackie Webb and Sidney Hagan requested that packaged liquor stores be included in the ordinance amendment and be allowed to sell malt beverages and also liquor sales on Sundays. Councilman Reed suggested waiting to vote on the issue until after the public could be informed that the change would include liquor sales. **UPON MOTION OF COUNCILMAN ROYALTY, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 5 TO 1, IT WAS APPROVED TO AMEND THE ORDINANCE TO ALLOW CONVENIENT STORES, GROCERY STORES AND PACKAGED LIQUOR STORES TO SELL ALCOHOLIC BEVERAGES ON SUNDAYS. COUNCILMAN REED VOTED NO.**

Another discussion was held on the hours of sale on Sundays. Most of the Council agreed that they should be the same as the county and state requirements of 1:00 p.m. until midnight. Councilman Simpson stated that he was in favor of keeping the hours the way they were declared in the ordinance, 2:00 p.m. until midnight. He emphasized that there was a reason that the Council changed the hours in the first place, and he believed that people should have the right to attend church and take their families out to eat before the selling of alcoholic beverages is permitted. Councilman Royalty thought the times for sale should be the same as the state requirement. **UPON MOTION OF COUNCILMAN REED, DULY SECONDED BY COUNCILMAN ROYALTY AND CARRIED BY A VOTE OF 5 TO 1, THE HOURS FOR SUNDAY SALES WILL BE AMENDED TO BE THE SAME AS THE STATE REQUIREMENTS FROM 1:00 PM UNTIL MIDNIGHT ON SUNDAYS. COUNCILMAN SIMPSON VOTED NO.** City Attorney Donan will draft the ordinance amendment.

DEVELOPMENT REVIEW BOARD RECOMMENDATION

The recommendation for approval on DRB-149 was presented for Smith Brothers Distributing, 1207 North Third Street, for an 11,447 square foot addition onto the existing 12,894 square foot building. **UPON MOTION OF COUNCILMAN LYDIAN, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0, THE RECOMMENDATION FROM THE DEVELOPMENT REVIEW BOARD WAS APPROVED WITH THE CONDITION THAT THE DRAINAGE PLAN BE SUBMITTED TO THE CITY'S ENGINEERING DEPARTMENT FOR APPROVAL.**

CORRESPONDENCE-GRANTS RECEIVED

Mayor Heaton reported that the City had been awarded \$6,400.00 from the Kentucky Office of Homeland Security and \$2,995.98 by the Kentucky League of Cities Insurance Services Safety Grant Program. The money will be used to purchase tasers for the Police Department.

Police Chief Marksbury commented that the Kentucky Office of Homeland Security grant was a non-matching grant to be used to purchase eight tasers and the Kentucky League of Cities Insurance Services Safety Grant was a matching grant and would be used to purchase six tasers. Asset forfeiture money will be used to purchase four additional tasers for the department. He commended Assistant Chief Will Strunk for his work on the grant application process.

HORIZON ENGINEERING PROPOSAL

Robin Mills, Principal Engineer with Horizon Engineering, presented the proposal for services to aid in the sewer system rehabilitation program and discussed recommended updates for the project. She explained that 80 engineering hours per month were proposed at an average hourly rate of \$75/hour for a period of 3 months. This would be approximately \$6,000/month or \$18,000 total for the 3 month period. If the time period needs to be extended, prior approval from the Council will be required. She then informed the Council that she would obtain all necessary permits for the work. **UPON MOTION OF COUNCILMAN ROYALTY, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 6 TO 0, THE PROPOSAL FROM HORIZON ENGINEERING WAS APPROVED.**

FIRST READING-REZONING REQUEST #2306-OLD THIRD BARDSTOWN, LLC.

The recommendation for approval was presented on the application #2306 from Old Third Bardstown, LLC for an amended development plan and binding elements for Polo Springs development located on the northwest side of Patriot Drive, approximately 480 feet northeast of New Shepherdsville Road (KY 245), revised Lots 2 & 4, Minor Plat for Lou and Julie A. Harrison & Mark R. Mathis. This application pertained to a density change from 9.39 units per acre to 10.33 units per acre. **UPON MOTION OF COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 6 TO 0, THE RECOMMENDATION FROM THE PLANNING COMMISSION WAS APPROVED.**

MUNICIPAL ORDER NO. 2009-07-REVISED DRUG-FREE WORKPLACE POLICY

Assistant City Administrator Green presented the following revision to the Drug-Free Workplace Policy to be adopted as Municipal Order No. 2009-07:

MUNICIPAL ORDER NO. 2009-07

MUNICIPAL ORDER AMENDING THE PERSONNEL POLICIES AND PROCEDURES ESTABLISHED IN MUNICIPAL ORDER NO. 91-8 AND AMENDED IN FULL IN MUNICIPAL ORDER NO. 2000-7 AND AMENDED IN MUNICIPAL ORDER NO.2003-16; MUNICIPAL ORDER NO. 2004-4; MUNICIPAL ORDER NO. 2007-8; AND MUNICIPAL ORDER NO. 2008-08.

NOW THEREFORE BE IT ORDERED by the City of Bardstown, Commonwealth of Kentucky:

That the Personnel Policies and Procedures, **SECTION III: CONDITIONS OF EMPLOYMENT**, Section O. Substance Abuse be amended as follows:

O. ~~Substance Abuse~~ **Drug Free Workplace**

The City has a vital interest in maintaining a safe, healthy, and efficient working environment for its employees and the public we serve. Because of accidents related to drugs and alcohol use, reported increases in drug/alcohol abuse, and other work-related issues, employers have become justifiably concerned about employee substance abuse. In many instances, public concern about such issues has resulted in government-mandated drug/alcohol testing. For example, federal law now mandates testing for employees who are required to possess and maintain a commercial driver's license ("CDL employees"). The City is particularly concerned about employee alcohol and drug abuse because of its obvious threat to human safety and health. The City has established this policy to comply with the law and to help maintain safe, uninterrupted sanitation service by fostering a work environment free of drug/alcohol abuse. Any questions concerning this policy should be directed to the Personnel Officer.

In addition to providing a copy of our Drug Free Workplace Policy to each employee of the City of Bardstown, Kentucky, a copy of the document will be permanently posted conspicuously in our workplace(s) and shall contain, in part, the following language from 803 KAR 25:280:

The unlawful manufacture, distribution, dispensation, possession, or use of alcohol or a controlled or illicit substance is prohibited in the workplace.

EAP

The City of Bardstown, Kentucky has access, and provides services to employees, to an Employee Assistance Program (EAP) provided through, HorizonCare. This EAP provides timely, full service substance abuse counseling, assistance and follow-up services and is provided free of charge to all employees of the City of Bardstown. HorizonCare EAP provides services to our employees regardless of race, color, religion, national origin, disability, sex or age. The phone number for HorizonCare EAP is (888) 293-6948. TDD (866)846-5949

Training

The City of Bardstown, Kentucky has established a Substance Awareness Training Program for all employees and Supervisory personnel in conjunction with the Drug Free Workplace program.

The program will consist of no less than one (1) hour of initial training for all employees and Supervisory personnel and of no less than thirty (30)-minutes of refresher training in Substance Abuse Awareness annually.

Additionally, Substance Abuse Awareness training exclusively for Supervisory personnel, consisting of no less than thirty (30) minutes will be conducted annually in addition to the training mentioned above.

The training for all employees will consist of training in or related to:

- **Alcohol and drug testing;**

- The effects of alcohol and drug use on an individual's health, work and personal life;
- The disease of alcohol and drug addiction;
- The signs and symptoms of an alcohol or drug problem
- The role of coworkers and supervisors in addressing alcohol or substance abuse; and
- Referrals to our Employee Assistance Program.

The additional Alcohol and Substance Abuse Awareness training presented exclusively to supervisory personnel will consist at least of training in the following areas:

- Recognizing the signs and symptoms of alcohol or substance abuse in the workplace;
- How to document signs and symptoms of employee alcohol or substance abuse;
- How to refer employees to an Employee Assistance Program or to other alcohol and substance abuse treatment; and
- The legal and practical aspects of "reasonable suspicion" testing for the presence of drugs and alcohol, including all specifications listed for "reasonable suspicion" training in 803 KAR 25:280 Section (3) subsection 2 a-f.

The above training will be presented within the calendar year 2009, and annually every year thereafter and records of all training conducted under our program, as well as the names of all persons who present alcohol and substance abuse training, shall be maintained under controlled-access and shall be made available for review by the Office of Workers Claims upon request.

Confidentiality

The City of Bardstown, Kentucky considers all records, including applicable doctor's statements and related medical information pertaining to its Drug Free Workplace Policy confidential, and as such these records are kept under controlled access, separate and apart from the employee's standard personnel file. As per our Drug Free Workplace Policy, the City of Bardstown does not release any record or information regarding the policy except under the following circumstances:

- Upon written request or release by the employee
- Upon order by a court or tribunal of competent jurisdiction

The Medical Review Officer for the City of Bardstown is Mark W. Peterson, M. D. of CMS Corporate Medical Services, 5490 Dayton Blvd, Chattanooga, TN 37415. The Test Site is Flaget Immediate Care Center, 700 Portland Avenue, Bardstown KY 40004. The drug testing lab is ATN, Advanced Toxicology Network, 3560 Air Center Cove, Memphis TN 38118.

Federal law and Federal Department of Transportation (DOT) regulations require the City to advise employees of federal commercial motor vehicle operator alcohol and drug regulations. The City has an additional policy, which covers all employees, including commercial motor vehicle operators. Non-commercial motor vehicle operator employees will be covered by the additional policy set forth below. Commercial motor vehicle operator employees will be required to comply with this policy and the additional policy. The Federal DOT regulations include minimum standards, which apply to a limited number of employees. In many respects, the City's additional policy includes standards which exceed the Federal DOT minimum standards, but which are consistent with other standard practices and laws related to substance abuse. For that reason, all employees should read, review, and comply with the City's additional substance abuse policy.

1. DOT Alcohol and Drug Rules

Federal law requires the City to issue rules and to conduct drug and alcohol testing for employees who maintain a commercial motor vehicle operator license to perform their job tasks. At the City, a commercial motor vehicle is generally a vehicle with a gross weight or combination rating of 26,001 or more pounds, or a vehicle transporting hazardous material. Commercial vehicle operators may perform a number of safety-sensitive functions, including all time spent: while on duty waiting to begin driving; inspecting, servicing, or conditioning a commercial motor vehicle; while in or driving a commercial motor vehicle; loading and unloading; supervising or assisting with loading or unloading; remaining in readiness to operate; and repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

A commercial motor vehicle operator employee cannot report for duty or remain on duty requiring the performance of safety-sensitive functions with an alcohol concentration of .04 or greater. Alcohol concentration means alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test. Alcohol use means the consumption of any beverage, mixture, or preparation, including any medication containing alcohol. Alcohol includes the intoxicating agents in beverage, ethyl, methyl, or isopropyl alcohol. A commercial motor vehicle operator employee also may not use alcohol while performing safety-sensitive functions, nor may safety-sensitive functions be performed within four hours after using alcohol.

A commercial motor vehicle operator employee may not report for duty or remain on duty requiring the performance of safety-sensitive functions when using any controlled substance, except when the use is pursuant to the instructions of a licensed medical practitioner and the practitioner has advised that the substance will not adversely affect the ability to safely operate a commercial motor vehicle. Commercial motor vehicle operators must inform the City of any controlled substance use. Controlled substances include marijuana, cocaine, opiates, amphetamines and phencyclidine.

Any commercial motor vehicle operator employee who violates the rules set forth above must be removed from safety-sensitive functions. The City will advise the employee of the resources available to evaluate and resolve problems associated with alcohol misuse and controlled substances use, including the name, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs. If employment continues, at minimum, the employee will be evaluated by a substance abuse professional who will determine what assistance, if any, the employee needs in resolving problems associated with alcohol misuse and controlled substance use. Before returning to safety-sensitive duties, a commercial motor vehicle operator who violates the rules set forth above must undergo a return to duty alcohol test with a result indicating an alcohol concentration of less than .02 if the conduct involved alcohol, or a controlled substance test with a verified negative result if the conduct involved controlled substances. The employee must properly follow any rehabilitation program recommended by a substance abuse professional and pass the follow-up tests discussed below.

b2. DOT Alcohol and Drug Testing

1a. Pre-Employment Testing

Prior to the first time a commercial vehicle operator employee performs a safety-sensitive function, he must be tested for alcohol and controlled substances. Unless the test result verifies negative for controlled substances and less than a .04 alcohol concentration, safety-sensitive function employment will be denied. If the test reveals an alcohol concentration of .02 or greater but less than .04, the law prohibits performance of safety-sensitive functions until the start of the driver's next regularly scheduled shift, but not less than 24 hours after the test.

2b. Post-Accident Testing

As soon as possible after an occurrence involving a commercial motor vehicle operating on a public road, a post-accident drug and alcohol test will occur if the commercial vehicle operator employee: (1) was performing a safety-sensitive function and a loss of life occurred; or (2) was cited with a moving traffic violation arising from the accident, if the accident involved bodily injury which required medical treatment away from the scene of the accident or one or more of the vehicles had to be towed away. If you have such an accident, you must report the accident to your manager or human resources as soon as possible and remain readily available for testing. A federally-required commercial vehicle operator test will not be conducted if the accident involved only boarding or leaving a stationary motor vehicle, loading or unloading cargo, or in operating a passenger car, unless the car was transporting hazardous materials.

3c. Random Test

Each year the Federal Highway Administration decides what percentage of the commercial motor vehicle operators will be tested. The percentage can range from 10% to 50% of employees. Employees will be selected randomly for the tests and the tests will not be announced in advance, except that the employee will be informed of the testing immediately prior to being sent for the test.

4d. Reasonable Suspicion Testing

The City will test a commercial motor vehicle operator employee when it has reasonable suspicion to believe that the employee has violated any of the alcohol and drug rules set forth above. Reasonable suspicion must be based on specific, articulable observations concerning appearance, behavior, speech, or body odors. The observations may include indications of the chronic and withdrawal effects of controlled substances. The observations also must be made by a supervisor or City official who has received training for substance abuse under federal law. For alcohol testing, the observations must be made during, just preceding, or just after the workday. An alcohol test will typically occur within two hours and not more than eight hours after the observations. The person making the observations will not be conducting the test.

~~5e.~~ Return To Duty and Follow-Up Testing

If a commercial motor vehicle operator employee violates any of the alcohol and drug rules set forth above, the City may not legally return the employee to work unless the employee takes a return to duty test with an alcohol test indicating an alcohol concentration of less than .02 and a verified negative result for controlled substances use.

If a commercial motor vehicle operator employee violates any of the alcohol and drug rules set forth above and employment continues thereafter, a substance abuse professional will direct, and the City will require unannounced follow-up alcohol and/or controlled substances testing. The number and frequency of the follow-up testing will consist of at least six tests in the first 12 months following return to duty. The follow-up testing will not exceed 60 months from the date of the employee's return to duty. The substance abuse professional may terminate the requirement for follow-up testing at any time after the first six tests have been administered, if the substance abuse professional determines that such testing is no longer necessary.

~~e3.~~ General Substance Abuse Rules

The unlawful manufacture, distribution, dispensation, possession, or use of alcohol or a controlled or illicit substance is prohibited in the workplace.

Because of the effect that substance abuse can have on employees and the City, and to protect employees and the City, the City has the following work rules regarding the use, possession or sale of alcohol or drugs, or similar attempted conduct.

- ~~1a.~~ While on duty or on City property (which includes but is not limited to all areas such as eating areas, lounge areas, locker rooms, or parking lots), employees are prohibited from being under the influence of alcohol or illegal drugs, or from having such substances in their systems. Moreover, employees may not attempt to or actually possess, manufacture, sell, transfer or receive alcohol or illegal drugs or drug paraphernalia while on duty or on City property at any time. Illegal drugs include illicit drugs and improperly used controlled substances.
- ~~2b.~~ Employees taking a prescribed drug must maintain the drug in its original container identifying the drug, dosage, date of prescription and authorizing physician. Each employee must notify his or her supervisor regarding any work restrictions that should be observed while taking the prescribed drug.
- ~~3c.~~ Employees should not be on duty or on City premises while in possession of or a drug prescribed for someone else, nor should an employee have such a drug in their system.
- ~~4d.~~ Any employee who may be undergoing medically prescribed treatment with a controlled substance, which may limit or affect the employee's ability to perform on the job must report this treatment to his/her supervisor prior to beginning work.
- ~~5e.~~ An employee is encouraged to seek treatment for a drug/alcohol abuse problem. The City has an employee assistance program. Contact the program if you are interested in enrolling in treatment. However, if an employee has a problem, he should voluntarily enroll in a drug/alcohol abuse program prior to testing positive and/or otherwise violating this policy. Deciding to seek treatment does not excuse a violation of this policy.
- ~~6f.~~ Violation of any of the foregoing rules will typically result in discharge. As an alternative to discharge, the City may under limited circumstances and in its discretion decide to permit the employee to enroll in a substance abuse counseling or assistance program. The employee must comply with all aspects of the program, and the City will require the employee to permit and facilitate full monitoring of the employee's progress.
- ~~7g.~~ Employees must notify the City of any criminal drug statute conviction for a violation occurring in the workplace no more than five (5) days after such conviction.

~~d4.~~ General Substance Abuse Tests

- ~~1a.~~ After receiving an offer of employment, but prior to beginning work, an applicant for employment for a safety-sensitive position, which includes firefighters, police officers, telecommunicators, and CDL holders, shall be required to undergo a drug/alcohol-screening test. Employment will be denied to any applicant whose confirmed positive test reveals the presence of illegal drugs, alcohol, or prescription drugs without a valid prescription.
- ~~2b.~~ Drug/alcohol tests may be conducted where a City supervisor has reason to suspect that an employee at work or on City property is either under the influence or is affected by alcohol, or drugs. A reasonable suspicion determination will be based on specific, articulable observations concerning appearance, behavior, speech, or body odors. The observations may include indications of the chronic or withdrawal effects of drugs or alcohol.
- ~~3c.~~ Drug/alcohol tests may be conducted for an employee who apparently causes a workplace accident which results in bodily injury for which immediate medical treatment is received by a health care provider, or property damage expected to exceed \$1,000.
- ~~4d.~~ Drug/alcohol testing may be conducted on a return to duty basis before a safety-sensitive employee returns to work after a leave of absence.
- ~~5e.~~ Drug/alcohol testing may be conducted on a follow-up basis after an employee has a confirmed positive test for alcohol or illegal drugs.
- ~~6f.~~ Random testing for illegal use of drugs applies to all employees who work in **DOT or** safety-sensitive positions. Selection for random testing will be by a computer program of a third party. The program will test at least fifty percent (50%) of the individuals each year in a local pool of individuals included in the random program. Upon notification of selection for random testing, employees will be expected immediately to proceed to the designated location for specimen collection. Absent good cause as determined by the City, failure to report for testing will be regarded as a positive test result. After an employee has been tested, his name remains in the random pool. Under the program, it is possible that some employees will be tested several times in a given year and other employees will not be tested at all. Whether and how often an employee is tested is determined by random selection.
- ~~7g.~~ The City may conduct unscheduled follow-up testing for a period of up to two years if the City decides to retain an employee who has tested positive or who has otherwise violated these policies, or as otherwise agreed upon by the employee and the City.
- ~~8h.~~ No drug/alcohol test will be administered without the consent of the employee. However, any employee who fails to cooperate and/or submit to drug/alcohol testing requested by the City in accordance with these drug policies will be discharged. Any employee with a confirmed positive test for alcohol or illegal drugs will typically be discharged. As an alternative to discharge, the City may under limited circumstances and in its discretion decide to permit the employee to enroll in a substance abuse counseling or assistance program. The employee must comply with all aspects of the program, and the City will require the employee to permit and facilitate full monitoring of the employee's progress.
- ~~9i.~~ The City will follow the same sample collection and testing procedures for its general substance abuse policy as it follows for commercial motor vehicle operator employees, including compliance with federal testing regulations. The only difference will be that ~~in addition to the substances tested for with commercial motor vehicle operator employees in all cases, the City will~~ reserves the right

to test for **Amphetamines**, barbiturates, benzodiazepines, **Cocaine, Marijuana**, methadone, methaqualone, **Opiates, PCP and** propoxyphene, and synthetic narcotics.

40j. The City recognizes that an employee may lawfully use certain prescription drugs. However, some drugs, even if used in a manner consistent with a medical prescription, can interfere with job performance and raise safety concerns. Accordingly, you must immediately report the use of any legal or illegal drugs where it could seriously affect your job performance or present a serious risk of harm to yourself or others. You may also be required to divulge lawful drug use in response to a drug test questionnaire if a drug test is conducted under this policy.

5. Drugs with Potential for Abuse

Barbiturates (Nembutal, Seconal, Amytal, Tuinal, etc.). These are central system depressants and are highly addictive both mentally and physically; they have a high potential for causing overdose reactions and severe and dangerous withdrawal complications.

Minor tranquilizers (Librium, Valium, etc.). These have an effect similar to barbiturates and alcohol but are less powerful in their effect and less likely to produce physical and psychological dependency, although psychological dependency is still very common among users.

Narcotics (Opium, morphine, heroin). These are drugs that act upon the central nervous system and parasympathetic nervous system to reduce pain, induce sleep and give a calming effect. They are very physically and psychologically addicting and, because of the haphazard manner in which they are manufactured and sold, frequently are used excessively.

Stimulants (amphetamines, cocaine). These are drugs that affect the central nervous system, causing increased alertness and activity and bringing on a feeling of confidence and well-being. They cause psychological dependency but their ability to cause actual physical dependency is not clear. They can have negative psychological effects when overused.

Hallucinogens (LSD, mescaline, psilocybin, PCP, etc.). These drugs act upon the central nervous system and produce changes in perception with accompanying excitement to the user. They are not likely to cause psychological or physical dependency. They are somewhat unreliable in their effect and may cause extreme anxiety reactions or panic states in some users.

Marijuana The active ingredient in marijuana is THC, which is sometimes classified as a hallucinogen. The actual amount of this chemical in marijuana is quite low, however, hallucinations are rare. It generally has an intoxicating effect and may heighten sensory perception, especially auditory perception. There are almost no observable physical effects due to marijuana use. It can produce a psychological dependence somewhat similar to caffeine and has no potential for physical dependence.

Volatile substances (Gasoline, paint thinner, lighter fluid, airplane glues, etc.). These substances act on the central nervous system and produce an intoxicating effect. They can be extremely dangerous, causing either brain damage or death from overdose.

Synthetic Narcotics (Hydromorphone, Oxycodone, and Hydrocodone Meperidine, Methadone, Fentanyl, Pentazocine, etc.). Legal, synthetic narcotics such as OxyContin (oxycodone) and Vicodin (hydrocodone) are prescribed as pain-relievers but are often diverted for illegitimate uses. Their effects can be similar to those of narcotics.

The revisions will enable the City of Bardstown to be certified as a Drug-Free Workplace and receive a 5% discount on Workers' Compensation insurance. **UPON MOTION OF COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0, MUNICIPAL ORDER NO. 2009-07 WAS APPROVED.**

ARBOR DAY PROCLAMATION

The Assistant City Administrator presented the proclamation that will enable the City of Bardstown to again be a certified Tree City USA as follows:

Proclamation by City of Bardstown

WHEREAS: In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS: This holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS: Arbor Day is now observed throughout the nation and the world; and

WHEREAS: Trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

WHEREAS: Trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS: Trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, be it proclaimed throughout the City of Bardstown, that Friday, **April 24, 2009**, be proclaimed as

“ARBOR DAY”

FURTHER, I urge all citizens to plant and care for trees to gladden the heart and promote the well-being of this and future generations.

UPON MOTION OF COUNCILMAN SHECKLES, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0, THE PROCLAMATION WAS APPROVED.

RECREATION BOARD

Councilman Reed reported on the Recreation Board meeting in which personnel matters were discussed. He also reported on the County's lease contract with Bethlehem High School for Dean Watts Park.

MINUTES

The minutes from the 3-24-09 regular Council meeting were then presented and **UPON MOTION OF COUNCILMAN REED, DULY SECONDED BY COUNCILMAN ROYALTY AND CARRIED BY A VOTE OF 6 TO 0, THEY WERE APPROVED.**

FIRE DEPARTMENT REPORT

Fire Chief Mattingly reported that he and the City Attorney were still working on correspondence with Smoke Blotter, Inc., a company who had bid on the vehicle exhaust removal systems for the department.

HISTORICAL REVIEW BOARD MEETING

Mayor Heaton reported that he and Assistant City Administrator Green attended the Historical Review Board meeting that was held on April 13, 2009 and the Board seemed satisfied with the choices suggested for the Downtown Streetscape Project, Phase I.

SEWER OVERFLOWS

City Civil Engineer Greenwell reported that City crews constructed a temporary sanitary sewer pump station on the Town Creek waste water line to help with sewer overflows per the state Department of Water requirements. He commended the hard work accomplished by the City's Public Works Department in a very short amount of time.

CEMETERY DEED

Cemetery deeds were presented for Imelda Shanks, Roy Shanks and William Raffo Culver. **UPON MOTION OF COUNCILMAN SIMPSON, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 6 TO 0, THE DEEDS WERE APPROVED.**

CITY ANNIVERSARIES/OTHER ANNOUNCEMENTS

The Mayor announced that Jason Goff was celebrating five years with the City of Bardstown and Chris Ayers was celebrating twenty years with the City this month.

Councilman Williams announced that it was his 36th Wedding Anniversary.

Councilman Simpson recognized Reporter Jenny Blandford, who will be leaving The Kentucky Standard on Friday to take a position in Lexington. The Mayor and Council wished her well and thanked her for her service. This meeting was her last meeting with the City Council.

It was also announced that Reporter Fred Hagan was celebrating his birthday.

ADJOURNMENT

Being no further business to discuss and **UPON MOTION OF COUNCILMAN SIMPSON, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0, THE MEETING WAS ADJOURNED AT 8:35 PM.**

CITY OF BARDSTOWN

ATTEST:

J. Richard Heaton, Mayor

Bobbe Blincoe, City Clerk