

**CITY OF BARDSTOWN  
REGULAR COUNCIL MEETING MINUTES**

**1-12-09  
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: Police Chief Marksbury, Asst. City Administrator Green, Chief Financial Officer Abell, Public Works and Engineering Director Hamilton, City Civil Engineer Greenwell, City Electrical Engineer Mills, City Attorney Donan, City Clerk Blincoe, WBRT/WOKH reporter Fred Hagan, The Kentucky Standard reporter Stephanie Hornback, WYSB reporter Tom Redmon, Smoke-free Coalition members Pat Whelan and Kay Clark, and Kevin Brumley.

Mayor Heaton called the meeting to order.

**SMOKE-FREE BARDSTOWN DRAFT ORDINANCE**

Pat Whelan, Smoke-free Coalition volunteer, was recognized and he asked for the Council's consideration on an ordinance that would prohibit smoking in all workplaces and public places. He distributed a draft ordinance modeled from one approved around the country. Councilman Royalty asked that the Council discuss the matter at the Working Session to be held on January 19, 2010 at 5:00 p.m. Councilman Reed said that he had previously received approval for the item to be added to the Working Session agenda. Mr. Whelan was invited to attend the Working Session.

**NOTICE BY NBC-WINTER/SUMMER OLYMPIC COVERAGE**

City Electrical Engineer Mills reported on the notice received from NBC regarding THE Winter and Summer Olympics. There will be a fee per subscriber per month to keep the network from blacking out certain Olympic events during the beginning of the Winter Olympics in February, 2010 through the summer Olympics in 2012. If the fee is not paid, City staff would have to track Olympic coverage and initiate the blackouts. The City budgeted \$84,000 in the Cable TV Department that would be used to cover the \$5,000 cost through this fiscal year. The cost for next year would be figured in during next year's City budget. **UPON MOTION OF COUNCILMAN ROYALTY, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 6 TO 0, IT WAS APPROVED TO AUTHORIZE THE MAYOR TO AMEND THE CONTRACT WITH NBC TO ALLOW FOR OLYMPIC COVERAGE FROM FEBRUARY, 2010 THROUGH THE END OF THE SUMMER OLYMPICS IN 2012.**

**FLAGET HEALTHCARE, INC./FRAVENSHUH HEALTHCARE REAL ESTATE SOLUTIONS-DEVELOPMENT PLAN**

The Mayor reported that the amendment to the development plan for Flaget Healthcare, Inc. and Fravenshuh Healthcare Real Estate Solutions, (application #2324), had erroneously been sent to the Council for approval. The matter will be handled by the Planning and Zoning Commission.

**SECOND READING - REZONING #2325-BRH PROPERTIES, LLC**

A second reading was presented of an ordinance to rezone 2.33 acres on Nelly Drive and at the intersection of Handy Boulevard and Bessie Lane, being Lots 30C-40D of Miller Springs Estates from R-1T, Single Family Townhouse District to R-1A (PUD) (Option #1), Single Family Residential District. The Planning Commission recommended approval of the application from BRH Properties, LLC. **UPON MOTION OF COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN SHECKLES, MAYOR HEATON CALLED THE ROLL AND THE FOLLOWING VOTED:**

|                     |   |     |
|---------------------|---|-----|
| COUNCILMAN REED     | - | AYE |
| COUNCILMAN WILLIAMS | - | AYE |
| COUNCILMAN LYDIAN   | - | AYE |
| COUNCILMAN SHECKLES | - | AYE |
| COUNCILMAN ROYALTY  | - | AYE |
| COUNCILMAN SIMPSON  | - | AYE |

**THE MAYOR DECLARED ORDINANCE NO. B2010-01 ADOPTED BY REFERENCE AND BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. \_\_\_\_.**

**SECOND READING - #2326-AMERICAN LEGION-ABRAHAM LINCOLN POST #167**

(Councilman Lydian and Councilman Williams recused themselves from the meeting and vote).

A second reading was presented of an ordinance to rezone 3.04 acres at 202 Downs Lane (Tract #3, Old Town Nursery) from P-1 (PUD), Professional Office District, to B-1 (PUD), Options B & C, Neighborhood Business District for American Legion-Abraham Lincoln Post #167. The Planning Commission recommended approval of the request with the following binding elements:

- (1) The use of the property shall be limited only to the organizational meetings, events and activities of American Legion Post #167 and to a reception/dance hall and restaurant/bar open to non-members and the general public. Any other use of the property shall require prior approval from the Planning Commission and Bardstown City Council.
- (2) Any use serving alcohol by the drink to non-members and the general public shall be limited to the following hours of operation: Monday through Saturday 4:00 pm to 1:00 am.
- (3) All uses must be operated by members of the American Legion Post #167, and no use shall be a consignment operation or arrangement.
- (4) Any exterior building and site alterations shall be approved by the Planning Commission.

**UPON MOTION OF COUNCILMAN REED, DULY SECONDED BY COUNCILMAN SIMPSON, MAYOR HEATON CALLED THE ROLL AND THE FOLLOWING VOTED:**

COUNCILMAN SIMPSON - AYE  
COUNCILMAN ROYALTY - AYE  
COUNCILMAN SHECKLES - AYE  
COUNCILMAN REED - AYE

THE MAYOR DECLARED ORDINANCE NO. B2010-02 ADOPTED BY REFERENCE AND BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. \_\_\_\_.

(Councilman Lydian and Councilman Williams returned to the Council Chambers.)

**NELSONVILLE RESIDENT APPRECIATION**

The Mayor read a note from Charlie Gaslin, a resident of Nelsonville, in appreciation for the City expanding cable TV and Internet service to his area.

**MINUTES**

The minutes from the 12-22-09 regular City Council meeting were then presented and **UPON MOTION OF COUNCILMAN SIMPSON, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 6 TO 0, THEY WERE APPROVED.**

**FIRST READING - FY 2009-2010 BUDGET ORDINANCE AMENDMENT**

(Councilman Williams recused himself from the meeting and vote).

A first reading was presented of an ordinance to amend the budget to include grants the City has received since the initial budget ordinance was approved. The general fund's anticipated revenues and expenditures were increased approximately \$700,000 each to \$6.7 million each for the Neighborhood Stabilization Program and for the Secure Our Schools Program. The combined utilities construction fund anticipated revenues and expenditures were increased from \$11.7 million to \$13.6 million each because of the \$1.9 million Transportation Enhancement grant for the Streetscape Project. Loans received from the Kentucky Infrastructure for the Water Treatment Plant Project and for the waterline project were also included in the amended budget. **UPON MOTION OF COUNCILMAN LYDIAN, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0, THE FIRST READING WAS APPROVED.**

(Councilman Williams returned to the Council Chambers).

**MUNICIPAL ORDERS NOS. 2010-01 THROUGH 2010-11**

Assistant City Administrator Green presented Municipal Orders Nos. 2010-01 through 2010-11 and explained the process needed to correct the information provided by the Kentucky Secretary of state to the U.S. Census Bureau regarding the annexed areas of the City of Bardstown. The Municipal Orders were presented as follows:

**RESOLUTION/MUNICIPAL ORDER NO. 2010-01**

**A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE.**

WHEREAS, the City of Bardstown has enacted numerous ordinances annexing property into the corporate limits of the City of Bardstown; and

WHEREAS, each individual annexation contains a prior survey oft prepared by now unknown individual, and further references documentation that is no longer in existence; and

WHEREAS, the City wishes to provide a modern, accurate, easily identifiable legal description reflecting bearings and coordinates based upon the state plane coordinate system, including relevant GPS and GIS data, same having been certified by a professional land surveyor for each prior annexation; and

WHEREAS, The City wishes to comply with the requirements of Amended KRS 81A.470 effective July 13, 2004; and

WHEREAS, the City does not intend to amend or replace its prior ordinance annexing, but rather to interpret the defined boundaries of the territory previously annexed and adopt a modern and accurate legal description of territory previously annexed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BARDSTOWN, KENTUCKY:

SECTION 1. That the City Council of the City of Bardstown hereby adopts the following legal description and a plat attached hereto as prepared by Stephen Hibbs, Licensed Professional Land Surveyor No. 2981 by new survey as an accurate depiction of the property previously annexed into the corporate city limits of the City of Bardstown by Ordinance 219 dated 7/14/1981, a copy of which is attached hereto as Exhibit "2", and hereby adopts said new legal description and plat as the official legal description and plat to be adopted by the City for all purposes when referencing this prior annexation.

SECTION 2. This new legal description as prepared by Stephen Hibbs a Licensed Professional Land Surveyor No. 2981 is as follows:

Beginning at the intersection of the south r/w line of Sutherland Lane and the west r/w line of U.S. 31-E; thence with the west r/w line of U.S. 31-E S 22-34-00 W 603.27 ft. to a point, in the west r/w line of U.S. 31-E and the north r/w line of the Bluegrass Parkway; thence with the said r/w line of the Bluegrass Parkway N 61-37-47 W 137.64 ft. S 33-54-34 W 507.28 ft. S 66-52-07 W 112.00 ft. N 25-42-03 E 207.53 ft. to a point in the east r/w line of Sutherland Lane; thence crossing Sutherland Lane N 66-32-28 W 57.78 ft. to a point in the west r/w line of Sutherland Lane; thence with said r/w line S 27-53-50 W 57.71 ft. S 38-56-45 W 93.86 ft. S 51-40-48 W 79.03 ft. S 73-18-03 W 41.76 ft. S 85-06-53 W 117.43 ft. S 84-19-47 W 141.69 ft. N 86-09-14 W 119.27 ft. S 86-35-37 W 168.30 ft. S 83-14-02 W 237.66 ft. S 77-42-17 W 159.66 ft. S 70-25-37 W 143.28 ft. S 69-29-04 W 165.50 ft. S 65-53-27 W 198.30 ft. S 67-40-53 W 761.01 ft. to a point, in the north r/w line of Sutherland Lane, corner to George Ballard; thence leaving the road with Ballard N 06-40-33 W 490.32 ft.; thence N 35-59-26 E 1602.99 ft.; thence N 27-08-41 E 335.73 ft. to a point, corner to Ballard, in the south line of Beechfork Estates Subd.; thence with Beechfork Estates Subd. N 73-45-14 E 556.73 ft.; S 54-53-43 E 763.50 ft.; S 00-52-24 E 378.39 ft.; S 55-06-13 E 256.03 ft.; N 75-12-49 E 153.51 ft. to a point, corner to Beechfork Estates Subd., in the west r/w line of Sutherland Lane; thence with said r/w line N 27-16-00 E 140.65 ft.; N 41-23-21 E 175.16 ft.; N 74-09-19 E 125.84 ft.; S 66-27-04 E 212.53 ft. to the point of beginning, containing 77.88 acres.

**RESOLUTION/MUNICIPAL ORDER NO. 2010-02**

**A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE.**

WHEREAS, the City of Bardstown has enacted numerous ordinances annexing property into the corporate limits of the City of Bardstown; and

WHEREAS, each individual annexation contains a prior survey oft prepared by now unknown individual, and further references documentation that is no longer in existence; and

WHEREAS, the City wishes to provide a modern, accurate, easily identifiable legal description reflecting bearings and coordinates based upon the state plane coordinate system, including relevant GPS and GIS data, same having been certified by a professional land surveyor for each prior annexation; and

WHEREAS, The City wishes to comply with the requirements of Amended KRS 81A.470 effective July 13, 2004; and

WHEREAS, the City does not intend to amend or replace its prior ordinance annexing, but rather to interpret the defined boundaries of the territory previously annexed and adopt a modern and accurate legal description of territory previously annexed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BARDSTOWN, KENTUCKY:

SECTION 1. That the City Council of the City of Bardstown hereby adopts the following legal description and a plat attached hereto as prepared by Stephen Hibbs, Licensed Professional Land Surveyor No. 2981 by new survey as an accurate depiction of the property previously annexed into the corporate city limits of the City of Bardstown by Ordinance 245, dated 10/12/1982, a copy of which is attached hereto as Exhibit "2", and hereby adopts said new legal description and plat as the official legal description and plat to be adopted by the City for all purposes when referencing this prior annexation.

SECTION 2. This new legal description as prepared by Stephen Hibbs a Licensed Professional Land Surveyor No. 2981 is as follows:

Beginning at a point in the west r/w line of U.S. Hwy 62, and the south r/w line of R.J. Corman Railroad; thence with the south r/w line of said railroad and the existing City Limit Line S 76-44-37 W 2658.89 ft.; N 71-49-18 W 510.62 ft. to Town Creek; thence with Town Creek N 27-55-45 E 486.34 ft. to a point in Town Creek, in the south r/w line of Old Bloomfield Pike; thence with the south r/w line of Old Bloomfield Pike S 64-27-32 E 84.00 ft.; S 56-02-45 E 91.37 ft.; S 65-41-33 E 131.97 ft.; S 87-42-41 E 123.67 ft.; N 75-35-27 E 119.07 ft.; N 58-29-07 E 76.01 ft.; N 45-01-28 E 128.10 ft.; N 45-32-59 E 126.94 ft.; N 59-22-46 E 84.71 ft.; N 74-16-50 E 121.52 ft.; N 76-41-50 E 221.78 ft.; N 70-14-48 E 293.09 ft.; N 68-00-51 E 435.88 ft.; N 60-20-52 E 326.08 ft.; N 71-44-03 E 356.23 ft.; N 75-38-52 E 147.15 ft.; N 66-57-42 E 378.78 ft. to a point in the south r/w line of Old Bloomfield Pike and the west r/w line of U.S. Hwy 62; thence with the west r/w line of U.S. Hwy 62 S 26-57-01 W 250.23 ft.; S 32-49-46 W 378.22 ft.; S 35-35-20 W 575.37 ft. to a point in the north r/w line of R.J. Corman Railroad and the west r/w line of U.S. Hwy 62; thence crossing U.S. Hwy 62 N 76-25-39 E 91.75 ft. to a point on the east side of U.S. Hwy 62; thence with said r/w line S 36-36-02 W 1330.00 ft. to a point in the east r/w line of U.S. Hwy 62; thence crossing U.S. Hwy 62 N 53-23-58 W 70.00 ft. to a point in the west r/w line of U.S. Hwy 62; thence with the west r/w line of U.S. Hwy 62 N 36-36-02 E 1194.82 ft. to the point of beginning, containing 50.83 acres.

#### **RESOLUTION/MUNICIPAL ORDER NO. 2010-03**

#### **A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE.**

WHEREAS, the City of Bardstown has enacted numerous ordinances annexing property into the corporate limits of the City of Bardstown; and

WHEREAS, each individual annexation contains a prior survey oft prepared by now unknown individual, and further references documentation that is no longer in existence; and

WHEREAS, the City wishes to provide a modern, accurate, easily identifiable legal description reflecting bearings and coordinates based upon the state plane coordinate system, including relevant GPS and GIS data, same having been certified by a professional land surveyor for each prior annexation; and

WHEREAS, The City wishes to comply with the requirements of Amended KRS 81A.470 effective July 13, 2004; and

WHEREAS, the City does not intend to amend or replace its prior ordinance annexing, but rather to interpret the defined boundaries of the territory previously annexed and adopt a modern and accurate legal description of territory previously annexed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BARDSTOWN, KENTUCKY:

SECTION 1. That the City Council of the City of Bardstown hereby adopts the following legal description and a plat attached hereto as prepared by Stephen Hibbs, Licensed Professional Land Surveyor No. 2981 by new survey as an accurate depiction of the property previously annexed into the corporate city limits of the City of Bardstown by Ordinance 256, dated 3/29/1983, a copy of which is attached hereto as Exhibit "2", and hereby adopts said new legal description and plat as the official legal description and plat to be adopted by the City for all purposes when referencing this prior annexation.

SECTION 2. This new legal description as prepared by Stephen Hibbs a Licensed Professional Land Surveyor No. 2981 is as follows:

Beginning at a point, on the west r/w line of U.S. 31-E, approximately 600 ft. south of the intersection of U.S. Hwy 31-E and Ky Hwy 245; thence with the west r/w line of U.S. Hwy 31-E N 01-38-46 E 571.28 ft. to a point, on the west r/w line of U.S. Hwy 31-E and the south r/w line of Ky Hwy 245; thence with the south r/w line of Ky Hwy 245 N 72-50-49 W 813.11 ft.; N 82-58-13 W 341.77 ft.; N 74-27-34 W 165.02 ft. to a point on the south r/w line of Ky Hwy 245; thence N 21-54-00 E 468.71 ft., crossing Ky Hwy 245, to a point corner to Ky Home Village; thence with Ky Home Village S 72-38-37 E 1354.39 ft., crossing U.S. Hwy 31-E, to a point on the east r/w line of U.S. Hwy 31-E; thence with said r/w line S 03-43-00 E 495.00 ft., crossing Ky Hwy 245, to a point on the east r/w line of U.S. 31-E; thence S 22-09-38 W 484.47 ft. to a point on the east r/w line of U.S. Hwy 31-E; thence N 75-38-00 W 60.00 ft., crossing U.S. Hwy 31-E, to the point of beginning, containing 16.60 acres.

#### **RESOLUTION/MUNICIPAL ORDER NO. 2010-04**

#### **A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE.**

WHEREAS, the City of Bardstown has enacted numerous ordinances annexing property into the corporate limits of the City of Bardstown; and

WHEREAS, each individual annexation contains a prior survey oft prepared by now unknown individual, and further references documentation that is no longer in existence; and

WHEREAS, the City wishes to provide a modern, accurate, easily identifiable legal description reflecting bearings and coordinates based upon the state plane coordinate system, including relevant GPS and GIS data, same having been certified by a professional land surveyor for each prior annexation; and

WHEREAS, The City wishes to comply with the requirements of Amended KRS 81A.470 effective July 13, 2004; and

WHEREAS, the City does not intend to amend or replace its prior ordinance annexing, but rather to interpret the defined boundaries of the territory previously annexed and adopt a modern and accurate legal description of territory previously annexed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BARDSTOWN, KENTUCKY:

SECTION 1. That the City Council of the City of Bardstown hereby adopts the following legal description and a plat attached hereto as prepared by Stephen Hibbs, Licensed Professional Land Surveyor No. 2981 by new survey as an accurate depiction of the property previously annexed into the corporate city limits of the City of Bardstown by Ordinance 342, dated 11/18/1986, a copy of which is attached hereto as Exhibit "2", and hereby adopts said new legal description and plat as the official legal description and plat to be adopted by the City for all purposes when referencing this prior annexation.

SECTION 2. This new legal description as prepared by Stephen Hibbs a Licensed Professional Land Surveyor No. 2981 is as follows:

Beginning at a point, on the north side of Templin Ave. (Ky Hwy 1430), corner to the existing City Limit Line, said point being directly opposite the corner of the T.W. Samuels Star Hill Farm Property; thence with the existing City Limit Line, crossing Templin Ave. and running with Star Hill and the rear of the lots fronting Hillcrest Drive S 46-47-00 W 517.97 ft.; S 46-35-41 W 436.38 ft.; S 22-22-08 W 644.57 ft., joining Bardstown Independent Schools; thence S 36-45-00 W 240.20 ft.; S 83-30-00 W 160.40 ft.; S 09-45-00 E 347.20 ft. to a point, corner to Bardstown Independent Schools, north of West Broadway; thence with the rear of the lots fronting West Broadway S 89-08-05 W 1246.41 ft. to a point, corner to the Bardstown Housing Authority; thence with the Housing Authority then Culver N 13-25-33 W 570.91 ft.; N 59-58-46 W 482.10 ft.; S 49-14-17 W 507.95 ft. to a point, corner to Culver and Raisor; thence with Raisor N 38-20-48 W 385.99 ft.; N 33-23-00 W 363.52 ft.; N 33-49-46 W 282.18 ft. to a point, corner to Raisor and Salt River Electric; thence with Salt River Electric N 31-07-00 E 3713.59 ft. to a point on the south r/w line of Templin Ave. (Ky Hwy 1430); thence with the south r/w line of Templin Ave. S 59-58-26 E 135.51 ft.; S 60-09-26 E 276.87 ft.; thence with a curve to the right, having a radius of 1334.35 ft., S 46-45-15 E 654.47 ft. (chord); thence S 28-05-26 E 286.50 ft.; S 21-05-26 E 477.58 ft. to a point on the south r/w line of Templin Ave.; thence crossing Templin Ave. N 68-00-00 E 60.00 ft. to a point on the north r/w line of Templin Ave.; thence with the north line of Templin Ave. S 24-49-35 E 343.21 ft.; S 30-29-03 E 360.33 ft.; S 36-08-33 E 880.07 ft. to the point of beginning, containing 227.71 acres.

#### **RESOLUTION/MUNICIPAL ORDER NO. 2010-05**

#### **A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE.**

WHEREAS, the City of Bardstown has enacted numerous ordinances annexing property into the corporate limits of the City of Bardstown; and

WHEREAS, each individual annexation contains a prior survey oft prepared by now unknown individual, and further references documentation that is no longer in existence; and

WHEREAS, the City wishes to provide a modern, accurate, easily identifiable legal description reflecting bearings and coordinates based upon the state plane coordinate system, including relevant GPS and GIS data, same having been certified by a professional land surveyor for each prior annexation; and

WHEREAS, The City wishes to comply with the requirements of Amended KRS 81A.470 effective July 13, 2004; and

WHEREAS, the City does not intend to amend or replace its prior ordinance annexing, but rather to interpret the defined boundaries of the territory previously annexed and adopt a modern and accurate legal description of territory previously annexed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BARDSTOWN, KENTUCKY:

SECTION 1. That the City Council of the City of Bardstown hereby adopts the following legal description and a plat attached hereto as prepared by Stephen Hibbs, Licensed Professional Land Surveyor No. 2981 by new survey as an accurate depiction of the property previously annexed into the corporate city limits of the City of Bardstown by Ordinance 366, dated 10/13/1987, a copy of which is attached hereto as Exhibit "2", and hereby adopts said new legal description and plat as the official legal description and plat to be adopted by the City for all purposes when referencing this prior annexation.

SECTION 2. This new legal description as prepared by Stephen Hibbs a Licensed Professional Land Surveyor No. 2981 is as follows:

Beginning at a point in the south r/w line of Old Bloomfield Pike, said point being S 66-57-42 W 378.78 ft. and S 75-38-52 W 147.15 ft. from the intersection of the west r/w line of U.S. Hwy 62 and the south r/w line of Old Bloomfield Pike; thence with the south r/w line of Old Bloomfield Pike S 76-03-59 W 425.00 ft. to a point on the south r/w line of Old Bloomfield Pike; thence crossing Old Bloomfield Pike N 13-56-01 W 130.00 ft.; thence N 76-03-59 E 250.00 ft.; thence N 13-56-01 W 85.00 ft.; thence N 76-03-59 E 175.00 ft.; thence S 13-56-01 E 215.00 ft. to the point of beginning, containing 1.61 acres.

#### **RESOLUTION/MUNICIPAL ORDER NO. 2010-06**

#### **A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE.**

WHEREAS, the City of Bardstown has enacted numerous ordinances annexing property into the corporate limits of the City of Bardstown; and

WHEREAS, each individual annexation contains a prior survey oft prepared by now unknown individual, and further references documentation that is no longer in existence; and

WHEREAS, the City wishes to provide a modern, accurate, easily identifiable legal description reflecting bearings and coordinates based upon the state plane coordinate system, including relevant GPS and GIS data, same having been certified by a professional land surveyor for each prior annexation; and

WHEREAS, The City wishes to comply with the requirements of Amended KRS 81A.470 effective July 13, 2004; and

WHEREAS, the City does not intend to amend or replace its prior ordinance annexing, but rather to interpret the defined boundaries of the territory previously annexed and adopt a modern and accurate legal description of territory previously annexed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BARDSTOWN, KENTUCKY:

SECTION 1. That the City Council of the City of Bardstown hereby adopts the following legal description and a plat attached hereto as prepared by Stephen Hibbs, Licensed Professional Land Surveyor No. 2981 by new survey as an accurate depiction of the property previously annexed into the corporate city limits of the City of Bardstown by Ordinance 384, dated 6/29/1988, a copy of which is attached hereto as Exhibit "2", and hereby adopts said new legal description and plat as the official legal description and plat to be adopted by the City for all purposes when referencing this prior annexation.

SECTION 2. This new legal description as prepared by Stephen Hibbs a Licensed Professional Land Surveyor No. 2981 is as follows:

Beginning at the northwest corner of Lot 122 of Heritage Hills Subdivision Addition 74-1 and running along the rear lot lines of said Addition 74-1 and the existing City Limit Line S 04-39-11 W 132.94 ft.; S 00-36-02 W 140.00 ft.; S 15-01-28 E 135.00 ft.; S 21-21-39 E 128.85 ft.; S 39-50-16 E 130.56 ft.; S 48-40-03 E 135.03 ft.; S 61-47-46 E 128.23 ft.; S 64-24-38 E 150.00 ft.; S 74-22-48 E 164.69 ft.; S 88-17-16 E 186.92 ft.; N 86-03-00 E 111.70 ft.; N 67-22-00 E 105.00 ft. to a point, being the rear corner between Lot 192 and Lot 191 of Heritage Hills Addition 84-1, corner to the City of Bardstown; thence with the City of Bardstown S 16-26-19 W 546.55 ft.; N 70-12-46 W 270.00 ft.; N 83-39-49 W 441.57 ft.; N 19-31-18 W 177.86 ft.; N 63-36-52 W 152.46 ft.; N 65-49-18 W 194.47 ft.; N 67-12-57 W 119.88 ft.; N 61-01-30 W 82.40 ft.; N 47-50-45 W 62.73 ft.; N 00-01-07 E 110.57 ft.; N 03-51-15 W 58.10 ft.; N 03-51-13 W 390.00 ft., joining Thompson at about 200 ft.; thence N 26-06-09 E 182.75 ft.; N 53-35-16 E 110.78 ft., corner to Pioneer Village Subd.; thence with Pioneer Village Subd. and crossing Creekwood Drive S 88-19-41 E 253.99 ft. to the Point of Beginning, containing 18.38 acres.

#### **RESOLUTION/MUNICIPAL ORDER NO. 2010-07**

#### **A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE.**

WHEREAS, the City of Bardstown has enacted numerous ordinances annexing property into the corporate limits of the City of Bardstown; and

WHEREAS, each individual annexation contains a prior survey oft prepared by now unknown individual, and further references documentation that is no longer in existence; and

WHEREAS, the City wishes to provide a modern, accurate, easily identifiable legal description reflecting bearings and coordinates based upon the state plane coordinate system, including relevant GPS and GIS data, same having been certified by a professional land surveyor for each prior annexation; and

WHEREAS, The City wishes to comply with the requirements of Amended KRS 81A.470 effective July 13, 2004; and

WHEREAS, the City does not intend to amend or replace its prior ordinance annexing, but rather to interpret the defined boundaries of the territory previously annexed and adopt a modern and accurate legal description of territory previously annexed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BARDSTOWN, KENTUCKY:

SECTION 1. That the City Council of the City of Bardstown hereby adopts the following legal description and a plat attached hereto as prepared by Stephen Hibbs, Licensed Professional Land Surveyor No. 2981 by new survey as an accurate depiction of the property previously annexed into the corporate city limits of the City of Bardstown by Ordinance 399, dated 3/14/1989, a copy of which is attached hereto as Exhibit "2", and hereby adopts said new legal description and plat as the official legal description and plat to be adopted by the City for all purposes when referencing this prior annexation.

SECTION 2. This new legal description as prepared by Stephen Hibbs a Licensed Professional Land Surveyor No. 2981 is as follows:

Beginning at a point in the existing City Limit Line, approximately 200 ft. north of the intersection of Ky Hwy 245 and U.S. Hwy 31-E, on the east r/w line of U.S. 31-E; thence crossing U.S. 31-E N 72-38-37 W 1354.39 ft.; thence S 21-54-00 W 468.71 ft., crossing Ky Hwy 245, to a point on the south r/w line of Ky Hwy 245; thence with said r/w line N 73-51-00 W 280.00 ft. to a point on the south r/w line; thence N 19-31-20 E 258.11 ft., crossing Ky Hwy 245, to a point on the north r/w line of Ky Hwy 245 and the west r/w line of Kelly Drive; thence with the west r/w line of Kelly Drive N 25-44-39 E 991.31 ft.; N 16-45-05 E 658.51 ft.; N 15-11-56 E 525.34 ft. to a point on the north r/w line of Withrow Court; thence with the north r/w line of Withrow Court N 79-10-39 W 876.08 ft. to a point on the north r/w line of Withrow Court, corner to Bird Inc.; thence leaving the road with Bird Inc. N 12-21-39 E 1619.09 ft. to a point, corner to Bird Inc., in the line of Hagan; thence with Hagan S 76-20-00 E 1195.82 ft.; S 8-75-21-57 E 525.42 ft., crossing U.S. Hwy 31-E, to a point on the east r/w line of U.S. Hwy 31-E; thence with said r/w line S 04-06-05 W 3661.30 ft. to the point of beginning containing 130.68 acres.

#### **RESOLUTION/MUNICIPAL ORDER NO. 2010-08**

#### **A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE.**

WHEREAS, the City of Bardstown has enacted numerous ordinances annexing property into the corporate limits of the City of Bardstown; and

WHEREAS, each individual annexation contains a prior survey oft prepared by now unknown individual, and further references documentation that is no longer in existence; and

WHEREAS, the City wishes to provide a modern, accurate, easily identifiable legal description reflecting bearings and coordinates based upon the state plane coordinate system, including relevant GPS and GIS data, same having been certified by a professional land surveyor for each prior annexation; and

WHEREAS, The City wishes to comply with the requirements of Amended KRS 81A.470 effective July 13, 2004; and

WHEREAS, the City does not intend to amend or replace its prior ordinance annexing, but rather to interpret the defined boundaries of the territory previously annexed and adopt a modern and accurate legal description of territory previously annexed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BARDSTOWN, KENTUCKY:

SECTION 1. That the City Council of the City of Bardstown hereby adopts the following legal description and a plat attached hereto as prepared by Stephen Hibbs, Licensed Professional Land Surveyor No. 2981 by new survey as an accurate depiction of the property previously annexed into the corporate city limits of the City of Bardstown by Ordinance 416, dated 12/18/1989, a copy of which is attached hereto as Exhibit "2", and hereby adopts said new legal description and plat as the official legal description and plat to be adopted by the City for all purposes when referencing this prior annexation.

SECTION 2. This new legal description as prepared by Stephen Hibbs a Licensed Professional Land Surveyor No. 2981 is as follows:

Beginning at a point in the west r/w line of U.S. Hwy 62 and the south r/w line of Old Bloomfield Pike; thence with the south r/w line of Old Bloomfield Pike S 66-57-42 W 378.78 ft.; S 75-28-52 W 147.15 ft. to a point on the south r/w line of Old Bloomfield Pike; thence crossing Old Bloomfield Pike N 13-56-01 W 215.00 ft.; S 76-03-59 W 175.00 ft.; S 13-56-01 E 85.00 ft.; S 76-03-59 W 250.00 ft.; S 13-56-01 E 130.00 ft. to a point on the south r/w line of Old Bloomfield Pike; thence with the south r/w line of Old Bloomfield Pike S 71-44-03 W 356.23 ft.; S 60-20-52 W 326.08 ft.; S 68-00-51 W 435.88 ft.; S 70-14-48 W 293.09 ft.; S 76-41-50 W 221.78 ft.; S 74-16-50 W 121.52 ft.; S 59-22-46 W 84.71 ft.; S 45-32-59 W 126.94 ft.; S 45-01-28 W 128.10 ft.; S 58-29-07 W 76.01 ft.; S 75-35-27 W 119.07 ft.; N 87-42-41 W 123.67 ft.; N 65-41-33 W 131.97 ft.; N 56-02-45 W 91.37 ft.; N 64-27-32 W 84.00 ft.; N 88-29-33 W 121.09 ft.; S 65-42-49 W 63.03 ft. to a point on the south r/w line of Old Bloomfield Pike, at Town Creek; thence crossing Old Bloomfield Pike with the City of Bardstown N 09-10-53 E 887.02 ft.; N 21-28-37 E 516.69 ft.; N 35-22-30 E 279.77 ft.; N 26-59-30 E 1425.60 ft. to a point, on the south r/w line of Ky Hwy 245; thence crossing Ky Hwy 245 N 69-21-10 E 283.46 ft. to a point, on the north r/w line of Ky Hwy 245; thence with the City of Bardstown N 29-18-32 E 630.00 ft.; S 62-39-25 E 556.56 ft.; S 19-28-28 E 482.90 ft.; N 26-11-21 E 980.07 ft. to a point, in the line of the City of Bardstown, corner to Cottage Grove Subdivision; thence with Cottage Grove S 65-58-36 E 962.92 ft.; S 61-24-30 E 950.21 ft. to a point, on the north r/w line of U.S. Hwy 62, the original corner between Cottage Grove and Stephen Foster Industrial Park; thence with the common line between the two N 17-04-32 E 549.17 ft.; N 16-58-20 E 875.88 ft.; N 17-00-43 E 1285.85 ft. to a point, in the line of Cottage Grove corner to Tebco Inc.; thence with Tebco Inc. S 63-25-28 E 987.95 ft. to a point, in the rear line of Southview Subdivision; thence with the rear line of Southview Subd. S 26-29-32 W 875.00 ft.; S 63-29-28 E 182.50 ft. to a point on the west r/w line of Caney Fork Road; thence with said r/w line and crossing U.S. Hwy 62, S 25-53-32 W 290.05 ft. to a point on the south r/w line of U.S. Hwy 62; thence with the south r/w line of U. S. 62 S 69-13-52 W 559.33 ft.; S 77-33-02 W 719.81 ft.; S 79-19-12 W 514.69 ft.; thence with a curve to the left, having a radius of 1122.03 ft., S 54-09-38 W 1012.24 ft. (chord); thence S 24-23-14 W 572.58 ft.; S 23-42-23 W 816.33 ft.; S 26-57-01 W 540.61 ft.; S 32-49-46 W 382.74 ft.; S 35-35-20 W 507.40 ft. to a point on the east r/w line of U.S. Hwy 62; thence crossing said highway S 76-25-39 W 91.75 ft. to a point on the west r/w line of said highway; thence with said r/w line N 35-35-20 E 575.37 ft.; N 32-49-46 E 378.22 ft.; N 26-57-01 E 250.23 ft. to the point of beginning, containing 321.59 acres.

#### **RESOLUTION/MUNICIPAL ORDER NO. 2010-09**

#### **A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE.**

WHEREAS, the City of Bardstown has enacted numerous ordinances annexing property into the corporate limits of the City of Bardstown; and

WHEREAS, each individual annexation contains a prior survey oft prepared by now unknown individual, and further references documentation that is no longer in existence; and

WHEREAS, the City wishes to provide a modern, accurate, easily identifiable legal description reflecting bearings and coordinates based upon the state plane coordinate system, including relevant GPS and GIS data, same having been certified by a professional land surveyor for each prior annexation; and

WHEREAS, The City wishes to comply with the requirements of Amended KRS 81A.470 effective July 13, 2004; and

WHEREAS, the City does not intend to amend or replace its prior ordinance annexing, but rather to interpret the defined boundaries of the territory previously annexed and adopt a modern and accurate legal description of territory previously annexed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BARDSTOWN, KENTUCKY:

SECTION 1. That the City Council of the City of Bardstown hereby adopts the following legal description and a plat attached hereto as prepared by Stephen Hibbs, Licensed Professional Land Surveyor No. 2981 by new survey as an accurate depiction of the property previously annexed into the corporate city limits of the City of Bardstown by Ordinance 433, dated 6/6/1990, a copy of which is attached hereto as Exhibit "2", and hereby adopts said new legal description and plat as the official legal description and plat to be adopted by the City for all purposes when referencing this prior annexation.

SECTION 2. This new legal description as prepared by Stephen Hibbs a Licensed Professional Land Surveyor No. 2981 is as follows:

Beginning at a point, in the existing City Limit Line, approximately 1250 ft. north of Ky Hwy 245 and 2000 ft. west of U.S. Hwy 62, in the line of the City of Bardstown; thence with the City of Bardstown N 23-01-21 E 1604.49 ft. to a point, corner to the City of Bardstown and Bourbon Downs Subdivision; thence with said Subdivision N 54-43-30 E 564.37 ft.; N 27-01-31 E 357.97 ft.; N 15-22-24 W 544.16 ft.; N 19-28-39 E 601.55 ft.; N 17-10-26 E 1190.03 ft. to a point corner to Bourbon Downs Subd.; thence with Bourbon Downs Subd. S 66-40-24 E 540.45 ft.; S 66-10-51 E 196.38 ft.; S 64-12-34 E 539.35 ft. to a point, corner to Bourbon Downs Subd. and Tebco Inc.; thence with Tebco Inc. S 16-31-59 W 826.18 ft.; S 16-21-40 W 1217.22 ft.; S 17-00-43 W 1285.85 ft.; S 16-58-20 W 875.88 ft.; S 17-04-32 W 549.17 ft. to a point on the north side of U.S. Hwy 62, the original corner between Stephen Foster Industrial Park and Old Kentucky Home Industrial Park; thence with Old Kentucky Home Industrial Park N 61-24-30 W 950.21 ft.; N 65-58-36 W 962.92 ft. to the point of beginning, containing 175.02 acres.

#### **RESOLUTION/MUNICIPAL ORDER NO. 2010-10**

#### **A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE.**

WHEREAS, the City of Bardstown has enacted numerous ordinances annexing property into the corporate limits of the City of Bardstown; and

WHEREAS, each individual annexation contains a prior survey oft prepared by now unknown individual, and further references documentation that is no longer in existence; and

WHEREAS, the City wishes to provide a modern, accurate, easily identifiable legal description reflecting bearings and coordinates based upon the state plane coordinate system, including relevant GPS and GIS data, same having been certified by a professional land surveyor for each prior annexation; and

WHEREAS, The City wishes to comply with the requirements of Amended KRS 81A.470 effective July 13, 2004; and

WHEREAS, the City does not intend to amend or replace its prior ordinance annexing, but rather to interpret the defined boundaries of the territory previously annexed and adopt a modern and accurate legal description of territory previously annexed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BARDSTOWN, KENTUCKY:

SECTION 1. That the City Council of the City of Bardstown hereby adopts the following legal description and a plat attached hereto as prepared by Stephen Hibbs, Licensed Professional Land Surveyor No. 2981 by new survey as an accurate depiction of the property previously annexed into the corporate city limits of the City of Bardstown by Ordinance 441, dated 7/18/1990, a copy of which is attached hereto as Exhibit "2", and hereby adopts said new legal description and plat as the official legal description and plat to be adopted by the City for all purposes when referencing this prior annexation.

SECTION 2. This new legal description as prepared by Stephen Hibbs a Licensed Professional Land Surveyor No. 2981 is as follows:

Beginning at a point about 200 ft. west of Caney Fork Road, corner to Tebco Inc. and an existing private road tract; thence with the private road tract S 26-34-33 W 570.00 ft. to a point in the north line of Stephen Foster Industrial Park; thence with said Park N 63-25-27 W 1867.00 ft. to a point, corner to said Park, in the line of Cottage Grove Subdivision; thence with said Subdivision N 17-00-43 E 579.18 ft. to a point in the line of said Subdivision, corner to Tebco Inc.; thence with Tebco Inc. S 63-25-27 E 1969.61 ft. to the point of beginning, containing 25.10 acres.

**RESOLUTION/MUNICIPAL ORDER NO. 2010-11**

**A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE.**

WHEREAS, the City of Bardstown has enacted numerous ordinances annexing property into the corporate limits of the City of Bardstown; and

WHEREAS, each individual annexation contains a prior survey oft prepared by now unknown individual, and further references documentation that is no longer in existence; and

WHEREAS, the City wishes to provide a modern, accurate, easily identifiable legal description reflecting bearings and coordinates based upon the state plane coordinate system, including relevant GPS and GIS data, same having been certified by a professional land surveyor for each prior annexation; and

WHEREAS, The City wishes to comply with the requirements of Amended KRS 81A.470 effective July 13, 2004; and

WHEREAS, the City does not intend to amend or replace its prior ordinance annexing, but rather to interpret the defined boundaries of the territory previously annexed and adopt a modern and accurate legal description of territory previously annexed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BARDSTOWN, KENTUCKY:

SECTION 1. That the City Council of the City of Bardstown hereby adopts the following legal description and a plat attached hereto as prepared by Stephen Hibbs, Licensed Professional Land Surveyor No. 2981 by new survey as an accurate depiction of the property previously annexed into the corporate city limits of the City of Bardstown by Ordinance 600, dated 1/23/1996, a copy of which is attached hereto as Exhibit "2", and hereby adopts said new legal description and plat as the official legal description and plat to be adopted by the City for all purposes when referencing this prior annexation.

SECTION 2. This new legal description as prepared by Stephen Hibbs a Licensed Professional Land Surveyor No. 2981 is as follows:

Beginning at a point, corner to Wellington Place Subdivision, in the line of Paul Culver; thence with Culver S 46-44-22 W 62.22 ft.; S 53-31-59 W 130.80 ft.; S 58-02-59 W 119.40 ft.; S 60-40-59 W 247.60 ft. to point in the line of Culver, corner to Raisor; thence with Raisor N 20-34-01 W 94.70 ft.; N 54-36-59 E 73.40 ft.; N 31-24-59 E 86.00 ft.; N 26-32-59 E 411.91 ft. to a point, corner to Raisor and Wellington Place Subdivision; thence with said subdivision S 38-20-48 E 342.01 ft. to the point of beginning, containing 2.58 acres.

**UPON MOTION OF COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN SHECKLES AND CARRIED BY A VOTE OF 6 TO 0, MUNICIPAL ORDERS NOS. 2010-01 THROUGH 2010-11 WERE APPROVED.**

**APPOINTMENT**

Mayor Heaton requested that the Council appoint Bill McCloskey to the Board of Adjustment for a 4-year term. **UPON MOTION OF COUNCILMAN REED, DULY SECONDED BY COUNCILMAN ROYALTY AND CARRIED BY A VOTE OF 6 TO 0, THE APPOINTMENT WAS APPROVED.**

**RE-APPOINTMENT**

The Mayor requested that Dixie Hibbs be re-appointed to the Tree Board for another 3-year term. **UPON MOTION OF COUNCILMAN ROYALTY, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0, THE RE-APPOINTMENT WAS APPROVED.**

**SPEED REDUCTION REQUEST**

The Mayor asked for approval to send a request to the state Department of Transportation to reduce the speed limit from 55 MPH to 45 MPH on US 150 (Springfield Road) from KY 49 east to the Bluegrass Parkway. Previous requests had been denied; however, since another new development has been planned along Marvin Downs Lane, the Mayor recommended that another request be sent. There have been numerous accidents in the area. The Tom Ballard Company through the Planning and Zoning Commission has completed a traffic study for the proposed development. **UPON MOTION OF COUNCILMAN ROYALTY, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0, IT WAS APPROVED TO SEND THE REQUEST.**

**RECREATION BOARD MEETING**

Councilman Reed reported that a Recreation Board meeting would be held on January 26, 2010.

**POLICE DEPARTMENT REPORT**

Police Chief Marksbury gave recognition to Police Officers Tom Blair, Bill Buckman and Glenn Weakley for their outstanding work during the arrest of a person suspected of the recent vehicle break-ins. The officers recovered several thousand dollars worth of stolen property.

The Police Chief announced that a new officer, Rick McCubbin, had been hired to fill one of the two vacant positions in the police department.

**CITY AUDIT/FINANCIAL REPORTS**

Chief Financial Officer Abell informed the Council that the City Audit and the November and December Financial Reports should be available by the end of the month.

**WATER LINE LEAK**

City Civil Engineer Greenwell reported that the Water Department discovered a 40 gpm leak under the Rolling Fork River at the Nelson/Hardin County line along US 62 between Boston and the Lower Colesburg Road. This serves 165 Hardin County customers. Three proposals were received to replace the existing water main with the use of directional bore utilizing DR 11-200 psi 8" HDPE pipe as follows:

| CONTRACTOR            | PRICE                                     | TOTAL<br>(280 L.F.) |
|-----------------------|---|---------------------|
| CR Cable Construction | \$ 70.00 FT. In Dirt<br>\$130.00/Ft. Rock | \$19,600.00         |
| SOUTHERN PIPELINE     | \$22,828.00<br>No Rock Quote              | \$22,828.00         |
| TNT CONSTRUCTION      | \$33,050.00<br>No Rock Quote              | \$25,705.68         |

UPON MOTION OF COUNCILMAN ROYALTY, DULY SECONDED BY COUNCILMAN LYDIAN AND CARRIED BY A VOTE OF 6 TO 0, IT WAS APPROVED TO ACCEPT THE LOW BID FROM CR CABLE CONSTRUCTION IN THE AMOUNT OF \$19,600.00.

WATER TREATMENT PLANT IMPROVEMENTS

Public Works and Engineering Director Hamilton reported that the the City received the permit from the Corps of Engineers for the Water Treatment Plant Project and the mitigation fee of \$211,950 will be sent in order to complete the permit approval. The work should be ready to bid by February or March. The affected trees will be cut prior to the bid announcement. After the payment is made to the Fish and Wildlife Service of Kentucky, the permit will be posted.

TOWN CREEK INTERCEPTOR PROJECT

Director Hamilton reported that the Town Creek sewer was in operation with the new pipeline flowing and sewage is being diverted from the old pipeline. There are 8 or 9 points of diversion. The contractors are now working on a punch list.

MUNICIPAL ORDER NO. 2010-12-MODEL PROCUREMENT CODE

Assistant City Administrator Green presented the following Municipal Order to adopt the Kentucky Model Procurement Code for the Downtown Streetscape Project only:

MUNICIPAL ORDER NO. 2010-12

**RESOLUTION OF THE CITY OF BARDSTOWN ADOPTING "THE KENTUCKY MODEL PROCUREMENT CODE" FOR THE DOWNTOWN STREETScape PROJECT.**

**WHEREAS**, the City of Bardstown has received a Transportation Enhancement Grant from the Kentucky Transportation Cabinet; and

**WHEREAS**, the Grant is subject to the rules and requirements of the Kentucky Transportation Cabinet and the Federal Highway Administration, as outlined in the Federal-Aid Highway Program Project Development Guide for Local Public Agencies; and

**WHEREAS**, one such requirement is that, "LPA projects must comply with the Kentucky Model Procurement Code, as it relates to local public agencies".

**NOW, THEREFORE, BE IT RESOLVED** by the City of Bardstown as follows:

That the City hereby adopts the Kentucky Model Procurement Code in its entirety for all procurement activities associated with the Bardstown Downtown Streetscape project, and all activities that are funded through the 2008 and the 2009 Transportation Enhancement Grants from the Kentucky Transportation Cabinet.

This Resolution shall take effect immediately upon passage.

UPON MOTION OF COUNCILMAN SIMPSON, DULY SECONDED BY COUNCILMAN ROYALTY AND CARRIED BY A VOTE OF 6 TO 0, MUNICIPAL ORDER NO. 2010-12 WAS APPROVED.

DOWNTOWN STREETScape PROJECT-RESIDENT ENGINEER

The Mayor reported that RFP/RFQs had been received for the resident engineer position for the project. The staff recommends Qk4 and the contract will be sent to the state for approval. This matter will be discussed further at the 1-19-10 Working Session.

CEMETERY DEEDS

The Mayor presented cemetery deeds for the Borders/Culver family and for Dorothy Durbin in the Bardstown Cemetery. UPON MOTION OF COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN ROYALTY AND CARRIED BY A VOTE OF 6 TO 0, THE DEEDS WERE APPROVED.

CITY EMPLOYEE ANNIVERSARIES

Mayor Heaton announced that Ronnie Ingram was celebrating his five-year anniversary with the City's Solid Waste Department and David Kimberland was celebrating his twenty-fifth anniversary with the City's Solid Waste Department.

ADJOURNMENT

Being no further business to discuss and UPON MOTION OF COUNCILMAN REED, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0, THE MEETING WAS ADJOURNED.

CITY OF BARDSTOWN

ATTEST:

\_\_\_\_\_  
J. Richard Heaton, Mayor

\_\_\_\_\_  
Bobbe Blincoe, City Clerk