

CITY OF BARDSTOWN
REGULAR COUNCIL MEETING MINUTES

1-26-10
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, Fire Chief Mattingly, 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, Smoke-free Coalition members Pat Whelan and Kay Clark, Nelson Fiscal Court Magistrates Sam Hutchins and Maynard Wimsett, Historical Review Board Administrator Bogert, Jerry Lear and Richard Nest.

Mayor Heaton called the meeting to order.

WELCOME

The Mayor welcomed Nelson Fiscal Court Magistrates Sam Hutchins and Maynard Wimsett to the Council meeting.

RAINBOW DESIGN SERVICES, INC.

City Electrical Engineer Mills presented the formal scope of work for an estimated 540 miles of strand drafting and RF relay for the City's Cable TV Department. One of the primary needs for the project is for the draft of ten years of existing red line asbuild drawings into new strand files. The total cost for the project for the draft strand and asbuild map for 540 miles of strand will be \$54,000.00 and for the relay design for 431 miles of cable plant, the cost will be \$41,000. **UPON MOTION OF COUNCILMAN SIMPSON, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 6 TO 0, THE MAYOR WAS AUTHORIZED TO EXECUTE THE AGREEMENT WITH RAINBOW DESIGN SERVICES, INC. TO COMPLETE THE MAPPING FOR THE CABLE TV DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$95,000.00.**

THE KENTUCKY STANDARD ADVERTISING AGREEMENT

Chief Financial Officer Abell presented an advertising agreement with The Kentucky Standard that was composed of a statement of discounts included with the \$50,000 and above advertising in The Kentucky Standard and The Kentucky Standard Extra. **UPON MOTION OF COUNCILMAN LYDIAN, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0, THE MAYOR WAS AUTHORIZED TO SIGN THE AGREEMENT.**

Qk4 CONTRACT

Public Works and Engineering Director Hamilton reported that the contract for the Downtown Streetscape Project's resident engineer had not yet been approved by the state. It will be presented to the Council once it has been approved by the Transportation Cabinet.

HISTORICAL REVIEW BOARD RECOMMENDATIONS

The recommendations were presented as follows:

Certificates of Appropriateness

1. COA #09-59 [RECOMMENDED]

Audrey A. Simek proposes to construct a 21' x 21' parking area for 2 vehicles at the rear of her property at 209 E. Stephen Foster Ave. and fronting on Gooseberry Alley. The proposed area will be 5' from the west property line and will be covered with Tensor for reinforcement and then covered in gravel. The applicant also proposes to replace an existing wire fence along Gooseberry Alley with a wood fence.

Recommendation: To recommend approval of the proposal to install a 4' wood fence and to construct a gravel parking area for two vehicles at the rear of 209 E. Stephen Foster Ave., as specified in this application, with the following condition: vehicle stops in the form of railroad ties are to be placed on the west side of the parking area to protect an adjacent historic stable.

2. COA #09-60 [RECOMMENDED]

Tom Donan proposes to change the color of the half-round gutters at 205 E. Stephen Foster Ave. to AlSCO 745-Almond. A material sample will be submitted for review at the meeting.

Recommendation: To recommend approval of the proposal to change the color of the gutters at 205 E. Stephen Foster Ave., as specified in this application.

3. COA #09-61 [RECOMMENDED]

LLJ Properties LLC (Mann & Greenwell Funeral Home, Inc.) proposes to construct a parking lot in the vacant lot at 211 S. Fourth St. The lot will include 18 parking spaces and a 10' easement from S. Fourth St., all to be covered in asphalt. The remainder of the lot (32%) will be green space. Entrance to the lot will be one-way from Mulberry Alley with one-way egress to S. Fourth St. via the existing easement. There will be a 6' fence installed on the south side from Mulberry Alley to the easement line. Screening in the form of Forsythia or Burning Bush, spaced 5' apart, will be planted on the north side of the lot as shown on the plat. Five white pines will be planted at the edge of the greenspace area as shown.

Recommendation: To recommend approval of the proposal to construct an asphalt parking lot for eighteen vehicles at 211 S. Fourth St. as specified in this application.

4. COA #10-1 [RECOMMENDED]

Terry L. Geoghegan law office proposes to replace the existing wood sign pole with a black steel post and new sign in front of their office at 116 E. Stephen Foster Ave.

Recommendation: To recommend approval of the installation of a new sign and pole at 116 E. Stephen Foster Ave., as specified in this application.

5. COA #10-2 [RECOMMENDED]

Terry L. Geoghegan law office proposes to install a new free-standing sign at their office at 113 N. Second St. The sign will be framed with wood posts and will measure 28" x 38".

Recommendation: To recommend approval of the installation of a new free-standing sign at 113 N. Second St., as specified in this application, with the following conditions: the sign is to be set back so as to not block the view of the Horizon Engineering sign on the property and the base of the sign is to be landscaped.

6. COA #10-3 [DENIED]

Liberty Tax Service has installed a free-standing sign without a permit at 521 N. Third St to replace their existing damaged sign.

Recommendation: To deny approval of the installation of a new free-standing sign at 521 N. Third St. as specified in this application.

[Note: A late fee of \$35.00 was assessed because the sign was installed without a permit. This fee has not been received as of January 14.]

Pen Bogert, for Don Parrish, Chair of the Bardstown Historical Review Board

The Mayor pointed out that item no. 6 had been denied by the Historical Review Board. Administrator Bogert explained that the applicant had not obtained a permit prior to the sign installation. A late fee was assessed.

UPON MOTION OF COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN ROYALTY AND CARRIED BY A VOTE OF 6 TO 0, THE RECOMMENDATIONS FROM THE HISTORICAL REVIEW BOARD WERE APPROVED.

DEVELOPMENT REVIEW BOARD RECOMMENDATION

An administrative review was conducted by the Development Review Board Chairman and the Planning Commission Director on DRB-157 for Lee Hall on the plans for proposed additions (1,923 sq. ft.) onto the existing retail building located at 400 Cathedral Manor (US 31E South). The review was presented to the City Council with a recommendation for approval. A short discussion was held. **UPON MOTION OF COUNCILMAN REED, DULY SECONDED BY COUNCILMAN ROYALTY AND CARRIED BY A VOTE OF 6 TO 0, THE RECOMMENDATION WAS APPROVED.**

MINUTES

The minutes from the 1-12-10 regular City Council meeting were then presented and **UPON MOTION OF COUNCILMAN SIMPSON, DULY SECONDED BY COUNCILMAN ROYALTY AND CARRIED BY A VOTE OF 6 TO 0, THEY WERE APPROVED.**

SECOND READING - FY 2009-2010 BUDGET ORDINANCE AMENDMENT

A second reading was presented of an ordinance to amend the FY 2009-2010 budget to include grants the City has received since the initial budget ordinance was approved. The Ordinance read as follows:

ORDINANCE NO. B2010-03

AN ORDINANCE AMENDING ORDINANCE NO. B2009-14 THE CITY OF BARDSTOWN'S BUDGET ORDINANCE FOR THE FISCAL YEAR JULY 1, 2009 THROUGH JUNE 30, 2010.

WHEREAS an annual budget for Fiscal Year 2009-10 was adopted by the City Council of the City of Bardstown on June 24, 2009; and

WHEREAS there have been unanticipated changes in both revenues and expenditures during that period of time;

NOW THEREFORE BE IT ORDAINED BY THE CITY OF BARDSTOWN THAT:

Section 1.

The annual budget for the fiscal year 2009-2010 be and hereby is amended as follows:

- 1) General Fund: Increase anticipated revenues from \$6,013,779 to \$6,729,345 and increase authorized expenditures from \$6,012,928 to \$6,728,494, specifically to account for federal grants of \$580,377 for Neighborhood Stabilization, \$28,777 for the COPS Secure our Schools program, to be matched by Bardstown Schools with \$28,766, and \$18,300 for cameras and \$59,346 for laptops for the Police Department.
- 2) Combined Utilities Construction Fund: Increase anticipated revenues from \$11,735,051 to \$13,635,051 and expenditures from \$11,731,250 to \$13,631,250 to account for a \$1,900,000 Transportation Enhancement Grant. Furthermore, the revenue listed in this fund's budget as "bond or borrow" is now more defined by the award of two Kentucky Infrastructure loans, \$3,500,000 for the Water Treatment Plant and \$1,800,000 for the East Bardstown water line project.

Section II.

That this ordinance shall be published and shall become effective on January 31, 2010.

UPON MOTION OF COUNCILMAN LYDIAN, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0, THE MAYOR 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

MAYOR HEATON DECLARED ORDINANCE NO. B2010-03 ADOPTED AND BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. _____.

FINANCIAL REPORT

Chief Financial Officer Abell complimented Jeff Mills, Nahom Ayele, Mark Downs and the entire City's technical staff for rebuilding the server after it crashed last week. The Finance Department now has access to all of the financial information that was lost. The December, 2009 Financial Report should be available for the Council next week.

APPOINTMENT

Mayor Heaton requested that the Council appoint Otis Ballard, a registered Republican, to fill the unexpired term of Rick McCubbin on the Ethics Board. His term will run through 12/27/2010. **UPON MOTION OF COUNCILMAN ROYALTY, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 6 TO 0, THE APPOINTMENT WAS APPROVED.**

RECREATION BOARD MEETING

Councilman Reed reported that a Recreation Board meeting would be held on Thursday, January 28, 2010 at 6:00 PM.

PUBLIC HEARING - REGARDING POSSIBLE SMOKE-FREE WORKPLACE ORDINANCE

Councilman Sheckles recommended that the smoking ban issue be settled. It was suggested that a Public Hearing be held instead of a Working Session on Tuesday, February 2, 2010 at 7:00 p.m. to receive comments from the public and from the Smoke-Free Coalition members regarding the issue. **UPON MOTION OF COUNCILMAN SHECKLES, DULY SECONDED BY COUNCILMAN ROYALTY AND CARRIED BY A VOTE OF 6 TO 0, IT WAS APPROVED TO HOLD A PUBLIC HEARING AT THE BARDSTOWN/NELSON COUNTY CIVIC CENTER ON FEBRUARY 2, 2010 AT 7:00 PM.** If a Working Session is needed, it will be held prior to the Public Hearing and the Council will be notified.

DOWNTOWN STREETScape PROJECT

Assistant City Administrator Green reported that the project grant agreement deadline was set for February 1, 2010. The state should be finished obtaining the required signatures within a week or two.

City Civil Engineer Greenwell reported that the water line plans on the project have been sent off to the Division of Water for their approval. This should be completed within one or two weeks.

Public Works and Engineering Director Hamilton said that the staff had met with state representatives and they recommended that the waterline in front of Bethlehem High School running toward the Talbott Tavern be moved as close to the gutter line as possible. The District Highway Department in Elizabethtown should be finished with their review of the plans sometime this week and then they will be sent to the state for approval.

CEMETERY DEEDS

The Mayor presented cemetery deeds for Brenda Waldrige and for Pat and Agnes Morris in the Bardstown Cemetery. **UPON MOTION OF COUNCILMAN LYDIAN, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0, THE DEEDS WERE APPROVED.**

ADJOURNMENT

Being no further business to discuss and **UPON MOTION OF COUNCILMAN SHECKLES, DULY SECONDED BY COUNCILMAN ROYALTY AND CARRIED BY A VOTE OF 6 TO 0, THE MEETING WAS ADJOURNED AT 7:45 PM.**

ATTEST:

Bobbe Blincoe, City Clerk

CITY OF BARDSTOWN

J. Richard Heaton, Mayor