

**CITY OF BARDSTOWN  
SPECIAL COUNCIL MEETING MINUTES  
4-21-10  
5:15 P.M.**

The City Council met in a special session in the Council Chambers with the following Councilmen:

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

Others present: Public Works and Engineering Director Hamilton, City Attorney Donan, City Clerk Blincoe, PLG-TV Director Tom Isaac and Kevin Brumley.

**MUNICIPAL ORDER NO. 2010-18-DOWNTOWN STREETScape IMPROVEMENT PROJECT**

Mayor Heaton explained that he received a complaint letter from Kevin Brumley on April 16, 2010 concerning a violation to the Open Meetings Act pertaining to the Special City Council Meeting that was held on March 22, 2010 at 12:00 p.m. This meeting was held to approve the resolution authorizing the Mayor to sign the SAFETEA-LU Federal Reimbursement Agreement for the Downtown Streetscape Improvement Project. The complaint stated that the City failed to post the notice and agenda of the Special Meeting in a "conspicuous place" (per KRS 61.823 (4)(c)) prior to the meeting. City Attorney Donan advised the Mayor to hold a second special meeting to re-authorize the Mayor to enter into the agreement. Mayor Heaton apologized to the Council, media, citizens and Kevin Brumley for the violation and the need for a second special meeting. He stated that he did not feel it would have any adverse effect on the Streetscape project since the bid opening had not occurred. He further stated that it was not a malicious or deceptive act but simply an oversight since all the other required notices were completed. Normally, these meetings are posted; however, the special meeting call went out late on a Friday and on the Monday before the special meeting, the posting of the notice had been overlooked. The Mayor said that the City strives to be in compliance with all rules governing meetings and will try harder in the future. He further apologized for any inconvenience this matter may have caused

Mayor Heaton presented Municipal Order No. 2010-18 to re-authorize the Mayor to sign the SAFETEA-LU agreement as follows:

**MUNICIPAL ORDER NO. 2010-18**

**RESOLUTION**

**WHEREAS**, the SAFETEA-LU federal reimbursement Agreement is in the amount of \$ 2,539,000.00 for the Downtown Bardstown Streetscape Improvements, and

**WHEREAS**, the need has arisen for reconsideration due to a question with the public notice requirements for its special meeting held on March 22, 2010.

**NOW, THEREFORE, BE IT RESOLVED THAT**, the City Council of the City of Bardstown does hereby re-authorize Mayor J. Richard Heaton to sign the above mentioned Agreement, as well as any other necessary documents relating to the project.

**UPON MOTION OF COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 6 TO 0, THE RESOLUTION/MUNICIPAL ORDER NO. 2010-18 WAS APPROVED.**

**ADJOURNMENT**

Being no further business to discuss and **UPON MOTION OF COUNCILMAN ROYALTY, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0, THE MEETING WAS ADJOURNED AT 5:21 P.M.**

CITY OF BARDSTOWN

**ATTEST:**

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Bobbe Blincoe, City Clerk

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J. Richard Heaton, Mayor