

**CITY OF BARDSTOWN**  
**REGULAR COUNCIL MEETING MINUTES**  
**5-25-10**  
**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, Asst. City Administrator Green, Chief Financial Officer Abell, Public Works and Engineering Director Hamilton, Retiring City Civil Engineer Greenwell, City Civil Engineer Filiatreau, City Electrical Engineer Mills, City Attorney Donan, City Clerk Blincoe, Historical Review Board Administrator Bogert, The Kentucky Standard reporter Stephanie Hornback, WSYB reporter Tom Redmon, Smoke-free Coalition member Pat Whelan, Richard Nest, Susie Greenwell, Steve Clark, Woodrow F. Downs, James Cotton, Stephen Hibbs, Frank Douglas, Will Osborne, Neal Cornett, Carla Wimsett and Walter Brown.

Mayor Heaton called the meeting to order.

**CITY CIVIL ENGINEER**

Mayor Heaton announced that the meeting would be the last one for current City Civil Engineer, George Greenwell. He thanked him for his faithful service with the City and his professionalism through the years and wished him well with his retirement and future endeavors.

The Mayor then introduced Jessica Filiatreau, the newly hired City Civil Engineer, and said that she possessed an excellent working knowledge of the City. He welcomed her to her first meeting.

**SPEEDING TRAFFIC**

Neal Cornett was recognized and he expressed concern regarding the speeding traffic on Guthrie Drive. He told the Council that the situation had not gotten any better since his last visit with the Council a couple of years ago. He asked that something be done to correct these dangerous conditions on his street. Frank Douglas spoke about his concerns about the speeding drivers on South Fourth Street. A discussion followed and Councilman Lydian recommended that the matter be taken up by the Safety Committee. Councilman Sheckles will call a Safety Committee meeting to further discuss these issues. The City staff will check to see if speed limit signs are visible in the area.

**BIDS-TRANSFORMERS**

City Electrical Engineer Mills presented the bid tab for the transformers and recommended approval of the low bids received as highlighted on the attached sheet. The transformers will be purchased with funds from the FY 2010/2011 Budget after delivery. **UPON MOTION OF COUNCILMAN LYDIAN, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0, THE LOW BIDS RECEIVED WERE APPROVED IN THE TOTAL AMOUNT OF \$72,903.33.**

**HISTORICAL REVIEW BOARD RECOMMENDATIONS**

The Historical Review Board recommendations were presented as follows:

**A. Certificates of Appropriateness**

**1. COA #10-23 [RECOMMENDED WITH CONDITIONS]**

First Federal Savings Bank, 315 N. Third St., has applied for the installation of a 5' wide and 7' high monument sign to replace the current sign. The proposed sign will read "First Federal Savings Bank" in white letters and its web address in red letters, both on a blue background.

**Recommendation:** To recommend approval of the proposed sign at 315 N. Third St. as specified in this application, with the following conditions: the top pediment portion and the bottom blank panel both be removed.

**2. COA #10-24 [RECOMMENDED]**

Sandra Stucker has submitted an application for screening in her rear porch at 205 S. Third St. The screened-in porch will include a new door and the color will match existing house trim. The porch is not historic and is not visible from the street.

**Recommendation:** To recommend approval of the proposed exterior alteration at 205 S. Third St., as specified in this application.

**3. COA #10-26 [TABLED]**

Sandra Stucker has placed an 8' x 12' wooden shed on the concrete pad between her rear garage and Cherry Alley. She requests approval to keep the shed. It is not visible from the street and meets setback requirements.

**Recommendation:** To table this application in order for board members to gather more information about the site.

**4. COA #10-27 [RECOMMENDED]**

Jean Johnson proposes to paint a sign with 3" black lettering ("Therapeutic Massage) on the doorway above the door at 226 N. Third St., next to Bardstown Florist.

**Recommendation:** To recommend approval of the proposed sign at 226 N. Third St., as specified in this application.

**5. COA #10-28 [RECOMMENDED]**

Patricia Adams proposes to install an awning sign ("Restaurant" "Pat's Place") with white lettering at 125 N. Third St.

**Recommendation:** To recommend approval of the proposed sign at 125 N. Third St., as specified in this application.

**6. COA 09-61 (Amended) [RECOMMENDED WITH CONDITION]**

The HRB recommended approval of the site plan submitted by LLJ Properties, LLC (Mann & Greenwell Funeral Home) for a parking lot at 211 S. Fourth St. on January 11, 2010. This plan was approved by the Bardstown Board of Adjustment on March 2, 2010, with the condition that there be no ingress or egress on Fourth St. via the gravel easement located on the property. LLJ Properties has submitted an amended site plan for 18 perpendicular parking spaces on the north side of the lot, with ingress and egress on Fourth St. via the easement. The site plan includes plans for screening/buffering on all four sides with shrubs and trees.

The additional screening will increase open space from 32% to 37% (30% minimum required for R-1-B zoning). The Bardstown Board of Adjustment on May 4, 2010, approved this revised site plan.

**Recommendation:** To recommend approval of the proposed site alteration as specified in this application, with the following condition: the half-turn portion of the proposed parking area be eliminated so that the western edge of the parking lot runs in a straight north-south line

**C. Staff Approvals [AFFIRMED]**

**1. 106 E. Broadway**

Staff approval given to Mr. Bruce Reynolds to repair sidewalk and concrete walkways in front of his office. Mr. Reynolds has received approval for the project from Michael Forsee because the repaired areas are located on the city right-of-way. The new concrete will match the original concrete as closely as possible.

A lengthy discussion was held on Item No. 1, COA #10-23, the proposed sign for First Federal Savings Bank located at 315 North Third Street. Picture examples #1 and #2, (see attached), were distributed at the meeting. **COUNCILMAN ROYALTY MADE A MOTION TO APPROVE EXAMPLE #1 AS ORIGINALLY SUBMITTED TO THE HISTORICAL REVIEW BOARD. SAID MOTION FAILED FOR LACK OF A SECOND. COUNCILMAN REED THEN MADE A MOTION TO ACCEPT THE HISTORICAL REVIEW BOARD RECOMMENDATION BUT REMOVE THE BOTTOM PANEL OF THE SIGN AS IN PICTURE #2.** Public Works and Engineering Director Hamilton noted that there was a City Sign Ordinance that mandated a setback requirement from the property lines for safety reasons and he suggested that this be followed prior to installation of the new sign. **COUNCILMAN REED THEN WITHDREW HIS PRIOR MOTION AND MADE A MOTION TO APPROVE THE HISTORICAL REVIEW BOARD RECOMMENDATION ON ITEM #1 WITH REMOVAL OF THE BOTTOM PANEL AS IN PICTURE #2 AND APPROVAL BE CONTINGENT UPON OBSERVING THE SETBACK REQUIREMENTS FROM THE SIDEWALK. SAID MOTION WAS DULY SECONDED BY COUNCILMAN ROYALTY, CARRIED BY A VOTE OF 6 TO 0, AND APPROVED.**

A discussion was then held on Item No. 6, COA 09-61 (Amended) for LLJ Properties, LLC. Historical Review Board Administrator Bogert clarified the amendment and the condition to eliminate the half turn portion of the proposed parking area so that the western edge of the parking lot runs in a straight north-south line. He also updated the Council on the approval of the ingress and egress on South Fourth Street via the easement. **UPON MOTION OF COUNCILMAN REED, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0, THE RECOMMENDATIONS ON ITEMS NO. 2, 4, 5 AND 6 WERE APPROVED.**

#### MINUTES

The minutes from the 5-11-10 regular City Council meeting were then presented and **UPON MOTION OF COUNCILMAN LYDIAN, DULY SECONDED BY COUNCILMAN SHECKLES AND CARRIED BY A VOTE OF 6 TO 0, THEY WERE APPROVED.**

#### FINANCIAL REPORT

Chief Financial Officer Abell updated the Council on the April, 2010 Financial Report and budget issues and said that the Department Heads had turned in their budget requests. After the Mayor's review, the FY 2010-2011 Budget will be distributed to the Council.

Abell said that he could be contacted if the Council had questions regarding the April, 2010 Financial Report. A short discussion was held on the reporting of grant funds.

#### BOND ISSUE

The Chief Financial Officer reported that Chip Sutherland with Hilliard Lyons and Bill Davis with Stoll-Keenon-Ogden said that everything was in order for the bond sale to be held on June 15, 2010. The first reading of the Bond Ordinances will occur on June 8, 2010 and the second reading of the ordinances will be held on Tuesday, June 15, 2010 at a special City Council meeting.

#### MUNICIPAL ORDER NO. 2010-22-SIGN ORDINANCE WAIVER DOWNTOWN

The Mayor presented the following Municipal Order No. 2010-22 to allow downtown business owners affected by the waterline and streetscape construction to display temporary signs outside their businesses: (No permanent fixtures or alterations will be allowed).

#### **MUNICIPAL ORDER NO. 2010-22**

**MUNICIPAL ORDER TO ALLOW A WAIVER REGARDING CITY SIGN ORDINANCE B2008-13 ON THE USE OF TEMPORARY SIGNS BY BUSINESSES DURING THE STREETScape CONSTRUCTION PROJECT FROM MAY 24, 2010 THROUGH NOVEMBER 30, 2010.**

#### **RESOLUTION**

**WHEREAS**, the City of Bardstown began a major renovation of the infrastructure in the downtown area, including the installation of a 16-inch water line and the replacement of curb, gutter, and sidewalks; and

**WHEREAS**, these improvements will take place along both sides of the 100 and 200 blocks of North Third Street, the 100 blocks of East and West Stephen Foster Avenue and on the south side of the 200 and 300 blocks of West Stephen Foster Avenue; and

**WHEREAS**, the construction in the downtown area is expected to last from May 24, 2010 until the first of December, 2010; and

**WHEREAS**, parking, traffic and commerce will be disrupted as a result of lane closings and construction during this period.

**NOW THEREFORE BE IT RESOLVED** by the City of Bardstown, Commonwealth of Kentucky: That during those times that traffic and/or parking is disrupted, and when the sidewalks, curbs or gutters are being demolished or replaced, and only on those sides of the street where such activity is taking place, or parking is being disrupted, business owners may put out temporary signs indicating that their businesses are open and further indicating alternative entrances and/or parking for their businesses. These signs may be placed in front of the businesses or on the sidewalks as long as the placement of such signs does not interfere with the safe passage of pedestrian traffic along the sidewalk, or interfere with the required sight distances for vehicles.

**NOW THEREFORE BE IT FURTHER RESOLVED** by the City of Bardstown, Commonwealth of Kentucky: That the requirement for permits and fees by the Bardstown Historical Review Board will be waived for these temporary signs during this period. The City of Bardstown reserves the right to remove or relocate any sign deemed to be contrary to the health and welfare of the general public or contrary to this resolution.

**NOW THEREFORE BE IT FURTHER RESOLVED** by the City of Bardstown, Commonwealth of Kentucky: That no temporary sign shall be installed with permanent brackets, fasteners, or in any manner that causes a permanent alteration to the exterior façade of any building in the Bardstown Historic District.

**UPON MOTION OF COUNCILMAN SHECKLES, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0, MUNICIPAL ORDER NO. 2010-22 WAS APPROVED.**

#### SMOKE-FREE WORKPLACE UPDATE

Nelson County Smoke-free Coalition member Pat Whelan distributed a copy of a letter that will be sent to local businesses within the City limits regarding the requirements for complying with the new smoke-free regulation which becomes effective on June 17, 2010. The packet of information will let the owners know where the no-smoking decals can be obtained. He thanked Councilmen Royalty and Reed, Larry Green, Mike Abell and Police Chief Marksberry for their help with the project.

**CEMETERY COMMITTEE MEETING**

Councilman Lydian reported on the Cemetery Committee meeting that was held on Wednesday, May 12, 2010. There will be five trees purchased and planted in the Bardstown Cemetery and Betty Lunsford, a local resident, will personally purchase two of those trees. Councilman Lydian and Councilman Simpson will look at a tree by the Confederate Monument section to see if it needs to be removed. The committee agreed that the cemetery's rules and regulations would be strictly enforced.

**RECREATION BOARD MEETING**

Councilman Sheckles announced that a Recreation Board meeting would be held on Thursday, May 27, 2010 at 6:00 p.m.

**DOWNTOWN STREETScape PROJECT UPDATE**

Assistant City Administrator Green reported that the project had started and Ann Ballard, an intern working part-time with the Main Street Program this summer, would attend regular Monday morning meetings with contractors, engineers and city officials to facilitate communication with downtown business owners, the media and the public regarding the project schedules. The City will also print updates on its Facebook page. Rob Martin, Resident Engineer, will have an office downtown and will be available for additional information.

**DOWNTOWN WATERLINE PROJECT**

Public Works and Engineering Director Hamilton reported that approximately 100 feet of pipe had been installed so far and the contractor could possibly be finished with the waterline by July 4th. There may be some refinements to the original plan which is necessary to ensure that the work gets done as efficiently as possible. The curb, gutter and sidewalk work might possibly be completed at the same time. He emphasized that there was a lot of state, district and local interest in this project.

**POLICE DEPARTMENT REPORT**

Police Chief Marksbury reported that off-duty officers were helping with traffic control for the Streetscape Project and the only complaint so far has been the tractor-trailer truckers ignoring the detour signs on KY 245 and heading down North Third Street. The trucks have been rerouted onto Broadway away from the construction.

**CEMETERY DEEDS**

Mayor Heaton presented cemetery deeds for Betty Greer, Brian Chesser and Earl and Judith Akers and **UPON MOTION OF COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0, THEY WERE APPROVED.**

**CITY FIVE-YEAR ANNIVERSARIES**

The Mayor announced that Peggy Johnson with the Finance Department and Mike Vittitow with the Cable TV Department were both celebrating their 10-year anniversary with the City this month.

**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 8:20 P.M.**

**CITY OF BARDSTOWN**

**ATTEST:**

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J. Richard Heaton, Mayor

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Bobbe Blincoe, City Clerk