

CITY OF BARDSTOWN
REGULAR COUNCIL MEETING MINUTES
8-12-08
7:00 P.M.

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

Councilmember Reed
Councilmember Hagan
Councilmember Lydian
Councilmember Sheckles
Councilmember Royalty
Councilmember Simpson

Others present were: Police Chief Marksbury, Assistant City Administrator Green, Public Works and Engineering Director Hamilton, Chief Financial Officer Abell, City Civil Engineer Greenwell, City Attorney Donan, City Clerk Blincoe, The Kentucky Standard reporter Jenny Blandford, WYSB reporter Tom Redmon, WBRT/WOKH reporter Fred Hagan, Aaron Black, Paul D. Higgs and family, Howard Keene, Bernard Keene, and Mike Shipley and Rusty Salley representing Bluegrass Concrete & Associates.

Mayor Heaton called the meeting to order.

VISITORS RECOGNIZED

Paul Higgs, 305 Hill Street, spoke against closing Sympson's Lake at night. This had been briefly discussed at the Council's Working Session held on August 5, 2008. He also wanted disabled citizens to be exempt from boating fees and a sign installed at the dock to keep people from blocking the area. He was also against allowing skiers and jet skis on the lake. The Mayor thanked him for his suggestions and said that they would be taken under consideration.

Joe Lucas, Bardstown Home Guard, requested that barriers be placed on East Broadway from Old Bloomfield Pike to the Old Bardstown Village Museum during the Civil War Re-enactment scheduled for Saturday, August 16, 2008 from 3:00 p.m. to 4:00 p.m. and Sunday, August 17, 2008 from 2:00 p.m. to 3:00 p.m. One person will be posted at the top of the hill near North Second Street and another person from the group will be posted near Old Bloomfield Pike to help with the traffic. The Council concurred.

Bob White spoke regarding the Central Kentucky Bourbon City Challenge Adventure Race that will be held on September 14, 2008 and hosted by the Bardstown Boaters and Horizon Hoppers Adventure Services. The event was held for the first time last year. The Mayor asked that Mr. White coordinate the times and schedule with the Police Department.

Aaron Black asked that the Council consider allowing swimming on Sympson's Lake and to reduce the horsepower size. Mayor Heaton said that he would check with City Risk Manager Michael Forsee on the liability issues for swimming.

DRB-146-BLUEGRASS CONCRETE & ASSOCIATES

The revised recommendation was presented on DRB-145 from Bluegrass Concrete & Associates for a 10,000 square foot retail center on Wildcat Lane, Lots #1 and #2, Kenmore Industrial Park. Assistant City Administrator Green updated the Council on additional information received from the DRB, part of which had been omitted from the Council's previous agenda. After further discussion on deed restrictions, roof materials and the full brick requirement on elevations facing public roads, Councilmember Hagan suggested that the wainscot picture, presented by the contractors as an alternative, be accepted. **UPON MOTION OF COUNCILMEMBER HAGAN, DULY SECONDED BY COUNCILMEMBER ROYALTY AND CARRIED BY A VOTE OF 5 TO 1 (COUNCILMEMBER REED VOTED NO), THE RECOMMENDATION FROM THE DEVELOPMENT REVIEW BOARD WAS APPROVED WITH THE EXCEPTION THAT THE REQUIREMENT FOR ALL BRICK ON THE SOUTH ELEVATION BE REVISED TO REQUIRE THAT THE BUILDING BE CONSTRUCTED IN ACCORDANCE WITH THE WAINSCOT PICTURE ALTERNATIVE WITH BRICK COLUMNS (SEE EXHIBIT A), AND THE EXCEPTION THAT THE PARKING LAYOUT SHALL PROVIDE NO MORE THAN 60 PERCENT (INSTEAD OF 80 PERCENT) OF THE PARKING BETWEEN THE BUILDING AND STREETS. ALL OTHER CONDITIONS LISTED IN THE 7-24-08 LETTER RECEIVED FROM THE DEVELOPMENT REVIEW BOARD WERE APPROVED.**

PINEVIEW/FUJISEAL CHANGE ORDER

City Civil Engineer Greenwell presented Change Order No. 1 as follows:

Project: <u>Pineview/Fujiseal</u>	
Change Order No. 1	
Date: <u>08/04/08</u>	
Owner: <u>City of Bardstown</u>	
Contractor: <u>Roby's Grade & Drain</u>	
The Contractor is directed to perform the Work described in the Contract as amended by This Change Order:	
Open cut Granite Drive instead of bore & Jack	

Original Contract Amount.....	\$224,800.00
Net Change to Previous Change Orders.....	0.00
Contract Amount Prior to This Change Order.....	224,800.00
Amount of This Change Order.....	2,800.00
New Contract Amount.....	<u>\$222,000.00</u>
The Contract Time is: <u>120 Days</u>	
The Contract Completion Date is: <u>October 1, 2008.</u>	

UPON MOTION OF COUNCILMEMBER SIMPSON, DULY SECONDED BY COUNCILMEMBER REED AND CARRIED BY A VOTE OF 6 TO 0, THE CHANGE ORDER IN THE REDUCED AMOUNT OF \$2,800.00 WAS APPROVED.

MINUTES

The minutes from the 7-22-08 regular Council meeting were then presented and **UPON MOTION OF COUNCILMEMBER LYDIAN, DULY SECONDED BY COUNCILMEMBER REED AND CARRIED BY A VOTE OF 6 TO 0, THEY WERE APPROVED.**

OFFICIAL OPENING - CITY DRIVE-THRU WINDOW

Chief Financial Officer Abell reported that Wednesday, August 20, 2008 at 10:00 a.m. would be the official opening of the City's new drive-thru window for utility payments.

SECOND READING - SIGN ORDINANCE AMENDMENT

The second reading of the Sign Ordinance Amendment was presented (see attached). **UPON MOTION OF COUNCILMEMBER REED, DULY SECONDED BY COUNCILMEMBER SIMPSON, MAYOR HEATON CALLED THE ROLL AND THE FOLLOWING VOTED:**

COUNCILMEMBER SIMPSON	-	AYE
COUNCILMEMBER ROYALTY	-	AYE
COUNCILMEMBER SHECKLES	-	AYE
COUNCILMEMBER LYDIAN	-	AYE
COUNCILMEMBER HAGAN	-	AYE
COUNCILMEMBER REED	-	AYE

THE MAYOR THEN DECLARED ORDINANCE NO. B2008-13 ADOPTED BY REFERENCE AND BE RECORDED IN ORDINANCE BOOK NO. _____, PAGE NO. _____.

MUNICIPAL ORDER NO. 2008-08-DRUG-FREE WORKPLACE

The Municipal Order No. 2008-08 amending the City's Personnel Policies for Section III, Conditions of Employment, Section O, Substance Abuse, was tabled in order for the Nelson County Dispatch Board to review.

CEMETERY COMMITTEE MEETING

Councilmember Simpson reported that there would be a Cemetery Committee Meeting held on Wednesday, August 13, 2008 at 8:30 a.m. in the Mayor's Conference Room at City Hall.

POLICE DEPARTMENT REPORT

Police Chief Marksbury reported that there had been 975 calls received by the department in July. This beat a record of calls previously set. He then updated the Council on the recent car burglaries in different parts of the City.

PAVING SCHEDULE

The City Civil Engineer reported that the cost of liquid asphalt had more than doubled from the beginning of the year. Since there was \$189,000 budgeted for the project, the project would need to be reduced by approximately 40 percent. A list of the proposed streets to be resurfaced will be sent to the Council for review.

ROAD CLOSINGS/RIGHT-OF-WAY ABANDONMENTS

Public Works and Engineering Director Hamilton reported on a request received from Chuck Thompson with My Old Kentucky Home School to close South Second Street Extended, which is now a parking area for the school. Another request was received from the Smith family for abandonment of a right-of-way for a street that was undeveloped from Hart Avenue to Downs Lane. The utility easements will remain in place. Current plats, documenting ownership, will be required and City Attorney Donan will check on other legal matters. **UPON MOTION OF COUNCILMEMBER SIMPSON, DULY SECONDED BY COUNCILMEMBER ROYALTY AND CARRIED BY A VOTE OF 6 TO 0, THE COUNCIL AUTHORIZED THE ENGINEERS AND CITY ATTORNEY TO PURSUE THE DEVELOPMENT OF PLATS FOR THE CLOSINGS.**

STATE PRESERVATION CONFERENCE

Mayor Heaton reported on the State Preservation Conference that will be hosted by Bardstown on September 4, 2008 from 6:00 p.m. until 8:00 p.m. at the Rotunda in My Old Kentucky Home State Park. There will be various breakout sessions held at different historical properties in the City.

BARDSTOWN MAINSTREET PROJECT

The Mayor informed the Council that work was being completed on the final plans for the proposed Downtown Streetscape Project.

CEMETERY DEEDS

Cemetery deeds were presented for Burrell and Phyllis McKim and Marian Dickerson. **UPON MOTION OF COUNCILMEMBER HAGAN, DULY SECONDED BY COUNCILMEMBER ROYALTY AND CARRIED BY A VOTE OF 6 TO 0, THE DEEDS WERE APPROVED.**

CITY FIVE-YEAR ANNIVERSARIES

It was announced that Joe Marks would be celebrating his five-year anniversary with the Fire Department on 8-22-08.

GIANT STEPS

Councilmember Royalty reported that Giant Steps, a three-mile walk to raise money to build a secondary school for girls in Tanzania would be held at the Bardstown High School's track on September 13, 2008 at 10:00 a.m. Flaget Nally, a local resident, has been working on this project.

ADJOURNMENT

Being no further business to discuss and **UPON MOTION OF COUNCILMEMBER REED, DULY SECONDED BY COUNCILMEMBER HAGAN AND CARRIED BY A VOTE OF 6 TO 0, THE MEETING WAS ADJOURNED AT 8:40 PM.**

CITY OF BARDSTOWN

ATTEST:

Bobbe Blincoe, City Clerk

J. Richard Heaton, Mayor