

**CITY OF BARDSTOWN, KENTUCKY
CITY COUNCIL REGULAR MEETING MINUTES**

1/12/2021

6:00 PM

The City Council met in regular session via video teleconference with Mayor Heaton and the following Council Members:

Councilman Joe Buckman
Councilman David Dones
Councilwoman Betty Hart
Councilman Franklin Hibbs IV
Councilman Bill Sheckles
Councilman Roland E. Williams

Others present: Chief of Police Kim Kraeszig, Fire Chief Billy Mattingly, Chief Financial Officer Aaron Boles, Assistant City Clerk Lisa Burdett, City Clerk Gary Little, City Attorney Audrey Haydon, City Staff Engineer Dylan Durbin, HR Director/Risk Manager Greg Ashworth, Historic Preservation Coordinator RaShae Jennings and Chief Information Officer Nahom Ayele.

Due to the COVID-19 State of Emergency, pursuant to KRS 61.823 (3) (4) and (5), and in accordance with Opinion 20-05 of the Kentucky Attorney General, there was no physical location designated for the public and/or media to view the meeting. This video conference was broadcast for public viewing on Bardstown Cable TV Channels 19.2, 20 and 20.1 and on the City of Bardstown YouTube channel.

Mayor Heaton called the meeting to order at 6:00 PM, and stated that an Executive Session will take place near the end of the meeting pursuant to KRS 61.810(1)(c) *Discussions of proposed or pending litigation against or on behalf of the public agency.*

SERVICE REQUEST PINEVIEW APARTMENTS SEWER AND WATER MAIN EXTENSIONS

City Staff Engineer Dylan Durbin presented a sewer and water main extension request that will serve 76 units in an apartment complex at the end of Pineview Drive.

COUNCILMAN SHECKLES MADE A MOTION TO APPROVE THE SEWER AND WATER MAIN SERVICE REQUEST SUBMITTED BY HORIZON ENGINEERING FOR PINEVIEW DRIVE. THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED WITH A VOTE OF 6-0.

CHANGE ORDER NO. 1 PUBLIC WORKS BUILDING

Staff Engineer Dylan Durbin presented Change Order No. 1 submitted by BCD, Inc. for electrical work that was mistakenly not on the original bid specifications for the new Public Works building. The total amount requested for additional materials and labor is \$3671.29 for electric feeds to the radiant heat and exhaust fans.

COUNCILMAN DONES MADE A MOTION TO APPROVE CHANGE ORDER NO. 1 FOR THE NEW PUBLIC WORKS BUILDING SUBMITTED BY BCD, INC. IN THE AMOUNT OF THREE THOUSAND SIX HUNDRED SEVENTY-ONE DOLLARS AND TWENTY-NINE CENTS (\$3,671.29). THE MOTION WAS DULY SECONDED BY COUNCILMAN HIBBS AND CARRIED WITH A VOTE OF 6-0.

CHANGE ORDER NO. 1 PERACETIC ACID DISINFECTION SYSTEM IMPROVEMENTS

Engineer Dylan Durbin presented a change order for \$3219.68 submitted by Pace Contracting for the installation of welded stainless steel pipe fittings in lieu of threaded piping on the peracetic acid disinfection system.

COUNCILMAN BUCKMAN MADE A MOTION TO APPROVE CHANGE ORDER NO. 1 SUBMITTED BY PACE CONTRACTING FOR THE PERACETIC ACID DISINFECTION SYSTEM IMPROVEMENTS IN THE AMOUNT OF THREE THOUSAND TWO HUNDRED NINETEEN DOLLARS AND SIXTY-EIGHT CENTS (\$3,219.68). THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED WITH A VOTE OF 6-0.

RISK AND RESILIENCY ASSESSMENT AND EMERGENCY RESPONSE PLAN

Mr. Durbin explained that all water companies must have a Risk and Resiliency Assessment and an Emergency Response Plan. HDR Engineering submitted the lone proposal of \$40,000.00 for these services which includes an overall assessment of the water system, as well as the creation of an emergency response plan. The assessment must be completed by July 1, 2021 and the response plan must be completed by December 31, 2021.

COUNCILMAN HIBBS MADE A MOTION TO APPROVE THE PROPOSAL FOR A RISK AND RESILIENCY ASSESSMENT AND EMERGENCY RESPONSE PLAN SUBMITTED BY HDR ENGINEERING IN THE AMOUNT OF FORTY THOUSAND DOLLARS (\$40,000.00). THE MOTION WAS DULY SECONDED BY COUNCILMAN DONES AND CARRIED WITH A VOTE OF 6-0.

BULLITT'S WINERY AND BISTRO

City Attorney Audrey Haydon explained that Ron May had not complied with the Certificate of Appropriateness that was issued by the City Council in September, 2020. She said that plans for removing the exterior exhaust fans at

Bullitt's Winery and Bistro and installing the ductwork on the interior of the building were to be submitted by December 21, 2020. She has contacted both Mr. May and Bob Waters, his attorney, and stated that she has not received the requested plans.

REVIEW OF MINUTES

THE MINUTES FOR THE 12-22-2020 CITY COUNCIL REGULAR SESSION WERE APPROVED BY UNANIMOUS CONSENT.

FINANCIAL REPORT

Chief Financial Officer Aaron Boles reported that Phase III of the Small Business Relief Grant Program has been completed. Thirty applications from restaurant/bars and gyms were received and approved, with each applicant receiving between one and three thousand dollars. The total distribution of \$76,000 is funded by CARES Act reimbursements.

CABLE RETRANSMISSION AGREEMENTS

Chief Information Officer Nahom Ayele reported that negotiations for the Cable Retransmission Agreements for all of the local television networks are completed. These negotiations take place every three years and the new rates will take effect on February 1, 2021. The 12.3% increase will have to be passed on to the customer through an increase in their cable TV bill.

RESOLUTION R2021-01 KIA LOAN AGREEMENT

Councilman Dones introduced Resolution R2020-01 and asked that it be read by City Attorney Audrey Haydon. The resolution is for a Kentucky Infrastructure Authority loan in the amount of \$1,472,400 for improvements to the American Greetings, Royal Crest and Corman's Crossing wastewater pump stations.

COUNCILMAN WILLIAMS MADE A MOTION TO APPROVE RESOLUTION R2021-01 AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A KENTUCKY INFRASTRUCTURE AUTHORITY LOAN IN THE AMOUNT OF ONE MILLION FOUR HUNDRED SEVENTY-TWO THOUSAND FOUR HUNDRED DOLLARS (\$1,472,400.00) FOR WASTEWATER PUMP STATION IMPROVEMENTS. THE MOTION WAS DULY SECONDED BY COUNCILWOMAN HART AND CARRIED WITH A VOTE OF 6-0.

CEMETERY DEEDS

THE MOTION TO APPROVE THE CEMETERY DEED FOR WILLIAM MADDOX WAS APPROVED BY UNANIMOUS CONSENT.

MAYOR'S UPDATE

Mayor Heaton said that he will be talking about the City's goals for the next two years at the next meeting.

EXECUTIVE SESSION

COUNCILMAN BUCKMAN MADE A MOTION TO ENTER INTO EXECUTIVE SESSION PURSUANT TO KRS 61.810(1)(C) *DISCUSSIONS OF PROPOSED OR PENDING LITIGATION AGAINST OR ON BEHALF OF THE PUBLIC AGENCY*. THE MOTION WAS DULY SECONDED BY COUNCILMAN HIBBS AND CARRIED BY A VOTE OF 6 TO 0. The time was 6:42 pm.

COUNCILMAN HIBBS MADE A MOTION TO EXIT THE EXECUTIVE SESSION AND CONTINUE WITH THE REGULAR COUNCIL MEETING. THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0. The time was 7:05 pm.

The minutes will reflect that no action was taken during the Executive Session.

COUNCILMAN BUCKMAN MADE A MOTION TO AUTHORIZE THE CITY OF BARDSTOWN TO PURSUE ANY AND ALL LEGAL ACTION TO BRING RON MAY AND BULLITT'S WINERY AND BISTRO INTO COMPLIANCE WITH THE CONDITIONS SET FORTH IN THE CERTIFICATE OF APPROPRIATENESS #20-137. THE MOTION WAS DULY SECONDED BY COUNCILMAN DONES AND CARRIED WITH A VOTE OF 6-0.

ADJOURNMENT

COUNCILWOMAN HART MADE A MOTION TO ADJOURN THE MEETING AT 7:07 PM. THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED WITH A VOTE OF 6-0.

CITY OF BARDSTOWN

J. Richard Heaton, Mayor

ATTEST:

Gary Little, City Clerk