

CITY OF BARDSTOWN, KENTUCKY
CITY COUNCIL REGULAR MEETING MINUTES
10/27/2020
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: Police Chief Kim Kraeszig, Fire Chief Billy Mattingly, Chief Financial Officer Aaron Boles, Assistant City Clerk Lisa Burdett, City Clerk Gary Little, City Attorney Audrey Haydon, HR Director Greg Ashworth, City Civil Engineer Jessica Filiatreau, Historic Preservation Coordinator RaShae Jennings and Robin Mills.

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.

PROCLAMATION BARDSTOWN HIGH SCHOOL LADY TIGERS SOCCER TEAM

Councilman Williams introduced and read a proclamation recognizing the 2020 Bardstown High School Lady Tigers Soccer Team for winning the district and regional championships. The Lady Tigers won back-to-back 19th District championships and their first regional championship in the school's history. The 2020 Lady Tigers were undefeated at home compiling a 16-1-1 record leading up to their first KHSAA State Soccer Tournament appearance.

COUNCILWOMAN HART MADE A MOTION TO APPROVE THE PROCLAMATION IN HONOR OF THE SUCCESS OF THE 2020 BARDSTOWN HIGH SCHOOL LADY TIGERS SOCCER TEAM. THE MOTION WAS DULY SECONDED BY COUNCILMAN HIBBS AND CARRIED WITH A VOTE OF 6-0.

PROCLAMATION RED RIBBON WEEK

Councilwoman Hart introduced and read a proclamation recognizing Red Ribbon Week which runs from October 23rd through October 31st, 2020. The week of activities is intended to bring awareness to drug abuse prevention and recovery.

COUNCILMAN WILLIAMS MADE A MOTION TO APPROVE THE PROCLAMATION FOR RED RIBBON WEEK AND THE MOTION WAS DULY SECONDED BY COUNCILMAN SHECKLES. THE MOTION CARRIED WITH A VOTE OF 6-0.

PROCLAMATION EXTRA MILE DAY

Mayor Heaton asked City Attorney Audrey Haydon to read a proclamation for Extra Mile Day, which acknowledges that a special vibrancy exists within the entire community of Bardstown when its individual citizens collectively "go the extra mile" in personal effort, volunteerism and service.

COUNCILMAN BUCKMAN MADE A MOTION TO APPROVE THE PROCLAMATION FOR EXTRA MILE DAY. THE MOTION WAS DULY SECONDED BY COUNCILMAN HIBBS AND CARRIED WITH A VOTE OF 6-0.

KIA FUND "A" LOAN COMMITMENT - LOAN #A19-047 (INCREASE)

City Civil Engineer Jessica Filiatreau explained that the Kentucky Infrastructure Authority's federally assisted revolving loan fund for wastewater improvements needed to be increased due to delays in the project. The cost of materials has gone up during the nearly three years since applying for the loan and finalizing the project. The KIA is requesting a signed conditional commitment letter for the increase in funding which will be applied to the twenty year loan #A19-047. An additional federal EDA grant in the amount of \$1,600,000.00 has also been applied to the project.

COUNCILMAN DONES MADE A MOTION TO AUTHORIZE THE MAYOR TO SIGN THE CONDITIONAL COMMITMENT LETTER WITH THE KIA FOR WASTEWATER IMPROVEMENTS FOR THE ADDITIONAL LOAN AMOUNT OF ONE MILLION SEVENTY-ONE THOUSAND EIGHTY-EIGHT DOLLARS (\$1,071,088.00). THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED WITH A VOTE OF 6-0.

SERVICE REQUEST OLD NELSONVILLE ROAD ALTERNATE

City Civil Engineer Jessica Filiatreau detailed an alternate route for a water main extension along Old Nelsonville Road. The City Council had previously approved a water main in that area but the City's infrastructure mapping was later found to be outdated and incorrect. The new extension route would bore under Highway 62 and Old Nelsonville Road to create a system that could be tapped into should other development take place in that area. The two residents that are requesting service will pay for the materials and the City will install the waterline.

COUNCILMAN DONES MADE A MOTION TO APPROVE THE WATER MAIN SERVICE REQUEST FOR OLD NELSONVILLE ROAD SUBMITTED BY HORIZON ENGINEERING AS PRESENTED BY CITY CIVIL ENGINEER JESSICA FILIATREAU. THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED WITH A VOTE OF 6-0.

SERVICE REQUEST DOWNS LANE

City Civil Engineer Jessica Filiatreau presented a water main extension request for Downs Lane. This waterline will serve the existing Medically Assisted Recovery Solutions building that was formerly the American Legion Hall. The property owner will pay for the extension but the City will maintain it once completed.

COUNCILWOMAN HART MADE A MOTION TO APPROVE THE WATER MAIN EXTENSION SERVICE REQUEST FOR DOWNS LANE SUBMITTED BY HORIZON ENGINEERING. THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED WITH A VOTE OF 6-0.

CHANGE ORDER NO. 1 JOHN ROWAN BOULEVARD SIDEWALK PROJECT TIME EXTENSION

City Civil Engineer Jessica Filiatreau discussed a change order for the John Rowan Boulevard Sidewalk Project to extend the deadline for completion of the work. The time extension will allow EZ Construction forty-five additional days to complete Alternate Bid Two of the project. The extra forty-five days matches the original contract time for completion of the Base Bid and Alternate Bid One.

COUNCILMAN WILLIAMS MADE A MOTION TO APPROVE CHANGE ORDER NO. 1 SUBMITTED BY EZ CONSTRUCTION FOR THE JOHN ROWAN BOULEVARD SIDEWALK PROJECT. THE MOTION WAS DULY SECONDED BY COUNCILMAN HIBBS AND CARRIED WITH A VOTE OF 6-0.

HRB RECOMMENDATIONS

The following recommendations from the Bardstown Historical Review Board were presented by City Attorney Audrey Haydon:

- (a) COA-20-138. Chris Simpson, Applicant/Owner, requests to demolish a carport at 114 East Brashear Avenue.
Recommendation: Approval to demolish the carport only.
- (b) COA- 20-113. Annette Beavers, Applicant/Owner, requests to remove a tree at 215 South 5th Street.
Recommendation: Approval to remove the proposed tree with the following conditions:
Conditions: The applicant will replace the tree that is being removed with a magnolia tree that once it reaches maturity, will have the same height as the tree being removed.
- (c) COA- 20-125. Ann Rosalie Ballard, Applicant/Owner, requests to add a small overhang to her front door at 204 West Flaget Street.
Recommendation: Approval for the overhang with the following conditions:
Conditions: That the applicant must meet any Planning and Zoning requirements before the overhang is installed, and if there are any changes, those will be staff approved.
- (d) COA- 20-139. Carey Signs, Applicant, Preservation Distillery, Owner, requests to add signage at 211 West Stephen Foster Avenue.
Recommendation: Approval to add the proposed sign.
- (e) COA- 20-140. Mike & Amy Deaton, Applicant/Owner, requests to change the garage size and location at 108 West Broadway.
Recommendation: Approval for the new garage size and location with the following conditions:
Conditions: The location meets the requirements for the sewer easement, and the final site plan must be approved by the City Civil Engineer Jessica Filiatreau and Planning and Zoning before construction can begin.
- (f) COA- 20-141. JTD Holdings LLC., Applicant/Owner, requests to replace a door at 102 ½ North Third Street.
Recommendation: Approval to replace the proposed door.
- (g) COA- 20-143. Rickhouse Restaurant and Lounge, Applicant/Owner, requests to install umbrellas at 112 Xavier Drive.
Recommendation: Approval to install umbrellas, and to keep the current patio furniture.
- (h) COA- 20-144. Rickhouse Restaurant and Lounge, Applicant/Owner, requests to keep a sign installed without permission at 112 Xavier Drive.
Recommendation: Approval to keep the sign with the following conditions:
Conditions: The sign will not be internally lit except for the open portion of the sign. The sign may remain for the next 90 days. The applicant will return with another application that includes new signage.

Councilman Buckman recused himself at 6:43 pm.

COUNCILMAN WILLIAMS MADE A MOTION TO ACCEPT THE RECOMMENDATION FROM THE HISTORICAL REVIEW BOARD FOR COA #20-141 WITH THE CONDITIONS SET FORTH BY THE HRB. THE MOTION WAS DULY SECONDED BY COUNCILMAN DONES AND CARRIED BY A VOTE OF 5 TO 0.

Councilman Buckman returned at 6:44 pm.

COUNCILMAN HIBBS MADE A MOTION TO ACCEPT THE RECOMMENDATIONS FROM THE HISTORICAL REVIEW BOARD FOR COA'S #20-138, #20-113, #20-125, #20-139, #20-140, #20-143 AND #20-144 WITH THE CONDITIONS SET FORTH BY THE HRB. THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 6 TO 0.

REVIEW OF MINUTES

THE MINUTES FOR THE 10-13-2020 CITY COUNCIL REGULAR SESSION WERE APPROVED BY UNANIMOUS CONSENT.

SEPTEMBER 2020 REVIEW

Chief Financial Officer Aaron Boles reviewed the financial report for September 2020.

UTILITY DISCONNECTIONS

Chief Financial Officer Aaron Boles discussed the suspension of utility disconnects, late fees and penalties that have been in place since March 2020. Governor Beshear released an Executive Order on Monday, October 26th which allows municipal-owned utilities to disconnect customers with delinquent accounts as of November 6, 2020. The Finance Department will attempt to set up payment plans ranging from six to eighteen months for these customers.

DATAMAX AGREEMENT

CFO Aaron Boles presented an agreement for retaining the services of DataMax, a company that contacts businesses that are operating in the city without a business license, or those that are not paying occupational license and net profit fees. DataMax charges nothing upfront, but requests a 2-year revenue sharing agreement for each business they find. They will split the tax revenue that is generated equally with the City of Bardstovwn during the two years following the discovery of each business.

COUNCILWOMAN HART MADE A MOTION TO AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT WITH DATAMAX FOR THEIR SERVICES. THE MOTION WAS DULY SECONDED BY COUNCILMAN HIBBS AND CARRIED WITH A VOTE OF 6-0.

MOBILE FOOD VENDOR APPLICATION SPENCER BURKHEAD

City Attorney Audrey Haydon explained that according to the mobile food ordinance, the type of mobile food vendor unit owned by Spencer Burkhead did not qualify for approval within the intent and guidelines, as written in the ordinance.

COUNCILMAN SHECKLES MADE A MOTION TO DENY THE APPLICATION FOR A MOBILE FOOD VENDOR PERMIT SUBMITTED BY SPENCER BURKHEAD ON THE BASIS THAT THE TRAILER IS NOT COMPLIANT WITH THE MOBILE FOOD SALES ORDINANCE. THE MOTION WAS DULY SECONDED BY COUNCILWOMAN HART AND CARRIED WITH A VOTE OF 6-0.

MOBILE FOOD VENDOR APPLICATION SAMMY'S SLIDERS & MORE

COUNCILWOMAN HART MADE A MOTION TO APPROVE THE MOBILE FOOD VENDOR PERMIT APPLICATION FOR SAMMY'S SLIDERS AND MORE. THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED WITH A VOTE OF 6-0.

MOBILE FOOD VENDOR APPLICATION AUNTIE ANNE'S PRETZELS

COUNCILMAN SHECKLES MADE A MOTION TO APPROVE THE MOBILE FOOD VENDOR PERMIT APPLICATION FOR AUNTIE ANNE'S PRETZELS. THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED WITH A VOTE OF 6-0.

CEMETERY DEEDS

THE MOTION TO APPROVE THE CEMETERY DEEDS FOR LATASHA LYVERS AND CHARLES POYNTER WAS APPROVED BY UNANIMOUS CONSENT.

MAYOR'S UPDATE

Mayor Heaton reported that Nelson County is now a "red zone" county, which is one that has 25 or more cases per 100,000 people. Five of six counties in the Lincoln Trail Health District are red zone counties. Tuesday's cases spiked to 97 in Nelson County. Residents need to be vigilant about wearing masks, sanitizing and social distancing. Halloween activities will not be restricted, but Mayor Heaton asked that everyone cut back as much as possible. The Guthrie Opportunity Center will be open for trick or treating as a drive-thru only. City Hall has redesigned the lobby area to minimize contact with others and will remain open. Public employees that can work from home are doing so.

ADJOURNMENT

COUNCILMAN HIBBS MADE A MOTION TO ADJOURN THE MEETING AT 7:50 PM. THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 6-0.

CITY OF BARDSTOWN

J. Richard Heaton, Mayor

ATTEST:

Gary Little, City Clerk