

**CITY OF BARDSTOWN, KENTUCKY
CITY COUNCIL REGULAR MEETING MINUTES
11/24/2020
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: Fire Chief Billy Mattingly, Chief Financial Officer Aaron Boles, Assistant Chief of Police Joe Seelye, Recreation Director Daniel Jeffries, Assistant City Clerk Lisa Burdett, City Clerk Gary Little, City Attorney Audrey Haydon, City Civil Engineer Jessica Filiatreau, Chief Information Officer Nahom Ayele and HR Director Greg Ashworth. Councilman Sheckles joined the meeting at 6:35 pm.

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.

SERVICE REQUEST – SOUTHFORK ESTATES WATER MAIN EXTENSION

City Civil Engineer Jessica Filiatreau presented a water main service request submitted by Horizon Engineering for a future development of a farm owned by Gary Delaney.

COUNCILMAN DONES MADE A MOTION TO APPROVE THE WATER MAIN EXTENSION AND SERVICE REQUEST SUBMITTED BY HORIZON ENGINEERING, LLC FOR FUTURE DEVELOPMENT OF THE DELANEY FARM. THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED WITH A VOTE OF 5-0.

SERVICE REQUEST – NELSON COUNTY LANDFILL LEACHATE

City Civil Engineer Jessica Filiatreau detailed a service request from Nelson County Judge Executive Dean Watts for the City to accept additional leachate flow from the Nelson County landfill. The County is in the process of designing a landfill expansion and is upgrading their force main sewer from a 6” main to an 8” main, and from 200 gallons per minute pumps to 400 gallons per minute. Filiatreau stated that the additional flow will not put a strain on the Jerry Riley Wastewater Treatment Plant.

COUNCILWOMAN HART MADE A MOTION TO APPROVE THE SERVICE REQUEST SUBMITTED BY NELSON COUNTY JUDGE EXECUTIVE DEAN WATTS FOR THE LEACHATE CONNECTION TO THE CITY’S CONVEYANCE SYSTEM AND ACCEPT RESPONSIBILITY FOR THE ADDITIONAL FLOW THAT WILL BE GENERATED. THE MOTION WAS DULY SECONDED BY COUNCILMAN HIBBS AND CARRIED WITH A VOTE OF 5-0.

CHANGE ORDER – JERRY RILEY WWTP LAGOON LINER REPLACEMENT

City Civil Engineer Jessica Filiatreau presented a change order for installing 120 linear feet of 4” underdrain to accommodate additional run-out underneath the liner at the Jerry Riley Wastewater Treatment Plant.

COUNCILMAN DONES MADE A MOTION TO APPROVE CHANGE ORDER NO. 2 SUBMITTED BY E-Z CONSTRUCTION COMPANY FOR ADDITIONAL UNDERDRAIN AT THE JERRY RILEY WASTEWATER TREATMENT PLANT LAGOON IN THE AMOUNT OF THREE THOUSAND DOLLARS (\$3,000.00). THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED WITH A VOTE OF 5-0.

BID TAB – AMERICAN GREETINGS PUMP STATION

City Civil Engineer Jessica Filiatreau explained that when she receives the letter of recommendation for the American Greetings Pump Station bid tab, she will present the bids to the Council at the next meeting.

CHANGE ORDER – RECREATION CENTER FLOORING PROJECT

Recreation Director Daniel Jeffries presented a change order for the Recreation Center Flooring Project. When the repair of the subfloor began, the contractor recognized that more of the joists needed to be replaced than originally expected. The change order is for \$13,605.00 but the Council requested a more detailed breakdown of the labor that was billed, rather than the lump sum of \$10,000 that was provided. After a lengthy discussion, a motion was made to table the change order until the additional information could be obtained.

COUNCILMAN WILLIAMS MADE A MOTION TO TABLE THE CHANGE ORDER FOR THE RECREATION CENTER FLOORING PROJECT. THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED WITH A VOTE OF 5-0.

HRB RECOMMENDATIONS

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

(a) COA-20-146. Brown & Cheek Properties, LLC, Applicants/Owners, request to remove a dead tree at 442 East Stephen Foster Avenue.

Recommendation: Approval to remove the proposed tree with the following conditions:

Conditions: The replacement tree cannot be less than 20 feet in height once grown to maturity, and it must be a hardwood tree that will be staff approved.

(b) COA-20-149. Mary Florence Barnes, Applicant/Owner, requests to remove a tree and replace it at 109 North 5th Street.

Recommendation: Approval to remove the proposed tree with the following conditions:

Conditions: The one tree nearest the home is approved to be removed and to be replaced with another tree that will be staff approved. The second tree can also be removed at a later date upon staff approval.

(c) COA-20-156. Town and Country Bank, Applicants/Owners, request to remove five Crab Trees and replace them with Eastern Red Bud Trees at 201 North 3rd Street.

Recommendation: Approval to remove the proposed trees as presented in the application.

(d) COA-20-147. Elizabeth Seeger, Applicant/Owner, requests to install/keep a fence that was installed without HRB approval at 208 West Flaget.

Recommendation: Approval to install the proposed fence with the following conditions:

Conditions: The fence location must be approved by Planning and Zoning, the City of Bardstown Engineer, Jessica Filiatreau will also give approval, and the stain color will be staff approved.

(e) COA-20-150. McLean House Condo LLC., Applicant/Owner, requests to add a carport at 105 East Stephen Foster Avenue.

Recommendation: Approval to install the proposed carport with the following conditions:

Conditions: Planning and Zoning will approve the final site plan before construction can begin.

(f) COA-20-151. Jayme Haslam, Patrick Whelan, Applicants/Owners, request to construct a new detached screened-in porch structure at 111 East John Fitch Avenue.

Recommendation: Approval to construct the detached screened-in porch with the following conditions:

Conditions: The site plan must be approved by Planning and Zoning before construction begins.

(g) COA-20-152. Jayme Haslam, Patrick Whelan, Applicants/Owners, request to construct a new detached screened-in porch structure with siding and paint at 111 East John Fitch Avenue.

Recommendation: Approval to install the detached screened-in porch structure with the proposed siding and paint colors.

(h) COA-20-153. Jayme Haslam, Patrick Whelan, Applicants/Owners, request to construct a new detached screened-in porch structure with a roof, chimney, and fireplace at 111 East John Fitch Avenue.

Recommendation: Approval to construct a new detached screened-in porch structure with the proposed roof, chimney, and fireplace.

(i) COA-20-154. Jayme Haslam, Patrick Whelan, Applicants/Owners, request to construct a new detached screened-in porch structure with a foundation and screen doors at 111 East John Fitch Avenue.

Recommendation: Approval to construct a new detached screened-in porch structure with the proposed foundation and screen doors.

(j) COA-20-155. Jayme Haslam, Patrick Whelan, Applicants/Owners, request to remove a tree at 111 East John Fitch Avenue.

Recommendation: Approval to remove the proposed tree with the following conditions:

Conditions: The homeowners will research appropriate trees to go back in the front and the back yard and receive staff approval for that in the spring of 2021.

1. Provisional Approval (Staff Approved):

(a) COA-20-148. Jim Hagan, Applicant/Owner, requests to remove three trees at 207 North 4th Street.

Recommendation: Approval to remove the proposed trees with the following conditions:

Conditions: Three trees will be planted back and they will be staff approved.

(b) COA-20-157. Margaret Hardin, Applicant/Owner, requests to pour concrete to make a patio and remove the deck at 207 North 4th St.

Recommendation: Approval to pour concrete to create the proposed patio and to remove the deck.

COUNCILMAN HIBBS MADE A MOTION TO ACCEPT THE RECOMMENDATIONS FROM THE HISTORICAL REVIEW BOARD FOR COA’s #20-146, #20-149, #20-156, #20-147, #20-150, #20-151, #20-152 #20-153, #20-154, #20-155, #20-148, and #20-157 WITH THE CONDITIONS SET FORTH BY THE HRB. THE MOTION WAS DULY SECONDED BY COUNCILMAN SHECKLES AND CARRIED BY A VOTE OF 6 TO 0.

Councilman Buckman recused himself at 6:42pm.

COUNCILMAN WILLIAMS MADE A MOTION TO ACCEPT THE RECOMMENDATION FROM THE HISTORICAL REVIEW BOARD FOR COA #20-150 WITH THE CONDITIONS SET FORTH BY THE

HRB. THE MOTION WAS DULY SECONDED BY COUNCILMAN SHECKLES AND CARRIED BY A VOTE OF 5 TO 0.

Councilman Buckman rejoined the meeting at 6:43 pm.

REVIEW OF MINUTES

THE MINUTES FOR THE 11-10-2020 CITY COUNCIL REGULAR SESSION WERE APPROVED BY UNANIMOUS CONSENT.

FINANCIAL

Chief Financial Officer Aaron Boles presented the October 2020 Financial Review and discussed the year to date revenue and expenses for each department.

REPORTS OF STAFF AND COMMITTEES

Assistant Chief of Police Joe Seelye reported that the Bardstown Police Department had responded to a drug overdose death earlier in the year. A new Kentucky Revised Statute allows for a manslaughter charge to be brought against anyone who provides narcotics to someone who dies as a result of a drug overdose. Three men were recently charged with second degree manslaughter for their involvement in the victim’s death.

Chief Information Office Nahom Ayele said that negotiations are ongoing with local broadcasting stations for the renewal of 3-year contract rates. Any increase in these monthly rates will have to be passed along to the subscriber.

R2020-09 QUOTA LICENSE INCREASE

Councilman Hibbs introduced Resolution R2020-09 which authorizes the City of Bardstown to petition the Kentucky Alcoholic Beverage Control Board for additional quota liquor licenses. City Attorney Audrey Haydon read the resolution and explained that there’s a need for additional licenses due to the growth of the population since the last allocation.

COUNCILWOMAN HART MADE A MOTION TO AUTHORIZE THE CITY OF BARDSTOWN TO PETITION THE STATE ALCOHOLIC BEVERAGE CONTROL BOARD FOR AN INCREASE IN THE NUMBER OF QUOTA LICENSES ALLOCATED TO THE CITY. THE MOTION WAS DULY SECONDED BY COUNCILMAN HIBBS AND CARRIED WITH A VOTE OF 5-0. COUNCILMAN DONES ABSTAINED.

R2020-10 KIA SUPPLEMENTAL ASSISTANCE LOAN A19-047

Councilman Dones introduced a resolution that will authorize Mayor Heaton to execute a supplemental loan agreement with the Kentucky Infrastructure Authority for the Wastewater System Improvement Project Loan #A19047.

COUNCILMAN WILLIAMS MADE A MOTION TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE THE NECESSARY DOCUMENTS TO EFFECT FINANCING THROUGH A SUPPLEMENTAL AGREEMENT BETWEEN THE CITY OF BARDSTOWN AND THE KENTUCKY INFRASTRUCTURE AUTHORITY FOR PROJECT NO. A19-047. THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED WITH A VOTE OF 6-0.

CITY COUNCIL MEMBER COMMENTS

On behalf of the City Council, Councilman Buckman congratulated Mayor Heaton on becoming a grandfather.

Councilman Sheckles said that the Nelson County Ministerial Association is unable to provide Thanksgiving dinners this year but that the First Baptist Church will have meals available from 10:00am to 12:00pm on Thanksgiving Day.

MAYOR’S UPDATE

Mayor Heaton recognized Small Business Saturday and encouraged residents to shop locally whenever possible to help the City’s local businesses. Light Up Bardstown will be “A Holiday Road Trip” this year with a road map that can be followed for viewing lighted displays throughout Bardstown. Mayor Heaton said that he understands the hardship being created by the pandemic but he reminded everyone to abide by the most recent Executive Order and be safe over the extended holiday weekend.

ADJOURNMENT

COUNCILWOMAN HART MADE A MOTION TO ADJOURN THE MEETING AT 7:32 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