

CITY OF BARDSTOWN, KENTUCKY
CITY COUNCIL REGULAR MEETING MINUTES
4/27/2021
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: Fire Chief Billy Mattingly, City Attorney Audrey Haydon, City Civil Engineer Jessica Filiatreau, City Clerk Gary Little, Assistant City Clerk Lisa Burdett, Chief Information Officer Nahom Ayele, Recreation Director Daniel Jeffries, Assistant Chief of Police Kevin Thompson, HR Director Greg Ashworth and Historic Preservation Coordinator RaShae Jennings.

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 announced that there would be an Executive Session at the end of the meeting pursuant to **KRS 61.810(1)(g)** - *Discussions between a public agency and a representative of a business entity and discussions concerning a specific proposal, if open discussions would jeopardize the siting, retention, expansion, or upgrading of the business.*

PROCLAMATION IN HONOR OF THE BETHLEHEM HIGH SCHOOL GIRLS BASKETBALL TEAM

Mayor Heaton read a proclamation to the members and coach of the 2021 Bethlehem Banshees Girls Basketball team to honor their performance throughout the season. The Banshees won the 19th District Tournament and the 5th Region Championship, while finishing the year with a first-round victory in their second-ever appearance in the Kentucky Sweet Sixteen Tournament.

HISTORICAL REVIEW BOARD COA 15-07-AMENDED FOR 120 WEST STEPHEN FOSTER

COUNCILMAN SHECKLES MADE A MOTION TO APPROVE THE SIGN PROPOSAL SUBMITTED IN RESPONSE TO COA 15-07-AMENDED THAT WAS APPROVED AT A PUBLIC HEARING ON SEPTEMBER 29, 2020. THE FOLLOWING CONDITIONS SHALL APPLY:

- 1. THIS APPROVAL IS FOR A MAXIMUM OF EIGHT (8) SIGNS, NO LARGER THAN 12" X 18" EACH, INCLUDING TWO ON THE NORTH SIDE OF THE MARKETPLACE BUILDING AND SIX ON THE EAST SIDE OF THE MARKETPLACE BUILDING.**
- 2. THE COLOR OF THE SIGNS WILL BE RED AND WHITE, OR BLACK AND WHITE, AT THE APPLICANT'S DISCRETION.**
- 3. THE WORD TENNANTS AS SUBMITTED ON THE PROPOSED SIGN IS TO BE CORRECTLY SPELLED AS TENANTS.**
- 4. THE LANGUAGE FOR THE SIGNS WILL BE AS FOLLOWS:
PRIVATE PARKING LOT
PARKING FOR TENANTS & CLIENTS ONLY
ALL OTHERS WILL BE TOWED AT VEHICLE OWNER'S EXPENSE
KRS 189.725**
- 5. ALL POSTED SIGNS MUST COMPLY WITH THESE CONDITIONS AND OTHER APPLICABLE HRB GUIDELINES WITHIN SIXTY (60) DAYS (JUNE 26, 2021) FROM THE CITY COUNCIL MEETING DATE OF APRIL 27, 2021.**

THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED WITH A VOTE OF 6-0.

HISTORICAL REVIEW BOARD MEETING 4/20/2021

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

- (a) COA-21-62. Kasey Willett Vanvactor, Applicant/Owner, requests to add signage to the property at 201 East Flaget Avenue.
Recommendation: Approval to install the proposed signage.
- (b) COA-21-63. Richard McIntire, Applicant/Owner, requests to add signage to the property at 111 North Fourth Street.
Recommendation: Approval to install the proposed signage.

- (c) COA-21-55. BNCAAHM / First Baptist Church, Applicant/Owner, requests to add signage to the property at 315 North Second Street.
Recommendation: Approval to install the proposed signage.
- (d) COA-21-38. Vance & Cheryl Marquis, Applicant/Owner, requests to sand the roof, repair sections of the roof, and paint the bay window roof a deep charcoal at 415 North Third Street.
Recommendation: Approval to paint the roof color and make the proposed repairs.
- (e) COA-21-77. Malinda Marie Carl, Applicant/Owner, requests to replace the siding at 218 West Broadway.
Recommendation: Approval to replace the siding as proposed in the application.
- (f) COA-21-68. Summer Talbott, Applicant/Owner, requests to remove trees at the property at 216 South Third Street.
Recommendation: Approval to remove the trees with the following conditions:
Conditions: The landscaping plan will soon follow to be approved by the HRB Board.
- (g) COA-21-64. Summer Talbott, Applicant/Owner, requests to add fencing and brick columns to the property at 216 South Third Street.
Recommendation: Approval to add the proposed fencing with the following conditions:
Conditions: The final details including the height, mass, scale, look, and design will be staff approved.
- (h) COA-21-65. Jacob Hall, Applicant/Owner, requests to add fencing to the property at 209 West Flaget.
Recommendation: Approval to add the proposed fencing.
- (i) COA-21-66. Jacob Hall, Applicant/Owner, requests to remove trees and replace them at the property at 209 West Flaget.
Recommendation: Approval to remove the trees and add the basketball goal with the following conditions:
Conditions: The final tree numbers, placement, and type of trees will be staff approved.
- (j) COA-21-69. Dan Sutherland, Applicant/Owner, requests to add HVAC to the property at 310 South Fifth Street.
Recommendation: Approval to install HVAC with the following conditions:
Conditions: The units will be screened with substantial boxwoods which will be staff approved and the units will be painted a black matte color.
- (k) COA-21-70. Dan Sutherland, Applicant/Owner, requests to replace the siding at 310 South Fifth Street.
Recommendation: Approval to install the proposed siding.
- (l) COA-21-71. Dan Sutherland, Applicant/Owner, requests to add HVAC to the property at 114 East John Fitch Avenue.
Recommendation: Approval to install HVAC with the following conditions:
Conditions: Staff approval of the final placement of the HVAC lines. The units will be screened with substantial landscaping approved by staff and that the unit will be painted a matte black.
- (m) COA-21-34. Damir Saric, Applicant/Owner, requests to add an outdoor speakers to the property at 120 North Third Street.
Recommendation: Approval to install the proposed speakers.
- (n) COA-21-35. Damir Saric, Applicant/Owner, requests to install a skylight at 120 North Third Street.
Recommendation: Approval to install the proposed skylight with the following conditions:
Conditions: The final materials will be staff approved.
- (o) COA-21-36. Damir Saric, Applicant/Owner, requests to raise the downspout at 120 North Third Street.
Recommendation: Approval to raise the downspout as proposed with the following conditions:
Conditions: The mortar substance will be staff approved, the material for the downspout will be staff approved, and if there is a color that is applied to the downspout that will also be staff approved.
- (p) COA-21-37. Damir Saric, Applicant/Owner, requests to raise the awning at 120 North Third Street.
Recommendation: Approval to raise the awning as proposed in the application.
- (q) COA-21-57. Horizon Engineering, Applicant/Owner, requests to add signage to the property at 115 East Flaget.
Recommendation: Approval to install the proposed signs.
- (r) COA-21-58. Horizon Engineering, Applicant/Owner, requests to add parking to the property at 115 East Flaget.
Recommendation: Approval to add the proposed parking with the following conditions:
Conditions: The landscape plan for the area be approved at staff level.
- (s) COA-21-59. Horizon Engineering, Applicant/Owner, requests to remove bushes and to replace them with new bushes at 115 East Flaget.
Recommendation: Approval to remove the bushes with the following conditions:
Conditions: The landscape plan, material, and number of bushes and foliage will provide sufficient screening to the parking area and will be staff approved.
- (t) COA-21-60. Horizon Engineering, Applicant/Owner, requests to add railing and replace the proposed stairs to the property at 115 East Flaget.
Recommendation: Approval to install the railing and replace the stairs as proposed in the application.
- (u) COA-21-61. Horizon Engineering, Applicant/Owner, requests to add a sidewalk to the property at 115 East

Flaget.

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

Conditions: The concrete will have a brushed finish to it.

- (v) COA-21-48. Lisa Tatum, Applicant/Owner, requests to paint the door black at 115 East John Fitch.
Recommendation: Approval to paint the front door black.
- (w) COA-21-49. Lisa Tatum, Applicant/Owner, requests to add a glass storm door to the property at 115 East John Fitch.
Recommendation: Approval to install the proposed glass storm door.
- (x) COA-21-50. Lisa Tatum, Applicant/Owner, requests to replace a light fixture on the front porch at 115 East John Fitch.
Recommendation: Approval to install the proposed light fixture.
- (y) COA-21-51. Lisa Tatum, Applicant/Owner, requests to box in the railing at 115 East John Fitch.
Recommendation: Approval to install the columns with the following conditions:
Conditions: That the applicant produce a scaled drawing indicating the material that is specific to this house and this elevation, and this would be staff approved.
- (z) COA-21-52. Lisa Tatum, Applicant/Owner, requests to add black mulch and four boxwood shrubs at 115 East John Fitch.
Recommendation: Approval to install the proposed landscaping.
- (aa) COA-21-53. Lisa Tatum, Applicant/Owner, requests to replace the roof at 115 East John Fitch.
Recommendation: Approval to replace the roof with the following conditions:
Conditions: The roof will have 16 inches from seam to seam, it will have around a 1 inch seam, the roof will be flat in between the seams, and the color will be a matte black and not shiny.
- (bb) COA-21-54. Lisa Tatum, Applicant/Owner, requests to remove the metal window awnings, replace double pane storm windows with single pane storm windows, and paint grilles and sashes black at 115 East John Fitch.
Recommendation: Approval to replace the storm windows only with the following conditions:
Conditions: The original windows will not be replaced they will only be repaired. Only the storm windows are being replaced.
- (cc) COA-21-39. Sabra & Bill Mattingly, Applicant/Owner, requests to add a deck to the property at 107 West Muir.
Recommendation: Approval to install the proposed deck with the following conditions:
Conditions: The material that is used for the deck is wood.
- (dd) COA-21-40. Sabra & Bill Mattingly, Applicant/Owner, requests to add a Garage to the property at 107 West Muir.
Recommendation: Approval to add the garage as proposed in the application.
- (ee) COA-21-41. Sabra & Bill Mattingly, Applicant/Owner, requests to add a roof to the garage at 107 West Muir.
Recommendation: Approval to add the garage roof as proposed in the application.
- (ff) COA-21-42. Sabra & Bill Mattingly, Applicant/Owner, requests to add siding to the garage at 107 West Muir.
Recommendation: Approval for the siding and brick for the garage as proposed in the application with the following conditions:
Conditions: The final material will be staff approved.
- (gg) COA-21-43. Sabra & Bill Mattingly, Applicant/Owner, requests to add gutters to the garage at 107 West Muir.
Recommendation: Approval to install the proposed gutters to the garage as presented in the application.
- (hh) COA-21-45. Sabra & Bill Mattingly, Applicant/Owner, requests to add a door and garage doors to the garage at 107 West Muir.
Recommendation: Approval to install the doors for the garage with the following conditions:
Conditions: The final door designs will be staff approved.
- (ii) COA-21-46. Sabra & Bill Mattingly, Applicant/Owner, requests to extend the driveway and a concrete pad to the garage at 107 West Muir.
Recommendation: Approval to extend the driveway and concrete pad as proposed in the application.
- (jj) COA-21-56. Pen & Brenda Bogert, Applicant/Owner, requests to do masonry work to a brick milk house to the property at 201 South First Street. This repair is in kind.
Recommendation: Approval to make the proposed in-kind repairs to the brick milk house.
- (kk) COA-21-67. Ann Rosalie Ballard, Applicant/Owner, requests to add three panels of fencing to the property at 204 West Flaget.
Recommendation: Approval to extend the fence as proposed in the application.

Councilman Sheckles and Councilman Williams recused themselves at 6:21 pm.

COUNCILMAN HIBBS MADE A MOTION TO ACCEPT THE RECOMMENDATIONS FROM THE HISTORICAL REVIEW BOARD FOR COA #21-55 WITH THE CONDITIONS SET FORTH BY THE HRB. THE MOTION WAS DULY SECONDED BY COUNCILMAN DONES AND CARRIED BY A VOTE OF 4 TO 0.

Councilman Sheckles and Councilman Williams returned to the meeting at 6:22 pm.

COUNCILWOMAN HART MADE A MOTION TO ACCEPT THE RECOMMENDATIONS FROM THE HISTORICAL REVIEW BOARD FOR COA'S #21-62, #21-63, #21-38, #21-77, #21-68, #21-64, #21-65, #21-66, #21-69, #21-70, #21-71, #21-34, #21-35, #21-36, #21-37, #21-57, #21-58, #21-59, #21-60, #21-61, #21-48, #21-49, #21-50, #21-51, #21-52, #21-53, #21-54, #21-39, #21-40, #21-41, #21-42, #21-43, #21-45, #21-46, #21-56 and #21-67 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 4-13-2021 CITY COUNCIL REGULAR SESSION WERE APPROVED BY UNANIMOUS CONSENT.

FIRST READING OF ORDINANCE B2021-04 CHAPTER 35 EMPLOYMENT POLICIES

Councilman Dones introduced Ordinance B2021-04 that will temporarily add a Maintenance Worker II position to the Recreation Department. This position will be hired and trained to fill the vacant Grounds Maintenance Superintendent position that will be temporarily suspended by the ordinance. City Attorney Audrey Haydon read the ordinance.

FIRST READING OF ORDINANCE B2021-05 CHAPTER 53 WASTEWATER

Councilman Hibbs introduced Ordinance B2021-05 and asked City Attorney Audrey Haydon to read the ordinance. City Civil Engineer Jessica Filiatreau explained that this ordinance updates the cost for septic pumping companies who dump their sewage into the City's sewer system. The discharge fee will change from \$16.00 per 1,000 gallons to \$78.00 per 1,000 gallons. Additional gallons will be charged at a rate of \$7.80 per 100 gallons.

MOBILE FOOD VENDOR APPLICATION - PAPPY'S

COUNCILMAN SHECKLES MADE A MOTION TO APPROVE THE MOBILE FOOD VENDOR APPLICATION SUBMITTED BY PAPPY'S. THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6-0.

CAMPUS MASTER SIGN PLAN APPLICATION - HEAVEN HILL DISTILLERY

Historic Preservation Coordinator RaShae Jennings presented a Campus Master Sign Plan Application submitted by Heaven Hill Distillery to assist with directing visitors around their property, including the expanding Bourbon Heritage Center.

UPON MOTION BY COUNCILWOMAN HART, DULY SECONDED BY COUNCILMAN HIBBS, THE MOTION TO APPROVE THE CAMPUS MASTER SIGN PLAN APPLICATION SUBMITTED BY HEAVEN HILL DISTILLERY WAS APPROVED WITH A VOTE OF 6-0.

MUNICIPAL ORDER M2021-03 - TAX MORATORIUM 505 NORTH THIRD STREET

COUNCILMAN WILLIAMS MOTIONED TO APPROVE MUNICIPAL ORDER M2021-03 FOR A FIVE-YEAR TAX MORATORIUM AT 505 NORTH THIRD STREET. THE MOTION WAS DULY SECONDED BY COUNCILMAN DONES AND CARRIED WITH A VOTE OF 6-0.

CEMETERY DEEDS

THE CEMETERY DEEDS FOR SIERRA BORDERS, KONITA LAWLER AND JAMES GOATLEY WERE APPROVED BY UNANIMOUS CONSENT.

MAYOR'S UPDATE

Mayor Heaton reported that vaccines are being administered by the Lincoln Trail Health Department at the Nelson County Fairgrounds and encouraged everyone to take advantage of that opportunity. He said that Governor Beshear announced changes in outdoor activity restrictions and that the City may be returning to in-person council meetings once indoor restrictions are eased. He asked the Council for their thoughts on returning to in-person meetings and they discussed different options.

EXECUTIVE SESSION

COUNCILMAN DONES MADE A MOTION TO ENTER INTO EXECUTIVE SESSION PURSUANT TO 61.810(1)(G) *DISCUSSIONS BETWEEN A PUBLIC AGENCY AND A REPRESENTATIVE OF A BUSINESS ENTITY AND DISCUSSIONS CONCERNING A SPECIFIC PROPOSAL, IF OPEN DISCUSSIONS WOULD JEOPARDIZE THE SITING, RETENTION, EXPANSION, OR UPGRADING OF THE BUSINESS.* THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 6 TO 0. The time was 6:55 pm.

COUNCILMAN WILLIAMS MADE A MOTION TO COME OUT OF EXECUTIVE SESSION AND CONTINUE WITH THE REGULAR COUNCIL MEETING. THE MOTION WAS DULY SECONDED BY COUNCILMAN DONES AND CARRIED BY A VOTE OF 6 TO 0. The time was 7:20 pm.

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

ADJOURNMENT

COUNCILMAN BUCKMAN MADE A MOTION TO ADJOURN THE MEETING AT 7:20 PM. THE MOTION WAS DULY SECONDED BY COUNCILMAN SHECKLES AND CARRIED WITH A VOTE OF 6-0.

CITY OF BARDSTOWN

J. Richard Heaton, Mayor

ATTEST:

Gary Little, City Clerk