

**CITY OF BARDSTOWN, KENTUCKY**  
**CITY COUNCIL REGULAR MEETING MINUTES**  
**08/25/2020**  
**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, Chief Information Officer Nahom Ayele, and City Clerk Gary Little.

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.

**HISTORICAL REVIEW BOARD RECOMMENDATIONS**

The following recommendations from the Bardstown Historical Review Board were presented by City Clerk Gary Little:

- (a) COA- 20-84. Jessica Taylor, Applicant, Jack Kelley/Owner, request to install signs at 117 North Third Street.  
Recommendation: Approval to install the proposed signs discussed in the application.
- (b) COA- 20-87. Kenny Samuels, Applicant/Owner, requests to keep installed landscaping at 204-206 South First Street.  
Recommendation: Approval to keep the proposed landscaping with the following conditions:  
**Conditions: The areas of landscaping that were recommended by the City Engineer must be removed and the landscaping must meet all City Ordinance requirements. The sidewalk that was installed will not set a precedent for a sidewalk to be installed in the future to run parallel to the street.**
- (c) COA- 20-99. Jason Floyd, Applicant, Owner, requests to install signs at 105 East Flaget Avenue.  
Recommendation: Approval to install the proposed signs as presented in the application.
- (d) COA- 20-100. Carey Signs, Applicant, requests to install signs at 227 North Third Street.  
Recommendation: Approval to install the proposed signs.
- (e) COA- 20-101. Sigurlinn Lorenzen, Applicant/Owner, requests to replace windows at 107 East John Fitch Avenue.  
Recommendation: Approval to replace the storm windows only with the following conditions:  
**Conditions: The storm windows will be staff approved and the original windows must be repaired.**
- (f) COA- 20-102. Frank Hibbs, Applicant/Owner, requests to install a covered patio at 216 North Fourth Street.  
Recommendation: Approval to install a metal roof on the patio with the following conditions:  
**Conditions: The profile of the roof must look like a standing seam roof and the final design of the roof will be staff approved**
- (g) COA- 20-104. Cindy Mouser, Applicant/Owner, requests to expand her driveway at 208 East Stephen Foster Avenue.  
Recommendation: Approval to expand the driveway as proposed in the application.
- (h) COA- 20-105. Cindy Mouser, Applicant/Owner, requests to remove a tree at 208 East Stephen Foster Avenue.  
Recommendation: Approval to remove the tree with the following conditions:  
**Conditions: The final tree type will be staff approved.**

- (i) COA- 20-106. Bardstown Historical Development Corporation, Applicant, Linda Spalding/Owner, request to replace doors at 114 North 5<sup>th</sup> Street.  
Recommendation: Approval to replace the proposed doors in the application.
  - (j) COA- 20-107. Bardstown Historical Development Corporation, Applicant, Linda Spalding/Owner, request to install a drain with grates at 114 North 5<sup>th</sup> Street.  
Recommendation: Approval to install the drains as proposed in the application with the following conditions:  
**Conditions: The final installation of the drains including the grates will be staff approved.**
  - (k) COA- 20-115. Finn Davis LLC., Applicant/Owner, requests to install siding at 216 South Third Street.  
Recommendation: Approval to install siding on the addition with the following conditions:  
**Conditions: The siding will be wood and the final size will be staff approved.**
  - (l) COA- 20-116. Finn Davis LLC., Applicant/Owner, requests to install a roof at 216 South Third Street.  
Recommendation: Approval to install the proposed roof.
  - (m) COA- 20-117. Finn Davis LLC., Applicant/Owner, requests to alter a porch at 216 South Third Street.  
Recommendation: Approval to make the changes to the porch that are proposed in the application with the following conditions:  
**Conditions: The porch columns will be square and match the door surround in the front of the house, and the existing metal railings will be used.**
  - (n) COA- 20-118. Finn Davis LLC., Applicant/Owner, requests to install lighting at 216 South Third Street.  
Recommendation: Approval to install the proposed lighting.
  - (o) COA- 20-119. Finn Davis LLC., Applicant/Owner, requests to install landscaping at 216 South Third Street.  
Recommendation: Approval to install the proposed landscaping and to remove the proposed tree with the following conditions:  
**Conditions: The final landscape design, type of tree and location to be planted back will be staff approved.**
  - (p) COA- 20-120. Finn Davis LLC., Applicant/Owner, requests to paint the structure at 216 South Third Street.  
Recommendation: Approval for the proposed paint colors.
  - (q) COA- 20-121. Finn Davis LLC., Applicant/Owner, requests to install shutters at 216 South Third Street.  
Recommendation: Approval to install and repair the historic shutters in the application with the following conditions:  
**Conditions: As much as it possibly can be, the shutters and hardware will be mounted into the mortar of the brick.**
1. Provisional Approval (Staff Approved):
- (a) COA- 20-108. Leslie Brown, Applicant/Owner, requests to replace the roof at 108 South Fifth Street.  
Recommendation: Approval to replace the roof as proposed in the application.
  - (b) COA- 20-109. Mike and Susan Sloan, Applicants/Owners, request to install utility lines underground at 205 South Third Street.  
Recommendation: Approval to bury the utility lines.

**COUNCILMAN WILLIAMS MADE A MOTION TO ACCEPT THE RECOMMENDATIONS FROM THE HISTORICAL REVIEW BOARD FOR COA #20-102 WITH THE CONDITIONS SET FORTH BY THE HRB. THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 5 TO 0. COUNCILMAN HIBBS ABSTAINED.**

**COUNCILMAN HIBBS MADE A MOTION TO ACCEPT THE RECOMMENDATIONS FROM THE HISTORICAL REVIEW BOARD FOR COA #20-84, #20-115, #20-116, #20-117, #20-118, #20-119, #20-120 and #20-121 WITH THE CONDITIONS SET FORTH BY THE HRB. THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 5 TO 0. COUNCILWOMAN HART ABSTAINED.**

**COUNCILWOMAN HART MADE A MOTION TO ACCEPT THE RECOMMENDATIONS FROM THE HISTORICAL REVIEW BOARD FOR COA #20-87 WITH THE CONDITIONS SET FORTH BY THE HRB. THE MOTION WAS DULY SECONDED BY COUNCILMAN HIBBS AND CARRIED BY A VOTE OF 5 TO 0. COUNCILMAN BUCKMAN ABSTAINED.**

**COUNCILMAN DONES MADE A MOTION TO ACCEPT THE RECOMMENDATIONS FROM THE HISTORICAL REVIEW BOARD FOR COA #20-99, #20-100, #20-101, #20-104, #20-105, #20-106, #20-107, #20-108 and #20-109 WITH THE CONDITIONS SET FORTH BY THE HRB. THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0.**

**ROAD CLOSURE REQUEST - NEW LIFE CENTER, INC. - 5K RUN/WALK**

Mayor Heaton presented a road closure request submitted by The New Life Center for their annual 5k run/walk scheduled for Thanksgiving Day, November 26, 2020. They stated in their request letter that they will take the necessary precautions due to COVID-19 in order to host a safe event.

**COUNCILMAN DONES MADE A MOTION TO APPROVE THE ROAD CLOSURE REQUEST SUBMITTED BY THE NEW LIFE CENTER, INC. FOR THEIR ANNUAL 5K RUN/WALK ON THURSDAY, NOVEMBER 26, 2020. THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED WITH A VOTE OF 6-0.**

**REVIEW OF MINUTES**

**THE MINUTES FOR THE 8/11/2020 CITY COUNCIL REGULAR SESSION WERE APPROVED BY UNANIMOUS CONSENT.**

**ORDINANCE B2020-11 ANNEXATION OF SPENCER MATTINGLY LANE**

Mayor Heaton explained that Ordinance B2020-11 annexes a section of Spencer Mattingly Lane into the city limits of Bardstown, and that the Nelson County Fiscal Court has agreed to the annexation by signing an agreement with the City of Bardstown. He asked City Clerk Gary Little to read Ordinance B2020-11.

**ORDINANCE NO. B2020-11**

**AN ORDINANCE OF THE CITY OF BARDSTOWN, KENTUCKY ANNEXING INTO THE CITY OF BARDSTOWN SPENCER MATTINGLY LANE, NORTH OF R.J. CORMAN RAILROAD AND SOUTH OF KY HWY 605, IN NELSON COUNTY, KENTUCKY,**

**WHEREAS**, the City Council has expressed its desire and intent to annex certain unincorporated territory located in Nelson County, Kentucky, herein called the “Annexation Area” into the City of Bardstown; and

**WHEREAS**, the Nelson County Fiscal Court, the owner of the property in fee simple, through a written document, has pursuant to KRS 81A.412, agreed to annexation by the City of the unincorporated “Annexation Area,” which is more fully described below; and

**WHEREAS**, the Nelson County Fiscal Court at their August 4, 2020 meeting unanimously voted to enter into said written document, agreeing to annexation by the City of the unincorporated “Annexation Area;” and

**WHEREAS**, the territory annexed, approximately 1.2 acres of the Spencer Mattingly Lane right-of-way, north of R.J. Corman Railroad and south of KY Hwy 605, is of urban character or suitable for urban development and no part of the area to be annexed is included within the boundary of another incorporated city, and the City has declared it desirable to annex the proposed unincorporated territory; and

**WHEREAS**, it is the intent of the City to so annex, and

**WHEREAS**, it is deemed beneficial and necessary to the welfare of the City of Bardstown for its orderly growth and economic development to annex the property described below into the City, and

**WHEREAS**, the said owners of record of the subject property to be annexed have consented in writing to the proposed annexation as shown by their consent dated as follows: August 5, 2020, and therefore, pursuant to KRS 81A.412, there is no requirement for a notification ordinance as required by KRS 81A.420 (1) or notice requirements KRS 81A.425 or a waiting period of 60 days as provided by KRS 81A.420 (2) prior to enacting a final ordinance annexing the subject area; and

**WHEREAS**, this ordinance is authorized by KRS 81A.412.

**NOW THEREFORE PURSUANT TO THE AUTHORITY IN CHAPTER 81A OF THE KENTUCKY REVISED STATUTES AND OTHER APPLICABLE LAW, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BARDSTOWN:**

I. The City of Bardstown has declared the following described property, by reason of present use or potential, or both, to be urban in character and/or suitable for development for urban purposes without reasonable delay, therefore, the City finds it desirable to annex the proposed unincorporated territory and said property is hereby annexed into the territorial limits of the City of Bardstown, pursuant to the provision of KRS 81A.412 et seq.:

**Spencer Mattingly Lane  
Annexation Legal Description  
1.2+/- Acres**

A CERTAIN TRACT OF LAND LOCATED AT THE INTERSECTION OF WOODLAWN ROAD (A.K.A. KENTUCKY HIGHWAY 605) AND SPENCER MATTINGLY LANE, APPROXIMATELY 1 MILE WEST OF FILIATREAU LANE IN BARDSTOWN, NELSON COUNTY, KENTUCKY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF WOODLAWN ROAD AND WEST RIGHT-OF-WAY LINE OF SPENCER MATTINGLY LANE, BEING THE NORTHEAST CORNER OF THE CITY OF BARDSTOWN ANNEXATION ORDINANCE #794, AS THE **POINT OF BEGINNING**; THENCE WITH THE SOUTH RIGHT-OF-WAY LINE OF WOODLAWN ROAD (40 FT. FROM CENTERLINE), **SOUTH 72°51'33" EAST 40.00 FEET** TO A POINT AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF WOODLAWN ROAD AND EAST RIGHT-OF-WAY LINE OF SPENCER MATTINGLY LANE; THENCE WITH THE EAST RIGHT-OF-WAY LINE OF SPENCER MATTINGLY LANE (20 FT. FROM CENTERLINE), **SOUTH 17°53'19" WEST 1303.41 FEET** TO A POINT AT THE EAST RIGHT-OF-WAY LINE OF SPENCER MATTINGLY LANE AND SOUTH RIGHT-OF-WAY LINE OF R.J. CORMAN RAILROAD; THENCE WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID RAILROAD, **SOUTH 77°57'35" WEST 46.15 FEET** TO A POINT AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF SAID RAILROAD AND WEST RIGHT-OF-WAY LINE OF SPENCER MATTINGLY LANE; THENCE WITH THE WEST RIGHT-OF-WAY LINE OF SPENCER MATTINGLY LANE (20 FT. FROM CENTERLINE), **NORTH 17°53'19" EAST 1325.92 FEET** TO THE POINT OF BEGINNING, HAVING AN AREA OF **1.2+/- ACRES**.

II. This ordinance shall become effective on the date of its passage and publication as required by KRS Chapter 424.

III. The provisions of this ordinance are hereby declared to be severable and, if any section, phase or provision shall for any reason, be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.

**COUNCILMAN HIBBS MOVED TO ADOPT ORDINANCE B2020-11 AS READ BY CITY CLERK GARY LITTLE. THE MOTION WAS DULY SECONDED BY COUNCILWOMAN HART.**

**THE MAYOR CALLED THE ROLL AND THE FOLLOWING VOTED:**

- COUNCILMAN DONES - AYE**
- COUNCILMAN SHECKLES - AYE**
- COUNCILMAN WILLIAMS - AYE**
- COUNCILMAN BUCKMAN - AYE**
- COUNCILWOMAN HART - AYE**
- COUNCILMAN HIBBS - AYE**

**MAYOR HEATON THEN DECLARED ORDINANCE NO. B2020-11 ADOPTED. IT WILL BE RECORDED IN ORDINANCE BOOK NO. 11, PAGE NO. \_\_\_\_\_.**

**SECOND READING OF ORDINANCE B2020-12 SIGN REGULATIONS**

Councilman Williams made a motion to adopt Ordinance B2020-12 as read in summary by City Clerk Gary Little. Councilman Sheckles duly seconded the motion. Upon further discussion, Councilman Dones asked for clarification on whether or not a distinction should be made between schools currently operating and school campuses that are no longer active or operating as a school. Mayor Heaton said he would discuss this with City Attorney Audrey Haydon and the motion was withdrawn.

## **CEMETERY DEEDS**

**THE MOTION TO APPROVE THE CEMETERY DEEDS FOR SUSAN COOPER, DANNY PARKER, THOMAS JOHNSON AND LISA WORK WAS APPROVED BY UNANIMOUS CONSENT.**

## **PROPERTY TAX RATE DISCUSSION**

Chief Financial Officer Aaron Boles said that he has received the property tax rolls from the Nelson County PVA and that he's preparing information for a discussion of the tax rates that will be implemented for FY 2020/2021. He briefly outlined what will be presented at the next meeting. Mayor Heaton reported that the audit for FY 2019/2020 was complete, and that Linda Gray with Percy and Gray will be presenting the report at the September 22<sup>nd</sup> City Council meeting.

## **MAYOR'S UPDATE**

Mayor Heaton said that he met with Kim Huston and Randi Mouser from Bardstown Mainstreet and that they were requesting assistance from the City to help cover losses from not being able to host their annual Arts and Crafts Fair. Mayor Heaton outlined their verbal request for a \$10,000 community grant and asked the Council to consider the assistance. It was determined that Bardstown Mainstreet should submit a written request for the donation to be voted on at the next meeting.

Mayor Heaton reported that the positivity rate for COVID-19 was up statewide as well as in Nelson County. He noted that the City and County had launched a joint effort with a "Mask Up" campaign that includes a video, as well as advertisements, to create awareness and encourage residents to take the necessary precautions to prevent the spread of the virus.

Mayor Heaton said that the sidewalk project was almost complete along John Rowan Boulevard from Highway 62 to 31E. Crosswalk signals are being installed and work continues from 31E to Chambers Boulevard.

Fire Chief Billy Mattingly informed the Council that work was complete at the Fire Station on John Rowan Boulevard and that they were currently operating out of that location between the hours of 9:00 AM and 9:00 PM. They're sleeping at the 5<sup>th</sup> Street location until the dorm furniture is delivered and installed, which will only be for a few more days.

## **ADJOURNMENT**

**COUNCILMAN SHECKLES MADE A MOTION TO ADJOURN THE MEETING AT 6:47 PM. THE MOTION WAS DULY SECONDED BY COUNCILWOMAN HART AND CARRIED BY A VOTE OF 6-0.**

**CITY OF BARDSTOWN**

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J. Richard Heaton, Mayor

**ATTEST:**

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Gary Little, City Clerk