

**CITY OF BARDSTOWN
REGULAR COUNCIL MEETING MINUTES
10-22-2013
7:05 – 8:10 P.M.**

With Mayor Bill Sheckles presiding, the City Council met in a regular session in the Council Chambers with the following Councilmen:

Councilman Joe Buckman
Councilman Francis Lydian
Councilman Tommy Reed
Councilman John Royalty
Councilman Bobby Simpson
Councilman Roland Williams - **absent**

Others present: Director of Public Works and Engineering Larry Hamilton, Chief Financial Officer Mike Abell, Assistant City Administrator Larry Green, City Civil Engineer Jessica Filiatreau, City Attorney Tom Donan, City Clerk Barbie Bryant, Assistant Chief of Police Major Ray Lewis, Fire Chief Marlin Howard, Electric Superintendent Jeff Miller, Cable Construction Foreman Mike Pile, County Magistrate Keith Metcalfe, BRT TV-19 cameraman Collin Rogers, Nelson County Gazette reporter Jim Brooks, The Kentucky Standard reporter Randy Patrick, and Scout Troop 136 representatives Tom and Dane Pike.

SCOUT TROOP 136

Mayor Sheckles recognized Dane Pike, who recently obtained his Eagle Scout badge, and presented him with a certificate of achievement. Mayor Sheckles, the Council and members of the assembly gave a round of applause.

CHANGE ORDER #1 CHEYENNE CONSTRUCTION, INC

Director of Public Works and Engineering Hamilton presented a Change Order from Cheyenne Construction requesting the deadline for completion be extended to November 28, 2013. **UPON MOTION OF COUNCILMAN ROYALTY, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 5 TO 0, THE CHANGE ORDER FROM CHEYENNE CONSTRUCTION REQUESTING A NEW COMPLETION DATE OF NOVEMBER 28, 2013, WAS APPROVED.**

LEASE AGREEMENT WITH CENTRAL KENTUCKY COMMUNITY ACTION COUNCIL

A five (5) year lease agreement for the use of 3 rooms, two bathrooms, and two storage units in the COBEC building by the Central Kentucky Community Action Council was reviewed. Both the Community Action and Kentucky Works programs will be conducted at this location beginning November 1, 2013. **UPON MOTION OF COUNCILMAN REED, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 5 TO 0, THE RECOMMENDATION TO AUTHORIZE THE MAYOR TO SIGN THE 5-YEAR LEASE AGREEMENT WITH CENTRAL KENTUCKY COMMUNITY ACTION COUNCIL, WAS APPROVED.**

BOSTON AND BOTLAND WATER TANKS – PAINTING AND REPAIRS BID

City Civil Engineer Filiatreau presented the following bid recommendation:

Boston Water Tank Painting & Repairs 132,000 Gallon Standpipe 10/17/2013 10:00AM No Addendum was issued for this project					
Bidder	Base Bid Total	Alternate Bid Total	Bid Bond	Qualifications	Signed
Caldwell Tanks	\$ 140,900.00	\$ 147,150.00	X	X	X
TMI Coatings, Inc.	\$ 299,000.00	N/A	X	X	X
Utility Service Company, Inc.	\$ 118,200.00	\$ 125,500.00	X	X	X

Botland Water Tank Painting & Repairs 215,000 Gallon Standpipe 10/17/2013 10:00AM No Addendum was issued for this project					
Bidder	Base Bid Total	Alternate Bid Total	Bid Bond	Qualifications	Signed
Caldwell Tanks	\$ 153,100.00	\$ 160,950.00	X	X	X
TMI Coatings Inc.	\$ 274,000.00	\$ 287,500.00	X	X	X
Utility Service Company, Inc.	\$ 116,500.00	\$ 125,600.00	X	X	X
Apparent low bidder: Utility Service Company, Inc.					
Recommend Utility Service Company, Inc. upon approval of subcontractor					

UPON MOTION OF COUNCILMAN ROYALTY, DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 5 TO 0, THE RECOMMENDATION TO ACCEPT BOTH LOW BIDS FROM UTILITY SERVICE COMPANY, INC., FOR THE BASE AMOUNTS OF \$118,200.00 AND \$116,500.00 WITH THE PRIOR APPROVAL OF SUBCONTRACTORS AND THEIR REFERENCES, WAS APPROVED.

CABLE TV SWEEP SERVICES BID

Mayor Sheckles presented the following bid recommendation:

**CABLE TELEVISION
SWEEP SERVICES
BID TAB**
October 16, 2013, 2:00 p.m.

<u>VENDOR</u>	<u>BID PRICE</u>
Jason L. Compton	\$72,000.00

Recommend: Jason L. Compton \$72,000.00

Cable Construction Foreman Pile confirmed that this bid covered 600,000 feet which is about 1/3 of the system. UPON MOTION OF COUNCILMAN SIMPSON, DULY SECONDED BY COUNCILMAN LYDIAN AND CARRIED BY A VOTE OF 5 TO 0, THE RECOMMENDATION TO ACCEPT THE BID FROM JASON L. COMPTON IN THE AMOUNT OF \$72,000.00 WAS APPROVED.

HISTORICAL REVIEW BOARD RECOMMENDATIONS

Mayor Sheckles presented the following Historical Review Board recommendations:

- (a) COA-13-58. Sam Wheatley, Applicant/Owner requests approval of wooden pool fence at 301 East Stephen Foster Avenue. Recommendation: Approval of the wooden pool fence at 301 East Stephen Foster Avenue.
- (b) COA-13-59. Melody Page, Applicant/Owner proposes to paint the exterior of the home at 201 East John Fitch Avenue. Recommendation: Approval of paint colors for the siding (Valspar Woodlawn Lewis Gold), trim (Valspar Filoli Gold Ecru), shutters and roof (California Paints Charcoal Smudge) and two doors (either California Paints Hot Tin Roof or Valspar Fairmont Suite Clay Red, upon staff approval). Approval of new shutters, either historic shutters from Architectural Salvage or Lowe’s louvered Pinecroft Wood Shutters, upon staff approval.
- (c) COA-13-60. Ron Wimsett, Applicant/Owner proposes to paint the exterior of the home at 210 East Flaget Avenue. Recommendation: Approval of paint colors: siding in American Heritage Roycroft Pewter and trim in American Heritage Roycroft Vellum.
- (d) COA-13-61. Duvall Masonic Lodge #6, Applicant/Owner and Robert Davis, Applicant propose to replace the globes on the bracketed sign at 222 ½ North Third Street. Recommendation: Approval of the new plastic globes for the bracketed sign at 222 ½ North Third Street with the condition that the globes only be illuminated when the specific group is meeting that corresponds with the globe.
- (e) COA-13-62. Sarah Dunn, Applicant/Owner, requests approval for new awnings, new projecting sign, new mailbox, and repair and replacement of exterior features at 117 North Third Street. Recommendation: Approval of the black mailbox on the front, and new black awnings on the front and back of building. Approval of the white lettering on the front awning and the projecting sign with a white “White Oak Salon and Spa” logo on a black background the same size of the existing sign and using the existing bracket. Approval of the dryer vent, not to exceed the standard size. Approval of caulking of the windows and door not in use as of yet. Approval of replacement window and door with staff approval.

UPON MOTION OF COUNCILMAN BUCKMAN, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 5 TO 0, THE HISTORICAL REVIEW BOARD RECOMMENDATIONS FOR COA’S #13-58, #13-59, #13-60, #13-61, AND #13-62 WERE APPROVED WITH THE RECOMMENDED CONDITIONS SET FORTH BY HRB.

CORRESPONDENCE – ANNUAL CHRISTMAS PARADE

Mayor Sheckles presented the letter from the Bardstown-Nelson County Chamber of Commerce and Town and Country Bank & Trust Company, requesting the close of city streets during their annual Christmas Parade scheduled for Thursday, December 5, 2013, with an alternate weather date of December 6, 2013. UPON MOTION OF COUNCILMAN BUCKMAN DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 5 TO 0, THE REQUEST WAS APPROVED.

MINUTES

The minutes from the 10-08-2013 Regular Council meeting were presented. UPON MOTION OF COUNCILMAN ROYALTY, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 5 TO 0, THE MINUTES WERE APPROVED.

FIRST QUARTER FINANCIAL REPORT

Hard copies of the financial report were delivered last week to the Council. Chief Financial Officer Abell explained that rental income for the Bardstown Nelson County Head Start program at the COBEC building had not been received due to a miscommunication. It should be received within the week. He also gave an update on the water meter replacement project – working “in town” now with a few meters still to replace in the county. The old meters have been auctioned for scrap, bringing in around \$40,000 to-date. The completion date for this project should conclude within 18 months instead of the anticipated 2 years.

SECOND READING – ORDINANCE B2013-18 REZONE #2404 KINSMENTU, INC

City Clerk Bryant presented the summary of Ordinance B2013-18 for a second reading. Below is the ordinance in its full capacity:

ORDINANCE NO. B2013-18

AN ORDINANCE AMENDING AND ADOPTING AS AMENDED ZONING MAP, ENTITLED, "ZONING MAP, CITIES OF BARDSTOWN, BLOOMFIELD, FAIRFIELD, NEW HAVEN, AND NELSON COUNTY, KENTUCKY" BY DESIGNATING 9.55 ACRES ON THE SOUTH SIDE OF OLD BLOOMFIELD PIKE, APPROXIMATELY 625 FEET EAST OF FEDERAL HILL MANOR, AND APPROXIMATELY 0.50 MILE WEST OF BLOOMFIELD ROAD (US62) FROM R-2 (TWO-FAMILY RESIDENTIAL DISTRICT) AND I-2 (HEAVY INDUSTRIAL DISTRICT) TO R-3 (MULTI-FAMILY RESIDENTIAL DISTRICT).

WHEREAS, the Joint City-County Planning Commission of Nelson County, Kentucky, on September 10, 2013, held a public hearing on the Application No. 2404 Kinsmentu, Inc to rezone 9.55 acres on the south side of Old Bloomfield Pike, approximately 625 feet east of Federal Hill Manor, and approximately 0.50 mile west of Bloomfield Road (US 62) from R-2 (Two-Family Residential District) and I-2 (Heavy Industrial District) to R-3 (Multi-Family Residential District).

WHEREAS, the City Council members conducted a review of the record and evidence presented before the Joint City-County Planning Commission of Nelson County, Kentucky, and recommended that any restrictions or conditions that may have been agreed to by the applicant and the Planning Commission be applied.

NOW THEREFORE, be it ordained by the City Council of the City of Bardstown, KY that:

Boundaries of the district as shown on district map, entitled, "ZONING MAP, CITIES OF BARDSTOWN, BLOOMFIELD, FAIRFIELD, NEW HAVEN AND NELSON COUNTY, KENTUCKY" are hereby amended for reasons adopted and all of which are made a part hereof as if fully set out herein, including the letter of recommendation dated September 26, 2013, from the said Joint City-County Planning Commission of Nelson County to the Bardstown City Council and the property as described:

“Beginning at a point on the south r/w line of Old Bloomfield Pike, corner to Kinsmentu Inc.; thence leaving the road with Kinsmentu Inc. S 11-02-30 E 262.42 ft. to a point, corner to Kinsmentu Inc. and Bard Homes; thence with Bard Homes S 78-57-30 W 200.00 ft.; S 11-02-30 E 260.76 ft. to a point, corner to Bard Homes, in the north line of R. J. Corman Railroad; thence with said Railroad; S 78-53-42 W 807.47 ft. to a point, in the line of said railroad, corner to Town Creek Dev.; thence with Town Creek N 25-12-44 W 316.18 ft. to a point, corner to Town Creek, in the south line of Old Bloomfield Pike; thence with said Pike N 77-41-53 E 107.07 ft.; N 58-56-23 E 107.07 ft.; N 49-33-38 E 207.18 ft.; N 57-18-38 E 83.61 ft.; N 72-48-38 E 83.61 ft.; N 80-33-38 E 127.42 ft.; N 72-52-58 E 102.57 ft.; N 75-14-19 E 137.39 ft.; N 71-57-21 E 170.70 ft. to the point of beginning containing 9.55 acres.”

This ordinance or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

This ordinance shall be in full force and effect following publication in summary as required by law.

UPON MOTION OF COUNCILMAN BUCKMAN, DULY SECONDED BY COUNCILMAN REED, THE MAYOR CALLED THE ROLL AND THE FOLLOWING VOTED:

COUNCILMAN SIMPSON - AYE
COUNCILMAN REED - AYE
COUNCILMAN LYDIAN - AYE
COUNCILMAN ROYALTY - AYE
COUNCILMAN BUCKMAN - AYE

MAYOR SHECKLES THEN DECLARED ORDINANCE NO. B2013-18 ADOPTED AND BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. _____.

ZOMBIE WALK

Mayor Sheckles confirmed that a Zombie Walk would take place on Saturday, November 2, 2013. It will begin at 6:30pm and should conclude around 10:00pm. The necessary State permits have been received and all proceeds will benefit the Nelson County Association for the Handicapped. **UPON MOTION OF COUNCILMAN ROYALTY,**

DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 5 TO 0, THE REQUEST TO USE CITY STREETS DURING THE ZOMBIE WALK, WAS APPROVED.

MUNICIPAL ORDER 2013-18, TAX MORATORIUM FOR 201 EAST JOHN FITCH AVENUE

Mayor Sheckles presented the following:

MUNICIPAL ORDER NO. 2013-18

RESOLUTION

A RESOLUTION ACCEPTING THE APPLICATION FOR AN ASSESSMENT MORATORIUM CERTIFICATE FOR THE PROPERTY LOCATED AT 201 EAST JOHN FITCH AVENUE, BARDSTOWN, KENTUCKY, AND EXPRESSING THE CITY'S INTENT TO GRANT AN ASSESSMENT MORATORIUM TO THE OWNER OF SAID PROPERTY UPON COMPLIANCE WITH THE CITY'S PROPERTY ASSESSMENT AND REASSESSMENT MORATORIUMS, AS DEFINED IN KRS CHAPTER 99.595, ET. SEQ.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BARDSTOWN, KY:

SECTION 1

That the "Application for Assessment Moratorium Certificate" for the property located at 201 East John Fitch Avenue, Bardstown, Kentucky, is hereby accepted and further expressing the City's intent to grant an assessment moratorium to the owner of said property upon compliance with the City's property assessment and reassessment moratoriums as defined in KRS Chapter 99.595, et seq.

SECTION 2

That this order shall take effect and be in full force when passed and recorded according to law.

UPON MOTION OF COUNCILMAN BUCKMAN, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 5 TO 0, MUNICIPAL ORDER 2013-18 WAS APPROVED.

MUNICIPAL ORDER 2013-19, LEGISLATIVE BODY MEETING CONDUCT

After some discussion, Municipal Order 2013-19 was tabled. It will be discussed again at the November 5th Working Session.

COMMITTEE REPORTS

Councilman Buckman announced that a Street and Solid Waste Committee meeting would be held on October 23, 2013 at 4:00pm in the Mayor's Conference Room at City Hall.

Mayor Sheckles reported that the Tree Board met on October 16, 2013, to discuss 23 trees that will be trimmed, removed or will continue to be monitored. He also announced that a Working Session has been scheduled for November 5, 2013, 5:00PM in the Council Chambers. Suggested agenda items should be directed to City Clerk Bryant.

QUARTERLY POLICE REPORT

The Bardstown City Police Department's activity report for July 1, through September 30, 2013 was distributed.

STAFF REPORTS

Public Works and Engineering Director Hamilton reported that Kentucky Utilities (KU) has filed for modifications to their formula rate and certain contract terms at FERC (Federal Energy Regulatory Commission). The major point of contention is that the proposed change to the method of rate calculation for return on equity for KU includes a true-up mechanism that is anticipated to produce a higher rate of return. An expert has been employed by the cities to help determine what that rate should be. It is the cities' position that with a true-up provision, the rate of return on equity calculation in the formula rate should be considerably lower than the current agreed upon percentage of 11%.

Councilman Reed asked how the use of electricity for 2013 compares to 2012. CFO Abell will confirm the numbers and report back to Reed; Mayor Sheckles reported that the numbers are down.

Asst. Chief of Police Lewis announced that Officer Bill Buckman will retire after serving 21 years on the force. He asked the Mayor, Council and staff to join him with a congratulatory applause.

Councilman Reed thanked Jeff Mills and staff for their help with WiFi in the Spirits Garden during the Kentucky Bourbon Festival, as well as with providing electricity during Kid's Day. Mayor Sheckles mentioned additional festivals where the Electrical Department personnel are helpful each year.

Councilman Royalty thanked the Bardstown Fire Department for the professional manner that was demonstrated during a run to his business – Little Angels.

ADJOURNMENT

There being no further business to discuss and **UPON MOTION OF COUNCILMAN REED, DULY SECONDED BY COUNCILMAN ROYALTY AND CARRIED BY A VOTE OF 5 TO 0, THE MEETING WAS ADJOURNED.**

CITY OF BARDSTOWN

ATTEST:

William S. Sheckles, Mayor

Barbara Bryant, City Clerk