

CITY OF BARDSTOWN
REGULAR COUNCIL MEETING MINUTES
03-25-2014
7:00 – 8:21 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

Others present: Assistant City Administrator Larry Green, Director of Public Works and Engineering Larry Hamilton, Chief Financial Officer Mike Abell, City Civil Engineer Jessica Filiatreau, City Electrical Engineer Jeff Mills, City Clerk Barbie Bryant, Police Chief Rick McCubbin, Fire Chief Howard, The Kentucky Standard reporter Randy Patrick, Nelson County Gazette reporter Jim Brooks, BRT-TV Co-owner Roth Stratton, and citizens Joyce & Tom Bishoff, Keisha & David Hillard, Tommy & Tonja Bishoff, Holly & Kent Bishoff, Bob Kelly, Barry Davenport and Paul Higgs.

Mayor Sheckles announced that the Council would go into Executive Session prior to the conclusion of the meeting pursuant to: KRS 61.810 (1) (c) to discuss proposed litigation.

BULK CHEMICAL BIDS FOR WATER TREATMENT PLANT AND WASTE WATER TREATMENT PLANT AMENDMENTS

City Civil Engineer Filiatreau presented the amended bids for the Water and Wastewater Treatment Plants and explained that three of the previously awarded companies could not supply the awarded product. (See attachments) **UPON MOTION OF COUNCILMAN REED, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0, THE RECOMMENDATION TO ACCEPT THE AMENDED BIDS FOR THE THREE PRODUCTS AND THE NEW COMPANIES, WAS APPROVED.**

RECYCLING GRANT APPLICATION

Assistant City Manager Green will process the application for a no-cash match recycling grant of \$57,000 through the Kentucky Division of Solid Waste Management to purchase a horizontal baler for cardboard. **UPON MOTION OF COUNCILMAN BUCKMAN, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0, THE RECOMMENDATION TO AUTHORIZE THE MAYOR TO SIGN THE GRANT APPLICATION AND EXECUTE ALL CONTRACTS, WAS APPROVED.**

HISTORICAL REVIEW BOARD RECOMMENDATIONS

Mayor Sheckles presented the following Historical Review Board recommendations:

- (a) COA-14-07. Todd Allen, Applicant/Owner, requests to install a new sign at 714 North Third Street. Recommendation: Approval of installation of sign reading "Bourbon Manor Bed & Breakfast" in the colors black, red, white, and light brown with the condition that the Applicant provide color swatches for staff approval.
- (b) COA-14-09. Buddy Gulden, Applicant, and William P. Conway III, Owner, request to install a 32" X 40" sign at 226 North Third Street. Recommendation: Approval of the installation of the sign reading "The Mercantile" on poplar wood, as seen in submitted photograph of sign. The sign will be 32" X 40" and will project above the entrance on a bracket, 9' above the sidewalk with the condition that staff view the sign before installation.
- (c) COA-14-10. Shanda Murray, Applicant, and Bradley Smith, Owner, request to install a sign at 120 West Stephen Foster Avenue, Suite 110. Recommendation: Approval of the installation of the black and white bracketed sign reading "Schön Salon, Adj. Beautiful, handsome". The sign shall be on the existing bracket and will be 36" X 42".
- (d) COA-14-11. Ryan and Beth Clark, Applicant/Owner, propose to remove and brick in a window at 207 East Flaget Avenue. Recommendation: The application has been tabled due to the Applicants not being in attendance.
- (e) COA-14-12. Chad McCoy, Applicant/Owner, requests to replace two signs at 114 South Third Street. Recommendation: Approval of the installation of the black and white free standing signs. The signs shall read "McCoy & Hiestand, PLLC, Attorneys at Law, D. Chad McCoy, Sheila P. Hiestand, 800-254-4444".
- (f) COA-14-13. Jason Hall, Applicant, and Kreso's Properties, Owner, request to install signs and an awning at 118 North Third Street. Recommendation: Approval for the installation of the window signs with the condition that "The Olive Spout" and "Fresh Olive Oils, Imported Balsamic Vinegars, Gourmet Spices, Pastas & Gift Baskets be moved to on window and the "The Olive Spout" graphic be reduced from 41" x 36" to 39" x 34" so

as to meet with Design Guidelines; approval of the black, gray, and green “The Olive Spout” bracket and sign. Approval of a black awning with scalloped edges with white piping is recommended.

- (g) COA-14-14. North Third, LLC, Applicant/Owner, requests to replace awning and paint at 122 North Third Street. Recommendation: Approval of the installation of the black awning with khaki trim and the painting of window frame and vents in “Useful Gray” with the condition that a swatch of the paint be submitted for administrative approval. The wording “Peacock on Third” in white lettering on the awning is also recommended for approval.
- (h) COA-14-15. McCoy & Sparks, PLLC, Applicant, and William Boone, Owner, request to install a fence at 210 West Stephen Foster Avenue. Recommendation: Approval of the installation of the wooden, painted fence. The color and type of fence shall be consistent with those proposed in the staff report.
- (i) COA-14-02(b) Amendment. Kandice Walton, Applicant/Owner, requests to amend and review conditions for the new construction at 317 Raspberry Alley. Recommendation: Approval of the locations for lighting, ventilation, pass-through window, trash receptacle, HVAC, and fence. The approval for the use of gravel instead of monkey grass in landscaping. The approval of the site plan for patio and parking. Approval of all requested amendments to COA-14-02 (b) with the condition that lighting fixtures and soffit be administratively approved.
- (c) COA-13-70 Amendment. Neelkanth Oil, LLC, Applicant/Owner, request to amend the sign type that was initially tabled for 450 East Stephen Foster Avenue. Recommendation: Approval of the sign and position as proposed in amended application.

UPON MOTION OF COUNCILMAN SIMPSON, DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 6 TO 0, THE HISTORICAL REVIEW BOARD RECOMMENDATIONS FOR COA’S #14-07, #14-09, #14-10, #14-12, #14-13, #14-14 AND #14-15 WERE APPROVED WITH THE RECOMMENDED CONDITIONS SET FORTH BY HRB. UPON MOTION OF COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 6 TO 0, THE HISTORICAL REVIEW BOARD RECOMMENDATIONS FOR COA’S #14-02(b) AND #13-70(amend) WERE APPROVED WITH THE RECOMMENDED CONDITIONS SET FORTH BY HRB.

CORRESPONDENCE

Mayor Sheckles reported that on March 12th, Joey Barnes, an investigator from the Department of Criminal Justice Training had conducted a compliance audit and found the department was in compliance. The purpose of the audit was to ensure that requirements to participate and receive funds from the Kentucky Law Enforcement Foundation Program Fund (KLEFPF) were being met and that the Department was in compliance with Peace Officer Professional Standards (POPS) and Telecommunicator Professional Standards (TPS). Police Chief McCubbin was congratulated for his work on this effort.

Mayor Sheckles also read correspondence from Dinsmore & Shohl, legal representatives for Blugrass Cellular Inc., offering their thanks to the Council and staff in creating and awarding a franchise that will better serve the City of Bardstown.

MINUTES

The minutes from the 03-11-2014 Regular Council meeting were presented. **UPON MOTION OF COUNCILMAN LYDIAN, DULY SECONDED BY COUNCILMAN ROYALTY AND CARRIED BY A VOTE OF 6 TO 0, THE MINUTES WERE APPROVED.**

FIRST READING – PROPOSED ORDINANCE B2014 – SYMPSON LAKE AMENDMENTS

Councilman Royalty introduced proposed Ordinance B2014 – Sympson Lake Amendments and asked for its first reading. This ordinance will allow Section 91.00 Definitions to be added to the contents; Section 91.01 will be amended to show that the lake is also governed by Kentucky Revised Statutes and Kentucky Administrative Regulations, including Chapter 235 and 301 KAR 6:030; Section 91.04 Boats and Boating (C),(G) (H), and (I), will be amended to allow the motorized propulsion of boats no greater than a no-wake or idle speed in areas identified by buoys; and to prohibit the use of jet skis; Section 91.04 Boats and Boating (L) will be amended to allow use of lake property only from one hour before sunrise to one hour after sunset, daily; Section 91.06 Skiing, will be amended to show that water skiing is permitted only between 10:00am and sunset; that no water skiing is allowed within 2,000 feet of a dam or in waters posted or marked as a no skiing, wake speed only or restricted area; and that all must abide by the laws and regulations concerning water skiing; All annual permits will cost \$50 for Nelson County residents and \$100 for non- residents and in Section 91.99, the penalty will increase to not less than \$100 nor more than \$500. City Clerk Bryant read the proposed ordinance in summary. **NO VOTE WAS TAKEN.**

SECOND READING – ORDINANCE B2014-09 REZONE #2412 – THE PAR II, LLC

City Clerk Bryant presented a summary of Ordinance B2014-09 for a second reading. The full text follows.

ORDINANCE NO. B2014 - 09

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 A B-3 PLANNED UNIT DEVELOPMENT (PUD) AT 610 BLOOMFIELD ROAD (US 62) (LOT #5, PHASE I, KINSMEN VILLAGE) FOR A USE SERVING ALCOHOL BY THE DRINK (SECTION 6.13D – OPTION #1).

WHEREAS, the Joint City-County Planning Commission of Nelson County, Kentucky, on February 11, 2014, held a public hearing on the Application No. 2412 for a B-3 Planned Unit Development (PUD) at 610 Bloomfield Road (US 62) (Lot #5, Phase I, Kinsmen Village) for a use serving alcohol by the drink (Section 6.13D – Option #1); and

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 Bardstown 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 February 25, 2014, from the said Joint City-County Planning Commission of Nelson County to the Bardstown City Council and the property as described:

“Being Lot 5, Phase I, of Kinsmen Village, as shown on plat of same recorded in Plat Cabinet 1, Slot 50, in the Clerk’s Office of the Nelson County Court containing 0.486 acre.”

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 ROYALTY, DULY SECONDED BY COUNCILMAN BUCKMAN, THE MAYOR CALLED THE ROLL AND THE FOLLOWING VOTED:

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

MAYOR SHECKLES THEN DECLARED ORDINANCE NO. B2014-09 ADOPTED AND BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. _____.

ELECTRIC SYSTEM EXCAVATION BID

City Electrical Engineer Mills explained that the original bid’s date of acceptance had expired. He is talking to FEMA about an extension of time in order to rebid the project.

MUNICIPAL ORDER NO. M2014-04

Mayor Sheckles presented the following Municipal Order for a Tax Assessment Moratorium:

**MUNICIPAL ORDER NO. M2014-04
RESOLUTION**

A RESOLUTION ACCEPTING THE APPLICATION FOR AN ASSESSMENT MORATORIUM CERTIFICATE FOR THE PROPERTY LOCATED AT 210 EAST FLAGET 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 MORATORIALS, 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 210 East Flaget 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 REED, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0, MUNICIPAL ORDER NO. M2014-04 WAS APPROVED.

APPOINTMENTS

Mayor Sheckles recommended Mike Yaden as his appointment to the Human Rights Commission. **UPON MOTION OF COUNCILMAN SIMPSON, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0, THE APPOINTMENT OF MIKE YADEN TO THE HUMAN RIGHTS COMMISSION WAS APPROVED.**

COMMITTEE REPORTS

Mayor Sheckles announced that a Working Session would be held on Tuesday, April 1, 2014, 5:00pm in the Council Chambers.

Councilman Buckman announced that a Street and Solid Waste Committee Meeting would be held a Wednesday, April 2, 2014, 4:00pm in the Mayor's Conference Room of City Hall.

STAFF REPORT

City Electrical Engineer Mills reported his department is continuing the study of the wholesale power supply.

EXECUTIVE SESSION

Mayor Sheckles announced that the Council would now go into Executive Session pursuant to: KRS 61.810 (1) (c) to discuss proposed litigation. **UPON MOTION OF COUNCILMAN ROYALTY, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0, THE COUNCIL WENT INTO EXECUTIVE SESSION AT 7:50PM.**

UPON MOTION OF COUNCILMAN REED, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0, THE COUNCIL CAME OUT OF EXECUTIVE SESSION AT 8:20PM.

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

ADJOURNMENT

There being no further business to discuss and **UPON MOTION OF COUNCILMAN BUCKMAN, DULY SECONDED BY COUNCILMAN ROYALTY AND CARRIED BY A VOTE OF 6 TO 0, THE MEETING WAS ADJOURNED.**

CITY OF BARDSTOWN

William S. Sheckles, Mayor

ATTEST:

Barbara Bryant, City Clerk

WTP
BULK CHEMICAL BIDS RESULTS 2014

February 18, 10:00 a.m.

	CHLORINE	LIQUID ALUM	SULFURIC ACID	FLOURIDE	SODIUM HYDROXIDE	SODIUM THIOSULFATE	CALCIUM HYPOCHLORITE	BLENDED POLYPHOSPHATE	COPPER SULFATE PENTAHYDRATE	CALCIUM HYPOCHLORITE TABS	HYDROGEN PEROXIDE
	Cl ₂	AL ₂ (SO ₄) ₃ (Tank Truck)	H ₂ SO ₄ (Tank Truck)	HFS Acid (Bulk)	NaOH (Tank Truck)	NA ₂ S ₂ O ₃ (Drums)	Ca(CIO) ₂ (Pails)	PO ₄ (Bags)	Earth Tec (Drums)	Accu-tabs (55# Bucket)	H ₂ O ₂ (Drums)
	(Ton)	(DTD)	(DTD)	(cwt)	(DTD)	(cwt)	(cwt)	(cwt)	(Bag)	(cwt)	(lb)
AMERICAN DEVELOPMENT CORP.									\$2.00		
AULICK CHEMICAL SOLUTIONS											
CHEMICAL RESOURCES			\$174.00	\$0.32	\$524.00	\$0.20					\$0.209
DELTA CHEMICAL CORP											
EVOQUA WATER TECHNOLOGIES											
GENERAL CHEMICAL		\$419.00									
JCI JONES CHEMICAL, INC.					\$500.00						
POLYDYNE, INC.											
UNIVAR USA	\$490.00		\$185.00	\$0.355	\$467.00	\$0.32	\$1.79		\$1.70		
USALCO		\$356.26									
WATER SOLUTIONS UNLIMITED			\$186.75	\$3.39				\$1.18	\$1.80		
CI THORNBURG	\$620.00			\$0.39		\$0.34	\$2.60				\$0.39
BRENTAG	\$339.00	\$344.00	\$178.00	\$0.339	\$516.00	\$0.279	\$2.09	\$1.12			\$0.269

NOTE: Values highlighted are low bid and recommended for award

Note: Amended Values for award

EXPLANATION: Flouride-could not pump chemical from delivery totes to our holding tanks inside plant
Blended Poly-Product contained no ortho (50%); was not equivalent
Copper Sulfate-was not comparable product, and does not have territory to supply equivalent