

**CITY OF BARDSTOWN  
REGULAR COUNCIL MEETING MINUTES  
02-26-2013  
7:00 – 7:45 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 - **absent**
- Councilman Roland Williams

Others present: Fire Chief Marlin Howard, Assistant City Administrator Larry Green, Director of Public Works and Engineering Larry Hamilton, City Electrical Engineer Jeff Mills, City Attorney Tom Donan, City Clerk Barbie Bryant, BNC Volunteer Fire Department Chair Neal Pyle, The Kentucky Standard reporter Randy Patrick, WYSB reporter Tom Redmon, WBRT video cameraman D.W. Wathen, and citizen Michael Ballard.

**2013-2014 MOWING BID**

Mayor Sheckles presented the two year mowing contract bid for 2013-2014.

<b>MOWING SERVICE 2013-2014</b>		
January 29, 2013 - 10:00 a.m.		
<u>BIDDER</u>	<u>TOTAL AMOUNT</u>	
Oliver's Lawn Service	\$970.00	
A Plus Design Scapes	\$1,040.00	
Mama's Touch	\$1,100.00	
Murphy's Lawn Mowing Service	\$1,336.00	
Willett's Lawn and Landscaping	\$1,420.00	
Thunderbolt Deal Coat and Lawn Service	\$1,535.00	
<b>RECOMMENDED:</b>	<b>Oliver's Lawn Care</b>	<b>\$970.00</b>

**UPON MOTION OF COUNCILMAN ROYALTY, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 5 TO 0, THE RECOMMENDATION TO ACCEPT THE LOW BID FROM OLIVER'S LAWN CARE IN THE AMOUNT OF \$970.00 PER MOWING, WAS APPROVED.**

**HISTORICAL REVIEW BOARD RECOMMENDATIONS**

Mayor Sheckles presented the following Historical Review Board recommendations:

Certificates of Appropriateness

1. COA #13-04 [RECOMMENDED]

111 N. Third St.

Shaq & CoCo has submitted an application for the replacement of two awnings and for a sign on the fringe of each of the replacement awnings. The replacement awnings will match the color and fabric of the existing awnings. The awning signs will each read "SHAQ & CoCo" in beige, with 6" letters, using the submitted lettering style. They have removed one of their two window signs.

Recommendation: To recommend approval of the installation of two matching green awnings at 111 N. Third St., with signage in beige on the awning fringe as specified in this application.

2. COA #13-05 [RECOMMENDED]

211 W. Flaget Ave.

Kim Conway proposes to enlarge the parking pad at the rear of the residence from 25' x 24' to 30' x 36' in order to accommodate their two vehicles. The existing parking pad was recommended by HRB on November 20, 2012 (COA #12-59) and there will still remain 45% open space.

Recommendation: To recommend approval of the enlargement of the concrete parking pad at the rear of 211 W. Flaget Ave., as specified in this application.

3. COA #13-06 [RECOMMENDED]

112 W. Broadway

Weiland Janes proposes to screen in an existing second story side porch with a screen door at the top of the outside stairs. The porch is a modern addition to this historic building and is located on the west side of the building. At present the porch includes a stairway, railings and shed roof. The screen will fill the void between the railing and the roof. Two 4x4 posts and wood header will be constructed at the top of the stairway to accommodate a wooden screen door.

Recommendation: To recommend approval of the installation of screening and a wooden screen door on the second floor porch at 112 W. Broadway, as specified in this application.

4. COA #13-07

120 W. Stephen Foster Ave. [RECOMMENDED]

Carrithers Law Office PLLC has submitted an application for a hanging sign on the south side of the Marketplace Bldg at 4<sup>th</sup> & Stephen Foster and for a flush-mounted wall sign on the west side of the building. The hanging sign will be located between the two left windows and will measure 40” x 30”. The sign will include black and gold lettering on a gold and teal background, respectively. It will be supported by a 53” wrought iron bracket with scroll. The wall sign will be located between the right two windows, will measure 34” x 24”, and will have the same lettering and colors.

Recommendation: To recommend approval of the installation of a hanging sign and a flush-mounted wall sign at 120 W. Stephen Foster Ave., as specified in this application.

5. COA #13-08 [RECOMMENDED]

97 W. Flaget Ave.

Simply B Boutique has applied for a 3’ x 4’ hanging sign and a window sign. The hanging sign reads “simply B boutique” in green-yellow letters on a white background with black border. The entire sign will be rectangular with the horizontal blue bars as shown, including the message at the bottom. The window sign is a horizontal message in black letters on pale blue horizontal stripe that reads “be girly – be sassy – be you.” NOTE: the colors will be exactly as the submitted graphic. The sign will be mounted in the existing fixture.

Recommendation: To recommend approval of the installation of a hanging sign and window sign at 97 W. Flaget Ave., as specified in this application.

**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 #13-04, #13-05 #13-06, #13-07 AND #13-08 WERE APPROVED.**

**KLC INSURANCE SERVICES 2012-13 SAFETY GRANT AWARD**

Mayor Sheckles reported that a \$6,000 grant had been award to the city to purchase a Chlorine/sulfur dioxide monitor for the Town Creek Sewer Plant and Trench Box and End Panels for the Public Works Department.

**MINUTES**

The minutes from the 02-12-2013 Regular Council meeting were presented with a request from Councilman Williams to correct the first name spelling for Candace Gibbs. **UPON MOTION OF COUNCILMAN REED, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 5 TO 0, THE MINUTES, AS CORRECTED, WERE APPROVED. Councilman Buckman asked to abstain.**

Mayor Sheckles reported that Councilman Simpson was absent due to medical reasons.

**WORKING SESSION FOR MARCH**

Mayor Sheckles offered the Working Session in March as a possible time to discuss the 2012 financial audit with Linda Gray, CPA, with Peercy and Gray. It was agreed that the meeting was necessary. Councilman Buckman would also like to discuss issues from the Street and Solid Waste Committee meetings. The date will be Tuesday, March 5, 2013 at 5:00 pm in the Council Chambers.

**SECOND READING – PROPOSED ORDINANCE B2013-01, REZONE #2379 CAREY AND CHOWNING INC.**

City Attorney Tom Donan presented Proposed Ordinance B2013-01 for second reading:

**ORDINANCE NO. B2013-01**

**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 APPROXIMATELY 0.45 ACRE ON THE WEST SIDE OF SUSANNAH AVENUE, APPROXIMATELY 341 FEET SOUTH OF NORTHCAMP DRIVE AND APPROXIMATELY 480 FEET NORTH OF CAMPTOWN ROAD (FUTURE DEVELOPMENT TRACT, OLD KENTUCKY HOME INDUSTRIAL PARK) FROM LIP (Light Industrial/Commercial Park) to R-1T (Single-Family Townhouse District.)**

**WHEREAS**, the Joint City-County Planning Commission of Nelson County, Kentucky, on January 08, 2013, held a public hearing on the Application No. 2379 for Carey and Chowning to rezone 0.45 acre on the west side of Susannah Avenue, approximately 341 feet south of Northcamp Drive and approximately 480 feet north of Camptown Road, from LIP (Light Industrial/Commercial Park) to R-1T (Single-Family Townhouse 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

**UPON MOTION OF** Councilman Simpson, duly seconded by Councilman Royalty and carried, the City Council approved upon first reading the recommendation stated from the Planning and Zoning Commission to approve the request. The motion included any restrictions or conditions that may have been agreed to by the applicant and the Planning Commission.

**NOW THEREFORE**, be it ordained by the Bardstown City Council 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 January 25, 2013, from the said Joint City-County Planning Commission of Nelson County to the Bardstown City Council and the property as described:

**“Being a Future Development Tract of Old Kentucky Home Industrial Park, as depicted upon plat of record in Plat Cabinet 5, Slot 100, in the Office of the Clerk of Nelson County, Kentucky containing 0.45 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 WILLIAMS, DULY SECONDED BY COUNCILMAN LYDIAN, THE MAYOR CALLED THE ROLL AND THE FOLLOWING VOTED:**

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

**MAYOR SHECKLES THEN DECLARED ORDINANCE NO. B2013-01 ADOPTED AND BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. \_\_\_\_\_.**

**SECOND READING – PROPOSED ORDINANCE B2013-02, REZONE #2380 TMB CONSTRUCTION LLC**

City Attorney Tom Donan presented Proposed Ordinance B2013-02 for second reading:

**ORDINANCE NO. B2013 – 02**

**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 APPROXIMATELY 0.45 ACRE ON THE WEST SIDE OF SUSANNAH AVENUE, APPROXIMATELY 440 FEET SOUTH OF NORTHCAMP DRIVE AND APPROXIMATELY 381 FEET NORTH OF CAMPTOWN ROAD (REVISED LOT #39, OLD KENTUCKY HOME INDUSTRIAL PARK) FROM LIP (Light Industrial/Commercial Park) to R-1T (Single-Family Townhouse District.)**

**WHEREAS**, the Joint City-County Planning Commission of Nelson County, Kentucky, on January 08, 2013, held a public hearing on the Application No. 2380 for TMB Construction LLC, to rezone 0.45 acre on the west side of Susannah Avenue, approximately 440 feet south of Northcamp Drive and approximately 381 feet north of Camptown Road, from LIP (Light Industrial/Commercial Park) to R-1T (Single-Family Townhouse 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

**UPON MOTION OF** Councilman Royalty, duly seconded by Councilman Williams and carried, the City Council approved upon first reading the recommendation stated from the Planning and Zoning Commission to approve the request. The motion included any restrictions or conditions that may have been agreed to by the applicant and the Planning Commission.

**NOW THEREFORE**, be it ordained by the Bardstown City Council 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 January 25, 2013, from the said Joint City-County Planning Commission of Nelson County to the Bardstown City Council and the property as described:

**Being Revised Lot #39 of Old Kentucky Home Industrial Park, as depicted upon Amended Plat of same of record in Plat Cabinet 13, Slot 153, in the Office of the Clerk of Nelson County, Kentucky containing 0.45 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 BUCKMAN, DULY SECONDED BY COUNCILMAN ROYALTY, THE MAYOR CALLED THE ROLL AND THE FOLLOWING VOTED:**

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

**MAYOR SHECKLES THEN DECLARED ORDINANCE NO. B2013-02 ADOPTED AND BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. \_\_\_\_\_.**

**NEW APPOINTMENTS AND RE-APPOINTMENTS**

Mayor Sheckles recommended the new appointment of Luke Barlow to the Bardstown/Nelson County Human Rights Commission and the re-appointments of Michael Greenwell, Charles Bivens, Kathy Reed and Carrie Stivers to the Bardstown/Nelson County Human Rights Commission. The term will be for three (3) years. **UPON MOTION OF COUNCILMAN REED, DULY SECONDED BY COUNCILMAN ROYALTY AND CARRIED BY A VOTE OF 5 TO 0, THE ONE (1) NEW APPOINTMENT AND FOUR (4) RE-APPOINTMENTS WERE APPROVED.**

**COMMITTEE REPORTS**

Councilman Lydian discussed the action items addressed during a Cemetery Committee meeting held on February 13, 2013.

- Demolition of the cemetery water tank
- 2013-2014 Mowing Bid recommendation
- Citizens’ concerns over the January cleanup of the cemetery
- Research on rules and regulations
- Additional parking spaces needed inside the cemetery
- In-ground and above-ground cremation grave spaces

Councilman Buckman announced that a Street and Solid Waste Committee meeting would be held on Wednesday, February 27, 2013 at 4:00pm in the Mayor’s Conference Room located in City Hall.

Councilman Royalty reported on the Tourism Board’s annual retreat. The Market Research Study shows that there is not a need for a convention center. However, Councilman Reed and Mayor Sheckles emphasized that a “feasibility study” was ongoing to consider a hotel that could provide a convention center setting.

Mayor Sheckles announced that Pen Bogart, Preservation Administrator, would retire at the end of February. Planning and Zoning Director Jan Johnston-Crowe will assume the duties on an interim basis. The part-time position has been advertized.

**STAFF REPORTS**

Fire Chief Howard distributed the first City and Bardstown Nelson County Volunteer Fire Departments’ Yearbook. The six-page booklet highlights incidents, training, and community involvement for 2012. Chief Howard described the special tribute given to Gary Hutchins, a 21-year volunteer, who recently passed away.

City Electric Engineer Mills reported that mailers would be sent out on April 1, 2013 to announce the Digital to Analog conversion project. The response to the mailer will help to determine how many boxes will be needed for the conversion.

Mayor Sheckles reported that the automated water meter change-outs were progressing at a faster pace than expected. With the Boston area now completed, the meter department personnel will next travel to the Woodlawn area.

**CEMETERY DEED**

Four Bardstown Cemetery deeds were presented; one grave site for James Rudy Phillips, one grave site for James David Hamilton, two grave sites for Michael and Karen Douglas and two grave sites for John G. and Martha Hutchins. **UPON MOTION OF COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 5 TO 0, THE DEEDS WERE APPROVED.**

**ADJOURNMENT**

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

**CITY OF BARDSTOWN**

**ATTEST:**

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Barbara Bryant, City Clerk

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William S. Sheckles, Mayor