

**CITY OF BARDSTOWN
REGULAR COUNCIL MEETING MINUTES**

**7-10-12
7:00 P.M.**

The City Council met in a regular session in the Council Chambers with Mayor William S. Sheckles and the following Councilmen:

- Councilman Buckman
- Councilman Hagan
- Councilman Lydian
- Councilman Williams
- Councilman Simpson
- Councilman Reed - Absent

Others present: Interim Fire Chief Howard, Bardstown/Nelson County Fire Department Corporation Chairman Neal Pyle, Asst. City Administrator Green, Chief Financial Officer Abell, City Civil Engineer Filiatreau, City Attorney Donan, City Clerk Blincoe, Nelson County Gazette reporter Jim Brooks, The Kentucky Standard reporter Jennifer Corbett, BRTV co-owner Roth Stratton and student intern Jamie Murphy, and Mary Keene.

CHANGE ORDER NO. 1-INDUSTRIAL PARK WATER MAIN PROJECT

Mayor Sheckles updated the Council on the project and City Civil Engineer Filiatreau presented the following Change Order No. 1:

KENVIRONS, INC.
FRANKFORT, KENTUCKY

Project No.	2009054
Change Order No.	1
County	Nelson

CONTRACT CHANGE ORDER

Contract For
Industrial Park Water Transmission Main
Owner
City of Bardstown, Kentucky

To **Hubert Excavating & Contracting** **Salvisa, KY**
(Contractor)

You are hereby requested to comply with the following changes from the contract plans and specifications:

Description of Changes (Supplemental Plans and Specifications Attached)	DECREASE Contract Price	INCREASE Contract Price
Final Adjusting Change Order for installed quantities versus bid quantities, and as directed by the Owner and Engineer.		
124 LF 16", DR18,C905, PVC Water Main @ \$44.75/LF		\$5,549.00
2 LF 16", CL250, DIP Water Main @ \$50.00/LF	\$100.00	
3 ea. 16" Pipe Elbows @ \$750.00/ea.	\$2,250.00	
1 ea. Hydrant and Installation @ \$3,500.00/ea.		\$3,500.00
27 LF Bored Encasement for 16" Pipe @ \$200.00/LF		\$5,400.00
Lump Sum Directionally Bored Stream Crossing	\$18,725.00	
25 LF Open Cut Encasement for 16" @ \$100.00/LF		\$2,500.00
30 LF Type "A" Stream Crossing @ \$115.00/LF		\$3,450.00
11,755 LF Detectable Caution Tape @ \$0.10/LF	\$1,175.50	
3 ea. 8" Gate Valves & Installation @ \$1,050.00/ea.		\$3,150.00
TOTALS	\$ 22,250.50	\$ 23,549.00
NET CHANGE IN CONTRACT PRICE	\$ _____	\$ 1,298.50

JUSTIFICATION: Change Order to adjust from bid quantities to final quantities as installed in accordance with direction from the Owner and Engineer.

The amount of the Contract will be **Increased** by the sum of: **One thousand two hundred ninety-eight and 50/100**
Dollars (\$ **1,298.50**)

The Contract Total including this and previous Change Orders will be: **Eight hundred forty-five thousand, eight hundred forty-eight and 50/100**
Dollars (\$ **845,848.50**)

The Contract Period provided for completion will be **Unchanged:** **Completion by September 17, 2012**

This document will become a supplement to the contract and all provisions will apply hereto.

Requested _____ (Owner) _____ (Date)

Recommended _____ (Owner's Architect/Engineer) _____ (Date)

Accepted _____ (Contractor) _____ (Date)

Approved _____ (Name and Title) _____ (Date)

The City Civil Engineer verified that she had been pleased with the work completed by Hubert Excavating and Contracting, the contractor for the project. **UPON MOTION OF COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 5 TO 0, THE CHANGE ORDER IN THE INCREASED AMOUNT OF \$1,298.50 WAS APPROVED.**

DATE CHANGE FOR COX'S CREEK ELEMENTARY 5K RUN

The Mayor reported that representatives from the Cox's Creek Elementary School were again asking permission for traffic control on West Stephen Foster Avenue where Fourth and Fifth Streets cross US Highway 62, from 8:00 a.m. to 9:00 a.m., for the first Annual Cox's Creek Bulldog 5k run in Bardstown. The run was previously scheduled for May 12, 2012; however, it had to be postponed. The new date will be September 29, 2012. **UPON MOTION OF COUNCILMAN HAGAN, DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 5 TO 0, IT WAS APPROVED TO CHANGE THE DATE FOR THE EVENT WITH THE SAME CAVEAT AS THE ORIGINAL MOTION (THAT THE SCHOOL WILL PROVIDE OFF-DUTY POLICE OFFICERS AND TRAFFIC CONTROL).**

FIRST READING - REZONING ORDINANCE #2366-KRESO PROPERTIES, LLC

A first reading was presented on application #2366 from Kreso Properties, LLC to designate approximately 0.33 acre located at 111 North Third Street as B-2/PUD, Option 2, Central Business District. **UPON MOTION OF COUNCILMAN LYDIAN, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 5 TO 0, THE RECOMMENDATION FROM THE PLANNING COMMISSION AND FIRST READING WERE APPROVED.**

FIRST READING - ZONING REGULATIONS AMENDMENTS

A first reading was presented of an ordinance amending Section 8.44A, Dimensional Standards for Option 1: Conservation Design; Section 3.1, Administrative Official; and Section 14.1, Remedies, of the Zoning Regulations. City Attorney Donan summarized each amendment for the Council. Councilman Simpson voiced concern on whether the property owner's signature on the building permit was considered as the written consent to allow the Planning Commission Director or his/her representatives access to the property. He said that it was confusing the way it was written. Also mentioned was that the fee schedule had not been included with the packet. **UPON MOTION OF COUNCILMAN HAGAN, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 5 TO 0, THE RECOMMENDATION FROM THE PLANNING COMMISSION AND FIRST READING WERE APPROVED.**

JOINT AGREEMENT WITH DEPARTMENT OF HOUSING, BUILDINGS AND CONSTRUCTION

The Mayor presented the joint agreement between the Department of Housing, Buildings and Construction (DHBC) and the County of Nelson and the cities of Bardstown, New Haven, Bloomfield and Fairfield to inspect all commercial and industrial buildings as they pertain to the Kentucky Building Codes. The agreement needs to be renewed every three years. This program has proved to be a time and cost savings to the business and industrial citizens. Councilman Hagan asked when the contract was changed to require renewal every three years since the contract did not state a time limit. The City Attorney responded that the contract did allow that the contract could be terminated with a 90-day written notice by either party submitted to the DHBC and the non-terminating party. **UPON MOTION OF COUNCILMAN HAGAN, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 5 TO 0, THE MAYOR WAS AUTHORIZED TO EXECUTE THE JOINT AGREEMENT.**

MINUTES

The minutes from the 6-26-12 regular City Council meeting were then presented and **UPON MOTION OF COUNCILMAN LYDIAN, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 5 TO 0, THEY WERE APPROVED.**

APPOINTMENT TO HISTORICAL REVIEW BOARD

The Mayor informed the Council that he wanted to appoint Mary Keene, who was in attendance at the meeting, to the unexpired term of Mary Carey on the Historical Review Board through January 10, 2014. **UPON MOTION OF COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 5 TO 0, THE APPOINTMENT WAS APPROVED.**

SAFETY COMMITTEE MEETING REPORT

Councilman Simpson reported on the 7-3-12 meeting and said that the committee discussed police personnel and the new colors of the police vehicles. The committee heard from the Mayor, the Assistant City Administrator and the Chief Financial Officer who updated the committee on matters with the Bardstown Fire Department and the Bardstown-Nelson county Fire Department Corporation and the 2005 contract between the City and the Corporation. The Mayor had notified the Corporation that the City would not renew the contract the way it was written. The committee will further discuss the issues in the contract in order to make it more equitable between the parties.

Councilman Hagan said that the Council should have been informed on the matter prior to the cancellation of the contract. He then asked for more information on the contract and the cancellation. The Mayor explained that since there was a year's notice requirement

for termination, the 2005 contract would remain in effect for another year. During that time, the committee can continue to discuss ways to resolve the issues. Councilman Hagan also asked about the Attorney General's ruling against the City on the open meetings law that he had learned about through the media. He said that the Council should have been properly notified of the ruling. Mayor Sheckles responded that the initial complaints had been directed to him and were for him to respond. Councilman Hagan said that he would like to further discuss the matter at another meeting. The Mayor said that it could be discussed at the next Working Session.

CITY EMPLOYEE PAY INCREASES

Chief Financial Officer Abell distributed a list of the employee pay increases to the Council and the Mayor complimented the Department Heads for their work with the recommendations.

PAY-BY-PHONE CONTRACT

Chief Financial Officer Abell reported that he would present the three-year contract for the Pay-by-Phone option at the next City Council meeting.

FIRE RUNS

Mayor Sheckles thanked the Fire Department and Police Department for their outstanding work during the recent downtown fire that started in the attic of the Plantation Furniture store. The Mayor also thanked the Council for approving the new downtown waterline which proved to be an asset to the firefighters during that fire. City Civil Engineer Filiatreau also thanked the Fire Department for their help with the garbage truck fire at the landfill.

RECYCLING EQUIPMENT

Assistant City Administrator Green reported that the recycling equipment would be let for bid probably by the first meeting in August. A grant from the Division of Solid Waste will be used to purchase the needed equipment.

CEMETERY DEEDS

Bardstown Cemetery deeds were presented for Ella Rose Auberry and Dominic Allen. **UPON MOTION OF COUNCILMAN HAGAN, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 5 TO 0, THE DEEDS WERE APPROVED.**

CITY ANNIVERSARY

The Mayor announced that Joe Cecil would be celebrating his ten-year anniversary with the City's Water Treatment Plant this month.

CEMETERY COMMITTEE SPECIAL MEETING

City Clerk Blincoe announced that the Cemetery Committee would hold a special meeting on Wednesday, July 18, 2012 at 8:30 a.m. in the Mayor's Conference Room at City Hall.

ADJOURNMENT

Being no further business to discuss and **UPON MOTION OF COUNCILMAN HAGAN, DULY SECONDED BY COUNCILMAN LYDIAN AND CARRIED BY A VOTE OF 5 TO 0, THE MEETING WAS ADJOURNED AT 8:00 P.M.**

ATTEST:

Bobbe Blincoe, City Clerk

CITY OF BARDSTOWN

William S. Sheckles, Mayor