

**CITY OF BARDSTOWN, KENTUCKY
REGULAR CITY COUNCIL MEETING MINUTES
07-12-2016
7:00 PM**

The City Council met in regular session in the Council Chambers with Mayor Royalty and the following Councilmen:

Councilman Buckman
Councilman Copeland
Councilman Hagan
Councilman Lydian
Councilman Simpson
Councilman Williams

Others present: Director of Public Works and Engineer Larry Hamilton, City Clerk Barbie Bryant, Police Captain McKensie Mattingly, City Attorney Tim Butler, Police Lieutenant Brad Gillock, Firefighters Ernie Pyle, Michael Taylor, Derrick Gribbons, Nelson County Gazette Reporter Jim Brooks, The Kentucky Standard Reporter Randy Patrick, and citizens Bill Sheckles, Mark Hicks, Joey Sheckles and Margaret Sims.

SEWER AND WATER MAIN SERVICE REQUEST BY BUILD ONE, INC

A new sewer and water main extension service request was submitted for a residential subdivision development; 31 single family residential lots, located on Plum Run Road for Hunters Ridge Subdivision, Phase V.

COUNCILMAN HAGAN MOVED TO APPROVE THE SEWER AND WATER MAIN EXTENSION SERVICE REQUEST FOR BUILD ONE, INC. THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0.

DRB-232 TODD & ANGIE GREENWELL

City Clerk Bryant gave the description of the application; 4,000 square foot commercial kennel on Pennebaker Avenue, Proposed Revised Lot #42 in the Stephen Foster Industrial Park.

COUNCILMAN BUCKMAN MOVED TO APPROVE DRB-232 TODD & ANGIE GREENWELL BASED ON THE RECOMMENDATIONS OF THE DRB AND THE SUBMITTED BUILDING, SITE, LANDSCAPING, AND LIGHTING PLANS WITH CONDITIONS SET FORTH. THE MOTION WAS DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0.

DONATION REQUEST BY BUTTERMILK DAYS FOUNDATION

COUNCILMAN WILLIAMS MOVED TO APPROVE THE DONATION REQUEST FROM THE BUTTERMILK DAYS FOUNDATION IN THE AMOUNT OF \$2,000 TO BE USED FOR PARKING, SECURITY AND TRAFFIC FLOW DURING THE ANNUAL BUTTERMILK DAYS FESTIVAL ON AUGUST 25-27, 2016. THE MOTION WAS DULY SECONDED BY COUNCILMAN LYDIAN AND CARRIED BY A VOTE OF 5 TO 1. Councilman Buckman voted no. MONEY WILL BE TAKEN FROM THE COUNCIL CONTINGENCY FUND.

OLD KENTUCKY HOME BICYCLE TOUR

COUNCILMAN HAGAN MOVED TO APPROVE THE REQUEST TO CLOSE THE STREETS ON SEPTEMBER 10, 2016 FOR THE ANNUAL OLD KENTUCKY HOME BICYCLE TOUR. THE MOTION WAS DULY SECONDED BY COUNCILMAN COPELAND AND CARRIED BY A VOTE OF 6 TO 0.

MINUTES

THE MOTION TO APPROVE THE REGULAR COUNCIL MEETING MINUTES OF 06-28-2016 WAS APPROVED BY UNANIMOUS CONSENT.

JOINT PLANNING AND ZONING FY 2016-2017 ANNUAL BUDGET

COUNCILMAN WILLIAMS MOVED TO APPROVE THE FY 2016-2017 JOINT PLANNING AND ZONING ANNUAL BUDGET AS PRESENTED - \$314,430.37. THE MOTION WAS DULY SECONDED BY COUNCILMAN COPELAND AND CARRIED BY A VOTE OF 6 TO 0.

PROPOSED ORDINANCE B2016 – PLANNING AND ZONING REGULATIONS AMENDMENTS

Councilman Williams introduced the ordinance that will allow distilled spirit storage buildings on less than 100 acres as conditional use in A-1 and incorporate open space and setback allowances in B-5. City Clerk Bryant gave the first reading. No votes were taken.

ORDINANCE B2016-07 COMMERCIAL ESTABLISHMENT DESIGN STANDARD AMENDMENTS

City Clerk Bryant gave a second reading in summary. The full text of the ordinance follows:

ORDINANCE NO. B2016 – 07

AN ORDINANCE AMENDING AND ADOPTING AS AMENDED AN ORDINANCE RELATING TO CHAPTER 157 COMMERCIAL ESTABLISHMENT DESIGN STANDARDS OF THE CITY OF BARDSTOWN’S CODE OF ORDINANCES.

THE CITY OF BARDSTOWN, KENTUCKY DOES HEREBY ORDAIN AS FOLLOWS:

That Section 157.08 REVIEW PROCEDURES (A), (B), (C)(1)(2) and (D) be amended as follows:

157.08 REVIEW PROCEDURES.

~~{(A) Review Requirement. Before the issuance of a building permit, all new commercial establishments and all additions to existing commercial establishments that increase the establishment’s total square footage by 25% or greater shall be reviewed for compliance with the provisions of this chapter. Variances from the criteria are permitted only in special circumstances. If one or more of the criteria cannot be met, the applicant may request approval through the Development Review Board process where there is substantial compliance with this chapter.~~

~~(B) Administrative Review. New commercial establishments or expansions with less than 2,000 square feet in gross floor area shall be reviewed through an administrative review process. For projects within the city corporate limits, the Planning Commission Director, in consultation with a Development Review Board member, shall review the application and submit a recommendation to City Council for final action. For projects outside the city, the Planning Commission Director, in consultation with a Development Review Board member, shall review and take final action on the application. The Planning Commission Director reserves the right to defer review and consideration of any application to the Development Review Board and appropriate legislative body.~~

~~(C) Development Review Board and Legislative Body Review.~~

~~(1) The Development Review Board shall hold at least one meeting to make a recommendation on whether the proposed establishment or expansion complies with the provisions of this chapter. Within ten days of its recommendation, the Development Review Board shall transmit its recommendation to the appropriate legislative body for final consideration.~~

~~(2) The appropriate legislative body shall take final action upon the Development Review Board recommendation within 90 days from the transmission date of Development Review Board recommendation. In the event final action is not taken by the appropriate legislative body within 90 days, the Development Review Board’s recommendation shall be deemed adopted as a matter of law.~~

~~(D) Upon final consideration by the appropriate legislative body and submission of all necessary documentation, building permits may be issued for said development. }~~

(A) Review Requirement. Any new commercial establishment or any addition to an existing commercial establishment that increases the establishment’s total gross floor area by twenty-five (25) percent or more shall be reviewed for compliance with this Ordinance prior to the issuance of a Zoning Compliance Permit by the Planning Commission.

(B) Administrative Review.

(1) Administrative Review Allowed. Administrative review is allowed for any design review application that appears to comply with all adopted standards set forth in this Ordinance.

(2) Administrative Review Committee. An Administrative Review Committee is hereby established to conduct administrative review of design review applications and take final action on such applications. The Committee shall consist of the following representatives:

- (a) Planning Commission Director or his/her authorized representative;**
- (b) Development Review Board Chairman or his/her authorized representative; and,**
- (c) Appropriate Legislative Body Representative (Mayor or Judge/Executive or his/her representative).**

(3) Administrative Review Application. A design review application for administrative review may be submitted to the Planning Commission at any time. An application for administrative review must be complete and include all required plans, specifications, submittals, and documentation. The Administrative Review Committee will not consider an incomplete application.

(4) Administrative Review Process.

(a) Within fourteen (14) days of application submission, the Administrative Review Committee will review the application for compliance with all adopted standards. The Administrative Review Committee may defer any application to the Development Review Board and legislative body for full review and final action at their next regular scheduled meetings.

(b) If the Administrative Review Committee determines that the application does not comply with all adopted standards, then the Administrative Review Committee shall provide technical assistance and make recommendations to the applicant on compliance alternatives. If an applicant is unwilling to make changes to the submitted application as recommended by the Administrative Review Committee or disagrees with the Administrative Review Committee's interpretation of the standards, then the application will be forwarded to the Development Review Board and appropriate legislative body for full review and final action at their next regular scheduled meetings.

(5) Administrative Review Appeal. If an application is denied by the Administrative Review Committee, the applicant may appeal the decision to the Development Review Board and appropriate legislative body for full review and final action at their next regular scheduled meetings.

(C) Development Review Board and Legislative Body Review.

(1) Development Review Board Review. The Development Review Board shall hold at least one (1) meeting to make a recommendation on whether the proposed establishment or expansion complies with the provisions of this Ordinance. Within ten (10) days of its recommendation, the Development Review Board shall transmit its recommendation to the appropriate legislative body for final consideration.

(2) Legislative Body Consideration & Final Action. The appropriate legislative body shall take final action upon the Development Review Board recommendation within sixty (60) days from the transmission date of Development Review Board recommendation. In the event final action is not taken by the appropriate legislative body within sixty (60) days, the Development Review Board's recommendation shall be deemed adopted as a matter of law. Upon final consideration by the appropriate legislative body and submission of all necessary documentation, building permits may be issued for said development.

All ordinances or parts of ordinances in conflict are hereby repealed to the extent of that conflict. This ordinance shall be in full force and effect following publication as required by law.

COUNCILMAN WILLIAMS MOVED TO APPROVE ORDINANCE B2016-07 COMMERCIAL ESTABLISHMENT DESIGN STANDARD AMENDMENTS. THE MOTION WAS DULY SECONDED BY COUNCILMAN SIMPSON.

THE MAYOR CALLED THE ROLL AND THE FOLLOWING VOTED:

COUNCILMAN COPELAND	-	AYE
COUNCILMAN LYDIAN	-	AYE
COUNCILMAN HAGAN	-	AYE
COUNCILMAN WILLIAMS	-	AYE
COUNCILMAN BUCKMAN	-	AYE
COUNCILMAN SIMPSON	-	AYE

MAYOR ROYALTY THEN DECLARED ORDINANCE NO. B2016-07 ADOPTED. IT WILL BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. _____.

COMMITTEE AND STAFF REPORTS

Councilman Williams reported on the Finance Committee meeting that was held on Thursday, 07-07-2016. The recommendation from the committee directed the Mayor and his staff prepare a 4 year plan for financial projects and present it at the 08-03-2016 Working Session.

City Clerk Bryant reported that all liquor licenses have been renewed for FY2016-2017.

RE-APPOINTMENTS AND NEW APPOINTMENTS

Mayor Royalty recommended the re-appointment of Councilman Bobby Simpson to the BIDC Board for a 2 year term. **COUNCILMAN HAGAN MOVED TO APPROVE THE RE-APPOINTMENT. THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED 6-0. Councilman Simpson abstained.**

COUNCIL COMMENTS

Councilman Hagan reminded Councilman Copeland that he voted against the 2015 donation request by the Buttermilk Days Foundation.

Councilman Copeland asked the City Attorney for an update on the proposed re-drafting of the inter-local agreement for E-911 Dispatch Services. City Attorney Butler has several options to present to the County Attorney, but will discuss the options with to the Council for their approval.

ANNOUNCEMENTS

Mayor Royalty announced the 20 year service anniversary for Jeff Bereza with the Cable Department.

ADJOURNMENT

THE MOTION TO ADJOURN THE MEETING AT 8:15PM WAS APPROVED BY UNANIMOUS CONSENT.

CITY OF BARDSTOWN

John Royalty, Mayor

ATTEST:

Barbara Bryant, City Clerk