

**CITY OF BARDSTOWN, KENTUCKY  
REGULAR CITY COUNCIL MEETING MINUTES  
08-25-2015  
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: Fire Chief Marlin Howard, Police Chief Rick McCubbin, Director of Public Works & Engineering Larry Hamilton, City Electrical Engineer Jeff Mills, Chief Financial Officer Tracy Hudson, Human Resource Director Larry Green, City Clerk Barbie Bryant, City Attorney Tim Butler, Deputy Fire Chief Todd Spalding, Assistant Fire Chief Trevor Mattingly, County Magistrate Sam Hutchins, Nelson County Gazette Reporter Jim Brooks, The Kentucky Standard Reporter Randy Patrick, WBRT Reporter Sylvia Horlander, and citizens Joyce Royalty, Pen Bogert, Margaret Sims, Tiffany Buckman, Joe Buckman, Jimmy Yocum, Mary Ann Brown, Rosita Dugan, Rick Brumley and Bruce Reynolds.

The Mayor called the meeting to order and three County residents spoke against any increase in the City's Occupational License fee. One City resident spoke in favor of the suggested increases.

**USED KNUCKLE BOOM LOADER TRUCK BID**

Director of Public Works and Engineering Hamilton presented the bid. **COUNCILMAN HAGAN MOVED TO APPROVE THE BID FROM CAPITAL CITY TRUCK SALES FOR A KNUCKLE BOOM LOADER TRUCK IN THE AMOUNT OF \$41,000. THE MOTION WAS DULY SECONDED BY COUNCILMAN LYDIAN AND CARRIED BY A VOTE OF 6 TO 0.**

**HISTORICAL REVIEW BOARD**

The following recommendations from the Bardstown Historical Review Board were presented:

- (a) COA-14-65 Amended. Michael Brooks, Applicant/Owner, proposes to change the front and rear door color at 201 East Stephen Foster Avenue. Recommendation: Approval of the paint color, "Cottage Red" for the front and rear doors.
- (b) COA-15-39. Joe Buckman, Applicant, and Suzanne Hayden, Owner, propose to add a hand rail at 213 North 4<sup>th</sup> Street. Recommendation: Approval of the installation of handrails as presented.
- (c) COA-15-40. BCD, Inc., Applicant, and Bethlehem High School, Owner, proposes to install a fence and replace sign at 309 West Stephen Foster Avenue. Recommendation: Approval of the installation of the fence and signage, following the conditions outlined in the letter sent to the Applicant.
- (d) COA-15-41. Vance and Cheryl Marquis, Applicant/Owner, propose exterior alterations at 415 North 3<sup>rd</sup> Street. Recommendation: Approval of painting of the garage, addition, trim, and front door, as well as the installation of a poured patio, as discussed and is outlined in the application materials.
- (e) COA-15-42. JTD Holdings, Applicant/Owner, propose to complete exterior approvals for the Strawberry Row Housing at 206-208 East Broadway Avenue. Recommendation: Approval of all visual elements presented, including siding, shutters, fence, and lighting.

**COUNCILMAN SIMPSON MOVED TO ACCEPT THE RECOMMENDATIONS FROM THE HISTORICAL REVIEW BOARD FOR COA #14-65 AMENDED, COA #15-39, COA #15-40, COA #15-41, AND COA #15-42 WITH THE CONDITIONS SET FORTH BY THE HRB. THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0.**

**CORRESPONDENCE**

**THE MOTION TO APPROVE THE REQUEST FOR THE BARDSTOWN ROTARY CLUB TO USE THE LAWN OF CITY HALL FOR "KIDS DAY" ON 10-01-2015, WAS APPROVED BY UNANIMOUS CONSENT.**

**MINUTES**

Councilman Hagan requested the minutes of 08-11-2015 be corrected to reflect the following:

**[FINANCIAL – GENERAL FUND FOR 2015-2016**

Councilman Hagan presented several options to provide increased revenue for the General Fund, including Franchise Tax, Insurance Tax, increased Property Tax and Occupational License Fee. **A lengthy discussion ensued but no decisions were made.**

**UPON MOTION OF COUNCILMAN HAGAN, DULY SECONDED BY COUNCILMAN WILLIAMS, THE MINUTES OF AUGUST 11, 2015 WERE APPROVED AS CORRECTED. THE MOTION CARRIED BY A VOTE OF 6 TO 0.**

**FINANCIAL REPORT**

The 2014-2015 Annual Report from the Human Rights Commission was presented to the Council for their review.

Councilman Simpson recused himself from the meeting at 7:25pm.

Director of Public Works and Engineer Hamilton gave a brief history of an Electric Franchise Ordinance that was passed in 1991. This ordinance could still provide an option to generate revenue for the General Fund. Mayor Royalty suggested this option be brought to the Finance Committee and the Electric and Cable TV Committee for review.

Councilman Simpson rejoined the meeting.

**PROPOSED ORDINANCE B2015 – OCCUPATIONAL LICENSES AMENDMENT**

After a lengthy review by the Council, no consensus was reached to introduce the ordinance for a first reading. **COUNCILMAN LYDIAN MOVED TO POSTPONE THE FIRST READING UNTIL THE NEXT COUNCIL MEETING SCHEDULED FOR SEPTEMBER 08, 2015. THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0.**

**PROPOSED ORDINANCE B2015 – PROPERTY TAX (COMPENSATING) FOR FY 2015-16**

Councilman Williams introduced the ordinance and asked for its first reading. City Clerk Bryant read the ordinance in full that will provide the compensating rate on real and personal property for FY 2015-16. No vote was taken.

**PROPOSED ORDINANCE B2015 – CREATION OF A CODE ENFORCEMENT BOARD**

Councilman Copeland introduced the ordinance and asked for its first reading. City Clerk Bryant read the ordinance in summary creating a new ordinance which provides for the creation, powers and enforcement proceedings of a Code Enforcement Board, consisting of 5 members. No vote was taken.

**PROPOSED ORDINANCE B2015 – CLASSIFICATION AND COMPENSATION PLAN AMENDMENTS**

Councilman Buckman introduced the ordinance and asked for its first reading. City Clerk Bryant read the ordinance in summary that will amend the number of authorized positions, their title and pay grade for the City’s Fire Department. No vote was taken.

**ORDINANCE B2015– 19 REZONE #2441 BETTY RAY ALLEN**

City Clerk Bryant gave the second reading for the ordinance in summary. The full contents are below:

**ORDINANCE NO. B2015 – 19**

**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 0.172 ACRE AT 815 WEST STEPHEN FOSTER AVENUE (LOTS #18 & 19, BLOCK “C”, KENNETT ADDITION #2) FROM B-3 (REGIONAL RETAIL BUSINESS DISTRICT) TO R-1C (SINGLE FAMILY RESIDENTIAL DISTRICT).**

**WHEREAS**, the Joint City-County Planning Commission of Nelson County, Kentucky, on July 28, 2015, held a public hearing on the Application No. 2441 to rezone 0.172 acre at 815 West Stephen Foster Avenue (Lots #18 & 19, Block “C”, Kennett Addition #2) from B-3 (Regional Retail Business District) to R-1C (Single Family Residential District); 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 City of Bardstown, Kentucky, 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 August 04, 2015, from the said Joint City-County Planning Commission of Nelson County to the Bardstown City Council and the property as described:

"Located in Kennett Court #2, Block "C", in Bardstown, Nelson County, Kentucky being all of Lots #18 and 19, together with 10 feet off the front line on the east side of Lot #20, running thence to original south corner between Lots #19 and 20."

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.

**COUNCILMAN HAGAN MOVED TO APPROVE ORDINANCE B2015-19 REZONE #2441 BETTY RAY ALLEN. THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS.**

**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. B2015-19 ADOPTED. IT WILL BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. \_\_\_\_\_.**

**ORDINANCE B2015- 20 REZONE #2442 NORMAN AND YOCUM**

City Clerk Bryant gave the second reading for the ordinance in summary. The full contents are below:

**ORDINANCE NO. B2015 - 20**

**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 0.172 ACRE AT 813 WEST STEPHEN FOSTER AVENUE (LOTS #16 & 17, BLOCK "C", KENNETT ADDITION #2) FROM B-3 (REGIONAL RETAIL BUSINESS DISTRICT) TO R-1C (SINGLE FAMILY RESIDENTIAL DISTRICT).**

**WHEREAS**, the Joint City-County Planning Commission of Nelson County, Kentucky, on July 28, 2015, held a public hearing on the Application No. 2442 to rezone 0.172 acre at 813 West Stephen Foster Avenue (Lots #16 & 17, Block "C", Kennett Addition #2) from B-3 (Regional Retail Business District) to R-1C (Single Family Residential District); 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 City of Bardstown, Kentucky, 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 August 04, 2015, from the said Joint City-County Planning Commission of Nelson County to the Bardstown City Council and the property as described:

"Being Lots #16 and 17 in Block "C" of Kennett Addition No.2 as shown by plat of said addition recorded in Deed Book 116 Page 162 in the Nelson County Court Clerk's office."

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.

**COUNCILMAN WILLIAMS MOVED TO APPROVE ORDINANCE B2015-20 REZONE #2442 NORMAN AND YOCUM. THE MOTION WAS DULY SECONDED BY COUNCILMAN LYDIAN.**

**THE MAYOR CALLED THE ROLL AND THE FOLLOWING VOTED:**

COUNCILMAN SIMPSON	-	AYE
COUNCILMAN BUCKMAN	-	AYE

COUNCILMAN WILLIAMS - AYE  
COUNCILMAN HAGAN - AYE  
COUNCILMAN LYDIAN - AYE  
COUNCILMAN COPELAND - AYE

**MAYOR ROYALTY THEN DECLARED ORDINANCE NO. B2015-20 ADOPTED. IT WILL BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. \_\_\_\_\_.**

**COMMITTEE AND STAFF REPORTS**

The minutes from the August 11, 2015 Street and Solid Waste Committee meeting were distributed for review.

Councilman Simpson reported on the Cemetery Committee meeting that was held on August 12, 2015. Those minutes were also distributed for review.

Fire Chief Howard introduced a report that the Council will receive on a monthly basis. A packet was also given to the Council that listed the seven (7) newly hired firefighters.

Councilman Copeland inquired about the process for a fire hydrant to be placed in a neighborhood.

**RESOLUTION R2015 – 05 FOR DEACON JOHN RUSSELL GRUNDY**

The resolution authorized the Mayor to proclaim Sunday, September 06, 2015 as Deacon John Russell Grundy Day.

**COUNCILMAN HAGAN MOVED TO APPROVE RESOLUTION R2015-05. THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0.**

**MUNICIPAL ORDER M2015-20 TAX ASSESSMENT MORATORIUMS – 311-313 NORTH 5<sup>th</sup> STREET**

**MUNICIPAL ORDER NO. M2015-20**

**A MUNICIPAL ORDER ACCEPTING THE APPLICATION FOR AN ASSESSMENT MORATORIUM CERTIFICATE FOR THE PROPERTY LOCATED AT 311-313 NORTH 5<sup>th</sup> STREET, 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 ORDERED BY THE CITY COUNCIL OF THE CITY OF BARDSTOWN, KY:

**SECTION 1**

That the “Application for Assessment Moratorium Certificate” for the property located at 311-313 N 5<sup>th</sup> Street, 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.

**COUNCILMAN WILLIAMS MOVED TO APPROVE MUNICIPAL ORDER M2015-20 THAT APPLIES TO 311-313 NORTH 5<sup>TH</sup> STREET. THE MOTION WAS DULY SECONDED BY COUNCILMAN COPELAND AND CARRIED 6-0.**

**COUNCIL COMMENTS**

Councilman Hagan thanked CFO Hudson for her help, time and patience with questions from the Council.

Councilman Copeland thanked Police Chief McCubbin and his staff, who provided a safe environment during the Annual Buttermilk Day celebration. She also announced a proposed presentation in October by Dr. Kwong on anti-racism.

**CEMETERY DEEDS**

**THE MOTION TO APPROVE THE CEMETERY DEED FOR DONNA MOLYNEAUX WAS APPROVED BY UNANIMOUS CONSENT.**

**ADJOURNMENT**

**THE MOTION TO ADJOURN WAS APPROVED BY UNANIMOUS CONSENT.**

**CITY OF BARDSTOWN**

\_\_\_\_\_  
John Royalty, Mayor

**ATTEST:**

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Barbara Bryant, City Clerk