

CITY OF BARDSTOWN
SPECIAL COUNCIL MEETING MINUTES
09-18-12
5:00 P.M.

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

Councilman Buckman
Councilman Hagan
Councilman Lydian
Councilman Reed
Councilman Simpson
Councilman Williams

Others present: Director of Public Works and Engineering Larry Hamilton, City Civil Engineer Jessica Filiatreau, City Attorney Tom Donan, City Clerk Barbie Bryant, Executive Director of Planning and Zoning Janet Johnston-Crowe, Attorney for Joint City-County Planning Commission Mike Coen, Nelson County Gazette reporter Jim Brooks, WBRT Co-owner Roth Stratton, The Kentucky Standard reporter Randy Patrick, citizens John Royalty and Lisa Stratton.

The Mayor called the meeting to order.

CHANGE OF WORK ORDER – BALLTOWN WATER TANK

City Civil Engineer Filiatreau reviewed the change of work order No. 1 with Preferred Sandblasting and Painting, LLC. The roof channels at the center of the Balltown water tank ceiling have severe corrosion and have deteriorated to the degree that repairs are needed to maintain structural integrity. Additional work required for the repair will be \$4,250.00.

UPON MOTION OF COUNCILMAN HAGAN, DULY SECONDED BY COUNCILMAN LYDIAN AND CARRIED BY A VOTE OF 6 TO 0, THE RECOMMENDATION TO AUTHORIZE THE MAYOR TO EXECUTE THE CHANGE OF WORK ORDER CONTRACT WITH PREFERRED SANDBLASTING AND PAINTING, LLC., IN THE AMOUNT OF \$4,250.00, WAS APPROVED.

HEARING ON WBRT APPEAL OF SIGN ORDINANCE INTERPRETATION

Councilman Simpson excused himself from the meeting.

Michael Coen, Attorney and Janet Johnston-Crowe, Sign Administrator appeared for the Joint City-County Planning Commission. Roth Stratton appeared by WBRT. Mayor Sheckles asked City Attorney Donan to conduct the hearing. City Attorney Donan instructed the Council and those in attendance on the procedure for the presentation of evidence and positions concerning interpretations. He called on Joint City-County Planning Commission Attorney Coen, who presented evidence to members of the Council. Janet Johnston-Crowe was sworn and testified on behalf of the Planning Commission as Sign Ordinance Administrator. Exhibits were presented concerning the interpretation of the ordinance and resulting citation for violation. Several e-mails and letters were exchanged by Executive Director Johnston-Crowe and Mr. Stratton stating violations of City Sign Ordinance §98.10 (F) Visual Elements Prohibited. Roth Stratton was given the opportunity to question the witness. Councilmen asked questions of the witness and Coen. Attorney Coen and Mr. Stratton were given the opportunity to ask additional questions of the witness.

Mr. Stratton was then sworn and testified on behalf of WBRT. Mr. Stratton made a statement on his interpretation of the sign ordinance. He presented his lease agreement for the property at 718 North Third Street, currently owned by Bobby Simpson. Councilmen asked questions of Stratton. Coen asked questions of Stratton. Mr. Stratton was offered the opportunity to present any additional evidence. Closing statements were then made by Attorney Coen and Mr. Stratton.

Mayor Sheckles asked for the opinions of the Council. After discussion by each council member present, Mr. Stratton retracted his appeal.

ADJOURNMENT

Being no further business to discuss and **UPON MOTION OF COUNCILMAN HAGAN, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 5 TO 0, THE MEETING WAS ADJOURNED AT 6:13 P.M.**

CITY OF BARDSTOWN

ATTEST:

William S. Sheckles, Mayor

Barbara Bryant, City Clerk