

**CITY OF BARDSTOWN
REGULAR COUNCIL MEETING MINUTES
09-24-2013
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
Councilman Roland Williams

Others present: Assistant City Administrator Larry Green, Director of Public Works and Engineering Larry Hamilton, City Electrical Engineer Jeff Mills, City Clerk Barbie Bryant, Police Chief Rick McCubbin, BNC Volunteer Fire Department Chair Neal Pyle, Cable Dept. Chief Technician Mike Vittitow, The Kentucky Standard reporter Randy Patrick, WBRT TV cameraman Danny Wathen, Members of Boy Scout Troop 721 and citizens Kevin Wangler and Arthur Woodson.

BOY SCOUT TROOP 721

Mayor Sheckles recognized Troop Master Joseph Snow who reported that his troop was in attendance to earn their Communications badge.

MAINSTREAM SUBDIVISION, PHASE II-A (RIGGS TOWNHOME DEVELOPMENT)

Director of Public Works and Engineering Hamilton presented a service request from Cees & Dees, LLC for water, sewer and street and displayed a preliminary mapping of the street location off Templin Ave and Lincoln Way. **UPON MOTION OF COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0, THE SERVICE REQUEST FOR WATER, SEWER AND STREET FROM CEES & DEES, LLC, WAS APPROVED.**

DRB-199 HARRISON PAVING

The Development Review Board recommended approval on DRB-199 for Harrison Paving to construct a 4,000 square foot commercial building at 1000 Commerce Boulevard. **UPON MOTION OF COUNCILMAN ROYALTY, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0, THE RECOMMENDATION FROM THE DEVELOPMENT REVIEW BOARD, WITH ITS CONDITIONS AND THE COUNCIL'S CONDITION TO HAVE THE DRAINAGE PLANS APPROVED BY THE CITY CIVIL ENGINEER, WAS APPROVED.**

HISTORICAL REVIEW BOARD RECOMMENDATIONS

Mayor Sheckles presented the following Historical Review Board recommendations:

Certificates of Appropriateness

- (a) COA-13-51. JTD Holdings, Applicant/Owner proposes to repaint the awning at 102 North Third Street. **Recommendation:** Approval of the color choice, "Night Owl", for the painting of the awning at 102 North Third Street.
- (b) COA-13-52. Patricia Hord, Applicant/Owner proposes to construct a carriage house on Gooseberry Alley. **Recommendation:** Approval of types and styles of the windows, doors, brick, mortar, lanterns, and shingles as provided in the COA Application for the new construction at 109 South Fifth Street/Gooseberry Alley.
- (c) COA-13-53. Josh Blackmon, Applicant/Owner proposes to construct an addition onto the house at 208 East Flaget Avenue. **Recommendation:** Approval of types and styles of windows, doors, porch/stoop, siding, lamps and brick wall at 208 East Flaget, given in the COA application. Approval of repositioning the garage doors, addition between garage and house, and upstairs expansion with the stipulation that the porch and awing portion of the plans be redrawn and submitted for staff approval.
- (d) COA-13-54. Anne Hurst, Owner and Betty Hart, Applicant, propose to install a projecting sign at 112 North Third Street. **Recommendation:** Approval of the white hanging sign with black font, reading "Jack and Jill Children's Boutique", at 112 North Third.
- (e) COA-13-55. Knights of Columbus, Applicant/Owner, requests approval for existing roof top air unit at 111 North Fourth Street. **Recommendation:** Approval of the HVAC units remaining in place with as they exist.
- (f) COA-13-56. Knights of Columbus, Owner and New Beginning Church of God, Applicant, propose to install a new sign at 113 North Fourth Street. **Recommendation:** Approval of two signs to be attached to

north and west sides of the building at 113 North Fourth, using existing anchors. Staff approval of font, shape and color of signs.

- (g) COA-13-57. American Upholstery, Applicant/Owner, proposes to install a new sign at 521-A North Third Street. Recommendation: Approval of installation of free-standing sign on north side of parking entrance at 521 North Third. Approval of red, white, and blue color scheme to match the scheme submitted by the applicant. Approval of white frame/columns for attachment.

Councilman Buckman asked to be recused from the discussion and left the Council room at 7:16pm. **UPON MOTION OF COUNCILMAN LYDIAN, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 5 TO 0, THE HISTORICAL REVIEW BOARD RECOMMENDATIONS FOR COA #13-51 AND COA #13-53 WERE APPROVED WITH THE RECOMMENDED CONDITIONS SET FORTH BY HRB.**

Councilman Buckman returned to the meeting. **UPON MOTION OF COUNCILMAN BUCKMAN, DULY SECONDED BY COUNCILMAN ROYALTY AND CARRIED BY A VOTE OF 6 TO 0, THE HISTORICAL REVIEW BOARD RECOMMENDATIONS FOR COA'S #13-52, #13-54, #13-55, #13-56 AND #13-57 WERE APPROVED WITH THE RECOMMENDED CONDITIONS SET FORTH BY HRB.**

MINUTES

The minutes from the 09-10-2013 Regular Council meeting were presented. **UPON MOTION OF COUNCILMAN LYDIAN, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 6 TO 0, THE MINUTES WERE APPROVED.**

SECOND READING – ORDINANCE B2013-17 REZONE #2403 VIRGINIA ROYALTY ESTATE

City Clerk Bryant presented the summary of Ordinance B2013-17 for a second reading. Councilman Royalty asked to be recused from the meeting and left the Council room at 7:22pm. Below is the ordinance in its full capacity:

ORDINANCE NO. B2013-17

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 1.0 ACRE AT 1301 TEMPLIN AVENUE (KY 1430) FROM A-1 (AGRICULTURE DISTRICT) TO R-1A (SINGLE FAMILY RESIDENTIAL DISTRICT).

WHEREAS, the Joint City-County Planning Commission of Nelson County, Kentucky, on August 13, 2013, held a public hearing on the Application No. 2403 Virginia Royalty Estate to rezone 1.0 acres at 1301 Templin Avenue (KY 1430) from A-1 (Agriculture District) to R-1A (Single Family Residential 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 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 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 August 30, 2013, from the said Joint City-County Planning Commission of Nelson County to the Bardstown City Council and the property as described:

“Beginning at an existing iron pin, 30 ft. from the center of Templin Ave., and 25 ft. from the center of Castleton Drive; thence with the r/w line of Castleton Drive S 31-11-53 W 248.22 Ft. to an existing iron pin, corner of Wellington Place Subd., thence with Wellington N 58-48-51 W 175.21 ft to an existing iron pin, corner to Wellington, in the line of Salt River Electric; thence with Salt River Electric N 31-12-01 E 248.02 ft. to an existing iron pin, corner to Salt River Electric, and 30 ft. from the center of Templin Ave.; thence with the r/w line of Templin Ave. S 58-52-40 E 175.20 ft. to the point of beginning, containing 1.00 acres.”

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 SIMPSON, DULY SECONDED BY COUNCILMAN BUCKMAN, THE MAYOR CALLED THE ROLL AND THE FOLLOWING VOTED:

| | | |
|----------------------------|---|------------|
| COUNCILMAN BUCKMAN | - | AYE |
| COUNCILMAN LYDIAN | - | AYE |
| COUNCILMAN WILLIAMS | - | AYE |
| COUNCILMAN REED | - | AYE |
| COUNCILMAN SIMPSON | - | AYE |

MAYOR SHECKLES THEN DECLARED ORDINANCE NO. B2013-17 ADOPTED AND BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. _____. Councilman Royalty returned to the meeting.

RE-APPOINTMENTS

Mayor Sheckles recommended the re-appointment of Jan Johnston-Crowe for a 4-year term to the Removal of Architectural Barriers Committee. **UPON MOTION OF COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 6 TO 0, THE RE-APPOINTMENT WAS APPROVED.**

MUNICIPAL ORDER NO. 2013-17 PERSONNEL POLICY – MILITARY LEAVE

City Clerk Bryant presented Municipal Order No. 2013-17:

MUNICIPAL ORDER NO. 2013-17

MUNICIPAL ORDER AMENDING THE PERSONNEL POLICIES AND PROCEDURES ESTABLISHED IN MUNICIPAL ORDER NO. 91-8 AND AMENDED IN FULL IN MUNICIPAL ORDER NO. 2000-7 AND AMENDED IN MUNICIPAL ORDER NOS. 2003-16; 2004-4; 2007-8; 2008-08; 2009-07, 2009-15, 2011-03 AND 2013-03.

NOW THEREFORE BE IT ORDERED by the City of Bardstown, Commonwealth of Kentucky:

That the PERSONNEL POLICIES AND PROCEDURES, **SECTION VI: BENEFITS, I. Military Leave**, be changed to reflect the following:

I. Military Leave:

1. Any employee occupying an established position with the City who is a member of the National Guard or any reserve component of the Armed Forces of the United States, or of the Reserve Corps of the United States Public Health Service, shall be entitled to leave of absence without loss in pay for a period not exceeding ~~fifteen~~ **twenty-one** calendar days in any one calendar year for the purpose of attending annual mandatory training (KRS 61.394, 61.396).
2. The City shall comply with applicable laws when employees occupying established positions are called to active duty.

UPON MOTION OF COUNCILMAN ROYALTY, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0, MUNICIPAL ORDER NO 2013-17 WAS APPROVED.

COMMITTEE REPORTS

A special meeting of the Cable TV Programming Committee was held on September 18th to discuss adding the NFL Network Channel. City Electrical Engineer Mills presented their recommendation to add the channel. Prior to the Regular Council Meeting tonight, a meeting of the Electric and Cable Committee was held at 6:30pm. Councilman Simpson confirmed that the NFL Network Channel was discussed and asked Mills to give a report. The City currently has the channel capacity to launch the NFL Network. It would be a digital channel and no other channels would be lost to make this addition. The cost of the NFL Network would be passed along to those customers (approximately 1,818) that subscribe to digital basic and would require a set-top box. The monthly retail rate would automatically increase in January to cover the wholesale cost increase to that tier, including the cost of the NFL Network. The Red Zone, a premium service, would also be available, al-a-carte, as a season pass. The contract for the NFL Network and the Red Zone would expire on July 31, 2015. **UPON MOTION OF COUNCILMAN SIMPSON, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0, THE RECOMMENDATIONS TO LAUNCH THE NFL NETWORK AND THE RED ZONE, AND TO AUTHORIZE THE MAYOR TO SIGN AND EXECUTE THE CONTRACT, WERE APPROVED.**

Councilman Reed reported that a Recreation Committee meeting is scheduled for Thursday, September 26, 2013, 6:00pm in the Council Chambers.

STAFF REPORTS

Police Chief McCubbin reported that only two arrests were made during the Kentucky Bourbon Festival.

Director of Public Works and Engineering Hamilton reported that a leaking roof between the gym and the Council Chambers has caused major damage to the ceiling and walls. He invited the Council to review the area with him after the meeting.

CEMETERY DEEDS

One Bardstown Cemetery deed was presented; one grave site for Timothy David Hobbs. **UPON MOTION OF COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0, THE DEED WAS APPROVED.**

ADJOURNMENT

There being no further business to discuss and **UPON MOTION OF COUNCILMAN REED, DULY SECONDED BY COUNCILMAN ROYALTY AND CARRIED BY A VOTE OF 6 TO 0, THE MEETING WAS ADJOURNED.**

CITY OF BARDSTOWN

ATTEST:

William S. Sheckles, Mayor

Barbara Bryant, City Clerk