

**CITY OF BARDSTOWN
REGULAR COUNCIL MEETING MINUTES**

11-27-12

7:00 P.M.

The City Council met in a regular session in the Council Chambers with the following Councilmen:

- Councilman Joe Buckman
- Councilman Fred Hagan
- Councilman Francis Lydian
- Councilman Tommy Reed
- Councilman Bobby Simpson - **Absent**
- Councilman Roland Williams

Others present: Director of Public Works and Engineering Larry Hamilton, Chief Financial Officer Mike Abell, City Civil Engineer Jessica Filiatreau, Assistant City Administrator Larry Green, City Attorney Tom Donan, City Clerk Barbie Bryant, Historical Review Board Administrator Pen Bogert, BNC Volunteer Fire Department Chair Neal Pyle, Bardstown Fire Fighter Ernie Pyle, The Kentucky Standard reporter Randy Patrick, BRTV and WBRT co-owner Roth Stratton and citizens Keith Janes and his son Brian Janes.

Mayor Sheckles opened the meeting with a welcome to Mr. Janes and his son Brian. He then announced that at the end of the meeting the Council would go into an Executive Session pursuant to KRS 61.810 (1) (c), to discuss pending litigation styled Hall Contracting of Kentucky Inc., vs. City of Bardstown and Strand Associates, Inc., Nelson Circuit Court Civil Action # 11-CI-55.

TOWN CREEK WWTP SEWER MAIN REPLACEMENT BID

After receiving references on the two lowest bidders, GW Industries and Cleary Construction, City Civil Engineer Filiatreau recommended making the award to the second lowest bid by Cleary Construction.

Town Creek Treatment Plant Sewer Main Replacement Bid Tab									
City of Bardstown, Kentucky									
ITEM NO.	Est QUANTITY	UNIT	GW Industries UNIT PRICE	Cleary Const UNIT PRICE	Scott & Ritter UNIT PRICE	Lagco, Inc. UNIT PRICE	Basham Const UNIT PRICE	Filcon Const UNIT PRICE	Schroeder UNIT PRICE
1	625	LF	\$202.00	\$216.00	\$226.00	\$253.00	\$258.00	\$265.99	\$318.00
2	1	EA	\$7,100.00	\$5,000.00	\$4,310.00	\$5,800.00	\$7,500.00	\$4,527.18	\$5,000.00
3	1	EA	\$5,000.00	\$4,000.00	\$4,310.00	\$3,496.00	\$7,000.00	\$3,777.18	\$4,800.00
4	1	EA	\$28,760.00	\$21,500.00	\$20,615.00	\$17,600.00	\$34,250.00	\$17,782.60	\$25,000.00
5	1	EA	\$3,000.00	\$3,500.00	\$2,805.00	\$700.00	\$4,000.00	\$2,500.00	\$4,000.00
6	1	LS	\$9,800.00	\$8,500.00	\$11,785.00	\$16,278.00	\$6,000.00	\$11,141.75	\$4,000.00
7	1	LS	\$5,280.00	\$2,500.00	\$4,550.00	\$3,354.00	\$3,500.00	\$1,972.50	\$2,000.00
8	1	LS	\$2,100.00	\$5,000.00	\$1,290.00	\$4,595.00	\$2,500.00	\$19,410.00	\$2,500.00
9	1	LS	\$1,340.00	\$5,000.00	\$5,500.00	\$2,935.00	\$3,000.00	\$2,679.60	\$2,500.00
10	1	LS	\$2,600.00	\$7,500.00	\$12,300.00	\$5,123.00	\$5,000.00	\$6,165.00	\$2,500.00
11	1	TON S	\$35.00	\$25.00	\$25.00	\$25.00	\$60.00	\$19.57	\$32.00
ITEM NO.			GW Industries TOTALs	Cleary Const TOTALs	Scott & Ritter TOTALs	Lagco, Inc. TOTALs	Basham Const TOTALs	Filcon Const TOTALs	Schroeder TOTALs
1			\$126,250.00	\$135,000.00	\$141,250.00	\$158,125.00	\$161,250.00	\$166,243.75	\$198,750.00
2			\$7,100.00	\$5,000.00	\$4,310.00	\$5,800.00	\$7,500.00	\$4,527.18	\$5,000.00
3			\$5,000.00	\$4,000.00	\$4,310.00	\$3,496.00	\$7,000.00	\$3,777.18	\$4,800.00
4			\$28,760.00	\$21,500.00	\$20,615.00	\$17,600.00	\$34,250.00	\$17,782.60	\$25,000.00
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9			\$1,340.00	\$5,000.00	\$5,500.00	\$2,935.00	\$3,000.00	\$2,679.60	\$2,500.00
10			\$2,600.00	\$7,500.00	\$12,300.00	\$5,123.00	\$5,000.00	\$6,165.00	\$2,500.00
	BID TOTAL:		\$191,230.00	\$197,500.00	\$208,715.00	\$218,006.00	\$234,000.00	\$236,199.56	\$251,050.00
			0	0	0	0	0	236,200	0

NOTE: GW Industries is the apparent low bidder.

ITEM NO.	ITEM DESCRIPTION	Estimated QUANTITY	UNIT
1	36" PVC SDR 26 gravity sewer, including pipe & joint material installation, bedding, backfill, finish grade, rock removal, dewatering & removal of existing 24" diameter gravity sewer main	625	LF
2	Remove existing Manhole and replace with a five (5') foot Diameter Manhole - Base Section, Precast Barrel Sections, Conical, Top Slab, Frame & Cover & Testing (SM1)	1	EA

3	Five (5') foot Diameter Manhole - Base Section, Precast Barrel Sections, Conical, Top Slab, Frame & Cover & Testing (SM2)	1	EA
4	Precast Distribution Box with hatch & stainless steel sluice gates	1	EA
5	Core new opening at existing junction box near headworks	1	EA
6	Bypass Pumping including set-up and operation. Pump provided by City of Bardstown. Include all fittings to tie into existing 14" force main	1	LS
7	Erosion Control & Sediment Prevention. (See Plan Sheet for Site BMP's)	1	LS
8	Remove from site and dispose of all pipe and construction debris from demolition of existing distribution box, manhole and pipe replacement	1	LS
9	Gravel Road Replacement	1	LS
10	Site Restoration, including rip-rap and seeding with straw	1	LS
Provide a unit price for item below: (Contractor shall provide tickets to verify quantities)			
11	#57 Stone aggregate to fill voids below bedding in sewer trench	1	TONS

UPON MOTION OF COUNCILMAN HAGAN, DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 5 TO 0, THE RECOMMENDATION TO AWARD THE CONTRACT TO CLEARY CONSTRUCTION BASED ON THE REFERENCES RECEIVED IN THE AMOUNT OF \$197,500.00 WAS APPROVED.

The original budget for this project was \$125,000. There are funds in the sewer budget to cover the difference. CFO Abell will be able to postpone the Kentucky Infrastructure Authority principal payment until after the first of the FY 14 year. The FY 13 payment would now be for the interest only.

HISTORICAL REVIEW BOARD RECOMMENDATIONS

Mayor Sheckles presented the following Historical Review Board recommendations:

Certificates of Appropriateness

1. COA #12-50 [RECOMMENDED]

111 W. Halstead Ave.

Daniel Bennett had painted the exterior of his residence at 111 W. Halstead Ave. without review or a permit. The color of the brick exterior has been repainted in a brick red and the door trim has been repainted a slate color with a band of yellow painted on the brick surrounding the doorway (see photo). This application was tabled at the September 18 meeting.

Recommendation: To recommend approval of the exterior paint colors at 111 W. Halstead Ave., as specified in this application, on the condition that the yellow section surrounding the doorway be repainted the same color as the brick.

2. COA #12-69 [RECOMMENDED]

211 W. Flaget Ave.

Bill and Donna Ellis have submitted an application for the extension of the concrete driveway along the east side of the property and for the construction of a parking pad. The driveway will extend an additional 32' and the concrete pad at the rear (including part of the driveway) will measure 25' x 24' with an additional 12' x 8' area for parking and turnaround (see diagram).

Recommendation: To recommend approval of the extension of the concrete driveway and the construction of a parking pad at 211 W. Flaget Ave., as specified in this application.

3. COA #12-70 [RECOMMENDED]

460 E. Stephen Foster Ave.

Wycked Cruzers RC have applied for a window sign and door sign (red, white, and yellow) on the front of the building.

Recommendation: To recommend approval of a window sign and door sign at 460 E. Stephen Foster Ave., as specified in this application.

4. COA #12-71 [RECOMMENDED]

112 W. Broadway

William Keith Janes has applied for the construction of a carport at the rear (north side) of the property. The carport will be located 5 ½' from the west property line and 6 ½' from the rear of the house. It will measure 20' x 12' x 10' and be supported by 4x4x8 treated and braced wood posts set in concrete. The roof will be asphalt shingle to match the house and the gable ends will be constructed with cement board siding. Colors will match the house.

Recommendation: To recommend approval of the construction of a carport at the rear of 112 W. Broadway, as specified in this application.

5. COA #12-72 [RECOMMENDED]

207 W. Stephen Foster Ave.

Mike Hatchett has applied for a 30" x 24" pole-mounted sign on an existing fixture and a window sign (see attached graphics).

Recommendation: To recommend approval of the installation of a pole-mounted sign and window sign at 207 W. Stephen Foster Ave., as specified in this application.

Mayor Sheckles ask the Council to begin with #5, COA #12-72; Councilman Buckman excused himself from the meeting at 7:12pm.

UPON MOTION OF COUNCILMAN REED, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 4 TO 0, THE HISTORICAL REVIEW BOARD RECOMMENDATION FOR COA'S #12-72 WAS APPROVED.

Councilman Buckman returned to the meeting.

Councilman Buckman questioned if the Historical District included the structure north of Halstead. HRB Administrator Bogert explained that the Rosemark Haven and the Bennett Houses were designated as "historical landmark" residences in the late 1980's and are regulated under the Historical District guidelines.

UPON MOTION OF COUNCILMAN LYDIAN, DULY SECONDED BY COUNCILMAN HAGAN AND CARRIED BY A VOTE OF 5 TO 0, THE HISTORICAL REVIEW BOARD RECOMMENDATIONS FOR COA'S #12-50, #12-69, #12-70, AND #12-71 WERE APPROVED.

ECONOMIC INDICATORS FROM NCEDA

Mayor Sheckles reviewed the handout showing economic indicators for the first six months of 2012 for Bardstown and Nelson County that included the unemployment rates, building permits, business licenses, occupation taxes, and restaurant and lodging tax revenues.

MINUTES

The minutes from the 11-13-2012 regular Council meeting were presented and **UPON MOTION OF COUNCILMAN HAGAN, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 5 TO 0, THEY WERE APPROVED.**

MARION COUNTY HONOR GUARD

Councilman Williams reported that he had received private donations from the Council members, the Mayor and several citizens in the amount of \$835.00. His request for a donation by the Council through their contingency funds was withdrawn.

DATE CHANGE FOR THE COUNCIL MEETING ON SECOND TUESDAY OF MONTH

Mayor Sheckles discussed the need to change the date of the regular Council meeting that will fall on Christmas Day this year. The Council agreed that the date for the second monthly meeting will be changed to December 18, 2012 at 7:00pm. The Swearing-In Ceremony and pictures will occur on the 18th as well. The re-elected Council members should receive their certificates of election in the mail within the next week. The Working Session for December will be cancelled.

PROCLAMATION FOR DR. HARRY S. SPALDING

Mayor Sheckles announced that proclamation has been prepared, dedicating the date of December 3, 2012 as "Dr. Harry S. Spalding Day." The proclamation will be posted in the Kentucky Standard on Sunday, 12-02-2012, and the City will pay for the advertisement.

COMMITTEE REPORTS

Councilman Reed announced that a Recreation Board meeting will be held on Thursday, November 29, 2012 at 6:00pm.

Councilman Buckman reported that the efforts to keep Anatok from being demolished have come to an end. He feels strongly that the loss of Anatok will be a felt for years to come.

STAFF REPORTS

CFO Abell reported that the software company is still working on the problems for the Pay-By-Phone project. He hopes to have it up and running in the near future.

City Civil Engineer Filiatreau reported that the audit in August for the Stormwater program came back with no violations. The bi-yearly inspection of the Jerry Riley WWTP also reported no violations and is considered in "good standing."

CEMETERY DEEDS

Mayor Sheckles once again gave kudos to City Clerk Bryant and to MS4-GIS Technician Josh Cammack for their efforts to update the location of grave sites in the Bardstown Cemetery. Councilman Lydian commented that the program now shows at least 16 years of space available for purchase.

Two (2) Bardstown Cemetery deeds were presented; one grave site for Cheryl Myers and one grave site for James Floyd Jones. **UPON MOTION OF COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 5 TO 0, THE DEEDS WERE APPROVED.**

EXECUTIVE SESSION

Mayor Sheckles announced that the Council would go into an Executive Session pursuant to KRS 61.810 (1) (c), to discuss pending litigation styled Hall Contracting of Kentucky Inc., vs. City of Bardstown and Strand Associates, Inc., Nelson Circuit Court Civil Action #11-CI-55. **UPON MOTION OF COUNCILMAN HAGAN, DULY SECONDED BY COUNCILMAN LYDIAN AND CARRIED BY A VOTE OF 5 TO 0, THE COUNCIL WENT INTO EXECUTIVE SESSION AT 7:35PM.**

UPON MOTION OF COUNCILMAN BUCKMAN, DULY SECONDED BY COUNCILMAN HAGAN AND CARRIED BY A VOTE OF 5 TO 0, THE COUNCIL CAME OUT OF EXECUTIVE SESSION AT 7:50PM.

The minutes will reflect that no action was taken during the Executive Session.

ADJOURNMENT

Being no further business to discuss and **UPON MOTION OF COUNCILMAN HAGAN, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 5 TO 0, THE MEETING WAS ADJOURNED.**

CITY OF BARDSTOWN

ATTEST:

Barbara Bryant, City Clerk

William S. Sheckles, Mayor