

**CITY OF BARDSTOWN
SPECIAL COUNCIL MEETING MINUTES**

12-18-12

6:30 P.M.

With Mayor Bill Sheckles presiding, the City Council met for a special session in the Council Chambers with the following Councilmen:

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

Others present: Police Chief Rick McCubbin, Interim Fire Chief Marlin Howard, Assistant Fire Chief Billy Mattingly, Assistant City Administrator Larry Green, Director of Public Works and Engineering Larry Hamilton, Chief Financial Officer Mike Abell, City Attorney Tom Donan, City Clerk Barbie Bryant, The Kentucky Standard reporter Randy Patrick, WYSB reporter Tom Redmon, Councilman-elect John Royalty, County Magistrate Bernard Ice, County Magistrate Keith Metcalfe, and the following individuals: Tommy Howard, JoAnn Howard, Charles Howard, Carol Simpson, Gladys Johnson, Henry Smith, Jan Howard, Kevin Grayson, Larry and Linda Klostermann, Scotty and Melinda Downs, Mike Smith, Todd Spalding, Casey Pyle, Denise Pyle, Josh Wright, Melinda Monin, Anne Rosalie Ballard, Robert Ballard, Mariah Ballard, Michael Ballard, Jean Franke, David Hall, Kerry Monin, C.R. Royalty, Derrick Laswell, Neal Pyle, Stacey Faulkner, Henry Smith, Gladys Johnson, Mohammad Shams, David Goss, Josh Kamuf, Pat Krish, John Roby, Terry Dickerson, William Koenke, Pat and Mike Jackey, Scott Mattingly and Jerry Janes.

Mayor Sheckles called the meeting to order. He stated that this meeting would be the last one of the year since the Regular Council meeting date would have been on the 25th.

APPOINTMENT OF THE BARDSTOWN FIRE CHIEF

Mayor Sheckles asked for the Council's approval of his recommendation to appoint Marlin Howard as Chief of the Bardstown Fire Department. **UPON MOTION OF COUNCILMAN SIMPSON, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 6 TO 0, THE APPOINTMENT WAS APPROVED.**

SWEARING-IN CEREMONY FOR ELECTED COUNCIL MEMBERS AND APPOINTED STAFF

Newly elected Council members Joe Buckman, Francis Lydian, Tommy Reed, John Royalty, Bobby Simpson and Roland Williams appeared before Mayor Sheckles, who administered the oath of office under the laws of the Commonwealth of Kentucky. Fire Chief Marlin Howard, Police Chief Rick McCubbin and Chief Financial Officer Mike Abell appeared before Mayor Sheckles, who administered the oath of office under the laws of the Commonwealth of Kentucky.

Mayor Sheckles announced that a reception would be held immediately after the meeting in the Bardstown Fire Department to honor the newly appointed Fire Chief Marlin Howard.

PICTURES OF MAYOR, ELECTED COUNCIL MEMBERS AND CITY STAFF

Mike Jackey, of Jackey Photography, took photos of the Mayor with the Council and photos of City Staff members. These photos are showcased in the hallway of City Hall.

STEPHEN FOSTER DRAMA ASSOCIATION

Louis Ballard was unable to attend the meeting. A presentation will be made at a future meeting of the City Council.

REQUEST FROM FLAGET HEALTHCARE, INC FOR SEWER SERVICE

Public Works and Engineering Director Hamilton presented a letter from the engineering services of Land Design and Development, Inc., to request approval for sanitary sewer service for the facility known as Flaget Medical Office Building located at 4305 New Shepherdsville Road. **UPON MOTION OF COUNCILMAN LYDIAN, DULY SECONDED BY COUNCILMAN HAGAN AND CARRIED BY A VOTE OF 6 TO 0, THE REQUEST FOR SEWER SERVICE WAS APPROVED.**

REQUEST FROM BALLARD & GINN, INC FOR WATER SERVICE

Public Works and Engineering Director Hamilton presented a letter from Horizon Engineering, LLC to request potable water service on property located at the end of Ed Brent Lane. **UPON MOTION OF COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0, THE REQUEST FOR WATER SERVICE WAS APPROVED.**

MINUTES

The minutes from the 12-11-2012 regular Council meeting were presented and **UPON MOTION OF COUNCILMAN LYDIAN, DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 6 TO 0, THEY WERE APPROVED.**

SECOND READING – REZONING ORDINANCE B2012-24 REZONING #2377-COLONIAL ESCROW SERVICES, LLC.

City Clerk Bryant presented the second reading:

ORDINANCE NO. B2012 – 24

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 APPROXIMATELY 10.543 ACRES AT 300 ARMAG AVENUE (Tract #1C, Tebco Industrial Park Amended Plat) FROM LIP (Light Industrial/Commercial Park) TO I-2 (Heavy Industrial District).

WHEREAS, the Joint City-County Planning Commission of Nelson County, Kentucky, on November 13, 2012, held a public hearing on the Application No. 2377 for Colonial Escrow Services, LLC and Haydon Holdings, LLC to rezone 10.543 acres at 300 Armag Avenue (Tract #1C, Tebco Industrial Park Amended Plat) from LIP (Light Industrial/Commercial Park) to I-2 (Heavy Industrial 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

UPON MOTION OF Councilman Reed, duly seconded by Councilman Simpson and carried, the City Council approved upon first reading the recommendation stated from the Planning and Zoning Commission to approve the request. The motion included any restrictions or conditions that may have been agreed to by the applicant and the Planning Commission.

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 December 3, 2012, from the said Joint City-County Planning Commission of Nelson County to the Bardstown City Council and the property as described in attachment A.

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.

Rezoning #2377 for Colonial Escrow Services, LLC

ATTACHMENT A

Beginning at a set ½ inch rebar with cap stamped "Wolf 3742" (set rebar henceforth) in the south right-of-way line of Armag Avenue, a new corner to a tract of land conveyed to Tebco, Inc. of record in Deed Book 245, Page 161 in the Office of the Clerk of Nelson County, Kentucky; thence with the south right-of-way line of said avenue through the following three calls: north 55 degrees 12' 27" east 15.61 feet to a set rebar; thence, north 38 degrees 37'22" east 51.32 feet to a set rebar; thence, north 33 degrees 19'42" east 54.18 feet to a found 5/8 inch rebar with cap stamped "HIBBS 2981" (found rebar henceforth) in the south right-of-way line of Armag Avenue, corner to a tract of land conveyed to Nally & Haydon Holdings, LLC of record in Deed Book 400, Page 15 and Deed Book 426, Page 62 in the Clerk's office aforesaid; thence leaving the south right-of-way line of said avenue and running with the southwest line of said Nally & Haydon, LLC, south 46 degrees 20'40" east 238.67 feet to a found rebar corner to said Nally & Haydon, LLC; thence with the southeast line of said Nally & Haydon, LLC, north 38 degrees 37'40" east 725.68 feet to a found rebar, corner to said Nally & Haydon, LLC and a tract of land conveyed to Donald W. Ferguson of record in Deed Book 258, Page 468 in the Clerk's office aforesaid; thence with the southwest line of said Ferguson, south 42 degrees 56'15" east 425.71 feet to a set rebar, corner to said Ferguson and in the north right-of-way line of Spencer Mattingly Lane; thence with the north right-of-way line of said lane through the following three calls: south 24 degrees 34'22" west 99.18 feet; thence, south 25 degrees 26'43" west 470.28 feet; thence, south 27 degrees 09'36" west 288.20 feet to a set rebar in the north right-of-way line of Spencer Mattingly Lane, a new corner to said Tebco, Inc., thence with a new division line across said Tebco, Inc., north 46 degrees 22' 44" west 850.17 feet to the point of beginning, having an area of 10.543 acres.

UPON MOTION OF COUNCILMAN REED, DULY SECONDED BY COUNCILMAN SIMPSON, THE MAYOR CALLED THE ROLL AND THE FOLLOWING VOTED:

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

MAYOR SHECKLES THEN DECLARED ORDINANCE NO. B2012-24 ADOPTED WITH CORRECTIONS AND TO BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. _____.

COMMITTEE REPORTS

Councilman Simpson reported on the Safety Committee meeting where Police Chief McCubbin gave a quarterly report during which he commented on the fact that the Police Department has been in service for 188 years. A candidate will be sent to the Academy and the employee currently on military leave was also discussed. Councilman Simpson then gave an update on the inter-local agreement between the City of Bardstown and the Bardstown Nelson County Volunteer Fire Department. Mayor Sheckles commended the Chairman of the BNCVFD, Neal Pyle, and Fire Chief Howard on their commitment to work with the volunteers to bring all together as a “department.”

ADJOURNMENT

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

CITY OF BARDSTOWN

ATTEST:

Barbara Bryant, City Clerk

William S. Sheckles, Mayor