

CITY OF BARDSTOWN
SPECIAL COUNCIL MEETING MINUTES
12-23-2013
7:00 – 7:52 PM

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

Councilman Buckman
Councilman Lydian
Councilman Reed
Councilman Royalty - **absent**
Councilman Simpson
Councilman Williams

Others present: City Attorney Tom Donan, City Clerk Barbie Bryant, Director of Public Works and Engineering Larry Hamilton, City Civil Engineer Jessica Filiatreau, City Firefighter Justin Brown, Kentucky Standard reporter Randy Patrick, WBRT Co-owner Roth Stratton and BRT-TV cameraman Colin Rogers.

The Mayor called the special meeting to order and reminded all that only the items on the agenda could be discussed.

PINEVIEW SUBDIVISION RE-PLATTING, PHASE IV

Director of Public Works and Engineering Hamilton is working with Town and Country Bank and Trust, who purchased the property at a Master Commissioner Sale due to a default by the previous developer. In a Letter of Request, Town and Country Bank (TCB) is requesting from the City of Bardstown (City) the following:

1. TCB will pay to the City via a draw on Letter of Credit #392 an amount of \$23,408 for reimbursement for the pump station and force main portions of the proposed subdivision improvements that were included in the original scope of work covered by the letter of credit. This work was alternatively performed by the installation of a gravity sewer system by the City.
2. TCB would like to re-plat the current layout shown on the plat for the phase IV area of Pineview subdivision to a single tract.
3. TCB would then propose to cancel the remainder of the current letter of credit, and issue a replacement letter of credit for approximately \$22,500. This amount would serve as security bond for a shortened roadway and cul-de-sac at the end of Pineview Drive to allow for service truck, bus and traffic turnaround.
4. TCB would then market the property for sale as a single tract, and any other changes or proposed development alterations by a potential purchaser would require the appropriate approvals from the City as they would in the normal course of business.

This agreement would terminate all obligations of TCB to the City in relation to this project subject to the foregoing conditions, and would be documented with a written agreement reviewed by counsel of both Town and Country Bank and Trust and City of Bardstown.

UPON MOTION OF COUNCILMAN REED, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 5 TO 0, THE RECOMMENDATION TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH TOWN AND COUNTRY BANK AND TRUST IN ORDER TO REPLAT PHASE IV OF THE PINEVIEW SUBDIVISION, WAS APPROVED.

HISTORICAL REVIEW BOARD RECOMMENDATIONS

Mayor Sheckles presented the following Historical Review Board recommendations:

- (a) COA-13-66. Weiland Shelburne, Applicant/Owner requests approval for a Conditional Use Permit for a yoga studio at 112 West Broadway Avenue. Recommendation: The Historic Review Board recommends approval of the Conditional Use Permit. The permit must go before the Board of Adjustments for approval, as well.
- (b) COA-13-67. Andy Sketo (Landmark Stone, Inc.), Applicant and SBF Properties, Owner, propose to restore a window to original size, using a historic wood 6/6 window to match the others, and to fill in an attic vent using brick recovered on-site at 114 South Third Street. Recommendation: The Historic Review Board recommends approval of the restoration of the window and the filling of the attic vent. The bricks and sill shall be reused. The brick shall be painted to match the rest of the structure.
- (c) COA-13-68. Howard Keene and Dedra Ford, Applicant/Owner, propose to install a fence, lighting and barrel barrier at 110 West Flaget Avenue. Recommendation: The Historic Review Board recommends approval of the installation of the 6 foot wooden fence with lattice top with the stipulation that the two gates be staff approved and the Applicant shall seek council from Code Enforcement and/or insurance provider on the placement of the handicap entrance. The barrel barrier and lighting are recommended for approval.

UPON MOTION OF COUNCILMAN BUCKMAN, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 5 TO 0, THE HISTORICAL REVIEW BOARD RECOMMENDATIONS FOR COA'S #13-66, #13-67 AND #13-68 WERE APPROVED WITH THE RECOMMENDED CONDITIONS SET FORTH BY HRB.

DRB-59 (AMENDED) RANDY PINKSTON

The Development Review Board reviewed and recommended approval of the site, building, landscaping, and lighting plans for the site alterations at 1297 Springfield Road (US 150) and develop an off-site parking lot at 1235 Springfield Rd for Randy Pinkston. **UPON MOTION OF COUNCILMAN BUCKMAN, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 5 TO 0, THE RECOMMENDATION FROM THE DEVELOPMENT REVIEW BOARD, WITH ITS CONDITIONS, WAS APPROVED.**

DRB-202 FRANKLIN FAMILY PROPERTIES

The Development Review Board reviewed and recommended approval of the site, building, landscaping, and lighting plans for a 30,000 square foot addition onto the existing commercial building at 120 West John Rowan Boulevard (KY 245) for Franklin Family Properties. **UPON MOTION OF COUNCILMAN LYDIAN, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 5 TO 0, THE RECOMMENDATION FROM THE DEVELOPMENT REVIEW BOARD, WITH ITS CONDITIONS, WAS APPROVED.**

2014 KENTUCKY BOURBON FESTIVAL LAWN LAYOUT

The Mayor presented the lawn layout and street closings for the 2014 Kentucky Bourbon Festival to be held September 16th through the 21st. The layout remains the same as in 2013 with the Spirits Garden in the front of City Hall. **UPON MOTION OF COUNCILMAN SIMPSON, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 5 TO 0, THE 2014 KENTUCKY BOURBON FESTIVAL LAWN LAYOUT AND STREET CLOSINGS WERE APPROVED.**

MINUTES

The minutes from the 12-10-2013 Regular Council meeting were presented. **UPON MOTION OF COUNCILMAN REED, DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 5 TO 0, THE MINUTES WERE APPROVED.**

BOARD REAPPOINTMENTS

Mayor Sheckles presented the following reappointments and thanked them for their commitment to serve:

- Otis Ballard, Joint Ethics Board, 3 year term, effective 12-27-13
- Donald Blincoe, Property Maintenance Board of Appeals, 3 year term, effective 12-28-13
- Bambi Jo Harris, Property Valuation Board of Assessment Appeal, 3 year term, effective 1-1-14
- Tim Hockensmith, Recreation Advisory Board, 1 year term, effective 1-1-14
- Don Parrish, Historical Review Board, 3 year term, effective 1-10-14
- Mary Keene, Historical Review Board, 3 year term, effective 1-12-14

UPON MOTION OF COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 5 TO 0, THE REAPPOINTMENTS WERE APPROVED.

MUNICIPAL ORDERS NO. 2013-20 AND NO. 2013-21

Mayor Sheckles presented a Tax Moratorium request from Cathy Clements Keene, owner of Peacock on Third, who recently purchased the Spalding's & Sons building and will move her business to that location. Upon the recommendation of Property Valuation Administrator Barbara Tichenor, the two parcels should be separated and valued separately.

MUNICIPAL ORDER NO. 2013-20
RESOLUTION

A RESOLUTION ACCEPTING THE APPLICATION FOR AN ASSESSMENT MORATORIUM CERTIFICATE FOR THE PROPERTY LOCATED AT 122 NORTH THIRD 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 RESOLVED BY THE CITY COUNCIL OF THE CITY OF BARDSTOWN, KY:

SECTION 1

That the "Application for Assessment Moratorium Certificate" for the property located at 122 North Third 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.

MUNICIPAL ORDER NO. 2013-21
RESOLUTION

A RESOLUTION ACCEPTING THE APPLICATION FOR AN ASSESSMENT MORATORIUM CERTIFICATE FOR THE PROPERTY LOCATED AT 124 NORTH THIRD 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 RESOLVED BY THE CITY COUNCIL OF THE CITY OF BARDSTOWN, KY:

SECTION 1

That the “Application for Assessment Moratorium Certificate” for the property located at 124 North Third 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.

UPON MOTION OF COUNCILMAN BUCKMAN, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 5 TO 0, MUNICIPAL ORDERS NO. 2013-20 AND NO. 2013-21 WERE APPROVED.

COMMITTEE REPORTS

Director of Public Works and Engineer Hamilton gave an update on the Cable TV Programming Committee meeting that was held on December 13, 2013. Since three channels were recently lost in the HD Extreme Tier, it was recommended by the Programming Committee to add SONY HD and Palladia (MTV) HD to the tier. The additional programming would not cause any rate change to the customer.

CEMETERY DEEDS

Three Bardstown Cemetery deeds were presented; one grave site for Jo Ann Stivers; two grave sites for Ted and Jamie Lee Herman; one grave site for Damon and Martha Tichenor. **UPON MOTION OF COUNCILMAN SIMPSON, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 5 TO 0, THE DEEDS WERE APPROVED.**

ADJOURNMENT

Mayor Sheckles adjourned the meeting at 7:52pm.

CITY OF BARDSTOWN

ATTEST:

William S. Sheckles, Mayor

Barbara Bryant, City Clerk