

**CITY OF BARDSTOWN
REGULAR COUNCIL MEETING MINUTES
1-11-11
7:00 P.M.**

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

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

Others present: Police Chief Marksbury, Asst. City Administrator Green, Public Works and Engineering Director Hamilton, City Civil Engineer Filiatreau, Chief Financial Officer Abell, City Electrical Engineer Mills, City Attorney Donan, City Clerk Blincoe, The Kentucky Standard reporter Frank Johnson, WBRT/WOKH reporter Mark Hicks, WYSB reporter Tom Redmon, Ray Ihlenburg with O'Brien & Gere Engineers, Richard Nest and Crystal Brady.

WELCOME FROM MAYOR SHECKLES

Mayor Sheckles welcomed everyone to the first Council meeting of 2011 and to his first meeting as Mayor of Bardstown. He also announced that the Council would go into an Executive Session at the end of the meeting pursuant to KRS 61.810 1. (b), to discuss the future acquisition or sale of real property.

CHANGE ORDER NO. 1 - WTP CLEARWELL AND IMPROVEMENT PROJECT

Ray Ihlenburg, O'Brien & Gere Engineers, presented the Change Order and reviewed the changes with the Council, such as, changes to the kind of stone and valves used in parts of the project. The change order was as follows:

**CONTRACT CHANGE ORDER FORM
NUMBER 1**

BID#/PROJECT: Project Number 41265	
DATE OF ISSUANCE: July 1, 2010	EFFECTIVE DATE: July 1, 2010
OWNER: City of Bardstown, Kentucky	OWNER's Contract No.: 54-00-00-7300
CONTRACTOR: Scott & Ritter, Inc.	ENGINEER: O'Brien & Gere Engineers, Inc
<p>Scott & Ritter was directed to make the following changes in the Contract Documents. Description: 1) Revise yard piping associated with connecting low service pumps to new clearwell; 2) Use butterfly valves instead of gate valves; 3) Clearwell site granular fill shot quarry rock instead of No. 57 stone; 4) Revise the length and diameter of the storm sewer to negotiate the unsuitable material found; 5) Implement revised Motor Control Center (MCC) line-up using the existing 200Amp feed and one new 200Amp feed to power the new MCC line ups. Reason for Change Order: Value Engineering with Scott & Ritter (1, 2, 3, & 5) and changes in conditions (4). Attachments: A narrative for each change is provided on page two of this Change Order followed by the work sheets provided by the Contractor.</p>	
CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIME:
Original Contract Price \$4,344,100.00	Original Contract Times Substantial Completion: 365 days Ready for final payment: 425 days
Net changes from previous Change Orders No. ____ to No. <u>1</u> N/A	Net change from previous change Orders No. ____ to No. <u>1</u> N/A
Contract Price prior to this Change Order \$4,344,100.00	Contract Times Prior to this Change Order Substantial Completion: 365 days Ready for final payment: 425 days
Net Increase (decrease) of this Change Order (\$49,000)	Net Increase (decrease) of this Change Order Zero days
Contract Price with all approved Change Orders \$4,295,100.00	Contract Times with all approved Change Orders Substantial Completion: 365 days Ready for final payment: 425 days
RECOMMENDED: By: <u>[Signature]</u> Engineer (Authorized Signature) Date: <u>1-10-11</u>	APPROVED: By: _____ Owner (Authorized Signature) Date: _____
	ACCEPTED: By: <u>[Signature]</u> Contractor (Authorized Signature) Date: <u>1-10-2011</u>
Prepared by the Engineers Joint Contract Documents Committee and endorsed by The Associated General Contractors of America.	

The City Engineering Department recommended approval of Change Order No. 1. **UPON MOTION OF COUNCILMAN HAGAN, DULY SECONDED BY COUNCILMAN LYDIAN AND CARRIED BY A VOTE OF 6 TO 0, CHANGE ORDER NO. 1 WAS APPROVED IN THE DECREASED AMOUNT OF \$49,000.00 FOR A REMAINING CONTRACT AMOUNT OF \$4,295,100.00 WITH SCOTT & RITTER, INC.**

DRB-168 - DAVID WHEATLEY - 1235 SPRINGFIELD ROAD

The Development Review Board's recommendation for approval was presented on DRB-168 for David Wheatley to construct a 30' x 60' accessory structure on his property located at 1235 Springfield Road. The property is zoned B-3, Regional Retail Business District and is used as a non-conforming, single-family residential use. The following conditions were added to the recommendation:

1. If the accessory structure is ever converted to non-residential use and/or if the site is ever used for commercial use, then such non-residential use must meet all parking, unloading/loading, buffering/screening, and other Zoning Regulations and Design Standards, and,

2. All roof and/or ground-mounted equipment must be screened from public view with fencing and/or landscaping.

UPON MOTION OF COUNCILMAN REED, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0, THE RECOMMENDATION FROM THE DEVELOPMENT REVIEW BOARD WAS APPROVED WITH THE CONDITIONS.

MINUTES

The minutes from the 12-28-10 regular Council meeting were then presented and UPON MOTION OF COUNCILMAN SIMPSON, DULY SECONDED BY COUNCILMAN HAGAN AND CARRIED BY A VOTE OF 6 TO 0, THEY WERE APPROVED.

PLANNING & ZONING COMMISSION - PERMIT FEES/LATE FEES

Councilman Hagan spoke to the Council regarding permit and fee concerns that were expressed at a City Council meeting that was held on November 9, 2010. Hagan said that he would be reviewing information on the permit and fee structure and would keep the Council informed on his discussions with the Planning Commission. Any changes to the schedule would need to be approved by the Planning Commission and the legislative bodies. Councilman Hagan served on the Planning Commission for the last two years before retiring after being elected as City Councilman.

MUNICIPAL ORDER NO. 2011-01 - COUNCIL COMMITTEES

Municipal Order No. 2011-01 was presented as follows:

MUNICIPAL ORDER NO. 2011-01

WHEREAS, the Mayor and City Council wish to name members to committees to study the policies and operations of the Fire and Police Departments (**SAFETY COMMITTEE**); to study the finances of the City (**FINANCE COMMITTEE**); to study the needs of the community and plan for future growth (**LONG-TERM PLANNING COMMITTEE, HOUSING COMMITTEE, TRANSPORTATION COMMITTEE AND ANNEXATION COMMITTEE**); to study the policies and operations of the Electric, Cable TV and Internet Departments of the City (**ELECTRIC AND CABLE TV COMMITTEE**); to study the policies and operations of the Water and Wastewater Departments of the City (**WATER AND WASTEWATER COMMITTEE**); to study the policies and operations of the Cemetery Department (**CEMETERY COMMITTEE**); to study the policies and operations of the Recreation Department of the City (**RECREATION COMMITTEE**); and to study the use and maintenance of the streets and the policies and operations of the Solid Waste Department (**STREET AND SOLID WASTE COMMITTEE**).

NOW THEREFORE, be it ordered by the City Council of the City of Bardstown, Commonwealth of Kentucky:

1. That there is hereby named a Safety Committee of the City Council whose members shall be: Chairman Councilman Bobby Simpson, Councilman Roland Williams and Councilman Francis Lydian, and that the Safety Committee shall have meetings as needed.
2. That there is hereby named a Finance Committee of the City Council whose members shall be: Co-Chairman Mayor Bill Sheckles, Co-Chairman Councilman Fred Hagan, Councilman Bobby Simpson, Councilman Tommy Reed, and Chief Financial Officer Mike Abell, and that the Finance Committee shall have meetings as needed.
3. That there is hereby named a Long-Term Planning Committee of the City Council whose members shall be: Chairman Councilman Fred Hagan, Councilman Tommy Reed, and Councilman Bobby Simpson, and that the Long-Term Planning Committee shall have meetings as needed.
4. That there is hereby named an Electric and Cable TV Committee of the City Council whose members shall be: Chairman Councilman Bobby Simpson, Councilman Roland Williams, and Councilman Fred Hagan, and that the Electric and Cable TV Committee shall have meetings as needed.
5. That there is hereby named a Water and Wastewater Committee of the City Council whose members shall be: Chairman Councilman Fred Hagan, Councilman Francis Lydian and Councilman Joe Buckman, and that the Water and Wastewater Committee shall have meetings as needed.
6. That there is hereby created a Cemetery Committee of the City Council whose members shall be: Chairman Councilman Bobby Simpson, Mayor Bill Sheckles, Councilman Francis Lydian, Public Works and Engineering Director Hamilton, Public Works Superintendent Mike Burba, Groundskeeper Phillip Grubbs, Sexton Bobbe Blincoe and citizen-member Evelyn Oakley, and that the Cemetery Committee shall have regularly scheduled meetings on the second Wednesday of February, May, August and November of each year at 8:30 a.m. at City Hall.
7. That there is hereby named a Recreation Committee of the City Council whose members shall be: Councilman Tommy Reed and Mayor's Appointee Steve Woodson along with the Recreation Board members, and that the Recreation Board shall have regularly scheduled meetings every other month beginning in January on the 4th Thursday, 6:00 PM in the City Council Chambers.
8. That there is hereby named a Street and Solid Waste Committee of the City Council whose members shall be: Chairman Councilman Francis Lydian, Councilman Bobby Simpson, and Councilman Joe Buckman, and that the Street and Solid Waste Committee shall have meetings as needed.
9. That there is hereby named an Annexation Committee of the City Council whose members shall be: Mayor Bill Sheckles, Councilman Bobby Simpson, Councilman Joe Buckman, Councilman Fred Hagan, Jerry Janes, Mike Zoeller, Asst. City Administrator Larry Green, Public Works and Engineering Director Larry Hamilton and City Civil Engineer Jessica Filiatreau.
10. That there is hereby named a Housing Committee of the City Council whose members shall be: Chairman Councilman Francis Lydian, Councilman Joe Buckman, Councilman Roland Williams, Merrill Rogers, Anna Hickman and LTADD Rep. Nicole Banks, and that the Housing Committee shall have meetings as needed.
11. That there is hereby named a Transportation Planning Committee of the City Council whose members shall be: Chairman Mayor Bill Sheckles, Councilman Francis Lydian, Councilman Tommy Reed, Councilman Fred Hagan, Councilman Joe Buckman, Councilman Roland Williams, Councilman Bobby Simpson, Director of Public Works and Engineering Larry Hamilton, City Civil Engineer Jessica Filiatreau, State Representative David Floyd, Kenny Fogle, David Haydon, Mark Mathis, Jim Lemieux and Planning Commission Administrator Jan Johnston, and that the Transportation Planning Committee shall have meetings as needed.

UPON MOTION OF COUNCILMAN BUCKMAN, DULY SECONDED BY COUNCILMAN HAGAN AND CARRIED BY A VOTE OF 6 TO 0, MUNICIPAL ORDER NO. 2011-01 WAS APPROVED.

PROCLAMATIONS

Mayor Sheckles presented the following proclamation to honor Flaget Memorial Hospital on its 60th anniversary as follows:

FLAGET MEMORIAL HOSPITAL

PROCLAMATION

WHEREAS, FLAGET MEMORIAL HOSPITAL will celebrate its 60th anniversary on January 8, 2011, and

WHEREAS, FLAGET MEMORIAL HOSPITAL was founded in 1951 by the Sisters of Charity of Nazareth as the first hospital to open in this region, and

WHEREAS, FLAGET MEMORIAL HOSPITAL continues the mission of the SCNs to provide health care as a continuation of the healing ministry of Jesus, which means honoring the poor and vulnerable among us, and

WHEREAS, FLAGET MEMORIAL HOSPITAL developed a new hospital campus in 2005, and

WHEREAS, FLAGET MEMORIAL HOSPITAL has provided much-needed new services to the community, including weight-loss surgery, wound care, pain management and sleep disorders care, and

WHEREAS, as the area's fifth-largest employer, FLAGET MEMORIAL HOSPITAL contributes millions of dollars to the local economy, and

WHEREAS, FLAGET MEMORIAL HOSPITAL opened the new Flaget Cancer Center, which provides comprehensive cancer care, and

WHEREAS, FLAGET MEMORIAL HOSPITAL has saved thousands of lives, and has ushered nearly 15,000 babies into the world, and

WHEREAS, FLAGET MEMORIAL HOSPITAL has provided millions of dollars in charity care and community benefit to the poor and needy, and

WHEREAS, FLAGET MEMORIAL HOSPITAL has been recognized four years in a row as one of the Top 100 Hospitals in the nation.

NOW, THEREFORE, be it resolved throughout the City of Bardstown that **January 7 - 14, 2011**, be proclaimed as

FLAGET MEMORIAL HOSPITAL WEEK

And all citizens are asked to observe this special recognition.

The City of Bardstown wishes warmest regards with this
Proclamation.

The Mayor then presented the following proclamation honoring Phyllis S. Spalding who served continuously for fifty-six years in the Nelson County Clerk's office and the past forty years as Nelson County Clerk:

Proclamation

by

City of Bardstown

WHEREAS: **Phyllis Shircliff Mattingly** has worked in the Nelson County Clerk's office continuously for fifty-six years, and has served as Nelson County Clerk for the past forty years; and

WHEREAS: **Phyllis Shircliff Mattingly** has been dedicated, loyal and unselfish in her service to the citizens of Bardstown and Nelson County; and

WHEREAS: **Phyllis Shircliff Mattingly** has faithfully and conscientiously executed the duties of the office of Nelson County Clerk with outstanding honesty and integrity; and

WHEREAS: **Phyllis Shircliff Mattingly** has made her love and concern for Nelson County and its citizens evident throughout her tenure,

NOW, THEREFORE, be it proclaimed throughout the City of Bardstown, that **January 14, 2011**, be known as

Phyllis S. Mattingly Day

in recognition of her years of dedicated service to Bardstown and all of Nelson County.

UPON MOTION OF COUNCILMAN HAGAN, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0, THE PROCLAMATIONS WERE APPROVED.

APPOINTMENT/REAPPOINTMENT

Mayor Sheckles then recognized Crystal Brady and told the Council that he wanted to appoint her to fill the unexpired term of Fred Hagan on the Planning Commission. The term ends in February, 2012. The Mayor conveyed that he wanted to reappoint Mark Mathis to another four-year term on the Planning Commission. COUNCILMAN WILLIAMS MADE A MOTION TO APPROVE THE APPOINTMENT AND REAPPOINTMENT. SAID MOTION WAS DULY SECONDED BY COUNCILMAN LYDIAN AND APPROVED. COUNCILMAN REED ABSTAINED.

CABLE TV DEPARTMENT REPORT

City Electrical Engineer Mills reported that the Cable TV Department distributed door hangers in the Fairfield area and about 25 percent of homes passed have already taken some form of service from the department. The staff will be going to Fairfield on Thursday, January 13, 2011, from 10:00 a.m. to 7:00 p.m., for a day at City Hall to take orders from customers wanting service.

FINANCE DEPARTMENT REPORT

Chief Financial Officer Abell reported that he would be sending out the December, 2010 Financial Report to the Council later in the week.

CEMETERY DEEDS

The Mayor presented cemetery deeds for Donald and Penny Peake and Theresa Hutchins and **UPON MOTION OF COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN HAGAN AND CARRIED BY A VOTE OF 6 TO 0, THE DEEDS WERE APPROVED.**

CITY FIVE-YEAR ANNIVERSARIES

Mayor Sheckles announced that Jason Ellis would celebrate his five-year anniversary with the City's Police Department; Mark Hufford would celebrate his ten-year anniversary with the City's Wastewater Treatment Plant; Kevin Russell would celebrate his ten-year anniversary with the Public Works Department; and Donna Paschal would celebrate her thirty-five year anniversary with the City's Recreation Department this month.

EXECUTIVE SESSION PURSUANT TO KRS 61.810 1.(b)

The Mayor said that the Council needed to go into Executive Session pursuant to KRS 61.810 1.(b), to discuss the future acquisition or sale of real property. **UPON MOTION OF COUNCILMAN REED, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0, THE COUNCIL RECONVENED INTO AN EXECUTIVE SESSION AT 7:35 P.M.**

UPON MOTION OF COUNCILMAN HAGAN, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0, THE COUNCIL RECONVENED INTO A REGULAR SESSION AT 8:30 P.M.

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

AUTHORIZATION TO NEGOTIATE EASEMENTS

UPON MOTION OF COUNCILMAN REED, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0, THE MAYOR WAS AUTHORIZED TO NEGOTIATE, ACQUIRE AND EXECUTE EASEMENTS FROM LANDOWNERS FOR THE BLOOMFIELD ROAD SEWER PROJECT AND THE POTTERSHOP ROAD SEWER PROJECT.

ADJOURNMENT

Being no further business to discuss and **UPON MOTION OF COUNCILMAN REED, DULY SECONDED BY COUNCILMAN HAGAN AND CARRIED BY A VOTE OF 6 TO 0, THE MEETING WAS ADJOURNED AT 8:40 P.M.**

ATTEST:

Bobbe Blincoe, City Clerk

CITY OF BARDSTOWN

William S. Sheckles, Mayor