

**CITY OF BARDSTOWN, KENTUCKY
REGULAR CITY COUNCIL MEETING MINUTES
9/24/2019
6:00 PM**

The City Council met in regular session in the Council Chambers with Mayor Heaton and the following Council Members:

Councilman Joe Buckman
Councilman David Dones
Councilwoman Betty Hart
Councilman Franklin Hibbs IV
Councilman Bill Sheckles (absent)
Councilman Roland E. Williams

Others present: City Attorney Audrey Haydon, HR Director/Risk Manager Greg Ashworth, Police Chief Kim Kraeszig, Fire Chief Billy Mattingly, City Civil Engineer Jessica Filiatreau, Electric Superintendent Jeff Miller, Police Officers John White, Hugh Hall and Tommy Rosel, City Clerk Gary Little, Assistant City Clerk Lisa Burdett, and citizens Pat Whelan, Debbie Ables, Shonna Sheckles, Michael Thomas and Kaleb Thomas.

Media present: Kentucky Standard Reporter Randy Patrick, Nelson County Gazette Reporter Jim Brooks, PLG Reporter Matt Gordon.

Mayor Heaton called the meeting to order at 6:00 pm and announced that two executive sessions were scheduled near the end of the agenda.

RECOGNITION OF GROUPS OR INDIVIDUALS

Mayor Heaton welcomed Scoutmaster Michael Thomas and his grandson, Kaleb, who was in attendance for his Citizenship in the Nation Merit Badge and 1st Class Rank.

Police Chief Kraeszig introduced Police Officer John White and provided a brief summary of his extensive background as an officer. Mayor Heaton administered the Oath of Office and Officer White thanked the Mayor, the Council and Chief Kraeszig for the opportunity, which was followed by congratulatory applause.

SPRINGHAVEN, INC. DOMESTIC VIOLENCE PROGRAM DONATION

Shonna Sheckles elaborated on the donation request made on behalf of the SpringHaven, Inc. Domestic Violence Program. She explained that the donation is to be used for transportation and accommodations for domestic violence victims in Bardstown and Nelson County.

COUNCILMAN WILLIAMS MOVED TO APPROVE THE DONATION REQUEST FOR THE SPRINGHAVEN, INC. DOMESTIC VIOLENCE PROGRAM IN THE AMOUNT OF TWO THOUSAND DOLLARS (\$2,000.00) TO BE USED FOR TRANSPORTATION AND ACCOMMODATIONS FOR DOMESTIC VIOLENCE VICTIMS. COUNCILWOMAN HART DULY SECONDED THE MOTION AND IT CARRIED WITH A VOTE OF 5-0.

HENRYTOWN PRIDE

Henrytown resident Debbie Ables proposed designating the Henrytown area as the “Garden District” of Bardstown. She detailed the extensive home renovations and improvements that have been made in the area.

PUBLIC WORKS SHOP BUILDING

City Civil Engineer Jessica Filiatreau presented a proposal by Keyes Architects for architectural services for the Public Works Shop Building design and bidding process.

UPON MOTION BY COUNCILMAN DONES, DULY SECONDED BY COUNCILMAN HIBBS, THE ARCHITECTURAL DESIGN AND BIDDING PROPOSAL IN THE AMOUNT OF TWENTY-THREE THOUSAND FOUR HUNDRED TWENTY-FIVE DOLLARS (\$23,425.00) SUBMITTED BY KEYES ARCHITECTS FOR THE DESIGN OF THE NEW PUBLIC WORKS SHOP BUILDING WAS APPROVED. THE MOTION CARRIED 5-0.

ROWAN CREEK WASTEWATER SYSTEM IMPROVEMENTS – TOWN CREEK CHANGE ORDER #1

City Civil Engineer Jessica Filiatreau explained the need to add concrete fill to the existing screen channel to bring it to the correct elevation, along with making other minor changes.

UPON MOTION BY COUNCILMAN DONES, DULY SECONDED BY COUNCILMAN WILLIAMS, CHANGE ORDER NO. 1 FOR THE TOWN CREEK CONTRACT NO. 1 OF THE ROWAN CREEK WASTEWATER IMPROVEMENT PROJECT IN THE AMOUNT OF FOUR THOUSAND THREE HUNDRED (\$4300.00) WAS APPROVED. THE MOTION CARRIED 5-0.

REQUEST TO IMPROVE BLUEBERRY ALLEY

Kenney Samuels submitted a request to improve access to his property at 207 South First Street by improving Blueberry Alley at his expense. City Civil Engineer Jessica Filiatreau confirmed that the alley will remain City property after the improvements.

UPON MOTION BY COUNCILMAN DONES, DULY SECONDED BY COUNCILWOMAN HART, THE REQUEST BY KENNEY SAMUELS TO IMPROVE BLUEBERRY ALLEY TO ALLOW ACCESS TO HIS PROPERTY WAS APPROVED. THE MOTION CARRIED 4-0. COUNCILMAN BUCKMAN ABSTAINED.

ELECTRIC DEPARTMENT POLE INSPECTION SERVICES

Electric Superintendent Jeff Miller detailed the results for the Electric Department’s request for bids to inspect and evaluate the condition of about 1,000 poles tied into the Pool substation.

UPON MOTION BY COUNCILMAN HIBBS, DULY SECONDED BY COUNCILMAN DONES, THE BID FOR ELECTRIC DEPARTMENT POLE INSPECTION SERVICES SUBMITTED BY OSMOSE IN THE AMOUNT OF FORTY-FIVE THOUSAND FIVE HUNDRED SIXTY-TWO DOLLARS AND FIFTY CENTS (\$45,562.50) WAS APPROVED. THE MOTION CARRIED 5-0.

HRB, DRB or P&Z RECOMMENDATIONS

The following recommendations from the Bardstown Historical Review Board were presented:

- (a) COA #19-163. Bourbon Capital Brewing LLC, Applicants/Owners propose to demolish part of the structure at 112 West Flaget Avenue.
Recommendation: Approval to demolish the proposed portions of the building.
- (b) COA-19-164. Sheila Hurst, Applicant/Owner, requests to paint the trim at 126 North Third Street.
Recommendation: Approval for the proposed paint color with the following conditions:
Conditions: The cornices above the window will be painted a lighter color to be staff approved by the preservation coordinator.
- (c) COA-19-165. Michael Katz, Applicant/Owner, requests to install a historic plaque at 202 South 3rd Street.
Recommendation: Approval for the proposed plaque.
- (d) COA-19-166. David & Gayle Hobbs, Applicants/Owners, request to install a sidewalk at 216 East Flaget Avenue
Recommendation: Approval for the proposed sidewalk.
- (e) COA-19-167. Holden Willett, Applicant/Owner, requests to add a sidewalk at 206 East Stephen Foster Avenue.
Recommendation: Approval for the proposed sidewalk.
- (f) COA-19-168. Mike and Susan Sloane, Applicants/Owners, request to relocate a patio at 205 South 3rd Street.
Recommendation: Approval for the new proposed patio.
- (g) COA-19-169. Mike and Sheila Abell, Applicants/Owners, request to install a fence at 113 East Broadway Street.
Recommendation: Approval for the proposed fence with the following conditions:
Conditions: That the final stain color for the fence will be staff approved by the preservation coordinator.
- ~~(h) COA-19-170. Town and Country Bank, Applicants/Owners, requests to install a sign at 201 North 3rd Street.
Recommendation: TABLED~~
- (i) COA-19-171. 213 Bardstown LLC, Applicants/Owners, request to paint the structure at 213 West Stephen Foster Avenue.
Recommendation: Approval for proposed paint colors with the following conditions:
Conditions: The unpainted brick portion on the side of the building will be sent to Frankfort for clarification and then pending their decision, will be staff approved by the preservation coordinator.
- (j) COA-19-172. Kelsie Hamilton, Applicant/Owner, requests to install a new roof at 218 East Stephen Foster Avenue.
Recommendation: Approval for the proposed roofing material.

- (k) COA-19-173. Spalding Hall, Applicant, Archdiocese of Louisville, Owner, requests approval to remove eight trees at 114 N. 5th Street.
Recommendation: Approval to remove the trees with the following conditions:
Conditions: Only trees presented on the map that were numbered 10, 1, 13, and 18 would be removed. All trees would be replanted back, including those previously removed, by the end of the year and similar trees of the same approximate size and type would be planted back in the same location.
- ~~(l) COA-19-130. 3rd Street Tap House/Michael King & Aaron McCubbins, Applicants/Owners, request to place two Porta Potties on the back patio of 112 North 3rd Street.
Recommendation: TABLED~~
- ~~(m) COA-19-174. 3rd Street Tap House/Michael King & Aaron McCubbins, Applicants/Owners, request to install an outdoor fireplace at 112 North 3rd Street.
Recommendation: TABLED~~
- (n) COA-19-175. Ross May, Applicant/Owner, requests to add tables and chairs to the rear and front of the building at 131 North Third Street.
Recommendation: Approval for the proposed tables, chairs, and lights as presented in the application.
- (o) COA-19-176. Rick and Nathalie McKay, Applicants/Owners, request to build a detached storage building at 214 East Flaget Avenue.
Recommendation: Approval for the proposed shed at the rear of the property.

Councilman Dones recused himself at 6:45 pm.

COUNCILMAN WILLIAMS MADE A MOTION TO ACCEPT THE RECOMMENDATIONS FROM THE HISTORICAL REVIEW BOARD FOR COA #19-163 WITH THE CONDITIONS SET FORTH BY THE HRB. THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 4 TO 0.

Councilman Dones returned to the room at 6:46 pm.

COUNCILMAN HIBBS MADE A MOTION TO ACCEPT THE RECOMMENDATIONS FROM THE HISTORICAL REVIEW BOARD FOR COA #19-164, #19-165, #19-166, #19-167, #19-168, #19-169, #19-171, #19-172, #19-173, #19-175 AND #19-176 WITH THE CONDITIONS SET FORTH BY THE HRB ALONG WITH THE CLARIFICATION THAT THE REPLACEMENT TREES IN COA #19-173 WILL BE A MINIMUM DIAMETER OF TWO INCHES AND WILL GROW TO A SIMILAR SIZE AS THE REMOVED TREES. THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 5 TO 0.

ROTARY CLUB – ANNUAL KID’S DAY

UPON MOTION BY COUNCILWOMAN HART, DULY SECONDED BY COUNCILMAN WILLIAMS, THE REQUEST BY THE ROTARY CLUB TO HOST THEIR ANNUAL KID’S DAY ON THE CITY HALL LAWN ON SEPTEMBER 26, 2019 WAS APPROVED. MOTION CARRIED 5 TO 0.

REVIEW OF MINUTES

THE MINUTES FOR THE 9/24/2019 CITY COUNCIL REGULAR SESSION AND THE 9/24/2019 PROPERTY TAX RATE HEARING WERE APPROVED BY UNANIMOUS CONSENT.

CITY GOVERNMENT MONTH

Councilwoman Hart provided an update on the elementary school essay contest and the upcoming KLC Conference.

CEMETERY DEEDS

THE MOTION TO APPROVE THE CEMETERY DEED FOR LAWRENCE LYDIAN WAS APPROVED BY UNANIMOUS CONSENT.

ANNOUNCEMENTS

Mayor Heaton commented on the recent layoffs by Inoac USA, LLC and the company’s efforts to place their personnel into new jobs. He also reflected on the success of the Kentucky Bourbon Festival which was held September 18-22, 2019.

Mayor Heaton read a press release related to potential irregularities in the City's finance department.

EXECUTIVE SESSION

COUNCILWOMAN HART MADE A MOTION TO GO INTO EXECUTIVE SESSION PURSUANT TO KRS 61.810(1)(b) DELIBERATIONS ON THE FUTURE ACQUISITION OR SALE OF REAL PROPERTY BY A PUBLIC AGENCY WHEN PUBLICITY WOULD BE LIKELY TO AFFECT THE VALUE OF THE PROPERTY. THE MOTION WAS DULY SECONDED BY COUNCILMAN DONES AND CARRIED WITH A VOTE OF 5-0. The time was 6:59 pm.

COUNCILMAN DONES MADE A MOTION TO COME OUT OF EXECUTIVE SESSION. THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED WITH A VOTE OF 5-0. The time was 7:19 pm.

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

Nelson County Gazette reporter Jim Brooks asked for clarification on the purpose of the second executive session and after some discussion between the Mayor and City Attorney Haydon, Mayor Heaton informed Mr. Brooks that it was regarding the discipline and/or dismissal of an employee.

EXECUTIVE SESSION:

COUNCILMAN HIBBS MADE A MOTION TO ENTER EXECUTIVE SESSION PURSUANT TO KRS 61.810(1)(f) DISCUSSIONS OR HEARINGS WHICH MIGHT LEAD TO THE APPOINTMENT, DISCIPLINE, OR DISMISSAL OF AN INDIVIDUAL EMPLOYEE, MEMBER, OR STUDENT AND KRS 61.810(1)(c) DISCUSSIONS OF PROPOSED OR PENDING LITIGATION AGAINST OR ON BEHALF OF THE PUBLIC AGENCY. THE MOTION WAS DULY SECONDED BY COUNCILMAN DONES AND CARRIED WITH A VOTE OF 5-0. The time was 7:26 pm.

COUNCILMAN WILLIAMS MADE A MOTION TO COME OUT OF EXECUTIVE SESSION. THE MOTION WAS DULY SECONDED BY COUNCILMAN HIBBS AND CARRIED WITH A VOTE OF 5-0. The time was 7:49 pm.

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

ADJOURNMENT

COUNCILMAN DONES MOVED TO ADJOURN THE MEETING AT 7:49 PM. THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED WITH A VOTE OF 5 TO 0.

CITY OF BARDSTOWN

J. Richard Heaton, Mayor

ATTEST:

Gary Little, City Clerk