

CITY OF BARDSTOWN, KENTUCKY
REGULAR CITY COUNCIL MEETING MINUTES
3-27-2018
7:00 PM

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

Councilman Joe Buckman
Councilman Kecia Copeland
Councilman David Dones
Councilman John Kelley
Councilman Bill Sheckles
Councilman Roland E. Williams

Others present: City Attorney Tim Butler, City Clerk Mary Riley, Police Chief Kim Kraeszig, HR Director/Risk Manager Greg Ashworth, City Civil Engineer Jessica Filiatreau, Director of Parks and Recreation Daniel Jeffries, Fire Chief Billy Mattingly, Assistant Fire Chief Chuck Montgomery, Fire Department Lieutenant Trevor Mattingly, Nelson County Gazette Reporter Jim Brooks, The Kentucky Standard Reporter Randy Patrick, PLG-TV Reporter Matt Gordon and citizens Nick Kipper, Ann Rosalie Ballard, Libby Burr, Cheryl Marquis, Teresa Carothers, Marie Seaman and Roberta Johnson.

Mayor Heaton called the meeting to order and announced that an Executive Session would be called near the end of the meeting 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.

RECOGNITION OF INDIVIDUALS

The Mayor invited Fire Chief Mattingly to introduce the three (3) new City of Bardstown Fire Fighters. The Chief gave a brief summary of their experience and Mayor Heaton administered the Oath of Office to the new Fire Fighters, Joseph Strong, Connor Noonan and Justin Railey. Congratulatory applause followed from those in attendance.

INPUT FROM PUBLIC

Nick Kipper provided information about the proposed ordinance that would allow residents to have chickens in the City limits. The draft ordinance was previously submitted to the Council and Mr. Kipper has asked that the Council take up the issue so that a decision can be made. Several residents in attendance who oppose having chickens in the City limits had questions or comments. Councilman Kelley pointed out that this ordinance, if passed, would not override any existing subdivision covenants and restrictions. Councilman Copeland agreed that the ordinance should be placed on the agenda so that a vote can be taken.

MULTI-USE PATH JOHN ROWAN BLVD. – QK4

At a Council Meeting held on 2-28-2018, Councilman Kelley and City Attorney Butler agreed that the details of the *Attachment "B" General Terms and Conditions* document appeared to be heavily weighted in the favor of QK4. It was collectively agreed during that meeting to table this item so that City Attorney Butler would have time for further review. The Amended document presented to the Council at this meeting contained several omitted sections that addressed liability issues. Both Councilman Kelley and City Attorney Butler were satisfied with the revisions.

UPON MOTION BY COUNCILMAN KELLEY, DULY SECONDED BY COUNCILMAN COPELAND, AND CARRIED BY A VOTE OF 6 TO 0, THE PROPOSAL FOR SERVICES SUBMITTED BY QK4 FOR THE MULTI-USE PATH PROJECT ON JOHN ROWAN BOULEVARD WAS APPROVED.

HISTORICAL REVIEW BOARD

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

Councilman Buckman recused himself and left the Council Chambers at 7:43pm prior to the HRB recommendations for the following:

- (g) COA-18-02 AMENDED. Troy Dennison, Applicant/Owner, requests to install wood siding on a structure at 112 North 3rd Street.
Recommendation: Approval to install the proposed siding.
- (h) COA-18-13. Troy Dennison, Applicant/Owner, requests to paint a structure at 112 North 3rd Street.
Recommendation: Approval to paint the structure the proposed colors.
- (i) COA-18-14. Troy Dennison, Applicant/Owner, requests to install a bar and outdoor seating at 112 North 3rd Street.
Recommendation: Approval to install the proposed bar and seating.
- (j) COA-18-36. Troy Dennison, Applicant/Owner, requests to install an AC unit on a new structure at 112 North 3rd Street.
Recommendation: Approval to install the proposed AC unit with the vent cover proposed.

- (k) COA-18-37. Troy Dennison, Applicant/Owner, requests to install lighting on a new structure at 112 North 3rd Street.

Recommendation: Approval to install the Portfolio Dovray light fixture as proposed.

*** Change in lettering sequence ***

- (o) COA-18-12. JTD Holdings LLC., Applicant/Owner, requests to construct a new building at 105 East Stephen Foster Ave.

Recommendation: Approval to construct the new building with the proposed design and materials.

- (p) COA-18-21. JTD Holdings LLC., Applicant/Owner, requests to install a roof on a new building at 105 East Stephen Foster Ave.

Recommendation: Approval to install the new proposed roof.

- (q) COA-18-23. JTD Holdings LLC., Applicant/Owner, requests to install wood siding on a new building at 105 East Stephen Foster Ave.

Recommendation: Approval to install the proposed wood siding.

- (r) COA-18-24. JTD Holdings LLC., Applicant/Owner, requests to install shutters on a new building at 105 East Stephen Foster Ave.

Recommendation: Approval to install the proposed shutters.

- (s) COA-18-26. JTD Holdings LLC., Applicant/Owner, requests to install landscaping and a sidewalk on a new building at 105 East Stephen Foster Ave.

Recommendation: Approval to install the new sidewalk and landscaping proposed in the application.

- (t) COA-18-27. JTD Holdings LLC., Applicant/Owner, requests to paint and stain a new building at 105 East Stephen Foster Ave.

Recommendation: Approval to use the proposed paint and stain colors.

- (u) COA-18-38. JTD Holdings LLC., Applicant/Owner, requests to install a new roof at 102 North 3rd Street.

Recommendation: Approval to install the new proposed roof.

COUNCILMAN KELLEY MOVED TO ACCEPT THE RECOMMENDATIONS FROM THE HISTORICAL REVIEW BOARD FOR COA #18-02, #18-13, #18-14, #18-36, #18-37, #18-12, #18-21, #18-23, #18-24, #18-26, #18-27, AND #18-38. THE MOTION WAS DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 5 TO 0.

Councilman Buckman returned to the Council Chambers at 7:48pm.

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

- (a) COA-18-11. Landmark Community Newspapers, LLC., Applicant/Owner, requests to paint the exterior at 110 West Stephen Foster Avenue.

Recommendation: Approval to paint the exterior of the building with the paint colors proposed.

- (b) COA-18-03 Amended. Finn Davis Rental LLC., Applicant/Owner, requests to paint the windows, trim, and house at 214 East Flaget Street.

Recommendation: Approval to paint the house the proposed colors.

- (c) COA-18-10. Finn Davis Rental LLC., Applicant/Owner, requests to alter the porch at 214 East Flaget Street.

Recommendation: Approval to alter the porch and add the proposed brick to the porch.

- (d) COA-18-15. Summer Arlinghaus, Applicant, Jonathan Talbott, Owner, request to replace the roof on the house at 111 South 2nd Street.

Recommendation: Approval to replace the roof with the design, color, and material proposed.

- (e) COA-18-16. Summer Arlinghaus, Applicant, Jonathan Talbott, Owner, request to replace the roof on the garage at 111 South 2nd Street.

Recommendation: Approval to replace the roof with the design, color, and material proposed.

- (f) COA-18-17. Summer Arlinghaus, Applicant, Jonathan Talbott, Owner, requests to remove two trees at 111 South 2nd Street.

Recommendation: Approval to remove the two trees and to replant the two proposed trees.

Condition: The two trees that are proposed to be removed in this application are posing a danger to the structure both to the roof and to the structure's foundation. The applicant will replant two trees as proposed in the application.

*** Change in lettering sequence ***

- (l) COA-18-09. David Hurst, Applicant/Owner, requests to add additional parking spaces and a pathway at 209 East Stephen Foster Ave.
Recommendation: Approval to install the proposed parking spaces.
Condition: A sample of the gravel will be presented to the preservation coordinator for final approval.
- (m) COA-18-19. David Hurst, Applicant/Owner, requests to alter the signage at 209 East Stephen Foster Ave.
Recommendation: Approval to alter the signage as proposed.
- (n) COA-18-20. David Hurst, Applicant/Owner, requests to install a storage unit at 209 East Stephen Foster Ave.
Recommendation: Approval to install the proposed storage unit.
Condition: The paint of the storage unit will match the paint colors of the house.
- * **Change in lettering sequence** *
- (v) COA-18-28. Freddie Noe, Applicant/Owner, requests to add a new addition at 418 North 3rd Street.
Recommendation: Approval to build the proposed addition.
- (w) COA-18-29. Freddie Noe, Applicant/Owner, requests to add a roof to a new addition at 418 North 3rd Street.
Recommendation: Approval to install the proposed roof.
- (x) COA-18-30. Freddie Noe, Applicant/Owner, requests to install windows to a new addition at 418 North 3rd Street.
Recommendation: Approval to install the proposed wood windows.
- (y) COA-18-31. Freddie Noe, Applicant/Owner, requests to install bricks on a new addition at 418 North 3rd Street.
Recommendation: Approval to install the proposed brick to the new addition.
- (z) COA-18-32. Freddie Noe, Applicant/Owner, requests to install steps and doors to a new addition at 418 North 3rd Street.
Recommendation: Approval to install the proposed doors and steps.
- (aa) COA-18-33. Freddie Noe, Applicant/Owner, requests to install driveway and sidewalk to a new addition at 418 North 3rd Street.
Recommendation: Approval to install the proposed driveway and sidewalk.
- (bb) COA-18-34. Freddie Noe, Applicant/Owner, requests to install a fence and lighting to a new addition at 418 North 3rd Street.
Recommendation: Approval to install the proposed fence and lighting to the addition.
- (cc) COA-18-35. Freddie Noe, Applicant/Owner, requests to install a garage to a new addition at 418 North 3rd Street.
Recommendation: Approval to install the proposed attached garage.

COUNCILMAN DONES MOVED TO ACCEPT THE RECOMMENDATIONS FROM THE HISTORICAL REVIEW BOARD FOR COA #18-11, #18-03, #18-10, #18-15, #18-16, #18-17, #18-09, #18-19, #18-20, #18-28, #18-29, #18-30, #18-31, #18-32, #18-33, #18-34 AND #18-35 WITH THE CONDITIONS SET FORTH BY THE HRB. THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 6 TO 0.

MINUTES

THE MINUTES FROM THE 3-13-2018 REGULAR COUNCIL MEETING WERE APPROVED BY UNANIMOUS CONSENT.

REPORTS OF STAFF AND COMMITTEES

Police Chief Kraeszig revealed the new Anonymous Crime Tip Hotline (502-348-HEAT) or (502-348-4328). With unsolved crimes in the community, this is an avenue for residents to anonymously share information that might lead to the arrest or resolution of a crime. Only Chief Kraeszig and her two (2) Assistant Chiefs will be monitoring the calls and messages. She encouraged callers to leave detailed information since Police Department personnel will have no means of calling people back.

Police Chief Kraeszig also announced that another hosting of Coffee with a Cop will be held on Wednesday, March 28, 2018 at the newly renovated McDonalds restaurant starting at 8:30am.

Director of Parks and Recreation Jeffries gave a brief explanation of the recommendation by KLC (Kentucky League of Cities) to enclose the skate park with fencing. The Recreation Committee was in support of installing the fencing upon the advice of KLC to limit liability; however, since there have been no incidences occurring at the skate park

after hours, or even during daytime hours, and the fact that the expense of the fence had not been budgeted, Director Jeffries has elected to not proceed with the fencing at this time.

COUNCIL COMMENTS

Councilman Sheckles made reference to Senate Bill 1 and 66, which are being discussed in Frankfort to address the pension crisis and would allow the phasing in of the mandated payment coming soon to all Cities.

EXECUTIVE SESSION

COUNCILMAN WILLIAMS MOVED TO GO INTO EXECUTIVE SESSION PURSUANT TO KRS 61.810(1)(b) DISCUSSIONS 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 BUCKMAN AND CARRIED BY A VOTE OF 6 TO 0. TIME WAS 8:02 PM.

COUNCILMAN BUCKMAN MOVED TO COME OUT OF EXECUTIVE SESSION AND CONTINUE WITH THE REGULAR MEETING AT 8:38 PM. THE MOTION WAS DULY SECONDED BY COUNCILMAN SHECKLES AND CARRIED BY A VOTE OF 6 TO 0.

The minutes will reflect that no action was taken during the executive session.

Mayor Heaton explained to those in attendance that the City has a tremendous opportunity to address the continued growth within the departments of the City by purchasing property that adjoins existing City property. He provided an overview of the three (3) tracts of land that the City intends to purchase, how those tracts will be used to expand several departments in dire need of additional space, and that negotiations for the purchase of the tracts has been ongoing.

COUNCILMAN DONES MADE THE FOLLOWING MOTION:

“I MAKE A MOTION TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENTS TO PURCHASE THE FOLLOWING PROPERTIES FOR THE SPECIFIED PRICES. WE DO ALSO AUTHORIZE THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO COMPLETE THE PURCHASE OF THESE PROPERTIES. WE HEREBY ALLOCATE FUNDS TO COMPLETE THE PURCHASE WITH THE FUNDS TO BE BORROWED FROM UNRESTRICTED FUNDS CONTAINED IN THE COMBINED UTILITIES FUND, WITH THOSE FUNDS TO BE PAID BACK PER TERMS OF A SEPARATE DOCUMENT AND AS BUDGETED IN THE UPCOMING BUDGET FOR FISCAL YEAR 2018-19 AND YEARS FOLLOWING. THE PROPERTIES TO BE PURCHASED ARE AS FOLLOWS:

PROPERTY 1 – A TRACT OF LAND CONSISTING OF APPROXIMATELY 2 ACRES OF SURPLUS LAND TO BE PURCHASED FROM THE BARDSTOWN CHURCH OF CHRIST, THAT LAND TO BE PURCHASED AT A PRICE OF \$80,000 PER ACRE AND LOCATED TO THE REAR OF THE PROPERTY AT 1104 NORTH THIRD STREET IN BARDSTOWN.

PROPERTY 2 – A TRACT OF LAND, APPROXIMATELY 5.9 ACRES IN SIZE, FRONTING ON PADGETT DRIVE TO BE PURCHASED FROM KHV LLC, THAT LAND TO BE PURCHASED AT A PRICE OF \$100,000 PER ACRE.

PROPERTY 3 – A TRACT OF LAND FORMERLY THE SITE OF NEWCOMB OIL COMPANY’S HEADQUARTERS LOCATED AT 1360 EAST JOHN ROWAN BOULEVARD CONSISTING OF 7.5 ACRES MORE OR LESS TO BE PURCHASED FOR A NET PRICE OF \$940,000.

THESE PROPERTIES ARE BEING PURCHASED FOR AND WILL BE DEDICATED TO A PUBLIC, GOVERNMENTAL PURPOSE. EXACT ACREAGES WILL BE DETERMINED BY SURVEY.”

THIS MOTION WAS DULY SECONDED BY COUNCILMAN KELLEY AND CARRIED BY A UNANIMOUS VOTE OF THE COUNCIL.

Mayor Heaton expanded on the use of the land purchase, to include moving the Fire Department to the location on Hwy 245/East John Rowan Blvd that housed Newcomb Oil’s headquarters. This location will make a considerable impact on the Fire Department’s ISO Rating which will in turn reduce the insurance rates of many residents.

ADJOURNMENT

COUNCILMAN SHECKLES MOVED TO ADJOURN THE MEETING AT 8:46PM. THE MOTION WAS DULY SECONDED BY COUNCILMAN KELLEY AND CARRIED BY A VOTE OF 6 TO 0.

CITY OF BARDSTOWN

J. Richard Heaton, Mayor

ATTEST:

Mary Riley, City Clerk