

**CITY OF BARDSTOWN, KENTUCKY
SPECIAL CITY COUNCIL MEETING MINUTES
5-14-2019
6:00 PM**

The City Council met in Special Session in the Council Chambers with the following Councilmen:

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

Others present: City Attorney Audrey Haydon, City Clerk Mary Riley, Police Chief Kraeszig, Fire Chief Mattingly, HR Director/Risk Manager Ashworth, Historic Preservationist Rashae Jennings, Jeff Miller, Eric Richter, Nahom Ayele, Damir Saric and Mrs. Saric, The Kentucky Standard Reporter Randy Patrick, Nelson County Gazette Reporter Jim Brooks, PLG-TV Reporter Matt Gordon.

Mayor Heaton called the meeting to order and turned it over to City Attorney Haydon.

HEARING FOR APPEAL OF HISTORIC REVIEW BOARD DENIAL OF COA #19-44, 120 NORTH 3RD STREET, DAMIR SARIC

City Attorney Haydon opened the Public Hearing portion of the meeting and provided an overview of how the hearing would proceed.

She then invited Appellant Damir Saric to address the Council. He chose to allow Historic Preservationist Rashae Jennings to present first.

Ms. Jennings asked the Council to uphold the decision of the Historic Review Board to deny this application and began reviewing the information and sources she submitted as evidence. She provided to the Council nine (9) exhibits and went through each one to explain the content and how it supports the denial of COA#19-44. Those exhibits included:

Exhibit A: Bardstown Historical Review Board Guidelines for historic windows.

Exhibit B: Courthouse window invoices demonstrating that the windows were repaired.

Exhibit C: Courthouse window pictures demonstrating the repair process of the windows.

Exhibit D: Letter from Logan Spalding stating that the windows should not be replaced and they do not meet the same criteria as the Talbot Inn.

Exhibit E: Letter from the Kentucky Heritage Council Erick Rawlings.

Exhibit F: Letter from the Kentucky Heritage Council Michael Radeke.

Exhibit G: COA-19-44 Café Primo application to replace their windows.

Exhibit H: COA-16-12 Talbott Inn application regarding their windows.

Exhibit I: COA-16-13 Talbott Inn application regarding two windows being blocked in.

Exhibit J: Bardstown Historical Review Board Public Hearing and Regular Meeting Minutes March 19, 2019 6:30 p.m. regarding the windows at Café Primo.

Exhibit K: National Park Service Preservation Brief #9 for Historic Windows.

Ms. Jennings concluded her presentation by reiterating her request to have the Council uphold the denial of COA-19-44 and that she believed all the evidence presented supported that ruling.

Mr. Saric was then asked by City Attorney Haydon if he would like to address the Council.

Mr. Saric had provided to the Council the following four (4) exhibits:

Exhibit A: COA—19-44 Café Primo application to replace his windows.

Exhibit B: Bardstown Historical Review Board Public Hearing and Regular Meeting Minutes March 19, 2019 6:30 p.m. regarding the windows at Café Primo.

Exhibit C: Audio tape / Recording of Bardstown Historical Review Board Public Hearing and Regular Meeting Minutes March 19, 2019 6:30 p.m. regarding the windows at Café Primo.

Exhibit D: COA-16-12 Talbott Inn application regarding their windows

Exhibit E: Letter from Rashae Jennings to Mr. Kelley regarding the approval of COA-16-12 and COA-16-13 and the meeting minutes from March 15, 2016 pertaining to those two (2) COA applications.

Mr. Saric claims the evidence presented by Historic Preservationist Rashae Jennings is not factual and that the rules set forth by the Historic Review Board are selective in nature. He referred to the Talbott Inn application, COA-16-12 and believes his building should receive the same approval as the Talbott for the windows he requested. Mr. Saric also indicated that the Old Courthouse building was not required to rebuild or replace their windows, citing two (2) buildings in very close proximity had approvals of their COA applications. He wanted the same approval and claimed not receiving an approval was treating him unfairly, and that the Talbott Inn COA application was “smooth sailing”. He argued the “fit, form and function” should be the same. Mr. Saric concluded his time with stating he believes there are safety concerns with the condition of the windows in his building that should have been addressed by the City years ago.

A question and answer period followed. During discussion, it was mentioned that under the HRB guidelines, there are separate provisions for hotels compared to other business types.

Councilman Buckman presented a possible solution for repair of the windows. Ms. Jennings agreed that the exact type and style could be replaced. Mr. Saric stated this was the first time he had ever heard that repairing the windows was an option. He said he wished he had been told years ago about this option because he would have pursued it. Councilman Buckman asked if he was interested in exploring that option. He stated he was too upset at this point to make that decision.

City Attorney Haydon closed the Public Hearing portion of the meeting at 6:57pm. She reviewed the three (3) options that the Council could select which were to approve the appeal, approve the appeal with conditions or deny the appeal. The implications of each option were discussed.

The Council considered since repair of the windows was a viable option, the Council believed he could re-apply or submit a new COA for consideration. Repair was never requested, only specific replacement windows were specified, so HRB ruled on what was requested.

COUNCILMAN BUCKMAN MADE A MOTION TO UPHOLD THE ACTION OF THE HISTORIC REVIEW BOARD IN THEIR DENIAL OF CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION #19-44. THE MOTION WAS DULY SECONDED BY COUNCILMAN DONES AND CARRIED BY A VOTE OF 6 TO 0.

ADJOURN

COUNCILMAN WILLIAMS MADE A MOTION TO ADJOURN THE MEETING AT 7:04PM. THE MOTION WAS DULY SECONDED BY COUNCILMAN HIBBS AND CARRIED BY A VOTE OF 6 TO 0.

CITY OF BARDSTOWN

J. Richard Heaton, Mayor

ATTEST:

Mary Riley, City Clerk