

**CITY OF BARDSTOWN, KENTUCKY
REGULAR CITY COUNCIL MEETING MINUTES
07-25-2017
7:00 PM**

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

- Councilman Buckman
- Councilman Copeland
- Councilman Dones
- Councilman Kelley
- Councilman Sheckles
- Councilman Williams – **absent**

Mayor J. Richard Heaton and City Attorney Tim Butler were absent.

Others present: Interim Police Chief Charles David Marksbury, Interim City Clerk Mary Riley, Risk Manager Greg Ashworth, Nelson County Gazette Reporter Jim Brooks, The Kentucky Standard Reporter Randy Patrick, and citizens Pat Whelan, Desiree Taylor and Newman Wayne Rogers.

COUNCILMAN BUCKMAN MADE A MOTION TO DESIGNATE COUNCILMAN SHECKLES AS THE PRESIDING OFFICER OF THE MEETING IN THE ABSENCE OF MAYOR HEATON AND CITY ATTORNEY TIM BUTLER. THE MOTION WAS DULY SECONDED BY COUNCILMAN DONES AND CARRIED BY A VOTE OF 5 TO 0.

HISTORICAL REVIEW BOARD

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

- (a) COA-17-55. Vincent and Gia Paolina, Applicants/Owners, request to change the conditional use at 111 East Broadway Street.
Recommendation: Approval of the conditional use of the property.
- (b) COA-17-57. Carey Signs, Applicant, Norma Rapier, Owner requests to install signage at 458 East Stephen Foster Ave.
Recommendation: Approval to install the proposed three signs on the property.
- (c) COA-17-56. Nancy Stumph, Applicant/Owner, requests to replace wood stairs and install and handrail at 116 South 5th Street.
Recommendation: Approval to install the handrail and to replace the wood stairs.
Condition: Final picture of the design will be submitted to the Preservation Coordinator.
- (d) COA-17-53. Anthony Torres, Applicant/Owner requests to seal the driveway and replace the back door at 305 South 5th Street.
Recommendation: Approval to seal the driveway and to replace the rear door with the proposed design.
- (e) COA-17-58. John and Nancy Ballard, Applicants/Owners requests to install a metal hand rail and plant Arborvitae trees at 210 East Flaget Street.
Recommendation: Approval to install the handrail and plant additional Arborvitae trees at the proposed location.
- (f) COA-17-59. John and Nancy Ballard, Applicants/Owners requests to modify the carport and add a fireplace at 210 East Flaget Street.
Recommendation: Approval to modify the carport with the design and colors proposed and approval to install the proposed stone fireplace.

COUNCILMAN KELLEY MOVED TO ACCEPT THE RECOMMENDATIONS FROM THE HISTORICAL REVIEW BOARD FOR COA #17-55, #17-57, #17-56, #17-53, #17-58 AND #17-59 WITH THE CONDITIONS SET FORTH BY THE HRB. THE MOTION WAS DULY SECONDED BY COUNCILMAN DONES AND CARRIED BY A VOTE OF 5 TO 0.

BARTON DISTILLERY – SUNDOWN SERIES EVENT

Councilman Sheckles indicated that the Barton 1792 Distillery has been hosting their Sundown Series for the last month or two and wanted to provide information to the Council about the event. They hope to obtain the support from the Council to continue these events which expand entertainment options for residents and drive attractions to travelers. No vote was taken.

DONATION REQUEST – BUTTERMILK DAYS

COUNCILMAN KELLY MOVED TO APPROVE THE TWO THOUSAND DOLLARS (\$2,000) DONATION REQUEST FROM THE BUTTERMILK DAYS FOUNDATION AND ALLOCATE THE FUNDS FROM THE COUNCIL’S CONTINGENCY FUND. THE MOTION WAS DULY SECONDED BY COUNCILMAN DONES AND CARRIED BY A VOTE OF 4 TO 0.

Councilman Sheckles abstained from voting.

MINUTES

THE MINUTES FOR THE 07-11-2017 SPECIAL COUNCIL MEETING AND THE 07-11-2017 REGULAR COUNCIL MEETING WERE APPROVED BY UNANIMOUS CONSENT.

PROPOSED ORDINANCE B2017 - CLASSIFICATION AND COMPENSATION PLAN

Councilman Sheckles introduced the proposed ordinance that will amend the number of authorized positions, their title and pay grade and set the ranges for pay grades for City employees for Fiscal Year 2017-2018 and subsequent years. Interim City Clerk Riley gave the first reading. No vote was taken.

SECOND READING OF ORDINANCE B2017-10 – MOBILE FOOD VENDOR AMENDMENTS

Interim City Clerk Riley gave the second reading of Ordinance B2017-10.

ORDINANCE NO. B2017 – 10

AN ORDINANCE AMENDING AND ADOPTING AS AMENDED AN ORDINANCE REGULATING THE OPERATIONS OF MOBILE FOOD VENDORS IN THE CITY OF BARDSTOWN; REQUIRING A PERMIT; AND FOR OTHER PURPOSES.

WHEREAS: The City of Bardstown recognizes the need to expand the type of zoning districts which allow use by a Mobile Food Vendor to include Industrial; and

WHEREAS: The need to assess a penalty for the violation of any chapter of the Mobile Food Vendor Ordinance should be defined.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF BARDSTOWN, KENTUCKY: That Chapter 112.31- Private Property Mobile Food Vending be amended and to add a chapter to create a penalty:

§112.31 PRIVATE PROPERTY MOBILE FOOD VENDING

Except as provided in §112.30, mobile food vendors with a valid statewide mobile food unit permit, or a statewide retail mobile food unit permit, shall only be permitted on private property, [~~zoned B-1 through B-5, and LIP.~~] **when allowed as an approved permitted, accessory, or conditional use in B-1, B-2, B-3, B-4, B-5 or LIP zoning districts or as an approved conditional use for temporary/transitional use in I-1, I-1M, or I-2 zoning districts.**

§112.99 PENALTY

Violation of the provisions of this chapter or failure to comply with any of its requirements shall constitute a misdemeanor. Any person who violates this chapter or fails to comply with any of its requirements shall, on conviction thereof, be fined not less than \$10 nor more than \$500 or imprisoned for not more than 30 days or both, and in addition shall pay all costs and expenses involved in the case. Each day a violation continues shall be considered a separate offense. Violators of this chapter may be issued a citation by the officer in charge of enforcement. In addition or in the alternative, any person determined to be in violation of this chapter may be assessed civil penalties or fines, those fines which may be assessed through the Code Enforcement Board process. Nothing herein contained shall prevent the city from taking any other lawful action as is necessary to prevent or remedy any violation.

All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

This ordinance shall be in full force and effect following publication as required by law.

COUNCILMAN BUCKMAN MOVED TO APPROVE ORDINANCE B2017-10 MOBILE FOOD VENDOR AMENDMENTS. THE MOTION WAS DULY SECONDED BY COUNCILMAN COPELAND.

COUNCILMAN SHECKLES CALLED THE ROLL AND THE FOLLOWING VOTED:

COUNCILMAN KELLEY - AYE
COUNCILMAN COPELAND - AYE
COUNCILMAN BUCKMAN - AYE
COUNCILMAN SHECKLES - AYE

COUNCILMAN SHECKLES THEN DECLARED ORDINANCE NO. B2017-10 ADOPTED. IT WILL BE RECORDED IN ORDINANCE BOOK NO. 10, PAGE NO. _____.

REPORTS OF STAFF AND COMMITTEES

The minutes of the 07-11-2017 Cable and Electric Committee meeting were reviewed and Councilman Donos provided an overview of the topics discussed which included the electric, cable and internet budgets, and rate changes.

NEW APPOINTMENT

COUNCILMAN BUCKMAN MOVED TO APPROVE THE NEW APPOINTMENT RECOMMENDATION FOR DR. JOSH BLACKMON TO THE HISTORIC REVIEW BOARD TO FILL THE UNEXPIRED TERM OF PEN BOGERT BEGINNING JULY 25, 2017 AND ENDING JUNE 30, 2020. THE MOTION WAS DULY SECONDED BY COUNCILMAN COPELAND AND CARRIED BY A VOTE OF 5 TO 0.

MOBILE FOOD VENDOR APPLICATION – MUSTARD SEED

COUNCILMAN SHECKLES PRESENTED THE MOBILE FOOD VENDOR APPLICATION FOR MUSTARD SSEED, INDICATING IT MET ALL THE REQUIREMENTS NECESSARY FOR APPROVAL. COUNCILMAN KELLY MOVED TO APPROVE THE APPLICATION. THE MOTION WAS DULY SECONDED BY COUNCILMAN DONES AND CARRIED BY A VOTE OF 5 TO 0.

CITY COUNCIL MEMBER COMMENTS

Councilman Copeland reported that she received a letter from Lisa Thompson with the National Trust for Historic Preservation in Washington, D.C., thanking the City of Bardstown for signing the Historic Tax Credit Letter. Councilmen Buckman and Kelley added examples of the types of historic restoration projects this program has supported and offered additional validation of the importance of the City’s participation.

CEMETERY DEEDS

THE CEMETERY DEEDS FOR WILLIAM CARLTON ALLEN AND LOIS AND JOSEPH CLAYTOM WERE APPROVED BY UNANIMOUS CONSENT.

ADJOURNMENT

COUNCILMAN KELLEY MOVED TO ADJOURN THE MEETING AT 7:45PM. THE MOTION WAS DULY SECONDED BY COUNCILMAN BUCKMAN AND CARRIED BY A VOTE OF 5 TO 0.

CITY OF BARDSTOWN

J. Richard Heaton, Mayor

ATTEST:

City Clerk