

**CITY OF BARDSTOWN**  
**REGULAR COUNCIL MEETING MINUTES**

9-8-09  
7:00 P.M.

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

Councilman Reed  
Councilman Williams  
Councilman Lydian  
Councilman Sheckles  
Councilman Royalty  
Councilman Simpson

Others present: Asst. City Administrator Green, Police Chief Marksbury, City Civil Engineer Greenwell, City Electrical Engineer Mills, Chief Financial Officer Abell, City Attorney Donan, City Clerk Blincoe, WBRT/WOKH reporter Fred Hagan, WYSB reporter Tom Redmon, The Kentucky Standard reporter Stephanie Hornback, PLG-TV Director Tom Isaac, Carolyn Franklin and Mark Hicks with the 2010 Census Bureau and Kevin Brumley.

Mayor Heaton called the meeting to order at 7:00 p.m. and announced that Public Works and Engineering Director Hamilton would not be at the meeting due to the death of his sister, Michelle Hamilton.

**SEWER SERVICE REQUEST-THOMAS NELSON HIGH SCHOOL**

City Civil Engineer Greenwell highlighted work to be done by Horizon Engineering that included pump station evaluations and a study to see if this extension would cause any adverse effects to the system. **UPON MOTION OF COUNCILMAN SIMPSON, DULY SECONDED BY COUNCILMAN ROYALTY AND CARRIED BY A VOTE OF 6 TO 0, IT WAS APPROVED TO ACCEPT THE REQUEST INTO THE SYSTEM CONTINGENT UPON ENGINEER'S APPROVAL AND MEETING ALL REQUIREMENTS AND SPECIFICATIONS INCLUDING COMPLETION OF THE IMPACT EVALUATION AND ASSOCIATED WORK AND IMPLEMENTATION OF ODOR CONTROL AND EXECUTION OF AN ANNEXATION AGREEMENT.**

**2010 CENSUS**

Carolyn Franklin and Mark Hicks with the 2010 Census Bureau were introduced and distributed information on the upcoming ten-year census. Ms. Franklin explained the Complete Count Committee (CCC) program which will help to ensure that everyone is counted for the 2010 Census. It is imperative to get the correct population recorded because it corresponds to the amount of federal money returned to the community. CCCs provide a way for coordinating a cooperative effort between local governments, communities and the Census Bureau.

**ESPN360**

City Electrical Engineer Mills asked the Council to approve the addition of ESPN360 to the City's Internet system. ESPN360 is a new service that is Internet based and is a 24/7 broadband sports television network that gives consumers control over their broadband sports viewing experience. This service would be added to the system for no added cost to the consumer. **UPON MOTION OF COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 6 TO 0, THE MAYOR WAS AUTHORIZED TO EXECUTE THE CONTRACT TO ADD ESPN360 TO THE CITY SYSTEM SUBJECT TO THE CITY ATTORNEY'S REVIEW.**

**FIRST READING-REZONING #2317 THE OLD KENTUCKY HOME COUNTRY CLUB**

A first reading was presented on application #2317 from The Old Kentucky Home Country Club to designate 3.70 acres at 329 East Stephen Foster Avenue (US 150) as R-1B/PUD, Option #1, Single Family Residential District. The Planning Commission recommended approval. **UPON MOTION OF COUNCILMAN ROYALTY, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0, THE RECOMMENDATION FROM THE PLANNING COMMISSION AND FIRST READING WERE APPROVED.**

**BUTTERMILK FOUNDATION COMMITTEE**

Mayor Heaton read a note from Bill Sheckles, President of the Buttermilk Foundation Committee, thanking the City for its support during the Buttermilk Days weekend.

**MINUTES**

The minutes from the 8-25-09 regular City Council meeting were then presented and **UPON MOTION OF COUNCILMAN SHECKLES, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0, THEY WERE APPROVED.**

**FIRST READING FY 2009-2010 TAX RATE ORDINANCE**

Chief Financial Officer Abell corrected a previously distributed letter to the Council regarding the tax rate computations. He explained that he had used the recommended, instead of the adopted, 2008 tangible rate in the previous correspondence. He then stated that his true recommendation was to take the allowed 4% increase in revenue; however, he respected the Council's right to differ and now his bottom line recommendation would be to use the compensating rate that would actually lower the real property tax rate from 19.1 cents per \$100 to 19 cents. The tangible rate would remain the same as last year's rate of 21.68 cents per \$100. By so doing, a Public Hearing would not be required. The Mayor also recommended taking the compensating rate. **UPON MOTION OF COUNCILMAN REED, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0, THE FIRST READING WAS APPROVED TO USE THE COMPENSATING RATE OF 19 CENTS PER \$100, THE TANGIBLE RATE OF 21.68 CENTS PER \$100 AND THE MOTOR VEHICLE TAX WOULD BE 24 CENTS PER \$100.**

**MUNICIPAL ORDER NO. 2009-13-ASSESSMENT MORATORIUM CERTIFICATE-103 EAST STEPHEN FOSTER**

The Municipal Order, which was tabled at the last Council meeting, was presented for an assessment moratorium certificate for property owned by Bill and Donna Ellis located at 103 East Stephen Foster Avenue. The Municipal Order was as follows:

**MUNICIPAL ORDER NO. 2009-13**

**RESOLUTION**

**A RESOLUTION ACCEPTING THE APPLICATION FOR AN ASSESSMENT MORATORIUM CERTIFICATE FOR THE PROPERTY LOCATED AT 103 EAST STEPHEN FOSTER AVENUE, BARDSTOWN, KENTUCKY, AND EXPRESSING THE CITY'S INTENT TO GRANT AN ASSESSMENT MORATORIUM TO THE OWNER OF SAID PROPERTY UPON COMPLIANCE WITH THE CITY'S PROPERTY ASSESSMENT AND REASSESSMENT MORATORIUMS, AS DEFINED IN KRS CHAPTER 99.595, ET. SEQ.**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BARDSTOWN, KENTUCKY:

**SECTION 1**

That the "Application for Assessment Moratoriums Certificate" for the property located at 103 East Stephen Foster Avenue, Bardstown, Kentucky, is hereby accepted and further expressing the City's intent to grant an assessment moratorium to the owner of said property upon compliance with the City's property assessment and reassessment moratoriums as defined in KRS Chapter 99.595, et seq.

**SECTION 2**

That this order shall take effect and be in full force when passed and recorded according to law.

The Mayor reported that no work had been done to the structure and, therefore, it was eligible for the five-year tax assessment moratorium. **UPON MOTION OF COUNCILMAN SHECKLES, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0, MUNICIPAL ORDER NO. 2009-13 WAS APPROVED.**

**FOUR-WAY STOP REQUEST**

A discussion was held regarding the request from Jannice Provine, 202 Barber Avenue, for a 4-way stop at the intersection of Barber Avenue and North Fourth Street. It was announced that no accidents were reported at this location during the last few years. After discussion, Councilman Simpson and Councilman Williams agreed that the 4-way stop should be installed. If later it is found to be unnecessary, it could be taken down. **UPON MOTION OF COUNCILMAN WILLIAMS, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0, IT WAS APPROVED TO MAKE THE INTERSECTION A 4-WAY STOP.**

**ALLEY TO BE OPENED**

Mayor Heaton reported that a number of people had requested that the alley located between The Kentucky Standard building and the old library building be opened to traffic. This alleyway is the only alley that remains blocked in the City. After discussion, the Council recommended that a "No Left Turn" sign be posted when exiting out of the alley onto West Stephen Foster Avenue. **UPON MOTION OF COUNCILMAN ROYALTY, DULY SECONDED BY COUNCILMAN SIMPSON AND CARRIED BY A VOTE OF 6 TO 0, IT WAS APPROVED TO OPEN THE ALLEY AND POST THE SIGN.**

**FEMA PAYMENT RECEIVED**

The Mayor reported that Mike Forsee, City Risk Manager, had received the second payment from FEMA in the amount of \$52,625.00 for the underground utilities project in Camelot Subdivision. There is approximately \$5,000.00 left to collect for the project.

**POLICE CHIEF/DETECTIVE ROBY COMMENDED**

Mayor Heaton commended Police Chief Marksbury and read a letter of commendation addressed to Detective Barbara Roby for the way they handled the case of a missing 14-year old girl. Roby's quick response helped ensure that the girl made it home safely. The Mayor said that this was an example of good training and experience.

**NEIGHBORHOOD STABILIZATION GRANT**

Assistant City Administrator Green announced that he had received word from the state to go ahead with the Neighborhood Stabilization Project.

**POLICE DEPARTMENT REPORT**

Police Chief Marksbury reported that the department had been busy during the Labor Day weekend but he had no major incidents to report.

**CITY FIVE-YEAR ANNIVERSARIES**

Mayor Heaton announced that Clint Miles and Brent Adams both with the City's Public Works Department would celebrate five-year anniversaries with the City this month. Karen Ballard with the Cable TV Department and Paul Johnson with the Solid Waste Department will celebrate fifteen-year anniversaries with the City this month.

**CEMETERY DEEDS**

Cemetery deeds were presented for Mary Thomas, Kathy Hood and Jo Ann Parrish. **UPON MOTION OF COUNCILMAN LYDIAN, DULY SECONDED BY COUNCILMAN WILLIAMS AND CARRIED BY A VOTE OF 6 TO 0, THEY WERE APPROVED.**

**ROAD WORK ON NORTH THIRD STREET**

City Civil Engineer Greenwell informed the Council that Watts Brothers Contracting had contacted Mago Construction Company to repair and resurface the area on North Third Street in front of the Bardstown Cemetery due to a waterline break.

**PARKING ON NORTH THIRD STREET**

City Civil Engineer Greenwell reported that the state did not have plans to resurface North Third Street anytime soon so the City will go ahead with the marking of parking spaces on North Third Street from Brashear to Broadway.

**ADJOURNMENT**

Being no further business to discuss and **UPON MOTION OF COUNCILMAN ROYALTY, DULY SECONDED BY COUNCILMAN REED AND CARRIED BY A VOTE OF 6 TO 0, THE MEETING WAS ADJOURNED AT 8:10 PM.**

CITY OF BARDSTOWN

ATTEST:

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J. Richard Heaton, Mayor

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Bobbe Blincoe, City Clerk