

March 28, 2011
Regular Meeting

The Board of Commission of the City of Nicholasville convened in regular session on Monday, March 28, 2011 at 5:00 p.m. at the Nicholasville City Hall. Mayor Russ Meyer presided and the following Commissioners were present: Mr. Andy Williams, Mr. Peter Sutherland, Mr. John Collier and Mr. Doug Blackford. Mr. William M. Arvin, City Attorney was also present.

Motion by Mr. Collier, seconded by Mr. Blackford to approve the minutes as written for the March 14, 2011 regular meeting.

Yea

Mr. Sutherland, Mr. Meyer, Mr. Collier, Mr. Blackford, Mr. Williams

Motion by Mr. Collier, seconded by Mr. Blackford to approve second reading of ORDINANCE 796-2011: AN ORDINANCE IMPOSING ACCOUNTABILITY AND LIABILITY ON ADULTS PERMITTING MINORS TO OBTAIN, POSSESS, OR CONSUME ALCOHOLIC BEVERAGES ON PROPERTY OR PREMISES UNDER THEIR CONTROL. (This ordinance imposes the burden of being accountable for the liability for adults permitting minors to obtain, possess and consume alcoholic beverages on their property or property of which they have control. This Ordinance defines properties that are covered under this Ordinance and likewise provides a definition covering situations where a group of three (3) or more people, including a minor who are assembled for a party or social occasion. The penalties for violation include a fine not to exceed the amount of five hundred dollars (\$500.00) and/or ninety (90) days in jail. Stronger penalties are provided for subsequent violations.)

Yea

Mr. Meyer, Mr. Collier, Mr. Blackford, Mr. Williams, Mr. Sutherland

Motion by Mr. Collier, seconded by Mr. Sutherland to approve second reading of ORDINANCE 797-2011: AN ORDINANCE OF INTENT OF THE CITY OF NICHOLASVILLE TO ANNEX PROPERTY (Ethington and Gaver, LLC, 4235 Harrodsburg Road, Lexington, KY 40513, Tract 1A-1, Elbert Jennings Estate, approximately 3 acres of property, Southern States.)

Yea

Mr. Collier, Mr. Blackford, Mr. Williams, Mr. Sutherland, Mr. Meyer

Motion by Mr. Collier, seconded by Mr. Williams to approve second reading of ORDINANCE 798-2011: AN ORDINANCE OF THE CITY OF NICHOLASVILLE, KENTUCKY, PROVIDING FOR THE ISSUANCE OF THE CITY S GENERAL OBLIGATION BONDS, SERIES 2011A, FOR THE PURPOSE OF THE PAYMENT AND DISCHARGE OF THE CITY S OUTSTANDING GENERAL OBLIGATION REVENUE BOND ANTICIPATION NOTE, SERIES 2009; SETTING FORTH THE TERMS AND CONDITIONS UPON WHICH THE BONDS ARE TO BE ISSUED AND OUTSTANDING; ORDERING AND PROVIDING FOR THE LEVY OF AN ANNUAL TAX, TO THE EXTENT NECESSARY, SUFFICIENT TO PAY THE INTEREST ON AND PRINCIPAL OF THE BONDS; AND PROVIDING FOR A PUBLIC SALE OF THE BONDS AND THE APPLICATION OF THE PROCEEDS THEREOF.

Yea

Mr. Blackford, Mr. Williams, Mr. Sutherland, Mr. Meyer, Mr. Collier

Motion by Mr. Collier, seconded by Mr. Williams to approve second reading of ORDINANCE 799-2011: AN ORDINANCE OF THE CITY OF NICHOLASVILLE, KENTUCKY, PROVIDING FOR THE

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ISSUANCE OF THE CITY S GENERAL OBLIGATION BONDS, SERIES 2011B, FOR THE PURPOSE OF ADVANCE REFUNDING THE CITY S OUTSTANDING GENERAL OBLIGATION BONDS, SERIES 2002; SETTING FORTH THE TERMS AND CONDITIONS UPON WHICH THE BONDS ARE TO BE ISSUED AND OUTSTANDING; ORDERING AND PROVIDING FOR THE LEVY OF AN ANNUAL TAX, TO THE EXTENT NECESSARY, SUFFICIENT TO PAY THE INTEREST ON AND PRINCIPAL OF THE BONDS; AND PROVIDING FOR A PUBLIC SALE OF THE BONDS AND THE APPLICATION OF THE PROCEEDS THEREOF

Yea

Mr. Williams, Mr. Sutherland, Mr. Meyer, Mr. Collier, Mr. Blackford

Motion by Mr. Williams, seconded by Mr. Sutherland to endorse the Native American Festival to be held on November 4, 5, & 6, 2011 at the Jessamine County Fair Grounds.

Yea

Mr. Sutherland, Mr. Meyer, Mr. Collier, Mr. Blackford, Mr. Williams

Motion by Mr. Collier, seconded by Mr. Williams to accept the following public improvements (streets, sanitary sewer collection system and storm drainage system) in Orchard Pointe Subdivision, Units 2-A, 2-B and 2-C and to release the Letter of Credit posted. (The water distribution system is within Jessamine County Water District No.1's service territory. The District has submitted a letter stating that the water system has been completed to their satisfaction.)

Yea

Mr. Meyer, Mr. Collier, Mr. Blackford, Mr. Williams, Mr. Sutherland

Motion by Mr. Williams, seconded by Mr. Sutherland to transfer Unit #347, 2003 Ford F-150, from the Meter Department to the Cemetery.

Yea

Mr. Collier, Mr. Blackford, Mr. Williams, Mr. Sutherland, Mr. Meyer

Motion by Mr. Williams, seconded by Mr. Blackford to approve accounts payable as listed in the amount of \$260,847.34.

Yea

Mr. Blackford, Mr. Williams, Mr. Sutherland, Mr. Meyer, Mr. Collier

Motion by Mr. Blackford, seconded by Mr. Williams to accept 2.52 acres of property located on final plat of Brookside Place Subdivision Unit #3 and to authorize Mr. Arvin to prepare necessary documents for the transfer as recommended by Parks and Recreation.

Yea

Mr. Williams, Mr. Sutherland, Mr. Meyer, Mr. Collier, Mr. Blackford

Motion by Mr. Meyer, seconded by Mr. Blackford to accept the department commissioners' response to the grievance of David Cartwright without further action with a note that the appeal was not filed timely.

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Yea

Mr. Sutherland, Mr. Meyer, Mr. Collier, Mr. Blackford, Mr. Williams

Motion by Mr. Blackford, seconded by Mr. Sutherland to adjourn into closed session per KRS 61.810 (1) (b) for deliberations on the future acquisition or sale of real property by a public agency.

Yea

Mr. Meyer, Mr. Collier, Mr. Blackford, Mr. Williams, Mr. Sutherland

No action was taken for the closed session matter.

The meeting adjourned at 5:38 p.m.

Roberta Warren, City Clerk

Russell Meyer, Mayor