

March 26, 2012

Regular Meeting

The Board of Commission of the City of Nicholasville convened in regular session at 5:00 p.m. on March 26, 2012 at the Nicholasville City Hall. Mayor Russ Meyer presided and the following Commissioners were present: Mr. Andy Williams, Mr. Pete Sutherland, Mr. John Collier and Mr. Doug Blackford. City Attorney, William M. Arvin was also present.

Motion by Mr. Blackford, seconded by Mr. Williams to approve minutes as written for the special called meeting on March 22, 2012.

Yea

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

Motion by Mr. Williams, seconded by Mr. Sutherland to approve second reading of ORDINANCE 830-2012: AN ORDINANCE OF THE CITY OF NICHOLASVILLE, KENTUCKY, PROVIDING FOR THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION NOTE, SERIES 2012N-1, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$1,100,000 FOR THE PURPOSES OF (A) PROVIDING FUNDS TO FINANCE AN UNFUNDED LIABILITY OF THE CITY AND (B) PAYING A PORTION OF THE COSTS OF CERTAIN PUBLIC PROJECTS OF THE CITY, INCLUDING THE COSTS OF THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF STORM SEWER REPAIRS AND IMPROVEMENTS, THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF PUBLIC WALKWAY AND RELATED INFRASTRUCTURE IMPROVEMENTS, AND THE PURCHASE AND EQUIPPING OF SIX PATROL CARS FOR THE CITY'S POLICE DEPARTMENT; SETTING FORTH THE TERMS AND CONDITIONS UPON WHICH THE NOTE IS 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 NOTE; AND PROVIDING FOR A PRIVATE SALE OF THE NOTE AND THE APPLICATION OF THE PROCEEDS THEREOF

Yea

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

Motion by Mr. Collier, seconded by Mr. Blackford to approve second reading of ORDINANCE 831-2012: AN ORDINANCE AMDENDING THE NICHOLASVILLE ZONING ORDINANCE, ARTICLE 2, DEFINITIONS, 200 INTERPRETATION OF TERMS OR WORDS (This ordinance amends the General Specifications for the Nicholasville Zoning Ordinance, Article 2, Definitions, 200 Interpretation of Terms or Words, to add Wrecker Service.)

Yea

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

Motion by Mr. Blackford, seconded by Mr. Collier to approve second reading of ORDINANCE 832-2012: AN ORDINANCE AMENDING THE NICHOLASVILLE SUBDIVISION REGULATIONS ARTICLE 3, SUBDIVISION PROCESSING, 330 PRELIMINARY PLAT, 331 PROCESSING, 331.1 SUBMITTAL (This Ordinance amends the Nicholasville Subdivision Regulations, Article 3 Subdivision Processing, 330 Preliminary Plat, 331 Processing, 331.1 Submittal, to provide that preliminary plats need to be prepared by an engineer or Professional Land Surveyor, Likewise, provides for construction plans for subdivisions to be submitted in phases or as approved by the Planning Commission.)

Yea

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

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Motion by Mr. Collier, seconded by Mr. Sutherland to approve second reading of ORDINANCE 833-2012: AN ORDINANCE AMENDING THE NICHOLASVILLE SUBDIVISION REGULATIONS ARTICLE 3 SUBDIVISION PROCESSING, 345 FINAL PLAT REQUIREMENTS, 345.1 H. (This ordinance amends the Nicholasville Subdivision Regulations, Article 3 Subdivision Processing. 345 Final Plat Requirements, 345.1 to add the following: M. A note shall be placed on the plat identifying the current Federal Emergency Management Agency's (FEMA) map number and effective date, and whether or not the property is located within a FEMA flood plain. (If the property is located within the FEMA flood plain, or if the property contains local flood hazard areas, the limits of the FEMA flood plain and/or flood hazard areas shall be identified on the plat.)

Yea

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

Motion by Mr. Collier, seconded by Mr. Williams to approve second reading of ORDINANCE 834-2012: AN ORDINANCE AMENDING THE NICHOLASVILLE SUBDIVISION REGULATIONS ARTICLE 3 SUBDIVISION PROCESSING, 350 MINOR PLAT, 351 MINOR PLAT REQUIREMENTS (This Ordinance amends the Nicholasville Subdivision Regulations, Article 3 Subdivision processing, 350 Minor Plat, 351 Minor Plat Requirements, to add the following subsection: 351.5 – Where vacant land is subdivided for non-building purposes only; and fronts on an existing public street or on a roadway access easement for a future street approved by the Planning Commission; and conforms to the adopted subdivision and zoning regulations and comprehensive plan of the City of Nicholasville. (The Plat shall be labeled "MINOR NON-BUILDABLE PLAT" and the following note shall be placed on the plat: "This property shall be used for non-building purposes only. No construction shall be permitted on this property unless and until a major subdivision plan is submitted to and approved by the Planning Commission in accordance with the Nicholasville Subdivision Regulations."))

ORDINANCE 835-2012: AN ORDINANCE AMENDING THE CITY OF NICHOLASVILLE ZONING ORDINANCE, ARTICLE 7, APPLICATION OF REGULATIONS, SECTION 720 SCHEDULE OF DISTRICT REGULATIONS ADOPTED, B-1 CENTRAL BUSINESS DISTRICT CONDITIONAL USES (This Ordinance amends the City of Nicholasville Zoning Ordinance, Article 7, Application of Regulations, Section 720, Schedule of District Regulations adopted, B-1 Central Business District, Conditional Uses shall be amended to delete #2 Wrecker Service.)

Yea

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

Motion by Mr. Blackford, seconded by Mr. Collier to approve second reading of ORDINANCE 835-2012: AN ORDINANCE AMENDING THE CITY OF NICHOLASVILLE ZONING ORDINANCE, ARTICLE 7, APPLICATION OF REGULATIONS, SECTION 720 SCHEDULE OF DISTRICT REGULATIONS ADOPTED, B-1 CENTRAL BUSINESS DISTRICT CONDITIONAL USES (This Ordinance amends the City of Nicholasville Zoning Ordinance, Article 7, Application of Regulations, Section 720, Schedule of District Regulations adopted, B-1 Central Business District, Conditional Uses shall be amended to delete #2 Wrecker Service.)

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 836-2012: AN ORDINANCE AMENDING THE CITY OF NICHOLASVILLE ZONING ORDINANCE, ARTICLE 7, APPLICATION OF REGULATIONS, SECTION 720 SCHEDULE OF DISTRICT REGULATIONS ADOPTED, B-2 HIGHWAY BUSINESS DISTRICT, PRINCIPAL USES. (This Ordinance amends the City of Nicholasville Zoning Ordinance,

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Article 7, Application of Regulations, Section 720, Schedule of District Regulations adopted, B-2 Highway Business District, Principal Uses shall be amended to delete #8 Wrecker Service.)

Yea

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

Motion by Mr. Collier, seconded by Mr. Blackford to approve second reading of ORDINANCE 837-2012: AN ORDINANCE AMENDING THE CITY OF NICHOLASVILLE ZONING ORDINANCE, ARTICLE 7, APPLICATION OF REGULATIONS, SECTION 720 SCHEDULE OF DISTRICT REGULATIONS ADOPTED, 1-1 LIGHT INDUSTRIAL DISTRICT, PRINCIPAL USES. (This Ordinance amends the City of Nicholasville Zoning Ordinance, Article 7, Application of Regulations, Section 720, Schedule of District Regulations adopted, 1-1 Light Industrial District, Principal Uses shall be amended to delete #13 Wrecker Service.)

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 838-2012; AN ORDINANCE AMENDING THE CITY OF NICHOLASVILLE ZONING ORDINANCE, ARTICLE 7, APPLICATION OF REGULATIONS, SECTION 720 SCHEDULE OF DISTRICT REGULATIONS ADOPTED, 1-2 LIGHT INDUSTRIAL DISTRICT, PRINCIPAL USES. (This Ordinance amends the City of Nicholasville Zoning Ordinance, Article 7, Application of Regulations, Section 720, Schedule of District Regulations adopted, 1-2 Light Industrial District, Principal Uses shall be amended to include the following: 3. Wrecker Service if in compliance with the following: a. That a fence be erected at least 6 feet in height so that no vehicles stored on the premises shall be visible from the street or adjoining property; b. that individual vehicles shall not be physically present on the premises more than six months; c. that the area of the wrecker service shall be kept clean without having automotive parts in open view; d. there shall be no disassembly or salvaging of any of the vehicles; e. there shall be no sale of vehicles and/or automotive parts; f. it will be reviewed and policed by the Planning Commission Staff, and there shall be periodic reports every six months; g. policing this permit shall include physically reviewing the premises and any and all records that the wrecker service shall maintain on vehicles that have been stored there for any longstanding period of time, and the staff will be allowed to review the current records during the usual business hours.)

Yea

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

Motion by Mr. Sutherland, seconded by Mr. Blackford to approve second reading of ORDINANCE 839-2012: AN ORDINANCE AMENDING THE CITY OF NICHOLASVILLE ZONING ORDINANCE, ARTICLE 7, APPLICATION OF REGULATIONS, SECTION 720 SCHEDULE OF DISTRICT REGULATIONS ADOPTED, DB DOWNTOWN BUSINESS DISTRICT PROHIBITED USES. (This Ordinance amends the City of Nicholasville Zoning Ordinance, Article 7, Application of Regulations, Section 720, Schedule of District Regulations adopted. DB Downtown Business District, Prohibited uses shall be amended to include #11. Wrecker Service.)

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 840-2012: AN ORDINANCE AMENDING THE CITY OF NICHOLASVILLE ZONING ORDINANCE, ARTICLE 7, APPLICATION OF REGULATIONS, SECTION 720 SCHEDULE OF DISTRICT REGULATIONS ADOPTED, A-1

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AGRICULTURE DISTRICT PROHIBITED USES. (This Ordinance amends the City of Nicholasville Zoning Ordinance, Article 7, Application of Regulations, Section 720. Schedule of District Regulations adopted, A-1 Agriculture District, Prohibited Uses shall be amended to include #13. Wrecker Service.)

Yea

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

Motion by Mr. Collier, seconded by Mr. Blackford to hire Zack Slone as a temporary employee for Code Enforcement to mow and assist in abatement of city properties for a period no longer than nine (9) months with a starting pay of \$10.00 per hour effective March 27, 2012.

Yea

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

Motion by Mr. Meyer, seconded by Mr. Collier to transfer Kenny Hall and James Morris to Cemetery Maintenance I from Groundskeeper I effective March 27, 2012.

Yea

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

Motion by Mr. Meyer, seconded by Mr. Williams to approve MUNICIPAL ORDER 03262012 A: A MUNICIPAL ORDER AMENDING THE CITY OF NICHOLASVILLE PERSONNEL POLICIES AND PROCEDURES, COMPENSATION PLAN AND CLASSIFICATION PLAN (Position Description: Custodian – changing supervisor and deleting one duty effective March 27, 2012)

Yea

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

Motion by Mr. Meyer, seconded by Mr. Blackford to approve MUNICIPAL ORDER 03262012 B: A MUNICIPAL ORDER AMENDING THE CITY OF NICHOLASVILLE PERSONNEL POLICIES AND PROCEDURES, COMPENSATION PLAN AND CLASSIFICATION PLAN (Position Description: Maintenance Supervisor – deleting position effective April 1, 2012)

Yea

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

Motion by Mr. Meyer, seconded by Mr. Collier to approve MUNICIPAL ORDER 03262012 C: A MUNICIPAL ORDER AMENDING THE CITY OF NICHOLASVILLE PERSONNEL POLICIES AND PROCEDURES, COMPENSATION PLAN AND CLASSIFICATION PLAN (Position Description: Groundskeeper – deleting position effective March 27, 2012)

Yea

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

Motion by Mr. Meyer, seconded by Mr. Collier to approve MUNICIPAL ORDER 03262012 D: A MUNICIPAL ORDER AMENDING THE CITY OF NICHOLASVILLE PERSONNEL POLICIES AND PROCEDURES, COMPENSATION PLAN AND CLASSIFICATION PLAN (Position Description: Purchasing Agent – adding the responsibility of supervising Custodians, effective March 27, 2012)

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Yea

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

Motion by Mr. Blackford, seconded by Mr. Collier to approve accounts payable as listed in the amount of \$255,883.62.

Yea

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

Motion by Mr. Meyer, seconded by Mr. Collier to reappoint Tyler Johnson and Mark Miller to the Ethics Commission for a three (3) year term.

Yea

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

Motion by Mr. Collier, seconded by Mr. Blackford to authorize the Mayor to sign a CHILD ABUSE PREVENTION MONTH 2011 PROCLAMATION proclaiming April as child abuse prevention month.

Yea

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

The meeting adjourned at 5:27 p.m.

Roberta Warren, City Clerk

Russell Meyer, Mayor