

**FEBRUARY 19, 2019
PAGE ONE
MINUTES OF REGULAR COUNCIL
VERSAILLES CITY HALL/5:30 P.M.**

ROLL CALL: MAYOR BRIAN TRAUGOTT PRESIDED OVER THE MEETING. ALSO PRESENT WERE COUNCIL MEMBERS MARY BRADLEY, MIKE COLEMAN, LAURA DAKE, GARY JONES, KEN KERKHOFF, AND FRED SIEGELMAN. CITY ATTORNEY BILL MOORE WAS ALSO PRESENT.

DEPT. HEADS: BART MILLER, MIKE MURRAY, ELIZABETH REYNOLDS, AND BRIAN WAINSCOTT WERE PRESENT REPRESENTING THEIR RESPECTIVE DEPARTMENTS.

Carla Thompson was present from Spectrum to explain the upcoming closure of the Versailles office on March 15, 2019. Ms. Thompson stated that customers will have the option to make payments at the local Kroger, as well as any Western Union location. To return equipment, a customer has the option to contact Spectrum customer service and Spectrum will send them a box to mail the equipment in which will be picked up by UPS at no cost to the customer. Customers also always have the option to visit the Lexington office for any customer service needs. Ms. Thompson explained that per the Cable Franchise Agreement, the Versailles office could have been closed any time after July 1, 2018. She also stated that no Spectrum employees were losing their jobs as a result of the office closure – all employees were given the option to relocate.

PUBLIC COMMENT

William Saunders, representative of the former Bridge The Gap Committee, addressed the Mayor and Council regarding the position of Director of Minority Empowerment which was created in September 2018. He stated they had dissolved the Bridge The Gap Committee assuming that the position was going to be filled immediately. Mr. Saunders asked when the position would be filled and questioned why it hadn't been filled to this point. Mayor Traugott responded that he was originally going to try to do a collaborative effort with the County. He stated that the position has been created and funded in the budget and will be filled soon.

Lindsey Cox McHatton addressed the Mayor and Council as the property owner next to the planned Woodford Place development. Ms. McHatton would like to see it zoned so that the number of houses is less dense.

Jason Huber also spoke regarding the Woodford Place development zoning request. Mr. Huber expressed the following concerns: overcrowded classrooms, cost standpoint related to increased use of City services (including police, fire, and sewer), and the impact on U.S. 60.

Katherine Gould also addressed the Council and Mayor regarding the Woodford Place zone change request. Ms. Gould focused on the burdens that she feels will be placed on the school system and read a letter from Woodford County Public Schools Superintendent Scott Hawkins that stated his concerns (the letter was included as part of Planning and Zoning's official record). Ms. Gould also stated that she was concerned about the lack of resources available in Versailles for low income families, which are going to be the main residents of the new development.

Rick Nutter also expressed his opposition to the Woodford Place zone change request. He questioned why an environmental impact study wasn't done as part of Planning & Zoning's hearing. He also expressed concern over only having one intersection to serve both Backer I and Backer II.

City Attorney Bill Moore reminded the Council, and those residents in attendance, that the City Council voted in January 2019 to accept the record as presented by Planning & Zoning. Therefore, the Council must vote on the zone change request based on their review of the record, and cannot take into consideration any views expressed tonight that were not previously expressed as part of the record.

MOTION BY BRADLEY, SECONDED BY KERKHOFF TO APPROVE AND ADOPT THE MINUTES OF THE FEBRUARY 5, 2019 REGULAR MEETING OF THE COUNCIL.

The vote was as follows: Bradley, Coleman, Dake, Jones, Kerkhoff, and Siegelman voting aye.

At the request of Council member Bradley, City Attorney Moore gave first reading of Ordinance 2019-3 Amending Section 151.04 of the City's Code of Ordinances to Include Dumpsters and Establish Regulations for Use of Dumpsters Including Placement Locations and Time Limits for Usage.

Council member Dake stated that she had a request from Council member Jones to change the ordinance to reflect a 30 day extension for dumpsters and she asked for that change to be made to the ordinance. Council member Coleman expressed concern over how the 90 day time limit (plus any granted extension) would be enforced since there is no process requiring the homeowner to notify the City when they first place the dumpster on their property. Council member Dake stated that she had discussed the enforcement issue with Public Works Director Miller and that the public works department would keep notes when they are driving around the City if they see a dumpster or pod has been placed on private property. Mr. Miller stated that the City has minimal complaints related to dumpsters and pods. City Attorney Moore stated that due to the changes to the ordinance, he recommended another first reading be held at the next council meeting.

MOTION BY DAKE, SECONDED BY JONES TO APPROVE AND ADOPT MUNICIPAL ORDER 2019-3 ADOPTING THE RIGHT-OF-WAY MANUAL STANDARDS AS PROMULGATED BY THE PUBLIC WORKS DIRECTOR DATED 2019 REVISED.

The vote was as follows: Bradley, Coleman, Dake, Jones, Kerkhoff, and Siegelman voting aye.

**CITY OF VERSAILLES, KENTUCKY
MUNICIPAL ORDER NO. 2019-3**

TITLE: A MUNICIPAL ORDER ADOPTING THE RIGHT-OF-WAY STANDARDS PROMULGATED BY THE PUBLIC WORKS DIRECTOR DATED 2019 REVISED.

Whereas, Versailles City Ordinance § 97.23 authorizes the City's Public Works Director to impose reasonable regulations concerning the permits required by City Ordinance § 97.21 to dig, open, excavate or tunnel under any City street, sidewalk, or public way; and

Whereas, the City Public Works Directors has determined that it is reasonable and necessary to adopt the regulations contained in the Right-of-Way Standards dated 2019 Revised attached hereto;

NOW THEREFORE, BE IT ORDERED by the City of Versailles, Kentucky as follows:

1. The Right-of-Way Standards dated 2019 Revised and attached hereto are hereby adopted by the City of Versailles as the regulations applicable to permits to be issued by the Public Works Director under Versailles City Ordinance § 97.21.

2. The updated Right-of-Way Standards attached hereto shall be effective as of February 20, 2019.

Introduced and fully adopted at a meeting of the City Council of the City of Versailles, Kentucky held on February 19, 2019.

APPROVED:

BRIAN TRAUGOTT, MAYOR

ATTEST:

ALLISON B. WHITE, CITY CLERK

**FEBRUARY 19, 2019
PAGE THREE
MINUTES OF REGULAR COUNCIL
VERSAILLES CITY HALL/5:30 P.M.**

Mayor Traugott asked the Council to renew the Independent Contractor Agreement with John Soper for Economic Development. Mayor Traugott stated that the City of Midway and Woodford County Fiscal Court had already approved it at their recent meetings. Mayor Traugott stated that a new project has started to bring Vigimatic to Versailles which will have approximately thirty employees).

MOTION BY COLEMAN, SECONDED BY KERKHOFF TO APPROVE AN INDEPENDENT CONTRACTOR AGREEMENT BETWEEN THE CITY OF VERSAILLES AND JOHN SOPER FOR A ONE YEAR TERM BEGINNING FEBRUARY 1, 2019.

The vote was as follows: Bradley, Coleman, Dake, Jones, Kerkhoff, and Siegelman voting aye.

MOTION BY SIEGELMAN, SECONDED BY BRADLEY TO SURPLUS .40 CALIBER AMMUNITION AND TWELVE MISCELLANEOUS FIREARMS AND TO TRADE IN THAT AMMUNITION AND TWELVE FIREARMS WITH MARK'S GUNS.

The vote was as follows: Bradley, Coleman, Dake, Jones, Kerkhoff, and Siegelman voting aye.

Council member Dake presented the Council with a Decision on Zone Change Application that she had drafted, with the help of City Attorney Bill Moore, stating the reasons for denial of the zone change request. The Council discussed their options relating to the zone change request and Mayor Traugott passed out a copy of the zoning ordinance which defined each zone.

Re: Zoning Map Amendment - 2101 C, LLC- Woodford Place, 2101 Lexington Road (Backer II Property) - 68.467 Gross Acres - 7.711 Gross acres A-1 (Agricultural District) to B-4 (Highway Business District) and 60.756 Gross Acres A-1 (Agricultural District) to R-4 (High Density Residential)

DECISION ON ZONE CHANGE APPLICATION

This matter has come to the City Council upon the recommendation of the Versailles-Midway-Woodford County Planning and Zoning Commission that the City approve the request to rezone 7.711 acres of the property located at 2101 Lexington Road from the A-1 to the B-4 zone, and rezone the remaining 60.756 acres of the property from the A-1 zone to the R-4 zone.

On January 15, 2019, the City Council adopted a resolution that it would resolve this zone change application based upon the record developed in the proceedings before the Planning Commission and would not hold its own public hearing in this matter.

Based upon that record, the City Council makes the following Findings and Decision with respect to the zone change application:

1. The applicant owns a 68.467 acre tract located on the south side of U. S. Highway 60 near the intersection of U. S. Highway 60 and the Martha Layne Collins Parkway. The property is designated as 2101 Lexington Road, Versailles, Kentucky. The property is bounded on the north by U. S. Highway 60 (Lexington Road), on the south by the Martha Layne Collins Parkway, on the west by the new residential development generally known as "Backer I," and on the east by agricultural land bordering the Parkway which is in the Workplace/Employment Land Use District. The applicant seeks to rezone a 7.711 tract of the property from A-1 (Agricultural District) to the B-4 (Highway Business District) zone and to rezone the remaining 60.467 acres from the A-1 zone to the R-4 (High Density Residential) zone.

2. The property at issue is located within the City boundary and within the Urban Services Boundary of the City of Versailles, albeit at the outermost limits of both boundaries, and is presently being used for agricultural purposes.

3. The property at issue was annexed by the City in 2014 with the finding that the property was subject to urban development without unreasonable delay.

4. In 2016, the City Council rezoned the tract on the west side of the subject property (known as Backer I) from A-1 (Agricultural District) to residential uses, consisting of 18 acres of R-1A (Low Density Single Family Residential with the largest minimum lot size); 88 acres of R-1B (Low Density Single Family residential with an intermediate minimum lot size) , 66 acres of R-1C (Low Density Single Family residential with the smallest minimum lot size), and 16 acres of R-2 (Low Density Multiple Family Residential). Versailles Ordinance No. 2016-017. This property had also been annexed by the City at about the same time as the property at issue.

5. The bulk of the property at issue is located within the Contemporary Neighborhood District which is intended for future residential development.

6. The traffic impact study submitted by the applicant indicated that Level of Service on U. S. Highway 60 would generally be in the “acceptable” range (“C” level) upon completion of the planned development on this property and on the adjoining Backer I property, and occasionally declining to the “D” level of service. Our planning guidelines require denial of zone changed which would result in a decrease in the level of service below the “D” level. *See* Infrastructure policies for development in the Contemporary Neighborhood District and the Workplace/Employment District. While the traffic study submitted by applicant focused upon the impact of traffic on U. S. Highway 60 at its intersection with the Martha Layne Collins Parkway, the study did not include any additional traffic anticipated by future development of the adjoining Workplace/Employment District property located between the subject property and this intersection.

7. With respect to the proposed B-4 strip along U. S. Highway 60, this tract is located within the Workplace/Employment District on the current Land Use Map. This district was commonly referred to as the “industrial” district under previous versions of our comprehensive plan. The current comprehensive plan describes this district as:

The Workplace District ... is intended to group all workplace types into two groups. The first group includes those places of employment that are dominated by the very large floor-plate user – the distribution/manufacturing workplace center. This group may include large manufacturers or distributors that tend to locate in areas with rail access. This type of workplace is characterized by large lots/parcels, with single story structures, outdoor storage areas and a relatively small percentage of office space. The other type of workplace is less dependent on the type of access that is available and more dependent on site amenities, proximity to neighborhoods and services, and proximity to other enterprises of a similar nature. These are the “campus style” or “gateway” workplaces dominated by free-standing office structures, i.e., the “office park”, or a workplace dominated by a single purpose group of uses, i.e., a medical center. These workplaces tend to be more intensely developed, there are more employees and visitors and therefore more traffic generated, and there is a need for accessory uses such as restaurants, dry cleaners, and other service uses to locate nearby to serve the employees and visitors. The Workplace District guidelines below are intended to guide decisions relative to the location, size and development characteristics of such areas.

8. The proposed rezoning of the portion of the property bordering U. S. Highway 60 to the B-4 (Highway Business District) does not appear to be consistent with the intended purpose of the Workplace/Employment Land Use District.

9. Moreover, the proposed rezoning and development of this property as Highway Business is inconsistent with the goals and objectives of the comprehensive plan, in particular with the objective to discourage strip commercial activities along major traffic arteries unless specifically designated in the Land Use Plan, developing land in centralized compact patterns rather than decentralized sprawled patterns, buffering commercial areas from nearby residential areas, and preserving the compact urban forms of Versailles and Midway.

10. Based upon the foregoing, we find that the proposed rezoning of any portion of the property to the B-4 (Highway Business District) zone designation is not consistent with the comprehensive plan.

11. Aside from the proposed commercial strip of land bordering U. S. Highway 60, the applicant proposes to rezone and develop the bulk of property for the highest density residential use permitted by our zoning ordinance. This development would consist of a few patio homes and townhouses, and apartment buildings up to 3 stories tall.

12. The proposed rezoning and development of the property for High Density Residential uses is inconsistent with the comprehensive plan's goals and objectives for General Land Development. Future land use development should be encouraged to be located in centralized compacted patterns rather than decentralized sprawled patterns and the compact urban form of Versailles should be preserved.

13. The general development policies within the comprehensive plan specify that "Except as otherwise provided, the size and scale of all development and redevelopment should reflect and be complimentary to the character and style of surrounding developed areas." The proposed development of the property for high density residential uses is inconsistent with this policy.

14. The general guidelines for residential development in the Contemporary Neighborhood District provide:

Guideline 2 – New neighborhoods should be primarily single family homes. Multifamily buildings are encouraged but should be carefully integrated into the neighborhood. Some non-residential land uses can be included. Limited neighborhood commercial, personal service and professional offices uses may be appropriate only where they will serve the surrounding neighborhood, while posing minimal impact on it. Multifamily and nonresidential buildings should be of a scale and character that blend into the neighborhood.

The proposed development has very few single family homes and the proposed multifamily structures are not of a scale and character that will blend into the adjoining Backer I development previously approved by the Council.

15. We find that the proposed rezoning of the property to the R-4 (High Density Residential) designation is not consistent with the comprehensive plan.

16. While we agree that the current zone designation of the property is not appropriate and the zone designation of the property should be changed. We do not agree that the appropriate zone designations should be B-4 (Highway Business District) or R-4 (High Density Residential).

17. Based upon the distance of the subject property from the Downtown Business District; the character of residential development progressing from the Downtown Business District toward the subject property; the fact that the subject property is one of the outermost properties for provision of urban services; and the fact that the property adjoins properties in the Workplace/Employment Land Use District which will add substantial additional traffic to the already congested U. S. Highway 60 corridor as developed; we find that the zone designation of the property should be a low density single family use and that the R-1B designation is the appropriate zone designation for the subject property.

Based upon the findings set forth above, the City Council hereby denies the zone change request submitted by the applicant. The City shall, however, adopt an ordinance rezoning the property from the current A-1 zone designation to the R-1B zone designation.

MOTION BY DAKE, SECONDED BY BRADLEY TO DENY THE ZONE CHANGE REQUEST RELATED TO WOODFORD PLACE, 2101 LEXINGTON ROAD (BACKER II PROPERTY) – 68.467 GROSS ACRES – 7.711 GROSS ACRES A-1 (AGRICULTURAL DISTRICT) TO B-4 (HIGHWAY BUSINESS DISTRICT) AND 60.467 ACRES A-1 (AGRICULTURAL DISTRICT) TO R-4 (HIGH DENSITY RESIDENTIAL) AND ADOPT AN ORDINANCE REZONING THE 68.467 GROSS ACRES FROM A-1 (AGRICULTURAL DISTRICT) TO R-1B (LOW DENSITY SINGLE FAMILY RESIDENTIAL) BASED ON THE FINDINGS OF FACT.

**FEBRUARY 19, 2019
PAGE SIX
MINUTES OF REGULAR COUNCIL
VERSAILLES CITY HALL/5:30 P.M.**

The vote was as follows: Bradley, Dake, Jones, Kerkhoff, and Siegelman voting aye. Council member Coleman abstained.

At the request of Council member Bradley, City Attorney Moore gave first reading of Ordinance No. 2019-4 An Ordinance Rezoning the Property Located at 2101 Lexington Road From the A-1 Zone Designation to the R-1B Zone Designation.

DEPARTMENT HEAD/ COMMITTEE REPORTS

Mayor Traugott informed the Council that he, along with Council member Kerkhoff and Public Works Director Miller had met with Metronet and things are progressing at a good pace. He also stated that RAW (Raising Awareness Woodford) is hosting a "Meet and Greet" on Monday, February 25th at the Woodford County Library Community Room and encouraged everyone to attend. Mayor Traugott also announced that the upcoming "2019 Uniquely Taste of Woodford" event to be held on Saturday, February 23rd is sold out for the first time.

Public Works Director Bart Miller requested approval to purchase a budgeted 2019 Ford F-150 pick-up truck from Jack Kain Ford in the amount of \$27,026.00 (below state price contract).

MOTION BY SIEGELMAN, SECONDED BY BRADLEY TO APPROVE THE REQUEST TO PURCHASE A 2019 FORD F-150 PICKUP TRUCK FROM JACK KAIN FORD IN THE AMOUNT OF \$27,026.00 FOR THE PUBLIC WORKS DEPARTMENT.

The vote was as follows: Bradley, Coleman, Dake, Jones, Kerkhoff, and Siegelman voting aye.

Council member Siegelman stated that the Public Safety Committee met prior to tonight's meeting to discuss 911. He also requested that a joint committee meeting be scheduled with the County and Midway prior to the next Fiscal Court meeting. Mr. Siegelman also requested that a Public Safety Committee meeting be scheduled for March 5, 2019 at 4:30 p.m. to discuss a new fire apparatus for the Versailles Fire Department.

Council member Jones stated that the Water and Sewer Committee met prior to tonight's meeting to discuss adjustment requests, as well as a sewer connection issue at 320 Amsden Avenue. Mr. Jones stated that the homeowners and the City had determined that the home is not connected to City sewer but had been charged sewer charges since he purchased the home in 2015. The homeowner requested a refund of all sewer charges paid from 2015 to present which totaled \$1,031.49. The committee recommends that instead of the City refunding those charges, they would waive the impact fee of \$1,370.85 and the tap on fee of \$2,000.00. The committee also determined that they would give the homeowner thirty days to connect to City sewer.

MOTION BY JONES, SECONDED BY KERKHOFF TO WAIVE THE TAP ON FEE OF \$2,000.00 AND THE IMPACT FEE OF \$1,370.85 FOR THE CONNECTION TO CITY SEWER WITHIN THIRTY (30) DAYS AT 320 AMSDEN AVENUE.

The vote was as follows: Bradley, Coleman, Dake, Jones, Kerkhoff, and Siegelman voting aye.

Council member Kerkhoff stated that the Communications/Tourism/Downtown Committee would be meeting Friday, February 22nd at 11:00 a.m. at the Woodford County Chamber of Commerce to discuss wayfinding signage.

Council member Bradley announced that the Admin/Legal Committee would be meeting Friday, February 22nd at 9:15 a.m. at City Hall to discuss the code enforcement of abandoned/blighted properties and to also discuss amending the nuisance ordinance to include zoning violations.

**FEBRUARY 19, 2019
PAGE SEVEN
MINUTES OF REGULAR COUNCIL
VERSAILLES CITY HALL/5:30 P.M.**

**MOTION BY KERKHOFF, SECONDED BY BRADLEY THAT THE MEETING OF THE
COUNCIL ADJOURN.**

The vote was as follows: Bradley, Coleman, Dake, Jones, Kerkhoff, and Siegelman voting aye.

APPROVED:

BRIAN TRAU GOTT, MAYOR

ATTEST:

ALLISON B. WHITE, CITY CLERK