

AGENDA
MEETING OF THE CITY COUNCIL
VERSAILLES MUNICIPAL BUILDING
January 21, 2025 AT 5:30 P.M.

1. Prayer
2. Pledge
3. Roll Call
4. Approval of January 7, 2025 Meeting Minutes
5. Public Comment
6. Resolution 2025-1 Honoring Former Police Chief Mike Murray
7. Rob Young- Police Chief Confirmation
8. Zoning Map Amendment-Dale and Macey, LLC-104 Dale Ave-0.490 Acres-R-2 (Two-Family Residential) to R-3 (Medium Density Residential)
9. 1st Reading Ordinance 2025-1 An Ordinance Establishing The Minimum Regulations Governing The Conditions And Maintenance Of All Property, Buildings And Structures Within The City, By Providing The Standards For Supplied Utilities And Facilities And Other Physical Things And Conditions Essential To Ensure That Structures Are Safe, Sanitary And Fit For Occupation And Use; And The Condemnation Of Buildings And Structures Unfit For Human Occupancy And Use And The Demolition Of Such Structures; Known As The Property Maintenance Code.
10. Building Standards and Downtown Development Ad-Hoc Committee Final Report
11. Municipal Order 2025-6 A Municipal Order Dissolving The Building Standards And Downtown Development Ad Hoc Committee
12. Bid Award - Complete Filter Rehab
13. Metronet Settlement Agreement
14. Mayor Miscellaneous
15. Council Miscellaneous/Committee Reports
16. Department Directors
17. Adjournment

SUBJECT TO REVISION

**JANUARY 7, 2025
PAGE ONE
MINUTES OF REGULAR COUNCIL MEETING
VERSAILLES MUNICIPAL BUILDING/5:30 P.M.**

ROLL CALL: MAYOR LAURA DAKE PRESIDED OVER THE MEETING. ALSO PRESENT WERE COUNCIL MEMBERS MARY BRADLEY, GARY JONES, LISA JOHNSON, ANN MILLER, AND FRED SIEGELMAN. CITY ATTORNEY BILL MOORE WAS ALSO PRESENT.

DEPT. HEADS: BART MILLER, T.A. RANKIN, ELIZABETH REYNOLDS AND ROB YOUNG WERE PRESENT REPRESENTING THEIR RESPECTIVE DEPARTMENTS.

Public Comment

No public comment was received.

Mayor Dake stated that there is a council vacancy for her council seat for the term of January, 2025 through December, 2026.

MOTION BY BRADLEY, SECONDED BY JOHNSON TO APPOINT CHANTEL BINGHAM TO FILL THE VACANT COUNCIL MEMBER POSITION.

The vote was as follows: Bradley, Johnson, Jones, Miller, and Siegelman voting aye.

City Attorney Moore swore Mrs. Bingham in as council member.

MOTION BY BRADLEY, SECONDED BY JONES TO APPROVE AND ADOPT THE MINUTES OF THE DECEMBER 17, 2024 REGULAR COUNCIL MEETING.

The vote was as follows: Bingham, Bradley, Jones, and Miller voting aye. Council members Johnson and Siegelman abstained.

MOTION BY SIEGELMAN, SECONDED BY BRADLEY TO APPROVE THE APPOINTMENT OF BILL MOORE TO THE POSITION OF CITY ATTORNEY.

The vote was as follows: Bingham, Bradley, Johnson, Jones, Miller, and Siegelman voting aye.

Mayor Dake presented Municipal Order 2025-1 which adds language prohibiting the use of medicinal cannabis by any city employee.

MOTION BY JOHNSON, SECONDED BY BINGHAM TO APPROVE AND ADOPT MUNICIPAL ORDER 2025-1 AMENDING THE CITY'S PERSONNEL POLICIES ADOPTED IN MUNICIPAL ORDER 2019-4, AS AMENDED.

The vote was as follows: Bingham, Bradley, Johnson, Jones, Miller, and Siegelman voting aye.

Fire Chief Rankin presented Municipal Order 2025-2 which adds the basic responsibilities of firefighting to the Battalion Chief/Training Officer position.

MOTION BY MILLER, SECONDED BY BRADLEY TO APPROVE AND ADOPT MUNICIPAL ORDER 2025-2 AMENDING THE BATTALION CHIEF/TRAINING OFFICER POSITION FOR THE VERSAILLES FIRE DEPARTMENT.

The vote was as follows: Bingham, Bradley, Johnson, Jones, Miller, and Siegelman voting aye.

Mayor Dake presented Municipal Order 2025-3 creating the position of Communications and Events Coordinator and repealing the position of Special Projects Coordinator.

MOTION BY MILLER, SECONDED BY BINGHAM TO APPROVE AND ADOPT MUNICIPAL ORDER 2025-3 CREATING THE POSITION DESCRIPTION FOR COMMUNICATIONS AND EVENTS COORDINATOR AND REPEALING MUNICIPAL ORDER 2023-16.

The vote was as follows: Bingham, Bradley, Johnson, Jones, Miller, and Siegelman voting aye.

**JANUARY 7, 2025
PAGE TWO
MINUTES OF REGULAR COUNCIL MEETING
VERSAILLES MUNICIPAL BUILDING/5:30 P.M.**

MOTION BY JOHNSON, SECONDED BY JONES TO APPROVE AND ADOPT MUNICIPAL ORDER 2025-4 DESIGNATING COUNCIL MEMBER MARY BRADLEY TO PRESIDE AT CITY COUNCIL MEETINGS IN THE ABSENCE OF THE MAYOR.

The vote was as follows: Bingham, Bradley, Johnson, Jones, Miller, and Siegelman voting aye.

Mayor Dake stated that the agenda item for Roof Line Lights (Phase 2) will be held off until a future meeting. They are working with Tourism to determine funding for the project.

Mayor Miscellaneous

Mayor Dake announced the recent hire of JJ Martin as Code Enforcement Officer, noting that he started work today and will be meeting with Code Enforcement Chair Cathy Weil tomorrow.

She thanked Public Works and the Public Safety departments for their work during this snow storm.

Mayor Dake stated that the City still has seven tickets available for the Martin Luther King, Jr. Day Breakfast on January 20th.

She distributed the Standing Committee assignments for 2025-2026 as follows:

ADMINISTRATIVE/LEGAL

**Fred Siegelman, Chair
Chantel Bingham
Mary Bradley**

BUDGET/FINANCE

**Lisa Johnson, Chair
Gary Jones
Fred Siegelman**

DOWNTOWN/TOURISM/COMMUNICATIONS

**Ann Miller, Chair
Mary Bradley
Gary Jones**

PUBLIC SAFETY

**Mary Bradley, Chair
Ann Miller
Fred Siegelman**

STREETS, STORMWATER AND CEMETERY

**Chantel Bingham, Chair
Lisa Johnson
Ann Miller**

WATER & SEWER

**Gary Jones, Chair
Chantel Bingham
Lisa Johnson**

Mayor Dake noted that the January-February 2025 Newsletter is out and can be read on our website or Facebook page.

Council Miscellaneous/ Committee Reports

Council member Siegelman stated that he is excited to be back serving on the Council.

**JANUARY 7, 2025
PAGE THREE
MINUTES OF REGULAR COUNCIL MEETING
VERSAILLES MUNICIPAL BUILDING/5:30 P.M.**

Department Directors

Public Works Director Miller presented Municipal Order 2025-5 which suspends the enforcement of Ordinance 93.05 relating to the collection of limbs/debris caused by the snow storm.

MOTION BY SIEGELMAN, SECONDED BY BINGHAM TO APPROVE AND ADOPT MUNICIPAL ORDER 2025-5 SUSPENDING ENFORCEMENT OF ORDINANCE 93.05 IN RELATION TO THE COLLECTION OF DEBRIS CAUSED BY THE SNOW STORM.

The vote was as follows: Bingham, Bradley, Johnson, Jones, Miller, and Siegelman voting aye.

Mr. Miller stated that pursuant to the Kentucky Model Procurement Code language for emergency purchases, the Versailles Public Works Department is informing the Versailles City Council of emergency work recently performed on its water system. He stated that while attempting to valve off existing water lines to complete some of the tie-ins for our Low Pressure System Improvement Project, four of the water system's existing valves began leaking and were not repairable. He stated that they determined this situation to be an emergency because we had to put our customers under Boil Water Advisories due to low pressure, and the existing valves were leaking, causing flooding and damage to Frankfort Street. He noted that had we not installed the valves as quickly as we did, more road damage would have occurred resulting in danger to motorists.

Mr. Miller stated that four water valves were installed as an emergency on October 22, October 26, and November 2, 2024. The following valves were inserted:

- 4": At the corner of Camden and Frankfort St.**
- 6": At the corner of Camden and Elm Streets**
- 6": At the corner of Yellow Jacket Dr. and Frankfort St.**
- 6": On Frankfort Street near Elm St Tank and**

He noted that Workman's Water Services performed the work for \$35,200.00. Workman's has done work for the City before, and Utilities Manager Mitzi Delius determined the price to be fair, especially considering that two of the three days of the work done was on Saturdays. Mr. Miller stated that since the valve insertions were directly related to the project, we are submitting this work for reimbursement through our Low Pressure System Improvements Project grant. While optimistic, we are not assured that it will be reimbursed.

MOTION BY BINGHAM, SECONDED BY SIEGELMAN TO APPROVE THE EMERGENCY WATER VALVE INSTALLATIONS ON OCTOBER 22, OCTOBER 26, AND NOVEMBER 2, 2024, IN THE TOTAL AMOUNT OF \$35,200.00 PAID TO WORKMAN'S WATER SERVICES.

The vote was as follows: Bingham, Bradley, Johnson, Jones, Miller, and Siegelman voting aye.

Mr. Miller stated that he is aware that during the recent snow storm, the plowing of the roads resulted in snow blocking some driveways. He noted that this is the most snow we have gotten at one time in several years and that they are doing their best to clear the roads without impacting driveways.

Police Chief Young thanked the Mayor and Council for the opportunity to serve as Chief and stated that he is looking forward to 2025.

Chief Young noted that during the recent snow storm, they had 326 calls for service including sixty motorist assists and thirteen welfare checks.

Council member Johnson asked about whether there would be a Work Session next week. After a short discussion, the council determined that it would be cancelled.

Scott White, Managing Editor of the Woodford Sun, thanked Emergency Management for keeping everyone informed and providing information for the Woodford Sun to post on social media to help get the word out during the snow storm.

Mr. White also noted that there would be no postal service on Thursday, January 9th due to the funeral for President Jimmy Carter.

**JANUARY 7, 2025
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MINUTES OF REGULAR COUNCIL MEETING
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Russ Crabtree, Emergency Management, stated that during the worst of the snow storm, Woodford County had 3,000 customers without power. He stated that two warming stations have been open to the public – the Courthouse which did not have any one attend – and The Station which had two regulars attend. Mr. Crabtree commended the department heads and elected officials for working together so well.

Council member Bingham thanked the council for appointing her to serve the next two years.

Mayor Dake adjourned the meeting without objections.

APPROVED:

LAURA DAKE, MAYOR

ATTEST:

ELIZABETH C. REYNOLDS, CITY CLERK



Stephen R. Hunter
Planning Director

VERSAILLES-MIDWAY-WOODFORD COUNTY
PLANNING COMMISSION

Joshua Stevens
Building Official

Kim O'Reel
Office Manager

103 S. Main St., Room 204
Versailles, KY 40383
Telephone: 859-873-8611
<https://www.woodfordplanning.org>

Mary Beth Robson
Engineer

January 3, 2025

RECEIVED

JAN 08 2025

CITY OF VERSAILLES

Honorable Laura Dake, Mayor
and Members of the Versailles City Council
PO Box 625
Versailles, KY 40383

Dear Mayor Dake:

RE: Zoning Map Amendment – Dale and Macey, LLC – 104 Dale Ave – 0.490 Acres – R-2 (Two-Family Residential) to R-3 (Medium Density Residential)

On Thursday, December 19, 2024, the Versailles-Midway-Woodford County Planning and Zoning Commission approved the Zoning Map Amendment and made a recommendation regarding the above referenced request. The motion was entered into the record as follows:

Motion was made by Mr. Wells, as seconded by Mr. Bohannon to approve/forward the Zone Change to the City of Versailles - Dale and Macey LLC on a tract of land containing 0.490 acres located at 104 Dale Avenue, Versailles KY. The requested zone change is from Two-Family Residential (R-2) to Medium Density Residential (R-3). Further, the request is justified [not by inappropriate current zoning, but...] by conformity with the Comprehensive Plan, specifically those goals and objectives identified in the staff report.

Discussion - Mr. Schein noted that this was a big hammer to fix someone's insurance problem, because if it burns down then they don't get to build back. Mr. Schein noted that it was a poor reason to do spot zoning. Mr. Wells noted that when someone purchases property with expectations such as this, they should be able to build the four-plex back. Mr. Smith made a suggestion for amendment to motion.

Motion amended by suggestion of counsel. Motion carried with six (6) aye votes.

Attached hereto is a copy of the application, exhibits and all supporting documents. The Commission hereby submits this information to the Versailles City Council with recommendation that this request for a Zoning Map Amendment be approved.

Sincerely,

Kim O'Reel
Office Manager

EXHIBITS

Dale and Macey, LLC

104 Dale Avenue

0.490 Gross Acres

R-2 (Two- Family Residential) to R-3 (Medium Density Residential)

- A. Zone Change Application
- B. Survey - TRC
- C. TRC Agenda – December 5, 2024
- D. Notice to Woodford Sun (Steve emailed)
- E. Copies of Notification Letters to Neighbors – December 5, 2024
- F. Zone Change Sign - Photo
- G. Staff Report
- H. P&Z Meeting Agenda – December 19, 2024
- I. P&Z Meeting Minutes (DRAFT) – December 19, 2024

VERSAILLES-MIDWAY-WOODFORD COUNTY PLANNING COMMISSION
APPLICATION FOR ZONING MAP AMENDMENT

RECEIVED

NOV 19 2024

VERSAILLES-MIDWAY
WOODFORD CO. - P & Z



Application Number: 2024-052

Pre-Application Meeting Date: 11/26/24

Date Application Filed: 11/19/24

Public Hearing Meeting Date: 12/19/24

APPLICANT(S) INFORMATION

1) APPLICANT(S) NAME(S): Dale and Macey LLC

Names of Officers, Directors, Shareholders or Members (If Applicable):

Kevin Simpson, Dylan Palmer, Colt Litkenhus

Mailing Address: 115 Walton ave Lexington ky 40508

Phone Number: _____

Cell Number: 5025989363

E-Mail Address: clitkenhus@yahoo.com

bluegrass management Lex @ jmas

2) PROPERTY OWNER(S) NAME(S): Kevin Simpson, Dylan Palmer, Colt Litkenhus

Mailing Address: 115 Walton Ave Lexington ky 40508

Phone Number: 5025989363

Cell Number: 5025989363

E-Mail Address: clitkenhus@yahoo.com

PLEASE USE ADDITIONAL PAGES IF NEEDED

3) APPLICANT(S) ATTORNEY: _____

Name of Law Firm: _____

Phone Number: _____ Cell Number: _____

E-Mail Address: _____

PROPERTY INFORMATION

Property Address: 104 Dale ave Versailles ky

PVA Parcel Number: 30-8003-005-00

Acreage: 0.49 Acres

Current Zoning: R2

EXHIBIT

A

ZONING MAP AMENDMENT REQUEST

Please describe, in detail, the proposed use and desired zoning district request of the property being considered:

Request to change zoning from R2 to R3.

PROPOSED ZONE CHANGE CONDITIONS

Please provide a list of all proposed conditions for the subject property:

FINDINGS REQUIRED FOR ZONING MAP AMENDMENT

In order for the Planning Commission to make a recommendation for a zoning map amendment, it must make findings of fact in support of its recommendation. Please provide a detailed explanation as to:

- How the proposed zoning map amendment is in agreement with the 2018 Comprehensive Plan, including compliance with the adopted applicable Land Use District Map;
- Why the original zoning classification of the property in question is inappropriate or improper; or
- What major economic, physical or social changes, if any, have occurred in the vicinity of the property in question that were not anticipated by the Comprehensive Plan and which have substantially altered the basic character of the area, which make the proposed amendment to the Official Zoning Map appropriate. This explanation shall contain a list of such specific changes, a description as to how said changes were not anticipated by the comprehensive plan, a description as to how said changes have altered the basic character of the area and a description as to how said changes make the proposed amendment to the official zoning map appropriate.

Please check (✓) one of the above findings of fact and cite specific evidence to address such finding in the space provided below. Please attach additional sheets if more space is needed.

Current zoning is R2 for this property. There currently sits a 4plex which is non compliant for the zoning. We want to change zoning to bring parcel into compliance.


APPLICATION CHECKLIST

- A completed and signed Application
- An exhibit prepared by a licensed surveyor depicting the various portion(s) of the property to be included in the proposed zoning map amendment (Please include: two (2) - 18" x 24" copies and two (2) - 11" x 17" copies)
- Adjacent Property Owners Form
- Water/Sewer/ Floodplain Verification Letter(s)
- Filing and Recording Fees
- Proposed Zone Change Conditions, signed and notarized
- Concept Plan, or Preliminary Site Plan (Please include: two (2) - 11" x 17" copies)
- Traffic Impact Study, if required
- Geologic Analysis (Phase I), if required

APPLICANT'S CERTIFICATION

I do hereby certify that, to the best of my knowledge and belief, all application materials have been submitted and that the information they contain is true and correct. Please attach additional signature pages if needed.

Signature of Applicant(s) and Property Owner(s):

- 1) Colt Litkenhus 11/16/24
Colt Litkenhus (Nov 18, 2024 18:00 EST)
- Colt Litkenhus, Owner *Date:*
(please print name and title)
- 2)  11/16/24
- Dylan palmer, Owner *Date:*
(please print name and title)

The foregoing signatures constitute all of the owners of the affected property necessary to convey fee title, their attorney, or their legally constituted attorney-in-fact. If the signature is of an attorney, then such signature is certification that the attorney represents each and every owner of the affected property. Please use additional signature pages, if needed.

REQUIRED FILING FEES MUST BE PAID BEFORE ANY APPLICATION WILL BE ACCEPTED

Application Fee: 425-

Land Use Certificate Fee: 50

Date Fees Received: 11/19/24

Submit Application to:
 Versailles-Midway-Woodford County Planning Commission
 103 South Main Street, Suite 204
 Versailles, KY 40383
 859.873.8611
 www.woodfordplanning.org

**ADJACENT PROPERTY OWNERS' NAME
&
MAILING ADDRESS FORM**

Applicants are required to furnish the Versailles-Midway-Woodford County Planning Commission with the names and mailing address of the owners of all adjacent property (Additionally, within the City Limits of Versailles and Midway, names and mailing address of all owners within 200 feet of the proposed project boundary is also required). Adjacent property is defined as being property across roads, streets, interstates, rivers, streams, etc., as well as abutting the subject property.

The applicant may rely on the records maintained by the Woodford County Property Valuation Administrator to determine the identity and address of the adjacent property owners. Instructions for completing this form:

1. To determine the PVA map code number the applicant should refer to the PVA property location maps.
2. To determine the name of the adjacent property owner, the location and/or address of the adjacent property and the deed book and page number, the applicant should refer to the computer data base maintained by the PVA office.
3. To determine the mailing address of the adjacent property owner, the applicant should refer to the computer data base of mailing addresses maintained by the PVA office.

PVA MAP Code No.	Location of Property	Name of Property Owner(s)	Mailing Address of Property Owner(s) (Street, State & Zip Code)	Deed Book & Page No.
0-8003-003-C	LEXINGTON 516	AN COLE LEXINGTON ROAD	E MAIN STREET LEXINGTON, KY 40	34331
0-8003-004-C	LEXINGTON 518	QUEEN KENT B	QUAIL RUN RD VERSAILLES, KY 40	13689
0-8003-006-0	DALE 108	R LEON MARTHA ALICIA LOPE	08 DALE AVE VERSAILLES, KY 4038	29677
0-8004-007-C	DALE 103	CHASTAIN DAVID	3 DALE AVENUE VERSAILLES, KY 40	33418
0-8004-006-C	DALE 105	AEL & ROMO MARIA LOURDES	DALE AVENUE VERSAILLES, KY 403	33271
0-8004-005-C	WOODFORD 111	MADELUNG VIRGINIA E	WOODFORD STREET VERSAILLES, KY	19303
0-8004-001-C	LEXINGTON 524	QUEEN KENT B	47 QUAIL RUN VERSAILLES, KY 4038	13688
0-8003-002-0	LEXINGTON 508	AN COLE LEXINGTON ROAD	MIN STREET SUITE 130 LEXINGTON, I	33921
0-8005-001-C	WOODFORD 112	GAGNON VINCENT PAUL	PO BOX 1597 VERSAILLES, KY 40383	20752
0-8005-002-C	WOODFORD 116	CHNSON MARK T PEARLCITA	WOODFORD DRIVE VERSAILLES, KY 4	10880

ON TUESDAY, DECEMBER 5, 2024 THE TECHNICAL REVIEW COMMITTEE WILL HOLD A SPECIAL MEETING AT 10:00 A.M. VIA ZOOM.

AGENDA

NEW BUSINESS:

1. Major Subdivision Plat – Legends Development Co., LLC – 906 Troy Pike – Unit 4, Section 3 – R-1B District – EA Partners
2. Zoning Map Amendment – Dale and Macey LLC – McDavid Subdivision - 104 Dale Ave – R-2 to R-3 District – CAM Surveying
3. Final Development Plan – Brown Forman Corporation – 1214 Georgetown Road – A-1 District – Luckett and Farley
4. Zoning Map Amendment/Preliminary Plat – Travis and Alex Applebee – 720 Delaney Ferry Rd – R-1B/A-1 to A-4 District – Heath Land Surveying
5. Zoning Map Amendment/Preliminary Development Plan – Lauren Javernick & Silvestre Morales – 251 Church St – R-1C to R-4 District – Heath Land Surveying
6. Minor In-Family Conveyance Plat – Andrew Freseth (husband & father) to Lynda Freseth (wife) and Jeffrey Williamson (son) – 687 & 589 Kidds Mill Rd – A-1 District – Dan Phillips Surveying
7. Minor In-Family Conveyance Plat – Joshua Slugantz (father) to Keith Slugantz (son) and Lucy Slugantz (daughter) – 3450, 3452, 3456 Oregon Rd – A-1 District – Dan Phillips Surveying
8. Minor In-Family Conveyance Plat – Howard Eugene Hodge II (father/husband) to Carla Rena Hodge (wife/mother) and Jason Hurd (son) – 2543 Pinckard Pk – A-1 District – Malcolm Endicott
9. Minor In-Family Conveyance Plat – Whitney Dunlap III (father) to John A. Dunlap (son) and Thomas A. Dunlap (son) – 2485 Paynes Mill Rd – A-1 District – Malcolm Endicott
10. Zoning Map Amendment/Preliminary Development Plan – Transition Reins, LLC (Bard Jones & Janet Cameron) – 3081 & 3151 Cummins Ferry Rd – A-1 to A-4 District – Malcolm Endicott

EXHIBIT



VERSAILLES-MIDWAY-WOODFORD COUNTY PLANNING COMMISSION
SPECIAL MEETING
PUBLIC HEARING NOTICE

Public Hearing Notice for December 19, 2024, at 5:00PM, Woodford County Courthouse, 2nd Floor, 103 S Main St, Versailles KY:

1. Dale and Macey LLC have filed an application to rezone a property on a tract of land containing 0.490ac located at 104 Dale Avenue, Versailles KY. The requested zone change is from R-2 to R-3.
2. Travis & Alex Applebee have filed an application to rezone a property on a tract of land containing 3.800ac located at 720 Delaney Ferry Rd, Versailles KY. The requested zone change is from R-1B & A-1 to Small Community A-4.
3. Transition Reins, LLC have filed an application to rezone a property on a tract of land containing 62.017ac located at 3081 Cummins Ferry Rd, Versailles KY. The requested zone change is from A-1 to A-4.
4. Lauren Javernick & Silvestre Morales have filed an application to rezone a property on a tract of land containing 0.090ac located at 251 Church St, Versailles KY. The requested zone change is from R-1C to R-4.
5. Lauren Javernick & Silvestre Morales have filed a Conditional Use Permit Application on a tract of land containing 0.090ac located at 251 Church St, Versailles KY. The Applicant proposes the operation of a Short Term Rental Facility.
6. The Versailles-Midway-Woodford County Planning Commission has filed a Zoning Ordinance Text Amendment related to Articles II & VII of the Versailles-Midway-Woodford County Zoning Ordinance.

Applications and Plans are available for review at the Planning Commission Office, 103 S Main St, Suite 204, Versailles KY (859) 873-8611 www.planning.woodfordcountyky.org

~~** Please run the above Public Hearing Notice (one time) on December 12, 2024~~

EXHIBIT





Stephen R. Hunter
Planning Director

**VERSAILLES-MIDWAY-WOODFORD COUNTY
PLANNING COMMISSION**

Joshua Stevens
Building Official

Kim O'Reel
Office Manager

103 S. Main St., Room 204
Versailles, KY 40383
Telephone: 859-873-8611
<https://www.woodfordplanning.org>

Mary Beth Robson
Engineer

December 5, 2024

Mark T. Johnson
116 Woodford
Versailles, KY 40383

Dear Property Owner:

On Thursday, December 19, 2024 the Versailles-Midway-Woodford County Planning and Zoning Commission will hold a special public hearing in the 2nd Floor Courtroom of the Woodford County Courthouse, Versailles, at 5:00 p.m., or shortly thereafter, to consider a zone change condition request as follows:

Zoning Map Amendment/Preliminary Plat – Dale and Macey LLC – 104 Dale Avenue – R-2 to R-3 District

Comments will be limited to five (5) minutes per person and written comments can be submitted prior to or at the meeting.

This notice is provided to you pursuant to KRS 100.212 (2). The application and supporting information are available for your review in Room 204 of the Courthouse. Should you have any question concerning this notice, do not hesitate to contact me at 873-8611.

Sincerely,

Kim O'Reel
Office Manager

EXHIBIT

E



Stephen R. Hunter
Planning Director

**VERSAILLES-MIDWAY-WOODFORD COUNTY
PLANNING COMMISSION**

Joshua Stevens
Building Official

Kim O'Reel
Office Manager

103 S. Main St., Room 204
Versailles, KY 40383
Telephone: 859-873-8611
<https://www.woodfordplanning.org>

Mary Beth Robson
Engineer

December 5, 2024

Vincent Paul Gagnon
PO Box 1597
Versailles, KY 40383

Dear Property Owner:

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Sincerely,

A handwritten signature in black ink that reads "Kim O'Reel".

Kim O'Reel
Office Manager



Stephen R. Hunter
Planning Director

**VERSAILLES-MIDWAY-WOODFORD COUNTY
PLANNING COMMISSION**

Joshua Stevens
Building Official

Kim O'Reel
Office Manager

103 S. Main St., Room 204
Versailles, KY 40383
Telephone: 859-873-8611
<https://www.woodfordplanning.org>

Mary Beth Robson
Engineer

December 5, 2024

Virginia Madelung
111 Woodford St
Versailles, KY 40383

Dear Property Owner:

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Sincerely,

A handwritten signature in black ink that reads "Kim O'Reel".

Kim O'Reel
Office Manager



Stephen R. Hunter
Planning Director

**VERSAILLES-MIDWAY-WOODFORD COUNTY
PLANNING COMMISSION**

Joshua Stevens
Building Official

Kim O'Reel
Office Manager

103 S. Main St., Room 204
Versailles, KY 40383
Telephone: 859-873-8611
<https://www.woodfordplanning.org>

Mary Beth Robson
Engineer

December 5, 2024

Oscar Leon Angel & Martha Melendez
108 Dale Ave
Versailles, KY 40383

Dear Property Owner:

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Sincerely,

Kim O'Reel
Office Manager



Stephen R. Hunter
Planning Director

**VERSAILLES-MIDWAY-WOODFORD COUNTY
PLANNING COMMISSION**

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Versailles, KY 40383
Telephone: 859-873-8611
<https://www.woodfordplanning.org>

Mary Beth Robson
Engineer

December 5, 2024

Cleveland Family Limited Partnership
PO Box 116
Versailles, KY 40383

Dear Property Owner:

On Thursday, December 19, 2024 the Versailles-Midway-Woodford County Planning and Zoning Commission will hold a special public hearing in the 2nd Floor Courtroom of the Woodford County Courthouse, Versailles, at 5:00 p.m., or shortly thereafter, to consider a zone change condition request as follows:

Zoning Map Amendment/Preliminary Plat – Dale and Macey LLC – 104 Dale Avenue – R-2 to R-3 District

Comments will be limited to five (5) minutes per person and written comments can be submitted prior to or at the meeting.

This notice is provided to you pursuant to KRS 100.212 (2). The application and supporting information are available for your review in Room 204 of the Courthouse. Should you have any question concerning this notice, do not hesitate to contact me at 873-8611.

Sincerely,

A handwritten signature in black ink that reads "Kim O'Reel".

Kim O'Reel
Office Manager



Stephen R. Hunter
Planning Director

**VERSAILLES-MIDWAY-WOODFORD COUNTY
PLANNING COMMISSION**

Joshua Stevens
Building Official

Kim O'Reel
Office Manager

103 S. Main St., Room 204
Versailles, KY 40383
Telephone: 859-873-8611
<https://www.woodfordplanning.org>

Mary Beth Robson
Engineer

December 5, 2024

Raphael Leon & Maria Lourdes Aquirre
105 Dale Ave
Versailles, KY 40383

Dear Property Owner:

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Kim O'Reel
Office Manager



Stephen R. Hunter
Planning Director

**VERSAILLES-MIDWAY-WOODFORD COUNTY
PLANNING COMMISSION**

Joshua Stevens
Building Official

Kim O'Reel
Office Manager

103 S. Main St., Room 204
Versailles, KY 40383
Telephone: 859-873-8611
<https://www.woodfordplanning.org>

Mary Beth Robson
Engineer

December 5, 2024

David Chastain
103 Dale Ave
Versailles, KY 40383

Dear Property Owner:

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Kim O'Reel
Office Manager



Stephen R. Hunter
Planning Director

**VERSAILLES-MIDWAY-WOODFORD COUNTY
PLANNING COMMISSION**

Joshua Stevens
Building Official

Kim O'Reel
Office Manager

103 S. Main St., Room 204
Versailles, KY 40383
Telephone: 859-873-8611
<https://www.woodfordplanning.org>

Mary Beth Robson
Engineer

December 5, 2024

Kent B Queen
447 Quail Ave
Versailles, KY 40383

Dear Property Owner:

On Thursday, December 19, 2024 the Versailles-Midway-Woodford County Planning and Zoning Commission will hold a special public hearing in the 2nd Floor Courtroom of the Woodford County Courthouse, Versailles, at 5:00 p.m., or shortly thereafter, to consider a zone change condition request as follows:

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Kim O'Reel
Office Manager



Stephen R. Hunter
Planning Director

**VERSAILLES-MIDWAY-WOODFORD COUNTY
PLANNING COMMISSION**

Joshua Stevens
Building Official

Kim O'Reel
Office Manager

103 S. Main St., Room 204
Versailles, KY 40383
Telephone: 859-873-8611
<https://www.woodfordplanning.org>

Mary Beth Robson
Engineer

December 5, 2024

O'Nan Cole Lexington Road
710 East Main St., Ste 130
Lexington, KY 40502

Dear Property Owner:

On Thursday, December 19, 2024 the Versailles-Midway-Woodford County Planning and Zoning Commission will hold a special public hearing in the 2nd Floor Courtroom of the Woodford County Courthouse, Versailles, at 5:00 p.m., or shortly thereafter, to consider a zone change condition request as follows:

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Sincerely,

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Kim O'Reel
Office Manager



Stephen R. Hunter
Planning Director

**VERSAILLES-MIDWAY-WOODFORD COUNTY
PLANNING COMMISSION**

Joshua Stevens
Building Official

Kim O'Reel
Office Manager

103 S. Main St., Room 204
Versailles, KY 40383
Telephone: 859-873-8611
<https://www.woodfordplanning.org>

Mary Beth Robson
Engineer

December 5, 2024

Rafosc Enterprises Inc
105 Dale Ave
Versailles, KY 40383

Dear Property Owner:

On Thursday, December 19, 2024 the Versailles-Midway-Woodford County Planning and Zoning Commission will hold a special public hearing in the 2nd Floor Courtroom of the Woodford County Courthouse, Versailles, at 5:00 p.m., or shortly thereafter, to consider a zone change condition request as follows:

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Sincerely,

Kim O'Reel
Office Manager



Stephen R. Hunter
Planning Director

**VERSAILLES-MIDWAY-WOODFORD COUNTY
PLANNING COMMISSION**

Joshua Stevens
Building Official

Kim O'Reel
Office Manager

103 S. Main St., Room 204
Versailles, KY 40383
Telephone: 859-873-8611
<https://www.woodfordplanning.org>

Mary Beth Robson
Engineer

December 5, 2024

Clewood Enterprise
c/o Bob Cleveland
PO Box 116
Versailles, KY 40383

Dear Property Owner:

On Thursday, December 19, 2024 the Versailles-Midway-Woodford County Planning and Zoning Commission will hold a special public hearing in the 2nd Floor Courtroom of the Woodford County Courthouse, Versailles, at 5:00 p.m., or shortly thereafter, to consider a zone change condition request as follows:

Zoning Map Amendment/Preliminary Plat – Dale and Macey LLC – 104 Dale Avenue – R-2 to R-3 District

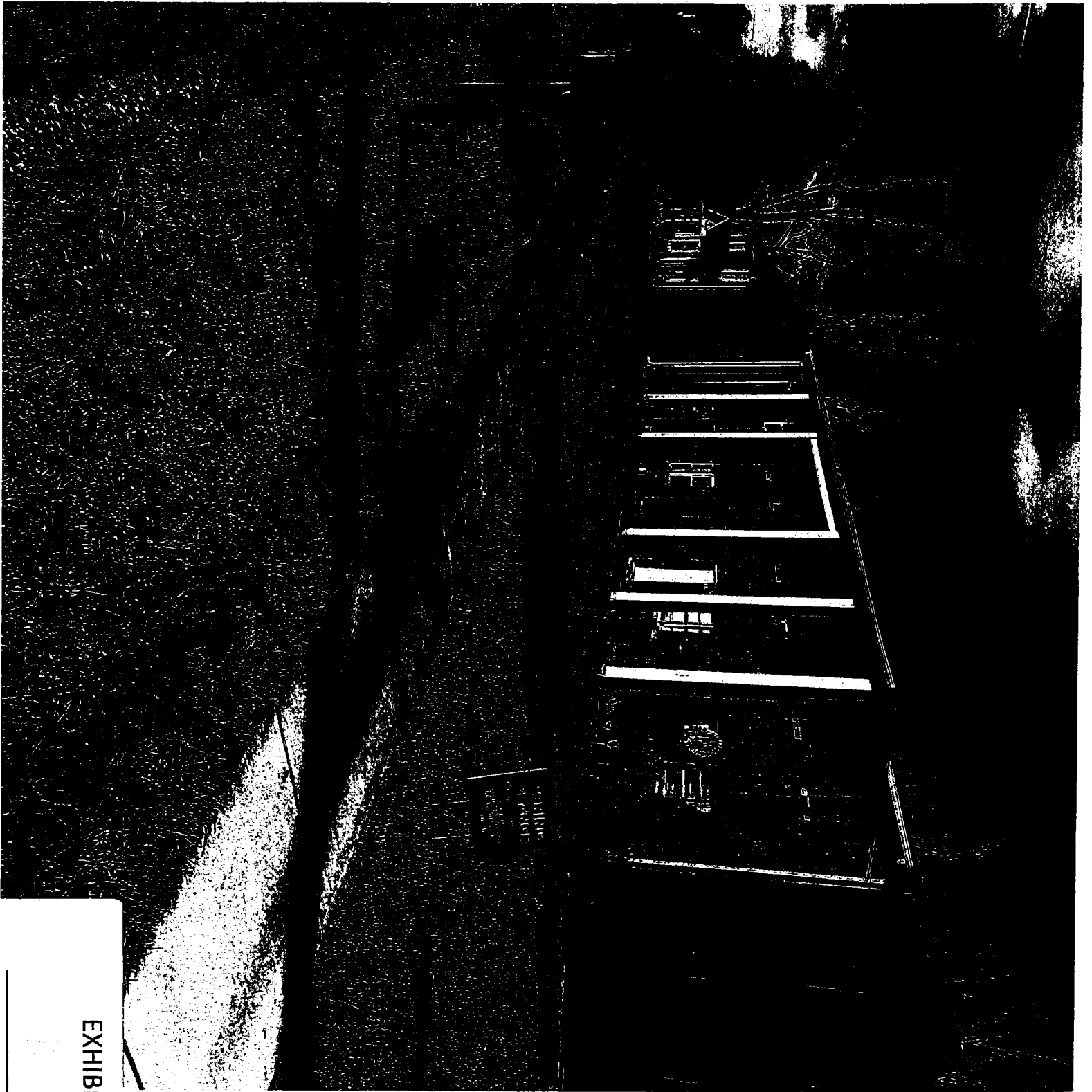
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Sincerely,

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Kim O'Reel
Office Manager



EXHIBIT

VERSAILLES-MIDWAY-WOODFORD COUNTY PLANNING COMMISSION

ZONE CHANGE STAFF REPORT

Application Filing Date: November 19, 2024

Public Hearing Date: December 19, 2024

Description of Request: The applicant is proposing to rezone a tract of land containing 0.490 acres, located at 104 Dale Avenue, Versailles KY, from Two-Family Residential (R-2) to Medium Density Residential (R-3).

Applicant:
Dale and Macey LLC
115 Walton Avenue
Lexington, KY 40508

Property Owner:
Dale and Macey LLC
115 Walton Avenue
Lexington, KY 40508

Location of Property: 104 Dale Avenue

Current Zoning: Two-Family Res (R-2)

PVA Parcel #: 30-8003-005-00

Proposed Zoning: Medium Density (R-3)

Property Size: 0.490 Acres

Existing Land Use: Multi-Family Residential

Existing Land Use of the Surrounding Area:

The surrounding area is comprised mostly of single-family and commercial uses.

Land Use District Designation: The property is located within **Contemporary Neighborhood District**. This Land Use District is intended to encompass: neighborhoods in which development was initiated after 1968; and, areas of undeveloped land within USB Areas that should be developed as neighborhoods. The focus of this type of District is to ensure that existing neighborhoods continue to be developed and maintained consistent with approved zoning or subdivision plans. New neighborhoods may be designed in a variety of ways to provide City and County residents with a variety of housing options. Guidelines provided below are intended to establish planning and design criteria common to developing new neighborhoods so that the community will obtain the best results consistent with this Plan's goals and objectives.

Application Review:

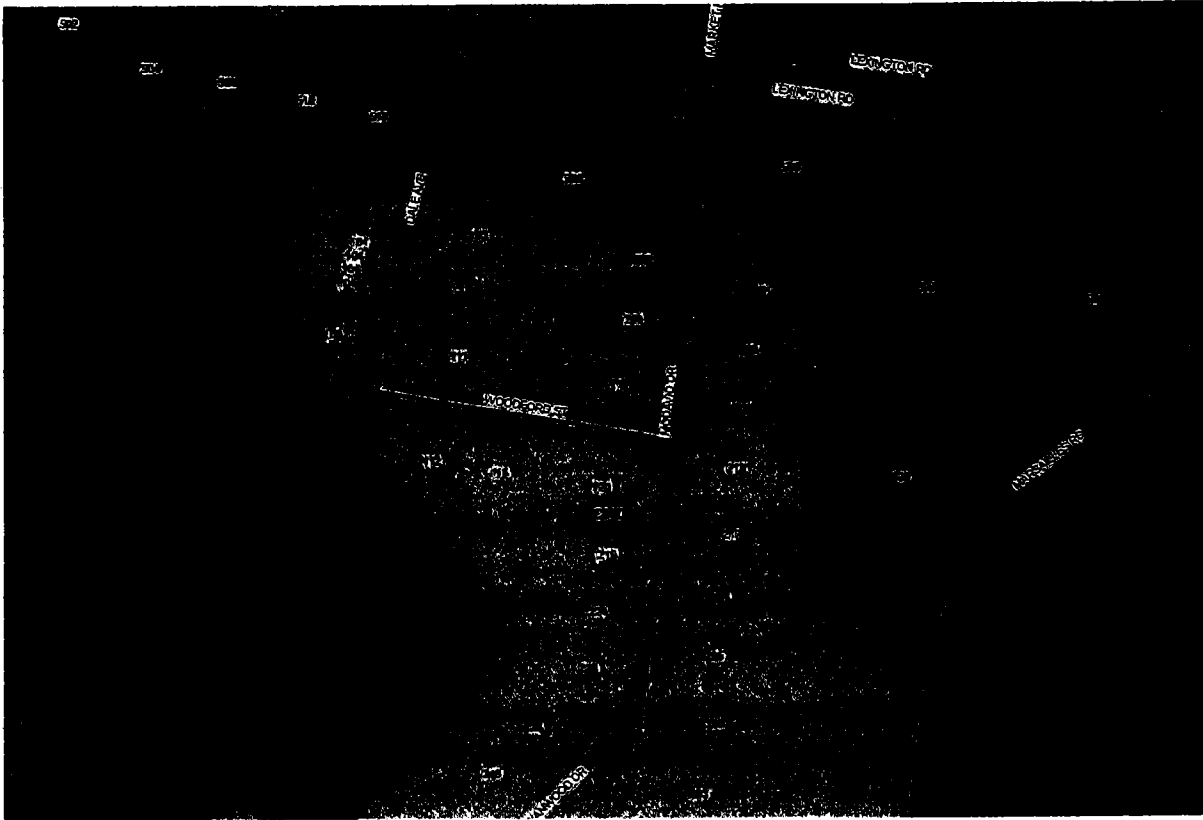
- Comprehensive Plan Compliance
- Existing Zoning Inappropriate
- Major Changes (economic, physical, or social)
- General Development Plan

Additional Documentation Required:

- Traffic Impact Study
- Environmental Assessment
- Landscape Plan
- Other

EXHIBIT

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ZONE CHANGE & GENERAL DEVELOPMENT PLAN REVIEW

Article IV of the Zoning Ordinance, Section 409.3 - Application Requirements. Application for amendment of the Official Zoning Map shall be filed with the Planning Commission in accordance with this section and shall contain the following:

- A. **Demonstration of Appropriateness.** Any application for amendment to the Official Zoning Map shall be submitted with a written detailed explanation as to the following:
1. How the proposed map amendment would conform to the Comprehensive Plan;
 2. Why the original zoning classification of the property in question was inappropriate or improper;
 3. What major economic, physical or social changes, if any, have occurred in the vicinity of the property in question that were not anticipated by the Comprehensive Plan and which have substantially altered the basic character of the area, which make the proposed amendment to the Official Zoning Map appropriate.

709.3 Accessory Uses

- Accessory uses and structures customarily incidental to any permitted principal uses located on the same lot therewith.
- Private garages and parking areas.
- Private swimming pools not to exceed eight and one half (8) feet in height and located no closer than eight (8) feet from the side and/or rear lot lines, when they meet yard requirements for principal buildings and when adequately fenced to prevent the free access of small children.

709.4 Conditional Uses

- The permitted conditional uses in the R-2 zone
- Offices of civic committees or charitable organizations
- Fraternity and sorority houses
- Assisted Living Facilities
- Bed and Breakfast Home and Bed and Breakfast Inn
- Short Term Rental Establishments: Hosted Home-Sharing and Dedicated

709.8 Other Requirements

- Parking - See Article VI
- Signs - See Article V, Section 508

802 Non-Conforming Use of Land (or Land with Minor Structures Only) - Where at the time of passage of this ordinance lawful use of land exists which would not be permitted by the regulations imposed by this ordinance, and where such use involves no individual structure with a replacement cost exceeding \$1,000, the use may be continued so long as it remains otherwise lawful, provided:

- A. No such non-conforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this ordinance.
- B. No such non-conforming use shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption or amendment of this ordinance.
- C. If any such non-conforming use of land ceases for any reason for a period of more than thirty (30) days, any subsequent use of such land shall conform to the regulations specified by this ordinance for the district in which such land is located;
- D. No additional structure not conforming to the requirements of this ordinance shall be erected in connection with such non-conforming use of land.

1. The original zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate;
2. There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in the adopted Comprehensive Plan and which have substantially altered the basic character of such area.

Article IV of the Zoning Ordinance, Section 409.8 - Condition of Enactment of Map Amendment. The following condition shall apply to the enactment of any Zoning Map Amendment; Building permits for improvement of the subject property shall be issued only in conformance with the elements of the General Development Plan and, where required, a Site Development Plan.

Article IV of the Zoning Ordinance, Section 409.9 - Action on Concurrent Applications

- A. In the event the applicant files for a Variance or Conditional Use Permit concurrently, the Planning Commission shall hold the public hearing concurrently with the map amendment.
- B. For the purpose of carrying out this subsection, each requested Variance or Conditional Use Permit shall be considered as separate applications and shall otherwise be administered, advertised and handled in accordance with the requirements of this Ordinance and KRS 100 except that notice by mail for the Zoning Map Amendment shall include notice for the Variance or Conditional Use Permit and shall state that these items will be concurrently heard by the Planning Commission.
- C. The Planning Commission shall assume all the powers and duties otherwise executed by the Board of Adjustments in considering a Variance or Conditional Use Permit but shall only have this authority when the subject Variance or Conditional Use Permit is being considered concurrently with property being considered for a map amendment.

Article IV of the Zoning Ordinance, Section 409.10 - Parties Bound by Development Plan. The Development Plan, General or Site, enacted under the provisions of Section 410, including any amendment thereto, shall be binding upon the property and the owner at the time of approval by the Planning Commission, his heirs, successors in title, personal representatives, assigns, the Planning Commission and legislative bodies.

AGENDA
VERSAILLES-MIDWAY-WOODFORD COUNTY PLANNING COMMISSION
SPECIAL MEETING
WOODFORD COUNTY COURTHOUSE, 2nd FLOOR
DECEMBER 19, 2024
5:00 PM

LIVESTREAM LINK
Planning Commission Facebook Page

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL

C. APPROVAL OF MINUTES - November 14, 2024

D. AUDIT PRESENTATION - Chad Robinson, CPA, Kerbaugh, Rodes & Butler PLLC

E. NON-PUBLIC HEARING ITEMS

1. Howard Eugene Hodge II has applied for an approval of a Subdivision (In-Family Conveyance Plat) on a tract of land containing 42.370 acres, located at 2543 Pinckard Pike, Versailles, KY. The property is zoned Agricultural (A-1).
2. Andrew Freseth has applied for an approval of a Subdivision (In-Family Conveyance Plat) on a tract of land containing 44.717ac, located at 687 Kidds Mill Rd, Versailles, KY. The property is zoned Agricultural (A-1).
3. Whitney Dunlap III has applied for an approval of a Subdivision (In-Family Conveyance Plat) on a tract of land containing 30.343 acres, located at 2485 Pisgah Pike, Versailles, KY. The property is zoned Agricultural (A-1).
4. Joshua Slugantz has applied for an approval of a Subdivision (In-Family Conveyance Plat) on a tract of land containing 30.320ac, located at 3450 Oregon Rd, Versailles, KY. The property is zoned Agricultural (A-1).
5. Dwight Lancaster has applied for an approval of a Subdivision (In-Family Conveyance Plat) on a tract of land containing 39.561ac, located at 1074 Pauls Mill Road, Versailles, KY. The property is zoned Agricultural (A-1).
6. Legends Development CO LLC have applied for an approval of a Subdivision (Major Final Plat) on a tract of land containing 3.680 acres, located at 906 Troy Pike, Versailles, KY. The property is zoned Single-Family Residential (R-1B).
7. Brown Forman Corporation have filed a Final Development Plan on a tract of land containing 148.590 acres located at 1214 Georgetown Road, Midway, KY. The property is zoned Agricultural (A-1) and Conservation (CO-1).

F. PUBLIC HEARING ITEMS

1. Dale and Macey LLC have filed an application to rezone a property on a tract of land containing 0.490 acres located at 104 Dale Avenue, Versailles KY. The requested zone change is from Two-Family Residential (R-2) to Medium Density Residential (R-3).
2. Travis and Alex Applebee have filed an application to rezone a property on a tract of land containing 3.800 acres located at 720 Delaney Ferry Rd, Versailles KY. The requested zone change is from Single-Family Residential (R-1B) and Agricultural (A-1) to Small Community (A-4).

EXHIBIT

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3. Transition Reins, LLC have filed an application to rezone a property on a tract of land containing 62.017 acres located at 3081 Cummins Ferry Road, Versailles KY. The requested zone change is from Agricultural (A-1) to Small Community (A-4).
4. Lauren Javernick & Silvestre Morales have filed an application to rezone a property on a tract of land containing 0.090 acres located at 251 Church Street, Versailles KY. The requested zone change is from Single-Family Residential (R-1C) to High Density Residential (R-4).
5. Lauren Javernick & Silvestre Morales have filed a Conditional Use Permit Application on a tract of land containing 0.090 acres located at 251 Church Street, Versailles KY. The Applicant proposes the operation of a Short Term Rental Facility.
6. The Versailles-Midway-Woodford County Planning Commission has filed a Zoning Ordinance Text Amendment related to Articles II & VII of the Versailles-Midway-Woodford County Zoning Ordinance.

*Public Hearing Comments are limited To Five (5) Minutes per Speaker. Written Comments may be submitted to Planning Commission prior to or at the Public Hearing.

G. OTHER BUSINESS ITEMS

1. By-Laws Amendment
2. Legal Services Agreement Extension
3. Intern Agreement - Spring 2025
4. Bill Pay List - December 2024
5. Finance/Budget Report - November 2024
6. Permits Issued Report - November 2024
7. Announcements

H. ADJOURN

NEXT SCHEDULED REGULAR MEETING JANUARY 9, 2025

Motion was made by Mr. Wells, as seconded by Mr. Bohannon to approve the postponement of Lauren Javernick & Silvestre Morales have filed an application to rezone a property on a tract of land containing 0.090 acres located at 251 Church Street, Versailles KY. The requested zone change is from Single-Family Residential (R-1C) to High Density Residential (R-4) and Lauren Javernick & Silvestre Morales have filed a Conditional Use Permit Application on a tract of land containing 0.090 acres located at 251 Church Street, Versailles KY. The Applicant proposes the operation of a Short Term Rental Facility, until the January meeting. No further discussion. Motion carried with six (6) aye votes.

Dale and Macey LLC have filed an application to rezone a property on a tract of land containing 0.490 acres located at 104 Dale Avenue, Versailles KY. The requested zone change is from Two-Family Residential (R-2) to Medium Density Residential (R-3).

Madam Chair opened the public hearing and called upon Mr. Hunter for comments. Mr. Hunter shared several aeriels and zone change map on the monitors and noted the property was currently used as multi-family residential and the Land Use in the area is mostly single family homes and commercial to the north. The four plex has been in existence for many years. Mr. Hunter noted that this was a non-conforming use in the current zone and by filing this zone change was to get it into the legal zone. Mr. Hunter noted if the four plex were to be destroyed it could not be built back in the current zone. Mr. Schein asked for clarification of its legal status. Mr. Hunter noted that it was legal non-conforming.

The applicants were present but did not have anything further to add.

Mr. Smith questioned the rationale of why the current zoning was inappropriate. Mr. Hunter noted that he thought the map had been revisited several times over the years and the structure had been there for many years and the zoning map had never been corrected to accommodate the fact that a four plex had been on the property possibly since the early 1970's.

Madam Chair asked if anyone from the public wished to speak, hearing none, Madam Chair closed the public hearing and asked if anyone was prepared to take action.

Motion was made by Mr. Wells, as seconded by Mr. Bohannon to approve/forward the Zone Change to the City of Versailles - Dale and Macey LLC on a tract of land containing 0.490 acres located at 104 Dale Avenue, Versailles KY. The requested zone change is from Two-Family Residential (R-2) to Medium Density Residential (R-3). Further, the request is justified [not by inappropriate current zoning, but...] by conformity with the Comprehensive Plan, specifically those goals and objectives identified in the staff report.

Discussion - Mr. Schein noted that this was a big hammer to fix someone's insurance problem, because if it burns down then they don't get to build back. Mr. Schein noted that it was a poor reason to do spot zoning. Mr. Wells noted that when someone purchases property with expectations such as this, they should be able to build the four plex back. Mr. Smith made a suggestion for amendment to motion.

Motion amended by suggestion of counsel. Motion carried with six (6) aye votes.

EXHIBIT

I

CITY OF VERSAILLES
ORDINANCE NO. 2025-1

TITLE: AN ORDINANCE ESTABLISHING THE MINIMUM REGULATIONS GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES WITHIN THE CITY, BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES; KNOWN AS THE PROPERTY MAINTENANCE CODE.

Whereas, the Versailles City Council has decided to adopt the International Property Maintenance Code to establish minimum regulations for maintenance of property, buildings and structures within the City;

NOW, THEREFORE, BE IT ORDAINED IN THE CITY OF VERSAILLES, KENTUCKY as follows:

Section 1. That a certain document, one (1) copy of which is on file in the Office of the Versailles City Clerk being designated as the International Property Maintenance Code, 2021 as published by the International Code Council, Inc., be and hereby is adopted as the Property Maintenance Code of the City of Versailles for control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes proscribed in Section 2 of this ordinance.

Section 2. The following sections of the International Property Maintenance Code are hereby revised as set forth below:

Section 101.1 Insert "City of Versailles" for name of jurisdiction.

Section 102.3 Delete "International Building Code, International Existing Building Code, International Energy Conservation Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Residential Code, International Plumbing Code and NFPA 70" and insert: "Kentucky Building Code, Kentucky Residential Code, National Electric Code and Kentucky State Plumbing Code."

Section 103.1 Delete "Creation of agency. The ___ agency is hereby created and the official in charge thereof shall be known as the code official" and insert "The Building Inspector of the Versailles-Midway-Woodford County Planning and Zoning Commission is hereby designated as the code official."

Section 107.1 Delete: "In order to hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code, there shall be and hereby is created a board of appeals." and Insert "Appeals from the

orders, decisions or determinations made by the code official relative to the application and interpretation of this code shall be made to the City's Code Enforcement Board."

Section 108.1 Delete in its entirety.

Section 302.4 Insert "10 inches" for "Jurisdiction to insert height in inches."

Section 304.14 Insert: "March 1 to December 1" for "Date to Date."

Section 602.3 Insert: "October 1 to April 1" for "Date to Date."

Section 602.4 Insert: "October 1 to April 1" for "Date to Date."

Section 3. That Sections 151.01 and 151.02 of the City's Code of Ordinances adopting the BOCA Property Maintenance Code and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. That nothing in this ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired, or liabilities incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 5. This ordinance shall become effective after passage and publication as required by law.

Introduced and given first reading at a meeting of the City Council of the City of Versailles, Kentucky, held on the 21st day of January, 2025, and fully adopted after the

second reading at a meeting of said council held on the ____ day of _____,
2025.

CITY OF VERSAILLES

LAURA DAKE, MAYOR

ATTEST:

ELIZABETH REYNOLDS, CITY CLERK

CITY OF VERSAILLES, KENTUCKY
MUNICIPAL ORDER NO. 2025-6

TITLE: A MUNICIPAL ORDER DISSOLVING THE BUILDING STANDARDS
AND DOWNTOWN DEVELOPMENT AD HOC COMMITTEE

Whereas, by Municipal Order 2021-21 the City Council created the Building Standards and Downtown Development Ad Hoc Committee; and

Whereas, said Committee has accomplished its intended purposes.

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

1. The Building Standards and Downtown Development Ad Hoc Committee is hereby dissolved.

Introduced and fully adopted at a meeting of the City Council of the City of Versailles, Kentucky held on _____, 2025.

APPROVED:

LAURA DAKE, MAYOR

ATTEST:

ELIZABETH REYNOLDS, CITY CLERK

VERSAILLES

est. 1792

PROJECT: Complete Filter Rehab
City Of Versailles, KY

BID OPENING: Monday January 13, 2025
10:00 AM

BIDDER	TOTAL BID AMOUNT
LAYNE	\$40,672.00
S4H20	\$32,500.00

SETTLEMENT AGREEMENT

This Settlement Agreement (“Agreement”) is entered into this ___ day of _____, 2025, by and between CMN-RUS, LLC f/k/a CMN-RUS, Inc. (“MetroNet”) and the City of Versailles, Kentucky (“Versailles”), each of which is a “Party” and together the “Parties”;

WHEREAS, MetroNet and Versailles entered into a non-exclusive cable television franchise agreement in 2019 (the “Franchise”). The Franchise grants MetroNet to install, operate, and maintain a network of cable television facilities (the “Network”) and provide cable television services within Versailles;

WHEREAS, the Franchise requires MetroNet to provide on its Network one Public, Educational, and Government Channel for use by Versailles:

WHEREAS, MetroNet has performed work to install the Network in the Versailles rights of way (“ROW”);

WHEREAS, MetroNet operates the Network and provides cable television service in Versailles; and

WHEREAS, MetroNet has elected to cease offering cable television services to customers in Versailles and cease operation of the Network.

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, MetroNet and Versailles agree as follows:

1. INCORPORATION OF RECITALS.

The above recitals are true and correct and are incorporated herein, in their entirety, by this reference.

2. FRANCHISE TERMINATION DATE.

The Parties hereby agree to terminate the Franchise effective March 11, 2025

3. REMOVAL OF FACILITIES.

a. MetroNet agrees to remove any portion of the Network from all ROW and public property within Versailles associated solely with the provision of cable television service.

b. MetroNet agrees to restore all affected sites to their original condition consistent with the Versailles Code of Ordinances (“Code”).

c. Nothing herein shall be construed to waive any rights that Versailles may have with respect to the enforcement of the Code obligations on any MetroNet facilities that remain in Versailles’s ROW. Such enforcement rights shall extend to facilities owned by any affiliates of MetroNet or successors to MetroNet. MetroNet agrees to compensate

Versailles for any damage resulting from the discontinued use or abandonment of the Network, including all costs which the City may incur to remove any abandoned portion of the Network from the ROW.

4. CONTACT.

MetroNet will provide a phone number and e-mail address for a technical employee who may be contacted for technical questions or issues to request removal of abandoned or unused MetroNet property. MetroNet will provide the name, position title, phone number, and email address of a current MetroNet employee to whom Versailles can deliver any questions or complaints from residents concerning MetroNet's cessation of cable television services to customers.

5. TELECOMMUNICATIONS FRANCHISE.

MetroNet agrees that it will enter a Communications Franchise with Versailles pursuant to Ordinance No. 2018-9, by March 11, 2025.

6. METRONET SHALL PROVIDE FREE STREAMING DEVICES TO ALL CABLE TELEVISION CUSTOMERS.

- a. At least thirty (30) days prior to terminating the cable television services in Versailles, MetroNet shall provide a Firestick streaming device for free to any current MetroNet cable television customer in Versailles that requests such a device so long as such customer remains a Metronet customer.
- b. MetroNet shall provide educational literature and free classes on how to use said streaming devices.
- c. MetroNet shall provide at least sixty (60) days prior written notice to all its cable television customers in the City of Versailles that will be terminating cable television service on March 11, 2025. Said notice shall include information regarding how to request free Firestick streaming device that will be provided by MetroNet pursuant to the terms set forth in subsection (a) above.

7. FEES AND COSTS

MetroNet shall, within thirty (30) days of the adoption of this Agreement, pay Versailles Ten Thousand Dollars (\$10,000) for the City's costs and fees in connection with this Agreement. The City shall not be required to provide documentation of said costs and fees to MetroNet.

8. MISCELLANEOUS TERMS.

a. Each Party, by execution of this Agreement, does hereby warrant and represent that they are qualified to do business in the Commonwealth of Kentucky, have full right, power and authority to enter into this Agreement and the person signing on behalf of each Party has the power to bind same contractually.

b. This Agreement may be terminated by any Party, without notice to the non-terminating Party, because of fraud, misappropriation, embezzlement or malfeasance or a Party's failure to perform the duties required under this Agreement.

c. This Agreement shall not be further amended or modified except by a written instrument signed by MetroNet and Versailles. Nothing herein shall constitute an amendment or modification of the Franchise, or a waiver of any rights held by MetroNet or Versailles under applicable law.

d. This Agreement may be executed in counterparts and each counterpart shall be deemed an original instrument, but all such counterparts together shall constitute a single Agreement.

e. Agreement shall be governed in all respects by applicable federal law and the laws of the Commonwealth of Kentucky and venue for all actions relating hereto shall lie in the federal or state courts in Kentucky.

f. All covenants, representations and obligations contained in this Agreement are deemed to be material conditions of the Agreement.

g. This Agreement shall be binding upon and inure to the benefit of the Parties hereto and their respective heirs, successors, and assigns.

h. If any court of competent jurisdiction holds any provision of this Agreement unenforceable, such provision shall be modified to the extent required to make it enforceable, consistent with the spirit and intent of this Agreement. If such a provision cannot be so modified, the provision shall be deemed separable from the remaining provisions of this Agreement and shall not affect any other provision hereunder.

i. This Agreement is freely and voluntarily executed by each Party, without any duress or coercion, and after each Party has consulted with counsel. Each Party has carefully and completely read all of the terms and provision of this Agreement.

IN WITNESS WHEREOF, each of the parties has executed this Agreement as of the date first written above.

City of Versailles, Kentucky

CMN-RUS, LLC

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____