

**MINUTES OF MEETING HELD JANUARY 11, 2010**

The Common Council of the City of Somerset, Kentucky met in a regular session on Monday, January 11, 2010, at 7:00 p.m. with the following present: Mayor Eddie Girdler. Council Members: Jim Rutherford, Jerry Wheeldon, Steve Kelley, Jerry Girdler, Mike New, Donna Hunley, John Minton, Jim Mitchell, Pat Bourne, Jerry Burnett, and Tim Rutherford. City Attorney Carrie Wiese and City Clerk David Godsey. Absent: Council Member Linda Stringer.

Mr. Wheeldon moved to approve the minutes of the regular meeting held on December 14, 2009, along with the reports as mailed. Mr. Minton seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. J. Rutherford, Mr. Wheeldon, Mr. Kelley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, and Mr. T. Rutherford.

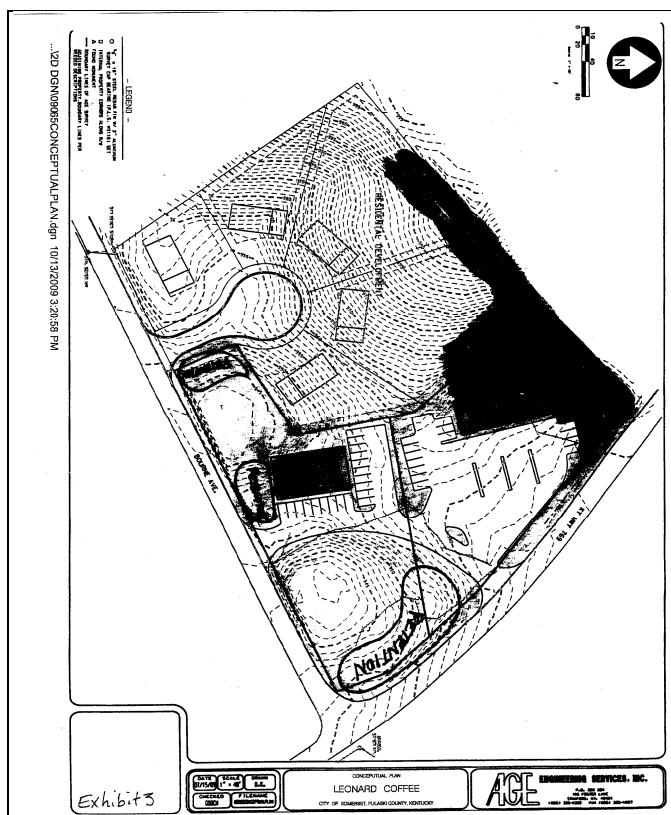
Gene Palmer, representing the POW/MIA, presented City of Somerset Police Officer Pete Langdon with an Officer of the Year Award. Mr. Wheeldon moved to make the above award made part of the official minutes. Mr. Burnett seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. J. Rutherford, Mr. Wheeldon, Mr. Kelley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, and Mr. T. Rutherford.

New City of Somerset Police Officer Justin Ryan Creech was introduced.

Mrs. Hunley moved to approve Kriss Lowry and Associates Inc. as Administrator for the CDBG Grant for the Somerset Scattered Site Housing Project. Mr. New seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. J. Rutherford, Mr. Wheeldon, Mr. Kelley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, and Mr. T. Rutherford.

Second reading was given the following Ordinance # 09-18:

<p align="center"><u>ORDINANCE NO. 09-18</u></p> <p>AN ORDINANCE AMENDING ORDINANCE NO. 00-18, KNOWN AS THE CITY'S ZONING ORDINANCE, AND ALTERING THE ZONING MAP TO REFLECT SAID AMENDMENT, BASED ON THE FINDINGS OF FACT MADE BY THE PLANNING AND ZONING BOARD, AND BASED ON SAID BOARD'S RECOMMENDATION OF A ZONE CHANGE;</p> <p>BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:</p> <p>That Ordinance No. 00-18, known as the Zoning Ordinance, Somerset, Kentucky, be and the same is hereby amended by altering the Zoning Map in the following manner:</p> <p>I. By changing a boundary of land presently zoned R1 to a B3 zone, said property being more particularly described in Exhibit "A" attached hereto and incorporated herein in full by reference, with a record owner of Leonard Coffee, located at the intersection of KY Hwy. 769 and Bourne Avenue, Somerset, KY, as described in Deed Book 754, Page 565 in the Pulaski County Court Clerk's Office.</p> <p>II. The City Clerk of the City of Somerset, Kentucky is hereby authorized to alter the Zoning Map to reflect said change and to notify all agencies required by law.</p> <p>III. This Ordinance shall be in full force and effect from and after adoption and publication according to law.</p> <p>FIRST READING <u>December 14, 2009</u></p> <p>SECOND READING <u>January 11, 2010</u></p> <p align="right">Approved: <u>Eddie Girdler</u> Mayor</p> <p>ATTEST: <u>David Godsey</u> City Clerk</p>	<p align="right">6-Utilities 6066786671 p.5</p> <p align="center">APPLICATION FOR ZONING AMENDMENT/DEVELOPMENT PLAN APPROVAL TO THE SOMERSET PLANNING COMMISSION</p> <p align="right">APPLICATION NO. <u>2009-3</u></p> <p>THE UNDERSIGNED OWNER(S) OF THE FOLLOWING LEGALLY DESCRIBED PROPERTY REQUEST THE CONSIDERATION OF CHANGE IN ZONING DISTRICT CLASSIFICATION APPROVAL OF DEVELOPMENT PLAN AS SPECIFIED BELOW:</p> <p>1. NAME OF APPLICANT: <u>Leonard Coffee</u></p> <p>2. MAILING ADDRESS: <u>23 Hwy 58, Paducah, KY</u> (BUSINESS) (Area) <u>205-2130</u></p> <p>3. PHONE NUMBER (HOME): <u>271-6266</u></p> <p>4. PROPERTY OWNER: <u>Leonard Coffee</u></p> <p>5. LOCATION DESCRIPTION: <u>At the north west intersection of Bourne Ave + KY Hwy 769</u></p> <p>6. EXISTING USE: <u>residential currently constructed on the site</u></p> <p>7. PROPOSED USE: <u>C-2 Home Professional Office</u></p> <p>8. PRESENT ZONING DISTRICT: <u>R-1</u></p> <p>9. PROPOSED ZONING DISTRICT: <u>R-2</u></p> <p>SUPPORT INFORMATION: ATTACH THE FOLLOWING ITEMS TO THE APPLICATION:          A. A VICINITY MAP SHOWING PROPERTY LINES, STREETS, AND EXISTING PROPOSED ZONING.          B. A LIST OF ALL PROPERTY OWNERS AND THEIR MAILING ADDRESSES WITHIN, CONTIGUOUS TO, AND DIRECTLY ACROSS THE STREET FROM THE PROPOSED RE-ZONING.          C. FEES AS REQUIRED.          D. LEGAL DESCRIPTION.</p> <p>DATE: <u>9-8-09</u> APPLICANT SIGNATURE: <u>Leonard Coffee</u> X</p> <hr/> <p align="center">FOR OFFICIAL USE ONLY PLANNING COMMISSION</p> <p>DATE FILED: <u>9/8/2009</u> DATE OF NOTICE IN NEWSPAPER: <u>10/2/2009</u> FEE PAID: <u>9/22/2009</u>          DATE OF NOTICE TO PROPERTY OWNER: <u>9/25/2009</u> DATE OF PUBLIC HEARING: <u>10/13/2009</u>          RECOMMENDATION OF PLANNING COMMISSION: APPROVAL X DENIAL          REASON FOR RECOMMENDATION: <u>Changes in area not anticipated at the time of the Comprehensive Plan for altered characteristics of the area</u>          DATE: <u>10/13/2009</u> PLANNING COMMISSION CHAIRMAN: <u>[Signature]</u></p> <hr/> <p align="center">FOR OFFICIAL USE ONLY (LEGISLATIVE AUTHORITY)</p> <p>DATE OF RECOMMENDATION RECEIVED _____ CLERK _____          ACTION BY LEGISLATIVE AUTHORITY APPROVED _____ DENIAL _____          IF DENIED, REASON FOR DENIAL _____</p> <p>NOTE: THREE COPIES OF THIS FORM AND SUPPORTING INFORMATION MUST BE FILED WITH THE SOMERSET PLANNING COMMISSION. APPLICATION MUST BE RETURNED TO THE OFFICE OF CODE ENFORCEMENT 4 WEEKS PRIOR TO MEETING DATE.</p>
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Mr. Bourne moved to approve the above ordinance on its first reading regarding rezoning the northwest intersection of Bourne Ave & KY Highway 769 from R-1 to B-3. Mr. J. Rutherford seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. J. Rutherford, Mr. Wheeldon, Mr. Kelley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, and Mr. Burnett. Voting “Nay”: Mr. T. Rutherford. Motion Passed.

Mr. Burnett moved to approve the property purchase on Correll Street at the purchase price of \$80,000. Mr. Wheeldon seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. J. Rutherford, Mr. Wheeldon, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, and Mr. T. Rutherford. Voting “Nay”: Mr. Kelley. Motion Passed.

Mr. T. Rutherford moved to accept the following bid for wastewater facility improvements Kennedy Street area sewer rehabilitation. The bid being awarded to Weddle Enterprises in the amount of \$429,116. Mr. Bourne seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. J. Rutherford, Mr. Wheeldon, Mr. Kelley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, and Mr. T. Rutherford.

PROSPECTIVE BIDDING CONTRACTORS	
CONTRACT 177-09-01 (63) WASTEWATER FACILITIES IMPROVEMENTS KENNEDY STREET AREA SEWER REHABILITATION SOMERSET WASTEWATER DEPARTMENT SOMERSET, KENTUCKY	
DECEMBER 23, 2009 2:00 PM LOCAL TIME	
NAME AND ADDRESS	TABULATION OF BIDS REC'D
CLEARY CONSTRUCTION, INC. 2006 EDMONTON ROAD THOMPKINSVILLE, KY 42167	\$ 508,000.00
CONLEY GREGORY CONSTRUCTION 1900 N MAIN STREET MONTICELLO, KY 42633	\$ 712,937. <sup>08</sup>
GRANT'S EXCAVATING 408 JASON DRIVE STE 105 RICHMOND, KY 40475	\$ 580,535.00
K. CARRENDER CONSTRUCTION 200 RINGGOLD ROAD SOMERSET, KY 42503	\$ 499,985.35
M & M ELECTRIC COMPANY 530 S 3 <sup>RD</sup> STREET DANVILLE, KY 40423	—
REED CONSTRUCTION 1650 JOHNSON ROAD LONDON, KY 40741	\$ No Bid
TODD JOHNSON CONTRACTING 497 DILLEHAY STREET DANVILLE, KY 40422	\$ 584,131.80
WEDDLE ENTERPRISES 25 SHANES LANE SOMERSET, KY 42501	\$ 429,116.00

**SEWER REHABILITATION  
SOMERSET WASTEWATER DEPARTMENT  
SOMERSET, KENTUCKY**

Sealed proposals for the following work will be received by the City of Somerset, Pulaski County, Kentucky, at the City Utilities Building, 105 College Street, Somerset, Kentucky 42501, until 2:00 p.m. local time Wednesday, December 23, 2009, for furnishing labor and materials and performing all work as set forth by the Advertisement, General Conditions, Specifications and/or Drawings prepared by Bell Engineering. Immediately following the scheduled closing time for the reception of bids, all proposals which have been submitted in accordance with the above conditions will be publicly opened and read aloud.

A pre-bid meeting for those wishing to submit Bids for this Project will be held on Wednesday, December 16, 2009, at 10:00 a.m. local time at the City Utilities office, 105 College Street, Somerset, Kentucky 42501.

The work to be bid is described as follows:

**Contract 177-09-01 (63)**

Division "A" - Sewer Replacement on Kennedy Street, Hamilton Street, Sagasser Street, Mt. Vernon Street and Sawyer Street. Furnishing and installing approximately 2,886 L.F. of 10-inch, 8-inch, and 6-inch sewer pipe, approximately 17 manholes and accessories.

Division "B" - Sewer Replacement on Chaudoin Street. Furnishing and installing 2,010 L.F. of 8-inch and 6-inch sewer pipe, approximately 6 manholes and accessories, and milling of 4 inches of asphalt paving.

Division "C" - Sewer Replacement on Liberty Street and James Street. Furnishing and installing approximately 1,385 L.F. of 8-inch and 6-inch sewer pipe and accessories, 6 manholes and accessories.

Drawings, Specifications and Contract Documents may be examined at the following places:

**Somerset Wastewater Department  
105 College Street  
Somerset, Kentucky 42501**

**Bell Engineering  
354 Waller Avenue  
Lexington, Kentucky 40504**

and at various contractor plan review agencies, or may be obtained from Lynn Imaging, 328 E. Vine Street, Lexington, Kentucky 40507, phone 606/255-1021, upon receipt of non-refundable deposit as follows:

**CONTRACT 177-09-01 (63) - \$125.00**

Sealed proposals for this Contract shall be clearly marked on the outside of the envelope as follows:  
"Sealed Proposal for Contract 177-09-01 (63). Not

**CONTRACT 177-09-01 (63) - \$125.00**

Sealed proposals for this Contract shall be clearly marked on the outside of the envelope as follows:

"Sealed Proposal for Contract 177-09-01 (63). Not to be opened until 2:00 p.m. local time Wednesday, December 23, 2009."

If forwarded by mail, the sealed envelope containing the proposal must be enclosed in another envelope and mailed to the Somerset Wastewater Department, 105 College Street, Somerset, Kentucky 42501, allowing sufficient time for such mailing to reach this address prior to the scheduled closing time for receipt of proposals.

Bids shall be accompanied by a certified check or bid bond made payable to the City of Somerset, Kentucky, in an amount not less than 5 percent of the base bid. No bidder may withdraw his bid for a period of 90 days after the date bids are opened. He may, however, withdraw his bid at any time prior to the time and date scheduled for opening of same or any authorized postponement thereof. Any bid received after the time and date specified shall not be considered and will be returned unopened to the bidder.

The attention of all contractors is called to the fact that any contract awarded under this Advertisement for Bids is expected to be funded by the OWNER from current funds on hand and/or from other sources.

Award will be made to the lowest, responsive, responsible bidder.

The City of Somerset may consider informal any bid not prepared and submitted in accordance with the provisions of this advertisement and/or the Specifications and may waive any informalities or reject any and all bids.

**CITY OF SOMERSET, KENTUCKY**

By: Eddie R. Girdler, Mayor

Mr. New moved to approve the reappointment of Wanda Maybry to the Ethics Board, term ending 6/2012. Mr. Girdler seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. J. Rutherford, Mr. Wheeldon, Mr. Kelley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, and Mr. T. Rutherford.

There being no further business the meeting adjourned.

**APPROVED** \_\_\_\_\_

**MAYOR**

**ATTEST:** \_\_\_\_\_

**CITY CLERK**