


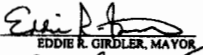

MINUTES OF MEETING HELD FEBRUARY 25, 2008

The Common Council of the City of Somerset, Kentucky met in a regular session on Monday February 25, 2008 at 7:00 p.m. with the following present: Mayor Eddie Girdler. Council Members: Linda Stringer, James Eastham, Steve Kelley, Jerry Girdler, David Childers, John Minton, Jim Mitchell, Pat Bourne, Jerry Burnett, Tim Rutherford, and Jim Rutherford. City Clerk David Godsey and City Attorney Carrie Wiese. Absent: Council Member Donna Hunley.

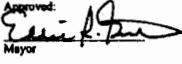
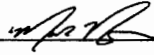

Mr. Bourne moved to approve the minutes of the last regular meeting held on February 11, 2008, and special called meeting February 18, 2008 along with the reports to be approved as delivered. Mr. Eastham seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler, Mr. Childers, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, and Mr. J. Rutherford.

Mr. Burnett moved to approve the request from Downtown Development Corporation for the filing of a grant application to allow the local Master Gardener's program to construct a children's garden to the south of the new library. Mr. Kelley seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler, Mr. Childers, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, and Mr. J. Rutherford.

Mr. Bourne moved to approve the entertainment permit for Danny Stokes for property located at 705 Correll Street. Mr. Mitchell seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Eastham, Mr. Childers, Mr. Minton, Mr. Mitchell, Mr. Bourne, and Mr. T. Rutherford. Voting "Nay": Mrs. Stringer, Mr. Kelley, Mr. Girdler, Mr. Burnett, and Mr. J. Rutherford. Motion Passed.

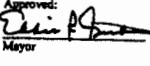
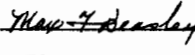

<small>Eddie R. Girdler Mayor</small>	City of Somerset	
<small>David Godsey City Clerk</small>	<small>400 East Mt. Vernon Street P.O. Box 800 SOMERSET, KENTUCKY 40502 (606)754-2344 (606)754-2441 (FAX)</small>	
PUBLIC NOTICE		
<p>NOTICE IS HEREBY GIVEN THAT DANNY STOKES HAS REQUESTED AN ENTERTAINMENT PERMIT. THE PLACE OF ENTERTAINMENT IS LOCATED AT 705 CORRELL STREET, SOMERSET, KENTUCKY 42503.</p> <p>IN COMPLIANCE WITH CITY ORDINANCE # 88-17, NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY AT ITS REGULAR MEETING PLACE IN THE COUNCIL CHAMBERS AT CITY HALL 400 EAST MOUNT VERNON STREET, SOMERSET, KENTUCKY ON FEBRUARY 11, 2008 AT 6:45 PM. THE PURPOSE OF THIS HEARING IS TO DETERMINE WHETHER OR NOT THE ENTERTAINMENT PERMIT SHOULD BE ISSUED TO DANNY STOKES.</p> <p>ANY PERSON DESIRING TO BE HEARD SHALL HAVE FILED IN WRITING ALLEGATIONS THAT SHOW CAUSE AS TO WHY THE PERMIT SHOULD NOT BE ISSUED.</p>		
 EDDIE R. GIRDLER, MAYOR		
 DAVID GODSEY, CITY CLERK		
<small>Equal Opportunity Employer M/F/D (606)75-4178 (TDD)</small>		

Second reading was given to Ordinance # 08-02:

<p style="text-align: center;">ORDINANCE NO. 08-02</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> <ol style="list-style-type: none"> I. By changing a boundary of land presently zoned R2 to a B2 zone, said property being more particularly described in Exhibit "A" attached hereto and incorporated herein in full by reference, with a record owner of F&A Investment Group, Inc., specifically with an address of 102 Crab Orchard Street, Somerset, KY. II. The City Clerk of the City of Somerset, Kentucky is hereby authorized to alter the Zoning Map to reflect said change. III. This Ordinance shall be in full force and effect from and after adoption and publication according to law. <p>FIRST READING <u>February 11, 2008</u></p> <p>SECOND READING _____</p> <p style="text-align: right;">Approved:  Mayor</p> <p>ATTEST: _____</p> <p>City Clerk</p>	<p style="text-align: center;">APPLICATION FOR ZONING AMENDMENT/DEVELOPMENT PLAN APPROVAL TO THE SOMERSET PLANNING COMMISSION</p> <p style="text-align: right;">APPLICATION NO. _____</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>NAME OF APPLICANT: F & A Investment Group, Inc. MAILING ADDRESS: 224 Highway 192, Somerset, Kentucky 42383 PHONE NUMBER (HOME): 606-783-9991 (BUSINESS) _____ PROPERTY OWNER: F&A Investment Group, Inc. LOCATION DESCRIPTION: 102 Crab Orchard Street EXISTING USE: Residential PROPOSED USE: <u>Business</u></p> <p>4. PRESENT ZONING DISTRICT: <u>R2</u> PROPOSED ZONING DISTRICT: <u>B2</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>1-7-08</u> APPLICANT SIGNATURE: </p> <p style="text-align: center;">FOR OFFICIAL USE ONLY PLANNING COMMISSION</p> <p>DATE FILED: <u>1-7-08</u> DATE OF NOTICE IN NEWSPAPER: <u>1-8-08</u> FEE PAID: <u>Yes</u> DATE OF NOTICE TO PROPERTY OWNER: <u>1-8-08</u> DATE OF PUBLIC HEARING: <u>1-28-08</u> RECOMMENDATION OF PLANNING COMMISSION: APPROVAL <input checked="" type="checkbox"/> DENIAL <input type="checkbox"/> REASON FOR RECOMMENDATION: _____</p> <p>DATE: <u>1-22-08</u> PLANNING COMMISSION CHAIRMAN: </p> <p style="text-align: center;">FOR OFFICIAL USE ONLY (LEGISLATIVE AUTHORITY)</p> <p>DATE OF RECOMMENDATION RECEIVED _____ ACTION BY LEGISLATIVE AUTHORITY APPROVED _____ DENIAL _____ IF DENIED, REASON FOR DENIAL: _____</p> <p>DATE _____ CLERK _____</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 second reading regarding rezoning 102 Crab Orchard Street from R-2 to B-2. Mr. Burnett seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler, Mr. Childers, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, and Mr. J. Rutherford.

Second reading was given to Ordinance # 08-03:

<p style="text-align: center;">ORDINANCE NO. 08-03</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> <ol style="list-style-type: none"> I. By changing a boundary of land presently zoned R2 to a B2 zone, said property being more particularly described in Exhibit "A" attached hereto and incorporated herein in full by reference, and more commonly known as part of the Max Beasley Property, specifically with an address of 527 North Main Street, Somerset, KY. II. The City Clerk of the City of Somerset, Kentucky is hereby authorized to alter the Zoning Map to reflect said change. III. This Ordinance shall be in full force and effect from and after adoption and publication according to law. <p>FIRST READING <u>February 11, 2008</u></p> <p>SECOND READING _____</p> <p style="text-align: right;">Approved:  Mayor</p> <p>ATTEST: _____</p> <p>City Clerk</p>	<p style="text-align: center;">APPLICATION FOR ZONING AMENDMENT/DEVELOPMENT PLAN APPROVAL TO THE SOMERSET PLANNING COMMISSION</p> <p style="text-align: right;">APPLICATION NO. _____</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>NAME OF APPLICANT: Max F. Beasley MAILING ADDRESS: 224 Allen Drive, Somerset, Kentucky 42383 PHONE NUMBER (HOME): 606-678-4947 (BUSINESS) _____ PROPERTY OWNER: F&A Investment Group, Inc. LOCATION DESCRIPTION: 527 N. Main Street EXISTING USE: Vacant/Industrial PROPOSED USE: <u>Business</u></p> <p>4. PRESENT ZONING DISTRICT: <u>R2</u> PROPOSED ZONING DISTRICT: <u>B2</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>1-7-2008</u> APPLICANT SIGNATURE: </p> <p style="text-align: center;">FOR OFFICIAL USE ONLY PLANNING COMMISSION</p> <p>DATE FILED: <u>1-7-08</u> DATE OF NOTICE IN NEWSPAPER: <u>1-8-08</u> FEE PAID: <u>Yes</u> DATE OF NOTICE TO PROPERTY OWNER: <u>1-8-08</u> DATE OF PUBLIC HEARING: <u>1-28-08</u> RECOMMENDATION OF PLANNING COMMISSION: APPROVAL <input checked="" type="checkbox"/> DENIAL <input type="checkbox"/> REASON FOR RECOMMENDATION: _____</p> <p>DATE: <u>1-22-08</u> PLANNING COMMISSION CHAIRMAN: </p> <p style="text-align: center;">FOR OFFICIAL USE ONLY (LEGISLATIVE AUTHORITY)</p> <p>DATE OF RECOMMENDATION RECEIVED _____ ACTION BY LEGISLATIVE AUTHORITY APPROVED _____ DENIAL _____ IF DENIED, REASON FOR DENIAL: _____</p> <p>DATE _____ CLERK _____</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 second reading regarding rezoning 527 N. Main Street from R-2 to B-2. Mr. Minton seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler, Mr. Childers, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, and Mr. J. Rutherford.

Second reading was given to Ordinance # 08-04:

<p style="text-align: center;">ORDINANCE NO. 08-04</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>The 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> <ol style="list-style-type: none"> I. By changing a boundary of land presently zoned R2 to a B2 zone, said property being more particularly described in Exhibit "A" attached hereto and incorporated herein in full by reference, and more commonly known as part of the Max Beasley Property, specifically with an address of 531 North Main Street, Somerset, KY, which sits on the corner of North Main Street and Crab Orchard Street. II. The City Clerk of the City of Somerset, Kentucky is hereby authorized to alter the Zoning Map to reflect said change. III. This Ordinance shall be in full force and effect from and after adoption and publication according to law. <p>FIRST READING <u>February 11, 2008</u></p> <p>SECOND READING _____</p> <p style="text-align: right;">Approved: <u>[Signature]</u> Mayor</p> <p>ATTEST: _____ City Clerk</p>	<p style="text-align: center;">APPLICATION FOR ZONING AMENDMENT/DEVELOPMENT PLAN APPROVAL TO THE SOMERSET PLANNING COMMISSION</p> <p style="text-align: right;">APPLICATION NO. _____</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>NAME OF APPLICANT: <u>Max F. Beasley</u> MAILING ADDRESS: <u>224 Allen Drive, Somerset, Kentucky 40381</u> PHONE NUMBER (HOME): <u>502-478-0477 (BUSINESS)</u> PROPERTY OWNER: <u>Max F. Beasley</u> LOCATION DESCRIPTION: <u>531 N. Main Street</u> EXISTING USE: <u>Single Dwelling</u> PROPOSED USE: <u>Small Shop</u></p> <p>4. PRESENT ZONING DISTRICT: <u>R2</u> PROPOSED ZONING DISTRICT: <u>B2</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>1-7-08</u> APPLICANT SIGNATURE: <u>[Signature]</u></p> <p style="text-align: center;">FOR OFFICIAL USE ONLY PLANNING COMMISSION</p> <p>DATE FILED: <u>1-7-08</u> DATE OF NOTICE IN NEWSPAPER: <u>1-13-08</u> FEE PAID: <u>145</u> DATE OF NOTICE TO PROPERTY OWNER: <u>1-13-08</u> DATE OF PUBLIC HEARING: _____ RECOMMENDATION OF PLANNING COMMISSION: APPROVAL <input checked="" type="checkbox"/> DENIAL <input type="checkbox"/> REASON FOR RECOMMENDATION: _____</p> <p>DATE: <u>1-27-08</u> PLANNING COMMISSION CHAIRMAN: <u>[Signature]</u></p> <p style="text-align: center;">FOR OFFICIAL USE ONLY (LEGISLATIVE AUTHORITY)</p> <p>DATE OF RECOMMENDATION RECEIVED: _____ ACTION BY LEGISLATIVE AUTHORITY APPROVED _____ DENIAL _____ IF DENIED, REASON FOR DENIAL: _____</p> <p>DATE: _____ CLERK: _____</p> <p><small>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 HEARING DATE.</small></p>
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Mr. Rutherford moved to approve the above ordinance on its second reading regarding rezoning 531 N. Main Street from R-2 to B-2. Mr. Burnett seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler, Mr. Childers, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, and Mr. J. Rutherford.

Mr. Mitchell moved to approve the appointment of Elaine Wilson to the Board of Adjustments. The term expiring 06/2012. Mr. Burnett seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler, Mr. Childers, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, and Mr. J. Rutherford.

Mr. T. Rutherford motioned to go into executive session to discuss personnel. Mr. J. Rutherford seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler, Mr. Childers, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, and Mr. J. Rutherford.

No action taken in executive session.

There being no further business the meeting adjourned.

APPROVED _____
MAYOR

ATTEST: _____
CITY CLERK