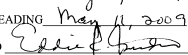



MINUTES OF MEETING HELD MAY 11, 2009

The Common Council of the City of Somerset, Kentucky met in a regular session on Monday, May 11, 2009, at 7:00 p.m. with the following present: Mayor Eddie Girdler. Council Members: Jerry Girdler, Mike New, Donna Hunley, John Minton, Jim Mitchell, Pat Bourne, Jerry Burnett, Tim Rutherford, Jim Rutherford, Linda Stringer, Jerry Wheeldon, and Steve Kelley. City Attorney Carrie Wiese and City Clerk David Godsey.

Mr. Wheeldon moved to approve the minutes of the last regular meeting held on April 27, 2009, along with the reports to be approved as mailed. Mr. Mitchell seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Mrs. Stringer, Mr. Wheeldon, and Mr. Kelley.

Second reading was given the following Ordinance 09-07:

ORDINANCE NUMBER 09-07																																			
<p>AN ORDINANCE AMENDING THE CITY OF SOMERSET, KENTUCKY ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2008 AND ENDING JUNE 30, 2009 ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS OF THE CITY OF SOMERSET, KENTUCKY.</p> <p>WHEREAS, AN ANNUAL BUDGET HAS BEEN ADOPTED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY; AND</p> <p>WHEREAS, THE COMMON COUNCIL HAS RECEIVED THE PROPOSED BUDGET CHANGES AND MADE NECESSARY MODIFICATIONS</p> <p>NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SOMERSET, KENTUCKY:</p>																																			
SECTION 1.	<p>THAT THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2008 AND ENDING JUNE 30, 2009 IS HEREBY AMENDED AS FOLLOWS:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;"></th> <th style="width: 20%; text-align: right;">REVENUE</th> <th style="width: 20%; text-align: right;">EXPENDITURES</th> </tr> </thead> <tbody> <tr> <td>GENERAL FUND</td> <td style="text-align: right;">\$11,136,605.00</td> <td style="text-align: right;">\$11,136,605.00</td> </tr> <tr> <td>SANITATION SERVICE</td> <td style="text-align: right;">\$2,566,000.00</td> <td style="text-align: right;">\$2,566,000.00</td> </tr> <tr> <td>GAS SERVICE</td> <td style="text-align: right;">\$19,951,900.00</td> <td style="text-align: right;">\$19,951,900.00</td> </tr> <tr> <td>WATER SERVICE</td> <td style="text-align: right;">\$5,936,000.00</td> <td style="text-align: right;">\$5,936,000.00</td> </tr> <tr> <td>WASTEWATER</td> <td style="text-align: right;">\$7,800,300.00</td> <td style="text-align: right;">\$7,800,300.00</td> </tr> <tr> <td>WATER PARK</td> <td style="text-align: right;">\$1,583,250.00</td> <td style="text-align: right;">\$1,583,250.00</td> </tr> <tr> <td>PARKS AND REC</td> <td style="text-align: right;">\$736,600.00</td> <td style="text-align: right;">\$736,600.00</td> </tr> <tr> <td>EMS</td> <td style="text-align: right;">\$4,684,730.00</td> <td style="text-align: right;">\$4,684,730.00</td> </tr> <tr> <td>TOTAL ALL FUNDS</td> <td style="text-align: right;">\$54,395,385.00</td> <td style="text-align: right;">\$54,395,385.00</td> </tr> <tr> <td></td> <td style="text-align: right;">\$56,895,385.00</td> <td style="text-align: right;">\$56,895,385.00</td> </tr> </tbody> </table>			REVENUE	EXPENDITURES	GENERAL FUND	\$11,136,605.00	\$11,136,605.00	SANITATION SERVICE	\$2,566,000.00	\$2,566,000.00	GAS SERVICE	\$19,951,900.00	\$19,951,900.00	WATER SERVICE	\$5,936,000.00	\$5,936,000.00	WASTEWATER	\$7,800,300.00	\$7,800,300.00	WATER PARK	\$1,583,250.00	\$1,583,250.00	PARKS AND REC	\$736,600.00	\$736,600.00	EMS	\$4,684,730.00	\$4,684,730.00	TOTAL ALL FUNDS	\$54,395,385.00	\$54,395,385.00		\$56,895,385.00	\$56,895,385.00
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SECTION 2.	<p>THE PURPOSE OF THIS SECTION IS TO COMPLY WITH THE REQUIREMENTS OF KRS 83A.070(4), PROVIDING THAT EACH CITY SHALL FIX THE COMPENSATION OF CITY EMPLOYEES IN ACCORDANCE WITH A PERSONNEL AND PAY CLASSIFICATION PLAN WHICH PLAN SHALL BE ADOPTED BY ORDINANCE AND REVIEWED EACH YEAR ALONG WITH THE BUDGET.</p>																																		
	<p>THERE IS HEREBY ADOPTED A PAY AND CLASSIFICATION PLAN ATTACHED HERETO AS EXHIBIT "A", AND MADE PART HEREOF, AND INCORPORATED IN FULL, SAID PLAN HEREBY ESTABLISHING AUTHORIZED POSITIONS OF EMPLOYMENT WITH THE CITY EACH POSITION HAVING A CORRESPONDING RANGE OF COMPENSATION AS SET FORTH IN SAID DOCUMENT.</p> <p>SECTION 3. THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS PASSAGE AND UPON PUBLICATION.</p> <p>FIRST READING <u>May 7, 2009</u></p> <p>SECOND READING <u>May 11, 2009</u></p> <p>APPROVED  EDWARD R. GIRDLER, MAYOR CITY OF SOMERSET, KENTUCKY</p> <p>ATTEST:  DAVID GODSEY, CITY CLERK</p>																																		

Mr. Wheeldon moved to approve the above Ordinance 09-07 on its second reading regarding a budget revision for the YMCA. Mr. Bourne seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. New, Mrs. Hunley, Mr. Bourne, Mr. Burnett, Mr. Wheeldon, and Mr. Kelley. Voting "Nay": Mr. Girdler, Mr. Minton, Mr. Mitchell, Mr. T. Rutherford, Mr. J. Rutherford, and Mrs. Stringer. Mayor Girdler broke the tie vote with "Aye". Motion Passed.

Mr. Bourne moved to accept the proposed lease for the YMCA for a three year period. Mr. New seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. New, Mrs. Hunley, Mr. Bourne, Mr. Burnett, Mr. Wheeldon, and Mr. Kelley. Voting "Nay": Mr. Girdler, Mr. Minton, Mr. Mitchell, Mr. T. Rutherford, Mr. J. Rutherford, and Mrs. Stringer. Mayor Girdler broke the tie vote with "Aye". Motion Passed.

Second reading was given the following Ordinance 09-05:

ORDINANCE NO. 09-05

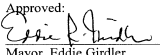
AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, AMENDING THE CITY'S PERSONNEL POLICIES AS SET FORTH IN THE CITY EMPLOYEE HANDBOOK, ADOPTED BY THE COMMON COUNCIL IN ORDINANCE NUMBER 08-15,


BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:

- (I) The amended Employee Handbook pages/policies attached hereto as Exhibit "A", and referred to herein, are incorporated in full by reference and are hereby adopted as the official amended policies to the city's personnel policies, rules, and regulations handbook, and shall replace the earlier version of said policies. All employees shall receive a copy of the amended policies and shall be required to sign an Acknowledgment of Receipt and Understanding regarding the amendments, attached hereto as Exhibit "B".
- (II) By enacting this Ordinance amending certain policies of the previous handbook adopted by the Council, the Council hereby amends and adopts said amended policies of the Employee Handbook as the official amended policies. Due to changes in page numbers as a result of Amendments made, a full copy of the Employee Handbook in its entirety, with Amendments, will be filed with this Ordinance in the City Clerk's office for public review and reference.
- (III) If any part of this ordinance amending the Handbook, or the Amendments made, is deemed by a court of competent jurisdiction to be unenforceable or unconstitutional, the remaining provisions of this ordinance and the Handbook shall continue in full force and effect.
- (IV) This ordinance shall be in full force and effect upon passage, approval, and publication according to law.

FIRST READING April 27, 2009

SECOND READING May 11, 2009

Approved:

Mayor, Eddie Girdler

ATTEST:

City Clerk, David Godsey

1

Mr. Girdler moved to approve the above Ordinance 09-05 on its second reading revising the personnel policies. Mr. J. Rutherford seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Mrs. Stringer, Mr. Wheeldon, and Mr. Kelley.

Second reading was given the following Ordinance 09-06:

ORDINANCE NO. 09-06

AN ORDINANCE STATING THE CITY OF SOMERSET'S INTENT AND DESIRE TO ANNEX A CORRIDOR OF HIGHWAY, SPECIFICALLY KENTUCKY STATE HWY 1642, MORE COMMONLY KNOWN AS SLATE BRANCH ROAD, PULASKI COUNTY, KENTUCKY, TO THE CITY OF SOMERSET, KENTUCKY,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:

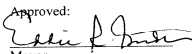
That the City of Somerset, Kentucky does hereby state its intent and desire to annex to the City of Somerset, Kentucky, pursuant to KRS 84A.420, the following boundary of unincorporated territory which is a corridor known as Kentucky State Hwy. 1642/Slate Branch Road, which is contiguous to current boundaries of the City Limits, and is territory that is urban in character or is suitable for urban development without unreasonable delay, and which contains water mains and/or sewer lines which belong to the City of Somerset which currently serve customers throughout the area:


A certain corridor located and being in Pulaski County, State of Kentucky, known as Kentucky State Hwy. 1642/Slate Branch Road, and more fully described as follows, to wit:

(See Exhibit "A" attached hereto and incorporated herein in full by reference.)

FIRST READING April 27, 2009

SECOND READING May 11, 2009

Approved:

Mayor

ATTEST:

City Clerk

1

Mr. Wheeldon moved to approve the above Ordinance 09-06 on its second reading providing for the corridor annexation of a portion of Slate Branch Road. Mr. Burnett seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Mrs. Stringer, Mr. Wheeldon, and Mr. Kelley.

Mr. Mitchell moved to approve the following Resolution to accept MAP funds. Mr. J. Rutherford seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Mrs. Stringer, Mr. Wheeldon, and Mr. Kelley.

<p style="text-align: center;"><u>RESOLUTION</u></p> <p>County of Pulaski</p> <p>Incorporated Area of Somerset</p> <p>Resolution adopting and approving the execution of a Municipal Aid Coop Program Contract between the Incorporated Area and the Commonwealth of Kentucky, Transportation Cabinet, Department of Governmental Relations for the fiscal year beginning July 1, 2009, as provided in the Kentucky Revised Statutes and accepting all streets referred to therein as being streets which are a part of the Incorporated Area.</p> <p>Be it resolved by the Legislative Body of the Incorporated Area that:</p> <p>The Legislative Body of the Incorporated Area does hereby accept all streets referred to in said Contract as being city streets which are a part of the Incorporated Area; and</p> <p>The Legislative Body of the Incorporated Area does hereby ratify and adopt all statements, representations, warranties, covenants, and agreements contained in said Contract and does hereby accept said Contract and by such acceptance agrees to all the terms and conditions therein stated; and</p> <p style="text-align: center;">Page 1 of 2</p>	<p>The Chief Executive Officer of the said Incorporated Area is hereby authorized and directed to sign said Contract as set forth on behalf of the Legislative Body of _____, _____ County, and the City Clerk of _____ is hereby authorized and directed to certify thereto.</p> <p>The vote taken on said Resolution, the result being as follows:</p> <table style="width: 100%; border: none;"> <tr> <td style="text-align: center; width: 50%;"><u>AYES</u></td> <td style="text-align: center; width: 50%;"><u>NAYS</u></td> </tr> <tr> <td>_____</td> <td>_____</td> </tr> <tr> <td>_____</td> <td>_____</td> </tr> <tr> <td>_____</td> <td>_____</td> </tr> <tr> <td>_____</td> <td>_____</td> </tr> </table> <p>COMMONWEALTH OF KENTUCKY) SS: INCORPORATED AREA OF _____</p> <p>I, _____, City Clerk of _____ certify that the foregoing is a true copy of the Order above. Given under my hand and seal of office this the _____ day of _____, 2009.</p> <p style="text-align: right;">SIGNED _____ CLERK OF _____</p> <p style="text-align: center;">Page 2 of 2</p>	<u>AYES</u>	<u>NAYS</u>	_____	_____	_____	_____	_____	_____	_____	_____
<u>AYES</u>	<u>NAYS</u>										
_____	_____										
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Mr. Bourne moved to approve the following Resolution for grant funds for the purchase of a mobile generator for the waste water department. Mrs. Stringer seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Mrs. Stringer, Mr. Wheeldon, and Mr. Kelley.

Resolution
City of Somerset

A RESOLUTION OF THE CITY OF SOMERSET, KENTUCKY AUTHORIZING THE MAYOR TO MAKE APPLICATION FOR AND, UPON APPROVAL, TO ENTER INTO AN AGREEMENT WITH THE KENTUCKY OFFICE OF HOMELAND SECURITY (KOHHS), TO EXECUTE ANY DOCUMENTS WHICH ARE DEEMED NECESSARY BY KOHS TO FACILITATE AND ADMINISTER THE PROJECT AND TO ACT AS THE AUTHORIZED CORRESPONDENT FOR THIS PROJECT.

WHEREAS, the City of Somerset, Kentucky desires to make an application for United State Department of Homeland Security funds for a project to be administered by Kentucky Office of Homeland Security:

WHEREAS, it is recognized that an application for and approval of Kentucky Office of Homeland Security funds impose certain obligations and responsibilities upon the city, which may include at the request of the city, matching requirements of funds. The Council herein understands and agrees that meeting a matching requirement may increase the chances of receiving an award by KOHS:

NOW, THEREFORE, be it resolved this 11th day May 2009, by the City of Somerset, Kentucky,

The Mayor is hereby authorized to execute and furnish all documentation, including a memorandum of agreement, as may be required by KOHS for the furtherance of the above-referenced project and to act as the authorized correspondent for said project.

Done this 11th day of May, 2009 on a motion made by Mr. Bourne and seconded by Mrs. Stringer

Members present voting in favor:
Mr. Girdler *Mr. Mitchell* *Mr. J. Rutherford*
Mr. New *Mr. Bourne* *Mrs. Stringer*
Mrs. Hunley *Mr. Burnett* *Mr. T. Rutherford*
Mr. Minton *Mr. J. Rutherford* *Mr. Kelley*

Members present voting against:

By: *Eddie Girdler*
 Mayor: Eddie Girdler
 ATTEST: *David Godsey*
 Clerk: David Godsey
 Date: 5/11/09

Mr. Kelley moved to approve making the water park an open facility for project graduation to any schools in the county if an adequate number of water park staff could be present. Mr. Wheeldon seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Mrs. Stringer, Mr. Wheeldon, and Mr. Kelley.

There being no further business the meeting adjourned.

APPROVED _____
MAYOR

ATTEST: _____
CITY CLERK