MINUTES OF MEETING HELD JANUARY 26, 2015

The Common Council of the City of Somerset, Kentucky met in a regular meeting on Monday January 26, 2015, at 7:00 p.m. with the following present: Mayor Pro Tem Mike New. Council Members; David Burdine, Linda Stringer, Jerry Wheeldon, Jimmy Eastham, Jerry Girdler, Mike New, Donna Hunley, John Minton, Pat Bourne, and Tom Eastham. City Attorney Carrie Weise, and City Clerk Nick Bradley. Absent; Mayor Eddie Girdler. Council Members Jim Mitchell and Jerry Burnett.

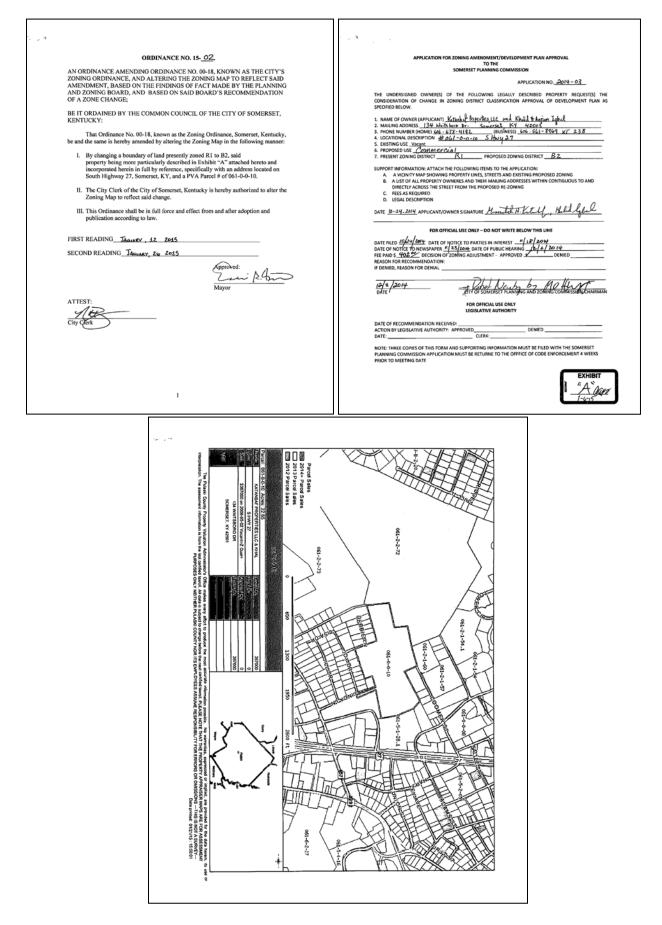
Mr. Bourne moved to approve the minutes of the regular meeting held on January 12, 2015 along with reports as mailed. Mr. J. Eastham seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burdine, Mrs. Stringer, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Bourne, and Mr. T. Eastham.

Second reading was given the following Ordinance No. 15-01:

	ORDINANCE NO. 15-01
ZONI AME AND	RDINANCE AMENDING ORDINANCE NO. 00-18. KNOWN AS THE CITY'S ING ORDINANCE, AND ALTERING THE ZONING MAP TO REFLECT SAID NDMENT, BASED ON THE FINDINGS OF FACT MADE BY THE PLANNING ZONING BOARD, AND BASED ON SAID BOARD'S RECOMMENDATION ZONE CHANGE:
	ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, FUCKY:
be an	That Ordinance No. 00-18, known as the Zoning Ordinance, Somerset, Kentucky, d the same is hereby amended by altering the Zoning Map in the following manner:
I.	By changing a boundary of land presently zoned R1 to B2, said property being more particularly described in Exhibit "A" attached hereto and incorporated herein in full by reference, specifically with an address located on Bogle Street, Somerset, KY, and a PVA Parcet # of 061-2-1-69.
11.	. The City Clerk of the City of Somerset, Kentucky is hereby authorized to alter the Zoning Map to reflect said change.
п	 This Ordinance shall be in full force and effect from and after adoption and publication according to law.
FIRS	TREADING JANNARY 12, 2015
SECO	DND READING JANNARY, 26 , 2015
	Mayor
ATTI	EST:
City	
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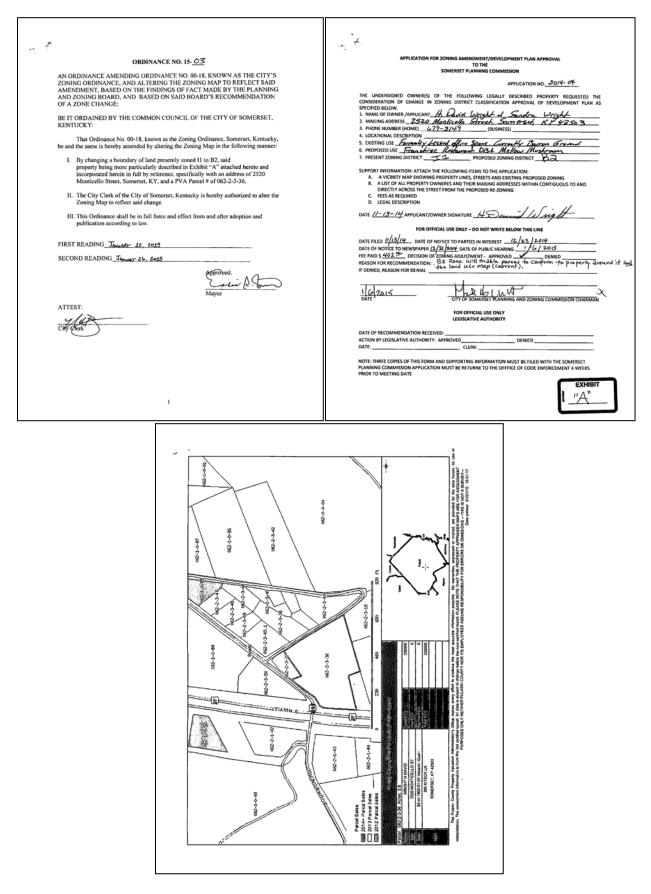
Mr. Wheeldon moved to approve the above Ordinance No. 15-01 on its second reading changing the zoning from R-1 to B-2. Coomer Street 061-2-1-69. Mr. J. Eastham seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burdine, Mrs. Stringer, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Bourne, and Mr. T. Eastham.

Second reading was given the following Ordinance No. 15-02:



Mrs. Stringer moved to approve the above Ordinance No. 15-02 on its second reading changing the zoning from R-1 to B-2. South Highway 27 061-0-0-10. Mr. Burdine seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burdine, Mrs. Stringer, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Bourne, and Mr. T. Eastham.

Second reading was given the following Ordinance No. 15-03:



Mr. Wheeldon moved to approve the above Ordinance No. 15-03 on its second reading changing the zoning from I-1 to B-2. Monticello Street 062-2-3-36 (Mellow Mushroom). Mr. T. Eastham seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burdine, Mrs. Stringer, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Bourne, and Mr. T. Eastham.

Second reading was given the following Ordinance No. 15-04:

CITY OF SOMERSET	2 ORDINANCE NUMBER 15 AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ADOPTING THE FOLLOWING AMERIDMENTS IN FULL FOR THE CITY'S CURRENT REGULATIONS AND REQUIRMENTS CONCERNING ALCOHOL BEVERAGE CONTROL, NOVUN AS THE CITY OF SOMERSET'S
AMENDMENTS TO THE CITY'S ALCOHOL BEVERAGE CONTROL ORDINANCE Ordinance 15- <u>04</u>	*ALCOHOLIC BEVERAGE CONTROL ORDINANCE" (ORDINANCE 13-19): AND WHEREAS, THE CITY OF SOMERSET, BY AND THROUGH A MAUGRITY OF REGISTERED VOTERS, PERMITS THE PRISENCE OF ALCOHOL, MANUFACTURING OF ALCOHOL, AND SALES OF ALCOHO!, WITH HE CORPORATE LIMITS OF THE CITY OF SOMERSET SO LONG AS SUCH IS JOACH TO AN ORDINATE LIMITS OF THE CITY OF SOMERSET SO LONG AS SUCH IS JOACH TO AN ORDINATE LIMITS OF THE CITY OF SOMERSET SO LONG AS SUCH IS JOACH TO AN ORDINATE LIMITS OF THE CITY OF SOMERSET SO LONG AS SUCH IS JOACH TO AN ORDINATE THE ALCONSING AND REGULATION OF FEDERAL LAW, AND WHEREAS, THE CITY OF SOMERSET THEREFORE HAS ESTABLISHED UNIFORM REGULATIONS AND REQUIREMENTS FOR THE LICENSING AND REGULATION OF ALCOHOLIC BEVERAGES, MANUFACTURING, AND SALES FURSUANT TO AUTHORIZATION UNDER KRS CHAPTERS 241 THROUGH 244, AND ALL OTHER APPLICABLE LAW; NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SOMERSET, KENTUCKY, THAT THE FOLL OWING MENDMENTS TO THE CITY'S ANC REGULATIONS AND REQUIREMENTS SET FORTH IN ORDINANCE 13-9 ARE HEREBY ADOPED AS SET FORTH BELOW, NOS SIALL "BEREATER REPLACE IN FULL THE BELOW REFERENCED SECTIONS OF THE CITY'S ABC ORDINANCE
Annu du unte te Cita Ordinanae 12.10	ORDINANCE: Amendments of the City's ABC Ordinance 13-19 are hereby adopted by the Council as follows: I. AMENDMENTS; RESTATMENT OF EXISITING PENALTIES FOR VIOLATIONS: A. The below stated "section (1.3)" of Article V. shall replace the existing referred to section in full as
Amendments to City Ordinance <u>13-19</u> .	follows:
	ARTICLE V. HOUPS S SALE AND DELIVERY 1. Hours for Sale and Delivery.
	(a) Any license eligible to sell distilled spirits, whe and/or malt beverages in any form other than retail package shall be permitted to sell or dispesse dastilled spirits, whe and/or malt beverages between the hours of 60 an a. mult 100 an a. Mondro, Standay. Sail clearse shall not be permitted to sell or dispense distilled spirits, whe and/or malt beverages after the hours of 1:00 a.m. (midnight on Sunday evening/Sunday morning) to 12:00 a.m. (midnight on Sunday) with the noted exceptions below:
	 A licensee whose premise(s) is licensed to serve alcoholic beverages in any form other than retail package shall be permitted to sell or disponse distilled spirits, wine and/or
Despited 17-30-14 CDW; For use by the City of Sumerest Only. Not in be deplicated without permission from any source other than the City of Sumerest.	Original adaptist August 2012, Amendments adapted November 2015, and January 2015.
3 malt beverages on Sunday during the hours of 11:00 a.m. until 1:00 a.m.(on Monday morring). 2. A license for distilled spirits, wine end/or malt beverages shall be permitted to sell or dispense alcoholic beverages on New Year De nutil 2:00 and .on Annuary 1, regardless	4 more than six (6) months, or both; and for the second and each subsequent violation, he shall be fined not loss than two busched dollars (\$200.00) nor more than five handred dollars (\$300.00), or imprison for not more than at smooths, or both. The ponalize provided for in this subsection shall be in addition to the resocation or suspension of the definder's license. (The definder is a comparation, LLC, joint stock complex, saw sharm or eacher vibrates segunitation, or a
of the day of the week-Jamsary 1 shall full supen, provided that the appropriate licenses and approvals have been obtained from both the City and the state JBC Board. (b) Retail package distilled spirits, wine sales, and package mait beverage sales shall be permitted from 6:00 a.m. smit 1:00 a.m. the following day, each day of the week.	Cere you want to account of the second secon
 The below stated "section (6.)" of Article VL shall replace the existing referred to section in full as follows: 	A. Implementation of Changes in Ordinance Provisions. The Somerset City Council may promulgate rules and regulations, and/or amendments thereto, as is in its discretion in order to ensure the proper implementation of this Ordinance. Such will be done as according to local, state, and forcural law.
ARTICLE VI. CONDITIONS, PROHIBITIONS AND RESTRICTIONS	B. Severability.
6. Underage Sules: The licensee shall not sell or dispense alcoholic beverages to any person who is under 21 years of age. The license shall check all photo ID's for persons who appear to be under the age of 35 years oil an order io reasonably source that every person attempting to purchase or consume alcoholic beverages is at least 21 years of age. Individual licensees shall be fully responsible for creating internal policies and/or procedures within their own establishment to meet this ID check requirement.	If any section of this Ordinance, including but not limited to, any section, subsection, paragraph, sentence, clause, phrase, or any other portion of this Ordinance, is declated illegal or unconstitutional, or otherwise invalid by a Court of competent jurisdiction, such declaration shall not affect the remaining portions hereof. C. Effective Date of Ordinance Amendments/Provisions.
C. The below state Penalties section (1.) of Article XI shall remain as follows, and is included in this Amendment as a reiteration of the applicable penalties for violations of the ABC Ordinance, and any adopted Amendments made of suid Ordinance.	The above stated Ordiu.ince Amendments shall take effect immediately after Passage and Publication by law. FIRST READING: <u>Manager 43, 2015</u> SECOND READING: <u>Manager 43, 2015</u>
ARTICLE XI. PENALTIES	APPROVED The AS
1. Penalties. (a) In addition to any criminal prosecution instituted in Pulaski District Court against an alleged violator, the City ABC, (Administrator may actss: the first and penaltise analysis and the first and penaltise analysis of the State S	ATTEST: MCK BRADLEY, CITY CLERK
(b) Any person, firm or corporation who violates any of the provisions of this chapter, for which no other penalty is hereby provided, shall be guilty of a Misdemenano, and subject to prosecution in the Pulsaki County Court System, as follows: for the first offense, be fined not less than one handred dollars (\$100.00) nor more than two hundred dollars (\$200.00), or imprisoned for not	
Original adapted August 2012, Amendments adapted November 2013, and January 2015.	Original adopted August 2012, Anondonisti adopted November 2013. ar 13 swary 2015.

Mr. Wheeldon moved to approve the above Ordinance No. 15-04 on its second reading adopting the ABC Ordinance Amendments. Mr. Bourne seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burdine, Mrs. Stringer, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Bourne, and Mr. T. Eastham

Mr. Bourne made a motion to accept the bid from Cascade Engineering for 500 trash containers at a price of \$40.00 for a total of \$20,000. After discussion the motion was rescinded and the topic tabled to discuss the possibility of smaller trash cans.

Police Chief Nelson asked to have the following 2014 Police Department special events items included in the official minutes. All Council Members agreed.

	400 E. Mt. V	rnon Street • P.O. Box 1017 • Somerset, Kentucky 42502 • (606) 678 www.somersetpd.com	8-5176 • FAX (606) 678-9239				
Somerset Police Department 2014 Special Events				36		4 Pulaski Fair (2 Officers)	Fairgrounds
Event	Date	Name	Purpose/ Location	37		4 Pulaski Fair (2 Officers) 4 Pulaski Fair (2 Officers)	Fairgrounds
1		MLK Walk (1 Officer - 2 SO)	MLK Bridge	39		4 Pulaski Fair (2 Officers) 4 Pulaski Fair (2 Officers)	Fairgrounds Fairgrounds
2		DUI Program (1 Officer)	Somerset Christian School	40		4 Pulaski Fair (4 Officers)	Fairgrounds
3		Junior Women's Club 5K (2 Off, 2 SO & Exp)	SCC	41		4 Block Party (2 Officers)	Somerset Mal
4		Victory Church Play (1 Officer)	Victory Church	42		4 Pulaski Fair (4 Officers)	Fairgrounds
5		Colorectal Cancer 5K (3 Off, 3 SO & Exp)	Meece Middle	43		4 Carshow (3 Officers & Exp)	Downtown
6		Hunters' Safety Course (1 Officer)	Fire Range	44		4 Kids Fest (1 Officer)	Mall
7	4/4/14	Active Shooter Lecture (1 Officer)	Somerset NursingRehab	45		4 Roger Scholar 5K (1 Off, 3 SO)	CRD
8	4/4/14	Career Day (1 Officer)	Hopkins	46	8/22/1	4 Block Party (2 Officers)	Somerset Mal
9	4/12/14	Beacon Hill Baptist Ch 5K (3 Off, 2 SO & Exp)	Beacon Hill Baptist Ch	47	8/22/1	4 Correll Bowl (6 Officers)	Meece Middle
10	4/15/14	City Clerk Conference (4 Officers)	Laurel Lodge	48	8/23/1	4 Carshow (3 Officers & Exp)	Downtown
11	4/24/14	Texting & Driving Lecture (1 Officer)	Cumberland Security Bank	49	8/26/1	4 Jumper Walk (3 Officers)	Downtown
12	4/25/14	Block Party (2 Officers)	Somerset Mal	50	9/6/1	4 Run for the Gold 5K (Off, 3 SO & Exp)	Trail Park Dr
13	4/26/14	Carshow (3 Officers & Explorers)	Downtown	51	9/6/1	4 Project 5810 5K (4 Off, 3 SO & Exp)	Meece Middle
14	4/26/14	March of Dimes Walk (4 Off, 1 SO & Exp)	Rocky Hollow	52		4 ½ Marathon (18 Off, 4 SO & Exp)	College
15	5/3/14	Derby Dash 5K (2 Off, 2 SO & Exp)	Somerset Family Fitness	53	9/13/1	4 Operation In As Much (1 Employee)	1 st United Methodist Church
16		Senior Citizen Day (1 Officer, 1 Safety Off)	Kroger North	54		4 Blues & BBQ Fest (2 Officers)	Judicial Center
17		SCC Graduation (8 Officers)	Center For Rural Development	55		4 Special Olympics (2 Officers)	Judicial Center
18		Mental Illness Walk (2 Officers)	The Square	56		4 Block Party (2 Officers)	Somerset Mal
19		City Fishing Tournament (9 Off, 6 SO)	Local Motels	57		4 SHS Homecoming Parade (6 Officers, 3 SO)	Downtown
20		Community Heroes Cookout (1 Officer)	Somerwoods Nursing	58		4 Carshow (3 Officers & Explorers)	Downtown
21		Block Party (2 Officers)	Somerset Mal	59		4 American Heart Walk (2 Officers, 3 SO)	SHS
22		Carshow (3 Officers & Explorers)	Downtown	60		4 SHS Alumni Football (1 Officer)	Meece Middle
23		The Miriam Visa (2 Off, 2 SO & Exp)	Hail Knob Rd	61		4 Cancer Kickers (1 Officer)	Rocky Hollow
24		RECC Annual Meeting (1 Officer & Exp)		62		4 Zombie Walk (6 Off, 2 SO & Exp)	Judicial Center
25		Truck Day (1 Officer)	Library	63		4 Block Party (2 Officers) 4 Carshow (3 Officers & Explorers)	Somerset Mal
26		Exile Concert (7 Officers & Exp)	Somersport Park	65		4 Carshow (3 Officers & Explorers) 4 SWHS Cheerboosters 5K (1 Officer, 3 SO)	Downtown
27		SHS Cheerleaders Boosters (5 Off, 3 SO & Exp)	Meece Middle	66		4 SWHS Cheeroosters SK (1 Officer, 3 SO) 4 Ghost Out (1 Officer)	CRD SHS
28		Cross Fit Run (2 Off, 2 SO, 3 Firetrucks & 1 Ambulance)	Cross Fit - PCHS Oakwood	66		4 Ghost Out (1 Officer) 4 Halloween Blast (1 Off, 1 SO & 3 Employees)	
29		Oakwood Family Day (1 Safety Off)	Oakwood Rocky Hollow	68		 Halloween Blast (1 Off, 1 SO & 3 Employees) Truth or Consequence (2 Officers) 	Somersplash SWHS
30 31		Cool Run 5K (6 Off, 3 SO & Exp)	Somerset Mal	69		4 Christmas Parade (19 Off, 3 SO & Exp)	Downtown
31		Block Party (2 Officers) Carshow (3 Officers & Explorers)	Downtown	70		4 Santa Shuffle 5K (3 Off, 2 SO & Exp)	PT Pros
32		Somerblast (8 Officers, 2 SO & Exp)	Somersplash		10,10,1	journe sineme six (s on, 2 30 & exp)	ri riva
33		Master Musicians Festival (4 Officers)	SCC	70 Spec	ial Events i	for 2014	
35		Master Musicians Festival (4 Officers) Master Musicians Festival (8-10 Officers)	SCC		/ Walks/ Pa		

There being no further business the meeting adjourned.

APPROVED: _____

MAYOR

ATTEST:

CITY CLERK