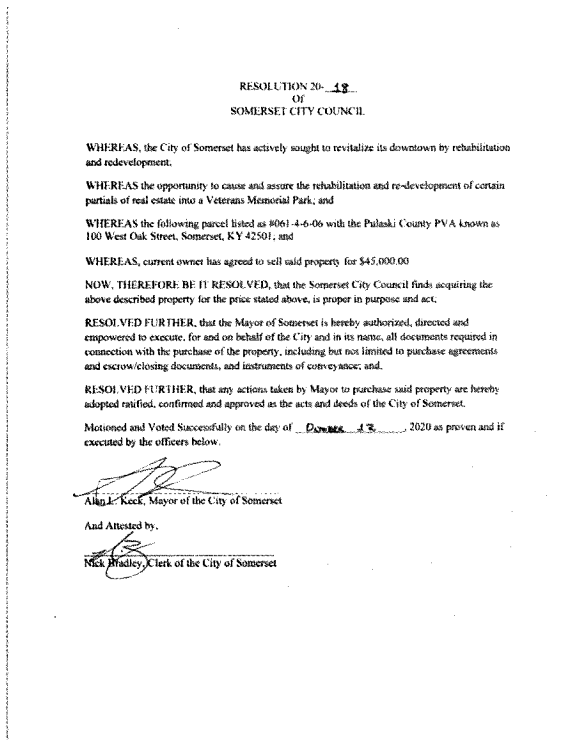


**MINUTES OF MEETING HELD OCTOBER 12, 2020**

The Common Council of the City of Somerset, Kentucky met in a regular meeting on Monday October 12, 2020 at 6:00 p.m. with the following present: Council Members; Jimmy Eastham, Jerry Girdler, Kevin Slone, Donna Hunley, John Minton, David Godsey, Tom Eastham, David Burdine, Jerry Wheeldon, Mayor Alan Keck, City Attorney John Adams, and City Clerk Nick Bradley. Absent Jim Mitchell, Amanda Bullock, and Brian Dalton.

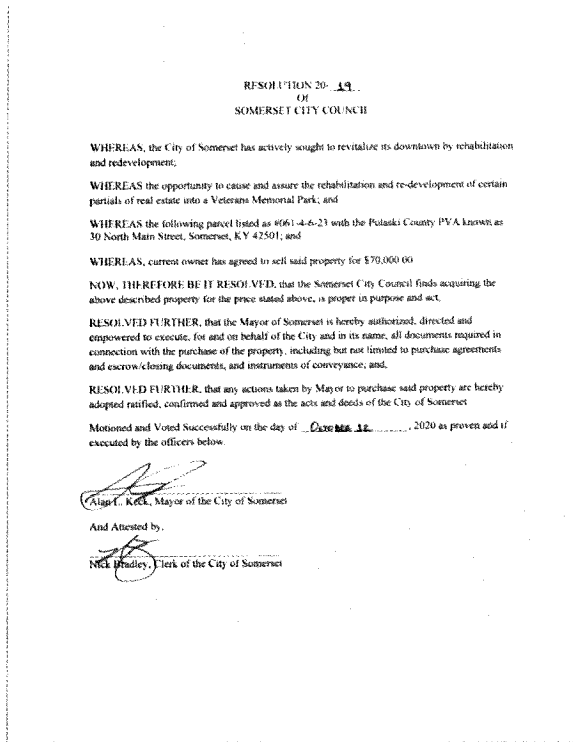
Mr. Wheeldon moved to approve the minutes of the regular meeting held on September 28, 2020 along with reports as mailed. Mr. Godsey seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. J. Eastham, Mr. Girdler, Mr. Slone, Mrs. Hunley, Mr. Minton, Mr. Godsey, Mr. T. Eastham, Mr. Burdine and Mr. Wheeldon.

Mr. Girdler made a motion to approve the following Resolution Number 20-18: Authorizing the purchase of PVA Parcel #061-4-6-06 located at 100 West Oak Street for \$45,000. Mr. T. Eastham seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. J. Eastham, Mr. Girdler, Mr. Slone, Mrs. Hunley, Mr. Minton, Mr. Godsey, Mr. T. Eastham, Mr. Burdine and Mr. Wheeldon.



Mr. J. Eastham made a motion to approve the following Resolution Number 20-19: Authorizing the purchase of PVA Parcel #061-4-6-23 located at 30 North Main Street for \$70,000. Mr.

Girdler seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. J. Eastham, Mr. Girdler, Mr. Slone, Mrs. Hunley, Mr. Minton, Mr. Godsey, Mr. T. Eastham, Mr. Burdine and Mr. Wheeldon.



Mr. Burdine made a motion to approve the following Resolution Number 20-20: Authorizing the purchase of PVA Parcel #061-4-7-78 located at 436 South Main Street for \$50,000. Mr. Wheeldon seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. J. Eastham, Mr. Girdler, Mr. Slone, Mrs. Hunley, Mr. Minton, Mr. Godsey, Mr. T. Eastham, Mr. Burdine and Mr. Wheeldon.

RESOLUTION 20- 21  
OF  
SOMERSET CITY COUNCIL

WHEREAS, the City of Somerset has actively sought to revitalize its downtown by rehabilitation and redevelopment,

WHEREAS the opportunity to cause and assure the rehabilitation and re-development of a certain parcel of real estate to add to the access and enjoyment of Rocky Hollow Park, and

WHEREAS the following parcel listed as #061-4-7-78 known as 436 S. Main Street, Somerset, KY 42501; and

WHEREAS, current owner has agreed to sell said property for \$50,000.00

NOW, THEREFORE BE IT RESOLVED, that the Somerset City Council finds acquiring the above described property for the price stated above, is proper in purpose and act;

RESOLVED FURTHER, that the Mayor of Somerset is hereby authorized, directed and empowered to execute, for and on behalf of the City and in its name, all documents required in connection with the purchase of the property, including but not limited to purchase agreements and escrow/closing documents, and instruments of conveyance; and

RESOLVED FURTHER, that any actions taken by Mayor to purchase said property are hereby adopted ratified, confirmed and approved as the acts and deeds of the City of Somerset.

Motioned and Voted Successfully on the day of October 12, 2020 as proven and if executed by the officers below.



Alan L. Keck, Mayor of the City of Somerset

And Attested by:



Nick Bradley, Clerk of the City of Somerset

Mr. Burdine made a motion to approve the following Resolution Number 20-21: Accepting the title of the Virginia Theatre building from the Downtown Somerset Development Corporation. Mr. T. Eastham seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. J. Eastham, Mr. Girdler, Mr. Slone, Mrs. Hunley, Mr. Minton, Mr. Godsey, Mr. T. Eastham, Mr. Burdine and Mr. Wheeldon.

RESOLUTION 20-21  
OF  
SOMERSET CITY COUNCIL

WHEREAS, the City of Somerset desires to rehab or redevelop the Virginia Theatre building on East Mt. Vernon, Somerset, Kentucky;

WHEREAS, the Downtown Somerset Development Corporation has owned the building since 2003 and stabilized the historic property since that time;

WHEREAS, the City of Somerset desires to own and have title to the building if it is financing the rehabilitation. And the Downtown Somerset Development Corporation agrees to convey the property for nominal consideration and redevelopment promises as be enforced by performance items given to the City. Said promises shall protect the properties arts, entertainment, cultural, and historical significance to the community;

NOW, THEREFORE, BE IT RESOLVED, that the Somerset City Council finds acquiring the above described property for the promises and nominal monetary consideration stated above, is proper in purpose and act.


RESOLVED FURTHER, that the Mayor of Somerset is hereby authorized, directed and empowered to execute, for and on behalf of the City and in its name, all documents required in connection with the purchase of the property, including but not limited to purchase agreements and escrow closing documents, and instruments of conveyance, and

RESOLVED FURTHER, that any actions taken by Mayor to purchase said property are hereby adopted, ratified, confirmed and approved as the acts and deeds of the City of Somerset

Motioned and Voted Successfully on the 12th day of October, 2020 as proven and executed by the officers below

  
Mayor, Mayor of the City of Somerset

And Attested by

  
Clerk of the City of Somerset

Mr. Wheeldon made a motion to approve the following Resolution Number 20-22: Approving a lease through the Kentucky Association of Counties of a sanitation truck with the condition that if the bed of the truck leaks, the truck will be replaced. Mr. Godsey seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. J. Eastham, Mr. Girdler, Mr. Slone, Mrs. Hunley, Mr. Minton, Mr. Godsey, Mr. T. Eastham, Mr. Burdine and Mr. Wheeldon.

**FORM OF RESOLUTION**

RESOLUTION NO. **20-23**

**A RESOLUTION APPROVING A LEASE FOR THE CONVEYING OF A PROJECT AND AUTHORIZING THE EXECUTION OF A GRANT DOCUMENT RELATED THERETO**

WHEREAS the governing body of the City of Somerset, Kentucky (the "Lessee") has the power pursuant to Section 63.940 of the Kentucky Revised Statutes to enter into lease agreements with or without the option to purchase in order to provide for the use of property for public purposes;

WHEREAS the governing body of the Lessee (the "Governing Body") has previously determined and hereby further determines that the Lessee is in need of the Project, as defined in the Lease hereinafter described;

WHEREAS the Governing Body has determined and hereby determines that it is in the best interests of the Lessee that the Lessee enter into a Lease Agreement (the "Lease") to be administered by Kentucky Association of Counties Leasing Trust (the "Program Administrator") and funded by the Bank as financial institution offering the lowest and best interest rate, as selected by the Lessee (the "Lessor"), for the leasing by the Lessee from the Lessor of the Project;

**NOW THEREFORE BE IT ORDERED AND RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:**

**Section 1. Recitals and Affirmation.** The Lessee hereby approves the Lease Agreement (the "Lease") and all Collateral Documents, as defined in the Lease, such as substantially the form presented to the Governing Body. It is hereby found and determined that the Project identified in the Lease is public property to be used for public purposes. It is further determined that it is necessary and desirable and in the best interests of the Lessee to enter into the Lease, for the purposes therein specified, and the execution and delivery of the Lease and all representations, warranties and other matters contained in the Lease, Memorandum with respect to the Lease, or as may be required by the Lessee prior to delivery of the Lease, are hereby approved, ratified and confirmed. The Mayor and City Council Clerk of the Lessee are hereby authorized to execute the Lease, together with such other agreements or certifications which may be necessary to accomplish the transaction contemplated by the Lease.

**Section 2. Severability.** If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

**Section 3. Substantive Law.** This Governing Body hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Governing Body, and that all deliberation of this governing body and of its

663 20-23  
20-23


committees, if any, which resulted in formal action, were in meetings open to the public, in full compliance with applicable legal requirements.

**Section 4. Conflicts.** All resolutions, orders or parts thereof in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed and the provisions of this Resolution shall prevail and be given effect.

**Section 5. Effecting Date.** This Resolution shall take effect from and after its passage, as provided by law.

**INTRODUCED, SECONDED AND ADOPTED,** at a duly convened meeting of the Governing Body, held on **October 12, 2020**, signed by the Mayor of the Lessee, attested by the City Council Clerk, filed and indexed as provided by law.

By:   
Title: Mayor

Attest:  
By:   
Title: City Clerk

Mr. Wheeldon made a motion to approve the following Resolution Number 20-23: Authorizing the filing of a 2020 Kentucky Community Development Block Grant (CDBG-CV) Public Services Cares Act Application. Mr. Burdine seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. J. Eastham, Mr. Girdler, Mr. Slone, Mrs. Hunley, Mr. Minton, Mr. Godsey, Mr. T. Eastham, Mr. Burdine and Mr. Wheeldon.

RESOLUTION 20-23

RESOLUTION OF THE CITY OF SOMERSET, KENTUCKY AUTHORIZING THE FILING OF A 2020 KENTUCKY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG-CV) PUBLIC SERVICES CARES ACT APPLICATION

**WHEREAS** it is necessary and in the public interest that the City avail itself of the financial assistance provided by Title I of the Housing and Community Development Act of 1974 and the 1981 Amendments permitting the Kentucky Department for Local Government, Division of Community Development, to commence a Community Development Program within the community; and

**WHEREAS** it is recognized that the Federal/State contract for such financial assistance pursuant to said Title I will impose certain obligations and responsibilities upon the City and will require among other things:

- (1) Approval of a satisfactory application transmitted to the Kentucky Department for Local Government, Office of Federal Grants;
- (2) Certification by the City Council relating to activities such as civil rights, citizen participation, relocation payments, acquisition of properties, national environmental policies, and accounting practices; and
- (3) Other local obligations and responsibilities in connection with the undertaking and carrying out of the Kentucky Community Development Block Grant Program; and

**WHEREAS** in those areas where acquisition and clearance is proposed, the objectives of the program cannot be achieved through more extensive rehabilitation, and a displacement strategy has been formulated.

**NOW, THEREFORE, BE IT ORDERED** by the common council of the City of Somerset:

- (1) That the United States of America and the Commonwealth of Kentucky be, and hereby are, assured of full compliance by the City with certification relating to all regulations and administration of Civil Rights Act, citizen participation, relocation payments, acquisition processes, accounting procedures, the Hatch Act, minimum wage and minimum hour provisions of the Fair Labor Standards Act and all requirements of the National Environmental Policy Act of 1968;
- (2) That the Mayor, on behalf of the City of Somerset, is authorized and directed to prepare such certification and to assure full compliance with all certifications as outlined in (1) above, and all other pertinent regulations.

- (3) That an application on behalf of the City of Somerset for a grant of up to \$200,000 for a CDBG Public Services CARES Act application of said Title I funds is hereby approved and that the Mayor is hereby authorized to execute and file such application with the State Department for Local Government, to provide such additional information and to furnish such documentation as may be required, and to act as the authorized correspondent of the City of Somerset relating to the Kentucky Community Development Block Grant Program.


This Resolution shall be effective immediately upon passage by the Somerset City Council.

FIRST READING 10-12-20

MOTION Mr. T. Eastham

SECONDED Mr. Burdine

VOTE	YES	NO
Councilman David Burdine	X	
Councilman Jerry Wheelon	X	
Councilman Jimmy Eastham	X	
Councilman Jerry Groder	X	
Councilman Kevin Sloan	X	
Councilman Donna Hunley	X	
Councilman John Minton	X	
Councilman David Godsey	X	
Councilman Tom Eastham	X	

  
Alan Keck, Mayor

Attest

  
Nick Bradley, City Clerk

First reading was given the following Ordinance Number 20-22: Repealing and Vacating Ordinances 09-05 and 08-15. The Intent and Effect Herein is to Replace and Supplant the Former City Employee Handbook with a Newly Published Handbook Dated 2020 and Adopted by Resolution.

ORDINANCE 20-22

AN ORDINANCE REPEALING AND VACATING ORDINANCES 09-05 AND 08-15 THE INTENT AND EFFECT WHEREIN IS TO REPEAL AND SUPPLEMENT THE FORMER CITY EMPLOYEE HANDBOOK WITH A NEWLY PUBLISHED HANDBOOK DATED OCTOBER 2020 AND ADOPTED BY RESOLUTION

BE IT ORDAINED BY THE CITY COUNCIL OF SOMERSET, KENTUCKY

1. Ordinances 08-15 AND 09-05 are hereby repealed and vacated.
2. Any prior reference in any other Ordinance to the former Employee Handbook governing from November 2008 until October 2020 shall now apply to the new Employee Handbook published in October 2020.
3. Based upon the advice of the Kentucky League of Cities the new Employee Handbook shall be adopted by Resolution not Ordinance.
4. This Ordinance shall be in full force and effect upon passage, approval, and publication as per law.

First Reading October 12, 2020, Second Reading ..... Successful passage after the Second reading and on the same date. As proven by the executive signature and attestation

Alan Keck  
Mayor of Somerset, Kentucky

Attested by Nick Bradley  
Clerk of Somerset, Kentucky

First reading was given the following Ordinance Number 20-23: Making Technical Corrections to the Somerset Zoning Ordinance 00-18 at Recommendation of the Planning and Zoning Board.

ORDINANCE 20-23

AN ORDINANCE MAKING TECHNICAL CORRECTIONS TO THE SOMERSET ZONING ORDINANCE 00-18 AT RECOMMENDATION OF THE PLANNING AND ZONING BOARD

BE IT ORDAINED BY THE CITY COUNCIL OF SOMERSET, KENTUCKY

1. The Somerset Zoning Ordinance Manual adopted by Ordinance 00-18 is amended and changed as follows:
  - a. Page 43 (Low Density Residential R-1), under "Lot, Yard, and Height Requirements", item 1 shall be changed to "Minimum lot size - Lots without access to sanitary sewer disposal system shall conform to local health department guidelines."
  - b. Page 47 (Moderate Density Residential R-2), under "Lot, Yard, and Height Requirements", item 1 shall be amended to include "Lots without access to sanitary sewer disposal system shall conform to local health department guidelines" after "(8,000 square feet tripleses)."
  - c. Page 54 (Neighborhood Commercial B-3), under item F Off-Street Parking spaces, number 3 - "Fast Food Establishments shall now read "one (1) per 300 sq ft of floor area" [Not 30 square feet ]
2. This Ordinance shall be in full force and effect upon passage, approval, and publication as per law.

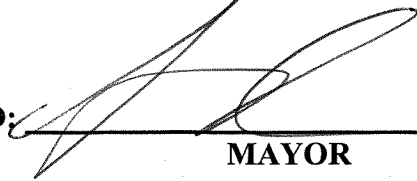
First Reading October 12, 2020, Second Reading ..... Successful passage after the Second reading and on the same date  
As proven by the executive signature and attestation

Alan Keck  
Mayor of Somerset, Kentucky

Attested by Nick Bradley  
Clerk of Somerset, Kentucky

There being no further business the meeting adjourned at 6:38 p.m.

APPROVED:

  
\_\_\_\_\_

MAYOR

ATTEST:

  
\_\_\_\_\_

CITY CLERK