



MINUTES OF MEETING HELD NOVEMBER 27, 2017

The Common Council of the City of Somerset, Kentucky met in a regular meeting on Monday November 27, 2017, at 7:00 p.m. with the following present: Council Members; Amanda Bullock, Tom Eastham, David Burdine, Brian Dalton, Jerry Wheeldon, Jimmy Eastham, Jerry Girdler, Mike New, Donna Hunley, John Minton, Jim Mitchell, and John Adams and Mayor Eddie Girdler, City Attorney Carrie Weise and City Clerk Nick Bradley.

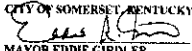

Mr. New moved to approve the minutes of the regular meeting held on November 13, 2017 along with reports as mailed. Mr. Dalton seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, and Mr. Adams.

Mr. New moved to recommend Allen Adcock as a Somerset Colonel for his devotion and commitment to the City of Somerset during his time as manager of Wal-Mart. Mr. Wheeldon seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, and Mr. Adams.

Mr. Wheeldon moved to approve the following Ordinance No 17-23: Adoption of the Interlocal Agreement between the City of Somerset, Kentucky and Pulaski County, Kentucky, to create the Somerset Pulaski County Economic Development Authority ("SPEDA). Mr. New seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, and Mr. Adams.

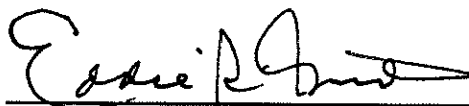
<p style="text-align: center;">CITY OF SOMERSET, KENTUCKY ORDINANCE NO. 17-23</p> <p style="text-align: center;">AN ORDINANCE RELATING TO THE ADOPTION OF THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF SOMERSET, KENTUCKY AND PULASKI COUNTY, KENTUCKY, TO CREATE THE SOMERSET PULASKI ECONOMIC DEVELOPMENT AUTHORITY ("SPEDA") PURSUANT TO KRS 154.50-301 THROUGH 154.50-346.</p> <p style="text-align: center;">* * *</p> <p>WHEREAS, the Interlocal Cooperation Act, codified at Kentucky Revised Statutes ("KRS") 65.210 through 65.300, provides that any power or power, privileges or authority exercised or capable of exercise by a public agency (including a city, a county or any other political subdivision of the Commonwealth) may be exercised jointly with another public agency under an interlocal cooperation agreement for joint or cooperative action pursuant to the provisions of the Act, and that such public agencies may acquire, construct, maintain, add to and improve the necessary property, real and personal, which is required in order to accomplish the public purposes set forth in such interlocal cooperation agreement; and</p> <p>WHEREAS, the Act further authorizes the public agencies to create or utilize a "separate legal or administrative entity," which entity may, on behalf of the participating public agencies, have certain powers delegated to it as provided in the interlocal cooperation agreement; and</p> <p>WHEREAS, pursuant to KRS 154.50-301 through 154.50-346, a governmental agency may create a commercial and industrial development authority, with corporate powers, to act as the agency, instrumentality and constituted authority of such governmental agency in the acquisition and development of industrial sites, parks, and subdivisions (as defined at KRS 154.50-313) for economic development purposes; and</p> <p>WHEREAS, the City of Somerset, Kentucky (the "City") and Pulaski County, Kentucky (the "County") have agreed it is in their mutual interest to cooperatively pursue economic development opportunities within their jurisdiction; and</p> <p>WHEREAS, the City and the County are desirous of entering into an interlocal cooperation agreement establishing a commercial and industrial development authority under KRS 154.50-301 through 154.50-346.</p> <p>NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOMERSET, PULASKI COUNTY, KENTUCKY:</p> <ol style="list-style-type: none">1. The City hereby approves that certain Interlocal Cooperation Agreement between the City of Somerset, Kentucky and Pulaski County, Kentucky (the "Agreement"), a copy of which is attached hereto as <u>Exhibit A</u>, relating to the creation of the Somerset Pulaski Economic Development Authority ("SPEDA").2. Mayor Eddie Girdler is hereby authorized and directed to execute the Agreement on behalf of the City.	<p>IV. DESCRIPTION OF TERRITORY</p> <p>Please see Exhibit "A" (Description and Map) which contains an accurate description of the assessed territory pursuant to KRS 81A, attached hereto and incorporated herein in full by reference.</p> <p>V. SEVERABILITY</p> <p>If any part of this ordinance is deemed by a court of competent jurisdiction to be unreasonable or unconstitutional, the remaining provisions of this ordinance shall continue in full force and effect.</p> <p>VI. FORCE AND EFFECT</p> <p>This ordinance shall be in full force and effect upon passage by the Common Council, approval by the Mayor, and publication according to law.</p> <p>FIRST READING, <u>November 13, 2017</u></p> <p>SECOND READING, <u>November 27, 2017</u></p> <p style="text-align: right;">Approved:  Mayor</p> <p>ATTEST:  City Clerk</p> <p style="text-align: center;">2</p>
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Mr. Girdler moved to approve the following Ordinance No 17-24: Annexation of a Portion of South Highway 27. Mr. Wheeldon seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, and Mr. Adams.

<p style="text-align: center;">ORDINANCE NO. 17-24</p> <p>AN ORDINANCE ANNEXING TO THE CITY OF SOMERSET TERRITORY AS SET FORTH BELOW AND DESCRIBED IN THE ATTACHED EXHIBITS, SAID TERRITORY HAVING BEEN DECLARED IN THE CITY'S INTENT TO ANNEX ORDINANCE TO BE DESIRABLE TO ANNEX BY THE CITY, AND PURSUANT TO KRS CHAPTER 8.A AND ALL OTHER APPLICABLE LAW;</p> <p>BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:</p> <p>I. PURPOSE OF ORDINANCE</p> <p>This Ordinance sets forth the Annexation of this subject property, which the City of Somerset, Kentucky has previously separately stated its intent to annex, and further declared the territory as desirable to annex to the City of Somerset, Kentucky, pursuant to KRS 81A.030 and all other applicable law. Said Intent to Annex Ordinance was passed upon the second reading on the 16th day of August, 2017, and the Clerk's certification of notice to the property owner(s) was made part of the official record of said meeting per KRS 81A.025.</p> <p>As required, said Intent to Annex Ordinance was published with all Exhibits after passage. To date, no bona fide petition of objection has been presented to the Mayor and the 60 day period for such petitions having ended, the City hereby exercises its right to Annex the territory set forth in the Intent to Annex Ordinance referred to above.</p> <p>II. REQUIREMENTS FOR ANNEXATION SATISFIED BY THE CITY</p> <p>The subject unincorporated territory (is contiguous to current boundaries of the City Limits, is territory that is urban in character or is suitable for urban development) without unreasonable delay, some of which currently contains water mains and/or sewer lines and/or natural gas lines which belong to the City of Somerset that provide services for customers throughout the County and currently outside of the City's corporate boundaries, further, the included and described territory that does not already contain such infrastructure is part of the City's future development and growth plans, much of which is contained in the City's approved Comprehensive Plan required by law to be accepted and reviewed on a periodic basis. Therefore, the growth of the City's corporate boundaries and infrastructure into the subject territory is not a mere speculation that services may be provided in the future, but a solid and existing plan of which the City is financially capable of providing, which will benefit the entire County and all communities within its boundaries, and which benefits the Lake Cumberland watershed which serves and affects the entire South Eastern Region of the United States.</p> <p>III. CURRENT MUNICIPAL VALUE OR PURPOSE</p> <p>Pursuant to applicable case law interpreting Kentucky Annexation Law, the City of Somerset may annex territory in strips, otherwise known as, and hereinafter described as, "islands", if said territory has a concrete and tangible municipal value or purpose existing at the time annexation is sought. The City of Somerset, by and through the City Council, herein states and declares that the City of Somerset has the required concrete and tangible municipal value or purpose for annexing the subject territory (See Section I above for additional information).</p>	<p>3. This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.</p> <p style="text-align: center;">CITY OF SOMERSET, KENTUCKY  MAYOR EDDIE GIRDLER</p> <p>1st Reading: <u>November 13, 2017</u> 2nd Reading: <u>November 27, 2017</u></p> <p>ATTEST:  City Clerk</p>
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Mr. Burdine made a motion to accept the following tax refunds: \$44.20 for Homestead Exemption on 2017 previously paid taxes to Piyush D. Patel Family LTD Partnership, \$96.85 for Homestead Exemption on 2016 and 2017 previously paid taxes to Gerald & Toni Adkins, \$69.54 for Tangible Tax Correction on 2017 previously paid taxes to Lake Cumberland Regional Hospital, \$96.85 for Homestead Exemption on 2016 and 2017 previously paid taxes to Donald & Carol White, and \$48.88 for Homestead Exemption on 2017 previously paid taxes to Vicki Lauderdale. Mr. Dalton seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, and Mr. Adams.

There being no further business the meeting adjourned.

APPROVED: 
MAYOR

ATTEST: 
CITY CLERK