

MINUTES OF MEETING HELD MAY 13, 2019

The Common Council of the City of Somerset, Kentucky met in a regular meeting on Monday May 13, 2019 at 7:00 p.m. with the following present: Council Members; Tom Eastham, David Burdine, Brian Dalton, Jerry Wheeldon, Jimmy Eastham, Jerry Girdler, Mike New, Donna Hunley, John Minton, Jim Mitchell, David Godsey, Mayor Alan Keck, City Attorney John Adams, and Deputy Clerk Devan Smith. Absent; Amanda Bullock and City Clerk Nick Bradley.

Mr. Dalton moved to approve the minutes of the regular meeting held on April 22, 2019 along with reports as mailed. Mr. New seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, and Mr. Godsey.

Mr. Mitchell made a motion to approve following Resolution Number 19-04: Authorizing the Mayor to Make Application for and, Upon Approval, to Enter into an Agreement with the Kentucky Office of Homeland Security (KOHS), 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; Establishing Procurement Policy for any KOHS Approved Project for the FY-2018 Application Cycle. Mr. New seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, and Mr. Godsey.

RESOLUTION 19- 04

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 (KOHS), 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. THIS RESOLUTION ALSO ESTABLISHES PROCUREMENT POLICY FOR ANY KOHS APPROVED PROJECT FOR THE FY-2018 APPLICATION CYCLE.

WHEREAS, the City of Somerset Kentucky desires to make an application for United States Department of Homeland Security and/or Commonwealth of Kentucky 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.

NOW, THEREFORE, be it resolved this 13th day of May 2019, by the City of Somerset, Kentucky.

The Mayor is hereby authorized to execute and furnish all required 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.


And be it understood, for any KOHS funded projects using FY-2018 funds the city will use the provisions of KRS 45A for the purchase of equipment and/or services. For any equipment and/or services under \$20,000, three (3) quotes will be obtained. For any equipment and/or services that exceeds \$20,000 the provisions of KRS 45A will apply.

Done this 13th day of May, 2019 a Motion made by Jim Mitchell

And seconded by Mike New

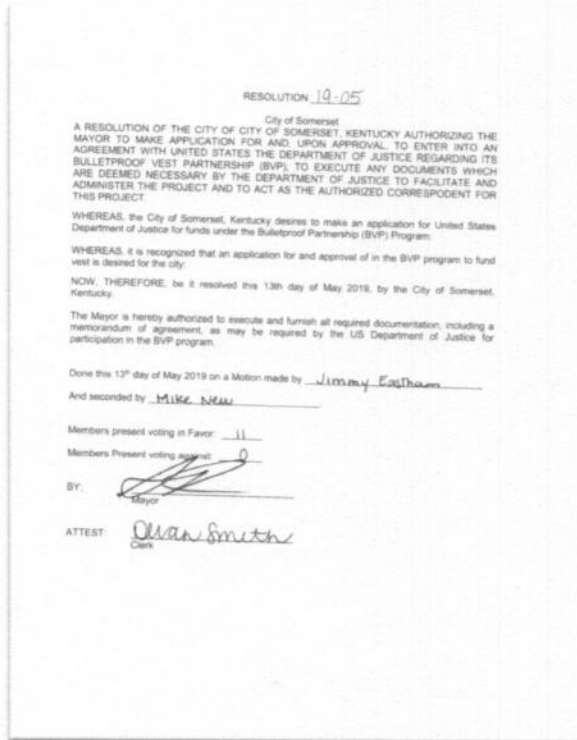
Members present voting in Favor: 11

Members Present voting against: 0

BY: 

ATTEST: Devan Smith
Clerk

Mr. J. Eastham made a motion to approve the following Resolution Number 19-05: Authorizing the Mayor to make Application for and, Upon Approval, to Enter into an Agreement with United States Department of Justice Regarding its Bulletproof Vest Partnership (BVP), to Execute any Documents which Deemed Necessary by the Department of Justice to Facilitate and Administer the Project and to Act as the Authorized Correspondent for this Project. Mr. New seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, and Mr. Godsey.



Mr. Mitchell made a motion to approve following Ordinance Number 19-10: Annexing by Consent 5800 East Highway 80. Mr. T. Eastham seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, and Mr. Godsey.

ORDINANCE NUMBER 19-10

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNEXING BY CONSENT PROPERTY AS DESCRIBED BELOW AND IN ATTACHMENTS TO THIS ORDINANCE, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE HEREIN, AND

WHEREAS, ANNEXATION REQUEST FORMS HAVE BEEN SUBMITTED BY THE PROPERTY OWNER(S), AND THE FORMS HAVE BEEN ACCEPTED BY THE CITY AS COMPLETED; AND THE PROPERTY OWNERS EACH HAVING WAIVED THE SIXTY (60) DAY WAITING PERIOD, BY AND THROUGH THE ANNEXATION REQUEST FORM, SIGNED BY THE OWNER AND/OR AN AUTHORIZED AGENT OF THE OWNER AND INCORPORATED IN FULL HEREIN BY REFERENCE, AND MADE PART OF THE ATTACHMENTS TO THIS ORDINANCE; AND

WHEREAS, ALL DOCUMENTS AND RECORDS NEEDED TO PROCEED WITH ANNEXATION OF THE PROPERTIES INTO THE CORPORATE LIMITS OF THE CITY OF SOMERSET, AND

WHEREAS, THE PROPERTIES MEET ALL REQUIREMENTS FOR ANNEXATION AS SET FORTH IN KRS AND ALL OTHER APPLICABLE LAW,

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SOMERSET, KENTUCKY:

SECTION 1. THAT THE PROPERTIES LEGALLY DESCRIBED IN ATTACHMENTS HERETO INCORPORATED IN FULL BY REFERENCE, ARE HEREBY ANNEXED INTO THE CITY'S CORPORATE LIMITS

THE PROPERTY IS ALSO KNOWN AS PVA PARCEL 89-3-6-07, OR 5800 EAST HIGHWAY 80, OR "EASTWAY TRAVEL PLAZA"

SECTION 2. THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS PASSAGE AND UPON PUBLICATION BY LAW

FIRST READING: Apr. 22, 2019

SECOND READING: Apr. 25, 2019

APPROVED: 
ALAN L. KILLE, MAYOR
CITY OF SOMERSET, KENTUCKY

ATTEST: 
NICK BRADLEY, CITY CLERK

Mr. Burdine made a motion to approve the following Ordinance Number 19-11: Amending Ordinance 19-05 Annexing by Consent Property to Reflect a New Survey. Mr. Mitchell seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, and Mr. Godsey.

ORDINANCE NUMBER 19-11

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, AMENDING ORDINANCE 19-05 ANNEXING BY CONSENT PROPERTY TO REFLECT A NEW SURVAY.


WHEREAS, THE PROPERTY HAS MEET ALL REQUIREMENTS FOR ANNEXATION AS SET FORTH IN KRS AND ALL OTHER APPLICABLE LAW AND HAS BEEN ANNEXED, BUT THE SUBSEQUENT SURVAY WAS NOT CONSISTANT WITH THE LEGAL DESCRIPTION USED IN ORDINANCE 19-05,


NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SOMERSET, KENTUCKY:

SECTION 1. THAT THE LEGAL DESCRIPTION OF THE PROPERTY ANNEXED IN ORDINANCE 19-05 BE AMENDED TO THE METES AND BOUNDS DESCRIPTION FOUND HEREIN AND THE SURVAY ATTACHED HERETO AND INCORPORATED BY REFERENCE.

SECTION 2. THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS PASSAGE AND UPON PUBLICATION BY LAW.

FIRST READING: Apr 17, 2019 SECOND READING: May 13, 2019

APPROVED: 
ALAN L. KECK, MAYOR
CITY OF SOMERSET, KENTUCKY

ATTEST: 
NICK BRADLEY, CITY CLERK

First reading was given the following Ordinance Number 19-12: Annexing by Consent Property as Described Below and in Attachments to this Ordinance, Attachments Incorporated in Full by Reference.

ORDINANCE NUMBER 19-12

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNEXING BY CONSENT PROPERTY AS DESCRIBED BELOW AND IN ATTACHMENTS TO THIS ORDINANCE, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE HEREIN, AND

WHEREAS, ANNEXATION REQUEST FORMS HAVE BEEN SUBMITTED BY THE PROPERTY OWNER(S), AND THE FORMS HAVE BEEN ACCEPTED BY THE CITY AS COMPLETED, AND THE PROPERTY OWNERS EACH HAVING WAIVED THE SIXTY (60) DAY WAITING PERIOD, BY AND THROUGH THE ANNEXATION REQUEST FORM, SIGNED BY THE OWNER AND/OR AN AUTHORIZED AGENT OF THE OWNER AND INCORPORATED IN FULL HEREIN BY REFERENCE, AND MADE PART OF THE ATTACHMENTS TO THIS ORDINANCE; AND

WHEREAS, ALL DOCUMENTS AND RECORDS NEEDED TO PROCEED WITH ANNEXATION OF THE PROPERTIES INTO THE CORPORATE LIMITS OF THE CITY OF SOMERSET; AND

WHEREAS, THE PROPERTIES MEET ALL REQUIREMENTS FOR ANNEXATION AS SET FORTH IN KRS AND ALL OTHER APPLICABLE LAW;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SOMERSET, KENTUCKY:

SECTION 1. THAT THE PROPERTIES DESCRIBED BELOW IN ATTACHMENTS HERETO AND BELOW, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE, ARE HEREBY ANNEXED INTO THE CITY'S CORPORATE LIMITS.

6.78 ACRES DESCRIBED IN THE LEGAL DESCRIPTION AND PLAT ATTACHED HERETO LOCATED WITHIN THE GENERAL CONFINES OF THE CUMBERLAND PARKWAY, RINGGOLD ROAD, SUNSET DRIVE, AND BLUE GRASS PARKWAY, COMMONLY KNOW AS THE "METCALF APARTMENT SITE"

SECTION 2. THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS PASSAGE AND UPON PUBLICATION BY LAW.

FIRST READING: May 13, 2019

SECOND READING: _____

APPROVED: _____
ALAN L. KECK, MAYOR
CITY OF SOMERSET, KENTUCKY

ATTEST: _____
NICK BRADLEY, CITY CLERK

First reading was given the following Ordinance Number 19-13: 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.

ORDINANCE NO. 19-13

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.

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

That Ordinance No. 00-18, known as the Zoning Ordinance, Somerset, Kentucky, is hereby amended by altering the Zoning Map in the following manner:

- I. By changing a boundary of land presently zoned R1 to R2, said property being more particularly described in Exhibit "A" attached hereto and incorporated herein in full by reference, specifically with an address located at 332 Langdon Street, Somerset, Kentucky, and having a PVA Parcel # of 061-4-1-20.
- II. By changing a boundary of land presently zoned R1 to R2, said property being more particularly described in Exhibit "A" attached hereto and incorporated herein in full by reference, specifically with an address located at 334 Langdon Street, Somerset, Kentucky, and having a PVA Parcel # of 061-4-1-21.
- III. By changing a boundary of land presently zoned R1 to R2, said property being more particularly described in Exhibit "A" attached hereto and incorporated herein in full by reference, specifically with an address located at 340 Langdon Street, Somerset, Kentucky, and having a PVA Parcel # of 061-4-1-23.
- IV. The City Clerk of the City of Somerset, Kentucky is hereby authorized to alter the Zoning Map to reflect said change(s).
- V. This Ordinance shall be in full force and effect from and after adoption and publication according to law.

FIRST READING _____

SECOND READING _____

Approved: _____
Mayor

Attest: _____
City Clerk

First Reading was given the following Ordinance Number 19-14: Adopting the City of Somerset, Kentucky Annual Budget for Fiscal Year Beginning July 1, 2019 and Ending June 30, 2020 Estimating Revenues and Resources and Appropriating Funds of the City of Somerset, Kentucky; and Adopting the 2019-2020 Fiscal Year Water and Wastewater Rate Structure; All of Which shall be in Effect after Adoption of this Ordinance and Publication According to Law.

ORDINANCE NUMBER 19-14

AN ORDINANCE ADOPTING THE CITY OF SOMERSET, KENTUCKY ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2019 AND ENDING JUNE 30, 2020 ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS OF THE CITY OF SOMERSET, KENTUCKY, AND ADOPTING THE 2019-2020 FISCAL YEAR WATER AND WASTEWATER RATE STRUCTURE, ALL WHICH SHALL BE IN EFFECT AFTER ADOPTION OF THIS ORDINANCE AND PUBLICATION ACCORDING TO LAW.

WHEREAS, AN ANNUAL BUDGET PROPOSAL AND MESSAGE HAVE BEEN PREPARED AND DELIVERED TO THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY, AND

WHEREAS, ANY NECESSARY AMENDMENTS TO THE CITY'S ANNUAL BUDGET HAVE BEEN MADE, AND NECESSARY AMENDMENTS TO THE WATER/WASTEWATER RATE STRUCTURES HAVE BEEN MADE BY THE COUNCIL, AS ATTACHED HERETO SPECIFICALLY IN EXHIBIT "A", INCORPORATED IN FULL HEREIN BY REFERENCE;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SOMERSET, KENTUCKY:

SECTION 1 THAT THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2019 AND ENDING JUNE 30, 2020 IS HEREBY ADOPTED AS FOLLOWS:

	REVENUE	EXPENDITURES
GENERAL FUND	\$24,024,583.00	\$24,024,583.00
CEMETERY FUND	\$112,065.00	\$112,065.00
SANITATION SERVICE	\$4,580,200.00	\$4,580,200.00
GAS SERVICE	\$11,963,000.00	\$11,963,000.00
WATER SERVICE	\$8,465,500.00	\$8,465,500.00
WASTEWATER	\$4,482,580.00	\$4,482,580.00
WATER PARK	\$1,625,650.00	\$1,625,650.00
FUEL CENTER	\$1,456,800.00	\$1,456,800.00
TRAVEL AND TOURISM	\$260,400.00	\$260,400.00

PARKS AND REC	\$1,476,550.00	\$1,476,550.00
EMS	\$6,657,100.00	\$6,657,100.00
MUNICIPAL AID (MAP)	\$318,000.00	\$318,000.00
TOTAL ALL FUNDS	\$65,442,830.00	\$65,442,830.00

SECTION 2 THE CITY OF SOMERSET HEREBY REVIEWS AS REQUIRED BY LAW, AND AMENDS THE CITY'S PAY AND CLASSIFICATION PLAN AS SET FORTH IN EXHIBIT "B", ATTACHED HERETO AND INCORPORATED IN FULL HEREIN BY REFERENCE, BEGINNING ON THE EFFECTIVE DATE OF THIS ORDINANCE, WHICH SHALL REMAIN IN EFFECT UNTIL SUCH TIME AS IT IS AMENDED OR REPEALED BY PROPER ACTION OF THE COUNCIL.

SECTION 3 IF ANY PART OF THIS ORDINANCE, INCLUDING BUT NOT LIMITED TO REVIEWS, AMENDMENTS, AND APPROVALS, IS DEEMED BY A COURT OF COMPETENT JURISDICTION TO BE UNENFORCEABLE OR UNCONSTITUTIONAL, THE REMAINING PROVISIONS OF THIS ORDINANCE SHALL CONTINUE IN FULL FORCE AND EFFECT.

SECTION 4 ANY ORDINANCE IN CONFLICT WITH THIS ORDINANCE OR ANY POLICES IN CONFLICT WITH THE ONES ENACTED HEREBY, ARE HEREBY REPEALED IN SO FAR AS THE SAME ARE IN CONFLICT HEREWITH.

SECTION 5 THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS APPROVAL AND UPON PUBLICATION ACCORDING TO LAW.

FIRST READING _____

SECOND READING _____

APPROVED _____

ALAN KECK, MAYOR
CITY OF SOMERSET, KENTUCKY

ATTEST: _____
NICK BRADLEY, CITY CLERK

Mr. Burdine made a motion to approve a tax refund in the amount of \$48.88 to Kaye Spears for Homestead Exemption. Mr. Minton seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, and Mr. Godsey.

There being no further business the meeting adjourned.

APPROVED: _____

MAYOR

ATTEST: _____

CITY CLERK