

MINUTES OF MEETING HELD JUNE 8, 2020

The Common Council of the City of Somerset, Kentucky met in a regular meeting on Monday June 8, 2020 at 6:00 p.m. via Zoom with the following present: Council Members; David Burdine, Brian Dalton, Jerry Wheeldon, Jimmy Eastham, Jerry Girdler, Mike New, Donna Hunley, Jim Mitchell, David Godsey, Amanda Bullock, Mayor Alan Keck, City Attorney John Adams, and City Clerk Nick Bradley. Absent Tom Eastham and John Minton.

Mr. Wheeldon moved to approve the minutes of the regular meeting held on May 11, 2020 along with reports as mailed. Mr. Godsey seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Mitchell, Mr. Godsey, and Ms. Bullock.

Mr. Wheeldon made a motion to approve the following Resolution Number 20-10: Resolution regarding the Murphy Lane Pump Station. Mr. Dalton seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Mitchell, Mr. Godsey, and Ms. Bullock.



Mr. Burdine made a motion to approve the following Resolution Number 20-11: Rescinding Ordinance Number 2013-09. Ms. Bullock seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Mitchell, Mr. Godsey, and Ms. Bullock.

RESOLUTION 20-11
OF
SOMERSET CITY COUNCIL

WHEREAS, the City of Somerset passed Resolution 2013-09 interpreting the temporary Farmers markets as not being a fair, festival, or event under KRS 243.155 and thereby prohibited the sale of local wines at temporary farmers markets;

WHEREAS, the Commonwealth of Kentucky's alcoholic beverage laws have changed, the City of Somerset has built a permanent farmers market facility, and the City of Somerset has established an Entertainment Destination Center where the Farmers Market is located;

NOW, THEREFORE, BE IT RESOLVED, that Resolution 2013-09 is hereby rescinded, vacated and rendered a nullity.

Motioned and Voted Successfully on the day of June 8, 2020 as proven and witnessed by the officers below:


David A. Hark, Mayor of the City of Somerset

And Attested by,


Vicki Bullock, Clerk of the City of Somerset

RESOLUTION NO. 2013-09

A RESOLUTION CONCERNING SMALL FARM WINERY LICENSES LOCATED IN FARMERS' MARKETS IN THE CITY OF SOMERSET

WHEREAS, the City Council of the City of Somerset enacted Ordinance 12-09 known as the Alcoholic Beverage Control Ordinance; and

WHEREAS, Ordinance 12-09 established a corresponding City license for each of the state licenses concerning alcoholic beverages set forth in KRS 243.070; and

WHEREAS, Ordinance 12-09 created the position of Alcoholic Beverage Control Administrator ("ABC Administrator") to enforce the provisions contained in Ordinance 12-09, including the approval or denial of applications for licenses set forth in KRS 243.070; and

WHEREAS, KRS 243.070 does not contain the license of a "small farm winery;" and

WHEREAS, KRS 243.155 authorizes a small farm winery license to perform certain functions without obtaining any license that is set forth in KRS 243.070; and

WHEREAS, KRS 243.155(2)(d) provides that "(2) A small farm winery license shall authorize the licensee to perform the following functions without having to obtain separate licenses, except that each small farm winery off-premise retail site shall be separately licensed: (d) Sell by the drink or by the package on premises, at small farm winery off-premise retail sites, and at fairs, festivals, and other similar types of events, wine produced on the premises of the small farm winery or produced by a licensed small farm winery, at retail to consumers if all retail sites are located in wet territory;" and

WHEREAS, the General Assembly of the Commonwealth of Kentucky has not defined what constitutes "fairs, festivals, and other similar types of events" as set forth in KRS 243.155(2)(d), as that what constitutes such "fairs, festivals, and other similar types of events" is not clearly established.

NOW, THEREFORE, the City Council finds it necessary in the good faith exercise of its discretion to determine whether farmers' markets located in the City of Somerset constitute "fairs, festivals, and other similar types of events" as set forth in KRS 243.155(2)(d), so be it found and Resolved by the City Council of the City of Somerset, Commonwealth of Kentucky, as follows:

Based upon findings of fact that the farmers' markets located in the City of Somerset are different from the "fairs, festivals, and other similar types of events" set forth in KRS 243.155(2)(d) including but not limited to the fact that these farmers' markets are open for business on regularly scheduled days and hours of the week for a minority and/or throughout the year, it is hereby determined that farmers' markets located in the City of Somerset do not constitute "fairs, festivals, and other similar types of events" as set forth in KRS 243.155(2)(d).

ENACTED AND ADOPTED by motion and affirmative vote at a duly convened meeting of the City Council of the City of Somerset this 8th day of May, 2013.

Attest:

David Godsey, City Clerk


Eddin Girdler, Mayor

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CERTIFICATION

I, the undersigned, do hereby certify that I am the duly qualified and acting City Clerk of the City of Somerset and as such City Clerk, I further certify that the foregoing is a true, correct and complete copy of a Resolution as appears to me in City of Somerset's records, duly adopted by said City Council at a duly convened meeting held on the date set forth therein, signed by the Mayor, duly filed, recorded and indexed in my office and now in force and effect, and that all action taken in connection with such Resolution was in compliance with the requirements of Kentucky law, all as appears from the official records of said City Council in my possession and under my control.

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of May, 2013.


David Godsey, City Clerk

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Mr. Wheeldon made a motion to approve the follow Resolution Number 20-12: Approving a Lease for the Financing of a Project (Acquisition of a Sanitation Truck). Mr. Girdler seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Mitchell, Mr. Godsey, and Ms. Bullock.

RESOLUTION NO. 20-17

A RESOLUTION APPROVING A LEASE FOR THE FINANCING OF A PROJECT (ACQUISITION OF A SANITATION TRUCK), PROVIDING FOR THE PAYMENT AND SECURITY OF THE LEASE, AUTHORIZING THE EXECUTION OF VARIOUS DOCUMENTS RELATED TO SUCH LEASE, AND MAKING CERTAIN DECLARATIONS REGARDING SUCH LEASE.

WHEREAS the governing body of the City of Somerset, Kentucky (the "Lessee") has the power, pursuant to Section 65.940 et seq. 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 the 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, and

WHEREAS the Governing Body has determined and hereby determines that it is in the best interests of the Lessee that the Lease 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 or 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 RESOLVED BY THE GOVERNING BODY OF THE CITY OF SOMERSET, KENTUCKY, AS FOLLOWS:

Section 1. **Recitals and Authorization.** The Lessee hereby approves the Lease Agreement (the "Lease") and all Collateral Documents, to the extent defined and identified in the Lease, each in substantially the form presented to this 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, verifications and other matters contained in the closing memorandum with respect to the Lease, or as may be required by the Lessor prior to delivery of the Lease, are hereby approved, ratified and confirmed. The Mayor and City Clerk of the Lessee are hereby authorized to execute the Lease, together with such other agreements or verifications which may be necessary to accomplish the transaction contemplated by the Lease.

Section 2. **Administration of the Lease.** The Kentucky Association of Counties Leasing Trust is hereby acknowledged to be the program administrator under the Lease.

Section 3. **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 4. **Open Meetings 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 deliberations of this Governing Body and of its committees, if any, which resulted in formal action, were in meetings open to the public, in full compliance with applicable legal requirements.

Section 5. **Conflicts.** All ordinances, 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 6. **Effective Date.** This Resolution shall take effect from and after its passage and publication of a summary thereof, as provided by law.

IN WITNESS WHEREOF, I HEREBY DO SIGN AND AFFIX MY OFFICIAL SEAL at a duly convened meeting of the Governing Body, held on June 8, 2020, signed by the Mayor of the Lessee, intended by the City Clerk, filed and indexed as provided by law.

By: 
Mayor Alan Keck, Somerset, KY

ATTEST:
By: 
City Clerk Nick Bradley, KY

First reading was given the following Ordinance Number 20-09: Authorizing the Issuance of General Obligation Refunding Bonds, Series 2020 in the Maximum Aggregate Principal Amount of \$8,960,000 for the Purpose of Currently Refunding its Outstanding: (I) General Obligation Bonds (Energy Center Project) 2015A and (II) General Obligation Bonds (Energy Center Project) 2015B, each of which is Held by The United States Department of Agriculture, and the Proceeds of which were Used to Finance Upgrades to the City's Energy Center; Approving the Form of Bonds; Authorizing Designated Officers to Execute and Deliver the Bonds; Authorizing and Directing the Filing of Notice with the State Local Debt Officer; Approving the Preparation of Preliminary and Final Official Statements with Respect to the Bonds; Providing for the Payment and Security of the Bonds; Creating a Bond Payment Fund; Maintaining the Heretofore Established Sinking Fund; Authorizing the Acceptance of the Bid of the Bond Purchaser for the Purchase of the Bonds; Authorizing Other Actions in Connection with the Issuance of the Bonds; and Repealing Inconsistent Ordinances.

ORDINANCE NO. 20-10

AN ORDINANCE OF THE CITY OF SOMERSET, KENTUCKY AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020 IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$3,960,000 FOR THE PURPOSE OF CURRENTLY REFUNDING ITS OUTSTANDING (I) GENERAL OBLIGATION BONDS (ENERGY CENTER PROJECT) 2015A AND (II) GENERAL OBLIGATION BONDS (ENERGY CENTER PROJECT) 2015B, EACH OF WHICH IS HELD BY THE UNITED STATES DEPARTMENT OF AGRICULTURE, AND THE PROCEEDS OF WHICH WERE USED TO FINANCE UPGRADES TO THE CITY'S ENERGY CENTER, APPROVING THE FORM OF BONDS, AUTHORIZING DESIGNATED OFFICERS TO EXECUTE AND DELIVER THE BONDS, AUTHORIZING AND DIRECTING THE FILING OF NOTICE WITH THE STATE LOCAL DEBT OFFICER, APPROVING THE PREPARATION OF PRELIMINARY AND FINAL OFFICIAL STATEMENTS WITH RESPECT TO THE BONDS, PROVIDING FOR THE PAYMENT AND SECURITY OF THE BONDS, CREATING A BOND PAYMENT FUND, MAINTAINING THE HERETOFORE ESTABLISHED SINKING FUND, AUTHORIZING THE ACCEPTANCE OF THE BID OF THE BOND PURCHASER FOR THE PURCHASE OF THE BONDS, AUTHORIZING OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF THE BONDS, AND REPEALING INCONSISTENT ORDINANCES.

WHEREAS, the City of Somerset (the "City") has heretofore issued its (i) General Obligation Bonds (Energy Center Project) 2015A, in the original principal amount of \$4,500,000 (the "Series 2015A Bonds") and (ii) has heretofore issued its (i) General Obligation Bonds (Energy Center Project) 2015B, in the original principal amount of \$3,500,000 (the "Series 2015B Bonds"), and together with the Series 2015A Bonds, the "Prior Obligations", the proceeds of which were used to finance the acquisition, construction, and equipping of an energy center for the use of the City; and

WHEREAS, the City has determined that the present conditions of the municipal market are favorable and that it is therefore advantageous and in the best interests of the City for the City to proceed with the refunding of the Prior Obligations through the issuance of its City of Somerset, General Obligation Refunding Bonds, Series 2020, in the maximum aggregate principal amount of not to exceed \$3,960,000 (the "Bonds") to be sold and awarded to the successful bidder or bidders (the "Purchaser") at public, competitive sale in accordance with the provisions of Chapter 424 of the Kentucky Revised Statutes, as amended.

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

Section 1 - Necessity, Authorization and Purpose. The City hereby declares that it is necessary to issue and authorize the issuance of its General Obligation Refunding Bonds, Series 2020 in an maximum aggregate principal amount of \$3,960,000, subject to a permitted adjustment of the Bonds awarded increasing the principal amount by up to \$395,000 or decreasing the principal amount by any amount (the "Permitted Adjustment") for the purpose of (i) refunding the Prior Obligations, and (ii) paying the costs of issuing of the Bonds. The exact

amounts corresponding to the maturity schedule set out in the Official Terms and Conditions of Bond Sale (subject to the Permitted Adjustment as herein provided).

At least thirty days before the optional or mandatory sinking fund redemption date of any Bonds the Paying Agent and Registrar shall cause a notice of such redemption either in whole or in part, signed by the Paying Agent and Registrar, to be mailed, first class, postage prepaid, to all registered owners of the Bonds to be redeemed in whole or in part at their addresses as they appear on the registration books kept by the Paying Agent and Registrar, but failure to mail any such notice shall not affect the validity of the proceedings for such redemption of Bonds for which such notice has been sent. Each such notice shall set forth the date fixed for redemption, the redemption price to be paid and, if less than all of the Bonds being payable by these terms on a single date then outstanding shall be called for redemption, the distinctive number or letters, if any, of such Bonds to be redeemed.

On the date so designated for redemption, notice having been mailed to the issuer under the conditions hereinabove provided and moneys for payment of the redemption price being held in the Bond Payment Fund (as hereinafter defined) by the Paying Agent and Registrar for the registered owners of the Bonds to be redeemed, the Bonds to be called for redemption shall become due and shall be payable at the redemption price provided for redemption of such Bonds on such date, interest on the Bonds so called for redemption shall cease to accrue, and the registered owners of such Bonds shall have no right in respect thereof except to receive payment of the redemption price thereof.

The Bonds may be issued in book-entry-only form through the services of the Depository Trust Company ("DTC"). If the City determines to issue the Bonds in book-entry-only form the Designated Officers (hereinafter defined) are authorized to execute all documents necessary to accomplish such form of issuance.

Section 2 - Issuance and Delivery. The Bonds shall be executed by the manual or facsimile signature of the Mayor and duly attested by the manual or facsimile signature of the City Clerk (which, together with any other process so may be authorized by resolution are referred to as "Designated Officers") and shall bear the manual authenticating signature of an authorized representative of the Paying Agent and Registrar. The Designated Officers are further authorized and directed to deliver the Bonds to the Purchaser, upon the terms and conditions provided herein, to the Award Certificate and in the Bid, receive the proceeds thereof, execute and deliver such certificates and other closing documents and take such other action as may be necessary or appropriate in order to effectuate the proper issuance, sale and delivery of the Bonds.

The City authorizes and directs the Paying Agent and Registrar to authenticate the Bonds and to deliver the Bonds to the Purchaser upon payment of the purchase price thereof.

Section 3 - Payment. Payment (if on account of the interest on and principal of the Bonds) shall be made directly to the Paying Agent and Registrar for the account of the registered owner. Interest on the Bonds shall be payable by check, mailed to the person whose name appears on the Maturity day of the month preceding an Interest Payment Date on the bond registration records as the registered owner, on each Interest Payment Date or by other transfer of funds acceptable to such registered owner and the Paying Agent and Registrar. Principal shall be payable to such owner or beneficiary of the United States of America as shall be legal tender for the

principal amount of Bonds to be issued shall be established in the Award Certificate (as hereinafter defined).

An amount of not to exceed \$3,960,000 of Bonds shall be offered for sale in accordance with the provisions herein, and the determination of the best bids for the Bonds shall be made on the basis of all bids submitted for the principal amount of Bonds so offered, provided however, the Permitted Adjustment is reserved in the City hereunder, with such decrease to be made in any principal maturity, so that the total principal amount of Bonds awarded to the best bidder may be a maximum of \$3,960,000 or such minimum as is determined to the Award Certificate. Upon any such Permitted Adjustment, no rebidding or recalculation of a submitted bid will be required or permitted, the price at which such adjusted principal amount of Bonds will be sold shall be determined as provided in the official terms and conditions of the bond sale.

Section 2 - Form. The Bonds shall be issued as fully registered Bonds, shall be designated "General Obligation Refunding Bonds, Series 2020" or such other series designation indicating the year in which the Bonds are issued, and shall each express upon their face the purpose for which they are issued, that they are issued under the Act and shall be substantially in the form set forth in Annex A attached hereto. The Bonds shall be in denominations as requested by the Purchaser, which shall be in integral multiples of five thousand dollars (\$5,000). The Bonds shall each be dated their date of initial issuance and delivery or such other date as is determined in an Award Certificate accepting the bid of the Purchaser (the "Award Certificate"). Interest on the Bonds shall be payable semiannually on the first day of the months (an "Interest Payment Date") set forth in the Award Certificate, commencing on the date set forth in the Award Certificate, at the stated interest rate or rates on the principal amount thereof, calculated on the basis of a 360-day year with thirty-day months. The Bonds shall be serial or term Bonds maturing, on the basis of substantially level debt service, payable in the years and in the amounts to be established in the Award Certificate after advertised competitive sale of the Bonds based on the interest rates set forth in the successful bid (the "Bid") and the provisions of this Section 2, provided that the final maturity date of the Bonds shall be as set forth in the Award Certificate but shall be no later than thirty years after their date of issuance. The interest rate or rates on the Bonds shall be determined in the Award Certificate based on the Bid, provided that the aggregate true interest cost of the Bonds shall not exceed six percent (6%)

The Bonds shall be subject to optional redemption prior to their maturity, on or after the date established in the Award Certificate, in whole or in part, in such order of maturity as shall be designated in writing by the City, and by lot within a maturity, at the election of the City upon forty-five days' written notice to the bank designated as the Paying Agent and Registrar for the Bonds in the Award Certificate (the "Paying Agent and Registrar"), at a redemption price equal to the par amount thereof, plus accrued interest to the date of redemption.

If the Purchaser of the Bonds elects, in accordance with the provisions of the Official Terms and Conditions of Bond Sale (the "Official Terms and Conditions of Bond Sale"), to combine the Bonds wanted to mature on the maturity dates set out in the Bid of such Purchaser to comprise a term bond ("Term Bonds"), as set out in said successful Bid, then such Term Bonds shall be subject to mandatory redemption in part, at the election of the Paying Agent and Registrar by lot in such manner as the Paying Agent and Registrar may determine, on each sinking fund payment date, as per plus accrued interest to the redemption date, according to the mandatory sinking fund redemption schedule or schedules set out in the Bid bid in principal

payments of public and private debts at the time and place of payment upon delivery of the Bonds to the Paying Agent and Registrar or by other transfer of funds acceptable to the Paying Agent and Registrar and such registered owner. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bonds to the extent of the sum or sums so paid.

Section 5 - Filing. The Designated Officers are hereby authorized to undertake and cause all filings of notices or information which may be required by law to be filed by the City, including without limitation the filing with the State Local Debt Officer required by law.

Section 6 - Bond Payment Fund, Payment of Bonds. There is hereby established with the Paying Agent and Registrar a bond payment fund in the name of the City to be known as "City of Somerset, Kentucky General Obligation Refunding Bonds, Series 2020 Bond Payment Fund" (the "Bond Payment Fund"), into which the City covenants to deposit, and into which the Designated Officers are hereby authorized and directed to deposit from the Sinking Fund (hereinafter identified), on or before the twentieth day of each month which precedes an Interest Payment Date on the Bonds, the amount required to pay principal of and interest due on the Bonds on such Interest Payment Date. The Paying Agent and Registrar shall, without further authorization from the City, withdraw from the Bond Payment Fund, on such Interest Payment Date of the Bonds, the amounts necessary to pay principal of, and interest on, the Bonds to the registered owner of the same.

The Paying Agent and Registrar is hereby appointed depository of the Bond Payment Fund with respect to the Bonds.

If the City shall fail or refuse to make any required deposit in the Bond Payment Fund from the Sinking Fund, the Paying Agent and Registrar shall (i) notify any agency of the Commonwealth of Kentucky or any political subdivision thereof which may collect and distribute taxes or revenues for the City to seek any available necessary or proper remedial action, and (ii) upon being indemnified against cost and expense, exercise any remedy available in the City or as law in an equity for the benefit of the owner of the Bonds or its assignee, and shall disburse all funds so collected to the owner of the Bonds as payment of the Bonds.

Section 7 - General Obligation. The Bonds shall be full general obligations of the City and, for the payment of said Bonds and the interest thereon, the full faith, credit, and taxing power of the City are hereby pledged for the prompt payment thereof. During the period the Bonds are outstanding, there shall be and there hereby is levied on all the taxable property in the City, in addition to all other taxes, without limitation as to rate, a direct tax annually in an amount sufficient to pay the principal of and interest on the Bonds when and as due, it being hereby found and determined that current tax rates are within all applicable limitations. Said tax shall be and is hereby ordered computed, certified, levied, and extended upon the tax delinquent and collected by the same officers in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended, and collected. Said tax shall be placed before and in preference to all other moneys and for the full amount thereof provided, however, that in each year to the extent that the other lawfully available funds of the City are available for the payment of the Bonds and are appropriated for such purpose, the amount of such direct tax upon all of the taxable property in the City shall be reduced by the amount of such other funds so available and appropriated.

Section 8. Maintenance of Sinking Fund There has heretofore been established a sinking fund with the City in accordance with the requirements of the Act (the "Sinking Fund"), which is hereby ordered to be continued and maintained so long as any Bonds are outstanding. The funds derived from and tax levies hereby required or other lawfully available funds shall be placed in the Sinking Fund and, together with interest collected on the same, are irrevocably pledged for the payment of the interest on and principal of all bonds issued under the Act and Tax-Supported Leases, as defined in the Act, when and as the same fall due. Amounts shall be transferred from the Sinking Fund to the Bond Payment Fund at the times and in the amounts required by Section 6 hereof.

Section 9. Approval of Preliminary Official Statement and Official Statement, Sale of Bonds, Award Certificate The City hereby authorizes the use of a Preliminary Official Statement, including the Official Bid Form and Official Terms and Conditions of Bond Sale to be prepared by the City and its Financial Advisor, notifies the public distribution of such Preliminary Official Statement and authorizes the Financial Advisor for the City to complete the Preliminary Official Statement to reflect the interest rates to be borne by the Bonds and other relevant facts to serve as the City's Official Statement regarding the Bonds. The Mayor and any Authorized Officers are further authorized to declare the Official Statement to be "final" for purposes of Securities and Exchange Commission Rule 15c2-12.

The Designated Officers are hereby directed to sell the Bonds to the Purchaser at advertised competitive sale, the final principal amount of the principal amortization of, and the interest rate or rates on the Bonds to be established in accordance with the requirements of Sections 1 and 2 hereof and the Award Certificate. The Mayor is hereby authorized to execute the Award Certificate without further action of the City Council setting forth the terms of the Bonds and any other provisions required by and not inconsistent with this Bond Ordinance.

Section 10. Registered Owners, Transfer, Lienage As long as the Bonds executed and delivered hereunder shall remain outstanding, the Paying Agent and Registrar shall maintain an office for the registration of such Bonds and shall also keep at such office books for such registration and transfers. The registered owner of the Bonds, as set forth in the registration books maintained by the Paying Agent and Registrar on the fifteenth day preceding an Interest Payment Date, or its successors, for purposes of this Bond Ordinance, to the extent of its interest, shall be treated as the owner of the Bonds and shall be entitled to all rights and security of the owner of the Bonds hereunder.

Upon surrender for registration or transfer of the Bonds at the office of the Paying Agent and Registrar with a written instrument of transfer satisfactory to the Paying Agent and Registrar, duly executed by the registered owner or the registered owner's duly authorized attorney, the Paying Agent and Registrar shall execute and deliver, in the name of the designated transferee or transferees, one or more Bonds of the same series of any authorized denomination and of the like tenor and effect.

All Bonds upon surrender thereof at the office of the Paying Agent and Registrar may, at the option of the registered owner thereof be exchanged for an equal aggregate principal amount of Bonds of the same series of any authorized denomination.

In all cases in which the privilege of exchanging or transferring Bonds is exercised, the Paying Agent and Registrar shall execute and deliver Bonds in accordance with the provisions of

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this Section. Every such exchange or transfer of Bonds, whether temporary or definitive, shall be without charge, provided that the Paying Agent and Registrar may impose a charge sufficient to reimburse it for any tax, fee, or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer.

Section 11. Disposition of Proceeds The proceeds of the sale of the Bonds shall be deposited, together with other available funds of the City, as follows: (a) the amount necessary and sufficient to redeem and retire the Prior Obligations within ninety days of the date of issuance and delivery of the Bonds shall be paid to the holder of the Prior Obligations or deposited with the paying agent for the Prior Obligations and applied to the redemption and retirement of the Prior Obligations; (b) accrued interest, if any, shall be deposited to the Bond Payment Fund created in Section 6 hereof; and (c) an amount sufficient to pay the costs of issuing the Bonds shall be deposited to a special cost of issuance fund hereby directed to be established and designated as the "City of Somerset, Kentucky General Obligation Refunding Bonds, Series 2020 Cost of Issuance Fund" (the "Cost of Issuance Fund").

Section 12. Designation of Bonds The Mayor is hereby authorized to determine whether to designate the Bonds as "qualified tax-exempt obligations" for the purposes set forth in § 285(b)(3) of the Internal Revenue Code of 1986, as amended, in the Award Certificate or a closing certificate or other written instrument delivered in closing in connection with the issuance of the Bonds.

Section 13. Discharge of Bond Obligations If the City shall pay or cease to be paid, or there shall otherwise be paid, to the owners of the Bonds the total principal and interest due or to become due thereon through maturity, in the manner stipulated herein and in this Bond Ordinance, then the pledges made under this Bond Ordinance, and all covenants, agreements, and other obligations of the City hereunder, shall terminate upon, terminate, and become void and be discharged and satisfied.

Section 14. Further Actions In connection with the undertaking and implementation by the City of the plan of refunding herein described, which is hereby expressly directed, the Designated Officers are hereby authorized and directed to take and carry out such further necessary, desirable, or appropriate actions to effect such plan of refunding.

Section 15. Incorporation of Provisions The provisions of this Ordinance are hereby incorporated as an integral part of this Ordinance, to the same extent as if repeated herein verbatim, it being declared that the statements of fact set forth in such provisions are true and accurate in all respects.

Section 16. Severability If any one or more of the provisions of this Bond Ordinance should be determined by a court of competent jurisdiction to be contrary to law, then such provisions shall be deemed to be severable from all remaining provisions and shall not affect the validity of such other provisions.

Section 17. Inconsistent Actions All prior ordinances, resolutions, orders, or parts thereof inconsistent herewith are hereby repealed.

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Section 18. Open Meetings Compliance All meetings of the City Council and of its committees and any other public bodies, at which the formal actions in connection with the issuance of the Bonds were taken, or at which deliberations that resulted in such formal actions were held, were open meetings, and such formal actions were taken and any such deliberations took place while such meetings, after proper notice, were open to the public, in compliance with all legal requirements including KRS Sections 61.810, 61.815, 61.820, and 61.823.

Section 19. Effective Date This Ordinance shall become effective immediately upon adoption and publication of a summary thereof, as provided by law.

INTRODUCED AND PUBLICLY READ ON FIRST READING on the June 8, 2020.

PUBLICLY READ, ADOPTED AND APPROVED ON SECOND READING, this the June 8, 2020.

CITY OF SOMERSET, KENTUCKY

By _____ Mayor

Attest:

By: _____ City Clerk

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CERTIFICATION

I, the undersigned, do hereby certify that I am the duly qualified and acting City Clerk of the City of Somerset, Kentucky, and as such City Clerk, I further certify that the foregoing is a true, correct, and complete copy of an Ordinance duly passed by the City Council of the City at a duly convened meeting held on the 8th day of June, 2020, on the same occasion signed by the Mayor as evidence of his approval, and now in full force and effect, all as appears from the official records of the City in my possession and under my control.

Witness my hand as City Clerk of said City on the ____ day of _____, 2020.

City Clerk

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ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

the within Bond and does hereby irrevocably constitute and appoint _____

_____ to transfer the

said Bond on the books kept for registration thereof with full power of substitution in the

premises

Dated _____

Signature guaranteed _____

NOTICE: The signature of this assignment must correspond with the name of the registered owner as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

The following abbreviations, when used in the inscriptions on the face of this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TENANT as tenants in common UNIFORM MINOR _____ (Uniform _____)

TENANT as tenants by the entirety (Minor)

_____ under Uniform Gift to Minors

JOINT TENANTS as joint tenants with right of survivorship and not as tenants in common ALL _____ (State)

Additional Abbreviations may also be used though not as the above list.

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First reading was given the following Ordinance Number 20-10: Adopting the City of Somerset Annual Budget for the Fiscal Year Beginning July 1, 2020 and Ending June 30, 2021 Estimating Revenues and Resources and Appropriating Funds of the City of Somerset, Kentucky.

ORDINANCE NUMBER 20-09

AN ORDINANCE ADOPTING THE CITY OF SOMERSET, KENTUCKY ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2021 ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS OF THE CITY OF SOMERSET, KENTUCKY, AND ADOPTING THE 2019-2020 FISCAL YEAR WATER AND WASTE WATER 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/WASTE WATER 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, 2020 AND ENDING JUNE 30, 2021 IS HEREBY ADOPTED AS FOLLOWS:

	REVENUE	EXPENDITURES
GENERAL FUND	\$22,638,225.00	\$22,638,225.00
SANITATION SERVICE	\$5,109,560.00	\$5,109,560.00
GAS SERVICE	\$11,206,200.00	\$11,206,200.00
WATER SERVICE	\$14,578,052.00	\$14,578,052.00
WASTEWATER	\$11,117,600.00	\$11,117,600.00
WATER PARK	\$1,598,160.00	\$1,598,160.00
FULL CENTER	\$1,115,275.00	\$1,115,275.00
TRAVEL AND TOURISM	\$215,250.00	\$215,250.00
FMS	\$7,049,500.00	\$7,049,500.00

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MUNICIPAL AID (MAP)	\$236,650.00	\$236,650.00
TOTAL ALL FUNDS	\$74,864,472.00	\$74,864,472.00

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 REMAINDER PROVISIONS OF THIS ORDINANCE SHALL CONTINUE IN FULL FORCE AND EFFECT.

SECTION 4. ANY ORDINANCE IN CONFLICT WITH THIS ORDINANCE OR ANY POLICE IN CONFLICT WITH THE ONES ENACTED HEREIN, 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: June 1, 2020

SECOND READING: _____

APPROVED: ALAN KECK, MAYOR
CITY OF SOMERSET, KENTUCKY

ATTEST: NICK BRADLEY, CITY CLERK

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EXHIBIT B
PAY AND CLASSIFICATION PLAN 2020
CITY OF SOMERSET
EFFECTIVE JULY 2020

TITLE/CLASSIFICATION	NO	MINIMUM	MAXIMUM
EXECUTIVE			
CITY CLERK	1	50000	80000
ASST CITY CLERK	2	38000	45000
TRIC ASSISTANT/CHIEF OF STAFF	1	40000	49000
SAVINGS OFFICE SECRETARY	1	35000	50000
CLERK/LEGAL	1	20800	45000
CLERK/COMMUNICATIONS	1	20800	45000
CLERK/FRONT DESK	1	20800	45000
CHIEF FINANCIAL OFFICER	1	65000	90000
ACCOUNTANT	1	35000	65000
ACCOUNTING CLERKS	2	25000	30000
PURCHASING AGENT	1	37500	55600
PAYROLL CLERKS	2	25000	50000
BILLING SUPERVISOR	1	30000	35000
CLERKS/COLLECTIONS	4	20800	45000
CLERKS/CUSTOMER SERVICE	2	20800	45000
CITY ATTORNEY	1	65000	98000
CITY ENGINEER	1	60000	90000
HR DIRECTOR	1	43000	65000
HR/INFORM/CD	1	43000	65000
CITY PLANNER	1	38000	60000
PLANNING ASSISTANT	1	25000	45000
BUILDING INSPECTOR	1	40000	65000
CODE ENFORCEMENT/SAFETY	1	38000	60000
INFORMATION TECHNOLOGY	2	45000	77000
COMMUNITY DEVELOPMENT	1	30000	58500
TOURISM	1	30000	58500
ABC ADMINISTRATOR	1	40000	65000
ABC ASSISTANT	1	30000	48500

STREET DEPARTMENT			
STREET DEPT. MANAGER	1	40000	65000
STREET DEPT. CLERK	1	19760	40000
SANITATION CLERK	1	28000	50000
TRUCK/EQUIPMENT DRIVER	3	24000	48000
MECHANICS	2	31800	55000
SERVICE WORKERS	7	22500	48000
SANITATION			
SANITATION MANAGER	1	40000	65000
SANITATION FOREMAN	1	30000	50000
SANITATION CLERK	2	22500	45000
TRUCK/EQUIPMENT DRIVER	3	24000	48000
SERVICE WORKERS	7	19760	45000
WATER/SEWER DEPARTMENT			
WATER/SEWER MANAGER	1	45000	75000
PLANT SUPERVISOR - WATER	1	40000	65000
PLANT SUPERVISOR - SEWER	2	40000	65000
DISTRIBUTION SUPERVISOR	1	40000	60000
FOREMAN	4	30000	55000
CROSS CONNECTION SPECIALIST	1	25000	46000
EQUIPMENT OPERATORS	3	27000	44000
METER READERS/GENERAL	3	19760	40000
PRETREATMENT CLERK	1	22500	50000
OPERATIONS CLERK	2	22500	50000
LIFT STATION TECHNICIANS	2	25000	52000
FACILITY OPERATIONS	1	27500	50000
TECHNICIANS	21	22500	52000
GENERAL LABOR	4	18000	42000
NATURAL GAS DEPARTMENT			
DIRECTOR	1	55000	80000
PG ENGINEER	1	55000	80000
SYSTEMS MANAGER	1	46000	65000
FOREMAN	1	35000	60000
OPERATORS/SPECIALIST	6	28000	52500
SERVICE TECHNICIANS	8	22500	50000
CORROSION TECHNICIANS	2	30000	50000
METER READERS/GENERAL	2	19760	40000
CLERK/ACCOUNTING	1	24500	45000

PARKS AND RECREATION

DIRECTOR	1	42000	64000
ASST DIRECTOR	1	40000	60000
PROGRAM SUPERVISOR	1	30000	47500
PROGRAM SPECIALIST	5	25000	40000
ACTIVITIES/MAINTENANCE	3	20000	30000
GENERAL	4	18200	30000
CEMETERY MANAGER	1	28500	43000

WATER PARK

MANAGER	1	40000	60000
OPERATIONS SPECIALIST	1	25000	40000
MAINTENANCE	1	25000	40000

PUBLIC UTILITIES

MANAGER	1	226000	37000
CLERK	1	18200	28000

FIRE DEPARTMENT

FIRE CHIEF	1	45000	66000
BATTALION CHIEF/MAJOR	3	38000	60000
CAPTAIN (TRAINING OFFICER)	3	40000	57000
CAPTAIN	3	40000	57000
LIEUTENANT	7	33000	52000
FIRE FIGHTERS	28	16000	48000

POLICE DEPARTMENT

POLICE CHIEF	1	50000	83500
CAPTAIN	4	42000	74500
LIEUTENANTS	3	39500	70000
SERGEANT	3	36000	67500
DETECTIVES	4	35000	65500
POLICE OFFICERS/SRO'S/MARCOVICS	31	30000	60000
PROPERTY OFFICER	1	28500	50000
CLERK/DATA ENTRY	1	20000	30000
SAFETY OFFICER	1	49500	40000

EMS DEPARTMENT

EMS CHIEF	1	45000	65000
EMERSON	3	44000	60000
CAPTAIN	1	42000	59000
LIEUTENANT	4	35000	51500
PARAMEDICS**	26	30000	58000
EMT**	8	28000	50000
TRAINING DIRECTOR	1	24000	35000
OFFICE/CLERICAL	3	18000	28000
MEDICAL TRANSPORT	6	28000	35000

**PARAMEDICS AND EMT POSITION INTERCHANGABLE BY SGT

First reading was given the following Ordinance Number 20-11: Annexing by Property as described Below and in attachments to this Ordinance 205 Meadow Drive.

ORDINANCE NUMBER 20-11

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNEXING BY 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 OWNERS, AND THE FORMS HAVE BEEN ACCEPTED BY THE CITY AS COMPLETE, 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

EXHIBIT A 5.95 ACRES OF A PLAT TITLED "TIM SHORT MOTORS, LLC" AND METES AND BOUNDS DESCRIPTION, SAID LAND HAVING PVA 1 OF DESIGNATION 063-1-1-01-4, AND ADDRESSED AS 205 MEADOW DRIVE, SOMERSET, KY 42503, TO BE KNOWN AS "TIM SHORT AUTO MALL"


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

FIRST READING June 8, 2020

SECOND READING _____

APPROVED: ALAN RECK, MAYOR
CITY OF SOMERSET, KY

ATTEST: NICK BRADLEY, CITY CLERK



Somerset
 DEPARTMENT OF HOUSING, BUILDINGS AND CONSTRUCTION
 Planning & Zoning Commission
 300 East Main Street
 P.O. Box 100
 Somerset, CT 06082
 Phone: (860) 439-4514
 Fax: (860) 677-0000
 www.ct950.com

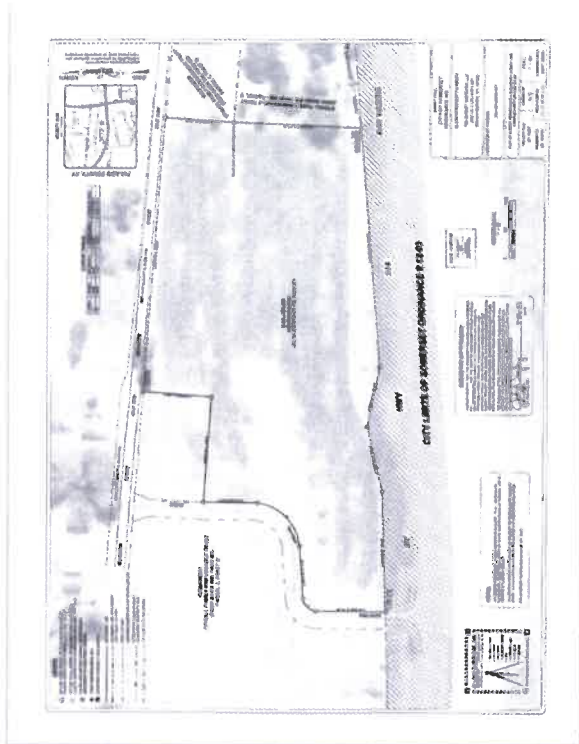
ANNEXATION REQUEST FORM

I, James Franklin formally request annexation
 of my property located at 205 Meadow Lane Somers, CT 06083
 into the City of Somerset.

I also request that the 60-day waiting period be waived.

I also request that this property be zoned B-2


 Signature _____ Date 6/11/2020



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

APPROVED: _____

MAYOR

ATTEST: _____

CITY CLERK