

MINUTES OF MEETING HELD JULY 10, 2017

The Common Council of the City of Somerset, Kentucky met in a regular meeting on Monday July 10, 2017, at 7:00 p.m. with the following present: Council Members; Donna Hunley, John Minton, Jim Mitchell, John Adams, Amanda Bullock, Tom Eastham, Jerry Wheeldon, Jerry Girdler, and Mike New and City Clerk Nick Bradley. Absent Mayor Eddie Girdler, David Burdine, Brian Dalton, Jimmy Eastham, and City Attorney Carrie Weise

Mr. Wheeldon moved to approve the minutes of the regular meeting held on June 26, 2017 along with reports as mailed. Mr. T. Eastham seconded the motion. Upon roll call the following Council Members voted "Aye"; Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Adams, Mrs. Bullock, Mr. T. Eastham, Mr. Wheeldon, Mr. Girdler, and Mr. New.

Second reading was given the following Ordinance No. 17-14:

ORDINANCE NO. 17-14

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, CREATING A CIVIL FINGERPRINTING IMPRESSION SERVICE AND ESTABLISHING AN INITIAL FEE FOR SAID CIVIL FINGERPRINTING SERVICES APPLICABLE IF SAID IMPRESSIONS ARE TO BE USED FOR PROFESSIONAL, TRADE, OR COMMERCIAL PURPOSES, OR IF SAID IMPRESSIONS ARE TO BE USED FOR PERSONAL USE;

WHEREAS, the City of Somerset wishes to provide civil fingerprinting impression services to the public but due to the costs involved in providing said services, herein states its desire to charge a reasonable fee for said service as set forth herein; and

WHEREAS, the City has determined that no applicable KRS prohibits the City from providing said service, and that applicable KRS allows the City to assess a fee for providing such a service so long as the fee is not in excess of the reasonable costs associated with providing said service;

THEREFORE, be it ordained by the Common Council of the City of Somerset that a Civil Fingerprinting Impression Service may hereafter be provided by the Somerset Police Department for a fee as set forth herein:

(A) For the purpose of establishing an initial fee structure for the services described above, the City of Somerset does hereby authorize the City, by and through the Somerset Police Department, to charge a maximum fee of \$5.00 (Five Dollars and 00/100) per person, per set (2 cards) of fingerprint impressions taken when said service is requested by a person for professional, trade, or commercial purposes, or if said service is requested by a person for personal use. Should the costs of processing fingerprinting impression requests rise above the fee amount set forth in this section, the City of Somerset may adjust the fee through administrative action of the City's executive authority as permitted by KRS Chapter 83A, Chapter 91A, and all other applicable law. Any fee charged for said service, including the initial charge set forth herein, and any adjustments which may be made in the future by the executive authority in account for an increase in costs for providing said services, will not generate revenues or profits in excess of the reasonable costs associated with providing said service to the public.

(B) If any part of this Ordinance 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.

(C) Any Ordinance in conflict with this Ordinance, or any policies in conflict with the ones enacted herein are repealed in so far as the same are in conflict herewith.

(D) This Ordinance shall be in full force and effect upon approval and publication according to law. The implementation date for this Ordinance shall be August 1, 2017.

FIRST READING: June 26, 2017
SECOND READING: June 30, 2017

ATTEST: Nick Bradley City Clerk, Somerset APPROVED: Eddie Girdler Mayor, Somerset

Mr. T. Eastham moved to approve the above Ordinance No. 17-14: Establishing a Fingerprinting Fee. Mr. Wheeldon seconded the motion. Upon roll call the following Council Members voted "Aye"; Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Adams, Mrs. Bullock, Mr. T. Eastham, Mr. Wheeldon, Mr. Girdler, and Mr. New.

Mr. Mitchell moved to approve the following Resolution No 17-09. Mr. T. Eastham seconded the motion. Upon roll call the following Council Members voted "Aye"; Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Adams, Mrs. Bullock, Mr. T. Eastham, Mr. Wheeldon, Mr. Girdler, and Mr. New.

CITY OF SOMERSET, KENTUCKY
Resolution of Adoption of the
Lake Cumberland Area Development District
Regional Hazard Mitigation Plan 5-Year Update

WHEREAS, certain areas of the City of Somerset, Kentucky are subject to periodic flooding, tornados, severe winter storms, severe thunderstorms, and landslides and other natural hazards that have potential to cause damages to people and properties within the area; and

WHEREAS, the City of Somerset desires to prepare and mitigate for such natural hazards; and

WHEREAS, under the Disaster Mitigation Act of 2000, the United States Federal Emergency Management Agency (FEMA) requires that local jurisdictions have in place a FEMA-approved Hazard Mitigation Action Plan as a condition of receipt of certain future Federal mitigation funding after November 3, 2004; and

WHEREAS, the Lake Cumberland Area Development District Regional Hazard Mitigation Plan was developed in accordance with the regulations of the Disaster Mitigation Act of 2000 and the guidance provided by the Federal Emergency Management Agency; and

WHEREAS, the City of Somerset fully participated in the FEMA-prescribed mitigation planning process to prepare this Multi-Hazard Mitigation Plan; and

WHEREAS, the Kentucky Division of Emergency Management and Federal Emergency Management Agency, Region IV officials have reviewed the Lake Cumberland Area Development District Regional Hazard Mitigation Plan 5 Year Update (October, 2016) and approved it contingent upon this official adoption of the participating governments and entities;

WHEREAS, to assist cities and counties in meeting this requirement, the Lake Cumberland Area Development District has facilitated the development of a multi-jurisdictional Hazard Mitigation Plan covering member jurisdictions of the Lake Cumberland Area Development District including the City of Somerset, Kentucky;

NOW, therefore, be it resolved, that the City of Somerset City Council hereby:

1. Adopts those portions of the Lake Cumberland Area Development District Regional Hazard Mitigation Plan that pertain to the City of Somerset, Kentucky; and
2. Vest the Lake Cumberland Area Development District Regional Hazard Mitigation Committee, Local County/City Hazard Mitigation Subcommittees and local emergency management officials with the responsibility and authority to:

- a) Inform all concerned parties of this action.
- b) Develop an addendum to this Hazard Mitigation Plan if the jurisdiction's unique situation warrants such an addendum.

3. Directs the Lake Cumberland Area Development District Regional Hazard Mitigation Committee to ensure that the Hazard Mitigation Plan be reviewed according to the Plan Maintenance Procedures in Section 9.0-10.0 Plan Adoption-Maintenance of the plan and that any needed adjustment to the plan be developed and presented to the Local County/City Hazard Mitigation Committee and to the City of Somerset City Council for review.

4. Agrees to consider any other official actions as may be reasonably necessary to carry out the objectives of the Lake Cumberland Area Development District Regional Hazard Mitigation Action Plan for the City of Somerset, Kentucky and Lake Cumberland Area Development District Region.

Adopted on July 10, 2017

Certified by: Eddie R. Burns
Mayor

Attested by: [Signature]

Date: 7-10-17

There being no further business the meeting adjourned.

APPROVED: Eddie R. Burns
MAYOR

ATTEST: [Signature]
CITY CLERK