

## MINUTES OF MEETING HELD JUNE 27, 2005

The Common Council of the City of Somerset, Kentucky met in regular session on Monday, June 27, 2005 at 7:00 p.m. with the following present: Mayor JP Wiles. Council Members: Charlie New, Donna Hunley, John Minton, Jim Mitchell, Jerry Burnett, Tim Rutherford, Joanne Norfleet, Clarence Floyd, Jerry Wheeldon, Mark Beasley, and Jerry Girdler. City Attorney Joe Travis and City Clerk David Godsey. Absent: Council Member Fonda Crawford.

Mr. Wheeldon moved to approve the minutes of the last regular meeting held on June 13, 2005 and the reports be approved as delivered. Mrs. Norfleet seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Burnett, Mr. Rutherford, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, and Mr. Girdler.

Mr. Terry Wright with Kentucky Utilities spoke to the council in reference to trimming the trees around the power lines. His main concern was safety for the citizens of Somerset.

Mr. Wheeldon moved to approve the following Resolution regarding the Beecher House Partners, LLC bond issue. Mr. Beasley seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Burnett, Mr. Rutherford, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, and Mr. Girdler.

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| <p style="text-align: center;">RESOLUTION OF<br/>THE CITY OF SOMERSET, KENTUCKY</p> <p>WHEREAS, Beecher House Partners, LLC, a Kentucky limited liability company (the "Borrower") has requested the assistance of the City of Somerset, Kentucky (the "Issuer") in financing the (1) acquisition, development and rehabilitation of the apartment complex known as Beecher House Apartments located at 203 South Main Street, Somerset, Kentucky, and (2) costs related to the issuance of the Bonds (the "Project") and has represented to the Issuer that its assistance in financing the Project is a vital factor in the decision to proceed with the Project; and</p> <p>WHEREAS, after careful investigation, the Issuer has and does find that the Project will increase and promote employment, will promote development in the City of Somerset, Kentucky, will be in the public good and is within the purposes for which the Issuer was created; and</p> <p>WHEREAS, the proposed Project will require expenditures estimated in the amount of not to exceed \$1,500,000.</p> <p>NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SOMERSET, KENTUCKY AS FOLLOWS:</p> <p>1. In order to indicate the Issuer's willingness to issue its revenue bond or bonds (the "Bonds") to finance the proposed Project or a portion thereof, the execution and delivery of an indenture agreement is hereby authorized to be in substantially the form attached hereto as Exhibit "A", subject to such minor changes, insertions and omissions as may be approved by the Mayor or Mayor Pro Tempore of the Issuer, and the execution of said indenture agreement by the Mayor or Mayor Pro Tempore and Clerk or Deputy Clerk of the Issuer shall be conclusive evidence of such approval.</p> <p>2. In order to facilitate the commencement of the planning, design, construction, installation, equipping and carrying out of the proposed Project or a portion thereof, the Mayor or Mayor Pro Tempore or Clerk or Deputy Clerk of the Issuer are hereby authorized to execute or accept the assignment of contracts for the carrying out of the Project, subject to the receipt of appropriate guarantees of payment by the Borrower.</p> <p>3. In adopting this Resolution, the Issuer is indicating its "official intent" to authorize the issuance of the Bonds referred to in Section 1 hereof within the meaning of regulations of the Internal Revenue Service and provisions of the Internal Revenue Code, and to authorize such revenue Bonds to an amount up to the maximum of \$1,500,000.</p> <p>4. It is hereby declared that a notice to the public in substantially the form as Exhibit "B" attached hereto (the "Notice") be published in the official newspaper in which Sheriff's advertisements appear for the County of Pulaski, Kentucky, prior to the public hearing (the "Hearing") more fully described in Paragraph 1 hereunder. Said advertisement of the Notice</p> | <p>shall be published in such a manner that the publication shall be no fewer than fourteen (14) days prior to said Hearing.</p> <p>5. The Mayor or the Issuer (or other representative of the Issuer designated by the Mayor of the Issuer) shall conduct the hearing described in Exhibit "B" attached hereto at the time and place designated by said Notice. The representative of the Issuer conducting said hearing shall be fully informed of the details of the Project described in said Public Notice and shall answer any inquiries concerning the Project and receive comments concerning the Project made by any person or persons appearing at the hearing. Said representative shall further have at the hearing the official file of the Issuer in connection with this Project and shall provide access to said official file to any person desiring to review the same. Minutes of the hearing shall be taken.</p> <p>6. Immediately following the conclusion of the hearing, the official conducting said hearing shall cause minutes of the hearing to be transcribed. Said minutes shall be a reasonable and accurate account of the hearing and said minutes shall forthwith be forwarded to the Mayor of the City of Somerset, Kentucky.</p> <p>Also to be forwarded to said official at said time shall be a certified copy of this Resolution and the order of approval attached hereto as Exhibit "C".</p> <p>7. The Mayor or Mayor Pro Tempore and Clerk or Deputy Clerk or Hearing Officer of the Issuer are further authorized to take any and all further action to execute and deliver any and all other documents as may be necessary to implement the Project, including, but not limited to, mortgages, security agreements, LCC financing agreements, a lease to the Borrower and/or such other documents as are required to consummate the Project, it being intended that the aforementioned officers be clothed with broad and plenary powers and discretion in the premises.</p> <p>ADOPTED on the <u>27th</u> day of June, 2005.</p> <p style="text-align: center;">CITY OF SOMERSET, KENTUCKY</p> <p>By: <u>JP Wiles</u><br/>Mayor</p> <p>(SEAL)<br/>Attest: <u>David Godsey</u><br/>Clerk</p> <p style="text-align: center;">EXHIBIT "A"</p> <p style="text-align: center;">Page 2</p> |
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Mr. Floyd moved to approve the following blacktop and concrete bid. The blacktop bid being awarded to Hinkle Contracting for \$38.25 per ton. The concrete bid being awarded to Ready Mix Concrete, Class B concrete for \$64.00 per yd and Class A concrete for \$66.00 per yd. Mr. Burnett seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Burnett, Mr. Rutherford, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, and Mr. Girdler.

 **Somerset Police Department**  
David L. Biggerstaff, Chief of Police  
P. O. Box 1071, 100 E. 1st Avenue Street, Somerset, KY 42502  
Phone: (606) 475-4175 Fax: (606) 475-4159 

To: Mayor Wiley  
From: David Biggerstaff  
Date: June 30, 2005  
Subject: Uniforms Bid

Chief Latham and I have discussed the police and San uniforms bids for the coming fiscal year. We both agree that Shingora Uniforms offers the City of Somerset the best product for the best price.

If you have any further needs on this same job we let me know.

  
David Biggerstaff

**RESOLUTION**

A Motion having been made, seconded, and passed by the City Council of  
Barnesville, Kentucky,

**BE IT HEREBY RESOLVED THAT:**

The City Council of Barnesville, Kentucky opposes the annexation by  
Barnesville of any portion of Lake Cumberland that would in any way whatsoever  
adversely affect the City of Barnesville's water intake, water plant, water lines, or  
other properties of the City of Barnesville, Kentucky.

Passed by the Barnesville City Council on the 27th day of June, 2005.

  
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MAYOR JP WILES

  
\_\_\_\_\_  
CLERK

Mr. Girdler moved to approve the request from the residents of 300 Block of Clements Avenue to close the block of Clements Avenue, between Crawford and Grande Avenue on Sunday, July 3, 2005 from 5pm to 10pm to have annual Fourth of July Neighborhood Block Party. Mr. New seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Burnett, Mr. Rutherford, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, and Mr. Girdler.

**Request to Somerset City Council**

We request permission to block off the 300 block of Clements Avenue, between Crawford and Grande Avenues on Sunday July 3, 2005, between the hours of 5:00 P. M. and 10:00 P. M. to allow our annual Fourth of July Neighborhood Block Picnic.

Thank you

The residents of 300 block of Clements Avenue

Mrs. Hunley moved to bring the tabled budget motion regarding Ordinance 05-06 off the table for discussion. Mr. Wheeldon seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Burnett, Mr. Rutherford, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, and Mr. Girdler.

First reading was given the following Ordinance:

| ORDINANCE NUMBER 05-06                                                                                                                                                                                                              |                                                                                                                          |                 |
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| AN ORDINANCE ADOPTING THE CITY OF SOMERSET, KENTUCKY ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2005 AND ENDING JUNE 30, 2006 ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS OF THE CITY OF SOMERSET, KENTUCKY. |                                                                                                                          |                 |
| WHEREAS, AN ANNUAL BUDGET PROPOSAL AND MESSAGE HAVE BEEN PREPARED AND DELIVERED TO THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY; AND                                                                                        |                                                                                                                          |                 |
| WHEREAS, THE COMMON COUNCIL HAS RECEIVED THE PROPOSED BUDGET AND MADE NECESSARY MODIFICATIONS.                                                                                                                                      |                                                                                                                          |                 |
| NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SOMERSET, KENTUCKY:                                                                                                                                                                    |                                                                                                                          |                 |
| SECTION 1.                                                                                                                                                                                                                          | THAT THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2005 AND ENDING JUNE 30, 2006 IS HEREBY ADOPTED AS FOLLOWS: |                 |
|                                                                                                                                                                                                                                     | REVENUE                                                                                                                  | EXPENDITURES    |
| GENERAL FUND                                                                                                                                                                                                                        | \$12,444,163.00                                                                                                          | \$12,444,163.00 |
| SANITATION SERVICE                                                                                                                                                                                                                  | \$2,048,500.00                                                                                                           | \$2,048,500.00  |
| OAS SERVICE                                                                                                                                                                                                                         | \$13,009,300.00                                                                                                          | \$13,009,300.00 |
| WATER SERVICE                                                                                                                                                                                                                       | \$5,731,000.00                                                                                                           | \$5,731,000.00  |
| WASTEWATER                                                                                                                                                                                                                          | \$2,602,800.00                                                                                                           | \$2,602,800.00  |
| WATER PARK                                                                                                                                                                                                                          | \$7,500,000.00                                                                                                           | \$7,500,000.00  |
| PARKS AND REC                                                                                                                                                                                                                       | \$605,600.00                                                                                                             | \$605,600.00    |
| TOTAL ALL FUNDS                                                                                                                                                                                                                     | \$43,941,363.00                                                                                                          | \$43,941,363.00 |
| SECTION 2.                                                                                                                                                                                                                          | THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS PASSAGE AND UPON PUBLICATION.                                                 |                 |
|                                                                                                                                                                                                                                     | FIRST READING _____                                                                                                      |                 |
|                                                                                                                                                                                                                                     | SECOND READING _____                                                                                                     |                 |
|                                                                                                                                                                                                                                     | APPROVED _____                                                                                                           |                 |
|                                                                                                                                                                                                                                     | J P WILES, MAYOR<br>CITY OF SOMERSET, KENTUCKY                                                                           |                 |
| ATTEST:                                                                                                                                                                                                                             | DAVID GODSEY, CITY CLERK                                                                                                 |                 |

Mr. Floyd moved to approve the above Ordinance on its first reading. Mr. Wheeldon seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. New, Mrs. Hunley, Mr. Minton, Mr. Burnett, Mr. Rutherford, Mrs. Norfleet, Mr. Floyd, and Mr. Wheeldon. Voting “Nay”: Mr. Mitchell, Mr. Beasley, and Mr. Girdler.

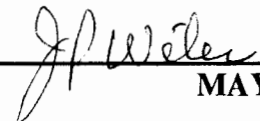
Mr. Floyd moved to have the Fire Committee, EMS Committee, EMS Chief, Fire Chief, Fire Commission, and Council set a meeting to resolve the merger for Fire/EMS. Mr. Wheeldon seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. New, Mrs. Hunley, Mr. Minton, Mr. Burnett, Mr. Rutherford, Mrs. Norfleet, Mr. Floyd, and Mr. Wheeldon, Voting "Nay": Mr. Mitchell, Mr. Beasley, and Mr. Girdler.

There being no further business the meeting adjourned.

ATTEST:



CITY CLERK

APPROVED 

MAYOR