MINUTES OF MEETING HELD NOVEMBER 13, 2006

The Common Council of the City of Somerset, Kentucky met in regular session on Monday, November 13, 2006 at 7:00 p.m. with the following present: Mayor JP Wiles. Council Members: Jerry Burnett, Tim Rutherford, Clarence Floyd, Mark Beasley, Jerry Girdler, Charlie New, Donna Hunley, John Minton, Jim Mitchell and Fonda Crawford. Deputy City Clerk Janet Wilson and City Attorney Joe Travis. Absent: Council Members Joann Norfleet and Jerry Wheeldon.

Mrs. Crawford moved to approve the request of Water Park Manager FaithAnne Molyneaux request to set the 2007 summer pass prices and to adjust park policies regarding the tube slide height requirements and the low attendance policy. Mr. Beasley seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burnett, Mr. Rutherford, Mr. Beasley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell and Mrs. Crawford. Voting "Nay": Mr. Floyd.



<u>Proposant</u>; Adjust Summer 2007 Summer Pass Price to. \$49.95 December 1 - May 25 (from \$39.95) \$69.95 May 26 - September 3 (from \$59.95)

Simmer Passes will be offered at a \$20 discount per pass prior to opening day Opening hay for Surrimer 2007 is May 2b. We are starting the pass sale in Ducernibor in order for our guests to purchase Surrimer 2007 passes as holiday gifts.

SomeiSplash will accept cash, check, money order, Visa & MasterCard. All inturnation is available online at www.SomeiSplash.com

Every person purchasing a Summer 2007 will receive a copy of the SomerSplash park policies.

Local sales fax will be added to all pass purchases

SomerSplash will once again affor a payment plan option for those who wish to make payments on their passes. Payments must be completed by May 1, 2007.

Proposal; Adjust Park Policy: Tube Stide

<u>Current Description</u>:

<u>Lull Splant 51279</u> - For our guests under 48 inches rail or those not wishing to ride the large markets

stake. Allows for corry at hidder Play and The Lary River. Must be at least 48 in thes fall to ride Lary.

Ridin: A. Shidin: \$13.95. For our goests at least 48 inches rall wishing to rule the large outdoor sides. Allows for entry at Kiddie Play and The Lazy River as well.

<u>Rictin' & Silctin' - \$14.95</u> - For our guest's at least 48 inches tall, who wish to nde the large sides. Fadin' & Sildin' includes everything in the parkt Body Sildes Tabe Silde, Lazy River, Kiddie Play and The Wave Paol. No guest undar 48 inches fall

Explanation:
Pilot to opening day, we were informed that there was not a height requirement attached to the full-e slide. Upon meeting with a expresentative from Splashtacular, the manufacturer of the slide, we learned the contractor had made a mistake – each inder must be of least 48 inches full to lide oil slides.

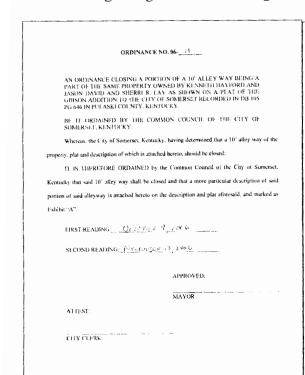


EXTRIPLIBRIONS.

Currently the policy states that if there are less than 20 people in the park at least at hour piror to alexang, management can alose the park.

For Summer 2006, our doily average attendance was 581 people, with the high at 1223 kew of 31. We were required to stay open based on our current policy with only 31 people in the park

Second reading was given the following Ordinance:



LEGAL DESCRIPTION

JASON DAVID & SHERRIR LAY

09-21-06

A PORTION OF HE ALLEY

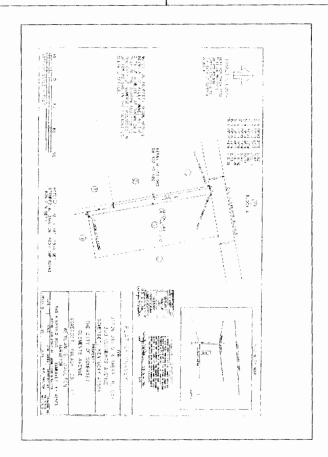
A certain tract of land in the City of Somerset, Puluski Co., Kentucky,

POINT CLI BEGINNING, a '9"'s 18" Robar Set samped W. Daufton (Red) cup #246). thereinather referred to use an front Pin Set 20" from the centering to Ciments Account at a 10" Alley, a corner to Lot 18's. Black Six, Gibson Addition to the City of Someres (11h) 105 ½g 646; and the person tract. The City of Someres (11h) 105 ½g 646; as corner to Lot Six, Black Six, Gibson Addition to the City of Someres (11h) 105 ½g 646; as corner to Lots Six, and Edition. The City of Someres (11h) 10 degrees 14 minutes 40 seconds West for a distance of 3 50.10 feet to a 1" Ptype Found at the Alley South Bodgees of Indiance Cli 11h 100 feet to a 1" Ptype Found at the Alley South Bodgees Of minutes 40 seconds West for a distance of 3 50 feet to an fron Pin Set of a distance of 3 50 feet to an fron Pin Set 60.8" from a fence. 11EE/City parallel with the lence North 10 degrees 14 minutes 40 seconds West for a distance of 13 60 feet to an fron Pin Set 60.8" from a fence. 11EE/City parallel with the lence North 10 degrees 14 minutes 40 seconds West for a distance of 13 70 feet to an fron Pin Set 20" from the centerline of Ciencuits Account. (11EMCL; parallel with the centerline of Ciencuits Avenue. (11EMCL; parallel with the centerline of Ciencuits Avenue North 70 degrees 41 minutes 21 seconds Pass for a distance of 13 70 feet to the PDNN 10" OF BEGINNING. Tagether with mad subject to coveriousts, essentions, and restrictions of record. Said property contains 0.12 access more or less, as surveyed by Weylsta G. Daudon PLS 2424 of no 09-21-2006.

The source of till for this property to protion at 11 Maley Cheine a port of the source.

The source of fille for this property (a portion of a 10° Alley) being a part of the same property owned by the City of Somenset as shown on a plat of the Gibson Addition to the City Somenset recorded in 10b 105 Pg 646 in the Pulaski Co., Kentocky Clerk's Office.





Mr. Floyd moved to approve the above Ordinance on its second reading regarding closing the alley between Clements Avenue and Cooper Drive. Mr. Mitchell seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burnett, Mr. Rutherford, Mr. Floyd, Mr. Beasley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell and Mrs. Crawford.

Mr. New moved to approve the minutes of the last regular meeting held on October 23, 2006 and the reports be approved as delivered. Mr. Rutherford seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burnett, Mr. Rutherford, Mr. Floyd, Mr. Beasley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell and Mrs. Crawford.

Mr. Burnett moved to approve all department bills. Mr. New seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burnett, Mr. Rutherford, Mr. Floyd, Mr. Beasley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell and Mrs. Crawford.

Mr. Beasley moved to approve the following Resolution between City of Somerset and the Transportation Cabinet. Mr. Burnett seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burnett, Mr. Rutherford, Mr. Floyd, Mr. Beasley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell and Mrs. Crawford.

11/6/2006 0:28:12 AM JJUMI	ES 502 GB6 5275	Pago 7	11/8/2000 8.29.19 AH	JJONES	502 696-5275	Раде в
RECOUNTY OF Pulsaks Incorporated Area of Somers	<u>5 0 L U 7 I 0 M</u>		is hereby author forth on behalf County, and the directed to cert	ized and d)rected to of the Legislative City Clark of Somer of theseto.	of the said Incorpor to sign said Agreement e Body of Sumerset, creet is hereby authorities.	nt as set Pulaski rized and
a Municapal Road Agreement between of Commonwealth of Kee Department of Gover- all attests referre which are a part of	and approving the execution of Aid Discretionary Bond Fund the Incorporated Area and the stucky. Transportation Cebinet, numeral Fall-stone and accepting of to therein as being streets the Incorporated Area.	Area	Follows: ATES The Minister of Minister o		NAYS	
The Legislative Body of the Incorporated Area does hereby accept all streets referred to in said Agreement as being city streets which are a part of the Incorporated Area; and The Legislative Body of the Incorporated Area does hereby tacify and adopt all stalmants, representations, warranties, covenants, and agreements contained in said Agreement and doug hereby accept and Agreement and by such acceptance agrees to all the terms and conditions therein stated, and Fage 1 of 2		COMMONNEALTH OF KENTUCKY) SS: INCORPORATED AREA OF SCHERSET J. Drill Glidky				
				Page 2 of	£ 2	

11/6/2000 B	28:40 AM JJONES 500-636-5275 Fagn 2	11/6/2006 0.28.40 AM JUNES 502 698 5275 PARG 3		
11.0.10.0		11/6/2006 0.28.40 AM JJONES 502 896 5275 Pago 3		
	CITY OF SOME INFO ATTACHMENT TO AGREEMENT CHESTION FINE EXPLOYER	AGRIPMENT BETWEEN KYTC AND CITY OF SOMERNET. PERFORM BITCHINGA'S RESURFACING ON VARIOUS CITY STREETS. \$124,000 COURTONS BY MA.		
1	MAY STREET	AGREEMENT		
2.		This Agreement, entered into by and between the Commanwealth of Kentucky,		
3		Transportation Cabinet, Department of Governmental Relations (hereinafter called the Department)		
5		and the City of Comerset (hereinafter catted the City);		
6	SAGASSER STREET	and the City of correspon (nerelinance comed the City).		
7	SOUTH COLLEGE STREET	WITNESSETH		
8	NORTH COLLEGE STREET	WITHESSETH		
9	CHOMER STREET	WHEREAS, it would be to the benefit of the traveling public to perform hituminous		
'		repurfacing on various city streets (see attachment), which shall hereinafter be referred to as the		
j '		Project, and		
1		WHEREAS, the City has expressed its desire to perform the work for the		
	3 VENUTHE WAY 4 BROCKHAVEN DRIVE	aforementioned Project and to be responsible for all phases of the Project;		
	5 NORTH LINNWOOD DRIVE	NOW THEREFORE in consideration of these premises and the mutual coverants		
,	6 SOUTH ENNIWOOD DRIVE	contained herein, the parties agree as follows		
,	MAPLEWOOD DRIVE	! The Department shall be responsible for providing Municipal Road Aid		
	1	Discretionary Bend funding in an amount not to exceed \$233,000 for the abovementioned		
		Project		
		2. If Project is performed by Contract, the City shall employ only contractors		
		prequalified by the Kentucky Transportation Cablinel and shall comply with all legal bidding		
		requirements including, but not finited to, the provisions of KRS 45A and 424		
	1			
	fage , 41	Page Let 2 Pages		
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11/6/2006 8:26:49 AM 502-696-5275 11/6/2006 B.20 01 AM 502-696 5275 Page 5 AGREEMENT BETWEEN KYTC AND CITY OF SOMERSET. PERFORM BITCMINGUS RESURFACING ON VARIOUS CITY STREETS. \$233,000 CCIS ROND 51 NO. AGREEMENT BETWEEN KYLC AND CITA OF SOMERSET. PERFORM DITUMENOUS RESURFACING ON VARIOUS CITY STREETS. 4249,600 COSS BENDEFUND. 3. The City shall cause the Project to be constructed to a level which meets applicable 7. The City shall maintain for a period of three (3) years all records of material, city street and bridge standards (all bridges will be required to meet or exceed an HS-25 foading): ent, and labor costs involved in the performance of the work for the Project. In order to and all materials paid for by the Department used on, or incorporated into, the Project shall obtain reimbursement from the Department for the Project, the City shaft submit to the Office meet the requirements specified in the Highway Department's Specifications for Road and Bridge of Rural and Secondary Roads documented invoices of materials, equipment, and labor used Construction Edition of 2004 State Specifications. The City will obtain any required permits on the Project, including certification that the work was accomplished on a publicly approval of plans for work to be accomplished on state-owned right-of way from the Cabinut's District s Office in Somerset, KY. The City hereby agrees to put forth a reasonable effort to op-maintenance 8 The City may submit current billing reflecting the actual cost of the project during ids listed herein prior to Nijuminous surface being applied. Maintenance being defined hut not any given work period. This bill should indicate if it is for partial payment or final payment. The limited to proper ditching, cleaning or replacement of clogged or deficient drain tiles, proper shouldering, and any other ohvious maintenance the road may need. On bituminous mital treatment current hillings will be paid within a reasonable time after receipt of same by the Department, however, in no event is the City to submit billings for work performed for less than a thirty-day (30) ects, the road shall be prepared and shaped to allow for proper runoff of water and for a uniform 4. The City shall indemnify and hold harmless the Department and all of its officers, 9. The Department reserves the right to inspect the methods used in order to perform agents, and employees from all suits, actions, or claims of any character hecause of any injuries or the wark necessary to successfully complete the Project and also reserves the right to cease all work damages received by any person, persons, or properly resulting from construction of the Project. commenced under the terms of this agreement at any time The City will pass the attached Resolution and a copy of that resolution shall be 5. The Department shall reimburse the City up to \$233,000 for completion of work by the City under the obligations of this Agreement for the Project. If the actual cost of the project is attached to and made a part of this Agreement. less than \$233,000 the excess lunds shall be crudited back to the Municipal Road Aid Discretionary 5. Any other costs necessary to accomplish the work for the Project shall be borne by the City, however the City shall not be required to expend any more than \$233,000, which represents the total obligation of the Department Page 2 of 4 Pages

	11/6/2006 8:29:01 AM	JUTHES	603.004.004			
			502-036 5275	Page 6		
	ACREMINT BY INDO NEXT, AND CITY OF SOMERNET. PERFORM SETT MENOLS REST RESULTED ON VARIOUS CITY ATRIBETS. \$2.10,000 CONDUCTOR DESCRIPTION.					
	IN WITNESS WHEREOF, the parties have caused this agreement to be executed by its					
- [officers, theraunto duly authorized					
	CITY OF SOMERGE!					
		By MAYOH		Date 11-15 6		
		DEPARTMENT OF	GOVERNMENTAL HELAT	FIONS		
		ByCOMMISSION	NEA	Date		
		COMMONWEALTH TRANSPURTATION	OF KENTUCKY CABINET			
		BYSECRETARY		Dute:		
	APPROVED AS TO FORM AND LEGALITY					
	By OFFICE OF LEGAL SERIV	Dule				
		Page 4 of a c	ayra			
		1 1/2 1 1 1 1 1	J			

Mrs. Crawford moved to refund the following amounts paid on 2006 City taxes: Brenda Jean Burton, 206 Marin Drive, Somerset, KY 42503 in the amount of \$59.67 for a Homestead Exemption. Lenard & Sandra Dalton, 605 E. Bourne Ave, Somerset KY 42501 in the amount of \$147.27 for a Homestead Exemption. Don & Margaret Gossett, 110 Farmer Street, Somerset KY 42501 in the amount of \$74.25 for a Homestead Exemption. Richard & June Alfaro, 135 Langdon Street, Somerset KY 42501 in the amount of \$59.67 for a Homestead Exemption. Refunds on 2005 City taxes: Richard & June Alfaro, 135 Langdon Street, Somerset KY 42501 in the amount of \$56.76 for a Homestead Exemption. Mr. Rutherford seconded the motion. Upon roll call the following Council Members voted "Aye": Upon roll call the following Council Members voted "Aye": Mr. Burnett, Mr. Rutherford, Mr. Floyd, Mr. Beasley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell and Mrs. Crawford.

City of Somerset

31 VMer: Mayor Deed Collect Cey Clerk



November 3, 2006

Somerset City Conned City Half 400 E. Mt. Vernon Street Somerset, Kentucky (2801

Dear Councilors:

Lan writing in behalf of <u>Brenda Jean Borton</u>, <u>206 Mario Drive</u>, <u>Somerice SY 42503</u> who recognisting a related on their previously grad <u>2000</u> City tases. Mr. T.W. Todd, Property Volumen Administration, has issued a cred by the art <u>Physics Collegengroup</u> or the amount of 529,489. The amount of 639,489. The amount of 639,489. The amount of 639,489.

Muse (Kdo) 2 David Gotsey City Clerk

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City of Somerset

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(Color) (Color) (AA)



November 3, 2006

Mr. Wilson Scars, Superintendent Someost Board of Education 305 College Societ Somerset, Kennicky 42501

Dear Mr. Sears:

Lancevitage in behalf of <u>Lennal S. Sanha Delton</u>, 605 L. <u>Hearns</u>. Ass., Somework, K.). <u>1520</u>1 else or requesting a columb on their previously and 2008 Somework behapendern. School curves. Mr. W. Tookh, Despects Voluntian Administrate, has estud a verbal for a <u>18pm shool Lecentral</u> in the amount of <u>520,000</u>, the amount of reland use is <u>5142.2</u>° thost year.

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Equal Opportunity Employer M.F.O (606)676 \$176 (100)

City of Somerset

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City of Somerset

400 Cast Mt. Verron Street F. O. Bris 989 SOMEN AT, ENTRANY Lands (COURT'S 2451 (FAS)



November 6, 2006

Somerset City Council City Hall 400 h. Mt. Venton Street Somerset. Kenticky 42501

Lim writing in behalf of <u>Don & Margaret Gorsett, 110 Framer Street, Somerget, KY</u> 42201 who is requesting a reland on their preciously poid 2005 Coy Joses, Mr. LW Told, Property Valuation Administration, his soas die verblid speed 450 <u>Mores College Corporation</u> in the amount of \$12,000 The amount of reland due is \$28,50. Thank you.

David Ginlscy

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November 3, 2006 Sometset City Council City Hall 400 h. Mt. Vernon Street Somerset, Kentucky 42501

Dear Councilors:

Lan woring in behalf of <u>Rechert & Jone Allero</u>, U.S.Langshot Steen, Summard, K.S. 42201 when is respecting a retired on their personally mad 2006 Gry taxes. Mr. T.W. Took! Property Valiation Admirastrato, his issued a credit high or a <u>Higgs Gual</u> Exemption in the amount of \$29,000. The amount of reland due is \$29.07. Thous you

Sincerely.

David Goods y
City Clerk

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City of Somerset

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November 3, 2006

Somerset City Conneil City Hall 400 fr Mt. Vernon Street Somerset, Kennecky 42501

Lan writing to behalf of Rysbard & Jone Alfaire, 135 Langdon Street, Sometser, KY 42/91, Mayor respecting a neifful on their preciously paid 2035 City taxes. Mr. L.W. Todd, Property valuation Administration has based a could by for a Homesteed Exemption in the amount of \$29,000. The introduct of refund due to \$56.76. Thank you.

Sneedely,

Client Houses

Cay Clerk

1074303-01 REPER AND 3005
TO HAVE STORMED TO STORMED TO

First reading was given the following Ordinance:

ORDINANCE NUMBER 06-12

AN ORDINANCE AMENDING THE CITY OF SOMERSET, KENTUCKY ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2006 AND ENDING JUNE 30, 2007 ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS OF THE CITY OF SOMERSET, KENTUCKY.

Mr. Beasley moved to approve the above Ordinance amending 2006-2007 budget to transfer funds in order to pay the \$5 Million Water Park debt off on its first reading. Mrs. Crawford seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burnett, Mr. Rutherford, Mr. Beasley, Mr. Girdler, Mr. New, Mr. Minton, Mr. Mitchell and Mrs. Crawford. Voting "Nay": Mr. Floyd. Choosing to "Pass": Mrs. Hunley.

There being no further business the meeting adjourned.

		APPROVE	D
			MAYOR
ATTEST:	CITY CLERK		