

## MINUTES OF MEETING HELD DECEMBER 10, 2007

The Common Council of the City of Somerset, Kentucky met in regular session on Monday, December 10, 2007 at 7:00 p.m. with the following present: Mayor Eddie Girdler. Council Members: Tim Rutherford, Jim Rutherford, Linda Stringer, James Eastham, Steve Kelley, Jerry Girdler, David Childers, Donna Hunley, John Minton, Jim Mitchell, Pat Bourne, and Jerry Burnett. City Clerk David Godsey and City Attorney Carrie Wiese.


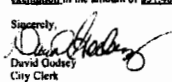
Attorney Bruce Orwin was present as legal council.

Mr. Bourne moved to approve the minutes of the last regular meeting held on November 26, 2007 along with the reports to be approved as mailed. Mr. T. Rutherford seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. T. Rutherford, Mr. J. Rutherford, Mrs. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler, Mr. Childers, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, and Mr. Burnett.


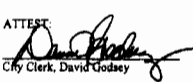
Mr. T. Rutherford moved to go into executive session to discuss personnel issues and possible litigation. Mr. Girdler seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. T. Rutherford, Mr. J. Rutherford, Mrs. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler, Mr. Childers, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, and Mr. Burnett.

No action taken in executive session.

Mr. Burnett moved to refund the following amount paid on 2007 taxes: Ralph & Bonnie Simpson 218 Burke Drive Somerset, KY in the amount of \$59.38 for a disability exemption. Mr. Mitchell seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. T. Rutherford, Mr. J. Rutherford, Mrs. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler, Mr. Childers, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, and Mr. Burnett.

City of Somerset	
Lodie R. Girdler Mayor	400 East Mt. Vernon Street P.O. Box 590 SOMERSET, KENTUCKY 42502 (606) 678-6388 (606) 678-2481 (FAX)
David Godsey City Clerk	
December 5, 2007	
Somerset City Council City Hall 400 E. Mt. Vernon Street Somerset, Kentucky 42501	
Dear Councilors:	
I am writing on behalf of <u>Ralph &amp; Bonnie Simpson 218 Burke Drive Somerset, KY</u> \$2,501 who is requesting a refund on their previously paid 2007 City taxes. Mr. T.W. Todd, Property Valuation Administrator, has issued a credit slip for a <u>disability exemption</u> in the amount of \$21,450. The amount of refund due is \$59.38. Thank you.	
Sincerely,  David Godsey City Clerk	To: DAVID GODSEY, School Tax Collector Credit: <u>Simpson, Ralph &amp; Bonnie</u> Address: <u>218 Burke Drive</u> # <u>1000</u> VALUATION <u>1000</u> Real Estate <u>1000</u> who has been assessed for Somerset City School Taxes for the year 2007 The reason for this credit is <u>disability exemption</u> Date <u>12-5-07</u> By <u>David Godsey</u>
Equal Opportunity Employer M/F/D 10003678-3178 (TOD)	

Mr. Eastham moved to approve the following Resolution of Agreement with the Somerset Cemetery to help maintain the grounds, do reasonable repairs, and preserve the historical value and interest of the City of Somerset Cemetery. Mr. Burnett seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. T. Rutherford, Mr. J. Rutherford, Mrs. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler, Mr. Childers, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, and Mr. Burnett.

<p style="text-align: center;"><b>RESOLUTION AND AGREEMENT</b> <b>CITY OF SOMERSET, KENTUCKY</b></p> <p>A RESOLUTION AND AGREEMENT OF THE COUNCIL FOR THE CITY OF SOMERSET, KENTUCKY, TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE "SOMERSET CEMETERY". A PRIVATE NON-PROFIT ENTITY FOUND WITHIN THE INCORPORATED BOUNDARIES OF THE CITY OF SOMERSET, IN ORDER TO HELP MAINTAIN THE GROUNDS, MAKE REASONABLE REPAIRS, AND PRESERVE THE HISTORICAL VALUE AND INTEREST OF THE CITY OF SOMERSET CEMETARY.</p> <p>WHEREAS, the City of Somerset, Kentucky, by and through the City Council, has agreed with the Somerset Cemetery Governing Board that it shall provide routine maintenance to the grounds of the property known as "Somerset Cemetery", whose main entrance is located on Columbia Street within the corporate boundaries of the City of Somerset; that the City shall provide reasonable and minor repairs when and where needed on said property in order to keep said property open to the public and safe for the benefit and enjoyment of the citizens of this community; and that the city shall provide assistance in preserving the historical aspects of said property for present and future generations of the City of Somerset;</p> <p>WHEREAS, it is recognized that the City and the City Council of Somerset has the authority to spend public funds on such property and for the benefit of a non-profit organization such as the one at hand in order to preserve the history and maintain the property for the safety and benefit of all citizens of the City of Somerset and of Pulaski County, both present and future;</p> <p>NOW THEREFORE, be it resolved and ordained by the Common Council of the City of Somerset, Kentucky this <u>10<sup>th</sup></u> day of <u>December</u>, 2007, that:</p> <ul style="list-style-type: none"><li>I. That the City hereby states that it shall provide support in the form of routine maintenance, reasonable and minor repairs, and preservation of the Cemetery's history, so long as said maintenance, repairs, and preservation is in accordance with all applicable law of the State of Kentucky.</li><li>II. That the City or the Somerset Cemetery, through action of their governing bodies, shall be allowed to withdraw from this agreement by giving sixty (60) days notice to the other party at any time the relationship is no longer beneficial, monetary or otherwise, or at any time the relationship is no longer in accordance with law.</li><li>III. This resolution shall be in full force and effect upon passage by the common council and according to law.</li></ul>	<p>Approved by the Common Council of the City of Somerset on this the <u>10</u> day of <u>December</u>, 2007. Motion by: <u>Mr. Bourne</u> and seconded by <u>Mr. Eastham</u>, Members present voting <u>12</u> in favor.</p> <p style="text-align: right;"> Mayor, Eddie Girdler</p> <p>ATTEST  City Clerk, David Godsey</p> <p style="text-align: center;">2</p>
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Mr. Bourne moved to approve an Entertainment Permit for Cruisers Showcase located at 1340 S. Hwy 27. Mr. Eastham seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. T. Rutherford, Mr. J. Rutherford, Mrs. Stringer, Mr. Eastham, Mr. Girdler, Mr. Childers, Mrs. Hunley, Mr. Minton, Mr. Mitchell, and Mr. Bourne. Voting "Nay": Mr. Kelley and Mr. Burnett. Motion Passed.

**City of Somerset**

Eddie R. Girdler  
Mayor

David Godsey  
City Clerk

400 East Mt. Vernon Street  
P.O. Box 988  
SOMERSET, KENTUCKY 42503  
(606) 779-2388  
(606) 779-2481 (FAX)

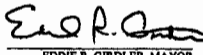


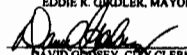
PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT CRUISERS SHOWCASE HAS REQUESTED AN ENTERTAINMENT PERMIT. THE PLACE OF ENTERTAINMENT IS LOCATED AT 1340 S. HWY 27, SOMERSET, KENTUCKY 42503.

IN COMPLIANCE WITH CITY ORDINANCE # 88-17, NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY AT ITS REGULAR MEETING PLACE IN THE COUNCIL CHAMBERS AT CITY HALL 400 EAST MOUNT VERNON STREET, SOMERSET, KENTUCKY ON DECEMBER 19, 2007 AT 8:30 PM. THE PURPOSE OF THIS HEARING IS TO DETERMINE WHETHER OR NOT THE ENTERTAINMENT PERMIT SHOULD BE ISSUED TO CRUISERS SHOWCASE.

ANY PERSON DESIRING TO BE HEARD SHALL HAVE FILED IN WRITING ALLEGATIONS THAT SHOW CAUSE AS TO WHY THE PERMIT SHOULD NOT BE ISSUED.

  
EDDIE R. GIRDLER, MAYOR

  
DAVID GODSEY, CITY CLERK

Equal Opportunity Employer M/F/D 8003676-0176 (TDD)


Mr. Girdler moved to approve an Entertainment Permit for Brandywine Studios located at 220 ½ East Mt.Vernon Street. Mr. Bourne seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. T. Rutherford, Mr. J. Rutherford, Mrs. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler, Mr. Childers, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, and Mr. Burnett.

Eddie R. Girdler  
Mayor

David Godsey  
City Clerk

City of Somerset

400 East Mt. Vernon Street  
P.O. Box 989  
SOMERSET, KENTUCKY 42502  
(606) 679-4390  
(606) 679-2441 (FAX)

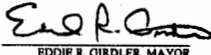


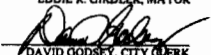
PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT BRANDYWINE STUDIOS HAS REQUESTED AN ENTERTAINMENT PERMIT. THE PLACE OF ENTERTAINMENT IS LOCATED AT 220 1/2 EAST MT. VERNON STREET, SOMERSET, KENTUCKY 42501.

IN COMPLIANCE WITH CITY ORDINANCE # 88-17, NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY AT ITS REGULAR MEETING PLACE IN THE COUNCIL CHAMBERS AT CITY HALL, 400 EAST MOUNT VERNON STREET, SOMERSET, KENTUCKY ON DECEMBER 10, 2007 AT 6:30 PM. THE PURPOSE OF THIS HEARING IS TO DETERMINE WHETHER OR NOT THE ENTERTAINMENT PERMIT SHOULD BE ISSUED BRANDYWINE STUDIOS.

ANY PERSON DESIRING TO BE HEARD SHALL HAVE FILED IN WRITING ALLEGATIONS THAT SHOW CAUSE AS TO WHY THE PERMIT SHOULD NOT BE ISSUED.

  
EDDIE R. GIRDLER, MAYOR

  
DAVID GODSEY, CITY CLERK

Equal Opportunity Employer M/F/D 602679-0176 (TDD)

Second reading was given the following Ordinance:

ORDINANCE NO. 87-24

AN ORDINANCE AMENDING ORDINANCE NO. 00-18, KNOWN AS THE ZONING ORDINANCE AND ALTERING THE ZONING MAP, BY CHANGING A BOUNDARY OF LAND NOW ZONED R-1 TO R-1A.

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, be and the same is hereby amended by altering the Zoning Map in the following manner:

I. By changing a boundary of land being zoned R-1 to land being zoned R-1A, more particularly described as follows:

BEGINNING at a 1/2 inch iron pin and cap in the Right-of-Way line of Jarvis Avenue (KY Hwy 769); thence along said Right-of-Way line S 31° 39' E for a distance of 250 feet to an iron pin in said Right-of-Way line at an existing gravel drive; thence S 62° 41' W for a distance of 307.05 feet to a 1 1/4 inch steel pipe in line of Max Hughes; thence N 07° 06' W for a distance of 293.54 feet to a 1/2 inch iron pin and cap, corner to Richard Strunk; thence N 67° 39' E for a distance of 187.13 feet to the point of beginning.

The foregoing described property includes Lots I-VIII of Silver Circle Development. However, Lot V is excepted from this re-zoning ordinance and will remain zoned as R-1, being more particularly described as follows:

BEGINNING at the 1 1/4 inch steel pipe of Stewart and Max Hughes; thence N 07° 06' W for a distance of 147.3 feet to a stake in the line of Stewart and Watkins; thence N 64° 10' E for a distance of 78.62 feet to a stake in the Right-of-Way line of Silver Circle Development; thence with the Right-of-Way line and along the cul-de-sac with a 40 foot radius with an arc length 60.42 feet and a chord length of 34.84 feet with the chord bearing being S 51° 31' 19" E and the delta angle being 86° 32' 39"; said parcel/lot containing 13,741 sq. feet and subject to a Detention Basin of 7,241 sq. feet.

All of said property described above being the same property conveyed to Stewart Development, Inc., by Dean Stewart and Carolyn F. Stewart, Deed Book 730, Page 006, Pulaski County Court Clerk's Office, Kentucky.

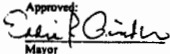
II. The City Clerk of the City of Somerset, Kentucky is hereby authorized to alter the Zoning Map to reflect said change.


III. This Ordinance shall be in full force and effect from and after adoption.

1

FIRST READING November 26, 2007

SECOND READING December 10, 2007

Approved:  
  
Mayor

ATTEST:  
  
City Clerk

2

Mr. Mitchell moved to approve the above ordinance regarding zone change on Jarvis Avenue on its second reading. Mrs. Stringer seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Mrs. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler, Mr. Childers, Mrs. Hunley, Mr. Minton, Mr. Mitchell, and Mr. Bourne.

Second reading was given the following Ordinance:

ORDINANCE NO. 07-25

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, REPEALING ORDINANCE NUMBER 351 AND ANY AMENDMENTS ENACTED REGARDING SAID ORDINANCE; SETTING FORTH THE NEW RULES AND REGULATIONS REGARDING ABANDONED, JUNKED AND INOPERATIVE MOTOR VEHICLES, WATERCRAFT, AND APPLIANCES LOCATED ON PROPERTY WHICH IS WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF SOMERSET.

- Ordinance to large for file. Complete copy on file at City Clerk's Office.

Mr. Burnett moved to approve the above ordinance repealing Ord. 351 regarding abandoned, junked and inoperative vehicles, watercraft and appliances on its second reading. Mr. T. Rutherford seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Mrs. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler, Mr. Childers, Mrs. Hunley, Mr. Minton, Mr. Mitchell, and Mr. Bourne.

First reading was given the following Ordinance:

ORDINANCE NO. ~~07-24~~

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, CHANGING THE NAME OF A PORTION OF A STREET LOCATED WITHIN THE CITY'S CORPORATE LIMITS, SAID STREET NOW KNOWN AS SOUTH MAPLE STREET,

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

- I. That a portion of South Maple Street located within the City of Somerset, specifically from the intersection of East Mt. Vernon and South Maple Street, said portion running North to South to the dead end of South Maple Street be hereafter named and known as MARTIN LUTHER KING DRIVE, and that all addresses regarding the street name, business or otherwise, on said street be changed from South Maple Street to Martin Luther King Drive, and all said addresses on said portion of street shall keep the house/building numbers presently assigned to them but shall reflect the name change of the street as set forth above for all purposes.
- II. That all ordinances or parts thereof in conflict herewith are hereby repealed and that the city street system and map shall reflect the changes set forth herein.
- III. This ordinance accepting the name change of the above described street shall be in full force and effect upon passage, approval, and publication according to law.

FIRST READING December 10, 2007

SECOND READING \_\_\_\_\_

Approved: \_\_\_\_\_

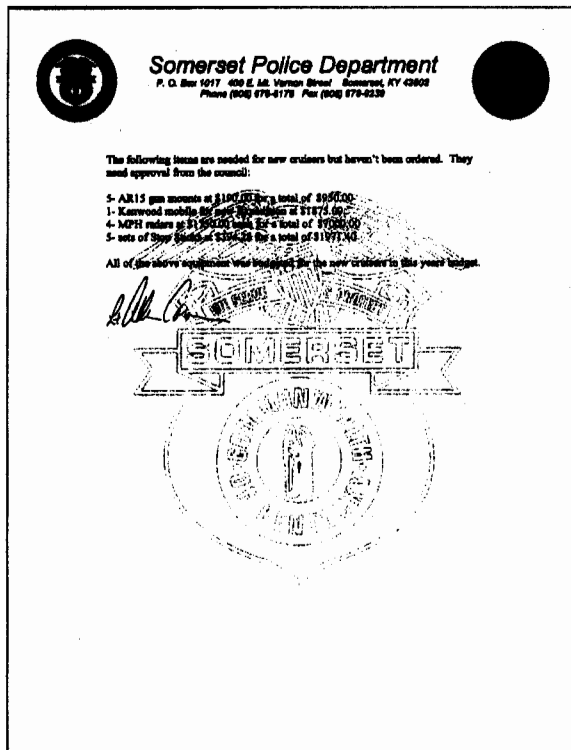
Mayor, Eddie Girdler

ATTEST: \_\_\_\_\_

City Clerk, David Godsey

Mr. Childers moved to approve the above ordinance regarding changing the name of S. Maple Street to Martin Luther King Drive on its first reading. Mr. Kelly seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Mrs. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler, Mr. Childers, Mrs. Hunley, Mr. Minton, Mr. Mitchell, and Mr. Bourne.

Mr. J. Rutherford moved to approve a request from the Police Department for items needed for new cruisers. Mr. Mitchell seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Mrs. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler, Mr. Childers, Mrs. Hunley, Mr. Minton, Mr. Mitchell, and Mr. Bourne.



There being no further business the meeting adjourned.

APPROVED \_\_\_\_\_  
MAYOR

ATTEST: \_\_\_\_\_  
CITY CLERK