

MINUTES OF MEETING HELD JANUARY 12, 2004

The Common Council of the City of Somerset, Kentucky met in regular session on Monday, January 12, 2004 at 7:00 p.m. with the following present: Mayor: JP Wiles. Council Members: Joann Norfleet, Clarence Floyd, Jerry Wheeldon, Mark Beasley, Charlie New, Donna Hunley, John Minton, Earl Owens, Pat Bourne, and Jerry Burnett. City Attorney Joe Travis, and City Clerk David Godsey. Absent: Council Member Jerry Girdler, and Peggy Dugger.

Mr. Beasley moved to approve the minutes of the last regular meeting held on December 8, 2003 and the reports be approved as delivered. Mr. New seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Owens, Mr. Bourne, and Mr. Burnett.

Mr. Wheeldon moved to approve all department bills. Mr. Floyd seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Owens, Mr. Bourne, and Mr. Burnett.


Second reading was given the following Ordinance:

<p>ORDINANCE NO. 03- <u>11</u></p> <p>ESTABLISHING THE "PRIDE SPECIAL SERVICE AREA NO. 1"</p> <p>WHEREAS failing septic tanks and other on-site wastewater disposal systems along the U.S. 27, south corridor are creating non point source pollution of Lake Cumberland, and</p> <p>WHEREAS such discharges are a threat to the health and safety of Somerset, Putniski County residents and visitors, and</p> <p>WHEREAS failing wastewater systems jeopardize the safety and reliability of the Somerset Water Treatment Plant, the primary provider of potable water to the area, and</p> <p>WHEREAS the City of Somerset desires to make sanitary sewer service available to allow the abandonment of such failing systems and to provide wastewater service to the corridor along U.S. 27 south thus preventing continuance of pollution and creating a condition conducive to development.</p> <p>WHEREAS the area of initial wastewater service area shall be along the U.S. 27 highway south, from near Horseshoe Road to near the Somerset Water Treatment Plant. Be it further known that sanitary sewer system design for this critical area will be such as to ultimately accept all waste flow south of the Water Treatment Plant to Pitman Creek.</p> <p>WHEREAS the City of Somerset hereby establishes this area as "PRIDE SPECIAL SERVICE AREA NUMBER 1", and establishes a system of capital recovery charges to support construction of said wastewater facilities.</p> <p>WHEREAS the primary beneficiaries of the proposed system are deemed to be owners of property fronting on U.S. 27, south served by the project. Said beneficiaries shall be assessed a "capital recovery" fee based upon an estimated local share cost of \$300,000.00. Capital recovery assessment has been calculated to be \$29.95 per front foot of such properties, but may be adjusted as necessary after receipt of project construction bid and other project costs. Be it known that the City of Somerset Water Treatment Facilities possess approximately 1,071 linear feet of frontage and shall contribute its share in the amount \$32,075.47.</p> <p>Be it further known that in the event that benefiting property owners fail to pay their "capital recovery" assessment, such costs may be loaned by the City to assure project construction. The total amount loaned to the project by the City shall not exceed \$80,000.00. In the case of any such project loans, the City of Somerset shall file a lien against any such property and recover all loan costs as</p>	<p>a surcharge added to benefiting property owner's monthly sewer bill. Principal amount of such surcharge shall be the delinquent amount of the original assessment plus filing and processing costs and shall bear interest at the rate of 10 percent per annum. The term over which such surcharge shall be levied shall be 5 years.</p> <p>WHEREAS it is understood that the City of Somerset shall fully own and operate said "PRIDE SPECIAL SERVICE AREA NUMBER 1" wastewater transportation system and the subject users of same to monthly use charges on the basis of current and periodically adjusted rates for "outside" customers.</p> <p>Whereas, the City of Somerset shall extend the U.S. 27, south sewer project from time to time as it area fit to further reduce pollution from on-site disposal systems and/or to enhance the development potential of the service area. Capital recovery assessments may or may not be levied in such cases, depending upon finance vehicles available at the time and other factors.</p> <p>This "PRIDE Special Service Area Number 1" shall continue as a separate part of the Somerset wastewater system until changed by the City of Somerset's duly seated Council.</p>
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Mr. Bourne moved to refund the following amount paid on 2002 taxes: Michael Thomas DMD, 340 Bogle Street, Somerset, KY, in the amount of \$47.47 for an amended form sent in. 2003 taxes: Maranatha Inc., S. Hwy 27, Somerset, KY, in the amount of \$236.81 for an airplane double listed with David Morris. 2003 taxes: James and Mattie Perkins, 308 Bourne Ave., Somerset, KY, in the amount of \$141.96 for a Homestead Exemption. Mr. Beasley seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Owens, Mr. Bourne, and Mr. Burnett.

City of Somerset

400 East Mt. Vernon Street  
P.O. Box 989  
SOMERSET, KENTUCKY 42502  
(606) 678-6366  
(606) 678-2481 (FAX)



JP Wilson  
Mayor


David Godsey  
City Clerk

December 30, 2003

Somerset City Council  
City Hall  
400 E. Mt. Vernon Street  
Somerset, Kentucky 42501

Dear Councilmembers:

I am writing in behalf of Thomas, Mitchell 11011/1, 340 Bowls Street, Somerset, KY, who is requesting a refund on his previously paid 2003 City taxes. Mr. T.W. Todd, Property Valuation Administrator, has issued a credit slip for an Amended Form Sent In, in the amount of \$12,195. The amount of refund due is \$12,195. Thank you.

Sincerely,  
  
David Godsey  
City Clerk

5777251 2662

To: DAVID GODSEY, School Tax Collector

Credit: 5777251 2662

Address: 340 Bowls Street

Valuation: 12195 Real Estate: 12195 Personal: 0

who has been assessed for Somerset City School Taxes for the year 2003.


The reasons for this credit are: Amended Form Sent In

Date: 12/30/03 By: [Signature]

Equal Opportunity Employer M/F/V (606) 678-6176 (TDD)

City of Somerset

400 East Mt. Vernon Street  
P.O. Box 989  
SOMERSET, KENTUCKY 42502  
(606) 678-6366  
(606) 678-2481 (FAX)



JP Wilson  
Mayor

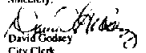
David Godsey  
City Clerk

December 18, 2003

Somerset City Council  
City Hall  
400 E. Mt. Vernon Street  
Somerset, Kentucky 42501

Dear Councilmembers:

I am writing in behalf of Maragatha Inc., S. Hwy 27, Somerset, KY, who is requesting a refund on their previously paid 2003 City taxes. Mr. T.W. Todd, Property Valuation Administrator, has issued a credit slip for an Airplane double listed with David Morris in the amount of \$104,000. The amount of refund due is \$104,000. Thank you.

Sincerely,  
  
David Godsey  
City Clerk

3/9/2004

To: DAVID GODSEY, School Tax Collector

Credit: Maragatha Inc.

Address: S. Hwy 27

Valuation: 104000 Real Estate: 104000 Personal: 0

who has been assessed for Somerset City School Taxes for the year 2003.


The reasons for this credit are: Airplane double listed with David Morris

Date: 3/9/04 By: [Signature]

Equal Opportunity Employer M/F/V (606) 678-6176 (TDD)

City of Somerset

400 East Mt. Vernon Street  
P.O. Box 989  
SOMERSET, KENTUCKY 42502  
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JP Wilson  
Mayor

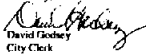
David Godsey  
City Clerk

December 18, 2003

Somerset City Council  
City Hall  
400 E. Mt. Vernon Street  
Somerset, Kentucky 42501

Dear Councilmembers:

I am writing in behalf of Perkins, James & Marie, 308 Bourne Ave, Somerset, KY, who is requesting a refund on their previously paid 2003 City taxes. Mr. T.W. Todd, Property Valuation Administrator, has issued a credit slip for a Homestead Exemption in the amount of \$28,000. The amount of refund due is \$28,000. Thank you.

Sincerely,  
  
David Godsey  
City Clerk

427840

To: DAVID GODSEY, School Tax Collector

Credit: Perkins, James & Marie

Address: 308 Bourne Ave

Valuation: 28000 Real Estate: 28000 Personal: 0

who has been assessed for Somerset City School Taxes for the year 2003.




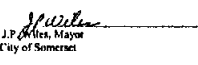
The reasons for this credit are: Homestead Exemption

Date: 12/17/03 By: [Signature]

Equal Opportunity Employer M/F/V (606) 678-6176 (TDD)

Mr. New moved to approve the following Resolutions. Mrs. Norfleet seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Owens, Mr. Bourne, and Mr. Burnett.

1/26/04 THE FOLLOWING RESOLUTION WAS AMENDED TO CHANGE BETTY BUTTE FROM DAVID GODSEY AS THE EEO OFFICER AND TITLE VI COORDINATOR.

<p>CITY OF SOMERSET</p> <p>RESOLUTION AUTHORIZING THE ACCEPTANCE OF HOME FUNDING FROM THE KENTUCKY HOUSING CORPORATION'S OPEN WINDOW FUNDING PROCESS FOR THE:</p> <p>SOMERSET SCATTERED SITE HOUSING HOMEOWNER REHABILITATION PROJECT II</p> <p>NOW, THEREFORE, BE IT RESOLVED THAT:</p> <p>WHEREAS, the City of Somerset is committed to eliminating poor housing conditions at scattered sites in the city,</p> <p>WHEREAS, the City of Somerset will enter into an agreement with the Kentucky Housing Corporation for the Somerset Scattered Site Homeowner Rehabilitation Project Phase II and will abide by all HOME Program requirements,</p> <p>NOW, THEREFORE, be it resolved that the Somerset City Council accepts grant funds from the Kentucky Housing Corporation's HOME Investment Partnership Program in the amount of \$141,493 for the Somerset Scattered Site Housing Homeowner Rehabilitation Project Phase II.</p> <p>ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOMERSET, KENTUCKY this 12th day of Jan, 2004.</p> <p>ATTEST:   J.P. Welch, Mayor</p>	<p>A RESOLUTION ADOPTING THE TITLE VI IMPLEMENTATION PLAN FOR THE CITY OF SOMERSET</p> <p>NOW, THEREFORE, BE IT RESOLVED THAT:</p> <p>WHEREBY:</p> <ol style="list-style-type: none"><li>Title VI of the Civil Rights Act of 1964 and its implementing regulations require that all state agencies and subrecipients receiving federal money to develop and implement plans to ensure that no one receiving benefits under a federally funded program is discriminated against on the basis of race, color or national origin.</li><li>The City of Somerset resolves to adopt the Department of Local Government's Title VI Plan (current edition).</li><li>The City of Somerset authorizes the Mayor to sign a Title VI Statement of Assurances and appoints David Godsey, City Clerk, as the EEO Officer and Title VI Coordinator and authorizes him to conduct a Title VI Self-Survey for the City of Somerset.</li></ol> <p>THE CITY OF SOMERSET HEREBY ADOPTS AND APPROVES THE TITLE VI IMPLEMENTATION PLAN FOR THE CITY OF SOMERSET.</p> <p>APPROVED THIS 12th DAY OF Jan, 2004, BY THE CITY OF SOMERSET, KENTUCKY.</p> <p>ATTEST: </p> <p> J.P. Welch, Mayor City of Somerset</p>
<p>CITY OF SOMERSET SCATTERED SITE PHASE II HOMEOWNER REHABILITATION PROJECT FAIR HOUSING PLAN</p> <p>SECTION 3 PLAN</p> <p>The City of Somerset will implement the following steps directed at increasing the opportunities for training and employment for lower income residents of Pulaski County and increasing the utilization of business concerns located within Pulaski County:</p> <ol style="list-style-type: none"><li>Identify projected workforce needs for all phases of the program by occupation, trade, skill level and number of positions and to develop utilization goals for the employment of lower income project area residents for each.</li><li>Attempt to recruit from within the county the requisite number of project area residents through local advertising media, posted signs, and community organizations and public and private institutions operating within or serving the project area.</li><li>Identify eligible business concerns for HUD-assisted contracts through the Chamber of Commerce, local advertising media, project committees, citizen advisory boards, lists available through CDBG or HOME officials, regional planning agencies and all other appropriate referral sources.</li><li>Maintain a list of eligible business concerns to ensure that all appropriate business concerns in the county are notified of pending contractual opportunities and to make available this list for county procurement needs.</li><li>Require all bidders for contracts in excess of \$100,000 to submit a written Section 3 Plan including utilization goals and the specific steps planned to accomplish these goals.</li><li>Insure that contracts in excess of \$100,000 which are typically let on a negotiated rather than a bid basis in areas other than Section 3 covered project areas are also let on a negotiated basis whenever feasible, when let in a Section 3 covered project area.</li><li>Maintain records, including copies of correspondence, memoranda, etc. which document that all of the above affirmative action steps have been taken.</li><li>Appoint an Equal Opportunity Officer for the city.</li></ol> <p>EQUAL EMPLOYMENT OPPORTUNITY</p> <p>The City of Somerset is an equal opportunity employer. The city will demonstrate its compliance with equal employment opportunity in the following manner:</p> <ol style="list-style-type: none"><li>The City of Somerset has adopted a personnel policy manual which outlines the city's hiring, training and promotion policies.</li><li>The city displays the Equal Employment Opportunity poster.</li><li>The city maintains employment records.</li><li>The city has adopted a drug free workplace policy.</li></ol> <p>Page 1 of 2</p>	<p>SECTION 504 COMPLIANCE</p> <p>The City of Somerset has completed the following steps to insure compliance with Section 504 of the Rehabilitation Act of 1973, as amended:</p> <ol style="list-style-type: none"><li>The city has appointed a 504 Coordinator and published the appropriate notification.</li><li>The city has developed a 504 Grievance procedure which is included in the city's personnel policy manual.</li><li>The city has completed the Section 504 Self Evaluation Checklist.</li><li>The city has completed the Section 504 Transition Plan.</li></ol> <p>FAIR HOUSING</p> <p>In order to promote fair housing in the City of Somerset, the city has implemented the following actions:</p> <ol style="list-style-type: none"><li>The city has a copy of the Analysis of Impediments to Fair Housing on file.</li><li>The city displays the Fair Housing poster.</li><li>The city has passed a Fair Housing Policy.</li><li>The city periodically sends letters to real estate agents, housing and lending institutions concerning fair housing issues and requirements.</li><li>The city encourages local news media to examine fair housing issues.</li></ol> <p>MINORITY/WOMAN BUSINESS ENTERPRISE</p> <p>In order to encourage minority and women business participation in the HOME project, the City of Somerset will undertake the following actions:</p> <ol style="list-style-type: none"><li>The city will publish a notice in the local newspaper to inform contractors of the project and encourage them to submit a contractor's application. Minority and women owned businesses are specially encouraged to submit an application. Those with applications on file are notified by mail or fax of requests for bids.</li><li>A copy of the above notice and all invitations to bid are sent to the Kentucky Minority Business Office.</li><li>The city maintains a copy of the Kentucky Minority Purchasing Guide and sends notices of requests for bids to appropriate firms located in the Pulaski County area.</li></ol> <p>Page 2 of 2</p>

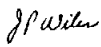
Pages 3-5; Drug-Free Workplace Requirement Guidelines, and Drug-Free Workplace Certification Guidelines on file in City Clerks Office.


HOME Investment Partnerships / Affordable Housing Trust Fund Programs  
AUTHORIZED SIGNATURE FORM


A. Name/Address of Recipient:  
City of Somerset  
400 East Mt. Vernon Street  
P.O. Box 989  
Somerset, KY 42502-0989

For KHC Use Only  
HOME Funding Agreement Number:  
(M-\_\_\_\_-S01210\_\_\_\_\_)  
HOME Program CFDA# 14.239  
  
AHTF Funding Year: \_\_\_\_\_  
Project Type: HOR HB TBRA

AUTHORIZED SIGNATURES FOR REQUEST FOR PAYMENT

B. Typed Name and Signature:  
J.P. Wiles, Mayor  


C. Typed Name and Signature:  
David Godsey, City Clerk  


D.  01-13-2009  
J.P. Wiles, Mayor

For KHC Use Only  
Approved:  
  
Program Specialist  
Signature and Date:  
Kentucky Housing Corporation

INSTRUCTIONS

1. In Box A, insert the legal name of recipient and complete mailing address, including zip code.

2. In Boxes B and C, enter the typed name and signature of two separate individuals who are authorized to sign the recipient's request for payment. Two different signatures are required in these boxes. Note: If one person signs the above request form, the other should sign the check - the same person may not sign both.

3. In Box D, enter the date and signature of the mayor, county judge, CEO, etc., to certify that the signatories in Boxes B and C are authorized to request payment of KHC funds.

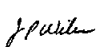
January 2002  
F:\Data\Bids\Implementation\InvestmentPartnerships\AuthorizedSignatureForm.doc


AUTHORIZED SIGNATURE FORM  
for the  
KENTUCKY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

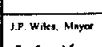
Name/Address of Recipient:  
City of Somerset  
400 East Mt. Vernon Street, P.O. Box 989  
Somerset, KY 42502-0989

Grant Agreement  
Number:  
03-\_\_\_\_\_

AUTHORIZED SIGNATURES FOR REQUEST FOR PAYMENT

Typed Name and Signature  
J.P. Wiles, Mayor  


Typed Name and Signature  
David Godsey, City Clerk  


J.P. Wiles, Mayor  
 01-13-2009

For State Use Only  
Approved:  
  
Date and Signature of  
Chief Executive Officer

Mr. Burnett moved to approve the following bid for the Oak Hill Altitude Valve Installation. The bid being awarded to K. Carrender Construction in the amount of \$81,027.00. Mr. Bourne seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Owens, Mr. Bourne, and Mr. Burnett.

PROSPECTIVE BIDDING CONTRACTORS CONTRACT 397-03-01 OAK HILL ALTITUDE VALVE INSTALLATION SOMERSET WATER SERVICE SOMERSET, KENTUCKY DECEMBER 17, 2003	
NAME & ADDRESS	TABULATION OF BIDS RECEIVED
FAITH, INC. 636 US HWY 41A HENDERSON, KY 42420	_____
HERRICK CO., INC. 1385 TRACY ROAD LAWRENCEBURG, KY 40342	_____
K. CARRENDER CONSTRUCTION 200 RINGGOLD ROAD SOMERSET, KY 42503	\$81,027.00 *
AST Environmental, Inc. 1115 Delaware Ave., Suite 200 Lexington, KY 40502	\$22,610.00
DJD Foundation Supply 626 US Highway 51A Henderson, KY 42415-1853	\$100,770.00
_____	_____
_____	_____

Mr. New moved to approve the contract with Water Technology, Inc. in the amount of \$27,000.00. Mr. Beasley seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Owens, Mr. Bourne, and Mr. Burnett.



**Macedonian**  
*Missionary Service*

(606) 677-6683 • Fax (606) 677-2558

KENTUCKY OFFICE  
P.O. BOX 611  
SOMERSET, KENTUCKY 42502

RECEIVED  
1-6-04

January 5, 2004

Mayor J.P. Wiles  
Somerset City Council  
City Hall  
Somerset KY 42501

Dear Mayor & City Council Members:

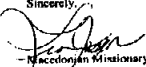
Let me explain some of the reasons for the request for the naming of the street coming from Pumphouse Road, across from the Somersport Park.

At present we have a temporary 911 address of 500 Stewart Road. Stewart Road comes off of Hwy 39. Thus all emergency vehicles (fire, ambulance, etc) are routed from Hwy 39 and they must come across the mountain to get to us. In addition to emergency vehicles, delivery services such as FedEx, UPS, office suppliers, etc are all routed from Hwy 39 and they, too, must come across the mountain to get to us.

We are located only a few hundred feet off Pumphouse Road which would make it much easier to find us, if the first thousand feet or so had a name. This street is in the city limits but we understand that Stewart Road may be a county road.

Since we are the only building on this end of the street we thought it appropriate to name the street, "Macedonian Way".

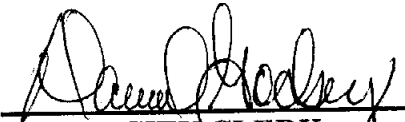
Thank you for this consideration. If you have any questions please feel free to contact us at the office (606)677-6683 or (606)679-9465 my home.


Sincerely,  
  
Macedonian Missionary Service  
Leon Jaffer, President

SERVING WORLDWIDE SINCE 1973

Mr. Burnett moved to approve financing for Water Park from Citizens National Bank in the amount of 7.5 million at 2.58% for five (5) years. Mr. Owens seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Owens, Mr. Bourne, and Mr. Burnett.

This is a recap of the bids for the water park loan:	
<b>Banks</b>	
Citizens National Bank	2.58% for 5 years
Bank One	3.01% for 5 years
First Southern Bank	4.25% for 5 years
<b>Bond Agencies</b>	
Ross, Sinclair, & Assoc.	2.26% Avg Coupon + Fees (\$25,000 plus Bond Discount)

ATTEST:   
CITY CLERK

APPROVED   
MAYOR