

MINUTES OF MEETING HELD JANUARY 24, 2005

The Common Council of the City of Somerset, Kentucky met in regular session on Monday, January 24, 2005 at 7:00 p.m. with the following present: Mayor: JP Wiles. Council Members: Joanne Norfleet, Clarence Floyd, Jerry Wheeldon, Mark Beasley, Jerry Girdler, Charlie New, Donna Hunley, John Minton, Jim Mitchell, Jerry Burnett, and Tim Rutherford. 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 January 10, 2005 and the reports be approved as delivered. Mr. Burnett seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Burnett, and Mr. Rutherford.

Mr. Floyd moved to accept the verbal resignation of Tim Rutherford from the Parks Advisory Board. Mrs. Norfleet seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Burnett, and Mr. Rutherford.

Second reading was given the following Ordinance:

ORDINANCE 05-01

AN ORDINANCE ALLOWING OFF-SITE SALES FOR NEW CAR DEALERS

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SOMERSET, KENTUCKY, AS FOLLOWS:

1. Each new car dealer with its principal offices and business in Somerset, Kentucky and being licensed to do business within the City of Somerset, Kentucky, may hold one off-site sale per year pursuant to KRS _____.

2. This Ordinance shall be effective as of January 7th, 2005 and until amended or repealed.

FIRST READING:

SECOND READING:

MAYOR, JP WILES

ATTEST:

CITY CLERK


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

Mr. Beasley moved to approve the following resolution regarding the Intermodal Transportation Park. Mr. Burnett seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Burnett, and Mr. Rutherford.


<p>RESOLUTION OF THE CITY COUNCIL OF SOMERSET, KENTUCKY</p> <p>Whereas, the City of Somerset supports the development of transportation infrastructure serving industry, business, and commerce in and around the environs of Somerset, Kentucky, and;</p> <p>Whereas, a site for the "Southern Kentucky Intermodal Transportation Park" has been selected by the Southern Kentucky Economic Development Corporation ("SKEDC") in and around the corporate limits of the City of Somerset, and;</p> <p>Whereas, the Somerset-Pulaski County Development Foundation is in the process of acquiring said site for SKEDC, and has contracted to purchase real property for the "Southern Kentucky Intermodal Transportation Park"; and;</p> <p>Whereas, certain real property within the site, described in Exhibit A hereto, is currently titled in the name of the City of Somerset, but it is under a lease with option to purchase by Crane Plumbing, LLC. (formerly known as Crane Plumbing, Inc. or CR/PL, LLC, or CR/PL, Inc. or CR/PL, LLP) (hereinafter "Crane Plumbing") for a nominal price, and;</p> <p>Whereas, Crane Plumbing is currently indebted to the City of Somerset and the Somerset-Pulaski County Development Foundation in Community Development Block Grant Loan Agreement - Loan #1003C for the sum of approximately \$451,000, and the pay-off proceeds of said loan are to be used for industrial development by the Somerset-Pulaski County Development Foundation; and,</p> <p>Whereas, the City and Somerset-Pulaski County Development Foundation has previously agreed that in order to compensate Crane Plumbing for the approximately 53 acres it will convey to the Somerset-Pulaski County Development Foundation for the</p>	<p>Southern Kentucky Intermodal Site, the outstanding balance of Community Development Block Grant Loan Agreement - Loan #1003C will be reduced by approximately \$405,000</p> <p>NOW, THEREFORE, BE IT RESOLVED by the Council that the Mayor of the City of Somerset may execute a Deed of Conveyance for the real property described in Exhibit "A" to Crane Plumbing, with the expectation that Crane Plumbing shall then convey said real property and other real property owned by Crane Plumbing to the Somerset-Pulaski County Development Foundation.</p> <p>FURTHERMORE, BE IT RESOLVED by the Council that the Mayor of the City of Somerset may execute all necessary documents to evidence and memorialize the reduction of the outstanding balance of Crane Plumbing in Community Development Block Grant Loan Agreement - Loan #1003C as consideration for the purchase of real property for the Southern Kentucky Intermodal Park Site.</p> <p>IT IS THEREFORE ORDERED that the foregoing authorities vested in the Mayor be recorded in the official records of the City of Somerset immediately and without delay.</p> <p>This _____ day of January, 2005</p> <p>Attested by the Clerk for the City of Somerset:</p> <p>_____ David Godsey, Clerk</p>
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<p>Exhibit A</p> <p><i>June 1, 2004</i> <i>Description of a portion of the City of Somerset property (previously leased to Crane)</i></p> <p>Being a certain tract or parcel of land situated on the west side of Murphy Avenue (Kentucky 2302), south of Ferguson Kentucky and being more fully described as follows:</p> <p>Unless stated otherwise, any monument referred to herein as an Iron pin set (IPS) is a 5/8 inch steel rebar, 18 inches in length with a yellow plastic cap stamped "WLB 1804". All bearings stated herein are based on Kentucky DOH plans for Kentucky 914.</p> <p>Beginning at an iron pin set (IPS) in the north line of the Grantor herein, 20.00 feet east of the centerline of an existing spur track (Norfolk Southern Railroad, now CSX, DB 55, TQ 124, 125, 309, 482 & 486), common corner to South Kentucky Mack Trucks, Inc (DB 418, PG 149), said IPS also being located North 61°45'32" East, 777.81 feet along the common line of said CSX Railroad and Grantor from a point 110 feet east of the mainline tracks;</p> <p>thence with the line of South Kentucky Mack Trucks, Inc., North 61°45'32" East, a distance of 522.19 feet to an iron pin found (GLO 2563), corner to said South Kentucky Mack Trucks, Inc and Grantor;</p> <p>thence with the line of SKMT, Inc. (DB 418, PG. 149), South 28°14'28" East, a distance of 1500.00 feet to an iron pin found (GLG 2563), common corner to Ryan Trimble, Scott Hail, Tercae Hail, W. H. Cundiff & J.D. Stringer (DB 594, PG 240), being the southeast corner of Grantor, said iron pin found being located South 30°56'07" East, 47.01 feet from a 1/2" hollow pipe found;</p> <p>thence with the line of Ryan Trimble et. al., South 61°45'32" West, a distance of 486.07 feet to an IPS;</p> <p>thence leaving the line of Trimble et. al., with a new dividing line of Grantor herein for four calls: North 17°26'43" West, a distance of 343.72 feet to an IPS;</p> <p>thence North 28°37'45" West, a distance of 330.68 feet to an IPS;</p> <p>thence South 63°18'08" West, a distance of 94.87 feet to an IPS 20.00 feet east of an existing spur track;</p> <p>thence with a line 20 feet east of and parallel to said spur track, North 28°28'42" West, a distance of 829.14 feet to the Point of Beginning.</p>	<p>Containing 16.662 ACRES, by a survey conducted under the direction of Walter L. Bowman, L.L.S. 1804 of Meyers, Suddarth & Etheredge, Inc., in June of 2004, and shown as Parcel 1 on a plat prepared by the same entitled "Plat of survey and consolidation between the City of Somerset / CR/PL, LLC / and South Kentucky Mack Trucks, Inc., for Somerset-Pulaski County Industrial Development Authority" dated 6-1-04.</p> <p>Property is subject to all easements and right of ways of record and in existence.</p> <p>Being a portion of the same land conveyed to the City of Somerset from John J. Gavin by deed dated September 19, 1962, which is of record in Deed Book 244, Page 245 in the Office of the Court Clerk of Pulaski County, Kentucky.</p>
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Mr. Minton moved to approve the change of vendor for the purchase of Police handguns from Glock Inc. to Bluegrass Indoor Range. A mistake in the original bid was found. Mr. Beasley seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Burnett, and Mr. Rutherford.



Somerset Police Department
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Purchase of Glock Model 22

We request to modify/change the vendor for the purchase of the Glock model 22 for the Somerset Police Department. We are asking that we purchase the Glock handguns from Bluegrass Indoor Range based in Louisville, Kentucky.

After considerable talks with Glock Inc. (the original vendor) and Bluegrass Indoor Range, it was determined that a mistake had been made in Bluegrass Indoor Range's bid. In their first bid someone had inadvertently put in the bid that all trade-in weapons would be inspected on delivery and the trade in price may be adjusted at that time. The owner of Bluegrass Indoor Range, Wm Underwood, has assured us that there would not be any adjustments on the trade-in value and has submitted a new quote to reflect no adjustment on trade-in value.

Bluegrass Indoor Range's quote for the new weapons at \$429.00 each is less than Glock Inc. quote of \$434.00 each. The trade-in allowance from Bluegrass Indoor Range at \$268.00 per weapon is more than Glock Inc. quote of \$266.50 per weapon. This will be a savings of \$6.50 per weapon with a total of \$240.50 for the entire gun purchase.

We have also talked with Glock Inc. District Manager Mark Lucas as well as personnel at Glock headquarters and they encouraged us to make the transaction with the local distributor, Bluegrass Indoor Range. Glock Inc. advised us that they would not be allowed to let officers re-purchase our current H&K pistols but that Bluegrass Indoor Range would do it at no cost to the City of Somerset or the officers.

We had requested a legal opinion from City Attorney Jon Travis verifying the legal way to buy and transfer Somerset Police Department weapons. Mr. Travis issued us a three (3) step process that is legal under the Kentucky Revised Statutes and Bluegrass Indoor Range will follow that process during this weapon transaction.

Glock Inc. has advised us that the weapons are ready for shipment as soon as they get authorization and a request from Bluegrass Indoor Range.

Mr. Wheeldon made a motion to go into executive session for possible property acquisition. Mr. Beasley seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Burnett, and Mr. Rutherford.

No action taken in the above executive session.

Mr. Beasley moved to have property bordering Sinking Creek appraised. Mr. Floyd seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Burnett, and Mr. Rutherford.

There being no further business the meeting adjourned.


APPROVED


CITY CLERK
MAYOR

ATTEST: _____