

MINUTES OF SPECIAL CALLED MEETING HELD MAY 15, 2003

May 15, 2003
NOTICE OF SPECIAL MEETING OF THE COMMON COUNCIL OF THE
CITY OF SOMERSET

The undersigned, as Mayor of the City of Somerset, Kentucky hereby gives notice to each member of the Common Council as said City, that a Special Meeting of said Common Council is hereby called and will convene at the usual meeting place of the Common Council in the City of Somerset, Kentucky, on the 15th day of May, 2003 at 6:00 P.M. Said meeting is called for the purpose of:

1. 2ND READING ZONE CHANGE ORDINANCE #03-07.
2. 2ND READING ZONE CHANGE ORDINANCE #03-08.
3. 2ND READING ZONE CHANGE ORDINANCE #03-09.
4. EXECUTIVE SESSION TO DISCUSS POSSIBLE LEGAL ACTION.

Respectfully Submitted
JP Wiles
JP Wiles, Mayor
City of Somerset

ACCEPTANCE AND WAIVER OF NOTICE

The undersigned being all the members of the Common Council of the said City of Somerset, Kentucky accept the foregoing Notice, waive any possible informalities or irregularities in the time and manner of service upon the same or each of us and agree that a Special Meeting of said Council may be held at the time and for the purpose set forth in said notice.

JOANN NORFLEET <i>Joann Norfleet</i>	DONNA HUNLEY <i>Donna Hunley</i>
CLARENCE FLOYD <i>Clarence Floyd</i>	JOHN MINTON <i>John B. Minton</i>
JERRY WHEELDON <i>Jerry Wheeldon</i>	EARL OWENS <i>Earl Owens</i>
MARK BEASLEY <i>Mark Beasley</i>	PAT BOURNE <i>Pat Bourne</i>
JERRY GIRDLER <i>Jerry Girdler</i>	JERRY BURNETT <i>Jerry Burnett</i>
CHARLIE NEW <i>Charlie New</i>	PEGGY DUGGER <i>Peggy Dugger</i>

COMMONWEALTH JOURNAL _____ NEWS JOURNAL _____

WSFC _____ WTLO _____

JOE TRAVIS, CITY ATTORNEY *Joe Travis*

The Common Council of the City of Somerset, Kentucky met in special called meeting on Thursday, May 15, 2003 at 7:00 p.m. with the following present: Mayor JP Wiles, Council Members: Jerry Girdler, Charlie New, Donna Hunley, John Minton, Earl Owens, Pat Bourne, Jerry Burnett, Peggy Dugger, Joann Norfleet, Clarence Floyd, Jerry Wheeldon, and Mark Beasley. City Attorney Joe Travis and City Clerk David Godsey.

Second reading was given the following Ordinance:

<p style="text-align: center;">ORDINANCE NO. 03-07</p> <p>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-2.</p> <p>BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:</p> <p>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:</p> <p>I. By changing the following boundary of land being zoned R-1 to</p> <p>II 2.</p> <p>A certain tract or parcel of land located on the West side of US 27 in Somerset, Pulaski County, Kentucky, approximately 0.15 miles from the junction of Oakhill Road and US 27.</p> <p>BEGINNING on an iron pin found (LPL81253) on the West right of way of Bogle Street (a 60 foot right of way), said pin being a corner with JW Alexander (deed not on record);</p> <p>Thence with on the West right of way of Bogle Street South 32 degrees 40 minutes 32 seconds East for a distance of 20.69 feet to a point;</p> <p>Thence leaving on the West right of way of Bogle Street with the planning and zoning line South 04 degrees 54 minutes 37 seconds West for a distance of 639.03 feet to a point in the line with O&W Host, Inc. (Deed Book 569 Page 693);</p> <p>Thence with the line with O&W Host, Inc. North 85 degrees 02 minutes 38 seconds West for a distance of 190.00 feet to an iron pin found, said pin being a corner with WBW Investments, Inc. (Deed Book 636 Page 515);</p> <p>Thence with the line with WBW Investments, Inc. North 08 degrees 45 minutes 29 seconds West for a distance of 276.74 feet to an iron pin set;</p> <p>Thence with the line with WBW Investments, Inc. North 22 degrees 38 minutes 44 seconds West for a distance of</p>	<p>275.71 feet to an iron pin found (LPL81253). Said pin being a corner with JW Alexander (deed not on record);</p> <p>Thence with the line with JW Alexander North 74 degrees 01 minutes 14 seconds East for a distance of 401.30 feet to an iron pin found (LPL81253) which is the point of beginning and having an area of 3.8558 acres as surveyed by Bobby Hudson LPL8 1253 on 02/13/2001.</p> <p>The above described being a portion of the property conveyed to WBW Investments, Inc. by Deed Book 636 Page 515 in the records of the Pulaski County Court Clerk's Office at Somerset, Kentucky.</p> <p>All corners of witness monuments referred to herein as iron pins set are one-half inch rebar 18 inches long and capped with an orange cap marked LPL81253, except as otherwise noted. All bearings are referenced to the Meridian.</p> <p>This property is subject in any and all rights of way and/or easements of record or in existence at this time and regulations that may apply through planning and zoning.</p> <p>II. The City Clerk of the City of Somerset, Kentucky is hereby authorized to alter the Zoning Map to reflect said change.</p> <p>III. This Ordinance shall be in full force and effect from and after adoption.</p> <p>FIRST READING <i>May 14, 2003</i></p> <p>SECOND READING <i>May 15, 2003</i></p> <p>APPROVED <i>[Signature]</i></p> <p>ATTEST <i>[Signature]</i> CITY CLERK</p>
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Mr. Wheeldon moved to approve the above Ordinance on its second reading. Mr. Floyd seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Owens, Mr. Bourne, Mr. Burnett, Mrs. Dugger, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, and Mr. Beasley.

Second reading was given the following Ordinance:

<p>ORDINANCE NO. 03-08</p> <p>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 I-1 TO R-2.</p> <p>BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:</p> <p>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:</p> <p>I. By changing the following boundary of land being zoned I-1 to R-2.</p> <p>A certain parcel of ground being a lot in the City of Somerset, Pulaski County, Kentucky, on the North side of Bourne Avenue:</p> <p>BEGINNING at a stake the Southwest corner of Kitty Hudson lot; thence Northward with Kitty Hudson's West line about 174 feet to a stake, her corner on the alley; thence Westward with the alley 102 feet to a stake, Singleton's corner; thence Southward with Singleton's line 176 feet to a stake on the North side of Bourne Avenue; thence East with Bourne Avenue 101.8 feet to the beginning.</p> <p>A certain lot of ground situated in Somerset, Pulaski County, Kentucky, near the Cincinnati Southern Depot on the North side of Bourne Avenue and joining Albert Davis on the West and Nelson Dalsley on the East and described as follows:</p> <p>BEGINNING on a point 54 feet East of the S.W. corner of the lot conveyed to H.G. Litton by Robert Coffey and wife, Deed of which is recorded in Deed Book No. 40, Page 358, in Pulaski County Court Clerk's Office, thence running Northwardly 170 feet; thence Eastwardly 50 feet; thence running Southwardly 170 feet; thence Westwardly 50 feet to the beginning, reserving 20 feet on</p>	<p>the front or South end for street purposes and that party of the second party shall have water privilege of the adjoining lot.</p> <p>BEING the same property conveyed to Cumberland Security Bank, Inc., a Kentucky Banking Corporation, by Deed of Conveyance from Norma J. Durlam, a single person, by Deed dated the 30th day of June, 2000, and of record in Deed Book 658, Page 552, Pulaski County Court Clerk's Office, Somerset, Kentucky</p> <p>II The City Clerk of the City of Somerset, Kentucky is hereby authorized to alter the Zoning Map to reflect said change</p> <p>III This Ordinance shall be in full force and effect from and after adoption</p> <p>FIRST READING: May 13, 2003</p> <p>SECOND READING: May 15, 2003</p> <p>APPROVED:</p> <p>MAY 15 2003</p> <p>ATTEST:</p> <p>City Clerk</p>
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Mr. Floyd moved to approve the above Ordinance on its second reading. Mr. Bourne seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Owens, Mr. Bourne, Mr. Burnett, Mrs. Dugger, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, and Mr. Beasley.

Second reading was given the following Ordinance:

<p>ORDINANCE NO. 03-09</p> <p>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-2 TO B-2.</p> <p>BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:</p> <p>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:</p> <p>I. By changing the following boundary of land being zoned R-2 to B-2.</p> <p>A certain tract of land lying and being in Pulaski County, Kentucky, and being more particularly bounded and described as follows, to-wit:</p> <p>BEGINNING at an iron pin which said iron pin being located on the east side of Hall Knoch Road right-of-way and said iron pin being a common corner of Western Hills; thence leaving said road right-of-way and with the line of Western Hills N 77 deg. 26' 05" E 613.00 feet to an iron pin, corner of Western Hills, and said iron pin being located in the line of Tommy Todd; thence leaving the line of Western Hills and running with the line of Todd S 05 deg. 44' 44" E 74.95 feet to a twin cedar; thence S 15 deg. 55' 56" E 275.29 feet to an iron pin, corner of Ham, and said iron pin being the northwest corner of Lot #9 of Phase II of Pine Hills Subdivision; thence leaving the line of Ham and running with the north line of Lots #9-15 of Phase I of Pine Hills Subdivision S 76 deg. 49' 46" W 733.05 feet to an iron pin and said iron pin being the northwest corner of Lot #15 of Phase I of Pine Hills Subdivision and said iron pin being located on the east side of said road right-of-way; thence with said road right-of-way N 04 deg. 49' 51" E 374.07 feet to the point of beginning. Containing 5.4126 acres more or less as surveyed by Bobby Hudson, RLS #1253 on 9-29-93.</p>	<p>Being the same property conveyed to Marshall Todd and Sherin Todd, husband and wife, by deed of Conveyance from Dinah Young, a single woman, dated the 14th day of May 1993 and of record in Deed Book 533, Page 458, Pulaski County Court Clerk's Office, Kentucky</p> <p>II The City Clerk of the City of Somerset, Kentucky is hereby authorized to alter the Zoning Map to reflect said change.</p> <p>III This Ordinance shall be in full force and effect from and after adoption.</p> <p>FIRST READING: May 13, 2003</p> <p>SECOND READING: May 15, 2003</p> <p>APPROVED:</p> <p>MAY 15 2003</p> <p>ATTEST:</p> <p>City Clerk</p>
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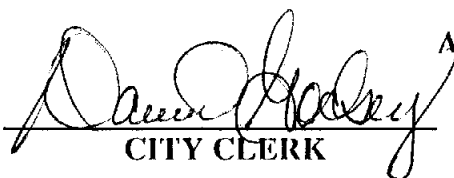
Mr. New moved to approve the above Ordinance on its second reading. Mr. Wheeldon seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Owens, Mr. Bourne, Mr. Burnett, Mrs. Dugger, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, and Mr. Beasley.

Mr. Owens made a motion to go into executive session to discuss possible legal action. Mr. Floyd seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Owens, Mr. Bourne, Mr. Burnett, Mrs. Dugger, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, and Mr. Beasley.

No action was taken in the above executive session.

There being no further business the meeting adjourned.

ATTEST:


CITY CLERK

APPROVED


MAYOR