

MINUTES OF MEETING HELD JUNE 23, 2003

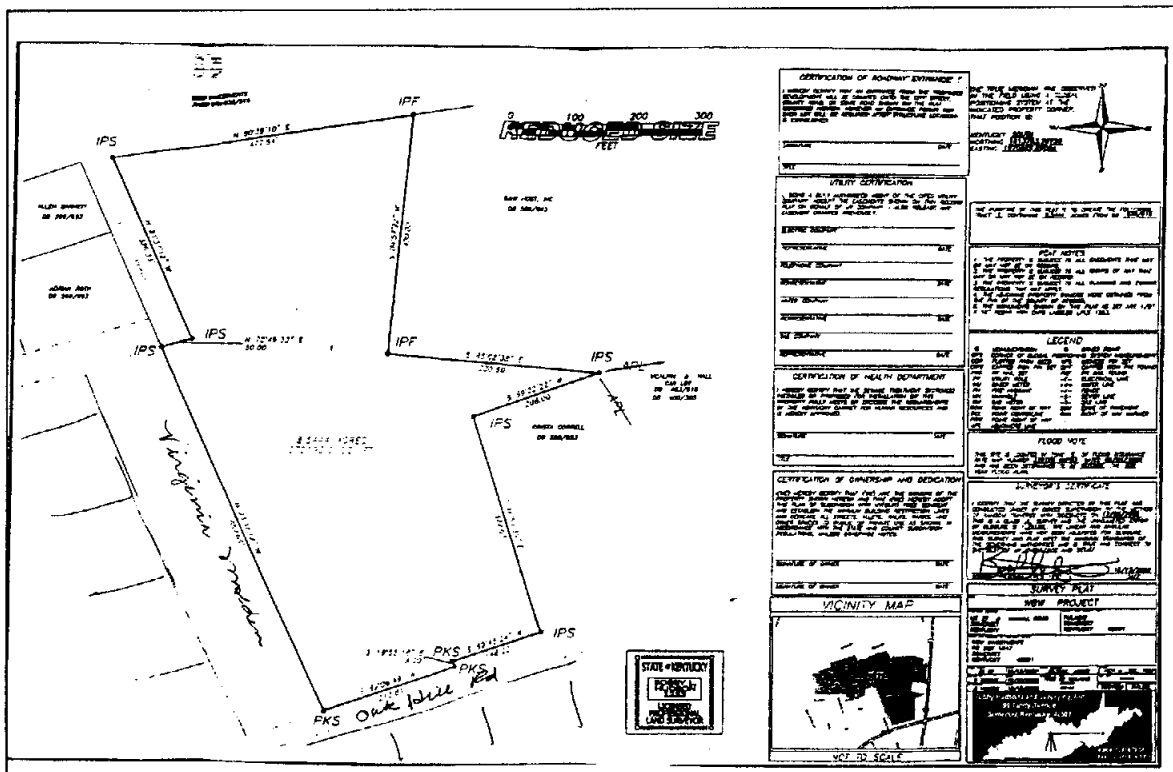
The Common Council of the City of Somerset, Kentucky met in regular session on Monday, June 23, 2003 at 7:00 p.m. with the following present: Presiding in the absence of the Mayor was Jerry Wheeldon. Council Members: Charlie New, Donna Hunley, John Minton, Earl Owens, Pat Bourne, Jerry Burnett, Peggy Dugger, Joann Norfleet, Clarence Floyd, Mark Beasley, and Jerry Girdler. City Attorney Joe Travis and City Clerk David Godsey. Absent: Mayor JP Wiles.

Mr. Wheeldon and all Council Members observed a moment of silence in remembrance of Frances Gillum.

Mr. New moved to approve the minutes of the last regular meeting held on June 9, 2003 and the reports be approved as delivered. Mr. Beasley seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. New, Mrs. Hunley, Mr. Minton, Mr. Owens, Mr. Bourne, Mr. Burnett, Mrs. Dugger, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, and Mr. Girdler.

Second reading was given the following Ordinance:

<p style="text-align: center;">ORDINANCE NO. 03- 10</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>B-2.</p> <p>A certain tract of parcel of land located on east side of US Highway 27 in Pulaski County, Kentucky, approximately 0.1 mile from the junction of US Highway 27 and KY Highway 1577.</p> <p>Beginning on an iron pin set on the east side of Linda Lane right of way and on the south side of the Joy Drive right of way, said pin being a new corner to WBW Investments (Deed Book 636, Page 515); thence with new line of WBW Investments North 72 degrees 49 minutes 33 seconds East for a distance of 50.00 feet to an iron pin set; thence continuing with the new line of WBW Investments North 23 degrees 37 minutes 12 seconds West for a distance of 326.33 feet to an iron pin set; thence continuing with the new line of WBW Investments North 80 degrees 39 minutes 10 seconds East for a distance of 477.84 feet to an iron pin found, said pin being a corner to G & W Host, Inc. (Deed Book 569, Page 693); thence with the line of G & W Host, Inc., South 04 degrees 57 minutes 22 seconds West for a distance of 400.00 feet to an iron pin found; thence continuing with the line of G & W Host, Inc., South 85 degrees 02 minutes 38 seconds East for a distance of 330.60 feet to an iron pin set, said pin being a common corner to G & W Host, Inc., to McAlpin Hall Car Lot (Deed Book 463, Page 518 and Deed Book 600, Page 385), and to Crista</p>	<p>Correll (Deed Book 588, Page 553); thence with the line of Crista Correll South 69 degrees 02 minutes 22 seconds West for a distance of 208.00 feet to an iron pin set; thence continuing with the line of Crista Correll South 16 degrees 51 minutes 35 seconds East for a distance of 372.63 feet to an iron pin set on the north side of KY Highway 1577 right of way; thence with the north right of way of KY Highway 1577 South 69 degrees 45 minutes 24 seconds West for a distance of 146.22 feet to a PK nail set on said right of way; thence continuing with said right of way South 19 degrees 52 minutes 16 seconds East for a distance of 9.00 feet to a PK nail set; thence continuing with the right of way South 69 degrees 06 minutes 49 seconds West for a distance of 213.81 feet to a PK nail set on the north right of way of KY Highway 1577, said PK nail also being on the east right of way of Linda Lane; thence with the east right of way of Linda Lane North 23 degrees 37 minutes 12 seconds West for a distance of 657.05 feet to an iron pin set on the East side of Linda Lane right of way, which is the point of beginning and having an area of 8.5444 acres as surveyed by Bobby Hudson, LPLS 1253 on 12/06/2002.</p> <p>Above described property is subject to all easements, exceptions, right-of-ways, covenants, and restrictions of record or that may apply.</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: <u>June 9, 2003</u></p> <p>SECOND READING: <u>June 23, 2003</u></p> <p>APPROVED:</p> <p style="text-align: center;"><u>JP Wiles</u> MAYOR</p> <p>ATTEST:</p> <p style="text-align: center;"><u>David Godsey</u> CITY CLERK</p>	



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

Second reading was given the following Ordinance:

ORDINANCE NUMBER 03-11

AN ORDINANCE ADOPTING THE CITY OF SOMERSET, KENTUCKY ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2003 AND ENDING JUNE 30, 2004 ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS OF THE CITY OF SOMERSET, KENTUCKY.

WHEREAS, AN ANNUAL BUDGET PROPOSAL AND MESSAGE HAVE BEEN PREPARED AND DELIVERED TO THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY, AND

WHEREAS, THE COMMON COUNCIL HAS RECEIVED THE PROPOSED BUDGET AND MADE NECESSARY MODIFICATIONS

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SOMERSET, KENTUCKY:

SECTION 1. THAT THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2003 AND ENDING JUNE 30, 2004 IS HEREBY ADOPTED AS FOLLOWS:

	REVENUE	EXPENDITURES
GENERAL FUND	\$6,881,241.00	\$6,881,241.00
SANITATION SERVICE	\$1,819,000.00	\$1,819,000.00
GAS SERVICE	\$8,977,000.00	\$8,977,000.00
WATER SERVICE	\$5,371,000.00	\$5,371,000.00
WASTEWATER	\$2,142,800.00	\$2,142,800.00
PARKS AND REC	\$514,150.00	\$514,150.00
EMS	\$2,537,308.00	\$2,537,308.00
TOTAL ALL FUNDS	\$28,244,449.00	\$28,244,449.00

SECTION 2. THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS PASSAGE AND UPON PUBLICATION

FIRST READING: June 9th, 2003

SECOND READING: June 24th, 2003

APPROVED: *[Signature]*
JP WILKES, MAYOR
CITY OF SOMERSET, KENTUCKY

ATTEST: *[Signature]*
DAVID GIRDLER, CITY CLERK
CITY OF SOMERSET, KENTUCKY

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

Second reading was given the following Ordinance:

<p style="text-align: center;">ORDINANCE NO. 03- 12</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-1A.</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 R-1A.</p> <p>A certain Tractor parcel of land located on the east side of Kentucky Highway 769 (Jarvis Ave.) in the city of Somerset, Pulaski County, Kentucky. Being further located S 27° 23' 23" E . 81.71 feet from the southeast right-of-way intersection of Kentucky Highway 769 (Jarvis Ave.) and Maplewood Drive. Said Tract being more particularly described as follows:</p> <p>Being all of TRACT #2 of a plat of survey titled: Tracts on Jarvis filed in Plat Cabinet D, Slide 65 in the Pulaski County Court Clerk's office in Somerset, Kentucky. Said Lot containing 0.15 acres of 6,644 sq. ft., according to a survey performed under the direct supervision of Anthony Thompson PLS 3630, with JD Land Surveying, LLC, Somerset Home Ownership Commission, Inc., From Grant David Hardwick and Jill R. Hardwick, By Deed Dated Dec. 9, 2003 of record in Deed Book 708, page 041, in the Pulaski County Court Clerk's office in Somerset, Kentucky.</p> <p>All bearings referred to therein were correlated to the magnetic meridian as observed on 11/07/2002 between survey station #1 and survey station #113 and delineated on said plat of survey.</p>	<p>Above described property is subject to all easements, exceptions, right-of-ways, covenants, and restrictions of record or that may apply.</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: <u>June 9, 2003</u></p> <p>SECOND READING: <u>June 23, 2003</u></p> <p>APPROVED: <u>J.P. Wilks</u> MAYOR</p> <p>ATTEST: <u>Dawn Hocking</u> CITY CLERK</p>
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Mr. Dugger moved to approve the above Ordinance on its second reading. Mr. Minton seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. New, Mrs. Hunley, Mr. Minton, Mr. Owens, Mr. Bourne, Mr. Burnett, Mrs. Dugger, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, and Mr. Girdler.

Second reading was given the following Ordinance:

<p style="text-align: center;">ORDINANCE NO. 03- 13</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-3.</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 R-3.</p> <p>A certain tract of land located, lying and being in city of Somerset, County of Pulaski, State of Kentucky, and on the North side of Pumphouse road West, and more particularly described as follows:</p> <p>Unless stated otherwise, any monument referred to herein as a "rebar set" is a set 1/2" diameter rebar eighteen (18") inches in length, with an orange plastic cap stamped "LS 2876". All bearings stated herein are referred to magnetic meridian taken from original survey.</p> <p>BEGINNING at a rebar set on North side of Pumphouse road West 50 feet right-of-way said rebar being South 87 degrees 02 minutes 47 seconds West for a distance of 421.00 feet from pumphouse road edge of pavement and North 86 degrees 04 minutes 02 seconds West for a distance of 402.21 feet from Northeast corner of east Somerset Baptist church and North 67 degrees 54 minutes 18 seconds East for a distance of 150.49 feet from Northwest corner of East Somerset Baptist church; THENCE with North side of said road South 86 degrees 47 minutes 13 seconds West for a distance of 46.22 feet to a rebar set; THENCE South 87 degrees 33 minutes 46 seconds West for a distance of 91.98 feet to a rebar set; THENCE North 84 degrees 22 minutes 12 seconds West for a distance of 37.29 feet to a rebar set new corner to</p>	<p>Jerry Ikard D.B. 633, Page 704; THENCE leaving said right-of-way a new call North 03 degrees 31 minutes 29 seconds West for a distance of 250.00 feet to a rebar set a new corner; THENCE North 89 degrees 04 minutes 12 seconds East for a distance of 175.18 feet to a rebar set a new corner to Ikard; THENCE South 03 degrees 31 minutes 29 seconds East for a distance of 250.00 feet to point of beginning. Said property contains 1.01 acres more or less, according to a survey by Mohammad Bldarian, FLS2876 with Precision Land Surveying on 4-23-03 said property being a portion of the same property conveyed to South Kentucky Trucks, Inc., by deed dated 26th day of March, 1999 which is of record in Deed Book 633, Page 0678, Pulaski County Court Clerk's office and Jerry and Brenda Ikard by deed dated 6th day of January, 1973 which is of record in Deed Book 350, Page 361, Pulaski County Court Clerk's Office. Together with and subject to covenants, easements, restrictions of record.</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: <u>June 9, 2003</u></p> <p>SECOND READING: <u>June 23, 2003</u></p> <p>APPROVED: <u>J.P. Wilks</u> MAYOR</p> <p>ATTEST: <u>Dawn Hocking</u> CITY CLERK</p>
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Mr. New 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. New, Mrs. Hunley, Mr. Minton, Mr. Owens, Mr. Bourne, Mr. Burnett, Mrs. Dugger, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, and Mr. Girdler.

<p style="text-align: center;">CONTINUITY OF GOVERNMENT RESOLUTION</p> <p>Whereas, the <u>Somerset</u> City Council deems it necessary to provide for the orderly succession of the Office of City Mayor in the event of the absence or disability of the Mayor as defined in KRS 39D, a vacancy of the Office of City Mayor will be filled in accordance with Section 152 of the Kentucky Constitution; and the line of succession contained in this ORDINANCE is to ensure that a City governmental official is available to serve in the absence of disability of the City Mayor, or any successor,</p> <p>Now, therefore,</p> <p>Be it resolved by the <u>Somerset</u> City Council, Commonwealth of Kentucky, when the absence of <u>Somerset</u> City Mayor <u>JF Wiles</u>, shall prevent his serving in the office and performing the responsibilities of the City Mayor they shall be administered temporarily by <u>David Godsey</u> as set forth in KRS 39D and he shall have the powers specified in KRS 39D.</p> <p>If neither the Mayor nor David Godsey are able to serve in the office of Mayor by reason of absence or disability or vacancy, then the duties of the Office of Mayor shall be assumed temporarily in succession by a member of The City Council as set forth in KRS 39D and he/she shall have the powers specified in KRS 39D.</p>	<p>1. <u>JERRY WHELDON</u> <u>J. CHARLEY NEW</u></p> <p>2. <u>DONNA HUNLEY</u></p> <p>APPROVED BY <u>JF Wiles</u> <u>JF WILES</u>, MAYOR CITY OF SOMERSET</p> <p>ATTESTED BY <u>David Godsey</u> <u>DAVID GODSEY</u> CITY CLERK CITY OF SOMERSET</p> <p><u>06 19 03</u> (MONTH DAY YEAR).</p> <p><u>06 19 03</u> (MONTH DAY YEAR)</p>
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There being no further business the meeting adjourned.

ATTEST: 
CITY CLERK

APPROVED 
MAYOR