

MINUTES OF MEETING HELD JULY 12, 2004

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

Mr. Wheeldon moved to approve the minutes of the last regular meeting held on June 28, 2004 and the reports be approved as delivered. Mr. Burnett seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Hunley, Mr. Minton, Mr. Owens, Mr. Bourne, Mr. Burnett, Mrs. Dugger, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, and Mr. New.

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

Mr. Wheeldon moved to approve the following blacktop and cold mix bids. The bid being awarded to Hinkle Contracting. Mr. Bourne seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Hunley, Mr. Minton, Mr. Owens, Mr. Bourne, Mr. Burnett, Mrs. Dugger, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, and Mr. New.

**INVITATION TO BID**

The City of Somerset will accept sealed bids for Blacktop and Coldmix for the fiscal year 2004-2006 in the City Clerk's office on or before June 25, 2004, by 2:00 p.m. Bids may also be mailed to:

**City of Somerset**  
**P.O. Box 989**  
**Somerset, KY 42502**

Blacktop and Coldmix should be bid per ton, picked up and per ton applied. Resurfaced roads are to be tacked by contractor.

All material must meet Kentucky Transportation specifications. Materials must be applied within 16 days of approval by council.

Bids will be opened on or about June 25, 2004, at 2:00 p.m. The City of Somerset reserves the right to reject any and all bids.

**JP Wiles, Mayor**  
**City of Somerset**

<p>City of Somerset  c/o JP Wiles, Mayor  P.O. Box 989  Somerset, Kentucky, 42502</p> <p>We hereby Submit bids on the following Asphalt Items as Advertised:</p> <table> <tr> <td>CII Base 0.75D PG64-22 (F.O.B. at Plant)</td> <td>\$ 26.00 per ton</td> </tr> <tr> <td>CII Binder 0.50D PG64-22 (F.O.B. at Plant)</td> <td>\$ 26.00 per ton</td> </tr> <tr> <td>CII Surface 0.38D PG64-22 (F.O.B. at Plant)</td> <td>\$ 26.00 per ton</td> </tr> <tr> <td>Bituminous Tack - (F.O.B. at Plant)</td> <td>\$ 00.90 Gallon</td> </tr> <tr> <td>CII Base 0.75D PG64-22 (laid in place)</td> <td>\$ 35.00 per ton ✓</td> </tr> <tr> <td>CII Binder 0.50D PG64-22 (laid in place)</td> <td>\$ 35.00 per ton</td> </tr> <tr> <td>CII Surface 0.38D PG64-22 (laid in place)</td> <td>\$ 35.00 per ton</td> </tr> </table> <p>Name of Company <u>Hill &amp; Hill Company LLC.</u></p> <p><u>J. Hill</u> <u>Pres/Member</u> <u>6-25-04</u>  Signature Title Date</p>	CII Base 0.75D PG64-22 (F.O.B. at Plant)	\$ 26.00 per ton	CII Binder 0.50D PG64-22 (F.O.B. at Plant)	\$ 26.00 per ton	CII Surface 0.38D PG64-22 (F.O.B. at Plant)	\$ 26.00 per ton	Bituminous Tack - (F.O.B. at Plant)	\$ 00.90 Gallon	CII Base 0.75D PG64-22 (laid in place)	\$ 35.00 per ton ✓	CII Binder 0.50D PG64-22 (laid in place)	\$ 35.00 per ton	CII Surface 0.38D PG64-22 (laid in place)	\$ 35.00 per ton	<p><b>Hinkle</b>  <b>CONTRACTING CORPORATION</b>  <small>POST OFFICE BOX 453  BURNSIDE, KENTUCKY 42319-0453  TEL: 272-1111 FAX: 272-1111</small></p> <p>June 25, 2004</p> <p>City of Somerset  400 E. Mt. Vernon St.  Somerset, Kentucky 42501</p> <p>Attn.: Mayor J.P. Wiles</p> <p>We hereby submit bids on the following Asphalt Items as advertised:</p> <table> <tr> <td>C11 Asphalt Base 0.75D PG64-22 (F.O.B.)</td> <td>\$26.00</td> <td>Ton</td> </tr> <tr> <td>C11 Asphalt Binder 0.50D PG64-22 (F.O.B.)</td> <td>\$26.00</td> <td>Ton</td> </tr> <tr> <td>C11 Asphalt Surface 0.38D PG64-22 (F.O.B.)</td> <td>\$27.00</td> <td>Ton</td> </tr> <tr> <td>C12 Asphalt Surface 0.38D PG64-22 (F.O.B.)</td> <td>\$26.00</td> <td>Ton</td> </tr> <tr> <td>C11 Asphalt Base 0.75D PG64-22</td> <td>\$26.25</td> <td>Ton</td> </tr> <tr> <td>C11 Asphalt Binder 0.50D PG64-22</td> <td>\$26.25</td> <td>Ton</td> </tr> <tr> <td>C11 Asphalt Surface 0.38D PG64-22</td> <td>\$30.25 ✓</td> <td>Ton</td> </tr> <tr> <td>C12 Asphalt Surface 0.38D PG64-22</td> <td>\$36.25</td> <td>Ton</td> </tr> <tr> <td>Bituminous Tack</td> <td>\$ 1.00</td> <td>Gallon</td> </tr> <tr> <td>Shaping and Laying DGA</td> <td>\$ 6.00</td> <td>Ton</td> </tr> </table> <p><u>R. B. Ledford</u>  R. B. Ledford  Vice President</p>	C11 Asphalt Base 0.75D PG64-22 (F.O.B.)	\$26.00	Ton	C11 Asphalt Binder 0.50D PG64-22 (F.O.B.)	\$26.00	Ton	C11 Asphalt Surface 0.38D PG64-22 (F.O.B.)	\$27.00	Ton	C12 Asphalt Surface 0.38D PG64-22 (F.O.B.)	\$26.00	Ton	C11 Asphalt Base 0.75D PG64-22	\$26.25	Ton	C11 Asphalt Binder 0.50D PG64-22	\$26.25	Ton	C11 Asphalt Surface 0.38D PG64-22	\$30.25 ✓	Ton	C12 Asphalt Surface 0.38D PG64-22	\$36.25	Ton	Bituminous Tack	\$ 1.00	Gallon	Shaping and Laying DGA	\$ 6.00	Ton
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Mr. Floyd moved to approve legal services for the scattered home site project. Services being provided by Travis, Pruitt, Powers, and Yeast. Mr. New seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Hunley, Mr. Minton, Mr. Owens, Mr. Bourne, Mr. Burnett, Mrs. Dugger, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, and Mr. New.

SOMERSET SCATTERED SITE HOUSING II PROJECT

SUMMARY OF PROPOSALS RECEIVED

LEGAL SERVICES

1. Travis, Pruitt, Powers & Yeast – Title Exam - \$100, Deed Prep. - \$50, Closings - \$100, Mortgage & Note, \$40, \$110 per hour

2. Ham & Ham, Attorneys – Title exam - \$200, Deed Prep. - \$50, \$200 for closings, Mortgage, \$50, Note, \$50, \$100 per hour

3. D. Bruce Orwin – Title Exam - \$350, Deed Prep. - \$40, Closings - \$200, Mortgage prep. - \$40, Promissory note - \$20, \$135 per hour

Mr. Floyd moved to approve asbestos testing for the scattered home site project. Services being provided by Environmental Concerns. Mr. Wheeldon seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Hunley, Mr. Minton, Mr. Owens, Mr. Bourne, Mr. Burnett, Mrs. Dugger, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, and Mr. New.

SOMERSET SCATTERED SITE HOUSING II PROJECT

SUMMARY OF PROPOSALS RECEIVED

ASBESTOS INSPECTORS

1. Environmental Concerns – \$159 per structure, \$20 point count, \$75 additional mobilization

2. Spectra Environmental, LLC. – \$165 per structure, \$35 point count, \$50 additional mobilization

3. Micro-Analytics, Inc. – \$279 per structure, \$25 point count, \$179 additional mobilization

4. H.C. Nutting Company – \$350 per structure plus \$10 per sample estimated at \$400 per house, no additional charge for point count, \$500 additional mobilization

Second reading was given the following Ordinance:

<div><div>ORDINANCE NO. 04-07</div><div>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.</div><div>BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:</div><div>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:</div><div><div>1. By changing the following boundary of land being zoned R-1 to R-3.</div><div>A certain tract or parcel of land located on the North Side of East Somerset Church Road in Pulaski County, Kentucky approximately 0.2 miles from the junction of Pumphouse Road.</div><div>Beginning on an capped iron pin set in the North right of way of East Somerset Church Road (a 50' right of way), said pin being a corner with South Kentucky Trucks Inc (Deed Book 633 Page 678); thence with the North right of way of East Somerset Church Road North 65 degrees 59 minutes 19 seconds West for a distance of 37.25 feet to a point on the right of way; thence with the North right of way of East Somerset Church Road North 70 degrees 38 minutes 20 seconds West for a distance of 43.34 feet to a point on the right of way; thence with the North right of way of East Somerset Church Road North 74 degrees 20 minutes 26 seconds West for a distance of 69.42 feet to a capped iron pin set; thence with the North right of way of East Somerset Church Road North 74 degrees 20 minutes 26 seconds West for a distance of 82.35 feet to a point on the right of way; thence with the North right of way of East Somerset Church Road North 80 degrees 49 minutes 12 seconds West for a distance of 153.04 feet to a point on the right of way; thence with the North right of way of East Somerset Church Road North 87 degrees 32 minutes 22 seconds West for a distance of 39.62 feet</div></div></div>	<div><div>to a capped iron pin set, said pin being a corner with Daniel Cheshire (Deed Book 650 Page 391); thence leaving the North right of way of East Somerset Church Road with the line with Daniel Cheshire North 09 degrees 07 minutes 52 seconds West for a distance of 200.00 feet to a capped iron pin set, said pin being a corner with South Kentucky Trucks Inc (Deed Book 361 Page 041, Deed Book 371 Page 474, Deed Book 350 Page 262); thence with the line with South Kentucky Trucks South 89 degrees 03 minutes 28 seconds East for a distance of 103.04 feet to a point; thence with the line with South Kentucky Trucks South 80 degrees 24 minutes 21 seconds East for a distance of 175.76 feet to a point; thence with the line with South Kentucky Trucks South 74 degrees 12 minutes 14 seconds East for a distance of 58.40 feet to a capped iron pin set; thence with the line with South Kentucky Trucks South 74 degrees 12 minutes 14 seconds East for a distance of 105.95 feet to a point; thence with the line with South Kentucky Trucks South 70 degrees 00 minutes 46 seconds East for a distance of 59.92 feet to a capped iron pin set; thence with the line with South Kentucky Trucks South 13 degrees 26 minutes 59 seconds West for a distance of 203.45 feet to a capped iron pin set;</div><div>Which is the point of beginning and having an area of 2.1230 acres as surveyed by Bobby Hudson, LPLS 1253 on 05/16/2004.</div><div>The above described being a portion of the property conveyed to South Kentucky Trucks Inc by Deed Book 361 Page 041, Deed Book 371 Page 474, and Deed Book 350 Page 262 in the records of the Pulaski County Court Clerks Office at Somerset, Kentucky.</div><div>All corners or witness monuments referred to herein as iron pins set are one-half inch rebar 18 inches long and capped with an orange cap marked LS 1253, except as otherwise noted. All bearings are referenced to the meridian.</div><div>This property is subject to any and all rights of way and/or easements of record or in existence at this time</div></div>
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and regulations that may apply through planning and zoning.

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.

FIRST READING: June 28, 2004

SECOND READING: July 12, 2004

APPROVED:

J. Wiles  
MAYOR

ATTEST:

David Stuber  
CITY CLERK

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


Mr. Beasley moved to approve the following Body Armor Program Funds Resolution. Mr. Floyd seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Hunley, Mr. Minton, Mr. Owens, Mr. Bourne, Mr. Burnett, Mrs. Dugger, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, and Mr. New.

**City of Somerset**

400 East Mt. Vernon Street  
P.O. Box 548  
SOMERSET, KENTUCKY 40301  
(606) 794-5188  
(800) 678-2481 FAX

J. Wiles  
Mayor

David Stuber  
City Clerk



RESOLUTION OF THE CITY OF SOMERSET, KENTUCKY AUTHORIZING SIGNATURE AND EXECUTION OF DOCUMENTS NECESSARY TO ENTER INTO AN AGREEMENT WITH THE COMMONWEALTH OF KENTUCKY TO RECEIVE KENTUCKY BODY ARMOR PROGRAM FUNDS.

WHEREAS, implementation of this project will require the City to enter into various agreements with parties involved;

NOW, THEREFORE, be it resolved by the City of Somerset as follows:

1. That the Mayor and the City Attorney are hereby authorized to execute any and all documents necessary to implement this program.
2. This Resolution shall take effect upon its passage.

READ AND APPROVED BY THE SOMERSET CITY COUNCIL THIS 12th DAY OF JULY, 2004.

J. Wiles  
Mayor  
City of Somerset

David Stuber  
City Clerk  
City of Somerset

Equal Opportunity Employer M/F/D 2002/7/4/17/1703

Mr. Wheeldon moved to approve the re-appointment of Vicky Davidson and Earl Duff to the Planning and Zoning Board. The term expiring 06/03/08. Mr. Burnett seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Hunley, Mr. Minton, Mr. Owens, Mr. Bourne, Mr. Burnett, Mrs. Dugger, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, and Mr. New.

Mr. Floyd moved to approve the re-appointment of George Brinkley, Bobby Stringer, and Roy Taylor to the Ethics Board. The term expiring 06/03/07. Mr. Bourne seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Hunley, Mr. Minton, Mr. Owens, Mr. Bourne, Mr. Burnett, Mrs. Dugger, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, and Mr. New.

Mr. Wheeldon moved to approve the following resolution authorizing City of Somerset to maintain the sidewalk surface of tunnel on Monticello Road once highway completion is finished. Mr. Floyd seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Hunley, Mr. Minton, Mr. Owens, Mr. Bourne, Mr. Burnett, Mrs. Dugger, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, and Mr. New.

RESOLUTION  
FOR MAINTENANCE AND OWNERSHIP  
OF  
ROADWAY SEGMENT AFFECTED BY RECONSTRUCTION OF  
KY. 1577/KY. 1247

WHEREAS, an existing route, known as Ky. 1577/Ky. 1247, is currently under contract for reconstruction, and completion of this route will result in changes to the state and city road systems.

NOW THEREFORE, upon completion of the reconstructed Ky. 1577/Ky. 1247, the City of Somerset agrees to accept the assignment and conveyance of ownership interest and maintain or cause to maintain the following facility:

Old Monticello Street - From the Junction of Old Monticello Street and Ky. 2298 (Langdon Street) extending North through the CNO&TP Railway Overpass (herein referred to as the existing underpass) a distance of approximately 0.15 miles.

The City of Somerset agrees to abide by the agreement entered into by the Commonwealth of Kentucky, Department of Highways and the Cincinnati, New Orleans and Texas Pacific Railway Company, as it pertains to the maintenance of the existing underpass. Specifically, but not limited to, SECTION 5 of the agreement, the City of Somerset will accept to undertake all maintenance responsibilities of the existing underpass for pedestrian travel assigned by this agreement to the "Department". Said agreement is attached hereto as Exhibit "A".

We understand that Kentucky Transportation Cabinet Official Orders and quitclaim deeds will be issued for the assignments and transfers of maintenance responsibility and ownership interest of the facilities upon our acceptance of this agreement and at the completion of the aforementioned Ky. 1577/Ky. 1247.

*J.P. Wiler*  
J.P. Wiler, Mayor of Somerset

*July 12, 2014*  
Date

There being no further business the meeting was adjourned.

ATTEST: *[Signature]*  
CITY CLERK

APPROVED *J.P. Wiler*  
MAYOR