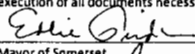
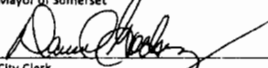


## MINUTES OF MEETING HELD JULY 09, 2007

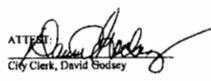
The Common Council of the City of Somerset, Kentucky met in regular session on Monday, July 09, 2007 at 7:00 p.m. with the following present: Mayor Eddie Girdler. Council Members: Donna Hunley, John Minton, Jim Mitchell, Pat Bourne, Jerry Burnett, Tim Rutherford, Jim Rutherford, Linda Stringer, James Eastham, Steve Kelley, Jerry Girdler and Charlie New. City Clerk David Godsey and City Attorney Carrie Wiese.

Mr. J. Rutherford moved to approve the minutes of the last regular meeting held on June 25, 2007 and a special called meeting held June 29, 2007 along with the reports to be approved as delivered. Mr. Bourne seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Ms. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler and Mr. New.

Mr. T. Rutherford moved to approve the following resolution authorizing additional funding or agreements relating to the water intake emergency project. Mr. Burnett seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Ms. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler and Mr. New.

<p style="text-align: center;"><u>RESOLUTION</u></p> <p>A RESOLUTION TO AUTHORIZE ADDITIONAL FUNDING/AGREEMENTS RELATING TO THE WATER INTAKE EMERGENCY PROJECT PREVIOUSLY AUTHORIZED BY THE CITY COUNCIL OF THE CITY OF SOMERSET AND AS AN EMERGENCY AS DECLARED BY THE GOVERNOR.</p> <p>WHEREAS, the City of Somerset in conjunction with the Kentucky Office of Local Government, State of Kentucky, has previously approved resolutions declaring the water intake project to be an emergency and authorizing funding/grant agreements and implementation; and</p> <p>WHEREAS, the low bid/proposal for the construction of said project is \$1,837,016 for construction only with a total project cost of approximately \$ 2,100,000;</p> <p>NOW THEREFORE BE IT RESOLVED, that the City of Somerset does hereby authorize the Amendments to any and all agreements/resolutions/grant conditions with the Kentucky Office of Local Development (GOLD) to allow additional grants to be approved and applications submitted for funding; to approve any and all loans pertaining to the water intake project that may be necessary in addition to any/or all grants; and to authorize implementation and execution of all documents necessary for the successful completion of the project.</p> <p> Mayor of Somerset</p> <p> City Clerk</p>
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Second reading was given the following ordinance:

<p style="text-align: center;">ORDINANCE NO. <u>02-07</u></p> <p>AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ADOPTING A CROSS-CONNECTION CONTROL PROGRAM FOR THE PREVENTION OF CROSS-CONNECTION CONTAMINATION.</p> <p>WHEREAS, THE KENTUCKY NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET HAVE ENACTED ADMINISTRATIVE REGULATIONS, 401 KAR 8:020, WHICH REQUIRE EVERY PUBLIC WATER SYSTEM TO DETERMINE IF OR WHERE CROSS CONNECTIONS EXIST AND TO ELIMINATE THEM; AND</p> <p>WHEREAS, THE COMMON COUNCIL OF SOMERSET REALIZE THAT THEY HAVE A RESPONSIBILITY TO PROTECT THE PUBLIC HEALTH BY PROVIDING A SAFE SOURCE OF DRINKING WATER, AND THAT CROSS CONNECTIONS COULD AFFECT THE HEALTH AND ECONOMIC GROWTH OF THE COMMUNITY;</p> <p>THEREFORE, THE FOLLOWING IS HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET PURSUANT TO THE CITY'S POWER UNDER KRS 82.082 AND KRS 65.03:</p> <p>(A) The purpose of this section is to eliminate potential threats to the health and safety of those served by the city's public water supply, both residential and non-residential, due to cross-connection contamination and/or backflow. The City recognizes that contamination of the public water supply presents an imminent health hazard to the residential and non-residential users of the public water system, a threat of significant economic loss due to disrupted waste service to water users, and potential liability of the City.</p> <p>(B) This ordinance and program hereby establishes reasonable precautions to protect the public water system from cross-connection contamination due to backflow that may originate from a customer's connection to the city's water system. Said backflow could result in a degrading of the quality of water in the city's system due to contamination of the water with substances, including but not limited to, medical waste, toxic materials, and hazardous industrial substances. The program will regulate cross-connections with both commercial and residential accounts where there is a threat of such substances contaminating the water system, including but not limited to, commercial, industrial, lawn irrigation, and fire service systems.</p> <p>(C) There is hereby adopted with the ordinance a Cross-Connection Control Program Manual containing requirements and definitions for the program, made part hereof and incorporated in full by reference, said manual being available for review by the public in the Somerset City Clerk's Office upon request.</p>	<p>(D) The determination of whether a change and/or a cross-connection mechanism is necessary on a customer's account will be made by the City of Somerset Water Service Department according to the referred to Cross-Connection Control Program Manual. Any account, whether residential, commercial, or industrial, in which the City Water Service Department deems to be a potential hazard will be required to take steps necessary to remove the hazard, which may include the installation of a cross-connection backflow prevention mechanism. Said mechanism and/or changes will be required to be completed within 60 days of the date the determination is made by the City Water Service Department. The customer shall bear all costs of the required changes and/or installation, as well as all costs related to the maintenance of a control mechanism and any required testing of any cross-connection control device required by the City. This program and ordinance shall apply to new residential, commercial, and industrial customers; former customers who are re-connecting; and current customer connections deemed hazardous by the City's Water Service Department.</p> <p>(E) If any of this Ordinance is deemed by a court of competent jurisdiction to be unenforceable or unconstitutional, the remaining provisions of this Ordinance shall continue in full force and effect.</p> <p>(F) Any Ordinance in conflict with this Ordinance or any policies in conflict with the ones enacted herein are hereby repealed in so far as the same are in conflict herewith.</p> <p>(G) This ordinance shall be in full force and effect upon passage, approval, and publication according to law.</p> <p>FIRST READING <u>June 25, 2007</u></p> <p>SECOND READING <u>July 9, 2007</u></p> <p>Approved: _____</p> <p>Mayor, Eddie Girdler</p> <p>ATTEST:  City Clerk, David Godsey</p>
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Mr. New moved to approve the above ordinance on its second reading regarding the cross-connection control program. Mr. J. Rutherford seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Ms. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler and Mr. New.

First reading was given the following ordinance:

ORDINANCE NO. 07-08

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 B-2.

Mr. Burnett moved to approve the above ordinance on its first reading for a zone change for property at 331 Langdon Street. Mr. T. Rutherford seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Ms. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler and Mr. New.

First reading was given the following ordinance:

ORDINANCE NO. 07-09

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ALLOCATING FUNDS IN THE ANNUAL BUDGET FOR FISCAL YEAR 2007-2008, SAID FUNDS TO BE USED BY THE CITY COUNCIL IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES.

Mr. T. Rutherford moved to approve the above ordinance on its first reading regarding allocating funds in the budget for city council. Ms. Stringer seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Ms. Stringer, Mr. Eastham and Mr. Kelley. Voting "Nay": Mr. Girdler and Mr. New. Motion passed.

Mr. Kelley made a motion to go into executive session to discuss personnel issues. Mr. Eastham seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Ms. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler and Mr. New.

No action taken in executive session.

There being no further business the meeting adjourned.

APPROVED \_\_\_\_\_  
MAYOR

ATTEST: \_\_\_\_\_  
CITY CLERK