

MINUTES OF MEETING HELD AUGUST 13, 2007

The Common Council of the City of Somerset, Kentucky met in regular session on Monday, August 13, 2007 at 7:00 p.m. with the following present: Mayor Eddie Girdler. Council Members: John Minton, Jim Mitchell, Pat Bourne, Jerry Burnett, Tim Rutherford, Jim Rutherford, Linda Stringer, James Eastham, Steve Kelley, Jerry Girdler, and Donna Hunley. City Clerk David Godsey and City Attorney Carrie Wiese.

A moment of silent prayer was given in memory of Council Member Charlie New.

Mr. T. Rutherford moved to approve the minutes of the last regular meeting held on July 25, 2007 along with the reports to be approved as mailed. Mr. J. Rutherford seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Mr. Eastham, Mr. Kelley, Mr. Girdler, and Mrs. Hunley. Voting “Nay”: Mr. Minton, Mr. Mitchell, and Mrs. Stringer. Motion passed.

First reading was given the following Ordinance:

ORDINANCE NO. 07-17

AN ORDINANCE STATING THE CITY OF SOMERSET'S INTENT AND DESIRE TO ANNEX A CORRIDOR OF HIGHWAY KNOWN AS KENTUCKY STATE HWY 27 SOUTH, PULASKI COUNTY, KENTUCKY, TO THE CITY OF SOMERSET, KENTUCKY.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:

That the City of Somerset, Kentucky does hereby state its intent and desire to annex to the City of Somerset, Kentucky, pursuant to KRS 81A.420, the following boundary of unincorporated territory which is a corridor known as Kentucky State Hwy 27 South, which is contiguous to current boundaries of the City of Somerset, and is territory that is urban in character or is suitable for urban development without unreasonable delay, and which contains water mains and/or sewer lines which belong to the City of Somerset which currently serve customers throughout the area:

A certain corridor located and being in Pulaski County, State of Kentucky, known as Kentucky State Hwy 27 South, and more fully described as follows, to wit:

(See Exhibit "A" attached hereto and incorporated herein in full by reference.)

FIRST READING _____

SECOND READING _____

Approved: _____

Mayor

ATTEST: _____

City Clerk

1

Mr. Kelley moved to approve the above ordinance on its first reading regarding intent and desire to annex a corridor of Highway 27 South to Highway 1642, state right of way only. Mr. Girdler seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. Minton, Mr. Mitchell, Mr. Burnett, Mr. T. Rutherford, Mrs. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler, and Mrs. Hunley. Voting “Nay”: Mr. Bourne and Mr. J. Rutherford. Motion passed.

First reading was given the following Ordinance:

ORDINANCE NO. 07-18

AN ORDINANCE STATING THE CITY OF SOMERSET'S INTENT AND DESIRE TO ANNEX A CORRIDOR OF HIGHWAY, SPECIFICALLY KENTUCKY STATE HWY 1642, MORE COMMONLY KNOWN AS SLATE BRANCH ROAD, PUTLAND COUNTY, KENTUCKY, TO THE CITY OF SOMERSET, KENTUCKY.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:

That the City of Somerset, Kentucky does hereby state its intent and desire to annex to the City of Somerset, Kentucky, pursuant to KRS 84A.420, the following boundary of unincorporated territory which is a corridor known as Kentucky State Hwy 1642 /Slate Branch Road, which is contiguous to current boundaries of the City Limits, and is territory that is urban in character or is suitable for urban development without unreasonable delay, and which contains water mains and/or sewer lines which belong to the City of Somerset which currently serve customers throughout the area:

A certain corridor located and being in Putland County, State of Kentucky, known as Kentucky State Hwy 1642 /Slate Branch Road, and more fully described as follows, to wit:

(See Exhibit "A" attached hereto and incorporated herein in full by reference.)

FIRST READING

SECOND READING

Approved:

Mayor

ATTEST:

City Clerk

1

Mr. Girdler moved to approve the above ordinance on its first reading regarding intent and desire to annex a corridor of Highway 1642, Slate Branch Road. Mr. Kelley seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Mitchell, Mr. Burnett, Mr. T. Rutherford, Mrs. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler, and Mrs. Hunley. Voting "Nay": Mr. Bourne and Mr. J. Rutherford. Motion passed.

Second reading was given the following Ordinance:

ORDINANCE NO. 07-10

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ESTABLISHING THE POSITION OF ASSISTANT POLICE CHIEF AS A NON-ELECTED OFFICE, PURSUANT TO KRS 83A.086.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:

(A) The purpose of this ordinance is to establish the position of Assistant Police Chief as a Non-Elected Office of the City of Somerset.

(B) The powers and duties of Assistant Police Chief shall include but are not limited to the following:

(See attachment "A" incorporated by reference in full herein.)

(C) The Assistant Police Chief shall take an oath of office as set forth in section 228 of the Constitution of the Commonwealth of Kentucky upon his/her appointment.

(D) The Assistant Police Chief shall provide a bond, if required, with a corporate surety authorized to transact business in Kentucky and conditioned upon the performance of the duties specified above.

(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.

(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.

(G) This ordinance shall be in full force and effect upon passage, approval, and publication according to law.

FIRST READING

SECOND READING

Approved:

Mayor, Eddie Girdler

ATTEST:

City Clerk, David Godsey

1

Mr. Kelley moved to approve the above ordinance on its second reading regarding making the position of Assistant Police Chief as a Non-Elected Office. Mr. J. Rutherford seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Mrs. Stringer, Mr. Eastham, Mr. Kelley and Mr. Girdler. Voting "Nay": Mrs. Hunley. Motion passed.

Second reading was given the following Ordinance:

ORDINANCE NO. 07-11

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ESTABLISHING THE POSITION OF ASSISTANT FIRE CHIEF AS A NON-ELECTED OFFICE, PURSUANT TO KRS 83A.080.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:

(A) The purpose of this ordinance is to establish the position of Assistant Fire Chief as a Non-Elected Office of the City of Somerset.

(B) The powers and duties of Assistant Fire Chief shall include but are not limited to the following:

(See attachment "A" incorporated by reference in full herein.)

(C) The Assistant Fire Chief shall take an oath of office as set forth in section 228 of the Constitution of the Commonwealth of Kentucky upon his/her appointment.

(D) The Assistant Fire Chief shall provide a bond, if required, with a corporate surety authorized to transact business in Kentucky and conditioned upon the performance of the duties specified above.

(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.

(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.

(G) This ordinance shall be in full force and effect upon passage, approval, and publication according to law.

FIRST READING July 23, 2007

SECOND READING _____

Approved: _____

Mayor, Eddie Girdler

ATTEST: _____

City Clerk, David Godsey

1

Mr. Mitchell moved to approve the above ordinance on its second reading regarding making the position of Assistant Fire Chief as a Non-Elected Office. Mr. T. Rutherford seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Mrs. Stringer, Mr. Eastham, Mr. Kelley and Mr. Girdler. Voting "Nay": Mrs. Hunley. Motion passed.

Second reading was given the following Ordinance:

ORDINANCE NO. 07-12

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ESTABLISHING THE POSITION OF ASSISTANT EMS CHIEF AS A NON-ELECTED OFFICE, PURSUANT TO KRS 83A.080.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:

(A) The purpose of this ordinance is to establish the position of Assistant EMS Chief as a Non-Elected Office of the City of Somerset.

(B) The powers and duties of Assistant EMS Chief shall include but are not limited to the following:

(See attachment "A" incorporated by reference in full herein.)

(C) The Assistant EMS Chief shall take an oath of office as set forth in section 228 of the Constitution of the Commonwealth of Kentucky upon his/her appointment.

(D) The Assistant EMS Chief shall provide a bond, if required, with a corporate surety authorized to transact business in Kentucky and conditioned upon the performance of the duties specified above.

(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.

(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.

(G) This ordinance shall be in full force and effect upon passage, approval, and publication according to law.

FIRST READING July 23, 2007

SECOND READING _____

Approved: _____

Mayor, Eddie Girdler

ATTEST: _____

City Clerk, David Godsey

1

Mr. Kelley moved to approve the above ordinance on its second reading regarding making the position of Assistant EMS Chief as a Non-Elected Office. Mr. T. Rutherford seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Mrs. Stringer, Mr. Eastham, Mr. Kelley and Mr. Girdler. Voting "Nay": Mrs. Hunley. Motion passed.

Second reading was given the following Ordinance:

ORDINANCE NO. 07-13

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ESTABLISHING THE POSITION OF BUILDING INSPECTOR AS A NON-ELECTED OFFICE, PURSUANT TO KRS §3A.080.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:

(A) The purpose of this ordinance is to establish the position of Building Inspector as a Non-Elected Office of the City of Somerset.

(B) The powers and duties of Building Inspector shall include but are not limited to the following:
(See attachment "A" incorporated by reference in full herein.)

(C) The Building Inspector shall take an oath of office as set forth in section 228 of the Constitution of the Commonwealth of Kentucky upon his/her appointment.

(D) The Building Inspector shall provide a bond, if required, with a corporate surety authorized to transact business in Kentucky and conditioned upon the performance of the duties specified above.

(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.

(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.

(G) This ordinance shall be in full force and effect upon passage, approval, and publication according to law.

FIRST READING

SECOND READING

Approved:

Mayor, Eddie Girdler

ATTEST:

City Clerk, David Godbey

1

Mr. T. Rutherford moved to approve the above ordinance on its second reading regarding making the position of Building Inspector as a Non-Elected Office. Mrs. Stringer seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Mrs. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler, and Mrs. Hunley.

Second reading was given the following Ordinance:

ORDINANCE NO. 07-14

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ESTABLISHING THE POSITION OF CITY ENGINEER AS A NON-ELECTED OFFICE, PURSUANT TO KRS §3A.080.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:

(A) The purpose of this ordinance is to establish the position of City Engineer as a Non-Elected Office of the City of Somerset.

(B) The powers and duties of City Engineer shall include but are not limited to the following:
(See attachment "A" incorporated by reference in full herein.)

(C) The City Engineer shall take an oath of office as set forth in section 228 of the Constitution of the Commonwealth of Kentucky upon his/her appointment.

(D) The City Engineer shall provide a bond, if required, with a corporate surety authorized to transact business in Kentucky and conditioned upon the performance of the duties specified above.

(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.

(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.

(G) This ordinance shall be in full force and effect upon passage, approval, and publication according to law.

FIRST READING

SECOND READING

Approved:

Mayor, Eddie Girdler

ATTEST:

City Clerk, David Godbey

1

Mr. Mitchell moved to approve the above ordinance on its second reading regarding making the position of City Engineer as a Non-Elected Office. Mr. J. Rutherford seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Mrs. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler, and Mrs. Hunley.


Mr. Girdler moved to approve an Entertainment Permit for Donna J. Kleffman for property located at 650 North Main Street Suite 208. Mr. Eastham seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Mrs. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler, and Mrs. Hunley.

Eddie R. Girdler
Mayor

David Godsey
City Clerk

City of Somerset

400 East Mt Vernon Street
P.O. Box 488
Somerset, Kentucky 42502
(606) 724-6388
(606) 724-6389
(606) 724-6390




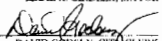
PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT DONNA J. KLEFFMAN HAS REQUESTED AN ENTERTAINMENT PERMIT. THE PLACE OF ENTERTAINMENT IS LOCATED AT 650 NORTH MAIN STREET SUITE 208, SOMERSET, KENTUCKY 42501.

IN COMPLIANCE WITH CITY ORDINANCE # 88-17, NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY, AT ITS REGULAR MEETING PLACE IN THE COUNCIL CHAMBERS AT CITY HALL, 400 EAST MOUNT VERNON STREET, SOMERSET, KENTUCKY ON AUGUST 13, 2007 AT 8:45 PM. THE PURPOSE OF THIS HEARING IS TO DETERMINE WHETHER OR NOT THE ENTERTAINMENT PERMIT SHOULD BE ISSUED TO DONNA J. KLEFFMAN.

ANY PERSON DESIRING TO BE HEARD SHALL HAVE FILED IN WRITING ALLEGATIONS THAT SHOW CAUSE AS TO WHY THE PERMIT SHOULD NOT BE ISSUED.


EDDIE R. GIRDLER, MAYOR


DAVID GODSEY, CITY CLERK

Equal Opportunity Employer M/F/D (606) 724-6390 (TDD)

Mr. Burnett moved to approve bids for a natural gas compressor. The bid being awarded to Power Parts Supply in the amount of \$397,452.00. Mr. Mitchell seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Mrs. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler, and Mrs. Hunley.

ADVERTISEMENT TO BID

THE CITY OF SOMERSET GAS SERVICE WILL BE ACCEPTING SEALED BIDS FOR THE PURCHASE AND DELIVERY OF A NATURAL GAS COMPRESSOR.

SEALED BIDS WILL BE RECEIVED BY THE SOMERSET CITY CLERK'S OFFICE LOCATED AT SOMERSET CITY HALL, 400 EAST MT VERNON STREET, SOMERSET KY UNTIL 2:00 P.M. EST AUGUST 8, 2007 AT WHICH TIME THEY SHALL BE OPENED AND PUBLICALLY READ ALOUD.

COPIES OF THE BID DOCUMENTS AND/OR SPECIFICATIONS ARE AVAILABLE AT THE CITY CLERK'S OFFICE.

THE CITY OF SOMERSET RESERVES THE RIGHT TO ACCEPT OR REJECT ANY OR ALL BIDS.

EDDIE R. GIRDLER
MAYOR

DAVID GODSEY
CITY CLERK

Power Parts Supply

PROPOSAL

For your consideration, Power Parts Supply and Valerus Compression, LP is pleased to submit this proposal which is subject to contract provision set forth.

BASIC EQUIPMENT

Packaged Gas Compressor consisting of the following:

- 1) Ajax DPC - 2802LE Compressor
7.0" 1st Stage Cylinder
7.0" 2nd Stage Cylinder
- 2) TDI 90 Low Pressure Starter (Comes Standard)

PERFORMANCE

Capacity 9.99 mmcf/d
Suction Pressure: 290 psig
Suction Temp: 80 F
Discharge Pressure: 560 psig
Brake Horsepower: 270.2
Specific Gravity: .65
Elevation: 1000'
Ambient Temp: 100

COMMERCIAL

Invoice Terms:
50% @ Time of P.O.
50% @ Time of shipping.

Ajax DPC-2802LE
Price: \$ 397,452.00

353 Keystone Drive • Charleston, West Virginia 25311 • 304-342-0600 • Fax 304-342-0604
www.powerpartssupply.com

8043 Columbus Road
Mount Vernon Ohio 43050
1-800-825-1932 Fax
1-304-825-1932 Office
1-304-389-8630 Mobile
1-800-445-8630 Mt. Vernon Office
jhuvala@potemkinindustries.com

Potemkin Industries, Inc.

fax

To: William Lowery From: Jeff Hudnall
Fax: 606-678-6227 Pages:
Phone: 606-678-4486 Date: 07/23/07
Ref: CCI

☐ Urgent ☒ For Review ☐ Please Comment ☒ Please Reply ☐ Please Recycle

Re: Per our discussion on Thursday July 19, 2007 Potemkin Industries is pleased to quote on the following Ajax unit. Thank you for the opportunity to earn your business.

| | Price |
|--|--------------|
| New DPC 2802LE MH-1 with (2) 7" or 7.5" YKDC cylinder, single-stage, with all the standard equipment | \$409,244.40 |
| Options | |
| Vanec 141 Muffler | \$7,670.00 |
| Exhaustline stand | \$1,165.00 |
| Concrete Filled Skids with Drip Lips | \$4,440.00 |
| Vanec 265 Air intake filter silencer in lieu of standard | \$3,078.00 |
| Fisher panel mounted speed controller - sensing suction pressure | \$4,172.00 |

Estimated cost of delivery from Oklahoma City, OK to Somerset, KY is an additional \$14,981.00. This price does not account for any unforeseen obstacles or circumstances in delivery of the unit to the actual compressor sight. Unloading of the unit will be the responsibility of The City of Somerset.

This proposal includes the following items at no additional cost to the City of Somerset.

- Electronic IGFB Governors with 24-volt alternator and battery backup
- Delcon dual lubrication monitor for power and compressor cylinder protection
- Murphy Convol Panels
- LE Low Emissions Technology
- 12 month Parts and Labor Warranty, not to exceed 18 months from delivery
- On site Technical Field Services (two men for two days) in order to assist with start up
- Additional 5% OEM discount for spare parts ordered within 3 months of start up

Mr. T. Rutherford made a motion to go into executive session to discuss personnel appointment of Assistant Police Chief Doug Nelson. Mr. J. Rutherford seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Mrs. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler, and Mrs. Hunley.

No action taken in executive session.

Mr. J. Rutherford moved to approve the following resolution disapproving the appointment of Doug Nelson as Assistant Chief of Police as appointed by Mayor Girdler. Mr. Bourne seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Mrs. Stringer, Mr. Eastham, and Mr. Girdler. Voting "Nay": Mr. Kelley and Mrs. Hunley. Motion passed.

RESOLUTION

A RESOLUTION OF THE CITY OF SOMERSET, KENTUCKY, DISAPPROVING THE APPOINTMENT OF DOUG NELSON AS ASSISTANT CHIEF OF POLICE OF THE SOMERSET POLICE DEPARTMENT BY MAYOR EDDIE GIRDLER.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY, THAT:

- I. The appointment violates the City of Somerset Pay and Classification Plan, Ordinance 07-06 by having two (2) person serving in that position at the same time.
- II. The appointment violates the Somerset Police Department Policy and Procedure Manual, Ordinance 2001-19, by having two (2) persons serving in that position at the same time.
- III. The appointment violates the Somerset Police Department Policy and Procedure Manual, Ordinance 2001-19, by bypassing the requirement that the Chief of Police shall select the Assistant Chief of Police, with the final approval to be made by the Mayor.
- IV. No Chief or Assistant Chief in recent memory has assumed the duties of the previous appointee until after the previous Chief or Assistant Chief has vacated the position.

Approved by the Common Council this 13th day of August, 2007.

Eddie Girdler
Mayor, Eddie Girdler

ATTEST:
David Godsey
City Clerk, David Godsey

Mr. Bourne stated that an ordinance be written making Planning and Zoning as a Non-Elected Office. No vote was taken.

Mr. J. Rutherford made a motion to allow Carrie Wiese, City Attorney to contact the Secretary of State and the County Clerk’s Office regarding the vacancy of the 6th Ward Council Seat due to the death of Council Member Charlie New. Mr. Mitchell seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Mrs. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler, and Mrs. Hunley.

There being no further business the meeting adjourned.

APPROVED _____
MAYOR

ATTEST: _____
CITY CLERK