

**MINUTES OF MEETING HELD FEBRUARY 11, 2008**

The Common Council of the City of Somerset, Kentucky met in a regular session on Monday February 11, 2008 at 7:00 p.m. with the following present: Mayor Eddie Girdler. Council Members: Linda Stringer, James Eastham, Steve Kelley, Jerry Girdler, David Childers, Donna Hunley, John Minton, Jim Mitchell, Pat Bourne, Jerry Burnett, Tim Rutherford, and Jim Rutherford. City Clerk David Godsey and City Attorney Carrie Wiese.

A moment of silence was observed in respect for the recent death of Caroline Elizabeth Godsey infant daughter of City Engineer Alex Godsey, Brooklyn Lee Smith daughter of Detective Shannon Smith, and Bobby Claunch husband of retired employee Anna Jane Claunch.

Mr. T. Rutherford moved to approve the minutes of the last regular meeting held on January 28, 2008, along with the reports to be approved as delivered. Mr. Eastham seconded the motion. Upon roll call the following Council Members voted “Aye”: Mrs. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler, Mr. Childers, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, and Mr. J. Rutherford.

First reading was given the following Ordinance:

<p style="text-align: center;"><b>ORDINANCE NO. 08-02</b></p> <p>AN ORDINANCE AMENDING ORDINANCE NO. 00-18, KNOWN AS THE CITY’S ZONING ORDINANCE, AND ALTERING THE ZONING MAP TO REFLECT SAID AMENDMENT, BASED ON THE FINDINGS OF FACT MADE BY THE PLANNING AND ZONING BOARD, AND BASED ON SAID BOARD’S RECOMMENDATION OF A ZONE CHANGE.</p>
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Mr. Burnett moved to approve the above ordinance on its first reading regarding rezoning 102 Crab Orchard Street from R-2 to B-2. Mr. T. Rutherford seconded the motion. Upon roll call the following Council Members voted “Aye”: Mrs. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler, Mr. Childers, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, and Mr. J. Rutherford.

First reading was given the following Ordinance:

<p style="text-align: center;"><b>ORDINANCE NO. 08-03</b></p> <p>AN ORDINANCE AMENDING ORDINANCE NO. 00-18, KNOWN AS THE CITY’S ZONING ORDINANCE, AND ALTERING THE ZONING MAP TO REFLECT SAID AMENDMENT, BASED ON THE FINDINGS OF FACT MADE BY THE PLANNING AND ZONING BOARD, AND BASED ON SAID BOARD’S RECOMMENDATION OF A ZONE CHANGE.</p>
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Mr. Mitchell moved to approve the above ordinance on its first reading regarding rezoning 527 N. Main Street from R-2 to B-2. Mr. J. Rutherford seconded the motion. Upon roll call the following Council Members voted “Aye”: Mrs. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler, Mr. Childers, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, and Mr. J. Rutherford.

First reading was given the following Ordinance:

**ORDINANCE NO. 08-04**

AN ORDINANCE AMENDING ORDINANCE NO. 00-18, KNOWN AS THE CITY’S ZONING ORDINANCE, AND ALTERING THE ZONING MAP TO REFLECT SAID AMENDMENT, BASED ON THE FINDINGS OF FACT MADE BY THE PLANNING AND ZONING BOARD, AND BASED ON SAID BOARD’S RECOMMENDATION OF A ZONE CHANGE.

Mr. Minton moved to approve the above ordinance on its first reading regarding rezoning 531 N. Main Street from R-2 to B-2. Mrs. Stringer seconded the motion. Upon roll call the following Council Members voted “Aye”: Mrs. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler, Mr. Childers, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, and Mr. J. Rutherford.

**RESOLUTION**  
**CITY OF SOMERSET, KENTUCKY**

A RESOLUTION OF THE COUNCIL FOR THE CITY OF SOMERSET, KENTUCKY, ACCEPTING THE SURVEYOR, BOBBY HUDSON'S, OFFICIAL DESCRIPTION FOR THE PROPERTY KNOWN AS THE "HOMER DECKER FAMILY PROJECT" WHICH WAS ANNEXED BY ORDINANCE INTO THE CORPORATE LIMITS OF THE CITY OF SOMERSET, PULASKI COUNTY, ON OR ABOUT THE JUNE 11, 2007;

WHEREAS, the City of Somerset, Kentucky has received notice from the Secretary of State's Land Office Division that the original description for said property as set forth in the Deed Book 443, Page 006, dated July 3, 1978, which is also the description provided in the most current deed conveying said property to the new owners Stonebrook Development, LLC and Conrad Brothers Investors, LLC, said conveyance having taken place on or about April 23, 2007, does not match the new official surveyed description and plat; and

WHEREAS, said survey and plat having been produced by Bobby Hudson, a certified surveyor in the State of Kentucky, in order to properly plat out the property described above, and said survey was signed, certified, stamped, and dated on or about July 17, 2007; and

WHEREAS, the original deed description contained in the annexation Ordinance stated above and said new modern survey are not an exact match and the City realizing that in order for the mapping to be done properly by the Secretary of State's Land Office Division and for the annexing to be accepted by the State of Kentucky the City must adopt and/or accept the new modern description;

NOW THEREFORE, be it resolved and ordained by the Common Council of the City of Somerset, Kentucky this 11<sup>th</sup> day of February, 2008, that:

I. That the City hereby adopts and accepts as the official description for the above named property for annexation purposes, the new description as set forth in the surveyor's plat and meets and bounds attached hereto and incorporated in full herein by reference, in accordance with all applicable laws of the State of Kentucky.

II. This resolution shall be in full force and effect upon passage by the common council.

Approved by the Common Council of the City of Somerset on this the 11<sup>th</sup> day of February, 2008. Motion by: Mr. Girdler and seconded by Mr. Burnett, Members present voting 12 in favor.

ATTEST: Eddie Girdler  
Mayor, Eddie Girdler

City Clerk, David Godsey

Mr. Girdler moved to approve the above resolution accepting the surveyor, Bobby Hudson’s Official Description for the property known as the “Homer Decker Family Project”. Mr. Burnett seconded the motion. Upon roll call the following Council Members voted “Aye”: Mrs. Stringer, Mr. Eastham, Mr. Kelley, Mr. Girdler, Mr. Childers, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, and Mr. J. Rutherford.

There being no further business the meeting adjourned.

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

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