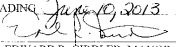


MINUTES OF MEETING HELD JUNE 10, 2013

The Common Council of the City of Somerset, Kentucky met in a regular meeting on Monday June 10, 2013, at 7:00 p.m. with the following present: Mayor Eddie Girdler. Council Members: Mike New, Donna Hunley, John Minton, Jim Mitchell, Pat Bourne, Jerry Burnett, Jim Rutherford, Linda Stringer, Jerry Wheeldon, Jimmy Eastham, and Jerry Girdler. City Attorney Carrie Wiese and City Clerk David Godsey. Absent: Council Member Tom Eastham.

Mr. Mitchell moved to approve the minutes of the regular meeting held on May 13, 2013 along with reports as mailed. Mr. Bourne seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. New, Mrs. Hunley, Mr. Minton, Jim Mitchell, Mr. Bourne, Mr. Burnett, Mr. Rutherford, Mrs. Stringer, Mr. Wheeldon, Mr. J. Eastham, and Mr. Girdler.

Second reading was given the following Ordinance # 13-07:

ORDINANCE NUMBER 13-07			FIRST READING <u>May 13, 2013</u>	
AN ORDINANCE AMENDING THE CITY OF SOMERSET, KENTUCKY ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013 ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS OF THE CITY OF SOMERSET, KENTUCKY.			SECOND READING <u>June 10, 2013</u>	
WHEREAS, AN ANNUAL BUDGET HAS BEEN ADOPTED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY; AND			APPROVED 	
WHEREAS, THE COMMON COUNCIL HAS RECEIVED THE PROPOSED BUDGET CHANGES AND MADE NECESSARY MODIFICATIONS			EDWARD R. GIRDLER, MAYOR	
NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SOMERSET, KENTUCKY:			CITY OF SOMERSET, KENTUCKY	
SECTION 1. THAT THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013 IS HEREBY AMENDED AS FOLLOWS:			ATTEST: _____	
	REVENUE	EXPENDITURES	DAVID GODSEY, CITY CLERK	
GENERAL FUND	\$13,612,647.00	\$13,612,647.00		
CEMETERY FUND	\$40,000.00	\$40,000.00		
	\$140,000.00	\$140,000.00		
SANITATION SERVICE	\$2,632,000.00	\$2,632,000.00		
GAS SERVICE	\$18,301,000.00	\$18,301,000.00		
WATER SERVICE	\$27,256,000.00	\$27,256,000.00		
WASTEWATER	\$7,993,375.00	\$7,993,375.00		
WATER PARK	\$1,683,550.00	\$1,683,550.00		
FUEL CENTER	—\$200,000.00	\$200,000.00		
	\$400,000.00	\$400,000.00		
PARKS AND REC	\$1,134,300.00	\$1,134,300.00		
EMS	\$4,776,700.00	\$4,776,700.00		
TOTAL ALL FUNDS	\$77,629,572.00	\$77,629,572.00		
	\$77,929,572.00	\$77,929,572.00		
SECTION 2. THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS PASSAGE AND UPON PUBLICATION.				

Mr. Wheeldon moved to approve the above Ordinance No. 13-07 on its second reading approving the budget amendment. Mrs. Stringer seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. New, Mrs. Hunley, Mr. Minton, Jim Mitchell, Mr. Bourne, Mr. Burnett, Mr. Rutherford, Mrs. Stringer, Mr. Wheeldon, Mr. J. Eastham, and Mr. Girdler.

First reading was given the following Ordinance No. 13-08

ORDINANCE NUMBER 13-08	
AN ORDINANCE ADOPTING THE CITY OF SOMERSET, KENTUCKY ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2013 AND ENDING JUNE 30, 2014 ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS OF THE CITY OF SOMERSET, KENTUCKY; AND AMENDING THE WATER AND WASTEWATER RATE STRUCTURE ADOPTED WITH THE 2012-2013 ANNUAL BUDGET, ALL WHICH SHALL BE IN EFFECT JULY 1, 2013;	

First reading was given the following Ordinance No. 13-09

ORDINANCE NO. 13-09

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNEXING BY CONSENT A *PERMANENT EASMENT BELONGING TO THE CITY OF SOMERSET, WHICH CONTAINS A GAS MAIN ALSO BELONGING TO THE CITY OF SOMERSET*, AND FURTHER DESCRIBED IN EXHIBIT "A" OF THIS ORDINANCE IN DETAIL, EXHIBIT "A" INCORPORATED IN FULL HEREIN BY REFERENCE;

First reading was given the following Ordinance No. 13-10

ORDINANCE NO. 13-10

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNEXING BY CONSENT PROPERTY COMMONLY KNOWN AS *225 BARNESBURG ROAD, SOMERSET, KY, 42501*, AND DESCRIBED BELOW AND IN ATTACHMENTS TO THIS ORDINANCE, SAID ATTACHMENTS INCORPORATED IN FULL HEREIN BY REFERENCE;

Mr. Wheeldon moved to approve the following Resolution No. 13-10 regarding the sale of surplus property on S. Richardson Drive in the amount of \$3500.00 Mr. New seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. New, Mrs. Hunley, Mr. Minton, Jim Mitchell, Mr. Bourne, Mr. Burnett, Mr. Rutherford, Mrs. Stringer, Mr. Wheeldon, Mr. J. Eastham, and Mr. Girdler.

**RESOLUTION 13-10
CITY OF SOMERSET, KENTUCKY**


WHEREAS, the City of Somerset, Kentucky obtained a parcel of land with a residential structure in order to remove the damaged structure and utilize the parcel as a Scattered Housing Site as part of the City's Scattered Housing Project; and

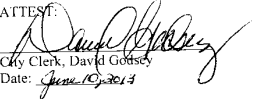
WHEREAS, the City later learned that the site would not be suitable for the location of a new city-built residential structure under the housing guidelines in place regulating the Scattered Housing Project; and

WHEREAS, the City believes there is no other or additional public purpose or use for the parcel other than that for which it was purchased;

NOW THEREFORE, be it resolved and ordained by the Common Council of the City of Somerset that the above described parcel, also identified and appraised in "Exhibit A" to this Resolution, said exhibit incorporated in full herein by reference, is declared by the City to be Surplus Property, and that said property, having no value to the City of Somerset due to its unavailability to be used for the purpose for which it was purchased, and further having no other public purpose or use to which the City finds to be in its best interests, is hereby approved for sale with compensation to an interested buyer for the appraised market value of the parcel, without public auction or sealed bids, with the understanding that said buyer plans to clear, clean, and maintain the parcel at his/her own expense, including making improvements to the parcel, thus increasing the value of the property in the area and aiding in the beautification of downtown Somerset, said use of which meets what the City believes to be "Economic Development" for a blighted parcel and area of the City and therefore exempt from public auction or sealed bid sale normally required for the disposition of surplus property belonging to the City under the Model Procurement Code and all other applicable law.

Approved by a majority of the Common Council of the City of Somerset on this the 10th day of June, 2013.


Mayor, Eddie Girdler

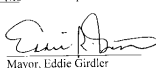
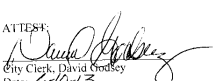
ATTEST:

City Clerk, David Godsey
Date: June 10, 2013

Mr. Mitchell made a motion to go into executive session to discuss pending litigation for which disclosure of details might compromise litigation posture, pursuant to KRS 61.810(1)(c), and to discuss real property acquisition for which publicity at present stage might or would likely affect the value, per KRS 61.810(1)(b). Mr. Rutherford seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. New, Mrs. Hunley, Mr. Minton, Jim Mitchell, Mr. Bourne, Mr. Burnett, Mr. Rutherford, Mrs. Stringer, Mr. Wheeldon, Mr. J. Eastham, and Mr. Girdler.

No action taken in executive session.

Mr. Wheeldon moved to approve the City of Somerset - Pulaski County Inter-Local Cooperation Agreement for EMS and 911 Communications. Mr. Mitchell Seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. New, Mrs. Hunley, Mr. Minton, Jim Mitchell, Mr. Bourne, Mr. Burnett, Mr. Rutherford, Mrs. Stringer, Mr. Wheeldon, Mr. J. Eastham, and Mr. Girdler.

Mr. Burnett moved to approve the following Resolution No. 13-11 known as the "Mid-Town Sewer Project" and authorize the City Attorney to file a condemnation action. Mr. Rutherford seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. New, Mrs. Hunley, Mr. Minton, Jim Mitchell, Mr. Bourne, Mr. Burnett, Mr. Rutherford, Mrs. Stringer, Mr. Wheeldon, Mr. J. Eastham, and Mr. Girdler.

<p style="text-align: center;">RESOLUTION 13-11 CITY OF SOMERSET, KENTUCKY</p> <p>WHEREAS, the City of Somerset, Kentucky is in the process of beginning the construction and/or maintenance of sewer mains within the City of Somerset, project to be known hereafter as the "Mid-Town Sewer Project"; and</p> <p>WHEREAS, the Council has been informed by the City Attorney that a condemnation suit for a necessary easement to be used for a public purpose/use under the City's authority of Eminent Domain, said parcel located within the corporate limits of the City of Somerset;</p> <p>NOW THEREFORE, be it resolved and ordained by the Common Council of the City of Somerset that the City Attorney shall have the authority and permission to file a condemnation action in regards to the above described property easement for the purpose of locating sewer main(s) and/or maintenance of the City's Sewer system (see Exhibit "A", incorporated herein by reference in full).</p> <p>Approved by the Common Council of the City of Somerset on this the 10th day of June, 2013. Motion by: <u>Mr. Burnett</u>, and seconded by: <u>Mr. Rutherford</u> Members present: <u>11</u>; Members voting in favor: <u>11</u></p> <p style="text-align: right;"> Mayor, Eddie Girdler</p> <p>ATTEST:  City Clerk, David Girdley Date: <u>6/10/13</u></p>	<p style="text-align: center;">EXHIBIT "A" - CITY OF SOMERSET RESOLUTION</p> <p>Beginning at a point in the Larkin Jackson and the North right-of-way of Railroad Street property line, said point being 90 feet, more or less, measured in an easterly direction along said property line from the Larkin Jackson and Stewart Development, Inc., property corner, said corner being in the North right-of-way of Railroad Street; thence, across the property of Larkin Jackson, N 6°40' E, 235 feet, more or less, to a point hereinafter referred to as "A" (MH A-4); thence, continuing N 6°40' E, 107 feet, more or less, to a point in the Larkin Jackson and KY 2292 South right-of-way property line, said point being 2 feet, more or less, measured in a westerly direction along said property line from the Larkin Jackson and the Norfolk-Southern Railroad property corner, said corner being in the South right-of-way of KY 2292; thence, from Point "A" (MH-A4), N 63°43' E, 23 feet, more or less, to a point in the Larkin Jackson and the West right-of-way of the Norfolk-Southern Railroad property line, said point being 98 feet, more or less, measured in a southerly direction along said property line from the Larkin Jackson and the West right-of-way of the Norfolk-Southern Railroad property corner, said corner being in the South right-of-way of KY 2292.</p> <p>The permanent easement shall be a strip of land 15 feet wide extending 7.5 feet on the West side and 7.5 feet on the East side of the above described centerline.</p> <p>The temporary construction easement shall be a strip of land 30 feet wide extending 15 feet on the West and North side and 15 feet on the East side of the above described centerline.</p>
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Mr. Burnett moved to approve the City Attorney and the Mayor to negotiate the purchase of property at 511 W. Columbia Street. Mr. Bourne seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. New, Mrs. Hunley, Mr. Minton, Jim Mitchell, Mr. Bourne, Mr. Burnett, Mr. Rutherford, Mrs. Stringer, Mr. Wheeldon, Mr. J. Eastham, and Mr. Girdler.

There being no further business the meeting adjourned.

APPROVED: _____

MAYOR

ATTEST: _____

CITY CLERK