

MINUTES OF MEETING HELD MARCH 11, 2013

The Common Council of the City of Somerset, Kentucky met in a regular meeting on Monday March 11, 2013, at 7:00 p.m. with the following present: Mayor Eddie Girdler. Council Members: Jerry Wheeldon, Jimmy Eastham, Jerry Girdler, Mike New, Donna Hunley, John Minton, Jim Mitchell, Pat Bourne, Jerry Burnett, Tom Eastham, Jim Rutherford, and Linda Stringer. City Attorney Carrie Wiese and City Clerk David Godsey.

Mr. Wheeldon moved to approve the minutes of the regular meeting held on February 25, 2013, along with the reports as mailed. Mr. T. Eastham seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Jim Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Eastham, Mr. Rutherford, and Mrs. Stringer.

Mr. Minton moved to proceed with the park project on Bourne and Marydale. Mr. Mitchell seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Jim Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Eastham, Mr. Rutherford, and Mrs. Stringer.

Second reading was given the following Ordinance # 13-02:


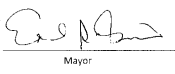
ORDINANCE NUMBER 13-02

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ENACTING AN OCCUPATIONAL TAX ORDINANCE UNDER THE AUTHORITY TO LEVY OCCUPATIONAL TAXES PURSUANT TO KRS 92.281 AND KRS CHAPTER 137 REGARDING THE LEVY OF A LICENSE TAX;

* Ordinance too large to include in minutes. A complete copy can be found in the City Clerk's Office.

Mr. Wheeldon moved to approve the above Ordinance No. 13-02 on its second reading enacting an Occupational Tax Ordinance. Mr. T. Eastham seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Jim Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Eastham, Mr. Rutherford, and Mrs. Stringer.

Mr. Bourne moved to approve the following Resolution No. 13-06 cancelling agreement with Pulaski County regarding EMS. Mr. T. Eastham seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Jim Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Eastham, Mr. Rutherford, and Mrs. Stringer.

<p style="text-align:center"><u>RESOLUTION</u> <u>CANCELLING AGREEMENT WITH PULASKI COUNTY REGARDING EMS</u> <u>March 11, 2013</u></p> <p>WHEREAS, the 1995 <u>Agreement</u> between the City of Somerset and Pulaski County concerning the overseeing or management of the emergency medical services (EMS) by Somerset City Council is no longer practical or effective nor consistent with current laws and regulations; and</p> <p>WHEREAS, the Pulaski County Fiscal Court has openly refused to acknowledge revenue shortfall or operating deficit or the County's financial obligation to meet said shortfall and openly indicated in a Fiscal Court meeting that the contract is not valid; and</p> <p>WHEREAS, the City has made known to the County on March 1, 2011, meeting with county officials in 2011, December 21, 2012, January 14, 2013, meeting with county officials on January 31, City Resolutions on February 13, 2013 (copy sent to county); Occupational Tax Ordinance on February 28, 2013 (copy provided to county) about the actual and projected financial shortfall for EMS; and</p> <p>WHEREAS, the City has offered on at least two recent meetings to transfer the operation of the EMS to the County but received no response; and</p> <p>WHEREAS, the Mayor has no authority to go outside city limits for EMS without an Interlocal Cooperation Agreement or basic form of Agreement; and</p> <p>WHEREAS, the City Council would need to approve a Budget Amendment in addition to the emergency funds advanced to EMS by City Resolution and an identification of the source of funds for the budget amendment; and</p> <p>WHEREAS, every citizen of Somerset is a resident of Pulaski County and pays double taxation for that privilege and any EMS services provided by the County must be available to every citizen of Somerset thereby giving Somerset citizens emergency services.</p>	<p>NOW THEREFORE, the City hereby gives a sixty (60) notice of termination of the EMS Agreement with the County and consistent with a previous Resolution authorizing securing repayment of underfunding of \$982,097 through June 30, 2012 with FY 2013 not yet determined.</p> <p>IN ADDITION, the City will retain all current licenses for emergency services and reserves the right to continue, but not limited to, advanced life support (ALS), basic life support (BLS), medical transportation and other services within the city limits of Somerset as a supplement to the EMS services provided to all residents of the county.</p> <div><div> City Clerk</div><div> Mayor</div></div>
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Mr. Mitchell moved to approve the following Resolution No. 13-07 entering into a interlocal cooperation agreement with UNITE. Mr. T. Eastham seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Jim Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Eastham, Mr. Rutherford, and Mrs. Stringer.

Eddie R. Girdler
Mayor

David Godsey
City Clerk

City of Somerset


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(606)679-2481 (FAX)




RESOLUTION

WHEREAS, the Somerset City Council desires to participate in an interlocal cooperation agreement with the other participating counties, cities, or sheriff's departments, to be funded and administered by the Unlawful Narcotics Investigations, Treatment and Education, Inc. (UNITE) in order to combat illegal drug use through a comprehensive campaign of investigation, treatment and education; and

NOW THEREFORE, it is resolved that the City of Somerset is hereby authorized to enter into an Amended and Interlocal Agreement along with other participating counties, cities or sheriff's departments, to be funded and administered by UNITE, and to take such further steps as are necessary to fully participate in the UNITE project.


Eddie R. Girdler, Mayor
City of Somerset

ATTEST:


Equal Opportunity Employer MFID (506)678-5176 (TDD)

Mr. Burnett moved to transfer ownership of a closed right of way on University Drive in the amount of \$1.00 to First Apostolic Church for additional parking and building. Mr. Wheeldon seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Jim Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Eastham, Mr. Rutherford, and Mrs. Stringer.

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Mr. Wheeldon 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). Mr. T. Eastham seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Jim Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Eastham, Mr. Rutherford, and Mrs. Stringer.

No action taken in executive session.

There being no further business the meeting adjourned.

APPROVED: _____
MAYOR

ATTEST: _____
CITY CLERK