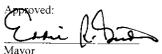


MINUTES OF MEETING HELD MARCH 26, 2012

The Common Council of the City of Somerset, Kentucky met in a regular session on Monday, March 26, 2012 at 7:00 p.m. with the following present: Mayor Eddie Girdler. Council Members: Jerry Wheeldon, Mark Beasley, 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. Mitchell moved to approve the minutes of the regular meeting held on March 12, 2012, along with the reports as mailed. Mr. Bourne seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Wheeldon, Mr. Beasley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. Eastham, Mr. Rutherford, and Mrs. Stringer.

Second reading was given the following Ordinance # 12-06:

<p style="text-align: center;">ORDINANCE NO. 12-06</p> <p>AN ORDINANCE ANNEXING TO THE CITY OF SOMERSET TERRITORY AS SET FORTH BELOW AND DESCRIBED IN THE ATTACHED EXHIBITS, SAID TERRITORY HAVING BEEN DECLARED IN THE CITY'S INTENT TO ANNEX ORDINANCE TO BE DESIRABLE TO ANNEX BY THE CITY, AND PURSUANT TO KRS CHAPTER 81A AND ALL OTHER APPLICABLE LAW:</p> <p>BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:</p> <p>I. PURPOSE OF ORDINANCE/COMPLIANCE WITH APPLICABLE LAW</p> <p>This Ordinance sets forth the Annexation of the subject property, which the City of Somerset, Kentucky has previously expressly stated its intent to annex, and further declared the territory as desirable to annex to the City of Somerset, Kentucky, pursuant to KRS 81A.420 and all other applicable law. Said Intent to Annex Ordinance was passed upon the second reading on the 12th day of March, 2012, and the Clerk's certification of notice to the property owner(s) was made part of the official record of said meeting per KRS 81A.425.</p> <p>As required, said Intent to Annex Ordinance was published with all Exhibits on the 15th day of March, 2012, along with the required Notice per KRS regarding owners' rights to object via petition. Further, per KRS 424.130(1)(b), the Notice referred to above was published a second time along with the Ordinance's Exhibits on the 26th day of February 2012.</p> <p>To date, no bona fide petition has been presented to the Mayor and the 60 day period for such petitions having ended, the City herein exercises its right to Annex the territory set forth in the Intent to Annex Ordinance referred to above.</p> <p>II. REQUIREMENTS FOR ANNEXATION SATISFIED BY THE CITY</p> <p>The subject unincorporated territory is contiguous to current boundaries of the City Limits, is territory that is urban in character or is suitable for urban development without unreasonable delay, some of which currently contains water mains and/or sewer lines and/or natural gas lines which belong to the City of Somerset that provide services for customers throughout the County and currently outside of the City's corporate boundaries; further, the included and described territory that does not already contain such infrastructure is part of the City's future development and growth plans, much of which is contained in the City's approved Comprehensive Plan required by law to be adopted and reviewed on a periodic basis. Therefore the growth of the City's corporate boundaries and infrastructure into the subject territory is not a mere speculation that services may be provided in the future, but a solid and existing plan of which the City is financially capable of providing which will benefit the entire County and all communities</p> <p style="text-align: center;">1</p>	<p>within its boundaries, and which benefits the Lake Cumberland watershed which serves and affects the entire South Eastern Region of the United States.</p> <p>III. CURRENT MUNICIPAL VALUE OR PURPOSE</p> <p>Pursuant to applicable case law interpreting Kentucky Annexation Laws, the City of Somerset may annex territory in strips, otherwise known as, and hereinafter described as, "corridors", if said territory has a concrete and tangible municipal value or purpose existing at the time annexation is sought. The City of Somerset, by and through the City Council, herein states and declares that the City of Somerset has the required concrete and tangible municipal value or purpose for annexing the subject territory (See Section II above for additional information).</p> <p>IV. DESCRIPTION OF TERRITORY</p> <p>Please see Exhibit "A" (Description and Map) which contains an accurate description of the annexed territory pursuant to KRS 81A, attached hereto and incorporated herein in full by reference.</p> <p>V. SEVERABILITY</p> <p>If any part 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>VI. FORCE AND EFFECT</p> <p>This ordinance shall be in full force and effect upon passage by the Common Council, approval by the Mayor, and publication according to law.</p> <p>FIRST READING: <u>March 12, 2012</u></p> <p>SECOND READING: <u>March 26, 2012</u></p> <p>Approved:  Mayor</p> <p>ATTEST:  City Clerk</p> <p style="text-align: center;">2</p>
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***description of Annexation and Map on file in City Clerk's Office

Mr. Wheeldon moved to approve the above Ordinance # 12-06 on its second reading approving the Corridor Annexation Project Expansion for the City of Somerset. Mr. Beasley seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Wheeldon, Mr. Beasley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. Eastham, Mr. Rutherford, and Mrs. Stringer.

Mr. Bourne moved to refund the following amounts paid on 2010 City taxes to Otis Manning in the amount of \$48.04 for a Homestead Exemption, and 2009 City taxes to Mr. Manning in the amount of \$53.71. Mr. Wheeldon seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Wheeldon, Mr. Beasley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. Eastham, Mr. Rutherford, and Mrs. Stringer.

There being no further business the meeting adjourned.

APPROVED _____
MAYOR

ATTEST: _____
CITY CLERK