

MINUTES OF MEETING HELD MARCH 8, 2010

The Common Council of the City of Somerset, Kentucky met in a regular session on Monday, March 8, 2010, at 7:00 p.m. with the following present: Mayor Eddie Girdler. Council Members: Jerry Wheeldon, Steve Kelley, Jerry Girdler, Mike New, Donna Hunley, John Minton, Jim Mitchell, Pat Bourne, Jerry Burnett, Tim Rutherford, 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 22, 2010, along with the reports as mailed. Mr. Minton seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. Wheeldon, Mr. Kelley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, and Ms. Stringer.

Second reading was given the following Ordinance # 10-01:

ORDINANCE NO. 10-01

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ADOPTING THE KENTUCKY MODEL PROCUREMENT CODE AS SET FORTH IN KRS 45A.343-45A.460, SAID SECTIONS INCORPORATED IN FULL HEREIN BY REFERENCE;

WHEREAS, the City of Somerset hereby adopts the Local Model Procurement Code in order to promote the following underlying purposes and policies as set forth in KRS Chapter 45A:
(a) To simplify, clarify, and modernize the law governing purchasing by the City of Somerset;
(b) To permit the continued development of purchasing policies and practices;
(c) To make as consistent as possible the purchasing laws among the various cities and states;
(d) To provide for increased public confidence in the procedures followed in public procurement;
(e) To insure the fair and equitable treatment of all persons who deal with the procurement system of the City of Somerset;
(f) To provide increased economy in City procurement activities by fostering effective competition; and
(g) To provide safeguards for the maintenance of a procurement system of quality and integrity.

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

I. That the City of Somerset by and through the City Council hereby adopts the Kentucky Model Procurement Code as set forth in **KRS 45A.343-45A.460**, along with any applicable amendments which the Kentucky General Assembly may adopt, said Code to be incorporated in full herein by reference. Said adopted Code is to be made available to the public and located in the City Clerk's Office.


II. If any of this Ordinance, or any of the above referenced adopted statutes, is deemed by a court of competent jurisdiction to be unenforceable or unconstitutional, the remaining provisions of this Ordinance, or the statutes, shall continue in full force and effect.


III. Any Ordinance, Executive Order, Municipal Order, or Adopted Policies in conflict with this Ordinance are hereby repealed in so far as the same are in conflict herewith.

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

FIRST READING February 22, 2010

SECOND READING March 8, 2010

Approved: 
Mayor, Eddie Girdler

Attest: 
City Clerk, David Godsey

1 | Page

Mr. Burnett moved to approve the above Ordinance # 10-01 on its second reading regarding the Kentucky Model Procurement Code. Mr. Wheeldon seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. Wheeldon, Mr. Kelley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, and Ms. Stringer.

Second reading was given the following Ordinance # 10-02:

ORDINANCE NO. 10-02

AN ORDINANCE TO THE CITY OF SOMERSET ADOPTING THE "FLOOD DAMAGE PREVENTION ORDINANCE" ATTACHED HERETO AND INCORPORATED IN FULL BY REFERENCE, WHICH SHALL COMPLY WITH, BUT NOT BE LIMITED TO, THE FOLLOWING:

As required by law of the Commonwealth and otherwise, this Ordinance shall: apply to all areas of Special Flood Hazard within the jurisdiction of the City of Somerset, as identified by the Federal Insurance Administration, and shall mandate that no structure or land in said area(s) shall hereafter be located, or extended, converted or structurally altered without compliance with its provisions; require the obtaining of a permit from both the Mayor as Administrator, or his designee as assigned by Executive Order, and the Kentucky Division of Water; apply to permitting of manufactured homes within areas of special flood hazard; require that all new construction and substantial improvements be constructed with materials and utility equipment resistant to flood damage; provide that in all areas of Special Flood Hazard, the lowest floor of any residential structure constructed or substantially improved shall have the lowest floor elevated to or above base flood elevation; provide penalties of \$100.00 or imprisonment of not more than 10 days for each day a violation of this Ordinance continues.

This ordinance was adopted at a public meeting of the City Council of Somerset on the 8th day of March, 2010. This ordinance shall be in full force and effect upon publication according to law.

First Reading 2-22-10

Second Reading 3-8-10

APPROVED BY _____
Eddie Girdler, Mayor

ATTEST BY _____
David Godsey, City Clerk

**Ordinance is too large to scan into minutes. A complete copy is available in the City Clerk’s Office.

Mr. Bourne moved to approve the above Ordinance # 10-02 on its second reading regarding adopting the “Flood Damage Prevention Ordinance”. Mr. New seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. Wheeldon, Mr. Kelley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, and Ms. Stringer.

There being no further business the meeting adjourned.

APPROVED _____

MAYOR

ATTEST: _____

CITY CLERK