

MINUTES OF MEETING HELD JANUARY 27, 2020

The Common Council of the City of Somerset, Kentucky met in a regular meeting on Monday January 27, 2020 at 6:00 p.m. with the following present: Council Members; Donna Hunley, John Minton, Jim Mitchell, David Godsey, Amanda Bullock, Tom Eastham, David Burdine, Brian Dalton, Jerry Wheeldon, Jimmy Eastham, Jerry Girdler, Mike New, Mayor Alan Keck, City Attorney John Adams, and City Clerk Nick Bradley.

Mr. Wheeldon moved to approve the minutes of the regular meeting held on January 13, 2019 along with reports as mailed. Mr. Dalton seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, and Mr. New.

Mr. Burdine made a motion to approve the following Resolution Number 20-01: Authority to Execute Connect Somerset Project TAP Grant Documents. Ms. Bullock seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, and Mr. New.

City of Somerset
Resolution 20-01

Executive Authority and Certificate of Incumbency
Connect Somerset Project Documents

Whereas, the federal-aid highway program state administered funding was awarded the amount of \$2,089,600, and

Whereas this amount will be authorized in phases as federal requirements are met for the Connect Somerset Project, and

Whereas, City of Somerset does hereby authorize Mayor Alan L. Keck to sign the above-mentioned Agreement, as well as any other necessary documents relating to the project

The vote taken on said Resolution on January 27th, the result being as follows:
 Motion Carried 12 Yeas 0 Nays _____ or Motion did not Carry _____

By _____
 Somerset Mayor, Alan Keck

VOTE AND EXECUTION ATTESTED

 Somerset City Clerk, Nick Bradley

ATTACHMENT A
SCOPE OF WORK AND BUDGET SUMMARY

Recipient: DUKES
 Project: FAFAR
 6932219300023000V405143

Scope of Work:
 New sidewalk system of up to 13,500' length connecting downtown to Somerset CTC retail housing complexes and residential areas. Other section includes Housing Authority, Veterans' Clinic and other medical facilities.

All necessary permits are for use in phases (design, ACI, utility relocation). For each use permit or any other of the project the contractor is responsible for obtaining all necessary permits. The contractor shall be responsible for obtaining all necessary permits. The contractor shall be responsible for obtaining all necessary permits. The contractor shall be responsible for obtaining all necessary permits.

Budget:

Phase of Work	Federal Funds	Match	Total Estimate per phase
Design (incl Arch, programmed w/ FHWA)	\$500,000	\$125,000	\$625,000

Future Phase Estimates:

Phase of Work	Federal Funds	Match	Total Estimate per phase
Right-of-Way (Estimated)	\$40,000	\$10,000	\$50,000
Utilities (Estimated)	\$40,000	\$10,000	\$50,000
Construction (if estimated)	\$1,509,600	\$377,400	\$1,887,000
Est Total Future Phases	\$1,589,600	\$397,400	\$1,987,000
Est Completed Project Total	\$2,089,600	\$522,400	\$2,612,000

First Reading was given the following Ordinance Number 20-02: Accepting Dedication of Streets in the Commercial Development known as "Union Centre" Located on Monticello Street at Oak Hill Road.

ORDINANCE NO. 20-02

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ACCEPTING DEDICATION OF STREETS IN THE COMMERCIAL DEVELOPMENT KNOWN AS "UNION CENTRE" LOCATED MONTICELLO STREET AT OAKHILL ROAD THE CITY HAVING BEEN SATISFIED THAT ALL SPECIFICATIONS AND REQUIREMENTS HAVE BEEN MET BY THE DEVELOPER PRIOR TO THE REQUEST FOR DEDICATION INTO THE CITY STREET SYSTEM

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:

- i. The street system of the "Union Centre" a commercial development shown in Exhibit "A", attached Hereto and incorporated in full herein by reference, which is within the City Limits of the City of Somerset is hereby accepted into the City street system
- ii. The Clerk is hereby ordered to amend the City Street map and/or street listing to comply with this Ordinance.
- iii. The ordinance shall be in full force and effect upon passage, approval, and publication according to law.

FIRST READING January 27, 2020

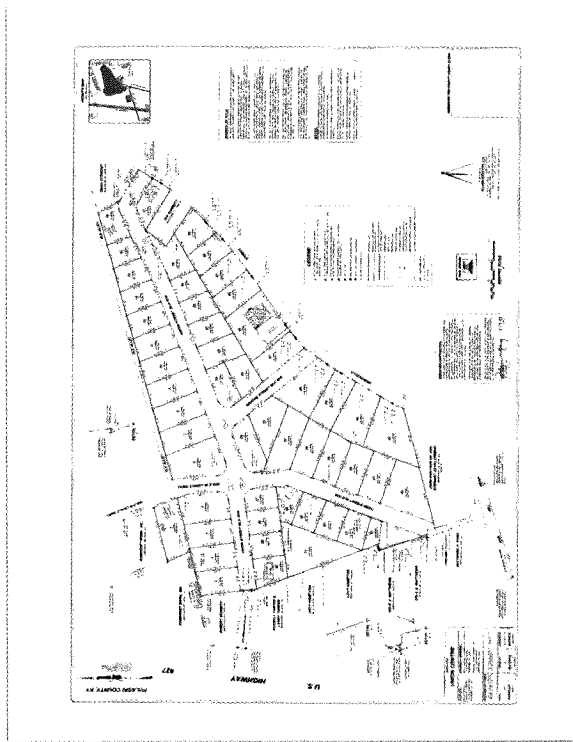
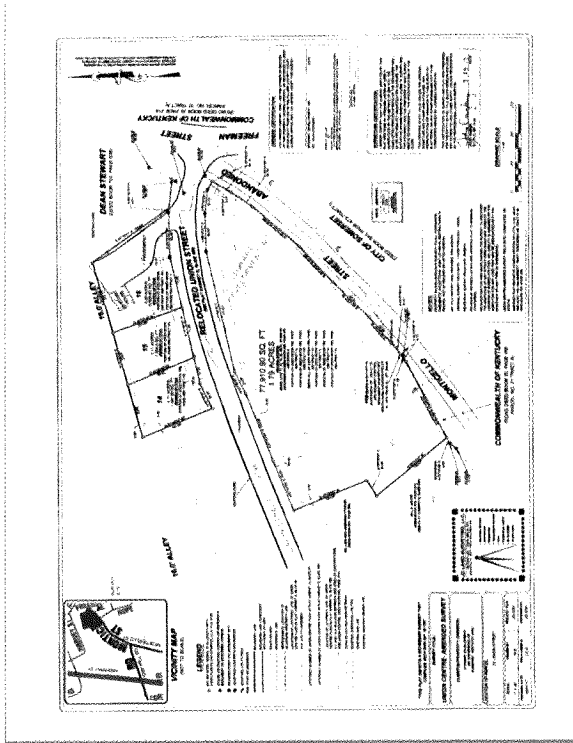
SECOND READING _____

APPROVED

Mayor, Alan Keck

ATTEST

City Clerk, Nick Bradley



Mr. Mitchell made a motion to approve the following Ordinance Number 19-36 after it was given an additional second reading to correct the initial second reading from January 13, 2020: 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 (119 Young Street Parcel # 075-3-1-55 from R-1 to R-3). Mr. Wheeldon seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, and Mr. New.

ORDINANCE NO. 19-36

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;

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

That Ordinance No. 00-18, known as the Zoning Ordinance, Somerset, Kentucky, is hereby amended by altering the Zoning Map in the following manner:

- I. By changing a boundary of land presently zoned R-1 to R-3, said properties being more particularly described in Exhibit "A" attached hereto and incorporated herein in full by reference, located at 119 Young Street, Somerset, Kentucky, and having PVA Parcel # 075-3-1-55.
- II. The City Clerk of the City of Somerset, Kentucky is hereby authorized to alter the Zoning Map to reflect said changes.
- III. This Ordinance shall be in full force and effect from and after adoption and publication according to law.


FIRST READING: December 1, 2019

SECOND READING: January 27, 2020

Approved: _____
Mayor

Attest: _____
City Clerk

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Somerset

**FINDINGS OF FACT AND RECOMMENDATIONS OF THE CITY OF SOMERSET
PLANNING & ZONING COMMISSION**

OWNER: TRISON GROUP HOLDINGS, LLC (Joel Pettan)
ADDRESS: 119 Young Street
PARCEL No: 075-3-1-55

On November 26th, 2018, the Planning & Zoning Commission of the City of Somerset convened for a regularly-scheduled meeting and public hearing and, at such meeting, made findings of fact as to the property described in the plat and zone change application attached hereto and incorporated herein in full by reference.

The Planning & Zoning Commission believes that the recommendation as set forth below is proper according to law and MEETS the requirements for a zone change from R-1 to R-3 due to the following findings of fact:

**DUE TO THE SOCIAL AND ECONOMIC CHANGES IN THE IMMEDIATE AREA,
THE PRESENT ZONING IS INAPPROPRIATE AND THE PROPOSED ZONING IS
APPROPRIATE FOR THE PROPERTY**

WHEREFORE, the Planning & Zoning Commission via a majority vote agree to RECOMMEND to the Common Council of the City of Somerset that the subject property be re-zoned from R-1 to R-3 based on the above findings of fact.

Administrative Official

Chairman, Planning & Zoning Commission

Counsel for Planning & Zoning Commission
(Sign only if legal assistance was sought by the Commission)

DISCLAIMER:
This form was prepared by the City Attorney for administrative purposes only. All findings and/or recommendations stated on this form shall be written in the notes provided by the Chairman of the Commission, or other authorized personnel, and are subject to the discretion of the Planning & Zoning Commission as permitted under the authority of all applicable laws.

John Adams, City Attorney

EXHIBIT "A"



Parcel ID	075 21 55	Mailing Address	TRISON GROUP HOLDINGS LLC	Total Value	\$0	Land Value		Reason	Qual
Class	RESIDENTIAL		268 BOULEVARD						
Taxing District	22		SOMERSET KY 42503		4/1/2019	\$47900	2		
Acres	1.66	Physical Address	119 YOUNG ST		6/30/2021	\$9975	2		

Parcel: 1864C YOUNG ST
 Tax Description: 1864C YOUNG ST

Map created: 12/21/2019
 Last Date Updated: 1/23/2020 9:13:27 AM
 Created by: [Signature]

ORDINANCE NO. 19-36

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;

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

That Ordinance No. 00-18, known as the Zoning Ordinance, Somerset, Kentucky, is hereby amended by altering the Zoning Map in the following manner:

- I. By changing a boundary of land presently zoned R-1 to R-2, said properties being more particularly described in Exhibit "A" attached hereto and incorporated herein in full by reference, located at 119 Young Street, Somerset, Kentucky, and having PVA Parcel # 075-21-55
- II. The City Clerk of the City of Somerset, Kentucky is hereby authorized to alter the Zoning Map to reflect said changes
- III. This Ordinance shall be in full force and effect from and after adoption and publication according to law

FIRST READING: DECEMBER 9, 2019



SECOND READING: JANUARY 13, 2020

Approved: _____
 Attest: _____



Mr. Burdine made a motion to approve the following Ordinance Number 20-01: An Amendment of Ordinance 19-23 Annexing Property to the City of Somerset, Kentucky Certain Territory of Land Contiguous to the Existing City Limits of Somerset, Kentucky to Meet the Filing

Requirements of the Kentucky Secretary of State's Office. Mr. J. Eastham seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, and Mr. New.

<p style="text-align: center;">ORDINANCE 20-1, SUPPLANTING OF ORDINANCE 19-23 ANNEXING PROPERTY TO THE CITY OF SOMERSET, KENTUCKY CERTAIN TERRITORY OF LAND CONTIGUOUS TO THE EXISTING CITY LIMITS OF SOMERSET, KENTUCKY TO MEET THE FILING REQUIREMENTS OF THE KENTUCKY SECRETARY OF STATE'S OFFICE</p> <p>WHEREAS, the City Council has determined that the hereinafter described territory is urban in character and/or suitable for development for urban purposes by reason of population density and/or commercial and industrial use of land, and,</p> <p>WHEREAS, Ordinance No. 19-23, proposing the annexation of the property described herein was duly read in accordance with the Kentucky Revised Statute on August 12, 2019 and September 9, 2019, and was later published and went into effect, and,</p> <p>WHEREAS, Whereas Ordinance No. 19-23 as originally passed included "intent" language which the Kentucky Secretary of State's Office found technically questionable under their standards and asked for amendment, and,</p> <p>WHEREAS, The property owner, the Commonwealth of Kentucky ex. rel. the Kentucky Department of Highways, was given written notice and it's reply stated no opposition to the annexation, such a reply is sufficient to meet the criteria of consent for annexation under the interpretation of the Kentucky Secretary of State's office, and,</p> <p>WHEREAS, to cure the issue of "intent" language in Ordinance 19-23 and noting that consent is present as determined by the Kentucky Secretary of State's office, the City of Somerset now proceeds to annex the property herein by consent pursuant to KRS 61A.410.</p> <p>NOW, THEREFORE, BE IT ORDAINED by the City of Somerset, Kentucky hereby ratifies the Mayor's signature upon and approves any and all documents necessary to effectuate the intent of this ordinance including, but not limited to the Consents to Annexation and, further, the City hereby annexes the following described Unincorporated area and makes it a part of the City of Somerset, Kentucky.</p> <p style="text-align: center;">SEE PROPERTY DESCRIPTION ATTACHED AS EXHIBIT 1 AND INCORPORATED HEREIN BY REFERENCE</p> <p>This ordinance shall take effect upon its passage, approval and publication If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions.</p> <p>All ordinances or parts of ordinances in conflict herewith are to the extent of</p>	<p>such conflict hereby repealed</p> <p>FIRST READING: <u>January 13, 2020</u></p> <p>SECOND READING: <u>January 17, 2020</u></p> <p style="text-align: center;">APPROVED:  Alan Beck, Mayor City of Somerset, Ky</p> <p>ATTESTED:  Nick Bradley, City Clerk</p>
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COPY

EXHIBIT "A"

City of Somerset, KY. Annexation Ordinance No. _____

DESCRIPTION

A certain tract or parcel of land lying on the northeast right-of-way intersection of Kentucky Highway 39 and Taton Way in Somerset, Putnam County, Kentucky and is more particularly described as follows:

Unless stated otherwise, any monument referred to herein as "pin and cap" is a previously set 3/8" diameter steel rebar, eighteen (18") inches in length, with a red plastic survey cap stamped "J.C.D. 113 8138". All bearings shown herein were corrected to Grid North as observed on June 11th, 2019.

BEGINNING at a point located at the southeast intersection of Kentucky Highway 39 and Taton Way, said point being a corner to existing City Limits of Somerset (Ordinance No. 22-06) and having a Kentucky Single Zone State Plane Spheroidal of N: 3,377,982.03, E: 5,263,275.47; Thence with the existing City Limits of Somerset and crossing Kentucky Highway 39, S 89°46'19" W a distance of 50.00' to a point; Thence with the west right-of-way of Kentucky Highway 39 the following (23) call: N 91°22'17" E a distance of 178.23' to a point; Thence N 12°00'05" E a distance of 184.53' to a point; Thence N 87°24'10" E a distance of 128.28' to a point; Thence N 32°32'06" E a distance of 78.05' to a point; Thence N 12°50'24" E a distance of 85.97' to a point; Thence S 26°58'15" E a distance of 118.21' to a point; Thence N 23°48'40" E a distance of 41.83' to a point; Thence N 16°30'36" E a distance of 61.50' to a point; Thence N 10°39'26" E a distance of 99.74' to a point; Thence N 08°24'02" E a distance of 162.54' to a point; Thence N 17°09'11" E a distance of 249.10' to a point; Thence N 13°50'32" E a distance of 248.46' to a point; Thence N 15°43'08" E a distance of 207.85' to a point; Thence N 15°45'16" E a distance of 494.71' to a point; Thence N 14°33'24" E a distance of 268.39' to a point; Thence N 14°16'26" E a distance of 99.52' to a point; Thence N 15°23'11" E a distance of 121.15' to a point; Thence N 11°22'13" E a distance of 67.14' to a point; Thence N 16°06'10" E a distance of 142.74' to a point; Thence N 17°30'08" E a distance of 137.66' to a point; Thence N 21°04'40" E a distance of 175.94' to a point; Thence N 20°22'28" E a distance of 271.59' to a found "N" rebar with a blue plastic survey cap stamped LPLS 1253; Thence N 27°43'22" E a distance of 121.73' to a point; Thence crossing Kentucky Highway 39, S 60°46'19" E a distance of 44.86' to a "pin and cap"; Thence with the west right-of-way of Kentucky Highway 39 the following (23) call: S 23°32'47" W a distance of 50.02' to a "pin and cap"; Thence S 21°30'20" W a distance of 74.63' to a point; Thence S 21°14'40" W a distance of 174.11' to a point; Thence S 17°32'08" W a distance of 175.41' to a point; Thence S 16°06'10" W a distance of 141.81' to a point; Thence S 13°52'11" W a distance of 66.82' to a point; Thence S 15°23'11" W a distance of 135.62' to a point; Thence S 14°16'26" W a distance of 99.18' to a point; Thence S 14°33'24" W a distance of 268.98' to a point; Thence S 13°45'36" W a distance of 403.24' to a point; Thence S 15°43'08" W a distance of 206.80' to a point; Thence S 13°50'32" W a

distance of 746.44' to a point; Thence S 11°05'13" W a distance of 246.71' to a point; Thence S 08°24'02" W a distance of 162.21' to a point; Thence S 10°14'26" W a distance of 103.29' to a point; Thence S 14°30'56" W a distance of 16.52' to a point; Thence S 21°48'40" W a distance of 47.27' to a point; Thence S 26°58'15" W a distance of 122.54' to a point; Thence S 31°50'24" W a distance of 83.52' to a point; Thence S 32°32'06" W a distance of 79.24' to a point; Thence S 32°24'10" W a distance of 129.07' to a point; Thence S 32°00'05" W a distance of 184.27' to a point; Thence S 31°22'17" W a distance of 176.67' to the POINT OF BEGINNING, having an area of 4.26 acres according to a field survey completed on July 17th, 2019 and performed under the direct supervision of Jody G. Bagley PLS #118, with JD Land Surveying, Inc.

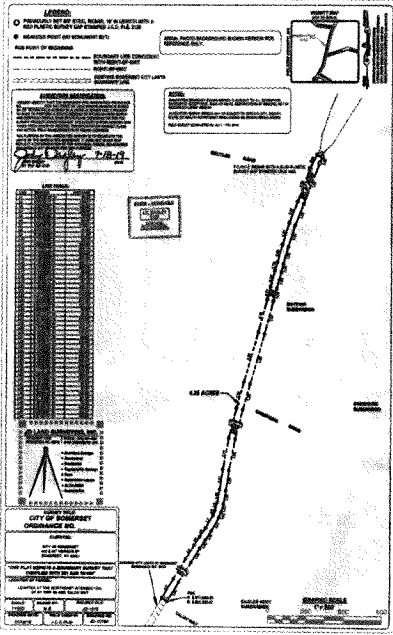
Above described property is subject to all easements, exceptions, right-of-ways, covenants, and restrictions of record of that may apply.

Jody G. Bagley

7-18-19 Date



COPY



COPY



Matthew G. Bevin
Governor

COMMONWEALTH OF KENTUCKY
TRANSPORTATION CABINET
Department of Highways, District 8 Office
1660 S. Highway 27
Somerset, KY 42502
(606) 677-4017

Greg Thomas
Secretary

COPY

Aug. 27, 2019
John Adams, Esq.
Nick Bradley
PO Box 989
Somerset, KY 42502

Re: Intent to Annex, KY 39, Taton Dr. to the Ham at Redgate

Dear Mr. Adams and Mr. Bradley:

The Kentucky Transportation Cabinet has been made aware of your intent to annex a corridor of KY 39 described above.

The Transportation Cabinet views this proposed annexation as a local matter, and the Kentucky Transportation Cabinet declines to assert a position either in favor of, or against, said proposed annexation.

If you have any questions please do not hesitate to give me a call.

Sincerely,

Kerth A. Upchurch
Kerth A. Upchurch
Staff Attorney



Mr. Wheeldon made a motion to approve the appointment of Sue Sutton to the Somerset Housing Authority with a term from February 2020 to February 2024. Mr. New seconded the motion. Upon roll call the following Council Members voted "Aye": Mrs. Hunley, Mr. Minton,

Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, and Mr. New.

There being no further business the meeting adjourned.

APPROVED:



A large, stylized handwritten signature in black ink, written over a horizontal line.

MAYOR

ATTEST:



A smaller, more compact handwritten signature in black ink, written over a horizontal line.

CITY CLERK