

MINUTES OF MEETING HELD SEPTEMBER 26, 2016

The Common Council of the City of Somerset, Kentucky met in a regular meeting on Monday September 26, 2016, at 7:00 p.m. with the following present: Mayor Eddie Girdler. Council Members; Jim Mitchell, Pat Bourne, Jerry Burnett, Tom Eastham, David Burdine, Linda Stringer, Jerry Wheeldon, Jerry Girdler, Mike New, and Donna Hunley. City Attorney Carrie Weise, and City Clerk Nick Bradley. Absent: Council Members Jimmy Eastham and John Minton.

Mr. Wheeldon moved to approve the minutes of the regular meeting held on September 12, 2016 along with reports as mailed. Mr. T. Eastham seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Eastham, Mr. Burdine, Mrs. Stringer, Mr. Wheeldon, Mr. Girdler, Mr. New, and Mrs. Hunley.

Mr. Burnett moved to add an item relating to an application for a bike path grant to the agenda. Mr. T. Eastham seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Eastham, Mr. Burdine, Mrs. Stringer, Mr. Wheeldon, Mr. Girdler, Mr. New, and Mrs. Hunley.

Mr. Burdine moved to have trick-or-treating inside the city limits on Monday October 31, 2016 from 6pm-8pm. Mr. Bourne seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Eastham, Mr. Burdine, Mrs. Stringer, Mr. Wheeldon, Mr. Girdler, Mr. New, and Mrs. Hunley.

First reading was given the following Ordinance No. 16-12:

ORDINANCE NO. 16-12

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNEXING BY CONSENT PROPERTY KNOWN AS 2400 SOUTH HWY 27, SOMERSET, KY 42501, AND AS DESCRIBED BELOW AND IN THE ATTACHMENTS TO THIS ORDINANCE, WHICH ARE INCORPORATED IN FULL HEREIN BY REFERENCE, THE RECORD TITLE HOLDER IDENTIFIED AS APS PROPERTIES, LLC, A KENTUCKY LIMITED LIABILITY COMPANY;

Second reading was given the following Ordinance No. 16-11:

ORDINANCE NO. 16-11

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, be and the same is hereby amended by altering the Zoning Map in the following manner:

I. By changing a boundary of land presently zoned R2 to R3, said property being more particularly described in items attached as Exhibit "A", which are incorporated herein in full by reference, said parcels being located at the intersection of Clifty Road and South Hwy 27, Somerset, KY.

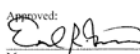
II. The City Clerk of the City of Somerset, Kentucky is hereby authorized to alter the Zoning Map to reflect said change.

III. This Ordinance shall be in full force and effect from and after adoption and publication according to law.

FIRST READING September 9th 2016

SECOND READING September 26th 2016

Approved:



Mayor

ATTEST:



City Clerk

APPLICATION FOR ZONING AMENDMENT/DEVELOPMENT PLAN APPROVAL
TO THE
SOMERSET PLANNING COMMISSION

APPLICATION NO. 2016-03

THE UNDERSIGNED OWNER(S) OF THE FOLLOWING LEGALLY DESCRIBED PROPERTY REQUEST THE CONSIDERATION OF CHANGE IN ZONING DISTRICT CLASSIFICATION APPROVAL OF DEVELOPMENT PLAN AS SPECIFIED BELOW:

1. NAME OF APPLICANT: O. Richard Vaughan

2. PHONE NUMBER (HOME): 606-678-2737

3. PROPERTY OWNER: Same

4. LOCATION DESCRIPTION: Intersection of Clifty Rd. & S. Hwy 27 (adjacent to) 2016 314

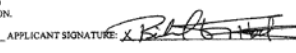
5. EXISTING USE: Vacant

6. PROPOSED USE: 4010x

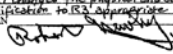
7. PRESENT ZONING DISTRICT: R2

8. PROPOSED ZONING DISTRICT: R3

SUPPORT INFORMATION: ATTACH THE FOLLOWING ITEMS TO THE APPLICATION:
A. A VICINITY MAP SHOWING PROPERTY LINES, STREETS, AND EXISTING PROPOSED ZONING.
B. A LIST OF ALL PROPERTY OWNERS AND THEIR MAILING ADDRESSES WITHIN, CONTIGUOUS TO, AND DIRECTLY ACROSS THE STREET FROM THE PROPOSED RE-ZONING.
C. FEES AS REQUIRED.
D. LEGAL DESCRIPTION.

DATE: 8/8/2016 APPLICANT SIGNATURE: 

FOR OFFICIAL USE ONLY
PLANNING COMMISSION

DATE FILED: 8/8/16 DATE OF NOTICE IN NEWSPAPER: 8/23/2016 FEE PAID: 8/10/2016
DATE OF NOTICE TO PROPERTY OWNER: 8/16/2016 DATE OF PUBLIC HEARING: 9/13/2016
RECOMMENDATION OF PLANNING COMMISSION: APPROVAL ☒ DENIAL ☐
REASON FOR RECOMMENDATION: The realignment of US Hwy 27 changed the physical and social nature of the property and required the zone reclassification to R3. Re-zoning of the property to R3 is appropriate.
DATE: 8-20-16 PLANNING COMMISSION CHAIRMAN: 

FOR OFFICIAL USE ONLY
(LEGISLATIVE AUTHORITY)

DATE OF RECOMMENDATION RECEIVED: _____
ACTION BY LEGISLATIVE AUTHORITY APPROVED: _____ DENIAL: _____
IF DENIED, REASON FOR DENIAL: _____
DATE: _____ CLERK: _____
NOTE: THREE COPIES OF THIS FORM AND SUPPORTING INFORMATION MUST BE FILED WITH THE SOMERSET PLANNING COMMISSION. APPLICATION MUST BE RETURNED TO THE OFFICE OF CODE ENFORCEMENT 4 WEEKS PRIOR TO MEETING DATE.

EXHIBIT


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

On August 30, 2016, the Planning and Zoning Commission of the City of Somerset convened for a properly scheduled meeting and noticed hearing and at such meeting made findings of fact as to the property described in the plat and zoning application attached hereto and incorporated herein in full by reference.

The Planning and Zoning Commission believes that the recommended zone change as set forth below (S) IS NOT proper according to law and MEETS / DOES NOT MEET the requirements for a zone change due to the following findings of fact:
With the realignment of US 27, physical & social nature of the area has changed & the proposed zoning classification is appropriate.

WHEREFORE, the Planning and Zoning Commission via a majority vote agrees to RECOMMEND / NOT RECOMMEND to the Common Council of the City of Somerset that the subject property be re-zoned from R-2 to R-3, based on the above findings of fact(s).

Dennis C. Pitt
Code Enforcement Officer,


Robert Newby, Chairman
Planning & Zoning Commission

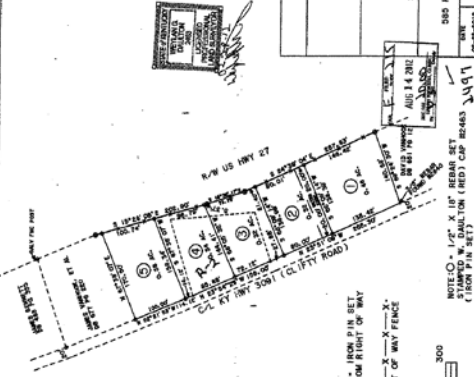
Counsel for Planning & Zoning Commission
(Sign only if legal assistance was sought by the Commission)

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 space provided by the Chairman of the Commission, or other authorized Person(s), and are strictly the decision of the Planning and Zoning Commission as permitted under the authority of all applicable law.


Cynthia M. Hays, City Attorney
(Form revised 11-9-09 CDW)

VICINITY MAP


PLAT OF SURVEY
NORMAN MARCIUM, ET AL
191 PUMPHOUSE ROAD
SOMERSET, KENTUCKY 40525
PROPERTY
NORMAN MARCIUM, ET AL
CLIFTY ROAD/US HIGHWAY
SOMERSET, PULASKI CO.,
WESTLYN G. DAULTON
305 N. WINDOLE ROAD
SOMERSET, KY 40525
JUL 14 2016
NOTE: 1/4" = 10' X 1/4" = 10' BEARS SET
STANDARD N. DAULTON (RED) CAP BEARS
CLIFTY RD. SET



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STANDARD N. DAULTON (RED) CAP BEARS
CLIFTY RD. SET

GRAPHIC SCALE - FEET
0 100 200 300

DATE: 8-26-16
BY: City Clerk
IF COMPLETING AND FILING
5-1-2016

Mr. Wheeldon moved to approve the above Ordinance No. 16-11 approving the zone change on Clifty Road from R-2 to R-3. Mr. Mitchell seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Eastham, Mr. Burdine, Mrs. Stringer, Mr. Wheeldon, Mr. Girdler, Mr. New, and Mrs. Hunley.

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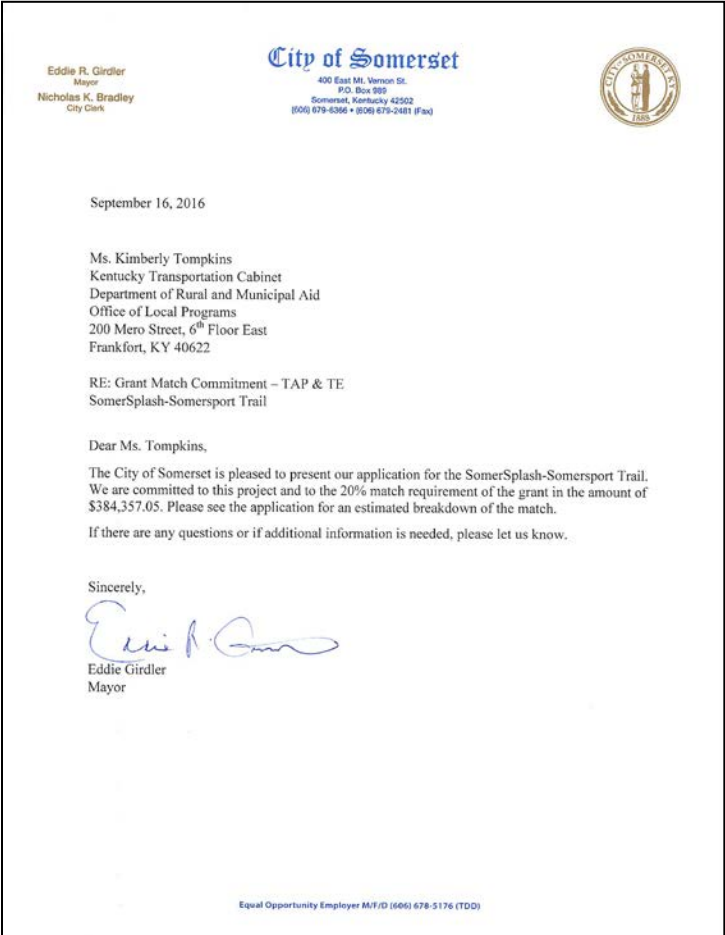
Mr. Wheeldon moved to approve the Pulaski County and City of Somerset Lease for EMS for Equipment/Ambulances. Mr. Burnett seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Eastham, Mr. Burdine, Mrs. Stringer, Mr. Wheeldon, Mr. Girdler, Mr. New, and Mrs. Hunley.

Mr. Wheeldon moved to accept the bid of \$270,600 by public auction for the properties at 400 E. Mt. Vernon Street (City Hall) and 105 College Street (Utility Building). Mr. Girdler seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. Burnett, Mr. T. Eastham, Mr. Wheeldon, Mr. Girdler, Mr. New, and Mrs. Hunley. Voting “No”: Mr. Mitchell, Mr. Bourne, Mr. Burdine, and Mrs. Stringer. Motion Passed.

Mr. Mitchell was unable to attend the remainder of the Council Meeting.

Mr. T. Eastham moved to accept the bid of not more than 25 vehicles for the fleet management program from Enterprise Fleet Management. Mr. Burnett seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. Bourne, Mr. Burnett, Mr. T. Eastham, Mr. Burdine, Mrs. Stringer, Mr. Wheeldon, Mr. Girdler, Mr. New, and Mrs. Hunley.

Mr. New moved to approve a 20% match in the amount of \$384,357.05 as required to make an application for a TAP & TE grant for the SomerSplash-Somersport Trail. Mr. Girdler seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. Bourne, Mr. Burnett, Mr. T. Eastham, Mrs. Stringer, Mr. Wheeldon, Mr. Girdler, Mr. New, and Mrs. Hunley. Voting “No”: Mr. Burdine. Motion Passed.



There being no further business the meeting adjourned.

APPROVED: _____
MAYOR

ATTEST: _____
CITY CLERK