

MINUTES OF MEETING HELD NOVEMBER 23, 2009

The Common Council of the City of Somerset, Kentucky met in a regular session on Monday, November 23, 2009, at 7:00 p.m. with the following present: Mayor Eddie Girdler. Council Members: Jerry Burnett, Tim Rutherford, Jim Rutherford, Jerry Wheeldon, Steve Kelley, Jerry Girdler, Mike New, Donna Hunley, John Minton, Jim Mitchell, and Pat Bourne. City Attorney Carrie Wiese and City Clerk David Godsey. Absent: Council Member Linda Stringer.

Mr. T. Rutherford moved to approve the minutes of the regular meeting held on November 9, 2009, along with the reports as mailed. Mr. Kelley seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Mr. Wheeldon, Mr. Kelley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, and Mr. Bourne.

Second reading was given the following Ordinance # 09-16:

City of Somerset, KY. Annexation Ordinance No. 09-16

Description

A certain tract or parcel of land located on the south side of KY Hwy. 1642 (Slate Branch Road) to include the lands of Allen Mayfield and a part of the existing road right-of-way of KY Highway 1642, said parcel of land beginning on a point adjacent to the City limits of Somerset, KY, per Ordinance No. 09-12, and more particularly described as follows:

The following description was prepared by Anthony G. Thompson PLS #3630 of AGT Land Surveying, Firm Permit #496, said description was prepared using record information from the Pulaski County Court Clerk's office, in Somerset, Kentucky and right-of-way data from the Kentucky Transportation cabinet, plans for US Highway 27, Kentucky Highway 1642, and the Somerset by-pass. Some field measurements were taken on existing pavement and existing monumentation using GPS, and noted on attached plat. The purpose of this survey is to delineate the limits of the aforesaid annexation. It does not in any way reflect a determination of the individual parcel boundaries and should not be used for this purpose.

Beginning on a point in the KY. Hwy. 1642 (Slate Branch Road) right-of-way northwest of the centerline intersection of KY. Hwy.1642 and Mayfield Blevins Drive. Said point having a KY State Plane single zone coordinate of (E: 5,248,207.476, N: 3,537,054.418), and also adjoining the south side of the City Limits per Ordinance No. 09-12

Thence with the west right-of-way of Mayfield Blevins Drive and Allen Mayfield (Deed Book 208, page 143 and Deed Book 404, page 200) S 04°23'19" W, 222.39' to a (existing) 1" Square rod;

Thence running with the south line of said Mayfield N 85°27'50" W, 199.74' to a (existing) 1" steel pipe;

Thence with the west line of said Mayfield N 04°35'07" E, 222.88' to a point in the Somerset City Limit Line;

Thence with said Somerset City Limit Line S 85°19'23" E, 198.98' to the point of Beginning;

09-16

PROPOSED ANNEX AREA
44,385 SQ.FT.
1.02 AC.

AGT LAND SURVEYING
260 HWY. 40
BIRMINGHAM, KY 40310
(606) 561-7224

Said Annexed boundary having an area of 44,385 square feet or 1.02 acres.

All bearings and distances described herein are based on Grid North Kentucky State Plane Single Zone (1600).

SHEET 1 of 3

Mr. New approved the above Ordinance # 09-16 on its second reading annexing 169 Slate Branch Road. Mr. Wheeldon seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Mr. Wheeldon, Mr. Kelley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, and Mr. Bourne.

First reading was given the following Ordinance # 09-17:

ORDINANCE NUMBER # 09-17

AN ORDINANCE AMENDING THE CITY OF SOMERSET, KENTUCKY ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2009 AND ENDING JUNE 30, 2010 ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS OF THE CITY OF SOMERSET, KENTUCKY.

Mr. Kelley moved to accept the following Waterpark Expansion Bid. The bid being awarded to D.W. Wilburn. Only two bids were received. D.W. Wilburn and Astro Pool Company, Inc. Mr. Burnett seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Mr. Wheeldon, Mr. Kelley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, and Mr. Bourne.

DOCUMENT 00020
INVITATION TO BID

Sealed Bids will be received by the City of Somerset for an addition to the Somersplash Waterpark in the Council Chambers of City Hall in Somerset, Kentucky, until 2:00 p.m. local time on November 3, 2009, at which time and place all bids will be publicly opened and read aloud.

Copies of the Contract Documents may be examined at the following locations:

Brandstetter Carroll Inc. 2360 Chauvin Drive Lexington, KY 40517 Phone: (859) 268-1983 Fax: (859) 268-3341	AGC/McGraw-Hill Construction Dodge Plan Room 950 Contract St., Suite 100 Lexington, KY 40505 Phone: (859) 425-8630 Fax: (859) 294-5188 Contact: Candace Barnes candace_barnes@mcgraw-hill.com
AGC/McGraw-Hill Construction Dodge Plan Room 922 North Main London, KY 40741 Phone: 606-882-8437 Fax: 606-882-0792 Contact: Krista Sadler ksadler@gckky.org	AGC/McGraw-Hill Construction Dodge Plan Room 1134 Shire Lane, Suite 103 Bowling Green, KY 42103 Phone: (270) 782-2420 Fax: (270) 782-2410 Contact: Robbette Barnett rbarnett@gckky.org
AGC/McGraw-Hill Construction Dodge Plan Room 1811 Cargo Court Louisville, KY 40299 Phone: (502) 671-1296 Fax: (502) 671-1296 Contact: Rebecca Motter Rebecca_motter@mcgraw-hill.com	Lynn Imaging 328 Old Vine St. Lexington, KY 40507 Phone: 859-255-1021 www.lynnimaging.com/distribution/
The Builders Exchange Attn: Judi Donovan 2300 Meadow Drive Louisville, KY 40218 Phone: 502-459-9800 Fax: 502-459-9803 jdonovan@bxe.com	The Builders Exchange Attn: Marti Nave 225 Walton Avenue Lexington, KY 40502 Phone: 859-288-0011 Fax: 859-288-0085 mnave@bxe.com

Each sealed bid shall be accompanied by either a cashier's check or satisfactory bid bond, in a sum, which is not less than five percent (5%) of the aggregate amount of the bid, payable to Somerset City Council.

Successful Bidder will be required to execute and provide construction contract security in an amount not less than one hundred percent (100%) of the bid.

All bids must be made on the required Bid Form. All blank spaces for bid prices must be filled in, in ink or typewritten, and the bid form must be fully completed and executed when submitted. Two copies of the Bid Form are required.

A completed set of drawings and specifications may be obtained from Lynn Imaging, 328 Old Vine Street, Lexington, Kentucky 40507, Phone 859-255-1021, upon deposit of \$150.00, which will be refunded to Bidders upon the return of plans and specifications, in satisfactory condition within ten (10) days after the closing date for bids. Non-bidders returning plans and specifications shall be refunded one-half the deposit. A separate, non-refundable fee of \$15.00 is required for processing. Plans and specifications must be returned to the location where they were obtained in order to receive refund.

This project is subject to the Prevailing Wage Rates as determined by the Commonwealth of Kentucky.

Rights to waive any informality or irregularity in any bid and bid guaranty, to reject any or all bids, and to negotiate with apparent qualified low Bidder to such extent as may be necessary are reserved.

No Bidder may withdraw his bid within sixty (60) days after the actual date of opening thereof.


Eddie R. Girdler, Mayor
 City of Somerset

*Add was ran in the Commonwealth Journal Saturday and Sunday October 17 & 18, 2009

Mr. Wheeldon moved to refund the following amounts paid on 2007 City taxes: Belk Stores Services in the amount of \$487.60 for an amended form filed from Frankfort in the amount of \$257,865. Mr. J. Rutherford seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Mr. Wheeldon, Mr. Kelley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, and Mr. Bourne.

City of Somerset

400 East Mt. Vernon Street
 P.O. Box 989
 SOMERSET, KENTUCKY 42502
 (606) 678-6308
 (606) 678-2481 (FAX)




November 16, 2009

Somerset City Council
 City Hall
 400 E. Mt. Vernon Street
 Somerset, Kentucky 42501

Dear Councilors:

I am writing on behalf of Belk Stores Services c/o Burke & Nickel 3336 E. 32nd St. Suite 217 Tulsa, OK 74115 who is requesting a refund on their previously paid 2007 City taxes. Mr. T.W. Todd, Property Valuation Administrator, has issued a credit slip for an amended form filed from Frankfort in the amount of \$257,865. The amount of refund due is \$487.60. Thank you.

Sincerely,


 David Godsey
 City Clerk

To: DAVID GODSEY, School Tax Collector
 Credit: Belk Stores Services
 Address: _____
 \$ 487.60 Real Estate, 257,865 Personal

VALUATION

who has been assessed for Somerset City School Taxes for the year 2007 Frankfort requested this refund from the City
 The amount of the credit is \$257,865
 Date 11-16-09 David Godsey

Equal Opportunity Employer MFO (606) 678-5176 (TDD)

Special recognition was made to the Fire Department, EMS, and Police Departments for their great work in responding. Recognition was also given to the Street and Sanitation Department for the garbage and leaf collection.

Mr. Wheeldon moved to approve the following Resolutions in support of Somerset High School and Pulaski County High School football teams. Mr. New seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Mr. Wheeldon, Mr. Kelley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, and Mr. Bourne.

<p style="text-align: center;">RESOLUTION</p> <p>A RESOLUTION OF THE COUNCIL FOR THE CITY OF SOMERSET, KENTUCKY, EXPRESSING PRIDE AND PRAISE FOR THE 2008-2009 SOMERSET HIGH SCHOOL FOOTBALL TEAM'S DEDICATION TO THE SPORT OF FOOTBALL IN THE 2009 SEASON;</p> <p><i>WHEREAS, the City of Somerset, Kentucky, by and through the City Council, wishes to honor the Somerset High School football team for their great athletic achievements and accomplishments in the sport of Football during the 2009 season, including the title of Runner-up Class 3A State Champs;</i></p> <p><i>NOW THEREFORE, be it resolved and ordained by the Common Council of the City of Somerset, Kentucky this ____ day of ____, 2009, that:</i></p> <p><i>I. That the City hereby honors in the records of the City Council for the City of Somerset the Somerset High School 2009 football team, the individual members of the team, and the coaches and assistants that helped to make the 2009 season a success.</i></p> <p><i>II. That the City hereby acknowledges the dedication and discipline necessary of each team member in winning the Class 3A Region 12 Title, as well as representing the City of Somerset, and all surrounding communities within Pulaski County, at the Class 3A State Championship Game on December 5, 2009.</i></p> <p><i>Approved by the Common Council of the City of Somerset on this the ____ day of ____, 2009. Motion by: _____ and seconded by _____, Members present voting _____ in favor.</i></p> <p style="text-align: right;"><i>_____ Mayor, Eddie Girdler</i></p> <p>ATTEST: _____ <i>City Clerk, David Godsey</i></p>	<p style="text-align: center;">RESOLUTION</p> <p>A RESOLUTION OF THE COUNCIL FOR THE CITY OF SOMERSET, KENTUCKY, EXPRESSING PRIDE AND PRAISE FOR THE 2008-2009 SOMERSET HIGH SCHOOL FOOTBALL TEAM'S DEDICATION TO THE SPORT OF FOOTBALL IN THE 2009 SEASON;</p> <p><i>WHEREAS, the City of Somerset, Kentucky, by and through the City Council, wishes to honor the Somerset High School football team for their great athletic achievements and accomplishments in the sport of Football during the 2009 season, including the title of Runner-up Class 3A State Champs;</i></p> <p><i>NOW THEREFORE, be it resolved and ordained by the Common Council of the City of Somerset, Kentucky this ____ day of ____, 2009, that:</i></p> <p><i>I. That the City hereby honors in the records of the City Council for the City of Somerset the Somerset High School 2009 football team, the individual members of the team, and the coaches and assistants that helped to make the 2009 season a success.</i></p> <p><i>II. That the City hereby acknowledges the dedication and discipline necessary of each team member in winning the Class 3A Region 12 Title, as well as representing the City of Somerset, and all surrounding communities within Pulaski County, at the Class 3A State Championship Game on December 5, 2009.</i></p> <p><i>Approved by the Common Council of the City of Somerset on this the ____ day of ____, 2009. Motion by: _____ and seconded by _____, Members present voting _____ in favor.</i></p> <p style="text-align: right;"><i>_____ Mayor, Eddie Girdler</i></p> <p>ATTEST: _____ <i>City Clerk, David Godsey</i></p>
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Special recognition was also made to Sister Marty for her work in Somerset.

There being no further business the meeting adjourned.

APPROVED _____

MAYOR

ATTEST: _____

CITY CLERK