

MINUTES OF MEETING HELD NOVEMBER 28, 2011

The Common Council of the City of Somerset, Kentucky met in a regular session on Monday, November 28, 2011 at 7:00 p.m. with the following present: Mayor Eddie Girdler. Council Members: Jerry Burnett, Tom Eastham, Jim Rutherford, Linda Stringer, Jerry Wheeldon, Mark Beasley, Jerry Girdler, Mike New, Donna Hunley, John Minton, Jim Mitchell, and Pat Bourne. City Attorney Carrie Wiese and City Clerk David Godsey.

Mr. Beasley moved to approve the minutes of the regular meeting held on November 14, 2011 along with the reports as mailed. Mr. New seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burnett, Mr. Eastham, Mr. Rutherford, Mrs. Stringer, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Jim Mitchell, and Pat Bourne.

Mr. Wheeldon moved to approve the following Resolution authorizing a Grant Agreement/KY Homeland Security. Mr. Eastham seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burnett, Mr. Eastham, Mr. Rutherford, Mrs. Stringer, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Jim Mitchell, and Pat Bourne.

<p style="text-align: center;"><i>Resolution for application for and administration of Kentucky Office of Homeland Security Project(s)</i></p> <p style="text-align: center;">CITY OF SOMERSET</p> <p style="text-align: center;">RESOLUTION _____</p> <p style="text-align: center;">City of Somerset</p> <p>A RESOLUTION OF THE CITY OF SOMERSET, KENTUCKY AUTHORIZING THE MAYOR TO MAKE APPLICATION FOR AND, UPON APPROVAL, TO ENTER INTO AN AGREEMENT WITH THE KENTUCKY OFFICE OF HOMELAND SECURITY (KOHS), TO EXECUTE ANY DOCUMENTS WHICH ARE DEEMED NECESSARY BY KOHS TO FACILITATE AND ADMINISTER THE PROJECT AND TO ACT AS THE AUTHORIZED CORRESPONDENT FOR THIS PROJECT.</p> <p>WHEREAS, the City of Somerset, Kentucky desires to make an application for United States Department of Homeland Security and/or Commonwealth of Kentucky funds for a project to be administered by Kentucky Office of Homeland Security:</p> <p>WHEREAS, it is recognized that an application for and approval of Kentucky Office of Homeland Security funds impose certain obligations and responsibilities upon the city:</p> <p>NOW, THEREFORE, be it resolved this ____ day of _____, 2011, by the City of Somerset, Kentucky,</p> <p>The Mayor is hereby authorized to execute and furnish all required documentation, including a memorandum of agreement, as may be required by KOHS for the furtherance of the above-referenced project and to act as the authorized correspondent for said project.</p> <p>Done this _____ day of _____, 2011 on a Motion made by _____</p> <p>And seconded by _____.</p> <p>Members present voting in Favor: _____</p> <p>Members Present voting against: _____</p> <p>BY: _____ Mayor</p> <p>ATTEST: _____ Clerk</p>

Mr. New moved to approve the following Resolution conveying of property from the Somerset Cemetery. Mr. Burnett seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burnett, Mr. Eastham, Mr. Rutherford, Mrs. Stringer, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Jim Mitchell, and Pat Bourne.

A RESOLUTION OF THE COUNCIL FOR THE CITY OF SOMERSET, KENTUCKY, TO ACCEPT BY CONVEYANCE THE PROPERTY KNOWN AS "SOMERSET CEMETERY", CURRENTLY OWNED BY A PRIVATE NON-PROFIT ENTITY AND FOUND WITHIN THE INCORPORATED BOUNDARIES OF THE CITY OF SOMERSET;

WHEREAS, the City of Somerset, Kentucky, by and through the City Council, has agreed with the Somerset Cemetery Governing Board's request to accept the conveyance of the property known as "Somerset Cemetery" and found within the corporate boundaries of the City of Somerset; that the City shall receive all property in fee belonging to the Somerset Cemetery, both personal and real, with the intentions to keep said property open to the public and safe for the benefit and enjoyment of the citizens of this community; and further to preserve the historical aspects of said property for present and future generations of the City of Somerset;

NOW THEREFORE, be it resolved and ordained by the Common Council of the City of Somerset, Kentucky this _____ day of _____, 20__, that:

- I. That the City hereby states that it shall accept conveyance of the Somerset Cemetery property via a Deed of Conveyance so long as the deed is in accordance with all applicable law of the State of Kentucky.
- II. That the City, and the Somerset Cemetery, through action of their governing bodies, have agreed to such conveyance;
- III. That the Somerset Cemetery Trust, currently located at Monticello Banking Company, and the subject of a lawsuit filed in the Pulaski County Circuit Court, case number 11-CI-00885, once released by Court Order, will be turned over to the City of Somerset per all applicable law to be placed in a City Trust for the use and purpose of providing funds, maintenance, and preservation of the Somerset Cemetery.
- IV. This resolution shall be in full force and effect upon passage by the common council and according to law.

Approved by the Common Council of the City of Somerset on this the ____ day
of _____, 20____. Members present voting _____ in favor.

Mayor, Eddie Girdler

ATTEST:

City Clerk, David Godsey

A RESOLUTION OF THE COUNCIL FOR THE CITY OF SOMERSET, KENTUCKY,
REQUESTING THAT COMMITTEES BE CREATED BY THE MAYOR, ON WHICH
THE COUNCIL WILL SERVE AS MEMBERS;

WHEREAS, the Council of the City of Somerset wishes that Committees be created in order to meet and share information on different topics of concern or interest to the City of Somerset, but with the understanding that the Committees cannot oversee and/or monitor the operations of various departments of City Government without violating Separation of Powers (See OAG 82-571, OAG 82-258, and KRS 83A.130); and

WHEREAS, with the above understanding, the Council would like three (3) Committees to be formed and each member of the Council to be placed, at random, on one (1) committee each;

NOW THEREFORE, be it resolved and ordained by the Common Council of the City of Somerset, Kentucky this _____ day of _____, 20__, that:

- I. That the City Council wishes for the following committees to be formed:
 - A. Public Safety
 - B. Public Works
 - C. General Government
- II. That all Council Members will be drawn at random for a committee and will thereafter serve on that committee and be responsible for attending committee meetings;
- III. That each Committee may meet once a month unless a majority of the members of that Committee determine that a meeting is not necessary for that month.
- IV. That a Notice shall be posted on the exterior door to the Council Chambers stating when, and where, the meeting will take place, and that such will be posted at least 24 hours prior to the meeting. The meetings shall be open to the public and the press in order to meet the Open Meetings Act requirements pursuant to KRS Chapter 61, and no business will be conducted at the Committee meetings. All business shall be conducted at the regularly scheduled Council Meetings, or at Special Called Meetings pursuant to applicable law and KRS.

Approved by the Common Council on this the ____ day of _____, 20__.

Mayor, Eddie Girdler

ATTEST:

_____, City Clerk

First reading was given the following Ordinance # 11-17:

ORDINANCE NUMBER 11-17

AN ORDINANCE AMENDING THE CITY OF SOMERSET, KENTUCKY'S CURRENT PAY & CLASSIFICATION PLAN, AS SET FORTH IN ORDINANCE 11-01 (THE ORIGINAL ORDINANCE SET FORTH IN 08-08, AND LATER AMENDED BY 10-06), WHICH HAS AND SHALL REMAIN IN EFFECT WITH THE AMENDMENTS STATED ABOVE, AND THOSE CONTAINED HEREIN UNTIL SUCH TIME AS THE PLAN IS AMENDED BY THE COMMON COUNCIL;

First reading was given the following Ordinance # 11-18:

ORDINANCE NO. 11-18

AN ORDINANCE TO THE CITY OF SOMERSET **AMENDING** ORDINANCE 91-27, KNOWN AS THE CITY'S "SEWER USE ORDINANCE", AND ORDINANCE 09-04 WHICH IS THE MOST RECENT ORDINANCE SETTING "LOCAL LIMITS" FOR PRETREATMENT MODIFICATIONS;

There being no further business the meeting adjourned.

APPROVED: _____
MAYOR

ATTEST: _____
CITY CLERK