

## MINUTES OF MEETING HELD SEPTEMBER 27, 2010

The Common Council of the City of Somerset, Kentucky met in a regular session on Monday, September 27, 2010, at 7:00 p.m. with the following present: Mayor Eddie Girdler. Council Members: Jim Mitchell, Pat Bourne, Jerry Burnett, Tim Rutherford, Jim Rutherford, Linda Stringer, Jerry Wheeldon, Steve Kelley, Jerry Girdler, Mike New, and Donna Hunley. City Attorney Carrie Wiese and City Clerk David Godsey. Absent: Council Member John Minton.

Mr. Wheeldon moved to approve the minutes of the regular meeting held on September 13, 2010, along with the reports as mailed. Mr. Bourne seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Mrs. Stringer, Mr. Wheeldon, Mr. Kelley, Mr. Girdler, Mr. New, and Mrs. Hunley.

Mr. Burnett moved to approve donating \$2,500. To help purchase driver license scanners to help upgrade local pharmacy prescription programs. Mrs. Stringer seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Mrs. Stringer, Mr. Wheeldon, Mr. Kelley, Mr. Girdler, Mr. New, and Mrs. Hunley.

First reading was given the following Ordinance # 10-12:

### ORDINANCE NO. 10-12

AN ORDINANCE ANNEXING WITH THE CONSENT OF THE LANDOWNER, THE CITY OF SOMERSET, A BOUNDARY OF REAL ESTATE TO THE CITY LOCATED OFF OF HWY 2227, FORMALLY KNOWN AS KENTUCKY STATE HWY 27, WHICH CONTAINS THE CITY'S WATER PARK, AND OTHER PUBLIC SERVICE AND PUBLIC USE PROPERTY;

First reading was given the following Ordinance # 10-13:

### ORDINANCE NO. 10-13

AN ORDINANCE STATING THE CITY OF SOMERSET'S INTENT AND DESIRE TO ANNEX A CORRIDOR OF HIGHWAY, SPECIFICALLY KENTUCKY STATE HWY 27, PULASKI COUNTY, KENTUCKY, TO THE CITY OF SOMERSET, KENTUCKY.

Mr. Wheeldon moved to approve the following Municipal Order # 10-02 objecting to the City of Burnside's intent to annex a corridor of Hwy 27 North, to Hwy 914. Mr. Mitchell seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Mrs. Stringer, Mr. Wheeldon, Mr. Kelley, Mr. Girdler, Mr. New, and Mrs. Hunley.

**MUNICIPAL ORDER**

A MUNICIPAL ORDER, ENACTED IN ACCORDANCE TO KRS 83A.060, AND PURSUANT TO KRS 81A.427, SETTING FORTH THE OBJECTIONS OF THE CITY OF SOMERSET, BY AND THROUGH THE CITY COUNCIL, REGARDING THE CITY OF BURNSIDE'S INTENT AND DESIRE TO ANNEX A CORRIDOR OF HIGHWAY BELONGING TO THE KENTUCKY DEPARTMENT OF TRANSPORTATION (KYDOT) AND/OR PULASKI COUNTY, AND LOCATED IN PULASKI COUNTY, KENTUCKY;

WHEREAS, pursuant to KRS 81A.427, the City of Somerset has the right to object and prevent annexation by enacting a municipal order according to KRS 83A.060; and

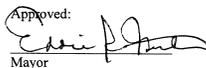
WHEREAS, the City of Somerset owns utility infrastructure as defined in KRS 81A.427(1), and that said infrastructure is located within all, or part, of the area which the City of Burnside has indicated and/or proposed that it intends to annex; and

WHEREAS, the City of Somerset herein incorporates by reference in full all attachments marked in its entirety as Exhibit "A", including but not limited to maps and/or drawings, attached hereto as permitted under KRS 81A.427(5), and describing in detail the referred to infrastructure owned by the City of Somerset so that said infrastructure is clearly identified within the subject area;

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

That the City of Somerset, Kentucky does hereby object for the purpose of preventing annexation of property containing infrastructure utilities owned by the City of Somerset, as well as to fulfill the requirements of KRS 81A.427, to the City of Burnside's intent and proposal to annex to the City of Burnside the area as set forth and shown in Exhibit "B", attached hereto and incorporated in full herein, which was provided to the City of Somerset by the City of Burnside.

This Municipal Order was enacted by vote of the Somerset City Council on the 27 day of Sept, 2010.

Approved:   
Mayor

ATTEST:  
  
City Clerk

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Mr. Mitchell moved to refund the following amounts paid on 2009 City taxes: 755 Crane Road Ferguson LLC in the amount of \$2,442.68 and Marian Price in the amount of \$53.71. Mr. Burnett seconded the motion, upon roll call the following Council Members voted "Aye": Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Mrs. Stringer, Mr. Wheeldon, Mr. Kelley, Mr. Girdler, Mr. New, and Mrs. Hunley.

Mr. J. Rutherford moved to set the hours for Halloween from 6-8pm on Saturday, October 30, 2010. Mr. Bourne seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. T. Rutherford, Mr. J. Rutherford, Mrs. Stringer, Mr. Wheeldon, Mr. Kelley, Mr. Girdler, Mr. New, and Mrs. Hunley.

There being no further business the meeting adjourned.

**APPROVED** \_\_\_\_\_

**MAYOR**

**ATTEST:** \_\_\_\_\_

**CITY CLERK**