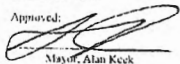
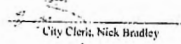


MINUTES OF MEETING HELD FEBRUARY 25, 2019

The Common Council of the City of Somerset, Kentucky met in a regular meeting on Monday February 25, 2019 at 7:00 p.m. with the following present: Council Members; John Minton, Jim Mitchell, David Godsey, Tom Eastham, David Burdine, Brian Dalton, Jerry Wheeldon, Jimmy Eastham, Jerry Girdler, Mike New, Donna Hunley, Mayor Alan Keck, City Attorney John Adams, and City Clerk Nick Bradley. Absent; Council Member Amanda Bullock.

Mr. Mitchell moved to approve the minutes of the regular meeting held on February 11, 2019 along with reports as mailed with the exception of the following correction: Mr. New made a motion to bring Ord. No 18-19 to a vote, not to approve the ordinance. Mr. Dalton seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Mitchell, Mr. Godsey, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, and Mrs. Hunley.

Mr. Wheeldon made a motion to approve the following Ordinance No. 19-02: Giving Public Notice and Approving the City of Somerset's Wastewater Pretreatment Program Modifications in Regards to Local Limits and Amending Ordinances 91-27, 09-04, and 11-18. Mr. Burdine seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Mitchell, Mr. Godsey, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, and Mrs. Hunley.

<p style="text-align: center;"><b>ORDINANCE NO. <u>19-02</u></b></p> <p>AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY GIVING PUBLIC NOTICE AND APPROVING THE CITY OF SOMERSET'S WASTEWATER PRETREATMENT PROGRAM MODIFICATIONS IN REGARDS TO LOCAL LIMITS AND AMENDING ORDINANCES 91-27, 09-04, AND 11-18.</p> <p>WHEREAS, THE KENTUCKY DIVISION OF WATER CONSIDERS THE CITY'S MODIFICATIONS TO THE PRETREATMENT PROGRAM TO BE COMPLETE AND READY FOR PUBLIC NOTICE AND APPROVAL BY THE CITY COUNCIL, AND,</p> <p>WHEREAS, TITLE 40 OF THE CODE OF FEDERAL REGULATIONS (40 CFR 403) REQUIRES THAT PUBLIC NOTICE BE GIVEN BY THE CITY AS TO SAID MODIFICATIONS PURSUANT TO KRS 83A AND KRS 424, BY AND THROUGH ORDINANCE;</p> <p>BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:</p> <p>(I) That the attached modifications to the city's pretreatment program as set forth in Exhibit (A), attached hereto and incorporated in full herein by reference, is hereby approved and adopted by the City of Somerset by and through the Common Council.</p> <p>(II) That said modifications were approved by the Kentucky Division of Water upon a review by said agency of the modified limits submitted by the City of Somerset. Further, the Division of Water states in their approval letter of January 16, 2019, attached hereto as Exhibit "B" and incorporated in full herein by reference, that the modifications will provide adequate protection of water quality, wastewater treatment plant operation, and sludge quality for the City of Somerset as defined in 401 KAR 45:100.</p> <p>(III) If any part of this ordinance is deemed by a court of competent jurisdiction to be unenforceable or unconstitutional, the remaining provisions of this ordinance shall continue in full force and effect.</p> <p>(IV) Any Ordinance in conflict with this Ordinance or any policies in conflict with the ones enacted herein are hereby repealed in so far as the same are in conflict herewith.</p> <p>(V) This Ordinance shall be in full force and effect upon passage, approval, and publication according to law and upon the expiration of the public notice period provided that the Division of Water, nor the City of Somerset, receive comments from the public.</p> <p style="text-align: center;">1</p>	<p>FIRST READING February 11, 2019</p> <p>SECOND READING <u>February 25, 2019</u></p> <p style="text-align: right;">Approved:  Mayor, Alan Keck</p> <p>ATTEST:  City Clerk, Nick Bradley</p> <p style="text-align: center;">2</p>
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Mr. New made a motion to approve Ordinance No. 19-03: Amending Ordinance No. 00-18, Pertaining to and Adding "Dormitories" as a Permitted Use in B2 or Conditional Use in R3, Based on the Findings of Fact Made by the Planning and Zoning Board, and Based on Said

Board's Recommendation of a Zone Ordinance Text Change. Mr. Wheeldon seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Mitchell, Mr. Godsey, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, and Mrs. Hunley.

**ORDINANCE NO. 19-03**

AN ORDINANCE AMENDING THE TEXT OF ORDINANCE NO. 00-18, PERTAINING TO AND ADDING "DORMITORIES" AS A PERMITTED USE IN B2 OR CONDITIONAL USE IN R3, BASED ON THE FINDINGS OF FACT MADE BY THE PLANNING AND ZONING BOARD, AND BASED ON SAID BOARD'S RECOMMENDATION OF A ZONE ORDINANCE TEXT CHANGE;

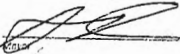
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:


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

- I. (Page 3) - Add Dormitory to Definitions -  
 "a space in a building where group sleeping accommodation are provided in one room, or in a series of closely associated rooms, for persons not members of the same family group under joint occupancy and single management, as in college dormitories or fraternity houses";
- II. (Page 52) - Add dormitory to principal uses, dormitories, non-contiguous;
- III. (Page 53) - Add dormitories, contiguous (on campus) to accessory uses;
- IV. (Page 54) - Off-street parking for dormitories, non-contiguous 80% of building capacity;
- V. (Page 48) - Add dormitory as conditional uses under R3 zoning, if tract is greater than or equal to one acre;
- VI. (Page 49) - Dormitory parking same as required for B2 zoning;
- VII. The City Clerk of the City of Somerset, Kentucky is hereby authorized to alter the Zoning Ordinance Book to reflect said changes;
- VIII. This Ordinance shall be in full force and effect from and after adoption and publication according to law.

FIRST READING February 14, 2019

SECOND READING February 25, 2019

Approved: 

Attest:   
City Clerk

Mr. Mitchell made a motion to approve the following Ordinance No. 19-04: 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. Mr. Godsey seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Mitchell, Mr. Godsey, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, and Mrs. Hunley.

ORDINANCE NO. 19-04

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;

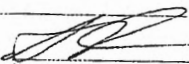
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:

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 R2 to B2, said property being more particularly described in Exhibit "A" attached hereto and incorporated herein in full by reference, specifically with an address located on Montecello Street, Somerset, KY, and having PVA Parcel # of: 061-5-4-33.
- II. By changing a boundary of land presently zoned I2 to B2, said property being more particularly described in Exhibit "B" attached hereto and incorporated herein in full by reference, specifically with an address located on Montecello Street, Somerset, KY, and having PVA Parcel #'s of: 061-5-4-30, 061-5-4-31 and 061-5-4-32.
- III. By changing a boundary of land presently zoned R3 to R1A, said property being more particularly described in Exhibit "C" attached hereto and incorporated herein in full by reference, specifically with addresses located on Broadway Street and Mound Street, Somerset, KY, and having PVA Parcel # of: 061-5-1-18, 061-5-1-20 and 061-5-1-23.
- IV. The City Clerk of the City of Somerset, Kentucky is hereby authorized to alter the Zoning Map to reflect said change(s).
- V. This Ordinance shall be in full force and effect from and after adoption and publication according to law.

FIRST READING FEBRUARY 14, 2019

SECOND READING FEBRUARY 25, 2019

Approved:  \_\_\_\_\_  
Mayor

Attest:  \_\_\_\_\_  
City Clerk

There being no further business the meeting adjourned.

APPROVED:  \_\_\_\_\_

MAYOR

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

CITY CLERK