

MINUTES OF MEETING HELD NOVEMBER 11, 2019

The Common Council of the City of Somerset, Kentucky met in a regular meeting on Monday November 11, 2019 at 6:00 p.m. with the following present: Council Members; Jerry Girdler, Mike New, Donna Hunley, John Minton, Jim Mitchell, David Godsey, Amanda Bullock, Tom Eastham, David Burdine, Brian Dalton, Jerry Wheeldon, Jimmy Eastham, Mayor Alan Keck, City Attorney John Adams, and City Clerk Nick Bradley.

Mr. New moved to approve the minutes of the regular meeting held on October 28, 2019 along with reports as mailed. Mr. Dalton seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, and Mr. J. Eastham.

First reading was given the following Ordinance Number 19-29: An Ordinance Pursuant to KRS 39A.010, KRS 39A.020, KRS 39A.030, Defining the Power of the Mayor or His Defined Designate to Declare a State of Emergency and Emergency Powers of the Mayor or His Designate During a Declared State of Emergency.

<p style="text-align: center;">ORDINANCE NO. 19-29</p> <p>AN ORDINANCE PURSUANT TO KRS 39A.010, KRS 39A.020, KRS 39A.030, DEFINING THE POWER OF THE MAYOR OR HIS DEFINED DESIGNATE TO DECLARE A STATE OF EMERGENCY AND EXPANDED POWERS OF THE MAYOR OR HIS DESIGNATE DURING A DECLARED STATE OF EMERGENCY.</p> <p>BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:</p> <p>In the event of the occurrence or threatened or impending occurrence of any of the situations or events contemplated by KRS 39A, 39A 020, or 39A 030, which in the judgment of the Mayor is of such severity or complexity as to require the enactment of extraordinary emergency measures, the Mayor or his or her designees as provided by this ordinance, may declare a state of emergency exists, and thereafter, subject to any orders of the Governor, shall have and may exercise for the period as the state of emergency exists or continues, the following emergency powers:</p> <p>(a) To enforce all laws and administrative regulations relating to disaster and emergency response and to direct all local disaster and emergency response forces and operations in the affected county, city, urban-county, or charter county;</p> <p>(b) To exclude all nonessential, unauthorized, disruptive, or uncooperative personnel from the scene of the emergency, and to command persons or groups of persons at the scene to disperse. A person who refuses to leave an area in which a written order of evacuation has been issued in accordance with a written declaration of emergency or a disaster may be forcibly removed to a place of safety or shelter, or may, if this is resisted, be arrested by a peace officer. Forcible removal or arrest shall not be exercised as options until all reasonable efforts for voluntary compliance have been exhausted.</p> <p>(c) To declare curfews and establish their limits;</p> <p>(d) To order immediate purchase or rental of, contract for, or otherwise procure, without regard to procurement codes or budget requirements, the goods and services essential for protection of public health and safety or to maintain or to restore essential public services, and</p> <p>(e) To request emergency assistance from any government or special district and, through the Governor, to request emergency assistance from any state agency and to initiate requests for federal assistance as are necessary for protection of public health and safety or for continuation of essential public services.</p> <p>The Mayor may designate his Chief of Staff, the City Attorney, or any department head as his designee to declare a state of emergency and to employ the powers herein.</p>	<p>FIRST READING <u>November 11, 2019</u></p> <p>SECOND READING _____</p> <p>Approved: _____ Mayor</p> <p>Attest: _____ City Clerk</p>
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First reading was given the following Ordinance Number 19-30: An Ordinance to the City of Somerset, Kentucky, Annexing by Property as Described Below and in Attachments to this Ordinance, Attachments Incorporated in Full by Reference Herein (2.19 Acres Along

CITY OF SOMERSET, KENTUCKY - ANNEXATION ORDINANCE NO _____

1

CITY OF SOMERSET, KENTUCKY - ANNEXATION ORDINANCE NO _____

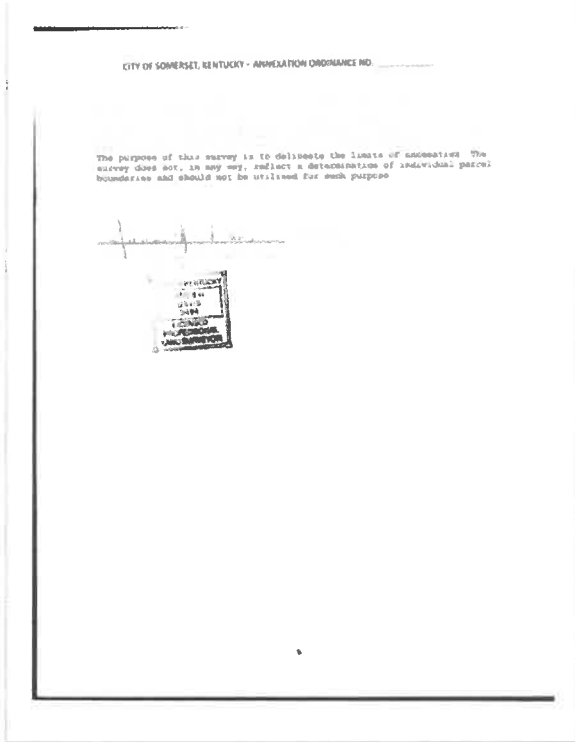
2

CITY OF SOMERSET, KENTUCKY - ANNEXATION ORDINANCE NO _____

3

CITY OF SOMERSET, KENTUCKY - ANNEXATION ORDINANCE NO _____

4



First reading was given the following Ordinance Number 19-31: An Ordinance to the City of Somerset, Kentucky, Annexing by Property as Described Below and in Attachments to this Ordinance, Attachments Incorporated in Full by Reference Herein (Lots 1 though 4 of a Plat Titled "Warrior's Roost" Filed in the Pulaski County Clerk's Office and having PVA Lot Designations 089-2-0-20.4, 089-2-0-20.3, 089-2-0-20.2, and 089-2-0-20.1).

ORDINANCE NUMBER **19-32**

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNEXING BY PROPERTY AS DESCRIBED BELOW AND IN ATTACHMENTS TO THIS ORDINANCE, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE HEREIN, AND

WHEREAS, ANNEXATION REQUEST FORMS HAVE BEEN SUBMITTED BY THE PROPERTY OWNERS, AND THE FORMS HAVE BEEN ACCEPTED BY THE CITY AS COMPLETED, AND THE PROPERTY OWNERS EACH HAVING WAIVED THE SIXTY (60) DAY WAITING PERIOD, BY AND THROUGH THE ANNEXATION REQUEST FORM, SIGNED BY THE OWNER AND/OR AN AUTHORIZED AGENT OF THE OWNER AND INCORPORATED IN FULL HEREIN BY REFERENCE, AND MADE PART OF THE ATTACHMENTS TO THIS ORDINANCE; AND

WHEREAS, ALL DOCUMENTS AND RECORDS NEEDED TO PROCEED WITH ANNEXATION OF THE PROPERTIES INTO THE CORPORATE LIMBS OF THE CITY OF SOMERSET, AND

WHEREAS, THE PROPERTIES MEET ALL REQUIREMENTS FOR ANNEXATION AS SET FORTH IN KRS AND ALL OTHER APPLICABLE LAW,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SOMERSET, KENTUCKY

SECTION 1. THAT THE PROPERTIES DESCRIBED BELOW IN ATTACHMENTS HERE TO AND BELOW, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE, ARE HEREBY ANNEXED INTO THE CITY'S CORPORATE LIMBS.

EXHIBIT A, LOTS 1 THROUGH 14 OF A PLAT TITLED "WARDOR'S BOUNTY" FILED IN THE PLASKI COUNTY CLERK'S OFFICE AND HAVING PLAT DESIGNATIONS 089-2-0-20-4, 089-2-0-20-3, 089-2-0-20-2, and 089-2-0-20-1.

SECTION 2. THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS PASSAGE AND UPON PUBLICATION BY LAW.

FIRST READING November 11, 2019

SECOND READING _____

APPROVED: ALAN L. KLUCK, MAYOR
CITY OF SOMERSET, KY

ATTEST: NICK BRADLEY, CITY CLERK

Somerset

DEPARTMENT OF HOUSING, BUILDINGS AND CONSTRUCTION

Planning & Zoning Commission
308 East Main Street
P.O. Box 995
Somerset, KY 40387
Phone: 606-421-1112
Fax: 606-421-0129
www.cityofsomerset.com

ANNEXATION REQUEST FORM

I, Thomas Edward Garner formally request annexation

of my property located at VFW Drive, Somerset, KY
(Parcel IDs 089-2-0-20-4, 089-2-0-20-3, 089-2-0-20-2, 089-2-0-20-1)
into the City of Somerset

I also request that the 60-day waiting period be waived

I also request that this property be zoned B-2

Signature _____ Date 11/11/19



First reading was given the following Ordinance Number 19-32: An Ordinance to the City of Somerset, Kentucky, Annexing by Property as Described Below and in Attachments to this Ordinance, Attachments Incorporated in Full by Reference Herein (Lots 5 and 12 of a Plat Titled

“Warrior’s Roost” Filed in the Pulaski County Clerk’s Office, Addressed as 160 VFW Drive, Somerset Kentucky and Known as VFW Post 269, PVA Parcels 089-2-0-21 and 089-2-0-21.7).

ORDINANCE NUMBER 19-16

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNEXING BY PROPERTY AS DESCRIBED BELOW AND IN ATTACHMENTS TO THIS ORDINANCE, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE HEREIN, AND

WHEREAS, ANNEXATION REQUEST FORMS HAVE BEEN SUBMITTED BY THE PROPERTY OWNERS, AND THE FORMS HAVE BEEN ACCEPTED BY THE CITY AS COMPLETED, AND THE PROPERTY OWNERS EACH HAVING WAIVED THE SIXTY (60) DAY WAITING PERIOD, BY AND THROUGH THE ANNEXATION REQUEST FORM, SIGNED BY THE OWNER AND/OR AN AUTHORIZED AGENT OF THE OWNER AND INCORPORATED IN FULL HEREIN BY REFERENCE, AND MADE PART OF THE ATTACHMENTS TO THIS ORDINANCE, AND

WHEREAS, ALL DOCUMENTS AND RECORDS NEEDED TO PROCEED WITH ANNEXATION OF THE PROPERTIES INTO THE CORPORATE LIMITS OF THE CITY OF SOMERSET; AND

WHEREAS, THE PROPERTIES MEET ALL REQUIREMENTS FOR ANNEXATION AS SET FORTH IN KRS AND ALL OTHER APPLICABLE LAW,

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SOMERSET, KENTUCKY,

SECTION 1. THAT THE PROPERTIES DESCRIBED BELOW IN ATTACHMENTS HERE TO AND BELOW, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE, ARE HEREBY ANNEXED INTO THE CITY'S CORPORATE LIMITS:

EXHIBIT A: LOTS 5 AND 12 OF A PLAT TITLED "WARRIOR'S ROOST" FILED IN THE PULASKI COUNTY CLERK'S OFFICE, ADDRESSED AS 160 VFW DRIVE, SOMERSET KENTUCKY AND KNOWN AS VFW POST 269 (PVA PARCELS 089-2-0-21 AND 089-2-0-21.7)

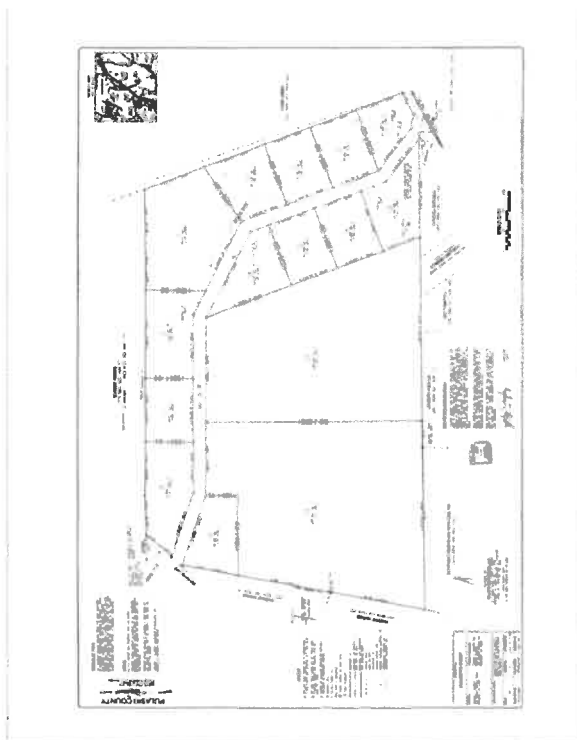
SECTION 2. THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS PASSAGE AND UPON PUBLICATION BY LAW.

FIRST READING: November 11, 2019

SECOND READING: _____

APPROVED: ALAN L. KECK, MAYOR
CITY OF SOMERSET, KY

ATTEST: _____
NICK BRADLEY, CITY CLERK



Somerset

DEPARTMENT OF HOUSING, BUILDINGS AND CONSTRUCTION

Planning & Zoning Commission
101 East Main Street, 3rd Floor
Somerset, KY 40386
Phone: 606.422.1111
Fax: 606.422.1122
www.somersetky.gov

ANNEXATION REQUEST FORM

I, VFW POST 269 formally request annexation
(Jackie Linville, Post Commander)

of my property located at 160 VFW Drive, Somerset, KY
(Parcel ID 089-2-0-21)

into the City of Somerset

I also request that the 60-day waiting period be waived

I also request that this property be zoned B-2

Signature

Date

Mr. Wheeldon made a motion to approve the following Municipal Order Number 19-02: Municipal Order of the City of Somerset, Kentucky Authorizing the Filing of a 2019 Kentucky Community Development Block Grant (CDBG) Public Services Application. Mr. Burdine seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, and Mr. J. Eastham.

MUNICIPAL ORDER 19-02

MUNICIPAL ORDER OF THE CITY OF SOMERSET KENTUCKY AUTHORIZING THE FILING OF A 2019 KENTUCKY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PUBLIC SERVICES APPLICATION

WHEREAS, it is necessary and in the public interest that the City avail itself of the financial assistance provided by Title I of the Housing and Community Development Act of 1974, and the 1981 Amendments permitting the Kentucky Department for Local Government, Division of Community Development, to commence a Community Development Program within the community, and,

WHEREAS, it is recognized that the Federal/State contract for such financial assistance pursuant to said Title I will impose certain obligations and responsibilities upon the City and will require among other things:

- (1) Approval of a satisfactory application transmitted to the Kentucky Department for Local Government, Office of Federal Grants
- (2) Certification by the City Council relating to activities such as civil rights, citizen participation, relocation payments, acquisition of properties, national environmental policies, and accounting practices; and,
- (3) Other local obligations and responsibilities in connection with the undertaking and carrying out of the Kentucky Community Development Block Grant Program, and,

WHEREAS, in those areas where acquisition and clearance is proposed, the objectives of the program cannot be achieved through more extensive rehabilitation, and a displacement strategy has been formulated.

NOW, THEREFORE, BE IT ORDERED by the common council of the City of Somerset


- (1) That the United States of America and the Commonwealth of Kentucky be, and hereby are, assured of full compliance by the City Council with certification relating to all regulations and administration of Civil Rights Act, citizen participation, relocation payments, acquisition processes, accounting procedures, the Hatch Act, minimum wage and maximum hour provisions of the Fair Labor Standards Act, and all requirements of the National Environmental Policy Act of 1968
- (2) That the Mayor, on behalf of the City of Somerset, is authorized and directed to prepare such certification and to assure full compliance with all certifications as outlined in (1) above, and all other pertinent regulations.


(3) That an application on behalf of the City of Somerset for a grant of up to \$300,000 for a Public Services application of said Title I funds is hereby approved and that the Mayor is hereby authorized to execute and file such application with the State Department for Local Government, to provide such additional information and to furnish such documentation as may be required, and to act as the authorized correspondent of the City of Somerset relating to the Kentucky Community Development Block Grant Program

This Municipal order shall be effective immediately upon passage by the Somerset City Council

DATE ADOPTED November 11, 2019
 MOTION Mr. Burdine
 SECONDED Mr. Dalton


VOTE	YES	NO
Councilman David Burdine	✓	
Councilman Brian Dalton	✓	
Councilman Jerry Wheeldon	✓	
Councilman Jimmy Eastham	✓	
Councilman Jerry Gruler	✓	
Councilman Mike New	✓	
Councilman Donna Hunley	✓	
Councilman John Minton	✓	
Councilman Jeri Mitchell	✓	
Councilman David Godsey	✓	
Councilman Amanda Bullock	✓	
Councilman Tom Eastham	✓	

Attest:

 Nick Bradley, City Clerk


 Alan Keck, Mayor

Mr. New made a motion to approve the following tax refund: \$51.09 to Martin Family Rev. Trust for a 2019 Homestead Exemption. Mr. T. Eastham seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, and Mr. J. Eastham.

There being no further business the meeting adjourned.

APPROVED: 
 MAYOR

ATTEST: 
 CITY CLERK