

**MINUTES OF MEETING HELD JANUARY 10, 2022**

The Common Council of the City of Somerset, Kentucky met in a regular meeting on Monday January 10, 2022, at 6:00 p.m. with the following present: Council Members; Patrick Hunley, Jim Mitchell, David Godsey, Amanda Bullock, David Burdine, Brian Dalton, Jerry Wheeldon, Jimmy Eastham, Jerry Girdler, Robin Daughetee, Mayor Alan Keck, City Attorney John Adams, and City Clerk Nick Bradley. Absent: John Minton and Tom Eastham

Mr. Wheeldon moved to approve the minutes of the regular meeting held on December 13, 2021, along with reports as mailed. Mr. Dalton seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Hunley, Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, and Mr. Daughetee.

Mr. Daughetee made a motion to approve the following Resolution Number 22-01: Authorizing the Purchase of Approximately Two Acres from Lots 061-7-7-09 And 061-7-7-08 for \$50,000. Mr. Godsey seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Hunley, Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, and Mr. Daughetee.

**RESOLUTION 22-01  
OF  
SOMERSET CITY COUNCIL**

WHEREAS, the City of Somerset desires to better surface water runoff and drainage in the area of Bourne Ave, Len Reed and Woodland Court.

WHEREAS, in addition structures in the area were causing signage and the accumulation of improper disposal of hydrocarbons, needles.

WHEREAS, City of Somerset employees began to work on both conditions, it was found that title and ownership to real property needed to be acquired.

WHEREAS, the real property needed is owned by Brown Family Properties LLC and is part of PVA tax lots 061-7-7-09 and/or 061-7-7-08 and the area needed is approximately 2 acres.


NOW, THEREFORE, BE IT RESOLVED, that the Somerset City Council finds supporting the approximately 2 acres for the price of \$50,000 is proper in purpose and act.

RESOLVED FURTHER, that the Mayor of Somerset is hereby authorized, directed, and empowered to execute, for and on behalf of the City and in its name, all documents required in connection with the purchase of the property, including but not limited to purchase agreements and escrow closing documents, and instruments of conveyance, and

RESOLVED FURTHER, that any actions taken by Mayor to purchase said property are hereby adopted, ratified, confirmed and approved as the acts and deeds of the City of Somerset.

Motioned and Voted Successfully on the day of January 10, 2022 as proven and if executed by the officers below.

  
Alan L. Keck, Mayor of the City of Somerset

And Attested by:  
  
Nick Bradley, Clerk of the City of Somerset

Mr. Burdine made a motion to approve the following Ordinance Number 21-28: Annexing Property as Described Below and In Attachments to This Ordinance, And Known As "Aldi", Attachments Incorporated in Full by Reference Herein. Ms. Bullock seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Hunley, Mr. Mitchell, Mr.

Godsey, Ms. Bullock, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, and Mr. Daughetee.

Ord 21-28

**Ordinance Number 21-28**

**AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNEXING PROPERTY AS DESCRIBED BELOW AND IN ATTACHMENTS TO THIS ORDINANCE, AND KNOWN AS "ALDI", 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 inside 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;

Whereas, the property is improved and in use, and is proper to be classified under Somerset's zoning ordinance; and,

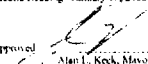
Whereas, the properties meet all requirements for annexation as set forth in KRS and all other applicable law;

Now therefore, be it ordained by the City of Somerset, Kentucky:

- Section 1. That the properties described below in attachments hereto and below, attachments incorporated in full by reference, are hereby annexed into the City's corporate limits.  
Exhibit A: 2.56 acres of a plat titled "City of Somerset ordinance 21-28" by JD East surveying, inc. Dated 9-27-21, said land having PVA lot designations 062-31401, and subdivided as 4105 South Highway 27, Somerset, Ky 42501, known as Aldi.
- Section 2. The property shall be Zoned H-2, Highway Oriented Commercial based upon its current use.
- Section 3. This ordinance shall take effect after its Passage and upon publication by law.

First Reading: December 13, 2021

Second Reading: January 10, 2022

Approved:   
Alan L. Keck, Mayor  
City of Somerset, Ky

Attest:   
Nick Hralick, City Clerk

**EXHIBIT "A"**

City of Somerset, KY Annexation Ordinance No. \_\_\_\_\_

DESCRIPTION	Lot	Block	Subdivision
2.56 Acres of a plat titled "City of Somerset ordinance 21-28" by JD East surveying, inc. Dated 9-27-21, said land having PVA lot designations 062-31401, and subdivided as 4105 South Highway 27, Somerset, Ky 42501, known as Aldi.			

Date: 1-24-22

STATE APPROVAL

**Somerset**

**DEPARTMENT OF HOUSING, BUILDINGS AND CONSTRUCTION**

Planning & Zoning Commission  
200 Lincoln Street, 1st Floor  
P.O. Box 384  
Somerset, KY 42502  
Phone: (606) 426-8111  
Fax: (606) 677-6688  
www.somersetky.gov

**ANNEXATION REQUEST FORM**

I, \_\_\_\_\_ of Aldi Inc. (Ohio), formally request annexation of my property located at 4105 Hwy 27 S, Somerset, Kentucky 42501-0188 into the City of Somerset.

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

I also request that the property be zoned \_\_\_\_\_.

Signature: \_\_\_\_\_

BY: David K. Bahr, President of Aldi Inc. (Ohio)

First reading was given the following Ordinance Number 22-01: Annexing Property as Described Below and In Attachments to This Ordinance and Known as A Utility Easement from Highway 461 At and Along Pin Oak Drive to Dahl Road.

**Ordinance Number 22-01**

**AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNEXING PROPERTY AS DESCRIBED BELOW AND IN ATTACHMENTS TO THIS ORDINANCE, AND KNOWN AS A UTILITY EASEMENT FROM HIGHWAY 461 AT AND ALONG PIN OAK DRIVE TO DAHL ROAD**

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;

Whereas, the property is zoned with utility lines and in use, and is proper to be classified under Somerset's zoning ordinance; 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

First Reading: January 10, 2022

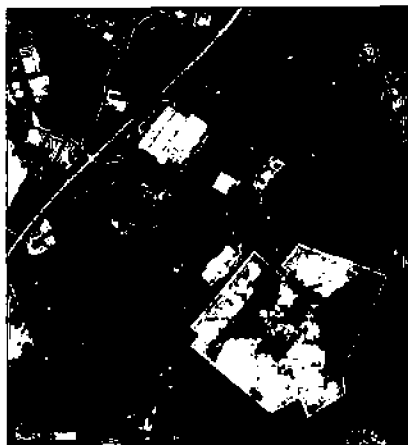
Second Reading: \_\_\_\_\_

Approved: \_\_\_\_\_  
 Alan L. Keck, Mayor  
 City of Somerset, Ky

Attest: \_\_\_\_\_  
 Nick Bradley, City Clerk

- Section 1.** That the properties described below in attachments hereto and below, attachment - incorporated in full by reference, are hereby annexed into the City's corporate limits.
- A utility easement from Highway 461 at Cron Road, along Cron Road and around the new extension of Cron Road Around Herickson International to Dahl Road
- Exhibit A \_\_\_\_\_ plat titled \_\_\_\_\_ by \_\_\_\_\_ dated \_\_\_\_\_ and land having \_\_\_\_\_ acres
- Section 2.** The property shall be Zoned I-2, Industrial based upon its current use as a utility easement serving industrial property
- Section 3.** This ordinance shall take effect after its Passage and upon publication by law

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**DEPARTMENT OF HOUSING, BUILDINGS AND CONSTRUCTION**  
 Planning & Zoning Commission  
 300 East Mount Vernon Street  
 P. O. Box 989  
 Somerset, KY 40362  
 Phone: (606) 425-5214  
 Fax: (606) 677-0588  
 www.cityofsomerset.com

**ANNEXATION REQUEST FORM**

I, Chris Gardner or Speeder formally request annexation of my property located at Utility Easement from Hwy 461 to Dahl Road (See Attached Maps) into the City of Somerset

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

I also request that this property be zoned I-2.

Chris Gardner  
 Signature

First reading was given the following Ordinance Number 22-02: Annexing Property as Described Below and In Attachments to This Ordinance and Known as The Appharvest Somerset Facility.

**Ordinance Number 22-02**

**AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNEXING PROPERTY AS DESCRIBED BELOW, AND IN ATTACHMENTS TO THIS ORDINANCE, AND KNOWN AS THE APPHARVEST SOMERSET FACILITY.**

Whereas, annexation request forms have been submitted by the property owner(s), 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,

Whereas, the property is improved with by Appharvest agricultural company and representing an expansion the industrial uses near the property, and making the intended use being agricultural in nature proper to be meet the "special provisions for agricultural areas" and is proper to be classified under Somerset's Zoning ordinance, as I-2 but subject to the Agricultural Area provisions of 4.13 of the Somerset Zoning Ordinance.

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,

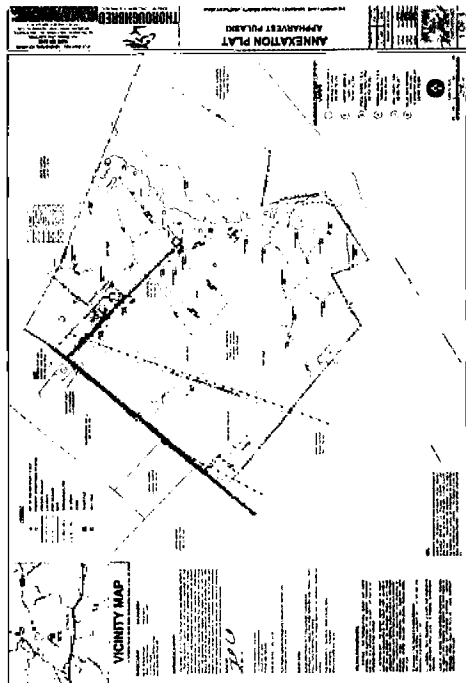
First Reading: January 10, 2022

Second Reading: \_\_\_\_\_

Approved: Alan L. Reck, Mayor  
City of Somerset, Ky

Attest: Nick Bradley, City Clerk

- Section 1. That the properties described below in attachments hereto and below, attachments incorporated in full by reference, are hereby annexed into the City's corporate limits  
 Exhibit A. Plat titled "Annexation Plat, Appharvest Pulaski" by Thoroughbred Design, Engineering, Construction dated and land having 171.02 acres.  
 Said Properties PVA designation is Parcel number 102-0-2-12.3
- Section 2. The property shall be Zoned I-2, but subject to the Agricultural Area provisions of 4.13 of the Somerset Zoning Ordinance.
- Section 3. This ordinance shall take effect after its Passage and upon publication by law.



**DEPARTMENT OF HOUSING, BUILDINGS AND CONSTRUCTION**  
 Planning & Zoning Commission  
 307 East Main Vernon Street  
 P.O. Box 999  
 Somerset, KY 40502  
 Phone: (606) 425-9314  
 Fax: (606) 617-0608  
 www.cityofsomerset.com

**ANNEXATION REQUEST FORM**

I, APPHARVEST PULASKI FARM, LLC (F/K/A PULASKI LAND DEVELOPMENT COMPANY, LLC), A DELAWARE LIMITED LIABILITY COMPANY, formally request annexation

of my property located at DAHL ROAD, BEING PARCEL A AS SHOWN ON PLAT CABINET G, SLIDE 123D, SEE DEED BOOK 1034, PAGE 90 (PVA PARCEL # 102-0-2-12.3)

into the City of Somerset.

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

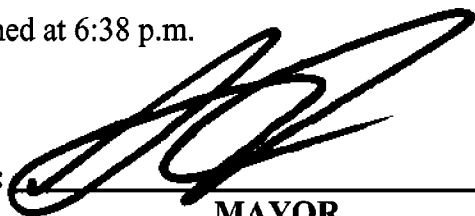
I also request that this property be zoned I-2 (subject to agricultural use exception and special provisions for agricultural areas).

Signature: [Handwritten Signature]

Date: 1/10/22

There being no further business the meeting adjourned at 6:38 p.m.

APPROVED:



MAYOR

ATTEST:



CITY CLERK