

**MINUTES OF MEETING HELD JANUARY 22, 2024**

The Common Council of the City of Somerset, Kentucky met in a regular meeting on Monday January 22, 2024, at 6:00 p.m. with the following present: Council Members Patrick Hunley, John Minton, Jim Mitchell, Amanda Bullock, Tom Eastham, 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: David Godsey.

Mr. Daughetee moved to approve the minutes of the regular meeting held on January 8, 2023, along with reports as mailed. Mr. Dalton seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Hunley, Mr. Minton, Mr. Mitchell, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, and Mr. Daughetee.

First reading was given the following Ordinance Number 24-02: **REQUIRING FIRE DEPARTMENT ACCESS TO STRUCTURES OR AREAS WITHIN THE CORPORATE LIMITS OF SOMERSET KY BY "KNOX BOX"**.

Ordinance No. 24-02

**AN ORDINANCE REQUIRING FIRE DEPARTMENT ACCESS TO STRUCTURES OR AREAS WITHIN THE CORPORATE LIMITS OF THE CITY OF SOMERSET KY BY "KNOX BOX"**

Whereas, immediate access of entry to structures is vital to supporting the public health, safety and welfare of the citizens of Somerset;

Be it ordained by the common council of the City of Somerset KY

To provide and enforce fire department access to the following fire fighting equipment at approved Knox Box rapid entry key box or with its equivalent with Somerset Fire Department use shall be installed at commercial and multifamily residential buildings within the corporate limits of the City of Somerset KY in accordance with the following regulations and provisions:

1. Buildings requiring rapid entry Knox boxes.
  - (a) Any newly constructed commercial building which does not yet have a certificate of occupancy prior to the effective date of this ordinance;
  - (b) Any existing commercial building which is being renovated or expanded;
  - (c) Any existing commercial building with an automatic fire suppression system, a new or renovated fire alarm system or sprinkler system;
  - (d) New or existing residential buildings with more than (1) or more rental units;
  - (e) Any building containing hazardous materials requiring the filing of a fire report.
2. Gates and Barriers requiring rapid entry Knox box or vault.
  - (a) Any newly constructed automatic or manual access gates or barriers across roadways that can only be accessed by means of a key, remote card, or manual activation by a stationed guard.
3. Location.
  - (a) For structures, Knox box rapid entry key boxes must be installed within five (5) feet horizontally of the primary access door or within five (5) feet horizontally of another entrance as approved by the Fire Chief or their designee.
  - (b) For gates and barriers, Knox box rapid entry key boxes or vaults must be installed within five (5) feet of the main house or pad (over or under).
4. Keys required.
  - (a) All rapid entry key boxes must contain keys for the following:
    - i. Locked points of access to the structure's main entrance.

- ii. Locked mechanical and electrical rooms.
- iii. Fenced or secured areas.
- iv. Access to generator and/or other rooms.
- v. Access to generators.
- vi. Access to roof hatch.
- vii. Alarm or control fire alarm control panels.
- viii. Keys to reset gas stations.

- (b) All keys in the key box must be clearly labeled with regard to the function.
- (c) Residential buildings shall contain keys to an open room of the building, life safety systems, and portions of the building not owned by residents.

5. Access Maintenance

- (a) Any time the keys on the doors for which keys are stored in the key box are changed, the owner of the building shall notify the Fire Department. The Fire Department will provide access for the owner or occupant to replace keys in the key box.
- (b) The owner or occupant of a structure or area requiring access to a Department room as specified herein, shall notify the Fire Department when the access is modified in a manner that may prevent the Department access.

6. Signification Required

- (a) Knox Boxes and vaults for locations required by the ordinance may be obtained by the responsible party or their designee through the registration of a residential and setting the state of Kentucky and the Somerset Fire Department. The City Fire Marshal may assist with this task if necessary.
- (b) The cost of purchasing and installing, along with any cost associated with implementation shall be borne solely and exclusively by the Responsible Party.

7. All ordinances to part of ordinances enacted herewith shall be enforceable.

8. This ordinance shall take effect from and upon its passage and approval as required by law.

First reading: JANUARY 22, 2024

Second reading:

Approved \_\_\_\_\_  
Attest \_\_\_\_\_  
Date \_\_\_\_\_

First reading was given the following Ordinance Number 24-03: ANNEXING BY CONSENT PROPERTY AS DESCRIBED BELOW AND IN ATTACHMENTS TO THIS ORDINANCE, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE HEREIN OF 812 KENTUCKY HIGHWAY 39.

ORDINANCE NUMBER 24-01

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNEXING BY CONSENT 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 COMPLETE, AND THE PROPERTY OWNERS (ACQUIRING) WAIVED THE SIXTY (60) DAY WAITING PERIOD BY AND THROUGH THE ANNEXATION REQUEST FORMS SIGNING THE PROVISIONS AND AN AUTOMATIC WAIVER OF THE OWNERS' RIGHTS OR WAIVED THE RIGHTS BY REFERENCE AND MADE PART OF THE ATTACHMENTS TO THIS ORDINANCE AND

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

WHEREAS, THIS DOCUMENT WAS SENT TO THE JUDGE EXECUTIVE AND CITY ATTORNEY OF PULASKI COUNTY AFTER THE FIRST READING AS NOTED UNDER 219 OF PULASKI COUNTY CHARTER, AND

WHEREAS, THE PROPERTY IS ELIGIBLE FOR ANNEXATION ASSET FOR THE CITY AND ALL OTHER APPLICABLE LAWS,

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

SECTION 2 THE LANDOWNER IS PROCEEDING TO THE CITY'S PLANNING AND ZONING DEPARTMENT FOR A RECOMMENDATION BY THE SECOND READING, THE FIRST READING IS CURRENTLY AS APPROVED

SECTION 3 NOTICE TO PULASKI COUNTY FROM THE CITY WAS GIVEN AFTER THE FIRST READING AND 45 DAYS BEFORE THE SECOND READING. THE PROPERTY OWNER SEEKS CITY UTILITY RATES AND CONNECTIONS TO THE CITY UTILITIES FROM ANNEXATION. THE PROPERTY OWNER REQUESTS THE CITY TO APPROVE THE ANNEXATION BEFORE JULY 1, 2024, SUBJECT TO THE CITY'S APPROVAL AND

SECTION 4 THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS PASSAGE AND UPON PUBLICATION BY LAW

FIRST READING JANUARY 22, 2024

SECOND READING (NOT YET HELD)

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

ALAN L. STELL, MAYOR CITY OF SOMERSET, KY

SECTION 1 THAT THE PROPERTY DESCRIBED BELOW IN ATTACHMENTS HERE TO AND BELOW ARE HEREBY ANNEXED INTO THE CITY'S CORPORATE LIMITS

EXHIBIT TRACKS TOTALING ACRES SHOWN ON AN ANNEXATION MAP FILED

BY \_\_\_\_\_, DATED \_\_\_\_\_, SAID AND HAVING PVA LOT DESIGNATION 0000 0 0 0 0 AND ADDRESS 812 Somerset, KY 40382, THE PROPERTY IS KNOWN AS COMPTON'S CUSTOM COUNTERTOPS

Kentucky Pulaski County, KY PVA

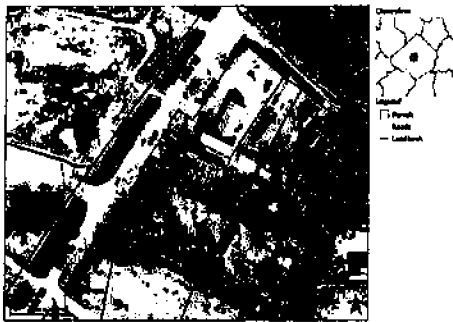


Table with columns: Parcel ID, Class, Taxing District, Area/Ac, Parcel Address, Parcel Status, Lot 2 Value, Date, Price, Status, and Date. Includes a note: 'This parcel is zoned Commercial. Last date allowed for rezoning is 10/31/24.' and 'Compton's Custom Countertops' logo.

Somerset

DEPARTMENT OF HOUSING, BUILDINGS AND CONSTRUCTION

Alan Stell Mayor, Planning & Zoning Commission, 205 East Mount Vernon Street, Somerset, KY 40382, Phone: (606) 476-3333, Fax: (606) 476-3333, www.somersetky.gov

ANNEXATION REQUEST FORM

I, Compton's Custom Countertops, Inc., by Brad Schoorcraft, formally request annexation of my property located at 812 Hwy 39, Somerset into the City of Somerset

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

I also request that this property be zoned \_\_\_\_\_

Signature: [Handwritten Signature] Date: 1-9-24

Mr. Daughetee made a motion to approve the following Resolution Number 24-01: SELLING THE PROPOERTY AT 259 SOUTH MAPLE STREET ON A REQUEST FOR PROPOSAL WHICH INCLUDES A COMBINATION FOR CONSIDERATION INCLUDING PRICE,

ECONOMIC DEVELOPMENT, AND QUALITY OF PLACE, QUALITY OF LIFESTYLE. Ms. Bullock seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Hunley, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, and Mr. Daughetee. "No": Mr. Minton and Mr. Mitchell. Motion passed.

RESOLUTION 24-01  
OF  
SOMERSET CITY COUNCIL

WHEREAS, the former recreational building at 259 South Maple Street (PVA 0617-1381) is owned by the City and is currently leased to a private entity;


WHEREAS, there is an interest in the building by the City of Somerset;

WHEREAS, the City of Somerset seeks economic development in raising or consuming revenues in downtown with an emphasis on "quality of place, quality of lifestyle" and better community health and welfare;


NOW, THEREFORE, BE IT RESOLVED, that the Somerset City Council finds acting in the best interest of the City that the City of Somerset shall accept a Request for Proposal which includes a combination for consideration including price, economic development, and quality of place/quality of lifestyle. A final sample of a proposed RFP is attached hereto for reference.

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

Motioned and Voted Successfully on the day of January 22, 2024 as given and discussed by the officers below:

  
Alan J. Kosk, Mayor of the City of Somerset

And Attested by:

  
Nick Bradley, Clerk of the City of Somerset

Request for Proposal  
259 South Maple, Somerset Kentucky  
PVA Parcel 0617-1381

The City of Somerset is disposing of surplus Real Property at 259 South Maple Street, Somerset Kentucky. The property shall include an unimproved commercial building and a small parking area behind the building. The playground equipment behind the property is used by the "Head Start" program that will be retained by the City of Somerset per the "Head Start". The improvement on the real property to be sold "how is - where is" with no warranties of operation, weather proofing, soundness (structural or otherwise).

The disposition of the property by the City of Somerset shall include both compensation and economic development considerations. The property shall be sold under KRS 82.083 (4) (b) "... Transferred, with or without compensation, for economic development purposes, which shall include but not be limited to real property transfers for the elimination of blight".

The City of Somerset is requesting proposals for the property. In addition to compensation/price the following considerations (economic development considerations) shall be considered in the selection of the winning proposal.

- 1) Price
- 2) The proposed use by the buyer to create:  
  - a) Employment or new jobs to the area,
  - b) Quality of place/life enhancement for downtown and the community in terms of health, arts, or social benefit.
- 3) Approximate time needed to close.
- 4) Stated date certain of the final use and proof of sustainability of the intended use.

Written requests for proposals shall be submitted by 4:30 PM Eastern, February 18<sup>th</sup>, 2024. The proposal shall include the price to be paid, proposed use (and sub considered one's and it's), time to close, and stated date certain of final use and proof of its sustainability.

Mr. Mitchell made a motion to approve the following Resolution Number 24-02: ASKING THE KENTUCKY GENERAL ASSEMBLY TO PASS LEGISLATION PROHIBITING THE COMMERCIAL ADVERTISING, RECRUITMENT, AND COMMERCIAL TRANSPORTATION OF PATIENTS FROM OTHER STATES FOR SUBSTANCE ABUSE RECOVERY. Mr. Daughetee seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Hunley, Mr. Minton, Mr. Mitchell, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, and Mr. Daughetee.

Resolution 04 02  
of the  
City of Somerset

Whereas, the City of Somerset previously supports giving second chances. Somerset has been a leader in drug entry and recovery programs, as well as other support programs designed to help individuals struggling with substance abuse.

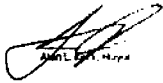
Whereas, the City of Somerset also believes it has a moral obligation to help its residents. We are obligated to our citizens and helped by state government. Recovery resources should not be burdened with traveling clients from other states, as they can have a positive impact on our community, communities, and the work of helping residents struggling with substance abuse.

Whereas, it is the experience of the City of Somerset that when residents from other states are transported to our area and not transported to Kentucky for treatment, those participants often left homeless when looking for treatment, most of whom their program can't accommodate or not at all.

Now, Therefore Be It Resolved, that the Board of Commissioners and Mayor pass the Kentucky General Assembly, to pass legislation providing the substance use, advertising, recruitment, and educational services that will help them to get better.

Nothing in this resolution is intended to affect any existing or future contracts or agreements entered into in accordance with Article V, Section 2 of the Constitution of the State of Kentucky.

Voted on January 22, 2024

  
Scott E. Hays

  
Nancy Keck, Mayor of the City of Somerset

Mayor Keck introduced, and the council passed by acclamation, the approval of an extra paid day off for non-executive employees of the City of Somerset for their work during hazardous conditions created by the winter weather of the week of January 15, 2024.

There being no further business the meeting was adjourned at 7:11 p.m.

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

MAYOR

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

CITY CLERK