

MINUTES OF SPECIAL CALLED MEETING HELD MARCH 18, 2024

The Common Council of the City of Somerset, Kentucky met in a special called meeting on Wednesday March 18, 2024, at 6:00 p.m. with the following present: Council Members Jim Mitchell, David Godsey, Amanda Bullock, Tom Eastham, David Burdine, Brian Dalton, Jerry Wheeldon, Jimmy Eastham, Jerry Girdler, Robin Daughetee, Patrick Hunley, John Minton, Mayor Alan Keck, City Attorney John Adams, and City Clerk Nick Bradley.



SPECIAL CALLED CITY COUNCIL MEETING MARCH 18, 2024 6 P.M.

Handwritten signatures and names:
John Adams
Alan Keck
Nick Brally
Jim Mitchell
David Godsey
Amanda Bullock
Tom Eastham
David Burdine
Brian Dalton
Jerry Wheeldon
Jimmy Eastham
Jerry Girdler
Robin Daughetee
Patrick Hunley
John Minton

The agenda for the meeting follows:



NOTICE OF SPECIAL CALL MEETING

The Somerset City Council will have a Special Call Meeting on Monday, March 18, 2024, at 6:00 pm at the Somerset City Council Chamber. The public is invited to attend.

Agenda

1. Call to Order
2. Pledge of Allegiance
3. Moment of Silence
4. Roll Call
5. Minutes of Last Meeting
6. Mayor's Call to Action
7. Citizens Comments (limited to five minutes per speaker, to be held at the end of the meeting)
8. 2nd Reading/Adoption of R12 Highway 99 Somerset Access
9. 1st Reading/Adoption of the Medical Marijuana Dispensary Location Ordinance (to be held at the end of the meeting, to be held at the end of the meeting, to be held at the end of the meeting)
10. 2024-2025 Somerset Strategic Plan: "Pioneering" Plan
11. Resolution on EMS Interlocal Agreements with Polaris County
12. Citizens Comments
13. Adjournment

Mr. Mitchell made a motion to approve the minutes of the regular meeting of February 26, 2024 and the special called meeting of March 6, 2024. Ms. Bullock seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. Daughetee, Mr. Hunley, and Mr. Minton.

The following Proclamation designating March 24, 2024 as Chester Kaiser Troop 79 Day recognizing 100 years of service by the troop was read by Councilman Daughetee.



Proclamation

Whereas, the Boy Scouts of America has been at the forefront of instilling timeless values in youth since its founding in 1907; and

Whereas, the national youth movement has a rich history of providing youth-focused programs, activities, and

Whereas, the Boy Scouts of America is committed to helping youth succeed by providing the support, training, and leadership necessary to live a purposeful life; and

Whereas, the Boy Scouts of America has been a continuous source of leadership and inspiration since its beginning in 1907; and

Whereas, the Boy Scouts of America has been one of only a few troops in the nation to reach 100 years of service; and

Whereas, the Boy Scouts of America is the only troop to be officially honored by being the name of the historic Sepulchral that named the town; and

Whereas, the Boy Scouts of America has been a source of pride for the people of Somerset that have celebrated its centennial anniversary in 2007; and

Now, Therefore, I, Alan K. Beck, Mayor of Somerset, Kentucky, do hereby designate March 17, 2024 as the day of the town's centennial anniversary.

ALAN K. BECK, Mayor of Somerset, Kentucky

17th day of March, 2024

Mr. Daughetee made a motion to approve 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 OF 812 KENTUCKY HIGHWAY 39. Mr. J. Eastham seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. Daughetee, Mr. Hunley, and Mr. Minton.

ORDINANCE NUMBER 401

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNULING BY CONSISTENT PROVISIONS AND REPEALING BY ATTACHMENT TO THIS ORDINANCE, ALL LAWS AND ORDINANCES IN EFFECT 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 APPEAL PERIOD BY AND THROUGH THE APPEALATION REQUEST FORMS, SINCE THE FORMS WERE APPROVED AND AUTHORIZED BY THE CITY OWNER AND APPROVED BY THE CITY BY REFERENCE, AND MADE PART OF THE ATTACHMENTS TO THIS ORDINANCE; AND

WHEREAS, ALL DOCUMENTS AND RECORDS RELATED TO PROCEEDINGS WITHIN THE CITY OF SOMERSET, KENTUCKY, ARE THE PROPERTY OF THE CITY OF SOMERSET, KY; AND

WHEREAS, THIS ORDINANCE WAS SENT TO THE PUBLIC HEARING AND LEGISLATION COMMITTEE OF THE CITY OF SOMERSET, KY, AND THE COMMITTEE HAS RECOMMENDED THAT THE CITY OF SOMERSET, KY, APPROVE THE CITY OF SOMERSET, KY, AND

WHEREAS, THE PROPERTY OF THE CITY OF SOMERSET, KY, IS ANNECTED TO THE CITY OF SOMERSET, KY, BY THE CITY OF SOMERSET, KY, AND

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

SECTION 1

THAT THE PROPERTY DESCRIBED BELOW IN ALL ATTACHMENTS TO AND IN ALL LAWS AND ORDINANCES IN EFFECT BY REFERENCE HEREIN, AND

SECTION 2

THAT THE PROPERTY DESCRIBED BELOW IN ALL ATTACHMENTS TO AND IN ALL LAWS AND ORDINANCES IN EFFECT BY REFERENCE HEREIN, AND

FIRST READING

JANUARY 22, 2024

SECOND READING (NOT BEFORE 45 DAYS)

MARCH 10, 2024

APPROVED: [Signature] MAYOR
CITY OF SOMERSET, KY

ATTEST

NOV BRADLEY, CITY CLERK

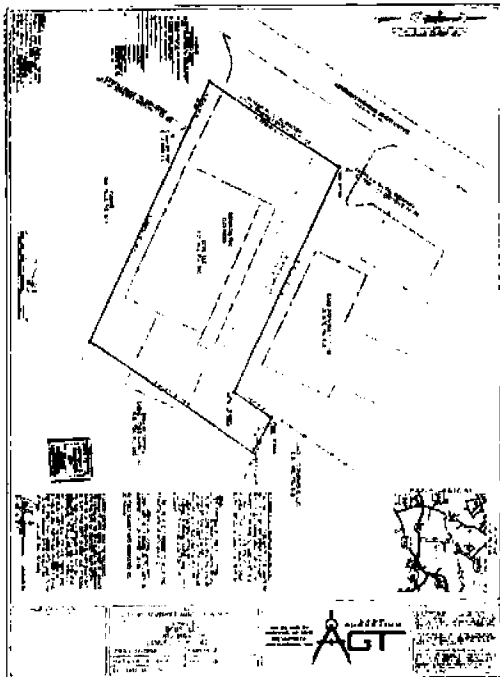
SECTION 1

THAT THE PROPERTY DESCRIBED BELOW IN ALL ATTACHMENTS TO AND IN ALL LAWS AND ORDINANCES IN EFFECT BY REFERENCE HEREIN, AND

SECTION 2
THAT THE PROPERTY DESCRIBED BELOW IN ALL ATTACHMENTS TO AND IN ALL LAWS AND ORDINANCES IN EFFECT BY REFERENCE HEREIN, AND

SECTION 3

THAT THE PROPERTY DESCRIBED BELOW IN ALL ATTACHMENTS TO AND IN ALL LAWS AND ORDINANCES IN EFFECT BY REFERENCE HEREIN, AND



Description 0.61 Acres
City of Somerset, Kentucky Annexation
Ordinance No.

A certain tract or parcel of land adjoining the existing Municipal Boundary of the City of Somerset, Kentucky (Ordinance No. 12-06), and more particularly described as follows:

The following description was prepared by Anthony G. Thompson PLS #3838 of AGT Land Surveying, Firm Permit #466, said description was based on the following information: PLAT TITLED: DAVID WRIGHT BOUNDARY SURVEY (PLAT C&D, BLDG 078), DEED TO BCBS, LLC, (0.8.006, PG. 348), FOUND INSTRUMENTS THAT WERE DESCRIBED IN SAID DEEDS AND PLATS WERE CORRELATED TO FIELD POINTS OBTAINED WITH A LEICA 1200 RTK GPS SYSTEM. THE KENTUCKY GRID NETWORK WAS USED TO ESTABLISH GRID NORTH AND KENTUCKY STATE PLANNED E-GRID COORDINATES (NAD83). FOR THE WORK PRODUCT SHOWN HEREON THE VERTICAL DATUM USED WAS (GEOID18). The purpose of this survey is to determine the limits of proposed annexation. It does not in any way reflect a determination of individual parcel boundaries and should not be used for that purpose.

Beginning at a concrete right-of-way marker, in the east right-of-way of Kentucky Highway 36, having a KY State Plane single zone coordinate of (N: 3,965,437.087, E: 5,208,904.116). Said point further described as being a point in the City of Somerset, KY. Annexation Ordinance No. 12-06.

Thence with the said Municipal Boundary and Kentucky Highway 36, the following two (2) calls:
1) S 89°37'21" W a distance of 35.69' to a point;
2) N 51°22'18" E a distance of 118.23' to a (found) 6" x 6" nail.

Thence creating the New Municipal Boundary, the following five (5) calls:
1) S 84°47'21" E a distance of 172.21' to a (found) 6" x 6" rebar red cap not visible;
2) S 37°10'17" E a distance of 32.37' to a (found) 6" x 6" rebar PLS 2483;
3) S 69°33'28" E a distance of 27.88' to a (found) 4" steel pipe;
4) S 34°22'19" W a distance of 138.81' to a (previously set) 6" x 6" rebar with orange cap stamped AGT PLS 3830;
5) Thence N 60°40'02" W a distance of 182.83' to the point of beginning.

Said Annex boundary having an area of 22,283 square feet or 0.61 acres



[Signature]
Anthony G. Thompson PLS 3838 01-17-24
Date

ORDINANCE NUMBER 21-04

WHEREAS, AN ORDINAL WHEREAS CLERK OF THE CITY OF NORTON, KENTUCKY, HAS SUBMITTED TO THE CITY OF NORTON, KENTUCKY, AN ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2021, AND ENDING JUNE 30, 2022, ESTIMATED REVENUE AND EXPENDITURE STATEMENTS FOR THE CITY OF NORTON, KENTUCKY;

WHEREAS, AN ORDINAL WHEREAS CLERK OF THE CITY OF NORTON, KENTUCKY, HAS SUBMITTED TO THE CITY OF NORTON, KENTUCKY, AN ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2021, AND ENDING JUNE 30, 2022, ESTIMATED REVENUE AND EXPENDITURE STATEMENTS FOR THE CITY OF NORTON, KENTUCKY;

WHEREAS, THE COMMISSIONERS OF THE CITY OF NORTON, KENTUCKY, HAVE REVIEWED THE BUDGET AND ESTIMATED REVENUE AND EXPENDITURE STATEMENTS FOR THE FISCAL YEAR BEGINNING JULY 1, 2021, AND ENDING JUNE 30, 2022, AND HAVE DEEMED IT ADVISABLE TO ADOPT THE BUDGET AND ESTIMATED REVENUE AND EXPENDITURE STATEMENTS FOR THE FISCAL YEAR BEGINNING JULY 1, 2021, AND ENDING JUNE 30, 2022;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF NORTON, KENTUCKY:

SECTION 1. THAT THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2021, AND ENDING JUNE 30, 2022, BE AS FOLLOWS:

SECTION	REVENUE	EXPENDITURES
GENERAL FUND	\$78,762,000.00	\$78,762,000.00
SAWYER PARK	\$2,400,000.00	\$2,400,000.00
WATER SERVICE	\$7,400,000.00	\$7,400,000.00
WASTE WATER	\$12,000,000.00	\$12,000,000.00
WATER PARK	\$2,400,000.00	\$2,400,000.00
TRAVEL AND TOURISM	\$600,000.00	\$600,000.00
TAXES	\$9,000,000.00	\$9,000,000.00
VIRGINIA	\$1,900,000.00	\$1,900,000.00

SAWYER PARK	\$2,400,000.00	\$2,400,000.00
WATER SERVICE	\$7,400,000.00	\$7,400,000.00

TOTAL REVENUES	\$104,962,000.00	\$104,962,000.00
TOTAL EXPENDITURES	\$104,962,000.00	\$104,962,000.00

SECTION 2. THIS ORDINANCE SHALL TAKE EFFECT UPON THE APPROVAL AND PASSAGE OF THE BUDGET BY THE CITY OF NORTON, KENTUCKY, AND SHALL BE IN FULL FORCE AND EFFECT FROM THE DATE OF THE PASSAGE OF THIS ORDINANCE.

FOR RECORD: MARCH 20, 2021
 SECRETARY: _____

APPROVED: _____
 CLERK OF THE CITY OF NORTON, KENTUCKY

ATTEST: _____
 CLERK OF THE CITY OF NORTON, KENTUCKY

SECTION	REVENUE	EXPENDITURES
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SAWYER PARK	\$2,400,000.00	\$2,400,000.00
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WASTE WATER	\$12,000,000.00	\$12,000,000.00
WATER PARK	\$2,400,000.00	\$2,400,000.00
TRAVEL AND TOURISM	\$600,000.00	\$600,000.00
TAXES	\$9,000,000.00	\$9,000,000.00
VIRGINIA	\$1,900,000.00	\$1,900,000.00

DATE	DESCRIPTION	AMOUNT	MEMBER NAME	STATUS	REMARKS
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DATE	DESCRIPTION	AMOUNT	BALANCE
1/1/2024	OPENING BALANCE	100.00	100.00
1/15/2024	DEPOSIT	50.00	150.00
2/1/2024	WITHDRAWAL	25.00	125.00
2/15/2024	DEPOSIT	75.00	200.00
3/1/2024	WITHDRAWAL	30.00	170.00
3/15/2024	DEPOSIT	60.00	230.00
3/31/2024	CLOSING BALANCE		230.00

DATE	DESCRIPTION	AMOUNT	BALANCE
1/1/2024	OPENING BALANCE	150.00	150.00
1/10/2024	DEPOSIT	30.00	180.00
1/20/2024	WITHDRAWAL	15.00	165.00
2/5/2024	DEPOSIT	45.00	210.00
2/15/2024	WITHDRAWAL	20.00	190.00
2/25/2024	DEPOSIT	55.00	245.00
3/5/2024	WITHDRAWAL	10.00	235.00
3/15/2024	DEPOSIT	40.00	275.00
3/25/2024	WITHDRAWAL	15.00	260.00
3/31/2024	CLOSING BALANCE		260.00

DATE	DESCRIPTION	AMOUNT	BALANCE
1/1/2024	OPENING BALANCE	200.00	200.00
1/15/2024	DEPOSIT	60.00	260.00
2/1/2024	WITHDRAWAL	35.00	225.00
2/15/2024	DEPOSIT	80.00	305.00
3/1/2024	WITHDRAWAL	40.00	265.00
3/15/2024	DEPOSIT	70.00	335.00
3/31/2024	CLOSING BALANCE		335.00

DATE	DESCRIPTION	AMOUNT	BALANCE
1/1/2024	OPENING BALANCE	250.00	250.00
1/10/2024	DEPOSIT	40.00	290.00
1/20/2024	WITHDRAWAL	20.00	270.00
2/5/2024	DEPOSIT	50.00	320.00
2/15/2024	WITHDRAWAL	25.00	295.00
2/25/2024	DEPOSIT	65.00	360.00
3/5/2024	WITHDRAWAL	15.00	345.00
3/15/2024	DEPOSIT	55.00	400.00
3/25/2024	WITHDRAWAL	30.00	370.00
3/31/2024	CLOSING BALANCE		370.00

SOMERSET DUE TO THE REVENUE SHORTFALL WHICH THE CITY HAS TO ABSORB AND PAY. Mr. Burdine seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Mitchell, Mr. Godsey, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, and Mr. Hunley. "No": Ms. Bullock, Mr. Wheeldon, Mr. Daughetee, and Mr. Minton. Motion passed.

RES 24-08

RESOLUTION 24-08
OF
SOMERSET CITY COUNCIL

WHEREAS, the City of Somerset is operated Emergency Medical Services ("EMS") county wide in Pulaski County, Kentucky since the late 1980s and more recently and more recently since Fiscal Year 2013-14 under an interlocal agreement dated June 27th, 2013;

WHEREAS, the City of Somerset is being forced to contribute with services outside the taxable limits of the City because of the past close relationship of professional fire services to EMS; the price, operating and economic challenges of the City of Somerset operating "joint" EMS notwithstanding the City of Somerset's operating less than 20% of Pulaski County on a population basis and less than 2% of the total revenue of the City of Somerset within Pulaski County;

WHEREAS, since the 2013 Interlocal Agreement, Somerset's operating expenses are covered by the City of Somerset's share of the EMS billings which the City of Somerset is unable to pay; and the City of Somerset is unable to pay the City of Somerset's share of the EMS billings which the City of Somerset is unable to pay;

WHEREAS, since 2019 the average annual EMS shortfall covered by City of Somerset is approximately \$975,000 representing an annual tax burden to the individual City of Somerset taxpayer of approximately \$25 (\$975,000 / 39,000 persons) which is paid as a burden to the County taxpayer share of \$20 (\$1,000,000 / 50,000 persons) and annual budget deficit of \$1,300,000 or \$33 per person burden to the citizens of Somerset County who receive no reimbursement for;

WHEREAS, the City of Somerset has requested additional County Council participation from Somerset leadership in paying the tax burden to the individual City of Somerset taxpayer in recognition of the City of Somerset's inability to efficiently operate EMS services as well as management concerns for the City of Somerset's ability to pay the City of Somerset's share of the EMS billings as of 12/31/2024;

NOW, THEREFORE, BE IT RESOLVED, that the Somerset City Council endorse the current plan, operation, and funding of EMS to the extent it is available, fair, reasonable, and agreed to the local government of the City of Somerset due to the revenue shortfall which the City of Somerset is paying. The City has no legal authority, or moral duty to operate EMS services. The City of Somerset Government has agreed to contribute in the City of Somerset's operation of EMS;

It is the resolution of the City of Somerset to request that the 2013 Interlocal Agreement, and any other local agreement of Somerset and Pulaski County

Emergency Services be dissolved. On July 1, 2024, Pulaski County Government operate combined EMS in Pulaski County, Kentucky including the City of Somerset.

The City of Somerset will pay 100% of the operating expenses of the EMS services in the City of Somerset and the City of Somerset will pay 100% of the operating expenses of the EMS services in the City of Somerset and the City of Somerset will pay 100% of the operating expenses of the EMS services in the City of Somerset.

No other funds shall be paid to Pulaski County Government by the City of Somerset for the operation of EMS.

An inventory of Somerset Pulaski County EMS assets will be taken, appraised, and the ownership of these assets shall be determined. The City of Somerset will own all equipment, vehicles, and real property owned to the City of Somerset in Pulaski County. Somerset's EMS services for Somerset County will be provided by the County provided services in the City of Somerset will be provided by the City of Somerset. If the City of Somerset is unable to pay the City of Somerset's share of the EMS billings, the City of Somerset will pay the City of Somerset's share of the EMS billings.

Pulaski Fiscal Court agrees that if any level of the City of Somerset fall below the current levels it will agree to allow the City of Somerset to operate EMS within the boundaries of the City of Somerset and will agree to allow all certification of Somerset residents.

Upon Acceptance by Pulaski County Fiscal Court of its jurisdiction over Somerset, the City of Somerset and Pulaski County Government shall draft an agreement stipulating the provisions herein and addressing the details thereof. Both the City of Somerset Government shall use their best and good faith efforts to accept and implement all provisions of this agreement.

Attest: _____
Nick Braddy, Clerk of the City of Somerset

And moved by, _____
Nick Braddy, Clerk of the City of Somerset

APPROVED: _____

MAYOR

ATTEST: _____

CITY CLERK