

MINUTES OF MEETING HELD MAY 23, 2022

The Common Council of the City of Somerset, Kentucky met in a regular meeting on Monday May 23, 2022, at 6:00 p.m. with the following present: Council Members; 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. Absent: Jim Mitchell and David Godsey.

Mr. Wheeldon moved to approve the minutes of the regular meeting held on May 9, 2022, along with reports as mailed. Mr. Dalton seconded the motion. Upon roll call the following Council Members voted "Aye": Ms. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. Daughetee, Mr. Hunley, and Mr. Minton.

Mr. Burdine made a motion to approve the following Resolution Number 22-11: The City Council Finds Transferring 200 Bourne Avenue for Nominal Consideration With 202 Bourne Avenue to The Local Affiliate of Habitat for Humanity Is Proper in Purpose and Act as Economic Development. Mr. T. Eastham seconded the motion. Upon roll call the following Council Members voted "Aye": Ms. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. Daughetee, Mr. Hunley, and Mr. Minton.

**RESOLUTION 22-11
OF
SOMERSET CITY COUNCIL**

WHEREAS, the City of Somerset is in violation of Kentucky Revised Statutes, 142.012, regarding the property located at 200 Bourne Avenue to Habitat for Humanity in Resolution 22-02;
WHEREAS, the sale, out lot at 200 Bourne Avenue, will be sold by Habitat for Humanity and owned by the City but the address was not clearly certified from Resolution 22-02;
WHEREAS, City of Somerset views converting the lot 200 Bourne Avenue from an use economic liability to a lot producing home is economic development; and,
WHEREAS, there are no third-party local government or school district tax participation owing on 200 Bourne Avenue;
NOW, THEREFORE, BE IT RESOLVED, that the City Council find transferring 200 Bourne Avenue for nominal consideration with 202 Bourne Avenue to the local affiliate of Habitat for Humanity is proper in purpose and act as economic development;
RESOLVED FURTHER, that the Mayor of Somerset is hereby authorized, the read and execute all contracts, for and on behalf of the City and its council, 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
Motioned and Voted Successfully on the 23rd day of May, 2022, as given and it executed by the officers below.

Alan Keck, Mayor of the City of Somerset

And Attested By:

Nick Bradley, Clerk of the City of Somerset

First reading was given the following Ordinance Number 22-07: Adopting the City of Somerset, Kentucky Annual Budget for The Fiscal Year Beginning July 1, 2022, And Ending June 30, 2023, Estimating Revenues and Resources and Appropriating Funds of The City of Somerset,

Kentucky; All Which Shall Be in Effect After Adoption of This Ordinance and Publication According to Law.

Ord. 22-07

104 21-17

ORDINANCE NUMBER 22-07

AN ORDINANCE ADOPTING THE CITY OF SOMERSET, KENTUCKY ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2022 AND ENDING JUNE 30, 2023 ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS OF THE CITY OF SOMERSET, KENTUCKY, ALL WHICH SHALL BE IN EFFECT AFTER ADOPTION OF THIS ORDINANCE AND PUBLICATION ACCORDING TO LAW.

WHEREAS, AN ANNUAL BUDGET PROPOSAL AND MESSAGE HAVE BEEN PREPARED AND DELIVERED TO THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY, AND

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

SECTION 1. THAT THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2022 AND ENDING JUNE 30, 2023 IS HEREBY ADOPTED AS FOLLOWS:

	REVENUE	EXPENDITURES
GENERAL FUND	\$27,345,810.00	\$27,345,810.00
SAW DATION SERVICE	\$6,079,700.00	\$6,079,700.00
GAS SERVICE	\$12,248,400.00	\$12,248,400.00
WATER SERVICE	\$24,409,040.00	\$24,409,040.00
WASTEWATER	\$13,951,995.00	\$13,951,995.00
WATER PARK	\$2,136,800.00	\$2,136,800.00
OUTLETER	\$1,206,100.00	\$1,206,100.00
TRAVEL AND TOURISM	\$406,700.00	\$406,700.00
EMS	\$8,234,200.00	\$8,234,200.00
THE VIRGINIA	\$2,212,500.00	\$2,212,500.00
MUNICIPAL AD (MSP)	\$276,100.00	\$276,100.00
TOTAL ALL FUNDS	\$98,544,965.00	\$98,544,965.00

SECTION 2. THE CITY OF SOMERSET HEREBY REQUESTS THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY, TO ADOPT AN ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2022 AND ENDING JUNE 30, 2023 ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS OF THE CITY OF SOMERSET, KENTUCKY, ALL WHICH SHALL BE IN EFFECT AFTER ADOPTION OF THIS ORDINANCE AND PUBLICATION ACCORDING TO LAW.

SECTION 3. THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY, IS HEREBY REQUESTED TO ADOPT AN ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2022 AND ENDING JUNE 30, 2023 ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS OF THE CITY OF SOMERSET, KENTUCKY, ALL WHICH SHALL BE IN EFFECT AFTER ADOPTION OF THIS ORDINANCE AND PUBLICATION ACCORDING TO LAW.

SECTION 4. ANY ORDINANCE IN CONFLICT WITH THIS ORDINANCE OR ANY MESSAGE IN CONFLICT WITH THIS MESSAGE SHALL BE VOID.

SECTION 5. THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY, IS HEREBY REQUESTED TO ADOPT AN ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2022 AND ENDING JUNE 30, 2023 ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS OF THE CITY OF SOMERSET, KENTUCKY, ALL WHICH SHALL BE IN EFFECT AFTER ADOPTION OF THIS ORDINANCE AND PUBLICATION ACCORDING TO LAW.

SECTION 6. APPROVED

SECTION 7. APPROVED

APPROVED: [Signature] Mayor

SECTION 8. APPROVED: [Signature] City Clerk

SCHEDULE A
PAY AND CLASSIFICATION PLAN 2022-2023
CITY OF SOMERSET
EFFECTIVE JULY 2022

TITLE/CLASSIFICATION	RD	MINIMUM	MAXIMUM
EXECUTIVE			
CITY CLERK	1		
ASST. CITY CLERK	2		
DEPT. MANAGER/CHIEF OF STAFF	3		
MANAGER/CHIEF OF DEPT.	4		
DEPT. SUPERVISOR/CHIEF	5		
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THE VIRGINIA

STREET DEPARTMENT

SANITATION

WATER/SWEE DEPARTMENT
WATER/SWEE DEPARTMENT
WATER/SWEE DEPARTMENT

NATURAL GAS DEPARTMENT
NATURAL GAS DEPARTMENT

Item	Value	Value
...
PARKS AND RECREATION		
TRUCKS	1	...
...
WATER PARK		
...
FIRE CENTER		
...
FIRE DEPARTMENT		
...

First reading was given the following Ordinance Number 22-08: Amending Ordinance Number 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 and Acceptance of The PUD Land Use Development Plan or Map Submitted by Horse Soldier Farms, LLC.

ORDINANCE NO. 22-08

AN ORDINANCE AMENDING ORDINANCE NO. 09-08, 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 AND ACCEPTANCE OF THE PL-D LAND USE DEVELOPMENT PLAN OR MAP SUBMITTED BY HORSE SOLDIER FARMS, LLC;

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

I.

II.

III.

IV.

FIRST READING - May 23, 2022

Ord. 22-08

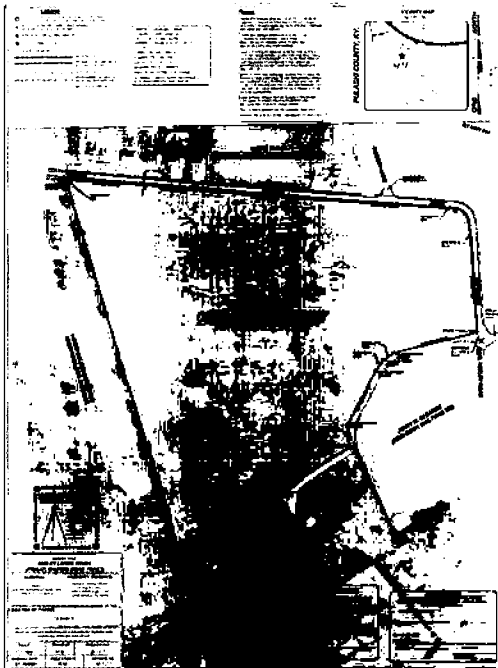
SECOND READING

Approved:

Mayor

Attest:

City Clerk



Brief Project History

- 09.11.2001 - Twin Tower Bombings - New York City
- 10.19.2001 - OMA 515 Green Street Utah location into Northern Agribusiness
- 02.12.2020 - Purchase of 13.68 acre tract - Old Monticello Road by the City of Somerset
- 02.13.2020 - Purchase of 119 acre tract - Green Branch Road - Horse Soldier Farm, LLC
- 02.13.2020 - Purchase of 66.85 acre tract - Siglet Lane - Horse Soldier Farm, LLC
- 09.28.2020 - Amendment of 201.64 acres (Green Branch Road, Siglet Lane and Old Monticello Road) into the City of Somerset by Somerset City Council
- 10.20.2020 - NPO Zoning Approval Recommendation by Somerset Planning Commission
- 10.26.2021 - NPO Zoning Approval by the City of Somerset Council
- 04.14.2021 - Purchase of 23.13 acre tract on Right Church Road by Horse Soldier Farm, LLC
- 04.26.2021 - Amendment of 35.13 acre tract (subject property) into the City of Somerset by the Somerset City Council
- 06.28.2021 - Council approval of Horse Soldier Development Area per 025 65.7049
- 10.19.2021 - Project Ground-Breaking Ceremony and Roll-out of Development and Architectural Schemes



Planning Commission Public Hearing

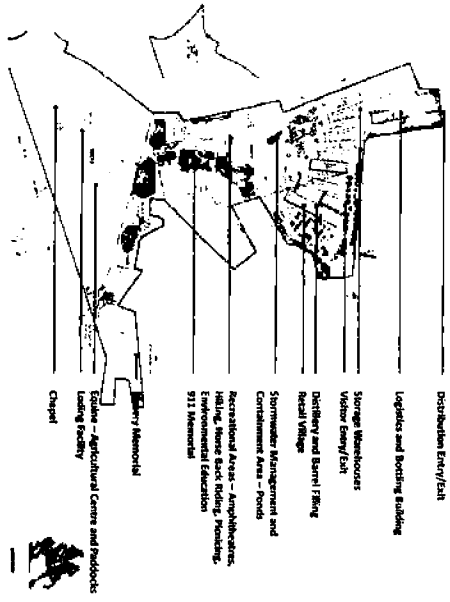
- Zone Map Amendment for 35.13 Acre Tract on Right Church Road
- Existing Zone - R-1 Residential
- Proposed Zone - Planned Use Development
- Approval of Final Development Plan/Preliminary Plan for the Development of 227.87 Acres

Purpose of Proposed Project

- Development of a Destination Bourbon Distillery for Horse Soldier Bourbon
- Construction of Facilities for the Production, Storage and Distribution of Horse Soldier Bourbon
- Create an Experience for Visitors that Provides an Insight into Kentucky's History with the Bourbon and Agricultural Culture
- Develop a Community Destination for Recreation and the Enjoyment and Natural Beauty of the Site
- Develop a Tourism Destination that Parallels the City's and Region's Environmental and Recreational Attractions
- Create a Destination Experience that Celebrates the Service, Honor and Bravery of all Veterans and the Horse Soldiers

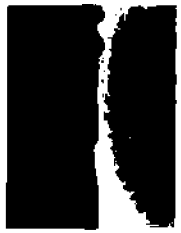


Final Development Plan Overview



Project Benefits and Community Integration

- Economic Benefits - Increased Revenues into the Region and Community
- Job Creation for the Community
- Development of Community Assets - Recreational, Commercial, Hospitality and Cultural Components of the Project
- Increased Tourism to the Region
- Celebration of Community, Regional and State Cultural Heritage - Agriculture, Bourbon and Environmental Sustainability
- Celebration of Military Veterans and Public Education/Advocacy for Veterans Affairs
- Good Neighbor without Compromise to the Safety and Welfare of the Community of Adjacent Neighborhood - Land Uses





Zone Map Amendment and Final Development Plan Approval Justifications

MS 100.213 findings necessary for proposed map amendment – Reconsideration.

(1) Before any map amendment is granted, the Planning Commission or the legislative body of local government must be notified in writing of the proposed amendment. The proposed amendment must be in agreement with the adopted comprehensive plan, the zoning ordinance, and such a finding, that one (1) or more of the following requirements and records of the planning commission or the legislative body of local government:

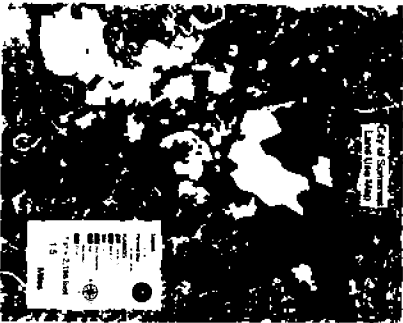
- (a) That the existing zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate;
- (b) That there have been major changes of an economic, social, or physical character in the area which were not anticipated in the adopted comprehensive plan and which have substantially altered the basic character of such area.

Planned Land Development

- Planned Land Development that Development Plan/Preliminary Plat Project meets the minimum of the MUD Zoning District Understructure, Site "Residential"
- 86% Open Space ✓
- 20% Floor Area Ratio ✓
- 20% Lot Area Ratio ✓
- Adequate and complete parking
- Meets related Zoning District requirements, per MUD
- Meets related Zoning District requirements, per MUD
- Meets related Zoning District requirements, per MUD
- 2.47 Planned Unit Development

- Adjacent Property has previously been rezoned to PUD
- The proposed rezoning is consistent with the Comprehensive Plan and the City that was not included in the Comprehensive Plan
- Portions of the 1/28 property conform to the Community's land use designation on the Camp Plan Land Use Map
- There has been increased roadway, state and regional access in other western and western states since the zoning classification was established
- A mixed use, planned development is economically more appropriate than a single zoning district on the site
- ZON - Chapter 2.47 (B) - a PUD may be applied to any residential district
- The proposed rezoning is consistent with the Comprehensive Plan and the City that was not included in the Comprehensive Plan

Zone Map Amendment and Final Development Plan Approval Justifications



Dear Council:

11:00 is a proposed finding of fact. Because of confusion on that Mark Vaughn's judgement in the May 17 primary as election coordinator, the final findings of fact were not available for the first reading but will be available for the 2nd reading. The final document will likely be substantially like this document.

John Adams

City of Somerset Planning and Zoning Commission

Findings of Fact and Recommendation

Re: Horse Soldier Farms, LLC
Zone Map Amendment
Flagah Church Road - 25.13 acre property
Zone Change from R-1 Residential to Planned Unit Development
Hearing Findings of May 10th, 2022

And Approval of development plan for the Horse Soldier Farms, LLC PUD (Ordinance 20-24)

Following a noticed hearing of the applicant, Horse Soldier Farms, LLC and pursuant to RRS Chapter 100 and the City of Somerset Zoning Ordinance, the Somerset Planning and Zoning Board make the following Finding of Facts for the a Zone Map Amendment of a zoning district amendment from R-1 Residential to Planned Unit Development for the 25.13 acre tract located on Flagah Church Road and having the PUA designation of S1-7-1-2D is justified for the following reasons:

Appropriateness of the Proposed Zoning and Development Plan
Economic and Social Changes not Anticipated in the Comprehensive Plan

- Adjacent Property has previously been rezoned to PUD
- Subject Property has been Annexed into the City that was not anticipated by the Comprehensive Plan
- Portions of the HSB property conform to the Commercial land use designation on the Comp Plan Land Use Map
- There has been increased national, state and regional interest in cultural tourism and Veterans' affairs since the zoning classification of the Comprehensive Plan
- A mixed use, planned development is economically more appropriate than a single zoning district on the site.
- City of Somerset's recent approval of economic Findings Regarding the Development Area required by RRS 65-7049

Zone Map Amendment meets the objectives for a Planned Unit Development included in the Zoning Ordinance

- A maximum choice of living environments by allowing a variety of housing and building types
- A more useful pattern of open space and recreational areas and more conveniences of accessory commercial uses and services
- A development pattern which preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation and prevents the disruption of natural drainage patterns
- A more efficient use of land than is generally achieved through conventional development resulting in substantial savings through shorter utilities and streets
- A development pattern in harmony with land use density, transportation facilities, and community facilities objectives of the Comprehensive Plan
- A development pattern in harmony with land use density, transportation facilities, and community facilities objectives of the Comprehensive Plan
- In Somerset Zoning Ordinance 00-18 Chapter 2.47 (H) - A PUD can be applied to any Residential District

Acceptance of the Planned Unit Development Final Development Plan
Justification and Findings of Fact for Approval

- Project meets the full intent of the PUD Zoning District, Chapter 2.47 of the Somerset Zoning Ordinance
- Unobtrusive Site "Footprint"
 - 84% Open Space
 - 0.079 Floor Area Ratio
 - 5.52% Building Coverage
- Adequate and mostly compliant parking that meets contemporary standards
- Meets related Zoning District requirements per PUD Zoning District requirements

Recommendation

The Planning and Zoning Commission recommends the 25.13 acres above be designated in and subject to the Horse Soldier Farms Planned Unit Development and Horse Soldier Farms, LLC submitted development plan showing land uses in the PUD be accepted.

There being no further business the meeting adjourned at 6:23 p.m.

APPROVED:


MAYOR

ATTEST:


CITY CLERK