

MINUTES OF MEETING HELD JULY 25, 2022

The Common Council of the City of Somerset, Kentucky met in a regular meeting on Monday July 25, 2022, at 6:00 p.m. with the following present: Council Members; David Burdine, Brian Dalton, Jimmy Eastham, Jerry Girdler, Robin Daughetee, Patrick Hunley, John Minton Jim Mitchell, David Godsey, Amanda Bullock, Tom Eastham, Mayor Alan Keck, City Attorney John Adams, and City Clerk Nick Bradley. Absent: Jerry Wheeldon.

Mr. Mitchell moved to approve the minutes of the regular meeting held on June 27, 2022, along with reports as mailed. Mr. Dalton seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burdine, Mr. Dalton, Mr. J. Eastham, Mr. Girdler, Mr. Daughetee, Mr. Hunley, Mr. Minton, Mr. Mitchell, Mr. Godsey, Ms. Bullock, and Mr. T. Eastham.

Mr. Daughetee made a motion to approve the following Resolution Numbers 22-16, 22-17, 22-18, 22-19, 22-20, and 22-21, voted on collectively without objection: 22-16: Guideform Residential Antidisplacement and Relocation Assistance Plan under Section 104(d) of the Housing and Community Development Act of 1974, as amended, 22-17: Somerset Water Meter Replacement Project Drug Free Workplace, 22-18: Fair Housing Resolution, 22-19: City Of Somerset CDBG Projects Procurement Code, 22-20: Somerset Water Meter Replacement Project Approval, 22-21: Somerset, Kentucky Title VI Implementation Plan. Ms. Bullock seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burdine, Mr. Dalton, Mr. J. Eastham, Mr. Girdler, Mr. Daughetee, Mr. Hunley, Mr. Minton, Mr. Mitchell, Mr. Godsey, Ms. Bullock, and Mr. T. Eastham.

**Guideform Residential Antidisplacement and Relocation Assistance Plan
under Section 104(d) of the Housing and Community Development Act of 1974,
as amended**

The City of Somerset will provide financial support and technical assistance to eligible displaced and relocated households to assist them in finding and securing new housing. The City of Somerset will also provide financial support and technical assistance to eligible displaced and relocated households to assist them in finding and securing new housing. The City of Somerset will also provide financial support and technical assistance to eligible displaced and relocated households to assist them in finding and securing new housing.

Eligible households are those households that are displaced or relocated as a result of the City of Somerset's public housing or community development activities. The City of Somerset will provide financial support and technical assistance to eligible displaced and relocated households to assist them in finding and securing new housing.

1. A household's gross income is less than 80% of the area median income.
2. The household is a low-income household as determined by the City of Somerset's public housing or community development activities.
3. The household is a low-income household as determined by the City of Somerset's public housing or community development activities.
4. The household is a low-income household as determined by the City of Somerset's public housing or community development activities.
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Approved: _____
City Clerk

Approved: _____
City Attorney

Date: _____

Policy Statement

[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]

Drug Free Workplace

[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]

Drug Testing Policy

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FAIR HOUSING RESOLUTION

[Illegible text]

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Rev. 22-19

Rev. 22-19

**CITY OF SOMERSET
CDBG PROJECTS
PROCUREMENT CODE**

All procurements made by the City of Somerset, Kentucky (hereafter referred to as "Grantee/ Subrecipient") involving the expenditure of local, state and federal funds on Kentucky Community Development Block Grant projects shall be made in accordance with the following procurement standards.

Procurement transactions, regardless of method or dollar value, will maximize open and free competition. The Grantee/Subrecipient shall not engage in procurement practices that may be considered restrictive in trade.

Purchases will be reviewed by the Treasurer to prevent duplication and to ensure that costs are reasonable.

1. Methods for Procurement

Procurements shall be made by one of the following methods: (a) small purchase procedures, (b) competitive sealed bids, (c) competitive negotiation, (d) non-competitive negotiation.

A. SMALL PURCHASES

For purchases of less than \$50, efforts will be made to get the lowest and best price, but written records of such efforts are not necessary.

Purchases that cost more than \$50 but less than \$20,000 require quotations of rate, price, etc., but no legal advertisement is required. The Grantee/Subrecipient will solicit responses from at least three vendors. If written responses are not available, a statement explaining the procurement will be prepared and filed. If quotations are obtained via telephone, a memorandum will be prepared setting forth the date the calls were made, parties contacted, and prices obtained.

The Grantee/Subrecipient will make the award to the lowest responsive and responsible source, and enter into a contract formalizing the scope of work and terms of compensation.

B. COMPETITIVE SEALED BIDS

Bidding will be employed when detailed specifications for the goods or services to be procured can be prepared and the primary basis for award is cost. When the cost of a contract, lease or other agreement for materials, supplies, equipment or contractual services other than

those personal or professional exceeds \$20,000, an invitation for Bids (IFB) notice will generally be prepared. Per KRS 424.120, the notice will be published at least once in a qualifying official newspaper of general circulation within the community. This newspaper notice will appear not less than seven (7) days and not more than twenty-one (21) days before the due date for bid proposals. In addition, the Grantee/Subrecipient must solicit sealed bids from responsible prospective suppliers by distributing a copy of such notice to them.

The IFB will include a general description of the goods or services to be procured, the bid deposit and bond performance required (if applicable), the location where bid forms and specifications may be secured, the time and place for opening bids, and whether the bid award will be made on the basis of the lowest bid price or the lowest evaluated price. If the lowest evaluated price is used, the measurable criteria to be utilized must be stated in the IFB. The newspaper notice must also contain language that calls to the attention of bidders all applicable requirements that must be complied with such as Section 3 of the 1969 Housing Act, Section 109 of the 1974 Housing and Community Development Act, the Civil Rights Act of 1964, Executive Order 11246 and the Davis-Bacon Act.

Sealed bids will be opened in public at the time and place stated in the IFB. The Grantee/Subrecipient will tabulate the bids at the time of bid opening. The results of the tabulation and the bid documents will be evaluated by the review committee, which will make recommendations to the Grantee/Subrecipient. The Grantee/Subrecipient will make a firm fixed price contract award in writing to the lowest responsive and responsible bidder. After the Grantee/Subrecipient makes the bid award, a contract will be prepared for execution by the successful bidder. After the contract is signed, all bid deposits will be returned to all unsuccessful bidders.

The Grantee/Subrecipient may cancel an Invitation for Bid or reject all bids if it is determined in writing that such is in the best interests of the Grantee/Subrecipient. The Grantee/Subrecipient may allow a vendor to withdraw a bid if requested at any time prior to the bid opening. Bids received after the time set for bid opening shall be returned to the vendor unopened.

Bid Overages

The following options are available for awarding a bid following an overage:

- 1) Obtaining additional funds from another source and continuing with the original IFB
- 2) Rejecting all bids, revising project scope and bid specifications, and issuing a revised IFB (competitive sealed bids open to the entire public, or
- 3) Conducting competitive negotiations with all bidders (Grantees must seek pre-approval from DLG for this option)

Competitive negotiations under option (2) must take place under the following criteria:

1. If discussions pertain to the revision of the specification or quantities are held with any bidder, all of the bidders shall be afforded an opportunity to take part in such discussions.
2. After discussions with the bidder, if a grantee shall revise the scope of work accordingly and issue an RFP open to all bidders, providing for expedited proposals. No advertisement is required, but the grantee shall allow at least seven days for bidders to submit proposals.
3. The RFP shall be awarded on the basis of lowest bid price.

C. COMPETITIVE NEGOTIATION

This Grantee/Subrecipient may utilize competitive negotiations regardless of contract amount, upon a written determination that:

1. Specifications cannot be made specific enough to permit the award of a bid on the basis of either the lowest bid price or the lowest evaluated bid price in other words, testing is not feasible.
2. The services to be procured are professional or personal in nature.

The use of the competitive negotiations procurement method for contracts other than architectural, engineering, planning or administrative services must be pre-authorized by DLG. With the exception of procurement of certain professional services (especially engineering services), competitive negotiations will proceed as follows:

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Proposals will be solicited through a qualifying official newspaper advertisement, additionally, a Request for Proposal (RFP) may be prepared and mailed to qualified vendors. The newspaper advertisement must be published at least seven (7) days and not more than twenty one (21) days before the date for receipt of the proposals. The RFP will describe services needed and identify the factors to be considered in the evaluation of proposals and the relative weights assigned to each selection factor. The RFP will also state where further details regarding the RFP may be obtained. The RFP will call attention to the same regulations discussed in the bidding process. Requests for proposals will always include cost as a selection factor except for engineering services.

Award must be made to the offeror whose proposal is determined by the review committee to be most advantageous to the program, with price and other factors considered. Evaluations must be based on the factors set forth in the Request for Proposal and a written evaluation of each response prepared. The review committee may contact the firms regarding their proposals for the purpose of clarification and request in writing the nature of the clarification. If it is determined that no acceptable proposal has been submitted, all proposals may be rejected. New proposals may be solicited on the same or revised terms if the procurement may be abandoned.

In the procurement of architectural/engineering (A/E) professional services, an alternative to RFPs may be used. The Grantee/Subrecipient may publish a Request for Qualifications (RFQs) are handled in a similar method to RFPs with the exception that cost is not a factor in the initial evaluation. A review committee will evaluate the responses and rank them by comparative qualifications. The highest scoring person or firm will be contacted and the selection committee will negotiate cost. If the committee is unable to negotiate a satisfactory cost arrangement, the second highest scoring person or firm will be invited to negotiate. The committee will maintain a written record of all such negotiations.

D. NON COMPETITIVE NEGOTIATIONS

Non competitive negotiation is procurement through solicitation of a proposal from one source, and is often referred to as sole source procurement. A contract may be awarded by noncompetitive negotiation only when the award is infeasible under small purchase

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procedures, competitive sealed bids, or competitive negotiation, and one of the following circumstances applies:

1. There is some public emergency that will not permit delay resulting from competitive solicitation (the grantee must declare an emergency as authorized by law); or
2. The results of the competitive negotiations are inadequate; or
3. The product or service is available only from a single source.

Caution: The use of the non competitive negotiations procurement method must be authorized by DLG.

The following requirements apply to the non-competitive negotiations procurement process:

1. Negotiations must be conducted with the selected company regarding a scope of work and price, and
2. Preparation and signing of a contract formalizing a scope of work and the terms of compensation is required.

II. CONTRACTS

Generally, all procurement in excess of \$500 will be memorialized and supported by a written contract. Where it is infeasible or impractical to prepare a contract, a written finding to this effect will be prepared and a purchase order regarding the transaction will also be prepared. The contractual provisions required by "The Common Rule" will be included in all contracts and purchase orders.

III. DOCUMENTATION

All source documents supporting any given transaction (receipts, purchase orders, invoices, RFP/RFO data, and bid materials) will be retained and filed in an appropriate manner. Where feasible, source documents pertinent to each individual procurement shall be separately filed and maintained. Where it is infeasible to maintain individual procurement files, source documents will be filed and maintained in a reasonable manner (examples include chronologically, by vendor, by type of procurement, etc.). Whichever form of documentation and filing is employed, the purpose of this section is to insure that a clear and consistent audit trail is established. At a minimum, source document data must be sufficient to establish the basis for selection, basis for cost (including the issue of reasonableness of cost) and basis for payment.

IV. LOCALLY OWNED, MINORITY OWNED, FEMALE OWNED AND SMALL BUSINESSSES

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The Grantee/Subrecipient shall make and document efforts to solicit participation of locally owned, minority owned, female owned and small businesses. Where feasible, evaluation criteria will include a factor with an appropriate weight for these firms. A list of locally owned, minority owned, female owned and small businesses and also minority businesses located within the trade region shall be maintained and utilized when issuing IFBs, RFPs and RFQs. The Grantee/Subrecipient shall also consult this list when making small purchases.

VI. SECTION 3

Grantee/Subrecipient shall abide by its Section 3 action plan and shall, to the maximum extent feasible, as required by 24 CFR Part 135, award contracts to businesses that provide economic opportunities for low and very low income persons residing in the project area.

VII. CODE OF CONDUCT

A. CONFLICTS OF INTEREST

In addition to the prohibitions set forth in 24 CFR 570.482(n) and 24 CFR 85.36(b)(3), the following prohibitions shall apply:

- It shall be a breach of ethical standards for any employee with procurement authority to participate directly in any proceeding or application, request for ruling or other determination, claim or controversy, or other particular matter pertaining to any contract or subcontract, and any solicitation or proposal therefor, in which to his knowledge:
- (a) He, or any member of his immediate family has a financial interest therein; or
 - (b) A business or organization in which he or any member of his immediate family has a financial interest as an officer, director, trustee, partner, or employee, is a party; or
 - (c) Any other person, business, or organization with whom he or any member of his immediate family is negotiating or has an arrangement concerning prospective employment is a party. Direct or indirect participation shall include but not be limited to involvement through decision, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing the content of any specification or purchase standard, rendering of advice, investigation, auditing, or in any other advisory capacity.
- (2) It shall be a breach of ethical standards for any person to offer, give or agree to give any employee or former employee, or for any employee or former employee to solicit, demand, accept or agree to accept from another person, a gratuity or an offer of employment,

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in connection with any decision, approval, disapproval, recommendation, preparation of any part of a purchase request, furnishing the content of any specification or purchase standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding or application, request for ruling or other determination, claim or controversy, or other particular matter pertaining to any contract or subcontract and any solicitation or proposal therefor.

(3) It is a breach of ethical standards for any payment, gratuity, or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor or any person associated therewith as an inducement for the award of a subcontract or order.

(4) The prohibition against conflicts of interest and gratuities and kickbacks shall be conspicuously set forth in every local public agency written contract and solicitation therefor.

(5) It shall be a breach of ethical standards for any public employee or former employee knowingly to use confidential information for his actual or anticipated personal gain, or the actual or anticipated personal gain of any other person.

B PENALTIES


Any elected official, employee or designated agent of the Grantee/Subrecipient who knowingly and deliberately violates the provisions of this code will be open to civil suit without the legal protection of the Grantee/Subrecipient. Furthermore, such a violation of these procurement standards is grounds for dismissal by the Grantee/Subrecipient.

Any contractor or potential contractor who knowingly and deliberately violates the provisions of these procurement standards will be barred from future transactions with the Grantee/Subrecipient.

ADOPTED THIS 27TH DAY OF JULY, 2022

Attested:

 City Clerk
 Title

Signed:

 Mayor
 Date 7/28/22

Resolution No. 22-20

RESOLUTION

The City of Somerset, Kentucky has received Community Development Block Grant (CDBG) approval in the amount of \$750,000 for the following project:

Somerset Water Meter Replacement Project

Be it resolved that cost revenues associated with the project will be borne by the City of Somerset.

Ordered this the 28TH day of July, 2022


 Mayor
 City of Somerset

Attested:

 City Clerk
 Title

A. The authority for Somerset, Kentucky, to accept compliance of Title VI of the Civil Rights Act of 1964 and KRS Chapter 144.019 requires subrecipients to complete an annual self survey of local programs and facilities. The self surveys will be submitted to the City coordinator by March 1st of each year.

B. Each contract for contract services shall contain Title VI assistance. Execution of the contract shall affirm the subrecipient's Title VI compliance. The contract monitoring instrument utilized by each department agency will include Title VI oversight. Any Title VI deficiencies noted from the self surveys or during the monitoring process shall be addressed promptly by the department agency with other technical assistance to the subrecipient.

C. Routine Compliance Reviews. The City may conduct routine compliance reviews. The selection of a particular recipient for a routine review shall be based on, but not limited to, such factors as:

1. A periodic assessment of compliance;
2. An increase in complaint;
3. Community patterns of discrimination;
4. Failure of recipient to file compliance reports or reports showing patterns of discrimination;
5. Recipient receiving federal money under other programs and found to be in non-compliance by other agency;
6. Race of staffing patterns that may present a problem; and/or
7. Previously unreviewed recipients.

D. Resolution of Noncompliance. The Civil Rights Act of 1964 and regulations required that efforts be made to the fullest extent possible to obtain voluntary compliance before there can be a refusal, suspension, or termination of federal financial assistance. However, attempts to gain compliance shall not be unduly protracted.

Probable noncompliance results when any civil rights compliance reviewer, federal or state, finds that any civil rights law or regulation is not being adhered to.

1. Procedures for Achieving Voluntary Compliance.
 - a. In cases where a complaint, investigation or compliance review results in finding of non-compliance, Somerset, Kentucky, shall notify the recipient through certified mail of the apparent noncompliance. The notice shall clearly identify the conditions of noncompliance and offer a reasonable time to willingly comply.

b. Somerset, Kentucky, shall record the date the recipient received notice, and shall note and record the first day afforded the recipient for voluntary compliance before initiating an administrative process to terminate assistance.

c. The recipient may request a meeting for the purpose of discussing the problem areas or requirement for compliance. The principal investigator shall be involved in the discussion process.

d. The Mayor designee shall approve the recipient's voluntary compliance plans, methods, procedures, and proposed actions if such approval shall result in compliance with the act. Such a plan shall be reduced to writing. Failure of voluntary efforts shall result in termination or suspension of assistance.

2. Termination or Suspension of Assistance.

Any action to terminate or suspend assistance shall be limited to a particular recipient agency who finding of non-compliance has been made and shall be limited in its effect to the particular program, or part thereof, in which non-compliance has been found.

General conditions for termination or suspension of assistance shall not become effective until the following conditions have been met:

- a. Somerset, Kentucky, has advised the recipient of its failure to comply and it has been determined that compliance cannot be secured through voluntary means;
- b. There is a documented finding that after opportunity for a hearing, the recipient has failed to comply with the requirements of Title VI and applicable state and federal regulations;
- c. Approval has been given by the Mayor of Somerset, Kentucky.

GOALS AND EVALUATION PROCEDURES

For the purpose of monitoring compliance activities, Somerset, Kentucky, will include Title VI compliance audits into its established audit schedule, which includes self-subrecipients being audited on an annual basis. The Department for Equal Government will review the audits and all filed complaints during the period. Any recipient or subrecipient not found in compliance with the implementation plan will be notified and re-scheduled for an additional audit before year's end.

PUBLIC NOTIFICATION

Somerset, Kentucky, and its secondary recipients shall inform the public, particularly those eligible for programs, about all available services and also about their rights under Title VI.

Somerset, Kentucky, and its secondary recipients shall:

- A. Take positive and specific action to advise minorities of program availability by using such means of communication as newspaper articles, radio, and television announcements. Also distribute letters, leaflets, brochures, and bulletins to referral sources and relevant service area minority organizations.
- B. Display nondiscrimination orders.
- C. Inform eligible persons of new programs or changes in existing programs pertaining to eligibility, benefits, and services, including the location of local facilities or service delivery points and hours of service, by mailing information to minority and grassroots organizations in the area affected.
- D. Include civil rights requirements in all guidelines. Make guidelines available to the public.
- E. Provide access to Title VI information to beneficiaries, potential beneficiaries, and applicants, including procedures for filing complaints, program information, and rights of beneficiaries and applicants as reflected in legislation, program regulations, directives, manuals, pamphlets, etc.
- F. Include in any published program information and statement that the program is available to all without regard to race, color, or national origin. This statement shall be in bold type and in a prominent location.
- G. All materials shall list the designated office or personnel for distribution.

RECORD KEEPING AND REPORTING

- A. Accurate data collection and reporting is vital in determining whether agencies are complying with Title VI.
 - a. Data Collection and Reporting Requirements. Somerset, Kentucky, may provide for and maintain a system to collect, analyze, and report the eligible population and participation data by race for each program on an annual basis, and listing parts of program in subsequent of the program year. The analysis shall be used to determine how effectively programs are reaching eligible groups, assist in the selection of location for compliance reviews, identify areas for additional outreach efforts, and provide status reports to measure progress of program delivery. The system shall also provide report data on compliance reviews conducted. All data shall be based on retrievable records.
- B. Determining the Eligible Population. The population eligible to participate in a program shall be identified by racial/ethnic category for each service delivery point. The information can


- X. be derived from standard statistical sources such as the federal census, census of agriculture, population and housing, records from other agencies (both state and federal) and such documented estimates which give a clear indication of potential beneficiaries. Eligible population data should be established for a base year and updated annually or when source documents are updated.
- C. Collecting and Reporting Participation Data. Systems for collecting and reporting racial/ethnic data should be established immediately and maintained.
- D. Program Targets. Program targets for the delivery of program benefits to minority groups should be developed and incorporated into planning procedures.

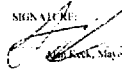
MINORITY REPRESENTATION PLANNING BOARD AND/OR ADVISORY BODY

Whenever a planning or advisory body, such as a board or a committee is an integral part of the recipient's program, the city shall take such steps as are necessary to ensure that minorities are notified of the existence of such bodies and are provided equal opportunity to participate as a member.

Where members of the board or committee are appointed by the City and where minorities reside in the surrounding community, the facility or agency must appoint a minority representative to serve on the board or committee.

ADOPTED THIS 23RD DAY OF JULY, 2022

AUTHOR:

CITY CLERK
Title

SIGNATURE:

Mayor

Mr. Mitchell made a motion to approve the following Resolution Number 22-22: Waving the penalty and interest on property taxes of 312 High Street: Mr. Godsey seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burdine, Mr. Dalton, Mr. J.

Eastham, Mr. Girdler, Mr. Daughetee, Mr. Hunley, Mr. Minton, Mr. Mitchell, Mr. Godsey, Ms. Bullock, and Mr. T. Eastham.

RESOLUTION 22- 22
OF
SOMERSET CITY COUNCIL

WHEREAS, the City of Somerset Code Enforcement Offices have been dealing with complaints regarding a more or less abandoned property located at 312 High Street Somerset, Kentucky for over a year,

WHEREAS, the property's current title owners have contracted to give the property to Mr. David Miller and his son for rehabilitation, but said contract is contingent on the Millers being able to finally resolve the various City, City School, and County tax liens (it appears the other local taxing authorities are considering similar penalty and interest waivers),


WHEREAS, rehabilitation by the Millers is economically prudent because the City will otherwise have to "take over" the property, note its improvements, and care for the property if the Miller contract fails, and rehabilitation by the Millers will make the property a productive home for a future city taxpayer,

WHEREAS, the total waiver of real estate taxes may be contrary to the local definition of "reasonable assessment of taxes" the waiving of tax penalties and interest for a third party buyer wanting to invest in the property is believe to be reasonable and in accordance of the law, where such an action by the local government is prudent,


NOW, THEREFORE, BE IT RESOLVED, that the City Council finds waiving the tax interest and penalties for 312 High Street is proper in purpose as an act as economic development,

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 the waiver of tax penalties and interest and provide a release when the back taxes are paid,

Motioned and Voted Successfully on the 25th day of July, 2022, as proven and it executed by the officers below


Alan L. Kreck, 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 22-12: Amendments To 2022-2023 Budget To include \$250,000 CDBG Grant.

First reading was given the following Ordinance Number 22-13: Annexing Property at 514 Waitsboro Drive.

Ord. 22-13

ORDINANCE NUMBER 22-13

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 HERETO, 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 HEREBY 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 HERETO AND BELOW, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE, ARE HEREBY ANNEXED INTO THE CITY'S CORPORATE LIMITS:

A HOUSE AND LOT DESCRIBED AS 514 WAITSBORO DRIVE, SOMERSET, KY 40501 PCA PARCEL 05436-01, AND CONSISTING OF THE 57 ACRES OF LAND SHOWN IN THE SURVEY TITLED "SPARKS, MARLIN BOUNDARY SURVEY ANNEKEN", DATED 06-2-22 BY AGL LAND SURVEYING

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

FIRST READING: July 25, 2022

SECOND READING:

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

ATTEST: NICK BRADLEY, CITY CLERK

DEPARTMENT OF HOUSING, BUILDINGS AND CONSTRUCTION

Planning & Zoning Commission
 208 East Main Vernon Street
 P.O. Box 999
 Somerset KY 40502 Phone
 (606) 425-8314
 Fax: (606) 677-2659

ANNEXATION REQUEST FORM

Marlin K. Sparks, formally request annexation
 of my property located at 616 Weiborg Drive, Somerset, KY 42503

into the City of Somerset

I am aware that the following will not be available to me at the present time.

1. City Garbage Pickup at the curb
2. City Sanitary Sewer
3. Fire protection by the City of Somerset
4. Police protection will be provided by the City of Somerset

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

I also request that this property be zoned B-1

Marlin K. Sparks *6-27-22*
 Signature Date

Local Opportunity Engineer 317 MAY 0604 428 5176 (TDS)



Sheet 1 of 2
 Description
 8.87 Acres

A certain tract or parcel of land located in Pulaski County, Kentucky adjoining the north margin of Weiborg Drive, being more particularly described as follows:

Unless stated otherwise any monument referred to herein as "pin and cap" is a set 5/8" diameter steel rebar, eighteen (18) inches in length, with an Orange plastic cap stamped "A.G.T. PLUS 3630", any monument referred to as "magnetic" is a set magnetic nail (1 1/2") in length with an Aluminum washer stamped "A.G.T. PLUS 3630", any monument referred to as "reference monument" is a set 5/8" diameter steel rebar, eighteen (18) inches in length, with a Yellow plastic cap stamped "A.G.T. PLUS 3630 REF. MONUMENT" All bearings and distances abated herein were compared to Grid North KY SPC Single Zone.

Beginning on a (found) 1/2" rebar with an orange plastic cap stamped "M. Bidarian L.S. 2876" in the north right-of-way of Weiborg Drive, CR: 1540P, 50' right-of-way, see (Plat Cab. C, slide 264), being a corner to Mohammed Alzal and Aseel Alzal (D.B. 795, pg. 400), said rebar having a Kentucky State Plane Single Zone Coordinates of N. 3,531,773.286, E. 8,245,868.362

Thence with said Mohammed Alzal and Aseel Alzal N 08°22'58" E, 164.40' to a (found) 1/2" rebar with an orange plastic cap stamped "M. Bidarian L.S. 2876" having a Kentucky State Plane Single Zone Coordinates of N. 3,531,628.050, E. 8,245,991.811, corner to Horse Soldier Farms, LLC (D.B. 1102, pg. 380), see (Plat Cab. G, slide 284) and being in the line of the existing corporate limits of Somerset, KY per ordinance # 20-21;

Thence with said Horse Soldier Farms, LLC and the existing corporate limits of Somerset, KY per ordinance # 20-21 N 70°54'4" E, 108.11' to a (found) 1/2" rebar with an orange plastic cap stamped "M. Bidarian L.S. 2876", corner to Syed A. Umar and Robina M. Bokhari (D.B. 830, pg. 062).

Thence with said Syed A. Umar and Robina M. Bokhari S 06°18'13" W, 177.12' to a (found) 1/2" rebar with an orange plastic cap stamped "M. Bidarian L.S. 2876" in the north right-of-way of said Weiborg Drive;

Thence with said Weiborg Drive the following two (2) calls:

- 1) S 77°28'47" W, 118.89' to a point;
- 2) Thence with a curve turning to the right with an arc length of 36.89', with a radius of 278.06', with a chord bearing of S 80°48'25" W, with a chord length of 30.87' to the Point of Beginning.

Said tract being 28,822 square feet or 8.87 acres, as surveyed under the direct supervision of Anthony Thompson, PLS 3630, with AGT Land Surveying, field work completed on 05-27-22

The land described herein being the same land described in a Deed to MARLIN KEITH SPARKS, and DREAMA QAL SPARKS, from EDGAR WESLEY, dated February 28th, 2022 of record in Deed Book 1080, page 572 in the Pulaski County Court Clerk's Office in Somerset, Kentucky.



Anthony Thompson 05-22-22
 Anthony Thompson, PLS 3630 Date

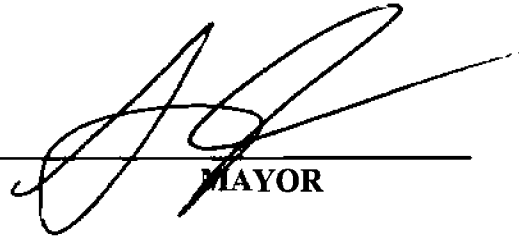


Marlin Sparks Property Lot 22 Weiborg Dr. Parcel # 051-0-0-12

616 Weiborg Dr. Somerset, KY 42503

There being no further business the meeting adjourned.

APPROVED:



MAYOR

ATTEST:



CITY CLERK