

MINUTES OF MEETING HELD SEPTEMBER 12, 2022

The Common Council of the City of Somerset, Kentucky met in a regular meeting on Monday September 12, 2022, at 6:00 p.m. with the following present: Council Members; Jerry Wheeldon, Jimmy Eastham, Jerry Girdler, Robin Daughetee, Patrick Hunley, Jim Mitchell, David Godsey, Amanda Bullock, Tom Eastham, David Burdine, Brian Dalton, Mayor Alan Keck, City Attorney John Adams, and City Clerk Nick Bradley. Absent: John Minton.

Mr. Wheeldon moved to approve the minutes of the regular meeting held on August 22, 2022, along with reports as mailed. Mr. Daughetee seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. Daughetee, Mr. Hunley, Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, and Mr. Dalton.

Mr. Mitchell made a motion to approve the following Ordinance Number 22-14: Fixing the Tax Levy, Ad Valorem, Franchise Tax, And Tax for The City of Somerset, Kentucky, For the Fiscal Year Beginning July 1, 2022, And Ending June 30, 2023, Providing Penalty and Interest for Non-Payment. Mr. Godsey seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. Daughetee, Mr. Hunley, Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, and Mr. Dalton.

ORDINANCE NO. 22-14

THIS ORDINANCE NUMBER 22-14 FIXING THE TAX LEVY, AD VALOREM, FRANCHISE TAX, AND TAX FOR THE CITY OF SOMERSET, KENTUCKY, FOR THE FISCAL YEAR BEGINNING JULY 1, 2022 AND ENDING JUNE 30, 2023 PROVIDING PENALTY AND INTEREST FOR NON-PAYMENT.

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

SECTION 1. That for the purpose of providing income for general municipal expenses for the City of Somerset, Kentucky, for the fiscal year beginning July 1, 2022 and ending June 30, 2023 it hereby levies an ad valorem of thirteen cents (13%) on each hundred dollar (\$100.00) of taxable property within the city limits of Somerset, Kentucky.

SECTION 2. That the thirteen cents (13%) ad valorem on each one hundred dollar (\$100.00) of taxable property within the city limits of Somerset, Kentucky, levied shall be deposited in the general fund account and shall be used to pay on general expenses incidental to the operation of the city government.

SECTION 3. That for the purpose of providing income for general municipal expenses for the City of Somerset, Kentucky for the fiscal year beginning July 1, 2022 and ending June 30, 2023 there is hereby levied a tax of thirteen cents (13%) on each hundred dollar (\$100.00) on personal property, tangible and intangible of franchise holders as determined by the Department of Revenue within the city limits of Somerset, Kentucky.

SECTION 4. The thirteen cents (13%) on each one hundred dollar (\$100.00) for franchise property within the city limits of Somerset, Kentucky, shall be deposited in the general fund account and is to be used to pay on expenses incidental to the operation of city government.

SECTION 5. That a two percent (2%) discount shall be allowed on each one dollar (\$1.00) collected before November 1, 2022.

SECTION 6. That there shall be added to and collected a penalty of twenty percent (20%) and interest of six percent (6%) per annum upon each one dollar (\$1.00) of all taxes herein provided for and unpaid after January 1, 2023 with such time that said taxes are paid.

SECTION 7. This Ordinance is to become in full force and effect on and after its approval and passage according to law.

FIRST READING August 22, 2022 SECOND READING September 12, 2022

ATTEST:

CITY CLERK


MAYOR

Mr. Burdine made a motion to approve the following Ordinance Number 22-15: Imposing A Bank Franchise and Local Deposit Tax: Setting Forth Timetables for The Collection of Such Tax for The Year 2022 And All Subsequent Years: And Setting Forth Enforcement Procedures, Including Penalties for The Collection of Delinquent Taxes. Mr. Wheeldon seconded the

motion. Upon roll call the following Council Members voted "Aye": Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. Daughetee, Mr. Hunley, Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, and Mr. Dalton.

ORDINANCE NO. 22-15

AN ORDINANCE IMPOSING A BANK FRANCHISE AND LOCAL DEPOSIT TAX; SETTING FORTH TIME TABLES FOR THE COLLECTION OF SUCH TAX FOR THE YEAR 2022 AND ALL SUBSEQUENT YEARS; AND SETTING FORTH ENFORCEMENT PROCEDURES, INCLUDING PENALTIES FOR THE COLLECTION OF DELINQUENT TAXES.

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

SECTION 1: There is hereby imposed on all financial institutions, as defined in KRS Chapter 136, located within the corporate limits of the City of Somerset, Kentucky, for the 2022 tax year and all subsequent years, a franchise tax at the rate of 0.04% on all deposits, as defined in KRS Chapter 136, maintained by such financial institutions.

SECTION 2: The City of Somerset, Kentucky, shall issue tax bills to financial institutions on or before December 15, 2022. Payment of the tax shall be due on or before the 15th day of January of the following year, or without delay by January 15 of each year.

SECTION 3: The City of Somerset, Kentucky, shall have a lien by reason of the property assessed for taxes to the extent allowed under KRS 133.420.

SECTION 4: All taxes due in accordance with these sections which are not paid before June 30, 2023 for the tax year 2022, or which are not paid before January 31 for all subsequent tax years shall be deemed delinquent and shall be subject to a penalty of 20% and shall bear interest at the rate of 8% per annum.


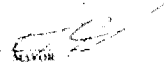
SECTION 5: All moneys collected pursuant to these sections shall be paid into the General Fund of the City to be used for the payment of proper expenditures as determined by the City Council.

SECTION 6: The ordinance is hereby amended to read a copy of from the ordinance to the Commissioner of the Kentucky Department of Revenue, Louisville, Kentucky.

FIRST READING August 22, 2022

SECOND READING September 12, 2022

ATTEST:

First reading was given the following Ordinance Number 22-16: Amending The Text Of Ordinance No. 00-18, Pertaining To Defining Self Storage And Providing For The Use As A Conditional Use In B-2 Commercial Zone, Based On The Recommendations Made By The Planning And Zoning Board, And Based On Said Board's Recommendation Of A Zone Ordinance Text Change.

ORDINANCE NO. 22-03

AN ORDINANCE AMENDING THE CITY OF SOMERSET LOCAL DEPARTMENT OF PLANNING AND ZONING BOARD FOR THE CITY OF SOMERSET, KY TO BE COMPOSED OF FIVE BOARD MEMBERS AND TO BE COMPOSED OF FIVE BOARD MEMBERS AND TO BE COMPOSED OF FIVE BOARD MEMBERS AND TO BE COMPOSED OF FIVE BOARD MEMBERS.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SOMERSET, KY:

Article 1. Paragraph 1.01.01. Definitions shall be amended to include the following:

1. Self-Service Storage Facility: A structure containing separate individual and private storage spaces for goods that are self-supply on varying sizes under 1,000 square feet each and are utilized in a residential or business use and not administered by a warehouse or logistic business, said spaces are leased or rented on individual basis for varying periods of time often range to month. Self-storage only allowed as a permitted use in industrial zones and as a restricted residential use in R-2 zoning.

and:

Article 2. Paragraph 2.01.01. Condition Use 09-29 shall be amended to include the following additional text after item 8 building receipt:

1. Self-Service Storage Facility: A structure containing separate individual and private storage spaces for goods that are self-supply on varying sizes under 1,000 square feet each and are utilized in a residential or business use and not administered by a warehouse or logistic business, said spaces are leased or rented on individual basis for varying periods of time often range to month. Self-storage only allowed as a permitted use in industrial zones and as a restricted residential use in R-2 zoning.

The conditional use may not include outside storage of vehicles, boats or any other thing or item.

The conditional use must be completely screened by walls at least six feet high, which, located on both walls of fence may chain link or see through fencing from any R-1 or R-2 residentially. If a wall or fence is built the material and appearance of the wall or fence must be of like construction of the highest quality surrounding homes of the neighborhood in which a residential use was not to cause a regression of the value of the existing homes. If no fence exists, the material must be equal to the neighborhood construction in Somerset.

Have a sign wall and rear yard setbacks of 10 feet.
If on a corner lot where the proposed development is adjacent to a second through street the screening wall shall not obstruct driver vision at the corner and be designed for meeting KY Department of Transportation's or commonwealth or the highway.

The conditional use must be approved by the Board of Administrative review of a proposed site plan and rendering of the facility including a security and a final site plan. Any other requirements deemed appropriate by the Board of Adjustment.

The foregoing Ordinance was read and presented to a regular meeting of the City Council of Somerset, Kentucky, for the first reading on the 12th day of September, 2022.

On September 26, 2022, the matter was read for a second time and voted upon as follows as given by the recorder official's recitation below:

APPROVED:
ALAN KICK, MAYOR
CITY OF SOMERSET, KY

ATTEST:
NICK BRADLEY, CITY CLERK

Mr. Mitchell made a motion to appoint Donald Burgin to the Planning and Zoning Board. Mr. Godsey seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. Daughetee, Mr. Hunley, Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, and Mr. Dalton.

There being no further business the meeting adjourned at 6:47 p.m.

APPROVED:  MAYOR

ATTEST:  CITY CLERK