

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
January 10, 2011 AT 6:00 P.M.**

The Board of Commissioners for the City of Pikeville met in a regular called session on Monday, January 10, 2011. The meeting was held in the City Hall Conference Meeting Room located at 118 College Street, Pikeville, Kentucky.

There being a quorum present, Mayor Frank Justice called the meeting to order at 6:00 p.m. Commission Members present at roll call were as follows:

**COMMISSIONER: GENE DAVIS
 BARRY CHANEY
 DALLAS LAYNE
 JIMMY CARTER**

MAYOR: FRANKLIN D. JUSTICE, II

MINUTES

The minutes for the previous regular meeting held on December 13, 2010 were in each Commission Member's agenda package. There being no additions or corrections, Commissioner Davis made the motion to approve the minutes as prepared. Commissioner Layne seconded the motion. Mayor Frank Justice called for discussion, there being none the motion carried unanimously. 5-0.

BUSINESS FROM THE FLOOR

Commissioner Eugene Davis made the request to consider Commissioner Jimmy Carter as Mayor Pro-tem. Commissioner Davis made the motion to approve. Commissioner Chaney seconded the motion. Commissioner Davis congratulates Commissioner Carter and lets him know what a pleasure it is to work with him. He is proud to make Commissioner Carter Mayor Pro-tem. Mayor Justice adds that all four of the Commissioners are a super group of individuals. He is proud of each of them and thinks they are very talented individuals. "We are all five Mayors and Commissioners." Mayor Justice called for further comments. There being none, the motion carried unanimously. 5-0.

PAYMENT OF CITY BILLS

The City Manager Donovan Blackburn requested the approval to pay city bills in the amount of \$717,878.92. Commissioner Layne made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for further discussion. There being none, motion passed unanimously. 5-0.

Consider a request to approve an emergency Purchase Order to North America Salt Company for the purchase of 300 tons of road salt for the amount of \$19,800 and to authorize payment. Commissioner Davis made the motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for comments. Mayor asked if that was enough. Mayor Justice called for further comments. There being none, the motion carried unanimously. 5-0.

BIG SANDY AREA DEVELOPMENT DISTRICT

Sandy Runyon was present for the Big Sandy Area Development. Ms. Runyon states that she does not have anything; however, the Marion's Branch Project is going very well. Mayor Justice speaks up and says, "On this Marion's Branch Project, we do have the deed for that. Just want everyone to know that."

CITY ENGINEER

Jack Sykes and Jodi Hunt were present with Summit Engineering, Inc. and submitted several requests to the commission for approval.

- 1. Consider a request to authorize payment and approve the submitted pay request #6 with H2O Construction Company for \$177,911.25 for the Mullins Sewer project and to authorize the Mayor to sign said pay request. Commissioner Chaney made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for comments. There being none, the motion passed unanimously. 5-0.**
- 2. Consider a request to authorize payment and approve the submitted pay request #7 with H2O Construction Company for \$105,250.50 for the Marion Branch Sewer project and to authorize the Mayor to sign said pay request. Commissioner Chaney made the motion to approve. Commissioner Davis seconded. Mayor Justice called for comments. Commissioner Carter asked, "Since I was late for work session, I missed it. The Mullins deal, when is the completion date?" Jack Sykes responds that the contractor is running a little behind schedule, but he thinks the project will be alright. Commissioner Carter states that his daughter lives down there and that the yards are a mess down there.**

He asks if there is going to be a walk through. Jack Sykes says, “Yes, there is still a lot of cleanup to do.” Mayor Justice says, “We talk about things in the back. That’s why we fly through things out here.” Mayor Justice called for further comments. There being none, the motion passed unanimously. 5-0.

3. Consider a request to approve the submitted change order #2 with Cumberland Pipeline LLC for \$33,402.60 for US23 Water Line replacement project and to authorize the Mayor to sign and execute said change request. Commissioner Carter made the motion to approve. Commissioner Layne seconded. Mayor called for comments. There being none, the motion passed unanimously. 5-0.

4. Consider a request to authorize payment and approve the submitted pay request #9 with Cumberland Pipeline in the amount of \$34,868.97 for the US23 Water Line project and to authorize the Mayor to sign said pay request. Commissioner Layne made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for comments. There being none, the motion passed unanimously. 5-0.

5. Consider a request to approve invoice #54872 and authorize payment to Summit Engineering for \$1,200.00 for the Cedar Fire Station project as submitted. Commissioner Layne made the motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for comments. There being none, the motion passed unanimously. 5-0.

CITY ATTORNEY

City Attorney Russell Davis was present and had two items to read into record.

- 1. Consider a request for a 1st reading of an ordinance naming an un-named street off Thompson Road as “Justice Way”. Second reading at next scheduled meeting.**
- 2. Consider a request for a 1st reading of an ordinance amending the City of Pikeville 2010-2011 fiscal operating budget. Second reading at next scheduled meeting.**

CITY MANAGER

City Manager Donovan Blackburn presented the commission with the following items for approval:

- 1. Consider a request to approve the submitted agreement between the City of Pikeville and YMCA for the operation of the City Pool and to authorize the**

- Mayor to sign and execute said agreement. Commissioner Chaney made the motion to adopt. Commissioner Layne seconded the motion. Mayor called for further comments. There being none, the motion passed unanimously. 5-0.
2. Consider a request to award the bid and to authorize payment for a 2011 Chevrolet Tahoe to Bruce Walters Chevrolet (who was the only bidder) for \$39,306.00 and to authorize the City Manager to sign any and all necessary paperwork to place said vehicle into the city name. Commissioner Layne made the motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for further comments. There being none, the Mayor called roll call. Commissioners Davis and Carter abstained. Motion passed unanimously. 5-0.
 3. Consider a request to adopt a proclamation, as read into record by the City Manager Blackburn, honoring the 6th Grade Pikeville Elementary Academic Team for winning 1st place in the 6th Grade Academic Showcase and authorize the mayor to sign and execute said proclamation. Commissioner Carter made the motion. Commissioner Davis seconded the motion. Mayor Justice called for comments. There being none, the motion passed unanimously. 5-0.

*Proclamation in Recognition and
Honor of the 6th Grade Pikeville
Elementary Academic Team and Their
Accomplishment in placing 1st in the
2010 6th Grade Academic Showcase*

WHEREAS, the 6th Grade Pikeville Elementary Academic Team did compete in the 2010 6th Grade Academic Showcase; and

WHEREAS, the 6th Grade Pikeville Elementary Academic Team was victorious ranking 1st overall in the 2010 6th Grade Academic Showcase; and

WHEREAS, the 6th Grade Pikeville Elementary Academic Team did compete against seven (7) other schools throughout the region in Math, Science, Social Studies, Language Arts, Arts and Humanities, Composition and Quick Recall; and

WHEREAS, the 6th Grade Pikeville Elementary Academic Team brings great honor, accomplishment and recognition to their community, school, team and its coaches with a 1st first place finish with a total score of 54 points; and

WHEREAS, through a tradition of excellence among all Academic Team members at Pikeville Elementary and such a tradition of excellence is worthy of being honored and recognized by the Board of Commissioners for the City of Pikeville.

Now, Therefore, Be it Proclaimed by the City of Pikeville as follows:

That the 6th Grade Pikeville Elementary Academic Team , Trey Grant, Thomas Ratliff, Jerry Green, Hannah Hopkins, Cameron Lane, Will Williamson, Nicole Kinder and their Coach Jeff Akers and Assistant Coach Joe Layne are by these presents duly honored and recognized by the City of Pikeville for their 2010 All "A" Academic State Championship.

That because of each team member's outstanding representation of excellence in Academics and as a citizen of the City of Pikeville, they are

hereby appointed and designated on this day as "Special Ambassador" of good will for the City of Pikeville.

That these outstanding accomplishments on behalf of the academic team and coaches set forth herein above shall be caused by the Clerk of the City of Pikeville to be recorded among the records of the City of Pikeville so that others that come hereafter will know of their excellence in achievement.

Adopted by Pikeville City Commission this 10th day of January, 2011.

**THE CITY OF PIKEVILLE BOARD OF
COMMISSIONERS**

Mayor Franklin D. Justice, II

- 4. Consider a request to grant Pikeville College a city surplus vehicle for the purpose of travel use by the Pike TV personnel only of which the City of Pikeville is a member of the Pike TV organization as set forth by the adopted by-laws between the City of Pikeville and Pike County Fiscal Court. Commissioner Chaney made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice asked, "Where did this vehicle come from?" City Manager Donovan Blackburn answered from the police department. It comes from a surplus of vehicles. Mayor says, "Ok then, thank you." Mayor Justice called for further comments. There being none, the motion passed unanimously. 5-0.

5. Consider a request to appoint Rebecca Hamilton to the Tree Board whose term will expire on 7-1-2012. Commissioner Davis made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for comments. There being none, the motion passed unanimously. 5-0.
6. Consider a request to authorize the City to submit a grant application for the purpose of the 2011 WASTE TIRE MARKET DEVELOPMENT CRUMB RUBBER GRANT to be used at the Bob Amos Soccer Complex and to authorize the mayor to sign any and all documentation required for the submittal and acceptance of said grant. City contribution would be 25 percent. Commissioner Carter made the motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for comments, there being none the motion passed unanimously. 5-0.
7. Consider a request to approve an engineering agreement between the City of Pikeville and Vaughn & Melton as submitted in the amount of \$25,000 for the purpose of a sewer plant study, to issue a notice to proceed for said work and to authorize the mayor to sign and execute said contract. Commissioner Layne made the motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for further comments. There being none, the motion passed unanimously. 5-0.
8. Consider a request to approve and execute a lease agreement between the City of Pikeville and Bailey Hotel LLC as submitted and to authorize the mayor to sign and execute said lease agreement. Commissioner Layne made the motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for comments. There being none, the motion passed unanimously. 5-0.
9. Consider a request to award the bid and to authorize purchase and payment for the Radio Communication Equipment to Big Sandy Two Way (who was the low bidder) for \$34,533.00. Commissioner Davis made a motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for comments. There being none, the motion passed unanimously. 5-0.

City Manager Donovan Blackburn announced the consent items for the Mayor and the Commission to hear.

10. Pursuant to KRS 61.810 consider a request for closed session for discussion of economic development, legal and personnel issues. Commissioner Davis made the motion. Commissioner Layne seconded the motion. Mayor Justice called for discussion. There being none, the motion passed unanimously. 5-0.
11. Commissioner Carter made the motion to re convene. Mayor Justice seconded the motion. Mayor Justice called for discussion. There being none, the motion passed unanimously. 5-0. Mayor called the session back into order.
12. Consider a request to tenure Rebecca Hamilton as a 10 year employee in order to justify paying Ms Hamilton based on the city 10 year rate. This

would alter her hire date by only 10 month. Commissioner Chaney made the motion to approve. Mayor Justice seconded the motion. Mayor Justice called for comments. There being none, the motion passed unanimously. 5-0.

13. There being no further business to come before the Commission, Commissioner Carter has made the motion to adjourn the meeting. Commissioner Chaney seconded the motion. Mayor Justice called for discussion. There being none, the meeting was adjourned. 5-0

CONSENT ITEMS:

City Manager on vacation the week of January 17th 2011

City Hall Closed for the following dates:

January 17th 2011 in observance of Martin Luther King Jr. Day

The January 24th 2011 commission meeting has been cancelled. Special meeting will be held on January 26th 2011 at 4 pm and February 7th 2011.

APPROVED:

FRANKLIN D. JUSTICE, II, MAYOR

ATTESTED:

MELANIE STEVENS, CITY CLERK