

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
FEBRUARY 27, 2006**

The Board of Commissioners for the City of Pikeville met in regular session on Monday, February 27, 2006. The meeting was held in the City Hall Public Meeting Room located at 118 College Street, Pikeville, Kentucky.

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

COMMISSIONER:	EUGENE DAVIS M. SHANE HALL
MAYOR:	FRANKLIN D. JUSTICE, II

Commissioners Dallas Layne and James A. Carter were absent.

AGENDA ITEM II. MINUTES

The minutes for the previous regular meeting held on February 13, 2006 were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Hall made the motion, seconded by Commissioner Davis to approve the minutes as prepared. The motion carried unanimously.

AGENDA ITEM III. BUSINESS FROM THE FLOOR

No items of business were presented during the call for Business from the Floor.

AGENDA ITEM IV. PAYMENT OF BILLS

A list of City Bills totaling \$106,160.34 was presented to the Commission for approval of payment. City Manager Blackburn asked for approval of an additional list of invoices totaling \$ 381,932.00. Commissioner Hall made the motion to authorize payment of both invoice lists. Commissioner Davis seconded the motion. The motion carried 3 – 0.

AGENDA ITEM V. OLD BUSINESS

A. BIG SANDY AREA DEVELOPMENT DISTRICT: No report

B. PIKEVILLE MAIN STREET PROGRAM: A written progress report for the Pikeville Main Street Program was given to each Commission Member.

C. CITY ENGINEER'S REPORTS: Terry Anderson and Jason Salisbury were present on behalf of Summit Engineering, Inc., city engineers. The following items were presented for consideration:

1. Kentucky Avenue Phase IV Roadway and Utility Improvement Project: As discussed during the previous meeting, Terry Anderson presented for approval a change order on behalf of Mountain Enterprises decreasing their contract by \$87,002.48 for the Kentucky Avenue Phase IV Roadway and Utility Improvement Project. Mr. Anderson advised with the payment of \$6,848.49 (included in the bill listing) to Mountain Enterprises, this Change Order will close out the project. It was explained that Department of Transportation officials have agreed to permit the City of Pikeville to utilize the remaining funds for the expansion, replacement and/or repair of the retaining wall along High Street. The City of Pikeville was awarded a \$25,000 Cemetery Fund Grant to repair/replace the retaining wall along the cemetery. The remaining funds in the Kentucky Avenue Phase IV account will be used to expand the project. JBC, Inc. was awarded the bid for construction of the cemetery retaining wall. Mayor Justice made the motion to approve Change Order #5 in the net deduct amount of \$87,002.48. Commissioner Davis seconded the motion. The motion carried 3 – 0.

2. Steve Thacker Construction: Presented for approval was Pay Request #2 from Steve Thacker Construction in the amount of \$27,157.50 for work completed at the Hambley Complex Softball Field. Contract amount for the project is \$120,700.00. Mayor Justice made the motion to approve payment of request #2 to Steve Thacker Construction as requested. Commissioner Davis seconded the motion. The motion carried 3 – 0.

3. Seventh Street Bridge: Mr. Anderson presented a pay request from Steve Thacker Construction in the amount of \$8,500.00 for repairs completed to the Seventh Street Bridge. Mayor Justice made the motion, seconded by Commissioner Davis to approve payment to Steve Thacker Construction in the amount of \$8,500.00 as presented. The motion carried 3 – 0.

D. CITY ATTORNEY'S REPORTS: Russell H. Davis, Jr., city attorney, presented two ordinances for second reading. The ordinances were captioned as follows:

ORDINANCE AMENDING THE FISCAL BUDGET FOR THE 2005-2006 FISCAL YEAR (O-2006-001)

Commissioner Davis made the motion, seconded by Mayor Justice to adopt the Ordinance as presented and given second reading. The motion carried by the following votes:

COMMISSIONER:	DALLAS LAYNE	ABSENT
	EUGENE W. DAVIS	YES
	JAMES A. CARTER	ABSENT

MAYOR: M. SHANE HALL YES
FRANKLIN D. JUSTICE, II YES

And

ORDINANCE AMENDING COMPENSATION OF THE MAYOR AND COMMISSIONERS AND ESTABLISHING AN EFFECTIVE DATE OF JANUARY 1, 2007 FOR THE COMMISSIONERS' COMPENSATION AND JANUARY 1, 2007 FOR THE MAYOR'S COMPENSATION (O-2006-002)

Mayor Justice made the motion to adopt the Ordinance as presented and given second reading. Commissioner Hall seconded the motion. The motion carried by the following votes:

COMMISSIONER: DALLAS LAYNE ABSENT
EUGENE W. DAVIS YES
JAMES A. CARTER ABSENT
M. SHANE HALL YES
MAYOR: FRANKLIN D. JUSTICE, II YES

E. POLICE DEPARTMENT REPORTS: No report

F. FIRE DEPARTMENT REPORTS: No report

G. CITY MANAGER'S REPORTS: City Manager, Donovan Blackburn, requested a closed session for the purpose of discussing economic development issues, a legal issue and a personnel issue. At 6:30 p.m., Mayor Justice made the motion to adjourn to closed session for the purpose of discussing economic development issues, a legal issue and a personnel issue. Commissioner Davis seconded the motion. The motion carried 3 – 0.

Commissioner Hall made the motion, seconded by Commissioner Davis to reconvene to regular session. The motion carried 3 – 0.

1. Central Appalachian Parking: Central Appalachian Mining has acquired the building located on Hambley Boulevard which formerly housed Industrial Rubber Company. Central Appalachian Mining is planning to combine three of their offices into the Hambley Boulevard location. It is estimated that 150 employees will be at this location. The location has parking adjacent to the building and there is public parking available on Williams Street. Central Appalachian Mining has requested permission to encroach on the city's easement adjacent to Hambley Boulevard to create additional parking. Mayor Justice made the motion to allow Central Appalachian Mining to implement their parking plan at their cost and to permit an encroachment onto the city's easement, contingent upon at least 4 ft. of the easement being retained to allow construction of a sidewalk. Commissioner Hall seconded the motion. The motion carried 3 – 0.

2. Southeast Telephone: During the February 13, 2006 meeting, the Commission voted to approve the sale of a tract of property in the river fill to Southeast Telephone for \$500 to assist with their expansion. Since the meeting, the Commission learned that Southeast Telephone plans to create 100 new jobs within the city limits. Because of the small size of the property, the tract would not be beneficial to any other entity except Southeast Telephone. Commissioner Davis made the motion to sell the tract to Southeast Telephone for \$1.00. Commissioner Hall seconded the motion. The motion carried 2 – 0 – 1 with Mayor Justice abstaining from the vote.

3. HAZMAT Resolution: City Manager Blackburn presented and read the following resolution:

WHEREAS, the unit of local government of The City of Pikeville, has experienced severe damage from flooding, severe thunderstorms/wind/hail/lightning, wildfires, landslides, tornadoes, and severe winter storms on many occasions in the past century resulting in property loss, loss of life, economic hardship, and threats to public health and safety;

WHEREAS, a Regional Hazard Mitigation Plan (the Plan) has been developed after more than one year of research and work by the Big Sandy Area Development District in partnership with local sub-committees and the Regional Mitigation Planning Committee as well as the citizens of the BSADD Region;

WHEREAS, the Plan recommends many hazard mitigation actions that may help to protect the people and property affected by the natural hazards that face The City of Pikeville;

WHEREAS, a public meeting was held to review the Plan as required by law;

NOW, THEREFORE BE IT RESOLVED by the City Commission of the City of Pikeville that:

1. The Regional Hazard Mitigation Plan is hereby adopted as the official plan of the City of Pikeville.

2. The Respective officials identified in the strategy of the Plan are hereby directed to implement the recommended actions assigned to them. These officials will report quarterly on their activities, accomplishments, and progress to the City of Pikeville City Commission.

3. The Emergency Management Director or designated employee will provide annual progress reports on the status of implementation of the plan to the City of Pikeville City Commission. This report shall be submitted to the City of Pikeville by March 15th of each year.

Commissioner Davis made the motion to adopt the resolution. Commissioner Hall seconded the motion. The motion carried 3 – 0.

4. Meeting Cancellation: Commissioner Davis made the motion to cancel the Board of Commissioner’s regular meeting scheduled for March 13, 2006. Commissioner Hall seconded the motion. The motion carried 3 – 0.

5. Hambley Field: Commissioner Hall made the motion to grant permission to Chris Lawson or other Pikeville High School personnel over the age of 21 to use city equipment to perform maintenance on Hambley Field. Commissioner Davis seconded the motion. The motion carried 3 – 0.

There being no further business to come before the Commission, Commissioner Davis made the motion, seconded by Commissioner Hall to adjourn the meeting. The motion carried 3 – 0.

The next scheduled meeting of the Board of Commissioners for the City of Pikeville is March 27, 2006 at 6:00 p.m.

**APPROVED: _____
FRANKLIN D. JUSTICE, II, MAYOR**

ATTEST:

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KAREN W. HARRIS, CITY CLERK**