

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

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

Mayor Franklin D. Justice, II presided and called the meeting to order at 6:00 p.m. The following Commission Members were present at call to order:

<b>COMMISSIONER:</b>	<b>DALLAS LAYNE EUGENE W. DAVIS JAMES A. CARTER M. SHANE HALL</b>
<b>MAYOR:</b>	<b>FRANKLIN D. JUSTICE, II</b>

**AGENDA ITEM II. MINUTES**

The minutes for the February 27, 2006 regular meeting were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Hall made the motion, seconded by Commissioner Layne to approve the minutes as submitted. The motion carried unanimously.

**AGENDA ITEM III. BUSINESS FROM THE FLOOR**

There were no items presented during the call for Business from the Floor.

**AGENDA ITEM IV. PAYMENT OF BILLS**

A list of city bills totaling \$218,500.36 was presented to the Commission for approval of payment. Commissioner Davis made the motion to approve payment of the bills as requested. Commissioner Carter seconded the motion. The motion carried unanimously.

**AGENDA ITEM V. OLD BUSINESS**

**A. BIG SANDY AREA DEVELOPMENT DISTRICT: No report**

**B. PIKEVILLE MAIN STREET PROGRAM:** Serena Stiltner, Pikeville Main Street Agency Executive Director, reported the Pauley Bridge Rehabilitation Project is 25% complete. Ms. Stiltner announced that Main Street and City of Pikeville Employees will host a Spaghetti Lunch on April 5, 2006 from 11 a.m. – 1 p.m. All proceeds will be donated to the American Cancer Society's Relay for Life.

**C. CITY ENGINEER'S REPORTS:** Jack Sykes was present on behalf of Summit Engineering, Inc., city engineers, and presented a verbal status report for the following projects:

**1. Bob Amos Park Improvements:** City Engineer Sykes requested permission to submit a funding application to the Office of Transportation Enhancement Programs for \$100,000 in TEA-21 monies. The funds will be used to develop a Multi-Use Trail within the Bob Amos Park. The following resolution was presented:

**RESOLUTION SUPPORTING THE BOB AMOS PARK BIKE TRAIL PROJECT AND AUTHORIZING THE FILING OF AN APPLICATION TO THE KENTUCKY TRANSPORTATION CABINET FOR TEA-21 FUNDING FOR SAID PROJECT**

**RESOLUTION R-2006-004**

**WHEREAS,** the City of Pikeville desires to provide additional recreational opportunities within the Bob Amos Park; and

**WHEREAS,** the Pikeville City Commission has expressed their support for the construction of a Bike Trail within the Bob Amos Park; and

**WHEREAS,** the Pikeville City Commission authorizes the submission of a funding application to the Kentucky Transportation Cabinet for TEA-21 funding for construction of the Bike Trail Project in the sum of \$100,000.00.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor of the City of Pikeville is authorized to execute any necessary documentation to apply for TEA-21 funding for the Bob Amos Park Bike Trail.

Commissioner Hall made the motion to authorize the submission of a TEA-21 funding application for the Bob Amos Park Multi-Use Trail. Commissioner Carter seconded the motion. The motion carried unanimously.

**2. Hambley Complex Softball Field:** Presented for approval of payment was the final invoice from Steve Thacker Construction, Inc. in the amount of \$22,933.00 for the Hambley Complex Softball Field Improvement Project. Commissioner Carter made the motion, seconded by Commissioner Layne to approve payment of the final invoice as recommended by the city engineer. The motion carried unanimously.

**3. Cemetery Grant:** JBC, Inc. presented an invoice totaling \$22,113.00 for work completed on the retaining wall located along the High Street section of the cemetery. Mayor Justice made the motion, seconded by Commissioner Davis to

approve payment to JBC. Inc. in the amount of \$22,113.00. The motion carried 4 – 0 – 1 with Commissioner Carter abstaining from the vote.

**4. Pauley Bridge Project:** City Engineer Sykes presented an invoice totaling \$47,632.50 from Steve Thacker Construction for work completed and stored materials for the Pauley Bridge Rehabilitation Project. Commissioner Hall made the motion to approve payment as presented. Commissioner Davis seconded the motion. The motion carried unanimously.

**D. CITY ATTORNEY’S REPORTS:** No Report.

**E. FIRE DEPARTMENT REPORTS:** Assistant Fire Chief Ronald Conn reported that the Fire Department responded to 142 EMS calls and 94 Fire Calls since February 13, 2006. 44 fire inspections were conducted. Fire fighters completed NIMS training. Fire fighters participated in Relay for Life fundraising activities.

**F. POLICE DEPARTMENT UPDATE:** Police Chief James Adkins reported that officers are attending a 40 hour in-service NIMS training this week. All police officers should complete this training by August, 2006.

**G. CITY MANAGER’S REPORTS:** Donovan Blackburn, City Manager, presented the following items for the Commission’s consideration:

**1. Housing Authority Appointments:** Sean Gilbert, Executive Director for the Pikeville Housing Authority, advised that appointments, for two of the Board of Directors, have expired. Commissioner Davis made the motion, seconded by Commissioner Layne to re-appoint Max Thompson and Ben Cassady to the Board of Directors for the Pikeville Housing Authority. The motion carried unanimously. It was noted that Max Thompson’s term will expire on September 16, 2008. Ben Cassady’s term will expire on September 16, 2009.

**2. Board of Zoning Adjustment Appointment:** Postponed.

**3. Safe Routes to School Program:** City Manager Blackburn advised that funds are available through a new Kentucky Transportation Cabinet program to develop safe walking and bicycling routes for elementary and middle schools. The city manager requested permission to submit a funding application to allow for the construction of crosswalks, traffic sign installation, and a school education program for the middle school students located at Pikeville High School. The following resolution was presented:

**RESOLUTION OF THE PIKEVILLE CITY COMMISSION  
IN SUPPORT OF THE KENTUCKY TRANSPORTATION CABINET’S  
SAFE ROUTES TO SCHOOL (SR2S) PROGRAM AND  
AUTHORIZING THE SUBMISSION OF A FUNDING APPLICATION**

**Resolution R-2006-005**

**WHEREAS, the Pikeville City Commission and the Pikeville Independent School District have agreed to jointly support and promote the Safe Routes to School Program (SR2S); and**

**WHEREAS, the purpose of the SR2S program is to encourage children, including those with disabilities, to walk and bicycle to school; to make walking and bicycling to school safe and more appealing; and to facilitate the planning, development, and implementation of projects that will improve safety and reduce traffic, fuel consumption, and air pollution in the vicinity of schools; and**

**WHEREAS, the Pikeville City Commission authorizes the submission of a funding application in the amount of \$32,750.00 to the Kentucky Transportation Cabinet for SR2S funding to allow for the construction of crosswalks, traffic sign installation, and a school educational program.**

**NOW, THEREFORE, BE IT RESOLVED that the Mayor of the City of Pikeville is authorized to execute any necessary documentation to apply for SR2S funding.**

**Commissioner Layne made the motion to adopt the resolution. Commissioner Hall seconded the motion. The motion carried unanimously.**

**3. Training Facility Grant: City Manager Blackburn requested permission to apply for a Training Facility Grant in the amount of \$60,000. The grant does not require a local match. The grant proceeds will be used to construct a 36' X 16' metal building for controlled burning/smoke training. Mayor Justice made the motion, seconded by Commissioner Davis to authorize the submittal of a Training Facility Grant application. The motion carried unanimously.**

**4. Occupational License Fees: Presented for first reading was an ordinance entitled as follows:**

**AN ORDINANCE RELATED TO THE AMENDMENT OF SECTION 115.02(D) AND SECTION 115.03(D) OF CHAPTER 115 OF THE OCCUPATIONAL LICENSE FEE ORDINANCE CREATING AN EXEMPTING FROM OCCUPATIONAL LICENSE FEES COMPENSATION OF LIVE ENTERTAINMENT ACTS, SHOWS, CONCERTS OR OTHER PERFORMANCES AND ITS EMPLOYEES PERFORMING BEFORE A LIVE AUDIENCE**

**City Manager Blackburn reported that a number of cities had been contacted with regard to fees assessed for live entertainment acts, shows, concerts or performances. Only one city has a licensing fee. No cities contacted assess an occupational fee.**

**Second reading was scheduled for the next regular meeting.**

**5. Street Maintenance:** Presented was a request to include Suzanne Street, located in the Keel Addition, in the city's street maintenance system. Commissioner Hall made the motion, seconded by Commissioner Layne to add Suzanne Street in the city's street maintenance system. The motion carried unanimously.

**6. Police Officer Employment:** Police Chief Adkins and City Manager Blackburn recommended the employment of Gary Tomlin, Wesley Babcock, Jeffery Bailey, Scotty Hamilton and Charles Blankenship as police officers, contingent upon the successful completing of all employment tests. Commissioner Carter made the motion, seconded by Commissioner Davis to employ the above listed individuals pursuant to the Police Chief and City Manager's recommendation. The motion carried unanimously.

**7. Hillbilly Days:** City Manager Blackburn requested permission to close City Hall Offices during Hillbilly Days to allow personnel to assist with the festival. Commissioner Layne made the motion to authorize the closing of City Hall offices during this Hillbilly Days and future Hillbilly Days to allow personnel to assist with the festival. Commissioner Hall seconded the motion. The motion carried unanimously.

**8. Closed Session:** At the request of the city manager, Commissioner Carter made the motion, seconded by Commissioner Layne to adjourn to closed session for the purpose of discussing economic development issues and a personnel matter. The motion carried unanimously.

Mayor Justice made the motion to reconvene to regular session. Commissioner Layne seconded the motion. The motion carried unanimously.

**9. Fire Department Equipment:** Presented to the Commission were the bids received for the purchase of self-contained breathing apparatus. After review of the bids, Assistant Fire Chief Conn recommended award of the bid to Orr Safety in the amount of \$108,888.00. It was noted that only two bids met the specifications. Orr Safety was the lowest, best bid. Commissioner Davis made the motion, seconded by Commissioner Layne to award the bid for the purchase of the equipment to Orr Safety as recommended by the Fire Department. The motion carried unanimously. Funding to pay for the purchase is in the form of a grant from the Department of Homeland Security.

**10. Poor Farm Hollow Property Purchase:** Commissioner Hall made the motion to authorize the Mayor to execute a deed of conveyance, pursuant to an agreement with Pike Land Company, LLC, for the sale of the Poor Farm Hollow property, excluding all easements of record, in the amount of \$1,050,000.00. Commissioner Carter seconded the motion. The motion carried 4 – 0 – 1 with Commissioner Layne abstaining from the vote.

**11. Fire Department Personnel:** Commissioner Davis made the motion to appoint Eddie Greenhill to a position as outlined by the city manager during closed session. Commissioner Layne seconded the motion. The motion carried unanimously.

**12. Pay Plan:** Commissioner Carter made the motion to adopt the March 27, 2006 amended pay plan as discussed during closed session. Commissioner Layne seconded the motion. The motion carried unanimously.

**13. Police Department Personnel:** At the recommendation of the Police Chief, Mayor Justice made the motion to promote Woody Pruitt to the position of Police Captain and adjust the wage rate pursuant to the Pay Plan. Commissioner Davis seconded the motion. The motion carried unanimously.

**14. Thompson Road Property:** Mayor Justice made the motion to authorize the City Manager to advertise for proposals for the sale and development of the city owned Thompson Road Property, individually in three tracts, or in whole, excluding the riverbank, and with a 5% above appraisal minimum bid. Commissioner Carter seconded the motion. The motion carried unanimously.

First reading was given to the following three ordinances:

**ORDINANCE CLOSING A PORTION OF OVERLOOK CIRCLE LOCATED IN THE LOVERS LEAP SUBDIVISION OF THE CITY OF PIKEVILLE ADJACENT TO LOTS 1,2,3,4,5,7,8,9,10,11,12,13, AND 14.**

**ORDINANCE DECLARING THE INTENTION OF THE CITY OF PIKEVILLE TO ANNEX CERTAIN UNINCORPORATED TERRITORY LYING ADJACENT TO THE PRESENT CITY CORPORATE LIMITS AND COMPRISING OF APPROXIMATELY 1045.21 ACRES EXTENDING THE CITY'S CORPORATE LIMITS ON THE NORTHWEST OF THE EXISTING CORPORATE LIMITS ALONG THE LEVISA FORK OF THE BIG SANDY RIVER ON BIG SHOAL AND KEYSER BRANCH**

And

**ORDINANCE DECLARING THE INTENTION OF THE CITY OF PIKEVILLE TO ANNEX CERTAIN UNINCORPORATED TERRITORY LYING ADJACENT TO THE PRESENT CITY CORPORATE LIMITS AND COMPRISING OF APPROXIMATELY 834.886 ACRES EXTENDING THE CITY'S CORPORATE LIMITS ON THE NORTHWEST OF THE EXISTING CORPORATE LIMITS ON BUCKLEYS CREEK ALONG U.S. HIGHWAY 119**

Second reading of the ordinances was scheduled for April 10, 2006.

**There being no further business to come before the Commission, Commissioner Davis made the motion, seconded by Commissioner Carter to adjourn the meeting. The motion carried unanimously.**

**The next scheduled meeting of the Board of Commissioners for the City of Pikeville is April 10, 2006 at 6:00 p.m.**

**APPROVED: \_\_\_\_\_  
FRANKLIN D. JUSTICE, II, MAYOR**

**ATTEST:**

**\_\_\_\_\_  
KAREN W. HARRIS, CITY CLERK**

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Second reading of the ordinances was scheduled for April 10, 2006.

**There being no further business to come before the Commission, Commissioner Davis made the motion, seconded by Commissioner Carter to adjourn the meeting. The motion carried unanimously.**

**The next scheduled meeting of the Board of Commissioners for the City of Pikeville is April 10, 2006 at 6:00 p.m.**

**APPROVED: \_\_\_\_\_  
FRANKLIN D. JUSTICE, II, MAYOR**

**ATTEST:**

**\_\_\_\_\_  
KAREN W. HARRIS, CITY CLERK**