

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
JULY 10, 2006**

A regular meeting of the Board of Commissioners for the City of Pikeville was held on Monday, July 10, 2006. The meeting was conducted in the City Hall Public Meeting Room located at 118 College Street, Pikeville, Kentucky.

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

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

AGENDA ITEM II. MINUTES

The minutes for the previous regular meeting of June 26, 2006 were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Layne made the motion, seconded by Commissioner Hall to approve the minutes as prepared. The motion carried unanimously.

AGENDA ITEM III. BUSINESS FROM THE FLOOR

Mayor Justice welcomed Leslie Combs, candidate for State Representative, to the meeting.

Mayor Justice expressed the condolences of the Pikeville City Commission to the family of Debbie Fleming. Mrs. Fleming was employed a number of years with Veolia Water, first as an office assistant and more recently as supervisor of the Sanitation Department.

AGENDA ITEM IV. PAYMENT OF BILLS

A. City Bills: A list of city bills totaling \$353,228.08 was presented to the Commission for approval of payment. There being sufficient funds with which to make payment, Commissioner Carter made the motion to approve payment of the city bills as requested. Commissioner Layne seconded the motion. The motion carried unanimously.

B. High Street Retaining Wall Project: Presented for approval of payment was invoice #5 from JBC, Inc. in the amount of \$8,145.00. In addition, change order #4 was presented for approval in the amount of \$6,550.00. City Manager Blackburn

explained the scope of work provided in the change order adds 4 columns at the Pauley Bridge and adds cap rock to the Auxier Avenue Retaining wall. City Engineer Sykes recommended approval of the pay request and change order. Mayor Justice made the motion, seconded by Commissioner Davis to approve payment of invoice #5 and to approve change order #4 as recommended by the city engineer. The motion carried 4 – 0 with Commissioner Carter abstaining from the vote.

AGENDA ITEM V.

OLD BUSINESS

A. Big Sandy Area Development District – No report.

B. Pikeville Main Street Program – No report

C. City Engineer’s Reports: Jack Sykes was present on behalf of Summit Engineering, city engineers. Mr. Sykes reported that the Thompson Road Project has cleared Environmental Review. With regard to the Bob Amos Improvement Project, the city engineer advised that discussions are continuing with the Office of Surface Mining. The retaining wall project is proceeding on schedule. The contractor, JBC, Inc. is expected to begin construction for the Sycamore Street portion of the wall this week.

D. City Attorney’s Reports: Russell H. Davis, Jr., city attorney, presented the following items for the Commission’s consideration:

1. Zoning Map Amendment: Presented and given second reading was an ordinance entitled as follows:

ORDINANCE AMENDING THE CITY OF PIKEVILLE’S ZONING MAP FOR PROPERTY AT 271 THOMPSON ROAD FROM INSTITUTIONAL TO C-2 (O-2006-011)

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

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

2. Budget Amendment: Presented and given second reading was an Ordinance captioned as follows:

ORDINANCE AMENDING THE FISCAL BUDGET FOR THE 2005-2006 FISCAL YEAR (O-2006-012)

Commissioner Carter made the motion to adopt the Ordinance as presented. Commissioner Layne seconded the motion. The motion carried by the following votes:

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

3. Resolution honoring Wilbur J. Linder, II: City Attorney Davis presented and gave reading to the following resolution:

WHEREAS, Wilbur J. Linder II did pass away on May 8, 2006, the Commission for the City of Pikeville does now desire to recognize and honor Wilbur J. Linder II for his lifetime achievements and service to this community; and

WHEREAS, Wilbur J. Linder II was born on July 17, 1941 in Jay County, Portland, Indiana; and

WHEREAS, Wilbur J. Linder II graduated from Earlham College with a BA in Political Science and from the University of Cincinnati with a Master's Degree in Urban Planning and Public Administration.

WHEREAS, Wilbur J. Linder II led a consulting firm specializing in community improvement projects throughout Kentucky, including neighborhood revitalizations, homeless shelters, and public infrastructure. Will's humility compelled him to lose count of his financial accomplishments more than a decade ago, but at last count he had ushered in more than ¾ billion dollars of funds from the US Dept. of Housing and Urban Development alone. One of Will's best-known works was the second largest engineering project in this hemisphere, the Pikeville Cut-Thru Project, which ended the disastrous flooding of the Big Sandy River and opened vast parcels of land for economic development with the City of Pikeville. Will went on to coordinate numerous urban renewal and housing projects thereafter for the City of Pikeville, where at the time of his death, he was working on the City of Pikeville Downtown Utility Relocation Project. Will was responsible for more than 1,000 new homes, 200 affordable rental units and 25 projects bringing potable water and sanitary sewer services to more than 20,000 homes.

WHEREAS, Wilbur J. Linder II was a tireless advocate for a breadth of local community causes, from the Boys and Girls Club to the Madison County Public Library.

WHEREAS, Wilbur J. Linder II dedication of his time and talents to serving this community and his exemplar community leadership, locally and statewide, is deemed worthy of being recognized and honored by this Commission.

THEREFORE, BE IT RESOLVED by the Commission for the City of Pikeville that to all whom these presents shall come, know ye that Wilbur J. Linder II is by this Commission and the City of Pikeville recognized and honored for a superior effort, relentless determination and dedication of exemplar service to the City of Pikeville. The life and labors of this individual have changed the face of Pikeville over the last thirty (30) years and made this community a better place.

IT IS FURTHER ORDERED that his resolution is to be duly recorded within the records of the City of Pikeville so that his achievements will be known by those who serve hereafter and a copy thereof delivered to Wilbur J. Linder II family in recognition of the honor that is being bestowed upon Wilbur J. Linder II this day.

Commissioner Davis made the motion, seconded by Commissioner Carter, to adopt the resolution and presented and read. The motion carried unanimously.

E. FIRE DEPARTMENT UPDATE: Assistant Fire Chief Ronald Conn reported the Fire Department responded to 58 EMS and 38 Fire calls during the previous two week period. Eighteen fire prevention inspections were completed. Asst. Chief Conn advised the squads are nearing completion of their sidewalk cleaning project. The Commission commended the Fire Department for the providing another spectacular fireworks display for the Independence Day celebration.

F. POLICE DEPARTMENT REPORT: Police Chief James Adkins advised that police officers responded to 552 calls during the previous two week period. Over \$1900.00 was earned in the July 1st car wash to benefit the department's "Shop With A Cop" program. Officers participated in the July 8th summer safety program sponsored by Wal-Mart. Over 100 children were fingerprinted during this event.

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

1. Backhoe Purchase: City Manager Blackburn explained that funds were carried over from the previous year's budget for the purchase of a backhoe. Only one bid was submitted. The bid was submitted by Leslie Equipment Company in the amount of \$72,400.00. The city manager advised the bid came in approximately \$2,000 lower than the budgeted amount. City Manager Blackburn recommended award of the bid to Leslie Equipment. Commissioner Hall made the motion to award the bid for the purchase of a backhoe to Leslie Equipment in the amount of \$72,400.00. Commissioner Carter seconded the motion. The motion carried unanimously.

2. Bob Amos Sidewalk – Phase I: City Manager Blackburn advised that bids had been received for the construction of a sidewalk along Bob Amos Drive. At the request of the city manager, the City Commission tabled action to award the bid to allow time to seek additional funding.

3. Crumb Rubber Mulch: Four bids were received for the purchase of rubber mulch to be used at the playground areas in the City Park and Bob Amos Park. The low bidder was Rubberecycle in the amount of \$399.00/2100 lb bag. Total bid price including shipping is \$40,013.00. The city received a grant to go toward the purchase of the crumb rubber mulch in the amount of \$34,425.00. There is a 25% local match required for the project. Commissioner Carter made the motion, seconded by Commissioner Layne to award the bid for purchase of the crumb rubber mulch to Rubberecycle in the amount of \$40,013.00. The motion carried unanimously.

City Manager Blackburn requested a closed session for the purpose of discussing an economic development, personnel and legal issues. Commissioner Layne made the motion, seconded by Commissioner Carter to adjourn to closed session for the stated purposes. The motion carried unanimously.

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

City Manager Blackburn requested authorization to reclassify a position in the Fire Department from part-time to full-time and requested permission to post the position. Commissioner Carter made the motion to reclassify the position in the Fire Department from part-time to full-time and authorized the city manager to post the position. Commissioner Hall seconded the motion. The motion carried unanimously.

City Manager Blackburn requested approval to expend \$5,000 for the purpose of hosting the Appalachian Regional Commission Conference, scheduled for October. Commissioner Hall made the motion, seconded by Commissioner Layne to authorize expenditures of \$5,000 for costs associated with hosting the ARC Conference. The motion carried unanimously.

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

The next scheduled meeting of the Board of Commissioners for the City of Pikeville is July 24, 2006 at 6:00 p.m.

APPROVED: _____


FRANKLIN D. JUSTICE, II, MAYOR

ATTESTED:



KAREN W. HARRIS, CITY CLERK