

**CITY OF PIKEVILLE  
BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
July 13, 2009 AT 6:00 P.M.**

The Board of Commissioners for the City of Pikeville met in a regular called session on Monday, July 13, 2009. The meeting was held in the City Hall Conference Meeting Room located at 118 College Street, Pikeville, Kentucky.

There being a quorum present, Mayor Franklin D. 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 June 22, 2009 were in each Commission Member's agenda package. There being no additions or corrections, Commissioner Carter made the motion to approve the minutes as prepared. Commissioner Chaney seconded the motion. Mayor Frank Justice called for discussion, there being none the motion carried unanimously.

**PAYMENT OF CITY BILLS**

A list of City Bills totaling \$583,762.57 was presented to the Commission for approval of payment. Commissioner Chaney made the motion to approve. Commissioner Davis seconded the motion. Mayor Frank Justice called for discussion, there being none the motion carried unanimously.

**BUSINESS FROM THE FLOOR**

Representative Jimmy Lyons and Chris Slone were present for the National Resources Conservation Service, United States Department of Agriculture, called NRCS, representative was present and presented a project agreement between the City of Pikeville and the NRCS. The agreement is to install emergency watershed protection measures to relieve hazards and damages created by the June 11, 2009 Storm event. Debris removal from Ferguson Creek, Williams Branch, Peter fork and Lykens Creek to prevent flooding and infrastructure damage. NRCS portion, \$60,502.50 and the City of Pikeville portion is \$6,722.50. Mr. Lyons stated there is a

10 day turn around on the project. Commissioner Jimmy Carter asked if the City match was 10%. Mr. Lyons; Yes. City Manager Donovan Blackburn stated the City did not know about the program until the agency contacted them. Mayor Justice asked about the area at the Pikeville Elementary School. City Manager responded, that is a state road. Mr. Lyons responded with the City could sponsor that as a project. City Manager thanked NRCS for their support and confirmed they would have a conference call to discuss the school area project at a later date. Commissioner Chaney made the motion to accept the contract. Commissioner Davis seconded the motion. Mayor called for further comment, there being none the motion to enter into the agreement was passed unanimously.

#### OLD BUSINESS

A. Melanie Stevens was present with the Big Sandy Area Development District. Mayor Justice presented the letter he received from the CDBG Grant 08-021 in reference for the Marion Branch Sewer Project to sign and execute the document for the recipient of the CDBG Grant funds in the amount of \$1,000,000.00. Commissioner Chaney made the motion to approve. Commissioner Layne seconded the motion. Mayor called for further comments, there being none the motion passed unanimously.

B. Russell H. Davis, Jr., City Attorney, presented the following matters for the Commission's consideration:

Consider 2nd reading of an Ordinance enacting and adopting a supplement to the code of ordinances #0-2009-020 of the City of Pikeville, KY. City Attorney Russell Davis read the ordinance aloud. Commissioner Carter made the motion to approve. Commissioner Chaney seconded the motion. Mayor called for roll call. Motion passed 5 Yes votes 0 no votes.

C. 1. City Engineer's Report: Durand Hacker was present for Summit Engineering. Consider request to authorize payment of Pay Request #3 for the Thompson Road Widening Project in the amount of \$101,604.64. Commissioner Davis made the motion to approve. Commissioner Chaney seconded the motion. Mayor called for comments, there being none the motion passed unanimously.

2. Request to place a bid for sewer project off Thompson Road on Kanney development. This is a coal severance project. Commissioner Chaney made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for comments, there being none the motion passed unanimously.

- D. City Manager Report: City Manager Donovan Blackburn asked the commission to consider the following requests.**
- 1. Consider a request to adopt a proclamation naming July 18, 2009 as “Christmas in July Day” in the City of Pikeville. Commissioner Carter made the motion to adopt. Commissioner Davis seconded the motion. Mayor Justice called for comments. City Manager added the event this year was the Third annual event. Mayor Justice called for further comments, there being none the commission adopted the proclamation unanimously. 5-0**
  - 2. Consider a request to extend a conditional job offer to Lesia Smith and Amber Wagner for the position of 911 Dispatcher contingent upon them passing all required pre employment testing for the position. Starting rate per pay chart. Commissioner Chaney made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for comments, there being none the motion passed unanimously. 5-0**
  - 3. Consider request to apply for the FEMA Fire Station Construction Grant in the amount of \$4,753,700.00. Coal Severance match of \$250,000.00. No City match required. Commissioner Chaney made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for discussion, there being none the motion passed unanimously. 5-0**
  - 4. Consider a request to submit a consideration of Local Approval for on behalf of the Homeless Shelter for their application for Appalachian Relief and Defense Funds of KY. Commissioner Chaney made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for further discussion, there being none the motion passed unanimously. 5-0**
  - 5. Consider request to award the bid on purchase of 4 police vehicles to the Walters Ford contingent upon Walters Ford meeting state contract bid or lower. State Contract Price is: \$97,020.00. A 2008-2009 Coal Severance Line Item. Request to authorize the City Manager to sign all necessary paperwork to complete sale and transfer of the vehicles. Commissioner Chaney made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for further comments. Commissioners Carter and Davis abstained. Mayor called for further comments, there being none the motion passed. 3-0**
  - 6. Consider request to authorize and have the Mayor execute by signing the Commissioner’s Deeds for the Thompson Road Widening Project for City of Pikeville vs. Charles Vanhose and City of Pikeville vs. Pikeville Shopping Center and to approve the appraisers value to be listed on deeds. Commissioner Carter made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for comments, there being none the motion passed unanimously. 5-0**

7. Consider request to amendments to personal policy 3.2 as submitted. Commissioner Layne made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for comments, there being none the motion passed unanimously. 5-0
8. Consider request to submit bid for a remote mower. 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
9. Consider request for closed session for discussion of personnel, legal and economic development issues. Commissioner Carter made the motion to adjourn. Commissioner Chaney seconded the motion to adjourn. Mayor called for adjournment. 5-0
10. Commissioner Chaney made the motion to re convene. Commissioner Carter seconded the motion. Mayor Justice called for discussion, there being none the motion passed unanimously. 5-0 Mayor called the session into order.
11. City Manager requested approval to post for Events/Environmental Coordinator position and a General Labor position for the administration department. Commissioner Chaney made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for additional comments, there being none the motion passed unanimously. 5-0

#### CONSENT ITEMS

The Chamber Event will be held on July 17, 2009 at the East Kentucky Exposition Center at 7:00 p.m.

Christmas in July & Cruise In event will be held on July 18, 2009 in downtown Pikeville.

There being no further business to come before the Commission, Commissioner Davis made the motion to adjourn the meeting. Commissioner Chaney seconded the motion. Mayor Frank Justice called for discussion, there being none the meeting was adjourned.

The next scheduled Regular Meeting of the City of Pikeville Board of Commissioners is July 27, 2009 at 6:00 p.m.

**APPROVED:**

FRANKLIN D. JUSTICE, II, MAYOR

**ATTESTED:**

REBECCA HAMILTON, CITY CLERK