

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
AUGUST 14, 2006**

The Board of Commissioners for the City of Pikeville met in regular session on Monday, August 14, 2006. The meeting was held 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 July 24, 2006 were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Layne made the motion, seconded by Commissioner Davis to approve the minutes as prepared. The motion carried unanimously.

AGENDA ITEM III. BUSINESS FROM THE FLOOR

Mayor Justice presented a certificate to William Goff in recognition of his achieving the rank of Eagle Scout. In voicing their congratulations to Mr. Goff and his parents, Barry and Karen Goff, the Commission pointed out that only 5% of Boy Scouts achieve the rank of Eagle Scout. A formal ceremony is planned for September 19, 2006 at the Presbyterian Church.

AGENDA ITEM IV. PAYMENT OF BILLS

A. CITY BILLS: A list of city bills totaling \$440,998.41 was presented to the Commission for approval of payment. Commissioner Carter made the motion to authorize payment of the invoices as requested. Commissioner Davis seconded the motion. The motion carried unanimously.

B. HIGH STREET RETAINING WALL PROJECT: Presented for approval of payment was an invoice on behalf of JBC, Inc. in the amount of \$21,181.06 for the High Street Retaining Wall Project. City Engineer Sykes recommended approval of payment and advised that 5,000 is being withheld, from the total contract amount, until the project is fully completed. Commissioner Layne made the motion to

authorize payment of \$21,181.06 to JBC, Inc. as recommended by the city engineer. Commissioner Hall seconded the motion. The motion carried unanimously.

AGENDA ITEM V.

OLD BUSINESS

A. BIG SANDY AREA DEVELOPMENT DISTRICT: Executive Director for the Big Sandy Area Development District, Sandy Runyon, advised that two bids were received for the demolition of 5 structures located on Saad Avenue. The bids were received from Corbin Mining in the amount of \$77,500. and from Toby Hall d/b/a PIMCO in the amount of \$38,500. Ms. Runyon recommended award of the bid to the low bidder, Toby Hall d/b/a PIMCO in the amount of \$38,500. Commissioner Hall made the motion, seconded by Commissioner Layne to award the bid for demolition of 5 structures on Saad Avenue to the low bidder, Toby Hall, d/b/a PIMCO in the amount of \$38,500. The motion carried unanimously.

Ms. Runyon reported that bids are being solicited for asbestos abatement for the 5 structures located on Saad Avenue. One tenant remains. It is expected the tenant will be relocated within a couple of weeks.

B. PIKEVILLE MAIN STREET PROGRAM: Serena Stiltner, Director for the Pikeville Main Street Program, advised that the sign for the Pauley Bridge is ready for installation. A dedication ceremony to celebrate the re-opening of the Pauley Bridge is scheduled for August 28, 2006 at 7:00 p.m. on site.

Ms. Stiltner reported that she is working with the Pike County Artisan Center to provide an arts and craft fair on the first Friday of each month.

The Jenny Wiley Theatre Group has enlisted Main Street's assistance in locating a venue for a Christmas show in the downtown area during the month of December.

At 6:25 p.m. Commissioner Hall made the motion to adjourn to closed session for the purpose of discussing economic development, legal and personnel matters. Commissioner Davis seconded the motion. The motion carried unanimously.

At 8:44 p.m. Mayor Justice made the motion to reconvene to regular session. Commissioner Layne seconded the motion. The motion carried unanimously.

C. CITY ENGINEER'S REPORTS: Jack Sykes was present on behalf of Summit Engineering, Inc., city engineers and gave a brief report regarding the Thompson Road Project. Mr. Sykes advised the Commission that the design for Phase I is complete and requested a work session to review. Mr. Sykes asked the Commission's consideration in approval of an addendum to Summit Engineering's contract to provide cost estimates for Phases 3 and 4. The addendum adds \$32,300 to the contract amount. Commissioner Layne made the motion, seconded by Commissioner Davis to approve the addendum to Summit Engineering's contract in the amount of \$32,300. The motion carried unanimously.

D. CITY ATTORNEY'S REPORTS: Russell H. Davis, Jr., city attorney, presented the following items for the Commission's consideration:

1. ANNEXATION: Presented and given first reading was an ordinance entitled as follows:

ORDINANCE REPEALING ORDINANCE NO. O-006-004, 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 was scheduled for the August 28, 2006 regular meeting

2. STREET NAME: Presented for first reading was an ordinance captioned as follows:

ORDINANCE NAMING UNNAMED STREET WITHIN THE CITY OF PIKEVILLE TO "LOTHLORIEN LANE"

City Attorney Davis advised that the street is located at the top of Town Mountain Road and is adjacent to the water storage tank.

Second reading was scheduled for the August 28, 2006 regular meeting.

3. CITY HALL EASEMENT: The city attorney presented a request from the Kentucky Heritage Council for approval of an assignment from them to the Kentucky Transportation Cabinet for the Pikeville Academy Building. Due to restructuring, the Commission was informed that Kentucky Heritage Council would no longer serve as the easement holder. The Commission delayed approval pending further discussion.

4. PROPERTY ACQUISITION: City Attorney Davis explained that the Commission discussed, during closed session, the acquisition of the property, located behind the Department of Transportation building (Lorraine Street), for the purpose of promoting economic development. A Resolution was presented for approval as follows:

RESOLUTION ON AGREEMENT TO PURCHASE PROPERTY OWNED BY KENTUCKY TRANSPORTATION CABINET FOR PURPOSE OF RESALE FOR ECONOMIC DEVELOPMENT

WHEREAS, Kentucky Transportation Cabinet currently owns 1.65 acres of property located behind the District 12 State Transportation office on Lorraine Street in Pikeville, KY.

WHEREAS, the Kentucky Transportation Cabinet agrees to SELL the City of Pikeville the mentioned property and the City would agree to accept the property described, at Fair Market Value (FMV) for the purpose of resale for economic development. The City Commission would market the property and sell to the business that they feel would bring the best return to the area.

NOW, THEREFORE, BE IT RESOLVED that the Pikeville City Commission authorizes Mayor Frank Justice to sign and execute an agreement and deed of conveyance to accept the described property from the Kentucky Transportation Cabinet for the FMV price.

Commissioner Carter made the motion to adopt the foregoing resolution. Commissioner Layne seconded the motion. The motion carried unanimously.

The City Manager recommended approval of a sales agreement with Citizens National Bank for the purchase of the property behind the Department of Transportation building for Fair Market Value, up to \$500,000. The property will be sold to Citizens National Bank “As Is, Where Is” on the same day as acquired by the City of Pikeville, so as to insure the City will have no encumbrance. Commissioner Hall made the motion to approve the sales agreement as recommended by the city manager, contingent upon review and approval of the sales agreement by the city attorney and city manager, and further moved to authorize the Mayor to execute the necessary documents. Commissioner Carter seconded the motion. The motion carried unanimously. City Manager Blackburn reported that Citizens National Bank will be constructing a 15,000 sq. ft. office building to be completed by December, 2007.

E. CITY MANAGER’S REPORTS: Donovan Blackburn, city manager, presented the following items for approval:

1. BOB AMOS PARK SIDEWALK BIDS: Tabled until the next meeting.

2. THOMPSON ROAD WIDENING PROJECT: Presented to the Commission was a Memorandum of Agreement with the Transportation Cabinet for reimbursement of expenses, up to \$4,450,000, to widen and improve Thompson Road. A Resolution authorizing approval and execution of the Memorandum of Agreement was presented as follows:

RESOLUTION TO ACCEPT AGREEMENT BETWEEN COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET, DEPARTMENT OF HIGHWAYS AND THE CITY OF PIKEVILLE FOR ITEM NO: 12-143.00 – THOMPSON ROAD IMPROVEMENTS

WHEREAS, the city desires to widen and improve Thompson Road (CS1192), which shall hereinafter be referred to as the "Project"; and

WHEREAS, the City will be the lead in this Project and has asked the Department to authorize state funding for all phases of this Project; and

WHEREAS, the Commonwealth of Kentucky, Transportation Cabinet, Department of Highways, agrees this is a worthwhile Project and is willing to reimburse the City of Pikeville up to \$4,450,000 in FD04 state reimbursement funding for all phases of this Project; and

WHEREAS, any cost in excess of the reimbursement funding (\$4,450,000) for all phases of this Project, the City of Pikeville agrees to be their responsibility.

NOW, THEREFORE, BE IT RESOLVED, the Pikeville City Commission authorizes Mayor Frank Justice to sign and execute the attached agreement between the Commonwealth of Kentucky Transportation Cabinet, Department of Highways and the City of Pikeville, Kentucky. The agreement is listed as Item No. 12-143.00 for the funds to pay for the improvement project for Thompson Road (CS1192) located in the City of Pikeville, Pike County, Kentucky.

Commissioner Carter made the motion to adopt the resolution. Commissioner Davis seconded the motion. The motion carried unanimously.

3. FIRE DEPARTMENT GRANT: Presented to the Commission for approval was a grant agreement with the Environmental Public Protection Cabinet in the amount of \$4,770.00 for the purchase of fire department clothing. City Manager Blackburn recommended approval of the grant agreement and requested the city attorney be authorized to execute the grant agreement. Commissioner Davis made the motion to approve the grant agreement with the Environmental Public Protection Cabinet and authorized the city attorney to execute the agreement. Commissioner Layne seconded the motion. The motion carried unanimously.

4. EMPLOYMENT: City Manager Blackburn recommended the employment of Hank Williamson for the pond position and Janice Newsome for the custodian position, contingent upon passing all employment testing. Commissioner Layne made the motion, seconded by Commissioner Carter to approve the employment of Hank Williamson and Janice Newsome contingent upon their passing all employment testing. The motion carried unanimously.

5. FIRE DEPARTMENT PERSONNEL: Commissioner Davis made the motion to reclassify Fire Fighter/EMT, Tracy Daniels, from a part-time employee to a full-time employee. Commissioner Layne seconded the motion. The motion carried unanimously.

6. VACANT PROPERTY REVIEW COMMISSION: City Manager Blackburn advised that terms of office have expired for three members of the Vacant Property Review Commission. He recommended the reappointment of Teresa Combs, Layne Tackett, and Ed Smith for two year terms. It was also recommended that Bill Blackburn be named as the Chairman of the Vacant Property Review Commission. Mayor Justice made the motion, seconded by Commissioner Carter to reappoint Teresa Combs, Layne Tackett, and Ed Smith to the Vacant Property Review Commission and to appoint Bill Blackburn to serve as Chairman of the Vacant Property Review Commission. The motion carried unanimously.

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

The next regular meeting of the Pikeville City Commission is scheduled for August 28, 2006 at 6:00 p.m. in the City Hall Public Meeting Room.

APPROVED: _____
FRANKLIN D. JUSTICE, II, MAYOR

ATTEST:

KAREN W. HARRIS, CITY CLERK