

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
SEPTEMBER 11, 2006**

The Board of Commissioners for the City of Pikeville met in regular session on Monday, September 11, 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 August 28, 2006 were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Davis made the motion, seconded by Commissioner Hall to approve the minutes as prepared. The motion carried unanimously.

AGENDA ITEM III. BUSINESS FROM THE FLOOR

A. ANIMAL SHELTER: Mayor Justice advised that he had been contacted by Pike County Animal Shelter personnel requesting permission to erect a fence around the facility. It was reported that individuals had been throwing rocks at the animals while they were in the exercise areas. Commissioner Layne made the motion to allow the Pike County Animal Shelter to erect a fence around the animal shelter facility for the protection of the animals. Commissioner Carter seconded the motion. The motion carried unanimously.

B. WALTER'S ROAD BRIDGE: Resident of 280 Walters Road, Carl Baker, appeared before the Commission to request assistance in setting a timber for an existing bridge. Mr. Baker explained that he is an assistant troop leader for the Boy Scouts. He allows the scouts to fish at a pond on his property. The city manager advised that he and John Cole, projects manager, would visit the site and determine the location of the city's easement. Mr. Baker advised that he would be willing to convey an easement to the city for their assistance in the repair of the bridge.

AGENDA ITEM IV. PAYMENT OF BILLS

A. CITY BILLS: A list of City Bills totaling \$408,582.15 was presented to the Commission for approval of payment. Mayor Justice delayed consideration of the matter until the end of the meeting.

AGENDA ITEM V.

OLD BUSINESS

A. BIG SANDY AREA DEVELOPMENT DISTRICT: Big Sandy Area Development District Executive Director, Sandy Runyon, reported that the Pikeville Redevelopment Project is nearing completion. Ms. Runyon advised that asbestos abatement began on this date for three of the five structures located on Saad Avenue. It is expected that demolition will begin the first of October.

B. PIKEVILLE MAIN STREET PROGRAM: The City Commission commended Pikeville Main Street Program Director, Serena Stiltner, for her work in planning and executing the Pauley Bridge Dedication Ceremony.

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

1. **Parking Lot:** Mr. Anderson gave the Commission a cost estimate of \$8,000 for creating an additional ten parking spaces on the tract located at Scott/Main Street (purchased from Highland Theater). Total number of parking spaces to be created is 80 at a projected cost of between \$70,000 and \$100,000. Mayor Justice advised that Prater Creek Mining had volunteered to transport the fill material excavated from the tract to the WLSI site and crown the field.

2. **Thompson Road Widening Project:** Appraisals are now being conducted for the rights-of-way necessary for this project. When the appraisals have been completed, the engineer will meet with the property owners.

3. **Bob Amos Park Improvement Project:** Mr. Anderson presented a cost estimate of \$5,000 for a bore in the center of the ridge to determine the depth of the coal. The bore will extend about 120 feet.

D. CITY ATTORNEY'S REPORTS: Russell H. Davis, Jr., city attorney, presented the following ordinance, captioned as follows, for second reading:

ORDINANCE FINALLY ANNEXING TO THE CITY OF PIKEVILLE UNINCORPORATED TERRITORY LYING ADJACENT TO THE PRESENT CITY CORPORATE LIMITS AND COMPRISING OF APPROXIMATELY 713.59 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

Commissioner Layne made the motion to adopt the ordinance as presented. Mayor Justice seconded the motion. The motion carried by the following votes:

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

E. CITY MANAGER’S REPORTS: Donovan Blackburn, City Manager, presented the following matters for the Commission’s consideration:

1. Pikeville Medical Center: Presented for approval was a Memorandum of Understanding between the City of Pikeville and Pikeville Medical Center concerning the drug discount program established under Section 340B of the Public Health Services Act. City Attorney Davis explained the hospital has committed to provide indigent care on an average of \$1 million per year. Through the agreement, Pikeville Medical Center can offer medical care to the indigent, underinsured or uninsured at a lower cost through their ability to obtain discounted pharmaceuticals. The city attorney advised that the city is not obligated in any way through acceptance and approval of the Memorandum of Understanding. Commissioner Carter made the motion to approve the Memorandum of Understanding and authorized the Mayor to execute said memorandum. Commissioner Layne seconded the motion. The motion carried unanimously.

2. Fire Truck Purchase: City Manager Blackburn reported that three bids were submitted for the acquisition of a new, red fire truck, which will replace the 1984 GMC. The low bid was submitted by Wynn Fire and Rescue Equipment in the amount of \$125,000. City Manager Blackburn recommended award of the bid to the low bidder. Commissioner Layne made the motion, seconded by Commissioner Davis to award the bid for the purchase of a new fire truck (2006) to Wynn Fire and Rescue Equipment in the amount of \$125,000. The motion carried unanimously.

3. Surplus Property: City Manager Blackburn recommended the sale of the 1984 GMC Fire Truck to Millard East Shelbiana Volunteer Fire Department in the amount of \$12,000. It was reported that the bid was the only bid submitted. Commissioner Davis made the motion, seconded by Commissioner Hall to award the bid for the sale of the 1984 GMC Fire Truck to Millard East Shelbiana Volunteer Fire Department for the amount of \$12,000. The motion carried unanimously.

4. Closed Session: Commissioner Carter made the motion, seconded by Commissioner Layne to adjourn to closed session for the purpose of discussing an economic development, legal, and personnel issue. The motion carried unanimously.

Commissioner Davis made the motion, seconded by Commissioner Carter to reconvene to regular session. The motion carried unanimously.

5. **Assignment, Release and Settlement Agreement:** Commissioner Hall made the motion to approve the assignment of the Veolia Water Contract to Utility Management Group (UMG), effective September 23, 2006, and authorized the mayor to execute any necessary documentation to effectuate the assignment of the agreement. Commissioner Layne seconded the motion. The motion carried unanimously.

6. **Employee Payroll:** Commissioner Carter made the motion to amend the personnel policy to require all employees to participate in the direct deposit program, unless the city manager agrees to waive the requirement. Commissioner Davis seconded the motion. The motion carried unanimously.

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 regular meeting of the City of Pikeville Board of Commissioners is scheduled for September 25, 2006 at 6:00 p.m.

APPROVED: _____
FRANKLIN D. JUSTICE, II, MAYOR

ATTESTED:

KAREN W. HARRIS, CITY CLERK

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