

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
June 11, 2012 AT 6:00 P.M.**

The Board of Commissioners for the City of Pikeville met in a regular called session on Monday, June 11, 2012. The meeting was held in the City Hall Conference Meeting Room located at 118 College Street, Pikeville, Kentucky.

There being a quorum present, Mayor Frank 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 commission meeting held on May 14, 2012 and the special meeting held on May 25, 2012 were in each Commission Member's agenda package. There being no additions or corrections, Commissioner Davis 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. 5-0.

BUSINESS FROM THE FLOOR

Consider the adoption of a Proclamation honoring the 2012 Pikeville Junior High Baseball Team. Commissioner Layne made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for comments. Commissioner Davis talks about Babe Ruth and how great he was; baseball is a great sport. I have always felt that every student should be aloud to play what they want to play. Coaches should encourage kids to play sports rather than discourage. Mayor says this is a group of young men that play several different sports. Their parents are supportive, you'll never see any trouble out of this group of boys. It is an honor for us to honor these young men. Coach says thanks for recognizing us, we are blessed and honored to be here. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.

Consider discussion by Martha Ridenour. Introduces herself and tells that her grandfather was Perry Cline. She says that her family is upset with the movie that is playing of the Hatfield, McCoy Feud. She goes on to tell some of the history of her family. Then, Ms. Ridenour says the reason she is present before the commission is to discuss the Old Tommy Mars Cemetery, which is across from her family cemetery. She says it looks like a jungle. She says since the showing of the movie there are tourist coming in looking at the cemetery and she would like for the cemetery to look better. City Manager asked Ms. Ridenour if she had been up there since Friday. Ms. Ridenour responded oh have you gotten it cleaned up. Mr. Blackburn says that just for your information, the city is under an agreement with Westcare, and Westcare in cooperation with Tourism will keep it cleaned for the rest of the season. Mr. Blackburn thanked Ms. Ridenour for bringing this to the City's attention because we were not aware it was there. Mayor Justice inquires about Ms. Ridenour's family history and how she was related to Perry Cline. Ms. Ridenour shares her ancestry and much more.

Jim Wright was present to talk about the Veterans Hospital Resolution that he submitted last meeting. City Manager Blackburn directed the Commission to Agenda Item #9 under City Manager's Report. Consider a request to authorize and approve a resolution for the support for a new Veterans Hospital Facility within the fifth congressional district 29 county area and authorize the mayor to sign and execute said resolution on behalf of the City of Pikeville. Commissioner Layne made a motion to approve. Commissioner Carter seconded the motion. Mayor called for comments. Mayor asked City Manager to let Mr. Wright in on the stance that our hospital took. City Manager Blackburn says at the request of the Mayor, he has spoken to Walter May, and on his behalf, he says the Mayor has his permission to reach out a hand in saying that if a venue of this come in, PMC will be willing to help accommodate a facility such as this and fully support veterans affairs. He feels it will be great for the community. Mr. Wright says that any veteran that needs help with their bills; they meet at Hardee's every morning from 9am til 11am. Just bring the bill into them. The Veteran's Group and Mr. Wright are also looking for a Moore family, that 60 year ago lost contact. Mayor called for further questions or comments, there being none, the motion passed unanimously. 5-0.

Consider an announcement of the cities River Trails named as a Blue Water Trail. City Manager recognized Sean Cochran as the Director of City Events and said we were contacted through email that the City of Pikeville has been selected as a Blue Water Trail for the state of Kentucky. Next Monday or Tuesday they will be here to do a story and we will be featured as a Blue Water Trail. Mayor congratulates them and says that it is a program that we have worked hard on and we appreciate everything you put into it.

PAYMENT OF CITY BILLS

The City Manager Donovan Blackburn requested the approval to pay city bills in the amount of \$887,954.00. Commissioner Davis made the motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for further discussion, there being none, motion passed unanimously. 5-0.

CITY ENGINEER

Jody Hunt was present with Summit Engineering, Inc. and submitted several requests to the commission for approval.

- 1. Consider a request to approve invoice #9 and authorize payment to the Big Sandy ADD in the amount of \$7,500 for the Marion Branch Sewer Project, project administration cost. 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.**
- 2. Consider a request to authorize invoice #62969 and authorize payment to Summit Engineering, Inc. in the amount of \$7,000 for the Foxcroft Sewer Project, project administration cost. Commissioner Layne made the motion to approve. Commissioner Carter seconded. Mayor Justice called for comments there being none the motion passed unanimously. 5-0.**

CITY ATTORNEY

Russell Davis was present and had several items to read into record.

- 1. Consider a 1st reading of an ordinance #0-2012-016 amending Chapter 152 Flood Damage Prevention adding section 152.10 prohibited Activities. No further action is required at this time. The second reading will take place at the next regular scheduled meeting.**
- 2. Consider a 2nd reading and adoption of ordinance #0-2012-012 amending Chapter 150 Electrical Permits; Contractors amending section 150.31 Standards for electrical wiring and authorize the mayor to sign and execute said ordinance. Commissioner Carter made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for comments, there being none, Mayor called roll call. The motion passed unanimously. 5-0.**

**AN ORDINANCE RELATED TO THE AMENDMENT
OF §150.31 OF CHAPTER 150 OF THE BUILDING REGULATIONS
ORDINANCE AMENDING REQUIREMENTS OF AN ELECTRICAL**

PERMIT AND PROVIDING FEES THEREFORE

Ordinance #0-2012-012

NOW, THEREFORE, BE IT ORDAINED THAT Chapter 150 "Building Regulations" is amended to read as follows:

ELECTRICAL PERMITS; CONTRACTORS**§ 150.31 STANDARDS FOR ELECTRICAL WIRING.**

(A) Reasonable standards for the construction, alteration, and repair of any electrical wiring shall be those adopted in the Kentucky Building Code, and shall have as a minimum standard the requirements of the National Electrical Code, which is a part of the Kentucky Building Code. The Electrical Inspector in making his or her inspections shall use these standards. The Electrical Inspector shall be Kentucky State certified each year as required.

(B) The City of Pikeville, since adopting the Kentucky Building Code, requires any person to obtain written permits before commencing construction, alterations or repairs of any electrical wiring, and requires such inspection, as it deems necessary for the safety of life and property.

(C) The cost of electrical permits for residential shall be:

(1) Twenty-five dollars (\$25.00) for electrical permit.

(2) For homes valued up to \$250,000 the inspection cost shall be one hundred fifty dollars (\$150.00) for inspections (covers ~~three (3)~~ two (2) inspections), ~~rough, mid-project, completion~~.

(3) For homes valued \$250,000 or great the inspection cost shall be three hundred dollars (\$300.00) for inspections (covers four (4) inspections).

(D) The cost of electrical permits for commercial shall be:

(1) One hundred dollars (\$100.00) for electrical permit.

(3) Commercial inspection fee shall be 1.5% of total electrical cost or \$150 minimum whichever is greater.

(Ord. 0-84-005, passed 5-14-84; Am. Ord. 04-0-12, passed 8-9-04)

§ 150.32 EXAMINATION AND LICENSE FOR ELECTRICAL CONTRACTOR AND ELECTRICIANS.

(A) The city shall require all electrical contractors and electricians, except those who have had ~~at~~ least five (5) years of experience as an electrician or electrical contractor, to be examined by an Examining Board before being issued a license to engage in their occupation. The city shall require all nonresident electrical contractors and electricians to conform to reasonable standards prior to engaging in their occupation within the jurisdiction of the city.

(B) Electricians and electrical contractors shall have sixty (60) days from the date of enactment of this section to apply for an electrical license. Persons applying for a license shall furnish proof of five (5) years experience in the electrical field. Proof considered as valid shall be: letters on company letterheads stating employment and job responsibility, signed by a company official; vocational school time shall count as experience; contract documents and other proof shall be considered. Upon furnishing such proof, the contractor shall be issued a license by the city.

(C) Upon the expiration of the sixty (60) day grace period, all persons applying for a license shall be examined, except as set forth in divisions (A) and (B) above.

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(D) Examining Board.

(1) The Examining Board shall be composed of seven members appointed by the city, where the provisions of KRS 227.450 to 227.500 are accomplished. The Board members shall consist of two (2) Fire Department officials, two (2) consulting electrical engineers or architects, two (2) electrical contractors, and one utility company official. No appointee shall serve more than two (2) consecutive years.

(2) The members of the Examining Board shall serve without salary.

(3) In order to administer KRS 227.450 through 227.500, the Examining Board shall issue and revoke licenses; conduct and make regulations for conducting examinations of applicants; govern the method and time of making application for examination and the time within which the applicants shall be examined after application has been filed. The examination shall be made within one (1) month after application has been filed.

(E) Electrical contractors and electricians may be required to pay a reasonable fee before issuance of a license to them.

(Ord. 0-84-005, passed 5-14-84) Penalty, see § 150.99

The ordinance shall be in full force and effect after it is passed and published as required by law. The above ordinance was given a first reading this ___ day of _____, 2012. A second reading was given this ___ day of _____, 2012.

Passed this _____ day of _____, 2012.

Commissioner _____ moved for the adoption of the forgoing ordinance.

Commissioner _____ seconded the motion.

Upon roll call, the votes were as follows:

	Yes	No
FRANK JUSTICE, MAYOR	___	___
GENE DAVIS, COMMISSIONER	___	___
DALLAS LAYNE, COMMISSIONER	___	___
JIMMY CARTER, COMMISSIONER	___	___
BARRY CHANEY, COMMISSIONER	___	___

The Mayor declared the within ordinance adopted.

FRANKLIN D. JUSTICE, II MAYOR

ATTEST:

CHRISTY BILLITER, CITY CLERK

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- 3. **Consider a 2nd reading and adoption of ordinance #0-2012-009 amending Chapter 98 Alarm Systems, deleting residential alarm users and various other organizations from false alarm enforcement and authorize the mayor to sign and execute said ordinance. Commissioner Chaney made the motion to approve. Commissioner Davis seconded the motion. Mayor called for comments, there being none, Mayor called roll call. The motion passed unanimously. 5-0.**

**AN ORDINANCE AMENDING CHAPTERS
98 OF THE ALARM SYSTEM EXEMPTING
CERTAIN ORGANIZATIONS & RESIDENTS FROM
BEING FINED FOR FALSE ALARMS**

ORDINANCE NO. #0-2012-009

NOW, THEREFORE, BE IT ORDAINED THAT Chapter 98 "Alarm Systems" is amended to read as follows:

CHAPTER 98: ALARM SYSTEMS

Section

98.01 Alarm systems to be properly installed and maintained

98.02 Notice of faulty or improperly maintained system

98.03 Fine for false alarm after notice; right of appeal

98.04 Unpaid fines a lien on premises

§ 98.01 ALARM SYSTEMS TO BE PROPERLY INSTALLED AND MAINTAINED.

All persons, ~~individuals~~, businesses, including governmental agencies having police and/or fire alarm systems shall properly install and maintain said alarm systems so to prevent the occurrence of false alarms due to either equipment failure or failure to properly maintain the alarm system.

(Ord. 0-89-011, passed 8-28-89)

§ 98.02 NOTICE OF FAULTY OR IMPROPERLY MAINTAINED SYSTEM.

The Fire Chief in the case of fire alarm systems and the Police Chief in the case of police alarm systems shall notify by mail any ~~person or~~ business maintaining a police and/or fire alarm system that is faulty or improperly maintained and said ~~individual or~~ business so notified shall within fifteen (15) days correct any impropriety or failure in the system and notify the Fire Chief or Police Chief as the case may be of a completion of the repairs within fifteen (15) days. The Fire Chief or Police Chief may, at their discretion, extend the time in which to make necessary repairs upon showing of reasonable necessity for an extension. The Fire and Police Chief shall keep a record of all persons so notified pursuant to this section.

(Ord. 0-89-011, passed 8-28-89)

§ 98.03 FINE FOR FALSE ALARM AFTER NOTICE; RIGHT OF APPEAL.

(A) (1) Any business or commercial business alarm user whose alarm system generates false alarm dispatches in a one (1) year period from the date of the first notice letter sent regarding a false alarm dispatch shall be assessed a civil penalty as determined by the following schedule:

(2) Any business or commercial business alarm user whose alarm system dispatches a call and the responder to the alarm fails to respond within thirty (30) minutes will be considered a false alarm and the party will be assessed an additional fifty dollar (\$50.00) fine on top of the assessed civil penalties as outlined below. This fee will apply for each occurrence.

<i>Number of False Alarm Dispatches</i>	Civil Penalty if Appealed to Pikeville City Commission	Civil Penalty (10% discount if paid within seven days)
1 - 2	Notice letter	Notice letter
3 - 7	\$100 each	\$90 each
8 - 12	\$200 each	\$180 each
Over 12	\$300 each	\$270 each

(3) Any person business assessed a civil penalty may pay the civil penalty within seven (7) days from the date of issuance and receive a ten percent (10%) discount or request a hearing, in writing, regarding such penalty to the City Clerk. If the person fails to respond to the citation within seven (7) days as referenced above, the person business owner or operator shall be deemed to have waived the right to a hearing. In this event, the police or fire chief shall enter a final order determining that the violation was committed and impose the civil penalty. This section shall apply to all false alarm dispatched except for those that are in response to a hold-up alarm.

(4) Exceptions: This section shall exclude non-profit intuitions that are mandated to have alarm systems for the purpose of public safety to include daycares, nursing homes, schools, and hospitals. These facilities shall not be subject to violations nor penalties resulting from false alarms nor any home or building occupied as a residence.

(B) (1) Any hold-up alarm user whose hold-up alarm generates more than one (1) unintentional false alarm dispatch within a one (1) year period, shall be assessed a civil penalty as determined by the following schedule:

<i>Number of False Hold-Ups</i>	Civil Penalty if Appealed to Code Enforcement Board	Civil Penalty (10% discount if paid within seven days)
1	Notice letter	Notice letter
2 - 4	\$250 each	\$225 each
5 - 9	\$500 each	\$450 each

10 and above

\$1,000 each

\$900 each

(2) Any person business assessed a civil penalty may pay the civil penalty within seven (7) days from the date of issuance and receive a ten percent (10%) discount or request a hearing, in writing, regarding such penalty to the City Clerk. If the person fails to respond to the citation within seven (7) days as referenced above, the person business owner or operator shall be deemed to have waived the right to a hearing. In this event, the Police Chief shall enter a final order determining that the violation was committed and impose the civil penalty.

(C) If an business or commercial business alarm user is assessed a civil penalty hereunder and the alarm user does not have the current alarm user registration (key holder) information on file with the alarm company or city police, then the Hearing Officer shall double the civil penalty as set out herein.

(Ord. 0-89-011, passed 8-28-89; Am. Ord. 0-2009-04, passed 2-9-09)

§ 98.04 UNPAID FINES A LIEN ON PREMISES.

All fines assessed pursuant to § 98.03 remaining unpaid after thirty (30) days shall become a lien upon the premise where the false fire alarm occurred upon the filing of a notice of lien by the city in the Pike County Court Clerk's Office.

(Ord. 0-89-011, passed 8-28-89)

The ordinance shall be in full force and effect after it is passed and published as required by law. The above ordinance was given a first reading this ___ day of _____, 2012. A second reading was given this ___ day of _____, 2012.

Passed this _____ day of _____, 2012.

Commissioner _____ moved for the adoption of the forgoing ordinance.

Commissioner _____ seconded the motion.

Upon roll call, the votes were as follows:

	Yes	No
FRANK JUSTICE, MAYOR	___	___
GENE DAVIS, COMMISSIONER	___	___
DALLAS LAYNE, COMMISSIONER	___	___
JIMMY CARTER, COMMISSIONER	___	___
BARRY CHANEY, COMMISSIONER	___	___

The Mayor declared the within ordinance adopted.

FRANKLIN D. JUSTICE, II MAYOR

ATTEST:

CHRISTY BILLITER, CITY CLERK

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- 4. Consider a 2nd reading and adoption of ordinance #0-2012-014 Amending Chapter 34 Personnel and Employment Policies amending sections 34.01 & 34.15 and authorize the mayor to sign and execute said ordinance. Commissioner Carter made a motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for comments, there being none, Mayor called roll call. The motion passed unanimously. 5-0.

ORDINANCE AMENDING CHAPTER 34 "PERSONNEL AND EMPLOYMENT POLICIES"

ORDINANCE NO. 0-2012-14

BE IT ORDAINED BY THE CITY OF PIKEVILLE AS FOLLOWS:

Chapter 34 "Personnel and Employment Policies" is amended as follows: Is this applicable to CHAPTER 34: PERSONNEL AND EMPLOYMENT POLICIES

GENERAL PROVISIONS

§ 34.01 PIKEVILLE PERSONNEL GUIDELINES MANUAL ADOPTED.

The City Personnel Guidelines Manual dated, April 23, 2012, also adopted by resolution on April 23, 2012 attached to Ord. No. 0-2005-019 is hereby adopted as the Personnel and Policy Manual for the City of Pikeville. Said manual shall supersede any and all previous versions. Copies are available for public inspection during normal business hours at the office of the City Clerk. Any amendments to said policy manual must be dated, made via motion and a majority vote by city commission.

(Ord. 0-2005-019, passed 9-12-05)

BENEFITS

§ 34.15 POLICY

The City Personnel Guidelines Manual dated April 23, 2012, also adopted by resolution on April 23, 2012 attached to Ord. No. 0-2005-019 is hereby adopted as the Personnel and Policy Manual for the City of Pikeville. Said manual shall supersede any and all previous versions. Said manual will contain the complete benefits package for all personnel employed directly by the City of Pikeville. Copies are available for public inspection at the office of the City Clerk. Any amendments to said policy manual must be dated made via motion and a majority vote by city commission.

The above ordinance was given first reading this ___ day of _____, 2012.

The ordinance was given a second reading on the ___ day of _____, 2012.

Passed this ___ day of _____, 2012.

Commissioner _____ moved for the adoption of the foregoing ordinance.

Commissioner _____ seconded the motion.

Upon roll call, the votes were as follows:

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	<u>YES</u>	<u>NO</u>
FRANK JUSTICE, II MAYOR	_____	_____
GENE DAVIS, COMMISSIONER	_____	_____
JIMMY CARTER, COMMISSIONER	_____	_____
DALLAS LAYNE, COMMISSIONER	_____	_____
BARRYCHANEY, COMMISSIONER	_____	_____

The Mayor declared the within ordinance adopted.

FRANK JUSTICE, II, MAYOR

ATTESTED:

CHRISTY BILLITER, CITY CLERK

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- 5. **Consider a 2nd reading and adoption of ordinance #0-2012-013 relating to the amendment of the 2011-2012 City Operating Budget and authorize the mayor to sign and execute said ordinance. Commissioner Layne made a motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for comments, there being none, Mayor called roll call. Motion passed unanimously. 5-0.**

**ORDINANCE AMENDING THE FISCAL BUDGET
FOR THE 2011-2012 FISCAL YEAR**

ORDINANCE NO. 0-2012-013

WHEREAS, certain additional information has come to the attention of the Finance Department which necessitates the amendment of the 2011-2012 fiscal year budget to reflect certain increases and decreases to revenues and expenditures.

NOW, THEREFORE be it ordained by the City of Pikeville that the fiscal budget for the 2011-2012 fiscal year is hereby amended to reflect an increase and or decrease of revenues and /or expenditures as reflected in the attached exhibit entitled "Budget Amendments".

The above ordinance was give first reading on May 25th, 2012.

The ordinance was given second reading on _____. The ordinance shall be in full force and effect immediately after it is passed and published as required by law.

Passed, this ____ day of _____, 2012.

Commissioner _____ moved the adoption of the foregoing ordinance. Commissioner _____ seconded the motion.

Upon roll call, the votes were as follows:

	<u>YES</u>	<u>NO</u>
FRANKLIN D. JUSTICE, II MAYOR	_____	_____
JAMES A. CARTER, COMMISSIONER	_____	_____
EUGENE W. DAVIS, COMMISSIONER	_____	_____
DALLAS LAYNE, COMMISSIONER	_____	_____

BARRY N. CHANEY, COMMISSIONER

The Mayor declared the within Ordinance adopted.

FRANKLIN D. JUSTICE, II, MAYOR

ATTEST:

CHRISTY BILLITER, CITY CLERK

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- 6. Consider a 1st reading of ordinance #0-2012-017 adopting the 2012 supplement to the City of Pikeville. No further action is required at this time. The second reading will take place at the next regular scheduled meeting.
- 7. Consider a 2nd reading and adoption of ordinance #0-2012-015 adopting the Fiscal 2012-2013 City of Pikeville Operating Budget and authorize the mayor to sign and execute said ordinance. Commissioner Chaney made a motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for comments. City Manager says that he would like to thank Tonya Taylor for a job well done. This is her second year working on the budget and she has done a phenomenal job. Mayor called for further comments, there being none, Mayor called roll call. Motion passed unanimously. 5-0.

AN ORDINANCE ADOPTING THE CITY OF PIKEVILLE, KENTUCKY
 ANNUAL BUDGET FOR THE FISCAL YEAR JULY 1, 2012 THROUGH JUNE 30, 2013,
 BY ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS
 FOR THE OPERATION OF CITY GOVERNMENT

ORDINANCE NO. 0-2012-015

WHEREAS, an annual budget proposal and message has been prepared and delivered to the City Commission; and

WHEREAS, the City Commission has reviewed such budget proposal and made necessary modifications.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE CITY OF PIKEVILLE,

SECTION I: That the annual budget for the fiscal year beginning July 1, 2012 and ending June 30, 2013 is hereby adopted per Exhibit "A" attached.

SECTION II: That this ordinance shall be in effect on July 1, 2012.

The above ordinance was given first reading this 25th day of May, 2012. At Pikeville, Kentucky, this ordinance was given a second reading on the ___ day of _____, 2012.

Passed this ___ day of _____, 2012.

Commissioner _____ moved the adoption of the foregoing Ordinance.

Commissioner _____ seconded the motion.

Upon call of the roll, the votes were as follows;

	YES	NO
FRANKLIN D. JUSTICE, II MAYOR	___	___
JAMES A. CARTER, COMMISSIONER	___	___
EUGENE W. DAVIS, COMMISSIONER	___	___
DALLAS LAYNE, COMMISSIONER	___	___
BARRY CHANEY, COMMISSIONER	___	___

The Mayor declared the within Ordinance adopted.

FRANKLIN D. JUSTICE, II, MAYOR

ATTEST:

CHRISTY BILLITER, CITY CLERK

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CITY MANAGER

City Manager Donovan Blackburn presented the commission with the following items for approval:

- 1. Consider request to authorize the city to advertise for bid a Booster Pump Station Upgrade. Commissioner Chaney made the motion to adopt. Commissioner Davis seconded the motion. Mayor called for comments. Mayor inquires to what a booster pump station is. Donnie Slone with UMG explains what it does. Mayor called for further comments, there being none, motion passed unanimously. 5-0.**
- 2. Consider a request to approve and authorize an amendment to the City of Pikeville and Utility Management Group's contract authorizing two (2) additional employees, one for the park department and one for the utility department to address the additional responsibilities due to growth of both systems and authorize the mayor to sign and execute said contract amendment on behalf of the city. Commissioner Chaney made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for further comments, there being none the motion passed. 5-0.**
- 3. Consider a request to award an advertised bid for crumb rubber placement on the city soccer field to Turf Solutions (who was the only bidder) for \$28,000 and to issue a notice to proceed, per the conditions of the submitted bid, to start said project. Commissioner Layne made the motion. Commissioner Chaney seconded the motion. Mayor Justice called for comments. Commissioner Carter asked if this is for the soccer field. Mr. Blackburn answered yes. Mayor says that he thinks we are doing the right thing by going ahead and putting it in. Mayor called for additional comments, there being none the motion passed unanimously. 5-0.**
- 4. Consider request for authorization to hire Storm Flanary at the rate of \$7.65 per hour as a summer intern contingent upon passage of all pre-employment test. Commissioner Carter made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for comments, there being none the motion passed unanimously. 5-0.**

5. Consider a request to authorize the application for grant through Environmental Solutions for Communities through the National Fish and Wildlife Foundation to assist in river cleanup and garden at the Pikeville High School and to authorize the mayor to sign and execute said grant on behalf of the City of Pikeville. Commissioner Chaney made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for comments. Commissioner Carter says they are going to be going from where to where to clean the river. Mr. Blackburn says that this is a tire cleanup project within the boundaries of Pikeville. Mayor says how do we get this garden and who will be taking care of it. Melanie Stevens answers that the students at Pikeville High School will be maintaining it. Mayor called for further comments, there being none the motion passed unanimously. 5-0.
6. Consider a request to authorize and approve an extension of grant agreement for Hazard Mitigation Grant Program DR 1841 for the emergency outdoor siren project and authorize the mayor to sign and execute said agreement on behalf of the City of Pikeville. Commissioner Chaney made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for comments. Commissioner Carter wonders when this thing will be up and running. City Manager replies as soon as we get the federal government to release relocation on one siren. We moved one siren about fifty feet and had to go through the environmental process again. Mayor called for additional questions or comments, there being none the motion passed unanimously. 5-0.
7. Consider a request to authorize and approve an extension of grant agreement for Hazard Mitigation Grant Program for DR 1818 for the city hall generator and authorize the mayor to sign and execute said agreement on behalf of the City of Pikeville. (note: we are only waiting on final payment) 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.
8. Consider a request to authorize and approve a resolution for Kentucky Small Cities CDBG grant project for the riverbank stabilization and authorize the mayor to sign and execute said resolution on behalf of the City of Pikeville. Commissioner Carter made the motion to approve. Commissioner Davis seconded the motion. Mayor called for comments. Commissioner Davis asked if this is down at Texas Roadhouse. City Manager Blackburn responds that it is right there where you cross the Cassidy Bridge on the left hand side at the Buckley's Creek tributary. The resolution is based upon requirements for this grant, so this is necessary paperwork. Mayor says so this is the same \$100,000 that we have voted on before. Mr. Blackburn says yes. Mayor says so this is just another hurdle. Mayor Justice called for further comments, there being none, the motion passed unanimously. 5-0.
9. Consider a request to authorize and approve a resolution for the support for a new Veterans Hospital Facility within the fifth congressional district 29 county area and authorize the mayor to sign and execute said resolution on

behalf of the City of Pikeville. Commissioner Layne made the motion to approve. Commissioner Carter seconded the motion. Mayor called for comments, there being none, the motion passed. 5-0.

10. Consider a request to authorize and approve the City Employee insurance renewal effective 07-01-2012 through 06-30-2013 at a 6.5% increase and authorize the mayor and/or city manager to sign and execute authorization for said renewal. Commissioner Chaney made the motion to approve. Commissioner Layne seconded the motion. Mayor called for comments. Commissioner Davis wonders if 6.5% is normal. City Manager explains that Rebecca Hamilton worked very hard in getting the 6.5% increase, it started out higher this year but she got it down to this. Mayor Justice called for additional comments, there being none, the motion passed unanimously. 5-0.
11. Consider a request to approve the amended design contract as submitted between Vaughn & Melton, and the City of Pikeville for the city's Waste Water Treatment Plant as recommended by the RFQ review committee contingent upon the receipt of the \$750,000 funding awarded from the Army Corp Section 531 Grant and to authorize the mayor upon his satisfaction of contract design selection, terms and price to sign and execute said contract upon review approval by the City Attorney and City Manager. Said contract shall not exceed \$920,000. Commissioner Chaney made the motion to approve. Commissioner Carter seconded the motion. Mayor called for comments. City Manager Blackburn comments that the City Attorney found some language in the contract that we were not satisfied with so we had to make a few changes and they had to be approved by the commission. Commissioner Davis asked why the contract went from \$750,000 to \$920,000 and City Manager explained that to him. Mayor Justice called for further comments, there being none, the motion passed unanimously. 5-0.
12. Consider a request to authorize and approve Mountain Enterprises, Inc. to mill and asphalt Hambley Blvd using state contract price. Commissioner Chaney made the motion to approve. Commissioner Davis seconded the motion. Mayor called for comments. City Manager says that the commission is concerned about how we black top and I have spoken with Mountain Enterprises. The intent tonight is to prove that the commission wants to move forward. One of the members from Mountain Enterprise will come prior to come explain what the process is. Mayor called for further questions or comments, there being none, the motion passed unanimously. 5-0.
13. Consider a request to authorize and approve Mountain Enterprises, Inc. to mill and asphalt Huffman Blvd using state contract price. Commissioner Chaney made the motion to approve. Commissioner Davis seconded the motion. Mayor called for comments. Commissioner Carter asked why there is a need to do Huffman. City Manager says there is about five areas that have settled and a few sections in front of the Expo that need to be done. Commissioner Carter wonders about the storm sewers around town. He says that there are some that are extremely low, can we bring them up? Mr. Blackburn says yes, Donnie and I have been raising those as they go along.

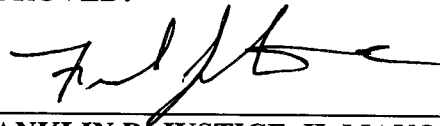
- Mayor called for further comments, there being none, the motion passed unanimously. 5-0.
14. Consider a request to authorize and approve Mountain Enterprises, Inc. to asphalt King Street & Coal Hollow using state contract price. Commissioner Chaney made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for comments. Mayor calls for comments, then ask where Bill King Hollow is. City Manager says it is near Town Mountain Road, near Family Drug. Mayor called for further questions or comments, there being none, the motion passed unanimously. 5-0.
 15. Consider a request to authorize and approve KVWV Traffic Control, Inc. to strip and mark asphalt on Hambley Blvd & Huffman Blvd using state contract price as submitted. Commissioner Carter made the motion to approve. Commissioner Davis seconded the motion. Mayor called for comments, there being none, the motion passed unanimously. 5-0.
 16. Consider a request to authorize and approve the amended agreement as submitted between the City of Pikeville and RealtyLink Investments, LLC (W. Neil Wilson) and to authorize the Mayor to sign and execute on behalf of the City of Pikeville. Commissioner Carter made the motion to approve. Commissioner Chaney seconded the motion. Mayor called for comments. City Manager Blackburn says that the commission has approved and the Mayor has signed but he caught something in the language of the contract so it needed to be re approved. Mayor called for further comments, there being none, the motion passed unanimously. 5-0.
 17. Consider a request to hire a Tommy Fouts as a Pikeville Police Officer, at the starting rate contingent upon passing all required pre-employment test. Commissioner Layne made the motion to approve. Commissioner Chaney seconded the motion. Mayor called for comments. Police Chief Adkins made an introduction to Mr. Fouts and let the commission know that he will be attending the academy soon. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.
 18. Consider a request to authorize and approve the Trust participation Agreement for the Kentucky League of Cities Insurance Services General Insurance Trust and the Declaration of Trust and Trust Participation Agreement for the Kentucky League of Cities Workers Compensation Trust as submitted and authorize the mayor to sign and execute said agreements. Commissioner Carter made the motion to approve. Commissioner Layne seconded the motion. Mayor called for comments at which time he asked what this was for. City Manager Blackburn stated it was for the Cities General Liability & Workers Compensation insurance for the City from the Kentucky League of Cities. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.
 19. Consider a request to authorize and approve a permit submittal and permit application for the Foxcroft Sewer Extention project as submitted and authorize the Mayor to sign and execute on behalf of the City of Pikeville. Commissioner Chaney made the motion to approve. Commissioner Davis

- seconded the motion. Mayor Justice called for comments, there being none, the motion passed unanimously. 5-0.
20. Pursuant to KRS 61.810, consider request for closed session for discussion of economic development, legal and personnel issues. Commissioner Chaney made the motion. Commissioner Davis seconded the motion. Mayor Justice called for discussion, there being none the motion passed unanimously. 5-0.
21. 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 back into order.
22. Motion was made by Commissioner Layne and seconded by Commissioner Carter as follows: authorize and approve a new employment contract and each of the terms and condition contained therein as submitted dated 6-11-2012 between the City of Pikeville KY and current City Manager William Donovan Blackburn and to authorize the Mayor to sign and execute said contract as submitted on behalf of the City of Pikeville. Mayor Justice called for comments, there being none, the motion passed. 5-0.
23. There being no further business to come before the Commission, Commissioner Davis has made the motion to adjourn the meeting. Commissioner Chaney seconded the motion. Mayor Justice called for discussion, there being none the meeting was adjourned. 5-0

CONSENT ITEMS:

June 28th KY Fish and Wildlife will be in Pikeville to do story on Blue Water Trail

The next scheduled Regular Meeting of the City of Pikeville Board of Commissioners is June 25, 2012 at 6:00 p.m.

APPROVED:

FRANKLIN D. JUSTICE, II, MAYOR

ATTESTED:

CHRISTY BILLITER, CITY CLERK