

**CITY OF PIKEVILLE  
BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
August 13, 2011 AT 6:00 P.M.**

**The Board of Commissioners for the City of Pikeville met in a regular called session on Monday, August 13, 2011. 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 meeting held on July 23, 2011 were in each Commission Member's agenda package. There being no additions or corrections, Commissioner Layne made the motion to approve the minutes as prepared. Commissioner Davis seconded the motion. Mayor Frank Justice called for discussion, there being none, the motion carried unanimously. 5-0.**

**BUSINESS FROM THE FLOOR**

**Benny Bartley, a resident from Keyser Heights, was present and came before the Commission to discuss the road that leads up to Keyser Heights and the streets of Keyser Heights. Mr. Bartley says that these roads need to be resurfaced. Mr. Bartley starts off by telling the Commission how pleased he is with all the progress that is going on in the City. He says that all the new activities and developments are wonderful. He just wants to remind the Commission not to forget nor neglect other parts of town that has been here all these years. Mr. Bartley is asking that the Commission allocate some funds to resurface the road and streets of Keyser Heights. There is sixty some houses up there and that there are some heavy equipment that travels the road as well from time to time so it has had the wear and tear. Mr. Bartley says that that is his only request is that someone take a look at the streets. Mayor Justice asked City Manager if he was aware of this, what it looks like and the condition it is in. City Manager Blackburn says that we, UMG, have done**

several repairs in that area; we have black topped areas over the concrete. Mayor wonders if it is good to black top over concrete, if it will last. Commissioner Carter asked if you can blacktop over concrete. Donnie Slone with UMG says that he recommends black top over concrete. City Manager says that we have done numerous patch jobs. Engineer Jody Hunt says if you have a good base then you can resurface with black top. City Manager says that we have lots of road repair for our area throughout the year and we will address the Keyser Heights issue.

Agreement with schools for field usage issue. Mayor asked if anyone has had any calls on the ball fields. Commissioner Carter says no that he has been leaving early in the morning and lights have been on.

Introduction of Visitor Clerk/ Artisan Director Leigh Ann Hughes. City Manager announces that he asked that Leigh Ann be present so that everybody could put a face with a name. We are working on the train for her to move into, but she currently works out of the Annex building. Leigh Ann approached the microphone and told the Mayor and Commissioners a little about herself and her professional background. Mayor says she is well spoken.

#### PAYMENT OF CITY BILLS

The City Manager Donovan Blackburn requested the approval to pay city bills in the amount of \$856,263.14. Commissioner Davis made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for comments. Commissioner Layne says to Commissioner Davis, "We do have the money don't we?" City Manager answers, "yes." Mayor then comments to Leigh Ann, "By the way, welcome aboard." 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 request to approve and authorize payment of invoice #63870 from Summit Engineering for \$2,100.00 for FoxCroft Sewer Extention Project. Commissioner Carter made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for comments, then looks at Mr. Hunt and says I guess you recommend we pay that don't you? And Mr. Hunt nodded yes. Mayor Justice called for further comments, there being none the motion passed unanimously. 5-0.

2. Consider a request to approve and authorize payment of invoice #63057 from Summit Engineering for \$17,000.00 for the 201 Facility Plan. Commissioner Davis made the motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for comments, there being none the motion passed unanimously. 5-0.
3. Consider a request to approve and authorize payment of invoice #63683 from Summit Engineering for \$12,750.00 for the 201 Facility Plan. Commissioner Davis made the motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for comments, there being none the motion passed unanimously. 5-0.
4. Consider a request to approve and authorize payment of invoice #63056 from Summit Engineering for \$767.70 for the phase II Sewer Billips Extention. 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.

#### CITY ATTORNEY

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

1. **Consider a 2<sup>nd</sup> reading and passage of an ordinance #0-2012-019 amending the City of Pikeville's zoning map for property between 347 and 369 on Harold's Branch Road from R-2 to R1T and authorize the Mayor to sign and execute said ordinance on behalf of the City of Pikeville. Commissioner Layne made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for comments. Commissioner Davis asked what R-1T was. City Attorney explained that it was residential with townhomes. Mayor Justice called for further comments, there being none, the motion passed unanimously. 5-0.**

**AN ORDINANCE RELATED TO THE AMENDMENT  
OF THE CITY OF PIKEVILLE ZONING MAP FOR  
PROPERTY BETWEEN 347 AND 369 HAROLD'S BRANCH ROAD  
FROM R-2 TO R-1T**

**Ordinance #0-2012-019**

August 13, 2011 Regular Meeting

City of Pikeville Minutes

WHEREAS, The Joint Planning Commission for Pikeville, Pike County and Elkhorn City has reviewed the proposed Zone map amendment contained herein and after duly notice public hearing did approve the same at its June 12<sup>th</sup>, 2012 meeting.

NOW, THEREFORE, BE IT ORDAINED by the City of Pikeville that the Zoning Map for the City of Pikeville is amended as follows:

1. The Commission finds there have been major changes of an economic, social or physical nature of property between 347 and 369 Harold's Branch Road which was not anticipated in the community's comprehensive plan and which have substantially altered the basic character of such areas so that the current zoning classification is inappropriate.

2. That the City of Pikeville's zoning map for property between 347 and 369 Harold's Branch Road as the same is reflected on the attached map is hereby amended from a R-2 classification to R-1T.

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 the adoption of the foregoing ordinance. Commissioner \_\_\_\_\_ seconded the motion.

Upon roll call, the votes were as follows:

YES NO

FRANKLIN D. JUSTICE, II, MAYOR    \_\_\_    \_\_\_

JAMES A. CARTER, COMMISSIONER    \_\_\_    \_\_\_

EUGENE W. DAVIS, COMMISSIONER    \_\_\_    \_\_\_

BARRY CHANEY, COMMISSIONER    \_\_\_    \_\_\_

DALLAS LAYNE, COMMISSIONER    \_\_\_    \_\_\_

The Mayor declared the within ordinance adopted.

\_\_\_\_\_

FRANKLIN D. JUSTICE, II, MAYOR

ATTEST:

\_\_\_\_\_

CHRISTY BILLITER, CITY CLERK

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- 2. **Consider a 2<sup>nd</sup> reading and passage of an ordinance #0-2012-020 amending the City of Pikeville's zoning map for property located at 127 Park Street from R-3 to Commercial and authorize the Mayor to sign and execute said ordinance on behalf of the City of Pikeville. 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.**

**AN ORDINANCE RELATED TO THE AMENDMENT  
OF THE CITY OF PIKEVILLE ZONING MAP FOR  
127 PARK STREET PROPERTY  
FROM R-3 TO COMMERCIAL**

**Ordinance #0-2012-020**

WHEREAS, The Joint Planning Commission for Pikeville, Pike County and Elkhorn City has reviewed the proposed Zone map amendment contained herein and after duly notice public hearing did approve the same at its July 10<sup>th</sup>, 2012 meeting.

NOW, THEREFORE, BE IT ORDAINED by the City of Pikeville that the Zoning Map for the City of Pikeville is amended as follows:

- 1. The Commission finds there have been major changes of an economic, social or physical nature of 127 Park Street which was not anticipated in the community's comprehensive plan and which have substantially altered the basic character of such areas so that the current zoning classification is inappropriate.
- 2. That the City of Pikeville's zoning map for 127 Park Street as the same is reflected on the attached map is hereby amended from a R-3 classification to Commercial.

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 the adoption of the foregoing ordinance. Commissioner \_\_\_\_\_ seconded the motion.

Upon roll call, the votes were as follows:

YES   NO

FRANKLIN D. JUSTICE, II, MAYOR     \_\_\_    \_\_\_

JAMES A. CARTER, COMMISSIONER    \_\_\_    \_\_\_

August 13, 2011 Regular Meeting

EUGENE W. DAVIS, COMMISSIONER    \_\_\_  \_\_\_

BARRY CHANEY, COMMISSIONER    \_\_\_  \_\_\_

DALLAS LAYNE, 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 1<sup>st</sup> reading of an ordinance #0-2012-021 amending Chapter 92 Dilapidated housing and Nuisances ordinance section 92.35 of Landlord Licensing. After the reading, City Attorney Davis begins to explain the ordinance details. City Manager Blackburn explains that the majority of our landlords are in compliance. This ordinance just gives us the ability to clean up things. Commissioner Carter says that he got a phone call a couple weeks ago from a tenant where the apartment they are living in is falling in; can we go in on the tenants behalf and inspect it? City Attorney says that if they are on housing it can be inspected. City Manager and City Attorney agree that inspections are done every three to five years if the tenant stays the same; every time the tenant changes there is an inspection. Most of these inspections are in depth inspections and these are in public housing. City Attorney says that what could happen is that there are some tenants that would call if their faucet was dripping so we would need someone to moderate that. No further action is required at this time. The second reading will take place at the next regular scheduled meeting.**

CITY MANAGER

August 13, 2011 Regular Meeting

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

- 1. Consider request to authorize and approve the submitted Professional Services Proposal for the City of Pikeville Comprehensive Plan Update authorizes the Mayor to sign and execute on behalf of the City of Pikeville. Commissioner Chaney made the motion to adopt. Commissioner Davis seconded the motion. Mayor called for further comments, there being none, motion passed unanimously. 5-0.**
- 2. Consider a request to award the pouring rights bid for beverages for the East Kentucky Expo Center to Pepsi, as submitted who had the best price and best value and authorize the Mayor to sign and execute a contract on behalf of the City for said beverage bid packet award. Commissioner Chaney made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for further comments, there being none the motion passed. 5-0.**
- 3. Consider a request to approve and authorize a budget and a contract for Professional Design Services as submitted between the City of Pikeville and Summit Engineering for the Bob Amos Horse Trail project and to authorize the Mayor to sign and execute on behalf of the City of Pikeville. Commissioner Davis made the motion. Commissioner Layne seconded the motion. Mayor Justice called for comments, there being none the motion passed unanimously. 5-0.**
- 4. Consider request to approve and authorize a contract extension as submitted for FEMA-DR 1841 KY Hazard Mitigation Grant for the purchase and installation of an early warning siren system 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 Justice called for comments. Commissioner Layne asked if we have received the equipment yet and at what point will that be installed. City Manager explained that we have got this but we have had to go through an environmental review and we should see the installation in the very near future. Mayor Justice called for further comments, there being none, the motion passed unanimously. 5-0.**

**\*\*\*City Manager Blackburn announced the Consent Items for all to hear\*\*\***

- 5. Pursuant to KRS 61.810, consider request for closed session for discussion of economic development, legal and personnel issues. Commissioner Layne made the motion. Commissioner Carter seconded the motion. Mayor Justice called for discussion, there being none the motion passed unanimously. 5-0.**
- 6. Commissioner Carter made the motion to re convene. Commissioner Layne seconded the motion. Mayor Justice called for discussion, there being none**

the motion passed unanimously. 5-0. Mayor called the session back into order.

7. There being no further business to come before the Commission, Commissioner Carter 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:**

Chamber of Commerce 2012 Annual Banquet and Awards Ceremony on August 23<sup>rd</sup> 2012 from 5 pm until 8 pm at the East KY Expo Center.

United for Coal Across Pike County on Saturday, October 13<sup>th</sup> 2012 from 2 pm till 3 pm. Go online at [www.unitedforcoal.com](http://www.unitedforcoal.com) for details

August 14<sup>th</sup> 2012 University of Pikeville Opening and Dedication of the Hoops Athletic Facility at 6 pm behind City Hall

Department of Local Government conference in Louisville August 15<sup>th</sup> through 17<sup>th</sup> 2012. City Manager will be attending on behalf of the City of Pikeville

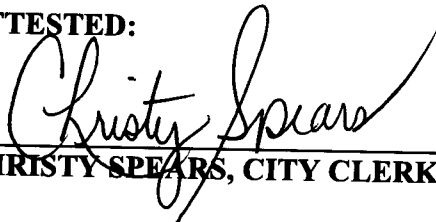
The next scheduled Regular Meeting of the City of Pikeville Board of Commissioners is August 27, 2011 at 6:00 p.m.

**APPROVED:**



**FRANKLIN D. JUSTICE, II, MAYOR**

**ATTESTED:**



**CHRISTY SPEARS, CITY CLERK**