

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
September 23, 2013 AT 6:00 P.M.**

The Board of Commissioners for the City of Pikeville met in a regular called session on Monday, September 23, 2013. The meeting was held in the City Hall Conference Meeting Room located at 243 Main 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: **JIMMY CARTER
JERRY KEITH COLEMAN
BARRY CHANEY
EUGENE DAVIS**

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

MINUTES

The minutes for the previous special meeting held on September 13, 2013 were in each Commission Member's agenda package. There being no additions or corrections, Commissioner Chaney made the motion to approve the minutes as prepared. Commissioner Coleman seconded the motion. Mayor Frank Justice called for discussion, there being none, the motion carried unanimously. 5-0.

BUSINESS FROM THE FLOOR

David Deskins and Randall Osborne were present to respond on the Big Sandy Mountain Heritage/History Center boards behalf and to read a letter on Everett Johnson's behalf in response to a letter sent by the Commission in regards to issues concerning the museum and hours of operation. Mr. Deskins says that he has several issues to cover. He says that Sean Tackett came to him and said that the museum needed to be open on Saturday, so they changed the hours of operation to Monday through Saturday. Overtime, I have asked for money and Everett has asked for money. And, the only fund above mostly came from the county fiscal court. We did the Daniel Boone maniquin and we just got Mr. Hatfield and Mr. McCoy in and enclosed. I was elected to the board as Chairman, which I was glad to do, but nobody else would do. We have operated at or below standards for a long time and now the wheels have come off. Now, Everett is in the hospital, well has

been in the hospital and we have a letter from him here; but he had a few medical issues, and the only backup that he has is me. And during the time of his sickness I was ill as well, so we had no one to address the problem. I have five members on the board and I am looking at getting JR Vanhoose to help out. We met as needed, probably didn't run it by the book. I was asked to be the Chairman of the board and got the museum open before anybody said it was to be done and I have done it for eleven years. City Manager says just to bring everybody up to speed, what David is referring to is the letter the Commission has asked me to write. The reason that David got a copy of this letter is that we sent that letter to Mr. Johnson and there was no response and we were not aware of the medical condition that Everett was in. When this board was set up, there was a certain set of standards that were mandated. Of course, the requirements of the board is that anybody that serves upon the board needs to be a resident of the city. The second issue is that according to the ordinance, this board shall meet monthly and the other issue is that the board is somewhat self appointing but those appointments are to come before the commission. What brought this to the fourth one, is that Mr. Johnson illness and the hours of operation. Point two is, with the Main Street office being beside the museum then it is being frequented by tourist to visit the center. What prompted the letter is that there was a group, close to twenty people who had booked a trip here who had come to the history center and the same thing happened a couple weeks later. And the first time there was a letter on the door saying that the operator was on vacation and the next time it was saying that he was sick. So, there has been multiple issues, one being compliance with the ordinance. And then, the way that the board meets and the biggest being the accessibility of the facility. These are some of the issues that we are having that the commission has asked me to address. Commissioner Carter asked if there was any kind of plan to open up any time soon. Mr. Deskins answers that he would love to come back. Mr. Randall Osborne said that he has a letter from Mr. Johnson in response to the letter from the Commission if he may read it and Mayor Justice and Commissioners said ok. After Mr. Osborne finishes the letter, he introduces himself and says that he loves history. He said that Mr. Deskins was chosen as the Chairman while living outside the city limits and that he, himself, has been a board member since day one of the board. The website that was mentioned says on it that I reside in Coal Run and I did get a little upset because it kind of says that I blind-sided you people because you were letting a county resident serve a city position. He also says that he understands there are rules. Mayor says that there are rules and it is a requirement that there be monthly meetings, are there monthly meetings. Mr. Osborne says I do not call meetings I only attend. Mayor asked Mr. Blackburn the funding that we are giving the museum. City Manager says to clear things up, Mr. Tackett that is being referred to is on the County Tourism Commission and Jesse Bowling is on our City Tourism Commission. And not only does the City own the building but at the request of Commissioner Davis the City increased its contribution to \$25,000. Mr. Blackburn says that the commission changed the ordinance to require to have city residence serve on this board. Back to your point, if it is not broke don't fix it, these comments have not been from city personnel but have been from visitors and from people of

the fiscal court as well. This letter was sent because of the importance of the facility. The intent, under the bylaws to the Mayors point, meetings are supposed to be once a month for a reason. The intent was not to portray this on a public stage, but to put it to the way the ordinance was written. If you were offended, I apologize. Mayor says let's get everything straightened up here. David are you able to serve as Chairman of this board; and he responds yes. Mayor asked if he has five board members now and he and Mr. Osborne started naming each one. Mayor says lets get us a monthly meeting going and make a point to come together before us. After you have had a monthly meeting, we need to know who to take off and who to put on. Mr. Osborne speaks that there is a problem with keeping people on the board. Mayor says my question is does Bill Blackburn still live here and can he serve on the board. City Manager said he is looking at moving but still has property here. Mayor says get with your current board members and get them in a room and see who can serve and who wants to serve. We need to follow procedure. As far as funding this, the City of Pikeville has stood up far ahead of anybody else. Mr. Osborne said if it hadn't been for you folks we wouldn't be here. Commissioner Carter says that we need to know what is going to happen in the present. We need to know when you plan on getting this thing opened back up. Mr. Osborne says that Everett is waiting on a release. Commissioner Carter asked City Manager if we could utilize students from UPike to keep the doors open. Mayor says we need to know when you need help as far as our Tourism board, right Donovan. We will get you a stand in or something. You have to let us know what is going on. As far as the hours, I can see us wanting to have this open on Saturday. Commissioner Carter says I would much rather have it open on Saturday. Mayor says take this up with your boards and bring the hours and the ideas back to us. Commissioner Carter asked how long does the tour normally take. Mr. Osborne says that it is really self-guided, self-explanatory so most anybody could do it. Commissioner Davis says that I've had an extreme interest in the museum for a long time. If you check the book and who has signed in, you will see that people come from all around. I think it is an excellent museum and I am 100% in favor of the museum. I know that that museum has been very well run and it is very dear to my heart. I am very interested in keeping this open. No one here is threatening to close it as far as I know. Mayor says David I am sorry that I did not know that you have had medical issues. Let's try to get the board together and get a meeting together. We'll revisit the resident deal. What I see is a lack of communication. If nobody is going to be there, then we need to see our Tourism or somebody step in to see those doors open. Commissioner Carter says that nobody is thinking about closing the museum. Mayor Justice says if it wasn't for yourselves then we wouldn't even have a museum. Mr. Osborne says that he is gratified to hear that closing the museum is not an option at this time. Leaving everyone with this thought, when we started the museum, we not only wanted to display the heritage but also wanted to dispel the myth of the barefoot child and the ignorant mother. Mayor said I surely appreciate your endeavors and we want to thank you.

PAYMENT OF CITY BILLS

The City Manager Donovan Blackburn requested the approval to pay city bills in the amount of \$915,283.60. Commissioner Davis made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for comments and Commissioner Davis asked if we have the money. City Manager said yes we do. 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 a request to the commission for approval.

1. Consider request to approve and authorize payment for pay request #5 with Tom Wright Construction, Inc. for \$29,475.00 and authorize the Mayor to sign and execute said pay request on behalf of the city of Pikeville. Commissioner Carter made the motion to approve. Commissioner Coleman seconded the motion. Mayor Justice called for comments and so that was the horse trail and did you say that was 98 %. Mr. Hunt nodded. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.

CITY ATTORNEY

1. Consider a request to adopt an emergency ordinance #0-2013-029 fixing a tax levy on real and tangible personal property, franchises, all for the general operating expense purposes and providing for a due date and discount on all taxes, if paid on or before November 1st 2012 and penalties if not paid by February 1st 2013 and to authorize the Mayor to sign and execute said ordinance. Commissioner Carter made the motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for comments and asked if the taxes are going to increase. City Attorney said that they are not going to change. Mayor Justice called for additional comments, there being none. Mayor called roll call. The motion passed unanimously. 5-0.

AN ORDINANCE FIXING A TAX LEVY ON REAL AND TANGIBLE PERSONAL PROPERTY, FRANCHISES, ALL FOR THE GENERAL OPERATING EXPENSE PURPOSES AND PROVIDING FOR A DUE DATE AND DISCOUNT ON ALL TAXES, IF PAID ON OR BEFORE NOVEMBER 1st, 2013 AND PENALTIES IF NOT PAID BY

FEBRUARY 1st, 2014.

ORDINANCE NO. O-2013-029

SECTION I. The County Assessment of property situated within the City of Pikeville, both real and personal, is hereby adopted.

SECTION II. For the purposes of providing funds for the general operating expenses of the City of Pikeville for the Fiscal Year from July 1, 2013 to June 30, 2014, the following taxes are levied and the revised collection schedule adopted.

(A) Upon all real estate within the City of Pikeville not specifically exempted from taxation, situated within the City of Pikeville, of \$0.15 per one-hundred (\$100.00) dollars, of assessed value.

(B) A tax upon all tangible personal property and franchises, not specifically exempted from taxation, a tax of \$0.15 per one-hundred (\$100.00) dollars, of assessed value.

SECTION III. A discount of two (2%) percent of the total amount of the tax bill is hereby allowed upon all tax bills paid on or before November 1th, 2013.

SECTION IV. The face amount of tax without discount or penalty shall be due for tax bills that are paid after November 1st, 2013 through January 1st, 2014.

SECTION V. A penalty of five (5%) percent of the total amount of the tax bills that are not paid on or prior to February 1st, 2014 shall be imposed and collected.

SECTION VI. A penalty of twenty-one (21%) percent of the total amount of the tax bills that are paid after February 1st, 2014 shall be imposed and collected.

SECTION VII. Certificates of delinquency shall bear interest from the date of issuance until collected at the rate of twelve percent (12%) per annum.

SECTION VIII. The Tax Administrator is hereby designated and authorized to Collect the tax imposed herein.

SECTION IX. . This Ordinance is passed pursuant to, in compliance with, and by virtue of the authority of the following constitutional and statutory provisions, to- with: Kentucky Constitution, 157, 170, and 181; Kentucky Revised Statutes, 92.280; 92.281; 92.290; 92.330; 132.010; 132.020; and 134.430.

SECTION X. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION XI. An emergency is declared to exist with regard to the adoption of the ordinance. Said emergency being that the property tax bills are now ready to be mailed and the delay in mailing the property tax bills may cause a financial hardship upon the City of Pikeville.

Passed this 23rd day of September, 2013.

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

— —

BARRY N. CHANEY, COMMISSIONER

— —

JERRY KEITH COLEMAN, COMMISSIONER

— —

The Mayor declared the within ordinance adopted.

FRANK JUSTICE, MAYOR

ATTEST:

CHRISTY SPEARS, CITY CLERK

- 2. Consider a second reading and adoption of an amended ordinance #0-2013-027 authorizing and approving a 5 year construction loan bond through Community Trust Bank in the amount up to \$900 thousand dollars for the construction of the relocated fire station #3 and to authorize the Mayor to sign and execute said ordinance on behalf of the City of Pikeville along with any necessary documents or closing documents required to execute said bond. Commissioner Chaney made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for comments, there being none. Mayor called roll call. The motion passed unanimously. 5-0.

SUMMARY OF NOTE ORDINANCE
CITY OF PIKEVILLE, KENTUCKY

There follows a summary of an Ordinance of the City of Pikeville, Kentucky, adopted on September 23, 2013, identified by its title or caption as follows:

ORDINANCE NO. 0-2013-027

AN ORDINANCE OF THE CITY OF PIKEVILLE, KENTUCKY, PROVIDING FOR THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION NOTE, SERIES 2013, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$900,000 FOR THE PURPOSE OF PROVIDING FUNDS TO PAY A PORTION OF THE COSTS OF A PUBLIC PROJECT OF THE CITY CONSISTING OF THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF A MUNICIPAL FIRE STATION; SETTING FORTH THE TERMS AND CONDITIONS UPON WHICH THE SERIES 2013 NOTE IS TO BE ISSUED AND OUTSTANDING; ORDERING AND PROVIDING FOR THE LEVY OF AN ANNUAL TAX, TO THE EXTENT NECESSARY, SUFFICIENT TO PAY THE INTEREST ON AND PRINCIPAL OF THE SERIES 2013 NOTE; AND PROVIDING FOR A PRIVATE SALE OF THE

SERIES 2013 NOTE AND THE APPLICATION OF THE PROCEEDS
THEREOF

The full text of this Ordinance is available for public inspection during the normal City of Pikeville business hours in the office of the City Clerk, City Hall, Pikeville, Kentucky.

(1) For the purposes paying a portion of the costs of the acquisition, construction and equipping of a new municipal fire station within the City, and to pay related costs, the City authorizes the sale and issuance of its General Obligation Note, Series 2013 (the "Note") to Community Trust Bank, Inc., Pikeville, Kentucky, in a principal amount not to exceed \$900,000, under authority of the Kentucky Constitution and KRS Chapter 66. The Note will be payable from the tax revenues of the City and secured by an irrevocable pledge of the full faith, credit and taxing power of the City. The Note will be issued in fully registered form, scheduled to mature on September 24, 2018, and to bear interest monthly. The form of the Series is set out in detail in the Ordinance.

(2) As mandatorily required by Section 159 of the Kentucky Constitution, the Ordinance levies annually such special tax, separate and apart from all other taxes, as may be necessary to provide for the payment of the Note and the interest thereon when due and payable, such tax to be applicable to all property which is subject to taxation for City purposes from time to time and being unlimited as to rate or amount. In accord with KRS 83A.060(9)(c), the following text of Section 6 of the Ordinance is set out in full:

"Section 6.

"Section 6. Tax Levy and Pledge; Note Fund. For the purpose of providing funds required to pay the interest on the Note as and when the interest becomes due and in order to create a sinking fund to pay and discharge the principal thereof when the Note becomes due, there shall be and there is hereby levied upon all of the taxable property within the City, beginning in 2013 and continuing in each year as long as the Note is outstanding, a direct annual tax sufficient, to the extent any other lawfully available moneys of the City are not provided, for that purpose as mandatorily required by Section 159 of the Constitution of Kentucky, and such tax shall be unlimited as to rate or amount. The proceeds derived from said special annual tax levied from time to time, together with other lawfully available moneys of the City provided for the purpose, shall be deposited and carried in a special and separate account in the name of the City and held apart from all other funds of the City, shall be applied only for the purpose of paying the principal of and interest on the Note, and shall be designated the City's "General Obligation Note, Series 2013, Interest and Sinking Fund Account" (the "Note Fund"). The proceeds of said special annual tax and any other funds accumulated from time to time in the Note Fund are hereby irrevocably pledged for the purpose of paying the interest on and principal of the Note and shall never be used for any other purpose. The City hereby covenants with the Bank that it will levy said special annual tax in each year at whatever rates may be necessary from time to time in order to produce the amounts required in each year, to the extent funds are not otherwise provided, to pay the Note and interest when and as it matures or becomes due.

"If principal or interest should fall due in any year at a time when there are insufficient funds on hand collected by reason of the foregoing special tax levy, such principal and interest shall be paid from other available funds of the City and reimbursement therefor shall be made out of the special tax hereby provided, when the same shall have been collected.

"All moneys held in the Note Fund, which shall be depleted as of October 25 of each year except for a carryover amount not exceeding the greater of the earnings on the Note Fund or one-twelfth of the principal and interest payments on the Note for the preceding year ending October 24, to the extent not invested as hereinafter provided, shall be deposited in the Bank, or if the Bank is not or ceases to become a member of the FDIC, in a bank or banks which are members of the FDIC and all such deposits which cause the aggregate deposits of the City in any one bank to be in excess of the amount insured by FDIC or one of its agencies shall be continuously secured by a valid pledge of direct obligations of the United States of America having an equivalent market value. All or any part of the Note Fund may be invested in Investment Obligations, as hereinafter defined in Section 7, maturing or being subject to retirement at the option of the holder on such dates as the same may be needed for meeting interest and/or principal payments, and all such investments shall be carried to the credit of the Note Fund."

(3) The private sale of the Note is authorized, and certain documents incident to such sale and the delivery of the Note are authorized and approved.

* * *

The foregoing provisions, including the above caption of the Ordinance, are intended to be a Summary of the Ordinance, and reference is hereby made to the full text of the Ordinance for a full and complete statement of its contents.

Certification

I, the undersigned City Clerk of the City of Pikeville, Kentucky, hereby certify that the foregoing Summary of Note Ordinance of the City of Pikeville, Kentucky, was approved by the Board of Commissioners for first reading on September 13, 2013, and for second reading on September 23, 2013, and was further approved for publication following adoption according to law. I further certify that the foregoing Summary was prepared for the City by Mark S. Franklin, Stoll Keenon Ogden PLLC, 2000 PNC Plaza, Louisville, Kentucky 40202.

WITNESS my hand this September 23, 2013.

/s/ Christy Spears
City Clerk
City of Pikeville, Kentucky

Preparation Certificate

The undersigned Attorney at Law, licensed to practice in Kentucky, hereby certifies that the foregoing Summary of Note Ordinance of the City of Pikeville, Kentucky, was prepared by the undersigned and constitutes a general summary of certain essential provisions of the described Ordinance, reference to the full text of which Ordinance is hereby made for a complete statement of its provisions and terms.

/s/ Mark S. Franklin
Stoll Keenon Ogden PLLC
2000 PNC Plaza
Louisville, Kentucky 40202

- 3. Consider a second reading and adoption of an ordinance #0-2013-028 relating to the amendment of Chapter 115.15 occupational license fee amending various minimum liability line items and authorize the Mayor to sign and execute said ordinance on behalf of the City of Pikeville. Commissioner Davis made the motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for comments. Commissioner Chaney asked if this is more for the protection of the people and City Attorney Davis explained that yes it is because of the tent sales that they will have to go back to the dealer to get their guarantee on the sale of vehicle. Mayor called for additional questions, there being none. Mayor called roll call. The motion passed unanimously. 5-0.

**AN ORDINANCE RELATED TO THE AMENDMENT OF
CHAPTER 115 "OCCUPATIONAL LICENSE FEE" OF
SECTION 115.15 "MINIMUM LIABILITY" OF THE CITY**

OFPIKEVILLE CODE OF ORDINANCE

ORDINANCE NO. 0-2013-028

NOW, THEREFORE, BE IT ORDAINED by the City of Pikeville that §115.15 OF THE CODE OF ORDINANCES RELATED TO SECTION 115.15 "MINIMUM LIABILITY" SHALL BE AMENDED AS FOLLOWS:

WHEREAS, the existing ordinance will be in full force and take effect upon passage and publication.

Now, therefore, be it ordained by the board of commissioners of the City of Pikeville, Kentucky as follows:

§ 115.15 – Minimum Liability

(A) In the event the tax payment required under section (3) is less than an amount sufficient to yield an annual license tax calculated at two percent (2%) of net income, equal to or in excess of the minimum license taxes set forth below, then the tax provided by said occupational license tax ordinance applicable to the licensee's trade, occupation or profession shall apply and be charged as a minimum license tax hereunder.

(B) The minimum license taxes provided by the occupational license tax ordinance are listed:
All fees are based on a "per year" charge unless otherwise specified.

A.	1.	Advertising			
		a. Bill Boards	Per year	\$	100.00
		b. Solicitors	Per year	\$	100.00
		c. Distributors (2 Per day)	Per day	\$	50.00
	2.	Agents, representatives or solicitor not otherwise specifically provided for, taking or soliciting orders or making sales.	Per day	\$	25.00
			Per year	\$	100.00
	3.	Antique Dealer	Per year	\$	50.00
	4.	Auctioneer	Per day	\$	25.00
			Per year	\$	100.00
	5.	Automobile Dealers		\$	
		a. Automobile Dealer, selling automobiles and trucks, or conducting an automobile sales agency for new or used cars or trucks at a regular fixed place of business in the city, including the privilege of operating in connection therewith a repair shop and the sales of accessories and parts for the kind of cars for which he is a dealer.	Per year	\$	100.00
		b. Automobile dealers selling automobiles and trucks or conducting an automobile sales agency for new and used cars and trucks without a regular fixed place of business in the City.	Per year	\$	100.00
		c. Automobile Dealers without permanent place of business	Per year	\$	1,000.00
		d. Automobile Dealer, selling used trucks or automobiles not in connection with any regular garage, with permanent location in the city.	Per year	\$	100.00
		e. Automobile Repair Garage, including all branches of the business, except the privilege of selling automobiles new or used, or gasoline or oils, or operating an automobile storage garage.	Per year	\$	50.00
		f. Automobile Storage Garage or Parking Lot commercial whether or not operated in connection with any other business	Per year	\$	50.00
		g. Automobile Laundry where automobiles are washed, cleaned or polished, not in connection with automobiles garage or dealership.	Per year	\$	50.00
		h. Automobile Parts and Accessories Awnings—Repair or Installation	Per year	\$	50.00
	6.	Awnings – Repair or Installation	2 Per day	\$	50.00
B.	1.	Bakery	Per year	\$	100.00
	2.	Bakery Products—Agent or dealer selling or distributing except retail merchants licensed as such.	Per year	\$	50.00

	3.	Barber Shop		\$	
		a. one chair	Per year	\$	50.00
	4.	Beauty Shop		\$	
		a. one operator	Per year	\$	50.00
	5.	Billiard or Pool Room		\$	
		a. one table	Per year	\$	50.00
		b. each additional table		\$	25.00
	6.	Bowling Alley	Per alley	\$	25.00
	7.	Book or Magazine canvassing ---	Per day	\$	25.00
			Per year	\$	100.00
C.	1.	Carbonated etc., -- Carbonated beverages, bottlers, manufacturers, wholesalers, resident or nonresident, operating within the City.	Per year	\$	100.00
	2.	Candy etc., --- Candy, potato chips, chewing gum and peanuts delivered and sold from trucks.	Per year	\$	100.00
	3.	Carnivals or Circuses	Per day	\$	100.00
			Per week	\$	700.00
	4.	Cigarettes- Cigarettes, selling at retail in addition to any other license.	Per year	\$	100.00
	5.	Cleaning and dyeing plant or laundry operating in the City	Per year	\$	50.00
	6.	Cleaning etc.—Cleaning, dyeing and laundry agents, soliciting the business of cleaning, dyeing and laundry, either of clothes or of any other materials, without the operation of a plant within the city limits	Per year	\$	100.00
	7.	Coal Industries:		\$	
		a. Coal ramp or dock owner, for each 50:ton railroad carload capacity each day.	Per year	\$	50.00
		b. Coal haulers: Truck with single axle, each truck.	Per year	\$	50.00
		c. Tandems, each truck, per year	Per year	\$	50.00
	8.	Cobbler or Shoe Repair Shop	Per year	\$	50.00
	9.	Cold Storage Locker Plant	Per year	\$	50.00
	10.	Contractors, builders, construction company, etc. plus ¼ of 1% of all contract prices (see section 16)	Per year	\$	50.00
D.	1.	Dairy (50 gallons or over) operating a plant in or out of the city in connection with milk products	Per year	\$	100.00
		a. 50 gallons or under a day, delivering	Per year	\$	25.00
		b. Selling or delivering ice cream to wholesale or retail customers in the city, in addition to Dairy products	Per year	\$	50.00
E.	1.	Exterminator, or pest control,	Per year	\$	100.00
	2.	Exhibitions, given on the streets or in any building in the City, to which admission is charged.	Per day	\$	25.00
F.	1.	Finance or Loan Company. To conduct or engage in loan agency business other than banks, or .to engage in. or conduct the business of lending money on the, deferred payment or installment plan other than banks.	Per year	\$	300.00
	2.	Florist Shop	Per year	\$	50.00
	3.	Florist Agent, where shop is not located in the City	Per year	\$	50.00
	4.	Fruit Stands. Sale of fruits, melons, and vegetables where not operating under another license.	Per day	\$	25.00
	5.	Furniture Repair Shop	Per year	\$	50.00
G.	1.	Gasoline dealers, wholesale, selling and delivering to customers in the City whether by truck or otherwise.	Per year	\$	100.00
	2.	Gasoline filling stations, whether .operated separately or in connection with a garage or other business. 2 pumps., each additional pump, (Does not include soft drinks, cigarettes, or confections.)	Per year	\$	50.00
			Per year	\$	25.00
	3.	Gift and Novelty Shop	Per year	\$	50.00
H.	1.	Hotels	Per year	\$	100.00
		Each additional room over 25		\$	15.00
	2.	Herb Houses	Per year	\$	50.00
I.	1.	Ice cream, selling at retail	Per year	\$	50.00

	2.	Ice Cream dealer, wholesale, selling or distributing ice cream for resale, at retail	Per year	\$	50.00
L.	1.	Laundry	Per year	\$	100.00
	2.	Livestock Dealer	Per year	\$	100.00
	3.	Lumber and Building Supply companies, selling or delivering within the City	Per year	\$	100.00
	4.	Lumber Yard or Mill for sawing lumber	Per year	\$	100.00
	5.	Lunch Counters, Custard Stands, or wagons, no tables	Per year	\$	50.00
				\$	
M.	1.	Medicine Vendor, selling medicines or nostrums on the streets or house to house	Per year	\$	500.00
	2.	Mercantile Establishments. All retail mercantile establishments not specifically covered under license elsewhere in this ordinance shall be assessed in accordance to the volume of business, said assessment to be arrived at from the amount of business done the preceding calendar year, or if said establishment has not been in business for the full calendar year, previous to this date, to be arrived at from the proportionate part of the year, said establishment has been in said business, within the City and to be assessed according to the following scale, with no deductions allowable from gross sales receipts except for Federal excise Taxes: All establishments having gross sales receipts of:			
		\$ 50,000.00 or less	Per year	\$	50.00
		\$ 50,000.01 to \$100,000.00	Per year	\$	60.00
		\$100,000.01 to \$150,000.00	Per year	\$	80.00
		\$150,000.01 to \$200,000.00	Per year	\$	90.00
		\$200,000.01 to \$250,000.00	Per year	\$	100.00
		All such establishments having gross sales receipts in excess of \$250,000.00 shall be taxed per \$1,000.00 or fractional part thereof an additional \$0.50 (fifty cents) for each \$1,000.00 or fractional part thereof.			
	3.	Monument. Dealers in monuments or tombstones and each agent soliciting same	Per year	\$	50.00
	4.	Motion Picture House, each such house	Per year	\$	100.00
	5.	Motels	Per Year	\$	100.00
		Each additional unit over 10		\$	10.00
N.	1.	Newspaper, publishing: weekly, semi-weekly or tri-weekly	Per year	\$	100.00
	2.	News Stand, selling newspapers, books, magazines only.	Per year	\$	50.00
	3.	Nursery. To engage in the sale of, or disposition of nursery products, trees, evergreens, shrubbery, etc., whether raised or produced in the City or not	Per year	\$	50.00
P.	1.	Packing House, or company, delivering or unloading meats within the City	Per year	\$	100.00
	2.	Packing Houses, or company, delivering or unloading meats within the City, together with other provisions delivered on a wholesale basis	Per year	\$	100.00
	3.	Peddlers	2 Per day	\$	50.00
	4.	Photographer, itinerant	Per year	\$	50.00
	5.	Photograph gallery or studio, or photographer maintaining or operating such within the City	Per year	\$	50.00
	6.	Popcorn, peanut and candy stand, or either	Per year	\$	50.00
	7.	Printing Shop, job, not connected with newspaper	Per year	\$	50.00
	8.	Produce dealers wholesale or retail, maintaining a place of business in the City or buying or selling poultry, eggs, butter, hides and wool, or any of these	Per year	\$	50.00
	9.	Professions:			
		a. Architects, Attorneys, Accountants	Per year	\$	100.00
		b. Civil Mining and Electrical Engineers	Per year	\$	100.00
		c. Nurses, RN	Per year	\$	50.00
		d. Chiropodists, Chiropractors, Osteopaths	Per year	\$	100.00
		e. Dentists, DM D. & D. D. 'S	Per year	\$	100.00
		f. Electricians, Plumbers, Painters, Masons, etc., not connected with a licensed business	Per year	\$	50.00

		g. Oculists, Opticians, Optometrists	Per year	\$	100.00
		h. Physicians, MD	Per year	\$	100.00
		i. Surveyors, Veterinarians	Per year	\$	50.00
		j. Dental Technicians	Per year	\$	50.00
R.	1.	Radio broadcasting station, or studio, soliciting advertising	Per year	\$	100.00
	2.	Real Estate Agents, to engage in the business of real estate agent, or agency	Per year	\$	50.00
	3.	Repair Shops, not connected with other licensed business.	Per year	\$	50.00
	4.	Restaurant	Per year	\$	50.00
	5.	Rooming House	Per year	\$	50.00
	6.	Rental Real Estate, residential and commercial	Per year	\$	50.00
S.	1.	Sewing Machine Agent. For each agent or office in the City	Per year	\$	50.00
	2.	Shoe Shine Parlor	Per year	\$	50.00
	3.	Skating Rinks	Per year	\$	100.00
	4.	Sound cars or trucks used for commercial advertising, when not operated in connection with another business.	2 Per day	\$	50.00
	5.	Soft Drinks	Per year	\$	50.00
T.	1.	Taxicab, each operated	Per year	\$	100.00
	2.	Tire recapping establishments or shod	Per year	\$	50.00
U.	1.	Undertakers to conduct or engage in the business of undertaking by embalming, selling or furnishing burial outfits, caskets for the dead, etc.	Per year	\$	100.00
	2.	Unloading, or loading, all commercial trucks using the streets of Pikeville for parking while loading or unloading and not operating under another license	Per year	\$	50.00
W.	1.	Wrestling			
		(2) per match or exhibition	Per day	\$	50.00
		All Others	Per day	\$	50.00

NOTE: For any business or activity not listed above, the minimum license tax is \$50.00. If the tax shown on a taxpayer's return for any tax period exceeds the minimum license tax paid the taxpayer shall be credited with the amount of minimum license tax paid. Only minimum license taxes paid during and for the tax year for which the return is being filed can be claimed as a credit.

The ordinance shall be in full force and effect after it is passed and published as required by law. The above ordinance was given first reading this ____ day of _____, 2013, the ordinance was given a second reading on the ____ day of _____ 2013.

Passed this ____ day of _____, 2013.

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	_____	_____
JERRY KEITH COLEMAN, COMMISSIONER	_____	_____
JIMMY CARTER, COMMISSIONER	_____	_____
BARRY CHANEY, COMMISSIONER	_____	_____

The Mayor declared the within ordinance adopted.

FRANKLIN D. JUSTICE, II MAYOR

ATTEST:

CHRISTY SPEARS, CITY CLERK

CITY MANAGER

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

- 1. Consider request to approve and adopt a resolution #R-2013-010, as submitted, authorizing an application by the City of Pikeville for a loan and grant from USDA Rural Development for the construction of a waste water treatment plant and to authorize the Mayor to sign and execute said resolution on behalf of the City of Pikeville. Commissioner Chaney made the motion to adopt. Commissioner Davis seconded the motion. Mayor Justice called for comments and asked if the amount was known. City Manager replied that we do not know the amount yet because we are applying for grants and funding sources. Mayor called for further comments, there being none, motion passed unanimously. 5-0.**
- 2. Consider a request to authorize and approve an agreement for Bond Counsel Services with Stoll Keenon Ogden for the purpose relating for legal services to be performed for the City of Pikeville, as Bond Counsel in connection with the contemplated issuance of the City's \$900,000 GO Note Services 2013, intended for the construction of a new fire station and to authorize the Mayor and or city attorney to execute any paperwork necessary for said purpose. Commissioner Carter made the motion to approve. Commissioner Coleman seconded the motion. Mayor Justice called for further comments, there being none, the motion passed. 5-0.**
- 3. Consider a request to authorize and approve a lease agreement with Pike TV for property located at 745 Hambley Boulevard, Pikeville, KY 41501 for the use of a studio for Pike TV to operate and to authorize the Mayor to sign and**

execute said lease agreement on behalf of the City of Pikeville. Commissioner Chaney made the motion. Commissioner Davis seconded the motion. Mayor Justice called for comments, there being none, the motion passed unanimously. 5-0.

4. Consider a request to advertise for bid, as submitted, Bulk Ice Control Salt for the 2013-2014 winter season. Commissioner Carter made the motion to approve. Commissioner Coleman seconded the motion. Mayor Justice called for comments and Commissioner Carter asked how much the Salt was going to be this year. Donnie Slone with UMG answered that we are just now approving it to be put out for bid. Mayor called for additional questions or comments, there being none, the motion passed unanimously. 5-0.
5. Consider a request to advertise for bid, as submitted, for a Rubber Track Excavator. Commissioner Carter made the motion to approve. Commissioner Coleman seconded the motion. Mayor Justice called for comments and asked if this is a budgeted item. City Manager answers yes sir. Mayor calls for additional comments, there being none, the motion passed unanimously. 5-0.
6. Consider a request to authorize and approve payment for an invoice, as submitted for Stoll Keenon Ogden for \$5,450.00 for legal services for the General Obligations Note for Series 2013 bond for the new fire station. 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.

Mayor Justice speaks further about the museum. He feels that everyone should step up to the plate. Commissioner Carter says realistically, the museum should be open seven days a week. Mayor responds that the board needs to do that and we need to help them. City Manager says they are trying to make us look as if we haven't done our fair share. I appreciate their volunteerism, but we need set hours of operation. Mayor says that he would like to apologize to everyone for this incident.

7. Pursuant to KRS 61.810, consider request for closed session for discussion of economic development, legal and personnel issues. Commissioner Carter made the motion. Commissioner Coleman seconded the motion. Mayor Justice called for discussion, there being none, the motion passed unanimously. 5-0.
8. Commissioner Carter made the motion to re convene. Commissioner Davis seconded the motion. Mayor Justice called for discussion, there being none the motion passed unanimously. 5-0. Mayor called the session back into order.
9. There being no further business to come before the Commission, Commissioner Davis has made the motion to adjourn the meeting.

Commissioner Coleman seconded the motion. Mayor Justice called for discussion, there being none, the meeting was adjourned. 5-0

CONSENT ITEMS:

The next scheduled Regular Meeting of the City of Pikeville Board of Commissioners is October 14, 2011 at 6:00 p.m.

September 23rd 2013 at 11:00am will be the Pikeville Commons ground breaking event.

September 20th thru October 4th KLC Annual Conference

October 9th 2013 at noon FEMA signing event for house replacement on Habitat Street

October 17th 2013 Commercial Air Service Ribbon Cutting Event at the Airport

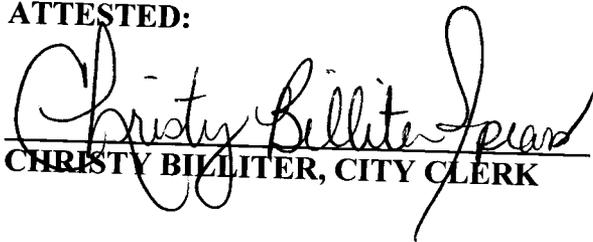
October 18th 2013 UPike President's Inaugural Event

APPROVED:



FRANKLIN D. JUSTICE, II, MAYOR

ATTESTED:


CHRISTY BILLITER, CITY CLERK