

**CITY OF PIKEVILLE  
BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
December 22, 2014 AT 6:00 P.M.**

The Board of Commissioners for the City of Pikeville met in a regular called session on Monday, December 22, 2014. 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**

Mayor Justice called a motion for recess. Commissioner Chaney made a motion to approve. Commissioner Coleman seconded the motion. There being no questions, motion carried unanimously.

Mayor Justice called meeting back to order. Commissioner Davis seconded the motion. The motion carried unanimously.

**MINUTES**

The minutes for the previous regular meeting held on December 8, 2014 were in each Commission Member's agenda package. There being no additions or corrections, Commissioner Coleman 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 a request of adoption of a proclamation honoring City Commissioner Gene Davis. Commissioner Chaney made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for comments. Commissioner Chaney says that about eight years ago he was elected to the city commission and

the Gene Davis was one of the first to welcome him on the commission. We started riding home together and started talking about history and we talked about a lot of things. We talked about occupational taxes and how they come about. I found out the story behind the cut-through and the York family and the York houses. We would drive around and discuss a lot of projects and talk about several things. Gene Davis is going to be very missed. And the reason Gene Davis is going to be missed is when Gene Davis is in the room, people want to be better people and people want to do more, people want to work together. I guess that is how he has always been successful as a coach and he has always wanted to bring out the best in everybody and he does. And I am proud to call him my friend and I have enjoyed serving with him over these years. Commissioner Carter says again, if I go after Donovan, Mayor or Barry, I always have to throw everything away and start all over. They do such a great job. By the way Gene, Jo Black sends his best. He emailed me today. I have been here twelve years and Gene takes you under his arm right away, he shows you what needs to happen and of course you don't say no. You know exactly what to do and if it wasn't for him it could have been a little scary sometimes. He has been around so he knows what is going on. It has been an honor and a privilege to serve with him. Commissioner Coleman says Gene as usual I have to go last. I am the youngest one here and by age I am too. I have had to follow you and Barry and these two guys here going on three years now but it is easy to say good stuff about you. I was fortunate when I ran the first time I worked my butt off and a man like you don't even have to pick up the telephone and still I got in there. It's a little disheartening to work as hard as I did and a man like you don't even have to pick the phone up. I have been very fortunate to have gotten on this commission when I did because I can always say that I served with Gene Davis and nobody can take that from me. I have a real appreciation that I can tell somebody that I served alongside you. I will tell people the rest of my life that I served with this man. I am fifty years old and I don't remember a day when I didn't hear Gene Davis and it was always good and honorable. So I have a real appreciation for you. I wish you were sitting over there and you got enough votes to where you should be sitting over there. So, I just want to tell you how much I respect you and this commission goes without saying feels the same way and I really have a lot of admiration for you and I have enjoyed serving with you. Mayor announces the floor is open to anyone who wants to speak. City Manager ask if anyone wants to come up to come to the podium to speak. City Manager says that he is not an emotional guy but he tells Gene that he loves him and that he thinks the world of him and appreciates him. He says that Gene is the conscious of this commission and he thanks him for all the he has done for him, his team and his family. Mayor Justice says that Mr. and Mrs. Davis has been in his life ever since he can remember. Their son Frosty wasn't able to be here tonight, and we went to school together and I spent many nights in their household and he spent many nights in my household. That is just the childhood stuff. I knew Mr. Davis when I was growing up, but when I got in this commission, he put his arm around me, I seen the passion and the love that this man has for this community. You all have been so blessed and I have been blessed because of it. The passion just exudes from him. Nothing against any commissioner up here, but I have

a deep love for you Mr. Davis and I respect you and I love you. Mrs. Davis wants to say a couple words. She says that everyone has painted a perfect picture. Now she is going to tell one of her favorite stories. When they first got married, Gene had been around the world with the Navy. He told her several stories about the Mediterranean and Italy and he lived in London. He spent two years on a ship called the USS Midway, at that time it was the largest carrier the United States had. In the last two years following this, he lived in London with three other guys in an apartment. So you can imagine what his last two years were like. The story I am going to tell you is when he went into the Navy and he went to the Great Lakes and he went through basic training. This is my favorite story of his. Anyway, they took him into the building of the firing range where they teach you to use weapons. And they gave him a pistol and they asked Gene what he knew about it, they told Gene to raise the pistol and there is the target. Well, when Gene raised the pistol he shot the ceiling, it went straight into the ceiling and from that point they gave him a mop and a bucket. Gene's granddaughter came forward and stated how proud of him that the family is of him and it is an honor every time she goes anywhere and says that Gene Davis is her grandfather. They are so proud of him and they want him to know how much they love him and respect him. Mayor called for further questions or comments, there being none, motion passed.

Mayor Justice called a motion for a short recess. Commissioner Carter made the motion to approve. Commissioner Coleman seconded the motion. There being no comments, motion carried unanimously.

Mayor Justice called the meeting back into session. Commissioner Davis seconded the motion. Motion carried unanimously.

#### **PAYMENT OF CITY BILLS**

The City Manager Donovan Blackburn requested the approval to pay city bills in the amount of \$1,903,024.68. Commissioner Chaney made the motion to approve. Mayor Justice seconded the motion. Mayor Justice called for further discussion. Commissioner Davis asked the traditional question to City Manager Blackburn of do we have the money and Mr. Blackburn answered yes we do have the money. There being no further discussion, motion passed unanimously. 5-0.

#### **CITY ENGINEER**

- 1. Consider request to approve and authorize payment of invoice #0004634 to Consulting Services Incorporated for \$5,900.00 for the Pikeville Commons Lift Station project. Commissioner Chaney made the motion to approve. Commissioner Coleman seconded the motion. Mayor Justice**

- called for comments, there being none, the motion passed unanimously. 5-0.
2. Consider a request to authorize and approve payment of Invoice #72871 to Summit Engineering for \$68,000.00 for the Marion Branch Industrial Park Access Road project. Commissioner Coleman made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for comments, there being none, the motion passed unanimously. 5-0.
  3. Consider a request to authorize and approve payment of Invoice #72870 to Summit Engineering for \$54,400.00 for the Marion Branch Industrial Park Bridge Project. Commissioner Carter made the motion to approve. Commissioner Coleman 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 the following items to read into record.

1. Consider a second reading and adoption of an ordinance #0-2014-019, as submitted, amending the City of Pikeville Zoning Map for the former WLSI property from R-1 to C-2 and authorize the mayor the authority to sign and execute said ordinance on behalf of the City of Pikeville. Commissioner Coleman made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for comments, there being none, Mayor called roll call.

Commissioner Carter: Yes  
Commissioner Coleman: Yes  
Commissioner Chaney: Yes  
Commissioner Davis: Yes  
Mayor Justice: Yes

2. Consider a first reading of ordinance #0-2014-020, as submitted, amending the City of Pikeville 2014-2015 fiscal year's budget. Second reading will take place at the next regular scheduled meeting.
3. Consider a first reading of an ordinance in regards to Chapter 35 taxation. Second reading will take place at the next regular scheduled meeting.

#### CITY MANAGER

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

1. Consider request to appoint Cody Johnson and Reed Potter to the Historic Preservation Board. The new appointments will replace Connie Maddox and Beverly Coleman whose terms have expired as of November 26<sup>th</sup> 2014. Cody and Reed's new appointment shall expire on November 26<sup>th</sup> 2018. Commissioner Chaney made the motion to adopt. Commissioner Carter seconded the motion. Mayor called for further comments, there being none, motion passed unanimously. 5-0.
2. Consider a request to authorize the City of Pikeville to advertise for bid for the purchase and installation of a half house curtain and motorized rigging system for the East KY Expo Center. Commissioner Chaney made the motion to approve. Commissioner Coleman seconded the motion. Mayor Justice called for further comments. Commissioner Carter asked if you found a good deal. City Manager said that Cindy with the Expo has done a great job shopping around. He says that this will give us the ability to utilize the facility in ways that we haven't been able to in the past. Mayor calls for additional questions or comments, there being none, the motion passed. 5-0.
3. Consider a request to authorize and approve a construction contract accepting all terms and conditions of said contract set forth therein dated December 22<sup>nd</sup> 2014, as submitted, between the City of Pikeville and Robert & Joanna Nickell for the construction of a zip line canopy tour attraction, to authorize and approve all payments to be issued pursuant to the terms of the contract as described therein and to authorize the Mayor the authority to sign and execute said contract 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 if necessary to authorize the City of Pikeville to advertise for bid complete sets of safety equipment for canopy tour guides and complete sets of safety equipment for customers for the new canopy tour. 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.
5. Consider a request to request to authorize and approve a bid award and contract for the Geotechnical work for the Marion Branch bridge project to CSI (who was the lowest bidder) for \$44,750 and to issue the notice to proceed for said project and to authorize the Mayor to sign and execute said contract for said work. Commissioner Carter made the motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for comments. City Manager explains that this bridge will go where the old Coal Mac building used to be. Mayor called for additional questions or comments, there being none, the motion passed unanimously. 5-0.
6. Consider a request to authorize and approve a Kentucky Department of Workers' Claims Drug-Free Workplace Renewal Affidavit, as submitted, and to authorize the Mayor the authority to sign and execute said affidavit

- 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.
7. Consider a request to approve payment and award a bid for a 2015 HD 4-wheel drive work truck with standard packet, head rack and light bar to Walters Chevrolet for a total price of \$30,322.16 and to authorize the city manager the authority to sign and execute all paperwork necessary to transfer said truck into the name of the City of Pikeville. Commissioner Chaney made the motion to approve. Mayor Justice seconded the motion. Mayor Justice called for comments, there being none, the motion passed with Commissioner Carter and Commissioner Davis abstaining.
  8. Consider a request to authorize and approve a contract between the City of Pikeville and EQT for the purpose of relocating up to 3,100 linear feet of gas line at a cost of \$32 per foot for the Marion Branch, phase 2 road project, contingent upon final review of the City Attorney and approval of the City Manager and to authorize the Mayor the authority to sign and execute said contract 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.
  9. Consider a request to authorize and approve a Letter of Intent, as submitted, between Raymond James & Associates, Inc., Pikeville Medical Center and the City of Pikeville in regards to Bond Anticipation notes for Pikeville Medical Center. They will have no financial responsibility. Commissioner Chaney made the motion to approve. Commissioner Coleman seconded the motion. Mayor Justice called for comments. Commissioner Carter asked if this is what they were talking about the other day with the IT stuff. City Manager says that this is to refinance this bond and they are doing some additional work and asking for some additional funds and we are acting again as the conduit for this. The first meeting of January we will have the first note for review. There being no further questions or comments, the motion passed unanimously. 5-0.
  10. Consider a request to adopt a resolution, as submitted, in support of the University of Pikeville's request for a \$500,000 Community Development Block Grant for the Kentucky Regional Telecommunications Training Facility Project and to authorize the mayor the authority to sign and execute said resolution on behalf of the City of Pikeville. City Manager says that this item has been tabled until after January 1.
  11. Pursuant to KRS 61.810, consider request for closed session for discussion of economic development, legal and personnel issues. Commissioner Davis made the motion. Mayor Justice seconded the motion. Mayor Justice called for discussion, there being none, the motion passed unanimously. 5-0.
  12. Commissioner Chaney 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.

13. 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:**

City Hall will be closed December 24<sup>th</sup> and December 25<sup>th</sup> for Christmas.

City Hall will be closed December 31<sup>st</sup> and January 1<sup>st</sup> for New Years.

The next scheduled Regular Meeting of the City of Pikeville Board of Commissioners is January 12, 2015 at 6:00 p.m.

APPROVED:

  
FRANKLIN D. JUSTICE, II, MAYOR

ATTESTED:

  
REBECCA HAMILTON, CITY CLERK