

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
OCTOBER 11, 2004**

The Board of Commissioners for the City of Pikeville conducted a regular meeting on Monday, October 11, 2004. The meeting was held in the City Hall Public Meeting Room located at 118 College Street, Pikeville, Kentucky.

There being a quorum present, Mayor Franklin D. Justice, II called the meeting to order at 6:15 p.m. Commission Members present at roll call were as follows:

COMMISSIONER:	DALLAS LAYNE EUGENE W. DAVIS SHAWN A. AMOS JAMES A. CARTER
MAYOR:	FRANKLIN D. JUSTICE, II

AGENDA ITEM II

BUSINESS FROM THE FLOOR

There were no items presented during the call for Business from the Floor.

AGENDA ITEM III.

PAYMENT OF BILLS

A. PIKEVILLE REDEVELOPMENT PROJECT: Presented to the Commission was a final invoice totaling \$9,000.00 from Will Linder & Associates for administration/consulting services for Phase I - Sycamore Street. The clerk recommended approval of payment of the invoice as presented. Mr. Linder was present. He reported that Phases I through IV are complete and the projects have been closed out. Mayor Justice made the motion, seconded by Commissioner Layne to approve payment of the invoice totaling \$9,000.00. The motion carried unanimously.

Presented for approval was an invoice on behalf of Smith, Atkins, and Thompson for deed preparation and closing in the amount of \$150.00 for Phase VI property acquisition from Gwen Daniels. The clerk recommended approval of payment as requested. Commissioner Layne made the motion, seconded by Commissioner Carter to approve payment to Smith, Atkins and Thompson in the amount of \$150.00. The motion carried unanimously.

The clerk reported that all properties located in the Phase VI target area have been acquired.

AGENDA ITEM IV.

OLD BUSINESS

A. BIG SANDY AREA DEVELOPMENT DISTRICT: Denise Thomas was present on behalf of Big Sandy Area Development District. Ms. Thomas had no items of business to present to the Commission.

B. PIKEVILLE MAIN STREET PROGRAM: Melissa Staggs, Pikeville Main Street Program Director, presented the following items for the Commission's consideration:

1. **Phase IV Utility Relocation Project:** Presented to the Commission was Change Order #1 from Overhead Door Company in the amount of \$3,850.00. Charles Byers, City Engineer, advised the change order reflects an increase in the cost of the fencing materials. The Commission pointed out that Overhead Door Company submitted a bid to complete the project and the city should not be responsible for increase in the cost of materials. The Commission directed Mr. Byers to contact Overhead Door Company to renegotiate.

2. Phase IV Utility Relocation Project: Submitted was an invoice totaling \$26,712.00 on behalf of Pikeville Overhead Door Company for decorative fencing and installation to date. Mayor Justice questioned if the invoice included any amount from the change order previously discussed. Ms. Staggs advised the request for payment did not include monies requested through the change order. Commissioner Amos made the motion, seconded by Mayor Justice to approve payment to Overhead Door Company in the amount of \$26,712.00. The motion carried unanimously.

3. Anderson's Landscaping: Presented for approval were two invoices on behalf of Anderson's Landscaping in the amount of \$3,493.62 and \$419.38 for invoices 3034 and 2942, respectively. Ms. Staggs advised the invoices are for plants and installation. The city engineer advised that the work is complete with the exception of installing the feet on some of the wrought iron black planters. Commissioner Layne made the motion to authorize payment of the invoices subject to completion of the work and a walkthrough of the project. Commissioner Amos seconded the motion. The motion carried unanimously.

C. CITY ENGINEER'S REPORTS: Charles Byers representing Summit Engineering, Inc., city engineers, presented a verbal status report for the following projects:

1. Indian Hills Sewer Extension Project: Mr. Byers reported that bids will be opened for this project on October 12th.

D. CITY ATTORNEY'S REPORTS: Russell H. Davis, Jr., city attorney, conducted a public hearing for the establishment of the real property tax rate for 2004-05. Mr. Davis advised the city incurred a substantial increase in real property assessments from last fiscal year. Kentucky law permits a maximum increase of 4% in property tax rates annually. City officials are requesting a reduction in the real property tax rate from the previous year's \$0.175/per \$100.00 of assessed value, to \$0.171/per \$100.00 of assessed value. Last fiscal year's real property tax rate produced revenue totaling \$528,429.00. This fiscal year's proposed rate is expected to produce \$574,550.00. The increase in collections is slated to fund security/maintenance for the parking facility; and additional security required for the civic center. Mr. Davis noted the decrease in real property tax rates will reduce property owner's tax bills by \$4.00 per \$1,000.00 of assessed value. There being no public comments, the public hearing was closed.

City Attorney Davis presented and read the following Ordinance entitled:

AN AMENDED 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 15, 2004 AND PENALTIES IF NOT PAID BY JANUARY 17, 2005.

Commissioner Davis made the motion to declare an emergency and adopt the Ordinance as presented and read. 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. Commissioner Amos seconded the motion. The motion carried by the following votes:

COMMISSIONER:	DALLAS LAYNE	YES
	EUGENE W. DAVIS	YES
	SHAWN A. AMOS	YES
	JAMES A. CARTER	YES
MAYOR:	FRANKLIN D. JUSTICE, II	YES

2. Budget Amendments: First reading was given to an Ordinance captioned as follows:

ORDINANCE AMENDING THE FISCAL BUDGET FOR THE 2004-2005 FISCAL YEAR

The Ordinance will be on file in the clerk's office for public inspection. Second reading was scheduled for October 25, 2004.

E. CITY MANAGER'S REPORTS: Donovan Blackburn, city manager, presented the following items for the Commission's consideration:

1. **Tourism Commission:** The City Manager presented a request from the Chamber of Commerce to re-appoint Reed Potter, Jr. to serve as their representative on the Tourism Commission. Mayor Justice made the motion, seconded by Commissioner Amos to re-appoint Mr. Potter to serve as a member of the Tourism Commission, representing the Chamber of Commerce. The motion carried unanimously.

2. **United Nations Day:** Mayor Justice made the motion to proclaim October 24th as United Nations Day. Commissioner Layne seconded the motion. The motion carried unanimously.

3. **Economic Development Program:** City Manager Blackburn advised the Commission of a meeting at the Chamber of Commerce on October 26th at 8 a.m. concerning economic development. Chamber of Commerce member, Mickey Anders, will be chairing the meeting.

Congratulations were extended to Commissioner Jimmy Carter on being named Ferrell Gas Company's Manager of the Year.

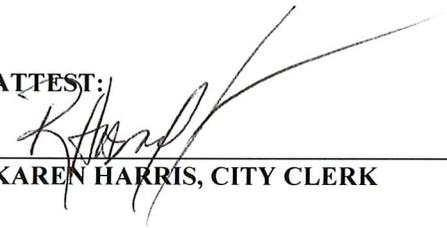
There being no further business to come before the Commission, Commissioner Davis made the motion, seconded by Commissioner Carter to adjourn the meeting. The motion carried unanimously. (Adjournment Time: 7:10 p.m.)

The next scheduled meeting of the Board of Commissioners is October 25, 2004.

APPROVED: _____


FRANKLIN D. JUSTICE, II, MAYOR

ATTEST:



KAREN HARRIS, CITY CLERK