

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
JUNE 27, 2005**

The Board of Commissioners for the City of Pikeville conducted a regular meeting on Monday, June 27, 2005. 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 6:00 p.m. Commission Members present at roll call were as follows:

COMMISSIONER:	DALLAS LAYNE EUGENE W. DAVIS
MAYOR:	FRANKLIN D. JUSTICE, II

Commissioners James A. Carter and M. Shane Hall were absent.

AGENDA ITEM II. MINUTES

The minutes for the previous regular meeting of June 13, 2005 were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Davis made the motion, seconded by Commissioner Layne to approve the minutes as prepared. The motion carried 3 – 0.

AGENDA ITEM III. BUSINESS FROM THE FLOOR

It was announced that former mayor, Frank M. Morris passed away on June 16, 2005. Mr. Morris' cousin, Carolyn Childers, informed the Commission there will be a memorial service on July 8th at the First Baptist Church. Ms. Childers was given permission to borrow Mr. Morris' picture, which currently hangs in the meeting room, for the memorial service. Ms. Childers advised that a memorial fund has been established in memory of Mr. Morris. Contributions can be made to the Historic Gardens Fund. The family plans to purchase a fountain to honor the memory of Mr. Morris. The location for the fountain will be decided at a later date.

A resolution honoring Frank Morrell Morris was presented as follows:

WHEREAS, Frank Morrell Morris, a citizen and community leader of the City of Pikeville did pass away on June 16, 2005, the Commission for the City of Pikeville does now desire to recognize and honor Frank Morrell Morris for his lifetime achievements and service to his community; and

WHEREAS, Frank Morrell Morris was born on April 24, 1931 in Pike County Kentucky; and

WHEREAS, Frank Morrell Morris was a graduate of Pikeville High School and attended Pikeville College, He also served in the U.S. Army during the Korean Conflict.

WHEREAS, Frank Morrell Morris was a noble civic leader having served as Mayor of the City of Pikeville from 1999 to 2002. He also was a former Pikeville City Commissioner and former Director of the Pike County Chamber of Commerce.

WHEREAS, Frank Morrell Morris' dedication of his time and talents to serving his community and his exemplar community leadership is deemed worthy of being recognized and honored by this Commission;

THEREFORE, BE IT RESOLVED by the Commission for the City of Pikeville that to all whom these presents shall come, know ye that Frank Morrell Morris is by this Commission and the City of Pikeville recognized and honored for a superior effort, relentless determination and dedication of exemplar service to and love of his community. The life and labors of this individual have made his community a better place. IT IS ORDERED by this Commission that July 8, 2005 shall be known as "Frank Morris Day" in honor and recognition of Frank Morris. IT IS FURTHER ORDERED that this Resolution is to be duly recorded within the records of the City of Pikeville so that his achievements will be known by those who serve hereafter and a copy thereof delivered to Frank Morrell Morris' family in recognition of the honor that is being bestowed upon Frank Morrell Morris this day.

Commissioner Layne made the motion, seconded by Commissioner Davis to adopt the resolution. The motion carried 3 – 0.

Commissioners Layne and Davis shared some of their memories of Frank Morris and complimented his service to the community.

AGENDA ITEM IV. PAYMENT OF BILLS

Presented for approval of payment was a list of City Bills totaling \$449,565.42. Commissioner Layne made the motion, seconded by Commissioner Davis to approve payment as requested. The motion carried 3 – 0.

AGENDA ITEM V. OLD BUSINESS

A. BIG SANDY AREA DEVELOPMENT DISTRICT: Executive Director of BSADD, Sandy Runyon, explained that BSADD is assisting the Office of Homeland Security in obtaining information regarding cities and counties within the State of Kentucky. The following resolution was presented and read:

A RESOLUTION ADOPTING THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS)

WHEREAS, in Homeland Security Directive (HSPD)-5, the President directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for federal, state, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, the collective input and guidance from all federal, state, local and tribal homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS; and

WHEREAS, it is necessary that all federal, state, local, and tribal emergency management agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

WHEREAS, to facilitate the most efficient and effective incident management it is critical that federal, state, local, and tribal organizations utilize standardized terminology, standardized organizational structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters; and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the state's ability to utilize federal funding to enhance local and state agency readiness, maintain first responder safety, and streamline incident management processes; and

WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the state, including all public safety and emergency response organizations training programs and required by Kentucky law for all emergency responses; and

WHEREAS, the National Commission of Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System.

Now, therefore, be it resolved by the Legislative Council of City of Pikeville, Kentucky as follows:

SECTION I: That all emergency response agencies shall adopt and utilize the National Incident Management System (NIMS) for all incident management and by all incident response personnel in the (state) (county).

SECTION II: The National Incident Management System is attached hereto as Exhibit A, and is hereby adopted by reference to ensure the NIMS is fully

incorporated into all emergency response plans, procedures, and policies, and to ensure that all personnel are appropriately trained in the NIMS.

SECTION III: Training of all emergency responders shall be done in coordination with the HIMS Compliance Officer as designated for the Commonwealth of Kentucky.

SECTION IV: This resolution shall take effect upon its passage and approval.

Commissioner Davis made the motion to adopt the resolution. Commissioner Layne seconded the motion. The motion carried 3 – 0.

B. PIKEVILLE MAIN STREET PROGRAM: Program Director, Melissa Staggs, reported the Pikeville Main Street Board, during their annual meeting, recommended the City Commission approve an expansion of the Renaissance Project as well as a budget for the expenditure of remaining funds from the Utility Relocation Project. The Pikeville Main Street Board recommended approval of the following budget:

Main Street Program (administration money/2005-06 annual budget)	\$ 90,000.00
Mayor Hambley Statue (includes base and shipping)	35,000.00
Removal of additional poles and overhead utilities (Huffman Avenue)	65,000.00
Renaissance Period Street Signs for Downtown	56,000.00
Renaissance Period Picnic Tables and Benches (park and courthouse area)	12,000.00
FENCING	
City Park (replace rusted chain link fence behind playground)	7,150.00
City Park (decorative)	6,950.00
Main Street (office parking lot near Larry Webster's)	1,775.00
Main Street (parking lot adjacent to BB & T)	3,950.00
City Park Fountain	8,000.00
City Park Restrooms (upgrade to commercial fixtures)	9,845.38
Total	\$295,670.38

Mayor Justice made the motion to adopt the Renaissance Project Expansion budget as recommended by the Main Street Board. Commissioner Layne seconded the motion. The motion carried 3 – 0.

Presented for approval of payment was Invoice #4 from American Electric Power in the amount of \$50,532.32 for Phase III of the Utility Relocation Project. Ms. Staggs reported there will be no further invoices until AEP begins removing the utility poles along Huffman Avenue. The invoice was approved for payment by the Main Street Board. Commissioner Layne made the motion, seconded by Commissioner Davis to approve payment to AEP in the amount of \$50,532.32 as recommended by the Main Street Board. The motion carried 3 – 0.

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

1. **Thompson Road Improvements – Phase I:** Presented for approval was a funding agreement between the City of Pikeville and the Department of Transportation for improvements to Thompson Road in the area between the Buckley's Creek Bridge and Super 8 Motel. The city attorney questioned the amount of funding dedicated to the project and suggested the language be clarified prior to executing the agreement. Commissioner Layne made the motion, seconded by Commissioner Davis to authorize the Mayor to execute the agreement at such time as the city attorney recommends signature. The motion carried 3 – 0.

2. **Marions' Branch Road:** Mr. Byers presented a cost estimate from Elswick Construction Company to repair an additional slippage area on Marions' Branch. Depending on the type of materials used, the cost for repairs is estimated between \$80,000 and \$130,000. The Commission instructed the city engineer and city manager to seek the coal company's assistance in funding the repairs.

3. **Gateway Repairs:** Discussion concerning the repairs to the gateway located at Baird Avenue was had during work session. Further discussion was delayed until the next meeting.

4. **Indian Hills Sewer Extension Project:** Pumping station start-up is expected on June 30th. Mr. Byers reported that Indian Hills Drive is now ready to be paved.

D. CITY ATTORNEY'S REPORTS: Russell H. Davis, Jr., city attorney, presented the following items for the Commission's consideration:

1. **Kinzer Drilling:** City Attorney Davis presented Kinzer Drilling's request for a waiver to the regulatory agency to drill a gas well behind the city's public works department. The Commission expressed their concern for safety as the location of the proposed gas well relates to the coal mining operation and the coal reserve. It was explained that Kinzer Drilling owns the gas mineral rights while the city retains ownership of the coal reserve. The city attorney and engineer will review the request and report back to the Commission at the next meeting.

2. **Speed Limit:** Presented and given first reading was an ordinance entitled as follows:

ORDINANCE SETTING SPEED LIMIT ON THOMPSON ROAD WITHIN THE CITY OF PIKEVILLE AT 35 M.P.H.

Second reading of the ordinance was scheduled for July 11, 2005.

3. **Street Sweeper:** Presented to the Commission for approval was a resolution to establish a policy for use of the street sweeper as well as a fee schedule. Suggested was charging \$50.10/hr. for use during regular operating hours or \$57.10/hr. for after business hours. The matter was tabled.

4. **Cable T.V. Franchise Fee:** Second reading was given to the following ordinance entitled:

AN ORDINANCE AMENDING SECTION 6 OF ORDINANCE NO. O-87-022 TO INCREASE THE FRANCHISE FEE FROM THREE PERCENT (3%) OF THE CABLE TELEVISION OPERATOR'S GROSS REVENUES IN PIKE COUNTY TO FIVE PERCENT (5%) OF THE CABLE TELEVISION OPERATOR'S GROSS REVENUES IN PIKEVILLE, KENTUCKY

Mayor Justice made the motion to adopt the Ordinance as presented and given second reading. Commissioner Davis seconded the motion. The motion carried by the following votes:

COMMISSIONER:	DALLAS LAYNE	YES
	EUGENE W. DAVIS	YES
	JAMES A. CARTER	ABSENT
	M. SHANE HALL	ABSENT
MAYOR:	FRANKLIN D. JUSTICE, II	YES

5. **Budget Amendment:** Presented for first reading was an Ordinance entitled as follows:

ORDINANCE AMENDING THE FISCAL BUDGET FOR THE 2005-2006 FISCAL YEAR

Second reading was scheduled for July 11, 2005.

E. POLICE DEPARTMENT UPDATE: Police Chief Larry Sanders presented a written summary of Police Department activities for the previous two week period. Chief Sanders advised there were 598 calls for assistance logged during this time period. The 911 Communications Center was audited by the state. Zero errors were detected.

F. FIRE DEPARTMENT UPDATE: Assistant Fire Chief Ronald Conn reported the Fire Department responded to 40 EMS calls and 32 Fire calls during the previous two week period. Fire Department personnel participated in training for the use of a stair chair; NIMS certification; and Fire Inspection software. With the assistance of the Asst. for Economic Development, a grant application was prepared to solicit funds to employ additional fire fighters.

City Manager Blackburn reported that he had received several compliments regarding the maintenance of city properties.

G. CITY MANAGER'S REPORTS: Donovan Blackburn, City Manager, presented the following matters for the Commission's consideration:

1. **Pedway Signs:** City Manager Blackburn requested permission to advertise for bids for the purchase of two electronic signs for the parking garage pedway. It was determined the existing signs are too small. City Manager Blackburn estimated the cost of the purchase to be \$50,000. Mayor Justice made the motion, seconded by Commissioner Layne to authorize the city manager to advertise for bids for the purchase of two pedway signs. The motion carried 3 – 0.

2. **Pike County Bowl:** Presented was a request from Community Trust Bank for exclusive use of the Hambley Athletic Complex on August 19th to host the Pike County Bowl. Commissioner Davis made the motion, seconded by Commissioner Layne to approve the request for use of Hambley Athletic Complex for the entire day of August 19, 2005 for the Pike County Bowl. The motion carried 3 – 0.

City Manager Blackburn requested a closed session for the purpose of discussing an Economic Development Issue.

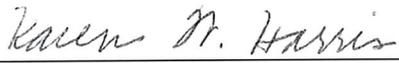
Mayor Justice made the motion, seconded by Commissioner Davis to adjourn to closed session for the purpose of discussing an Economic Development Issue. The motion carried 3 – 0.

Mayor Justice made the motion to reconvene to regular session. Commissioner Layne seconded the motion. The motion carried 3 – 0.

There being no further business to come before the Commission, Commissioner Davis made the motion to adjourn. Commissioner Layne seconded the motion. The motion carried 3 – 0. (Adjournment Time: 7:45 p.m.)

The next scheduled meeting of the Pikeville City Commission is Monday, July 11, 2005 at 6:00 p.m.

APPROVED: 
FRANKLIN D. JUSTICE, II, MAYOR

ATTEST:

KAREN W. HARRIS, CITY CLERK