



City Manager Blackburn explained the drains were installed to eliminate water from going across the street, which in turn prevents ice during the winter season. Public Works has attempted to cut down the drains with a grinding machine however this measure has not remedied the problem. The Public Works Department plans to try to sand down the drain and fill in with concrete to make a smoother transition. It was reported that rubber matting will be installed around the drains to keep down the noise. With regard to the waste bins and receptacles, City Manager Blackburn reported that a copy of the ordinance was mailed to the street residences. Bins to store the waste receptacles are not prohibited by ordinance.

Mr. Robertson, a resident of Mount Martha, requested an additional drain near his residence.

The city engineer was directed to assess the area to determine if all the drains are necessary. Public Works will concentrate their efforts to repair the drain in the worst condition utilizing a concrete transition.

#### **AGENDA ITEM IV.**

#### **PAYMENT OF BILLS**

A list of city bills totaling \$439,085.78 and a supplemental list totaling \$47,773.13 were presented to the Commission for approval of payment. Commissioner Layne made the motion to approve payment of both bill listings as requested. Commissioner Chaney seconded the motion. The motion carried 4 – 0.

#### **AGENDA ITEM V.**

#### **OLD BUSINESS**

**A. BIG SANDY AREA DEVELOPMENT DISTRICT:** No report

**B. PIKEVILLE MAIN STREET PROGRAM REPORT:** Main Street Program Director, Serena Stiltner, requested permission to submit a federal funding application in the amount of \$25,000.00 for repairs to the skate park. Commissioner Chaney made the motion, seconded by Commissioner Layne to authorize the submission of a funding application for Land and Water Conservation Funds. The motion carried 4 – 0.

**C. CITY ENGINEER'S REPORTS:** Update for projects given during work session. City Engineer Sykes requested the Commission's approval to remit payment of an invoice to J & W Contracting, LLC. The invoice totaling \$139,997.00 is for the Bob Amos Park Sidewalk Project. A 10% retainage is being withheld from the total invoice amount (\$155,552.00). Commissioner Layne made the motion, seconded by Commissioner Carter to authorize payment to J & W Contracting, LLC in the amount of \$139,997.00 for the Bob Amos Park Sidewalk Project. The motion carried 4 – 0.

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

**1. Physical Fitness Program:** First reading was given to an Ordinance entitled as follows:

**ORDINANCE ADOPTING PHYSICAL FITNESS STANDARDS FOR THE CITY OF PIKEVILLE POLICE DEPARTMENT AND FIRE DEPARTMENT; CREATING A PHYSICAL FITNESS COMMITTEE TO ADMINISTER TESTING FOR COMPLIANCE WITH PHYSICAL FITNESS STANDARDS; AND ADOPTION OF INCENTIVES FOR COMPLIANCE WITH PHYSICAL FITNESS STANDARDS AND DISCIPLINARY ACTION FOR CERTAIN EMPLOYEES OF THE POLICE AND FIRE DEPARTMENTS WHO FAILED TO MEET THE REQUIRED PHYSICAL FITNESS STANDARDS**

The ordinance will be on file in the office of the City Clerk for public inspection. Second reading was scheduled for April 23, 2007.

**2. Parking Regulations:** First reading was given to an Ordinance amending Chapter 72 of the Parking Regulations Ordinance. The Ordinance was read entitled:

**SUMMARY ORDINANCE AMENDING CHAPTER 72 "PARKING REGULATIONS" FOR THE CITY OF PIKEVILLE; ALLOWING THE TEMPORARILY DISABLING OF A MOTOR VEHICLE FOR RECEIVING MORE THAN 3 CITATIONS IN A 30 DAY PERIOD AND INCREASING THE DISABLING FEE FROM \$10.00 TO \$40.00; DELETING PARKING METER REGULATIONS, HELLIER STREET PARKING LOT FEES; PARKING AROUND CITY HALL AND UTILITY OFFICE; CITY EMPLOYEE PARKING AREA; PARKING AUTHORITY; GRANTING PIKEVILLE COLLEGE OFFICERS AUTHORITY TO ISSUE PARKING CITATIONS; AND INCREASING PARKING CITATION FINES.**

The ordinance was placed on file in the office of the City Clerk for public inspection. Second reading was scheduled for April 23, 2007.

**3. Motorized Vehicles in the City Park:** Presented for first reading was an ordinance entitled:

**ORDINANCE AMENDING CHAPTER 93 "PARKS AND RECREATION" FOR THE CITY OF PIKEVILLE**

Second reading of the ordinance was scheduled for April 23, 2007.

4. Hillbilly Days Vendors: Second reading was given to the following Ordinance entitled:

**ORDINANCE RESTRICTING BUSINESS HOURS FOR TEMPORARY VENDORS/LICENSES IN THE DOWNTOWN AREA OF THE CITY OF PIKEVILLE, KENTUCKY ON SATURDAY OF THE ANNUAL HILLBILLY DAYS FESTIVAL AND PROVIDING PENALTIES FOR VIOLATION (ORDINANCE O-2007-011)**

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

<b>COMMISSIONER:</b>	<b>DALLAS LAYNE</b>	<b>YES</b>
	<b>EUGENE W. DAVIS</b>	<b>YES</b>
	<b>JAMES A. CARTER</b>	<b>YES</b>
	<b>BARRY N. CHANEY</b>	<b>YES</b>
<b>MAYOR:</b>	<b>FRANKLIN D. JUSTICE, II</b>	<b>ABSENT</b>

**E. FIRE DEPARTMENT UPDATE:** Fire Chief, Ronald Conn, presented a brief update of activities in the Fire Department during the time period of March 26 – April 9, 2007. The Fire Department responded to 32 fire runs, 1 mutual aid call (mining incident) and 45 EMS runs. Six firefighters attended the Johnson County Fire School. Personnel began construction of a storage facility.

**F. CITY MANAGER’S REPORTS:** Donovan Blackburn, City Manager, presented the following items for the Commission’s consideration:

1. **Skate Park:** City Manager Blackburn reported that he has negotiated an agreement with the YMCA for termination of their lease of the skate park. The city will assume operation of the facility effective April 16, 2007. Should the city decide to cease operation of the skate park, the facility will be offered to the YMCA for operation. Commissioner Carter made the motion to approve the termination of lease agreement and to authorize the Mayor to execute said agreement. Commissioner Chaney seconded the motion. The motion carried 4 – 0.

**2. Personnel Policy Amendments**

a. **Holiday and City Hall Closings:** The city manager presented a request to amend the personnel policy to provide for City Hall to be closed on the Thursday and Friday of Hillbilly Days each year. He explained the days will not be considered as holidays as employees are required to work Thursday, Friday and Saturday of the event in the downtown area. Salaried employees will be permitted to take a day off within the 30 days following the event. Hourly employees working overtime will have the option of being paid overtime or taking a day off during the scheduled week, at the city manager’s discretion. Commissioner Layne made the

**motion, seconded by Commissioner Carter to approve the policy amendment regarding holiday and City Hall closings as proposed by the city manager. The motion carried 4 – 0.**

**b. Break and Meal Period Policy:** City Manager Blackburn requested a change in the personnel policy with regard to breaks and meal periods for city employees. The amended policy reflects a break period of 15 minutes for each 4 consecutive hours worked and grants authority to the supervisor to require their subordinates to clock in and out for break periods and lunch periods. Commissioner Layne made the motion, seconded by Commissioner Chaney to approve the amendment to the personnel policy with regard to breaks and meal periods for city employees. The motion carried 4 – 0.

**c. Promotions:** Recommended for approval was an amendment to the personnel policy with regard to promotions within the Police and Fire Departments. Sections 4 and 5 were added to provide for a Chain of Command and qualifications for the application process as follows:

<b>Position</b>	<b>Experience</b>	<b>Previous Position Held</b>
<b>Fire Chief</b>	<b>10 years</b>	<b>Asst. Fire Chief/Senior Battalion</b>
<b>Assistant Fire Chief</b>	<b>1 year</b>	<b>Sr/BC or Battalion Chief</b>
<b>Senior Battalion Chief</b>	<b>1 year</b>	<b>Battalion Chief</b>
<b>Battalion Chief</b>	<b>2 Years</b>	<b>Lieutenant</b>
<b>Lieutenant</b>	<b>5 Years</b>	<b>Fire Fighter/EMT</b>
<b>Captain/Fire Inspector</b>	<b>6 Years</b>	<b>Lieutenant</b>

<b>Position</b>	<b>Experience</b>	<b>Previous Position Held</b>
<b>Police Chief</b>	<b>8 Years</b>	<b>Captain</b>
<b>Captain</b>	<b>2 Years</b>	<b>Sergeant</b>
<b>Sergeant</b>	<b>5 Years</b>	<b>Patrolman</b>

**Commissioner Carter made the motion to approve the charts for progressive promotions as recommended. Commissioner Chaney seconded the motion. The motion carried 4 – 0.**

**3. Fire Department Battalion Chief:** Pursuant to the policy amendment regarding promotions, the City Manager recommended the promotion of David Maynard from the position of Lieutenant to Battalion Chief at the rate of pay stated in the adopted salary and wage plan. Commissioner Chaney made the motion, seconded by Commissioner Carter to promote David Maynard to the position of Battalion Chief at the prescribed rate of pay. The motion carried 4 – 0.

**4. Position Advertisements:** Commissioner Chaney made the motion, seconded by Commissioner Layne to authorize the posting of the positions of

Lieutenant for the Fire Department and the positions of Captain and Sergeant for the Police Department. The motion carried 4 – 0.

5. 911 Equipment Bids: Tabled until the next regular meeting.

6. Vehicle Purchase: Commissioner Chaney made the motion, seconded by Commissioner Carter to authorize the city manager to advertise for the purchase of a vehicle for Administration. The motion carried 4 – 0.

At the request of City Manager Blackburn, Commissioner Chaney made the motion to adjourn to closed session for the purpose of discussing personnel, legal and economic development matters. Commissioner Carter seconded the motion. The motion carried 4 – 0.

Commissioner Chaney made the motion, seconded by Commissioner Carter to reconvene to regular session. The motion carried 4 – 0.

City Attorney Davis explained that Terry N. and Christi M. Ratliff of 107 Apple Court have requested permission to encroach upon the city's utility easement approximately 4 feet to build an addition to their home. In exchange for the city's agreement to allow the encroachment, Mr. and Mrs. Ratliff agree to release the City of Pikeville from any and all claims of damages to the proposed addition to their home in the event that it is necessary for the City of Pikeville to maintain or reconstruct the utilities which are located within their utility easement. The Ratliff's also grant a permanent easement to the city to do the work necessary to maintain and reconstruct utilities in the City of Pikeville's utility easement that traverses the property (Parcel 32 of the Cedar Hills Subdivision). Commissioner Chaney made the motion to enter into the Easement and Release Agreement. Commissioner Layne seconded the motion. The motion carried 4 – 0.

There being no further business to come before the Commission, Commissioner Carter made the motion, seconded by Commissioner Chaney to adjourn the meeting. The motion carried 4 – 0.

The next regular meeting of the Pikeville City Commission is scheduled for April 23, 2007 at 6:00 p.m.

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

ATTESTED:

\_\_\_\_\_  
KAREN W. HARRIS, CITY CLERK