

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
MAY 14, 2007**

The Board of Commissioners for the City of Pikeville met in regular session on Monday, May 14, 2007. 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:	EUGENE W. DAVIS JAMES A. CARTER BARRY N. CHANEY
MAYOR:	FRANKLIN D. JUSTICE, II

Commissioner Dallas Layne was absent.

AGENDA ITEM II. MINUTES

The minutes for the previous regular meeting of April 23, 2007 were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Carter made the motion, seconded by Commissioner Davis to approve the minutes as prepared. The motion carried 4 – 0.

AGENDA ITEM III. BUSINESS FROM THE FLOOR

A. AMERICAN CANCER SOCIETY: American Cancer Society Relay for Life Event Co-Chair for 2007, Thelma Vinson, appeared before the Commission to request adoption of a Proclamation designating May 18, 2007 as Relay for Life Day in the City of Pikeville. Ms. Vinson reported that \$54,000 has been raised thus far for the event. All funds received from the event are used for transportation of patients, research, and medication for patients who can't afford treatment. The proclamation was read entitled:

Proclamation

State of Kentucky
City of Pikeville
By Mayor Franklin D. Justice, II, DVM

Whereas: Cancer will touch one in two men and one in three women during their lifetime.

Whereas: This year alone, 559,650 Americans are expected to die of cancer - more than 1,500 people a day.

Whereas: Nationwide, more than 1,444,920 people will be diagnosed with cancer this year, and an estimated 22,850 of those cases will be Kentucky residents.

Whereas: The American Cancer Society is the nationwide, community-based, voluntary health organization dedicated to eliminating cancer as a major health problem by preventing cancer, saving lives and diminishing suffering from cancer, through research, education, advocacy and service.

Whereas: Relay For Life is the American Cancer Society's signature activity raising awareness and funds for the fight against cancer.

Whereas: On May 18, 2007, teams of community members will take turns walking or running around a track for 24 hours during this unique fund-raising event to symbolize that cancer never sleeps and, therefore, we cannot stop fighting.

Therefore, I, Franklin D. Justice, II, mayor of the City of Pikeville, Kentucky, by virtue of the authority vested in me, do hereby proclaim May 18, 2007 as American Cancer Society Relay For Life Day in Pikeville, Kentucky, and in doing so, urge all community members to support the fund-raising efforts of local Relay For Life teams, to join cancer survivors in the celebration of life, and dedicate themselves to the fight against cancer by attending the Relay For Life event on May 18 - 19, 2007 at Bob Amos Park.

Commissioner Chaney made the motion, seconded by Commissioner Davis to adopt the proclamation as presented. The motion carried 4 - 0.

City Manager Blackburn commented that he, Serena Stiltner, and John Cole serve on the Relay for Life Committee overseeing logistics.

B. SKATE PARK: Justin Morris and Justin Crawford were present to express their appreciation to the Commission for reopening the skate park facility and eliminating the fee to use the skate park. Mayor Justice credited Commissioners Chaney and Carter along with City Manager Blackburn and Main Street Director Serena Stiltner, with the initiative, and commended them for their efforts. The young men asked the Commission to consider keeping the lights on longer during the summer hours. The skate park has been vandalized a couple of times since the city began operation of the facility. The young men opined that leaving the lights on longer may help in deterring the vandalism. City Manager Blackburn commented that the city would continue to monitor the usage of the facility as well as the participants' efforts to keep the facility clean. If the situation improves, the Commission will determine if the lights can be kept on for a longer period of time each day. Commissioner Carter pointed out that it is the responsibility of the participants to help keep the facility clean. He expressed his appreciation to the skaters for coming to the meeting to thank the Commission.

AGENDA ITEM IV.

PAYMENT OF BILLS

A. CITY BILLS: A list of City Bills totaling \$548,505.38 was presented to the Commission for approval of payment. Commissioner Davis made the motion, seconded by Commissioner Chaney to approve payment of the City Bills as requested. The motion carried 4 – 0.

AGENDA ITEM V.

OLD BUSINESS

A. BIG SANDY AREA DEVELOPMENT DISTRICT: No report

B. PIKEVILLE MAIN STREET PROGRAM: Director for the Pikeville Main Street Program, Serena Stiltner, presented the Commission with a written activities report. Ms. Stiltner advised that she has notified Unisign regarding the problem with the paint beginning to peel on the newly installed street sign poles. Unisign has contacted the street sign pole vendor to determine a remedy.

C. CITY ENGINEER'S REPORTS: No report

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

1. **Budget Amendment:** Presented and given second reading was an Ordinance entitled as follows:

ORDINANCE AMENDING THE FISCAL BUDGET FOR THE 2006-2007 FISCAL YEAR (O-2007-015)

Commissioner Carter 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	ABSENT
	EUGENE W. DAVIS	YES
	JAMES A. CARTER	YES
	BARRY N. CHANEY	YES
MAYOR:	FRANKLIN D. JUSTICE, II	YES

2. Sandy Valley Water District: Presented and given first reading was an Ordinance captioned as follows:

ORDINANCE OF THE CITY OF PIKEVILLE, KENTUCKY, AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SALE OF \$781,527 PRINCIPAL AMOUNT OF CITY OF PIKEVILLE WATER AND SEWER SYSTEM REVENUE BONDS, SERIES 2007 FOR THE PURPOSE OF REPLACING AND BEING SUBSTITUTED FOR A PORTION OF CERTAIN OUTSTANDING BONDS ISSUED BY THE SANDY VALLEY WATER DISTRICT; SETTING FORTH TERMS AND CONDITIONS UPON WHICH SAID BONDS MAY BE ISSUED AND OUTSTANDING; PROVIDING FOR THE COLLECTION, SEGREGATION AND DISTRIBUTION OF THE REVENUES OF SAID COMBINED AND CONSOLIDATED WATER AND SEWER SYSTEM; AND PROVIDING FOR AN ADVERTISED, PUBLIC, COMPETITIVE SALE OF SAID BONDS

Second reading was scheduled for May 29, 2007.

3. Utility Rules and Regulations: Presented and given first reading was an Ordinance entitled as follows:

AN ORDINANCE AMENDING THE UTILITY RULES AND REGULATIONS SO TO SPECIFY THE TIME DISCONNECTION OF SERVICES FOR NON PAYMENT

Second reading was scheduled for May 29, 2007.

E. FIRE DEPARTMENT UPDATE: Firefighter/EMT, Keith Gillispie, presented a written activities report on behalf of the Fire Department. During the previous two week period, the Fire Department responded to 44 Fire Calls and 52 EMS Calls. Fire Department personnel made a river dive for UMG to clean the city's raw water intake. The Commission directed the City Manager to discuss dredging the river around the raw water intake with UMG manager, Greg May. UMG staff will be asked to prepare GPS mapping of the upper pond area, as the water condition of the pond was discussed. Also discussed was the mutual aid agreement signed with

Med Flight. It was explained the mutual service will be limited to the area within city boundaries.

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

1. Quitclaim Deed-Mossy Bottom Sewer System: Presented for approval was a Quitclaim Deed of Conveyance from Mountain Water District for the Mossy Bottom Sewer System. Commissioner Davis made the motion to authorize the Mayor to execute the deed as presented. Commissioner Chaney seconded the motion. The motion carried 4 – 0.

2. Tollage Creek Sewer Line Transfer Agreement: Presented for approval was an agreement between T.J. Realty Company and the City of Pikeville for transfer of a force main sewer line on Tollage Creek. T.J. Realty constructed the line and will transfer said line to the City of Pikeville for operation and maintenance. UMG assistant manager, Donnie Slone, advised the Commission that UMG staff did inspect the line to ensure its construction in accordance with city specifications. Commissioner Carter made the motion to approve the agreement and to authorize the Mayor to execute said agreement. Commissioner Davis seconded the motion. The motion carried 4 – 0.

3. Easement-Tollage Creek Sewer Line: Presented for approval was an easement agreement from T.J. Realty Company transferring a 25 foot permanent easement for the purpose of operation, repair, maintenance, or replacement of the Tollage Creek Sewer Line. Commissioner Davis made the motion to accept the easement and to authorize the Mayor to execute said easement agreement. Commissioner Chaney seconded the motion. The motion carried 4 – 0.

4. Sandy Valley Water District Debt Assignment: Commissioner Carter made the motion, seconded by Commissioner Chaney, to authorize the Mayor to execute all necessary documentation regarding the debt assignment for the Sandy Valley Water District. The motion carried 4 – 0.

5. S & L Services: City Manager Blackburn and Police Chief Adkins recommended the approval of an agreement with S & L Services for the acquisition, installation, and monitoring of GPS equipment for 25 city vehicles. Commissioner Davis made the motion, seconded by Commissioner Chaney, to approve the agreement as discussed during work session. The motion carried 4 – 0.

6. Commission Meeting: Due to the Memorial Day Holiday, Commissioner Chaney made the motion, seconded by Commissioner Carter to cancel the Commission Meeting scheduled for May 28, 2007 and to authorize a Special Meeting to be held on May 29, 2007 at 4:00 p.m. The motion carried 4 – 0.

7. Property Purchase: City Manager Blackburn reported that he had negotiated the purchase of two tracts of property, located on Saad Avenue, owned by David and Sherry Collier. The purchase price is \$85,000.00. The City Manager recommended approval to purchase the property and to authorize the Mayor to execute the deed, subject to receiving a clear title opinion, and to further authorize advertising for bids for the demolition of the structure. Commissioner Chaney made the motion to authorize the purchase of the Collier Property contingent upon receipt of a clear title opinion, authorize the Mayor to execute the deed, and to advertise for bids for demolition. Commissioner Davis seconded the motion. The motion carried 4 – 0.

8. Garbage Truck: The City Manager recommended the Commission to authorize the advertisement for the purchase of a small garbage truck. He explained the proposed purchase is included in the current year's budget as a capital expense. Commissioner Carter made the motion, seconded by Commissioner Chaney to authorize the advertisement for bids for the purchase of a small garbage truck. The motion carried 4 – 0.

9. 911 System: Commissioner Davis made the motion to reject all bids received for the purchase of 911 system equipment and to rebid the project. Commissioner Chaney seconded the motion. The motion carried 4 – 0.

10. Budget Review: The Commission scheduled a work session to review the proposed 2007-2008 operating budget for the City of Pikeville on May 21, 2007 beginning at 4:00 p.m.

11. Sewer Vac Truck: UMG assistant manager, Donnie Slone, explained the public works department's desire to acquire a rebuilt sewer vac truck. The proposed vehicle is a 1998 model and is priced at \$96,000. A new vehicle is estimated to cost \$225,000. Personnel plan a trip to inspect the vehicle and inquire about the warranty. Commissioner Carter made the motion to advertise for bids for the acquisition of a rebuilt sewer vac truck. Commissioner Davis seconded the motion. The motion carried 4 – 0.

Commissioner Davis made the motion to adjourn to closed session for the purpose of discussing a legal, personnel, and economic development matters. Mayor Justice seconded the motion. The motion carried 4 – 0.

Mayor Justice made the motion to reconvene to regular session. Commissioner Carter seconded the motion. The motion carried 4 – 0.

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

The next meeting of the Pikeville City Commission is scheduled for May 29, 2007 at 4:00 p.m.

APPROVED: _____
FRANKLIN D. JUSTICE, II, MAYOR

ATTEST:

KAREN W. HARRIS, CITY CLERK