

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
SPECIAL MEETING MINUTES
November 3, 2008 AT 6:00 P.M.**

The Board of Commissioners for the City of Pikeville met in a special called session on Monday, November 3, 2008. The meeting was held in the City Hall Conference Meeting Room located at 118 College Street, Pikeville, Kentucky.

There being a quorum present, Pro Team Mayor Eugene Davis called the meeting to order at: 6:00 p.m. Commission Members present at roll call were a follows:

COMMISSIONER:

**GENE DAVIS- PRO TEAM MAYOR
BARRY CHANEY
DALLAS LAYNE
JIMMY CARTER**

MAYOR:

FRANKLIN D. JUSTICE, II- ABSENT

MINUTES

The minutes for the previous regular meeting held on October 27, 2008 were in each Commission Member's agenda package. There being no additions or corrections, Commissioner Layne made the motion to approve the minutes as prepared. Commissioner Chaney seconded the motion. Pro Team Mayor Eugene Davis called for discussion, there being none the motion carried unanimously.

PAYMENT OF CITY BILLS

A list of City Bills totaling \$426,889.39 was presented to the Commission for approval of payment. Commissioner Chaney made the motion to approve. Commissioner Carter seconded the motion. Pro Team Mayor Eugene Davis called for discussion, there being none the motion carried unanimously.

ANNEXATION

City Manager Donovan Blackburn presented and gave the 1st reading of an ordinance to finally annex 153.67 acres at Sword Fork of Fords Branch in Pike County, Kentucky.

**ORDINANCE FINALLY ANNEXING BY THE CITY
OF PIKEVILLE CERTAIN UNINCORPORATED
TERRITORY LYING ADJACENT TO THE PRESENT CITY**

**CORPORATE LIMITS AND COMPRISING OF APPROXIMATELY
153.67 ACRES EXTENDING THE CITY'S CORPORATE LIMITS
AT SWORD FORK OF FORDS BRANCH OF THE LEVISA
FORK OF THE BIG SANDY RIVER**

ORDINANCE NO. 0-2008-026

WHEREAS, Ordinance No. 0-2008-019 was passed on the 25th day of August, 2008 by the Commission for the City of Pikeville, Kentucky enacting an ordinance stating its intent to annex to the City Limits of Pikeville certain unincorporated territory more particularly described hereinafter, and

WHEREAS, the territory to be annexed is adjacent and contiguous to the City of Pikeville's existing boundaries and the City Commission has determined that no part of the area to be annexed shall be included in the boundary of another city; and

WHEREAS, the Pikeville City Commission has determined that by reason of the population density, commercial and/or industrial use of the surrounding land, the territory sought to be annexed by the City of Pikeville is urban in character and suitable for development for the urban purposes by the City of Pikeville without unreasonable delay;

WHEREAS, pursuant to KRS 81A.425, notice was sent by first-class mail to each property owner listed on the records of the Pike County Property Valuation Administrator as of January 1, 2008; and,

WHEREAS, said notice was mailed no later than fourteen (14) days prior to the meeting at which the ordinance proposing the annexation and stated the intention of the City of Pikeville to annex the territory received its second reading; and

WHEREAS, Ordinance No. 0-2008-019, proposing the annexation was duly read in accordance with the Kentucky Revised Statutes, and was published and went into effect on August 26th, 2009; and,

WHEREAS, more than sixty (60) days have elapsed since Ordinance No. 0-2008-019 went into effect, and no petition containing signatures of property owners in the area to be annexed has been received by the Mayor pursuant to KRS 81A.420; and,

WHEREAS, all notices required by Kentucky Revised Statutes have been provided and/or published according to law;

WHEREAS, the Pikeville City Commission has determined that by reason of the location of certain utilities contained within a portion of the territory sought to be annexed, the territory has both municipal value and purpose and in the future will be used to maintain, replace, expand and enhance these and other utilities and to provide the City with the jurisdiction and power to regulate the use of these utilities and to exercise eminent domain where necessary to improve, expand and enhance the utilities.

WHEREAS, following the adoption of said ordinance proposing to annex said property, the City of Pikeville did publish the ordinance in accordance with KRS 83A.060(9), and,

WHEREAS, no petition in opposition of the annexation which would require an election to be held as prescribed in KRS 81A.420 has been received by the Mayor of the City of Pikeville and pursuant thereto, the City of Pikeville may adopt a final ordinance annexing to the City of Pikeville said property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PIKEVILLE that the tract or parcel of property described hereinafter, contiguous to the present city limits of Pikeville, Kentucky is hereby declared to be annexed into the corporate limits of the

City of Pikeville and shall be by the passage of this ordinance become part of the city for all purposes. The property annexed hereby is described as follows:

City of Pikeville
Proposed Annexation
Sword Fork of Fords Branch

. Beginning at a point on the ridge between Marion Branch of the Levisa Fork of the Big Sand River and Sword Fork of Fords Branch of the Big Sandy River and being on the City of Pikeville Existing Corporate Boundary Line, Annexation Ordinance #0-2004-014; Thence, down a spur of the ridge S 75°05'23" E a distance of 198.19'; Thence, N 83°16'33" E a distance of 288.50'; Thence, down the hill S 12°58'56" E a distance of 903.38'; Thence, S 09°01'26" E a distance of 392.17' to a point in the existing drainage of Sword Fork of Fords Branch; Thence, with the existing drainage of Sword Fork N 84°08'37" E a distance of 45.05'; Thence, N 84°29'17" E a distance of 88.20'; Thence, N 78°36'54" E a distance of 242.39'; Thence, N 68°02'51" E a distance of 176.66'; Thence, N 70°34'20" E a distance of 172.86'; Thence, N 84°19'57" E a distance of 178.77'; Thence, N 86°49'36" E a distance of 166.69'; Thence, N 75°40'32" E a distance of 315.79' to a point at or near the Commonwealth of Kentucky Right of Way for U.S. 23 & 119; Thence, with said right of way S 00°59'17" E a distance of 311.80' to a point on the point of the hill; Thence, leaving said right of way and running up the point S 40°21'38" W a distance of 584.44'; Thence, S 26°15'41" W a distance of 156.84'; Thence, S 19°34'03" W a distance of 284.33'; Thence, S 39°01'42" W a distance of 462.54'; Thence, S 16°55'03" W a distance of 287.35'; Thence, S 12°38'55" W a distance of 241.18' to a point on the ridge on the South side of Sword Fork; Thence, with the ridge S 63°25'48" W a distance of 263.57'; Thence, N 70°20'28" W a distance of 306.68'; Thence, N 62°40'31" W a distance of 455.87'; Thence, S 71°42'58" W a distance of 139.62'; Thence, N 88°12'40" W a distance of 145.56'; Thence, N 75°33'29" W a distance of 255.09'; Thence, N 41°00'11" W a distance of 269.25'; Thence, N 83°15'41" W a distance of 246.79'; Thence, N 74°47'17" W a distance of 147.10'; Thence, N 57°17'10" W a distance of 146.95'; Thence, N 55°43'37" W a distance of 147.24'; Thence, N 78°01'49" W a distance of 161.44'; Thence, N 67°04'07" W a distance of 167.05'; Thence, N 60°30'18" W a distance of 187.74' to a point on the ridge between Marion Branch and Sword Fork and being on the City of Pikeville existing Corporate Boundary Line; Thence, with City of Pikeville existing Corporate Boundary Line N 46°21'02" E a distance of 39.38'; Thence, N 05°23'21" E a distance of 949.24'; Thence, N 54°05'08" E a distance of 489.24'; Thence, N 32°02'56" E a distance of 599.10'; Thence, N 66°49'21" E a distance of 490.29'; Thence, N 55°33'18" E a distance of 402.40'; to the point of beginning and containing 669,876.29 square feet or 153.67 acres more or less.

A map of the property in which the City of Pikeville declares its intention to annex prepared by Summit Engineering, Inc. entitled "City of Pikeville, Map Showing

Proposed Annexation of Sword Fork of Fords Branch of the Levisa Fork of the Big Sandy River”– dated 7-31-08 is on file in the office of the city clerk and may be viewed during regular office hours.

This ordinance shall be in full force and effect after it is passed and published as required by law.

The above ordinance was given a first reading this 3rd day of November, 2008. This ordinance was given a second reading on the ____ day of _____, 2008.

Passed this ____ day of _____ 2008.

Commissioner _____ moved for the adoption of the foregoing ordinance.

Commissioner _____ seconded the motion.

Upon roll call, the votes were as follows:

	<u>YES</u>	<u>NO</u>
FRANK JUSTICE, II MAYOR	_____	_____
GENE DAVIS, COMMISSIONER	_____	_____
DALLAS LAYNE, COMMISSIONER	_____	_____
JIMMY CARTER, COMMISSIONER	_____	_____
BARRY CHANEY, COMMISSIONER	_____	_____

The Mayor declared the within ordinance adopted.

FRANK JUSTICE, II, MAYOR

ATTESTED:

REBECCA HAMILTON, CITY CLERK

City Manager made a request to submit an application for the City of Pikeville for funding for the Marion's Branch Sewer Project to the Appalachian Regional Commission (ARC) and to have the commission approve for the Mayor to sign and execute any and all documents necessary for the application. Commissioner Chaney made the motion to approve. Commissioner Layne seconded the motion. Pro Team Mayor Gene Davis called for any discussion. There being no further discussion the motion passed unanimously.

City Manager Donovan Blackburn opened the discussion for the bid on the Bob Amos RV Park and Baseball Field as presented by Summit Engineering, Inc. Summit Engineering recommended that the bid should be awarded to H2O based on the total bid being the lowest. Summit Engineering also advised that all permits have been applied for and granted in reference to the Project. H2O and East Kentucky Water were the only two companies that submitted a bid. The bid totals did not include the asphalt. Gene Davis question what type of system was being installed for project. City Manager Donovan Blackburn advised that the project specifications called for a total system verses a system that would require maintenance and the RV Camper to have to leave the RV site and dump every 1 to 3 days. The RV site would also be complete with power, water, sewer and television cable access. Commissioner Carter asked if internet would be provided. City Manager; not at this time and not in this project, but would be addressed in different project. Commissioner Layne asked who was the owner of the H2O Company. City Manager replied; Steve Lockhart, a local contractor. The Company also has been awarded bids from the City on other projects Thompson Road Project and Lykens's Creek Sewer. City Manager; RV business receives over 1 million dollar in revenue for other areas and this project would allow for Pikeville to be placed on a list for RV locators. The East Kentucky Expo Center had included this project in their enhancement plan. Commissioner Carter asked if this project would have the same lighting as in town. City Manager; not at this time, probably would be the standard as in other RV facilities. City Manager stated that with the Holiday Inn Express, Hampton Inn and the completion of the RV Park that the City would have meet the Comprehensive plan within 4 years. City Manager commented the Commission on their efforts.

City Manager made the request to Award the RV Park Construction and RV Park Sanitary Sewer Line construction bid to H2O Construction in the total amount of \$299,950.00 and to authorize the Mayor to sign all paperwork and contracts related to the project. Commissioner Carter made the motion to approve. Commissioner Chaney seconded the motion. Pro Team Mayor Gene Davis called for any discussion, there being none the motion passed unanimously.

Agenda Item #8 tabled.

There being no further business to come before the Commission, Commissioner Layne made the motion to adjourn the meeting. Commissioner Chaney seconded the motion. Pro Team Mayor Eugene Davis called for discussion, there being none the motion carried unanimously.

The next scheduled Special Meeting of the City of Pikeville Board of Commissioners is November 5, 2008 at 3:00 p.m.

APPROVED:



FRANKLIN D. JUSTICE, II, MAYOR

ATTESTED:



REBECCA HAMILTON, CITY CLERK