

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
SPECIAL MEETING MINUTES
DECEMBER 2, 2008 AT 6:00 P.M.**

The Board of Commissioners for the City of Pikeville met in a special called session on Tuesday, December 2, 2008. The meeting was held in the City Hall Main Meeting Room located at 118 College Street, Pikeville, Kentucky.

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

COMMISSIONER:

**GENE DAVIS
BARRY CHANEY
DALLAS LAYNE
JIMMY CARTER**

MAYOR:

FRANKLIN D. JUSTICE, II

MINUTES

Mayor Justice called for approval of the November 24, 2008 minutes. Commissioner Chaney made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for further discussion, there being none the motion carried unanimously.

PAYMENT OF BILLS

City Manager submitted a request for approval to pay City Bills totaling \$470,589.01. Commissioner Chaney made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for further discussion, there being none the motion carried unanimously.

CITY ATTORNEY

City Attorney Rusty Davis presented the second reading of Ordinance 0-2008-27 Amending the Fiscal Budget for the fiscal year 2008-2009. Commissioner Carter made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for roll call. Commissioner Carter; Yes, Commissioner Davis; Yes, Commissioner Layne; Yes, Commissioner Chaney; Yes. Mayor Justice; Yes. Mayor Justice stated Ordinance was passed unanimously.

**ORDINANCE AMENDING THE FISCAL BUDGET
FOR THE 2008-2009 FISCAL YEAR**

ORDINANCE NO. 0-2008-27

WHEREAS, certain additional information has come to the attention of the Finance Department which necessitates the amendment of the 2008-2009 fiscal year budget to reflect certain increases and decreases to revenues and expenditures.

NOW, THEREFORE be it ordained by the City of Pikeville that the fiscal budget for the 2008-2009 fiscal year is hereby amended to reflect an increase and or decrease of revenues and /or expenditures as reflected in the attached exhibit entitled "Budget Amendments".

The above ordinance was give first reading on November 24, 2008.

The ordinance was given second reading on November 24, 2008. The ordinance shall be in full force and effect immediately after it is passed and published as required by law.

Passed, this 2nd day of December 2008.

Commissioner Carter moved the adoption of the foregoing ordinance. Commissioner Layne seconded the motion.

Upon roll call, the votes were as follows:

	<u>YES</u>	<u>NO</u>
FRANKLIN D. JUSTICE, II MAYOR	<u> X </u>	_____
JAMES A. CARTER, COMMISSIONER	<u> X </u>	_____
EUGENE W. DAVIS, COMMISSIONER	<u> X </u>	_____
DALLAS LAYNE, COMMISSIONER	<u> X </u>	_____
BARRY N. CHANEY, COMMISSIONER	<u> X </u>	_____

The Mayor declared the within Ordinance adopted.

/S/ Frank Justice _____
FRANKLIN D. JUSTICE, II, MAYOR

ATTEST:

/s/ Rebecca Hamilton
REBECCA HAMILTON, CITY CLERK

City Attorney Rusty Davis presented the second reading of Ordinance 0-2008-28 Amending Chapter 53 Water to Amend System Water Rates. Commissioner Layne made the motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for roll call. City Clerk Rebecca Hamilton; Commissioner Carter; Yes, Commissioner Davis; Yes, Commissioner Layne; Yes, Commissioner Chaney; Yes. Mayor Justice; Yes. Mayor Justice stated Ordinance was passed unanimously.

**AN ORDINANCE AMENDING CHAPTER 53
WATER TO AMEND SYSTEM WATER RATES**

ORDINANCE NO. 0-2008-28

NOW, THEREFORE, BE IT ORDAINED Chapter 53 “WATER” is amended to read as follows:

CHAPTER 53: WATER

§ 53.03 RATES AND CHARGES.

(B) Water rates shall be as follows:

(1) Effective February 1, 2008 the monthly water service rates and charges for each customer inside the city shall be as follows:

Gallons per Month	Monthly Charge
First 2,000	\$11.20 (minimum monthly bill)
Next 3,000	\$0.620 per 100 gallons
Next 5,000	\$0.620 per 100 gallons
Next 10,000	\$0.398 per 100 gallons
Next 30,000	\$0.395 per 100 gallons
Next 50,000	\$0.385 per 100 gallons
Over 100,000	\$0.190 per 100 gallons

(2) From and after ~~February~~ January 1, 2008 2009, the monthly water service rates and charges for every account outside the city corporate boundaries, other than the wholesale users named in division (3) below, shall be as set forth in the following schedule:

Gallons per Month	Monthly Charge
First 2,000	\$27.00 <u>\$22.50</u> (minimum monthly bill)
Next 3,000	\$0.695 <u>\$0.630</u> per 100 gallons
Next 5,000	\$0.695 <u>\$0.630</u> per 100 gallons

Next 10,000	\$0.650 <u>\$0.540</u> per 100 gallons
Next 30,000	\$0.600 <u>\$0.540</u> per 100 gallons
Next 50,000	\$0.600 <u>\$0.500</u> per 100 gallons
Over 100,000	\$0.350 per 100 gallons

(3) From and after the dates as show in the Increase Date column below the water service rates and charges for wholesale users shall be as follows if accepted and approved by the Water Districts and or PSC:

Water District Name	Wholesale Rate	Increase Date
Southern Water	\$1.89 <u>\$1.72</u> per 1,000 gallons	December 1st 2008 <u>January 1st 2009</u>
Mountain Water	\$1.70 <u>\$1.78</u> per 1,000 gallons	March 1 st 2009
Mountain Water (Cowpen)	\$2.45 <u>\$1.75</u> per 1,000 gallons	February 1st 2008 <u>January 1st 2009</u>

The ordinance shall be in full force and effect after it is passed and published as required by law. The above ordinance was given first reading this 24th day of November 2008; the ordinance was given a second reading on the 2nd day of December, 2008.

Passed this 2nd day of December 2008.

Commissioner Layne moved for the adoption of the forgoing ordinance.

Commissioner Chaney seconded the motion.

Upon roll call, the votes were as follows:

	Yes	No
FRANK JUSTICE, MAYOR	<u> X </u>	_____
GENE DAVIS, COMMISSIONER	<u> X </u>	_____
DALLAS LAYNE, COMMISSIONER	<u> X </u>	_____
JIMMY CARTER, COMMISSIONER	<u> X </u>	_____
BARRY CHANEY, COMMISSIONER	<u> X </u>	_____

The Mayor declared the within ordinance adopted.

/s/ Frank Justice

FRANKLIN D. JUSTICE, II MAYOR

ATTEST:

/s/ Rebecca Hamilton

REBECCA HAMILTON, CITY CLERK

City Attorney Rusty Davis presented the second reading of Ordinance 0-2008-29 Amending Chapter 55 Collection of Sewer Service Charges Amending Sewer Rates. Commissioner Chaney made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for roll call. City Clerk Rebecca Hamilton; Commissioner Carter; Yes, Commissioner Davis; Yes, Commissioner Layne; Yes, Commissioner Chaney; Yes. Mayor Justice; Yes. Mayor Justice stated Ordinance was passed unanimously.

**AN ORDINANCE AMENDING CHAPTER 55 COLLECTION OF
SEWER SERVICE CHARGES AMENDING SEWER RATES**

ORDINANCE NO. 0-2008-29

NOW, THEREFORE, BE IT ORDAINED Chapter 55 “COLLECTION OF SEWER SERVICE CHARGES” is amended to read as follows:

**CHAPTER 55: COLLECTION OF SEWER SERVICE
CHARGES**

§ 55.04 RATES AND CHARGES.

- (A) The following schedule of rates shall apply to each user of the sewage treatment system. This schedule includes rates for user charges and rates for debt service charges, each based on the volume of metered or estimated water consumption.
- (B) Please note the following schedule show In-City Rates and Out-of-City Rates. All accounts receiving service within the City of Pikeville corporate boundaries the “In-City Rates” will be applicable to ALL accounts. ALL accounts that receive service from the City of Pikeville outside the City of Pikeville corporate boundaries the “Out-of-City Rates” will be applicable.
- (C) Due to an option of a Pre-treatment Program car wash owners may qualify for car wash rates. These are rates based on a business where 100% of the water &

sewer consumption is on the washing of vehicles. The Car Wash must be set up on a separate meter that only services the mechanics of their system. The system may not be a tie into any other service other than for the purpose of washing vehicles. To qualify for these rates the business must be on a pre-treatment program offered to car washes by City Utilities. Those who do not participate in a pre-treatment program will not qualify for these rates and will be subject to the cities normal rates.

In-City Sewer Rate Schedule: Effective January 1st 2009

(Based on Water Consumption)

Rate Per Month

	Rate	Total
Water Consumption		
First 2,000 Gals/Mo.	\$8.50 <u>\$8.00</u>	\$8.50 <u>\$8.00</u> Minimum
Over 2,000 Gals/Mo.	\$4.60 <u>\$4.00</u>	\$4.60 <u>\$4.00</u> per 1,000 gals
Car Wash rates	\$1.95	\$1.95 per 1,000 gals

Out-of-City Sewer Rate Schedule: Effective January 1st 2009

(Based on Water Consumption)

Rate Per Month

	Rate	Total
Water Consumption		
First 2,000 Gals/Mo.	\$17.05 <u>\$18.80</u>	\$17.05 <u>\$18.80</u> Minimum
Over 2,000 Gals/Mo.	\$9.34 <u>\$10.75</u>	\$9.34 <u>\$10.75</u> per 1,000 gals
Car Wash rates	\$4.00	\$4.00 per 1,000 gals

The ordinance shall be in full force and effect after it is passed and published as required by law. The above ordinance was given first reading this 24th day of November, 2008; the ordinance was given a second reading on the 2nd day of December, 2008.

Passed this 2nd day of December, 2008.

Commissioner Chaney moved for the adoption of the forgoing ordinance.

Commissioner Carter seconded the motion.

Upon roll call, the votes were as follows:

	Yes	No
FRANK JUSTICE, MAYOR	<u> X </u>	<u> </u>
GENE DAVIS, COMMISSIONER	<u> X </u>	<u> </u>
DALLAS LAYNE, COMMISSIONER	<u> X </u>	<u> </u>
JIMMY CARTER, COMMISSIONER	<u> X </u>	<u> </u>
BARRY CHANEY, COMMISSIONER	<u> X </u>	<u> </u>

The Mayor declared the within ordinance adopted.

/s/ Franklin Justice

FRANKLIN D. JUSTICE. II MAYOR

ATTEST:

/s/ Rebecca Hamilton

REBECCA HAMILTON, CITY CLERK

There being no further business to come before the Commission, Commissioner Davis made the motion to adjourn the meeting. Commissioner Carter seconded the motion. Mayor Justice called for discussion, there being none the motion carried unanimously.

The next scheduled Regular Meeting of the City of Pikeville Board of Commissioners is December 8, 2008 at 6:00 p.m.

APPROVED:

/s/ Frankie Justice_____

FRANKLIN D. JUSTICE, II, MAYOR

ATTESTED:

/s/ Rebecca Hamilton_____

REBECCA HAMILTON, CITY CLERK