

**CITY OF PIKEVILLE  
BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
March 23, 2009 AT 6:00 P.M.**

The Board of Commissioners for the City of Pikeville met in a regular called session on Monday, March 23, 2009. The meeting was held in the City Hall Conference Meeting Room located at 118 College Street, Pikeville, Kentucky.

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

<b>COMMISSIONER:</b>	<b>GENE DAVIS</b>	<b>Absent at Roll Call (Arrived at: 6:30)</b>
	<b>BARRY CHANEY</b>	
	<b>DALLAS LAYNE</b>	
	<b>JIMMY CARTER</b>	

**MAYOR: FRANKLIN D. JUSTICE, II**

**MINUTES**

The minutes for the previous regular meeting held on March 9, 2009 were in each Commission Member's agenda package. There being no additions or corrections, Commissioner Chaney made the motion to approve the minutes as prepared. Commissioner Layne seconded the motion. Mayor Frank Justice called for discussion, there being none the motion carried unanimously.

**BUSINESS FROM FLOOR**

Mayor Justice called for anyone with business from the floor to address the City Commission. Erin McAnallen was present and addressed the Commission with a request for city land to be used by the city to start a Community Garden. Mayor Justice asked how much land would be needed. McAnallen; Something on a small scale like 50 feet or so to start with. Depending on the size and the project will be self sustainable and provide residents at Myers Towers and other local residents the ability to grow their own food. City Manager Donovan Blackburn said the City would be happy to meet and discuss the request. Commissioner Jimmy Carter stated he thought it was a good idea. Mayor Justice asked for Erin McAnallen schedule an appointment with the City Manager to discuss her plans and ideas and they would be happy to talk.

**PAYMENT OF CITY BILLS**

A list of City Bills totaling \$130,889.24 was presented to the Commission for approval of payment. Commissioner Chaney made the motion to approve. Commissioner Carter seconded the motion. Mayor Frank Justice called for discussion, there being none the motion carried unanimously.

### OLD BUSINESS

A. Big Sandy Area Development District representative Melanie Stevens was present with a request to authorize the City of Pikeville to make an application for the EDA Grant to support the Marion Branch Project with a total Project Cost of \$4,525,000.00. Request to have the mayor sign and execute all documents for the grant application along with any other information required to be in compliance with the requirements. The application requires a 50% match. Commissioner Chaney made the motion to approve the submission of the application. Commissioner Layne seconded the motion. Mayor Justice called for further comments. City Manager Donovan Blackburn stated the City has applied for additional funding for the project. KIA, CDBG and ARC. Mayor Justice called for further comments, their being none the motion passed unanimously.

#### B. City Engineer's Report

1. Greg May was present with a consider a change order request in the amount of \$7,121.43 for the Buckley Creek Sewer project with AEP for the installation of power to the pump station, to authorize payment and authorize the mayor to execute the contract. Commissioner Chaney made the motion to approve. Commissioner Carter seconded the motion. Mayor called for comment, there being none the motion passed unanimously.

2. Donovan Blackburn submitted a 2<sup>nd</sup> pay request for Buckley Creek Sewer project in the amount of \$111,351.40 for Akin Excavating, Inc. Commissioner Carter made the motion to approve. Commissioner Layne seconded the motion. Mayor called for comments, there being none the motion passed unanimously.

#### C. Russell H. Davis, Jr., City Attorney, presented the following matters for the Commission's consideration:

1. City Attorney Russell Davis presented the 1<sup>st</sup> reading of an Ordinance 0 2009 09 amending the City of Pikeville 2008-2009 Annual Budget. No further action was required at this time. The 2<sup>nd</sup> reading and adoption is scheduled for the April 13<sup>th</sup> 2009 regular commission meeting.

2. City Attorney Russell Davis presented and gave a 2<sup>nd</sup> reading and requested adoption of Ordinance 0-2009-007 amending Chapter 32 "Department, Boards and Commissions" deleting various non existing boards. Commissioner Carter made the motion to approve. Commissioner Layne seconded the motion. Mayor called for discussion, there being none the mayor called for Roll Call. Motion passed unanimously.

**ODINANCE AMENDING CHAPTER 32 "DEPARTMENTS,  
BOARDS AND COMMISSIONS"  
DELETING AND OMITTING VARIOUS BOARDS  
AND SECTIONS**

**ORDINANCE NO. 0-2009-07**

**BE IT ORDAINED BY THE CITY OF PIKEVILLE AS FOLLOWS:**

Chapter 32 "DEPARTMENTS, BOARDS AND COMMISSIONS" is amended as follows:

**CHAPTER 32: DEPARTMENTS, BOARDS, AND COMMISSIONS**

**~~PARKING AUTHORITY~~**

**~~§ 32.60 ESTABLISHMENT.~~**

~~—For provisions concerning the Parking Authority, see §§ [72.095](#) through [72.101](#).~~

**~~PUBLIC LIBRARY BOARD OF TRUSTEES~~**

**~~§ 32.70 ESTABLISHMENT.~~**

~~—For provisions concerning the Public Library Board of Trustees, see §§ [94.15](#) through [94.17](#).~~

**~~SWIM TEAM BOARD~~**

**~~§ 32.90 CREATION.~~**

~~—There is hereby created and established the Swim Team Board. This Board shall have the organization, powers and duties set out in this subchapter.~~

~~(Ord. 0-93-006, passed 5-24-93)~~

**~~§ 32.91 BOARD MEMBERS.~~**

~~—The Swim Team Board shall consist of six (6) members who shall serve staggered terms in office for two (2) years. Appointments to the Board shall be made by the Mayor with approval of the City Commission. In order to achieve staggered terms in office, the first six (6) Board Members shall be appointed to the following terms in office; two (2) members for one (1) year, two (2) members for two (2) years and two (2) members for three (3) years.~~

~~(Ord. 0-93-006, passed 5-24-93)~~

**~~§ 32.92 VACANCIES.~~**

~~—Vacancies on the Swim Team Board shall be filled for the unexpired term in the manner as set forth in § [32.91](#).~~

~~(Ord. 0-93-006, passed 5-24-93)~~

**~~§ 32.93 COMPENSATION.~~**

~~—The members of the Swim Team Board shall serve without pay or compensation but may be reimbursed for actual expenses including travel expenses in the direct performance of their duties as authorized and approved by the Board.~~

~~(Ord. 0-93-006, passed 5-24-93)~~

**~~§ 32.94 OFFICERS.~~**

~~—The Swim Team Board shall select one (1) of its members as a Chairman, one of its members as a Vice Chairman, one of its members as a Secretary and one of its members as a Treasurer. The Chairman shall vote only when necessary to break a tie vote among the quorum present and voting.~~

~~(Ord. 0-93-006, passed 5-24-93)~~

**~~§ 32.95 MEETINGS.~~**

~~—The Swim Team Board shall meet as often as necessary to transact the business of the Board. All meetings shall be open to the public and subject to the laws of the Commonwealth of Kentucky concerning open meetings. Four (4) members of the Board shall constitute a quorum. No action of the Board shall be valid unless it receives a favorable vote of the majority of members constituting a quorum.~~

~~(Ord. 0 93 006, passed 5 24 93)~~

~~§ 32.96 RECORDS.~~

~~—The Swim Team Board shall, with the assistance of its secretary, keep records of all of its proceedings. All records of the Board shall be subject to inspection as required by the Commonwealth of Kentucky Open Records Law.~~

~~(Ord. 0 93 006, passed 5 24 93)~~

~~§ 32.97 SCOPE OF ACTIVITIES.~~

~~—The Swim Team Board activities shall include, but not be limited to the organization and operation of a Swim Team and such other activities which may be reasonable, necessary and incidental to this purpose~~

~~(Ord. 0 93 006, passed 5 24 93)~~

~~§ 32.98 FUNDING AND BUDGETING.~~

~~—The Swim Team Board shall operate on a fiscal year consistent with the fiscal year of the city. The Board shall prepare and submit to the City Commission for approval an annual budget, listing anticipated money or funds to be received by the Board, anticipated costs and expenses to be paid out. The city may, at its option, from time to time, provide additional funding to the Board. After the annual budget is approved, all expenditures of the Board shall be in accordance with the approved budget.~~

~~(Ord. 0 93 006, passed 5 24 93)~~

~~§ 32.99 USE OF LAND AND EQUIPMENT.~~

~~—The Swim Team Board shall make arrangements with the city and the Parks Department for the use of the Pikeville Swimming Pool or any other city facilities which may be from time to time needed by the Board.~~

~~(Ord. 0 93 006, passed 5 24 93)~~

~~§ 32.100 DURATION.~~

~~—The Swim Team Board shall continue to exist until such time as the city repeals this subchapter. In said event, the Board shall cease operations and transfer all assets to the city.~~

~~(Ord. 0 93 006, passed 5 24 93)~~

~~AMPHITHEATER BOARD~~

~~§ 32.110 ESTABLISHMENT.~~

~~—There is hereby established the City Amphitheater Board. This Board shall have the organization, powers and duties set out in this subchapter.~~

~~(Ord. 0 94 019, passed 9 24 94)~~

~~§ 32.111 BOARD MEMBERS.~~

~~—The Amphitheater Board shall consist of fourteen (14) members who shall serve staggered terms in office for four (4) years. Appointments to the Board shall be made by the Mayor with approval of the City Commission. The Mayor, in making the fourteen (14) appointments, shall appoint one (1) individual to represent the Pikeville Independent School Board; one (1) individual to represent the Pike County School Board; one (1) individual to represent the St. Francis School; one (1) individual from the Chamber of Commerce; one (1) individual to represent Pikeville College, three (3) individual citizens residing within Pike County and six (6) individuals to represent government, businesses or occupations located in Pike County. The Mayor shall also designate two (2) commissioners (or one (1) Commissioner and himself) to serve as ex office members of the Board. In order to achieve staggered terms in office, the first fourteen (14) Board members shall be appointed to the following terms in office: two (2) members for one (1) year, four (4) members for two (2) years and four (4) members for three (3) years and four (4) members for four (4) years.~~

~~(Ord. 0 94 019, passed 9 24 94)~~

~~§ 32.112 VACANCIES.~~

~~—Vacancies on the Amphitheater Board shall be filled for the unexpired term in the manner set forth in § [32.111](#).~~

~~(Ord. 0 94 019, passed 9 24 94)~~

~~§ 32.113 COMPENSATION.~~

~~—The members of the Amphitheater Board shall serve without pay or compensation, but may be reimbursed for actual expenses including travel expenses in the direct performance of their duties as authorized and approved by the Board.~~

~~(Ord. 0 94 019, passed 9 24 94)~~

~~**§ 32.114 OFFICERS.**~~

~~—The Amphitheater Board shall select one (1) of its members as a chairman, one (1) of its members as a vice chairman, one (1) of its members as a secretary and one (1) of its members as a treasurer. There shall be an executive committee to consist of the chairman, vice chairman, secretary, treasurer and one (1) other director. The executive committee shall have and may exercise, when the full Board is not in session, all the powers of the Board of Directors in the management of the business and affairs of the agency subject to full review by the Board. The Board may create one (1) or more other committees within the Board, which committees shall have and may exercise such powers as the Board shall by resolution provide.~~

~~(Ord. 0 94 019, passed 9 24 94)~~

~~**§ 32.115 MEETINGS.**~~

~~—The Amphitheater Board shall meet as often as necessary to transact the business of the Board. All meetings shall be open to the public and subject to the laws of the Commonwealth of Kentucky concerning open meetings. Nine (9) members of the Board shall constitute a quorum. No action of the Board shall be valid unless it receives a favorable vote of the majority of members constituting a quorum.~~

~~(Ord. 0 94 019, passed 9 24 94)~~

~~**§ 32.116 RECORDS.**~~

~~—The Amphitheater Board shall, with the assistance of its secretary, keep records of all its proceedings. All records of the Board shall be subject to inspection as required by the Commonwealth of Kentucky Open Records Law.~~

~~(Ord. 0 94 019, passed 9 24 94)~~

~~**§ 32.117 SCOPE OF ACTIVITIES.**~~

~~—The Amphitheater Board activities shall include, but not be limited to, the organization and operation of an amphitheater and such other activities which may be reasonable, necessary and incidental to this purpose.~~

~~(Ord. 0 94 019, passed 9 24 94)~~

~~**§ 32.118 FUNDING; BUDGETING.**~~

~~—The Amphitheater Board shall operate on a fiscal year consistent with the fiscal year of the city. The Board shall prepare and submit to the City Commission for approval an annual budget, listing anticipated money or funds to be received by the Board, anticipated cost and expenses to be paid out. The city may, at its option, from time to time, provide additional funding to the Board. After the annual budget is approved, all expenditures of the Board shall be in accordance with the approved budget. All assets shall be held in the name of the city.~~

~~(Ord. 0 94 019, passed 9 24 94)~~

~~**§ 32.119 USE OF LAND AND EQUIPMENT.**~~

~~—The Amphitheater Board shall make arrangements with the city for the use of the city property or any other city facilities which may be from time to time needed by the Board.~~

~~(Ord. 0 94 019, passed 9 24 94)~~

~~**§ 32.120 DURATION.**~~

~~—The Amphitheater Board shall continue to exist until such time as the city repeals this subchapter. The Board shall then cease operations and transfer all assets to the city.~~

~~**CROSS COUNTRY TRAIL BOARD**~~

~~**§ 32.135 CREATION.**~~

~~—There is hereby created and established the City of Pikeville Cross Country Trail Board. This Board shall have the organization, powers and duties set out in this subchapter.~~

~~(Ord. 0 99 014, passed 11 22 99)~~

~~**§ 32.136 BOARD MEMBERS.**~~

~~—The Cross Country Trail Board shall consist of seven (7) members as follows:~~

- ~~—(A) — Pikeville High School Athletic Director;~~
- ~~—(B) — Pikeville College Athletic Director;~~
- ~~—(C) — Pikeville High School Cross Country Coach;~~
- ~~—(D) — Pikeville College Cross Country Coach;~~
- ~~—(E) — Pikeville Parks Director;~~

~~—(F)—A representative selected by the YMCA Board of Directors; and~~

~~—(G)—A member at large nominated by the Mayor and approved by the Commission. The member at large shall serve a two (2) year term.~~

~~(Ord. 0 99 014, passed 11 22 99)~~

~~§ 32.137 COMPENSATION.~~

~~—The members of the Cross Country Trail Board shall serve without pay or compensation but may be reimbursed for actual travel expenses including travel expenses in the direct performance of their duties as authorized and approved by the Board pursuant to the Travel Expense Guidelines adopted by the city for its employees, boards, and agencies.~~

~~(Ord. 0 99 014, passed 11 22 99)~~

~~§ 32.138 OFFICERS.~~

~~—The Cross Country Trail Board shall select one (1) of its members as a chairman, one (1) of its members as a vice chairman, one (1) of its members as a secretary, and one (1) of its members as a treasurer. One (1) member may serve as both secretary and treasurer at the pleasure of the Board.~~

~~(Ord. 0 99 014, passed 11 22 99)~~

~~§ 32.139 MEETINGS.~~

~~—The Cross Country Trail Board shall meet as often as necessary to transact the business of the Board. All meetings shall be with notice and open to the public and subject to the laws of the Commonwealth of Kentucky concerning open meetings. Four (4) members of the Board shall constitute a quorum. No action of the Board shall be valid unless it receives a favorable vote of the majority of the members constituting a quorum.~~

~~(Ord. 0 99 014, passed 11 22 99)~~

~~*Cross-reference:*~~

~~—Public meetings, see §§ [37A.05](#) [37A.10](#)~~

~~§ 32.140 RECORDS.~~

~~—The Cross Country Trail Board shall, with the assistance of the secretary, keep minutes and records of all its proceedings. All minutes and records of the Board shall be subject to inspection as required by the Commonwealth of Kentucky open records law.~~

~~(Ord. 0 99 014, passed 11 22 99)~~

~~*Cross-reference:*~~

~~—Public meetings, see §§ 37.05 [37.12](#)~~

~~§ 32.141 SCOPE OF ACTIVITIES.~~

~~—The Cross Country Trail Board activities shall include, but not be limited to, the design, construction, operation, and maintenance of a Cross Country Trail, providing assistance to Pikeville High School and Pikeville College with the formation and operation of a Cross Country Team, assisting the organization of public cross country events and/or tournaments, acquiring land and facilities necessary for these activities, and such other activities which may be reasonable, necessary, and incidental to its purpose.~~

~~(Ord. 0 99 014, passed 11 22 99)~~

~~§ 32.142 FUNDING AND BUDGETING.~~

~~—The Cross Country Trail Board shall operate on a fiscal year consistent with the fiscal year of the city. The Board shall prepare and submit to the City Commission, for approval, an annual budget listing anticipated money or funds to be received by the Board, and anticipated costs and expenses to be paid out. The city may, at its option, from time to time, provide additional funds to the Board. After the annual budget is approved, all expenses of the Board shall be in accordance with the approved budget.~~

~~(Ord. 0 99 014, passed 11 22 99)~~

~~§ 32.143 USE OF LAND AND EQUIPMENT.~~

~~—The Cross Country Trail Board shall make arrangements with the city and the Parks Department Director for the use of the city property or facilities which may be from time to time needed by the Board to accomplish its stated purpose.~~

~~(Ord. 0 99 014, passed 11 22 99)~~

~~§ 32.144 DURATION.~~

~~—The Cross Country Trail Board shall continue to exist until such time as the city repeals this subchapter. In this event, the Board shall cease operations and transfer all assets and property to the city.~~

~~(Ord. 0 99 014, passed 11 22 99)~~

The above ordinance was given first reading this 9 day of March, 2009.

The ordinance was given a second reading on the 23 day of March, 2009.

Passed this 23 day of March, 2009.

Commissioner Carter moved for 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>
FRANK JUSTICE, II MAYOR	<u>X</u>	_____
GENE DAVIS, COMMISSIONER	<u>X</u>	_____
JIMMY CARTER, COMMISSIONER	<u>X</u>	_____
DALLAS LAYNE, COMMISSIONER	<u>X</u>	_____
BARRYCHANEY, COMMISSIONER	<u>X</u>	_____

The Mayor declared the within ordinance adopted.

/s/ Frank Justice, II Mayor  
MAYOR

ATTESTED:

/s/ Rebecca Hamilton  
CITY CLERK

**3. City Attorney Russell Davis presented and gave a 2<sup>nd</sup> reading and request the adoption of Ordinance 0 2009 08 deleting the entire Chapter 94 “Public Library”. Commissioner Layne made the motion to approve. Commissioner Carter seconded the motion. Mayor called for discussion, there being none the mayor called for Roll Call. Motion passed unanimously.**

**ODINANCE AMENDING CHAPTER 94 "PUBLIC LIBRARY"  
DELETING OF CHAPTER 94. WHEREAS THE CITY GOVERNMENT DOES  
NOT HAVE OR CONTROL A “CITY” PUBLIC LIBRARY.  
THE LIBRARY IS A ORGANIZATION OF THE COUNTY GOVERNMENT**

**ORDINANCE NO. 0-2009-08**

**BE IT ORDAINED BY THE CITY OF PIKEVILLE AS FOLLOWS:**

Chapter 94 "DEPARTMENTS, BOARDS AND COMMISSIONS" is amended as follows:

**~~CHAPTER 94: PUBLIC LIBRARY~~**

**~~Statutory reference:~~**

~~—Libraries in cities of the third class, see KRS 173.300 through 173.410~~

**~~GENERAL PROVISIONS~~**

**~~§ 94.01 ESTABLISHMENT.~~**

~~—There is established a free public library in the city, to be known as Pikeville Free Public Library. (Ord. 620.4, passed 4-10-43)~~

**~~§ 94.02 LIBRARY TO BE OPEN AND FREE DURING BUSINESS HOURS.~~**

~~—The Public Library shall be open and free to the public during reasonable and proper hours prescribed by the Board of Trustees, and shall be strictly nonsectarian and nonpartisan.~~

(Ord. 620.4, passed 4-10-43)

**~~§ 94.03 LEVYING TAX FOR USE AND BENEFIT OF LIBRARY; FUND.~~**

~~—For the use and benefit of the Public Library, a tax shall be levied annually on all assessed taxable property in the city. The tax shall be collected in the same manner as other taxes are collected for city purposes, and shall be in lieu of all other taxes for Public Library purposes. The levy shall be certified and collected by the Finance Director/City Clerk/Tax Administrator, paid into the city treasury, and kept in a separate fund for Public Library purposes. The proceeds from the tax shall be turned over to the Board of Trustees of the Public Library by order of the Board of Commissioners.~~

(Ord. 620.4, passed 4-10-43)

**~~§ 94.04 DONATIONS.~~**

~~—The Board of Trustees of the Public Library may accept any donation from any person.~~

(Ord. 620.4, passed 4-10-43)

**~~§ 94.05 INCURRENCE OF DEBTS OR OBLIGATIONS BY BOARD PROHIBITED.~~**

~~—The Board of Trustees of the Public Library shall not charge any of the real or personal property of the Public Library with any debt or liability, and shall not expend any money in excess of its annual income. Any obligations so incurred against the Public Library shall be void.~~

(Ord. 620.4, passed 4-10-43)

**~~BOARD OF TRUSTEES~~**

**~~§ 94.15 APPOINTMENT OF MEMBERS; TERMS.~~**

~~—The Public Library shall be under the control of a Board of Trustees consisting of five (5) members appointed by the Mayor. The original members shall be appointed as follows: two (2) members for two (2) years, one (1) member for three (3) years, and two (2) members for four (4) years. Thereafter, Trustees shall be appointed to serve four (4) years.~~

(Ord. 620.4, passed 4-10-43; Am Ord. 620.4A, passed 11-23-48)

**~~§ 94.16 QUALIFICATIONS; COMPENSATION; OATH.~~**

~~—The members of the Public Library Board of Trustees shall be citizens of the city, not less than twenty one (21) years of age, and shall serve without compensation. Each member shall take an oath to faithfully perform the duties of his office.~~

(Ord. 620.4, passed 4-10-43)

**~~§ 94.17 POWERS AND DUTIES.~~**

~~—(A) The Public Library Board of Trustees shall constitute a corporation with perpetual succession, and in its corporate name may:~~

~~—(1) Contract and be contracted with, sue and be sued, and have and use a corporate seal which it may alter at pleasure; and~~

~~—(2) Receive, hold, lease, sell, and dispose of real and personal property for library purposes.~~

~~—(B) The Board shall have custody and control of all funds devoted to the Public Library.~~

~~—(C) The Board may adopt rules and regulations for the proper conduct of the Public Library.~~

(Ord. 620.4, passed 4-10-43)

***Statutory reference:***

~~—Powers and duties, see KRS 173.350 (2), (3) and 173.360~~

~~—Annual report, see KRS 173.370~~

~~—Title to money and property, see KRS 173.390~~

The above ordinance was given first reading this 9 day of March, 2009.

The ordinance was given a second reading on the 23 day of March, 2009.

Passed this 23 day of March, 2009.

Commissioner Layne moved for the adoption of the foregoing ordinance.

Commissioner Carter seconded the motion.

Upon roll call, the votes were as follows:

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

The Mayor declared the within ordinance adopted.

/s/ Frank Justice, II \_\_\_\_\_  
MAYOR

ATTESTED:

/s/ Rebecca Hamilton \_\_\_\_\_  
CITY CLERK

**D. City Manager Report: City Manager Donovan Blackburn asked the commission to consider the following requests.**

1. Consider request to approve the “Regional Recycling Agreement” and to authorize the mayor to sign. Commissioner Layne made the motion to approve. Commissioner Carter seconded the motion. Justice called for further discussion. Commissioner Carter had a question of if the City would hold products due to pricing. City Manager Donovan Blackburn replied no that would be expensive and only needed to break even. Mayor called for further discussion, there being none the motion carried unanimously.
2. Consider request to adopt a resolution in support of “2009 KY Recycling Grant Program” and to authorize the mayor to sign and execute any paperwork required to apply for said grant. Commissioner Chaney made the motion to approve. Commissioner Davis seconded the motion. Mayor Frank Justice called for discussion, there being none the motion passed unanimously.
3. Consider request to approve two grant agreements for KIA “Telemetry” in the amount of \$35,188.00 and \$64,812.00 and to consider adoption of resolution for support of the project. Authorize mayor to sign and execute all documents. Commissioner Carter made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for discussion, there being no further discussion the motion carried unanimously.
4. Consider the request to extend a job offer to Robbie Coleman and Gloria Johnson for the position of City 911 Dispatcher at the city position pay rate contingent upon passing all required pre employment tests. Commissioner Chaney made the motion to approve. Commissioner Layne seconded the motion. Mayor

Justice called for discussion, there being no further discussion motion passed unanimously.

5. City Manager made a request to approve the YMCA contract and have the mayor sign and execute agreement. Commissioner Chaney made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for further discussion, there being none the motion passed unanimously.
6. Consider a request for closed session for the purpose of discussion of legal and economic development issues. Commissioner Layne made the motion to approve. Commissioner Davis seconded the motion. Motion passed unanimously.
7. Consider request to re convene. Commissioner Chaney made motion to re-convene into regular session. Commissioner Davis seconded the motion.
8. City Manager updated the commission that the Social Security Administration had been selected best level 2 office in the region and wanted to invite the mayor and commission to attend the event on April 1, 2009 at 9 am.

There being no further business to come before the Commission, Commissioner Carter made the motion to adjourn the meeting. Commissioner Layne seconded the motion. Mayor Frank Justice called for discussion, there being none the meeting was adjourned.

The next scheduled Regular Meeting of the City of Pikeville Board of Commissioners is April 13, 2009 at 6:00 p.m.

**APPROVED:**

\_\_\_\_\_  
**FRANKLIN D. JUSTICE, II, MAYOR**

**ATTESTED:**

\_\_\_\_\_  
**REBECCA HAMILTON, CITY CLERK**