

**CITY OF PIKEVILLE  
BOARD OF COMMISSIONERS  
SPECIAL MEETING MINUTES  
March 11, 2011 AT 2:00 P.M.**

The Board of Commissioners for the City of Pikeville met in a special called session on Friday, March 11, 2011. The meeting was held in the City Hall Conference Meeting Room located at 118 College Street, Pikeville, Kentucky.

(1) There being a quorum present, Mayor Franklin D. Justice, II called the meeting to order at 2:00 p.m. Commission Members present at roll call were as follows:

<b>COMMISSIONER:</b>	<b>GENE DAVIS</b>	<b>Absent</b>
	<b>BARRY CHANEY</b>	
	<b>DALLAS LAYNE</b>	
	<b>JIMMY CARTER</b>	
 <b>MAYOR:</b>	 <b>FRANKLIN D. JUSTICE, II</b>	

(2) The minutes for the previous regular meeting held on February 28, 2011 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. Mayor Franklin D. Justice, II called for discussion, there being none the motion carried unanimously. 4-0.

(3) Consider a request for a 1<sup>st</sup> reading, by City Manager Donovan Blackburn, of Ordinance #0-2011-008 Enacting and adopting a supplement to the code of ordinances for the City of Pikeville. No further action was required at this time. The second reading will take place at next scheduled meeting.

(4) Consider a request to approve and authorize payment for all invoices as submitted on the city bill list, in the amount of \$542,429.78. Commissioner Carter made the motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for comments, there being none, the motion passed unanimously. 4-0.

(5) Consider a request to approve retaining the legal services of Mindy Barfield and the firm of Dinsmore & Shohl, LLP as counsel for the City of Pikeville

in the suit styled National Mining Asso. V EPA, US District court for D.C. #10-1220 for a flat fee of \$10,000. Commissioner Chaney made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for comment, there being none, the motion passed unanimously. 4-0.

(6) Consider a 1<sup>st</sup> reading, by City Manager Donovan Blackburn, of an ordinance #0-2011-007 amending the city's zoning map for North College Street from C-1 to C-3. No further action was required at this time. The second reading will take place at next scheduled meeting.

(7) Consider a request to approve Change order #1 as submitted with Big Sandy 2-way Communication Inc for the purchase of communication equipment in the amount of \$6,144. Commissioner Chaney made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for comments. Mayor asked, "What is this?" City Manager Donovan Blackburn explains that this is additional communication equipment that is needed to enhance the cell tower so the police and firemen can talk on their walkie talkies. Change order is a state contract price. Mayor asked if this was to allow the police the ability to communicate as they are walking the neighborhoods? Are we still in the neighborhoods? City Manager Blackburn answers yes they are on a weekly basis and turns to Officer Chris Edmunds for a response. Officer Edmunds says that he is on the streets two nights a week. Mayor Justice called for additional comments, there being none, the motion passed unanimously. 4-0.

(8) Consider a request to approve Change order #2 for the Mullins Addition Sewer project with H2O Construction as submitted for the amount of \$101,725 and authorize the Mayor to sign said change order. Commissioner Carter made the motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for comments. City Manager Blackburn explains that this is from the Pem Friend Sewer project. Mayor called for additional comments, there being none, the motion passed unanimously. 4-0.

(9) Consider request to approve Change order #2 for the Marion Branch Sewer project with H2O Construction as submitted for the amount of \$107,075 and authorize the mayor to sign said change order. Commissioner Layne made the motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for comments. Mayor asked City Manager Blackburn if he would like to explain to the commission about this change order. City Manager explains that this is to get the path to the top of Marion Branch; and this is part of the budget, the first approved contract with H2O, so we now have a path. Mayor says, "I know you showed us where the path is, how does it go?" Mr. Blackburn replies that is goes up

the hollow to the right. Mayor Justice called for additional comments, there being none, the motion passed unanimously. 4-0.

(10) Consider a request to award the bid for the US23 Phase II sewer project to Lykins Creek & Billips Lane to H2O Construction in the amount of \$545,000 contingent upon the funds becoming available and to issue the notice to proceed when the contract is executed and to authorize the mayor to sign and execute said contract as soon as the funds are secure. Commissioner Chaney made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for comments. City Manager Blackburn says with this project, we came in about \$150,000 under budget. There will be additional funds left over. The other issue is that the MOA has been signed, executed and submitted. Rebecca spoke with DLG this morning. Mayor adds, “so it’s our turn on the list to get the money?” City Manager says as soon as we get the money, which will be sometime next week then they’ll issue notice to proceed. Mayor comments that since we have the extra funds in that, would it be to our benefit to extend into Lykins into Big Shoal. City Manager says that we would pick up additional customers on Lykins and in the Billips development area. Mayor responds, “I think Frank Hatcher’s development agreed to come into the city that we would take utilities too.” Mayor Justice called for additional comments, there being none, the motion passed unanimously. 4-0.

(11) Consider a request to award the Gas Line bid to BOCA Enterprises Inc (who was the low bid) for all 3 projects in the amount of \$74,450. Commissioner Layne made the motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for comments. Mayor asked, “Is this the gas line that you were talking about?” City Manager Blackburn says that this is the reason that we are having a meeting today. Our lost ratio went up about 10%; this is a project we were going to do anyway, but there is a slow leak. Commissioner Carter asked, “Where is it?” Mr. Blackburn responds, “South Mayo Trail.” Mayor Justice called for additional comments, there being none the motion passed unanimously. 4-0.

(12) 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 Justice called for discussion, there being none, the meeting was adjourned. 4-0.

The next scheduled Regular Meeting of the City of Pikeville Board of Commissioners is March 28, 2011 at 6:00 p.m.

March 11, 2011 Special Meeting

**APPROVED:**

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

**ATTESTED:**

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**CHRISTY BILLITER, CITY CLERK**