

**CITY OF PIKEVILLE  
BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
September 26, 2011 AT 6:00 P.M.**

The Board of Commissioners for the City of Pikeville met in a regular called session on Monday, September 26, 2011. The meeting was held in the City Hall Conference Meeting Room located at 118 College Street, Pikeville, Kentucky.

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

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

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

**MINUTES**

The minutes for the previous regular meeting held on September 12, 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 Frank Justice called for discussion, there being none the motion carried unanimously. 5-0.

**BUSINESS FROM THE FLOOR**

Consider a request to adopt a Proclamation acknowledging "Pig-in-a-Poke" as a new business within the City of Pikeville. Commissioner Chaney made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for comments. Minta Chaney presented a framed copy of the proclamation to Brian Kramer, owner of the restaurant, and introduced him to the commission. Commissioner Davis asked Mr. Kramer if he was associated with the restaurant in Prestonsburg as well. And he is. Commissioner Chaney says that it looks like the restaurant has grabbed everyone's attention. Everyone agreed that the bbq for dinner and the cheesecakes that were served were good. Mayor Justice called for further discussion, there being none, the motion passed unanimously. 5-0.

## PAYMENT OF CITY BILLS

**The City Manager Donovan Blackburn requested the approval to pay city bills in the amount of \$184,268.29. Commissioner Davis made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for further discussion, there being none, motion passed unanimously. 5-0.**

## CITY ENGINEER

**Jody Hunt was present with Summit Engineering, Inc. and submitted a requests to the commission for approval.**

**1. Consider a request to approve and authorize payment for Pay Request #2 to H2O Construction Inc. for \$34,825.50 as submitted for the US23 Sewer Project Phase 2 and authorize the Mayor to sign and execute said pay request. Commissioner Chaney made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for comments. Mayor looked at Mr. Hunt and says, "I'm taking it that you are recommending that we pay that." And Mr. Hunt nods his head for approval. Mayor Justice called for further comments, there being none the motion passed unanimously. 5-0.**

## CITY ATTORNEY

**City Attorney Russell Davis was absent, so City Manager Donovan Blackburn read the ordinances into record.**

- 1. Consider a 1<sup>st</sup> reading of an ordinance #0-2011-031 amending Chapter 35 "Taxes" amending section 35.27 "Restaurant Tax." No further action is required at this time. The second reading will take place at the next regular scheduled meeting.**
- 2. Consider the request for the reading and passage of an emergency ordinance #0-2011-032 fixing a tax levy on property tax for the City of Pikeville and authorize the Mayor to sign and execute said ordinance. Commissioner Carter made a motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for comments. Mayor says the only comment I have is we lowered the taxes by 8% and not one person come up and said anything about it. If we raised tobacco by 8% they'd realize it. Mayor called for further comments, there being none, Mayor called roll call. Ordinance passed. 5-0.**

**CITY MANAGER**

City Manager Donovan Blackburn presented the commission with the following items for approval:

1. Consider request to extend a job offer to Jeremy Vanover and Kyle Taylor as Firefighters contingent upon them passing all the required pre-employment test, starting at the beginning rate for said position. Commissioner Davis made the motion to adopt. Commissioner Layne seconded the motion. Mayor Justice called for comments. Mayor called Fire Chief Ronald Conn up to introduce his new employee Jeremy Vanover. During the introduction, Mayor asked Mr. Vanover if he had any firefighting experience. Mr. Vanover replied that he is a volunteer firefighter. Mayor asked Mr. Conn if we try to hire from our volunteer firefighters. Mr. Conn says that we try to hire the ones that do volunteer because of their training. Mayor asked Mr. Vanover if he lives here in Pikeville or if he still lives in Elkhorn City. Mr. Vanover replies that he and his wife still live in Elkhorn. Mayor asked if anyone else has any other questions, then wishes Mr. Vanover good luck. Next, Chief Conn introduces Kyle Taylor. Mr. Taylor grew up in Pikeville. He has an impressive resume with experience as an EMT in the Army. Chief Conn adds that these guys did an accelerated EMT class. Mayor Justice asked if these guys have to maintain the agility test like the rest do. Mr. Conn says that they will have to complete it annually. Mayor called for further comments, there being none, motion passed unanimously. 5-0.
2. Consider a request to set Trick-or-Treat night for the City of Pikeville as October 31<sup>st</sup> 2011 between the hours of 6 pm and 8 pm. Commissioner Chaney made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for further comments, there being none the motion passed. 5-0.
3. Consider a request to reject the bids received for the 2 pick-up trucks for the City of Pikeville and to re-bid with amended specs. Commissioner Davis made the motion. Commissioner Chaney seconded the motion. Mayor Justice called for comments, there being none the motion passed unanimously. 5-0.
4. Consider a request to post of the position of 911 Dispatcher to fill vacant position. Commissioner Chaney made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for comments, there being none the motion passed unanimously. 5-0.
5. Pursuant to KRS 61.810, consider request for closed session for discussion of economic development, legal and personnel issues. Commissioner Davis made the motion. Commissioner Chaney seconded the motion. Mayor Justice called for discussion, there being none the motion passed unanimously. 5-0.
6. Commissioner Davis made the motion to re convene. Commissioner Chaney seconded the motion. Mayor Justice called for discussion, there being none

- the motion passed unanimously. 5-0. Mayor called the session back into order.
7. Consider a request to approve the submitted letter of intent (LOI) between the City of Pikeville and the Pikeville Scholar House, LLP (the "BUYER") for the purchase of the city Sadd Ave property at the agree price of \$750,000 and to authorize the Mayor to sign and execute the LOI along with any and all documents necessary to apply for the funding for the Scholar House project. To further consider the request to approve an agreement between the same parties that will be execute either before or the same time of the LOI agreement that states the bottom floor of the Scholar House will be retail space and that if retail space is either not permitted or not desirable then both parties shall be released from the original LOI agreement requiring the city to sale the property to the BUYER. Commissioner Chaney made a motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for comments, there being none, the motion passed unanimously. 5-0.
  8. There being no further business to come before the Commission, Commissioner Davis has made the motion to adjourn the meeting. Commissioner Layne seconded the motion. Mayor Justice called for discussion, there being none the meeting was adjourned. 5-0

**CONSENT ITEMS:**

**KLC Annual Conference week of October 3<sup>rd</sup>. City Manager will be attending**

**Muscle on Main closeout event October 8<sup>th</sup>**

**The next scheduled Regular Meeting of the City of Pikeville Board of Commissioners is October 10, 2011 at 6:00 p.m.**

**APPROVED:**

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

**ATTESTED:**

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**CHRISTY BILLITER, CITY CLERK**