

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
MAY 24, 2004**

The Board of Commissioners for the City of Pikeville met in regular session on Monday, May 10, 2004. The meeting was held in the City Hall Public Meeting Room located at 118 College Street, Pikeville, Kentucky.

There being a quorum present, Mayor Franklin D. Justice, II called the meeting to order at 6:25 p.m. Commission Members present at roll call were as follows:

COMMISSIONER:	DALLAS LAYNE EUGENE W. DAVIS SHAWN A. AMOS JAMES A. CARTER
MAYOR:	FRANKLIN D. JUSTICE, II

AGENDA ITEM II. MINUTES

The minutes for the previous regular meeting of May 10, 2004 were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Amos made the motion, seconded by Commissioner Davis to approve the minutes as prepared. The motion carried unanimously.

AGENDA ITEM III. BUSINESS FROM THE FLOOR

Anna Webb, employee of the Pike County Fiscal Court, appeared before the Commission to request dismissal of four overtime parking tickets received while parked in a handicapped space. Ms. Webb contended that all designated handicapped spaces do not have specific signage advising of time restrictions to permit parking tickets to be issued. City Manager Blackburn advised that all parking spaces in the downtown area have a two hour time limit, unless otherwise specified. Kentucky statutes provide that vehicle operators possessing a valid handicapped permit may park twice as long in any valid parking space. The City Manager explained that he previously voided two parking tickets for Ms. Webb, with the understanding that she would not park her vehicle any longer than four hours in the same handicapped parking space. The suggestion was made to Ms. Webb that she park her vehicle in the parking garage (no fee parking) and ride the shuttle to work. Ms. Webb countered that the city should designate a parking area at the courthouse for county employees. City Attorney Davis pointed out that the county designated the usage of the parking spaces for the spaces located on Division Street toward the river fill. The Commission asked the City Manager to contact County Judge/Executive Deskins to discuss the possibility of the county re-designating a couple of their parking spaces for handicapped parking use by county employees. Ms. Webb asked the Commission again to dismiss the overtime parking tickets she received or she would enlist the assistance of the county attorney. The Commission took no action.

AGENDA ITEM IV. CITY BILLS

A list of City Bills totaling \$473,107.09 was presented to the Commission for approval of payment. Commissioner Davis made the motion, seconded by Commissioner Amos to approve payment of the invoices as requested. The motion carried unanimously.

AGENDA ITEM V. OLD BUSINESS

A. PIKEVILLE MAIN STREET PROGRAM: Melissa Staggs, Director for the Pikeville Main Street Program, presented the following invoices for approval of payment:

1. Tele-Media - \$144,845.23 - Phase III Utility Relocation Project
2. Dura Art Stone - \$16,179.75 - Phase IV Utility Relocation Project (balance due for concrete planters)
3. Southwest Trucking: \$3,111.00 for delivery of planters.

Commissioner Carter made the motion to approve. Commissioner Amos seconded the motion. Mayor Justice called for additional discussion, Commissioner Davis; where will they go and how big are they? City Manager; 5 fee wide; Missy Staggs; they will go on Main Street. Mayor Justice called for any further discussion, there being none the motion passed unanimously.

CITY ATTORNEY

City Attorney Rusty Davis presented the following;

1. 2nd reading of Ordinance establishing fishing limits for fish in the Pikeville City Pond.

Commissioner Layne made the motion to approve. Commissioner Amos seconded the motion. Mayor Justice called for Roll Call:

Dallas Layne	Yes
Gene Davis	Yes
Jimmy Carter	Yes
Shawn Amos	Yes
Frank Justice	Yes

Ordinance was passed this 24th day of May, 2004.

City Attorney Rusty Davis gave 1st reading of Ordinance number 0-004-008 intent to Annex 977 Acers more or less at Marion’s Branch. Second reading to be held June 4th 2004.

City Attorney Rusty Davis presented RESOLUTION

Consent and Approval of Local Franchising Authority to transfer of CATV Franchise Local Cable Franchise with Tele-Media to Cequel III Communications II, LLC a Delaware limited liability company . Commissioner Layne made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for discussion, there being none resolution passed unanimously.

CITY ENGINEER

Charlie Byers with Summit Engineering, Inc updated the Commission on the following items;

1. Phase II was up to date with current project specifications. Kentucky Power contact Jerry Smith was taking care of issues in reference with pipes around the Hambly Blvd area that was causing mowing problems with the utility maintenance company for the City.
2. Planter area near the Parking Garage would be verified whose responsibility and advice commission at next meeting.
3. Water Tank Bids; Received two bids, but due to budget only Fox croft Water Tank would be painted. The Bid for \$33,000 was awarded.

Commission Carter made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for any additional comments, there being none the motion passed unanimously.

CITY MANAGER

City Manager Donovan Blackburn presented the following:

1. Request to redraw the request to purchase a mule for the Fire Department and apply funds to purchase a tractor to help with the grass cutting. Mayor Justice has asked for a demo for a bush hog to be demoed before any discussion made. Commissioner Carter made the motion to approve the demo and redraw the request and res divert the funds

toward the mower in the amount of \$10,000.00. Commissioner Amos seconded the motion. Mayor Justice called for discussion, there being none the motion passed unanimously.

2. Consider plans of the City Park for the tree removal near the train location. City Manager just wanted to let commission know that the tress would be removed for the light poles to be installed for the Utility Location Project.
3. Consider request for use agreement with Community Trust Bank for the 2004 Pike County Bowl. Commissioner Layne made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for any additional discussion, there being none the motion passed unanimously.
4. City Manager called for closed session to discussion economical development and personnel issues. Commissioner Davis made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for discussion, there being none the meeting adjourned to closed session.
5. City Manager called for regular session to re convene; Commissioner Carter made the motion. Commissioner Layne seconded the motion. Mayor Justice called meeting into regular session.
6. City Manager presented agreement for HIDTA to have one of the City Police Officers. Commissioner Layne made the motion to approve. Commissioner Carter approved. Mayor Justice; no additional comments can be made. Motion Passed unanimously.
7. City Manager requested for City to hire 2 additional police officers. One in June 2004 to replace the HITDA officer and David Adkins on contingent he pass all required employment tests required by the City of Pikeville and State. Commissioner Layne the motion to approve. Commissioner Carter seconded the motion. Mayor Justice asked for discussion, there being none the motion passed unanimously.
8. City Manager presented a Personnel Policy Change for Vacation Pay; to allow employees to sell one week of vacation back to the City, after they have taken two weeks of vacation. The vacation pay can only be sold in 40 hours allotment. Commissioner Carter made the motion to approve. Commissioner Amos seconded the motion. Mayor Justice asked for comments, there being none the motion passed unanimously.
9. City Manager presented the job description for the Codes Officer to be approved. Commissioner Layne made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice asked for discussion, there being none the motion passed unanimously.

There being no further business for the City of Pikeville Commission the being was called for adjournment. Commissioner Davis made the motion to adjourn. Commissioner Carter seconded the motion. Mayor Justice called for and further business, there being no business the motion was passed unanimously and the meeting was adjourned.

The next regular scheduled meeting would be:



FRANK JUSTICE, II MAYOR

ATTEST



REBECCA HAMILTON, CITY CLERK