

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
OCTOBER 10, 2005**

The Board of Commissioners for the City of Pikeville conducted a regular meeting on Monday, October 10, 2005. 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 6:00 p.m. Commission Members present at roll call were as follows:

COMMISSIONER:	DALLAS LAYNE EUGENE W. DAVIS JAMES A. CARTER M. SHANE HALL
MAYOR:	FRANKLIN D. JUSTICE, II

AGENDA ITEM II. MINUTES

The minutes for the previous regular meeting of September 26, 2005 were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Davis made the motion, seconded by Commissioner Layne to approve the minutes as prepared. The motion carried unanimously.

AGENDA ITEM III. BUSINESS FROM THE FLOOR

Jerry Green, Superintendent of the Pikeville Independent School District, and Max Thompson, Pikeville Independent School Board Attorney, appeared before the Commission to discuss a proposed agreement for improvements to the softball field located at Hambley Complex. Because state law prohibits a school district from developing or improving property it does not own, Mr. Green and Mr. Thompson suggested an increase in the rent amount paid to the city for use of Hambley Complex, as increased at the time the locker room facility was constructed. The engineer estimates the cost for constructing a "home" dugout and locker room for the softball field at \$140,000. During a prior meeting, the Commission authorized a contract with Summit Engineering, Inc. in the amount of \$12,000 for the design of the stated improvements, with the contingency that the school board reimburse the city for the design fee. Mr. Green advised the school board approved the reimbursement. He commented that the school may be in a position to reimburse the total amount of the improvements if the cost stays within the \$140,000 estimate. Discussion was had regarding the Corp of Engineer's proposed construction of a flood wall and the possibility that a portion of the softball field property could be taken for the project. The Commission discussed the possibility of relocating the field to the former WLSI property. City Engineer Byers voiced his doubt that the property was large enough to accommodate a softball field. Mr. Green confided

that the school district needs to comply with state and federal regulations regarding gender equality in sports and sports facilities. Since the flood wall project is not expected to begin until 2010, Mr. Green advised the school board is agreeable to improving the existing field with the provision that if the flood wall project takes the field, that a comparable field would be constructed and that Pikeville High School would have priority use. The Commission debated the economics of constructing a new field versus improving the existing field. A rough estimate of \$350,000 was suggested for the construction of a new field. The Commission requested that the city engineer determine if the WLSI site was a feasible location for a new softball field and prepare a cost estimate for development. With the knowledge that bids could be rejected, Mr. Green suggested the Commission authorize advertising for bids for improvements to the existing field. The information could be useful in determining whether to proceed with improving the existing field or whether a new field should be constructed. Mayor Justice made the motion to allow the city engineer to advertise for bids for improvements to the existing field. Commissioner Davis seconded the motion. The motion carried unanimously.

AGENDA ITEM IV.

PAYMENT OF BILLS

No invoices were presented for approval of payment.

AGENDA ITEM V.

OLD BUSINESS

A. BIG SANDY AREA DEVELOPMENT DISTRICT: Denise Thomas appeared before the Commission on behalf of the Big Sandy Area Development District. Ms. Thomas requested approval of a program amendment for Phase VI of the Pikeville Redevelopment Project. She explained the amendment allows for the remaining funds in the Community Development Block Grant to be used for acquisition, relocation and demolition of four additional properties located on Saad/Auxier Avenue. Commissioner Layne made the motion, seconded by Commissioner Hall to authorize the Mayor to execute the Program Amendment for Phase VI. The motion carried unanimously.

Harold Sewer Extension Project: Ms. Thomas reported that an advertisement was placed in the *Lexington Herald Leader* and the local newspaper requesting qualifications from engineering firms for design of the proposed Harold Sewer Extension Project. Ms. Thomas advised that four inquiries were made, however only one proposal was submitted. The proposal was received from Summit Engineering, Inc. Ms. Thomas recommended award of the project to Summit Engineering, Inc. Commissioner Davis made the motion to award the engineering services for the Harold Sewer Extension Project to Summit Engineering, Inc., contingent upon award of funding for the project. Commissioner Layne seconded the motion. The motion carried unanimously.

B. PIKEVILLE MAIN STREET PROGRAM: Serena Stiltner, Office Manager for Pikeville Main Street Program, presented the following invoices for approval of payment:

1. American Electric Power – Utility Relocation Project, Phase III: \$2,469.79.
2. Thacker Memorial – Hambley Statue Pedestal: \$5,204.00
3. Thacker Memorial – Gateway Signs Resurfacing: \$30,000.00

Ms. Stiltner advised the invoices were approved by the Pikeville Main Street Board of Directors.

Commissioner Hall made the motion, seconded by Commissioner Davis to approve payment of the invoices as requested. The motion carried unanimously.

C. CITY ENGINEER’S REPORTS: The city engineer gave a verbal presentation during work session.

D. CITY ATTORNEY’S REPORTS: Russell H. Davis, Jr., city attorney, presented the following ordinances for consideration:

1. Presented and given second reading was an ordinance captioned as follows:

AN ORDINANCE RELATED TO THE AMENDMENT OF SECTION 55.06 OF THE CODE OF ORDINANCES AND THE CITY OF PIKEVILLE UTILITY RULES AND REGULATIONS ADOPTED BY O-91-014 SO TO PROVIDE FOR PAYMENT ON THE FIFTEENTH DAY FOLLOWING THE BILL FOR SERVICE; PROVIDING FOR A PENALTY OF 5% AFTER FIFTEEN DAYS; AND DISCONTINUANCE OF SERVICE AFTER TWENTY DAYS

Commissioner Layne made the motion to adopt the Ordinance as presented and given second reading. Commissioner Carter seconded the motion. The motion carried by the following votes:

COMMISSIONER:	DALLAS LAYNE	YES
	EUGENE W. DAVIS	YES
	JAMES A. CARTER	YES
	M. SHANE HALL	YES
MAYOR:	FRANKLIN D. JUSTICE, II	YES

2. First reading was given to the following Ordinance entitled:

ORDINANCE AMENDING THE FISCAL BUDGET FOR THE 2005-2006 FISCAL YEAR

Second reading was scheduled for October 24, 2005.

E. FIRE DEPARTMENT UPDATE: Robbie Lindsey, Battalion Chief for the Pikeville Fire Department presented a written activities report for the previous two week period. The fire department responded to 26 Fire Calls and 50 Emergency Medical Service Calls. Other activities included repairs to the steps at Dils Cemetery and hosting the State Fire Marshal's conference. It was announced that the fire department will host a canoe/kayak float on October 15, 2005. All proceeds will benefit the Relay for Life effort.

F. POLICE DEPARTMENT UPDATE: Pikeville Police Sergeant, Aaron Thompson, reported that the police department responded to over 500 calls during the previous two week period. Sgt. Thompson advised that a large portion of the calls can be attributed to burglary alarms. He estimated that 90%, of the burglary alarm calls received, are false alarms. Sgt. Thompson advised of several community-oriented programs which include a Bike Safety Program, Day Care Center fingerprinting, and car seat certification program scheduled for November, 2005. It was reported that the Federal Overtime Program has been completed. The department is conducting interviews for dispatcher and is in the testing phase of police officer applicants. A presentation regarding the GPS Tracking System was postponed until the next regular meeting. The Commission congratulated Sgt. Thompson on his recent promotion to sergeant.

G. CITY MANAGER'S REPORTS: Donovan Blackburn, city manager, presented the following items for the Commission's consideration:

1. **Ped-Way Sign:** Mr. Blackburn reported that three bids had been received for the purchase of a two-sided, LED sign to be located on the ped-way from the parking garage to Pikeville College. The low bid was submitted by Daktronics in the amount of \$58,423.00. City Manager Blackburn recommended the award of the bid to Daktronics in the amount of \$58,423.00. Veolia Water personnel will install the sign. Mayor Justice made the motion to award the bid for purchase of the ped-way sign to Daktronics in the amount of \$58,423.00. Commissioner Hall seconded the motion. The motion carried unanimously.

2. **Street Signs:** One bid was submitted for the supply and installation of a variety of street signs and poles for the downtown district. The signs will compliment the recently installed street lighting and street furniture. The bid was submitted by Unisign in the amount of \$32,581.00. The city manager recommended award of the bid to Unisign in the amount of \$32,581.00. He commented that the bid is significantly less than budget. Commissioner Layne made the motion to award the bid to Unisign in the amount of \$32,581.00 as recommended by the city

manager. Commissioner Carter seconded the motion. The motion carried unanimously.

3. **Marketing Study:** The Commission, at the request of the city manager, postponed award of the bid for preparation of a marketing study, until the next regular meeting.

4. **Wastewater Treatment Plant Headworks Project:** During the previous meeting, the Commission declared sole source procurement for equipment and labor for the Wastewater Treatment Plant Headworks Project. Public Works manager and the city manager met with representatives of the construction and the equipment supplier firms. The city manager requested award of contracts to Henry P Thompson Company in the amount of \$181,233.00 for equipment and N.E. Zabkar in the amount of \$97,530.00 for labor. Commissioner Carter made the motion, seconded by Commissioner Layne to award contracts to Henry P. Thompson Company in the amount of \$181,233.00 and to N.E. Zabkar in the amount of \$97,530.00. The motion carried unanimously.

5. **Closed session:** City Manager Blackburn requested closed session for the purpose of discussing an economic development issue, personnel issue and a property acquisition matter. Commissioner Carter made the motion, seconded by Commissioner Layne to adjourn to closed session for the purposes stated. The motion carried unanimously.

Mayor Justice made the motion to reconvene to regular session. Commissioner Carter seconded the motion. The motion carried unanimously.

City Manager Blackburn recommended the employment of William Prater in the position of dispatcher at a wage rate of \$10.00 per hour. Commissioner Layne made the motion, seconded by Commissioner Carter to approve the employment of William Prater as recommended by the city manager. The motion carried unanimously.

Commissioner Carter made the motion, seconded by Commissioner Layne to approve the employment of Paula Smith for the part-time position of relief shelter manager at the wage rate of \$6.50 per hour. The motion carried unanimously.

Presented for the Commission's approval were amended procedural guidelines for the homeless shelter operation as well as rules and regulations pertaining to proposed clientele of the shelter. Commissioner Carter made the motion to adopt the amended guidelines as presented. Commissioner Layne seconded the motion. The motion carried unanimously.

There being no further business to come before the Commission, Commissioner Davis made the motion to adjourn. Commissioner Layne seconded the motion. The motion carried unanimously.

The next scheduled meeting of the Board of Commissioners for the City of Pikeville is October 24, 2005 at 6:00 p.m.

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

ATTEST:

**_____
KAREN W. HARRIS, CITY CLERK**