

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
January 9, 2012 AT 6:00 P.M.**

The Board of Commissioners for the City of Pikeville met in a regular called session on Monday, January 9, 2012. 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 special meeting held on December 12, 2011 were in each Commission Member's agenda package. There being no additions or corrections, Commissioner Davis 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. 5-0.

BUSINESS FROM THE FLOOR

Consider a request to adopt a proclamation honoring the 2011 Pikeville High School Varsity Golf Team and authorize the Mayor to sign and execute said proclamation. Commissioner Carter made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for comments. Mayor then read the 2011 PHS Golf Team season highlights which are as follows:

- * Region 11 Golf Champions ...advanced to the State Tournament**
- * All A 15th Regional Golf Champions (by 52 shots) ...Golf Champions for 5 consecutive years 2007-2011. Hold the record for the lowest score ever shot in the All A Regional Tournament**
- * Winner of the 2011 Commodore Classic**
- * 2nd Place finishes ...Pikeville Invitational Tournament
 Greenup County Invitational (by one stroke)
 Paintsville Invitational Tournament**

*** 4th Place finishes ...Prestonsburg Invitational
Eagle Trace Invitational**

*** State Tournament ...Team placed 15th. Two team members Will Branham and Noah Combs advanced to the final round of play where Branham placed 13th and Combs placed 32nd out of 146 players.**

Congratulations to the Panthers on a winning season and a job well done!

Commissioner Chaney adds to this by saying that he doesn't know much about golf, but my hats off to you gentlemen. Followed by Commissioner Davis who says that golfing is something that he has a hard time doing. Commissioner Davis wants to congratulate the team as well. Commissioner Carter and Commissioner Layne agree that it is a tough sport and want to offer their congrats as well. Mayor Justice says hats off to the golf team. I was on the team for four years when I was at Pikeville and it is a tough sport. Me and Coach Combs had a good time back in high school. Coach Brian Johnson says it has been a great year and I am glad we are getting a little recognition. We have a young team; and, we have a really bright future. We have eighteen kids to come out for the golf team. Coach Steve Combs adds that the JV team was undefeated also. Coach Combs says that they were invited to Lexington to play and did very well. Mayor called for further comments, there being none, the motion carried unanimously. 5-0.

Consider a request to adopt a proclamation honoring the 2011 Pikeville High School Varsity Basketball Team and authorize the Mayor to sign and execute said proclamation. Commissioner Chaney made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for comments. Commissioner Chaney stated that he likes all sports but basketball is his love. He said he would shovel snow off the court to play ball; he loves to compete. Commissioner Chaney says that he envies the boys. Commissioner Davis would like to say first of all that we have a great basketball coach. He says that overall, we have a good coaching staff at PHS. He says to the team that their attitude should be, "over, it's not over til we say it's over." Commissioner Carter says, "Great job guys. Anytime you beat Beechwood it's a good year. Congratulations." Commissioner Layne says that he has been in this town for 43 years and he is aware of PHS and how hard they work at things. Good job guys. Mayor says that if PHS keeps this up we are going to run out of months. Just keep it up! Coach Bart Williams says he would like to thank the Commission for their time and for all they do for the team. He says that the basketball field is in great shape and that they are very proud to wear Pikeville across their chest; they wear it with pride. Mayor concludes by congratulating them one more time and thanking them for coming to the meeting. Mayor called for further comments, there being none, the motion carried unanimously. 5-0.

PAYMENT OF CITY BILLS

The City Manager Donovan Blackburn requested the approval to pay city bills in the amount of \$629,130.70. Commissioner Davis made the motion to approve.

Commissioner Chaney seconded the motion. Mayor Justice called for further discussion, there being none, motion passed unanimously. 5-0.

Consider payment of invoice #36852-C in the amount of \$8,528.25 to Eastern Telephone for the City Hall Generator Project. This represents the final payment for this project. NOTE: The generator is installed and deemed functioning by factory and City staff. This is FEMA Hazard Mitigation Program Funds. Commissioner Chaney made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for comments, there being none, the motion passed unanimously. 5-0.

Consider payment of invoice #48618 in the amount of \$46,100.00 to Gatterdam Industrial Services for the odor control pump system. 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.

CITY ATTORNEY

Russell Davis was present and there was one item to read into record.

- 1. Consider a 1st reading by City Manager of an ordinance #0-2012-001 Creating a City Park for the establishment of Horseback Riding. There was no further action needed at this time. Second reading will take place at next regular scheduled meeting.**

CITY MANAGER

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

- 1. Consider request to submit the 2012 Waste Tire Market Development Crumb Rubber Grant Application on behalf of the City of Pikeville and to authorize the mayor to sign and execute any required paperwork to apply or receive said grant. Grant amount request is \$24,000 with a match of \$8,200. Project includes crumb rubber application at the Bob Amos Soccer Complex. Commissioner Davis made the motion to adopt. Commissioner Chaney seconded the motion. Mayor called for comments. Mayor asked how many times have we applied for this grant. City Manager replied, "Three." Commissioner Carter comments that third time's a charm. Mayor wants to know how much of a difference this rubber makes. Mayor then says that if we do not get it this time let's just buy the stuff and put it on the fields.**

- Mayor called for further comments, there being none, motion passed unanimously. 5-0.
2. Consider a request to authorize the Mayor to sign and submit Legal Signature and Invoice Authorization Form to Kentucky Office of Homeland Security authorizing City Manager to sign agency, legal and invoice documents as related to FY 2011 State Homeland Security Grant Funding for project #11-216. Commissioner Carter made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for further comments, there being none the motion passed. 5-0.
 3. Consider a request for authorization to apply for Siemens Sustainable Communities Awards for \$20,000 worth of trees. Commissioner Davis made the motion. Commissioner Chaney seconded the motion. Mayor Justice called for comments. Commissioner Carter asked if that is what they are using to replace the ones that are being cut down in the park. Mayor called for further discussion, there being none, the motion passed unanimously. 5-0.
 4. Consider request to adopt the revised city personnel policies as presented.
 - 1.16 – City of Pikeville Public Information Officer
 - 2.4 – Recording Work Hours Policy
 - 2.10 – Overtime Compensation
 - 4.19 – Cash and Revenue Management Procedures
 - 4.20 – Purchasing Policy
 - 4.21 – Work area – Safety & CleanlinessCommissioner Chaney made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for comments. Commissioner Carter said that there is no one that can keep his desk as clean as Donovan Blackburn. I don't think it's possible, Commissioner Carter states. Mayor Justice called for further comments, there being none. Commissioner Carter abstained. The motion passed. 5-0.
 5. Consider a request to adopt a resolution supporting U-Pike to become a state university and to authorize the Mayor to sign and execute said resolution. Commissioner Carter made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for comments. Mayor asked if the coal severance that he has been hearing about, is it multi-coal severance. City Manager replied, "yes." Mayor called for further comments, there being none, the motion passed unanimously. 5-0.
 6. Consider a request to reappoint Kay Baird and Susan Huffman to the Model City Day Care Nominating Committee whose term shall expire 1-1-2014. Commissioner Layne made the motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for comments, there being none, the motion passed unanimously. 5-0.
 7. Consider a request to authorize the Mayor to sign and submit a Finding of Exemption letter on behalf of the City of Pikeville for the Cassidy Blvd Riverbank Stabilization project. 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.

8. Consider a request to authorize and approve a Quit-Claim Deed between the City of Pikeville and Bailey Hotel 2, Inc. as submitted for property located at Hatcher Court for the construction of a new hotel and to authorize the Mayor to sign and execute said deed on behalf of the City of Pikeville. Commissioner Layne made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for comments. Mayor asked City Manager to explain this deed. City Manager explains that we have closed Hatcher Court. What we did, ultimately, was a property swap with them. Mayor called for further comments, there being none, the motion passed unanimously. 5-0.

9. Consider a request to accept and approve the letter of Engagement for the services of attorney Linda Ain as submitted and to authorize the Mayor to sign and execute said letter. Commissioner Carter made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for comments. Commissioner Davis asked, "Who is this?" City Manager Blackburn says that she is our legal counsel. This is a letter to retain her as our legal counsel. She is good; she is also with the county. Mayor called for further questions, there being none, the motion passed unanimously. 5-0.

10. Consider a request to accept and approve a contract, as submitted, between the City of Pikeville and Lee Utility Consulting for a Cost of Services Study for the Cities Water & Sewer utilities and to authorize the mayor to sign and execute said contract on behalf of the City. Commissioner Carter made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for comments. Mr. Blackburn comments that this was outlined in the local paper. We have not done a water study since 2008; then, we last revised our rates in 2009. Mayor called for further comments, there being none, the motion passed unanimously. 5-0.

11. Consider a request to award the bid and authorize payment for two (2) Ford F350 Pick-up trucks, per the bid specs as submitted, to Bruce Walters Ford (who was the low bidder) for \$41,962.64 and to authorize the City Manager to sign any paperwork necessary to purchase said vehicles and to place into the cities name. Commissioner Layne made the motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for comments. Commissioner Davis asked if we could get two trucks for \$41,962.64. And City Manager answered, "No, that is the price of one." Mayor called for further comments, there being none. Commissioner Davis and Commissioner Carter abstained. The motion passed. 5-0.

12. Consider a request to adopt a resolution accepting Mount Chase Drive into the Cities Road Maintenance program and to authorize the mayor to sign and execute said resolution... TABLED

13. Pursuant to KRS 61.810, consider request for closed session for discussion of economic development, legal and personnel issues. Commissioner Davis

Ln Yr Sq Bill # Inst Due Principal Penalty Interest Amt Due
1 12 51 61113 1 1/10/12 10:36

January 9, 2012 Regular Meeting

Acct: 5107185026 Name: GRIMM, CHRIS ALLEN
Trans Date: 01/05/2012 Int Date: 01/05/2012 Batch: KR05 COLL ID: KIM
TERMINAL NO: 000 On-Line Collection TIME: 08:31:37
CITY OF PIKEVILLE DATE: 01/05/12
TCFM01/V03/L139


- made the motion. Commissioner Layne seconded the motion. Mayor Justice called for discussion, there being none, the motion passed unanimously. 5-0.
14. Commissioner Davis made the motion to re convene. Mayor Justice seconded the motion. Mayor Justice called for discussion, there being none the motion passed unanimously. 5-0. Mayor called the session back into order.
15. Consider a request to adopt a resolution #2012-001 relating to the financing of acquisition, construction and installation of an indoor performing arts theater in downtown Pikeville for the amount up to \$3,025,000 and to authorize the mayor to sign and execute said resolution. Commissioner Carter made a motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for comments, there being none, the motion passed unanimously. 5-0.
16. 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:

KCCMA Annual Conference February 1st and 2nd 2012 Frankfort, KY

KLC City Night February 1st 2012 Frankfort, KY

The next scheduled Regular Meeting of the City of Pikeville Board of Commissioners is January 23, 2012 at 6:00 p.m.

APPROVED:

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

CHRISTY BILLITER, CITY CLERK