

**THE CITY OF PIKEVILLE  
BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
JANUARY 9, 2006**

The Board of Commissioners for the City of Pikeville met in regular meeting on Monday, January 9, 2006. 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:

<b>COMMISSIONER:</b>	<b>DALLAS LAYNE EUGENE W. DAVIS M. SHANE HALL</b>
<b>MAYOR:</b>	<b>FRANKLIN D. JUSTICE, II</b>

Commissioner James A. Carter was absent.

**AGENDA ITEM II. MINUTES**

The minutes for the previous regular meeting of December 12, 2005 and special meeting of December 22, 2005 were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Layne made the motion, seconded by Commissioner Davis to approve the minutes as prepared. The motion carried 4 – 0. Commissioner Layne complimented the clerk for the efficient manner in which the minutes are prepared.

**AGENDA ITEM III. BUSINESS FROM THE FLOOR**

- 1. HAMBLEY COMPLEX LIGHTING PROJECT:** City Manager Blackburn requested to postpone consideration of the bids received for the lighting project for Hambley Complex. A special meeting was tentatively scheduled for Thursday, January 12, 2005, at 5:00 p.m.. Members of the Pikeville Independent School Board will be invited to attend the meeting.
- 2. RETIREMENT BENEFITS:** Former city employee, Sue Smallwood, appeared before the Commission to request a \$500.00 per month retirement benefit from the City of Pikeville. Ms. Smallwood explained that she meets all requirements as specified in the ordinance that created the benefit. The requirements were employment by August, 1975 and to be employed by the City of Pikeville for 25, or more, years. Ms. Smallwood reported that she had been employed continuously by the City of Pikeville since December, 1968, through December, 2002. During the 34 year period, Ms. Smallwood worked two occasions on part-time status. City Manager Blackburn reported that staff is in the process of researching the matter to confirm employment dates. City Attorney Davis commented that Ms. Smallwood

was employed by the Model City and Community Development Agency until the program was phased out. He questioned whether Ms. Smallwood was employed with a city agency or with the City of Pikeville. Ms. Smallwood advised that her W-2 forms were issued by the City of Pikeville. The employees were under supervision of the Mayor and Commissioners. City Attorney Davis explained that an ordinance was adopted in 1998 that amended the 1975 ordinance, in that a percentage of the contribution made to the state retirement system on behalf of eligible employees, would be deducted from the \$500.00 monthly benefit. Discussion was had relative to how this figure would be computed. The city attorney advised that Kentucky Retirement Systems had been requested to determine the percentage of the city's contribution. The Commission tabled further discussion of the matter pending receipt of documentation from the city's archives and Kentucky Retirement Systems. City Manager Blackburn advised that Ms. Smallwood would be contacted when the information is received.

#### **AGENDA ITEM IV.**

#### **PAYMENT OF BILLS**

A list of City Bills totaling \$602,179.32 was presented to the Commission for approval of payment. Commissioner Hall made the motion, seconded by Commissioner Davis to approve payment of the City Bills as requested. The motion carried 4 – 0.

#### **AGENDA ITEM V.**

#### **OLD BUSINESS**

**A. BIG SANDY AREA DEVELOPMENT DISTRICT:** No report

**B. PIKEVILLE MAIN STREET PROGRAM:** Program Manager, Serena Stiltner, presented an invoice for approval of payment on behalf of Thacker Memorial in the amount of \$2,700.00. Ms. Stiltner explained the invoice is for the new lettering on both "Welcome to Pikeville" signs. Commissioner Hall made the motion, seconded by Commissioner Layne to approve payment to Thacker Memorial in the amount of \$2,700.00. The motion carried 4 – 0.

**C. CITY ENGINEER'S REPORTS:** Jack Sykes was present on behalf of Summit Engineering, city engineers, and gave a verbal update for the following projects:

**1. Wastewater Treatment Plant Headworks Project:** Presented for approval of payment was invoice #3 from N.E. Zabcar Corporation in the amount of \$16,418.34 for construction activities. City Engineer Sykes recommended payment as submitted. Mayor Justice made the motion, seconded by Commissioner Layne to approve payment in the amount of \$16,418.34 to N.E. Zabcar Corporation as recommended by the city engineer. The motion carried 4 – 0.

**2. Smith Hill Water Tank:** City Engineer Sykes reported that the painting and repairs to Smith Hill Water Tank have been completed by contractor, Eastern Tank & Utility Services, Inc. He recommended total payment of the contract in the

amount of \$62,000. Commissioner Layne made the motion, seconded by Commissioner Davis, to approve payment to Eastern Tank & Utility Services, Inc., in the amount of \$62,000, as recommended by the city engineer. The motion carried 4 – 0.

3. **Transportation Enhancement Program (TEA 21):** It was reported that grant funds are available through TEA 21. The city engineer requested authorization to submit a grant application to construct a bike trail at Bob Amos Park. Commissioner Hall made the motion to authorize the submittal of a funding application for TEA 21 monies for the purpose of constructing a bike trail at Bob Amos Park. Commissioner Layne seconded the motion. The motion carried 4 – 0.

4. **PRIDE Application:** The city engineer's office requested authorization to submit a funding application to PRIDE to extend sewer services to Ratliff's Creek. Commissioner Davis made the motion to authorize submittal of a funding application to PRIDE and to authorize the mayor to sign said funding application. Commissioner Hall seconded the motion. The motion carried 4 – 0.

5. **PRIDE on the River:** A contract to provide general engineering and resident inspection services was presented by Summit Engineering for extension of sewer services to the Harold area. Total contract amount is \$520,797.48, based upon an estimated construction cost of \$5,080,951.00. Mr. Sykes reported that the fees are in agreement with the Rural Development fee schedule. Mr. Sykes requested approval of the contract, contingent upon no expenditures being submitted until funding is received for the project. Commissioner Hall made the motion to enter into an engineering contract with Summit Engineering, Inc. for services in conjunction with the PRIDE on the River Project and further that no expenditures will be paid until funding is received for the project. Commissioner Davis seconded the motion. The motion carried 4 – 0.

**D. CITY ATTORNEY'S REPORTS:** Russell H. Davis, Jr., City Attorney, requested approval of a request from Herbert Deskins to remove his property, located at the corner of Saad and Auxier Avenues, from the Pikeville Redevelopment Project. City Attorney Davis explained that the city is in the process of acquiring three tracts of property from Jack and Judy Walters. At the time that the Walters sold a portion of the overall tract to Herbert Deskins, Mr. Deskins was given the first right of refusal should they decide to sell the remaining tracts. The city can't continue with acquisition until Mr. Deskins' releases his claim upon the property. City Attorney Davis advised that he has prepared a quit claim deed for Mr. Deskins' signature. Mr. Deskins agreed to sign the quit claim deed contingent upon his property being released from the Pikeville Redevelopment Project. Commissioner Layne made the motion, seconded by Commissioner Hall to release the Deskins tract, located at the corner of Saad and Auxier Avenues, from the Pikeville Redevelopment Project. The motion carried 4 – 0.

**E. PIKEVILLE FIRE DEPARTMENT UPDATE:** Assistant Fire Chief, Ronald Conn, presented a written Year End Report for 2005, and a summary of activities for the period of December 13, 2005 – January 9, 2006. Fire and EMS responded to 95 EMS calls and 64 Fire related calls during this three week period. Fire Department personnel removed unhealthy trees around the pond area; assisted with installation of Christmas lights; attended CPR Instructor classes; performed maintenance on flood gates and pond; attended Civic Center events; applied for an EMS grant; and assisted the Island Creek Volunteer Fire Department in their request for mutual aid.

**F. PIKEVILLE POLICE DEPARTMENT UPDATE:** Sergeant Aaron Thompson presented the Police Department's Year End Report for 2005. Sgt. Thompson reported that the Police Department responded to over 1,000 more calls during 2005 than in 2004. During 2005, the Pikeville Police Department opened 1,131 case reports; worked 647 collisions; and opened 35 incident investigations.

**G. CITY MANAGER'S REPORTS:** Donovan Blackburn, City Manager, presented the following items for the Commission's consideration:

1. **Fire Truck:** The Pikeville Fire Department advertised for bids to purchase a used, 1980 or newer model, aerial fire truck. Two bids were received. The bids were submitted by 10-8 Fire Equipment, Inc. in the amount of \$70,000 and Company Two in the amount of \$112,000. Fire Chief Hall inspected both trucks. He recommended the purchase from the low bidder, 10-8 Fire Equipment, Inc., in the amount of \$70,000. The Fire Chief reported that the truck requires new tires, however, a new truck with similar equipment would cost about \$1 million. Commissioner Hall made the motion to award the bid for purchase of an aerial fire truck to the low bidder, 10-8 Fire Equipment, Inc., in the amount of \$70,000. Commissioner Layne seconded the motion. The motion carried 4 – 0.

2. **Part-time Position for City Hall:** The City Commission, at the recommendation of the city manager, tabled discussion concerning the advertisement for applications to fill a part-time position at City Hall.

3. **City Operation Services:** City Manager Blackburn advised that the current operations contract with Veolia Water National, Inc., expires in 2007. He recommended advertising for qualifications from companies beginning February 1<sup>st</sup> and extending through March 31<sup>st</sup>. Commissioner Layne made the motion, seconded by Commissioner Hall to advertise for qualifications for city operation services from February 1<sup>st</sup> through March 31<sup>st</sup>. The motion carried 4 – 0.

4. **Police Department:** Submitted with each Commission Member's agenda package was a Priority List Policy for Police Department operations. City Manager Blackburn recommended adoption of the Priority List as submitted. Commissioner Layne made the motion, seconded by Commissioner Davis to adopt the Priority List as an official document of the Police Department. The motion carried 4 – 0.

**City Manager Blackburn requested a closed session for the purpose of discussing a personnel matter and an economic development issue. Commissioner Davis made the motion to adjourn to closed session for the above stated purposes. Commissioner Hall seconded the motion. The motion carried 4 – 0.**

**Commissioner Layne made the motion to reconvene to regular session. Commissioner Davis seconded the motion. The motion carried 4 – 0.**

**Commissioner Layne made the motion to appoint James D. Adkins to the position of Chief of Police for the City of Pikeville at the wage rate of \$23.75/hr. Commissioner Hall seconded the motion. The motion carried 4 – 0.**

**There being no further business to come before the Commission, Commissioner Davis made the motion, seconded by Commissioner Layne to adjourn the meeting. The motion carried 4 – 0. (Adjournment time: 9:25 p.m.)**

**The City of Pikeville Board of Commissioners next regular meeting is scheduled for January 23, 2006 at 6:00 p.m.**

**APPROVED: \_\_\_\_\_  
FRANKLIN D. JUSTICE, II, MAYOR**

**ATTEST:**

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KAREN W. HARRIS, CITY CLERK**