

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
SPECIAL MEETING MINUTES
February 3, 2011 AT 4:00 P.M.**

The Board of Commissioners for the City of Pikeville met in a special called session on Thursday, February 3, 2011. The meeting was held in the City Hall Conference Meeting Room located at 118 College Street, Pikeville, Kentucky.

(1) There being a quorum present, Mayor Franklin D. Justice, II called the meeting to order at 4:00 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**

(2) The minutes for the previous special meeting held on January 26, 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 Franklin D Justice, II called for discussion. There being none, the motion carried unanimously. 5-0.

(3) The City Manager Donovan Blackburn requested the approval to pay city bills lists in the total amount of \$157,384.72. Commissioner Davis made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for further discussion. There being none, motion passed unanimously. 5-0.

(4) Consider a request for Charles Baird, Chairman of the East Ky Expo Center Corp, to discuss with City Commission issues and suggestions involving the city's involvement with the East Kentucky Expo Center. Charles Baird was present and he states that he appreciates the opportunity to come before the commission today. Mr. Baird says that the situation is one that we've had from the beginning, which is keeping our funds. There was a million dollars that we were saving but we chose to use that money to complete our kitchen and our storage area and some other things. Regardless the help from Pike County, the city, the Governor's office,

we have been successful up until now. We've gotten money from "heaven". The board spent a lot of time knocking on doors. I see that now getting harder and harder to do. Governor Beshear has promised us help but this hump is more than just one hump. I'm here today to ask the city not to take me over but to lease the expo. We've had five major concerts cancel last year. We have Miranda Lambert coming this year, and Tim McGraw. It's on his website that he will be coming. I believe things will get better over time and I think this is the best solution is if you will lease the facility, and I will be certainly glad to help in any way that I can." City Manager Donovan Blackburn speaks up, "In the beginning of this facility, it would not be where it is today without Charles's effort and commitment. Charles contacted me some time ago and we talked about this. There doesn't appear to be an immediate fix. This is a great economic engine to our city. Charles and I sat down and worked on some information on how to present this to everyone. I do have some information on how to get some funding for the facility. In speaking with people such as Greg Stumbo, David Williams, Paul Patton, etc., they all think this is a good idea. What I look to happen is a long term lease agreement and the boards will stay intact. Charles adds, "This is a 30-million dollar facility. We get tickets purchased from all over. Tickets are sold through ticketmaster and it is amazing to see how far people will travel for a show. There is some smaller events that go on daily as well." City Manager Blackburn points out that the deficit is not from a lack of good management or effort on behalf of the East Kentucky Expo Board. The city would assume all debt and current contracts, including SMG. Blackburn said he has spoken with the Secretary of Finance legal council regarding the situation and they agree the East Kentucky Expo Board has the authority to implement such a lease and conditions.

(5) Consider the request for City Attorney, Russell Davis to read aloud the 1st reading of ordinance #0-2011-005 finally annexing approximately 491.14 acres of property located at Buckley Creek. No further action needs to be taken at this time. Second reading will take place at a special called meeting to be held tomorrow, being February 4th 2011.

(6) Consider a request to adopt a resolution authorizing the City of Pikeville to submit an application for up to \$100,000 for the development of a new equestrian and pedestrian trail and to authorize the Mayor or Mayor Pro-Tem to sign and execute said resolution. Commissioner Chaney made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for comments. There being none, the motion passed unanimously. 5-0.

(7) Consider a request to reconsider a motion from the January 10th 2011 commission meeting which granted a city vehicle to Pikeville College for the purpose of allowing the Pike TV personnel only to utilize the vehicle travel. The vehicle

granted based on its age and condition is not suitable for long distance travel. Pikeville College is willing to assign a more suitable vehicle from their fleet to the Pike TV personnel contingent upon the city allowing the vehicle the city granted to them to be utilized by other Pikeville College personnel in order to replace the one they would supply to Pike TV. My Request would be to amend the action taken to the conditions as described. Commissioner Davis made the motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for comments. There being none, the motion passed unanimously. 5-0.

(8) Consider a request to hire Dwight Vires to the position of Firefighter/ EMT at the position starting rate contingent upon the candidate passing all required pre-employment test. Commissioner Chaney made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for comments. There being none, Mayor called roll call. The motion passed unanimously. 5-0.

(9) Consider request to adopt a Proclamation honoring the News Express and its staff for their recent performance in receiving several awards for the high quality and standards of the paper. Commissioner Davis made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for comments. Mayor Justice says, "Congratulations to everyone. I have to say that you tell both sides of the story, you treat things fairly." Jeff Vanderbeck was present and thanked the commission for the recognition. Mayor Justice called for further comments. There being none, the motion passed unanimously. 5-0.

(10) Consider a request to authorize Summit Engineering to advertise for bid the city sewer project for Lykins Creek and Billips Lane. Commissioner Davis made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for comments. There being none, the motion passed unanimously. 5-0.

(11) Consider a request to authorize the acceptance of a bid for the city Cedar Creek property to Mitch Potter in the amount of \$70,000 and to authorize the Mayor to sign and execute the deed of conveyance for said property. The property will lead to a housing development that will have positive economic impacts for the city, county and region. 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.

(12) Consider a request to authorize payment and approve the submitted pay request #7 with H2O Construction in the amount of \$21,683.75 for Mullins Addition Sewer project and to authorize the Mayor or Mayor Pro-Tem to sign said pay request. Commissioner Chaney made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for comments. There being none, the motion passes. 5-0.

(13) Consider a request to authorize payment and approve the submitted pay request #8 with H2O Construction in the amount of \$32,065.82 for the Marion Branch Sewer project and to authorize the Mayor or Mayor Pro-Tem to sign said pay request. 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.

(14) Consider a request to authorize payment and approve the submitted pay request #7 with Big Sandy Area Development District in the amount of \$7,500.00 for the Marion Branch Sewer project and to authorize the Mayor or Mayor Pro-Tem to sign said pay request. 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.

(15) Consider a request to approve invoice #55220 and authorize payment to Summit Engineering for \$1,450.13 for the Mullins Addition Sewer Project as submitted. 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.

(16) Consider a request to approve invoice #55219 and authorize payment to Summit Engineering for \$26,630.40 for miscellaneous projects as submitted. Commissioner Carter made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for comments. There being none, the motion passed unanimously. 5-0.

(17) Consider a request to authorize the posting of the position of City Clerk/ Director of Grants. Commissioner Davis made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for comments. Commissioner Carter says to Mrs. Stevens, "Reconsider." City Manager Blackburn says that Melanie is leaving only because UNITE is where her heart is. She gave it two days of consideration and then made a decision. Mayor Justice says that

Melanie is a good addition to the city no matter what position she is in. Mayor Justice called for further comments. There being none, the motion passed unanimously. 5-0.

(18) Consider a request for announcements:

Parking Ticket update: Mr. Blackburn congratulates Tonya Taylor for all her hard work and her persistence on collecting the tickets. Eight cars were booted with the help of the police department. The balance of outstanding parking tickets was reduced from over \$30,000 to less than \$10,000. The number of people on the repeat offender list has been greatly reduced.

February 14th meeting moved to the February 15th 2011

USPO 2-9-11 at 7 pm at PHS Auditorium

KLC City Night 2-9-11 in Frankfort

Update on EPA law suit: City Attorney Russell Davis gives the update letting everyone know the suit is going forward. The suit filed in Washington, D.C. is still open. It is moving along slowly but it is still moving.

(18) There being no further business to come before the commission, Commissioner Davis made the motion to adjourn the meeting. Commissioner Carter seconded the motion. Mayor Justice called for discussion. There being none, the meeting was adjourned. 5-0.

APPROVED:

FRANKLIN D. JUSTICE, II, MAYOR

ATTESTED:

MELANIE STEVENS, CITY CLERK