

**CITY OF PIKEVILLE  
BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
MARCH 8, 2004**

The Board of Commissioners of the City of Pikeville conducted a regularly scheduled meeting on Monday, March 8, 2004 at 6:00 p.m. The meeting was held in the City Hall Public Meeting Room located at 118 College Street in Pikeville, Kentucky.

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

<b>MAYOR:</b>	<b>FRANKLIN D. JUSTICE, II</b>
<b>COMMISSIONER:</b>	<b>EUGENE W. DAVIS</b>
	<b>SHAWN A. AMOS</b>
	<b>JAMES A. CARTER</b>

Commissioner Dallas Layne was absent.

Approval of the minutes from the February 23, 2004 meeting was postponed to the next regular meeting.

There were no items of business presented to the Commission during the call for "Business from the Floor".

**AGENDA ITEM IV.**

**PAYMENT OF BILLS**

**A. PARKING GARAGE:** Presented for approval of payment was invoice #20 on behalf of Elliott Contracting for construction activities completed at the parking garage in the amount of \$178,411.14. City Engineer Byers recommended the invoice be approved as presented. Commissioner Carter made the motion, seconded by Commissioner Davis to approve payment to Elliott Contracting in the amount of \$178,411.14. The motion carried 4 - 0.

**AGENDA ITEM V.**

**OLD BUSINESS**

**A. BIG SANDY AREA DEVELOPMENT DISTRICT:** Sandy Runyon, Executive Director for the Big Sandy Area Development District, reported the Legislative Review Committee will be considering the city's request for release of CDBG funds, approved for Phase VI of the Pikeville Redevelopment Project, on March 9th.

The contractor, Wayne Supply, is ready to begin the installation of generators at the Water Treatment Plant, subject to receipt of funding. The Coal Development Funds have been approved, however the funds have not been transferred to the city's account.

**B. PIKEVILLE MAIN STREET PROGRAM:** No reports were given by the Main Street Agency.

**C. CITY ENGINEER'S REPORTS:** Charles Byers representing Summit Engineering, city engineers, presented a verbal status report for the following projects:

1. **Utility Relocation Project - Phase II:** Mountain Enterprises will resume work on the sidewalks, in front of Dominos Pizza and in back of Thacker Funeral Home, this week. The asphalt plant is scheduled to open on April 5th.

2. **Utility Relocation Project - Phase III:** The utility companies are scheduled to begin pulling wire through the conduits on March 15th.

3. **Kentucky Avenue Townhouses:** The contractor, Patriot Construction, is meeting the schedule to complete one building by the 15th of the month. The engineer reported that the contractor should complete the final building by April 15th.

Commissioner Davis advised that a manhole, located about halfway up Kentucky Avenue, is too high above the roadway and needs to be corrected by Mountain Enterprises.

4. **Indian Hills Sewer Extension:** The plans for the sewer line extension to Indian Hills have been completed and will be sent to the Division of Water for their review and approval. Mr. Byers advised that acquisition of approximately 25 easements is necessary. Summit Engineering proposes to acquire the easements for an amount not to exceed \$7,500.00. Mr. Byers explained the cost will be assessed at an hourly rate. He expects the easements can be acquired for about \$2,500.00. Commissioner Davis made the motion, seconded by Commissioner Carter to authorize Summit Engineering, Inc. to proceed with acquisition of the easements required for the Indian Hills Sewer Project for a cost not to exceed \$7,500.00. The motion carried 4 - 0.

**D. CITY ATTORNEY'S REPORTS:** Russell H. Davis, Jr., City Attorney, presented first reading of an ordinance entitled:

**ORDINANCE AMENDING THE FISCAL BUDGET FOR THE 2003-2004 FISCAL YEAR**

The ordinance will be on file in the office of the City Clerk for public inspection. Second reading of the ordinance is scheduled for March 22, 2004.

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

1. **Board Appointments:** The Commission was advised of vacancies on the Historic Preservation Board, Board of Zoning Adjustments, and Technical Advisory Committee. Commissioner Davis made the motion, seconded by Mayor Justice to re-appoint Blake Robinson and John Charles to serve as members of the Board of Zoning Adjustments. The motion carried 4 - 0.

Mayor Justice made the motion to appoint David Deskins and John Elliott to serve as members of the Historic Preservation Board. The motion carried 4 - 0.

Mayor Justice made the motion, seconded by Commissioner Amos to re-appoint John Charles to serve as a member of the Technical Advisory Committee. The motion carried 4 - 0.

2. **Police Patrol Manual:** City Manager Blackburn requested the Commission delay approval of the Police Patrol Manual until the next regular meeting. The Commission agreed to table the matter.

3. **Hensley Development:** City Manager Blackburn reported that Marvin Hensley and the First Baptist Church have negotiated an agreement for Hensley Development Company's use of their property for a parking lot. The parking lot will be blacktopped at Mr. Hensley's expense. At a future time, the City will provide the labor to construct the sidewalk. Hensley Development Company will fund the materials. Commissioner Carter made the motion to proceed with the project. Commissioner Amos seconded the motion. The motion carried 4 - 0.

4. **Improper Dumping at Poor Farm:** Mr. Blackburn voiced his concern that various contractors are utilizing the city's property at Poor Farm to dump construction debris and not properly spreading the materials. The city engineer was directed to address the matter with the contractors.

5. Informational Signs: The City Manager presented a request to purchase two LED message boards, to be attached to either side of the pedway leading from the parking garage to Pikeville College. Each sign is 25 X 102. Cost for both signs is \$22,798.00 including software, wireless message transmission, and shipping. The city will provide installation of the signs. A representative at Pikeville College has accepted responsibility for inputting the information to appear on the sign. Commissioner Amos made the motion, seconded by Commissioner Davis to authorize the City Manager to purchase two message boards from eSign for a total cost of \$22,798.00. The motion carried 4 - 0.

6. Speed Limits: Requests have been received to increase speed limits on Marions Branch and Bailey Boulevard. City Manager Blackburn recommended establishing the speed limit on Marion's Branch at 35 m.p.h. A recommendation for Bailey Boulevard will be made after consulting with school authorities. The City Attorney was directed to prepare an ordinance to increase the Marion's Branch speed limit to be presented during the next regular meeting.

7. Demolition: Presented for approval were two invoices for demolition of buildings. Patriot Construction submitted an invoice in the amount of \$15,900.00 for removal of two structures located on High Street and one structure located on Saad Avenue. The invoice will be paid from Phase V Redevelopment Funds.

Also presented was an invoice from Corbin Mining in the amount of \$13,552.00 for removal of a structure located at 109 1/2 Saad Avenue and a structure located at 165 Ferguson Lane. Liens will be filed to recoup the cost of demolition.

City Manager Blackburn requested approval of the invoices subject to his inspection of the demolition sites. Commissioner Carter made the motion, seconded by Commissioner Amos to authorize payment to Patriot Construction and Corbin Mining subject to the sites passing the City Manager's inspection. The motion carried 3 - 0 - 1 with Mayor Justice abstaining from the vote.

8. Bob Amos Park: Pikeville High School Track Coach, Libby White, submitted a request for use of the Bob Amos walking track for practice and events. The schedule was given to the Park Director, Ralph Feltner.

U.S. Filter will assume operation and maintenance of the Parks Department effective March 15th.

City Manager Blackburn requested closed session for the purpose of discussing a personnel matter. At 6:25 p.m., Commissioner Davis made the motion to adjourn to closed session for the purpose of discussing a personnel matter. Mayor Justice seconded the motion. The motion carried 4 - 0.

Mayor Justice made the motion to reconvene to regular session. Commissioner Amos seconded the motion. The motion carried 4 - 0.

Commissioner Carter made the motion to create the position of Assistant Fire Chief. Commissioner Amos seconded the motion. The motion carried 4 - 0. The City Manager advised that he will post the job opening.

City Manager Blackburn recommended a wage increase of \$1.00 per hour for John Cole based upon Mr. Cole's acceptance of additional duties. Mayor Justice made the motion, seconded by Commissioner Amos to authorize a wage increase for John Cole as recommended by the City Manager. The motion carried 4 - 0.

There being no further business to come before the Commission, Commissioner Davis made the motion, seconded by Commissioner Amos to adjourn the meeting. The motion carried 4 - 0. (Adjournment Time: 6:45 p.m.)

The next regular scheduled meeting of the Board of Commissioners for the City of Pikeville is March 22, 2004 at 6:00 p.m.

APPROVED:



FRANKLIN D. JUSTICE, II, MAYOR

ATTEST:



KAREN W. HARRIS, CITY CLERK