

**CITY OF PIKEVILLE  
BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
APRIL 10, 2006**

The Board of Commissioners for the City of Pikeville met in a regularly scheduled meeting on Monday, April 10, 2006. The meeting was held in the City Hall Public Meeting Room, 118 College Street, Pikeville, Kentucky.

Mayor Franklin D. Justice, II called the meeting to order at 6:00 p.m. Commission Members, present and forming a quorum, were as follows:

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

**AGENDA ITEM II. MINUTES**

The minutes for the previous regular meeting held on March 27, 2006 were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Layne made the motion, seconded by Commissioner Hall to approve the minutes as prepared. The motion carried unanimously.

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

There were no items presented during the call for Business from the Floor

**AGENDA ITEM IV. PAYMENT OF BILLS**

A list of City Bills totaling \$461,675.13 was included in each Commission Member's agenda package. Commissioner Davis made the motion to approve payment of the invoices as requested. Commissioner Carter seconded the motion. The motion carried unanimously.

**AGENDA ITEM V. OLD BUSINESS**

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

**B. PIKEVILLE MAIN STREET PROGRAM:** Executive Director, Serena Stiltner, reported that approximately 100 ft. of decking has been replaced on the Pauley Bridge.

Ms. Stiltner announced that just over \$1,900.00 was raised for the American Cancer Society's Relay for Life. Ms. Stiltner reported the Spaghetti Luncheon, hosted by

city and Veolia Water employees was a success and publicly thanked everyone who participated in this fundraising event.

**C. CITY ENGINEER'S REPORTS:** Jack Sykes, representing Summit Engineering, Inc., city engineers, advised that he had no items to present that required Commission action.

City Manager Blackburn requested the Commission's authorization to allow Summit Engineering to proceed with the design phase for the PRIDE on the River Project. He explained that the CDBG program assigns priority ratings based upon the applicant's ability to begin the project at such time as funds are awarded. Having the design work in place will assist in achieving Priority I, the highest rating. The city manager explained the design phase will be funded through Coal Severance Funds. He recommended award contingent upon approval of the State Budget. He added that Summit Engineering has agreed to delay billing for the work until July, 2006. Commissioner Carter made the motion to authorize Summit Engineering to proceed with the design phase for the PRIDE on the River Project, contingent upon approval of the State Budget. Commissioner Layne seconded the motion. The motion carried unanimously.

**D. CITY ATTORNEY'S REPORTS:** Russell H. Davis, Jr., city attorney, presented the following items for the Commission's consideration:

1. **Annexation:** The Commission postponed second reading of ordinances annexing property at Buckley's Creek and at Big Shoal. A work session was scheduled with the property owners from the affected areas and the City Commission on Tuesday, April 11, 2006 at Noon.

2. **Street Closing:** Second reading was given to an ordinance captioned as follows:

**ORDINANCE CLOSING A PORTION OF OVERLOOK CIRCLE LOCATED IN THE LOVERS LEAP SUBDIVISION OF THE CITY OF PIKEVILLE ADJACENT TO LOTS 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13 AND 14**

City Attorney Davis advised that the property owners requested the closing of the street. He advised the owners want to install a security gate. The property owners will be responsible for all street maintenance after the street closing becomes effective.

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

<b>COMMISSIONER:</b>	<b>DALLAS LAYNE</b>	<b>YES</b>
	<b>EUGENE W. DAVIS</b>	<b>YES</b>
	<b>JAMES A. CARTER</b>	<b>YES</b>

	<b>M. SHANE HALL</b>	<b>YES</b>
<b>MAYOR:</b>	<b>FRANKLIN D. JUSTICE, II</b>	<b>YES</b>

Mayor Justice excused himself from the meeting at 6:50 p.m. Mayor Pro Tem Eugene W. Davis assumed the role of the chair.

**E. FIRE DEPARTMENT UPDATE:** Assistant Fire Chief, Ronald Conn, presented a written report of Fire Department activities during the previous two week period. The Fire Department responded to 58 Fire Calls and 53 EMS Calls.

Bids were opened for the purchase of a Breathing Air compressor and Cascade. The low bid was submitted by Fire Pumps and Equipment in the amount of \$34,615.00. Assistant Chief Conn and Battalion Chief Hamilton recommended award to the low bidder. Commissioner Carter made the motion to award the bid for the purchase of a breathing air compressor and cascade to Fire Pumps and Equipment in the amount of \$34,615.00. Commissioner Layne seconded the motion. The motion carried 4 – 0 (Mayor Justice not present at the time of the vote).

The equipment will be funded with proceeds from a fire safety grant.

**F. POLICE DEPARTMENT UPDATE:** James Adkins, Police Chief, reported the Police Department responded to 523 calls during the previous two week period. The Department of Criminal Justice will be conducting a threat assessment for 16 to 20 locations within the city on May 8<sup>th</sup>. A public meeting will be held on May 9<sup>th</sup> to dispense the results of the threat assessment. Chief Adkins advised that Federal funds may be available to address any needs identified during the threat assessment.

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

1. **Board of Zoning Adjustments Appointment:** Postponed until the next meeting.

2. **City Parking Garage Sign:** City Manager Blackburn displayed photos of signage, proposed to be attached to the parking garage, advertising parking, free of charge. The city manager explained the sign would serve two purposes – promotion of free parking as well as designation of the entrance to the garage. No action was taken.

3. **Park Department Tractor:** The city manager requested permission to proceed with the purchase of a tractor for the Park's Department. Included in the 2005-06 budget was an allotment of \$11,000.00 for the purchase. The actual purchase price is \$10,409.00. Commissioner Hall made the motion to allow the city manager to proceed with the purchase of a tractor for the Parks Department as discussed. Commissioner Layne seconded the motion. The motion carried 4 – 0 (Mayor Justice not present at the time of the vote).

**4. Sandy Valley Water District:** City Manager Blackburn requested authorization for the Mayor to sign memorandums of agreement with the U.S. Department of Commerce and Rural Utilities Service for debt assignment from Sandy Valley Water District facilities to the City of Pikeville. Commissioner Layne made the motion, seconded by Commissioner Carter to authorize the Mayor to execute the memorandums of agreement as requested. The motion carried 4 – 0 (Mayor Justice not present at the time of the vote).

**5. 2005-06 Audit:** Presented to the Commission was a proposal from Wallen and Cornett, PSC, to conduct an audit of the city's financial statements for the 2005-06 fiscal year. The fee for the audit will not exceed \$21,900.00. The report is to be issued by November 8, 2006. Commissioner Hall made the motion, seconded by Commissioner Carter to accept the proposal from Wallen & Cornett, PSC for auditing services. The motion carried 4 – 0 (Mayor Justice not present at the time of the vote).

**6. Special Meeting:** A work session was scheduled for April 12, 2006 at 4:00 p.m. to review the proposed 2006-07 operating budget with the department heads. A special meeting was scheduled for April 12, 2006 at 6:00 p.m. to review the RFQ's received for operation and maintenance of city services.

City Manager Blackburn requested a closed session for the purpose of discussing economic development issues and legal issues. At 7:05 p.m. Commissioner Hall made the motion, seconded by Commissioner Carter to adjourn to closed session for the purpose of discussing economic development and legal issues. The motion carried 4 – 0 (Mayor Justice not present at the time of the vote).

Commissioner Hall made the motion, seconded by Commissioner Davis to reconvene to regular session. The motion carried unanimously.

**Boat Dock:** City Manager Blackburn explained that a local contractor, Rusty Justice, acquired surplus sewer pipe from the City of Pikeville valued at \$22,000.00. Mr. Justice has not reimbursed the city for the pipe. The city manager proposed to employ Mr. Justice to provide the site work for the boat dock to satisfy the debt. City Manager Blackburn requested permission to reallocate \$47,000 of the Coal Severance Funds, allocated for the construction of a sidewalk along Bob Amos Drive, to construct the boat dock, picnic and parking area. Commissioner Layne made the motion to approve the city manager's recommendations related to the boat dock site work and funding. Commissioner Carter seconded the motion. The motion carried unanimously.

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 unanimously.

**The next regular meeting of the Board of Commissioners of the City of Pikeville is scheduled for Monday, April 24, 2006, at 6:00 p.m.**

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

**ATTEST:**

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**KAREN W. HARRIS, CITY CLERK**