

**CITY OF PIKEVILLE  
BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
April 13, 2009 AT 6:00 P.M.**

The Board of Commissioners for the City of Pikeville met in a regular called session on Monday, April 13, 2009. The meeting was held in the City Hall Conference Meeting Room located at 118 College Street, Pikeville, Kentucky.

There being a quorum present, Mayor Franklin D. Justice called the meeting to order at: 6:00 p.m. Commission Members present at roll call were a follows:

**COMMISSIONER:**           **GENE DAVIS  
BARRY CHANEY  
DALLAS LAYNE  
JIMMY CARTER**

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

**MINUTES**

The minutes for the previous regular meeting held on March 23, 2009 were in each Commission Member's agenda package. There being no additions or corrections, Commissioner Chaney 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.

**BUSINESS FROM FLOOR**

Mayor Justice called for anyone with business from the floor to address the City Commission. A young man addressed the commission in reference to the kids need a place to keep out of trouble and wanted to see what the commissioner could do to get the skate park re opened. Mayor Justice; City Manager will address the issue. City Manager Donovan Blackburn; thank you mayor. Gentlemen, the commission adopted to tear down the skate park after we spent a lot of effect and community time into trying to make the park a successful park for the community. A lot of funding and time was spent, the facility was damaged and no one was using the park. The fire department spent a lot time doing construction to add better quality ramps to the facility. The bathroom commodes got ripped off the walls and spray paint was everywhere. There is no funding for a new facility, but if you can present the commission with funding sources then we will be willing to listen and meet with you to discuss. Young man; what did you mean about the ramps? They were cracked and not usable. City Manager; They where new until the park fence was removed and opened to public. Mayor; I dove by the park with the City Manager and UMG and have viewed the damage for my self. I agree the City can not keep

paying to fix a park that was not being utilized by more people. The commission elected to remove the skate park and I stand by that discussion. Mayor asked Police Officer Thompson if he had a question. Sgt. Thompson, yes I know these gentlemen and I have taken their skate boards for violating city ordinances, but advised them they could skate on their own private property. There is no skating on the streets or in the City Park. Commissioner Jimmy Carter stated that if they could come up with funding they would look at finding a location for the park and the City could not through good money after bad in the skate park. Young Man; I have a signed petition with 101 signatures for a new skate park to submit to you. City Manager accepted the petition. Mayor Justice commended the young men for the way they presented the issue and stated the Commission stands firm on their discussion to close the park.

### **PAYMENT OF CITY BILLS**

A list of City Bills totaling \$473,701.36 was presented to the Commission for approval of payment. Commissioner Chaney made the motion to approve. Commissioner Carter seconded the motion. Mayor Frank Justice called for discussion, there being none the motion carried unanimously.

### **OLD BUSINESS**

**A. 1. City Engineer's Report:** Jack Sykes presented an update on Thompson Road Widening Project. Mr. Sykes requested to accept and approve the original bid from Mountain Enterprises, Inc. of Lexington, KY in the amount of: \$3,743,488.15 submitted on Oct 23, 2007. The Contractor shall agree to adopt current State Wage Rates. The Contractor shall agree to abide by the CSX Agreement; most recently executed by the City of Pikeville for said project. The contractor shall be responsible for scheduling overhead utility relocations and any delays as such are not the responsibility of the City of Pikeville. Commissioner Davis made the motion to approve and award the bid as submitted. Commissioner Layne seconded the motion. Mayor Justice called for additional comments, there being none the motion passed unanimously.

**2.** Jack Sykes requested for the Commission to approve the submittal to the KY Transportation Cabinet on project 1426. Commissioner Carter made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for further discussion, there being none the motion passed unanimously.

**B. Russell H. Davis, Jr., City Attorney, presented the following matters for the Commission's consideration:**

1. City Attorney Russell Davis presented the 2<sup>nd</sup> reading of an Ordinance 0 2009 09 amending the City of Pikeville 2008-2009 Annual Budget.

Commissioner Carter made the motion to adopt. Commissioner Chaney seconded the motion. Mayor Justice called for roll call. Motion passed unanimously.

**ORDINANCE AMENDING THE FISCAL BUDGET FOR THE 2008-2009 FISCAL YEAR**

**ORDINANCE NO. 0-2009-09**

**WHEREAS**, certain additional information has come to the attention of the Finance Department which necessitates the amendment of the 2008-2009 fiscal year budget to reflect certain increases and decreases to revenues and expenditures.

**NOW, THEREFORE** be it ordained by the City of Pikeville that the fiscal budget for the 2008-2009 fiscal year is hereby amended to reflect an increase and or decrease of revenues and /or expenditures as reflected in the attached exhibit entitled "Budget Amendments".

The above ordinance was give first reading on March 23<sup>rd</sup>.

The ordinance was given second reading on April 13, 2009. The ordinance shall be in full force and effect immediately after it is passed and published as required by law.

**Passed**, this 13<sup>th</sup> day of April, 2009.

Commissioner Carter moved the adoption of the foregoing ordinance.

Commissioner Chaney seconded the motion.

Upon roll call, the votes were as follows:

	<u><b>YES</b></u>	<u><b>NO</b></u>
FRANKLIN D. JUSTICE, II MAYOR	<u>  X  </u>	<u>    </u>
JAMES A. CARTER, COMMISSIONER	<u>  X  </u>	<u>    </u>
EUGENE W. DAVIS, COMMISSIONER	<u>  X  </u>	<u>    </u>
DALLAS LAYNE, COMMISSIONER	<u>  X  </u>	<u>    </u>
BARRY N. CHANEY, COMMISSIONER	<u>  X  </u>	<u>    </u>

The Mayor declared the within Ordinance adopted.

**D. City Manager Report: City Manager Donovan Blackburn asked the commission to consider the following requests.**

- 1. Consider request to award the bid for a City excavator from Leslie Equipment a John Deere 60d HYD in the amount of \$54,500.00 and to authorize the city manager to sign all necessary paperwork for the purchase and title transfer. Commissioner Carter made the motion to approve. Commissioner Chaney seconded. Mayor called for discussion, there being none the motion passed unanimously.**

- 2. Consider a request to adopt a Proclamation acknowledging the accomplishments of the prestigious service award earned by the Pikeville Social Security Office. Commissioner Carter made the motion to adopt the Proclamation. Commissioner Layne seconded. Mayor called for roll call. Motion passed unanimously.**

*Proclamation in Recognition and Honor of the Pikeville Social Security Administration for their outstanding service for being awarded the "Office Excellence Award" for the Atlanta Region*

*WHEREAS, the Pikeville Social Security office was established in the City of Pikeville as a resident station on April 7<sup>th</sup>, 1946 and was converted to a district office to serve our region on October 15, 1956 and;*

*WHEREAS, the Pikeville Social Security office provides service to an average of 18,683 social security clients and 5,395 SSI clients annually. Their award winning staff averages over 48,000 call and 15,000 written requests for information per year and;*

*WHEREAS, the Pikeville Social Security office injects over \$17,000,000 dollars a month of benefit payments into the local economy. This equates to over 246 million a year paid out in total benefits to include Social Security and SSI and;*

*WHEREAS, the Pikeville Social Security office has been awarded as best level 2 in the Atlanta Region. This selection is made from over 250 total facilities of which 150 are level two office located in the Atlanta Region, which includes Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina and Tennessee.*

*WHEREAS, the Pikeville office has received various awards including Kentucky eService Award, and Regional Trailblazer Award, along with many various awards which recognize exceptional customer service.*

*WHEREAS, the "Office Excellence Award" demonstrates exceptional performance in delivering quality public service in a timely and efficient manner. The criteria for receiving the award are Customer Service, Community*

*Service and Work Efficiency. The award recognizes the Pikeville office and its employees for both individual and team accomplishments in customer service.*

*WHEREAS, the City of Pikeville gives special recognition for outstanding accomplishment to Pikeville Social Security office employee Delores Slone who was the recipient of a "Commissioners Citation for Excellence" award for outstanding collection service.*

*WHEREAS, the City of Pikeville gives special recognition for outstanding leadership performance to Kenneth C. Hale as the Pikeville District Manager who has lead his team to this great honor.*

***Now, Therefore, Be it Proclaimed by the City of Pikeville as follows:***

*That the Pikeville Social Security Administration office, Kenneth Hale, Teresa Little, Delores Slone, Joy Hall, Ashley Coleman, Deidra Wagner, Marsha Hunt, Tiffany Howard, Joshua Hughes, Mark Blackburn, Richard Brown, Kimberly Polly, Billy R. Blankenship, Leigh Anne Williams, Christopher Smiley, Ava Williamson, Tiffany Blackburn, Michael Sheppard, are by these presents duly honored and recognized by the City of Pikeville for their "Office Excellence Award"*

*That because of the Social Security Office and the services they provide to the citizens of the City of Pikeville, they are hereby appointed and designated on this day as "Special Ambassador" of good will for the City of Pikeville*

*That these outstanding accomplishments on behalf of the Social Security office set forth herein is ordered by the Pikeville City Commission to be the cause of the clerk of the City of Pikeville to be recorded among the records of the City of Pikeville so that others that come hereafter will know of their dedication to provide quality services to the public.*

*Adopted by Pikeville City Commission this 13<sup>th</sup> day of April, 2009.*

*THE CITY OF PIKEVILLE BOARD OF COMMISSIONERS*

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- 3. Consider request to amend revised lease agreement regulations booklet dated 4/8/09 to include the RV Park rental price to \$35.00**

a night and approve the rules and regulations. Commissioner Chaney made the motion to approve. Commissioner Layne seconded the motion. Mayor called for further discussion. City Manager stated that he compared sites from Jenny Wiley state park, the Breaks Interstate Park and the rates are comparable. Commissioner Layne had a question on how long a camper can stay. City Manager; 21 days at a time and 60 days max per calendar year. City Manager also stated he was looking for an on line booking service that would give the City National exposure and help book the park. Mayor called for additional comments, there being none the motion passed unanimously.

4. Consider request to adopt a contract for Fellon-McCord, contract number: FMNG09009 for the purpose of city natural gas procurement and authorize the mayor to sign the contract and execute. Commissioner Carter made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for comments. Commissioner Chaney asked if the contract had a penalty clause. City Manager responded no. Mayor Justice asked if there was an out clause. City Manager answered; yes 1 year out. Mayor Justice called for further discussion, there being none the motion passed unanimously.
5. Request to revise the Taser Policy for the Pikeville Police Department. City Manager Donovan Blackburn asked Sgt. Thompson to explain. Sgt. Thompson; the revision is necessary to comply with the recommendation of the facility. Equipment update. Commissioner Chaney made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for comments, there being none the motion passed unanimously.
6. City Manager Donovan Blackburn advised the Commission the possibility of placing cameras at the Bob Amos Park area. Families will be staying in the RV Park and the extra security will be needed. AEP has been contacted on setting light poles up through the park to the overlook area.
7. Consider request for closed session for discussion of personnel, legal and economic development issues. Commissioner Davis made the motion. Commissioner Carter seconded the motion.
8. Commissioner Chaney made the motion to reconvene. Commissioner Davis seconded the motion. Mayor called the session into order.

- E. **CONSENT ITEMS:** City Hall will be closed Thursday and Friday April 16<sup>th</sup> and 17<sup>th</sup> for Hillbilly Days. All City Employees are working downtown to help operate the event.

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 Frank Justice called for discussion, there being none the meeting was adjourned.**

**The next scheduled Regular Meeting of the City of Pikeville Board of Commissioners is April 27, 2009 at 6:00 p.m.**

**APPROVED:**

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

**ATTESTED:**

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**REBECCA HAMILTON, CITY CLERK**