

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
MAY 9, 2005**

A regular meeting of the Board of Commissioners for the City of Pikeville was held on Monday, May 9, 2005. The meeting was held in the City Hall Public Meeting Room located at 118 College Street, Pikeville, Kentucky.

Mayor Franklin D. Justice, II presided. The meeting was called to order at 6:00 p.m. Commission Members present at roll call were as follows:

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| COMMISSIONER: | DALLAS LAYNE EUGENE W. DAVIS M. SHANE HALL |
| MAYOR: | FRANKLIN D. JUSTICE, II |

Commissioner James A. Carter was absent.

AGENDA ITEM II. MINUTES

The minutes for the previous regular meeting of April 25, 2005, 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 4 – 0.

AGENDA ITEM III. BUSINESS FROM THE FLOOR

Approved during the previous meeting was a budget amendment for Phase V of the Pikeville Redevelopment Project to utilize remaining funds to acquire an additional structure located at 134 Auxier Avenue. Pursuant to the appraisal of said property, the following resolution was presented for adoption:

ORDER OF THE CITY OF PIKEVILLE APPROVING THE DETERMINATION OF JUST COMPENSATION FOR ACQUISITION OF PROPERTY IN THE PIKEVILLE PHASE V TARGET AREA OF PIKEVILLE, KENTUCKY

WHEREAS, the Commonwealth of Kentucky, Department for Local Government, has approved Community Development Block Grant funds for acquisition of properties in the Pikeville Phase V Target Area; and,

WHEREAS, in accordance with the Uniform Acquisition and Relocation Policies Act of 1974 (The Uniform Act), the Pikeville City Commission (hereinafter referred to as "LPA") has obtained an appraisal and a review appraisal of properties to be acquired through the CDBG program; and,

WHEREAS, based upon the appraisals and review appraisals prepared by competent appraisers, it is necessary that the LPA determine the just compensation to be offered to each property owner;

NOW, THEREFORE, BE IT ORDERED, by the LPA that:

1. The Determination of Just Compensation for the properties to be acquired in the CDBG Target Area is hereby approved in the following amounts:

| Parcel # | Owner | Address | Amount |
|----------|---------------------|----------------|----------|
| 36 | Jack & Judy Walters | 134 Auxier Ave | \$55,900 |

2. The Mayor or his or her designated representative is directed to make Offers For Purchase on properties in the Pikeville Phase V Target Area in the amount of the “Determination of Just Compensation” listed above, with the written confirmation of Fair Market Value by the Review Appraiser, and to Accept and sign all related acquisition documents relating to these offers on Behalf of the LPA in order to eliminate slum and blight and provide for the assemblage of land.
3. That a drawdown of funds is authorized to be made from the Commonwealth of Kentucky when signed Agreements for Sale are executed with property owners in the amounts approved above.
4. That acquisition procedures will be undertaken in accordance with all rules and regulations promulgated by the Commonwealth of Kentucky and the Uniform Act, as amended.

Commissioner Layne made the motion, seconded by Commissioner Davis to adopt the resolution as submitted. The motion carried 4 – 0.

AGENDA ITEM IV.

OLD BUSINESS

A. BIG SANDY AREA DEVELOPMENT DISTRICT: Sandy Runyon, Executive Director for the Big Sandy Area Development District, presented for approval a project amendment for Phase VI of the Pikeville Redevelopment Project. The amendment provides for acquisition, relocation, and demolition of 4 additional properties located on Saad Avenue, as well as relocation and demolition activities for the property located at 134 Auxier Avenue. Commissioner Davis made the motion, seconded by Commissioner Hall to approve the budget amendment as requested. The motion carried 4 – 0.

B. CITY ENGINEER’S REPORTS: Charles Byers was present on behalf of Summit Engineering, Inc., City Engineers, and delivered a verbal status report for the following projects:

1. Utility Relocation Project: Mr. Byers included a “punch list” of items remaining to be completed in the Utility Relocation Project, which was prepared as a result of a walkthrough of the project with the City Commission. The punch list has been addressed with the contractor, Mountain Enterprises, Inc.

2. Comprehensive Plan Update: It was reported the 2005 Comprehensive Plan Update is complete and was adopted by the Pikeville/Pike County/Elkhorn City Joint Planning Commission, after a public hearing was conducted. The City Commission met in work session periodically throughout the update process. Copies of the final draft of the update were presented to the City Commission, during this evening’s meeting, for review and comment. The City Attorney will prepare an ordinance, to be given first reading during the May 23rd meeting, to adopt the 2005 Comprehensive Plan Update.

3. Indian Hills Sewer Extension Project: Presented for approval of payment was estimate #3 from M & S General Contracting in the amount of \$100,856.99 for work completed on the Indian Hills Sewer Extension Project. Mr. Byers advised the project is proceeding on schedule and on budget. Commissioner Davis made the motion, seconded by Commissioner Layne to approve payment of estimate #3 in the amount of \$100,856.99. The motion carried 4 – 0.

4. Tracks End Gas Line Relocation: A pre-construction hearing is scheduled for May 18th for this state funded project.

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

1. Presented and given second reading was an ordinance entitled as follows:

AN ORDINANCE RELATED TO THE LICENSING, RESTRICTION AND REGULATION OF ADULT ENTERTAINMENT; ESTABLISHING AN EMPLOYEE AGE REQUIREMENT; PROHIBITING ALCOHOLIC BEVERAGES SALES BY LICENSEES AND PROVIDING FOR PENALTIES FOR VIOLATIONS

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

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|----------------------|--------------------------------|---------------|
| COMMISSIONER: | DALLAS LAYNE | YES |
| | EUGENE W. DAVIS | YES |
| | JAMES A. CARTER | ABSENT |
| | M. SHANE HALL | YES |
| MAYOR: | FRANKLIN D. JUSTICE, II | YES |

2. Presented and given first reading was an ordinance adopting the 2005-06 operating budget. The ordinance was read entitled:

AN ORDINANCE ADOPTING THE CITY OF PIKEVILLE, KENTUCKY ANNUAL BUDGET FOR THE FISCAL YEAR JULY 1, 2005 THROUGH JUNE 30, 2006, BY ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS FOR THE OPERATION OF CITY GOVERNMENT

Second reading was scheduled for May 23, 2005.

3. The city attorney presented the following resolution for adoption:

RESOLUTION IN MEMORY OF GARNETT MARIE BRACY

WHEREAS, Garnett Marie Bracy, a respected businesswoman in the City of Pikeville for over fifty years, passed from this life on May 2, 2005; and;

WHEREAS, the City Commission for the City of Pikeville, desires to express their sympathy to Ms. Bracy's family for their loss of a Mother, a Grandmother, a Great-Grandmother, as well as the community's loss of a successful business owner and friend.

NOW, THEREFORE, BE IT RESOLVED by the Pikeville City Commission that Garnett Marie Bracy's memory be honored and further ordered that a copy of the resolution be presented to her family and placed into the City of Pikeville's permanent records.

At Pikeville, Kentucky, this 9th day of May, 2005.

Commissioner Layne made the motion, seconded by Commissioner Davis to adopt the Resolution as presented and read. The motion carried 4 – 0.

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

1. **Vacant Property Review Commission: Mayor Justice nominated Bill Blackburn to serve as a member of the Vacant Property Review Commission. Commissioner Davis made the motion, seconded by Commissioner Hall to appoint Bill Blackburn to serve as a member of the Vacant Property Review Commission. The motion carried 4 – 0.**

2. **Flood Gate Operation Manual: Fire Chief, Tommy Hall, presented a Flood Gate Operation Manual to each Commission Member for review. Chief Hall was directed to prepare a PowerPoint demonstration of the manual to be presented during the May 23, 2005 regular meeting.**

3. **Football Field Scoreboard: City Manager Blackburn reported the scoreboard for Howard Field was ordered. Mayor Justice requested that the three championship signs be installed under the new scoreboard.**

City Manager Blackburn introduced *News-Express* reporter, Kerrie Kirshener, and *Medical Leader* reporter, Laura Charles.

There being no further business to come before the Commission, Commissioner Davis made the motion to adjourn the meeting. Commissioner Hall seconded the motion. The motion carried 4 – 0.

The next scheduled meeting of the Pikeville City Commission is May 23, 2005 at 6:00 p.m.

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

ATTEST:

**_____
KAREN W. HARRIS, CITY CLERK**