

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
MAY 10, 2004**

The Board of Commissioners for the City of Pikeville met in regular session on Monday, May 10, 2004. The meeting was held in the City Hall Public Meeting Room located at 118 College Street, Pikeville, Kentucky.

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

MAYOR:	FRANKLIN D. JUSTICE, II
COMMISSIONER:	DALLAS LAYNE
	EUGENE W. DAVIS
	SHAWN A. AMOS
	JAMES A. CARTER

AGENDA ITEM II. MINUTES

The minutes for the April 26, 2004 regular meeting were included with the agenda package. There being no additions or corrections, Commissioner Amos made the motion, seconded by Commissioner Carter 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

Presented for approval of payment were the following invoices:

A. Elliott Contracting: Invoices #23 and #24 in the amounts of \$175,000.00 and \$218,142.93, respectively for construction completed to date on the Parking Garage facility.

B. Hensley Development Company: \$150,300.00 for acquisition of property located at 182 High Street - Phase VI Redevelopment Project.

C. Big Sandy Area Development District: Invoice in the amount of \$7,500.00 for Phase VI Planning Services.

Commissioner Amos made the motion, seconded by Commissioner Carter to approve payment of the bills as requested. The motion carried unanimously.

AGENDA ITEM V. OLD BUSINESS

A. **MAIN STREET PROGRAM:** Submitted for approval was a grant agreement between the Department for Local Government and the City of Pikeville for award of \$250,000.00 for Phase IV of the Utility Relocation Project (Renaissance Kentucky funds). A resolution accepting the agreement and authorizing the Mayor to execute the agreement was presented as follows:

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE
CITY OF PIKEVILLE AND THE KENTUCKY DEPARTMENT FOR LOCAL
GOVERNMENT FOR USE OF RENAISSANCE KENTUCKY FUNDS FOR
THE UTILITY RELOCATION PROJECT**

WHEREAS, the City of Pikeville, through the Pikeville Main Street Program, submitted a funding application to the Kentucky Department for Local Government for Renaissance Kentucky funds in the amount of \$250,000.00, and;

WHEREAS, the Kentucky Department for Local Government approved the funding application as submitted, and;

WHEREAS, the Kentucky Department for Local Government has forwarded a Renaissance Kentucky Funding Agreement (RK04-DR005) for the Utility Relocation Project for approval by the City of Pikeville.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY the Pikeville City Commission that the Renaissance Kentucky Funding Agreement for the Utility Relocation Project is hereby approved and the Mayor is authorized to execute the agreement on behalf of the City of Pikeville.

Commissioner Davis made the motion to adopt the resolution as presented. Commissioner Amos seconded the motion. The motion carried unanimously.

B. CITY ENGINEER'S REPORTS: Charles Byers, representing Summit Engineering, gave a verbal status report for the following projects:

1. Utility Relocation Project - Phase II: Mr. Byers reported the Main Street drainage tie-in to the civic center project can't be completed until the storage for the construction materials are moved. Mr. Byers estimated the tie-in would be made this winter. Mountain Enterprises has 3 to 4 weeks of work to complete (sidewalk behind Thacker Funeral Home, etc.) this phase of the project.

2. Utility Relocation Project - Phase III: The utility companies are 85% to 90% complete with pulling wire through the conduit. Mr. Byers estimates that service lines can be dropped beginning in September.

C. CITY ATTORNEY'S REPORTS: Russell H. Davis, Jr., City Attorney, presented the following ordinances for consideration:

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

ORDINANCE AMENDING THE CITY OF PIKEVILLE'S ZONING MAP FOR PROPERTY FRONTING SECOND STREET AND TRIVETTE DRIVE FROM R-1A TO R-1T

Property is owned by Adams Real Estate Limited Partnership.

Commissioner Davis made the motion, seconded by Commissioner Amos to adopt the ordinance as presented. The motion carried by the following votes:

MAYOR:	FRANKLIN D. JUSTICE, II	YES
COMMISSIONER:	DALLAS LAYNE	YES
	EUGENE W. DAVIS	YES

SHAWN A. AMOS
JAMES A. CARTER

YES
YES

2. **2004/2005 OPERATING BUDGET:** Given second reading was an ordinance adopting the City of Pikeville's Operating Budget for fiscal year 2004/2005. The ordinance was captioned as follows:

AN ORDINANCE ADOPTING THE CITY OF PIKEVILLE, KENTUCKY ANNUAL BUDGET FOR THE FISCAL YEAR JULY 1, 2004 THROUGH JUNE 30, 2005, BY ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS FOR THE OPERATION OF CITY GOVERNMENT

Commissioner Layne made the motion to adopt the Ordinance as presented and read. Commissioner Davis seconded the motion. The motion carried by the following votes:

MAYOR:	FRANKLIN D. JUSTICE, II	YES
COMMISSIONER:	DALLAS LAYNE	YES
	EUGENE W. DAVIS	YES
	SHAWN A. AMOS	YES
	JAMES A. CARTER	YES

3. Presented and given first reading was an ordinance captioned as follows:

ORDINANCE ESTABLISHING FISHING LIMITS FOR BASS IN THE PIKEVILLE POND AND SETTING A PENALTY FOR VIOLATION THEREOF

The ordinance will be on file in the office of the city clerk for public inspection. The ordinance was scheduled for second reading at the next regular meeting.

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

1. **YMCA:** Mr. Blackburn presented an agreement between the YMCA and the City of Pikeville for a contract to operate and manage the city swimming pool. For a fee of \$25,000.00, the YMCA will provide trained staffing to operate and manage the swimming pool and concession stand from May 10, 2004 through September 30, 2004. The city will open and close the swimming pool and provide chemicals and maintenance responsibility. All fees to the public will remain the same. The YMCA will retain admittance fees and profits from the concession stand. The YMCA will provide liability insurance in an amount not less than \$1 million for a single occurrence and \$2 million in the aggregate. City Manager Blackburn recommended approval of the contract. Commissioner Layne made the motion, seconded by Commissioner Amos to authorize the Mayor to execute the contract with the YMCA for the operation and management of the city swimming pool and concession stand as stated above. The motion carried unanimously.

2. **Industrial Development and Economic Development Authority (IDEA):** The Commission was advised of a city-appointed vacancy on the IDEA Board. Mayor Justice made the motion to appoint John Elliott to serve as a city representative on the IDEA Board. Commissioner Layne seconded the motion. The motion carried unanimously.

3. **Surplus Property:** City Manager Blackburn advised the city owns property located at 112 Auxier Avenue, formerly owned by Ted and Virginia Herring. Mr. Blackburn requested the Commission to designate the property as surplus property and dispose of the property through public auction. Mayor Justice made the motion, seconded by Commissioner Layne to declare the property as surplus and advertise for sale at public auction. The motion carried unanimously.

4. Patrol Officer Employment: Pending satisfactory results from medical, drug, polygraph and extensive background checks, Mayor Justice made the motion to employ Jackie Baldrige, Michael Riddle and James Layne as patrol officers. The motion carried unanimously. The motion carried unanimously.

5. Equipment Purchase: City Manager Blackburn requested approval to purchase a 660 Rhino for use by the Fire Department. The vehicle, costing \$9,099.00, will be used during special events and to provide emergency first aid during sporting events at Hambley Field. Commissioner Davis made the motion, seconded by Commissioner Amos to authorize the purchase of the Rhino. The motion carried unanimously.

The City Manager requested a closed session for the purpose of discussing a personnel matter. Commissioner Davis made the motion, seconded by Mayor Justice to adjourn to closed session for the purpose of discussing a personnel matter. The motion carried unanimously.

Mayor Justice made the motion to reconvene to regular session. Commissioner Amos seconded the motion. The motion carried unanimously.

Announcements included notice that Governor Ernie Fletcher would be visiting Pikeville City Hall on May 13th for the purpose of presenting a check in the amount of \$250,000.00 for Phase IV of the Utility Relocation Project. Mayor Justice requested that all departments be represented during the event.

There being no further business to come before the Commission, Commissioner Davis made the motion, seconded by Commissioner Carter to adjourn the meeting. The motion carried unanimously. Adjournment Time: 7:00 p.m.

The next scheduled meeting of the Board of Commissioners is May 24, 2004 at 6:00 p.m.

APPROVED: _____


FRANKLIN D. JUSTICE, II, MAYOR

ATTEST:


KAREN W. HARRIS, CITY CLERK