

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
MAY 22, 2006**

The Board of Commissioners for the City of Pikeville conducted a regularly scheduled meeting on Monday, May 22, 2006. The meeting was held in the City Hall Public Meeting Room located at 118 College Street, Pikeville, Kentucky.

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

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

AGENDA ITEM II. MINUTES

The minutes for the previous regular meeting held on May 8, 2006 were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Layne made the motion, seconded by Commissioner Davis 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 \$70,547.33 was presented to the Commission for approval of payment. Commissioner Layne 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. BIG SANDY AREA DEVELOPMENT DISTRICT: BSADD Executive Director, Sandy Runyon, appeared before the Commission to request the city's sponsorship of the 2nd Annual East Kentucky Fair. Ms. Runyon explained the Fair is a regional event, planned by a non-profit committee. The committee is requesting each county in the region to sponsor the 4 day event with a \$5,000 contribution and each city with a \$2,500 contribution. A tentative schedule of events was given to each Commission Member. The fair's location will be held at ThunderRidge and Floyd County. City Manager Blackburn recommended the Commission authorize the

city's sponsorship of the event in the amount of \$2,500. Commissioner Davis made the motion, seconded by Commissioner Layne to authorize the city's sponsorship of the East Kentucky Fair in the amount of \$2,500. The motion carried unanimously.

B. PIKEVILLE MAIN STREET PROGRAM: Serena Stiltner, Executive Director for the Pikeville Main Street Agency, advised the Commission of events planned for the Fourth of July Celebration. The two hour event, which begins at 6:00 p.m. in the Pikeville City Park, features refreshments, music, and a variety of carnival attractions, all free of charge. Ms. Stiltner advised that the carnival operator, Lighter than Air, requires a \$1,622.50 deposit (50%). It was noted the expenditure is a budgeted item. Consent was given to remit the required deposit.

C. CITY ENGINEER'S REPORTS: Jack Sykes was present on behalf of Summit Engineering, city engineers. Mr. Sykes advised the retaining wall project is proceeding on schedule. Mr. Sykes commented that the Pauley Bridge leveling project was successfully completed. City personnel involved in the event were thanked. It was noted the city saved \$30,000 by leveling the bridge utilizing city personnel.

D. CITY ATTORNEY'S REPORTS: Russell H. Davis, Jr., city attorney, requested a closed session to discuss a legal issue, concerning the proposed Buckley's Creek annexation amendment, with Pike County School Board Attorney, Neal Smith. Commissioner Davis made the motion, seconded by Commissioner Layne to adjourn to closed session for the purpose of discussing a legal issue. The motion carried unanimously.

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

City Attorney Davis presented and gave second reading to an Ordinance entitled as follows:

AMENDED ORDINANCE DECLARING THE INTENTION OF THE CITY OF PIKEVILLE TO ANNEX CERTAIN UNINCORPORATED TERRITORY LYING ADJACENT TO THE PRESENT CITY CORPORATE LIMITS AND COMPRISING OF APPROXIMATELY 713.59 ACRES EXTENDING THE CITY'S CORPORATE LIMITS ON THE NORTHWEST OF THE EXISTING CORPORATE LIMITS ALONG THE LEVISA FORK OF THE BIG SANDY RIVER ON BIG SHOAL AND KEYSER BRANCH *Article 107*

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

COMMISSIONER:	DALLAS LAYNE	YES
	EUGENE W. DAVIS	ABSTAIN

	JAMES A. CARTER	YES
	M. SHANE HALL	ABSTAIN
MAYOR:	FRANKLIN D. JUSTICE, II	YES

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

1. Board Appointment: Mayor Justice nominated Marvin Hensley to serve as a member of the Board of Zoning Adjustments. Commissioner Carter made the motion, seconded by Commissioner Davis to appoint Marvin Hensley to serve as a member of the Board of Zoning Adjustments. The motion carried unanimously.

2. Thompson Road Property Sale Proposals: City Manager Blackburn requested closed session to review the proposals for sale and development of the Thompson Road Property and to discuss a personnel matter. Mayor Justice made the motion to adjourn to closed session for the stated purposes. Commissioner Carter seconded the motion. The motion carried unanimously.

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

3. Pay Plan: City Manager Blackburn requested approval of the Revised Pay Scale dated May 22, 2006 and to approve the IT position job description. Commissioner Hall made the motion, seconded by Commissioner Davis to approve the revision to the pay scale and to approve the job description as presented. The motion carried unanimously.

4. Bob Amos Park Sidewalk: City Manager Blackburn explained that an amendment to the Coal Severance Line Item Budget for HB 267 was approved to permit the City to receive reimbursement for the purchase of the outdoor LED sign, which is now located on the parking garage pedway. The city manager recommended the reimbursement be used to construct the first phase of the sidewalk along Bob Amos Drive, from the bottom of the hill to the greenhouse. Commissioner Layne made the motion, seconded by Commissioner Davis to approve the city manager’s recommendation. The motion carried unanimously.


5. Thompson Road Property Sale: Commissioner Hall made the motion to award the bid for the sale of Thompson Road lots B & C to Joyce Robinson Rentals, LLC, in the amount of \$448,000 and to authorize the Mayor to execute the contract and deed, and further to authorize the Mayor to execute a letter of agreement with Joyce Robinson Rentals/LLC to allow the company to proceed with acquiring the necessary permits. Commissioner Layne seconded the motion. During discussion it was noted that the proceeds from the sale will be held in escrow, pending acquisition of FEMA permits to construct. It was further noted that Joyce Robinson Rentals/LLC is given six months to acquire the FEMA permits. The company will be responsible for complying with all subdivision regulations. The company has 12

months to begin construction and 24 months to complete construction. A \$200/day liquidated damages clause was added, allowing assessment of liquidated damages, should the construction not be completed within the 24 month time period. The motion carried unanimously.

Commissioner Davis made the motion to recess the meeting until 6:00 p.m. on May 23, 2006. Commissioner Layne seconded the motion. The motion carried unanimously.

APPROVED: 
FRANKLIN D. JUSTICE, II, MAYOR

ATTEST:


KAREN W. HARRIS, CITY CLERK