

**CITY OF PIKEVILLE  
BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
JULY 11, 2005**

The Board of Commissioners for the City of Pikeville conducted a regularly scheduled meeting on Monday, July 11, 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. There being a quorum present, the Mayor called the meeting to order at 6:00 p.m. Commission Members present at call of the roll were as follows:

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

Commissioner James A. Carter was absent.

**AGENDA ITEM II. MINUTES**

The minutes for the previous regular meeting of June 27, 2005 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 4 – 0.

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

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

**AGENDA ITEM IV. OLD BUSINESS**

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

**B. PIKEVILLE MAIN STREET PROGRAM:** City Manager Blackburn requested Commission approval to purchase granite from Thacker Memorial in the amount of \$36,000 for repair of the gateway signs, pending approval of the Main Street Board. Commissioner Davis made the motion, seconded by Commissioner Layne to authorize purchase of granite from Thacker Memorial in the amount of \$36,000 for repair of the gateway signs, contingent upon approval by the Main Street Board. The motion carried 4 – 0.

**C. CITY ENGINEER'S REPORTS:** Charles Byers, representing Summit Engineering, Inc. city engineers, presented a verbal progress report for the following projects:

**1. Thompson Road Improvement Project:** Presented for approval was an addendum to Summit Engineering's contract to provide engineering/design services for the widening of Thompson Road. Addendum #1, in the amount of \$33,000, will provide environmental assessment services for the project. Cost for the services had been questioned during the previous meeting. Mr. Byers advised that the Department of Transportation's fee for providing the service is \$50,000. Mayor Justice made the motion, seconded by Commissioner Hall to approve Addendum #1 to the Thompson Road Improvement Project engineering contract increasing the contract fee by \$33,000. The motion carried 4 – 0.

**2. Track's End Gas Line Replacement Project:** Contractor, H2O Construction, has completed this state-funded project. An invoice in the amount of \$67,255.00 was presented for approval of payment. Commissioner Hall made the motion to authorize payment pending Department of Transportation approval. Commissioner Davis seconded the motion. The motion carried 4 – 0.

**3. Indian Hills Sewer Extension Project:** Mr. Byers reported the lines are installed and pumps are operating. The service roadway along the South Mayo Trail Food City store is ready for paving. The paving costs were removed from M & S General Contracting's agreement. The city is responsible for paving the roadway. City Manager Blackburn informed the Commission that he is expecting a funding commitment from the state within the next 3 to 4 weeks that includes money for paving of said roadway.

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

**1. Speed Limit for Thompson Road:** Presented and given second reading was an ordinance entitled as follows:

**ORDINANCE SETTING SPEED LIMIT ON THOMPSON ROAD WITHIN THE CITY OF PIKEVILLE AT 35 M.P.H.**

Commissioner Layne made the motion to adopt the ordinance as presented. Commissioner Davis 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>ABSENT</b>
	<b>M. SHANE HALL</b>	<b>YES</b>
<b>MAYOR:</b>	<b>FRANKLIN D. JUSTICE, II</b>	<b>YES</b>

**2. Budget Amendment:** Second reading was given to an ordinance captioned as follows:

**ORDINANCE AMENDING THE FISCAL BUDGET FOR THE 2005-2006 FISCAL YEAR**

Commissioner Davis made the motion, seconded by Commissioner Hall to adopt the ordinance as presented and given second reading. 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>ABSENT</b>
	<b>M. SHANE HALL</b>	<b>YES</b>
<b>MAYOR:</b>	<b>FRANKLIN D. JUSTICE, II</b>	<b>YES</b>

**3. Surplus Property Bid Specifications:** Discussion concerning this matter was tabled until the end of the meeting.

**4. Kinzer Drilling:** City Attorney Davis requested approval of a waiver to the regulatory agency allowing Kinzer Drilling to drill a gas well behind the city's public works department located on Island Creek Road. During this date's work session, Jack Sykes of Summit Engineering, advised the gas well and lines will not impact the city's coal reserve. Commissioner Davis made the motion to add a provision to the agreement to provide the relocation of the line, if necessary, for one occasion at Kinzer Drilling's expense and to authorize the Mayor to execute the waiver of consent. Mayor Justice seconded the motion. The motion carried 4 – 0.

**E. POLICE DEPARTMENT UPDATE:** Chris Edmonds, a sergeant with the police department, presented both a written report and verbal summary of activities during the period of June 27 – July 11, 2005. Of the 634 calls received during this time period, 145 arrests were made; 39 drug charges were filed; and 45 collision reports were completed. Mayor Justice requested the police department retain a portion of the Federal Overtime Program funds to reimburse the city for overtime costs associated with cases requiring court time. Captain Gordon Carter explained the police department has a certain time frame to expend the funds. He commented that the cases would probably not be heard in court prior to the program's conclusion.

**F. FIRE DEPARTMENT UPDATE:** Battalion Chief Danny Hamilton presented a summary of activities for the Fire Department during the previous two week period. The Fire Department responded to 30 ambulance calls and 21 fire calls. Fire Department personnel conducted inspections of fireworks stands and the purchase and launching of the Fourth of July fireworks. Hamilton reported that Pikeville is hosting a fire training school during July 15 -17. He invited the Commission and interested persons to attend the Firefighter's Challenge on July 15<sup>th</sup> at 7 p.m.

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

**1. Police Vehicles: Mr. Blackburn explained that the city had advertised for bids for the purchase of 4, 2005 model, police package Ford Crown Victoria vehicles. Due to the time of year, it was learned that Ford dealers can't order 2005 model vehicles. One bid was received in answer to the advertisement. The city manager recommended the Commission reject the bids and re-advertise to include 2005 and/or 2006 Ford Crown Victoria police package vehicles. Commissioner Davis made the motion to accept the city manager's recommendation. Commissioner Hall seconded the motion. The motion carried 4 – 0.**

**2. Closed Session: City Manager Blackburn requested a closed session for the purpose of discussing an economic development issue. Mayor Justice made the motion, seconded by Commissioner Hall to adjourn to closed session for the purpose of discussing an economic development issue. The motion carried 4 – 0.**

**Mayor Justice made the motion to reconvene to regular session. Commissioner Layne seconded the motion. The motion carried 4 – 0.**

**City Attorney Davis presented two options establishing guidelines for the solicitation of sealed proposals for the sale and development of city property located at Thompson Road and Lower Poor Farm Hollow. Commissioner Layne made the motion to select Option #2 as the model to accept proposals for the sale and development of the two tracts of property. Commissioner Davis seconded the motion. The motion carried 4 – 0. Bids are due August 17, 2005 at 3:00 p.m.**

**City Manager Blackburn recommended approval of a payroll rate chart for 2005-06. He advised the rate chart is in accordance with the salary plan approved in a previous meeting of the City Commission. Commissioner Davis made the motion, seconded by Commissioner Layne to approve the payroll rate chart for 2005-06 as presented. The motion carried 4 – 0.**

**The city manager recommended approval of a contract, on an emergency basis, to Elswick Construction Company to repair a slippage on Marion's Branch Road. Mayor Justice made the motion to declare an emergency and award a contract for the repair of a slippage on Marion's Branch Road to Elswick Construction Company. Commissioner Hall seconded the motion. The motion carried 4 – 0.**

**There being no further business to come before the Commission, Commissioner Davis made the motion, seconded by Commissioner Hall to adjourn the meeting. The motion carried 4 – 0. (Adjournment Time: 8:20 p.m.)**

**The next scheduled meeting of the Pikeville City Commission is July 25, 2005 at 6:00 p.m.**

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

**ATTEST:**

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KAREN W. HARRIS, CITY CLERK**