

**CITY OF PIKEVILLE BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
JULY 23, 2007**

The Board of Commissioners for the City of Pikeville met in regular meeting on Monday, July 23, 2007. The meeting was held in the designated place in the City Hall Public Meeting Room, 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 to order were as follows:

<b>COMMISSIONER:</b>	<b>DALLAS LAYNE EUGENE W. DAVIS JAMES A. CARTER BARRY N. CHANEY</b>
<b>MAYOR:</b>	<b>FRANKLIN D. JUSTICE, II</b>

**AGENDA ITEM II. MINUTES**

The minutes for the previous regular meeting of July 9, 2007 and special meeting of July 11, 2007 were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Davis made the motion, seconded by Commissioner Chaney, to approve the minutes as prepared. The motion carried unanimously.

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

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

**AGENDA ITEM IV. PAYMENT OF BILLS**

A list of City Bills totaling \$434,649.87 was presented to the Commission for approval of payment. City Manager Blackburn requested to add one invoice to the listing. The invoice, totaling \$22,603.87, was submitted on behalf of Utility Management Group. The amount represents the 2006-07 fiscal years overage of their Repairs and Replacement Budget. Commissioner Carter made the motion to approve payment of the City Bills totaling \$434,649.87 as well as the bill from Utility Management Group in the amount of \$22,603.87. Commissioner Layne seconded the motion. The motion carried unanimously.

**AGENDA ITEM V. OLD BUSINESS**

**A. BIG SANDY AREA DEVELOPMENT DISTRICT:** Melanie Stevens was present on behalf of the Big Sandy Area Development District. Ms. Stevens

reported that written confirmation has been received approving official closeout of Phase VI of the Pikeville Redevelopment Project.

**B. PIKEVILLE MAIN STREET PROGRAM:** Program Director, Serena Stiltner, reported that Unisign Corporation is in the process of replacing the street sign poles located in the downtown area. The project is about 50% completed.

**C. CITY ENGINEER'S REPORTS:** No report

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

**1. Bob Amos Drive Speed Limit:** Presented and given second reading was an ordinance entitled as follows:

**AMENDED ORDINANCE SETTING SPEED LIMIT ON BOB AMOS DRIVE WITHIN THE CITY OF PIKEVILLE AT 35 M.P.H.**

Mayor Justice made the motion, seconded by Commissioner Carter to adopt the Ordinance as presented and read. 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>YES</b>
	<b>BARRY N. CHANEY</b>	<b>YES</b>
<b>MAYOR:</b>	<b>FRANKLIN D. JUSTICE, II</b>	<b>YES</b>

**2. Hearing Officer:** Presented and given first reading was an ordinance entitled:

**AN ORDINANCE RELATED TO THE AMENDMENT OF SECTION 92.04 RELATING TO THE DEFINITION OF ENVIRONMENTAL NUISANCES OR DILAPIDATED HOUSING SO TO DESIGNATE THE VACANT PROPERTY REVIEW COMMISSION AS THE HEARING OFFICER FOR CHAPTER 92**

Second reading was scheduled for the next meeting.

**E. CITY MANAGER'S REPORTS:** Donovan Blackburn, city manager, presented the following matters for the Commission's consideration:

**1. Utility Management Group:** The acquisition of the Sandy Valley Water District and Mossy Bottom Sewage Plant is final. Presented for approval was an amended agreement, with Utility Management Group, for the operation and maintenance of both systems. The contract amount increased by \$373,000 for the year. UMG Manager, Greg May, advised that he is separating the expenditures for the operation of both systems in an effort to determine the actual cost.

Commissioner Chaney made the motion to authorize the Mayor to execute the amended agreement with Utility Management Group. Commissioner Carter seconded the motion. The motion carried unanimously.

2. **Pro-Fitness Multi Sports:** City Manager Blackburn presented an agreement with Pro-Fitness Multi Sports for the operation of a bicycle and skate shop in the building located at the Skate Park. Terms of the agreement provide for Pro-Fitness Multi Sports to keep the grass mowed, the trash picked up, and oversight of the skate park during business hours. The city manager recommended approval of the agreement contingent upon approval of a conditional use permit by the Board of Zoning Adjustments. Commissioner Chaney made the motion to authorize the Mayor to execute the agreement contingent upon approval of a conditional use permit by the Board of Zoning Adjustments. Commissioner Layne seconded the motion. The motion carried unanimously.

3. **ByPass Road Repairs:** The following resolution was presented and read as follows:

**RESOLUTION SUPPORTING THE REQUEST BY THE PIKEVILLE CITY COMMISSION TO THE KENTUCKY TRANSPORTATION CABINET ASKING FOR IMMEDIATE ACTION FOR IMPROVEMENTS ADDRESSING THE LIFE THREATING, SAFETY AND CONGESTION ISSUES FOR KY ROUTE 1426 (PIKEVILLE BYPASS)**

WHEREAS, Kentucky Route 1426 is located in the City of Pikeville and is known and traveled as the Pikeville Bypass Road.

WHEREAS, the City of Pikeville is the regional hub for Eastern Kentucky with a service area of over 240,000 people with a 50 mile radius population density of over 500,000 people. Where many of these people either travel to or through the City of Pikeville for services such as medical, legal, educational, shopping or business using our road systems.

WHEREAS, Route 1426 is a major roadway that carries many of the citizens who work, live or visit into or through our area. The City of Pikeville has a need and responsibility to ensure the safety and accessibility for the entire township regardless whether the roadway is a city, county or state street.

WHEREAS, Route 1426 (Pikeville By-pass) is a state road and has many major safety and operational concerns that require immediate action for correction. Route 1426 has a history of several large rock falls over the past few years. Those falls are becoming more and more frequent. The falls are a major concern to our city and more importantly a concern for people's

safety and general welfare. Accidents have been occurring causing vehicle damage and several times this year, have required the roadway to be closed. This route carries a tremendous amount of school bus traffic to point out the great risk. With each rock fall, traffic had to be diverted causing major inconvenience to our local people and to our economy. The city's concern is not to have those who travel the roads at risk, especially our kids.

WHEREAS, the alignment at Chloe Road, the intersection of Kentucky route 1426 and 1460, needs also to be address as it is connected to the rock fall issue on route 1426 and a point of major traffic congestion. This intersection handles a very high volume of traffic and contributes to major congestion issues within our city each and every day. This intersection is also attached to the city's school traffic causing frequent delays with school traffic. This in turn causes delayed classes at times.

NOW, THEREFORE, BE IT RESOLVED the City of Pikeville has prepared a document addressed to the Secretary of Kentucky's Transportation Cabinet Bill Nighbert outlining the need and estimate for state funding to address this major SAFETY & CONGESTION issue for the people of the region. Furthermore the Pikeville City Commission authorizes Mayor Frank Justice to sign and submit the letter and this resolution and to fully support the content and its request to the Transportation Cabinet.

**Commissioner Davis made the motion to adopt the Resolution as presented and read. Commissioner Layne seconded the motion. The motion carried unanimously.**

**4. Trinity Sports Group: Presented for approval was the following proclamation in support of the Pikeville Miners Basketball Team:**

*Proclamation in Recognition and  
Honor for Trinity Sports and  
Entertainment Group and It's  
Ownership and staff for Their support  
and establishment of the new CBA  
Professional Basketball Team the East*

## *Kentucky Miners and for bringing them to their new home, Pikeville, KY*

*WHEREAS, Trinity Sports and Entertainment Group does acquire and manage professional sports franchises domestically and internationally and to provide quality, affordable entertainment to the masses.*

*WHEREAS, Trinity Sports Group Management has researched team and league concepts, execution, marketability and controls, and is currently consolidating the operations of multiple professional basketball franchises and creating a sports and entertainment powerhouse unlike anything ever seen in minor-league sports.*

*WHEREAS, through the vision of Co-founder & Chairman Jay Fiedler and Co-founder & CEO Demetrius Ford of Trinity Sports Group the decision was made to move the Continental Basketball Association newest team to Eastern Kentucky and call the East Kentucky Expo Center located in downtown Pikeville Kentucky their teams new home.*

*WHEREAS, through much thought and consideration given by Trinity Sports Group to create a name for the team that would represent the region and honor the hard working men and woman who have made Eastern Kentucky what it is today. The team will proudly wear the name "East Kentucky Miners".*

*WHEREAS, the City of Pikeville is proud to welcome back home to Eastern Kentucky one of our own the new head coach of the Eastern*

*Kentucky Miners Coach Kevin Keathley. Furthermore the City is also delighted to welcome the President and General Manger for the East KY Miners Rob Blackwell into our community and look forward to a long lasting relationship.*

*WHEREAS, the City of Pikeville urges the citizens and visitors of the region to fully support the Eastern Kentucky Minors through sponsorship, advertising and attendance of their games and various events. Understanding this will have a tremendous economic impact for the entire region while providing an improvement of quality of life.*

*WHEREAS, through the inception of this new team into our community will bring professional basketball entertainment that will be loved and revered by all. Providing not only quality sports entertainment but through the hard work of Trinity Groups President of Converge Entertainment Nolan Baynes will offer other entertainment options such as concerts, events and charity outings.*

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

*That the Mayor and City Commission of Pikeville KY is excited and grateful to be the new home of Trinity Sports Group and Entertainments newest team the East Kentucky Miners. That because of decision and leadership of the owners and management of Trinity Sports outstanding representation of excellence towards our region and its citizen of the City of Pikeville, that the entire management group and future players are*

*hereby appointed and designated as "Special Ambassador" of good will for the City of Pikeville.*

*Now may OUR team prosper, grow, represent and publish the good name of our community and be winners in all facets of play and life.*

Commissioner Davis made the motion to adopt the Proclamation. Commissioner Carter seconded the motion. The motion carried unanimously.

**5. Bob Amos Park Multi-Use Trail:** Commissioner Carter made the motion to authorize the advertisement for bids for construction of the multi-use trail at Bob Amos Park. Commissioner Layne seconded the motion. The motion carried unanimously.

**6. Meeting cancellation:** Due to meeting schedules and vacation schedules, the city manager requested to cancel the regular City Commission meeting scheduled for August 13, 2007. Commissioner Layne made the motion, seconded by Commissioner Davis to cancel the City Commission's August 13, 2007 regularly scheduled meeting. The motion carried unanimously.

Commissioner Chaney made the motion, seconded by Commissioner Davis to adjourn to closed session for the purpose of discussing legal, personnel, and economic development issues. The motion carried unanimously.

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

**Lorraine Street Property:** Commissioner Layne made the motion to accept the proposal from Interstate Natural Gas for the sale and development of the city's Lorraine Street property at a purchase price of \$600,000. Commissioner Carter seconded the motion. The motion carried unanimously.

**Pikeville Main Street Program:** Commissioner Layne made the motion to establish a Renaissance Façade Repair/Replacement budget in the amount of \$5,000. Commissioner Chaney seconded the motion. The city manager explained the funds will be used as matching grant funds to assist downtown businesses in the repair/replacement of signage and facades. The motion carried unanimously.

**Employee Incentives:** Commissioner Chaney made the motion to authorize the purchase of season tickets to the Pikeville Miners Basketball games to be given as employee incentives. Commissioner Carter seconded the motion. The motion carried unanimously.

**There being no further business to come before the Commission, Commissioner Davis made the motion, seconded by Commissioner Layne to adjourn the meeting. The motion carried unanimously.**

**The next scheduled meeting of the City of Pikeville Board of Commissioners is August 27, 2007.**

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

**ATTEST:**

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KAREN W. HARRIS, CITY CLERK**