

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
AUGUST 8, 2005**

The Board of Commissioners for the City of Pikeville met in regular session on Monday, August 8, 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, Mayor Justice called the meeting to order at 6:00 p.m. Commission Members present at roll call 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 July 25, 2005 regular meeting 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 presented. The motion carried unanimously.

AGENDA ITEM III. BUSINESS FROM THE FLOOR

A. A representative of U.S. Senator Mitch McConnell's office presented an informational pamphlet to the Commission regarding the new Medicare Drug Prescription Program.

B. Sycamore Street Closing: A petition opposing the proposed partial closing of Sycamore Street, with ten resident signatures, was submitted to the Commission. A spokesperson for the group cited safety and additional space for social events as the dominate reasons that Pikeville College gave when submitting the request for partial closure. According to the group, Pikeville College would continue to enjoy the advantages of access to shipping/receiving goods and services; access to handicapped parking; access to all on street parking and use of a publicly maintained roadway that would effectively become a private use road. Disadvantages to the residents were cited as detriment to property values; impractical and unsafe situation created in turning the road into a two-way street; detriment to ease of use and enjoyment of property; limited access to deliveries and use of any oversize vehicles; unsafe conditions due to current lack of salting of Cemetery Hill and Saad Avenue during winter months; services could deteriorate with partial closing of street; and delay in receiving vital services due to "semi-

permanent” barricades. The spokesperson surmised the closing would pose no disadvantages for Pikeville College. The only advantage to the partial closing for the residents was determined to be a decrease in traffic from the college (currently, no more than a dozen in a 24 hr. period). The group pointed out there had been no accidents involving pedestrians reported for many years and only two reported collisions in the past 18 months. The group suggested alternatives to closing the street as installation of speed bumps; clearly marking cross walks with STOP signage in front; and a reduced speed limit in a school zone. Referring to KRS 82.405, the spokesperson reported that only 2 of the property owners had been notified of the proposed closing.

The Commission agreed to postpone the first reading of the Ordinance authorizing the partial closure of the street, pending a further review of the request.

C. Thompson Road Improvement Project: A resident of Thompson Road asked the status of the roadway improvement project proposed for his neighborhood. City Manager Blackburn explained the project is in design phase. A work session is scheduled with the city engineer on August 22nd to discuss the project.

AGENDA ITEM IV.

OLD BUSINESS

No reports were given by the Big Sandy Area Development District or the Pikeville Main Street Program.

A. CITY ENGINEER’S REPORTS: Mayor Justice advised the Commission heard an update during work session of ongoing city projects because the city engineer could not attend the regular meeting. On behalf of the city engineer’s office, City Manager Blackburn requested approval of Change Order #3 to the Tracks End Gas Line Relocation Project in the amount of \$7,437.68 for additional engineering services. Mayor Justice made the motion, seconded by Commissioner Davis to approve Change Order #3 in the amount of \$7,437.68. The motion carried unanimously.

Presented for approval was the following resolution authorizing submission of a CDBG application for the Pikeville RV Park Project:

ADOPTION OF A RESOLUTION OF THE PIKEVILLE CITY COMMISSION AUTHORIZING THE FILING OF A COMMUNITY ECONOMIC GROWTH GRANT (CEGG) PROJECT PROPOSAL/GRANT APPLICATION FOR AN AMOUNT UP TO \$500,000 TO THE GOVERNOR’S OFFICE FOR LOCAL DEVELOPMENT’S (GOLD) KENTUCKY COMMUNITY DEVELOPMENT OFFICE (KCDO) FOR THE PIKEVILLE RV PARK PROJECT; AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE ANY DOCUMENTS WHICH ARE DEEMED NECESSARY BY GOLD TO CARRY OUT THIS PROJECT INCLUDING GRANT AGREEMENT EXECUTION; AND AUTHORIZING THE

MAYOR TO ACT AS THE AUTHORIZED CORRESPONDENT FOR THIS PROJECT

WHEREAS, the Pikeville City Commission desires to promote and carry out economic development efforts on behalf of its residents through execution of the Pikeville RV Park Project.

NOW, THEREFORE, be it resolved this 8th day of August, 2005, by the Pikeville City Commission:

That a Project Proposal/Grant Application on behalf of the Pikeville City Commission for CEGG funding up to \$500,000 for the Pikeville RV Park Project shall be submitted to KCDO. The Pikeville City Commission authorizes the Mayor to provide all information and such documentation as may be required by GOLD, including, but not limited to, the execution of a Memorandum of Agreement for the project, should the project be awarded. The Mayor or the Mayor's designee shall act as the authorized correspondent for the Project.

Mayor Justice made the motion, seconded by Commissioner Davis to approve the resolution. The motion carried unanimously.

B. CITY ATTORNEY'S REPORTS: City Attorney, Russell H. Davis, Jr., was present and reported on the following issues:

1. Parking Garage Update: Attorney Davis advised negotiations are ongoing with the hotel developer and their financial institution regarding a proposed agreement for utilization of a portion of the parking garage.

2. Utility Relocation Project: The city attorney reported that BellSouth has removed their service lines from all utility pole locations in the project area with the exception of three. Southeast Telephone has three cameras to remove before BellSouth can remove their service lines from the remaining 3 utility poles. American Electric Power has removed all utility poles with the exception of the three utility poles previously stated.

C. POLICE DEPARTMENT UPDATE: Pikeville Police Sergeant, Chris Edmonds, reported there were 62 drug arrests made during the month of July. 51 collision reports were filed. Sergeant Edmonds advised this number has increased significantly from previous months. Taser Training is scheduled for August 10 – 11, 2005. Captain Jimmy Dean Adkins advised that guidelines regarding taser handling and deployment have been forwarded to the city attorney for review. He expects to present the guidelines for approval during the August 22nd City Commission meeting.

D. FIRE DEPARTMENT UPDATE: Battalion Chief, Danny Hamilton, presented a verbal update of the Pikeville Fire Department's activities for the last two weeks of

July, 2005. During this time period, the fire department responded to 55 EMS calls and 23 Fire Calls. All fire department personnel have completed NIMS Training. The annual TB tests will be administered during August 15 – 17, 2005. All personnel have completed the four hour recertification for confined spaces training. 11 child safety seats were installed. Testing of the fire hose and equipment was completed. Hamilton advised that the fire department will be conducting fire hydrant maintenance during the next 45 days.

Fire Department personnel will be inspecting a used ladder truck for possible purchase. Due to the immediate need for a ladder truck, City Manager Blackburn requested the Commission authorize the purchase, on an emergency basis, contingent upon the truck meeting the department's need. Cost of the truck is estimated between \$50,000 and \$85,000. Commissioner Hall made the motion, seconded by Commissioner Layne to declare an emergency and authorize the purchase of the used ladder truck contingent upon the truck meeting the city's needs. The motion carried unanimously.

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

1. Police Vehicles: Two bids were received for the purchase of 4, 2005/06 Ford Crown Victoria police interceptors with emergency equipment package installed. The bids were submitted by Texoma Ford in the amount of \$23,977.00 per vehicle; and Bruce Walters Ford Lincoln Mercury in the amount of \$23,255.38 per vehicle. Captain Adkins advised that both bids are in compliance with the advertised specifications. Mayor Justice made the motion to authorize award of the bid to the low bidder, Bruce Walters Ford Lincoln Mercury for a total price of \$93,021.52. Commissioner Layne seconded the motion. The motion carried 3 – 0 – 2 (Commissioners Davis and Carter abstained from the vote).

2. SouthEast Telephone License: Presented to the Commission was a License Agreement between the City of Pikeville and SouthEast Telephone, Inc. granting a license to construct, maintain, repair and operate fiber optic lines on city property. Commissioner Hall pointed out that the lines will mostly serve educational institutions located within the city limits. Commissioner Carter made the motion to grant the license to South East Telephone, Inc. contingent upon SouthEast Telephone, Inc. agreeing to accept the responsibility to burden the cost of the relocation and adhere to the city's time schedule should the city expand its underground utilities to the areas mentioned in the agreement. Commissioner Hall seconded the motion. The motion carried 4 – 0 – 1 with Mayor Justice abstaining from the vote.

3. Headwall Improvements: City Manager Blackburn advised that the city had received a grant in the amount of \$500,000 for improvements to the city's wastewater system. The Memorandum of Agreement is expected to arrive prior to the next regular meeting. The city manager requested the Commission authorize

the Mayor to execute the agreement contingent upon the city attorney's approval of the agreement. Commissioner Carter made the motion, seconded by Commissioner Layne to authorize the Mayor to execute the Memorandum of Agreement subject to the city attorney's review and approval of the document. The motion carried unanimously.

Mayor Justice made the motion, seconded by Commissioner Hall to adjourn to closed session for the purpose of discussing an economic development issue and personnel issues. The motion carried unanimously.

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

City Manager Blackburn announced that fire fighter/EMT David Broderick is retiring effective August 31, 2005. He requested permission to replace the position. Commissioner Carter made the motion to authorize the city manager to post the position of fire fighter/EMT to fill a vacancy created by David Broderick's retirement. Commissioner Layne seconded the motion. The motion carried unanimously.

City Manager Blackburn recommended the employment of Patricia Ann Potter in the position of dispatcher contingent upon her satisfactory completion of the physical, psychological, drug and background tests. Mayor Justice made the motion, seconded by Commissioner Carter to approve the city manager's recommendation. The motion carried unanimously.

Commissioner Hall made the motion, seconded by Commissioner Davis to approve revisions to the personnel policy with regard to sick leave, personal days, and funeral leave. 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 regular meeting of the City of Pikeville Board of Commissioners is August 22, 2005 at 6:00 p.m.

APPROVED: _____
FRANKLIN D. JUSTICE, II, MAYOR

ATTEST:

KAREN W. HARRIS, CITY CLERK