

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
SEPTEMBER 13, 2004 AT 6:00 P.M.**

The Board of Commissioners for the City of Pikeville met in regular meeting on Monday, August 23, 2004 at 6:00 p.m. 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. Commission members present at call of the roll were as follows:

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

AGENDA ITEM II: MINUTES

The minutes for the previous regular meeting of August 24, 2004 were included in the city commission's agenda package. There being no additions or corrections, Commissioner Carter made the motion, seconded by Commissioner Layne to approve the minutes as prepared. Mayor Justice called for discussion, the motion carried unanimously.

AGENDA ITEM IV: PAYMENT OF CITY BILLS

- A. Summit Engineer asks the commission to consider a request to approve payment to Commonwealth Building in the amount of \$81,900.00 for the construction of the City Park Walkway. Commissioner Layne made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for discussion, there being none the motion carried unanimously.
- B. Summit Engineer asks the commission to consider a request to approve payment to Elliott Contracting in the amount of \$46,231.54 for construction cost of the Pikeville Parking Garage. Commissioner Layne made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for discussion, there being none the motion carried unanimously.

OLD BUSINESS V: OLD BUSINESS

- A. **BIG SANDY AREA DEVELOPMENT DISTRICT.**

1. No items to discuss.

B. PIKEVILLE MAIN STREET

1. Main Street director gave the City Commission an update on progress for the 2004 Senior Games to be held at Bob Amos Park. No action was taken.

C. CITY ENGINEER'S REPORT

1. The City Engineer gave the City Commission an update on Phase III of the Renaissance Area Utilities Project. Charlie Byers stated no major issues at this time.
2. City Engineer Jack Sykes gave the City Commission an update on the South Mayo Trail Indian Hills Sewer Project. The Commission was asked to consider the request to go out to bid for the construction of the project. Commissioner Davis made the motion to approve. Commissioner Amos seconded the motion. Mayor Justice called for discussion, there being none the motion carried unanimously.
3. Consider request to purchase a master water meter for wholesale water sales on Cedar Creek. Commissioner Carter made the motion to approve. Commissioner Amos seconded the motion. Mayor Justice called for discussion, there being none the motion carried unanimously.

D. CITY ATTORNEY'S REPORT

1. City Attorney Russell Davis presented and gave the 2nd reading of an ordinance entitled as follows:

**AN ORDINANCE FINALLY ANNEXING TO THE CITY OF
PIKEVILLE UNINCORPORATED TERRITORY LYING
ADJACENT TO THE PRESENT CITY CORPORATE LIMITS
ON MARION BRANCH AND LONG BRANCH EXTENDING
THE CITY'S CORPORATE LIMITS ON THE SOUTH WEST
OF THE EXISTING CORPORATE LIMITS**

ORDINANCE NO. 0-2004-014

Mayor Justice made the motion to adopt the Ordinance as presented and given its second reading. Commissioner Davis seconded the motion. Mayor Justice called for discussion there being none the ordinance was adopted by the following votes:

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

2. City Attorney Russell Davis presented and gave the 2nd reading of an ordinance entitled as follows:

**AN ORDINANCE RELATED TO THE AMENDMENT OF THE
PIKE COUNTY, CITY OF PIKEVILLE & ELKHORN CITY
SUBDIVISION & DEVELOPMENT REGULATIONS
REGARDING CELLULAR PHONE TOWER REGULATIONS**

ORDINANCE NO. 0-2004-015

Mayor Justice made the motion to adopt the Ordinance as presented and given its second reading. Commissioner Amos seconded the motion. Mayor Justice called for discussion there being none the ordinance was adopted by the following votes:

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

3. City Attorney Russell Davis presented a reading of an Emergency Ordinance entitled as follows:

**AN ORDINANCE FIXING A TAX LEVY ON REAL AND
TANGIBLE PERSONAL PROPERTY, FRANCHISES, ALL
FOR THE GENERAL OPERATING EXPENSE PURPOSES
AND PROVIDING FOR A DUE DATE AND DISCOUNT ON
ALL TAXES, IF PAID ON OR BEFORE NOVEMBER 1, 2004
AND A PENALTY IF NOT PAID BY JANUARY 31, 2005.**

ORDINANCE NO. 0-2004-019

Commissioner Davis made the motion to adopt the Emergency Ordinance as presented and given its reading. Commissioner Carter

seconded the motion. Mayor Justice called for discussion there being none the ordinance was adopted by the following votes:

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

E. CITY MANAGERS REPORT

- 1. City Manager Donovan Blackburn presented and gave the 1st reading to an amended ordinance entitled as follows:**

**AN ORDINANCE RELATED TO THE AMENDMENT
OF THE NOISE ORDINANCE**

ORDINANCE NO. 04-0-016

This is a 1st reading no further action is required. The 2nd and final reading is scheduled for September 27th 2004.

- 2. Consider a request to appoint Ocelene Hall to serve as a member of the Pikeville/Pike County Tourism Commission. Commissioner Davis made the motion to approve. Commissioner Amos seconded the motion. Mayor Justice called for discussion, there being none the motion carried unanimously.**
- 3. Consider a request to set October 28th 2004 aside in observance of Halloween Trick-or-Treat night for the hours of 6 pm to 8 pm. Commissioner Amos made the motion to approve. Commissioner Amos seconded the motion. Mayor Justice called for discussion, there being none the motion carried unanimously.**
- 4. Consider a request for the adoption of a proclamation to observe and celebrate National Rehabilitation Awareness Week beginning the week of September 19th through September 25th 2004. Commissioner Carter made the motion to approve. Commissioner Amos seconded the motion. Mayor Justice called for discussion, there being none the motion carried unanimously.**
- 5. Consider a request for closed session for the purpose of discussion of legal and personnel issues. Commissioner Layne made the motion to approve. Commissioner Carter seconded the motion. Motion passed unanimously.**

6. Consider request to reconvene in regular session. Commissioner Layne made the motion to approve. Commissioner Carter seconded the motion. Motion passed unanimously.
7. Consider request to hire Robert Smith as the City Codes Enforcement/Environmental officer at the starting rate contingent upon passing required pre-employment test and to approve revised job description. Commissioner Layne made the motion to approve. Commissioner Amos seconded the motion. Mayor Justice called for discussion, there being none the motion carried unanimously.

CONSENT ITEMS VI:

- A. Kentucky State Senior Games – September 14 – 18 – Pikeville
- B. KLC Conference – October 6-9 – Owensboro. City Manager will attend.
- C. KCCMA Conference – October 16-20 – San Diego, CA. City Manager received a grant and will be attending.
- D. Traffic loops now installed and working on Hambley Blvd.
- E. Unite Pike meeting – East Ridge High School – October 21, 2004.
- F. Civil War Symposium – September 25th 9 am – 6 pm – County Extension Office
- G. Trash & Water Quality Control committee meeting Sept. 16th – 10 am at the Extension Office.
- H. Economic Development Committee Meeting at Chamber Sept 14th at 8 am.
- I. Team Pike County meets Sept. 29th at 10:00 am.

There being no further business to come before the Commission, Commissioner Davis made the motion to adjourn the meeting. Commissioner Carter seconded the motion. Mayor Frank Justice called for discussion, there being none the motion carried unanimously.

APPROVED:

FRANKLIN D. JUSTICE, II, MAYOR

ATTESTED:

REBECCA HAMILTON, CITY CLERK