
CITY OF PIKEVILLE

CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
October 26, 2009 at 6:00 PM

The Board of Commissioners for the City of Pikeville met in regular session on Monday, October 26, 2009. 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 roll call were as follows:

COMMISSIONER: JIMMY CARTER
 BARRY CHANEY
 DALLAS LAYNE
 EUGENE DAVIS

MAYOR: FRANKLIN D. JUSTICE, II

The minutes for the previous special meeting held on October 8, 2009 were in each commission member's agenda package. After review and no other additions or corrections, Commissioner Layne made the motion to approve the minutes as prepared. Commissioner Chaney seconded the motion. Mayor Justice called for discussion, there being none the Mayor called for the vote. The motion carried unanimously. 4-0.

A list of City Bills totaling \$42,732.58 was presented to the Commission for approval of payment. Commissioner Carter made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for discussion, there being none the Mayor called for the vote. The motion carried unanimously. 4-0.

Mayor Justice addressed the meeting attendees for business from the floor. Mrs. Davis a resident of Mt. Martha drive was present and requested the City to consider adding guard rails along Mt. Martha Drive/Jay Street area. Mrs. Davis stated when the streets are slick there is no support for vehicles traveling off the hill. Mrs. Davis had a 2nd request. The intersection on 4th Street and Scott Ave is dug up and goes across 4th Street and is terrible. Mrs. Davis stated not very good repair work and the City needed to fix. Mrs. Davis had a 3rd request to name the Pikeville Parking Garage Will C. York. The request was due to the property belonged to the family and Mr. York was born there and forced to sell the property to the City. Mrs. Davis had a final request that the intersection in the middle of town with two way traffic on 4th Street be repaired. Mayor Justice asked if that was all she had to bring before the commission. Mrs. Davis replied yes. Mayor Justice advised the City Manager would review the requests and take any action needed. Mayor Justice asked if any further business from floor there was none.

Melanie Stevens from Big Sandy Area Development District was present and reported the process meeting for the CDBG funds for \$1,000,000. Awarded for the Marion

Branch was ready to be schedule and a trip necessary to finalize the application. City Manager Donovan Blackburn stated he would be in contact with the ADD with dates next week. Mayor Justice called for further discussion, there was none.

City Engineer Jack Sykes presented the Commission with a pay request #8 in the amount of \$250,336.11 to Mountain Enterprises, Inc. and Change Order No. 3 for during excavation and pavement removal at the Fire Dept entrance, down spouts were found and rerouted to connect to the new storm sewer for a lump sum of \$2,700.00. Also a revision to the Fire Station parking has been requested of a recently installed fire hydrant at a lump sum of \$1,500.00 for the project on the Thompson Road Widening Project. Commissioner Chaney made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice asked Mr. Sykes the status of the project. Mr. Sykes stated the project is 40% complete and at this time there was no construction conflict or scheduling problems. City Manager Donovan Blackburn stated he had a scheduled meeting with the engineers on Wednesday morning to review the project. Mayor Justice called for discussion, there being none the Mayor called for the vote. Motion passed unanimously.4-0.

City Engineer Jack Sykes presented the commission with a request to authorize payment to Summit Engineering Inc invoice number 47134 in the amount of \$56,000.00 for the design of the US 23 Main Water Line replacement project. Commissioner Carter made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for discussion, there being none the motion passed unanimously. 4-0.

Paul Maynard, the Pikeville Public Safety Director for the Pikeville Police Department reported to the commission on the new 411 Tips line. The tip 411 is a web based tool that enables the public to text an anonymous tip that can be responded to by authorized personnel in your agency. The City is currently operating for the Pikeville High School and is available for the citizens. This would be a text directly into the 911 Center and would be available for the first response. Mayor Justice commented: this is directly to you. Mr. Maynard; Yes. Rusty Davis asked if the students where aware of the system and how to use the system. Mr. Maynard said the Pikeville Police Department had the DARE officer to visit the school and provide information to the students. Mayor Justice asked for additional comments, there where none.

City Attorney Rusty Davis presented a request for the Mayor to sign a extend or loan consent form for the Pikeville YMCA provision for the Community Trust Bank. Mayor Justice asked if this was for the basic area. Mr. Davis stated that if foreclosure of the loan occurred and they had to sell this would allow other than the YMCA to step into the lease. Commissioner Davis made the motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for comments, there being none the motion passed. 4-0.

City Manager Donovan Blackburn presented the following items to the commission for approval.

1. Consider approval of Off Site Assessment Agreement as submitted and authorize the Mayor to sign and execute. City Manager asked the commissioner to table the request but was not in favor of the agreement. The agreement from Meca Group, LLC that requested access to collect soil samples from under the surface of the city park and near the Pikeville Parking Garage. City Attorney Rusty Davis stated that the company wanted to test the soil from a gas station that was once located near the park. Mr. Davis advised that the city turn them down until they provide more specific information on what their plans for the area are. Mayor Justice stated he would be clear with them and they would not be digging the city park up. City Manager agreed with Mr. Davis, this item should be tabled until more information is provided. Mayor Justice called for further comments there being none the item was tabled.
2. Consider approval of Encroachment Agreement between the City of Pikeville and CSX Railroad as submitted and authorize the mayor to sign the agreement. To authorize application for facility utility installation to be submitted with the approval of the fee in the amount of \$3700.00. Commissioner Carter made the motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for comments, there being none the motion passed. 4-0.
3. Consider request to hire a new Technology Director contingent upon pre employment testing being completed and the pay scale per city pay chart. Jay Shepherd. Commissioner Carter made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for comments, there being none the motion passed unanimously. 4-0.
4. Consider request to approve a FEMA grant application for a fire safety trailer in the amount of \$95,435.00 for the 2009 Fire Prevention and Safety Grant. This grant is a 95/5 match. If awarded the grant will be in amount of \$90,663.00 and the city would be responsibility will be \$4,772.00. Commissioner Layne made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for comments there being none the motion passed unanimously. 4-0.

City Manager, Donovan Blackburn requested closed session to discuss legal, economic development and personnel issues. Commissioner Layne made the motion to approve. Commissioner Davis seconded. Mayor Justice called for discussion, there being none motion passed. 4-0.

Commissioner Carter made the motion to reconvene the meeting into regular session. Commissioner Layne seconded the motion. Mayor Justice called for discussion, there being none the motion passed. 4-0.

City Manager requested Summit Engineering to proceed with the US 23 Water Replacement Project and Mullins Sewer Project. The motion consisted of several authorizations to be approved:

- a. Authorize publication for bid on the US 23 Water Replacement project.
- b. Consider request to authorize design by Summit Engineering of Mullins Sewer Project estimated at 1.2 million for construction.
- c. Consider request to authorize publication of bid for the Mullins Sewer Project upon completion of design by Summit Engineering.
- d. Consider request to authorize solicitation of bond for both projects.
- e. Consider request to authorize City Manager approval to sign and execute any required paperwork to start bid, bond & permitting of both projects.

Commissioner Davis made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for comments, there being none the motion passed unanimously.4-0.

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 Justice called for discussion, there being none the Mayor called for the vote. The motion carried unanimously.

The next scheduled Regular Meeting of the City of Pikeville Board of Commissioners is November 9, 2009 at 6:00 p.m.

APPROVED:

FRANKLIN D. JUSTICE, II MAYOR

ATTESTED:

REBECCA HAMILTON, CITY CLERK