

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
NOVEMBER 12, 2007**

A regular meeting of the Board of Commissioners for the City of Pikeville was held on Monday, November 12, 2007. The meeting was conducted 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:	DALLAS LAYNE EUGENE W. DAVIS JAMES A. CARTER BARRY N. CHANEY
MAYOR:	FRANKLIN D. JUSTICE, II

AGENDA ITEM II. MINUTES

The minutes for the previous regular meeting of October 22, 2007 and special meeting held on November 9, 2007 were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Layne 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 during the call for Business from the Floor.

AGENDA ITEM IV. PAYMENT OF BILLS

A list of City Bills totaling \$786,090.36 and an addendum listing totaling \$29,624.78 was presented to the Commission for approval of payment. Commissioner Davis made the motion, seconded by Commissioner Carter to approve payment of the bill listings as requested. The motion carried unanimously.

AGENDA ITEM V. OLD BUSINESS

A. BIG SANDY AREA DEVELOPMENT DISTRICT: No report.

B. PIKEVILLE MAIN STREET PROGRAM: No report

C. CITY ENGINEER'S REPORT: City Manager Blackburn requested the Commission's approval for administrative settlements in the acquisition of property and easements for the widening of Thompson Road. The settlements provide for

acquisition of Parcel #7 for the amount of \$85,320.00 (appraisal amount was \$84,800) and Parcel #2 for the amount of \$2,831.00 (appraisal amount was \$500.00). Commissioner Carter made the motion to approve the administrative settlement offers, contingent upon Kentucky Transportation Cabinet approval, and authorize the Mayor to execute the necessary documentation. Commissioner Layne seconded the motion. The motion carried unanimously.

D. CITY ATTORNEY'S REPORTS: Russell H. Davis, Jr., city attorney, presented the following ordinances for first reading:

ORDINANCE AMENDING THE FISCAL BUDGET FOR THE 2007-2008 FISCAL YEAR

And

AN ORDINANCE EXEMPTING FROM PROPERTY TAXATION WITHIN THE CITY OF PIKEVILLE AIRCRAFTS NOT USED IN THE BUSINESS OF TRANSPORTING PERSONS OR PROPERTY FOR COMPENSATION OR HIRE PURSUANT TO KRS 132.030

The ordinances are on file in the office of the City Clerk for public inspection. Second reading is scheduled for November 26, 2007.

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

1. **City Hall (Pikeville Academy Building):** Presented for approval was an agreement between the City of Pikeville and the Kentucky Transportation Cabinet. The City Manager explained that ISTEAF funds (KYTC funds) were used in the renovation of the City Hall Facility. An easement agreement for the rehabilitation and maintenance of the building was executed at the time the funds were awarded. The Kentucky Transportation Cabinet contracted with the Kentucky Heritage Council to oversee and enforce the Preservation and Conservation Easement for the building. The contract between the two entities has expired. The city manager recommended approval of an assignment agreement for the Kentucky Transportation Cabinet to assume the enforcement of the easement. Commissioner Chaney made the motion to approve the assignment agreement and to authorize the Mayor to execute said agreement. Commissioner Carter seconded the motion. The motion carried unanimously.

2. **Mountain Water District:** The city of Pikeville provides sanitary sewer service for approximately 220 customers, specifically in the Cowpen area, who are provided water service by Mountain Water District. Delinquent accounts total over \$2,600.00. Presented for approval was an agreement whereby Mountain Water District, for a service fee, will disconnect water service; when the delinquency is satisfied, restore service; and will provide water readings on a monthly basis for a

fee of \$.50 per customer. Commissioner Chaney made the motion, seconded by Commissioner Davis to approve the agreement and to authorize the Mayor to execute said agreement. The motion carried unanimously.

3. Bulldozer: City Manager Blackburn advised that the engine in the city's bulldozer is beyond repair. Proposed is the lease of a bulldozer. UMG manager, Greg May, advised that warranty items will be covered under the lease agreement, however the city is responsible for periodic maintenance. Commissioner Layne made the motion to approve the lease agreement and to authorize the Mayor to execute said agreement. Commissioner Davis seconded the motion. The motion carried unanimously.

4. ByPass Road: Presented and read was the following resolution in support of the Chloe Creek Intersection Realignment and the ByPass rockfall mitigation:

RESOLUTION SUPPORTING THE SELECTION BY THE PIKEVILLE CITY COMMISSION FOR THE ALTERNATIVES TO THE CHLOE CREEK INTERSECTION REALIGNMENT AND THE BYPASS ROCKFALL AND TO ASK THE KENTUCKY TRANSPORTATION CABINET TO SUPPORT THE CITY OF PIKEVILLE SELECTION

WHEREAS, Kentucky Route 1426 is located in the City of Pikeville and is known and traveled as the Pikeville Bypass Road and Route 1460 is known and traveled as the Chloe Road.

WHEREAS, the City of Pikeville recognizes that Chloe Road and Bypass intersection carries over 11,000 cars through this intersection daily. The Bypass Road has several operational and safety concerns with major rockfalls. This creates a very dangerous situation for the over 240,000 people that consider the City of Pikeville their service area along with our school children who travel this route daily.

WHEREAS, the congestion in the dual intersections of Chloe Road and Huffman Avenue compounded with the Pikeville Elementary School and Summit Hills traffic creates major congestion and safety issue which has resulted in numerous delays and accidents. Many times the school is forced to start late delaying educational requirements. This is a burden on our community which puts the safety and education needs of our children first.

WHEREAS, the Pikeville Fire Station that is the primary safety mechanism that provides fire and EMT services for the City of Pikeville is located at the corner of Chloe – Bypass intersection. At times response to calls are delayed due to having to maneuver through the major congestion of this intersection.

WHEREAS, for the reasons mentioned above and after many meetings, debates and considerations, the Mayor and City Commissioners endorse Alternative

1 of KY 1426 Intersection realignment. Furthermore the Mayor and City Commissioners also endorse Alternative B of the KY 1426 Rockfall alternative. The commission feels the alternatives they have selected would be the most economical and reasonable ways to address the issues that exist.

NOW, THEREFORE, BE IT RESOLVED the City of Pikeville fully endorses the Alternatives they have selected, outlined and attached to this resolution and asks the Kentucky Department of Transportation to support this request of the Commission.

Commissioner Carter made the motion to adopt the resolution. Commissioner Chaney seconded the motion. The motion carried unanimously.

5. Bob Amos Park Concrete Trail: Two bids were received for the construction of the second phase of the concrete trail along Bob Amos Drive. The low bid was submitted by J & W Contracting in the amount of \$66.00/lf and \$2500.00/ea. for curb boxes. Commissioner Chaney made the motion to award the project to the low bidder, J & W Contracting. Commissioner Layne seconded the motion. The motion carried unanimously.

6. Vacation Policy: City Manager Blackburn recommended amending Chapter 3.3 of the Personnel Policy regarding the employees' option to sell back unused vacation time. Commissioner Chaney made the motion, seconded by Commissioner Layne to approve the policy amendment as requested. The motion carried unanimously.

7. Eagle Scouts: Proclamations acknowledging the achievement of the rank of eagle scouts by 5 young adults were presented for approval. Those honored were Billy Zoellers, Don Combs, II, Ryan Glass, Devon Allara, and William Hogg. Commissioner Davis made the motion, seconded by Commissioner Layne to approve the proclamations as presented. The motion carried unanimously.

8. Wage increase: Mayor Justice recommended a one time salary increase for all city employees in the amount of \$275.00. Commissioner Chaney made the motion to approve the one time salary increase as recommended by the Mayor. Commissioner Layne seconded the motion. The motion carried unanimously.

Mayor Justice requested a closed session for the purpose of discussing economic development and legal matters. Commissioner Davis made the motion, seconded by Commissioner Layne to adjourn to closed session for the purpose of discussing economic development and legal matters. The motion carried unanimously.

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

Commissioner Davis made the motion, seconded by Commissioner Layne to adjourn the meeting. The motion carried unanimously.

It was announced that a Special Meeting had been called at 7:00 p.m. this evening to discuss economic development matters with the Pikeville Medical Center Board. The meeting was scheduled to be held in the Pikeville Medical Center Conference Room.

The next regular meeting of the City of Pikeville Board of Commissioners is scheduled for November 26, 2007 at 6:00 p.m.

**APPROVED: _____
FRANKLIN D. JUSTICE, II, MAYOR**

ATTEST:

**_____
KAREN W. HARRIS, CITY CLERK**