

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
NOVEMBER 13, 2006**

The Board of Commissioners for the City of Pikeville met in regular session on Monday, November 13, 2006. 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:	DALLAS LAYNE EUGENE W. DAVIS JAMES A. CARTER
MAYOR:	FRANKLIN D. JUSTICE, II

Commissioner M. Shane Hall was absent.

AGENDA ITEM II. MINUTES

The minutes for the previous regular meeting of October 23, 2006 were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Davis made the motion, seconded by Commissioner Layne to approve the minutes as prepared. The motion carried 4 – 0.

AGENDA ITEM III. BUSINESS FROM THE FLOOR

Heritage Center Chairman, David Deskins, and curator, Everett Johnson appeared before the Commission to request permission to install two placards, detailing the personal and military life of James A. Garfield, in the downtown City Park. It was reported the placards were funded with a SEKTDA grant. The Commission consented to the request and directed the city manager to locate an appropriate location within the park to display the placards.

AGENDA ITEM IV. CITY BILLS

A list of City Bills totaling \$552,060.26 was presented to the Commission for approval of payment. City Manager Blackburn submitted an additional list of invoices to be considered for payment totaling \$25,709.15 along with an invoice from ABCO Security. All invoices presented for payment totaled \$586,221.29. Commissioner Davis made the motion, seconded by Commissioner Layne to approve payment of the invoices as requested. The motion carried 4 – 0.

AGENDA ITEM V. OLD BUSINESS

No reports from Big Sandy Area Development District; Pikeville Main Street Program; City Engineer's Office; nor City Attorney's Office.

E. Police Department Update: Police Chief James Adkins presented the graduates of Class 375 to the Commission. Officers Scotty Hamilton, Wesley Babcock, Charles Blankenship and Jeffrey Bailey graduated from the Richmond Police Academy on November 10, 2006. Each of the officers will continue their training by working with Field Training Officers for the next 16 weeks. Chief Adkins commended the new officers, stating, that as recruits, they earned a number of awards and represented the Pikeville Police Department well. Officer Scotty Hamilton earned the 110% Award, Coordinator's Award, and Performance Award. Officer Wesley Babcock was appointed the Squad Leader for Class 375. Officers Babcock, Blankenship and Hamilton each received the Fitness for Duty Award and participated in a flag ceremony each day.

Chief Adkins advised that the Police Department responded to 1300 calls during the month of October. He advised the Commission there will be a graduation ceremony on November 17th for dispatcher, Rhonda Hayton.

F. City Manager's Reports: Donovan Blackburn, city manager, advised that bids had been received for the purchase of three police vehicles. He asked to delay award of the bid until the next meeting to allow an opportunity to review the bids more closely.

City Manager Blackburn presented three resolutions, for the Commission's consideration, which approve entering into agreements for the use of grant funds and authorizing the Mayor's signature on the various Memorandums of Agreement. The resolutions were presented as follows:

RESOLUTION ON AGREEMENT TO ACCEPT MEMORANDUM OF AGREEMENT (MOA) WITH GOVERNORS OFFICE FOR LOCAL DEVELOPMENT FOR \$350,000 FOR COAL SEVERANCE FUND FOR MOSSY BOTTOM SEWER EXTENSION PROJECT TO CITY OF PIKEVILLE

WHEREAS, Pikeville City Commission agrees to authorize Frank Justice, Mayor of Pikeville to sign and execute the Memorandum of Agreement (MOA) with the Governors Office for Local Development for a coal severance grant for the amount of \$350,000.

WHEREAS, the grant will contribute to the funding for construction of additional service lines along with construction of a transmission line, reversing the flow of sewer from the Mossy Bottom-Coal Run area bringing it to the City of Pikeville to be treated.

WHEREAS, the construction of such line will allow a portable package sewer plant to be relocated in another section of Pike County saving the tax payers an estimated

\$1,000,000 while providing sewer to additional residents both in the Mossy Bottom, Coal Run, Pikeville area along with the residents where the portable package plant will be relocated to.

WHEREAS, after the construction of such line will also pave the way for the PRIDE on the River project. This project has the possibility of providing a line on US 23 toward the Harold KY area located in Floyd County. This will offer development along US 23 while providing much needed straight pipe sewer clean up to the waterways of the Big Sandy River.

WHEREAS, the City of Pikeville agrees to follow all requirements and regulations set forth by the Governors Office for Local Development (GOLD) for such GRANT.

NOW, THEREFORE BE IT RESOLVED that the Pikeville City Commission authorizes Mayor Frank Justice to sign and execute the MOA for the mentioned Coal Severance Funds already authorized by the Pike County Fiscal Court with the Governors Office for Local Development.

Commissioner Davis made the motion to adopt the resolution. Commissioner Carter seconded the motion. The motion carried 4 – 0.

RESOLUTION ON AGREEMENT TO ACCEPT MEMORANDUM OF AGREEMENT (MOA) WITH KENTUCKY TRANSPORTATION CABINET FOR \$100,000 WITH TEA-21 FUNDS FOR THE DEVELOPMENT OF A CITY BIKE TRAIL

WHEREAS, Pikeville City Commission agrees to authorize Frank Justice, Mayor of Pikeville, to sign and execute the Memorandum of Agreement (MOA) with the Kentucky Transportation Cabinet for a TEA-21 grant in the amount of \$100,000.

WHEREAS, the grant will contribute to the funding for construction of a Bike Trail located at Bob Amos Park.

WHEREAS, the construction of such trail will promote a better quality of life through the health and safety of the entire region and community. The trail will be located behind the walk track on the old cross country mining trail.

WHEREAS, the City of Pikeville agrees to follow all requirements and regulations set forth by the Kentucky Transportation Cabinet for such TEA-21 Grant.

NOW, THEREFORE, BE IT RESOLVED that the Pikeville City Commission authorizes Mayor Frank Justice to sign and execute the MOA for the mentioned TEA-21 grant funds for the purpose of construction of a bike trail in the City's Bob Amos Park area.

Commissioner Carter made the motion to adopt the resolution. Commissioner Layne seconded the motion. The motion carried 4 – 0.

RESOLUTION ON AGREEMENT TO ACCEPT MEMORANDUM OF AGREEMENT (MOA) WITH GOVERNORS OFFICE FOR LOCAL DEVELOPMENT FOR \$70,000 FOR COMMUNITY DEVELOPMENT GRANT FOR PURPOSE OF CONSTRUCTING A SIDEWALK UP THE BOB AMOS HILL TO THE PARK AREA

WHEREAS, the Pikeville City Commission agrees to authorize Frank Justice, Mayor of Pikeville to sign and execute the Memorandum of Agreement (MOA) with the Governors Office for Local Development for a Community Development Grant in the amount of \$70,000.

WHEREAS, the grant will contribute to the funding for the construction of a sidewalk going up to the Bob Amos Park starting at the bottom of the hill going as far as the funding will allow.

WHEREAS, providing such a sidewalk will provide safe transportation by pedestrians to the park area promoting safety, health and better quality of life for the entire community.

WHEREAS, the City of Pikeville agrees to follow all requirements and regulations set forth by the Governors Office for Local Development (GOLD) for such GRANT.

NOW, THEREFORE, BE IT RESOLVED that the Pikeville City Commission authorizes Mayor Frank Justice to sign and execute the MOA to secure mentioned funding for the Community Development Grant offered by the Governors Office for Local Development.

Commissioner Layne made the motion, seconded by Commissioner Carter to adopt the resolution. The motion carried 4 – 0.

Due to the Thanksgiving Holiday, City Manager Blackburn recommended that the November 27, 2006 City Commission Meeting be cancelled. Commissioner Davis made the motion, seconded by Commissioner Layne to cancel the November 27, 2006 City Commission Meeting. The motion carried 4 – 0.

Commissioner Carter made the motion to adopt a Proclamation acknowledging the accomplishments of the Pikeville Health Care Center. Commissioner Layne seconded the motion. The motion carried 4 – 0.

Commissioner Davis made the motion to adjourn to closed session for the purpose of discussing legal, economic development and personnel issues. Commissioner Carter seconded the motion. The motion carried 4 – 0.

Mayor Justice made the motion to reconvene to regular session. Commissioner Layne seconded the motion. The motion carried 4 – 0.

City Manager Blackburn made the recommendation to employ Jessica Johnson for the full-time position at the pond at the wage rate of \$8.00/hr. contingent upon satisfactory completion of all pre-employment testing. Commissioner Carter made the motion, seconded by Commissioner Layne to approve the City Manager’s recommendation. The motion carried 4 – 0.

Commissioner Layne made the motion to grant a \$275.00 one-time pay increase to all city employees. Commissioner Davis seconded the motion. The motion carried 4 – 0.

Commissioner Layne made the motion, seconded by Commissioner Carter to authorize the city attorney to file a petition against Pike County and the 2 individuals, who voted in the Buckley’s Creek Annexation Question during the November 7, 2006 General Election, demanding a recount of election ballots and to determine legality of votes; and petition for declaration of rights. The motion carried 3 – 0 – 1 with Commissioner Davis abstaining from the vote.

There being no further business to come before the Commission, Commissioner Davis made the motion to adjourn the meeting. Commissioner Layne seconded the motion. The motion carried 4 – 0. (Adjournment Time: 8:14 p.m.)

The next meeting of the Board of Commissioners of the City of Pikeville is December 11, 2006 at 6:00 p.m.

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

ATTEST:

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

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
NOVEMBER 13, 2006**

The Board of Commissioners for the City of Pikeville met in regular session on Monday, November 13, 2006. 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:	DALLAS LAYNE EUGENE W. DAVIS JAMES A. CARTER
MAYOR:	FRANKLIN D. JUSTICE, II

Commissioner M. Shane Hall was absent.

AGENDA ITEM II. MINUTES

The minutes for the previous regular meeting of October 23, 2006 were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Davis made the motion, seconded by Commissioner Layne to approve the minutes as prepared. The motion carried 4 – 0.

AGENDA ITEM III. BUSINESS FROM THE FLOOR

Heritage Center Chairman, David Deskins, and curator, Everett Johnson appeared before the Commission to request permission to install two placards, detailing the personal and military life of James A. Garfield, in the downtown City Park. It was reported the placards were funded with a SEKTDA grant. The Commission consented to the request and directed the city manager to locate an appropriate location within the park to display the placards.

AGENDA ITEM IV. CITY BILLS

A list of City Bills totaling \$552,060.26 was presented to the Commission for approval of payment. City Manager Blackburn submitted an additional list of invoices to be considered for payment totaling \$25,709.15 along with an invoice from ABCO Security. All invoices presented for payment totaled \$586,221.29. Commissioner Davis made the motion, seconded by Commissioner Layne to approve payment of the invoices as requested. The motion carried 4 – 0.

AGENDA ITEM V. OLD BUSINESS

No reports from Big Sandy Area Development District; Pikeville Main Street Program; City Engineer's Office; nor City Attorney's Office.

E. Police Department Update: Police Chief James Adkins presented the graduates of Class 375 to the Commission. Officers Scotty Hamilton, Wesley Babcock, Charles Blankenship and Jeffrey Bailey graduated from the Richmond Police Academy on November 10, 2006. Each of the officers will continue their training by working with Field Training Officers for the next 16 weeks. Chief Adkins commended the new officers, stating, that as recruits, they earned a number of awards and represented the Pikeville Police Department well. Officer Scotty Hamilton earned the 110% Award, Coordinator's Award, and Performance Award. Officer Wesley Babcock was appointed the Squad Leader for Class 375. Officers Babcock, Blankenship and Hamilton each received the Fitness for Duty Award and participated in a flag ceremony each day.

Chief Adkins advised that the Police Department responded to 1300 calls during the month of October. He advised the Commission there will be a graduation ceremony on November 17th for dispatcher, Rhonda Hayton.

F. City Manager's Reports: Donovan Blackburn, city manager, advised that bids had been received for the purchase of three police vehicles. He asked to delay award of the bid until the next meeting to allow an opportunity to review the bids more closely.

City Manager Blackburn presented three resolutions, for the Commission's consideration, which approve entering into agreements for the use of grant funds and authorizing the Mayor's signature on the various Memorandums of Agreement. The resolutions were presented as follows:

RESOLUTION ON AGREEMENT TO ACCEPT MEMORANDUM OF AGREEMENT (MOA) WITH GOVERNORS OFFICE FOR LOCAL DEVELOPMENT FOR \$350,000 FOR COAL SEVERANCE FUND FOR MOSSY BOTTOM SEWER EXTENSION PROJECT TO CITY OF PIKEVILLE

WHEREAS, Pikeville City Commission agrees to authorize Frank Justice, Mayor of Pikeville to sign and execute the Memorandum of Agreement (MOA) with the Governors Office for Local Development for a coal severance grant for the amount of \$350,000.

WHEREAS, the grant will contribute to the funding for construction of additional service lines along with construction of a transmission line, reversing the flow of sewer from the Mossy Bottom-Coal Run area bringing it to the City of Pikeville to be treated.

WHEREAS, the construction of such line will allow a portable package sewer plant to be relocated in another section of Pike County saving the tax payers an estimated

\$1,000,000 while providing sewer to additional residents both in the Mossy Bottom, Coal Run, Pikeville area along with the residents where the portable package plant will be relocated to.

WHEREAS, after the construction of such line will also pave the way for the PRIDE on the River project. This project has the possibility of providing a line on US 23 toward the Harold KY area located in Floyd County. This will offer development along US 23 while providing much needed straight pipe sewer clean up to the waterways of the Big Sandy River.

WHEREAS, the City of Pikeville agrees to follow all requirements and regulations set forth by the Governors Office for Local Development (GOLD) for such GRANT.

NOW, THEREFORE BE IT RESOLVED that the Pikeville City Commission authorizes Mayor Frank Justice to sign and execute the MOA for the mentioned Coal Severance Funds already authorized by the Pike County Fiscal Court with the Governors Office for Local Development.

Commissioner Davis made the motion to adopt the resolution. Commissioner Carter seconded the motion. The motion carried 4 – 0.

RESOLUTION ON AGREEMENT TO ACCEPT MEMORANDUM OF AGREEMENT (MOA) WITH KENTUCKY TRANSPORTATION CABINET FOR \$100,000 WITH TEA-21 FUNDS FOR THE DEVELOPMENT OF A CITY BIKE TRAIL

WHEREAS, Pikeville City Commission agrees to authorize Frank Justice, Mayor of Pikeville, to sign and execute the Memorandum of Agreement (MOA) with the Kentucky Transportation Cabinet for a TEA-21 grant in the amount of \$100,000.

WHEREAS, the grant will contribute to the funding for construction of a Bike Trail located at Bob Amos Park.

WHEREAS, the construction of such trail will promote a better quality of life through the health and safety of the entire region and community. The trail will be located behind the walk track on the old cross country mining trail.

WHEREAS, the City of Pikeville agrees to follow all requirements and regulations set forth by the Kentucky Transportation Cabinet for such TEA-21 Grant.

NOW, THEREFORE, BE IT RESOLVED that the Pikeville City Commission authorizes Mayor Frank Justice to sign and execute the MOA for the mentioned TEA-21 grant funds for the purpose of construction of a bike trail in the City's Bob Amos Park area.

Commissioner Carter made the motion to adopt the resolution. Commissioner Layne seconded the motion. The motion carried 4 – 0.

RESOLUTION ON AGREEMENT TO ACCEPT MEMORANDUM OF AGREEMENT (MOA) WITH GOVERNORS OFFICE FOR LOCAL DEVELOPMENT FOR \$70,000 FOR COMMUNITY DEVELOPMENT GRANT FOR PURPOSE OF CONSTRUCTING A SIDEWALK UP THE BOB AMOS HILL TO THE PARK AREA

WHEREAS, the Pikeville City Commission agrees to authorize Frank Justice, Mayor of Pikeville to sign and execute the Memorandum of Agreement (MOA) with the Governors Office for Local Development for a Community Development Grant in the amount of \$70,000.

WHEREAS, the grant will contribute to the funding for the construction of a sidewalk going up to the Bob Amos Park starting at the bottom of the hill going as far as the funding will allow.

WHEREAS, providing such a sidewalk will provide safe transportation by pedestrians to the park area promoting safety, health and better quality of life for the entire community.

WHEREAS, the City of Pikeville agrees to follow all requirements and regulations set forth by the Governors Office for Local Development (GOLD) for such GRANT.

NOW, THEREFORE, BE IT RESOLVED that the Pikeville City Commission authorizes Mayor Frank Justice to sign and execute the MOA to secure mentioned funding for the Community Development Grant offered by the Governors Office for Local Development.

Commissioner Layne made the motion, seconded by Commissioner Carter to adopt the resolution. The motion carried 4 – 0.

Due to the Thanksgiving Holiday, City Manager Blackburn recommended that the November 27, 2006 City Commission Meeting be cancelled. Commissioner Davis made the motion, seconded by Commissioner Layne to cancel the November 27, 2006 City Commission Meeting. The motion carried 4 – 0.

Commissioner Carter made the motion to adopt a Proclamation acknowledging the accomplishments of the Pikeville Health Care Center. Commissioner Layne seconded the motion. The motion carried 4 – 0.

Commissioner Davis made the motion to adjourn to closed session for the purpose of discussing legal, economic development and personnel issues. Commissioner Carter seconded the motion. The motion carried 4 – 0.

Mayor Justice made the motion to reconvene to regular session. Commissioner Layne seconded the motion. The motion carried 4 – 0.

City Manager Blackburn made the recommendation to employ Jessica Johnson for the full-time position at the pond at the wage rate of \$8.00/hr. contingent upon satisfactory completion of all pre-employment testing. Commissioner Carter made the motion, seconded by Commissioner Layne to approve the City Manager’s recommendation. The motion carried 4 – 0.

Commissioner Layne made the motion to grant a \$275.00 one-time pay increase to all city employees. Commissioner Davis seconded the motion. The motion carried 4 – 0.

Commissioner Layne made the motion, seconded by Commissioner Carter to authorize the city attorney to file a petition against Pike County and the 2 individuals, who voted in the Buckley’s Creek Annexation Question during the November 7, 2006 General Election, demanding a recount of election ballots and to determine legality of votes; and petition for declaration of rights. The motion carried 3 – 0 – 1 with Commissioner Davis abstaining from the vote.

There being no further business to come before the Commission, Commissioner Davis made the motion to adjourn the meeting. Commissioner Layne seconded the motion. The motion carried 4 – 0. (Adjournment Time: 8:14 p.m.)

The next meeting of the Board of Commissioners of the City of Pikeville is December 11, 2006 at 6:00 p.m.

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

ATTEST:

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