

**CITY OF PIKEVILLE  
BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
NOVEMBER 22, 2004**

The Board of Commissioners for the City of Pikeville met in regular session on Monday, November 22, 2004. 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:

<b>COMMISSIONER:</b>	<b>DALLAS LAYNE EUGENE W. DAVIS SHAWN A. AMOS JAMES A. CARTER</b>
<b>MAYOR:</b>	<b>FRANKLIN D. JUSTICE, II</b>

**AGENDA ITEM II. MINUTES**

The minutes for the previous regular meeting of November 8, 2004 were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Davis made the motion, seconded by Commissioner Amos 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 \$483,405.37 was presented to the Commission for approval of payment. There being sufficient funds available, Commissioner Carter made the motion, seconded by Commissioner Amos to approve payment of the City Bills as requested. The motion carried unanimously.

**AGENDA ITEM V. OLD BUSINESS**

**A. BIG SANDY AREA DEVELOPMENT DISTRICT:** Sandy Runyon, Director for the Big Sandy Area Development District, reported that all properties in Phase VI have been acquired. Three tenants remain to be relocated. Ms. Runyon advised that approximately \$300,000.00 remains in CDBG funds. The Commission authorized proceeding with preliminary work (title searches, surveys, and appraisals) for the first five buildings on Saad Avenue (from the Hambley Boulevard side). After the necessary data has been received, a request for a budget amendment will be submitted to the Governor's Office for Local Development.

Mayor Justice congratulated three police officers on their successful completion of the 16 week police officers' basic training program at Eastern Kentucky University. Officer Bruce Collins was the class valedictorian and received a total of 4 awards. Officer Jackie Baldrige was designated squad leader. Officer Michael Riddle received the Physical Fitness and Fit for Duty awards. Due to an injury, Officer David Atkins will graduate in mid January, 2005.

**B. PIKEVILLE MAIN STREET PROGRAM:** Melissa Staggs, director for the Pikeville Main Street Program, presented three invoices for approval of payment on behalf of American Electric Power. The invoices were as follows: Contract #1 - \$51,384.96; Contract #2 - \$28,187.71; and Contract #3 - \$98,839.32. Commissioner Amos made the motion, seconded by Commissioner Carter to approve payment of the invoices as approved by the Main Street Board. The motion carried unanimously.

**C. CITY ENGINEER'S REPORTS:** Charles Byers representing Summit Engineering, city engineers, presented a verbal status report for the following projects:

1. **Marions' Branch:** The proposed project, which involves the stabilization of approximately 900 feet of roadway on Marions' Branch, has been advertised for bids.

2. **Indian Hills Sewer Extension Project:** Notice to proceed was issued to the contractor, M & S General Contracting, on this date.

**D. CITY ATTORNEY'S REPORTS:** Russell H. Davis, Jr., City Attorney, presented the following ordinances for second reading:

1. **Ambulance Service Rates:** Presented and given second reading was an ordinance entitled as follows:

**ORDINANCE SETTING CITY OF PIKEVILLE AMBULANCE SERVICE BILLING RATES, ADOPTING AMBULANCE SERVICE UNCOLLECTIBLE ACCOUNTS GUIDELINES, POLICIES AND PROCEDURES**

Commissioner Davis made the motion to adopt the Ordinance as read. Commissioner Carter seconded the motion. The motion carried by the following votes:

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

2. Cedar Creek Zoning: Second reading was given to an ordinance captioned as follows:

**ORDINANCE AMENDING THE CITY OF PIKEVILLE'S ZONING MAP FOR PROPERTY ON CEDAR CREEK ALONG 1384 FROM PD-MU TO R-1**

Commissioner Layne made the motion to adopt the ordinance as presented. Commissioner Amos seconded the motion. The motion carried by the following votes:

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

3. Signs: Presented and given second reading was an ordinance entitled as follows:

**AN ORDINANCE RELATED TO THE AMENDMENT OF SECTION 156.147(C)(2) OF THE GENERAL SIGN REGULATIONS ORDINANCE PROHIBITING CERTAIN SIGNS WITHIN A SPECIFIC AREA OF THE CITY**

Commissioner Layne made the motion, seconded by Commissioner Davis to adopt the ordinance as presented. The motion carried by the following votes:

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

**E. CITY MANAGER'S REPORTS:** Donovan Blackburn, City Manager, presented a request to purchase a 2005 Impala from Bruce Walters Chevrolet in the amount of \$18,775.00. The vehicle will replace the Dodge Durango currently assigned to the City Manager and administrative staff. Commissioner Davis made the motion, seconded by Commissioner Amos to authorize the purchase as requested. The motion carried 4 – 0 (Commissioner Carter abstained from the vote).

**AGENDA ITEM VI.**

**NEW BUSINESS**

**A. BOARD APPOINTMENTS:** The City Manager advised of a vacancy on the Pikeville/Pike County/Elkhorn City Joint Planning Commission. The Commission postponed the appointment until the next meeting.

**B. HEARING OFFICER:** City Manager Blackburn recommended the appointment of Edward Atkins to serve as the administrative hearing officer. City Attorney Davis explained the hearing officer presides over disputes regarding parking violations and environmental/dilapidated housing violations. The City Attorney advised that Darrell Sammons had previously served as hearing officer. According to the City Attorney, Mr. Sammons has provided legal representation for individuals receiving such violations, and is therefore disqualified from carrying out duties associated with the hearing officer's position. Mr. Atkins has provided legal counsel to the city for other matters, and has agreed to assume the duties of hearing officer. Mr. Atkins is to be compensated at the same rate as billed for other legal services he has provided. Mayor Justice made the motion, seconded by Commissioner Layne to appoint Edward Atkins to the position of administrative hearing officer. The motion carried unanimously.

Mayor Justice made the motion to adjourn to closed session for the purpose of discussing a personnel matter. Commissioner Amos seconded the motion. The motion carried unanimously.

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

Fire Chief Hall and City Manager Blackburn recommended the promotion of Danny Hamilton from Lieutenant to Battalion Chief at a wage rate of \$10.189/hr.; Kenneth Greenhill to Lieutenant at the wage rate of \$9.11/hr.; and the employment of Roger Keene as Fire Fighter/EMT at the wage rate of \$6.96/hr. Mayor Justice made the motion to approve the personnel actions as recommended. Commissioner Amos seconded the motion. The motion carried unanimously.

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

Commissioner Carter commended Police Officers Ricky Younce and Woody Pruitt for their efforts toward the apprehension and prosecution of the individual suspected of burglarizing his home.

*News-Express* reporter, Rachel Stanley, announced that tickets are on sale for attendance at the Christmas Gala scheduled for December 3<sup>rd</sup> at 7:00 p.m. All ticket proceeds will benefit the American Cancer Society's Relay for Life.

There being no further business to come before the Commission, Commissioner Davis made the motion, seconded by Commissioner Amos to adjourn the meeting. The motion carried unanimously.

The next meeting scheduled for the Board of Commissioners for the City of Pikeville is December 13, 2004 at 6:00 p.m.

**APPROVED:** \_\_\_\_\_  
**FRANKLIN D. JUSTICE, II, MAYOR**

**ATTEST:**

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**KAREN W. HARRIS, CITY CLERK**