

MINUTES } CITY OF PIKEVILLE

CITY OF PIKEVILLE BOARD OF COMMISSIONERS REGULAR MEETING MINUTES SEPTEMBER 8, 2003 AT 6:00 P.M.

The Board of Commissioners for the City of Pikeville met in regular meeting on Monday, September 8, 2003 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: BUSINESS FROM THE FLOOR

- A. Commission was asked to consider adoption of a Proclamation celebrating September 2003 as national Alcohol and Drug Addiction Recovery Month in Pikeville and asked that the Mayor be authorized to sign the Proclamation. The Proclamation was read in its entirety. Commissioner Layne made the motion to adopt the proclamation. Commissioner Davis seconded the motion. Mayor Justice called for discussion, there being none the motion carried unanimously. 4-0
- B. Gerald Robinette of Appalachian Wireless addressed the commission regarding the placement of a tower on city's Thompson Road Property. The Commission did not grant authorization due to the commercial development of the area. The request was denied. No other action was taken.
- C. Doug Tackett addressed the commission regarding addition measures the county and city would be taking to address Homeland Security for Pike County. Doug extended the offer to work on various projects for both the city and the county. Mr. Tackett offered equipment and services the county had in order to share resources. The commission was appreciate and offered any assistance the city may give to help. The commission asked the City Manager to work closely with Mr. Tackett's department to address any concerns.
- D. Bill Baird addressed the commission regarding making Hambley Athletic Complex smoke free. The commission explained they would take it under advisement and make a decision at a later date. No further action was taken.
- E. Jeanette Elder addressed the commission regarding a zoning issue. Zoning issue are deferred to the Joint Planning commission. No action was recorded.

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1. The City Engineer, Jack Sykes gave the City Commission an update on the progress of the following projects. No action was taken.
 - a. Renaissance Area Utility Project – Phase II & Thacker sidewalk.
 - b. Renaissance area Utility Project – Phase III
 - c. Hambley Athletic Complex
 - d. Pikeville Parking Garage
 - e. Kentucky Avenue Project
2. Jack Sykes with Summit Engineering request approval from the city to approve the funding agreement for the South mayo Trail Drainage Project and to authorize the Mayor to sign the agreement. Commissioner Layne made the motion to approve. Commissioner Carter 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 first reading of the following Emergency Ordinance and asked for the commission to consider its adoption:

AN ORDINANCE FIXING A TAX LEVY ON REAL AND TANGIBLE PERSONAL PROPERTY, FRANCHISES, ALL FRO THE GENERAL OPERATING EXPENSE PURPOSES AND PROVIDING FOR A DUE RATE AND DISCOUNT ON ALL TAXES, IF PAID ON OR BEFORE NOVEMBER 1, 2003 , AND A PENALTY IF NOT PAID BY JANUARY 31, 2004

ORDINANCE NO. 0-2003-10

The tax rate was set at \$0.175 per \$100.00 of assessed value. City Attorney Davis commented that the rate has not been changed in several years.

Commissioner Davis made the motion to declare an emergency and adopt the Ordinance as presented and read. Commissioner Layne seconded the motion. Said emergency being that the property tax bills are now ready to be mailed and delay in main the property tax bills may cause a financial hardship upon the city of Pikeville. Mayor Justice called for discussion there being none the ordinance was adopted by the following votes:

COMMISSIONER: DALLAS LAYNE	YES
JAMES A. CARTER	YES

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SHAWN AMOS	YES
EUGENE W. DAVIS	YES

MAYOR:	FRANKLIN D. JUSTICE, II	YES
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2. City Attorney Russell Davis presented and gave the 2nd reading of an emergency ordinance entitled as follows:

EMERGENCY ORDINANCE SETTING SPEED LIMIT FOR
MT. MARTHA DRIVE, JAY STREET, AND POPLAR STREET
AT 15 M.P.H.

ORDINANCE NO. 0-2003-11

Mayor Justice made the motion to adopt the Ordinance as presented and given its second 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
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3. Utility Relocation Project – Phase III: Presented to the Commission for approval was a contract between Kentucky Power company and City of Pikeville to relocate the electric service from overhead to underground. City Attorney Davis reported that he had talked with Kentucky Power attorneys on several occasions over the past few weeks and they now have an agreement that is satisfactory to Kentucky Power Company and to the project's funding agency. The city attorney explained the final agreement did not change significantly from the first draft – a few redundancies were removed and the contract name was changed from American Electric Power to Kentucky Power Company. The contract fee is \$590,180.00. Commissioner Davis made the motion to authorize the Mayor to execute the contact with Kentucky Power Company to relocate their electrical services within the City of Pikeville's Renaissance area. Commissioner Carter seconded the motion. The motion carried unanimously.

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4. The city engineer reported that the contract with BellSouth has been executed. They are continuing negotiations with Tele-Media.

E. CITY MANAGERS REPORT

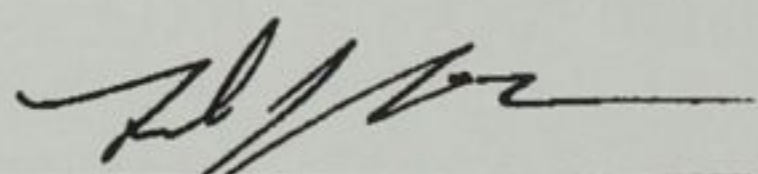
- A. City Manager had not business to report.

CONSENT ITEMS VI:

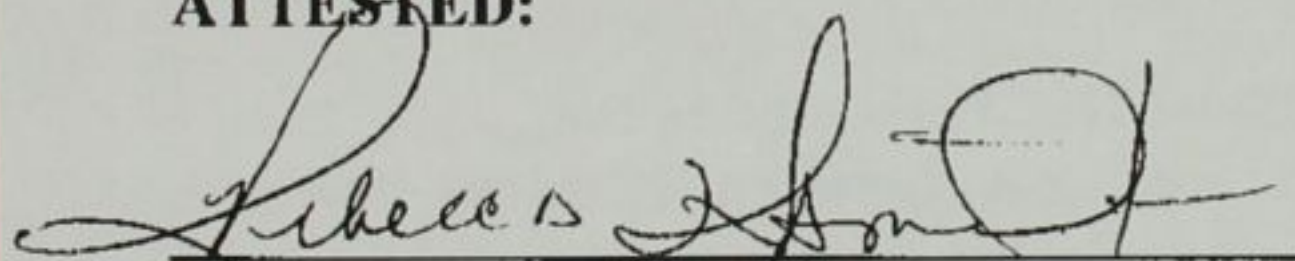
- A. Transit Schedule for downtown was presented.
B. Letter from DLG regarding Phase V Monitoring Visit was included in the commission packet for their review.
C. Emergency Shelter Report was included in the commission packet for their review.
D. City Manager will be on vacation from September 29th until October 3rd.

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

APPROVED:


FRANKLIN D. JUSTICE, II, MAYOR

ATTESTED:


KAREN HARRIS, CITY CLERK
Rebecca Hamilton 4/08