

MINUTES } CITY OF PIKEVILLE

CITY OF PIKEVILLE BOARD OF COMMISSIONERS REGULAR MEETING MINUTES September 22, 2003 AT 6:00 P.M.

The Board of Commissioners for the City of Pikeville met in a regular called session on Monday, September 22, 2003. The meeting was held in the City Hall Conference Meeting Room located at 118 College Street, Pikeville, Kentucky.

There being a quorum present, Mayor Franklin D. Justice called the meeting to order at: 6:00 p.m. Commission Members present at roll call were a follows:

COMMISSIONER: GENE DAVIS
SHAWN AMOS
DALLAS LAYNE
JIMMY CARTER

MAYOR: FRANKLIN D. JUSTICE, II

MINUTES

The minutes for the previous regular meeting held on August 25, 2003 were in each Commission Member's agenda package. There being no additions or corrections, Commissioner Layne made the motion to approve the minutes as prepared. Commissioner Davis seconded the motion. Mayor Frank Justice called for discussion, there being none the motion carried unanimously.

BUSINESS FROM FLOOR

A. Consider discussion concerning the Pike County Human Shelter. David Stratton comes before the commission to ask about the City of Pikeville leasing the land at the former skate park to the Human Society. He states that he has a petition with over 1,000 signatures requesting this location. Some commissioners express a concern with this location and the size of the lot, i.e. too much space for the building. There is also a discussion about whether the YMCA is using the skatepark and if not if that is legal issue for ending the contract. Mr. Stratton says the- contract with the Y is on a year to year basis and only for use as a skate park. Mayor Justice suggests the level below this area that is now a soccer field. Mr. Stratton sees some problems there, but will take it to the Shelter's board. It's decided that all parties (i.e. YMCA, Shelter and City) work together to work out the differences on the area. Consider a work session for this purpose on October 3, 2003 at noon. Commissioner Layne made the motion to approve. Commissioner Carter seconded the motion. Mayor Frank Justice called for discussion, there being none the motion carried unanimously.

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PAYMENT OF CITY BILLS

A. City Bills

1. Consider approval of payment of City Bills in the amount of \$425,279.92. Commissioner Layne made the motion to approve. Mayor Justice seconded the motion. Mayor Frank Justice called for discussion, there being none the motion carried unanimously.

B. Hambley Park Improvements

1. Consider approval of payment to Summit Engineering in the amount of \$1,250.00 for inspection services for the turf and bleacher replacement. Mayor Justice made the motion to approve. Commissioner Layne seconded the motion. Mayor Frank Justice called for discussion, there being none the motion carried unanimously.

C. Parking Garage Project

1. Consider approval of payment to Summit Engineering in the amount of \$7,937.50. Mayor Justice made the motion to approve. Commissioner Carter seconded the motion. Mayor Frank Justice called for discussion, there being none the motion carried unanimously.

OLD BUSINESS

A. Big Sandy Area Development District Reports: Sandy Runyon asks the commission to consider the following request:

1. Coal Development Fund Grant: Consider approval of two resolutions as presented concerning the \$174,000 CDF grant awarded for purchase of a generator for the water plant.

RESOLUTION OF THE CITY OF PIKEVILLE AUTHORIZING THE MAYOR TO SIGN AND SUBMIT REQUESTS FOR PAYMENT OF THE CITY OF PIKEVILLE WATER TREATMENT IMPROVEMENT PROJECT

Commissioner Layne made the motion to approve the resolutions and to authorize the Mayor to execute by signing. Commissioner Davis seconded the motion. Mayor Frank Justice called for discussion, there being none the motion carried unanimously.

2. Consider approval to give a letter saying that the City of Pikeville will be responsible if there is an over run for Phase VI. Commissioner Layne made the motion to approve. Mayor Justice seconded the motion. Mayor

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Frank Justice called for discussion, there being none the motion carried unanimously.

B. Pikeville Redevelopment Project Reports: asks the commission to consider the following requests:

1. Consider discussion about Phase V with Will Lender. Mr. Lender updates the following:

A. Mr. Lender reports that all families 90 day time line to vacate the houses will be up on October 20, 2003. They are ready to demolish those last 2 houses that date.

B. Mr. Lender asked the commission to consider a resolution for payment of fair market value of \$73,700 for house as listed on the resolution located on Sadd Ave. and to authorize the mayor to sign to execute the resolution.

ORDER OF THE CITY OF PIKEVILLE APPROVING THE DETERMINATION OF JUST COMPENSATION FOR ACQUISITION OF PROPERTY IN THE PIKEVILLE PHASE V TARGET OF PIKEVILLE, KENTUCKY

Mayor Justice made the motion to approve. Commissioner Layne seconded the motion. Mayor Frank Justice called for discussion, there being none the motion carried unanimously.

C. Consider approval of payment in the amount of \$9,000.00 to be held until the close of Phase I. Mayor Justice made the motion to approve. Commissioner Davis seconded the motion. Mayor Frank Justice called for discussion, there being none the motion carried unanimously.

D. Consider approval of payment in the amount of \$20,000.00 to Summit Engineer for inspections completed on Phase V. Mayor Justice made the motion to approve. Commissioner Carter seconded the motion. Mayor Frank Justice called for discussion, there being none the motion carried unanimously.

C. Pikeville Main Street Program Reports: Serena Stiltner representing Main Street asks the commission to consider the following request:

1. Consider approval of payment to Summit Engineering in the amount of \$2,870.00 for Phase II engineering services. Mayor Justice made the motion to approve. Commissioner Amos seconded the motion. Mayor

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Frank Justice called for discussion, there being none the motion carried unanimously.

2. Consider approval of bids for Renaissance for Streetscape project in the amount of \$161,128.60. Mayor Justice made the motion to approve. Commissioner Amos seconded the motion. Mayor Frank Justice called for discussion, there being none the motion carried unanimously.

3. Update on Senior Games: She reports that there were 370 participants and everyone was well pleased. The event was outstanding.

D. City's Engineer's Reports: Engineers informs the commission on the following:

1. Renaissance Area Utility Project – Phase II update; nothing to report
2. Renaissance Area Utility Project – Phase III update; Consider working out an agreement of with the Masonic Lodge for an easement for underground utilities. They need 2 permanent spaces removed and are proposing to give them 3 from the city's parking lot behind the Masonic building and do the over-lay of their parking lot. Commissioner Layne made the motion to approve. Commissioner Amos seconded the motion. Mayor Frank Justice called for discussion, there being none the motion carried unanimously.
3. Hambley Athletic Project updates; Consider accepting a set of stairs for the bleachers and an access to the press box. Mayor Justice made the motion to approve. Commissioner Davis seconded the motion. Mayor Frank Justice called for discussion there being none the motion carried unanimously. Summit stated the City can take out one ramp if desired.
4. Parking Garage updates; Tele-media has some lines that need to be temporarily relocated until the underground work is completed. They want to put up temporary poles in city park. Will look at the situation and try to find another solution.
5. Kentucky Ave. Project updates; nothing to report
6. South Mayo Trail Drainage Project updates; Consider change order for pourable fill, drain relocation at Speedway and differences of concrete and aluminum pipes. Commissioner Carter made the motion to approve as requested excluding the pipe change. Mayor Justice seconded the motion. Mayor Frank Justice called for discussion, there being none the motion carried unanimously.
7. Consider a proposal for the pedestrian way through the park. There is about \$456,000.00 left in the parking garage fund. He suggests that the money be used for the walk way from the garage through the park to the Expo center. It will require some utility movement and other work in the park. He suggests a \$385,000 for the project. Consider a change order for a payment of \$31,000.00 for

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design phase of pedestrian walk way. Commissioner Carter made the motion to approve. Commissioner Davis seconded the motion. Mayor Frank Justice called for discussion, there being none the motion carried unanimously.

8. Consider approval for Lowe's to build lumber shed to accommodate for the change in the relocation of the entrances to their lot off of Thompson's road. Mayor Justice made the motion to approve. Commissioner Carter seconded the motion. Mayor Frank Justice called for discussion, there being none the motion carried unanimously.

E. City Attorney's Reports: City Attorney Rusty Davis asks the commission to consider the following request:

1. City Attorney Russell Davis read and asked for the adoption of the following emergency ordinance:

**SUMMARY ORDINANCE PERTAINING TO COST RECOVERY
FOR RESPONSE TO HAZARDOUS MATERIALS OR LEASES IN
THE CITY OF PIKEVILLE, LIEN CREATION, SEIZURES,
IMPOUNDMENT AND RESPONSE STANDARDS FOR RELEASE
OR THREATENED RELEASE OF HAZARDOUS MATERIALS
WITHIN THE GEORGRAPHICAL BOUNDARIES OF THE CITY
OF PIKEVILLE**

Commissioner Carter made the motion to adopt the emergency ordinance. Commissioner Davis seconded the motion. Mayor Frank Justice called for discussion, there being none Justice called for a roll call vote. The motion passed by the following vote.

Upon roll call, the votes were as follows:

	YES	NO
COMMISSIONER EUGENE DAVIS	<u>X</u>	—
COMMISSIONER SHAWN AMOS	<u>X</u>	—
COMMISSIONER DALLAS LAYNE	<u>X</u>	—
COMMISSIONER JIMMY CARTER	<u>X</u>	—
MAYOR FRANK JUSTICE II	<u>X</u>	—

F. City Manager's Reports: City Manager Kenny Blackburn asks the commission to consider the follow request:

1. Consider setting time and date for observance of Halloween Trick-or-Treat. It is set for Thursday, October 30th from 6-8. Commissioner Carter made the motion to approve. Commissioner

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Layne seconded the motion. Mayor Frank Justice called for discussion, there being none the motion carried unanimously.

2. Consider request from Pikeville Community Action Committee for a work session on October 13 at 5pm. Mayor request the City Manager to set the work session up as requested.

3. Consider discussion concerning Police Department promotions. Mr. Blackburn says there's enough money to pay for the positions. No action was taken at this time.

4. The resignation from the city landscaper was presented. Commission decides to wait until after the first of the year to rehire the position.

CONSENT ITEMS:

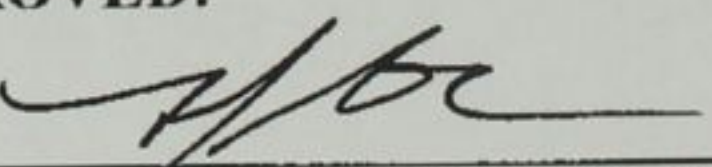
A. Martin County Prison Dedication Ceremony – October 6, 2003 at 10:00

B. City Manager will be on vacation from September 29th through October 3rd.

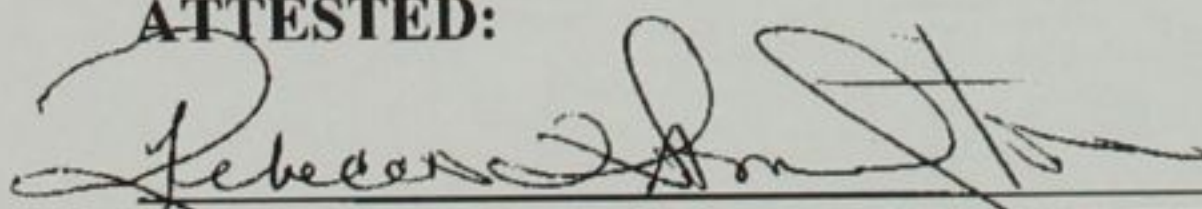
There being no further business to come before the Commission, Commissioner David made the motion to adjourn the meeting. Commissioner Carter seconded the motion. Mayor Frank Justice called for discussion, there being none the meeting was adjourned.

The next scheduled Regular Meeting of the City of Pikeville Board of Commissioners is October 6, 2003 at 6:00 p.m.

APPROVED:


FRANKLIN D. JUSTICE, II, MAYOR

ATTESTED:


REBECCA HAMILTON, CITY CLERK
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