

**CITY OF PIKEVILLE  
BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
October 24, 2011 AT 6:00 P.M.**

**The Board of Commissioners for the City of Pikeville met in a regular called session on Monday, October 24, 2011. The meeting was held in the City Hall Conference Meeting Room located at 118 College Street, Pikeville, Kentucky.**

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

**COMMISSIONER:            GENE DAVIS  
                                     BARRY CHANEY  
                                     DALLAS LAYNE  
                                     JIMMY CARTER**

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

**MINUTES**

**The minutes for the previous regular meeting held on October 10, 2011 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 Chaney seconded the motion. Mayor Frank Justice called for discussion, there being none the motion carried unanimously. 5-0.**

**BUSINESS FROM THE FLOOR**

**Consider a request to adopt a Proclamation naming November 15<sup>th</sup> 2011 as National Recycling Day in the City of Pikeville KY. Commissioner Davis made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for comments. Ms. Kelly Scott, a Biology teacher from Pikeville High School, was in attendance along with a few students from her class. Ms. Scott is also the director of the Pride program and was there to support the America Recycling Day. On that day, her students will be at Velocity, Food City and Walmart between the hours of 4pm and 6pm trying to educate people on the benefits of recycling. Mayor called for further discussion, there being none the motion passed unanimously. 5-0. City Manager asked Judge Wayne T. Rutherford if he would like to make any comments. Judge Rutherford said that he would like to thank the city and all the cooperating that we do. He says we work well together, recycling is something that**

**keeps it out of our landfill. Judge Rutherford thanked everyone for their efforts in this project.**

## PROCLAMATION

**by the Mayor of the City of Pikeville, KY & the County Judge Executive of Pike County, KY establishing November 15, 2011 as America Recycles Day**

**Whereas**, the City of Pikeville & County of Pike, KY recognizes the importance of protecting and preserving our natural resources and adopting conscientious habits that will improve our daily lives and bring about a cleaner, safer, and more sustainable environment; and

**Whereas**, although there has been an increase in the amount of recycling in City of Pikeville & Pike County Kentucky to date, we must also continue to focus on other initiatives for recycled products; and

**Whereas**, by encouraging businesses, state agencies, nonprofit organizations, schools and individuals to celebrate America Recycles Day 2011, we can further promote recycling as an environmentally efficient and economically smart habit; and

**Whereas**, state and community leaders can help encourage recycling by informing citizens about local recycling options, they can also help foster greater awareness of the need to expand collections programs by promoting the benefits of recycling investments for businesses; and

**Whereas**, it is important that all City of Pikeville & Pike County KY citizens become involved in recycling activities and learn more about the many recycled and recyclable products available to them as consumers; it is also fitting for the City of Pikeville & Pike County KY to celebrate the 2011 America Recycles Day theme: Recycling: Making it Second Nature;" in acting upon this theme, we help ensure an improved quality of life for present and future generations;

Now, therefore be it resolved, that the Pike County Judge Executive Wayne T. Rutherford and Mayor of Pikeville KY, Frank Justice does hereby recognize November 15, 2011 as **America Recycles Day in the City of Pikeville & Pike County KY.**

Adopted this 24<sup>th</sup> day of October, 2011.

\_\_\_\_\_  
Frank Justice II,  
Mayor

\_\_\_\_\_  
Wayne T. Rutherford  
Pike County Judge Executive

ATTESTED:

\_\_\_\_\_  
CHRISTY BILLITER, CITY CLERK

October 24, 2011 Regular Meeting

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**PAYMENT OF CITY BILLS**

**The City Manager Donovan Blackburn requested the approval to pay city bills in the amount of \$210,456.05. Commissioner Davis made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for further discussion, there being none, motion passed unanimously. 5-0.**

**BIG SANDY AREA DEVELOPMENT DISTRICT**

**Brandon Montgomery was present for the Big Sandy Area Development. Mr. Montgomery had no updates for the commission.**

**CITY ENGINEER**

**Jody Hunt was present with Summit Engineering, Inc. and submitted several requests to the commission for approval.**

**1. Consider a request to approve and authorize payment for pay request #3 to H2O Construction Inc. for \$73,087.20 as submitted for the US23 Sanitary Sewer Project, Phase 2 and authorize the mayor to sign and execute said pay request. Commissioner Chaney made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for comments, there being none the motion passed unanimously. 5-0.**

**2. Consider request to authorize and approve payment for invoice #59189 to Summit Engineering for \$6,789.25 as submitted for the US23 Phase 2 Sewer Project and authorize the mayor to sign and execute said pay request. Commissioner Chaney made the motion to approve. Commissioner Davis seconded. Mayor Justice called for comments there being none the motion passed unanimously. 5-0.**

**3. Consider request to authorize payment and approve the payment for invoice #468403 to S&ME for \$382.50 as submitted for the Texas Roadhouse Development Project and authorize the mayor to sign and execute said pay request. Commissioner Chaney made the motion to approve. Commissioner Layne seconded. Mayor called for comments, there being none the motion passed unanimously. 5-0.**

**CITY ATTORNEY**

**Russell Davis was present and had one item to read into record.**

- 1. Consider a request of a 1<sup>st</sup> reading of an ordinance #0-2011-033 naming certain unnamed street in the city of Pikeville at Winston Drive, Cottonwood Court, and Redbud Lane. No further action is required at this time. The second reading will take place at the next regular scheduled meeting.**

**CITY MANAGER**

**City Manager Donovan Blackburn presented the commission with the following items for approval:**

- 1. Consider request to accept and approve all terms and conditions set forth there in the submitted Grant Award and Agreement between the US Department of Transportation and the City of Pikeville for the Small Community Commercial Air Service Grant for \$750,000 and to authorize the Mayor to sign and execute said agreement along with any additional paperwork necessary to execute. Commissioner Davis made the motion to adopt. Commissioner Chaney seconded the motion. Mayor called for further comments, there being none, motion passed unanimously. 5-0.**
- 2. Consider a request to accept and approve all terms and conditions set forth there in the submitted request and Agreement between the Kentucky Division of Waste Management for the Anti-Litter Control Program Grant Funding and to authorize the Mayor to sign and execute said agreement along with any additional paperwork necessary to execute. Commissioner Carter made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for further comments, there being none the motion passed. 5-0.**
- 3. Consider a request to authorize a variance as approved through the BZA for Benny Thacker's to place a mobile home on Marion's Branch. Commissioner Carter made the motion. Commissioner Layne seconded the motion. Mayor Justice called for comments, there being none the motion passed unanimously. 5-0.**
- 4. Consider a request to approve a Memorandum of Agreement (MOA) between the City of Pikeville and the Department of Local Government as submitted for the receipt for funding for Coal Severance project A361 for \$125,000 and authorize the Mayor to sign and authorize the MOA. Commissioner Layne made the motion to approve. Commissioner Davis**

- seconded the motion. Mayor Justice called for comments, there being none the motion passed unanimously. 5-0.
5. Consider a request to award the city utility relocation project bid to H2O Construction Company (who was the only bidder) for the amount of \$53,000 and to authorize the notice to proceed immediately. Commissioner Chaney made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for comments, there being none the motion passed unanimously. 5-0.
  6. Consider a request to adopt a Proclamation naming November 15<sup>th</sup> 2011 as National Recycling Day in the City of Pikeville, KY. Commissioner made the motion to approve. – BUSINESS FROM THE FLOOR
  7. Consider a request to hire Kristy Hatfield for the position of 911 Dispatcher, at the starting rate and Shonna Thacker as Billing Clerk at the starting rate contingent upon passing all required pre-employment tests for said position. Commissioner Chaney made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for comments, there being none, the motion passed unanimously. 5-0.
  8. Consider a request for an emergency purchase for a Emergency filtration system to be used for the massive odor sewer problem that exist at the Chevron Lift Station in Coal Run. The request is to approve a cost not to exceed \$40,000 for the purchase of the system. This is contingent upon by the recommendation of a UMG representative stating that the current testing of this system, that is currently temporarily in place, will indeed work to address the odor issue. Commissioner Chaney made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for comments, there being none, the motion passed unanimously. 5-0.

City Manager announces the consent items for the Commission to hear. Mayor Justice then asked Steve St. John, "What is going on at the Expo?" Mr. St. John responds that Disney on Ice was phenomenal; however Darius was not so much. He also adds that Lady Antebellum has already sold more than Darius, most of the lower level is gone. Mayor asked, "Do we have bull riding, motorcycling, or trucks coming in?" Mr. St. John says we are working on one.

9. Pursuant to KRS 61.810, consider request for closed session for discussion of economic development, legal and personnel issues. Commissioner Davis made the motion. Commissioner Chaney seconded the motion. Mayor Justice called for discussion, there being none the motion passed unanimously. 5-0.
10. Commissioner Layne made the motion to re convene. Commissioner Chaney seconded the motion. Mayor Justice called for discussion, there being none the motion passed unanimously. 5-0. Mayor called the session back into order.



11. There being no further business to come before the Commission, Commissioner Davis has made the motion to adjourn the meeting. Commissioner Layne seconded the motion. Mayor Justice called for discussion, there being none the meeting was adjourned. 5-0

**CONSENT ITEMS:**


**Nightmare on Main Event**

**Halloween & Trick or Treat on October 31<sup>st</sup> 2011**

**Congratulations to Commissioner Dallas Layne named Kiwanian of the year.**

**The next scheduled Regular Meeting of the City of Pikeville Board of Commissioners is November 14, 2011 at 6:00 p.m.**

**APPROVED:**

  
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**FRANKLIN D. JUSTICE, II, MAYOR**

**ATTESTED:**

  
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**CHRISTY BILLITER, CITY CLERK**

