

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
November 28, 2011 AT 6:00 P.M.**

The Board of Commissioners for the City of Pikeville met in a regular called session on Monday, November 28, 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 special meeting held on November 14, 2011 were in each Commission Member's agenda package. There being no additions or corrections, Commissioner Chaney made the motion to approve the minutes as prepared. Commissioner Layne seconded the motion. Mayor Frank Justice called for discussion, there being none, the motion carried unanimously. 5-0.

Also, the minutes for the previous regular meeting held on November 14, 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.

PAYMENT OF CITY BILLS

The City Manager Donovan Blackburn requested the approval to pay city bills in the amount of \$292,741.88. Commissioner Layne made the motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for further discussion, there being none, motion passed unanimously. 5-0.

CITY ATTORNEY

Russell Davis was present and had three items to read into record.

- 1. Consider a 2nd reading and adoption of an ordinance #0-2011-035 amending the Fiscal 2010-2011 City Operating budget. Commissioner Layne made a motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for comments, there being none, Mayor called roll call. Motion passed. 5-0.**

ORDINANCE AMENDING THE FISCAL BUDGET FOR THE 2010-2011 FISCAL YEAR

ORDINANCE NO. 0-2011-035

WHEREAS, certain additional information has come to the attention of the Finance Department which necessitates the amendment of the 2010-2011 fiscal year budget to reflect certain increases and decreases to revenues and expenditures.

NOW, THEREFORE be it ordained by the City of Pikeville that the fiscal budget for the 2010-2011 fiscal year is hereby amended to reflect an increase and or decrease of revenues and /or expenditures as reflected in the attached exhibit entitled "Budget Amendments".

The above ordinance was give first reading on November 14th, 2011.

The ordinance was given second reading on _____. The ordinance shall be in full force and effect immediately after it is passed and published as required by law.

Passed, this ____ day of _____, 2011.

Commissioner _____ moved the adoption of the foregoing ordinance. Commissioner _____ seconded the motion.

Upon roll call, the votes were as follows:

	<u>YES</u>	<u>NO</u>
FRANKLIN D. JUSTICE, II MAYOR	_____	_____
JAMES A. CARTER, COMMISSIONER	_____	_____
EUGENE W. DAVIS, COMMISSIONER	_____	_____
DALLAS LAYNE, COMMISSIONER	_____	_____
BARRY N. CHANEY, COMMISSIONER	_____	_____

The Mayor declared the within Ordinance adopted.

FRANKLIN D. JUSTICE, II, MAYOR

ATTEST:

CHRISTY BILLITER, CITY CLERK

- 2. Consider a 2nd reading and adoption of an ordinance #0-2011-034 adopting the 2011 supplement to the City of Pikeville Code of Ordinances. Commissioner Davis made a motion to approve.**

Commissioner Carter seconded the motion. Mayor Justice called for comments, there being none, Mayor called roll call. Motion passed. 5-0.

ORDINANCE ADOPTING THE 2011 SUPPLEMENT TO THE CITY OF PIKEVILLE CODE OF ORDINANCES

Ordinance #: 0-2011-034

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio has completed the S-23 supplement to the Code of Ordinances of the City of Pikeville, which supplement contains all ordinances of a general nature enacted since the prior supplement to said Code; and

WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of sections of the Code of Ordinances based upon duly enacted or amended ordinances by the City of Pikeville or section of the Kentucky Revised Statutes; and

WHEREAS, it is the intent of the Commission to accept these updated and revised section in accordance with the changes of the ordinances by the City of Pikeville or section of the Kentucky Revised Statutes;

NOW, THEREFORE, BE IT ORDAINED by the City of Pikeville as follows:

SECTION 1: That the S-23 supplement of the Code of Ordinances of the City of Pikeville, KY as submitted by American Legal Publishing Corporation of Cincinnati, Ohio and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.

SECTION 2: The ordinance shall be in full force and effect after it is passed and published as required by law.

The above ordinance was given first reading this ____ day of _____, 2011, the ordinance was given a second reading on the ____ day of _____, 2011.

Passed this ____ day of _____, 2011.

Commissioner _____ moved for the adoption of the forgoing ordinance.

Commissioner _____ seconded the motion.

Upon roll call, the votes were as follows:

	Yes	No
FRANK JUSTICE, MAYOR	_____	_____
GENE DAVIS, COMMISSIONER	_____	_____
DALLAS LAYNE, COMMISSIONER	_____	_____
JIMMY CARTER, COMMISSIONER	_____	_____
BARRY CHANEY, COMMISSIONER	_____	_____

The Mayor declared the within ordinance adopted.

FRANKLIN D. JUSTICE, II MAYOR

ATTEST:

CHRISTY BILLITER, CITY CLERK

- 3. Consider a 1st reading of an ordinance for the closure of a portion of Sycamore Street and to authorize the Mayor to sign and execute said resolution. No further action is required at this time. The second reading will take place at the next regular scheduled meeting. Commissioner Davis had a question. He wanted to know if anyone was living in that area. City Manager Donovan Blackburn replied that there is no one within the fines of the area.

CITY MANAGER

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

- 1. Consider a request per the terms of the contract dated September 1st 2011 as submitted between the City of Pikeville and the Jenny Wiley Drama Association that under section (A) paragraph (5) permits the extension of terms for an additional 6 months as permitted and permitted and described under this section and paragraph allowing the construction start date of the new Regional Professional Theater Building to take place no later than July 1 2012 and to authorize the mayor to sign and execute an agreement agreeing to this extension of term. Commissioner Davis made the motion to adopt. Commissioner Carter seconded the motion. Mayor called for further comments, there being none, motion passed unanimously. 5-0.
- 2. Consider a request to adopt a resolution amending the Pike TV By-laws as submitted and to authorize the Mayor to sign and execute said resolution. Commissioner Chaney made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for further comments, there being none the motion passed. 5-0.

JOINT RESOLUTION AMENDING THE BY-LAWS OF PIKE-TV

City of Pikeville Minutes

Resolution # _____

WHEREAS, it is the will of the Pike County Fiscal Court (herein after referred to as "County") and the City of Pikeville Commission(herein after referred to as "City") to amend the attached By-laws of the Government Television Channel (hereinafter referred to as "PikeTV") that is broadcasted and services all of Pike County.

WHEREAS, through the adoption of this resolution the City endorses and adopts the following document, which is attached hereto and incorporated by reference:

- 1. the By-Laws for PikeTV dated November 28th 2011;

WHEREAS, through the adoption of this resolution the above-mentioned By-Laws shall only be amended by a jointly passed resolution by both the City and the County government.

WHEREAS, if so adopted it is the will of the County and City Government that the County Judge and Mayor both initial the attached By-Laws in the space provided to verify their authenticity as the adopted By-laws.

NOW, THEREFORE, BE IT RESOLVED the City of Pikeville fully supports and approves this joint action and all content set forth herein and as attached.

Passed this _____ day of _____, 2011.

Commissioner _____ moved for the adoption of the foregoing resolution.

Commissioner _____ seconded the motion.

Upon roll call, the votes were as follows:

	<u>YES</u>	<u>NO</u>
FRANK JUSTICE, MAYOR	_____	_____
GENE DAVIS, COMMISSIONER	_____	_____
DALLAS LAYNE, COMMISSIONER	_____	_____
JIMMY CARTER, COMMISSIONER	_____	_____
BARRY CHANEY, COMMISSIONER	_____	_____

The Pikeville City Mayor declared the within resolution adopted.

FRANK JUSTICE,
MAYOR

ATTESTED:

REBECCA HAMILTON, CITY CLERK

3. Consider a request to reappoint the following names to the Historic Preservation Board:
Lloyd Childress whose new term will expire on 11-26-15
Tivis Branham whose new term will expire on 11-26-15
 Commissioner Davis made the motion. Commissioner Carter seconded the motion. Mayor Justice called for comments, there being none the motion passed unanimously. 5-0.
4. Consider a request to amend Chapter 3.3 of the City Personnel Policy as submitted. Commissioner Carter made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for comments, there being none, the motion passed unanimously. 5-0.
5. Consider a request to approve all terms and conditions set forth in the submitted contract between the City of Pikeville and Munitrax for the purpose of online tax payment services and to authorize the mayor to sign and execute said contract. 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 award the bid for an Ambulance for the City of Pikeville to Life Star (who was the only bidder) for \$74,680.00, to authorize payment and the city manager to sign any and all paperwork necessary to transfer said vehicle into the City of Pikeville name (item is in the city capital budget). Commissioner Davis made the motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for comments, there being none, the motion passed unanimously. 5-0.
7. Consider a request to cancel the December 26th 2011 Regular Commission Meeting. Commissioner Davis made a motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for comments, there being none, the motion passed unanimously. 5-0.
8. 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 Layne seconded the motion. Mayor Justice called for discussion, there being none, the motion passed unanimously. 5-0.
9. 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.
10. 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:

December 4th Landua Murphy Event at the Expo Center

City Employee Christmas Party December 16th from 6 pm until 8 pm

City Hall closed Friday December 23rd & Monday December 26th for Christmas

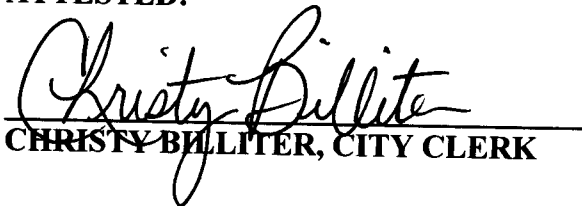
The next scheduled Regular Meeting of the City of Pikeville Board of Commissioners is December 12, 2011 at 6:00 p.m.

APPROVED:



FRANKLIN D. JUSTICE, II, MAYOR

ATTESTED:



CHRISTY BILLITER, CITY CLERK

