



**CITY OF PIKEVILLE BOARD OF COMMISSIONERS
REGULAR MEETING AGENDA**

February 23rd 2015 – 6:00 P.M.
CITY HALL PUBLIC MEETING ROOM
243 Main Street, Pikeville, KY 41501

WORK-SESSION NOTICE
February 23rd 2015 at **4:30 pm**
@ Pikeville City Hall, 243 Main Street Pikeville, KY 41501
2nd Floor City Commission Conference Room
For the discussion of the following items

A. Update by Summit Engineering regarding various city projects.
B. Trailtown update
C. Cedar Creek flooding follow-up discussion with the Corp, AML and Transportation.

I	Call to Order
II	Minutes: Consider a request to adopt the minutes from the regular Commission Meeting held February 09 th , 2015 as submitted, and to authorize the mayor to sign and execute said minutes on behalf of the City of Pikeville.
III	Business from the Floor
IV	Consider a request to approve and authorize payment of the City Bill lists, as submitted, for \$907,702.45
V.	Old Business
A	Big Sandy Area Development District
B	Engineer's Reports:
1	Consider a request to authorize and approve payment of invoice #4951 for Consulting Services Incorporated for \$54,850.00 for the Geotechnical Exploration work for the Marion Branch Bridge Project.
C	City Attorney
	Consider a first reading of an ordinance #0-2015-002 amending the City of Pikeville Zoning Map for property located along Thompson Road between the Keel Addition and Pauley Addition from R-1 to R-3.
D	City Manager's Report
1	Consider a request to appoint Jamie Sword to the City Tourism and Convention Commission. Mr. Sword shall replace Andy Linton, who resigned due to relocating. Mr. Swords term shall expire on May, 24 th 2018. To also reappoint Mike Alexander whose term new term will expire effective May 24 th 2018.
2	Consider a request to reappoint Robbie Bevins to the Vacant Property Review Board. Robbie's new term will expire on April 25 th 2019.
3	Consider a request to authorize and approve Amendment Six between Utility Management Group, LLC and The City of Pikeville, as submitted and to authorize the mayor the authority to sign and execute said amendment on behalf of the City of Pikeville.

4	Consider a request to authorize and approve the job descriptions and rate chart, as submitted, for the Zip Line Manager & Zip Line General Labor (seasonal) and amended job description from Executive Assistant/ Annex Administrator to Executive Assistant/ Grant Administrator and to author the job postings for the positions of Zip Line Manager and Zip Line General Labor (seasonal).
5	Consider a request to reclassify Elizabeth Thompson to the position of Executive Assistant/Grant Administrator.
6	Consider a request to authorize and approve an emergency repairs request, as submitted, for the PVI domestic hot water heater in the amount of \$15,301.00, a Boiler repair for \$4,490 and a pump repair for \$1,000 all with Cimco, Inc for a total cost of \$20,791 for the East KY Expo Center and to authorize the Expo General Manager or City Manager to sign and execute the attached authorization sheet for said project.
7	Consider a request to authorize and approve the amended Sister City Partnership Agreement, as submitted, and to authorize the City Manager the authorization to travel to Ireland on behalf of the City of Pikeville in the month of March in order to sign and execute said agreement on behalf of the City of Pikeville and to also authorize additional members, as a delegation, if so desired.
8	Pursuant to KRS 61.810, consider request for closed session for the purpose of discussion economic development, legal and personnel issues.
VI	Adjournment
VII	Consent Items:
1	JWT: Shakespeare's Hamlet Feb 19 th through March 1 st Steel Magnolias March 26 th through April 14 th
2	Expo: February 20 th through 22 nd WYMT Sport, Boat and RV show Ringling Brothers Barnum Bailey Circus March 12 th through 15 th RV & Boat Show March 20 th through 22 nd Casting Crowns April 9 th Jamie Johnson April 18 th SOAR Summit: TBA
3	Hillbilly Days April 16 th , 17 th & 18 th
4	March 12 th through 19 th will be in traveling to Ireland for the Twinning Event.

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
February 23, 2015 AT 6:00 P.M.**

The Board of Commissioners for the City of Pikeville met in a regular called session on Monday, February 23, 2015. The meeting was held in the City Hall Conference Meeting Room located at 243 Main Street, Pikeville, Kentucky.

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

**COMMISSIONER: JOSH HUFFMAN
 JERRY KEITH COLEMAN
 BARRY CHANEY
 FRANKLIN D. JUSTICE, II**

MAYOR: JAMES A. CARTER

MINUTES

The minutes for the previous regular meeting held on February 9, 2015 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 Coleman seconded the motion. Mayor Jimmy Carter called for discussion, there being none. Commissioner Justice abstained, the motion passed.

BUSINESS FROM THE FLOOR

City Manager Donovan Blackburn says the first item I would like to discuss is the issues that we have going on. Greg and Donnie are here with UMG, but as you know last Sunday night we were hit with the big snow and around the city we generated anywhere from fourteen to eighteen inches of snow. That occurred on Monday, later in the week we were hit with subzero weather. After that, we were hit with the ice storm and more snow. Then Friday rain all day and somewhat of a warm up. Then what that did was with the frigid temperatures, cause pipes bursting all over. I know that on Monday that trying to move this amount of snow, along with trying to clear all the roads and secondary roads was a job. Two of the people that made it out tonight that I want to recognize are here from UMG. I have talked to you and I know you want to make a few comments. From my perspective, Greg May and Donnie Slone have been the backbone of this community for the past week. If there are any question of the integrity or the reason that we use them, just to be part of

the community this past week has been proof. They have worked day and night to move the snow in frigid temperatures literally, 24 hours a day. Both these men, along with their men and all their equipment have been moving snow and the last three days have been down at the river trying to restore water to the City and other locations. So, I have other people to thank as well. Greg and Donnie I want to thank you from the bottom of my heart and appreciate the efforts and labor you have spent, thank you. Mayor Carter says that Jerry Keith and I were out yesterday and it is amazing how many people were out helping. Greg and Donnie had a plan of how they were going to get together and going to get this done. I was totally amazed at how quickly they put the plan together. With everything going on, the river situation, the water, the whole deal, guys I appreciate your dedication. This situation expresses what a great job you do, it's just amazing and thank you from the bottom of my heart as well. I have had so many compliments from so many people from downtown about how quickly downtown came back alive and when you look at some of these larger cities that got the same kind of amount of snow and they are still struggling. And the water situation, as we talked earlier today Greg, I think you told me that everybody should have water by midnight tonight, right? Mr. May says that we are 99% in the City and are 85% in Coal Run and Mountain Water should be done by tonight as well. Mayor Carter says that is just a phenomenal job, thank you. Commissioner Justice says that he has always been impressed with UMG and knows that they have always had our communities back. With the snow removal, we have always been amazed how quickly it gets removed. As far as the water, we have had this problem once before but that wasn't within the last fourteen years. Greg May said it was about fourteen years ago we had a similar problem that we had on the intake but we haven't seen this before. What we have seen with this snow and ice we haven't seen before. Donnie and I have always had a contingency plan. I want to give credit to all our men. Donnie and I try to do our job the best we can. Commissioner Justice says that he has been keeping up with social media and they have been posting that the men commented that they were happy to serve and it was good to hear that. And we can talk later about the contingency plan about this happening again. We might be able to find a reservoir of water or something. Commissioner Chaney says that a lot of people that have talked to me say they wish they lived in Pikeville. They say that they are amazed at the job that UMG has done with the city streets. They wish UMG was in their neighborhood and I want to say that I am very impressed. And we have come back alive quickly. You and Donnie have done a number one job once again. Commissioner Coleman says that I have said a hundred times that Donnie Slone makes me look good and that's the deal. I have called Donnie for a long time now and I have seen him and Greg both out working now knee deep in snow, ice and mud and I am sure that means a lot to their employees. I know that it means a lot to the people of this town and especially to this commission. I can't say enough about the kind of operation that you all run and we are very fortunate to have you here and do what you do. I was out there the other day in the freezing cold and I am usually out there in Donnie's way somehow. And I looked and he had a big crowbar in his hand with the snow flying and he was beating the ice in the middle of the street. That is why you have the operation you

got cause of hard workers like you two and I really appreciate it. I take a whole lot of credit for stuff you all do and plan to continue. Commissioner Huffman says that to me public safety is very important. The lives that were saved because of your quick response was great. My family, my wife and my kids lives being out on the roads were saved. To be able to get back and forth from work, you have my gratitude, my kids gratitude, and our community. We just thank you so much. You have allowed people to come in and out of the city to work and be safe and I appreciate that. Mayor Carter says that the fact that our first responders work so well together, the fire department, 911 Center, police department, along with UMG. It was like an orchestra out there. From cleaning gutters to drains, everybody just pulled together. Mr. May agreed saying that you could not ask for better support from the other departments. It was great teamwork which made things much easier. Mayor Carter said there were just so many calls and so much going on. It was just amazing seeing everybody working together. City Manager says that the last thing he would like to add was that in any type of crisis you find out what you are made of. We made mistakes, and we learned, by no means were we perfect but we were close. There are things where we learned some valuable lessons and we are going to purchase some more equipment, to make sure we are prepared. Most of the fire, police, UMG, we have worked several days in a row and all have been cheerful. Spirits have been high and wonderful things have happened. Police department have done a great job along with the fire department, everything from rescuing a dog to taking water to the elderly. The other person I want to thank is Paul Maynard, he has been out from 6:00am til 3:00am doing what he does. Paul called just a few minutes ago about delivery of water and how fast we are going through that and replenishing it. Within twelve hours we had our system back up and running, great plan by these two guys and their staff to get us back. Great sense of pride to see our community pull together. The last person I want to thank is our community. I cannot say enough about our community. I cannot tell you how many facebook, text, calls, emails, thanking our responders, police department, UMG, for the amazing job they have done. They were also very complimentary in seeing everything in motion. I love where I live and I love where I work and I have never been more proud to be part of this community. Commissioner Coleman says that one reason for the cooperation of this community is because of you Donovan and your efforts and you keeping the community informed. You go out of your way to inform the community. I know of other communities around us that are without water and they would be fortunate to have someone like yourself to keep them informed. I know you put a lot of effort into that and there are a lot of people that are appreciative in being in the know as things happen, as to what to expect and when. So I just want you to know I appreciate your efforts for sure. Commissioner Justice says I would like to reiterate what Commissioner Coleman just said and you do a great job.

PAYMENT OF CITY BILLS

February 23, 2015 Regular Meeting

The City Manager Donovan Blackburn requested the approval to pay city bills in the amount of \$907,702.45. Commissioner Chaney made the motion to approve. Commissioner Huffman seconded the motion. Mayor called for comments, Chaney asked if we had the money. City Manager says yes. Mayor Carter called for further discussion, there being none, motion passed unanimously. 5-0.

CITY ENGINEER

Phillip Elswick was present with Summit Engineering, Inc. and submitted a request to the commission for approval.

- 1. Consider request to approve and authorize payment of invoice #4951 for Consulting Services Incorporated for \$54,850.00 for the Geotechnical Exploration work for the Marion Branch Bridge Project. Commissioner Chaney made the motion to approve. Commissioner Justice seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 5-0.**

CITY ATTORNEY

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

- 1. Consider a first reading of an ordinance #0-2015-002 amending the City of Pikeville Zoning Map for property located along Thompson Road between Keel Addition and Pauley Addition from R-1 to R-3. City Manager asked that Mr. Davis explain the process of reading the ordinance to the audience before reading aloud, explaining that there are two readings of the ordinance. On the first reading, they do not take action and typically do not take comments but the Mayor can open the floor for comments. The second reading will take place at the next regular scheduled meeting. After Mr. Davis read the ordinance, Mayor Carter opened the floor for comments. A lady from the neighborhood says she mainly wanted to ask two questions and that she would ask the rest of her questions at the next meeting. First, she would like to know from the zoning meeting that Mr. Davis mentioned that there was an alternative to the zone change. Can you explain to us what that alternative was again? Mr. Davis says sure, what I recommended was an option to the zoning commission is what we call a planned unit development and they could be called a planned unit commercial development or a planned unit residential development. Then within the planned unit residential there are three types that would depend on the density of the mix. So I mentioned to them as an option for them to**

consider if they wanted to go with a planned unit development that requires a plan to be submitted back to them for final approval. You can approve a lot more within that development plan, you can ask for any information you want to on that. That was just a recommendation on that, I don't really advise it I was just recommending. You can consider as it was or you can resubmit as the planned unit development and they chose to submit as it was. We do zone some areas that way and it does fit some areas. They were just not interested in that though. They by law, are set up to do certain procedures. This commission has talked several times there is somewhat of an issue that we are kinda stuck with having a joint planning commission with Pike County and Elkhorn City with the City of Pikeville. State law says that as long as the county wants to have a planning commission, then we have to go in with them and have a joint planning commission. It is kind of different sometimes, and I am not being critical, but the county does not have zoning and they are not that interested in zoning and sometimes we have problems getting quorums for those meetings. That's the system that we are stuck with. Then the statute basically says that we as a commission can override it but it takes two thirds majority to do so. That tells us that they shouldn't be overriding the planning commission but they can. The lady says we would at least like an idea of what is going to go there and how it is laid out, drainage, and how it would affect the community. The planning committee could ask for a whole list of options with the planned unit but with the R-3 zoning then it has some parameters but not as many. The lady says as of right now they have no idea as to what they are putting there. And that is true and that is not unnormal for somebody wanting a zoning change and not knowing exactly what they are wanting to do with the property. The lady says that she has heard that this has all come down to a tax deduction. Can you explain to us why and how the Kinzer's have given it to the University and what the reason is. Mr. Davis says that he is really not sure of what there motive is nor their tax situation. He can only speculate that if he had a piece of property in that neighborhood and if it was zoned R-1 then it could only be sold to single family residential lots sold at so much per acre. Whereas we know that commercial property is sold at a much higher rate, \$400,000 to \$600,000 per acre. You could not get three to six hundred thousand dollars per acre for a residential lot in that area. If it is zoned to the R-3, I would suspect that the market value of the property would be greater if it could be utilized at R-2 or R-3. So if I took that step forward and I would want to donate that property, it would help me to put a larger value on that property. I am not sure what their tax situation is and I don't know if it even makes any difference to them or not. That could be it. Mr. Sellard's says that speaking for himself, when he called around the college and asked what was going to be built, the answer he got was discuss with our attorney, which I did. Some of the language you just read, talks about the

characterization of my neighborhood and things that have changed. Nothing has changed in a while and it is a nice little family residential place to live. Mr. Davis says that it wasn't saying just in yours. Mr. Sellard's says you said that something has changed in my neighborhood and it hasn't. The other thing, Mayor, that upset people at the joint planning meeting was when asked directly what was being built, there was a bunch of generalities. I am not asking for an engineering blue print but a third grader could draw a concept picture of what they want it to look like. I am sure the college has an art department because that is one place I was directed to when I was shuffled around in my phone calls the other night. Tell us what it is going to look like. I want to know when I look out my window what I might see, dormitories, single family residential, or what. No answer. They wouldn't even tell us what a family is anymore. I really think the city commission needs to look at this closer. This is a long standing neighborhood that we are happy with. I would like for you to make your decision based on that, and I will also be here to make further comments on the ninth to discuss this issue further. I just don't want it to change, not like this. I am not against the college but I would like to see a plan. That is what concerns me. Mayor Carter asked Mr. Combs if he would like to comment. The lady asked another question, are these going to be apartments, dorms or what. Mr. Davis asked the UPike representative if he would like to explain further. Mr. Douglas Lange is the Vice President of the Financial department of the University and states that there is an issue with not enough housing with the professional school students and young families that are attending the programs at UPike. We are adding 240 more people and in the past three years we have added 225 and another sixty to the medical school. With the exception of Pikeville College, there is not housing being built here to house these students so we are really struggling. It has now become an issue for accreditation that they expect us to provide housing for those students. It is not planned as a dormitory, this is family style housing, apartment living. It is for older than average students who have already graduated and got their bachelors degree. This is not a dormitory, these are apartments. The lady asked if these will be rented and the response is yes. The lady asked if these were going to be like married housing at a State University. Mr. Lange told her that they will be rentals. Mr. Sellards asked if there was a concept of what the apartments should look like and asked if they would be family style houses. Mr. Lange said that they would be compliant with the zone but they haven't gone far enough down that road yet. The lady has a final question, after listening to everyone and talking about this being a family environment that this may not be just single families that it may also be single people. We have also heard how much the school has grown just within the last year, and the need for this and the need for that. And if this is just for graduate students, can you guarantee that five years down the road that this will

only be for graduate students. With the large changes that are coming with the University, can you guarantee that these will remain graduate housing. Mr. Lange said that he could not guarantee that the sun would come up tomorrow. What I am trying to tell you, and what I told you the last time we met was that in the best interest of the University and of Universities everywhere, for undergraduate students to live on campus. We have no intentions of building dormitories anywhere except on campus, a traditional dormitory. It is on our master plan. It is something that we want to do. The only thing stopping us is money. The lady says that there was a plan when our neighborhood was put in place for zone one, plans change. Mr. Lange says that he can make no guarantees what happens in the distant future. The lady says one more statement, I promise. There are very few neighborhoods in the City of Pikeville that are nice, level room for children to play. Safe for elderly and small children alike in the middle income range. Affordable housing. We have plenty of Cedar Creek, Bowles Addition, Upper Bowles, Chloe Ridge, and all this nice level housing now. We do not have middle class neighborhoods like these two and if you bring down those residential home values and put it there where we have known drug issues with college students and any other problems that may come up, then our community is lost. And that is the only thing I got to say. Mayor Carter called for additional comments and thanked everyone for coming out and said again 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 a request to appoint Jamie Sword to the City Tourism and Convention Commission. Mr. Sword shall replace Andy Linton, who resigned due to relocating. Mr. Swords term shall expire on May 24, 2018. To also reappoint Mike Alexander, whose new term will expire effective May 24, 2018. Commissioner Chaney made the motion to approve. Commissioner Justice seconded the motion. Mayor Carter called for comments, there being none, motion passed unanimously. 5-0.
2. Consider a request to reappoint Robbie Bevins to the Vacant Property Review Board. Robbie's new term will expire on April 25, 2019. Commissioner Huffman made a motion to approve. Commissioner Justice seconded the motion. Mayor Carter called for further comments, there being none, the motion passed. 5-0.
3. Consider a request to authorize and approve Amendment Six between Utility Management Group, LLC and the City of Pikeville, as submitted and to

authorize the Mayor the authority to sign and execute said amendment on behalf of the City of Pikeville. Commissioner Justice made the motion. Commissioner Coleman seconded the motion. Mayor Carter called for comments and Mr. Blackburn says that the amendment says that the City saves a lot of money through this amendment and the purchasing of equipment this way. What happens is we only reimburse them when we are working on the repairs of the equipment and it is used for the City. Mayor Carter called for comments, there being none, the motion passed unanimously. 5-0.

4. Consider a request to authorize and approve the job descriptions and rate chart, as submitted, for the Zip Line Manager & Zip Line General Labor (seasonal) and amended job description from Executive Assistant/ Annex Administrator to Executive Assistant/ Grant Administrator and to author the job postings for the positions of Zip Line Manager and Zip Line General Labor (seasonal). Commissioner Chaney made the motion to approve. Commissioner Justice seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 5-0.
5. Consider a request to reclassify Elizabeth Thompson to the position of Executive Assistant/ Grant Administrator. Commissioner Justice made the motion to approve. Commissioner Chaney seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 5-0.
6. Consider a request to authorize and approve emergency repair request, as submitted, for the PVI domestic hot water heater in the amount of \$15,301.00, a Boiler repair for \$4,490.00 and a pump repair for \$1,000.00 all with Cimco, Inc for a total cost of \$20,791.00 for the East KY Expo Center and to authorize the Expo General Manager or City Manager to sign and execute the attached authorization sheet for said project. Commissioner Chaney made the motion to approve. Commissioner Justice seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 5-0.
7. Consider a request to authorize and approve the amended Sister City Partnership Agreement, as submitted, and to authorize the City Manager the authorization to travel to Ireland on behalf of the City of Pikeville in the month of March in order to sign and execute said agreement on behalf of the City of Pikeville and to also authorize additional members, as a delegation, if so desired. Commissioner Justice made the motion to approve. Commissioner Huffman seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 5-0.
8. Consider request to make a conditional job offer as EMS firefighters to Matthew Stevens and Charles Sexton contingent upon passing all required pre-employment testing at the starting rate for said position. Commissioner Chaney made the motion to approve. Commissioner Coleman seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 5-0.

9. Pursuant to KRS 61.810, consider request for closed session for discussion of economic development, legal and personnel issues. Commissioner Justice made the motion. Commissioner Huffman seconded the motion. Mayor Carter called for discussion, there being none, the motion passed unanimously. 5-0.
10. Commissioner Justice made the motion to re convene. Commissioner Huffman seconded the motion. Mayor Carter 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 Justice has made the motion to adjourn the meeting. Commissioner Huffman seconded the motion. Mayor Carter called for discussion, there being none, the meeting was adjourned. 5-0

CONSENT ITEMS:**JWT:**

Shakespeare's Hamlet Feb. 19, 2015 through March 1, 2015

Steel Magnolia's March 26, 2015 through April 14, 2015

Expo:

February 20, 2015 through February 22, 2015 WYMT Sport, Boat and RV show
Ringling Brother Barnum and Bailey Circus March 12, 2015 through March 15, 2015

RV & Boat Show March 20, 2015 through March 22, 2015

Casting Crowns April 9, 2015

Jamie Johnson April 18, 2015

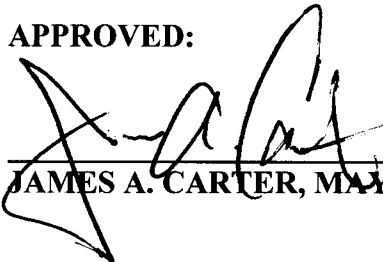
SOAR Summit: TBA

Hillbilly Days April 16, 17 & 18, 2015

March 12, 2015 through March 19, 2015 will be traveling to Ireland for the
Twinning Event

The next scheduled Regular Meeting of the City of Pikeville Board of
Commissioners is March 9, 2015 at 6:00 p.m.

APPROVED:



JAMES A. CARTER, MAYOR

ATTESTED:



REBECCA HAMILTON, CITY CLERK