

**CITY OF PIKEVILLE  
BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
October 22, 2018 AT 6:00 P.M.**

The Board of Commissioners for the City of Pikeville met in a regular called session on Monday, October 22, 2018. The meeting was held in the City Hall Meeting Room located at 243 Main Street, Pikeville, Kentucky 41501.

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:           BOB SHURTLEFF  
                                  STEVE HARTSOCK  
                                  PAT MCNAMEE  
                                  KIMBERLY MAY-DOWNEY**

**MAYOR:                    JAMES A. CARTER**

**MINUTES**

The minutes for the previous regular meeting held on October 8, 2018 were in each Commission Member's agenda package. There being no additions or corrections, Commissioner McNamee made the motion to approve the minutes as prepared. Commissioner Hartsock seconded the motion. Mayor Jimmy Carter called for discussion, there being none, the motion carried unanimously. 5-0.

**BUSINESS FROM THE FLOOR**

Taylor Adams with the Kentuckians for the Commonwealth representing the Black Lung Disability trust fund came before the Mayor and the Commission. Her concern is the fund is becoming dissolvent and she is looking for participation from surrounding cities and counties to help with this. Mayor and City Manager thanked Ms. Adams for the information on this but also explained that it would take more consideration due to the City not typically participating in these types of things.

Adam Akers came before the Mayor and the Commissioners speaking on behalf of several churches in the community to thank the City for the contribution in the attempt to feed at least 5000 for Thanksgiving this year. Also, asking for any and all assistance from the community would be appreciated.

**PAYMENT OF CITY BILLS**

The City Manager Philip Elswick requested the approval to pay city bills in the amount of \$1,151,027.45. Commissioner McNamee made the motion to approve. Commissioner May-Downey seconded the motion. Mayor Carter called for discussion, there being none, the motion passed unanimously. 5-0.

**CITY ENGINEER**

Brad Slone was present and submitted several requests to the commission for approval.

1. Consider request to approve and authorize payment of Integrated Engineering Invoice No. 4065, as submitted, for \$4,590.00 for the Bob Amos Drive Widening Project and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner Hartsock made the motion to approve. Commissioner McNamee seconded the motion. Mayor Carter called for comments. Mr. Elswick explains that the portion of Bob Amos out to the water tank is one lane and narrow and is something that we need to look at. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.
2. Consider a request to authorize and approve payment of Integrated Engineering Invoice No. 4058, as submitted, for \$14,510.00 for the Bob Amos Events Center Project and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner McNamee made the motion to approve. Commissioner Hartsock seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 5-0.
3. Consider a request to authorize and approve Change Order No. 2 for Rising Sun Developing, Inc. in the amount of \$91,231.00 for the purchase of stone for asphalt base for the KEIP Spec Building – Site Package and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner McNamee made the motion to approve. Commissioner May-Downey seconded the motion. Mayor Carter called for comments. Mr. Slone says that this is based on tonnage but should be very close. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.
4. Consider a request to authorize and approve payment of Jigsaw Enterprises, LLC Invoice No. 6238, as submitted, for \$4,450.00 for the demolition of 234 Julius Avenue and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner McNamee made the motion to approve. Commissioner May-Downey

- seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 5-0.
5. Consider a request to authorize and approve payment of BitSource, LLC Invoice No. 531, as submitted, for \$2,250.00 for website updates and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner Hartsock made the motion to approve. Commissioner McNamee 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 payment of Vaughn & Melton Consulting Engineers, Inc. Invoice No. 49, as submitted, for \$30,426.19 for inspections on the WWTP Improvements Project and grant the City Manager or Deputy City Manager of Operations/City Engineer the authority to sign and execute any and all necessary documents. Commissioner McNamee made the motion to approve. Commissioner May-Downey 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 payment of Judy Construction Company Pay Request No. 14, as submitted, for \$756,334.15 for the WWTP Improvements Project and grant the City Manager or Deputy City Manager of Operations/City Engineer the authority to sign and execute any and all necessary documents. Commissioner Hartsock made the motion to approve. Commissioner Shurtleff seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 5-0.
  8. Consider a request to authorize and approve payment of Rising Sun Developing, Inc. Pay Request No. 8, as submitted, for \$82,749.25 for the KEIP Spec Building – Site Package Project and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner May-Downey made the motion to approve. Commissioner Hartsock seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 5-0.
  9. Consider a request to authorize and approve payment of Rising Sun Developing, Inc. Pay Request No. 8, as submitted, for \$145,499.28 for the KEIP Spec Building – Building Package Project and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner May-Downey made the motion to approve. Commissioner Hartsock seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 5-0.
  10. Consider a request to authorize and approve payment of H2O Construction, Inc. Pay Request No. 12, as submitted, for \$175,500.00 for the Marion Branch Water/Sewer Supply Project and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner McNamee made the motion to approve. Commissioner Hartsock seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 5-0.

11. Consider a request to authorize and approve payment of Jigsaw Enterprises, LLC Invoice No. 6243, as submitted, for \$39,500.00 for the Bob Amos Soccer Field Retaining Wall Repair Project and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner May-Downey made the motion to approve. Commissioner McNamee seconded the motion. Mayor Carter called for comments and Mr. Slone added that that is all of that project. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.
12. Consider a request to authorize and approve payment of Urban Fabric, PLLC Invoice No. 18038-3, as submitted, for \$29,025.00 for the Bob Amos Events Center Project and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner McNamee made the motion to approve. Commissioner Hartsock seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 5-0.
13. Consider a request to authorize and approve payment of Urban Fabric, PLLC Invoice No. 18039-3, as submitted, for \$7,290.00 for the Bob Amos Cabins Project and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner McNamee made the motion to approve. Commissioner Hartsock 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 second reading of Ordinance No. 0-2018-23, as submitted, amending Chapter 54 with regard to refunds, credits, adjustments, or corrections to Utilities billing and grant the Mayor the authority to sign and execute said ordinance on behalf of the City of Pikeville. Commissioner Hartsock made the motion to approve. Commissioner McNamee seconded the motion. Mayor Carter called for comments, there being none, Mayor called roll call.

Mayor Carter: Yes

Commissioner Shurtleff: Yes

Commissioner Hartsock: Yes

Commissioner McNamee: Yes

Commissioner May-Downey: Yes

Ordinance passed.

2. Consider a first reading of Ordinance No. 0-2018-24, as submitted, amending the fiscal year 2018-2019 budget. Second reading and passage of this ordinance will take place at next scheduled meeting.

#### CITY MANAGER

City Manager Philip Elswick presented the commission with the following items for approval:

1. Consider a request to cancel the Commission meeting scheduled for November 12, 2018 and call a special meeting on November 13, 2018 at 4 pm. Commissioner Hartsock made the motion to approve. Commissioner McNamee seconded the motion. Mayor Carter called for comments, there being none, motion passed unanimously. 5-0.
2. Consider a request to cancel the Commission meeting scheduled for December 24, 2018 and call a special meeting on December 28, 2018 at 4 pm. Commissioner McNamee made the motion to approve. Commissioner May-Downey seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 5-0.
3. Consider a request to authorize and approve a Low-Income Home Energy Assistance Program (LIHEAP) vendor agreement, as submitted, with Big Sandy Area Community Action Program and grant the Mayor the authority to sign and execute any and all documents. Commissioner May-Downey made the motion to approve. Commissioner McNamee seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 5-0.
4. Consider a request to award a construction management services contract for the EnerBlu Assembly Building contingent upon the services being eligible for reimbursement from Abandoned Mine Land grant funds and grant the Mayor the authority to sign and execute said contract upon completion of negotiations by the City Manager and City Attorney. Commissioner McNamee made the motion to approve. Commissioner May-Downey seconded the motion. Mayor Carter called for comments. Mr. Elswick explains that there were two respondents for this project, one being an individual and the other was Codell. Based upon experience, we are recommending Codell. City Attorney says that Codell has been successful in our area and they do great work. We have worked with them in the past on a couple other projects and they have been very helpful in maintaining those projects as well. Mr. Slone agrees with Mr. Davis and the City Manager. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.
5. Consider a request to authorize and approve the advertisement for bids for the Bob Amos Events Center and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner Hartsock made the motion to approve. Commissioner McNamee 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 the advertisement for bids for the Nightingale Lane Drainage Repair Project and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner Hartsock made the motion to approve. Commissioner May-Downey seconded the motion. Mayor Carter called for comments. City Manager says that stormwater is causing pretty severe damage in front of one home and needs to be fixed. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.
7. Consider a request to award the 2018-2019 Curb & Sidewalk Repair and Reconstruction Project to the low bidder and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner Hartsock made the motion to approve. Commissioner May-Downey seconded the motion. Mayor Carter called for comments. Mr. Elswick says that we have one bidder on this project, H2O, who also got the bid last year and it is very comparable to last year. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.
8. Consider a request to authorize and approve entering into a Use Agreement with United Parcel Service, Inc., as submitted, to allow the placement of shipping pods at 158 Trivette Drive to facilitate downtown delivery during the holiday season and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner McNamee made the motion to approve. Commissioner May-Downey seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 5-0.
9. Consider a request to authorize and approve an Addendum to a Memorandum of Agreement with Silverliner, as submitted, and grant the Mayor the authority to sign and execute any and all necessary documents upon completion of negotiations by the City Manager and City Attorney. Commissioner Hartsock made the motion to approve. Commissioner May-Downey seconded the motion. Mayor Carter called for comments, there being none, the motion passed with Commissioner McNamee abstaining. 5-0.
10. Consider a request to authorize and approve a proposal with Paycor for payroll processing services, as submitted, for \$18,302.10 with an implementation fee of \$3,350.00 and grant the Mayor the authority to sign and execute any and all necessary documents upon completion of negotiations by the City Manager and City Attorney. Commissioner Shurtleff made the motion to approve. Commissioner McNamee seconded the motion. Mayor Carter called for comments. Mr. Elswick says that last meeting we approved ADP for this service but we cannot reach an agreement and we have found Paycor to be a little more flexible. City Attorney says that they were willing to make liability unilateral. It appears that most use the same contract, however Paycor made it a little better for us. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.

11. Consider a request to authorize and approve an agreement with the Kentucky Transportation Cabinet, as submitted, for the Bikeways Project that amends the project budget to increase design funds and decrease construction funds and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner McNamee made the motion to approve. Commissioner Hartsock seconded the motion. Mayor Carter called for comments and City Manager says that the total grant amount is the same. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.
12. Pursuant to KRS 61.810, consider request for closed session for discussion of economic development, legal and personnel issues. Commissioner Hartsock made the motion. Commissioner McNamee seconded the motion. Mayor Carter called for discussion, there being none, the motion passed unanimously. 5-0.
13. Commissioner McNamee made the motion to reconvene. Commissioner Hartsock seconded the motion. Mayor Carter called for discussion, there being none, the motion passed unanimously. 5-0. Mayor called the session back into order.
14. Consider a request to appoint Minta Trimble to the Historic Preservation Board for an unexpired term resulting from Cody Johnson's resignation that ends on November 26, 2018 and a full four-year term ending on November 26, 2022. Commissioner May-Downey made the motion to approve. Commissioner McNamee seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 5-0.
15. There being no further business to come before the Commission, Commissioner McNamee has made the motion to adjourn the meeting. Commissioner Hartsock seconded the motion. Mayor Carter called for discussion, there being none, the meeting was adjourned. 5-0.

#### EVENTS, ATTRACTIONS & CONSENT ITEMS:

##### East Kentucky Expo Center Events:

October 25, 2018 – Nightmare on Main

October 28, 2018 – Halloween Party (adults)

November 11-14, 2018 – Kentucky Baptist Convention

November 30, 2018 – Diamond Rio

December 8&9, 2018 – Winterfest Antique & Artisan Market

December 13, 2018 – Cirque Música

##### Jenny Wiley Theatre – Pikeville, KY:

A Christmas Carol – November 30, 2018 – December 22, 2018

##### Footlights Theatre – Pikeville, KY:

Rudolph – November 9-17, 2018

**Muscle on Main:**

October 12-13, 2018

November 9, 2018

**Nightmare on Main:** October 25, 2018

**Main Street:**

November 24, 2018 – Small Business Saturday

December 1, 2018 – Christmas Parade

**5K Events:**

October 27, 2018 – Zombie

November 24, 2018 – Tree Lighting

**Cycling Events:**

October 20, 2018 – Octoberfest Bicycle Rally & Festival - Whitesburg

**Pikeville Farmers Market – Tuesdays and Saturdays at Pikeville Pavilion:**

November 3, 2018 – Holiday Preview

November 13, 2018 – Veterans Day Swing Band

November 17, 2018 – Customer Appreciation

November 20, 2018 – Final Market of 2018

**UPike:**

November 2-3, 2018 & November 16-17, 2018 – Upike Classic

**Local Events & Attractions:**

Pikeville YMCA

Zip, Paddle and Saddle – Bob Amos Park

Heritage Museum – Division Street in Pike County Courthouse Annex

Epic Escape Game – Second Street

Halloween – October 27, 2018

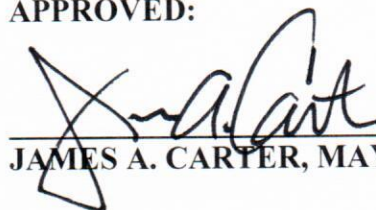
Cut-Through Haunted Holler Adventure – Oct 26&27, 2018

Trick or Treat – October 30, 2018

Winterfest – December 1-30, 2018 (closed December 24&25, 2018)

The next scheduled Regular Meeting of the City of Pikeville Board of Commissioners is November 12, 2018 at 6:00 p.m.

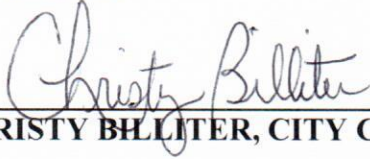
APPROVED:



JAMES A. CARTER, MAYOR



**ATTESTED:**

  
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**CHRISTY BILLITER, CITY CLERK**