

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
SPECIAL MEETING MINUTES
November 13, 2018 AT 4:00 P.M.**

The Board of Commissioners for the City of Pikeville, Kentucky convened in a special session pursuant to call and written notice duly given in accordance with KRS 61.823, at City Hall, 243 Main Street, Pikeville, Kentucky 41501 on November 13, 2018 at 4:00 p.m.

(1) Present were the Mayor, Jimmy Carter, presiding, and Commission Members present at roll call were as follows:

COMMISSIONER: Bob Shurtleff
Pat McNamee
Steve Hartsock
Kimberly May-Downey

MAYOR: JAMES A. CARTER

It having been determined that a quorum was present for the transaction of business, Mayor Carter called the meeting to order.

(2) Consider a request to authorize the adoption of minutes from the regular commission meeting held on October 22, 2018, as submitted, and to authorize the Mayor to sign and execute said minutes on behalf of the City of Pikeville. Commissioner Hartsock made the motion to approve. Commissioner McNamee seconded the motion. Mayor Carter called for discussion, there being none, the motion carried unanimously. 5-0.

(3) Consider a request to authorize and approve payment of the City Bill list, as submitted, for \$1,539,651.96. Commissioner McNamee made the motion to approve. Commissioner Shurtleff seconded the motion. Mayor called for comments, there being none, the motion passed unanimously. 5-0.

(4) Consider request to authorize and adopt a proclamation, as submitted, honoring Walter E. May and grant the Mayor the authority to sign and execute said proclamation on behalf of the City of Pikeville. Commissioner Hartsock made the motion to approve. Commissioner McNamee seconded the motion. Mayor Carter called for comments after reading the proclamation aloud. Mayor thanked the family members for attending and expressed his appreciation for former Mayor

May and his mentorship and great accomplishments around the City. The Commissioners also expressed their appreciation for his leadership and great work. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.

(5) Consider a request to authorize and adopt a proclamation, as submitted, in recognition of Small Business Saturday and grant the Mayor the authority to sign and execute said proclamation on behalf of the City of Pikeville. Commissioner Hartsock made the motion to approve. Commissioner May-Downey seconded the motion. Mayor Carter called for comments. Minta Trimble, Main Street Director, invited everyone to the Shop Small Saturday event on November 24, 2018 to enjoy downtown and what we have to offer. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.

(6) Consider a second reading of Ordinance No. 0-2018-24, as submitted, amending the fiscal year 2018-2019 budget 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 McNamee: Yes

Commissioner Hartsock: Yes

Commissioner May-Downey: Yes

Ordinance passed.

(7) Consider a first reading of Ordinance No. 0-2018-25, as submitted, amending the City of Pikeville zoning map for Julius Avenue and Jefferson Street. Second reading and passage of this ordinance will take place at next scheduled meeting.

(8) Consider a request to authorize and approve Change Order No. 8, as submitted, for a reduction of \$14,486.80 upon reconciling as-bid and as-built quantities on the KEIP bridge 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. Mr. Elswick says that we are wrapping this project up, this is our last change order and our last pay request on this. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.

(9) Consider a request to authorize and approve Bush and Burchett, Inc. Pay Request #18, as submitted, for \$84,532.66 for the KEIP bridge 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 and City Manager says that this is last pay request on this. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.

(10) Consider a request to authorize and approve H2O Construction Company, Inc. Change Order No. 6, as submitted, for \$31,800.00 and 7 additional days for the Marion Branch Water Supply Project – Contract 2 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 says that we have to relocate the boring under the railroad. City Engineer adds that this has to do with unexpected deep terrain. Also, risk the bore coming up into the right-of-way. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.

(11) Consider a request to authorize and approve H2O Construction Company, Inc. Pay Request #13, as submitted, for \$77,895.00 for the Marion Branch Water Supply Project – Contract 2 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 Mr. Slone says that this reflects completion of project itself. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.

(12) Consider a request to authorize and approve Summit Engineering, Inc. to submit a revised permit application to CSX for a bore associated with the Marion Branch Water Supply Project – Contract 2, authorize and approve the associated \$2,500.00 permit fee to be paid from City 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 Engineer explained that this is about 300 feet away from original location. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.

(13) Consider a request to authorize and approve Rising Sun Developing, Inc. Pay Request No. 9, as submitted, for \$183,639.86 for the KEIP Spec Building – Building Package 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.

(14) Consider a request to authorize and approve Rising Sun Developing, Inc. Pay Request No. 9, as submitted, for \$17,446.27 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, there being none, the motion passed unanimously. 5-0.

(15) Consider a request to authorize and approve Tackett Builders Invoice No. 5, as submitted, for \$14,899.03 for the Hambley Athletic Complex – Fieldhouse Roof Repair and Replacement 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 and City Engineer says that that completes that project. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.

(16) Consider a request to authorize and approve payment of Bizzack Construction, LLC Payment Application #1, as submitted, for \$278,252.98 for the KEIP Access Road 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 Mr. Elswick says that this reflects several different things such as environmental permitting, etc. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.

(17) Consider a request to authorize and approve payment of OVIVO Invoice No. 8474890, as submitted for \$1,703,552.44 for the wastewater treatment plant MBR system 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. City Manager adds that this is purchase of the actual membrane. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.

(18) Consider a request to authorize and approve payment of Summit Engineering, Inc. Invoice No. 82835, as submitted, for \$7,734.94 for the Marion Branch Water 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 Shurtleff seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 5-0.

(19) Consider a request to authorize and approve payment of invoices, as submitted, for the Pikeville Farmers Market:

- Appalachian Newspapers, Inc. Invoice for \$904.00;
- EKB-TV Invoice No. 18100400 for \$1,710.00;
- EKB-TV Invoice No. 18100401 for \$495.00;
- WPKE-AM Invoice No. 18100460 for \$275.00;
- WDHR-FM Invoice No. 18100291 for \$1,260.00; and
- TCF Equipment Finance Invoice No. 5752190 for \$1,405.89

And grant the Mayor the authority to sign and execute any and all necessary documents. All invoices will be paid with grant funds. Commissioner Hartsock 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.

(20) Consider a request to authorize and approve awarding a bid to the only bidder Compass Minerals, as submitted, for \$108.96/ton for up to 500 tons of road ice control salt 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. City Manager adds that we received three responses with two no bids. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.

(21) Consider a request to authorize and award a proposal to Jigsaw Enterprises, LLC, as submitted, for \$17,950.00 for slide material removal and concrete barrier blocks at 200 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.

(22) Consider a request to authorize and approve a contract with Codell Construction Company, as submitted for construction management services associated with the EnerBlu Assembly Building and grant the Mayor the authority to sign and execute said contract upon completion of negotiations by the City Manager and City Attorney. ****TABLED****

(23) Consider a request to authorize and approve a grant agreement amendment, as submitted, for CDBG Grant No. 14-032, the wastewater treatment plant project, 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. Elswick says that this extends the expiration of this grant. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.

(24) Consider a request to authorize and approve a contract with Adventure Designs & Training, LLC, as submitted for \$2,850.00 for training for White Lightning Ziplines Staff and grant the Mayor the authority to sign and execute said contract upon completion of negotiations by the City Manager and City Attorney. 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.

- (25) Consider a request to authorize and approve a Second Amended Lease Agreement with the Pikeville Area Family YMCA, as submitted, for the pool expansion project 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 Hartsock seconded the motion. Mayor Carter called for comments. City Manager adds that this does not remove the January 1 deadline established in the June 2018 letter to the YMCA. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.
- (26) Consider a request to authorize and approve payment of BitSource, LLC Invoice Nos. 534 and 551, as submitted, for \$4,181.25 and \$2,250.00, respectively, for updates to the Visit Pikeville website 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, there being none, the motion passed unanimously. 5-0.
- (27) Consider a request to authorize and approve submittal of a Kentucky Peer Advisory Network application, as submitted, for the Pikeville Main Street program for consulting services with the Kentucky Arts Council regarding development of an arts program 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, there being none, the motion passed unanimously. 5-0.
- (28) Consider a request to authorize and approve submittal of a grant application to the National Endowment for the Humanities for Digital Projects for the Public for development of a digital project associated with Pikeville's bicentennial 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, there being none, the motion passed unanimously. 5-0.
- (29) Consider a request to award one-time pay increases to all City of Pikeville employees in the amount of \$375.00 on the current pay period in November and \$250.00 on the first pay period on December. Commissioner Hartsock 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.
- (30) Consider a request to authorize and approve the extension of the existing contract with Muddy Boots for management of the ziplines, river trails, and horse barn 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. The contract extension will provide management for 2019. Commissioner May-Downey made the motion to approve. Commissioner Hartsock seconded the motion.

Mayor Carter called for comments. Mr. Elswick adds that it will be the same as now. Mr. Slone says that they got a late start but have had a positive experience. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.

(31) Consider a request to authorize and approve the transfer of a 2008 Dodge S35 ambulance, VIN No. 3D6WH46AX8G251085 to the Neon Fire Department for \$25,000.00 and grant the City Manager the authority to sign and execute any and all necessary documents. Commissioner McNamee made the motion to approve. Commissioner May-Downey seconded the motion. The City Manager explained that this motion is cleaning up an error in VIN numbers. Mayor Carter called for comment, there being none, the motion passed unanimously. 5-0.

(32) Consider a request to rescind the Lease Option for approximately 11.5 acres at Kentucky Enterprise Industrial Park extended to AppHarvest on September 12, 2018 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.

(33) Consider a request to authorize and approve a letter to Citizens Bank regarding the addendum to the existing agreement with Silverliner 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, there being none, the motion passed with Commissioner McNamee abstaining. 5-0.

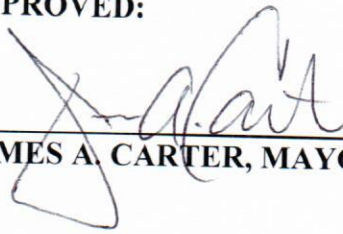
(34) Pursuant to KRS 61.810, consider a request for closed session for the purpose of discussion of economic development, legal and personnel issues. Commissioner McNamee made the motion to approve. Commissioner Hartsock seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 5-0.

(35) Commissioner McNamee made the motion to reconvene. Commissioner May-Downey seconded the motion. Mayor Carter called for discussion, there being none, the motion passed unanimously. 5-0. Mayor called the session back into order.

(36) There being no further business to come before the commission, Commissioner McNamee made the motion to adjourn the meeting. Commissioner May-Downey seconded the motion. Mayor Carter called for comments, there being none, the meeting was adjourned. 5-0.

The next scheduled Regular Meeting of the City of Pikeville Board of Commissioners is November 26, 2018 at 6:00 p.m.

APPROVED:



JAMES A. CARTER, MAYOR

ATTESTED:



CHRISTY BILLITER, CITY CLERK