

**CITY OF PIKEVILLE  
BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
June 10, 2019 AT 6:00 P.M.**

The Board of Commissioners for the City of Pikeville met in a regular called session on Monday, June 24, 2019. 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 - Absent  
ALLISON POWERS**

**MAYOR:**                    **JAMES A. CARTER**

**MINUTES**

The minutes for the previous regular meeting held on June 10, 2019 were in each Commission Member's agenda package. There being no additions or corrections, Commissioner Steve Hartsock made the motion to approve the minutes as prepared. Commissioner Bob Shurtleff seconded the motion. Mayor Jimmy Carter called for discussion, there being none, the motion carried unanimously. 4-0.

**BUSINESS FROM THE FLOOR**

Pikeville YMCA representative Mr. Hatfield presented the commission with a proposal of the possibility of a lease agreement for the small baseball field at Bob Amos. Mayor Carter asked if it was leased now? City Manager Philip Elswick stated that he didn't think it was leased to any entity but that the YMCA was using the field. Mr. Hatfield indicated that the field was reserved through the Pikeville Public Works. Mr. Hatfield stated that T-ball, soccer and flag football would use the field. Mayor Carter asked if there had been any problems with the YMCA using the field? Mr. Hatfield indicated there had not been any problems but that Big Sandy Softball also wanted to use the field. The Cal Ripken league plays on the 2 fields on the same level as the YMCA and the league has been very generous allowing the YMCA to use the fields once the Cal Ripken league ends. Mayor Carter asked how often Big Sandy Softball uses the field. Mr. Hatfield responded that last

year they had it reserved and in 2018 they had it reserved, and we used it once and that left us scrambling between Northpoint Academy at the old Mullins school, now the Pike County Board of Education is wanting it back to use it as Johns Creek's baseball field. The board of education is allowing the YMCA to use the field on Wednesdays and Sundays. With that limited time, the YMCA has difficulty having 100-120 some kids in 2 days on field. Shelly Fouts-Justice from the YMCA indicated that they see the opportunity to development and maintenance of the field should they lease it. Attorney Rusty Davis asked about whether or not the YMCA wanted exclusive use of the field? City Manager stated we wouldn't be able to do exclusive. YMCA was agreeable to the lease being non-exclusive. Commissioner Hartsock asked if the YMCA could work with Cal Ripken and make schedules working for both entities? YMCA representatives indicated that it would be possible to work out complimenting schedules. In a non-exclusive lease, Attorney Rusty Davis stated that the agreement would say that both entities would cooperate. Mayor Carter indicated that a lease should not be necessary if both the YMCA and Cal Ripken League can work together. City Manager suggested both entities schedule the field through the Events office with Andy Linton.

Citizen Compliant Muriel Silvers, 126 Phyllis Lane, questioned the Commission about a neighbor parking a boat on the street that blocks her vision pulling out of the driveway. Mrs. Silvers asked if that is allowed and what could be done about it. Commissioner Hartsock stated he was told that the boat owner has been advised to move the boat every 24 hrs. Public Safety Commissioner Phillip Reed asked about a similar incident with a box trailer there as well and asked if it is the same owner as the boat? Mrs. Silvers answered yes. Commissioner Reed indicated that he has spoken with Attorney Rusty Davis as well about this. The street in that area doesn't have any designated parking and it's been something that has gone on for a long time. Attorney Rusty Davis stated that the problem is that the City's ordinance doesn't prohibit anyone from parking their boat or leaving it hitched as long as they move it every 24 hours. Attorney Rusty Davis indicated that we have had some issues, not just with your neighborhood, but on Scott Avenue as well, recently with someone parking a trailer on there. The City didn't really do anything but modify the ordinance and it basically still allows them to leave it parked as long as it moved in 24 hours. Commissioner Hartsock asked Public Safety Commissioner Phillip Reed to reach out the other citizen to see if there is a way to work this out without more ordinances being changed.

#### PAYMENT OF CITY BILLS

The City Manager Philip Elswick requested the approval to pay city bills in the amount of 3,124,133.49. Commissioner Allison Powers made the motion to approve. Commissioner Steve Hartsock seconded the motion. Mayor Carter called for discussion, there being none, the motion passed unanimously. 4-0.

**CITY ENGINEER**

**Brad Slone was present, and requested approval of various items.**

- 1. Consider request to authorize and approve payment of Vaughn & Melton Consulting Engineers, Inc. Invoice No. 57, as submitted, for \$30,426.19 for the WWTP Improvements and Enhancement 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 Steve Hartsock made the motion to approve. Commissioner Bob Shurtleff seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 4-0.**
- 2. Consider a request to authorize and approve payment of Judy Construction Company Payment Estimate 22, as submitted, for \$335,677.43 for the Wastewater Treatment Plant Upgrade & 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 Allison Powers made the motion to approve. Commissioner Steve Hartsock seconded the motion. Mayor Carter called for comments, Mayor called for comments, there being none, the motion passed unanimously. 4-0.**
- 3. Consider a request to authorize and approve payment of a UMG, LLC invoice, as submitted, for a fee not to exceed \$115,000.00 for installation of residential radio read water and gas meters and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner Steve Hartsock made the motion to approve. Commissioner Bob Shurtleff seconded the motion. Mayor Carter called for comment, Mayor called for additional comments there being none, motion passed unanimously. 4-0**
- 4. Consider a request and approve payment of OVIVO Invoice No. 8476432, as submitted, for \$1,624,801.96 for the Wastewater Treatment Plant membrane units and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner Steve Hartsock made the motion to approve. Commissioner Allison Powers seconded the motion. Mayor Carter called for comments, Commissioner Shurtleff asked is this the one that has not been confirmed. Brad Slone stated he has sent a request to Finance to hold check until confirmation. Mayor called for additional comments, there being none, the motion passed unanimously. 4-0**
- 5. Consider a request to authorize and approve payment of Mountain Enterprises, Inc. Invoice No. 283181-410, as submitted, for \$67,252.07 for paving roadways at the Water Treatment Plant and UMG shop arc and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner Allison Powers made the motion to approve.**

- Commissioner Steve Hartsock seconded the motion. Mayor Carter called comments, there being none, the motion passed unanimously. 4-0
6. Consider a request to authorize and approve payment of Rising Sun Developing, Inc. Pay Application No. 4, as submitted, for \$86,350.35 for the Bob Amos Events Center project and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner Steve Hartsock made the motion to approve. Commissioner Bob Shurtleff seconded the motion. Mayor Carter called for comments, there being none, motion passed unanimously. 4-0
  7. Consider a request to authorize and approve payment of H2O Construction, Inc. Invoice NO. 489-213. as submitted, for \$8,100 for the 2018-2019 Curb and Sidewalk Repair & Reconstruction project and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner Steve Hartsock made the motion to approve. Commissioner Allison Powers seconded the motion. Mayor Carter called for comments, there being none, motion pass unanimously. 4-0
  8. Consider a request to authorize and approve payment of Jigsaw Enterprise, LLC, Invoice No. 6424, as submitted for \$92,818 for the Kati Street #2 (Summer Lane) Slide Repair project and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner Steve Hartsock made the motion to approve. Commissioner Bob Shurtleff seconded the motion. Mayor Carter called for comments, there being none, motion passed unanimously. 4-0

#### CITY ATTORNEY

Russell Davis was present and read into the record the following ordinance.

1. Consider a 2<sup>nd</sup> reading of the Ordinance No. O-2019-15, as submitted, amending the 2018-2019 Fiscal Year budget. Commissioner Bob Shurtleff made the motion to approve. Commissioner Allison Powers seconded the motion. Mayor Carter called for comments, there being none, Mayor called for roll call.

Mayor Carter: Yes  
Commissioner Shurtleff: Yes  
Commissioner Hartsock: Yes  
Commissioner McNamee: Absent  
Commissioner Powers: Yes

**Ordinance Passed**

2. Consider a 2<sup>nd</sup> reading of Ordinance No. O-2019-16, as submitted, adopting the 2019-2020 Fiscal Year budget. Commissioner Hartsock made the motion to approve. Commissioner Powers seconded the motion. Mayor Carter called for comments, there being none, Mayor called for roll call.

Mayor Carter: Yes  
Commissioner Shurtleff: Yes  
Commissioner Hartsock: Yes  
Commissioner McNamee: Absent  
Commissioner Powers: Yes

#### Ordinance Passed

3. Consider a 1<sup>st</sup> reading of Ordinance No. O-2019-17, as submitted, amending Chapter 53.03(B) of the City of Pikeville Code of Ordinances setting a water rate for wholesale user Mountain Water District. Russell Davis read 1<sup>st</sup> reading into record.
4. Consider a 1<sup>st</sup> reading of Ordinance No. O-2019-18, as submitted, amending Chapter 115.99 of the City of Pikeville Code of Ordinances providing for an amnesty period from the payment penalties and interest for late filing. Russell Davis read 1<sup>st</sup> reading into record.

#### CITY MANAGER

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

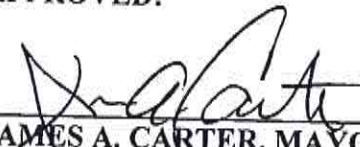
1. Consider a request to grant permission to Dueling Barrels Brewery & Distillery to use Second Street from Division Street to Caroline Avenue on July 12, 2019 from 5pm to 11 pm for a block party celebrating the facility's one-year anniversary and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner Steve Hartsock made the motion to approve. Commissioner Bob Shurtleff seconded the motion. Mayor Carter called for comments. Mayor Carter called for additional comments, there being none, motion passed unanimously. 4-0.
2. Consider a request to amend Section 1.8 – Probation Period, Section 3.14-Insurance, and section 4.20 – Purchasing Policy of the City of Pikeville Personnel & Operating Policy Guidelines, submitted. Commissioner Bob Shurtleff made the motion to approve. Commissioner Steve Hartsock seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 4-0.
3. Consider a request to authorize and approve a 3-year contract with InterMountain Cable, Inc, as submitted, for \$475.00/year for Pikeville Fire Department Station 1 and grant the Mayor the authority to sign and execute

- any and all necessary documents. Commissioner Allison Powers made the motion to approve. Commissioner Steve Hartsock seconded the motion. Mayor Carter called for comments. City Manager stated it replaces the contract with Birch for twice that amount. Mayor Carter called for additional comments, there being none, the motion passed unanimously. 4 -0.
4. Consider a request to waive all utility tap and connection fees for Sandy Valley Habitat for Humanity's Burdsal; Valley Phase 2 project and grant the mayor the authority to sign and execute any and all necessary documents. Commissioner Steve Hartsock made the motion to approve. Commissioner Bob Shurtleff seconded the motion. Mayor Carter called for comments. City Manager stated the Commission took this same action in 2017 for Phase 1 of the project. Mayor Carter called for additional comments, there being none, the motion passed unanimously. 4-0.
  5. Consider a request to authorize and approve a contract with Wallen, Puckett, and Anderson, PSC, as submitted, for \$31,950.00 for completion of the Fiscal Year 2018-2019 audit and grant the Mayor and City Manager to authority to sign any and all necessary documents. Commissioner Steve Hartsock made the motion to approve. Commissioner Allison Powers seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 4-0.
  6. Consider a request to authorize and approve a Consent & Release with the Kentucky Transportation Cabinet for placement of traffic detection equipment on the Cassidy Boulevard bridge and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner Allison Powers made the motion to approve. Commissioner Bob Shurtleff seconded the motion. Mayor Carter called for comments and Brad Slone stated that the City owns the bridge on Cassidy and KYTC wants to place a device on one of the poles that will detect when traffic is in a certain spot and use that data to get the left turn more efficient. Mayor Carter called additional comments, there being none, the motion passed unanimously. 4-0.
  7. Consider a request to authorize advertising for bids for the Bob Amos Park Artificial Turf project. Commissioner Steve Hartsock made the motion to approve. Commissioner Bob Shurtleff seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 4-0.
  8. Pursuant to KRS 61.810, consider a request for closed session for the purpose of discussion of economic development, legal and personnel issues. Commissioner Steve Hartsock made the motion to approve. Commissioner Bob Shurtleff seconded the motion. Mayor Carter called for comments, there being none, motion passed unanimously. 4-0
  9. Consider a request to reconvene the meeting out of closed session into regular session. Commissioner Bob Shurtleff made the to reconvene. Commissioner Steve Hartsock seconded the motion. Mayor Carter called for comments, there being none, the meeting was reconvened back into regular session. 4-0
  10. Consider a request to grant permission to Pikeville Main Street, Inc. to use the Riverfill area for a fundraising event on July 20, 2019 during the Rumble in

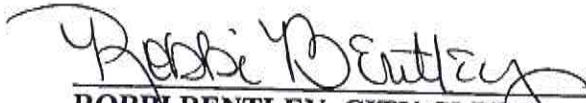
**Main Street Live at Billy Johnson Stage****July 19****August 2 & 16****September 6 & 20****October 4 & 18****5K Events****August 24 – Cuffs & Hoses****September 20 – 22: Ruff, Tough, Cuss****September 28 -Tour de Pikeville****October 5 – VFW Duathlon****October 19- Paint Pikeville Pink****November 16- Scotty Hamilton****Pikeville Farmer's Market****Tuesday 4:30p-7pm****Saturdays 9am-1pm****Local Evets & Attractions****Zip, Paddle, Saddle****June 10-11 and July 8-9 – Horse Camp****Fireworks & Activities in the Park – July 4****Rumble in the Riverfill/Kid's Day in the Park- July 20****Hillbilly Christmas in July Ride – July 21****Duck Float – August 24****Hatfield & McCoy Days – September 20-22****Fire Week – October 6-12****Kiwani's Fall Festival – October 6****Firemen's Ball – October 8****Haunted Trail – October 11-26 (weekends only)****Nightmare on Main – October 24****Veteran's Day Event – November 11****Winterfest – December 1-31****Christmas Parade – December 7****Pikeville YMCA****Heritage Museum – Division Street in Pike County Courthouse Annex**

**The next scheduled Regular Meeting of the City of Pikeville Board of Commissioners is, July 8, 2019 at 6:00 p.m.**

APPROVED:

  
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JAMES A. CARTER, MAYOR

ATTESTED:

  
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ROBBI BENTLEY, CITY CLERK