

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
October 14, 2019 AT 6:00 P.M.**

The Board of Commissioners for the City of Pikeville met in a regular called session on Monday, October 14, 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
ALLISON POWERS**

MAYOR: **JAMES A. CARTER**

MINUTES

The minutes for the previous regular meeting held on September 23, 2019 were in each Commission Member's agenda package. There being no additions or corrections, Commissioner Shurtleff made the motion to approve the minutes as prepared. Commissioner Powers seconded the motion. Mayor Jimmy Carter called for discussion, there being none, the motion carried unanimously. 5-0.

BUSINESS FROM THE FLOOR

Consider a request to adopt a proclamation, as submitted, honoring K9 Officer, Yelo, for his years of service to the Pikeville Police Department and grant the Mayor the authority to sign and execute said proclamation on behalf of the City of Pikeville. Commissioner McNamee made the motion to approve. Commissioner Shurtleff seconded the motion. Mayor called for comments, there being none, motion passed unanimously. 5-0.

University of Pikeville (UPIKE) was present. Many members of the Board were present. Governor Paul Patton spoke first in support of the restricted use of Kentucky Avenue for the University of Pikeville. Governor Patton referred to the University's request a few years ago for restricted use of Sycamore Street. Sycamore Street remained open to emergency services but still restricted so that our

students could enjoy the crossing back and forth. Governor Patton invited the Commission to come to the University today and see the beautiful section of Sycamore, which is the heart and soul of the campus life for the students. Governor Patton indicated that restricting access to Sycamore Street was a tough decision and there was some opposed to it, but the Commission stepped up and did what was right for the University and right for the City. Governor Patton then introduced Chairman Terry Dotson who asked the Commission to consider permanently closing a portion of Kentucky Avenue to public through traffic in order to allow the university to construct a dormitory building that would stretch across the roadway. A presentation from Joe Rasnick, with Integrity/Architecture of Lexington, showed a design of the new building that is proposed to be constructed on an area between Kentucky Avenue, Poplar Street, and Willow Street. The building would sit adjacent to the University's Armington Learning Center and in front of the Paige Hall dorm facility. The initial plan would be to keep the roadway of Kentucky Avenue in place under the new building's footprint and to construct the building elevated over the roadway with tunnels passing under the structure. That plan would keep a contiguous street adjoining North Elm Street as currently does and the City could utilize that route for emergency vehicles. Following Rasnick's presentation, Dotson stated the project would increase the housing capacity at UPIKE, which would also result in increase in enrollment. He stated the University is going to be in a position to bring another 200-250 beds and that construction of the building would bring around \$6 million into the City, including tuition, room and board, but including the extra students to buy, such as gas and eating at restaurants. Dotson also told the Commission that the gems of City are the Hospital and the University, and no other City can boast of that anywhere east of I-75. Mayor Carter stated that this would be an item that the Commission would have to discuss further since the plan is only conceptual at this time, but would definitely take in consideration.

Citizens addressed the Commission to express concern about a nuisance on Phyllis Lane. The citizens stated that the individual was frequently calling the police on someone in the neighborhood every day for something that was done or a vehicle parked on the sidewalk, feeding the ducks, etc. The citizens requested the Commission's assistance in addressing this situation. City Attorney Rusty Davis stated he scanned through some of the calls that had come through, and there were some the police investigated that no merits and there were some that had a little merit. City Attorney indicated that it's difficult to stop people from filing a complaint, but if it's a false complaint they can be charged. City Attorney indicated that the Police Department could possibly assign one officer to Mr. Silvers complaints, if that officer is not available, we could have him follow up with the CAD report on his next shift. Mayor Carter suggested maybe to get some signs posted stating "Public Parking". Mayor stated we'll do what we can, and the citizens thanked the Commission for its assistance.

PAYMENT OF CITY BILLS

The City Manager Philip Elswick requested the approval to pay city bills in the amount of \$2,470,199.97. Commissioner Hartsock made the motion to approve. Commissioner McNamee 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 a request to approve and authorize payment of OVIVO Invoice No. 8477202, as submitted, for \$208,022.15 for the wastewater treatment plant upgrade 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.
2. Consider a request to authorize and approve payment of Bizzack Construction, LLC Pay Application No. 12, as submitted, for \$1,548,937.68 for the KEIP Access Road project and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner McNamee made the motion to approve. Commissioner Powers 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 Rising Sun Developing Company Change Order No. 2, as submitted for an increase of \$7,063.699 for the Overlook Events Center project and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner Powers made the motion to approve. Commissioner Hartsock seconded the motion. Mayor Carter called for comments, there being none, motion passed unanimously. 5-0.
4. Consider a request to authorize and approve payment of BitSource, LLC Invoice No. 879, as submitted, for \$1,281.25 for upgrades to the visitpikeville.com website and mobile application 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, motion passed unanimously. 5-0.
5. Consider a request to authorize and approve payment of Vaughn and Melton Consulting Engineers, Inc. Invoice No. 60, as submitted, for \$9,223.81 for the WWTP Improvements 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, there being none, motion passed unanimously. 5-0
6. Consider a request to authorize and approve payment of Danny Melvin Invoice No.1, as submitted, for \$18,500 for the Emergency Management/911 Center Remodeling 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, motion passed unanimously. 5-0.
 7. Consider a request to award a proposal to Jigsaw Enterprises, LLC for \$7,500, as submitted, for exploratory drilling for slider repair on Kati Street and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner Powers made the motion to approve. Commissioner Hartsock seconded the motion. Mayor Carter called for comments, there being none, motion passed unanimously. 5-0
 8. Consider a request to award a proposal to H2O Construction Company, Inc for \$29,000.00, as submitted, for the demolition of 130 Jay Street, 332 Poplar Street, and 344 Poplar Street 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, motion passed unanimously. 5-0
 9. Consider a request to authorize and approve payment of Elliott Contract, Inc. Pay Application No. 2, as submitted, for \$27,176.40 for the YMCA Pool project and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner McNamee made the motion to approve. Commissioner Powers seconded the motion. Mayor Carter called for comments, there being none, motion passed unanimously. 5-0

CITY ATTORNEY

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

1. Consider a 1st reading of Ordinance No O-2019-28, as submitted, establishing a policy for expulsion from the City's Parks and other recreational facilities.
2. Consider a 1st reading of Ordinance No. O-2019-29, as submitted, amending Chapter 124 of the City of Pikeville Code of Ordinances related to downtown business incentives.

CITY MANAGER

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

1. Consider a request to authorize and approve nunc pro tunc a Low-Income Home Energy Assistance Program (LIHEAP) Vendor Application for 2019-2020, as submitted, 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, motion passed unanimously. 5-0.
2. Consider a request to authorize the HR Manager to advertise for two Sergeant positions and a Captain position with the Pikeville Police Department. Commissioner McNamee made the motion to approve. Commissioner Powers seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 5-0.
3. Consider a request to cancel the November 11, 2019 meeting and due to a holiday and schedule a special meeting for Tuesday, November 12, 2019 at 6:00pm. 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.
4. Consider a request to authorize and approve a revision to the RV Park Use Agreement & Operating and Rental Policies, as submitted. Commissioner McNamee made the motion to approve. Commissioner Powers seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 5-0.
5. Consider a request to authorize submittal of a KLCIS Liability Grant application, as submitted, for reimbursement of costs associated with gas meter retrofitting and accreditation of the Pikeville Police Department up to \$3,000.00 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.
6. Consider a request to authorize issuance of an advertisement for public bids for the demolition of 92 Peach Orchard Drive 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, motion passed unanimously. 5-0.
7. Consider a request to authorize issuance of an advertisement for public bids for the replacement of sidewalks located near the Office of Economic Development extending from Huffman Avenue to Caroline Avenue and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner Powers made the motion to approve. Commissioner McNamee 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 a Relocation Payment for Nathaniel D. Bolden and Gloria Bolden (Dean's Recycling) for \$25,000.00, as submitted, for re-establishment of the business location within the KEIP Access Road right-of-way and grant the Mayor 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.
9. Consider a request to authorize and approve an entrance to be constructed on Scott Avenue for 165 Third Street and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner McNamee made the motion to approve. Commissioner Powers seconded the motion. Mayor Carter called for comments, there being none, motion passed unanimously. 5-0
 10. Consider a request to authorize and approve submittal of a K94COPS grant application for the purchase and training of a K9 Officer 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, motion passed unanimously. 5-0.
 11. Consider a request to authorize and approve a Memorandum of Agreement with the Commonwealth of Kentucky, Energy and Environment Cabinet, Division of Abandoned Mine Lands, as submitted, for \$5,707,095.84 for construction of a speculative building at Kentucky Enterprise Industrial Park 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, motion passed unanimously. 5-0.
 12. Consider a request to authorize and approve a Use Agreement with United Parcel Service, Inc. as submitted, for the use of City owned property at 158 Trivette Drive for placement of storage pods 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 comment, there being none, motion passed unanimously. 5-0
 13. Pursuant to KRS 61.810, consider request for closed session for discussion of economic development, legal and personnel issues. Commissioner McNamee made the motion. Commissioner Powers seconded the motion. Mayor Carter called for discussion, there being none, the motion passed unanimously. 5-0.
 14. Consider a request to reconvene the meeting out of closed session into regular session. 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.
 15. Consider a request to authorize and approve an Ambulance Service Agreement with Hospice of the Bluegrass, Inc. and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner McNamee made the motion to approve. Commissioner Powers seconded the motion. Mayor called for comments, there being none, motion passed. 5-0

16. There being no further business to come before the Commission, Commissioner Hartsock has made the motion to adjourn the meeting. Commissioner McNamee seconded the motion. Mayor Carter called for discussion, there being none, the meeting was adjourned. 5-0.

EVENTS, ATTRACTIONS & CONSENT ITEMS:

Appalachian Wireless Arena

October 20- Newboys

October 26- Charlie Daniels Band

November 24- Black Stone Cherry

November 16- Chris Janson

December 1 – Craft Fall

December 13- Harlem Globetrotters

December 27, 28, and 31 – Tyler Childers

February 29- Brantley Gilbert

Appalachian Center for the Arts

Conway & Loretta – October 25

Pickin' and Grinnin'- October 28- FREE Event

Murder Mystery with audience participation- November 2

Pickin' and Grinnin'- November 25 – FREE Event

Moonshine & Mistletoe – November 29-December 23

Appalachian Christmas – December 5-21

Pickin' and Grinnin' – January 27 – FREE Event

APP Youth Theatre

Frozen Jr, - November 14-24

Princess Tea – November 23

Main Street

Dead Ball - October 19

Zombie 5K- October 26

Small Business Saturday – November 23

Main Street Live at Billy Johnson Stage

October 18

5K Events

October 19- Paint Pikeville Pink

November 16- Scotty Hamilton

Pikeville Farmer's Market

Tuesdays 4:30pm-7pm & Saturdays 9 am-1pm

Local Events & Attractions

Zip, Paddle, Saddle

Nightmare on Main – October 24

Trick or Treat – October 31

Veteran's Day Event – November 11

Winterfest – December 1-31

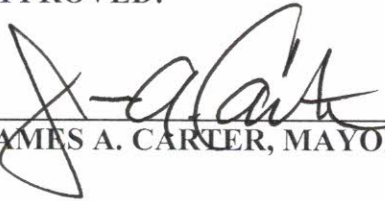
Christmas Parade – December 7

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, October 28, 2019 at 6:00 p.m.

APPROVED:



JAMES A. CARTER, MAYOR

ATTESTED:



ROBBI BENTLEY, CITY CLERK