

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
May 13, 2019 AT 6:00 P.M.**

The Board of Commissioners for the City of Pikeville met in a regular called session on Monday, May 13, 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 April 22, 2019 were in each Commission Member's agenda package. There being no additions or corrections, Commissioner Hartsock made the motion to approve the minutes as prepared. Commissioner McNamee 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 honoring the Pikeville High School archery team 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 Powers seconded the motion. Mayor Carter called for comments and called the team Captains forward to read the proclamation. After the reading, the Mayor and the Commission congratulated the team on their accomplishments and their progression of the team in just being a new team of 5-years; and, the consistency of excellence from the high school. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.

Consider a request to adopt a proclamation designating May 19-25, 2019 as EMS Week 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 Powers seconded the motion. Mayor Carter called for comments. Commissioner Reed and the EMS Team thanked the Mayor and Commission for their recognition. Mayor and Commission thanked them for all they do. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.

Blake Justice – Eagle Scout Project – trail mapping. Blake is from Troop 10 and is doing a project at the Y, putting out markers along the trail for emergency situations and increased safety. His proposal is designed to be tied to GPS points in cooperation with the 911 mapping of the trail and is hoping to start this project around May 20, 2019. The Mayor and Commissioners thanked Blake for his idea and agreed that it is a great project.

Pike County Flood Control Project – City Manager Philip Elswick explains that this project started in the 1970's or the 1980's. As part of the Cut-Through project, US 23 was designed to serve as a levee to protect the downtown area with two flood gates; however, pumps to remove interior drainage from the downtown area were never installed and North Pikeville was left unprotected. In 2006, there was a plan put together to address issues with the levee protection that was already in place and expand flood protection to North Pikeville. The proposed project would create a floodwall from US 23 to the KYTC maintenance garage and tying back into US 23. The acquisition of 15 structures and 24 tracts of property would be required. Athletic facilities at Hambley would be disturbed during construction. Sewer lines, pump station, water main, gas lines, stormwater infrastructure, and a park would be relocated as part of the project. The floodwall would protect 40 structures with all remaining structures being protected by non-structural means.

The U.S. Army Corps of Engineers has estimated the cost of project in 2019 to be \$1.1B with approximately \$115 – 125M being spent in the City of Pikeville, \$115 – 125M being spent in the City of Coal Run, and the balance, \$850M being spent in Pike County. With this project, the funding was proposed at 95% federal with 5% local match. The Fiscal Court has asked the City of Pikeville and the City of Coal Run to pay the entire match for the total funding to date, which is \$12,482,625. Expenditures to date are \$8,471,113, and a match of \$656,980 must be paid before the remaining funds can be expended. This phase of the project will begin real estate services and design. Additional funding would be required annually for finalizing real estate and design and the structural/non-structural features proposed, and the local sponsors would be responsible for an additional 5% match of every future federal appropriation to the project.

City Attorney says that it would be very difficult for the City to enter into an agreement beyond our geographical limits. Mayor adds that it is a little premature

at this point for a project that may never happen. City Attorney says that if there is no action on this request then we would just tell them there was no vote to do it. Mayor and Commissioners agree that there is not enough information on the project to make a decision at this point.

PAYMENT OF CITY BILLS

The City Manager Philip Elswick requested the approval to pay city bills in the amount of \$1,647,458.33. Commissioner McNamee made the motion to approve. Commissioner Hartsock 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 BitSource LLC Invoice No. 717, as submitted, for \$988.75 for the visitpikeville.com website and mobile application modifications 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. 7, as submitted, for \$499,239.23 for the KEIP Access Road 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, the motion passed unanimously. 5-0.
3. Consider a request to award a proposal to Adventure Design & Training, LLC, as submitted, for an amount not to exceed \$18,950.00 for the replacement of White Lightning Ziplines #6 and #7 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 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.
4. Consider a request to award a bid to Commonwealth Building & Construction Co., Inc., the only bidder, as submitted, for \$74,950.00 for the Pikeville Pavilion Weatherization Project and grant the Mayor the authority to sign and execute any and all necessary documents upon

approval of the design by the Board of the Pikeville Farmers Market, Inc. Commissioner Hartsock made the motion to approve. Commissioner McNamee seconded the motion. Mayor Carter called for comments. Mr. Slone says that this is a grant with U.S. Rural Development for a specified amount of money for the construction. The proposed contract amount is within the specified construction funding. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.

5. Consider a request to authorize and approve Change Order No. 1 to the 2018-2019 Asphalt Placement or Purchase Project with Mountain Enterprises, Inc. at no net increase to the contract amount and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner Shurtleff made the motion to approve. Commissioner McNamee seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 5-0.

CITY ATTORNEY

City Attorney Russell Davis had the following items to read into record.

1. Consider a second reading of Ordinance No. O-2019-13, as submitted, amending Chapter 92.25(2) providing for Commercial Premise Nuisances to include residential apartment houses, buildings, or complexes 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 for roll call.

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

Ordinance passed.

2. Consider a first reading of Ordinance No. O-2019-14, as submitted, amending the Chapter 54.05 providing for the elimination of delinquent notices, extending the payment deadline, and changing when the deposit is applied. Second reading and passage of this ordinance will take place at next scheduled commission meeting.

CITY MANAGER

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

1. Consider a request to authorize engaging King & Schikli PLLC for intellectual property and trademark representation and to authorize and approve payment of associated Invoice No. 18005, as submitted, for \$900.00 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 award a bid to H2O Construction, Inc., the low bidder, as submitted, for \$115,000.00 for the Huffman Avenue Drainage Project and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner Hartsock 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 entering into a purchase agreement with and subsequently purchasing a tract of land from Jettie Thompson, her minor children, etc. for right-of-way associated with the KEIP Access Road and grant the Mayor the authority to sign and execute any and all necessary documents upon completion of negotiations by the City Manager and the City Attorney. 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 entering into a purchase agreement with and subsequently purchasing a tract of land from Gladys Carol Conway for right-of-way associated with the KEIP Access Road and grant the Mayor the authority to sign and execute any and all necessary documents upon completion of negotiations by the City Manager and the City Attorney. 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.
5. Consider a request to authorize and approve submission of a charter application, the acquisition of necessary insurance, and fees and start-up costs, not to exceed \$1,000.00, necessary for establishing a Challenger Division Little League Program in the City of Pikeville 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.
6. Consider a request to authorize and approve a Kentucky League of Cities Customer Service Training Proposal, as submitted, and grant the Mayor 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.
7. Consider a request to authorize and approve creation of a Pikeville Community Foundation as part of the Appalachia Foundation of Kentucky and grant the Mayor the authority to sign and execute any and all necessary documents. Commissioner Shurtleff made the motion to approve. Commissioner Powers seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 5-0.
 8. Consider a request to appoint Kathy Atkins, Rick Newsome, Pat McNamee, Philip Elswick, and Fadi Al Ahkrass as the initial board members of the Pikeville Community Foundation. Commissioner Shurtleff made the motion to approve. Commissioner Hartsock seconded the motion. Mayor Carter called for comments, there being none, the motion passed with Commissioner McNamee abstaining. 5-0.
 9. Consider a request to appoint Zane Maheu May to the Historic Preservation Board for a term expiring on November 26, 2022 to replace Ed Atkins. 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.
 10. Consider a request to award a proposal for a health insurance broker and grant the Mayor the authority to sign and execute any and all necessary documents. City Manager adds that there were five responses to our proposal and the interview committee recommends Assured Partners. Commissioner McNamee made the motion to approve. Commissioner Hartsock seconded the motion. Mayor Carter called for comments and Mr. Elswick says that this company will allow online enrollment, has an app for employees and will give employees options. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.
 11. Consider a request to cancel the Commission meeting scheduled for May 27, 2019 and reschedule the meeting to May 28, 2019 at 5:30 pm. 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.
 12. Consider a request to authorize submittal of a KPEGG grant application for completion of a comprehensive plan 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 with Commissioner Shurtleff abstaining. 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 Hartsock seconded the motion. Mayor Carter called for discussion, there being none, the motion passed unanimously. 5-0.
 14. Commissioner McNamee made the motion to reconvene. Commissioner Powers 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. There being no further business to come before the Commission, Commissioner McNamee has made the motion to adjourn the meeting. Commissioner Shurtleff 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:

June 1 & 2, 2019 – Paw Patrol Live

June 5, 2019 – REO Speedwagon

June 7, 2019 – It's a Jeep Thang

August 2 & 3, 2019 – Pikeville Comic & Toy Convention

September 5 & 6, 2019 – SOAR Summit

Appalachian Center for the Arts:

Confederate Railroad – May 30, 2019

Masterclass – Broadway National Tour of Hamilton – June 17, 2019

Million Dollar Quartet – Aug.13, 2019 – Sept.2, 2019

Sally McCoy – September 13, 2019 – October 5, 2019

Moonshine & Mistletoe – Dec.3, 2019 – Jan.4, 2020

APP Youth Theatre Camps:

Elementary Schools: June 17-22, 2019, June 24-29, 2019

Middle School through High School: July 1-13, 2019, July 15-27, 2019

Main Street:

June 15, 2019 – Dinner in White

September 28, 2019 - Retail Gating, Wine & Beer Tasting – Downtown Pikeville

November 23, 2019 – Small Business Saturday

Streetcar Challenge:

July 13, 2019

August 10, 2019

October 12, 2019

Main Street Live at Billy Johnson Stage:

May 24, 2019

June 7, 8 & 21, 2019

July 19, 2019

August 2 & 16, 2019

September 6 & 20, 2019

October 4 & 18, 2019

5K Events:

May 19, 2019 – Tour de Ville

Sept.20-22, 2019 – Ruff, Tuff, Cuss

Pikeville Farmers Market:

UPike:

Local Events & Attractions:

Zip, Paddle and Saddle

- June 10-11, 2019 and July 8-9, 2019 Horse Camp

Police Week – May 12-18, 2019

Fireworks & Activities in the Park – July 4, 2019

Rumble in the Riverfill/ Kids Day in the Park – July 20, 2019

Hillbilly Christmas in July Ride – July 21, 2019

Duck Float – August 24, 2019

Hatfield & McCoy Days – September 20-22, 2019

Fire Week – October 6-12, 2019

Firemen’s Ball – October 8, 2019

Haunted Trail – October 11-26, 2019 (weekends only)

Nightmare on Main – October 24, 2019

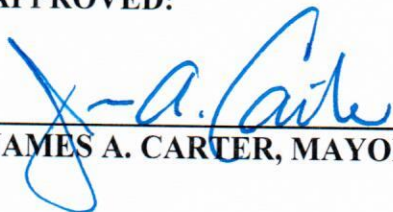
Winterfest – December 1-31, 2019

Pikeville YMCA

Heritage Museum – Division Street in Pike County Courthouse Annex

The next scheduled Meeting of the City of Pikeville Board of Commissioners is, 2019 at May 28, 2019 5:30 p.m.

APPROVED:



JAMES A. CARTER, MAYOR

ATTESTED:



CHRISTY BILLITER, CITY CLERK