

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
August 9, 2010 AT 6:00 P.M.**

The Board of Commissioners for the City of Pikeville met in a regular called session on Monday, August 9, 2010. The meeting was held in the City Hall Conference Meeting Room located at 118 College Street, Pikeville, Kentucky.

There being a quorum present, Mayor Frank Justice called the meeting to order at 6:00 p.m. Commission Members present at roll call were as follows:

COMMISSIONER: **GENE DAVIS
BARRY CHANEY
DALLAS LAYNE
JIMMY CARTER**

MAYOR: **FRANKLIN D. JUSTICE, II**

MINUTES

The minutes for the previous regular meeting held on July 26, 2010 were in each Commission Member's agenda package. There being no additions or corrections, Commissioner Chaney made the motion to approve the minutes as prepared. Commissioner Layne seconded the motion. Mayor Frank Justice called for discussion, there being none the motion carried unanimously. 5-0.

BUSINESS FROM THE FLOOR

Honorable Judge Steve Combs was presented the Community Ambassador Award by the Mayor and the Commission. Mayor Justice read the award to everyone and the list of accomplishments of Judge Combs. Mayor commented that he had fun with Steve being Commissioner and being an Eagle Scout. City Manager Donovan Blackburn makes mention of the proclamation that was passed last meeting where Honorable Judge Combs was awarded Community Ambassador for his outstanding leadership to the community. With this mention, Judge Combs is now part of the Community Ambassador Hall of Fame.

Next, Rusty Davis spoke on behalf of Representative Leslie Combs, who is in Frankfort on business, and expressed her thanks and appreciation to the commission for their support in the kids event last Saturday. She especially appreciated City Manager Donovan Blackburn and the staff in helping organize the

event, and UMG as well. Mr. Blackburn talks about how great the event turned out for our community considering our recent flooding and the people needing assistance. Many agencies came together for the event with services from free haircuts to school supplies. It was a very well attended event.

City of Pikeville received the 2009 Smokers Indoor Clean Air Award from the UK College of Public Health.

City of Pikeville is also a nominee for the 2010 Wooden Bucket Award, which the city received in 2008 from the USDA Rural Development.

Finally, a lady from the audience approaches the commission, she says she lives at Williams Hollow and her neighbor has a truck bed for a drain. She currently suffers from flood damage and is wondering if her neighbor is going to be required to fix his drain with a formal drain. If he doesn't fix it correctly, then this lady will experience more damage than she already has. The drain is currently damaged from the last flooding waters and the dirt is out on the sides of the drain. The lady is concerned about the way her neighbor is required to fix the drain. City Attorney Rusty Davis replies that the drain will have to be compliant with the city and that we require people to go through codes enforcement and zoning. Mr. Davis also directs a couple questions to our City Engineer Jack Sykes. City Manager Donovan Blackburn speaks up and asked Robert Smith, Codes Enforcement, to get their information and to go out and take a look at the situation.

PAYMENT OF CITY BILLS

The City Manager Donovan Blackburn requested the approval to pay city bills in the amount of \$791,095.47. Commissioner Davis made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for further discussion, there being none, motion passed unanimously. 5-0.

BIG SANDY AREA DEVELOPMENT DISTRICT

Libby Radcliff was present for the Big Sandy Area Development. Ms. Radcliff addressed the commission in reference to the Marion's Branch Sewer Project and the pay request that are on the agenda for approval for H2O Construction and Summit Engineering. She also made mention of the Block Grant Section 3 that is on the agenda. Ms. Radcliff plans to do some labor monitoring for the project tomorrow just as a routine check and wants to be aware of state and federal rights. Mayor Justice ask how long will this thing be going on. Everyone turns to the City Engineer Jack Sykes and he says he expects a year or so.

CITY ENGINEER

Jack Sykes was present with Summit Engineering, Inc. and submitted several requests to the commission for approval.

1. Consider request to approve change order with Ohio Irrigation for the Bob Amos Soccer Complex. Said change order includes a \$37,500 add for Bermuda Turfgrass to be installed and a deduct of \$6,500 for springing for the Soccer field for a total change order addition of \$31,000 and to authorize the City Manager to sign and execute said change order on the cities behalf. Commissioner Carter made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for comments, there being none the motion passed unanimously. 5-0.

- Consider request to approve change order with Ohio Irrigation for the Bob Amos Soccer Complex. Said change order includes a \$3,735 add for rock trenching and to authorize the City Manager to sign and execute said change order on the cities behalf. Commissioner Carter made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for comments, there being none the motion passed unanimously. 5-0.

- Consider request to approve change order with KYOVA for the Bob Amos Soccer Complex. Said change order includes a \$4,690 add for rock in the lighting trenches and to authorize the City Manager to sign and execute said change order on the cities behalf. Commissioner Carter made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for comments, there being none the motion passed unanimously. 5-0.

2. Consider request to approve pay request #2 and authorize payment to H2O Construction Co. for \$235,605.47 for Marion Branch Sewer project as submitted and authorize the mayor to sign and execute said pay request. Commissioner Chaney made the motion to approve. Commissioner Carter seconded. Mayor Justice called for comments there being none the motion passed unanimously. 5-0.

3. Consider request to approve pay request #2 and authorize payment to Big Sandy Area Development District for \$7,500 for the Marion Branch Sewer project Administrative Cost as submitted. Commissioner Chaney made the motion to approve. Commissioner Davis seconded. Mayor called for comments, there being none the motion passed unanimously. 5-0.

4. Consider a request to approve invoice #52431 and authorize payment to Summit Engineering for \$21,368.05 for the Marion Branch Sewer Project Engineering Fees as submitted. Commissioner Carter made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for comments, there being none, the motion passed unanimously. 5-0.

CITY ATTORNEY

City Attorney Rusty Davis was present and presented the commission with the first reading of the Summary of Ordinance #0-2010-013, an ordinance providing the acquisition, construction and installation of a water and sewer service additions by authorizing the issuance of series 2010S-2 bonds and confirming conditions as set forth within the ordinance. The second reading will be at the next regular scheduled meeting on August 23, 2010.

CITY MANAGER

City Manager Donovan Blackburn presented the commission with the following items for approval:

- 1. Consider request to approve and adopt the “GRANTEE SECTION 3 AFFIRMATIVE ACTION PLAN” as submitted and to authorize the mayor to sign said document on the cities behalf. Commissioner Davis made the motion to adopt. Commissioner Chaney seconded the motion. Mayor called for further comments, there being none the motion passed unanimously. 5-0.**

GRANTEE SECTION 3 AFFIRMATIVE ACTION PLAN

The City of Pikeville agrees to implement the following specific affirmative action steps directed at increasing opportunities for training and employment for lower income residents of the project area, and increasing the utilization of business concerns within the Section 3 covered area of owned by Section 3 area residents.

- To identify projected work force needs for all phases of the program by occupation, trade, skill level, and number of positions and to develop utilization goals for the employment of lower income project area residents for each.
- To attempt to recruit from within the city the requisite number of project area residents through: local advertising media; posted signs; and community organizations and public and private institutions operating within or serving the project area.
- To identify eligible business concerns for CDBG-assisted contracts through: the Chamber of Commerce, the Urban league, local advertising media including public signage; project area committees, citizen advisory boards; lists available through CDBG program officials; regional planning agencies, and all other appropriate referral sources.
- To maintain a list of eligible business concerns for utilization in CDBG-funded procurements, to insure that all appropriate project area business concerns are notified of pending contractual opportunities, and to make available this list for general city procurement needs.
- To require all bidders on contracts to submit a written Section 3 Plan including utilization goals and the specific steps planned to accomplish these goals.
- To insure that all contracts which are typically let on a negotiated rather than a bid basis in areas other than Section 3 covered project areas are also let on a negotiated basis, whenever feasible, when let in a Section 3 covered project area.

- G. To maintain records, including copies of correspondence, memoranda, etc., which document that all of the above affirmative action steps have been taken.
- H. To appoint or recruit an executive official of the city as Equal Opportunity Officer to coordinate the implementation of this Section 3 Plan:

EEO OFFICER APPOINTMENT

Name:

Title:

As officers and representatives of the Pikeville City Commission, we the undersigned have read and fully agree to this Affirmative Action Plan, and become a party to the full implementation of this program.

Signature

Mayor, City of Pikeville

Date

Signature

City Clerk

Date

- 2. Consider request to post for vacant city employment positions. Commissioner Carter made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for further comments, there being none the motion passed. 5-0.**
- 3. Consider request for closed session for discussion of economic development, legal and personnel issues. Commissioner Davis made the motion. Commissioner Chaney seconded the motion. Mayor Justice called for discussion, there being none the motion passed unanimously. 5-0.**
- 4. Commissioner Carter made the motion to re convene. Commissioner Davis seconded the motion. Mayor Justice called for discussion, there being none the motion passed unanimously. 5-0. Mayor called the session back into order.**

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

CONSENT ITEMS:

The next scheduled Regular Meeting of the City of Pikeville Board of Commissioners is August 23, 2010 at 6:00 p.m.

APPROVED:

FRANKLIN D. JUSTICE, II, MAYOR

ATTESTED:

CHRISTY BILLITER, CITY CLERK