

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
November 9, 2015 AT 6:00 P.M.**

The Board of Commissioners for the City of Pikeville met in a regular called session on Monday, November 9, 2015. The meeting was held in the City Hall Meeting Room located at 243 Main Street, Pikeville, Kentucky.

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: JOSH HUFFMAN
 JERRY KEITH COLEMAN
 BARRY CHANEY
 FRANKLIN D. JUSTICE, II**

MAYOR: JAMES A. CARTER

MINUTES

The minutes for the previous regular meeting held on October 26, 2015 and the minutes from the Special Commission Meeting held November 5, 2015 were in each Commission Member's agenda package. There being no additions or corrections, Commissioner Huffman made the motion to approve the minutes as prepared. Commissioner Chaney seconded the motion. Mayor Jimmy Carter called for discussion, there being none, the motion passed with Commissioner Justice abstaining. 5-0.

BUSINESS FROM THE FLOOR

Consider a request to adopt a proclamation honoring the 2015 Pikeville Jr. High Football Team for their accomplishments. Mayor Carter asked the Captain of the Team to come forward for the reading of the proclamation. Commissioner Justice made the motion to adopt the proclamation. Commissioner Coleman seconded the motion. Mayor Carter called for comments. The Mayor and the Commissioners each expressed their appreciation for the team's accomplishments and congratulated the team on a job well done. Mayor Carter called for additional comments, there being none, the motion passed unanimously. 5-0.

PAYMENT OF CITY BILLS

The City Manager Donovan Blackburn requested the approval to pay city bills in the amount of \$792,479.44. Commissioner Chaney made the motion to approve. Commissioner Justice seconded the motion. Mayor Carter called for questions or comments, there being none, motion passed unanimously. 5-0.

Consider a request to authorize and approve payment for various invoices, as submitted, to H2O Construction Co. Inc. as listed. Invoice #455 for \$16,000.00 to replace the washed out sewer line on Island Creek, Invoice #456 for \$9,000.00 for concrete road repair at Keyser Heights and Invoice #454 for \$3,000.00 for directional drilling on Ratliff's Creek. Commissioner Chaney made the motion to approve. Commissioner Coleman seconded the motion. Mayor Carter called for comments and said on Keyser Heights, they did a really good job on replacing the concrete up there. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.

CITY ENGINEER

Phillip Elswick was present with Summit Engineering, Inc. and submitted several request to the commission for approval.

- 1. Consider request to approve and authorize payment for invoice #24 to Vaughn & Melton Consulting Engineers, Inc. for \$24,282.00 for the City Waste Water Treatment Upgrade Improvements Project. Commissioner Justice made the motion to approve. Commissioner Chaney 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 an invoice, as submitted, to Nattco, Inc. for \$16,481.60 for the road slide repairs on Peach Orchard. Commissioner Huffman made the motion to approve. Commissioner Chaney seconded the motion. Mayor Carter called for comments and asked if this was the house all the way at the end. Donnie Slone says that this is a FEMA project from 2014 and it is right before you get to the radio station. Mayor Carter asked if the road was slipping there. Commissioner Justice asked if that broke loose or did we catch it. Mr. Slone said that we caught it. It was hanging but it is solid rock underneath. Mayor Carter called for additional questions or comments, there being none, the motion passed unanimously. 5-0.**
- 3. Consider a request to authorize and accept closeout documents, as submitted, for the Multi-Site Water Main Replacement Project. Commissioner Coleman made the motion to approve. Commissioner Chaney 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 payment for Change Order #9, as submitted, to Tom Wright Construction, Inc. for \$80,024.86 for the Multi-Site Water Main Replacement Project and to authorize the Mayor the authority to sign and execute said pay request on behalf of the City of Pikeville. Commissioner Chaney made the motion to approve. Commissioner Coleman seconded the motion. Mayor Carter called for comments. City Engineer Phillip Elswick says that this is not a change order it is a pay request. Mayor Carter called for additional questions or comments, there being none, the motion passed unanimously. 5-0.**
- 5. Consider a request to authorize and approve change order #2, as submitted, between the City of Pikeville and Tom Wright Construction, Inc. for the Multi-Site Water Main Replacement Project with a total deduct to reconcile the project for \$5,144.00 and to authorize the Mayor the authority to sign and execute said change order on behalf of the City of Pikeville. Commissioner Justice made the motion to approve. Commissioner Huffman 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 payment for pay request #1, as submitted, to Bush and Burchett, Inc. for \$139,455.00 for the Marion Branch Bridge & Approaches Project and to authorize the Mayor the authority to sign and execute said pay request on behalf of the City of Pikeville. Commissioner Justice made the motion to approve. Commissioner Coleman seconded the motion. Mayor Carter called for comments. City Manager says it is our first bridge and we are getting started. Mayor Carter called for additional questions or comments, there being none, the motion passed unanimously. 5-0.**
- 7. Consider a request to authorize and award an advertised bid to H2O Construction for \$219,200.00 for the Mullins Addition Waterline Replacement Project contingent upon the city manager authorizing the notice to proceed. Commissioner Justice made the motion to approve. Commissioner Coleman seconded the motion. Mayor called for additional questions or comments, there being none, the motion passed unanimously. 5-0.**

CITY ATTORNEY

Russell Davis was present and had the following items to read into record.

- 1. Consider a request for a second reading and adoption of ordinance #0-2015-014 amending the City of Pikeville 2015-2016 operating budget and to authorize the Mayor the authority to sign and execute said ordinance on behalf of the City of Pikeville. Commissioner Chaney made the motion to approve. Commissioner Coleman seconded the motion. Mayor Carter called for comments, there being none, Mayor called roll call.**

Commissioner Huffman: Yes
Commissioner Coleman: Yes
Commissioner Chaney: Yes
Commissioner Justice: Yes
Mayor Carter: Yes

Ordinance passed. 5-0.

- 2. Consider a second reading and adoption of ordinance #0-2015-015 amending Chapter 35.45 regarding exemptions for school cafeterias and to authorize the Mayor the authority to sign and execute said ordinance on behalf of the City of Pikeville. Commissioner Justice made the motion to approve. Commissioner Chaney seconded the motion. Mayor Carter called for comments. City Attorney explained the ordinance and the possible conflicts with it. Mayor called for additional questions or comments, there being none, Mayor called roll call.**

Commissioner Huffman: Yes
Commissioner Coleman: Yes
Commissioner Chaney: Yes
Commissioner Justice: Yes
Mayor Carter: Yes

Ordinance passed. 5-0.

- 3. Consider a first reading of a summary ordinance #0-2015-016 providing for the acquisition, construction and installation of major water and sewer service additions and improvement to the City's Combined Water and Sewer System and authorizing the issuance of the City's Water and Sewer Revenue Bonds Series 2016A to pay a portion of the cost for said project. The second reading will take place at the next regular scheduled meeting.**
- 4. Consider a first reading of a summary ordinance #0-2015-017 approving and authorizing a loan agreement between the City of Pikeville and the Kentucky Rural Water Finance Corporation and a promissory note related thereto. The second reading will take place at the next regular scheduled meeting.**

CITY MANAGER

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

- 1. Consider a request to authorize and approve the submittal of a Kentucky Agricultural Development Fund Grant, as submitted, for \$250,000.00 for the purpose of building a Farmers Market on the old WLSI property owned by the City of Pikeville and to authorize the Mayor to sign and execute said grant request on behalf of the City of Pikeville. Commissioner Chaney made the motion to approve. Commissioner Coleman seconded the motion. Mayor Carter called for comments and said that this was discussed last meeting. Mayor called for further comments, there being none, motion passed unanimously. 5-0.**
- 2. Consider a request to approve, authorize and award an advertised bid for Phase 2 of the York House Roofing Project to Craine Construction (who was the low bidder). There are two options for consideration or the award. Option 1 consists of a Composite Slate Shingle for the bid price of \$25,450.00. Option 2 consists of a Natural Slate Shingle for the bid price of \$33,000.00 with a deduct depending upon the amount of the existing slate that will be used. The considered motion shall also authorize the City Manager to immediately issue the notice to proceed for said project. The City Manager recommends awarding Option 2. Commissioner Chaney made the motion to approve. Commissioner Justice seconded the motion. Mayor Carter called for comments. City Manager explains the two options a little further. Mayor says that option two seems like a no brainer. Mayor Carter called for further comments, there being none the motion passed. 5-0.**
- 3. Consider a request to authorize and approve an agreement, as submitted, for geotechnical work at the Marion Branch Industrial Park with S&ME contingent upon Kentucky Power granting final authorization to pay for said work. Commissioner Justice made the motion. Commissioner Coleman seconded the motion. Mayor Carter called for comments. City Engineer said this could go up to \$12,000.00. He explains that this work is to measure the settlement each time. City Attorney states that this is a study that we have done before. If we build on mine reclamation fields then these types of studies should be done for stabilization. City Manager says that what Rusty is saying is before an industry comes to the site we need to do this study. Mayor Carter called for additional questions or comments, there being none, the motion passed unanimously. 5-0.**
- 4. Consider a request to authorize and approve a proposal for CrossRock to do improvements to the city garage stairwell in the city park at the cost of \$3,500.00 and to authorize the Director of City Operations Sean Cochran the authority to sign said proposal to execute said project. Commissioner Chaney made the motion to approve. Commissioner Huffman seconded the motion.**

- Mayor Carter called for comments, there being none, the motion passed unanimously. 5-0.
5. Consider a request to award an advertised bid for Open Top Roll Off Containers to Municipal Equipment Inc. (who was the low bidder) for the following unit prices: \$#, 354.00 for 20 yard containers, \$3,757.00 for 30 yard containers and \$4,420.00 for 40 yard containers and to authorize the immediate purchase of 4-20 yard containers and 2-40 yard containers plus the cost of freight. Commissioner Justice made the motion to approve. Commissioner Chaney seconded the motion. Mayor Carter called for comments and City Manager adds that this is a budgeted capital item. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.
 6. Consider a request to authorize and approve the City Manager the authority to select and hire a contractor to demolish the home owned by the City located at 311 Peach Orchard, Pikeville KY contingent that the fee is below the state requirement to bid and to issue the notice to proceed for said work. Commissioner Chaney made the motion to approve. Commissioner Coleman seconded the motion. Mayor Carter called for comments. Commissioner Huffman asked if this was a vacant house and City Manager says yes. City Attorney asked if we got our deed for that and City Manager says yes. Mayor Carter called for additional questions or comments, there being none, the motion passed unanimously. 5-0.
 7. Consider a request to authorize an advertised bid for the restoration work for the York House windows (excluding the repair of the stain glass), exterior siding and rehabilitation plan for the York House. Commissioner Chaney made the motion to approve. Commissioner Coleman 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 an amendment to the City of Pikeville Personnel Policy Manuel, as submitted, for sections 3.7 Uniforms Expense Policy and 4.6 Professional Appearance and Dress Code. Commissioner Chaney made the motion to approve. Commissioner Coleman seconded the motion. Mayor Carter called for comments. City Manager says that Administration will start wearing logoed shirts. The policy has been amended. Mayor Carter called for additional questions or comments, there being none, the motion passed unanimously. 5-0.
 9. Consider a request to authorize and approve payment for an advertised bid to Bruce Walters Ford (who was the only bidder), for \$31,676.00 for a 2016 4R XLT Ford Explorer 4WD, to authorize payment of any necessary title or transfer fees and to authorize the City Manager the authority to sign and execute any and all paperwork necessary to place said vehicle into the name of the City of Pikeville. Commissioner Justice made the motion to approve. Commissioner Chaney seconded the motion. Mayor Carter called for comments and asked if this was a replacement. City Manager says this is purchased with the seizure money. Mayor called for additional questions or

- comments, there being none, the motion passed with Mayor Carter abstaining. 5-0.
10. Consider a request to authorize and adopt a resolution, as submitted, authorizing the acceptance of a grant agreement for up to \$500,000.00 in CDBG funds with the Department for Local Government authorizing and directing the City of Pikeville Mayor to execute any documents which are deemed necessary by DLG to carry out the Broadband Technology Education Center Project and to authorize the Mayor to act as the authorized correspondent for said project and to authorize the Mayor the authority to sign and execute said resolution on behalf of the City of Pikeville. Commissioner Justice made the motion to approve. Commissioner Huffman seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 5-0.
 11. Consider a request to authorize and approve a Residential Anti-displacement and Relocation Assistance Plan, as submitted, for the CDBG requirement for the Broadband Technology Education Center Project and to authorize the Mayor the authority to sign and execute said plan on behalf of the City of Pikeville. Commissioner Justice made the motion to approve. Commissioner Chaney seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 5-0.
 12. Consider a request to authorize and approve an Agreement for the Broadband Technology Education Center, as submitted, between the City of Pikeville and Big Sandy Community & Technical College for grant funding for the Broadband Technology Education Center Project and to authorize the Mayor the authority to sign and execute said agreement on behalf of the City of Pikeville. Commissioner Justice made the motion to approve. Commissioner Coleman seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 5-0.
 13. Consider a request to authorize and approve a Timber Agreement, as submitted, between the City of Pikeville and Charro Energy LC for the purpose of tree removal on the City South Mayo Trail Property adjacent to where the New Marion Branch Bridge is being constructed and to authorize the Mayor the authority to execute said document on behalf of the City of Pikeville. Commissioner Justice made the motion to approve. Commissioner Coleman seconded the motion. Mayor Carter called for comments. City Manager says that these are the tree lines along the bridge as discussed the last two meetings. Commissioner Huffman asked if we previously did this with this corporation and City Manager said yes. Mayor called for additional questions or comments, there being none, the motion passed unanimously. 5-0.
 14. Consider a request to cancel the November 23, 2015 Regular Commission Meeting and instead of to authorize a Special Commission Meeting to be held on November 19, 2015 at 5:30 p.m. Commissioner Chaney made the motion to approve. Commissioner Coleman 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 a onetime extra pay increase for all city employees in the amount of \$375.00 and authorize payment for the next pay period. Commissioner Chaney made the motion to approve. Commissioner Coleman seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 5-0.
16. Pursuant to KRS 61.810, consider request for closed session for discussion of economic development, legal and personnel issues. Commissioner Huffman made the motion. Commissioner Chaney seconded the motion. Mayor Carter called for discussion, there being none, the motion passed unanimously. 5-0.
17. Commissioner Coleman made the motion to re convene. Commissioner Justice seconded the motion. Mayor Carter called for discussion, there being none, the motion passed unanimously. 5-0. Mayor called the session back into order.
18. There being no further business to come before the Commission, Commissioner Huffman has made the motion to adjourn the meeting. Commissioner Justice seconded the motion. Mayor Carter called for discussion, there being none, and the meeting was adjourned. 5-0.

CONSENT ITEMS:

EXPO:

1. 11/09 & 11/10 Title I Conference
2. 11/12/2015 Upike Women's Basketball
3. 11/13/2015 Alex Reymundo-Comedian
4. 11/14/2015 Upike Women's Basketball
5. 11/18/2015 KHSAA Cheer Competition
6. 11/19/2015 CMT Tour Concert-Brett Eldridge & Thomas Rhett
7. 11/20/2015 Upike Women's Basketball
8. 11/21/2015 Appalachian Craft Fair
9. 12/05/2015 Motorcross Championship
10. 12/12/2015 Sunday Best
11. 03/16/2016 Harlem Globetrotters

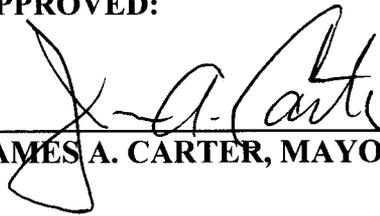
City Manager will be off during the week of Thanksgiving.

City Employee Thanksgiving Dinner-Commission Invited-Station 1 from noon until 2 p.m.

City Hall is closed Wednesday, November 11th for Veterans Day.

Veterans Day Ceremony will be Wednesday, November the 11th at 1 p.m. at the Pikeville VFW Park on Hambley BLVD next to Station 3 Fire Department.

APPROVED:



JAMES A. CARTER, MAYOR

ATTESTED:



REBECCA HAMILTON, CITY CLERK