

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
SPECIAL MEETING MINUTES
November 19, 2015 AT 5:30 P.M.**

The Board of Commissioners for the City of Pikeville, Kentucky (the “City”) convened in a special session pursuant to call and written notice duly given in accordance with KRS 61.823, at City Hall, 243 Main Street, Pikeville, Kentucky 41501 on November 19, 2015, at 5:30 p.m. EST.

(1) Present were the Mayor, Jimmy Carter, presiding, and Commission Members present at roll call were as follows:

COMMISSIONER:	Josh Huffman	Absent
	Jerry Keith Coleman	
	Barry Chaney	
	Franklin D. Justice, II	

MAYOR: JAMES A. CARTER

It having been determined that a quorum was present for the transaction of business, Mayor Carter called the meeting to order.

(2) Consider approval of the minutes for the regular commission meeting held on November 9, 2015, as submitted, and to authorize the Mayor the authority to sign and execute said minutes on behalf of the City of Pikeville. Commissioner Justice made the motion to approve. Commissioner Chaney seconded the motion. Mayor Carter called for discussion, there being none, the motion carried unanimously. 4-0.

(3) Consider request to approve and authorize payment of the City Bill list, as submitted, for \$1,348,179.18. Commissioner Chaney made the motion to approve. Commissioner Justice seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 4-0.

(4) Mayor Carter introduced and caused to be read in full a proposed Ordinance identified by its title or caption as follows (the “Series 2016A Bond Ordinance”):

**AN ORDINANCE OF THE CITY OF PIKEVILLE, KENTUCKY,
PROVIDING FOR THE ACQUISITION, CONSTRUCTION AND
INSTALLATION OF MAJOR WATER AND SEWER SERVICE
ADDITIONS AND IMPROVEMENTS TO THE CITY’S COMBINED
WATER AND SEWER SYSTEM; AUTHORIZING THE ISSUANCE**

OF THE CITY'S WATER AND SEWER REVENUE BONDS, SERIES 2016A TO PAY A PORTION OF THE COSTS THEREOF, SUCH SERIES 2016A BONDS TO BE ISSUED IN ACKNOWLEDGEMENT OF THE SECURITY RIGHTS OF THE HOLDER OF A CERTAIN PREVIOUSLY ISSUED AND OUTSTANDING OBLIGATION; CONFIRMING AND CONTINUING PROVISIONS FOR THE COLLECTION, SEGREGATION, DISTRIBUTION AND DISBURSEMENT OF THE REVENUES OF THE SYSTEM, AND FOR THE ALLOCATION THEREOF TO VARIOUS SPECIAL FUNDS PREVIOUSLY CREATED IN ORDER TO PROVIDE FOR THE ORDERLY PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE SERIES 2016A BONDS HEREIN AUTHORIZED; CONFIRMING AND CONTINUING CONDITIONS AND RESTRICTIONS UNDER WHICH ADDITIONAL BONDS MAY BE ISSUED IN THE FUTURE, PAYABLE FROM SUCH REVENUES AND RANKING ON A BASIS OF PARITY WITH THE SERIES 2016A BONDS HEREIN AUTHORIZED AND OTHER PARITY BONDS OUTSTANDING; PROVIDING FOR THE RIGHTS OF THE HOLDERS OF THE SERIES 2016A BONDS HEREIN AUTHORIZED AND THE ENFORCEMENT THEREOF; AND PROVIDING FOR AN ADVERTISED, PUBLIC, COMPETITIVE SALE OF THE SERIES 2016A BONDS HEREIN AUTHORIZED.

The preceding reading of the Series 2016A Bond Ordinance being its second reading, Mayor Carter next moved for the immediate adoption of the series 2016A Bond Ordinance. The motion for the adoption of the Series 2016A Bond Ordinance was seconded by Commissioner Coleman. After full discussion, Mayor Carter put the question to vote, and the following voted:

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

Mayor Carter then announced that the motion was carried and the Series 2016A Bond Ordinance was duly adopted.

Mayor Carter then reminded the members of the Board of Commissioners that the previously adopted Series 2016A Bond Ordinance authorized the issuance and public sale of \$3,166,000.00 aggregate principal amount of the City's Water and Sewer System Revenue Bonds, Series 2016A (the "Series 2016A Bonds"), to pay the costs of acquiring, constructing and installing certain major improvements and additions to the City's municipal water and sewer system. He stated that the Notice of Bond Sale had been published soliciting the submission of sealed, competitive bids

for the purchase of the Series 2016A Bonds, the same to be opened and considered upon the occasion of this meeting.

Mayor Carter then announced that the time established for the opening and consideration of bids for the purchasing of the Series 2016A Bonds had arrived and declared the bidding to be closed. Mayor Carter then produced the only bid theretofore received by the City in conformity with the published Notice of Bond Sale, and the Official Notice of Bond Sale, and such bid was publicly opened and read, and was ordered to be set out in the minutes, which is done as follows:

<u>Name of Bidder</u>	<u>Price Offered</u>	<u>Interest Rate Stipulated</u>
US Department of Agriculture Rural Development	\$3,166,000.00	2.75%

It was noted by the Board of Commissioners that in conformity with the terms and conditions of the proposed loan to the City from the US Department of Agriculture, Rural Development (“USDA”), a bid was received from USDA offering to purchase the entire issue of the Series 2016A Bonds in the aggregate principal amount of \$3,166,000.00, such bid being at a price of par or face value at the interest rate stipulated above, but only if no other bids are received for the Series 2016A Bonds in accordance with the terms of the offering.

As no other bids were received, it was apparent that the best and only bid for the purchase of the entire Series 2016A Bond issue was that of USDA, offering to purchase the same at a price of \$3,166,000.00 at the interest rate stipulated above.

(5) Mayor Carter introduced and caused to be read in full a proposed Ordinance identified by its title or caption as follows:

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF CITY OF PIKEVILLE, KENTUCKY APPROVING AND AUTHORIZING A LOAN AGREEMENT BETWEEN THE CITY AND THE KENTUCKY RURAL WATER FINANCE CORPORATION AND A PROMISSORY NOTE RELATED THERETO.

The preceding reading of the Ordinance being its second reading, Mayor Carter next moved for the immediate adoption of such Ordinance. The motion for the adoption of the Ordinance was seconded by Commissioner Justice. After full discussion, Mayor Carter put the question to vote, and the following voted:

Commissioner Huffman: Absent
Commissioner Coleman: Yes

Commissioner Chaney: Yes

Commissioner Justice: Yes

Mayor Carter: Yes

Mayor then announced that the motion was carried and the Ordinance was duly adopted.

- (6) Consider a request to authorize and adopt a resolution, as submitted, accepting the best and only bid received for the purchase of \$3,166,000.00 principal amount of the City of Pikeville, Water and Sewer System Revenue Bonds, Series 2016A as authorized by an ordinance previously adopted by the City Commissioners of the City of Pikeville and established the interest rate to be made applicable 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 Coleman seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 4-0.**
- (7) Consider a first reading of ordinance #0-2015-018 amending the City of Pikeville's zoning map for property located at 427 Hambley Blvd in Pikeville Kentucky from C-1 to C-2. The second reading will take place at the next regular scheduled meeting.**
- (8) Consider a first reading of ordinance #0-2015-019 establishing regulations for mobile food vehicles or mobile food vendors in the City of Pikeville; proving permit fees for mobile food vehicles or vendors along with penalties for violations. The second reading will take place at the next regular scheduled meeting.**
- (9) Consider a request to reappoint Lloyd Childers and Tivis Branham to the Historic Preservation Board of Directors. Their new term shall expire on November 26, 2019. Commissioner Justice made the motion to approve. Commissioner Chaney seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 4-0.**
- (10) Consider a request to reappoint Mary Jane Younce to the Pikeville Housing Authority Board of Directors. Mrs. Younce's new term shall expire on September 16, 2019. Commissioner Chaney made the motion to approve. Commissioner Coleman seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 4-0.**
- (11) Consider a request to reappoint JR Blackburn and Lyle Blackburn to the East Kentucky Exposition Center Board of Directors. Their new term shall expire on November 1, 2019. Commissioner Justice made the motion to approve. Commissioner Chaney seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 4-0.**

- (12) Consider a request to authorize and approve a proposal between Software Information Systems, LLC and the City of Pikeville, as submitted, for the purchase of eight new routers to enhance the City's operating systems for a total cost of \$4,800.00 and to authorize the Mayor the authority to sign and execute said proposal on behalf of the City of Pikeville. Commissioner Chaney made the motion to approve. Commissioner Justice seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 4-0.
- (13) Consider a request to authorize and approve an amendment to chapter 1.10 Education Assistance Tuition Program, as submitted, of the City of Pikeville Personnel Policy Book. Commissioner Justice made the motion to approve. Commissioner Coleman seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 4-0.
- (14) Consider a request to authorize and approve an advertisement for bids, as submitted, for the Kewanee Road West Slide Project & the Kewanee Road East Slide Project. Commissioner Justice made the motion to approve. Commissioner Coleman seconded the motion. Mayor Carter called for comments. City Manager says that this is the slide that occurred during the flooding last year. Mayor Carter called for additional questions or comments, there being none, the motion passed unanimously. 4-0.
- (15) Consider a request to authorize and approve an advertisement for bids, as submitted, accepting a grant award for \$5,000.00 and approving a Memorandum of Agreement between the City of Pikeville and the Department for Local Government for said grant and authorize the Mayor the authority to sign and execute said resolution 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 asked what this was for. City Manager explained that it is a Main Street grant. Mayor Carter called for additional questions, there being none, the motion passed with Commissioner Justice abstaining. 4-0.
- (16) Consider a request to authorize and approve Change Order #1, as submitted, between the City of Pikeville and Southern Ohio Trenching & Excavating for an increase of \$53,078.22 for boring work for the Marion Branch Sewer Project-Contract 1 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 Coleman seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 4-0.
- (17) Consider a request to authorize and approve payment for Pay Request #2, as submitted, for Southern Ohio Trenching & Excavating, Inc. for \$159,140.70 for the Marion Branch Sewer Project-Contract 1 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 Chaney seconded the motion.

Mayor Carter called for comments, there being none, the motion passed unanimously. 4-0.

(18) Consider a request to authorize and approve payment for Pay Request #1, as submitted, for Kentucky Glass Lined Tank Systems, Inc. for \$49,288.52 for the Marion Branch Water Supply Project-Contract 3 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 Chaney seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 4-0.

(19) Consider a request to authorize and approve a proposal, as submitted, between the City of Pikeville and S&ME for Geotechnical work to be completed on Division Street for \$8,600.00 and to authorize the Mayor the authority to sign and execute said proposal. Commissioner Chaney made the motion to approve. Commissioner Coleman seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 4-0.

(20) Consider a review of Summit Engineers status report for the various city projects. City Manager stated that the updates are in your packet for review.

(21) Consider a request to authorize and approve the implementation of a K9 unit program with the Pikeville Police Department authorizing Officer Josh Lawson as the K9 handler and to permit Officer Lawson to receive the necessary training and certification. To also authorize and approve payment for the purchase of the single purpose canine along with the necessary training for the dog and the officer using department's seizure funds. Commissioner Chaney made the motion to approve. Commissioner Coleman seconded the motion. Mayor Carter called for comments. City Manager says that this is something that we have wanted to do for several years and Officer Lawson is willing to commit to the responsibility. We feel that it will bring great value to this community. Officer Lawson and Chief Reed came forward and discussed the canine program with the Mayor and Commission and said they are looking forward to introducing the canine program into the City of Pikeville. The Mayor and Commissioners thanked Officer Lawson and Chief Reed for taking on the commitment of the program. Mayor Carter called for additional questions or comments, there being none, the motion passed unanimously. 4-0.

(22) Consider a request to authorize and adopt a new Policy for the Pikeville Police Department Operating Manual, #32.1 Police Canines, as submitted. Commissioner Justice made the motion to approve. Commissioner Chaney seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 4-0.

(23) Consider a request to authorize and approve a proposal between Software Information Systems, LLC and the City of Pikeville, as submitted, service and installation of 8 new routers to enhance the City's operating systems for a total cost of \$5,013.00 and to authorize the Mayor the authority to sign and execute said proposal 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, the motion passed unanimously. 4-0.

(24) Consider a request to authorize and approve an agreement between the City of Pikeville and NewTech, as submitted, for Alarm Service for the Pikeville Theatre. Commissioner Justice made the motion to approve. Commissioner Chaney seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 4-0.

(25) Pursuant to KRS 61.810, consider request for closed session for the purpose of discussion of a legal matter relating to new business opportunities for the City of Pikeville and legal issues on behalf of the City. Commissioner Coleman made the motion to approve. Commissioner Justice seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 4-0.

(26) Consider request to re-convene to regular session. Commissioner Justice made the motion to re convene. Commissioner Coleman seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 4-0. Mayor called the session back into order.

CONSENT ITEMS:

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|----------------------|-----------------------------------------------------------|
| 1. 11/19/2015 | CMT Tour Concert-Brett Eldredge & Thomas Rhett |
| 2. 11/20/2015 | Upike Women's Basketball |
| 3. 11/21/2015 | Appalachian Craft Fair |
| 4. 12/05/2015 | Motocross Championship |
| 5. 12/12/2015 | Sunday Best |
| 6. 03/16/2016 | Harlem Globetrotters |

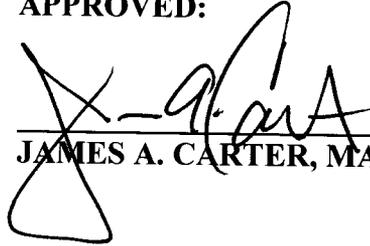
City Manager will be off during the week of Thanksgiving

City Employee Thanksgiving Dinner-Commissioner's and Mayor Invited-Station 1 from noon until 2 pm.

(27) There being no further business to come before the commission, Commissioner Coleman made the motion to adjourn the meeting. Commissioner Justice seconded the motion. Mayor Carter called for comments, there being none, the meeting was adjourned. 4-0.

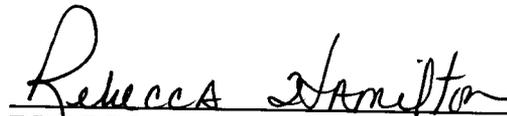
The next scheduled Regular Meeting of the City of Pikeville Board of Commissioners is December 14, 2015 at 6:00 p.m.

APPROVED:



JAMES A. CARTER, MAYOR

ATTESTED:



REBECCA HAMILTON, CITY CLERK