

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
March 28, 2016 AT 6:00 P.M.**

The Board of Commissioners for the City of Pikeville met in a regular called session on Monday, March 28, 2016. 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: 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 March 14, 2016 were in each Commission Member's agenda package. There being no additions or corrections, Commissioner Justice 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 carried with Commissioner Huffman abstaining. 5-0.

BUSINESS FROM THE FLOOR

Consider a request for the adoption of a Proclamation in recognition and honor of the Hillbilly Days Festival 40th Year Anniversary and to authorize the Mayor the authority to sign and execute said proclamation on behalf of the City of Pikeville. Commissioner Huffman made the motion to approve. Commissioner Coleman seconded the motion. Mayor Carter called for comments and Commissioner Justice asked where the idea of the festival originated. Mr. Howard "Dirty Ear" Stratton explained that he and "Shady" Grady Kinney were attending a festival in Paintsville and talked with other Shriners there. From conversations there, they found out that all the Shrine groups had never gotten together for an event. So, they got with each group and proposed to get together in the City of Pikeville. The tradition carries on now 40 years later. It is now the second largest festival in the state. The Mayor and

Commissioners are proud of the way that it has progressed. City Manager adds that the community does a tremendous job working together this time of year. Mayor Carter called for additional comments, there being none, the motion passed unanimously. 5-0.

Commission to recognize excellence of performance from a police officer and a firefighter. Commissioner Huffman made the motion to approve. Commissioner Coleman seconded the motion. Mayor Carter called for comments. City Manager talks about all of the responsibilities of the fire and police departments, having great response times within the City and having achieved on every audit. Commending each department as a whole, but we are going to recognize one from each of these departments tonight. Battalion Chief Kenny Forsyth from the fire department and Officer Russell Blankenship from the police department. These two gentlemen came forward and the Commissioners and Mayor congratulated them on their abilities to protect and serve the community. 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 \$2,084,854.38. Commissioner Chaney made the motion to approve. Commissioner Justice seconded the motion. Mayor Carter called for comments, there being none, motion passed unanimously. 5-0.

CITY ENGINEER

Philip Elswick was present and submitted several request to the commission for approval.

1. ~~TABLED – Consider a request to award an advertised bid for the construction of phase 1 of the Pikeville Pavilion Project and authorize the Mayor the authority to sign and execute any and all documents including but not limited to a contract for the construction of said project and to issue the immediate notice to proceed.~~
2. Consider a request to authorize and approve change order #4, as submitted, between the City of Pikeville H2O Construction Company, Inc. for the Marion Branch Water Supply Project – Contract #2, for an increase of \$105,100.00 for the addition of a highway bore and master meter station for the connection to MWD water main at Indian Hills and to authorize the Mayor the authority to sign and execute said change order on behalf of the City of Pikeville. 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.
3. Consider a request to authorize and approve payment for pay request #5, as submitted, to H2O Construction, Inc. for \$643,588.20 for the Marion Branch Water and Supply Project – Contract #2 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 Justice 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 invoice #76287 with Summit Engineering, Inc. for \$12,000.00 for the Marion Branch Settlement Monitoring. Commissioner Chaney made the motion to approve. Commissioner Justice 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 payment for invoice #76288 with Summit Engineering, Inc. for \$29,924.17 for the Marion Branch Water & Sewer Project. Commissioner Huffman made the motion to approve. Commissioner Coleman 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 request for payment with respect to Kentucky Rural Water Finance Corporation, as submitted, for \$1,023,764.28 for the City of Pikeville utility project and to authorize the Mayor the authority to sign and execute said 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. 5-0.
 7. Consider a request to authorize and approve payment for pay request #5, as submitted, to Kentucky Glass Lined Tank Systems, Inc. for \$79,329.50 for the Marion Branch Water and Sewer 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. 5-0.
 8. Consider a request to authorize and approve payment for pay request #3, as submitted, to Southern Ohio Trenching & Excavating, Inc. for \$213,433.20 for the Marion Branch Sewer Project – Contract #2 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 Huffman seconded the motion. Mayor Carter called for comments, there being none, the motion passed. 5-0.
 9. Consider a request to authorize and approve payment for pay request #5,

as submitted, to Southern Ohio Trenching & Excavating, Inc. for \$50,984.60 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. 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 #0-2016-004 amending Chapter 121 of the Code of Ordinances related to restriction regulations for electronic smoking devices and to authorize the Mayor the authority to sign and execute said ordinance on behalf of the City of Pikeville. Commissioner Huffman made the motion to approve. Commissioner Justice seconded the motion. Mayor Carter called for comments. Commissioner Huffman says that this is to expand upon existing spaces. We do not want people infringing upon other people's rights. Mayor Carter called for additional 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 request for a second reading and adoption of ordinance #0-2016-003 amending the City of Pikeville 2015-2016 fiscal budget 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, 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 request to authorize and approve a Settlement Agreement and Assignment, as attached, between the parties of the City of Pikeville (the "Assignor"), Worldwide Equipment and Westfield Insurance Company for a claim for damages against Worldwide Equipment arising out of and from the loss of a 2009 Mack GV713 truck and to authorize the Mayor the authority to sign and execute said agreement on behalf of the City of Pikeville. Commissioner Huffman made the motion to approve. Commissioner Justice seconded the motion. Mayor Carter called for comments. Commissioner Coleman asked what happened with this. City Manager said that a fire took place and a city vehicle was inside so this is the settlement for that. Mayor Carter called for additional comments, there being none, the motion passed unanimously. 5-0.**

CITY MANAGER

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

- 1. Consider a request to authorize and approve the execution of a Custodial Service and Securities Account Control Agreement, as submitted, between Raymond James & Associates, Inc., Community Trust Bank and the City of Pikeville while also authorizing the execution of each Safekeeping and Portfolio Pledge Request, as submitted, for Community Trust Bank on behalf of the City of Pikeville and to authorize the City Manager, Donovan Blackburn to sign and execute each document on behalf of the City of Pikeville. Commissioner Chaney made the motion to adopt. Commissioner Coleman seconded the motion. Mayor Carter called for comments, there being none, motion passed unanimously. 5-0.**
- 2. Consider a request to authorize and approve payment for an emergency purchase to Triple "S" Welding and Repair, Inc., as submitted, for the repair to rack arm turntable and skimmers for the amount of \$14,860.00. Commissioner Chaney made the motion to approve. Commissioner Justice 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 a job posting for the position of 911 Dispatcher to replace a dispatcher who has given notice. Commissioner Justice made the motion. Commissioner Chaney seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 5-0.**
- 4. Consider a request to extend conditional job offer to Kenneth Newsome, Chandler Rowe, Dylan Wright & Micah Davis as Zipline Tour Guides at the starting rate for said position contingent upon passing all required pre-**

- employment test and to remain employed each candidate must pass the certification testing for said position within 14 days of employment. Commissioner Huffman made the motion to approve. Commissioner Chaney 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 the submittal of the 2016 Playful City USA Application, as submitted, and to authorize the Mayor the authority to sign and execute said application 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.
 6. Consider a request to authorize and approve insurance for the City Zipline for up to the total of \$25,669.71 annually, as submitted by Prime Insurance quote, as submitted, with the contingency if a lower quote is received on or before April 6, 2016 the commission would authorize and approve the lower quote to supersede the submitted quote and to authorize payment and the City Manager to sign and execute any and all paperwork necessary to implement said policy on behalf of the City of Pikeville. Commissioner Huffman made the motion to approve. Commissioner Chaney 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 an Agreement for Extension of Services, as submitted, between the City of Pikeville and Kentucky Power Company for electrical service to the Marion Branch Industrial Park up to the amount as approved by the City Commission during closed session and to authorize the Mayor the authority to sign and execute said agreement, accepting all terms and conditions therein, on behalf of the City of Pikeville, all contingent upon approval of the contact by the PSC. 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 the amended City of Pikeville, Garfield Center, RV Park, Shelters & Fire Department Training Center Rental Agreement, as submitted and dated "Revised March 28, 2016" as submitted. Commissioner Huffman made the motion to approve. Commissioner Chaney seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 5-0.
 9. Pursuant to KRS 61.810, consider request for closed session for discussion of economic development, legal and personnel issues. Commissioner Justice made the motion. Commissioner Chaney seconded the motion. Mayor Carter called for discussion, there being none, the motion passed unanimously. 5-0.
 10. Commissioner Huffman made the motion to reconvene. Commissioner Coleman seconded the motion. Mayor Carter called for discussion, there being none, the motion passed unanimously. 5-0. Mayor called the session back into order.

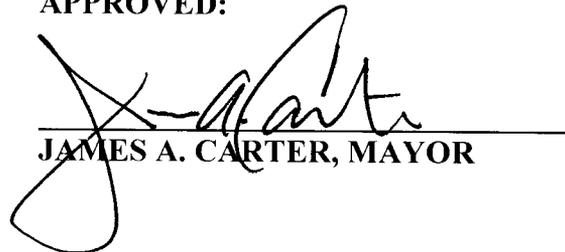
11. There being no further business to come before the Commission, Commissioner Huffman has made the motion to adjourn the meeting. Commissioner Coleman seconded the motion. Mayor Carter called for discussion, there being none, the meeting was adjourned. 5-0.

CONSENT ITEMS:

1. Hillbilly Days will be on April 21, 22 & 23, 2016 – City Hall closed 21st & 22nd to allow employees to work the event.
2. Kentucky Association for Economic Development Conference will be held in Pikeville at the Expo Center on April 13, 14 & 15, 2016.
3. Expo Center Events:
 - *April 16, 2016 Dwight Yoakam
 - *May 7, 2016 Derby Show at the Expo
 - *June 10, 2016 Ricky Skaggs & Kentucky Thunder
 - *August 19, 2016 Ted Nugent
4. York House Rehabilitation Week – May 9-13, 2016. Looking for volunteers for Hands-ON Exterior Rehab & Window Preservation with Bob Yapp & Patrick Kennedy.

The next scheduled Regular Meeting of the City of Pikeville Board of Commissioners is April 11, 2016 at 6:00 p.m.

APPROVED:



JAMES A. CARTER, MAYOR

ATTESTED:



ELIZABETH THOMPSON, CITY CLERK