



**CITY OF PIKEVILLE BOARD OF COMMISSIONERS
REGULAR MEETING AGENDA**

January 26th 2015 – 6:00 P.M.
CITY HALL PUBLIC MEETING ROOM
243 Main Street, Pikeville, KY 41501

WORK-SESSION NOTICE
January 26th 2015 at 5:00 pm
@ Pikeville City Hall, 243 Main Street Pikeville, KY 41501
2nd Floor City Commission Conference Room
For the discussion of the following items

- A. Year-end review with Police Department
- B. Update from Summit Engineering on various city projects.
- C. Update on Marion Branch Road/Chesapeake Gas
- D. Update on the Sister City program with Dundalk Ireland
- E. Zip Line updates

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I	Call to Order
II	Minutes: Consider a request to adopt the minutes from the Regular Commission Meeting held January 12 th , 2015 as submitted, and to authorize the mayor to sign and execute said minutes on behalf of the City of Pikeville.
III	Business from the Floor
IV	Consider a request to approve and authorize payment of the City Bill lists, as submitted, for \$1,043,256.68
V.	Old Business
A	Big Sandy Area Development District
B	Engineer's Reports:
1	Consider a request to authorize and approve payment for pay request #1, as submitted, to Mountain Enterprises, Inc. for \$51,118.00 for the Sadd Ave. widening project and to authorize the Mayor the authority to sign and execute said pay request on behalf of the City of Pikeville.
2	Consider a request to authorize and approve payment of invoice #73104 for Summit Engineering, Inc. for \$22,800 for engineering services for the Marion Branch bridge project.
3	Consider a request to authorize and approve payment of invoice #73104 for Summit Engineering, Inc. for \$29,000 for engineering services for the Marion Branch Ind. Park Access Road project.
C	City Attorney
1	Consider a request to authorize and approve a Legal Service Agreement – Local Counsel, as submitted, between Russell Davis and the City of Pikeville and to authorize the mayor to sign and execute said agreement on behalf of the City of Pikeville.
2	Consider a request to authorize and approve the Fees For Legal Services as a Percentage of Project Cost Agreement, as attached, for the services of City Attorney Russell Davis for the City of Pikeville and to authorize the Mayor to sign and execute said agreement on behalf of the City of Pikeville.

3	Consider a request for a 2 nd reading of Ordinance #0-2015-001 Amending Chapter 156.057 relating to zoning so to further define the areas in which an outpatient drug/alcohol treatment center may operate and to authorize the mayor to sign and execute said ordinance on behalf of the City of Pikeville.
D	City Manager's Report
1	Consider a request to consider new board appointments to fill the current vacancies of the Vacant Property Review Board. The new appointments will be Terry Smith to replace Bill Blackburn who resigned and whose term expires on 4-25-16 and Johnny Tackett, who will replace Layne Tackett who is now deceased and whose term was set to expire 4-25-17. The new appointments will fill the remaining terms as described.
2	Consider a request to authorize and approve the Sister City Partnership Agreement, as submitted, authorizing the City Manager the authority to make necessary changes to said agreement as long as it does not impact the overall intent, and to authorize the City Manager the authorization to travel to Ireland on behalf of the City of Pikeville in the month of March in order to sign and execute said agreement on behalf of the City of Pikeville and to also authorize additional members, as a delegation, if so desired.
3	Consider a request to authorize and approve Mayor Carter to sign and execute the release for the pledges for Community Trust Bank pursuant to the updated Master Agreement for Safekeeping of Pledged Securities.
4	Consider a request to authorize and approve a lease agreement of either 36 months for \$239.31 per month or 48 Months for \$185.45 per month, as submitted, for a copier for the East Kentucky Expo Center and to authorize the Expo Director Cindy Collins the authority to sign and execute said lease on behalf of the City and Expo Center.
5	Consider a request to award the bid and authorize payment for the 2015 Utility Police Interceptor to Bruce Walters Ford Sales, Inc, who was the only bidder, for \$28,245.00 and to authorize the City Manager the authority to sign and execute any and all documents to place said vehicle into the name of the City of Pikeville.
6	Consider a request to authorize and approve an emergency repair for the Clarifier Rake of the wastewater treatment plant with Triple "S" Welding and Repair, Inc. for \$39,500. This is hereby declared an emergency purchased based on if the operating side were to go down the plant would not be able to operate and the city would be subject to major fines from the state. Note UMG has explored various pricing options and has been able to reduce the cost by using Triple S Welding.
7	Pursuant to KRS 61.810, consider request for closed session for the purpose of discussion economic development, legal and personnel issues.
VI	Adjournment
VII	Consent Items:
1	February 11 th KLC City Day – Full & Executive Board Meeting
2	February 13 th KCCMA Conference and presentation
3	February 16 th SOAR Strategy Summit at the Expo Center
4	JWT: Pinkalicious: Now through Feb 7 th Shakespeare's Hamlet Feb 19 th through March 1 st Steel Magnolias March 26 th through April 14 th
5	Expo: February 20 th through 22 nd WYMT Sport, Boat and RV show Ringling Brother Barnum Bailey Circus March 12 th through 15 th Casing Crows April 9 th
6	Hillbilly Days April 16 th , 17 th & 18 th

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
January 26, 2015 AT 6:00 P.M.**

The Board of Commissioners for the City of Pikeville met in a regular called session on Monday, January 26, 2015. The meeting was held in the City Hall Conference 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 Absent
 BARRY CHANEY
 FRANKLIN D. JUSTICE, II**

MAYOR: JAMES A. CARTER

MINUTES

The minutes for the previous regular meeting held on January 12, 2015 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 Huffman seconded the motion. Mayor Jimmy Carter called for discussion, there being none, the motion carried unanimously. 4-0.

BUSINESS FROM THE FLOOR

Mayor Carter called to move Item number three from City Attorney report. Consider a request for a second reading of Ordinance #0-2015-001 Amending Chapter 156.057 relating to zoning so to further define the areas in which an outpatient drug/alcohol treatment center may operate and to authorize the Mayor 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 and then says that he knows that there has been a lot of talk on social media and he is not speaking for other commissioners but he would just like to say that we are not against treatment and helping people. We are against having it in sections of a residential community but I think things can be worked out, I would just like to clarify that. I just want to be clear that there is no one on this council or commission that wants not to help or do what they can to

help. Mr. David Baird came forward to speak. He, his dad and sister own property next door to the location on Third Street and his cousin owns property on the other side. The letter was submitted to the City Clerk's office and filed into record with the ordinance. Mr. Baird and his family are in favor of the ordinance but feel that Third Street may not be the best place for it and says that he understands that may not be an issue any longer. Mayor Carter says that the ordinance was already in effect but we have just sharpened it up a bit. Rusty Davis said in the last copy seems to me we may have had a typo but it is now resolved. Mayor Carter asked if anyone else would like to comment or speak. City Manager read script from several calls from concerned citizens. Commissioner Huffman says that he brought this to the attention of the commission during the last meeting. There was potential of the facility to be on Third Street. One of the requirements was the validity of the law and I just asked the question not to create a controversy. I just came to ask the question and the commission has responded tremendously. The treatment center has decided to move to Eastern Kentucky but not this location and this has been resolved. I hate all the efforts that this has come to and the controversy that has arose from that. Mayor Carter asked for additional questions or comments. Mr. Baird came forward and said he lives there on Third Street and he lives near Josh's Church or Trinity Harvest. He says he provides them with basketballs and anyone is welcome to come and play basketball there at anytime. But what they do there now is drug treatment and opening their arms to everyone, and I am for the ordinance. Commissioner Huffman says thank you so much. Mayor Carter called for additional questions or comments, there being none. Mayor called roll call.

Commissioner Huffman: Yes

Commissioner Coleman: Absent

Commissioner Chaney: Yes

Commissioner Justice: Yes

Mayor Carter: Yes

Ordinance was passed by majority vote.

Additionally, Chris Bartley from the Methodist Church was present and wanted to express a word of thanks to the Mayor and Commission. He says that since the meeting about the Sunday alcohol sales, things were brought up that the commission didn't know about and he wanted to thank them personally because since then there hasn't been a single issue in the parking lot since that meeting and he wanted to express his thanks.

PAYMENT OF CITY BILLS

The City Manager Donovan Blackburn requested the approval to pay city bills in the amount of \$1,043,256.68. Commissioner Chaney made the motion to approve. Commissioner Huffman seconded the motion. Mayor Carter asked for questions

and Commissioner Chaney asked if we had the money. City Manager says yes. Mayor Carter called for further discussion, there being none, motion passed unanimously. 4-0.

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 pay request #1, as submitted, to Mountain Enterprises, Inc. for \$51,118.00 for the Sadd Ave. Widening 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 Justice seconded the motion. Mayor Carter called for comments. City Manager says we are moving into phase two. Mayor called for additional comments, there being none, the motion passed unanimously. 4-0.**
- 2. Consider a request to authorize and approve payment of invoice #73104 for Summit Engineering, Inc. for \$22,800.00 for engineering services for the Marion Branch Bridge project. 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.**
- 3. Consider a request to authorize and approve payment of invoice #73104 for Summit Engineering, Inc. for \$29,000.00 for engineering services for the Marion Branch Ind. Park Access Road project. Commissioner Huffman made the motion to approve. Commissioner Chaney seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 4-0.**

CITY ATTORNEY

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

- 1. Consider a request to authorize and approve a Legal Service Agreement – Local Counsel, as submitted, between Russell Davis and the City of Pikeville and to authorize the mayor to sign and execute said agreement 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, motion passed. 4-0.**
- 2. Consider a request to authorize and approve the Fees For Legal Services as a Percentage of Project Cost Agreement, as attached, for the services of City Attorney Russell Davis for the City of Pikeville and to authorize the Mayor to sign and execute said agreement 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, motion passed. 4-0.

3. Consider a request for a 2nd reading of Ordinance #0-2015-001 Amending Chapter 156.057 relating to zoning so to further define the areas in which an outpatient drug/alcohol treatment center may operate and to authorize the mayor 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, (See Business From the Floor). Mayor called roll call.

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

Ordinance was passed by majority vote.

CITY MANAGER

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

1. Consider request to consider new board appointments to fill the current vacancies of the Vacant Property Review Board. The new appointments will be Terry Smith to replace Bill Blackburn who resigned and whose term expires on 4-25-16 and Johnny Tackett, who will replace Layne Tackett who is now deceased and whose term was set to expire 4-25-17. The new appointments will fill the remaining terms as described. Commissioner Chaney made the motion to adopt. Commissioner Justice seconded the motion. Mayor called for further comments. Commissioner Justice says that Layne Tackett passed away this past year and he took this to heart and did a real nice job, he really did his homework. Appreciate his family and appreciate Mr. Blackburn. These two did an outstanding job. Mayor Carter added that they served on many boards and you didn't have to worry about them not being there. Mayor called for additional questions or comments, there being none, motion passed unanimously. 4-0.
2. Consider a request to authorize and approve the Sister City Partnership Agreement, as submitted, authorizing the City Manager the authority to make necessary changes to said agreement as long as it does not impact the overall intent, and to authorize the City Manager the authorization to travel to Ireland on behalf of the City of Pikeville in the month of March in order to sign and execute said agreement on behalf of the City of Pikeville and to also

- authorize additional members, as a delegation, if so desired. Commissioner Chaney made the motion to approve. Commissioner Justice seconded the motion. Mayor Carter called for further comments, there being none, the motion passed. 4-0.
3. Consider a request to authorize and approve Mayor Carter to sign and execute the release for the pledges for Community Trust Bank pursuant to the updated Master Agreement for Safekeeping of Pledged Securities. Commissioner Justice made the motion. Commissioner Chaney seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 4-0.
 4. Consider a request to authorize and approve a lease agreement of either 36 months for \$239.31 per month or 48 Months for \$185.45 per month, as submitted, for a copier for the East Kentucky Expo Center and to authorize the Expo Director Cindy Collins the authority to sign and execute said lease on behalf of the City and Expo Center. Commissioner Justice made the motion. Commissioner Chaney seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. 4-0.
 5. Consider a request to award the bid and authorize payment for the 2015 Utility Police Interceptor to Bruce Walters Ford Sales, Inc. who was the only bidder, for \$28,245.00 and to authorize the City Manager the authority to sign and execute any and all documents to place said vehicle into the name of the City of Pikeville. Commissioner Chaney made the motion. Commissioner Justice seconded the motion. Mayor Carter called for comments, there being none, the motion passed unanimously. Mayor Carter abstained. 4-0.
 6. Consider a request to authorize an emergency repair for the Clarifier Rake of the wastewater treatment plant with the Triple "S" Welding and Repair, Inc. for \$39,500.00. This is hereby declared an emergency purchase based on if the operating site were to go down the plant would not be able to operate and the city would be subject to major fines from the state. Note: UMG has explored various pricing options and has been able to reduce the cost by using Triple S Welding. 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.
 7. 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 Huffman seconded the motion. Mayor Carter called for discussion, there being none, the motion passed unanimously. 4-0.
 8. Commissioner Chaney made the motion to re convene. Commissioner Huffman seconded the motion. Mayor Carter called for discussion, there being none, the motion passed unanimously. 4-0. Mayor Carter called the session back into order.
 9. 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 Justice called for discussion, there being none, the meeting was adjourned. 4-0

CONSENT ITEMS:

February 11, 2015 KLC City Day-Full & Executive Board Meeting

February 13, 2015 KCCMA Conference and presentation

February 16, 2015 SOAR Strategy Summit at the Expo Center

JWT:

Pinkalicious: Now through Feb 7, 2015

Shakespeare's Hamlet Feb 19, 2015 through March 1, 2015

Steel Magnolias March 26, 2015 through April 14, 2015

Expo:

February 20, 2015 through February 22, 2015 WYMT Sport, Boat and RV show

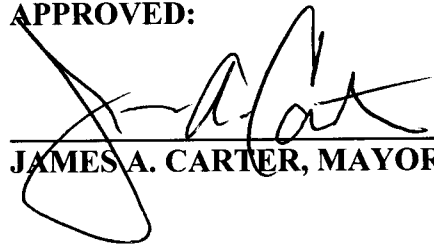
Ringling Brother Barnum Bailey Circus March 12, 2015 through March 15, 2015

Casing Crows April 9, 2015

Hillbilly Days April 16th, 17th & 18th 2015

The next scheduled Regular Meeting of the City of Pikeville Board of Commissioners is February 9, 2015 at 6:00 p.m.

APPROVED:



JAMES A. CARTER, MAYOR

ATTESTED:



REBECCA HAMILTON, CITY CLERK