

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
FEBRUARY 9, 2004**

The Board of Commissioners for the City of Pikeville met in regular session on Monday, February 9, 2004 at 6:00 p.m. The meeting was held in the City Hall Public Meeting Room located at 118 College Street, Pikeville, Kentucky.

There being a quorum present, Mayor Franklin D. Justice, II, presided and called the meeting to order. Commission Members present at roll call were as follows:

MAYOR:	FRANKLIN D. JUSTICE, II
COMMISSIONER:	DALLAS LAYNE
	EUGENE W. DAVIS
	SHAWN A. AMOS
	JAMES A. CARTER

AGENDA ITEM II. MINUTES

The minutes for the Special Meeting of February 3, 2004 were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Layne made the motion, seconded by Commissioner Carter to approve the minutes as prepared. The motion carried unanimously.

AGENDA ITEM III. BUSINESS FROM THE FLOOR

The following invoices were presented for approval of payment:

A. PARKING GARAGE: Invoice #19 from Elliott Contracting in the amount of \$242,189.26 for construction to date on the parking garage facility. City Engineer Sykes recommended approval of the invoice as presented.

B. NORTH MAYO PUMP STATION: Patriot Construction presented a pay request in the amount of \$9,096.83 for construction of the North Mayo Pump Station. The City Engineer recommended payment as requested.

C. HAMBLEY COMPLEX: Commonwealth Building and Construction presented their final payment request in the amount of \$10,000. (retainage) for the turf replacement contract at Hambley Complex.

D. PIKEVILLE REDEVELOPMENT PROJECT: The clerk recommended payment of an invoice to J & M Monitoring in the amount of \$600.00 for an asbestos inspection on city property located at 109 Saad Avenue.

Commissioner Davis made the motion, seconded by Commissioner Layne to approve payment of the invoices presented for the Parking Garage, North Mayo Pump Station, Hambley Complex and Pikeville Redevelopment Project as presented. The motion carried unanimously.

During a previous meeting, Pikeville Independent School Athletic Director, Ken Trivette, advised the school had agreed to pay half the \$6,300.00 cost for the baseball outfield fencing. The Mayor reported that the Pikeville Baseball Booster's Club was directed to pay the school's cost. Since the City Commission had previously agreed to pay the entire cost of the fence, the Commission agreed to waive the Pikeville Baseball Booster Club's portion of the invoice. Discussed was the Pikeville Little League's request to replace the fence adjacent to the first base line with 120 feet of 10 ft. high black

vinyl fencing. City Attorney Davis explained the fencing benefits the high school girl's softball team. Without the fencing the field does not meet size regulations. The fencing will also provide added safety. He explained that the rest of the way around the field will be temporary fencing that can be removed during football practice. Cost of the fencing is estimated at \$3,982.00. The Commission agreed to fund the fencing and installation.

The engineer was directed to try to locate clay fill material for the baseball field.

AGENDA ITEM V.

OLD BUSINESS

A. BIG SANDY AREA DEVELOPMENT DISTRICT: Sandy Runyon, Executive Director for the Big Sandy Area Development District, announced that Department for Local Government's Commissioner Brock has signed the Phase VI grant agreement for the Pikeville Redevelopment Project. Ms. Runyon expects release of funds by mid-March.

It was announced there will be a dedication of the Pikeville Parking Garage at 5:30 p.m. on February 27, 2004.

B. CITY ENGINEER'S REPORTS: Jack Sykes representing Summit Engineering, Inc., City Engineers, presented a verbal status report for the following projects:

1. **Pikeville Parking Garage:** Presented for approval was Change Order #11 in the amount of \$22,173.45 on behalf of Elliott Contracting, Inc. Mr. Sykes advised the change order will be funded from the contingency budget. The change order addresses revisions to the contract for emergency lighting and signage; a change to a lightweight concrete for the pedestrian bridges; fire extinguisher, heater, thermostat and signs for the elevator room; and canopy adaptations. The change order will bring the total cost of the contract to \$8,678,876.95. Mr. Sykes advised there is approximately \$9,000 remaining in the contingency budget. Additional items to be addressed include installation and anchoring of a traffic light and the installation of handrails. Cost is estimated at \$9,500.00 plus the cost of the light. Mayor Justice made the motion to approve Change Order #11 in the amount of \$22,173.45. Commissioner Davis seconded the motion. The motion carried unanimously.

2. **Kentucky Avenue Projects:** Patriot Contracting has completed the first townhouse unit and is expecting to release another building to the Housing Authority by February 15, 2004.

3. **Sunset Lane Sewer Line Extension Project:** Bids were opened for the construction of a sewer extension to service Sunset Lane. The bids were as follows: Tom Wright Construction, Inc. - \$49,731.00; M & S General Contractors, Inc. - \$56,927.00; Patriot Construction Co., Inc. - \$59,825.00; H2O construction, Inc. - \$61,000.00; and H & C Construction - \$83,290.00. The City Engineer recommended award of the bid to the low bidder, Tom Wright Construction, Inc. in the amount of \$49,731.00, subject to the right-of-entry from the Pikeville Old Regular Baptist Church being acquired before issuing the notice to proceed. Mayor Justice made the motion to accept the City Engineer's recommendation. Commissioner Carter seconded the motion. The motion carried unanimously.

4. **North Mayo Trail Water Line Project:** Start-up is scheduled for later this week. The project has reached substantial completion.

5. **Message Board:** Mr. Sykes advised he is investigating the installation of a flashing message board to tie in over the pedestrian walkway. The college has agreed to oversee the messaging.

C. CITY ATTORNEY'S REPORTS: Russell H. Davis, Jr., City Attorney, presented the following items for the Commission's consideration:

1. Second reading was given to an ordinance entitled:

ORDINANCE TRANSFERRING FUNDS HELD IN CITY OF PIKEVILLE BOND ACCOUNTS TO THE CITY OF PIKEVILLE GENERAL FUND AND PROVIDING FOR PAYMENT OF BOND CLAIMS FROM THE GENERAL FUND

Commissioner Layne made the motion, seconded by Commissioner Amos to adopt the Ordinance as presented and read. The motion carried by the following votes:

MAYOR:	FRANKLIN D. JUSTICE, II	YES
COMMISSIONER:	DALLAS LAYNE	YES
	EUGENE W. DAVIS	YES
	SHAWN A. AMOS	YES
	JAMES A. CARTER	YES

2. Belfry High School: Presented was the following resolution in honor of the Belfry High School Football Team:

**RESOLUTION RECOGNIZING AND HONORING
BELFRY HIGH SCHOOL FOOTBALL TEAM AND
THEIR COACHING STAFF FOR WINNING THE
KENTUCKY CLASS AA FOOTBALL
CHAMPIONSHIP TITLE**

WHEREAS, the Belfry High School Pirates Football Team did compete in the 2003 Class AA State Championship Playoffs;

WHEREAS, the Belfry High School Pirates Football Team did win the State Class 2A Football Championship Title;

WHEREAS, the Belfry High School Pirates Football Team State Title not only brings honor and recognition to the team and its coaches, but also brings statewide honor and recognition to Pike County and the City of Pikeville.

WHEREAS, the Belfry Pirates statistics for its 2003 Championship Season are 459 points scored for a game average of 32.8; 166 points allowed by opponents for an average of 11.9 per game; total rushing yards gained 3,534 for a game average of 252.4; total passing yards gained 849 for a game average of 60.6; total rushing yards allowed by the opponents defense 1,715 for a game average of 122.5; total passing yards allowed by the opponents defense 878 for a game average of 62.71.

WHEREAS, the Belfry Pirates are coached by Phillip Haywood who during his 20 years as a coach at Belfry has a record of 183 wins and 71 losses with over 250 career wins. His assistant coaches are Steve Mickey, James Rowe, Todd Cassell, Anthony Tackett, Matt Varney, Michael Hagy, Coy Young and Jonathan Bogar.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PIKEVILLE:

WHEREAS, a tradition of excellence on the part of the Belfry Pirates Football Team and its' coaching staff is well known both statewide and regionally and such a tradition of excellence is worthy of being honored and recognized by this Commission for the City of Pikeville that the Belfry High School Pirates Football Team and its coaching staff are by these presents duly honored and recognized by the City of Pikeville for their achievement in capturing the Class AA State Football Championship Title.

Mayor Justice made the motion to adopt the resolution. Commissioner Layne seconded the motion. The motion carried unanimously.

3. Chemical Spill: City Attorney Davis advised that Quality Distribution made a proposal to settle the City of Pikeville's claim for damages which total \$40,069.20. Quality Distribution has offered to pay 90% of the claim. Mayor Justice made the motion to authorize the City Attorney to accept Quality Distribution's offer. Commissioner Carter seconded the motion. The motion carried unanimously.

D. CITY MANAGER'S REPORTS: Donovan Blackburn, City Manager, presented the following matters for the Commission's consideration:

1. Park Department: Mr. Blackburn reported that he has been working to develop a proposal to transfer the operation and maintenance of the City's Parks Department (including the Swimming Pool and Landscaping) to U.S. Filter. U.S. Filter Manager, Greg May, explained the term of the contract can be on a year-to-year basis or concurrent with the City's existing contract, which expires in 2007. U.S. Filter will transfer current employees to their payroll. Cost for operation and maintenance, beginning March 1st, will be \$430,000.00/annually. The City will realize about a \$30,000 savings during the first year. Mayor Justice made the motion to enter into a one year contract with U.S. Filter for the operation and maintenance of the City's Parks Department for the amount of \$430,000.00, with the City retaining the right to recommend the individual to serve as Parks Director. Commissioner Carter seconded the motion. The motion carried unanimously.

2. Tourism Train: City Manager Blackburn requested the Commission's approval to relocate the train car, which houses the Tourism Office, to the area between the Chamber of Commerce Office and the Big Sandy Heritage Museum, during mid-April. Cost for relocation is estimated between \$50,000 - \$60,000. The Commission postponed the relocation until some time after Hillbilly Days, 2004.

The City Manager requested a closed session for the purpose of discussing a personnel matter.

At 7:11 p.m., Commissioner Layne made the motion, seconded by Commissioner Carter to adjourn to closed session for the purpose of discussing a personnel matter. The motion carried unanimously.

At 8:08, p.m., Mayor Justice made the motion, seconded by Commissioner Layne to reconvene to regular session. The motion carried unanimously.

The Mayor announced that no action was necessary as a result of the closed session.

There being no further business to come before the Commission, Commissioner Davis made the motion, seconded by Commissioner Layne to adjourn the meeting. The motion carried unanimously. (Adjournment Time: 8:10 p.m.)

The next scheduled meeting of the Board of Commissioners of the City of Pikeville is February 23, 2004 at 6:00 p.m. in the City Hall Public Meeting Room.

APPROVED: _____


FRANKLIN D. JUSTICE, II, MAYOR

ATTEST:


KAREN W. HARRIS, CITY CLERK