

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
April 25, 2016 AT 6:00 P.M.**

The Board of Commissioners for the City of Pikeville met in a regular called session on Monday, April 25, 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 April 11, 2016 were in each Commission Member's agenda package. There being no additions or corrections, Commissioner Chaney 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 with Commissioner Justice abstaining. 5-0.

BUSINESS FROM THE FLOOR

Mayor Carter called business from the floor and J. T. Absher with Riverfill 10 Cinemas came forward with questions on the plans for the drag racing and burn out season. His concerns are the nuisance of the noise and the exhaust and the effect it will have on his business on the Friday and Saturday evenings of the events. Assistant City Manager Sean Cochran says that Andy, Tourism Director, and I have been working on the safety issues to address the request from Mr. Absher from last year's events. They are changing the track to allow for extra safety and stopping distance as a result. Mr. Absher discussed the issues of the noise and the smoke and such with the Commission and also discussed some possibilities of how to fix these issues. The Commission will receive additional information at the next meeting on what can be done to address Mr. Absher's concerns.

Consider a request to honor the volunteers serving on the Pikeville Main Street Board for their service and dedication towards the program.

- *Dinner in White Event**
- *Accredited Communities**
- *Certificate of Appreciation**

Minta Trimble, Main Street Director, came forward and introduced each of the board members as the Mayor gave them a certificate of appreciation.

PAYMENT OF CITY BILLS

The City Manager Donovan Blackburn requested the approval to pay city bills in the amount of \$4,539,543.01. Commissioner Chaney made the motion to approve. Commissioner Coleman seconded the motion. Mayor Carter called for discussion, there being none, motion passed unanimously. 5-0.

Consider a request to authorize and approve payment for an invoice dated April 21, 2016, as submitted, with Stoll Keenon Ogden for \$7,322.20 for legal services as they pertain to a bond closing for the Marion Branch Water Sewer Project. 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.

CITY ENGINEER

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

- 1. Consider request to approve and authorize Change Order #1 for the Marion Branch Industrial Park & US23 Bridge Approach Project, as submitted, for various work resulting in a net decrease of \$8,566.62 and to authorize the Mayor the authority to sign and execute said Change Order 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.**
- 2. Consider a request to authorize and approve payment of invoice #CP041816, as submitted, with NATTCO, INC. for \$36,726.85 for work completed for the road repair on Poplar Street. Note: This was a FEMA 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. 5-0.**

- 3. Consider a request to authorize and approve an asphaltting and milling project proposal, as submitted, with Mountain Enterprises, Inc. for \$176,416.40, which is state contract price, for the resurfacing and some milling of the entire Riverfill parking lot and to authorize the City Manager the authority to sign and execute said proposal and to authorize the immediate notice to proceed. 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.**
- 4. Consider a request to authorize and approve payment of invoice #76314, as submitted, to Summit Engineering for \$17,700.00 for the Marion Branch Bridge 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.**
- 5. Consider a request to authorize and approve payment of invoice #76510, as submitted, to Summit Engineering for \$19,949.44 for the Marion Branch Water & Sewer 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.**
- 6. Consider a request to authorize and approve payment of Pay Request #6, as submitted, with H2O Construction, Inc. for \$181,256.45 for the Marion Branch Water and Sewer 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 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 of Pay Request #6, as submitted, with Kentucky Glass Lined Tank Systems, Inc. for \$109,134.51 for the Marion Branch Water Supply 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 Huffman 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 of an invoice for a Legal Services – Loan Agreement by and between Kentucky Rural Water Finance Corporation and City of Pikeville, Kentucky dated as of November 23, 2015 for a total of \$2,087.25. 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.**
- 9. Consider a request to authorize and approve a job proposal, as submitted, for Emergency Road Repairs for Bob Amos Walking Trail**

- with Jigsaw Enterprises, LCC, who was the low quote received, for \$19,125.00. Note: This is a FEMA project. Commissioner Justice made the motion to approve. Commissioner Coleman seconded the motion. Mayor Carter called for comments. Donnie Slone says that this is on the emergency access road by the YMCA where a big rock came down and created damage on the trail. Mayor Carter called for additional comments, there being none, the motion passed unanimously. 5-0.
10. Consider a request to authorize and approve payment of Pay Request #4, as submitted, with Southern Ohio Trenching & Excavating, Inc. for \$20,053.90 for the Marion Branch Sewer and Water 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 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.
 11. Consider a request to authorize and approve payment of Pay Request #6, as submitted, with Southern Ohio Trenching & Excavating, Inc. for \$5,719.00 for the Marion Branch Sewer and Water Supply 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.
 12. Consider a request to authorize and approve payment of invoice #76351, as submitted, to Summit Engineering for \$4,184.18 for miscellaneous city projects. 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.

CITY ATTORNEY

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

1. Consider a request for a second reading and adoption of ordinance #0-2016-005 amending Section 121.19 of Chapter 121 of the Code of Ordinances related to the exemptions for electronic smoking retail facilities and authorize the Mayor the authority to sign and execute said ordinance on behalf of the City of Pikeville. Commissioner Huffman made the motion. Commissioner Chaney seconded the motion. Mayor Carter called for comments, there being none, Mayor called roll call.

Commissioner Josh Huffman: Yes

Commissioner Jerry Keith Coleman: Yes

Commissioner Barry Chaney: Yes

Commissioner Frank Justice: Yes

Mayor Jimmy Carter: Yes

Ordinance passed.

CITY MANAGER

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

- 1. Consider a request to authorize and approve repairs to the storm sewer lines in the Bowles Addition area, authorizing Akins Excavating Company, Inc. to complete said work pursuant to a Master Agreement with the State of Kentucky creating a state contract price. The project will include 1,382 linear feet of 18" storm sewer at \$73.00 dollars a foot using fold and form product. Said work will also include videoing the lines before and after and cleaning if the cleaning is not excessive. Also included at state contract price, if excessive cleaning is required, will be an additional \$275.00 per hour for said work. The total estimated cost of the project is \$115,000.00. Also, to authorize the city to issue the notice to proceed. This is a capital budgeted item and well below budget. Commissioner Coleman made the motion to adopt. Commissioner Chaney seconded the motion. Mayor Carter called for comments, there being none, motion passed with Commissioner Justice abstaining. 5-0.**
- 2. Consider a request to authorize and approve 600 L.F. Furnish & Install Steel Beam Guard Rail (DF) @ 30.25/L.F. and 2 EA. Furnish & Install Terminal Section No. 4 @ 95.00/EA. For a total price of - \$18,340.00 with Bourne-Clark Construction, LLC to install new guardrail in the riverfill parking and to authorize the notice to proceed for said work. 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.**
- 3. Consider a request to authorize and approve a Grantee Section 3 Action Plan, as submitted, for the CDBG funds for the Big Sandy Technical School's Fiber Training Center and to appoint Rebecca Hamilton as the Equal Opportunity Officer pursuant to the terms of the Action Plan and to authorize the Mayor the authority to sign and execute said Action Plan agreement on behalf of the City of Pikeville. Commissioner Chaney made the motion. Commissioner Coleman 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 an Agreement for Website Maintenance, Modifications and Additions between the City of Pikeville Tourism and Bit Source, LLC, as submitted, and to authorize the City Manager/City Tourism Chairman Donovan Blackburn the authority to sign**

and execute said agreement 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.

5. Consider a request to authorize and approve a mutual aid agreement, as submitted, between the City of Pikeville and the Prestonsburg Fire Department and authorize the Pikeville Fire Chief Ronald Conn 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. Commissioner Justice asked the policy on sending trucks out of town. Robby Lindsey answered that we send one truck with four personnel to help out when it is out of town. Mayor Carter called for additional comments, there being none, the motion passed unanimously. 5-0.
6. Consider a request to authorize and adopt a resolution, as submitted, in support of the Pike County Health Department for their creation of a syringe access exchange program in order to help eradicate hepatitis caused by blood contaminates and to authorize the Mayor the authority to sign and execute said resolution 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 a contract between the City of Pikeville and Pikeville Area Family YMCA Inc., as submitted, and to approve payment pursuant to the terms within the contract for the operation of the City swimming pool and to authorize the authority to sign and execute said contract 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.
8. 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 Coleman seconded the motion. Mayor Carter called for discussion, there being none, the motion passed unanimously. 5-0.
9. Commissioner Huffman made the motion to reconvene. 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.
10. Consider a request to authorize and approve an estimate for services, as submitted, with FallProof for the Expo Center for inspection fees for their riggings system for a total of \$3,850.00. Commissioner Justice made the motion to approve. Commissioner Huffman seconded the motion. Mayor Carter called for discussion, there being none, the motion passed unanimously. 5-0.

11. Consider a request to authorize and approve payment for various Comprehensive Maintenance Agreements between the City of Pikeville and VanDyke Inc. for various copiers for the following amounts: \$502.74, \$468.77, \$468.00 and \$502.74 and to authorize the City Manager the authority to sign and execute said agreements 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.
12. 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, the meeting was adjourned. 5-0.

CONSENT ITEMS:

1. Expo Center Events:

- *May 7, 2016 Derby Show at the Expo
- *May 8, 2016 at 11:30 am is Mother's Day Brunch Buffet at Expo
- *June 10, 2016 Ricky Skaggs & Kentucky Thunder
- *July 2, 2016 WWE wrestling
- *August 19, 2016 Ted Nugent

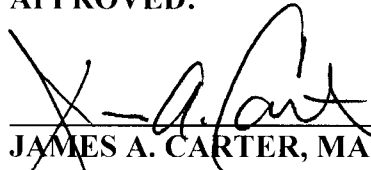
2. York House Rehabilitation Week – May 9, 2016 through May 13, 2016. Looking for volunteers for Hands-On Exterior Rehab & Window Preservation with Bob Yapp & Patrick Kennedy. Need volunteers.

3. 59th Annual Southeast Kentucky Chamber Awards Banquet – August 18, 2016 @ 6:00 pm at the East KY Expo.

4. Pikeville Pavilion Ground Breaking event set for May 9, 2016 at 2:00 pm on site.

The next scheduled Regular Meeting of the City of Pikeville Board of Commissioners is May 9, 2016 at 6:00 p.m.

APPROVED:



JAMES A. CARTER, MAYOR

ATTESTED:



ELIZABETH THOMPSON, CITY CLERK