

SPECIAL MEETING - NOVEMBER 11, 1992

The City of Pikeville Board of Commissioners were called to meet in Special Session on Wednesday, November 11, 1992 for the following purposes:

1. To Consider the Resignation of Commissioner Frank Morris
2. To Consider the National League of Cities Meeting
3. To Adjourn to An Executive Session for the Purpose of Discussing a Contract Negotiation.

The meeting was conducted in the City Hall Public Meeting Room at 260 Hambley Boulevard.

There being a quorum present, Mayor Walter E. May called the meeting to order at 4:00 p.m. Commission Members present upon call of the roll were as follows:

MAYOR:	WALTER E. MAY
COMMISSIONER	WALTER BLANKENSHIP
	JOHNNY MOUNTS

Commissioner Eugene Davis was absent.

1. Mayor May read a letter of resignation from Commissioner Frank Morris as follows:

October 26, 1992

Honorable Walter E. May
P.O. Box 2200
Pikeville, Kentucky 41502

Dear Mayor May:

As you know, I have accepted the position of Deputy Pike County Judge Executive. Due to current laws and the opinion of the Kentucky Attorney General, by accepting this position, I regretfully find it necessary to relinquish my seat on the Pikeville City Commission, effective November 04, 1992 at 10:00 a.m.

Although I look forward to the challenge of working for improvement in Pike County, which will ultimately benefit the city of Pikeville also, it saddens me to leave my duties with the city. I will always cherish the satisfaction I derived from working with my fellow city commissioners and from accomplishments we achieved together. I feel we made great strides under your leadership, and I am confident you will continue to provide that same kind of leadership in realizing all of our common goals.

I am confident there will be an atmosphere of cooperative effort between the new county administration and the city of Pikeville, which will allow us to insure a brighter future for all Pike Countians. I am happy to be a part of this new alliance. Let me assure you of my dedication to that end.

Very truly yours,
/s/ Frank M. Morris

Frank M. Morris

c: John B. Johnson
John Mounts
Eugene Davis
Walter (Smoky) Blankenship

City Attorney, Russell H. Davis, Jr., explained the provisions of the statute as it relates to the resignations of elected officials from city legislative bodies. According to Mr. Davis, the statutes stipulate that the legislative body must vote to accept the resignation at one meeting and vote for a replacement at another meeting. The resignation, according to statute, will become effective at the meeting following the meeting in which the resignation was accepted.

Commissioner Blankenship stated it was with regret that he made the motion to accept Commissioner Morris' resignation. Commissioner Mounts seconded the motion.

In the form of discussion, Mayor May took the opportunity on behalf of the citizens of Pikeville, to thank Commissioner Morris for the time he had donated to the city of Pikeville.

Upon call of the roll, the motion carried 3 - 0.

2. National League of Cities: Mayor May advised the Commission of the upcoming National League of Cities Meeting in New Orleans during November 27 - December 2, 1992. It was agreed that the Mayor, City Manager, Administrative Assistant and any Commissioner who could, would attend this meeting.

3. Contract Negotiations: The City Attorney explained the Open Meetings

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Law as it pertains to closed sessions and stated the conditions under which a legislative body could discuss matters in private. Mayor May called attention to an article in this date's *Appalachian News-Express* where the newspaper labeled today's proposed executive session as a "secret" session. The Commission took exception with the term, as "secret" implies the discussion of a matter illegally. According to the city attorney, "secret" is not a term used in the statutes. Mr. Davis reported that the City Manager's request for an executive session deals with the discussion of retaining special counsel to negotiate a contract dispute. Mr. Davis further advised that discussing the matter in public would place the city at a competitive disadvantage. It was Mr. Davis' opinion the matter could be discussed in closed session pursuant to the Open Meeting Law Section 3, paragraphs d and e.

At 4:21 p.m., Commissioner Blankenship made the motion to adjourn to an executive session pursuant to KRS Chapter 61.810 (Open Meetings Law) Section 3, paragraphs d and e, for the purpose of considering a contract to employ a specialized attorney to assist in the negotiating the terms of a specialized contract. Commissioner Mounts seconded the motion. Upon call of the roll, the motion carried 3 - 0.

At 4:43 p.m., the motion was made by Commissioner Blankenship and seconded by Commissioner Mounts to reconvene to regular session. Upon call of the roll, the motion carried 3 - 0.

Commissioner Mounts made the motion to authorize City Manager, John Johnson, to negotiate a contract to hire an attorney to assist in negotiating a specialized contract. Commissioner Blankenship seconded the motion. Upon call of the roll, the motion carried 3 - 0.

At 4:45 p.m., Commissioner Blankenship made the motion, seconded by Commissioner Mounts to adjourn. Upon call of the roll, the motion carried 3 - 0.

APPROVED

Walter E. May
WALTER E. MAY, MAYOR

ATTEST:

Karen Harris
KAREN HARRIS, CITY CLERK