

MINUTES } CITY OF PIKEVILLE

REGULAR MEETING MINUTES - FEBRUARY 22, 1993

The Board of Commissioners of the City of Pikeville met in regular session on Monday, February 22, 1993. The meeting was held in the City Commission's regular meeting place in the City Hall Public Meeting Room at 260 Hambley Boulevard.

Mayor Walter E. May presided and called the meeting to order at 7:00 p.m. Commission Members present and forming a quorum were as follows:

MAYOR:	WALTER E. MAY
COMMISSIONER:	WALTER BLANKENSHIP
	SHARON CLARK
	EUGENE DAVIS
	JOHNNY MOUNTS

AGENDA ITEM II.

CALL OF THE AGENDA

Added to the Agenda under City Engineer's reports was discussion pertaining to a request for extension of sewage service to the Industrial Rubber Company property on South Mayo Trail. Added under the section of New Business was discussion relative to the T.V. Franchise and the condition of the Blue Goose Gym. Added after Business from the Floor was a closed session to discuss proposed development in the river fill area. After the closed session, a report from Will Linder will be heard with regard to the Jobs Bill and the application for funding for a Children's Playground in Bob Amos Park.

AGENDA ITEM III.

MINUTES

The minutes of the Special Meeting held on February 1, 1993 were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Mounts made the motion, seconded by Commissioner Davis to approve the minutes as submitted. Upon call of the roll, the motion carried unanimously.

AGENDA ITEM IV.

BUSINESS FROM THE FLOOR

A. PIKEVILLE PUBLIC LIBRARY: Billie Sue Davis, on behalf of the Pikeville Public Library Board, asked the Commission to consider designating four (4) parking places for library patrons - 2 on Third Street adjacent to the library's parking lot and 2 next to Heilig Meyers' Furniture parking lot. Commissioner Blankenship made the motion to authorize the City Engineer to look at the area and determine the best location to designate four parking spaces. Commissioner Mounts seconded the motion. Upon call of the roll, the motion carried 4 - 0 (Commissioner Davis abstained). Mayor May asked Mrs. Davis to report to the Library Board that he had received a complaint with reference to the unattractive condition of the triangular parcel near Deskins Motor owned by Pikeville Public Library. The possibility of the City assisting the Library Board with graveling and minimal landscaping of the lot was discussed. B. AMOS PARK PARCEL LEASE: Robert Roberts requested permission to lease a 100 ft. X 100 ft. parcel in Bob Amos Park between the horse ring and the miniature golf course to locate batting cages. Mr. Roberts requested a season-to-season lease (March 1 - October 30) at a rate of \$500/season. Mr. Roberts told the Commission that while the batting cages would only be open during the 8 month period, he is requesting to leave the cages intact year around. After further negotiating the terms of the lease, Commissioner Blankenship made the motion to grant a lease to Mr. Roberts which would commence upon the first day of March, 1993 and end on the 31st day of October, 1993; Mr. Roberts will have the right to renew the lease for an additional period beginning November 1, 1993 and ending on October 31, 1994; Mr. Roberts will pay the fee of \$100.00 per month; and in the event that the City terminates the lease during the initial or renewal term, it will refund all monthly rental rates paid by Mr. Roberts prior to the termination date. Commissioner Mounts seconded the motion. Upon call of the roll, the motion carried unanimously.

C. BOAT SHOW: Myra Chico, Main Street Executive Director, appeared before the Commission to ask permission to hold a Boat Show in downtown Pikeville during March 12-13, 1993 and to close Division Street, Grace Avenue, and Caroline Avenue from the Boulevard to Second Street and the other side of Second Street to Main Street. The traffic will continue the flow down Second Street, up Huffman Avenue, down Main Street, up Pike Street. Six dealers will be participating in the show with a total of 27 boats. Ms. Chico advised the Commission that the downtown merchants are in support of this promotion. Commissioner Clark made the motion to allow the designated streets to be closed from the morning of the 12th through the evening of the 13th. Commissioner Davis seconded the motion. Upon call of the roll, the motion carried unanimously.

D. PARKING: Ms. Chico advised that the downtown merchants are complaining about parking. The merchants have requested, in an effort to discourage employee parking on the street, that a vehicle be towed upon the issuance of a third overtime parking ticket for being parked in the same space in one day's time. Police Chief Edmonds voiced his opposition to this suggestion. City Attorney Davis reviewed the city's existing ordinance relating to overtime parking. Mr. Davis pointed out that if parking tickets are not paid within a 30 day period, the vehicle may be towed. He has suggested that a disabling

MINUTES } CITY OF PIKEVILLE

device be purchased to be placed on the front wheel of the vehicle to force the payment of the tickets, as the towing of vehicles presents a certain amount of liability. The Commission directed the City Attorney to review parking ordinances from other cities and come back with a recommendation.

E. CLOSED SESSION: At 7:40 p.m., pursuant Section C of the Open Meetings Law, Commissioner Blankenship made the motion to adjourn to a closed session for the purpose of discussing a proposed development for the river fill area. Commissioner Clark seconded the motion. Upon call of the roll, the motion carried 4 - 0 (Commissioner Davis not present at the time of the vote).

At 8:24 p.m., Commissioner Blankenship made the motion to reconvene to regular session. Commissioner Clark seconded the motion. Upon call of the roll, the motion carried unanimously.

City Attorney Davis reported that while in closed session, the Commission discussed a proposal for a prospective use of city property. Commissioner Blankenship made the motion to authorize City Engineer, Jack Sykes, to prepare a map of the property located within the river fill adjacent to the Don Combs Bridge; authorize the City Manager to advertise for sealed bids for the sale/lease of the property; the sealed bid is to contain information detailing the prospective use of the property; a statement of economic impact of the project detailing the number of jobs to be created and the amount of taxes created and other economic benefits to be derived by the City of Pikeville; a provision that construction begin within one year and be completed within two years; bidder must provide proof of financing; and the city will have the right to reject any and all bids for any reason. Commissioner Davis seconded the motion. Upon call of the roll, the motion carried unanimously.

JOB STIMULUS BILL: Will Linder, grantsman for the City of Pikeville, advised the Commission that President Clinton has announced an economic stimulus bill which will offer \$31 billion for jobs. The economic impact will come from taxes of persons employed through the construction of public facilities and infrastructure. It is expected that the Commonwealth of Kentucky will receive between \$11 and \$21 million to be disbursed through the Community Development Block Grant Program. To qualify for the program, an agency must be ready to proceed with a project within 30 to 60 days, high unemployment rate and a high poverty rate. Pikeville has a 9.1% unemployment rate versus an average of 6.2% for the state. Types of projects which may be funded include sidewalks and city hall facilities. The maximum grant amount is expected to be \$750,000. Mayor May explained that a new city hall facility is now being considered which will house the police department. \$200,000 has been set aside in the budget to go toward the construction of a police station. It is planned to construct the facility on the lot at the corner of Huffman Avenue and Hambley Boulevard. In addition to the police station it is proposed to house the Chamber of Commerce, Tourism, Main Street Program and IDEA. The three story facility will have an elevator which will lead to a walkway across the Boulevard to Pikeville College. City Engineer Jack Sykes reported that he has been working with Chris Chrisman, architect, in the preparation of a conceptual plan for the city hall facility and recommended, due to the limited time frame in which to design the project, that Mr. Chrisman be hired as architect for the project. Commissioner Blankenship made the motion to authorize Will Linder to proceed with the submission of an application for funding and to authorize the hiring of Chris Chrisman, Architect, for the purpose of designing the city hall facility, contingent upon Mr. Chrisman's completion of the plans in time to make application for funds through the Economic Stimulus Program. Commissioner Clark seconded the motion. Upon call of the roll, the motion carried unanimously.

AGENDA ITEM V.

PAYMENT OF BILLS

A. CITY BILLS: A list of City Bills totaling \$367,778.74 were included in each Commission Member's agenda package. Upon the City Manager's confirmation that the bills were in order and that monies are available for payment, Commissioner Mounts made the motion, seconded by Commissioner Davis to approve payment of the city bills as requested. Upon call of the roll, the motion carried 5 - 0.

B. WATER DISTRIBUTION SYSTEM IMPROVEMENTS PROJECT: City Engineer Jack Sykes reported that Contract #11 (Emergency tie-in) is approximately 95% complete. Two change orders were presented to the Commission which give a net increase to the project of \$455.00. The change orders involve the deletion of 60 linear feet of ductile iron pipe mechanical joint and the addition of 10 linear feet of ball & socket pipe. Also presented was an invoice from M & S General Contractors in the amount of \$75,606.75. Total contract amount if \$94,812.50. The invoice represents approximately 95% of the project less a 10% retainage. In addition to the contractor's request for payment, an invoice from Summit Engineering, Inc. in the amount of \$922.25 was presented for inspection services. Commissioner Blankenship made the motion to approve payment to the contractor and engineer as requested. Commissioner Davis seconded the motion. Upon call of the roll, the motion carried unanimously. Commissioner Mounts made the motion, seconded by Commissioner Davis to approve change orders 1 & 2 for a net increase of \$455.00 to the contract. Upon call of the roll, the motion carried unanimously.

AGENDA ITEM VI.

OLD BUSINESS

A. CITY ENGINEER'S REPORTS: Jack Sykes representing Summit Engineering, City

MINUTES } CITY OF PIKEVILLE

Engineers, gave a verbal report of ongoing projects as follows:

1. Shopping Center Utilities: Mr. Sykes reported that the sewage extension design for the shopping center is proceeding.

2. Comprehensive Plan: Several months ago, the Commission entered into a contract with Will Linder & Associates and Summit Engineering, Inc. for the update of the Comprehensive Plan. A special meeting has been requested for Thursday, March 25 at 4:00 p.m. for review and discussion.

3. Fire Station: The Fire Station Addition is complete with the exception of painting. Quotes are now being solicited for repainting of the original facility. Mr. Sykes advised of the change in the color scheme to a series of grays.

4. Industrial Rubber Sewer Extension: At the previous City Commission, Mr. Sykes was directed to bring back a quote for the extension of the sewage service to serve Industrial Rubber Company and surrounding property. The contractor now working on the water extension has quoted a price of \$19,834 to install the bore-and-jack. PSG will install the lines for \$26,712.50 for a total project cost of \$46,546.50. The project will be funded through the Coal Severance Fund. Commissioner Mounts made the motion, seconded by Commissioner Blankenship to authorize the engineer to proceed with the project. Upon call of the roll, the motion carried unanimously. The project should be completed between April and May.

5. Lorraine Plaza: Mr. Sykes reported that he has met with Ralph Spencer of Industrial Rubber on the Lorraine Plaza site. Mayor May recapped the efforts to negotiate with Industrial Rubber for the sale of this property. Initially the property line was to begin next to the power company's substation in order to leave the city with a more valuable piece of property. Mr. Spencer has now requested to move the boundary 75 feet away from the substation which subsequently would leave the city with a less valuable parcel. Mayor May read a letter that he had written to Mr. Spencer where the following information was requested: the cost of the building and an architectural rendering of the building; an exact location of the building; the Kentucky Department of Highway's response to the request for additional entrances; an exact amount of occupational taxes paid for 1992 and an estimate of taxes to be paid upon completion of the building. Mr. Spencer has not responded to the letter. The Commission directed the City Manager to contact Mr. Spencer to attempt further negotiations.

6. Historic Preservation: Jack Sykes, in his capacity of Chairman of the Historic Preservation Board, reported to the Commission that three potential Historic Districts have been studied and public hearings with the residents of the areas have been held. Due to the opposition (90%) from the College Street residents, the Historic Preservation Board is no longer considering designating College Street as a Historic District. The Third Street area has 24 tracts. There have been five objections. The Scott Avenue area contains 19 parcels, begins just below 7th Street and extends to 5th Street. There has been one property owner to object to the area being designated as a historic district. Mr. Sykes recommended the designation of Scott Avenue from 7th to 5th Street as a historic district. There is no recommendation at this time on the designation of Third Street as a historic district. Commissioner Mounts made the motion, seconded by Commissioner Clark to designate Scott Avenue from 7th Street to 5th Street as a Historic District. Upon call of the roll, the motion carried unanimously.

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

1. Volunteer Fire Department: Mr. Davis presented an Ordinance to the Commission that he and Acting Fire Chief Tom Hall have prepared which confirms the establishment of the Volunteer Fire Department. While the city presently has a volunteer fire department, no ordinance has been adopted with regard to the establishment of the department or to make the department to fall under the operational guidelines mandated by the Fire Chief. Mr. Davis advised that under the provisions of the ordinance, all financial activities will be handled through the City of Pikeville's Finance Department. Due to the city not having a legal relationship with the volunteer fire department, the Commission requested the Ordinance be given reading with an emergency adoption clause. The Ordinance was given reading in summary form, entitled as follows:

SUMMARY ORDINANCE RELATING TO THE ESTABLISHMENT, CREATION, ORGANIZATION AND REGULATION OF A VOLUNTEER FIRE DEPARTMENT

Acting Fire Chief Hall reported he had discussed the proposed Ordinance with the members of the volunteer fire department. Dwayne Mothershed, a lieutenant with the volunteer fire department, advised he had not had the opportunity to review the ordinance, however other members were uncomfortable with some of the provisions of the ordinance, especially the clause dealing with the election of officers and provisions dealing with funds. Lt. Mothershed requested that the Commission not act on this Ordinance until the members have had the opportunity to study the matter further. Mayor May assured those present that if the provisions of the ordinance hindered the operation of the volunteer fire department, the Commission will amend the ordinance.

Commissioner Blankenship made the motion to declare an emergency with regard

MINUTES } CITY OF PIKEVILLE

to the Ordinance because of the immediate need by the city of Pikeville to establish a Volunteer Fire Department and adopt the Ordinance as summarized. Commissioner Mounts seconded the motion. Upon call of the roll, the motion carried by the following votes:

MAYOR:	WALTER E. MAY	YES
COMMISSIONER:	WALTER BLANKENSHIP	YES
	SHARON CLARK	YES
	EUGENE DAVIS	YES
	JOHNNY MOUNTS	YES

2. ZONING: First reading was given to an Ordinance entitled as follows:
ORDINANCE AMENDING THE CITY OF PIKEVILLE ZONING MAP FOR BILL KING HOLLOW FROM R1 TO R2

3. WALTERS ROAD: First reading was given to an Ordinance with the following caption:
ORDINANCE ACCEPTING PORTION OF ROAD ON THE PETER FORK OF CHLOE CREEK AS A CITY STREET

4. PIKEVILLE PUBLIC HOSPITAL CORPORATION: City Attorney Davis reported that the Pikeville Public Hospital Corporation Board met with Hospital Administrator Jim Norris on February 15, 1993 to discuss the hospital's use of their credit to acquire a \$3.5 million line of credit through Pikeville National Bank and Trust Company. The hospital sought to use the corporation's credit due to the corporation being a governmental agency with the ability to borrow money at a substantially lower interest rate. The hospital will pledge their accounts receivable as security for the debt both to the bank and to Pikeville Public Hospital Corporation to insure that any indebtedness incurred through the line of credit is paid off. According to Hospital Administrator, Jim Norris, the line of credit will be used to replenish the hospital's operating cash. Over the past year, the hospital used operating cash to purchase long term assets - renovation of the hospital facility and the purchase of new equipment. Mr. Norris told the Commission that approximately \$4.4 million of operating cash has been used in this endeavor. Mr. Davis presented and gave reading to the following resolution:

RESOLUTION APPROVING AND AUTHORIZING THE PIKEVILLE PUBLIC HOSPITAL CORPORATION TO INCUR AN INDEBTEDNESS PURSUANT TO A LINE OF CREDIT TO BE ESTABLISHED WITH THE PIKEVILLE NATIONAL BANK AND TRUST COMPANY IN AN AMOUNT NOT TO EXCEED 3.5 MILLION DOLLARS

WHEREAS, the Pikeville, Kentucky Public Hospital Corporation desires to obtain a line of credit with the Pikeville National Bank and Trust Company in the maximum amount of 3.5 million dollars for the purpose of providing financing for the Pikeville Methodist Hospital of Kentucky.

WHEREAS, the Articles of Incorporation of Pikeville, Kentucky Public Hospital Corporation, require that said corporation incur no indebtedness or liability without the approval of the Commission of the City of Pikeville and a majority vote of the members of the Board of Directors of said Corporation.

WHEREAS, a majority of the Board of Directors of said Corporation did at a meeting held February 15, 1993 approve the establishment of a 3.5 million dollar line of credit with the Pikeville National Bank and Trust Company upon such terms and conditions which shall in the discretion of the chairman be advisable subject, however, to final approval of the transaction by the Commission of the City of Pikeville.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City of Pikeville that the Commission of the City of Pikeville does hereby approve and authorize the Pikeville, Kentucky, Public Hospital Corporation to incur indebtedness or liability to the Pikeville National Bank and Trust Company pursuant to a line of credit to be established by the Corporation with the Bank in an amount not to exceed 3.5 million dollars including interest thereon.

Passed this 22nd day of February, 1993.

Commissioner Walter Blankenship moved the adoption of the foregoing resolution. Commissioner Johnny Mounts seconded the motion.

Upon roll call, the votes were as follows:

	YES	NO
WALTER E. MAY, MAYOR	X	
GENE DAVIS, COMMISSIONER	X	
SHARON CLARK, COMMISSIONER	X	
JOHNNY MOUNTS, COMMISSIONER	X	
WALTER BLANKENSHIP, COMMISSIONER	X	

MINUTES } CITY OF PIKEVILLE

The Mayor declared the within resolution adopted.

/s/ Walter E. May
WALTER E. MAY, MAYOR

ATTEST:

/s/ Karen Harris
KAREN HARRIS, CITY CLERK

Administrative Assistant, Sue Smallwood, was directed to schedule a date for the Commission to tour the hospital facility.

5. WASTEWATER TREATMENT PLANT: Administrative Assistant, Sue Smallwood, explained that it is necessary for the Commission to adopt a resolution with regard to the Kentucky Infrastructure Authority Fund A Supplemental Agreement (Wastewater Treatment Plant). According to Ms. Smallwood, the project exceeded the budget by approximately \$11,000. The resolution finalizes the loan agreement. The resolution was presented and read entitled:

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PIKEVILLE, KENTUCKY APPROVING AND AUTHORIZING A FIRST SUPPLEMENTAL ASSISTANCE AGREEMENT BETWEEN THE CITY OF PIKEVILLE, KENTUCKY AND THE KENTUCKY INFRASTRUCTURE AUTHORITY

WHEREAS, the City Commission, ("governing authority") of the City of Pikeville, Kentucky, ("Governmental Agency") has previously determined that it is in the public interest to acquire and construct certain wastewater facilities and improvements to the Governmental Agency's Wastewater System (the "Project") and

WHEREAS, the Governmental Agency made an application to the Kentucky Infrastructure Authority (the "Authority") for the purpose of providing monies to construct the Project; and

WHEREAS, in order to obtain such monies, the Governmental Agency entered into an Assistance Agreement dated as of October 1, 1991 with the Authority; and

WHEREAS, since the date of the Assistance Agreement the cost of the Project has been modified and the Authority has agreed to provide additional monies for the Project; and

WHEREAS, in order to receive such additional monies for the Project it is necessary for the Governmental Agency to enter into a First Supplemental Assistance Agreement with the Authority.

NOW, THEREFORE, BE IT RESOLVED by the governing authority of the City of Pikeville, Kentucky, as follows:

SECTION 1. That the governing authority hereby approves and authorized the First Supplemental Assistance Agreement between the Governmental Agency and the Authority substantially in the form on file with the Governmental Agency for the purpose of providing the necessary financing to the Governmental Agency for the Project.

SECTION 2. That any officer of the Governmental Agency be and hereby is authorized, directed and empowered to execute necessary documents or agreements, and to otherwise act on behalf of the Governmental Agency to effect such financing.

SECTION 3. That this resolution shall take effect at the earliest time provided by law.

ADOPTED ON February 22, 1993.

/s/ Walter E. May
Presiding Officer

ATTEST:

/s/ Karen Harris
City Clerk

Commissioner Davis made the motion, seconded by Commissioner Blankenship to adopt the resolution as presented and read. Upon call of the roll, the motion carried unanimously.

6. SOUTH MAYO WATER DISTRIBUTION PROJECT: Administrative Assistant, Sue Smallwood, explained to the Commission that a resolution authorizing the execution of an assistance agreement with Kentucky Infrastructure Authority is necessary to complete the funding package for the South Mayo Water Distribution Project. The resolution was presented and read as follows:

RESOLUTION OF THE CITY OF PIKEVILLE, KENTUCKY APPROVING AND AUTHORIZING AN ASSISTANCE AGREEMENT BETWEEN THE CITY OF PIKEVILLE AND THE KENTUCKY INFRASTRUCTURE AUTHORITY.

MINUTES } CITY OF PIKEVILLE

WHEREAS, the City Commission, ("governing authority") of Pikeville, Kentucky, ("Governmental Agency") has previously determined that it is in the public interest to acquire and construct certain water and wastewater facilities and improvements to the Governmental Agency's Water and Wastewater System (the "Project") and

WHEREAS, the Governmental Agency has made application to the Kentucky Infrastructure Authority (the "Authority") for the purpose of providing monies to construct the Project; and

WHEREAS, in order to obtain such monies, the Governmental Agency is required to enter into an Assistance Agreement with the Authority;

NOW, THEREFORE, BE IT RESOLVED by the governing authority of City of Pikeville, Kentucky, as follows:

SECTION 1. That the governing authority hereby approves and authorizes the Assistance Agreement between the Governmental Agency and the Authority substantially in the form on file with the Governmental Agency for the purpose of providing the necessary financing to the Governmental Agency for the Project.

SECTION 2. That any officer of the Governmental Agency be and hereby is authorized, directed and empowered to execute necessary documents or agreements, and to otherwise act on behalf of the Governmental Agency to effect such financing.

SECTION 3. That this resolution shall take effect at the earliest time provided by law.

ADOPTED ON February 22, 1993.

/s/ Walter E. May
Presiding Officer

Attest:

/s/ Karen Harris
City Clerk

Commissioner Mounts made the motion, seconded by Commissioner Blankenship to adopt the resolution. Upon call of the roll, the motion carried unanimously.

7. Mayor May introduced and gave reading to the following resolution:

RESOLUTION COMMENDING THE PIKEVILLE FIRE DEPARTMENT, PIKEVILLE VOLUNTEER FIRE DEPARTMENT AND JOHNS CREEK VOLUNTEER FIRE DEPARTMENT

WHEREAS, The Pikeville Fire Department, Pikeville Volunteer Fire Department and Johns Creek Volunteer Fire Department responded to a fire on Division Street in the Playhouse Pool Room on February 17, 1993. The quick response of these fire departments prevented a major disaster to the downtown area of the City of Pikeville.

THEREFORE, The City Commission commends the Pikeville Fire Department, Pikeville Volunteer Fire Department and Johns Creek Volunteer Fire Department for their quick response and valiant efforts in preventing a major disaster in the downtown area.

At Pikeville, Kentucky this 22nd day of February, 1993.

Motion made by Walter Blankenship, seconded by Johnny Mounts to adopt this Resolution.

	<u>YES</u>	<u>NO</u>
WALTER E. MAY, MAYOR	X	
WALTER BLANKENSHIP, COMMISSIONER	X	
SHARON CLARK, COMMISSIONER	X	
EUGENE DAVIS, COMMISSIONER	X	
JOHNNY MOUNTS, COMMISSIONER	X	

The Mayor declared the within Resolution adopted.

/s/ Walter E. May
WALTER E. MAY, MAYOR

ATTEST:

/s/ Karen Harris
KAREN HARRIS, CITY CLERK

Mayor May commented that the responding Fire Departments fought the blaze admirably and professionally. Without the Fire Department's expertise, a

MINUTES } CITY OF PIKEVILLE

whole block in the downtown area could have been destroyed.

8. COOPERATIVE AGREEMENT: Mayor May reported he met with Pike County Judge Executive Wayne T. Rutherford and the Mayors of Elkhorn City and Coal Run Village. The meeting produced an affirmation from all parties to support each of the neighboring cities and the county in efforts to improve each of the areas. The County Judge requested that a non-legally binding agreement, a Spirit of Cooperation, be signed. The City Attorney gave reading to the agreement. Commissioner Clark made the motion to authorize the Mayor to execute the agreement. Commissioner Blankenship seconded the motion. Upon call of the roll, the motion carried 5 - 0.

Elkhorn City Mayor, Hank Salyer, has requested that the City Commission again grant permission for the vacuum truck to clean the streets in Elkhorn City. Elkhorn City will pay all costs associated in this endeavor. It was the consensus of the Commission to grant this request.

C. CITY MANAGER'S REPORTS: City Manager, John Johnson, presented the following items for the Commission's consideration:

1. Country Music Festival: Administrative Assistant, Sue Smallwood, reported that a request had been made by Will Freebody to use the Hambley Athletic Field on September 11, 1993 for the purpose of holding a Country Music Festival to benefit the Kentucky Children's Relief Fund. Sponsors of the event are East Kentucky Beverage Company, Coleman Oil and East Kentucky Radio Network. Some concern was expressed about how the field would be affected in the event of inclement weather. Mayor May reported that the sponsors would provide liability insurance and would be responsible for cleanup after the show. He suggested making it part of the agreement that the sponsors would be responsible for any damage to the field. Commissioner Mounts made the motion, seconded by Commissioner Blankenship to grant the request for use of the Hambley Athletic Field on September 11, 1993 for a Country Music Festival. Upon call of the roll, the motion carried by the following votes:

MAYOR:	WALTER E. MAY	ABSTAIN
COMMISSIONER:	WALTER BLANKENSHIP	YES
	SHARON CLARK	YES
	EUGENE DAVIS	NO
	JOHNNY MOUNTS	YES

2. POLICE REVIEW BOARD: City Manager Johnson reported that an oral review board was recently held for police officer applicants. News-Express Editor, Marty Backus, was an interviewer. Mr. Backus told the Commission he was honored to serve on the review board and was impressed with the quality of the applicants. Mayor May commented that he is pleased with the screening process for the police department. The process takes the politics out of the selection. Mayor May called attention to Pikeville's being named as one of the best 100 small towns in America. He stated that one of the criteria used in the selection was the low crime rate. Pikeville ranked 8th in this category.

3. FIRE DEPARTMENT: Upon Acting Fire Chief Hall's recommendation, City Manager Johnson requested that the Commission approve the hiring of Lonnie Lee Gibson and Joe Reynolds as fire fighters. Mr. Johnson advised the Commission that the screening process for fire fighters is less sophisticated than that of the Police Department, however the fire fighter candidates did appear before an interview committee comprised of the Acting Fire Chief, Police Chief and himself. Mr. Johnson reported that all future hirings would follow the same process as the Police Department. Commissioner Mounts made the motion, seconded by Commissioner Blankenship to hire Lonnie Lee Gibson and Joe Reynolds as fire fighters. Upon call of the roll, the motion carried unanimously.

D. MONTHLY FINANCIAL REPORTS: Financial Director, Jan Hunt, reviewed the monthly financial statements with the Commission.

AGENDA ITEM VII. NEW BUSINESS

A. T.V. FRANCHISE: Commissioner Mounts asked if any correspondence had been received from Tele-Media with reference to the resolution adopted by the Commission at the last meeting. City Manager Johnson reported that the City Attorney asked for a reply by March 8, 1993. Commission Members stated that they had been contacted by several residents who are complaining about the quality of service from Tele-Media.

B. BLUE GOOSE GYM: Commissioner Clark reported that the interior of the Blue Goose Gym is filthy and the restrooms are deplorable. Commissioner Clark will communicate the Commission's concern for the condition of the Blue Goose Gym to the Pikeville Independent School Board.

AGENDA ITEM VIII. PERSONNEL ACTIONS

A. PERSONNEL POLICIES AND PROCEDURES: City Attorney Davis reviewed changes that had been made to the draft set of Personnel Policies and Procedures. The following resolution was presented and read:

WHEREAS, the City of Pikeville, Kentucky, a Third Class City, has undertaken to revise and supplement its personnel policies and procedures

MINUTES } CITY OF PIKEVILLE

applicable to its employees, including employees of each and every department, agency, corporation, board, commission, or other entity created by and/or responsible to the Board of Commissioners of the City of Pikeville; and,

WHEREAS, said revision to and supplementation of such employment policies and procedures was undertaken to provide employees with guidance and direction concerning their benefits, privileges and obligations of employment, as well as to promote the fair and uniform administration of said benefits and privileges of employment, and consistency in expected levels of performance; and,

WHEREAS, said employment policies and procedures, including all revisions and supplementation, have been codified in a document entitled City of Pikeville Personnel Policies and Procedures which is attached hereto and incorporated by reference herein; and,

WHEREAS, said City of Pikeville Personnel Policies and Procedures, are not a contract of employment of any kind by virtue of an express disclaimer contained in the Certification of Receipt which each employee shall be required to execute upon delivery of said document;

BE IT HEREBY RESOLVED, that the City of Pikeville, Kentucky adopts said personnel policies and procedures and directs that the City Manager promptly reproduce and oversee delivery of copies of this document attached hereto to all employees of the City.

BE IT FURTHER RESOLVED, that each and every department, agency, corporation, board, commission or other entity created by and/or responsible to the Board of Commissioners of the City of Pikeville shall be served by the City Manager with copies of this Resolution and the personnel policies and procedures attached hereto, with instructions that each such entity so served may, at its discretion, either: (a) adopt, through appropriate means, said policies and procedures as applicable, in their entirety, to all covered employees of such entity; or, (b) may formulate its own personnel policies and procedures which do not enlarge upon or diminish the benefits, privileges or obligations of employment set forth in the City of Pikeville Personnel Policies and Procedures.

BE IT FURTHER RESOLVED, that should any department, agency, corporation, board, commission or other entity created by and/or responsible to the City of Pikeville elect to formulate its own personnel policies and procedures, said policies and procedures must first be submitted to and approved by the Board of Commissioners of the City of Pikeville prior to final adoption, distribution or application by or on behalf of such entities.

BE IT FINALLY RESOLVED, that pending compliance with the terms of this Resolution, each department, agency, corporation, board, commission or other entity created by and/or responsible to the City of Pikeville shall be entitled to continue to apply its existing personnel policies and procedures, but not beyond May 1, 1993, when compliance with the terms of this Resolution shall be effected by each such entity. No later than May 1, 1993, each entity shall provide the City Manager with confirmation of either the entity's adoption of the City of Pikeville Personnel Policies and Procedures, or approval of the entity's separate personnel policies and procedures by the Board of Commissioners of the City of Pikeville.

Adopted this 22nd day of February, 1993.

/s/ Walter E. May
WALTER E. MAY, MAYOR FOR THE CITY OF PIKEVILLE,
KENTUCKY

ATTESTED:/s/ Karen W. Harris
KAREN W. HARRIS
CITY CLERK

Commissioner Blankenship made the motion to adopt the resolution. Commissioner Clark seconded the motion. Upon call of the roll, the motion carried unanimously.

POLICE DEPARTMENT HEADQUARTERS: Mayor May explained that the current headquarters for the police department was at one time, the Water Treatment Plant. For some time, the building has been plagued with irritating odors of an unknown origin. After discussing the matter with the City Manager, Police Chief and City Attorney, it was decided that temporary quarters should be sought for relocation of the police department until a new police station can be built. Commissioner Mounts voiced his opinion that the move should be understood as temporary and should the new city hall facility project not proceed within the year, that a new police station should be constructed. Commissioners Blankenship and Davis voiced their agreement with Commissioner Mounts' statement. Commissioner Blankenship made the motion to authorize the City Manager to negotiate a lease for temporary headquarters to house the police department for a period of time not to exceed one year. Commissioner Mounts seconded the motion. Upon call of the roll, the motion carried unanimously.

Mayor May read a letter from Larry Dotson, Program Coordinator for the Big

MINUTES } CITY OF PIKEVILLE

Sandy Community Action Program, commending two fire fighters, Robbie Lindsey and Kenny Forsyth, for their professionalism in working an injury involving one of the CAP employees.

Mayor May presented a letter from the Kentucky League of Cities with regard to the annual convention to be held in Louisville during September 9 -11, 1993. The letter offers to the Board Members an early registration to allow for selection of accommodations. Mayor May urged the Commission, Attorney, City Manager and Department Heads to attend. Commissioner Blankenship made the motion to make this meeting available to the City Commission and to the appropriate department heads. Commissioner Mounts seconded the motion. Upon call of the roll, the motion carried unanimously.

There being no further business to come before the Commission, Commissioner Davis made the motion, seconded by Commissioner Mounts to adjourn the meeting. Upon call of the roll, the motion carried 5 - 0. (Adjournment Time: 10:30 p.m.)

APPROVED

Walter E. May
WALTER E. MAY, MAYOR

ATTEST:

Karen Harris
KAREN HARRIS, CITY CLERK

