

MINUTES } CITY OF PIKEVILLE

CITY OF PIKEVILLE CITY COMMISSION REGULAR MEETING MINUTES MARCH 24, 1997

The Board of Commissioners of the City of Pikeville conducted their regular monthly meeting on Monday, March 24, 1997. The meeting was held in the City Hall Public Meeting Room at 260 Hambley Boulevard.

There being a quorum present, Mayor Steven D. Combs called the meeting to order at 6:00 p.m. Commission Members present at roll call were as follows:

COMMISSIONER:	KENNY BLACKBURN
	EUGENE DAVIS
	JOHNNY MOUNTS
	SHARON CLARK
MAYOR:	STEVEN D. COMBS

AGENDA ITEM II.

MINUTES

The minutes for the previous regular meeting held on February 24, 1997 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. The motion carried unanimously.

AGENDA ITEM III.

BUSINESS FROM THE FLOOR

A. FIREWORKS: Pikeville Jaycees President, Tivis Newsome, appeared before the Commission to request that the City purchase \$3,000.00 in fireworks for the Fourth of July Celebration. Mr. Newsome reported that he had submitted a letter of request to Pike County Judge/Executive, Donna Damron, to request an appropriation from the County. Mr. Newsome told the Commission that Pike County contributed \$1,000.00 toward the 1996 fireworks display. Commissioner Mounts asked that approval of an appropriation be delayed until it is learned what the County will donate. He stated he would be willing to provide the same amount as the County. Because of the residential development in the Lover's Leap Subdivision, a location from which to shoot the fireworks has not been determined. A potential location is on the hill behind Pikeville High School. Mr. Newsome was asked to return to the City Commission's April meeting for further discussion.

B. DOWNTOWN CITY PARK: In the absence of Downtown Park Revitalization Committee Chair person, Kitty Pauley, Committee Member, Sue Smallwood, reported that the Committee had met and had voted to designate as the next project for the downtown City Park, the construction of restroom facilities. Ms. Smallwood advised that no state nor federal grant funds are available for development in Parks and asked that the City Commission appropriate funds over the next two budget years for the proposed facility. Considerable discussion was had with regard to maintenance, supervision, and upkeep of the proposed restroom facility. Commission Members agreed that providing the facility would prompt more use of the park, however were concerned that vandalism would render the building useless in a few years. Parks Director, Doug Justice, gave his opinion that a restroom facility is needed in the City Park. He accepted responsibility for the Parks Department staff to maintain and supervise the facility. City Engineer Sykes was asked to prepare a conceptual design to be presented at the next meeting.

C. MAIN STREET PROGRAM: Paula Spradlin, Director of the Pikeville Main Street Program, explained that Main Street has been in the process of developing a Downtown Revitalization Plan, with assistance from Chris Chrisman of Summit Engineering.

Displaying project boards with various adaptations of streetscapes, Mr. Chrisman defined the objective of the proposed Revitalization Plan. The plan entails appearance and enhancement improvements as well as assisting private commercial property owners with building renovation and occupancy recruitment.

The first phase of the plan involves underground relocation of electrical and telephone lines; sidewalk improvements; landscaping; and construction of three focal entry points at the corners of Pike Street/Hambley Boulevard; Huffman Avenue/Hambley Boulevard; and the Bypass/Hambley Boulevard. Proposed for each of the corners is an entry sign, welcoming visitors to downtown Pikeville, and landscaping. Ms. Spradlin advised the Commission that she had been told that funds are available for upgrades/repairs to existing underground utility lines, should the City desire to make improvements at the same time as the electrical and telephone lines are being relocated.

Mr. Chrisman told the Commission that the plan has been presented in at least two public forums for the purpose of receiving comments and/or suggestions to improve the plan. He mentioned that Pike County Judge/Executive Damron had suggested that Division Street be designated as a two-way street to connect the Courthouse Square to Hambley Boulevard.

Public parking has also been addressed. With implementation of the plan, an additional 35 parking spaces will be realized through parking restructuring - i.e., diagonal parking spaces on Main Street in front of the former location of Watson's and Matewan Bank.

Phase 2 will offer design assistance to property owners, address building size, encourage renovations to existing building facades; and assist property owners with plans for use of vacant buildings.

MINUTES } CITY OF PIKEVILLE

Ms. Spradlin told the Commission that an Economic Restructuring and Revitalization Plan, though in its preliminary stages at this time, has been compiled with the assistance of former Industrial Development and Economic Authority Director, Charles Pendleton. The plan looks at formulating an aggressive recruitment package to bring business into downtown Pikeville.

It is expected that the cost to implement Phases I and II is \$450,000.00.

Mr. Chrisman and Ms. Spradlin asked the Commission to schedule a work session to discuss the plans in more detail. The Commission was advised that their approval of the Revitalization Plan is necessary prior to the submission of applications for grant funds and prior to beginning any work.

The clerk was directed to schedule a work session to discuss the Revitalization Plan and to discuss the proposed City Hall facility. The Mayor asked that a representative from American Electric Power be present at the work session to explain the power line relocation concept.

D. BOWLES FAMILY PARTNERSHIP: Chris Chrisman, representing the Bowles Family Partnership, reminded the Commission that he had addressed them at the previous City Commission Meeting concerning the problems with the water supply and pressure in the Cedar Creek area and the need to remedy those problems prior to further development.

Proposed is the construction of a 200,000 gallon water tank along with a distribution line from the tank, to connect at the Bowles Family Partnership property boundary, and a pumping station. Cost for the water tank, the connecting line and the pumping station is \$288,000.00. The figure is approximately \$70,000.00 less than originally quoted in the previous meeting due to the Bowles Family Partnership agreeing to extend the line along the street, from where the existing line ends, to connect with the distribution line from the proposed water tank.

Presented was a fact sheet, prepared by the Bowles Family Partnership, detailing the proposed construction and the benefits to be derived by the city. Once the development is completed, it will boast 156 homes; 40 apartments; 80 - 100 assisted living units; 40,000 sq. ft. of commercial retail; 20,000 sq. ft. of office space; and 1 church. It is expected the project will generate \$40,000 in property tax revenues and approximately \$200,000, annually, in utility revenues. No approximations were available concerning the amount of anticipated occupational license fee receipts. Additionally, the Partnership indicated they would be donating as much as 50 acres to the City to be used as a park or for other recreational uses, however the specific site has yet to be identified.

Referring to the Subdivision Regulations adopted by the Pikeville/Pike County/Elkhorn City Joint Planning Commission, Commissioner Clark questioned if the city would be violating the guidelines if approval was granted to participate in the project. The City Manager stated that the regulations provide that it is the developer's responsibility to provide the water supply for the development. Mr. Chrisman pointed out that the City does not have a sufficient source of water to supply the development. He added that the installation of the tank, distribution line, and pumping station would not only serve the Bowles Partnership Development, but would serve that whole area of town.

Fire Chief Hall voiced his concern that sufficient water pressure would not be available to provide fire protection to the proposed development. Mr. Chrisman clarified that water pressure meets ISO requirements for the development in progress, but does not meet the standards for the area beyond Shorty Cole Hollow.

City Attorney Davis gave his opinion that the Subdivision Regulations would not have to be amended to allow the City to participate in providing water to the development, as the area to be developed is the only real source of potential growth for the community. The Commission was concerned they would be setting a precedent if they participated in constructing a utility for a development. Mr. Chrisman pointed out that the City would only be providing a source of water. The Bowles Family Partnership would be installing the necessary lines within the development. Commissioner Clark suggested that City participation be conditional upon the extent of the development. Mr. Chrisman directed attention to the fact sheet, detailing the Partnership's plans to provide commercial retail and office space. He stated that the assisted living facility would be constructed within the next year. The commercial retail and office space would be produced in the next two to four years. It was concluded that the Bowles Partnership Development would be distinguished from other housing projects due to its commercial development.

Commissioner Blackburn asked for an estimate of the annual cost for maintenance of a pumping station. PSG Manager, Greg May, calculated the cost between \$8,000 and \$10,000 per year.

Commissioner Blackburn made the motion to reimburse the Bowles Family Partnership for the cost of the 200,000 gallon water tank (\$175,000.00). Commissioner Clark seconded the motion. Upon call of the roll, the motion carried 4 - 0 - 1 with Commissioner Mounts abstaining from the vote. PSG Manager, May and City Engineer Sykes are to insure compliance of the construction of the water tank in accordance with the City's specifications.

E. 1995-96 AUDIT REPORT: J. Donald Wallen with Wallen & Cornett, CPA's, presented the Commission with the 1995-96 Audit Report. Mr. Wallen told the Commission that the City's overall financial condition is healthy. While the surplus dropped \$94,000.00 in the General Fund from the 1994-95 report, the General Fund still completed the year with a \$1,262,402 reserve. He commented that with the size of a budget that Pikeville has, he would feel more comfortable with a reserve of at least \$2 million. Mr. Wallen directed the Commission's attention to Pages 4 and 5 of the report. He explained that the Enterprise (Gas, Water & Sewer, and Sanitation) saw losses, which were mainly attributed to depreciation. Mr. Wallen stated that the cash flows for the funds were still firm. Mr. Wallen advised that the City incurred an additional \$1,818,683 in long-term debt (Sewage Extension Project - KIA Funds), and

MINUTES } CITY OF PIKEVILLE

reduced the existing long-term debt by \$985,000. Page 38 shows that cash was increased by \$325,000 through surplus property sales, which in turn, decreased fixed assets. Page 39 gives detailed line item amounts which indicate more collections were made in Payroll Taxes, Bank Shares, and ABC receipts than budgeted. Business License collections decreased, however the overall increase in revenues for the General Fund over the amount budgeted was \$316,000. Commissioner Blackburn asked that Mr. Wallen be authorized to review the current year's financial condition to determine the feasibility of lowering or repealing the franchise fees charged on cable and electrical service. It was the consensus of the Commission to allow Mr. Wallen to conduct this study and report his findings at the next City Commission Meeting (April 28, 1997). Commissioner Mounts asked if the audit report could be presented earlier than nine months into the new fiscal year. Mr. Wallen told the Commission that the audit report should be delivered by December following the close of the fiscal year and assured them his firm would work more diligently to achieve that goal.

Commissioner Blackburn made the motion, seconded by Commissioner Mounts to approve the audit report as submitted. Upon call of the roll, the motion carried unanimously.

F. COAL HOLLOW: Nancye Blackburn appeared before the Commission once again to renew her complaint concerning Stuart Adams' construction activities and alleged subdivision development in Coal Hollow. Ms. Blackburn stated that because of the earth that has been disturbed by Mr. Adams, mud has been forced onto her property which has completely eliminated ingress to her property, her aunt's (Martha Ridenour) property, and to the Riley and Scott gas well, from which the City purchases natural gas. Ms. Blackburn advised that the gas well reader had been allowed access across Mr. Adams' property last month, however the roadway has been blocked once again. Ms. Blackburn told the Commission she is only seeking assistance from them to obtain the right of ingress/egress, as other property damage related issues are being decided in a legal suit.

Commissioner Mounts asked if the roadway in question is a City street. Ms. Blackburn replied that it is not. City Attorney Davis advised the Commission that both, Stuart Adams and Ms. Blackburn, have pled in court that the roadway is a private roadway. He offered his opinion that the dispute is between two property owners and should be resolved through the justice system.

Martha Ridenour disagreed with the City Attorney's opinion. She commented that the City has the right to ensure that she has access to her property. She called attention to the fact that the City has an Ordinance which states that no one can block access to another person's property.

City Attorney Davis pointed out that Mr. Adams has constructed a roadway on his private property and the City has no jurisdiction to prohibit him from blocking the use of that roadway by the public.

Ms. Blackburn asked if it is the City's contention that it has no right to force her or Mr. Adams to remove anything which blocks passage on their respective private properties. The City Attorney answered that her understanding is correct.

Ms. Blackburn presented the Commission with copies of the City's Ordinances as they pertain to Dilapidated Housing and Nuisances, specifically:

Section 92.04: The definition of "Environmental Nuisance" or "Nuisance": (1) Any use of property which causes an annoyance, hazard, or injury which may be detrimental to the property or well-being of others; any person doing an unlawful act, or other act which may be lawful to the extent that is done without becoming a nuisance; the omission to perform a duty; or suffering or permitting any condition or thing to exist.... either:

(d) unlawfully interferes with, obstructs or tends to obstruct, or renders dangerous for passage any public or private street, highway, sidewalk, stream, ditch, or drainage;

(e) In any way renders other persons insecure in life or the use of property.

Ms. Blackburn commented that Ms. Ridenour has been denied use of her property.

(f) Essentially interferes with the comfortable enjoyment of life and property or tends to depreciate the value of the property of others.

Ms. Blackburn said the blocking of the roadway depreciates the value of the gas well, because no one is able to get to the well to read the meter.

Section 92.11: (A) It shall be unlawful for any owner, his agent, or any occupant of real property, or any other person or corporation, or each of them, to drop, deposit, permit or acquiesce in the dropping, depositing, or scattering in any manner in or on any public or private property or place within the city, any trash, litter, garbage, rubbish, debris, refuse, or waste of any kind...

(B) It shall be unlawful for any owner, his agent, or any occupant of real property to perform any act with any of the aforementioned materials anywhere within the city on private or public property in such a manner that the materials may be carried or deposited in whole or in part by the action of the sun, wind, rain, snow, or any of nature's elements so as to be scattered, deposited, or conveyed to any of the aforementioned places.

Ms. Blackburn displayed pictures showing property damage by water which, she alleges, was caused by Mr. Adams' earth moving efforts in Coal Hollow. Ms. Blackburn and Ms. Ridenour, both, insisted that with Mr. Adams' construction of a roadway, the dirt has been diverted onto Ms. Blackburn's side of the

MINUTES } CITY OF PIKEVILLE

road, which has prohibited access by Ms. Ridenour and Jim Kreutzer to her property and the gas well, respectively.

City Attorney Davis reported that Mr. Adams had offered to construct and blacktop a roadway using 15 feet of his property and 15 feet of Ms. Blackburn's property, however Ms. Blackburn would not agree to the proposal. Commissioner Mounts confirmed that Mr. Adams had mentioned this proposal to him also, and stated that he (Mounts) could not understand why Ms. Blackburn would not accept the proposal. Ms. Blackburn was reluctant to explain her stand as the issue is now before the court. She contended that Mr. Adams had not made the offer to her, nor had she seen a written proposal. She did indicate that she would consider a written proposal.

The City Attorney told Ms. Ridenour that he would assume that she would have the right to access her property by crossing either Mr. Adams' property or by crossing Ms. Blackburn's property, however advised that the City does not have the right to decide the matter.

Mayor Combs advised Ms. Ridenour to seek counsel to determine her rights of ingress/egress. He stated that Ms. Blackburn and Mr. Adams are in legal suit and both have agreed there is no roadway. The Mayor explained that the Commission can not litigate the matter. He asked Ms. Ridenour to return to the next City Commission meeting to report the status.

Ms. Blackburn told the Commission that she was issued a citation, under the same Ordinance clauses as originally quoted, to remove a truck located in the head of the hollow which was deemed an eyesore. She asked if the City would not be enforcing the Ordinances against Mr. Adams. Commissioner Mounts stated that the Ordinances are enforced upon everyone. Discussion on the matter was concluded, with the Mayor stating that no action would be taken with regard to Ms. Blackburn's request that passage be allowed over Mr. Adams' property.

G. LIBRARY PROJECT: Sharon Hall, employee of Big Sandy Area Development District, was present on behalf of the Telecommunications Center and the Pike County Public Library Board. Ms. Hall stated that, in October, 1996, the Commission directed the City Manager and City Attorney to determine the feasibility of closing College Street and adding the property to the library tract. She indicated the issue is in critical stage as the architect is in the schematic design phase for the library's second phase. Mayor Combs stated that the Commission has orally agreed to close the street, however an Ordinance has not been adopted to formalize the action. The City Attorney said that he is unsure whether it is actually necessary to close the street. Historic Preservation Board Chair person, Jack Sykes, stated the Board is looking at the possibility of tying the Academy Building project in with the Library/Telecommunications Project, however it will be necessary for parking to be accessed via College Street. Mr. Sykes requested the opportunity to meet with the Library Architect, Richard Polk, to look at the overall concept to determine if the goal of adding the additional space can be accomplished, and at the same time, complement both projects. Ms. Hall agreed to schedule the meeting with the Library Architect, Academy Building Architect, and Mr. Sykes.

AGENDA ITEM IV. PAYMENT OF BILLS

A. CITY BILLS: A list of City Bills totaling \$390,344.48 was presented to the Commission for approval of payment. Commissioner Davis made the motion, seconded by Commissioner Blackburn to approve payment as requested. The motion carried 4 - 0 - 1 with Mayor Combs abstaining from the vote with regard to the invoice from Alpha Reclamation and voting yes to pay the remaining invoices.

B. ACADEMY BUILDING: Commonwealth Building and Construction presented Pay Request #4 in the amount of \$35,550.00 for the Academy Building Stabilization Project. Historic Preservation Board Chair, Jack Sykes, reported that the bill had not been approved by the Historic Preservation Board because they failed to have a quorum at their last meeting. He stated that he has reviewed the bill and has found it to be proper from his perspective, however he has not physically verified the work. Commissioner Blackburn made the motion to authorize payment to Commonwealth Building and Construction in the amount of \$35,550.00. Commissioner Clark seconded the motion. The motion carried unanimously.

Commissioner Blackburn made the motion, seconded by Commissioner Clark to authorize the City Manager to send a letter to each Historic Preservation Board Member, who is not regularly attending the meetings, to ask if they are still interested in serving on the Board or if they would like to resign their seat. Commissioner Mounts asked if the Commission could legally force a member to resign his seat. Sue Smallwood advised the Commission that the Bylaws adopted by the Historic Preservation Board provide that a member can be replaced if they miss four consecutive meetings. Upon call of the roll, the motion carried unanimously.

During the previous meeting, the Commission discussed Pikeville College's request to be reimbursed in the amount of \$115,000.00 for the Academy Building/parking area. Jack Sykes, City Attorney Davis, and Sue Smallwood met with Pikeville College representatives concerning the request. It was learned that the college had transferred the lien from the tract that the Academy Building is located to the parking area parcel. According to City Attorney Davis, an agreement had been negotiated that would provide for the City's acquisition of the parking area once the ISTEA funds became available. Mr. Sykes told the Commission that a second ISTEA grant had been awarded in the amount of \$500,000. The City will be required to provide matching funds in the sum of \$100,000. Mr. Sykes requested that the City reimburse the college to allow the entire \$500,000 grant to be used for the Academy Building renovation. The acquisition of the parking area would be an allowable matching fund expense. College representatives (Bill Owens and Leslie Combs) have offered to forgive the debt and deed the parking area parcel tract to the City in exchange for a parking area closer to the downtown district, specifically, the Huffman Avenue parking lot. Commission members stated their opposition to the trade proposal and authorized the City

MINUTES } CITY OF PIKEVILLE

Manager to contact college representatives to make arrangements to remit payments on the \$115,000., on an annual basis, until the debt is retired.

AGENDA ITEM V.

OLD BUSINESS

A. CITY ENGINEER'S REPORTS: Jack Sykes, representing Summit Engineering, Inc., City Engineers, presented a verbal report of ongoing projects as follows:

1. Keyser Heights/North Mayo Sewer Extension: 84% of the project has been completed. The Keyser Heights line is now tied into the city's system and the siphon has been removed. Mr. Sykes advised that a quote has been received from Hamilton Construction to repair the entrance. The City Manager and Stuart Adams have negotiated an agreement whereby Mr. Adams will supply the concrete and the City will supply the labor. Weather permitting, the entrance should be repaired within the week. Mr. Sykes added that it is his understanding that Mr. Adams has made arrangements with a few of the Keyser Heights residents to allow them to purchase landscaping materials at Lowes at his expense.

In conjunction with the sewage extension, the City Engineer explained that the initial contract with Mr. Adams provided for the construction of the sewage line underneath U.S. 23 to the mouth of Dark Hollow. Mr. Adams encountered difficulty installing the line as planned which resulted in the City extending the line down North Mayo Trail, servicing some customers along that route, and then, crossing at the mouth of Keyser Heights. Mr. Adams then constructed the line from Keyser to Dark Hollow. Additionally, the City was to provide labor and materials to extend the water line from the mouth of Keyser Heights to Dark Hollow. PSG will make the tie-in at the existing line for \$3,000. Alpha Reclamation will extend the water line for \$14,300. The contractor has offered to reduce the cost by \$8.00 per foot if the City will purchase the materials. Mr. Sykes told the Commission that the City would have to pay \$7.88/ft. for the pipe. Mr. Sykes did not think the City would realize enough savings to accept the reduced rate. He recommended approval of a change order to Alpha Reclamation's contract in the amount of \$14,300. for the water line extension. Commissioner Blackburn made the motion, seconded by Commissioner Mounts to approve a change order in the amount of \$14,300. to Alpha Reclamation's contract for the water line extension from Keyser Heights to Dark Hollow. The motion carried 4 - 0 - 1 with Mayor Combs abstaining from the vote.

2. Raw Water Intake: Plans were delivered to PSG for comment. Mr. Sykes advised that revisions based on those comments have been made to the plans. The City Engineer asked for permission to submit the plans to the Division of Water for approval. It was the consensus to allow submission of the plans to the Division of Water.

3. Combined Sewer Overflow Plan: The City Engineer advised that his staff is continuing to work on the mandatory plan which requires monitoring and reports concerning the City's efforts to minimize the sewer overflow.

4. Harold's Branch Road Project: The design is proceeding on this project. Mr. Sykes advised that he is currently negotiating with the Department of Transportation to secure an additional \$150,000. to remedy the slide problem and reroute the water line around the slide area.

5. Thompson Road Water Line: Plans will be presented at the next meeting for the Commission's review and approval.

Mayor Combs asked the status of filling the ballfield property. Mr. Sykes reported that the Wal-Mart site contractor has begun hauling the waste material to the site. He expects that the City will get the majority of the 74,000 yards of fill material from the site excavation. It is expected to raise the City's property 4 to 5 feet, not out of the flood plain, but even with it. City Manager Johnson advised that M & S General Contractors is removing the equipment placed by the YMCA at the ballfield site. The fee for removal is \$6,000.00 and estimated the cost between \$8,000 - \$9,000 to reinstall the equipment to the site. Mr. Johnson asked if the City Commission had suggestions for another location to designate as a YMCA ballfield. The only other location mentioned was the horse ring property at Bob Amos Park. Mayor Combs stated the City is currently in negotiation with Pikeville College concerning that property. No further discussion was had.

B. CITY ATTORNEY'S REPORTS: City Attorney, Russell H. Davis, Jr., advised the Commission that he had no items to present to the Commission, however he requested an executive session to discuss pending legal matters.

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

1. Stone/Asphalt/Concrete Bids: Following are the bids received for the annual supply of stone, asphalt and concrete:

CONCRETE/STONE/ASPHALT BIDS

CONCRETE

ADAMS CORPORATION

3000 PSI	\$56.04
3500 PSI	\$57.49

MINUTES } CITY OF PIKEVILLE

4000 PSI \$58.94

STONE

ELKHORN STONE COMPANY

	PICKUP (ELKHORN)	DELIVERED
CLASS 57	\$5.75/TON	\$9.25/TON
DGA	\$5.75/TON	\$9.25/TON
CLASS II	\$5.75/TON	\$9.25/TON

ADAMS CORPORATION

CLASS 57	\$8.95/TON
DGA	\$8.95/TON
CLASS II	\$8.95/TON

WILL DELIVER 20 TONS OR LESS FOR 13.95/TON; WILL DELIVER 20 TONS OR MORE FOR \$10.95/TON

MOUNTAIN ENTERPRISE, INC.

MISCELLANEOUS STONE PICKUP AT SHELBY PLANT \$8.75/TON

ASPHALT

MOUNTAIN ENTERPRISES, INC.

SUPPLY ONLY	BASE	\$ 27.84/TON
	SURFACE	\$ 27.94/TON
	TACK OIL	\$300.00/TON

SUPPLY & PLACEMENT (CITY LIMITS)

BASE	\$ 37.95/TON
SURFACE	\$ 37.95/TON
TACK OIL	\$350.00/TON

A BID WAS SUBMITTED BY PIKEVILLE READY MIX, INC. FOR CONCRETE, HOWEVER, THE BID WAS REJECTED DUE TO NOT BEING RECEIVED BY THE ADVERTISED TIME (10:00 A.M. ON MARCH 24, 1997), AND FOR NOT BEING SUBMITTED IN A SEALED ENVELOPE AS REQUIRED BY THE BID ADVERTISEMENT.

Mayor Combs made the motion to award the concrete supply to Adams Construction. Commissioner Davis seconded the motion. The motion carried unanimously.

City Manager Johnson recommended that the stone supply bids be awarded to both, Elkhorn Stone and Mountain Enterprises. Mayor Combs made the motion to award the bids as recommended by the City Manager. Commissioner Clark seconded the motion. The motion carried unanimously.

Mayor Combs made the motion to award the asphalt supply and placement bid to Mountain Enterprises as recommended by the City Manager. Commissioner Blackburn seconded the motion. The motion carried unanimously.

2. Track Schedule: City Manager Johnson advised that he had received a letter from Ken Trivette, Pikeville High School Athletic Director, requesting that the City walking track be closed from 4:00 p.m. to 5:30 p.m., Monday through Friday, from now until the middle of May, to allow for track practice and meets. City Manager Johnson and Park Director Justice recommended approving the request for safety purposes. Commissioner Blackburn made the motion, seconded by Commissioner Clark to honor the request. During discussion, it was decided that the track would be closed effective with the posting of a schedule by the Park Director. The motion carried 5 - 0.

The City Manager requested to discuss a legal matter with the Commission in executive session.

AGENDA ITEM VI.

NEW BUSINESS

A. LANDSCAPING: Commissioner Clark asked Commission Members to consider hiring a part-time employee, during the spring and summer seasons, to plant flowers and attend to the existing landscaping. It was the consensus of the Commission to authorize the hiring of the seasonal employee as requested by Commissioner Clark.

At 9:18 p.m., Mayor Combs made the motion, seconded by Commissioner Blackburn to adjourn to an executive session for the purpose of discussing legal matters with the City Attorney and the City Manager. The motion carried unanimously.

MINUTES } CITY OF PIKEVILLE

Upon motion by Mayor Combs, seconded by Commissioner Mounts, and a unanimous vote, the meeting reconvened to regular session at 10:34 p.m.

There being no further business to come before the Commission, Commissioner Davis made the motion, seconded by Commissioner Blackburn to adjourn the meeting. The motion carried unanimously. (Adjournment Time: 10:35 p.m.).

APPROVED

STEVEN D. COMBS, MAYOR

ATTEST:

KAREN HARRIS, CITY CLERK