

# MINUTES } CITY OF PIKEVILLE

## CITY OF PIKEVILLE BOARD OF COMMISSIONERS REGULAR MEETING MINUTES MAY 24, 1999

The Board of Commissioners of the City of Pikeville met in regular meeting on Monday, May 24, 1999. The meeting was conducted in the City Hall Public Meeting Room at 260 Hambley Boulevard.

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

MAYOR: FRANK M. MORRIS  
COMMISSIONER: BILL BLACKBURN  
EUGENE DAVIS  
SHARON CLARK

Commissioner Wanda Varney was absent.

### AGENDA ITEM II. MINUTES

The minutes for the previous regular meeting of April 26, 1999 were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Davis made the motion, seconded by Commissioner Clark to approve the minutes as submitted. The motion carried 4 - 0.

### AGENDA ITEM III. BUSINESS FROM THE FLOOR

A. SURPLUS PROPERTY: Marilyn Payson, Economic Development Director for Pike County, appeared before the Commission to ask that the City provide a list of surplus properties available for sale or lease. Ms. Payson explained that the State of Kentucky is preparing a listing of all properties and buildings located in Pike County that are available for economic development. The information will be available to prospective developers on the Geographic Information System (GIS). Ms. Payson added that any private property owner wishing to list their property on the GIS can do so. City Engineer Sykes reported that he is in the process of compiling a list of all city owned property at the request of the auditors. The list is approximately 85% complete. Mr. Sykes told the Commission that when the list is complete, he will turn it over to the City Manager for him to determine what properties to list on the GIS. Ms. Payson told the Commission that the County plans to send their property listings to the Economic Development Cabinet in June.

Ms. Payson advised the Commission that she and Mayor Morris attended a meeting recently where the topic of discussion was the proposed changing of the 606 area code. Ms. Payson reported the County has taken the position that a change in area code would pose an economic hardship for Eastern Kentucky businesses. According to B.J. Helton, Commissioner of the Public Service Commission, the determining factor used in deciding which community will keep the area code, is the number of people in the community. The County Judge and the Chamber of Commerce Executive Director have sent letters to the Public Service Commission objecting to the proposed change. Ms. Payson encouraged the City Commission to prepare a similar letter, as well as to involve the local businesses in the effort to halt the proposed change. Letters are due in the Public Service Commission office by June 1st.

B. BOB AMOS PARK CONCESSION STAND: Ken Damron approached the Commission relative to leasing the concession area at Bob Amos Park during the summer months. City Manager Blackburn advised that the Pikeville High School Track Team Boosters use the concession area during track season to raise money for the team. The concession stand is no longer used after track season, however the Little League teams operate a concession during their season. Mr. Damron advised that he would not sell any items that would compete with the athletic organizations. Mr. Damron reported that he does have the sufficient liability insurance and would provide his own equipment. He added that he would like to add a couple of screened-in windows to the concession area, at his own expense. Commissioner Davis expressed his opinion that Mr. Damron should contact the Little League organization to see if they had any opposition to his proposal to operate a concession stand. He suggested that the Little League may prefer that Mr. Damron operate the only concession area, with the understanding that a portion of the proceeds be donated to the Little League.

Commissioner Blackburn commented that the new roadway located at Bob Amos Park, between the track and tennis courts, has improved the traffic flow dramatically. Striping for the parking areas and traffic lanes are scheduled for next week.

C. TRAFFIC CROSSING: Addressing the Commission on behalf of a number of residents from Ridge Cliff Apartments, was Nellie McNeil. Ms. McNeil asked the Commission for signage, a reduction in speed limit, or a signaling device to warn motorists, traveling along Hambley Boulevard, of the entrance/exit to the Ridge Cliff Apartment's parking lot. The residents reported that many motorists switch to the turning lane exiting onto Pike Avenue well before it is necessary, thus causing a traffic hazard. Commissioner Davis and City Manager Blackburn reported that work has been already scheduled to paint an arrow in the turning lane, closer to the apartment's parking lot. City Engineer Sykes reported that he had talked with officials at the Kentucky Department of Transportation relative to erecting a traffic light and designating a crosswalk at the foot of Saad Avenue. D.O.T. officials were not in favor of the proposed roadway changes. During the previous regular meeting of the City Commission, Summit Engineering was authorized to look at the downtown's traffic needs and to prepare a traffic study. The study will incorporate traffic and parking needs as well as pedestrian access needs. Mr. Sykes advised that all residential and commercial properties will be incorporated into the study. He indicated that it would be at least 90 days before the traffic study is completed. Mr. Sykes told those present that traffic warrants are assessed prior to the state agreeing for traffic light installation. Pedestrian traffic is one of the key issues to determine the need for a traffic light. Once the traffic study is complete, recommendations for traffic light installation and crosswalk placement will be forwarded to the State.



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Ms. McNeil asked who owns the property located behind the Ridge Cliff Apartments. City Engineer Sykes reported that he had looked at the deeds and determined the City is not the owner. Mayor Morris advised that he had looked at a map that he had received from the PVA office and thinks the map shows the property as city owned. Mr. Sykes advised that he will review the deeds.

D. STORM DRAINAGE: Dr. Steven Shockey appeared before the Commission to discuss the lack of storm drainage on Cedar Creek, and more specifically, at Ivy Court. Several years ago, Dr. Shockey installed a drain tile pursuant to the City Engineer's recommendations and specifications. The City installed a catch basin and tied it into Dr. Shockey's drain, with the understanding that the City would periodically clean out the ditches and stream lines. According to the City Engineer, the drain and catch basin is 70% full of silt. He thinks the silt washed into the system from an old mining site. Mr. Sykes advised the Commission that the drain is the City's responsibility. Dr. Shockey reported that he and his neighbors have experienced flooding in their area because of the clogged drains. City Engineer Sykes presented the Commission with two quotes to provide upstream and downstream channelization; cleaning the box culvert; cleaning out Dr. Shockey's drain tile and the 60" steel pipe. The low quote was from J & H Enterprises in the amount of \$19,750.00. Mr. Sykes also recommended that a silt trap be installed to prevent the drain from filling up again. The silt trap will add about \$1,000.00 to the project cost. He pointed out that the silt trap should be cleaned two to three times per year. The Commission discussed the possibility of applying for Abandoned Mine Land funds for this project. Mr. Sykes told the Commission that it is unlikely that AML will fund the project. Dr. Shockey has agreed to contribute approximately \$3,600.00 to the project. Commissioner Blackburn made the motion to declare an emergency and authorized the City Engineer to negotiate a contract for the described work. Mayor Morris seconded the motion. The motion carried 4 - 0.

## AGENDA ITEM IV.

## PAYMENT OF BILLS

A. CITY BILLS: A list of City Bills totaling \$519,108.72 was presented to the Commission for approval of payment. Commissioner Clark made the motion, seconded by Mayor Morris to approve payment of the bills as requested. The motion carried 4 - 0.

B. ACADEMY BLDG/CITY HALL RENOVATION: Architect Bill Richardson advised the Commission there will be a walk through of the building with the contractor and furniture supplier on June 3rd. A final punch list will be compiled at that time. He reported that the contractor, Commonwealth Building & Construction has reached substantial completion of the project. Commissioner Davis called Mr. Richardson's attention to the fact that one of the windows in the meeting room will not open. Commissioner Clark asked why the different track lighting was installed in the first floor front office area. Mr. Richardson explained the room was originally designed as a display room for historical artifacts. He was asked why he did not change the lighting when the use of the building was changed. Mr. Richardson told the Commission that he thought the lighting was ordered prior to the change in use. The cost to change the lights to the same type as in the rest of the building will cost a little over \$1,700.00. The Commission agreed the lights should be changed.

1. COMMONWEALTH BUILDING & CONSTRUCTION: Presented to the Commission for approval of payment was Commonwealth Building & Construction's invoice for work completed through May, 1999, in the amount of \$40,443.30. Architect Richardson advised the invoice had been approved by the Historic Preservation Board. Commissioner Davis made the motion, seconded by Mayor Morris to approve payment as submitted. The motion carried 4 - 0.

2. CHANGE ORDER: Change Order #10 was presented to the Commission in the amount of \$34,223.00. The change order will provide for the change in lighting in the front office area and various electrical changes (\$5,225.00); provide for the installation of wood blinds (\$9,100.00); removal of the stained wood flooring boards in the auditorium and replacement with good flooring from the cabinetry area in the kitchen (\$1,098.00); and to extend the stone wall along the parking area (\$18,800.00). Commissioner Blackburn made the motion, seconded by Commissioner Clark to approve change order #10 in the amount of \$34,223.00. The motion carried 4 - 0.

3. RICHARDSON & ASSOCIATES ARCHITECTS: Presented for approval of payment, in the amount of \$2,062.11, was the architect's invoice for services rendered in conjunction with the Academy Building/City Hall Relocation project. Project Coordinator, Sue Smallwood, advised the Commission that Mr. Richardson's invoice is current, and includes the architect's fee for change order #10. Mayor Morris made the motion to approve payment to Richardson & Associates Architects as requested. Commissioner Clark seconded the motion. The motion carried 3 - 0 (Commissioner Davis not present at the time of the vote).

C. UDAG REIMBURSEMENT: Presented to the Commission was the Pikeville Methodist Hospital's request for a UDAG reimbursement for equipment purchases. Project Coordinator, Sue Smallwood, advised that she and city auditor, Johnny White, had reviewed the bills and concurred with the request. Amount of the request was \$1,020,711.87. Commissioner Clark made the motion, seconded by Mayor Morris to approve the reimbursement request as submitted. The motion carried 4 - 0.

## AGENDA ITEM V.

## OLD BUSINESS

## A. MAIN STREET PROGRAM

1. Program Report: Executive Director, Glendia Sawyers, reported she had been working on activities for the Fourth of July Celebration. Due to the 4th falling on Sunday, all activities will be held on the 3rd. Ms. Sawyers advised that she had been able to get a mini carnival, with three rides and games, for a cost of \$2,000.00. Free rides will be offered for children ages ten and under. Pikeville/Pike County Tourism will pay \$500.00 toward the cost of the carnival. Commission Members stated they would be agreeable to paying \$1,000.00 of the cost, but asked Ms. Sawyers if she would try to find sponsors for the entire \$1,500.00 balance. Ms. Sawyers told the Commission that Coca-Cola will be sponsoring special singing in the gazebo from 5 p.m. to 9 p.m. Gary Johnson and WDHR will be serving free hot-dogs in the park. Mayor Morris commented that he would like to begin now to find sponsors for a millennium fireworks display.



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2. TE-21 Grant Agreement: Main Street Board Chair, Sara George, presented two grant agreements for funds allocated through the Renaissance Kentucky program. One agreement is for the design and plan of the utility relocation up to the bidding procedure, and the other agreement provides for the utilization of facade grant funds to be made available to private property owners. Total grant funds, including the facade improvement dollars and planning funds, is \$376,682.00. There is not a separate grant agreement for use of the planning funds (\$7,000), which can be used for individual or in combination of the utility relocation funds for downtown infrastructure needs. The City has a period of 24 months to expend the grant money. The City is required to contribute a 20% in-kind or cash match to the project. City Attorney Davis reported he had reviewed the grant agreements and found them to be in order. Discussed was the manner in which the grant funds would be expended. It was explained that the contracts with the utility companies or engineering firms would be between said companies and the City. Invoices will be approved by the Main Street Board, then presented to the City Commission for approval. The City will then forward the invoices to Renaissance Kentucky Alliance who will make payment. Renaissance Kentucky Alliance will be responsible for approving the contracts with private property owners for design facade improvements. Commissioner Clark made the motion to approve the grant agreements for the State Infrastructure Utility Funds, State Planning Funds and State Facade Funds. Commissioner Davis seconded the motion. The motion carried 4 - 0.

Ms. George advised that the Main Street Board had been under the assumption that the Renaissance Kentucky Alliance would be providing legal assistance for the contract preparation with the various utility companies. They have been advised that the City will be responsible for preparation and negotiation and suggested that legal assistance be sought from the city's attorney. City Attorney Davis explained that he does not provide legal assistance to the city's various agencies in his capacity of city attorney, but agreed to provide the legal service at a rate of \$95.00 per hour. Ms. George reported that the planning funds could be used to compensate the City Attorney. The City Attorney reported that it may not take long to prepare the contracts if he can get contract copies from other cities, that have completed utility relocation projects. Commissioner Davis made the motion, seconded by Mayor Morris to authorize the City Attorney to provide legal assistance to the Main Street Board relative to contract preparation. The motion carried 4 - 0.

There will be a meeting with the utility companies on May 25th at 10 a.m. at City Hall.

B. CITY ENGINEER'S REPORTS: Jack Sykes, representing Summit Engineering, City Engineers, presented a verbal status report for ongoing projects. Projects discussed were as follows:

1. Bowles Addition Storm Sewer: The engineer's estimate to construct storm drainage in sections [A (Cedar Drive to the river) and B (Cedar Drive/Oak Lane to the river)] of the Bowles Addition was \$173,800.00. Three bids were received for the project, with the lowest bid being from J & H Enterprises, Inc. in the amount of \$165,703.00. Other bids were submitted by Alpha Reclamation in the amount of \$210,939.00 and Music Construction totaling \$223,350.00. Mr. Sykes recommended award to the low bidder. The project will require the acquisition of 7 temporary easements and 1 permanent easement. The City Engineer explained there will be no fee for the temporary easements, however Ed Venters has requested a change in the route of the storm drainage line or payment for granting a 20 ft. wide, 150 ft. long permanent easement. The merits of obtaining a permanent easement over a temporary easement were discussed. The City Engineer reported that the line is of a material that should not deteriorate. Commissioner Davis made the motion to award the contract to the low bidder, contingent upon successful negotiation of the easements and authorized the City Manager and City Engineer to negotiate an easement with Mr. Venters for an amount not to exceed \$3,500.00. Mayor Morris seconded the motion. The motion carried 4 - 0.

2. Parking Study: At the previous meeting, the Commission authorized Summit Engineering to prepare a transportation and parking study in conjunction with the Renaissance Program. Mr. Sykes reported that this particular segment of the project will address the traffic and parking issues within the central business district (Huffman Avenue, Pike Street, Main Street; Hambley Boulevard and Hambley Boulevard between Huffman Avenue & Baird Avenue) and the intersections of Huffman Avenue/Bypass Road and Chloe Creek/Bypass Road. The scope of services will include identification of parking needs to support all the new development in town, the justification for a parking structure and a cost estimate for the construction of a parking structure. \$58,000.00 was allocated in the Renaissance KY. Fund budget for this phase of the transportation study. Summit Engineering proposes to conduct the study for a fee of \$57,834.00. Mr. Sykes explained that Summit Engineering will contract with Wilbur Smith Associates for preparation of the study at a cost of \$54,000.00, with the balance of the overall project fee going to Summit Engineering for coordinating those efforts. The project will be complete by mid October. A scope of service for the long range downtown plan will be presented to the Commission at the next meeting.

3. Raw Water Intake Funding: In 1992, the City contracted with PDR Engineers and Holly Nicholas for the preparation and submission of funding applications to the various state agencies for the Raw Water Intake Rehabilitation and Water Improvement project. The applications were not successful at that time. Resubmittal to the various agencies are now being prepared through Summit Engineering with Ms. Nicholas' assistance. Cost for the additional work is not to exceed \$3,000.00. The following resolution was presented and read:

## CITY OF PIKEVILLE RESOLUTION NO. R-99-001

The City of Pikeville desires to undertake improvements to the water system. The improvements proposed are:

- Raw Water Intake Improvements
- Telemetry Installation
- Water Storage Improvements
- Raw Water Supply Grit Removal Installation

In order for the City to undertake this project, applications must be filed with federal agencies. The agencies that the City will apply to are the Rural Development and the Appalachian Regional Commission.



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The City Commission hereby resolves to authorize the Mayor to sign the applications to the above agencies and work on behalf of the City in securing funding assistance for the water system improvements.

Adopted this 24 day of May, 1999.

Commissioner Davis made the motion to adopt the Resolution authorizing the submittal of loan/grant agreements associated with the Raw Water Intake/Water Improvement Project and to approve the additional cost for application submittal. Commissioner Blackburn seconded the motion. The motion carried 4 - 0.

4. Thompson Road: Mayor Morris brought to the Commission's attention the need to begin acquisition of the necessary right-of-way to widen the roadway from Thompson Road down to Cassady Boulevard, before the property is built upon. The City Engineer has identified the property owners from whom right-of-way agreements will be needed. This road improvement project has been identified as a low priority project in the Department of Transportation's Six Year Plan which means the state will not consider participating in the project within the next six years. The Commission asked the City Engineer to prepare letters to be sent to the Governor, Congressman Rogers, and U.S. Postal Service representatives to request funding assistance and necessary rights-of-way from governmental agencies for the road improvement project. City Engineer Sykes recommended that monetary assistance also be requested for renovation of the pump station located behind Fletcher & Halls. The Commission agreed.

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

1. CDBG Grant Submission: City Attorney Davis presented the following resolution relating to the filing of a Community Development Block Grant application for the Kentucky Avenue/High Street Housing Project. The Resolution was read as follows:

## ORDER OF THE CITY OF PIKEVILLE, KENTUCKY AUTHORIZING THE FILING OF A 1999 KENTUCKY COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION (R-99-002)

WHEREAS, it is necessary and in the public interest that the City of Pikeville avail itself of the financial assistance provided by Title I of the Housing and Community Development Act of 1974, and the 1981 Amendments permitting the Kentucky Department of Local Government, Division of Community Development, to commence a Community Development Program within the community; and,

WHEREAS, it is recognized that the Federal/State contract for such financial assistance pursuant to said Title I will impose certain obligations and responsibilities upon the city of Pikeville and will require among other things:

- (1) Approval of a satisfactory application transmitted to the Kentucky Department of Local Government, Division of Community Development;
- (2) Certification by the City of Pikeville relating to activities such as civil rights, citizen participation, relocation payments, acquisition of properties, national environmental policies and accounting practices; and,
- (3) Other local obligations and responsibilities in connection with the undertaking and carrying out of the Kentucky Community Development Block Grant Program; and,

WHEREAS, in those areas where acquisition and clearance is proposed, the objectives of the program cannot be achieved through more extensive rehabilitation, and a displacement strategy has been formulated;

NOW, THEREFORE, BE IT ORDERED by the City of Pikeville:

- (1) That the United States of America and the Commonwealth of Kentucky be, and hereby are, assured of full compliance by the City of Pikeville with certification relating to all regulations and administration of Civil Rights Act, citizen participation, relocation payments, acquisition processes, accounting procedures, the Hatch Act, minimum wage and minimum hour provisions of the Fair Labor Standards Act, and all requirements of the National Environmental Policy act of 1968.
- (2) That the Mayor is authorized and directed to prepare such certification and to assure full compliance with all certifications as outlined in (1) above, and all other pertinent regulations.
- (3) That an application on behalf of the city of Pikeville for a grant of up to \$1,000,000 of said Title I funds is hereby approved and that the Mayor, Frank Morris, is hereby authorized to execute and file such application with the State department of Local Government, to provide such additional information and to furnish such documentation as may be required, and to act as the authorized correspondent of the City of Pikeville relating to the Kentucky Community Development Block Grant Program.

Commissioner Davis made the motion to adopt the resolution as presented and read. Commissioner Clark seconded the motion. The motion carried 4 - 0.

A public hearing, as advertised, explaining the project was held at 5 p.m. on this date

2. CDBG Grant Preparation: A resolution to authorize Will Linder to prepare the CDBG application for the Kentucky Avenue/High Street project was read as follows:

## ORDER OF CITY OF PIKEVILLE APPROVING THE GRANT WRITING, APPLICATION PREPARATION CONTRACT WITH WJL ASSOCIATES, LLC, FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR THE HIGH STREET/KENTUCKY AVENUE HOUSING PROJECT, PIKEVILLE, KENTUCKY



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WHEREAS, the Commonwealth of Kentucky, Department for Local Government, is accepting applications for the 1999 Community Development Block Grant Program; and,

WHEREAS, the City of Pikeville, Kentucky, is considering applying for a Community Development Block Grant; and,

WHEREAS, it was determined that the services of a professional consultant are required for grant writing and application preparation to the CDBG program;

NOW, THEREFORE, BE IT ORDERED by the City of Pikeville (hereafter referred to as "LPA") that:

1. The contract between the LPA and WJL Associates, LLC, for grant writing, application preparation services relative to the CDBG Program has been approved in the amount of \$9,500, not to exceed a maximum of \$9,500 is hereby approved.

2. All fees paid will come from grants obtained on behalf of the Grantee and would be adjusted to that approved in an application by the Department of Local Government as part of the application.

3. The obligations of the parties are totally contingent upon approval of the application and obtaining of a Release of Funds from the Department of Local Government and no project activities other than environmentally exempt activities may occur until the release is achieved.

Approved this 24th day of May, 1999.

Commissioner Blackburn made the motion to adopt the Resolution and presented and read. Commissioner Clark seconded the motion.

3. Solid Waste Collection System Improvements: Presented for approval was the Conditional Loan Commitment from the Kentucky Infrastructure Authority (KIA). The agreement provides for a \$170,500 loan to the City at an interest rate of 2% for use by the Sanitation Department. City Manager Blackburn advised that a new roll off truck and a small garbage truck will be purchased with the loan proceeds. He added that the City has to go through the bidding process to acquire the vehicles. The loan funds will be paid back over a five year period. Commissioner Clark made the motion, seconded by Commissioner Davis to approve the KIA Conditional Loan Commitment and to authorize the Mayor to execute the agreement. The motion carried 4 - 0.

4. Municipal Road Aid: Presented to the Commission was the annual agreement between the Division of Rural and Municipal Aid for disbursement of funds for use in maintaining, repairing or constructing city streets. The City's allotment for the 1999-2000 fiscal year is \$79,412.00. Commissioner Blackburn made the motion to approve the agreement and to authorize the Mayor to execute said agreement. Commissioner Davis seconded the motion. The motion carried 4 - 0.

5. Budget Amendments: Presented and given second reading was an Ordinance entitled:

## ORDINANCE AMENDING THE FISCAL BUDGET FOR THE 1998-1999 FISCAL YEAR (O-99-008)

Commissioner Davis made the motion, seconded by Commissioner Blackburn to adopt the Ordinance as presented. The motion carried by the following votes:

MAYOR:	FRANK MORRIS	YES
COMMISSIONER:	BILL BLACKBURN	YES
	EUGENE DAVIS	YES
	WANDA VARNEY	ABSENT
	SHARON CLARK	YES

6. 1999-2000 Budget: Presented and given second reading was an Ordinance adopting the operating budget for the 1999-2000 fiscal year. The Ordinance was read entitled:

## AN ORDINANCE ADOPTING THE CITY OF PIKEVILLE, KENTUCKY ANNUAL BUDGET FOR THE FISCAL YEAR JULY 1, 1999 THROUGH JUNE 30, 2000, BY ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS FOR THE OPERATION OF CITY GOVERNMENT (O-99-009)

Commissioner Clark made the motion to adopt the Ordinance as presented. Commissioner Blackburn seconded the motion. The motion carried by the following votes:

MAYOR:	FRANK MORRIS	YES
COMMISSIONER:	BILL BLACKBURN	YES
	EUGENE DAVIS	YES
	WANDA VARNEY	ABSENT
	SHARON CLARK	YES

7. Meeting Location and Time: An ordinance changing the location and time for City Commission Meetings was presented and given second reading. The Ordinance was read entitled:



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## ORDINANCE AMENDING SECTION 38.21(A) OF THE CODE OF ORDINANCES CHANGING THE TIME AND LOCATION OF THE MEETING OF THE CITY OF PIKEVILLE BOARD OF COMMISSIONERS TO 5:15 P.M. ON 117 COLLEGE STREET (O-99-010)

The change will become effective with the June 28, 1999 Regular Meeting.

Commissioner Blackburn made the motion to adopt the Ordinance as presented and read. Commissioner Clark seconded the motion. The motion carried by the following votes:

MAYOR:	FRANK MORRIS	YES
COMMISSIONER:	BILL BLACKBURN	YES
	EUGENE DAVIS	YES
	WANDA VARNEY	ABSENT
	SHARON CLARK	YES

8. Bond Refinancing: City Attorney Davis presented for approval documentation for the refinancing of Wastewater Revenue Bonds issued by the Kentucky Infrastructure Authority. Mr. Davis explained the bonds were issued in conjunction with the extension of sewer lines on South Mayo Trail. The bonds will be refinanced, however the term of the bonds will remain the same. Refinancing will result in a savings of \$159,954.50 for the City. There are no costs associated with the refinancing. Presented was the following resolution:

### 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 (R-99-005)

WHEREAS, the City Commission, (the "Governing Authority") of the City of Pikeville, Kentucky ("Governmental Agency") previously determined that it was in the public interest to acquire and construct certain sewage treatment 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 permanently finance the costs of the Project; and

WHEREAS, in order to obtain such monies, the Authority sold its revenue bonds (the "1989A Bonds") and used a portion of the proceeds thereof to permanently finance loans to the Governmental Agency evidenced by the Assistance Agreement dated as of February 16, 1987 between the Governmental Agency and the Authority; and

WHEREAS, the conditions of the municipal bond market are more favorable than at the time the Authority sold the 1989A Bonds to finance such loans, and as a result thereof the Authority proposes to issue refunding bonds which will refinance such loans; and

WHEREAS, in connection with the refinancing of the loans it is necessary and desirable that the Governmental Agency enter into a First Supplemental Assistance Agreement with the Authority to revise the repayment schedule contained in the Assistance Agreement to reflect the lower costs of the financing; and

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 authorizes 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 amending the repayment schedule with respect to the loans for the Project.

SECTION 2. That Mayor and City Clerk of the Governmental Agency be and hereby are authorized, directed and empowered to execute necessary documents or agreements, and to otherwise act on behalf of the Governmental Agency to effect such refinancing.

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

ADOPTED on May 24, 1999.

Commissioner Clark made the motion, seconded by Commissioner Davis to adopt the Resolution as presented and read. The motion carried 4 - 0.

9. Lawsuit: City Attorney Davis advised the Commission that the City had been named as a defendant in the dispute between the Methodist Conference and the Pikeville Methodist Hospital. It was pointed out the City is an involuntary party in the lawsuit.

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

1. 1998-1999 Audit: Presented to the Commission for approval was a proposal from Wallen & Cornett to conduct the audit of the City's 1998-99 financial records. Their fee for the general auditing services is not to exceed \$16,650.00. Commissioner Davis made the motion to accept the proposal from Wallen & Cornett to conduct the audit of the City's 1998-99 financial records. Commissioner Clark seconded the motion. The motion carried 3 - 0 - 1 with Commissioner Blackburn abstaining from the vote.



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2. Teen Center Lease Agreement: City Manager Blackburn explained that the YMCA currently has a month to month lease agreement with the City for use of the Teen Center. The fee is \$450.00 per month. YMCA officials have requested a reduction in the monthly fee to \$350.00 per month except during the months of June, July, and August, when they will pay \$500.00 per month. The City Manager reported that the YMCA uses the center during the day in the summer months, while the center is used only from 2:30 p.m. to 6:00 p.m. during the remainder of the year for the after school program. City Manager Blackburn recommended approval of the amended lease agreement. Commissioner Davis made the motion, seconded by Commissioner Clark to approve the amended lease agreement with the Pikeville YMCA for the Teen Center facility. The motion carried 4 - 0.

3. Swimming Pool: The City Manager reported there are pump problems at the swimming pool, however he thinks the problem will be rectified and the pool will open by the Memorial Day Weekend. City Manager Blackburn presented the names of the pool personnel for approval. Pool Manager, Nathan Ratliff; Lifeguards, Meagan Collier, Brooke Collier, Chad Stiltner, Jeremy Wellman, Michael Stevens, and Zeth Stieffers. He added that each of the employees are certified lifeguards. Commissioner Blackburn made the motion to approve the personnel for the swimming pool. Commissioner Davis seconded the motion. The motion carried 4 - 0.

4. City Commission Meetings: City Manager Blackburn reported that he had contacted Don Bevins with WPRG relative to taping the City Commission meetings for public broadcast. Tele-Media Cable has agreed to show the tape on their public access channel providing the tape is of good quality. Mr. Bevins will tape the meetings for a cost of \$30.00 per meeting. Commissioner Clark made the motion, seconded by Commissioner Blackburn to authorize the taping of the City Commission meetings for public broadcast. The motion carried 4 - 0.

5. Litter Vacuum: City Manager Blackburn advised that funds are available for the purchase of a litter vacuum and asked that he be authorized to advertise for bids. Commissioner Blackburn made the motion, seconded by Mayor Morris to authorize the City Manager to advertise for bids for the purchase of a litter vacuum. The motion carried 4 - 0. It was commented that the machinery will clean the sidewalks and can pick up items as large as a paper plate. Estimated cost of the vacuum is \$25,000.00.

6. City Hall Relocation: The City Manager reported that City Hall Offices are scheduled to move on June 17th. He advised the Commission that the offices will close at 5 p.m. on June 16th and will reopen on June 21st.

7. Ambulance: City Manager Blackburn called attention to the letter included in the agenda package from the Pikeville Medical Society concerning the need to upgrade the ambulance service from basic life support to advanced life support. Fire Chief Hall responded to the request by stating that the Fire Department does not have the personnel required for the upgrade (4 paramedics) and the cost associated with the upgrade, including personnel and equipment, would pose a financial burden on the City's budget. Due to the close proximity of the hospital and the proficient response time of the ambulance service, Fire Chief Hall added that he did not think the upgrade necessary at this time. He advised that upgrading to advanced life support is a part of the Fire Department's long range goals.

## AGENDA ITEM VI.

## NEW BUSINESS

A. BOARD APPOINTMENTS: With the Commission's consent, Mayor Morris appointed members to the following boards and committees:

- Pikeville/Pike County/Elkhorn City Joint Planning Commission: Tivis Branham
- Park Advisory Board: Theresa Dawahare and Kenny Schmidt
- Technical Advisory Committee: Rick Keene
- Day Care Center Nominating Committee: Teresa Combs
- Board of Zoning Adjustments: Johnny G. Charles and Ertel Whitt, Jr.

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 4 - 0. (Adjournment time: 9:15 p.m.)

The next scheduled meeting of the Pikeville City Commission is June 28, 1999 at 5:15 p.m. The meeting will be held in the second floor City Hall Public Meeting Room located at 117 College Street.

APPROVED

FRANK M. MORRIS, MAYOR

ATTEST:

KAREN W. HARRIS, CITY CLERK