

MINUTES } CITY OF PIKEVILLE

CITY OF PIKEVILLE BOARD OF COMMISSIONERS SPECIAL MEETING MINUTES AUGUST 23, 2000

The Board of Commissioners of the City of Pikeville were called to meet in Special Session on Wednesday, August 23, 2000. The meeting was held in the City Hall Public Meeting Room located at 118 College Street, Pikeville, Kentucky.

There being a quorum present, Mayor Pro-Tem Eugene Davis presided and called the meeting to order at 2:35 p.m. Commission Members present at roll call were as follows:

COMMISSIONER: BILL BLACKBURN
EUGENE DAVIS
SHARON CLARK

Mayor Frank Morris and Commissioner Wanda Wilson were absent.

The Special Meeting was called for the following purposes:

1. CONSIDER ADOPTION OF A RESOLUTION AMENDING KENTUCKY INFRASTRUCTURE AUTHORITY LOAN AGREEMENTS.
2. CONSIDER FIRST READING OF AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$668,000.00 PRINCIPAL AMOUNT OF THE CITY'S WATER & SEWER SYSTEM REVENUE BONDS, SERIES 2000 (WATER IMPROVEMENT PROJECT)
3. CONSIDER DISCUSSION AND ANY NECESSARY ACTION CONCERNING WIDENING OF ANOTHER PORTION OF ELM STREET.
4. CONSIDER DISCUSSION WITH PIKE CO. LIBRARY BOARD MEMBERS CONCERNING THE NAME OF THE NEW LIBRARY FACILITY, AND TAKE ANY NECESSARY ACTION.

1. KIA Resolution: In conjunction with the Water Improvement Project, City Attorney Davis explained that in order to issue the proposed Water and Sewer System Revenue Bonds, Series 2000, on a parity basis, the seven existing KIA loans will have to be subordinate to said bonds. The Kentucky Infrastructure Authority (KIA) has agreed to the concept. Presented was the following resolution:

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

WHEREAS, the Board of Commissioners ("governing authority") of the City of Pikeville, Kentucky, ("Governmental Agency") has previously determined that it was in the public interest to acquire and construct certain wastewater facilities and improvements to the Governmental Agency's water and sewer system (the "System"); and

WHEREAS, the Governmental Agency heretofore made applications to the Kentucky Infrastructure Authority (the "Authority") for the purpose of providing monies to construct various improvements to the System; and

WHEREAS, in order to obtain such monies, the Governmental Agency entered into Assistance Agreements dated as of (i) October 1, 1991, (ii) September 1, 1995, (iii) December 1, 1992, (iv) October 1, 1993, (v) February 16, 1987, as amended and supplemented on August 1, 1999, (v9) February 16, 1987, as amended and supplemented on August 1, 1999 and (vii) February 1, 1993 (collectively, the "Original Assistance

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Agreements") with the Authority; and

WHEREAS, since the date of the Original Assistance Agreements, the Governmental Agency has requested that the Authority supplement the Original Assistance Agreements to provide for the issuance by the Governmental Agency of additional obligations secured by a lien on the revenue of a System on a basis superior to the lien thereon granted under the Original Assistance Agreements; and

WHEREAS, in order to accomplish the forgoing it is necessary for the Governmental Agency to enter into a Supplemental Assistance Agreement with the Authority with respect to the Original Assistance Agreements (the "Supplemental Assistance Agreement").

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 Supplemental Assistance Agreement between the Governmental Agency and the Authority substantially in the form on file with the Governmental Agency.

SECTION 2. That the Mayor and City Clerk of the Governmental Agency be and hereby are authorized, directed and empowered to execute the Supplemental Assistance Agreement and to otherwise act on behalf of the Governmental Agency to effect the purposes of the Supplemental Assistance Agreement.

SECTION 3. That this resolution shall take effect immediately upon adoption as provided by law.

Adopted on August 23, 2000.

/s/ Frank M. Morris
MAYOR

ATTEST:

/s/ Karen W. Harris
CITY CLERK

Commissioner Clark made the motion, seconded by Commissioner Blackburn to adopt the preceding resolution as presented and read. The motion carried 3 - 0.

2. Bond Ordinance: Presented and given first reading was an ordinance entitled as follows:

AN ORDINANCE OF THE CITY OF PIKEVILLE, KENTUCKY, PROVIDING FOR THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF MAJOR ADDITIONS AND IMPROVEMENTS TO THE CITY'S COMBINED WATER AND SEWER SYSTEM; AUTHORIZING THE ISSUANCE OF THE CITY'S WATER AND SEWER SYSTEM REVENUE BONDS, SERIES 2000, TO PAY A PORTION OF THE COSTS THEREOF, SUCH SERIES 2000 BONDS TO RANK ON A PARITY WITH CERTAIN PREVIOUSLY ISSUED AND OUTSTANDING BONDS; CONFIRMING PROVISIONS FOR THE COLLECTION, SEGREGATION, DISTRIBUTION AND DISBURSEMENT OF THE REVENUES OF THE SYSTEM, AND FOR THE ALLOCATION THEREOF TO VARIOUS SPECIAL FUNDS PREVIOUSLY CREATED, IN ORDER TO PROVIDE FOR INTEREST ON THE SERIES 2000 BONDS AND PARITY BONDS; SETTING FORTH CONDITIONS AND RESTRICTIONS UNDER WHICH ADDITIONAL BONDS MAY BE ISSUED IN THE FUTURE, PAYABLE FROM SUCH REVENUES AND RANKING ON A PARITY WITH THE SERIES 2000 BONDS; PROVIDING FOR THE RIGHTS OF THE HOLDERS OF THE SERIES 2000 BONDS AND THE ENFORCEMENT THEREOF; AND PROVIDING FOR AN ADVERTISED, PUBLIC, COMPETITIVE SALE OF THE SERIES 2000 BONDS.

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~~The Ordinance will be on file in the office of the City Clerk for public inspection. Second reading of the ordinance was scheduled for August 28, 2000.~~

3. Elm Street Widening: City Engineer Jack Sykes advised the Commission that the Commonwealth of Kentucky, through the Department of Transportation Bureau of Highways, has agreed to reimburse to the City of Pikeville an amount of project costs, up to \$500,000.00 for the reconstruction of Elm Street in the vicinity of Pikeville College. Mr. Sykes explained that Summit Engineering had been retained by Pikeville College to prepare a cost estimate to improve the access to Pikeville College and providing for the installation of drainage systems. The August, 1998, cost estimate totaled \$571,002.48, which included a 10% contingency factor. Mr. Sykes advised there were some items in the cost estimate that provided aesthetic improvements to the college property and would not be eligible for reimbursement. With these items removed from the project description, Mr. Sykes estimated the cost would probably increase about 5% due to inflation. The road improvement project will begin at the intersection of Hambley Boulevard and Elm Street, extend through the college campus and end at the intersection of Kentucky Avenue and High Street. Pikeville College Finance Officer, Leslie Combs, advised the Commission that Pikeville College will reimburse the city for any costs exceeding \$500,000.00 for this project. Commissioner Clark made the motion to authorize the Mayor Pro Tem to execute the agreement with the Commonwealth of Kentucky Transportation Cabinet Department of Highways and to authorize the engineer to proceed with the design pursuant to the 1998 cost estimate. Commissioner Blackburn seconded the motion. The motion carried 3 - 0.

4. Library: As directed at the previous meeting, City Manager Blackburn sent a letter to the Pikeville Library Board District advising them of the Commission's concerns relating to the Library Board District's apparent approval to name the new library/telecommunications facility the "Keystone Building". Present on behalf of the Library Board District were Board Member Joe Justice and Executive Director Louella Allen; Leslie Combs was present on behalf of Pikeville College; and Leon Huffman and Clyde Stalker were present on behalf of the Big Sandy Telecommunications Services.

The Commission explained their concern about the Pike County Library Board District not meeting the terms of the October 1996 Interparties Agreement between the Pikeville Public Library Board and the Pike County Library District merging the two entities. Provisions of the agreement provide for the facility to be named the "Pikeville-Pike County Library". Commissioners recounted the history behind the merger agreement which caused great dissension within the community. The main reason for the dissension was concern that merging the two facilities would cause the Pikeville Public Library, which had been in existence since the early 1940's, to lose its identity.

Joe Justice explained that the initial facility was to house the library and telecommunications facility. After the plans were prepared, the college came in with their telemedicine proposal. Additionally, Congressman Rogers will also have an office in the new facility. Because of the number of entities going into the building, the Board came up with the idea to name the entire complex, the "Keystone Building". Executive Director, Louella Allen, commented that the keystone motif had been used throughout the design of the library facility.

As far as signage is concerned, the Library Board proposes to install a sign at each end of the building, along the boulevard. Although not designed, the sign next to the library portion of the building will state "Pikeville Public Library". The sign at the other end of the facility will state "Keystone Building", with the Pikeville Public Library, Big Sandy Telecommunications Services, and Telemedical Learning & Resource Center, under the Keystone sign. There is one main entrance to the building on College Street. At that entrance, there will be a Pikeville Public Library plaque. Commission Members questioned why signage could not be placed on the building itself. Mr. Justice explained that landscaping would probably cover the signage, and in addition, the architect has recommended against placing signage on the building.

Commissioner Clark made the motion, seconded by Commissioner Blackburn to adjourn to executive session for the purpose of discussing the legal obligations under the merger contract with Pike County Library District. The motion carried 3 - 0.

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~~Commissioner Clark made the motion to reconvene to regular session. Commissioner Blackburn seconded the motion. The motion carried 3 - 0.~~

Commissioners Clark and Davis commented they did not want to see the building named "Keystone" and thought the original merger agreement should be followed. Commissioner Blackburn commented that the community is sensitive about losing the identity of a library. He suggested having 12" letters on the front and back of the building stating "Pikeville Public Library" which could be clearly seen from Hambley Boulevard and College Street. The Telemedical Learning & Resource Center and Big Sandy Telecommunications lettering could be placed on the fourth story portion of the structure, if they so choose. This way, none of the entities would have to lose their identity. Commissioner Blackburn stated that the name "Keystone" camouflages the identity of the entities.

Joe Justice explained that the architect, EOP out of Lexington, has told the Board that lettering on the building would be aesthetically unpleasing.

In an effort to work together for the good of the community, the Commission requested that the Pike County Library District ask the architect to prepare proposals for signage and bring back those proposals to the Commission for approval. Mr. Justice agreed to do so.

The Commission will look at the architect's proposal before amending the agreement in any way.

The Clerk was directed to send a copy of the minutes to the Pike County Library District for forwarding to the architect.

There being no further business to come before the Commission, Commissioner Clark made the motion, seconded by Commissioner Blackburn to adjourn the meeting. The motion carried 3 - 0.

APPROVED

Frank M. Morris
FRANK M. MORRIS, MAYOR

ATTEST:

Karen W. Harris
KAREN W. HARRIS, CITY CLERK