

MINUTES } CITY OF PIKEVILLE

CITY OF PIKEVILLE BOARD OF COMMISSIONERS SPECIAL MEETING MINUTES DECEMBER 20, 2001

The Board of Commissioners of the City of Pikeville were called to meet in Special Meeting on Thursday, December 20, 2001, at Noon. The meeting was held in the City Hall Public Meeting Room located at 118 College Street.

The meeting replaces the regular meetings of December 10th and 24th, 2001. Items appearing on the Special Meeting Agenda were as follows:

I. CALL TO ORDER

II. MINUTES: Consider approval of the November 16, and November 26, 2001 meeting minutes.

III. A. Consider discussion with Joe Jones concerning the proposed improvements at Hambley Athletic Complex

IV. PAYMENT OF BILLS

- A. CITY BILLS- \$424,306.74
- B. PIKEVILLE REDEVELOPMENT PROJECT
 - 1. Larry Disney - Review Appraisals - Phase IV - \$4,250.00 and V - \$3,250.00
 - 2. Pikeville Affordable Housing
 - a: \$81,690.59 - ARC Funds
 - b: \$34,920.00 - ARC Funds (retaining wall)
 - c: \$8,340.84 - Line of Credit (Summit Engineering)
 - 3. Patriot Construction: KY Avenue \$48,963.51 (D.O.T. Funds)
- C. PARKING STRUCTURE PROJECT
 - 1. Summit Engineering, Inc. - \$51,500.00

V. OLD BUSINESS

- A. PIKEVILLE REDEVELOPMENT PROJECT
 - 1. Consider authorization to borrow funds to begin property acquisition on Phase IV - Kentucky Avenue.
 - 2. Consider authorizing the Mayor to execute a loan agreement for the purchase of Phase IV properties.
 - 3. Consider adoption of a resolution authorizing the Mayor to execute a contract with the Department for Local Government for Phase V - High Street.
 - 4. Consider adoption of a resolution authorizing the Mayor to execute a contract with Alpha Contracting Services for asbestos removal in Phase III - High Street
 - 5. Consider adoption of a resolution authorizing the Mayor to execute a contract with Will Linder & Associates for Phase IV - Kentucky Avenue - Project Implementation and Program Management - HOME Funds
 - 6. Consider adoption of a resolution authorizing the Mayor to execute a

MINUTES } CITY OF PIKEVILLE

~~contract with Will Linder & Associates for CDBG grant application preparation for Phase V - High Street.~~

7. Consider adoption of a resolution authorizing the Mayor to execute a contract with Will Linder & Associates for Phase V - High Street - Project Implementation and Program Management - CDBG Funds

B. CITY ENGINEER'S REPORTS

1. Consider an update of all engineering project and take any necessary action.
2. Consider discussion concerning the BP Station Construction and take any necessary action.
3. Consider approval of any additional pay requests associated with engineering projects.

C. MAIN STREET PROGRAM REPORT

1. Utility Relocation Project Report and Payment of Bills
 - a. Mountain Enterprises: Pay Request 5 - \$95,081.43
 - b. Summit Engineering: \$1,166.22 (egr. services)
 - c. Summit Engineering: \$6,818.00 (inspection services)

D. CITY ATTORNEY'S REPORTS

1. Consider second reading of an Ordinance amending the occupation license fee ordinance as it relates to contractors.
2. Consider declaring an emergency and adopting an ordinance amending the 2001/02 budget.
3. Consider discussion and any necessary action with regard to the Pike County Landfill tipping fees.

E. CITY MANAGER'S REPORTS

1. Consider discussion with the Fire Chief concerning the proposed acquisition of a thermal imaging camera.
2. Consider declaring an emergency and awarding a contract for a sewer re-lining at the Bowles Addition.
3. Consider award of bids for purchase of police cars
4. Consider a request to extend wastewater service to an area outside city limits.
5. Consider award of auditing contract to Wallen & Cornett for year ending June 30, 2002
6. Consider a letter from Pike County Chamber of Commerce requesting confirmation of their action to appoint Donna Damron to serve as their representative on the Tourism Board.
7. Consider an executive session for the purpose of discussing a proposed property exchange matter with David Adams and the York Heirs condemnation suit.

VI. ADJOURNMENT

There being a quorum present, Mayor Pro Tem Steven D. Combs called the meeting to order at Noon. Commission Members present at call of the roll were as follows:

COMMISSIONER: STEVEN D. COMBS

MINUTES } CITY OF PIKEVILLE

EUGENE DAVIS
FRANK JUSTICE, II
DALLAS LAYNE

Mayor Frank Morris arrived at 12:20 p.m.

AGENDA ITEM II.

MINUTES

The minutes from the special meeting of November 16, 2001 and regular meeting of November 26, 2001 were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Layne made the motion, seconded by Commissioner Justice to approve the minutes as presented. The motion carried 4 - 0 (Mayor Morris not present at the time of the vote).

AGENDA ITEM III.

HAMBLEY COMPLEX

At the Commission's invitation, Joe Jones, on behalf of JRA Architects, , athletic complex architects, was present to discuss the proposed improvement/expansion of Hambley Athletic Complex. The architectural firm worked in the design of the fields at Prestonsburg High School, South Floyd High School and Transylvania University. During a previous meeting, the Commission authorized the City Engineer to send a letter to Governor Patton requesting monetary assistance with funding of improvements to the Hambley Athletic Complex. Since that time, discussion has been had with Pikeville High School Athletic Director, Ken Trivette. Mr. Trivette advised that he does not think the baseball field requires improvement and asked that attention be directed toward improving the football field. Mr. Jones does not recommend the placement of artificial turf, but requested the opportunity to evaluate the advantages of prescription turf over natural turf. Mr. Jones will work with City Manager Blackburn to prepare a proposal detailing the best use of the existing facility and the newly acquired property, as well as developing a cost estimate for the suggested improvements.

AGENDA ITEM IV.

PAYMENT OF BILLS

A. CITY BILLS: A list of City Bills totaling \$424,306.74 was presented to the Commission for approval of payment. Commissioner Justice made the motion to approve payment of the bills excluding the \$15,676.55 invoice from the Fords Branch Landfill for garbage tipping fees. Commissioner Layne seconded the motion. The motion carried 4 - 0 (Mayor Morris not present at the time of the vote). The City Manager reported that county officials have yet to submit requested documents or to schedule a work session to discuss the tipping fees with the Commission.

B. PIKEVILLE REDEVELOPMENT PROJECT: Project Coordinator, Sue Smallwood, presented the following invoices for approval of payment:

1. Review Appraisals: Larry Disney d/b/a Review Appraisal Associates, presented two payment requests for review appraisals conducted for Phase IV (Kentucky Avenue) and Phase V (High Street). Invoice amount for Phase IV is \$4,250.00 and Phase V is \$3,250.00.

2. Pikeville Affordable Housing: The Commission reviewed a request from Pikeville Affordable Housing Corporation to draw down \$81,690.59 in Appalachian Regional Commission Funds (ARC) to pay Patriot Construction for site/utility preparation work in conjunction with the townhouse units; \$34,920.00 in ARC funds to pay Patriot Construction's invoice for the retaining wall construction; and \$8,340.84 from the city's designated letter of credit for the purpose of paying Summit Engineering, Inc. for their services in designing, bidding, and construction administration for the townhouse units.

3. Patriot Construction: Presented on behalf of Patriot Construction was pay request #4 in the amount of \$48,963.51 for work completed to date on Contract 1A of the Kentucky Avenue

MINUTES } CITY OF PIKEVILLE

~~Roadway and Utilities Improvement project. The invoice was recommended for payment by City Engineer Sykes. It was explained the funds to pay this invoice will be reimbursed by the Department of Transportation.~~

Commissioner Combs made the motion to approve payment of all bills submitted for approval for the Pikeville Redevelopment Project. Commissioner Justice seconded the motion. The motion carried unanimously.

Ms. Smallwood presented an additional pay request on behalf of Summit Engineering in the amount of \$4,766.28 for an ALTA survey of the property acquisitions in Phase II - Kentucky Avenue - that are to be deeded to the Pikeville Affordable Housing Corporation. Ms. Smallwood advised the survey is a requirement of Kentucky Housing Corporation. Commissioner Davis made the motion to approve payment to Summit Engineering as requested. Commissioner ~~Clark~~ ^{Combs} seconded the motion. The motion carried unanimously.

C. PARKING STRUCTURE: Ms. Smallwood presented Summit Engineering's pay request in the amount of \$51,500.00 for design services for the parking garage. It was explained the funds have been awarded for the project, however notice of release of funds has not been received. Ms. Smallwood requested approval of payment of the bill pending the release of funds. Commissioner Justice made the motion, seconded by Commissioner Layne to authorize payment to Summit Engineering in the amount of \$51,500.00 upon release of funds. The motion carried unanimously.

AGENDA ITEM V.

OLD BUSINESS

A. PIKEVILLE REDEVELOPMENT PROJECT: Presented were the following items for consideration:

1. Phase IV: Ms. Smallwood reported that all work has been completed to allow the city to begin acquisition of Phase IV, Kentucky Avenue properties. HOME funds have been awarded by Kentucky Housing Corporation, however, it is not expected the funds will be released until March, 2002. In an effort to negotiate and acquire the properties in a timely manner, Ms. Smallwood requested the Commission authorize the obtaining of a \$500,000 loan. It was explained that the property acquisitions would be approved by Kentucky Housing Corporation prior to purchase, then the loan would be repaid at the time of release of funds. Proposals were solicited from the local financial institutions. Firststar Bank submitted the best proposal at a 2.70% fixed rate for a six month loan and no closing costs. Commissioner Combs made the motion to authorize the Mayor to execute a loan agreement in the amount of \$500,000 with Firststar Bank for the acquisitions of Phase IV - Kentucky Avenue properties, subject to the approval of Kentucky Housing Corporation. Commissioner Justice seconded the motion. The motion carried unanimously.

2. Phase V: Presented for approval was the following resolution authorizing a contract between the City and the Department for Local Government for Community Development Block Grant (CDBG) funds in the amount of \$1 million for acquisition, relocation and demolition in the Phase V - High Street target area.

A RESOLUTION OF THE CITY COMMISSION OF PIKEVILLE, KENTUCKY, RELATING TO APPROVAL OF A CONTRACT BETWEEN THE CITY OF PIKEVILLE AND THE COMMONWEALTH OF KENTUCKY DEPARTMENT FOR LOCAL GOVERNMENT

WHEREAS, the City Commission of Pikeville, Kentucky, as the lead applicant, has been awarded a Small Cities Community Development Block Grant from the Commonwealth of Kentucky Department for Local Government for the purpose of providing clearance and relocation of the area; and,

WHEREAS, it is necessary under the regulations as promulgated by the Commonwealth of Kentucky

MINUTES } CITY OF PIKEVILLE

~~that the City Commission approve the Grant Agreement between the Commonwealth of Kentucky and the City of Pikeville for undertaking the Community Development Block Grant Program;~~

THEREFORE, BE IT RESOLVED by the Pikeville City Commission that:

Section 1: the Grant Agreement between the Commonwealth of Kentucky and the City of Pikeville for the above mentioned activities in the amount of \$1,000,000.00 is hereby approved.

Section 2. the Mayor and City Attorney are authorized to sign said Grant Agreement between the Commonwealth of Kentucky and the City of Pikeville and to provide any and all additional data or information necessary to assure funding for the City.

Commissioner Layne made the motion to adopt the resolution (R-2001-046) . Commissioner Davis seconded the motion. The motion carried unanimously.

3. Asbestos Abatement: Bids were submitted for the removal of asbestos in the Phase III - High Street area. The low bidder was Alpha Contracting Services, Inc. of Berea, KY. in an amount not to exceed \$9,865.00. Ms. Smallwood recommended award of the contract for asbestos abatement in six structures on High Street. A resolution approving the contract was presented and read as follows:

RESOLUTION OF THE CITY OF PIKEVILLE APPROVING THE ASBESTOS ABATEMENT CONTRACT WITH ALPHA CONTRACTING SERVICES, INC. IN CONNECTION WITH THE PIKEVILLE REDEVELOPMENT PROGRAM PHASE III (R-2001-047)

WHEREAS, the City of Pikeville is undertaking the Pikeville Redevelopment Program; and

WHEREAS, Phase III of this redevelopment program involves the demolition of 6 structures located on High Street; and

WHEREAS, it has been determined that the services of a professional asbestos inspection contractor are required for implementation of this redevelopment program;

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

1. The contract between the City and Alpha Contracting Services, Inc. for asbestos abatement services relative to the Pikeville Redevelopment Program - Phase III has been approved in the amount not to exceed \$9,865.00.

Commissioner Justice made the motion, seconded by Commissioner Davis to adopt the resolution as presented and read. The motion carried unanimously.

4. Phase IV - Project Implementation and Management: Presented for approval was the following resolution approving a contract with Will Linder & Associates for project implementation and program management of the Phase IV - Kentucky Avenue HOME Program. The resolution was read as follows:

RESOLUTION OF THE CITY OF PIKEVILLE APPROVING THE PROJECT IMPLEMENTATION AND PROGRAM MANAGEMENT CONTRACT WITH WILL LINDER & ASSOCIATES IN CONNECTION WITH THE HOME INVESTMENT PARTNERSHIP PROGRAM FOR THE PIKEVILLE REDEVELOPMENT PROJECT - PHASE IV KENTUCKY AVENUE OF CITY OF PIKEVILLE, KENTUCKY (R-2001-048)

WHEREAS, the Kentucky Housing Corporation, Community Planning and Development Division approved a HOME Investment Partnership Program Grant for the City of Pikeville, Kentucky; and,

MINUTES } CITY OF PIKEVILLE

WHEREAS, it has been determined that the services of a professional consultant are required for implementation of the HOME program;

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

1. The contract between the LPA and Will Linder & Associates for project implementation and program management services relative to the HOME Program has been approved in the amount of:

- | | |
|--|----------|
| 1. Counseling Services: | \$20,000 |
| 2. Administration & Technical Assistance | |
| = 5% of HOME funds (\$1,500,000 x .05) | \$75,000 |

not to exceed a maximum of \$95,000 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 Kentucky Housing Corporation as part of the application.

3. The obligations of the parties are totally contingent upon the obtaining of a Release of Funds from the Kentucky Housing Corporation and no project activities other than environmentally exempt activities may occur until the release is achieved.

Commissioner Justice made the motion to adopt the resolution. Commissioner Layne seconded the motion. The motion carried unanimously.

5. CDBG Application Preparation - Phase V: The following resolution, authorizing Will Linder and Associates to prepare a CDBG application for Phase V - High Street, was submitted for approval. The resolution was read as follows:

ORDER OF PIKEVILLE CITY COMMISSION APPROVING THE GRANT WRITING, APPLICATION PREPARATION CONTRACT WITH WILL LINDER & ASSOCIATES FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR THE PIKEVILLE REDEVELOPMENT PHASE V - HIGH STREET PROJECT, PIKEVILLE, KENTUCKY

WHEREAS, the Commonwealth of Kentucky, Department for Local Government, is accepting applications for the 2001 Community Development Block Grant Program; and,

WHEREAS, Pikeville, Kentucky would like to apply for a Community Development Block Grant; and,

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

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

1. The contract between the LPA and Will Linder & Associates, Consultants, Inc. 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 for Local Government as part of the application.

3. The obligations of the parties are totally contingent upon obtaining of a Release of Funds from

MINUTES } CITY OF PIKEVILLE

~~the Department for Local Government and no project activities other than environmentally exempt activities may occur until the release is achieved.~~

Commissioner Layne made the motion to adopt the resolution (R-2001-049) as presented and read. Commissioner Justice seconded the motion. The motion carried unanimously.

6. Phase V - High Street - Project implementation and Program Management: Presented for approval was the following resolution authorizing and approving a contract with Will Linder & Associates for project implementation and program management of the CDBG funds for Phase V - High Street. The resolution was read as follows:

RESOLUTION OF CITY OF PIKEVILLE APPROVING THE PROJECT IMPLEMENTATION AND PROGRAM MANAGEMENT CONTRACT WITH WILL LINDER & ASSOCIATES, CONSULTANTS, INC. FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR THE PIKEVILLE REDEVELOPMENT PHASE V - HIGH STREET PROJECT, CITY OF PIKEVILLE, KENTUCKY. (R-2001-050)

WHEREAS, the Commonwealth of Kentucky, Department for Local Government, approved an application for Pikeville, Kentucky; and,

WHEREAS, it has been determined that the services of a professional consultant are required for implementation of 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 Will Linder & Associates, Consultants, Inc. for project implementation and program management services relative to the CDBG Program has been approved in the amount of:

- | | | |
|----|----------------------------|----------|
| 1. | Development Plan Amendment | \$5,000 |
| 2. | Administration | \$90,500 |

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 for Local Government as part of the application.

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

Commissioner Layne made the motion, seconded by Commissioner Justice to approve the resolution as presented and read. The motion carried unanimously.

Ms. Smallwood advised the Commission that an administrative settlement was reached with Landmark Development for the purchase of property on Kentucky Avenue. The negotiated purchase price was \$4,500 (\$34,000) above the appraisal. Vianna Lawson has agreed to sell her Kentucky Avenue property for the appraised amount (\$54,000). The city will be pre-funding the purchase of the two tracts. City coffers will be reimbursed at the time Phase IV funding is released by Kentucky Housing Corporation.

B. CITY ENGINEER'S REPORTS: Jack Sykes, representing Summit Engineering, City Engineers, presented a verbal report for the following projects:

1. Parking Structure: Two meetings have been had with the committee appointed by the Commission. A work session was scheduled for January 14th at 4 p.m. to advise the Commission of

MINUTES } CITY OF PIKEVILLE

the status of the project.

2. Kentucky Avenue Boulevard Access: During the previous meeting, the Commission requested that Mr. Sykes evaluate options for aligning the entrance to Hambley Boulevard with the centerline of Kentucky Avenue. The existing Kentucky Avenue alignment ends at Auxier Avenue. The connection to Hambley Boulevard is approximately 50 feet east of the Kentucky Avenue centerline. The engineer evaluated three alternatives. Alternate 1 provides for the widening of Kentucky Avenue to the Auxier intersection, with 2, 10 ft. traffic lanes, new curb and gutter and a 4 ft. sidewalk on the west side of the road. Alternate 2 includes the provisions of Alternate 1, but extends the widening of Kentucky Avenue to the Hambley Boulevard intersection. Alternate 3 proposes widening Kentucky Avenue to the Hambley Boulevard intersection with 2, 12 ft. traffic lanes, curb and gutter and 4 ft. sidewalks on both sides of the road. This alternate will require additional right-of-way from two property owners. Cost estimates for the three alternates are \$26,097.00; \$67,812.00; and \$91,732.00, respectively. Mr. Sykes recommended approval of alternate 2, but to do the work in two phases. The first phase would be to complete the work in alternate 1, then during Phase II of the Kentucky Avenue Project, incorporate the tie-in to Hambley Boulevard with that contract. Patriot Construction has agreed to do the work in alternate 1 for \$17,105.00. Mr. Sykes advised the difference in Patriot Construction's estimate and the engineer's estimate is that Patriot Construction is charging no additional fees for mobilization since their equipment is already on site. Funding for the work can be paid in part from contingency funds. Mr. Sykes reported there is approximately \$20,000 left in contingency funds in the roadway improvement contract, however there is a deficit in the retaining wall contract. Additional contingency funds have been requested from Kentucky Housing Corporation for the retaining wall contract, however, Mr. Sykes advised that should KHC not approve the request for \$40,000 in additional contingency funds, the city may have to fund a portion of this change order.

Commissioner Justice made the motion to authorize the Mayor to execute a change order to Patriot Construction's contract in the amount of \$17,105.00. Commissioner Combs seconded the motion. The motion carried unanimously. Mayor Morris asked if steps will be needed from the Boulevard to Kentucky Avenue for pedestrian traffic. The city engineer will address this matter during phase II activities.

3. Action Petroleum Company: The owners of Western B.P. Mart on South Mayo Trail are in the process of constructing warehouse storage facilities on the property. Mr. Sykes advised that Action Petroleum Company has encroached on the city's sanitary sewer easement. The attorney for Action Petroleum Company, D.B. Kazee, through written correspondence, advises there are two temporary easements filed with the County Clerk. No permanent easements were filed. Mr. Sykes reported that a permanent easement was acquired in 1986, however it was not recorded. Tom Horne of Action Petroleum Company was present and explained the storage buildings are metal framed, corrugated steel wall structures, constructed on concrete slabs. The buildings are easily disassembled. Mr. Horne requested permission to continue with the project, with Action Petroleum Company's assurances that they will remove all improvements, at their expense, if it is necessary for the city to have access to the sanitary sewer line. Commissioner Combs made the motion to authorize the city attorney to negotiate an agreement with Action Petroleum Company's attorney, permitting the company to proceed with their development subject to the conditions cited, and to authorize the Mayor to execute the agreement. Commissioner Layne seconded the motion. The motion carried unanimously.

C. MAIN STREET PROGRAM: Glendia Sawyers, Main Street Executive Director, presented the following items for the Commission's consideration:

1. Mountain Enterprises: Presented for approval was pay request #5 from Mountain Enterprises totaling \$95,081.43 for Phase I of the utility relocation project. Since the project is substantially complete, the pay request, in addition to payments for change orders 1, 2 and 3, releases 5% of the retainage. The contractor has about \$200,000 worth of work to complete in the spring. A

MINUTES } CITY OF PIKEVILLE

~~5% retainage of approximately \$90,000 is still being held. All work in the pay request has been completed.~~ Commissioner Combs made the motion, seconded by Commissioner Layne to approve payment to Mountain Enterprises as requested. The motion carried unanimously.

2. Budget Amendment: Ms. Sawyers requested approval of a budget amendment which provides for \$76,000 of Phase I funds to be transferred to Phase II. Commissioner Layne made the motion, seconded by Commissioner Justice to authorize the Mayor to execute the budget amendment as requested. The motion carried unanimously.

3. Summit Engineering: Presented to the Commission for approval was a pay request from Summit Engineering in the amount of \$40,000 for Phase II design engineering services. Commissioner Justice made the motion, seconded by Commissioner Davis to approve payment as requested. The motion carried unanimously.

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

1. Occupational License Fee Amendment: Presented and given second reading was an ordinance entitled as follows:

ORDINANCE TO AMEND THE OCCUPATIONAL LICENSE FEE OF THE CITY OF PIKEVILLE PASSED MAY 14, 1962, JUNE 11, 1962, JUNE 30, 1962, DECEMBER 27, 1971, SEPTEMBER 25, 1991, MAY 22, 2000 AND FEBRUARY 26, 2001 SO TO EXTEND THE CREDIT FOR MINIMUM OCCUPATIONAL LICENSE FEE PAID BY CONTRACTORS AND ESTABLISHING AN EFFECTIVE DATE OF JANUARY 1, 2001 (ORDINANCE # O-2001-028)

Commissioner Layne made the motion, seconded by Commissioner Justice to adopt the ordinance as presented and given second reading. The motion carried by the following votes:

MAYOR:	FRANK M. MORRIS	YES
COMMISSIONER:	STEVE COMBS	YES
	EUGENE DAVIS	NOT PRESENT AT TIME OF VOTE
	FRANK JUSTICE, II	YES
	DALLAS LAYNE	YES

2. Budget Amendment: Presented and given reading was an Ordinance to amend the 2001/02 operating budget with respect to unanticipated revenues and expenditures in the course of regular business and the Pikeville Redevelopment Project - Phase V.

The Ordinance was captioned as follows:

AN ORDINANCE RELATING TO THE ANNUAL BUDGET AND AMENDMENT THEREOF AND DECLARING AN EMERGENCY TO EXIST REQUIRING THE IMMEDIATE ADOPTION THEREOF (ORDINANCE # O-2001-029)

Commissioner Justice made the motion to declare an emergency, said emergency being the need to amend the budget in order to immediately proceed with implementation and purchase of properties related to the Pikeville Redevelopment Project - High Street, Phase V, and to adopt the ordinance as presented. Commissioner Layne seconded the motion. The motion carried by the following votes:

MAYOR:	FRANK M. MORRIS	YES
COMMISSIONER:	STEVEN D. COMBS	YES
	EUGENE DAVIS	NOT PRESENT AT TIME OF VOTE

MINUTES } CITY OF PIKEVILLE

FRANK JUSTICE, H
DALLAS LAYNE

YES
YES

The City Attorney requested a closed session for the purpose of discussing a legal matter concerning the Pike County Landfill tipping fees.

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

1. Thermal Imaging Camera: Members of the Pikeville Fire Department demonstrated a thermal imaging camera which is used to locate fire sources and victims of fire/smoke. Fire Chief Hall reported the Fire Department has been following the technology of the camera as well as determining the best manufacturer. Fire Chief Hall recommended the purchase of a camera in the amount of \$16,395.00. Funds are available through a \$14,000 grant and a \$1,000 donation from Wal-Mart. Commissioner Combs made the motion, seconded by Commissioner Layne to authorize the purchase of a thermal imaging camera. The motion carried unanimously.

2. Bowles Addition Sewer: City Manager Blackburn advised the Commission of an emergency situation with the collapsing of a galvanized sewer line in the Middle Bowles Addition. It was recommended to contract with Rinker Materials for installation of a u liner pipe. According to U.S. Filter Manager, Duane Hamilton, the liner can be installed for half the price of conventional replacement and has a life expectancy of at least 30 years. Cost to install the u liner is estimated at \$48,000. Commissioner Combs made the motion, seconded by Commissioner Justice to declare an emergency and authorize execution of a contract with Rinker Materials for the installation of a u liner pipe in the Middle Bowles Addition. The motion carried unanimously.

3. Police Car Bids: Two bids were received in answer to an advertisement to purchase 3 police cruisers. The low bid was submitted by Fletcher & Hall for three police package impalas at \$61,100.00. Commissioner Layne made the motion, seconded by Commissioner Combs to award the bid for the purchase of three police cruisers to the low bidder, Fletcher & Hall. The motion carried unanimously.

4. Wastewater Service: The Commission reviewed a request from Bill Deskins for extension of wastewater service to his property that he is developing which is located across from the Thompson Road Fire Station. Commissioner Justice made the motion, seconded by Commissioner Layne to grant permission to extend the wastewater service to Mr. Deskins' property contingent upon his agreement to construct the line pursuant to city specifications. The motion carried unanimously.

5. 2002 Audit Proposal: Presented for approval was a letter of proposal from Wallen & Cornett, CPAs to conduct the 2002 audit of the city's financial statements. The fee for the audit will not exceed \$18,985.00. Commissioner Davis made the motion, seconded by Commissioner Justice to accept the proposal as presented. The motion carried unanimously.

6. Tourism Commission Appointment: Presented to the Commission was a letter from the Pike County Chamber of Commerce asking for approval of their appointment of Donna Damron to serve as the Chamber of Commerce's representative on the Pikeville/Pike County Tourism Commission. Commissioner Combs made the motion, seconded by Commissioner Layne to approve the Chamber of Commerce's appointment of Donna Damron. The motion carried unanimously.

Commissioner Combs made the motion to adjourn to closed session for the purpose of discussing a property matter and a legal matter. The motion carried 4 - 0 (Mayor Morris left the meeting at 2:10 p.m.)

Commissioner Combs made the motion, seconded by Commissioner Davis to reconvene to regular

MINUTES } CITY OF PIKEVILLE

session. The motion carried 4 - 0.

Commissioner Combs made the motion to authorize the City Manager to advertise for proposals for the sale of the city's Thompson Road Property. The bids will be evaluated not only on the purchase price but the overall economic impact for the City of Pikeville. The City of Pikeville reserves the right to reject any and all bids. Commissioner Layne seconded the motion. The motion carried 4 - 0.

There being no further business to come before the Commission, Commissioner Combs made the motion, seconded by Commissioner Justice to adjourn. The motion carried 4 - 0.

APPROVED: Frank M. Morris
FRANK M. MORRIS, MAYOR

ATTEST:

Karen W. Harris
KAREN W. HARRIS, CITY CLERK