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NOTICE OF SPECIAL MEETING

TO:

MAYOR

COMMISSIONERS

FRANK MORRIS STEVE COMBS EUGENE W. DAVIS FRANK JUSTICE, II DALLAS LAYNE

YOU ARE HEREBY NOTIFIED THAT THE BOARD OF COMMISSIONERS OF THE CITY OF PIKEVILLE, IS CALLED TO MEET IN A SPECIAL SESSION AT NOON ON JUNE 21, 2002, IN THE CITY HALL PUBLIC MEETING ROOM, CITY OF PIKEVILLE, KENTUCKY, FOR THE FOLLOWING PURPOSES:

1. SEE ATTACHED AGENDA

MAYOR PRO TEM

THIS DOTE DAY OF JUNE . 2002.

JAMES JUSTICE, POLICE CHIEF

I HÉREBY ACKNOWLEDGE RECEIPT OF COPY OF THE FOREGOING NOTICE OF SPECIAL MEETING OF THE BOARD OF COMMISSIONERS OF THE CITY OF PIKEVILLE, KENTUCKY, TO BE HELD AT NOON ON JUNE 21, 2002, AT THE CITY HALL PUBLIC MEETING ROOM, 118 COLLEGE STREET. IN THE CITY OF PIKEVILLE, KENTUCKY.

STEVEN D. COMBS

EUGENE W. DAVIS

71115

FRANK JUSTICE, II

DALLAS LAYNE

FRANK MORRIS

PIKEVILLE CITY COMMISSION SPECIAL MEETING AGENDA JUNE 21, 2002; NOON CITY HALL PUBLIC MEETING ROOM-118 COLLEGE STREET

I. CALL TO ORDER

- II. MINUTES: Consider approval of the minutes from the June 10, 2002 regular meeting
- III. A. AIRPORT: Consider a status report from Michael deBourbon concerning the airport.
 - B. PARKING: Consider a request from Bill Slone with regard to parking over an easement
 - C. GRANT WRITING: Consider discussion with Big Sandy Area Development staff concerning grant writing and consulting services for Phase VI of the Redevelopment Project.
 - D. HAMBLEY COMPLEX: Consider discussion and any necessary action concerning the Hambley Athletic Complex.
 - E. PARKS: Consider discussion and any necessary action concerning the city's Parks

IV. PAYMENT OF BILLS

- A. CITY BILLS
- B. PIKEVILLE REDEVELOPMENT PROJECT
 - 1. Frank Nall Closing & Deed preparation; Title Opinion \$700.00 (Phase IV)
 - 2. Consider adoption of a resolution with regard to tax credits.
- C. PARKING STRUCTURE
 - 1. Summit Engineering \$6,437.50

V. OLD BUSINESS

- A. CITY ENGINEER'S REPORTS
 - 1. Update on all current engineering projects
 - 2. Myers Tower Slope Project
 - 3. Pikeville Pond Cleanup/Improvements
 - 4. Hibbard Street Gas Line Replacement
 - 5. Bowles Addition Sewer Rehabilitation
- B. MAIN STREET PROGRAM
 - Consider adoption of a resolution amending the 2001 Renaissance Major Revitalization Project.
 - Consider approval of payment to Summit Engineering in the amount of \$4,198.29 for engineering services and \$3,932.81 for inspection services for the Phase I utility relocation project.
 - 3. Concerning discussion regarding a proposal for a VISTA worker for the Pikeville Lake Improvement Project.
 - 4. Consider authorizing payment of \$2,185.00 for a mini-carnival for the Fourth of July Celebration.
 - 5. Consider a status report for the Fourth of July event.
- C. CITY ATTORNEY'S REPORTS
 - 1. Consider adoption of an emergency ordinance establishing the 2002/2003 budget
- D. CITY MANAGER'S REPORTS
 - 1. Consider award of bid for the annual supply of concrete, stone, and asphalt
 - 2. Parking Garage Groundbreaking July 31, 2002 11:00 a.m. Congressman Rogers & Governor Patton scheduled to be in attendance.

E. EXECUTIVE SESSION

1. Consider executive session for the purpose of discussing a legal matter with County Attorney Keith Hall, and a legal matter concerning the Thompson Road Water Tank with City Engineer Jack Sykes.

VI. CONSENT

- A. Big Sandy Heritage Center/Museum Public Meeting June 27th 7:00 p.m. City Hall Public Meeting Room
- B. Travel, Utility Reports

VII. ADJOURNMENT

CITY OF PIKEVILLE BOARD OF COMMISSIONERS SPECIAL MEETING MINUTES JUNE 21, 2002

The Board of Commissioners of the City of Pikeville met in a special-called meeting on Friday, June 21, 2002 at Noon. The meeting was held in the City Hall Public Meeting Room located at 118 College Street, Pikeville, Kentucky. Today's meeting replaced the regularly scheduled meeting of June 24th, which was cancelled during the June 10, 2002 meeting.

In the absence of the Mayor and Mayor Pro-Tem, the city clerk called the meeting to order at Noon. Commission Members present at call of the roll were as follows:

COMMISSIONER:

EUGENE W. DAVIS FRANK JUSTICE, II DALLAS LAYNE

Mayor Frank M. Morris and Commissioner Steven D. Combs were absent.

The city clerk called for nominations for Mayor Pro-Tem. Commissioner Davis made the motion, seconded by Commissioner Layne to appoint Frank Justice, II as Mayor Pro-Tem. The motion carried 3 - 0.

The Special Meeting Agenda was as follows:

I. CALL TO ORDER

- II. MINUTES: Consider approval of the minutes from the June 10, 2002 regular meeting
- III. A. AIRPORT: Consider a status report from Michael deBourbon concerning the airport.
 - B. PARKING: Consider a request from Bill Slone with regard to parking over an easement
 - C. GRANT WRITING: Consider discussion with Big Sandy Area Development staff concerning grant writing and consulting services for Phase VI of the Redevelopment Project.
 - D. HAMBLEY COMPLEX: Consider discussion and any necessary action concerning the Hambley Athletic Complex.
 - E. PARKS: Consider discussion and any necessary action concerning the city's Parks

IV. PAYMENT OF BILLS

- A. CITY BILLS
- B. PIKEVILLE REDEVELOPMENT PROJECT
 - 1. Frank Nall Closing & Deed preparation; Title Opinion \$700.00 (Phase IV)
 - 2. Consider adoption of a resolution with regard to tax credits.
- C. PARKING STRUCTURE
 - 1. Summit Engineering \$6,437.50

V. OLD BUSINESS

A. CITY ENGINEER'S REPORTS

- 1. Update on all current engineering projects
- 2. Myers Tower Slope Project
- 3. Pikeville Pond Cleanup/Improvements
- 4. Hibbard Street Gas Line Replacement
- 5. Bowles Addition Sewer Rehabilitation

B. MAIN STREET PROGRAM

- Consider adoption of a resolution amending the 2001 Renaissance Major Revitalization Project.
- 2. Consider approval of payment to Summit Engineering in the amount of \$4,198.29 for engineering services and \$3,932.81 for inspection services for the Phase I utility relocation project.
- 3. Concerning discussion regarding a proposal for a VISTA worker for the Pikeville Lake Improvement Project.
- 4. Consider authorizing payment of \$2,185.00 for a mini-carnival for the Fourth of July Celebration.
- 5. Consider a status report for the Fourth of July event.

C. CITY ATTORNEY'S REPORTS

 Consider adoption of an emergency ordinance establishing the 2002/2003 budget

D. CITY MANAGER'S REPORTS

- Consider award of bid for the annual supply of concrete, stone, and asphalt
- Parking Garage Groundbreaking July 31, 2002 11:00 a.m.
 Congressman Rogers & Governor Patton scheduled to be in attendance.

E. EXECUTIVE SESSION

 Consider executive session for the purpose of discussing a legal matter with County Attorney Keith Hall, and a legal matter concerning the Thompson Road Water Tank with City Engineer Jack Sykes.

VI. CONSENT

- A. Big Sandy Heritage Center/Museum Public Meeting June 27th 7:00 p.m. City Hall Public Meeting Room
- B. Travel, Utility Reports

VII. ADJOURNMENT

AGENDA ITEM II.

MINUTES

The minutes for the previous regular meeting of June 10, 2002 were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Layne made the motion, seconded by Commissioner Davis to approve the minutes as prepared. The motion carried 3 - 0.

AGENDA ITEM III.

- A. Airport: Chairman of the Pike County Regional Air Board, Michael de Bourbon, appeared before the Commission to give a verbal status report of the activities at the airport. With the assistance of the City of Pikeville and the Pike County Fiscal Court, the board has been able to hire quality employees and provide them with compatible wages and benefits. The board has also been the recipient of state and federal dollars which have been used for the construction of a hangar, installation of a precision instrument landing system and improvements to the runway. Mr. de Bourbon reported that he is expecting funding for the installation of a fence and the future reopening of the third runway. The board has completed and filed the necessary documentation to rename the facility the Pikeville/Pike County Regional Airport. The Board is in the process of having a new sign designed. The Commission complimented Mr. de Bourbon and the Air Board for their dedication in providing a quality service for Pikeville/Pike County.
- B. Parking: Bill Slone was present to request permission to develop a parking lot over a city easement. Mr. Slone acquired the Cassady Boulevard building which formerly housed Heilig-Meyers Furniture Store, where he plans to open a GattiLand Pizza. In addition to the restaurant, Mr. Slone plans to include two retail lease spaces. Pursuant to building regulations, 150 parking spaces are required. The Commission advised Mr. Slone that no building construction would be permitted over the easement. Also, if the city needed to make repairs to the utilities located within the easement, replacement of any pavement disturbed would be Mr. Slone's responsibility. Mr. Slone verbally agreed to the conditions. Commissioner Davis made the motion, seconded by Commissioner Layne to authorize the City Attorney to prepare a lease agreement permitting Mr. Slone to construct a parking lot over the city's utility easement. The motion carried 3 0.
- C. Grant Writing: As requested at the previous meeting, Sandy Runyon executive director for the Big Sandy Area Development District, presented a proposal to provide grant writing services, technical assistance, and program implementation for Phase VI of the Pikeville Redevelopment Project (High Street/Sycamore Street). Since 60% of the CDBG funds for Phase V have been expended, the city is now eligible to apply for S1 million in CDBG funds for Phase VI. The cost for the grant services include \$5,000.00 for the CDBG application preparation; \$2,500.00 for the environmental assessment; and \$14,500.00 for administration, for a total of \$22,000.00. The Commission wanted the opportunity to review the proposal. Action concerning the proposal was deferred to the July 8, 2002 regular meeting.
- D. Hambley Complex: Continuing discussion concerning the proposed improvements and the financing of said improvements to Hambley Complex, City Manager Blackburn reported that the expected life of the synthetic turf is between 10 and 12 years. The first phase of the improvements include drainage construction and installation of the turf. Cost is estimated at \$1.2 million. To finance the improvement for 12 years would entail an annual payment of \$85,000+ per year. By the time the debt is retired, the turf will have to be replaced. The Commission directed the city engineer to determine the cost of replacement of the synthetic turf only. The City Manager was directed to obtain the figures for financing the improvement for 15 years and 20 years.
- E. Parks: It was reported that the City Engineer is working with representatives of Abandoned Mine Lands to determine if the city is eligible to receive assistance with drainage remediation in Bob Amos Park and Layne Hollow.

AGENDA ITEM IV.

PAYMENT OF BILLS

- A. CITY BILLS: A list of city bills totaling \$469,788.83 was presented to the Commission for approval of payment. Commissioner Davis made the motion to approve payment of the bills as requested. Commissioner Layne seconded the motion. The motion carried 3 0.
- B. PIKEVILLE REDEVELOPMENT PROJECT: Project Director, Sue Smallwood, presented an invoice totaling \$700.00 on behalf of Frank Nall for title opinions and deed preparation and closings for Phase IV, Kentucky Avenue. Commissioner Layne made the motion, seconded by Commissioner

Davis to approve payment to Frank Nall in the amount of \$700.00. The motion carried 3 - 0.

Sean Gilbert, executive director of the Housing Authority of Pikeville, appeared before the Commission to request adoption of a resolution extending to the National Development Corporation a guarantee that the city will be responsible for any cost overruns in the construction of the 40 housing units. Mr. Gilbert advised the Commission that the same guarantee had been extended to the Kentucky Housing Corporation in the use of the HOME funds.

Mr. Gilbert reported the tax credits will be sold within the next 7 to 10 days. At that time, the city will be released as a guarantor of the tax credits.

The construction contract for the 40 housing units is \$2,338,000. There is a contingency fund of \$233,000. Mr. Gilbert advised that a change order totaling \$28,730.45 has been submitted to change flooring from carpet to vinyl on the stairs; rework of drainage and installation of retaining walls at building J; removal of rock to 24" below footer for building C; and adding 36 construction days to the contract. Mr. Gilbert reported that he does not foresee any further change orders. The Commission requested that all change order requests be presented to them for approval, since the city will be responsible for any cost overruns. The following resolution was presented for approval:

RESOLUTION OF PIKEVILLE CITY COMMISSION, PIKEVILLE, KENTUCKY, AUTHORIZING A GUARANTEE TO NATIONAL DEVELOPMENT COUNCIL CORPORATE EQUITY FUNDS IV ON THE KENTUCKY AVENUE - PHASE II REDEVELOPMENT PROJECT

WHEREAS, the City of Pikeville applied for, and received funding of, a 1999 HOME application; and,

WHEREAS, the City of Pikeville entered into a Funding Agreement with the Kentucky Housing Corporation for use of the HOME funds to acquire property in the Kentucky Avenue - Phase II Redevelopment Area; and,

WHEREAS, the City of Pikeville as part of the Funding Agreement to be responsible for all cost overruns on the project, as necessary; and,

WHEREAS, the City of Pikeville acquired property in the area as per the HOME Funding Agreement and transferred property to the Pikeville Affordable Housing Corporation, Inc., a general partner in Kentucky Avenue Phase II, Ltd., for construction of 40 units of affordable housing; and,

WHEREAS, it is necessary and in the public interest that the City extend a guarantee to National Development Council Corporate Equity Funds IV to cover all cost overruns for the project as necessary;

NOW, THEREFORE, BE IT RESOLVED by the City Commission of Pikeville:

- (1) That a guarantee be extended to National Development Council Corporate Equity Funds IV to cover all cost overruns for the project, as necessary and appropriate; and,
- (2) That the Mayor be authorized to sign said guarantee to NDC Corporate Equity Funds IV on behalf of the City of Pikeville

Commissioner Layne made the motion to approve change order 1a in the amount of \$28,730.45 to Goggans Construction Company for the Kentucky Avenue Townhouse Project. Commissioner Justice seconded the motion. The motion carried 3 - 0.

Commissioner Layne made the motion, seconded by Commissioner Davis to adopt the resolution

extending a guarantee to National Development Corporation for any cost overruns associated with the construction of the Kentucky Avenue housing units. The motion carried 3 - 0.

C. PARKING STRUCTURE PROJECT: Presented for approval of payment was an invoice totaling \$6,437.50 from Summit Engineering for engineering services for the Parking Structure project. Commissioner Davis made the motion to approve payment of the invoice as requested. Commissioner Justice seconded the motion. The motion carried 3 - 0.

AGENDA ITEM V.

OLD BUSINESS

A. CITY ENGINEER'S REPORTS: Charles Byers, representing Summit Engineering, City Engineers, presented a verbal status report for the following projects:

1. Foxcroft Water Tank Painting & Floodgate Maintenance: Mr. Byers advised the Commission that an error was made in the bid specifications for the Foxcroft Water Tank painting. The bid documents identified the tank as a 15 ft. diameter tank, instead of a tank with a 15 ft. radius. Contractor, W & O Construction, submitted their bid at \$24,100. which was about \$18,000 lower than the next bidder. Because of the error in tank dimensions, W & O Construction has requested to be released from their commitment. Commissioner Justice made the motion, seconded by Commissioner Layne to reject all bids and authorize the engineer to re-advertise for bids. The motion carried 3 - 0.

2. Myers Tower Slope Project: Mr. Byers advised the design has been completed and bid documents prepared to install drainage and perform site remediation at the hillside slope behind the Myers Tower lower parking area. Mr. Byers reported that he had researched the products available to provide erosion control. There are basically two types of drainage blankets available. One is in pre-seeded, straw form that is biodegradable at an estimated cost of \$8.00 sq. ft. The other drainage blanket is not biodegradable and will continue to provide some erosion protection. The estimated cost for this material is \$12.00 sq. ft. The slope comprises an area of approximately 120,000 sq. ft. Mr. Byers told the Commission there is no product available that will guarantee the topsoil on such a steep slope wouldn't wash away during a heavy rain. However, Mr. Byers recommended that a drainage blanket of some type be installed. With regard to the retaining wall, Mr. Byers reported that he had contacted the supplier of the "keystone" brand wall. Using this product, it will be necessary to have the wall professionally constructed. The wall will be advertised for bid as an alternate.

3. Pikeville Pond Clean-up/Improvements: Commissioner Justice played a video he had taken on this date documenting the progress of trash and debris removal in the pond area. About \$4,900 has been spent thus far in clearing the area. The work has been accomplished with the help of Fire Department personnel and prison inmates. City Manager Blackburn reported that \$11,000 had been placed in the budget for clean-up of the pond. He is in the process of acquiring a motor for the pontoon boat. The Commission authorized the Fire Department, at their convenience, to continue with riverbank clearing and tree removal.

4. Hibbard Street Gas Line Replacement: This project begins at the Pikeville/Pike County Library and ends at Clark Insurance Agency. The contractor expects to begin work within the next couple of weeks. The contractor has agreed to a deletion of the asphalt replacement in his contract. Mr. Byers advised the contractor charged around \$120/ton. The city can purchase the asphalt for \$32/ton.

5. Bowles Addition Sewer Line Rehabilitation: Mr. Byers advised that the contractor, BOCA Enterprises, expects to begin work on the Bowles Addition sewer line on June 24th. The project was delayed due to delays in receiving the pipe.

B. MAIN STREET PROGRAM: Glendia Sawyers, executive director for the Pikeville Main Street

Program, presented a report of the program activities as follows:

1. Civic Center: In December, 2001, the city entered into an agreement with the East Kentucky Exposition Center Board whereby the city applied for a \$300,000 direct appropriation grant through Renaissance KY. The funds were allocated to purchase the Trimble building located on Main Street, legal and administrative fees, and demolition. Demolition of the building is not possible at this time, so the East Kentucky Exposition Center Board has requested to re-allocate a portion of the funds to provide asbestos abatement for the former Watson's Building. Reallocating the funds will allow for the grant funds to be spent and closed out by the deadline. The following resolution was presented:

RESOLUTION OF THE PIKEVILLE CITY COMMISSION AUTHORIZING REALLOCATION OF FUNDS FOR THE RENAISSANCE KENTUCKY 2001 MAJOR REVITALIZATION GRANT

WHEREAS, the City of Pikeville applied for and received funding through the Renaissance Kentucky 2001 Major Revitalization Project; and

WHEREAS, the funds are to be used for the acquisition of a parcel of land including closing costs and site development for the Eastern Kentucky Exposition Center; and

WHEREAS, the Renaissance Kentucky 2001 Major Revitalization Grant Agreement No. RK9832-II-MR01 funding award was broken down into three areas: \$282,500 for property acquisition; \$1,500 for closing costs, legal and administrative fees; \$16,000 for demolition and site development; and

WHEREAS, immediate demolition of the acquired building may not be possible and in an effort to complete the grant requirements by the deadline it is necessary to reallocate funds as follows: \$282,500 for property acquisition; \$13,990 for asbestos abatement (adjacent building owned by EKEC and being prepared for demolition); \$3,510 for closing costs, legal and administrative fees.

NOW, THEREFORE, as required in Section 1.4 Changes in Project of Grant Agreement No. RK9832-II-MR01, the City of Pikeville requests approval of the proposed revision in the use of funds.

Commissioner Layne made the motion to adopt the resolution. Commissioner Davis seconded the motion. The motion carried 3 - 0.

East Kentucky Exposition Center executive director, Donna Damron, advised the civic center project is in re-design phase. Bids will be advertised in August with construction expected to begin in November, 2002. There is a 20 month construction period.

- 2. Phase I Utility Relocation Project: Two invoices were presented on behalf of Summit Engineering in the amounts of \$4,298.29 for engineering services and \$3,932.81 for inspection services in conjunction with Phase I of the Utility Relocation Project. Ms. Sawyers reported the invoices were approved by the Pikeville Main Street Board on June 11th. Commissioner Justice made the motion, seconded by Commissioner Layne to approve payment of the invoices as presented. The motion carried 3 0.
- 3. Pikeville Lake Improvement Project: Ms. Sawyers reported that an application has been filed with the Office of Surface Mining for a VISTA worker to be assigned to work with staff on the Lake Improvement Project. If Pikeville is selected to receive this service, the employee will work full-time for a 2 year period. The city may have to provide \$3,300 in matching funds, however, Ms. Sawyers advised it has been indicated the matching fund requirement may be waived since Pikeville is designated an economically depressed area. Additionally, the city will be asked to assist the employee in locating low income housing. Should the city be selected to receive the service, the Commission will have the opportunity to decide if they want to participate in the VISTA program.

4. Fourth of July Activities: The Pikeville Main Street Program has arranged to offer free hotdogs and soft drinks during Fourth of July in the Park. Entertainment will be provided by Marlow Tackett and Mountain Dew. A carnival operator has agreed to provide three activities free of charge during the hours of 5 pm - 7pm. Cost to the city to provide the mini-carnival is \$2,185.00. Commissioner Davis made the motion, seconded by Commissioner Layne to approve the expenditure of \$2,185.00 for the mini-carnival. The motion carried 3 - 0.

C. CITY ATTORNEY'S REPORTS: The city clerk presented and read an Ordinance entitled as follows:

AN ORDINANCE ADOPTING THE CITY OF PIKEVILLE, KENTUCKY ANNUAL BUDGET FOR THE FISCAL YEAR JULY 1, 2002 THROUGH JUNE 30, 2003, BY ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS FOR THE OPERATING OF CITY GOVERNMENT

Commissioner Justice made the motion to declare an emergency and adopt the Ordinance as presented. Commissioner Layne seconded the motion. Said emergency being that expenditures for 2002-03 can not be made without the adoption of an operating budget for the fiscal year. The motion carried by the following votes:

COMMISSIONER:

STEVEN D. COMBS
EUGENE W. DAVIS
FRANK JUSTICE, II
DALLAS LAYNE
FRANK M. MORRIS
ABSENT

MAYOR:

- D. CITY MANAGER'S REPORTS: Kenny Blackburn, City Manager, presented the following items for the Commission's consideration:
- 1. Concrete/Stone/Asphalt Annual Supply: One bid each was received for the annual supply of concrete, stone and asphalt. The bids were as follows:

Stone: Mountain Enterprises - S9.50/ton delivered; S8.95/ton picked-up

Concrete: MRC Materials - 3000 psi - \$62.00/yd; 3500 psi - \$64.00/yd; 4000 psi - \$66.00/yd

Asphalt: Mountain Enterprises - \$30.95/ton, base; \$31.75/ton, surface - supply only \$43.50 ton, base; \$44.50/ton, surface - supply & placement

Commissioner Davis made the motion, seconded by Commissioner Layne to award the bid for the annual supply of stone to Mountain Enterprises. The motion carried 3 - 0.

Commissioner Davis made the motion, seconded by Commissioner Justice to award the bid for the annual supply of concrete to MRC Materials. The motion carried 3 - 0.

Commissioner Justice made the motion, seconded by Commissioner Layne to award the annual supply of asphalt to Mountain Enterprises. The motion carried 3 - 0.

2. Parking Garage Groundbreaking: The groundbreaking for the Parking Garage project has been scheduled for July 31st at 11 a.m. Governor Paul Patton and Congressman Harold Rogers are scheduled to be in attendance. It was the consensus of the Commission to authorize the City Manager to plan the ceremony.

Executive Session was postponed to the next meeting due to the absence of Commissioner Combs and

City Attorney Davis.

There being no further business to come before the Commission, Commissioner Justice made the motion, seconded by Commissioner Davis to adjourn the meeting. The motion carried 3 - 0. (Adjournment Time: 1:50 p.m.)

APPROVED: STEVEN D. COMBS, MAYOR PRO TEM

ATTEST:

Karen Ir. Hassis

KAREN W. HARRIS, CITY CLERK