

MINUTES } CITY OF PIKEVILLE

CITY OF PIKEVILLE BOARD OF COMMISSIONERS REGULAR MEETING MINUTES DECEMBER 9, 2002

The Board of Commissioners of the City of Pikeville met in regular session on Monday, December 9, 2002 at 6:00 p.m. 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 Steven D. Combs called the meeting to order. Commission Members present at roll call were as follows:

COMMISSIONER:	STEVEN D. COMBS
	EUGENE W. DAVIS
	FRANK JUSTICE, II
	DALLAS LAYNE

Mayor Frank M. Morris was absent.

AGENDA ITEM II. MINUTES

The minutes for the previous regular meeting of November 25, 2002 were included in each Commission Member's agenda package. There being no additions or corrections to the minutes, Commissioner Layne made the motion, seconded by Commissioner Davis to approve the minutes as prepared. The motion carried 4 - 0.

AGENDA ITEM III. BUSINESS FROM THE FLOOR

A. Pike County Solid Waste Management Plan: City Engineer Sykes advised that all communities within the state of Kentucky are required to develop a solid waste plan once every five years. Regulations require the plan to be presented to all cities located within the county for approval. Mr. Sykes advised the city has the option of participating in the county's plan or developing its own plan. Pike County's plan addresses litter control, clean-up of dump sites, recycling, etc. The City does not participate in the county's landfill at this point in time. The study states this fact. Mr. Sykes presented a resolution adopting the plan. The Commission tabled action pending review of the plan document. Mr. Sykes advised the City Manager has a copy of the plan document.

AGENDA ITEM IV. PAYMENT OF BILLS

A. PIKEVILLE REDEVELOPMENT PROJECT: Project Director, Sue Smallwood presented the following items for the Commission's consideration:

1. University of Kentucky Historic Survey: Presented for approval of payment was a request for payment from the University of Kentucky Research Foundation in the amount of \$2,000.00 for a survey of two historic structures located on Saad Avenue. Commissioner Justice made the motion, seconded by Commissioner Layne to approve payment of the invoice as presented. The motion carried 4 - 0.

2. Summit Engineering, Inc.: Submitted on behalf of Summit Engineering for approval of payment was an invoice totaling \$3,080.99 for Phase IV (Kentucky Avenue) Administration and Inspection services. Commissioner Davis made the motion to authorize payment of the invoice as requested. Commissioner Layne seconded the motion. The motion carried 4 - 0.

3. Phase VI: During the November 25, 2002 City Commission Meeting, the Commission approved entering into a Memorandum of Understanding with the Pikeville Housing Authority for

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the use of property to be acquired in Phase VI as green space for the Phase II and Phase IV residents; to allocate \$100,000.00 in local funds to the Phase VI project; and to defer the acquisition of building 79 (former Batten house) to Phase VII and substitute the acquisition of building 24 (located at High Street/Saad Avenue) in Phase VI. Ms. Smallwood advised the Department of Local Government has requested written resolutions be approved with regard to these matters. The resolutions were presented as follows:

A RESOLUTION AUTHORIZING THE CITY OF PIKEVILLE MAYOR ON BEHALF OF THE PIKEVILLE CITY COMMISSION, PIKEVILLE, KENTUCKY TO SIGN AND SUBMIT MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF PIKEVILLE AND PIKEVILLE AFFORDABLE HOUSING CORPORATION CONCERNING PIKEVILLE REDEVELOPMENT PROJECT PHASE VI.

BE IT RESOLVED BY THE PIKEVILLE CITY COMMISSION:

SECTION ONE: That the Mayor is hereby authorized to sign and submit a Memorandum of Agreement between Pikeville Affordable Housing Corporation and the City of Pikeville, Kentucky.

Specifically, the City plans to submit a Memorandum of Agreement between Pikeville Affordable Housing Corporation and the City of Pikeville stating that the green space provided by Phase VI of the Pikeville Redevelopment Project, which includes land on High, Sycamore, Saad, and Cemetery streets, will be made available to the low and moderate-income residents of the townhouses on Kentucky Avenue, which was sanctioned by Phases II and IV of the Pikeville Redevelopment Project and will be operated by Pikeville Affordable Housing Corporation.

SECTION TWO: This resolution shall be signed by the Mayor Pro-Tem, attested by the City Clerk, recorded and shall be in effect at the earliest time provided by law.

Commissioner Justice made the motion to adopt the resolution. Commissioner Davis seconded the motion. The motion carried 4 - 0.

A RESOLUTION AUTHORIZING THE CITY OF PIKEVILLE MAYOR ON BEHALF OF THE PIKEVILLE CITY COMMISSION, PIKEVILLE, KENTUCKY TO SIGN A LETTER OF COMMITMENT FOR PIKEVILLE REDEVELOPMENT PROJECT PHASE VI

BE IT RESOLVED BY THE PIKEVILLE CITY COMMISSION:

SECTION ONE: That the Mayor is hereby authorized to sign a letter of commitment for the Pikeville Redevelopment Project Phase VI on behalf of the City of Pikeville, Kentucky.

Specifically, the City plans to commit \$100,000 to Pikeville Redevelopment Project Phase VI, pending funding, to match CDBG funds.

SECTION TWO: This resolution shall be signed by the Mayor Pro-Tem, attested by the City Clerk, recorded and shall be in effect at the earliest time provided by law.

Commissioner Justice made the motion to adopt the resolution. Commissioner Davis seconded the motion. The motion carried 4 - 0.

A RESOLUTION AUTHORIZING THE CITY OF PIKEVILLE MAYOR ON BEHALF OF THE PIKEVILLE CITY COMMISSION, PIKEVILLE, KENTUCKY TO MODIFY THE PROJECT SCOPE OF PIKEVILLE REDEVELOPMENT PROJECT PHASE VI

BE IT RESOLVED BY THE PIKEVILLE CITY COMMISSION:

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SECTION ONE: That the Mayor Pro Tem is hereby authorized to change the scope of the Pikeville Redevelopment Project Phase VI on behalf of the City of Pikeville, Kentucky.

Specifically, the City plans to omit Parcel #79, 241 Sycamore Street, from the scope of Pikeville Redevelopment Project Phase VI, and the City plans to add Parcel #24, 106 Saad Avenue, to the scope of Pikeville Redevelopment Project Phase VI.

SECTION TWO: This resolution shall be signed by the Mayor Pro-Tem, attested by the City Clerk, recorded and shall be in effect at the earliest time provided by law.

Commissioner Davis made the motion, seconded by Commissioner Layne to adopt the resolution as presented. The motion carried 4 - 0.

B. U.S. FILTER: Presented for approval of payment was an invoice from U.S. Filter in the amount of \$22,398.32 for overages in the previous fiscal year's repair and replacement budget. Commissioner Combs made the motion to approve payment of the invoice as presented. Commissioner Davis seconded the motion. The motion carried 4 - 0.

AGENDA ITEM V.

OLD BUSINESS

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

1. Utility Relocation Project: Mr. Sykes advised the engineers have met with the paving contractor regarding the continued concerns about the section of pavement at the corner of Division/Main Street in front of B B & T Bank. The contractor has agreed to mill out the paving and repave the section in Spring, 2003. The contractor is working on a plan to correct the Huffman Avenue/College Street intersection.

2. Utility Relocation Phase II: City Engineer Sykes presented drainage concepts to remedy the storm drainage problems on Main Street, from Huffman Avenue to Grace Avenue. There is \$175,000 in the Phase II contingency budget, however no paving and not all of the utility work has been completed. Mr. Sykes cautioned against using all the contingency funds until the Phase II is complete. Option A, estimated to cost \$70,042.50 picks up four drainage basins on the right side of Main Street (from Huffman Avenue), and ties into the drainage collection system to be constructed by the civic center. The concept was briefly discussed with civic center personnel and Mr. Sykes is confident a satisfactory agreement can be negotiated. Mr. Sykes gave his opinion that Option A is the easiest way to remedy the drainage problem. He advised there have never been any storm drains on Main Street in this vicinity. Option B takes the storm drains on the left side of Main Street and ties into the existing storm drains on Grace and Caroline Avenues. Two catch basins will be added on Caroline and will tie into storm drains located about halfway on Caroline Avenue. The drainage will extend down Grace Avenue and tie into Second Street. This option is estimated at \$40,969.00. Estimated cost of Option C is \$15,752.00. The concept is to tie two drains into the civic center collection system. The least expensive way to solve the drainage on Main Street down to Grace Avenue is to do both Options A and C. Option A takes everything back to the civic center and C ties in across Main Street. The negatives to this proposal is the time restraints (it will be about a year before the collection system for the civic center is installed) and pavement cuts will be required to cross Main Street. Option D proposes to take care of drainage only on Caroline Avenue at a cost of \$14,547.00. Commissioner Combs advised there is a drainage problem on Main Street in front of the Chrisman Insurance building. Mr. Sykes advised he was unaware of this drainage problem and advised he would visit the site. Mr. Sykes recommended the Commission proceed with Options A and D, allocating about \$70,000 to be spent at a later date, giving the City Engineer the authority to negotiate with the Civic Center Board, and to approve a change order to Mountain Enterprises' Phase II contract, in the amount of \$14,547.00, to proceed with Option D. Mr. Sykes advised Option C could be added at a later date. Commissioner Justice made the motion, seconded by Commissioner

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Layne to proceed with Options A and D as recommended by the City Engineer. The motion carried 4 - 0.

3. Utility Relocation Phase III: The City Engineer requested the Commission authorize the Main Street Board to advertise for services of an engineer for Phase III of the Utility Relocation Project. Commissioner Justice made the motion, seconded by Commissioner Combs to authorize the Main Street Board to advertise for engineering services for the Utility Relocation Project, Phase III. The motion carried 4 - 0.

4. Kentucky Avenue Phase IV: The first thirteen units of the townhouses located on Kentucky Avenue have been issued an occupancy permit, however the units are not occupied at this time.

4. Hambley Athletic Complex: On December 5th, four bids were received and opened for the installation of synthetic turf at Hambley Athletic Complex. The bids were as follows:

Commonwealth Building	\$ 918,000.00
Hollman Corporation	\$ 945,542.13
Specialty Surfaces	\$ 966,000.00
S.W. Recreational	\$1,041,000.00

Mr. Chrisman advised that three of the bids were submitted under the estimated budget of \$1,027,000 (includes engineering costs). Mr. Chrisman reported that he is in the process of evaluating the bids and the actual turf product to be used. He stated that he is not in a position to recommend the type of turf, however, recommends that Commonwealth Building, as low bidder, be awarded the contract. Discussed was the warranty for the turf. Mr. Chrisman explained that he had contacted suppliers and has determined the standard warranty for synthetic surfaces is 10 years on a non-pro-rated basis. Site preparation was discussed. Mr. White, with Commonwealth Building, advised that grading activities can't be performed on frozen ground or in mud. If there is a drainage fail, it will be detected at the time of installation and can be corrected at that time. There will be no drainage fail occurring 4 or 5 years after installation. With regard to financing the improvements, the City Manager advised that it will be less expensive to float one large revenue bond for the turf and the stadium, rather than two separate bonds. Mr. Chrisman advised the stadium plans are in the final design phase now and expects advertisement for bids before Christmas, with bids to be opened in mid-January. The bond company has prepared estimates for the turf only. The city can fund \$365,000 of the cost (\$240,000 from Coal Severance; \$90,000 from Bob Amos drainage; and \$35,000 from the Parks budget for bleachers). Borrowing \$750,000 for 10 years will generate a \$92,000/yr. payment. Borrowing \$755,000 for 15 years will generate a \$68,000 payment. Commissioner Davis made the motion to award the contract to Commonwealth Building in the amount of \$918,000. Commissioner Justice seconded the motion. The motion carried 4 - 0.

5. PRIDE Grant: The City has an opportunity to submit a 531 grant application through the PRIDE program. There is a 25% local or state funds match required should the city be awarded grant funds through this program. The City Engineer suggested to submit an application for a sewer extension to serve Indian Hills. The budget cost with the force main is \$829,987.18. The force main has been installed as a part of the Foxcroft Utility Relocation project by the State. The City participated in the cost of the project in the amount of \$29,720.00. In discussions with the Corp of Engineers (will be administering the project if awarded), Mr. Sykes explained they have indicated the city will not be able to use the funds used in the installation of the force main as part of the local match. If credit is given for the force main, the city's portion will be \$58,892.00. If no credit is given, the city's portion will be \$170,345.00. The City Engineer advised he would continue efforts to obtain the credit on the city's behalf. Commissioner Justice made the motion to authorize submission of the grant application and proceed with the project. Commissioner Combs seconded the motion. The motion carried 4 - 0.

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6. 1460 Storm Drainage Project: Mr. Sykes requested a work session to present the final plans for the 1460 Drainage Improvements Project. The Department of Transportation will be invited to attend the meeting to review the plans. Discussion was had concerning the regular scheduled meeting on December 23rd by the Commission. Since every effort is made to pay the vendors prior to the Christmas Holiday, Commissioner Combs made the motion to cancel the meeting on December 23rd and schedule a special meeting on December 19th, at 6:00 p.m. and to schedule the work session at 5:00 p.m. Commissioner Davis seconded the motion. The motion carried 4 - 0.

7. Parking Garage: Due to errors in the pay estimate submitted by the parking garage contractor, no request for payment was presented to the Commission. Architect Chris Chrisman reported the parking garage committee met and approved the colors for the pre-cast concrete (buff) and the outside brick (reddish-brown). The colors for the awnings, paint, and windows are still under consideration. Commissioner Layne made the motion to approve the brick and pre-cast concrete colors as recommended by the parking garage committee. Commissioner Combs seconded the motion. The motion carried 4 - 0.

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

1. Budget Amendment: First Reading was given to an ordinance amending the current fiscal year's operating budget. The Ordinance was read entitled:

ORDINANCE AMENDING THE FISCAL BUDGET FOR THE 2002-2003 FISCAL YEAR

The Ordinance will be on file in the office of the City Clerk for public inspection. Second reading was scheduled for December 19, 2002.

2. Pikeville High School Cross Country Team: Presented for adoption was the following resolution in recognition of the accomplishments of the Pikeville High School Cross Country Team:

RESOLUTION RECOGNIZING AND HONORING THE PIKEVILLE HIGH SCHOOL BOYS AND GIRLS CROSS COUNTRY TEAM AND THEIR COACH

WHEREAS, Pikeville High School Boys and Girls Cross Country Team did compete in the Class A State Cross Country Championship held at the Kentucky Horse Park in Lexington;

WHEREAS, Pikeville High School Seniors, Matt Sykes finishing third in the 3.1 mile race with a time of 16:20.85 and senior Adam Stanley finished fourth with the time of 16:26.22;

WHEREAS, Pikeville High School Panther Matt Rasnick, finished eighth; and Pikeville High School Panthers, Brad Ratliff, Abhi Shetty, Lance Huffman and Ben Dever, also helped the Panther Boys Cross Country Team to finish sixth in the Class A Championship.

WHEREAS, the Pikeville High School Panthers Girls Cross Country Team finished in eighteenth place in Class A with the assistance of excellent finishes by Andrienne Demarest, Brittany Tackett, Elizabeth Combs, Amanda Deskins, Rilda Cantrell, Amy DeLong and Menaka Nadar.

WHEREAS, Pikeville High School Panthers Cross Country Team Coach, Libbi White was named Class "A" "Coach of the Year" for her achievements as Coach of the Panthers.

WHEREAS, these outstanding Pikeville High School Athletes and their Coach have distinguished themselves through their excellent performance during the State Cross Country Championship and in doing so distinguishes their hometown, City of Pikeville.

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NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION FOR THE CITY OF PIKEVILLE that these Pikeville High School Athletes, Matt Sykes, Adam Stanley, Matt Rasnick, Brad Ratliff, Abhi Shetty, Lance Huffman, Ben Dever, Andrienne Demarest, Brittany Tackett, Elizabeth Combs, Amanda Deskins, Rilda Cantrell, Amy DeLong and Menbaka Nadar, and their Coach Libbi White, are hereby honored and recognized for their recent performance in the Kentucky State Cross Country Championship.

Commissioner Layne made the motion to adopt the resolution. Commissioner Combs seconded the motion. The motion carried 4 - 0.

3. Resolution honoring Leon Huffman: City Attorney Davis presented and gave reading to a resolution as follows:

CITY OF PIKEVILLE RESOLUTION HONORING ROBERT LEON HUFFMAN, SR.

WHEREAS, Robert Leon Huffman, Sr., a citizen and community leader of the City of Pikeville did pass away on December 2, 2002, the Commission for the City of Pikeville now desires to recognize and honor Robert Leon Huffman, Sr. for his lifetime achievements and service to his community, and

WHEREAS, Robert Leon Huffman, Sr. was born on December 5, 1921 in Pike County, Kentucky, the son of the late Ross and Liz Billiter Huffman, and after being employed with the Kentucky Power Company for 46 years, he retired as an administrative assistant;

WHEREAS, Robert Leon Huffman, Sr.'s most important civil contribution was his pivotal role in the 1980 formation of the Pike County Industrial Development and Economic Authority Board which helped recruit Kellogg's subsidiary, Mountain Top Baking to locate its factory within Pike County and the development of the Pike County Industrial Park where Sykes Enterprises is located and employs more than 900 local residents;

WHEREAS, Robert Leon Huffman, Sr. was the Chairman of the Pike County, City of Pikeville and Elkhorn City Planning Commission; former Board member of the Mountain Water District; member and Deacon of the Meta Baptist Church and member of the Thomas C. Cecil Lodge No. 3 F&AM;

WHEREAS, Robert Leon Huffman, Sr.'s dedication of his time and talents to serving his community and his exemplar community leadership is worthy of being recognized and honored by this Commission;

THEREFORE, BE IT RESOLVED by the Commission for the City of Pikeville that Robert Leon Huffman, Sr. is by this Commission and the City of Pikeville recognized and honored for exemplar service to his community and for his lifelong dedication of his services to his community.

IT IS FURTHER ORDERED BY THIS COMMISSION that this resolution is to be duly recorded within the records of the City of Pikeville and copy thereof delivered to Robert Leon Huffman, Sr.'s family in recognition of the honor that is being bestowed upon Robert Leon Huffman, Sr. this day.

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

C. CITY MANAGER'S REPORTS: Kenny Blackburn, City Manager, asked the Commission's consideration of the following matters:

1. Shuttle Service: During the work session with the downtown merchants, discussion was had with regard to offering shuttle service through the holiday season. The City Manager reported he had discussed the matter with Sandy Valley Transportation director, Greg Hamlin. Sandy Valley Transportation proposes to begin the service in the downtown area later this week and extend it

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through Christmas. Rides will be offered at \$1.00 per ride. A log will be kept by the driver and the city will be billed the charge. Commissioner Combs made the motion to accept the proposal by Sandy Valley Transportation. Commissioner Layne seconded the motion. The motion carried 3 - 1 (Commissioner Justice cast a nay vote).

2. KIA Bond Refinancing: City Manager Blackburn presented documents from Peck, Shaeffer and Williams, bond counsel for the Kentucky Infrastructure Authority. KIA has the opportunity to refinance \$13 million in bonds, a portion of which was extended to the City in 1993 for the South Mayo Trail Water extension. The interest rate will be reduced from 5.2% down to 4.1%. The city is expected to save about \$80,000 when the bond matures in 2013. A resolution was presented as follows:

RESOLUTION 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

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 improvements to the Governmental Agency's Water and Sewer 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 "1993E Bonds") and used a portion of the proceeds thereof to permanently finance the loan to the Governmental Agency evidenced by the Assistance Agreement dated as of February 1, 1993 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 1993E Bonds to finance such loan, and as a result thereof the Authority proposes to issue refunding bonds which will refinance such loan; and

WHEREAS, in connection with the refinancing of the loan 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 loan for the Project.

SECTION 2: That the 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 upon adoption as provided by law.

Commissioner Combs made the motion to adopt the resolution. Commissioner Justice seconded the motion. The motion carried 4 - 0.

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City Manager Blackburn requested an executive session for the purpose of discussing a personnel matter. Commissioner Combs made the motion, seconded by Commissioner Layne to adjourn to executive session for the purpose of discussing a personnel matter. The motion carried 4 - 0.

Commissioner Combs made the motion to reconvene to regular session. Commissioner Layne seconded the motion. The motion carried 4 - 0.

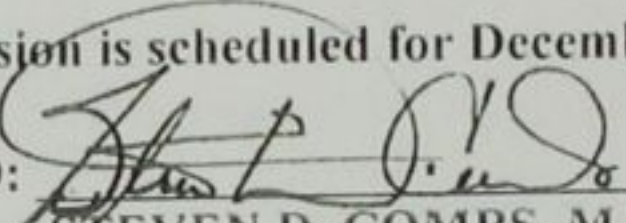
Commissioner Combs made the motion to authorize the City Attorney to prepare amended lease agreements for the tenants utilizing Hambley Athletic Complex. Commissioner Justice seconded the motion. The motion carried 4 - 0.

Commissioner Combs made the motion to grant a one-time wage increase to all city employees in the amount of \$250.00. Commissioner Justice seconded the motion. The motion carried 4 - 0.

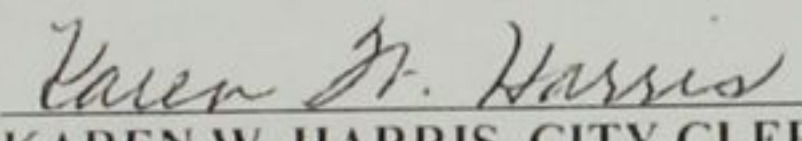
There being no further business to come before the Commission, Commissioner Combs made the motion, seconded by Commissioner Justice to adjourn the meeting. The motion carried 4 - 0.

The next meeting of the Pikeville City Commission is scheduled for December 19, 2002 at 6:00 p.m.

APPROVED:

 12/18/02
STEVEN D. COMBS, MAYOR PRO TEM

ATTEST:


KAREN W. HARRIS, CITY CLERK