

MINUTES } CITY OF PIKEVILLE

CITY OF PIKEVILLE BOARD OF COMMISSIONERS SPECIAL MEETING MINUTES FEBRUARY 5, 2003

The Board of Commissioners for the City of Pikeville conducted a Special Meeting on February 5, 2003. The meeting was held in the City Hall Public Meeting Room located at 118 College Street, Pikeville, Kentucky.

The meeting was called for the following purposes:

I. CALL TO ORDER

- II. A.** Consider a proposal from Martin Slone regarding acquisition of property for a Fraternal Order of Police Lodge Hall.

III. OLD BUSINESS

A. CITY ENGINEER'S REPORTS

1. Renaissance Project Update
2. Kentucky Avenue Project Update
3. Parking Structure Report & Pay Estimate
4. Sycamore Street Grading/Seeding/Retaining Wall
5. South Mayo Trail Drainage Project Report
6. Hambley Complex Improvement Project & Pay Estimate
7. Update of other engineering projects.

B. MAIN STREET PROGRAM

1. Consider authorizing the Main Street Program to submit a 319 Grant application (requires a 60:40 match) for the Pikeville Pond Sedimentation Project and a TE-21 grant (80:20 match) for the Pauley Bridge Repairs

C. CITY ATTORNEY'S REPORTS

1. Consider use agreements with Pikeville High School and Pikeville College for the Hambley Athletic Complex and take any necessary action.

D. CITY MANAGER'S REPORTS

1. Consider discussion concerning the river bank clean-up
2. Consider cancellation of February 10, 2003 regular meeting.
3. Consider participation in Pike County Central's "Jobs for America's Graduate" program
4. Consider executive session to discuss a personnel matter.

IV. ADJOURNMENT

There being a quorum present, Mayor Franklin D. Justice, II, called the meeting to order at 5:00 p.m. Commission members present at roll call were as follows:

MAYOR:
COMMISSIONER:

FRANKLIN D. JUSTICE, II, D.V.M.
DALLAS LAYNE
EUGENE DAVIS
STEVEN D. COMBS
SHAWN AMOS

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AGENDA ITEM II.

FRATERNAL ORDER OF POLICE

Lt. Martin Slone (Kentucky Vehicle Enforcement) and Walter "Doc" Fletcher (FOP member) appeared before the Commission to request a gift of city property which would allow the Fraternal Order of Police to construct a meeting lodge facility. Currently the 75 members representing various law enforcement agencies in Pike County, meet at the Pike County Detention Center. Lt. Slone advised the group is interested in obtaining the city owned property located at the end of Third Street, and proposed the city make a deed of gift. Mayor Justice explained that he is opposed to giving the property to the FOP, but would be willing to negotiate a fair purchase price. The City Manager reported that he had given Lt. Slone a map of city-owned properties. It is estimated that 1/3 acre of property is needed to construct a 30 X 50 building and to provide 40 on-site parking spaces. Lt. Slone advised the addition of a FOP facility in Pikeville could provide tourist activity should Pikeville be selected to host the FOP annual convention, a 3 to 4 day event. The Commission advised they will review the available properties and invited Lt. Slone and Mr. Fletcher to return to discuss the matter at the February 24th City Commission Meeting.

AGENDA ITEM III.

OLD BUSINESS

A. CITY ENGINEER'S REPORTS: Jack Sykes, Charles Byers, and Chris Chrisman were present on behalf of Summit Engineering, Inc., City Engineers, to present verbal status reports for the following projects:

1. Utility Relocation Project - Phase II: Mr. Byers advised that Mountain Enterprises has four crews working at this time. The crews are installing conduit and pouring concrete. Mr. Byers reported the contractor should have all the conduit installed by the end of February. The project will be ready for paving in March. Dust control and street closings have been discussed with the contractor. Mountain Enterprises is making a concentrated effort to remedy these situations. The Main Street Program is providing advertising and notifications to businesses regarding street closings.

A planning meeting for Phase III is scheduled for February 7th at 10 a.m. at the Summit Engineering offices with the engineers, utility companies and the Main Street Board. The Commission was invited to attend.

Mr. Byers reported the engineers will be conducting a smoke test to determine which buildings' storm drainage is diverted into the sanitary sewer system. The Commission advised the storm drainage needs to be removed from the sanitary sewer prior to paving. Discussion was had as to who would be responsible for paying for removal of the storm drainage from the sanitary sewer system. Mayor Justice and Commissioner Combs reported that precedent had been established whereby the city would extend the service to the property line, then the property owner would be responsible for connecting to the service. City Engineer Sykes requested opportunity to prepare cost estimates and review the budget. Commissioner Combs made the motion to adopt an ordinance requiring all owners of downtown buildings, impacted by the Renaissance Project, to remove the storm sewer from the sanitary sewer system. Commissioner Davis seconded the motion. The motion carried unanimously.

The city engineer met with the Civic Center Board and their contractor regarding the city's request to tie-in the Main Street drainage into the civic center's system. The Civic Center Board has requested the city approve a change order to Mountain Enterprises' contract for the work rather than the Civic Center Board executing a change order, due to the time and paperwork involved. The Civic Center Board acquired the building now occupied by Robinette-May Associates' law offices. There is \$17,000 remaining in the Civic Center budget, from a Renaissance Direct Appropriation Grant, to tear down the building. There is a time limit for expending the money. The building will not be vacated within the time limit. It is proposed that the Civic Center Board transfer the \$17,000

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to the City to be used for the Main Street Drainage in Phase II of the Utility Relocation Project, contingent upon the City agreeing to tear down the Robinette-May building when vacated. The Commission directed the Main Street Board to take the necessary action to have the money diverted to the Renaissance Program.

2. Sycamore Street Grading & Retaining Wall: The contractor, Patriot Construction, Summit Engineering, and the Mayor have met on site to coordinate the grading activities. The retaining wall, which was a part of the foundations of the buildings removed from Sycamore Street, is in bad condition. The wall is about 6 feet tall and is located at the top of the slope. There is one area where the foundation is eroded approximately 5 feet under the roadway. The roadway is cracking. Presented was an estimate from Hayes, Inc. to construct a crib wall out of railroad steel, install guardrail around it, and backfill with stone for the cost of \$34,225.00. Mr. Byers advised that a concrete wall would be more aesthetically pleasing. Patriot Construction has indicated they can construct a concrete wall for less than the Hayes, Inc. quote. Mr. Byers advised the situation is critical and needs immediate attention. Commissioner Combs made the motion to authorize the City Manager to make the decision as to what type of wall to install, based upon the advise and recommendation of the city engineer. Commissioner Layne seconded the motion. The motion carried unanimously.

3. Hambley Complex Improvements: Mr. Byers reported the progress of the work has been impeded by the weather. The contractor, Commonwealth Building & Construction, has dug the trench for the perimeter drains, but the drains have not been installed. Presented was an invoice on behalf of Commonwealth Building & Construction for approval of payment in the amount of \$77,850.00. The invoice covers mostly stored materials and start-up costs. The Commission discussed the fact that the contractor had not paid the 1/4 of 1% contractor's fee that is due prior to beginning construction. Commissioner Combs made the motion to authorize the City Manager to pay the invoice at the time the contractor comes into compliance with the city ordinances. Commissioner Layne seconded the motion. The motion carried unanimously. The City Manager was directed to determine if the civic center contractors are in compliance with city ordinances.

4. Parking Structure: Architect, Chris Chrisman, reported a progress meeting was held this date. The project is approximately 35% complete. Elliott Contracting is prepared to pour the majority of the concrete ground floor slab as soon as weather permits. Presented for approval of payment was an invoice on behalf of Elliott Contracting in the amount of \$365,211. The architect recommended approval of the invoice. He added that he has sent the invoice to Sandy Valley Transportation for processing. Commissioner Combs made the motion to authorize payment to Elliott Contracting as requested. Commissioner Layne seconded the motion. The motion carried unanimously.

Mr. Chrisman asked that a color scheme be selected for the parking garage awnings and trim. After discussing the matter with a couple of designers, Mr. Chrisman advised that no clear cut opinion had been made between green or tan. Commissioner Layne served as a member of the parking garage committee. He reported that the committee had been unable to reach a consensus, as some of the members liked green and others liked tan. Commissioner Layne advised his preference was green. Mayor Justice made the motion to select green as the color scheme for the parking garage. Commissioner Combs seconded the motion. The motion carried unanimously. City Engineer Sykes reported he is optimistic funding for the two pedestrian walkways will be included in the federal budget. Mr. Chrisman advised that the sidewalk width has been increased to 5 ft.

5. Kentucky Avenue - Phase IV: Mountain Enterprises is completing the utility installation. About 1/3rd of the retaining wall has been completed. Piles and lagging are being installed behind the last four units of housing. Mr. Sykes advised that Goggans Contracting is well behind schedule. The contractor estimates completion of the first 40 units of housing by March 20th. A meeting has been scheduled for February 25th at 11 a.m. at City Hall with the contractor, funding agencies, engineers, and the city to discuss the project as well as coordinate the construction schedule for the

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last phase of the townhouse project. The architect advised that conduit is in place for the underground streetlighting. The City Manager reported that American Electric Power will provide decorative poles, similar to those installed at Cedar Hills, for the Kentucky Avenue Housing project.

6. South Mayo Trail Drainage Improvement Project. A bid summary was presented to the Commission for review. The engineer's estimate for the project was \$509,758. The low bid was submitted by Mountain Enterprises in the amount of \$601,378. The Transportation Cabinet approved funding through the bidding process (\$41,500). \$742,500 is needed to complete the project. A request for approval of funding has been submitted to the Transportation Cabinet. Mr. Sykes is optimistic the funding will be approved. Mr. Sykes requested approval to award the bid to the low bidder subject to funding being approved by the Transportation Cabinet. Commissioner Layne made the motion to authorize award of the bid contingent upon receipt of funding. Commissioner Combs seconded the motion. The motion carried unanimously. Mr. Sykes reported that acquisition of seven easements is necessary for the project. Mr. Sykes advised that it may become necessary to file condemnation to acquire one or more of the easements. Commissioner Combs made the motion, seconded by Commissioner Layne to authorize the City Attorney to file condemnation proceedings against any property owner in the area with whom the city is unable to negotiate an easement agreement. The motion carried 4 - 0 - 1 with Mayor Justice abstaining from the vote.

Sandy Runyon and Melanie Stevens were present from Big Sandy Area Development District. Ms. Runyon announced the Department of Local Government is scheduled to review the city's CDBG application for Phase VI of the Redevelopment Project on February 18th.

B. MAIN STREET PROGRAM REPORTS: Vice-Chair of the Pikeville Main Street Board, Sarah George, appeared before the Commission to request permission to submit two funding applications as follows:

1. Pauley Bridge Repairs: Transportation Enhancement (TE) funding application in the amount of \$134,118 is proposed for improvements to the Pauley Bridge. Once repairs are completed, the bridge will be reopened to pedestrian and bicycle traffic. Provisions of the grant require matching funds on an 80:20 basis. The city will be obligated to provide \$26,824. Commissioner Combs made the motion, seconded by Commissioner Davis to authorize the submission of the TE grant application and to obligate the city to provide matching funds if the grant is approved. The motion carried unanimously.

2. Sedimentation System: Ms. George advised that she does not have the 319 grant application completed. The grant funds are to be used for the installation of a sedimentation system for Pikeville Pond. She estimated the system and ground coverings would not exceed \$600,000. The city will be required to match the grant on a 60:40 basis or up to \$240,000. The match can be a combination of in-kind services and cash. Commissioner Combs made the motion to authorize submission of the 319 grant application and to obligate the city to provide the required matching funds not to exceed \$240,000 if the grant is awarded. Commissioner Davis seconded the motion. The motion carried unanimously.

C. CITY ATTORNEY'S REPORTS: Russell H. Davis, Jr., City Attorney, advised he has been working with the city's bond attorney concerning the funding for improvements to Hambley Complex. The City Commission, Pikeville College Officials, and Pikeville Independent School Officials have discussed entering into agreements to impose a users fee on each of the educational institutions for use of Hambley Complex. The bond attorney advised the type of bond proposed for the project can't be used for the benefit of private enterprise. The bond attorney further opined there is no problem entering into a long-term use agreement with the Independent School District because the entity is considered a governmental agency, however, he said the city could enter into an agreement with Pikeville College only on a year-to-year basis. Mayor Justice made the motion to authorize the City Attorney to send a user agreement to Pikeville Independent School District that would extend the term of the agreement through the term of the bond at a fee of \$32,000/yr. plus the

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annual lockerroom payment. Commissioner Layne seconded the motion. The motion carried 4 - 0 - 1 with Commissioner Combs abstaining from the vote.

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

1. Meeting Cancellation: Commissioner Layne made the motion, seconded by Commissioner Combs to cancel the February 10, 2003 regular City Commission Meeting. The motion carried unanimously.

2. Jobs for America's Graduates: Pike County Central High School is participating in a program, "Jobs for America's Graduates (JAG)", and have requested permission to allow two of their Seniors to spend a day at the Fire Department, observing and interviewing the fire fighters. The City Manager advised the students are covered under the school's liability insurance plan. The students will not be permitted to accompany staff to fire or ambulance calls. Mayor Justice made the motion to permit participation in the school program. Commissioner Amos seconded the motion. The motion carried unanimously.

Mayor Justice asked U.S. Filter Assistant Manager, A.T. Hall, to try to arrange a demonstration of a hydrostatic transmission mower prior to the Commission's next meeting.

Commissioner Combs made the motion to adjourn to executive session for the purpose of discussing a personnel matter. Commissioner Layne seconded the motion. The motion carried unanimously.

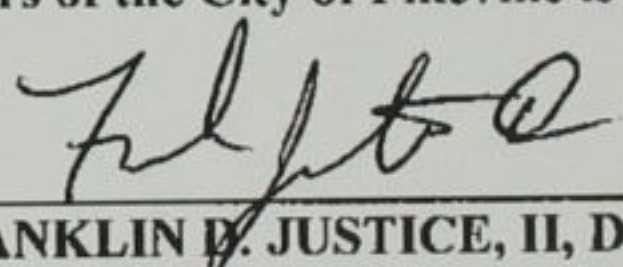
Commissioner Combs made the motion, seconded by Commissioner Layne to reconvene to regular session. The motion carried unanimously.

It was announced no action necessary as a result of the executive session.

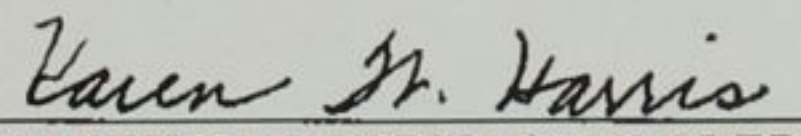
There being no further business to come before the Commission, Mayor Justice made the motion, seconded by Commissioner Amos to adjourn the meeting. The motion carried unanimously.

The next regular meeting of the Board of Commissioners of the City of Pikeville is scheduled for February 24, 2003 at 6:00 p.m.

APPROVED: _____


FRANKLIN D. JUSTICE, II, DVM, MAYOR

ATTEST:


KAREN W. HARRIS, CITY CLERK

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CITY OF PIKEVILLE BOARD OF COMMISSIONERS REGULAR MEETING MINUTES FEBRUARY 24, 2003

The Board of Commissioners for the City of Pikeville met in regular session on Monday, February 24, 2003. The meeting was held in the City Hall Public Meeting Room located at 118 College Street, Pikeville, Kentucky.

There being a quorum present, Mayor Franklin D. Justice, II, called the meeting to order at 6:00 p.m. Commission Members present at roll call were as follows:

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| COMMISSIONER: | DALLAS LAYNE EUGENE W. DAVIS STEVEN D. COMBS SHAWN AMOS |
| MAYOR: | FRANKLIN D. JUSTICE, II |

AGENDA ITEM II. MINUTES

The minutes for the previous special meeting held on February 5, 2003, were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Layne made the motion, seconded by Commissioner Amos to approve the minutes as prepared. The motion carried unanimously.

AGENDA ITEM III. BUSINESS FROM THE FLOOR

A. **HILLBILLY DAYS:** Kitty White, Executive Director for the Pike County Chamber of Commerce, appeared before the Commission to request permission to close the central business district to traffic during Hillbilly Days. During a previous meeting, the Commission granted permission to the Chamber of Commerce to close Hambley Boulevard from Elm Street to Division Street, leaving Pike Avenue, Second Street and College Street open to traffic. After a meeting with the Hillbilly Days Committee, Ms. White advised that the committee recommended closing the aforementioned streets to provide additional safety. The Chamber of Commerce has made arrangements to borrow the City of Hazard's trolleys. The public will be invited to park in areas outside of the downtown area and encouraged to use public transportation provided during the festival. Ms. White reported the committee has changed the layout of vending space on Hambley Boulevard. Vendors will be located in the parking lanes on both sides of Hambley Boulevard, from Huffman Avenue down to the entrance of Thacker Funeral Home. There will be no vending space in the middle of the street as originally planned. The Fire Chief expressed his concern that large trucks may not be able to negotiate the turn at Elm Street nor be able to travel along Sycamore or High Streets. He suggested revisiting this issue with the committee. Mayor Justice asked if the downtown merchants had any opposition to closing the downtown area to traffic. Ms. White advised that most of the downtown merchants close their businesses during the festival. The Mayor asked Ms. White to talk with the merchants about the matter. Commissioner Davis made the motion, seconded by Commissioner Layne to approve the traffic plan subject to the approval of the Fire and Police Chief and U.S. Filter. The motion carried unanimously.

B. **DANCO TRUCKING:** Since July, 2002, the city's trash has been hauled to and disposed at the Green Valley Landfill. Danco Trucking is an independent hauler under contract with Green Valley Environmental. Danny Music, owner of Danco Trucking, was present and requested the City Commission authorize a surcharge for fuel. Mr. Music explained the cost for fuel has increased from \$1.15/gal to \$1.67/gal. He reported that he had spoken with representatives of Green Valley Environmental concerning a fuel adjustment. Mr. Music advised that Green Valley told him they give the city a discounted rate and are paying an additional tax levy, therefore, they couldn't afford

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to give any adjustment for fuel. City Attorney Davis advised the city has a binding contract with Green Valley Environmental. He explained that it is difficult to renegotiate a fee unless there is an increase in the workload. Mr. Music told the Commission that Green Valley had indicated there would be about 12,000 tons of garbage per year. U.S. Filter Manager A.T. Hall says the figures will be more like 8,500 to 9,000 tons per year. Mr. Hall explained the garbage is available to haul, however the landfill closes at 3 p.m. For this reason, Mr. Music makes only two trips to the landfill per day. The Commission advised Mr. Music to address the issue again with Green Valley Environmental.

C. RANDOLPH MCCOY STATUE: Pikeville/Pike County Tourism Director Phyllis Hunt appeared before the Commission to request permission to erect a statue in the downtown City Park in honor of Randolph McCoy. Ms. Hunt explained the City Park will be the starting point of a historic tour dedicated to the infamous Hatfield/McCoy Feud. Money is available through an Eastern Kentucky Tourism grant and McCoy 2000 to commission the statue. The bronze statue will be life-size and will stand upon a granite platform. The artist suggests construction of a walkway to encompass the statue. Commissioner Davis expressed his opinion that a statue honoring Dr. William C. Hambley, who served as Mayor for 29 years, should have precedence of a location in the city park. Mayor Justice suggested placement of the McCoy statue in the Dils Cemetery. Ms. Hunt advised the city's lease with the Dils Heirs expires in about 4 years. The Tourism Commission does not want to invest money in a tourist attraction and not be able to have access to it. Big Sandy Area Development District Executive Director, Sandy Runyon, advised that a Small Business Administration grant totaling \$492,000 has been awarded for development of the Hatfield/McCoy Feud site. BSADD is currently developing a Tourism Plan for Pikeville and Pike County. Ms. Runyon advised the Hatfield/McCoy Feud is a focal point of the Tourism Plan and opined the placement of the McCoy statue in the park would serve as an enhancement for the entire project. Mayor Justice asked Ms. Runyon to see if a portion of the SBA grant could be used to clean the hillside at the Dils Cemetery. With regard to the lease with the Dils Heirs, Ms. Hunt reported that Nancy Forsyth is attempting to negotiate an agreement to continue the city's lease. The Commission delayed action regarding the placement of the Randolph McCoy statue pending a visit to the city park and review of the Dils Cemetery lease agreement.

D. SOCIAL SECURITY OFFICE: Pat Breeding of J.A. Street & Associates, general contractor for the construction of the new Social Security Administration Office, located at Hambley Boulevard & Lorraine Street, addressed the Commission relative to sidewalk repairs and curb cuts. Mr. Breeding explained the access from Hambley Boulevard is situated at the entrance to the building. The contractor is requesting this access be deleted and made into a green space, from the sidewalk to the building. The site plan has the parking lot being accessed from St. Clair Street and from Lorraine Street. Currently, there is no access from Lorraine Street. The Commission advised an encroachment permit will be needed from the State Highway Department before a curb cut can be constructed off Lorraine Street. Mr. Breeding advised the sidewalk along the southwest corner encroaches slightly on the parking lot. Mr. Breeding asked the Commission to consider the repair/replacement of several sections of sidewalk, in addition to the sidewalk that is encroaching on the parking lot, that are uneven or cracked. Commissioner Combs concurred that portions of the sidewalk were in need of repair/replacement prior to J.A. Street coming onto the site. The Commission directed the City Manager and U.S. Filter Manager, A.T. Hall, meet with Mr. Breeding to determine which portions of the sidewalk should be repaired/replaced. The Commission agreed to the deletion of the curb cut along Hambley Boulevard. The deletion will be made at the same time as the parking lot is paved - in April or May. The Commission asked for a report at the next meeting with regard to the request for sidewalk repair/replacement.

City Attorney presented and gave reading to two resolutions as follows:

RESOLUTION RECOGNIZING AND HONORING DONNIE "KEITH" STARNES FOR HIS ACADEMIC ACHIEVEMENTS

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WHEREAS, Pikeville High School Senior Donnie "Keith" Starnes did recently score a 36, a perfect score, on the American College Test (ACT);

WHEREAS, Donnie "Keith" Starnes was one of two Kentucky students and 58 students in the nation to receive the top composite score of 36;

WHEREAS, Donnie "Keith" Starnes is an excellent student and a member of the Student Council, National Honor Society and Academic Team at Pikeville High School;

WHEREAS, the Pikeville High School Academic Team including team member Donnie "Keith" Starnes did on January 11, 2003 place first in the State All "A" Classic Academic Tournament for the second year in a row.

WHEREAS, Donnie "Keith" Starnes has distinguished himself through his academic achievements and in doing distinguishes his hometown, City of Pikeville.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION FOR THE CITY OF PIKEVILLE that Donnie "Keith" Starnes is hereby honored and recognized for the outstanding accomplishment of obtaining a perfect score on the American College Test.

Commissioner Layne made the motion, seconded by Commissioner Combs to adopt the resolution as presented. The motion carried unanimously.

RESOLUTION RECOGNIZING AND HONORING THE PIKEVILLE HIGH SCHOOL ACADEMIC TEAM AND THEIR COACHES

WHEREAS, the Pikeville High School Academic Team did on January 11, 2003 participate in the State all "A" Classic Academic Tournament;

WHEREAS, the Pikeville High School Academic Team did for the second year in a row place first in the State all "A" Classic Academic Tournament.

WHEREAS, the Pikeville High School Academic Team has accumulated four regional championships, one quarter finalist placing, one state runner up and two state championships in the last four years.

WHEREAS, participating team members were Ryan Altman, Kiram Bhatraju, Eric Blair, Lance Huffman, Faraz Jeelani, Mat Rasnick, Keith Starnes and Saul Wright.

WHEREAS, the Pikeville High School Academic Team is coached by Mr. Johnny Belcher, Mr. Billy Newsome and Mrs. Laura Cooley.

WHEREAS, these outstanding scholars and their coaches have distinguished themselves through their excellent academic performance during the State all "A" Classic Academic Tournament and in doing so distinguishes their hometown, City of Pikeville.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION FOR THE CITY OF PIKEVILLE that Ryan Altman, Kiram Bhatraju, Eric Blair, Lance Huffman, Faraz Jeelani, Mat Rasnick, Keith Starnes and Saul Wright and their coaches, Mr. Johnny Belcher, Mr. Billy Newsome and Mrs. Laura Cooley, are hereby honored and recognized for their first place finish in the State all "A" Classic Academic Tournament.

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

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Mayor Justice thanked the Academic Team and their Coaches for representing Pikeville well.

E. PIKEVILLE/PIKE COUNTY AIRPORT: Board Chairman, Michael de Bourbon, delivered a verbal annual report for the Pikeville/Pike County Airport. The airport is managed by a six member board. Three individuals represent Pike County - Rex Fought, Greg Johnson and Tommy Bevins and three individuals represent the City of Pikeville - Terry Kinzer, Frank Hatcher, and Michael de Bourbon. The Airport Board meets the third Thursday of each month. The Airport Board employs four individuals. One employee is funded by the city, two employees are funded by the county, and 1 employee is funded by the airport. The Airport Board is currently monitoring the development of the following projects:

- onsite aviation mechanic
- back-up communications system and remote communications outlet. The system is estimated to cost over \$300,000. The Federal Government is paying the entire cost.
- monitoring the maintenance of instrument landing system. A \$60,000 annual cost funded by the Federal Government.
- reopening of the north/south runway
- monitoring the beginning construction of the second phase of the new roadway. Project is scheduled to commence in November, 2003.
- resurfacing of the east/west runway. The Federal Government is expending \$1.8 million for this project.
- monitoring a tenant of the airport that proposes the construction of a 100' X 100' hangar. This improvement is expected to cost \$300,000+
- planning for the second annual aviation camp. 35 children attend a 2 week seminar.
- investigating the possible construction of the Hambley/Island Creek Airport. Mr. de Bourbon reports there is litigation involving this proposed project and will advise the city attorney of the details.
- a funding application has been submitted to the Federal Government for fencing around the airport. Cost of the project is \$1.3 million. However, resurfacing of the east/west runway will be accomplished prior to installation of the fencing.

Mr. de Bourbon estimated the airport sees an average of 250 landings per month. He reported the overall state of the airport is good.

F. DRUG REHABILITATION PROGRAM: Local attorney and substance abuse counselor, Eugene Sisco, appeared before the Commission to request use of the Perry Cline Emergency Shelter as a substance abuse treatment facility for women known as ISIS House. The shelter is currently being operated by the city as a homeless shelter. The shelter has about a 33 person capacity. According to the shelter staff, the women's dormitory averages 50% capacity. Mr. Sisco proposes to operate an in-patient treatment facility for 8 to 12 women. The homeless clients can access any of the programs offered by ISIS House. There will be no cost to these clients and no additional cost to the City. The treatment program is a faith-based counseling service and utilizes the 12 step approach. Mr. Sisco proposes to retain the current staff and to employ 1 additional full-time and 1 additional part-time employee. The staff will be certified in crisis management and first aid. He envisions the homeless shelter and treatment center to be operated under the same management. Suggested changes to be implemented include making the facility a smoke-free building; random drug testing for all clients; scheduled meal times; designated chores and community service. The downside to the proposal is the number of homeless served will have to be decreased. Mr. Sisco requested permission to see if he can get the facility licensed. He advised he would like to be serving clients by July 1st. Mr. Sisco has a 4 year plan to reduce the city's contribution to the shelter's operation. Funding will be derived from state and federal grants as well as private donations. Commissioner Combs made the motion to allow Mr. Sisco to pursue licensing at his cost with the understanding that granting permission to pursue licensing shall not be construed as a binding agreement. Commissioner Layne seconded the motion. The motion carried unanimously.

G. DRUG AND ALCOHOL ABUSE COORDINATOR: Sharing Mr. Sisco's concern about substance abuse in Eastern Kentucky, Ken Trivette and Bill Baird appeared before the Commission

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to request support of a concept to hire a drug and alcohol abuse coordinator. Mr. Trivette commented there are very few families that have not been affected by substance abuse. Referring to articles in the *Lexington-Herald* and the *News-Express*, prescription medication is widely abused, with oxycontin being the drug of choice. Additionally, a poisonous and extremely addictive drug, methylanphedimene, is being manufactured in basements and trunks of cars and is readily available. One solution to battle the problem is to hire a coordinator to work with all local programs in education, prevention, enforcement and treatment of the drug problem. Mr. Trivette advised that the entire community needs to support an education, prevention and treatment program. Grant writer, Will Linder, advised there is a program known as "Drug Free Community Program" that is funded through Kentucky River Foothills. Funds may be available through this program to fund the employment of a coordinator. Mr. Baird advised there may be donations available within the community to fund the salary of a coordinator. Mr. Trivette pointed out the first step should be the forming of an advisory/search committee. Mr. Baird volunteered Mr. Trivette to spearhead the project. Commissioner Combs made the motion to adopt a resolution in support of the concept and authorized the City Manager to assist in the appointment of a committee and planning of a public meeting to be held at city hall, inviting concerned citizens and appropriate agencies including, but not limited to Mountain Comprehensive Care, Pike County Health Department, Pikeville Methodist Hospital, educational institutions, law enforcement personnel, etc). Mayor Justice seconded the motion. The motion carried unanimously.

H. HOMELESS SHELTER: With regard to Mr. Sisco's proposal, Bill Baird advised that he supports the proposal. During the previous year 52 families and 92 children were served at the Perry Cline Emergency Shelter. Mr. Baird concurred there is room for improvement and opined that enforcement of the current set of rules and regulations would improve the facility.

I. SANDY VALLEY TRANSPORTATION: Director of Sandy Valley Transportation, Greg Hamlin, was not present to deliver a report concerning the shuttle service.

J. FRATERNAL ORDER OF POLICE LODGE: During a previous meeting, Lt. Martin Slone, on behalf of the local Fraternal Order of Police (FOP), appeared before the Commission to request a gift of property on which a FOP lodge building could be constructed. The Commission asked for the opportunity to review the sites prior to making a decision. Commissioner Combs asked what type of facilities would be needed in the lodge. Lt. Slone said they would require a meeting space, a small office space, restrooms, and a kitchen, plus parking for about thirty vehicles. Commissioner Combs offered the Fire Department Training facility as a possible location for the FOP meetings. Lt. Slone advised the FOP used to meet at the training facility, however the meetings moved to the detention center when someone had expressed displeasure with the FOP utilizing the training center. The fire chief explained that he had problems with all sorts of groups wanting to use the facility. At times the use by other groups interfered with training schedules. The fire chief advised he had no other choice but to limit use of the facility to public education and police and fire training operations. Mayor Justice offered the City Hall Meeting Room as a potential meeting space. Lt. Slone advised the group does not want to continue utilizing other agencies' meeting spaces. Commissioner Amos pointed out that the city does not have very many properties remaining under its ownership. He further stated that he has a great respect for the FOP, however, if the FOP could be more flexible they could conduct meetings in city facilities. Mayor Justice suggested that the city may consider selling another piece of property to the FOP if the county and other cities within the county agree to provide in-kind donations in support of the FOP. Mr. Slone thanked the Commission for their consideration of the request.

At 8:35 p.m., Mayor Justice made the motion to adjourn for a 10 minute recess. Commissioner Amos seconded the motion. The motion carried unanimously.

At 8:50 p.m., Mayor Justice made the motion to reconvene the meeting. Commissioner Layne seconded the motion. The motion carried unanimously.

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AGENDA ITEM IV.

PAYMENT OF BILLS

A. CITY BILLS: A list of City Bills totaling \$379,303.57 was presented to the Commission for approval of payment. Commissioner Combs made the motion to authorize payment of the city bills as requested. Commissioner Davis seconded the motion. The motion carried unanimously.

B. PIKEVILLE REDEVELOPMENT PROJECT: Will Linder of Will Linder & Associates and Melanie Stevens, representing Big Sandy Area Development District, were present to address the following items:

1. **Frank Nall:** Mr. Linder presented two invoices on behalf of attorney, Frank Nall, totaling \$200.00 for title opinions for the last two buildings in the Phase V target area (owned by Allen Keathley and Landmark Development). Mr. Linder recommended approval of payment as presented. Commissioner Combs made the motion, seconded by Commissioner Layne to approve payment to Frank Nall in the amount of \$200.00. The motion carried unanimously.

2. **Summit Engineering:** Presented for approval of payment was an invoice on behalf of Summit Engineering, Inc. in the amount of \$321.86 for engineering services in conjunction with the Kentucky Avenue/High Street Demolition Project. Mr. Linder recommended approval of the invoice as presented. Commissioner Layne made the motion to authorize payment to Summit Engineering, Inc in the amount of \$321.86 as recommended by Mr. Linder. Mayor Justice seconded the motion. The motion carried unanimously.

3. **Patriot Construction:** Mr. Linder requested and recommended approval of payment of an invoice totaling \$18,063.43 from Patriot Construction for work completed on the Kentucky Avenue/High Street Demolition Project. Commissioner Combs made the motion, seconded by Commissioner Davis to approve payment of \$18,063.43 to Patriot Construction as recommended by Mr. Linder. The motion carried unanimously.

Mr. Linder advised the Commission an amendment to Patriot Construction's contract for demolition is necessary to provide for the drainage from Sycamore Street to be tied into the Hambley Boulevard storm sewer line. The additional work will increase the contract by \$11,500. A resolution amending the Patriot Construction contract was presented as follows:

ORDER AMENDMENT #3 TO AGREEMENT FOR DEMOLITION SERVICES PIKEVILLE, KENTUCKY

This amendment #3 is an attachment to the agreement entered into on the 26th day of August, 2002, and per amendment #1 and #2, between the City of Pikeville and Patriot Construction for demolition services and the retaining wall for the Pikeville Redevelopment Project.

WHEREAS, the agreement entered into on the 26th day of August, 2002, specified a maximum contract amount of \$134,000; and,

WHEREAS, amendment #1 specified demolition services for an additional 11 structures in Phase V and an additional building on Kentucky Avenue for the roadway and utility project with an increase in costs of \$73,229; and,

WHEREAS, amendment #2, specified the construction of a retaining wall on Sycamore Street with an increase in costs of \$56,556; and,

WHEREAS, the City of Pikeville requires an amendment #3 to include the physical connection of Sycamore Avenue storm drainage to Hambley Avenue storm drainage;

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NOW THEREFORE, the City of Pikeville and Patriot Construction amend the original agreement and amendments #1 and #2 as follows:

1. The City of Pikeville will amend the contract for demolition services to include the connection of Sycamore Avenue storm drainage to the existing storm drainage on Hambley Avenue.
2. The cost for this storm drainage connection shall be \$11,500.00.
3. The maximum contract amount shall be increased by \$11,500, with a maximum contract amount not to exceed \$275,285.00.
4. The time of performance will not be changed.
5. The contractor will follow the scope of work as outlined in the original contract document particularly pertaining to finishing the site.
6. The City of Pikeville retains the right to assess liquidated damages as outlined in the original contract document, if necessary.

IN WITNESS WHEREOF, the City of Pikeville and Patriot Construction have executed this Amendment to the original August 26, 2002, Agreement and Amendment #1 and Amendment #2. This Amendment #3 as approved the date signed below, is effective as of the date of the original agreement.

Commissioner Layne made the motion to adopt the amendment to the Patriot Construction contract as presented. Commissioner Combs seconded the motion. The motion carried unanimously.

4. Just Compensation: Mr. Linder presented the following resolution establishing just compensation for the acquisition of two properties within the Phase V redevelopment area. The resolution was presented as follows:

RESOLUTION OF THE PIKEVILLE CITY COMMISSION APPROVING THE DETERMINATION OF JUST COMPENSATION FOR ACQUISITION OF PROPERTY IN THE PIKEVILLE REDEVELOPMENT PHASE V – HIGH STREET TARGET AREA OF PIKEVILLE, KY

WHEREAS, the Kentucky Department for Local Government, has approved Kentucky Community Development Block Grant Program funds for acquisition of properties in the Pikeville Redevelopment Phase V – High Street Target Area; and,

WHEREAS, in accordance with the Uniform Acquisition and Relocation Policies Act of 1974 (the Uniform Act), the City of Pikeville (hereinafter referred to as "City") has obtained an appraisal of properties to be acquired through the CDBG program; and,

WHEREAS, based upon the appraisals prepared by a competent appraiser it is necessary that the City determine the just compensation to be offered to each property owner;

NOW, THEREFORE, BE IT ORDERED, by the City that:

1. The Determination of Just Compensation for the properties to be acquired in the CDBG – Phase V Target Area are hereby approved in the following amounts (pending concurrence from the review appraiser):

| <u>Building</u> | <u>Address</u> | <u>Amount</u> |
|-----------------|-----------------|---------------|
| #22 | 197 High Street | \$83,500 |

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#23 199 High Street \$43,500

2. The City Manager is directed to make a revised Offer for Purchase on this property in the Pikeville Redevelopment Project – Phase V – High Street target area in the amount of the "Determination of Just Compensation" listed above, and to accept and sign all related acquisition documents relating to these offers on behalf of the City in order to eliminate slum and blight and provide for the assemblage of land.
3. The City Commission authorizes purchasing this parcel at the city's risk.
4. Once funding is release from the Department for Local Government for Phase V – High Street Project, the drawdown of funds is authorized to be made from the Department for Local Government when signed Agreements for Sale are executed with property owners in the amounts approved above to reimburse the city for this expense.
5. That acquisition procedures will be undertaken in accordance with all rules and regulations promulgated by the Commonwealth of Kentucky and the Uniform Act, as amended.

Commissioner Combs made the motion to adopt the resolution, subject to concurrence by the review appraiser. Commissioner Layne seconded the motion. The motion carried unanimously.

5. Summit Engineering: Ms. Stevens presented an invoice in the amount of \$6,000 on behalf of Summit Engineering for engineering services in conjunction with the Kentucky Avenue Road and Utility Improvement Project (Phase IV). Ms. Stevens advised the invoice is prepared pursuant to contract. Mayor Justice made the motion to approve payment in the amount of \$6,000 to Summit Engineering as recommended by Ms. Stevens. Commissioner Combs seconded the motion. The motion carried unanimously.

6. Mountain Enterprises: Included in the agenda package was pay request #5 from Mountain Enterprises in the amount of \$196,299.56 for the Kentucky Avenue Road and Utility Improvement Project. Ms. Stevens advised that she did not receive a copy of the invoice for review. Will Linder advised that \$115,000 of the invoice is for retaining wall construction and reimbursable with ARC funds. The remaining funds are reimbursable from the Department of Transportation. Commissioner Combs made the motion to authorize payment of the invoice subject to Ms. Stevens' satisfactory review. Commissioner Amos seconded the motion. The motion carried unanimously.

7. Phase VI Surveys: Ms. Stevens reported that Summit Engineering has completed the surveys for Phase VI of the redevelopment project. On behalf of Summit Engineering, Ms. Stevens recommended approval of payment of their invoice in the amount of \$7,081.06, payable with city funds. Mayor Justice made the motion to authorize payment to Summit Engineering in the amount of \$7,081.06 as recommended by Ms. Stevens. Commissioner Davis seconded the motion. The motion carried unanimously.

C. PARKING GARAGE PROJECT: Presented for approval of payment was an invoice on behalf of Summit Engineering totaling \$7,937.50 for construction inspection and administration for the Parking Garage Project. Ms. Stevens advised the invoice is submitted pursuant to contract. Mayor Justice made the motion, seconded by Commissioner Combs to authorize payment of \$7,937.50 as recommended by Ms. Stevens. The motion carried unanimously.

D. SUNSET LANE SEWER PROJECT: Presented for approval of payment on behalf of Summit Engineering was an invoice totaling \$2,916.07 for design services for the Sunset Lane sewer extension. Ms. Stevens advised the invoice is submitted in accordance to contract and can now be paid. At such time the PRIDE funds are released, the City can be reimbursed for the amount of the invoice. Mayor Justice made the motion, seconded by Commissioner Combs to approve payment of the invoice to Summit Engineering in the amount of \$2,916.07. The motion carried unanimously.

E. UTILITY RELOCATION PROJECT: Charles Byers, representing Summit Engineering, Inc., city engineers, presented a payment request on behalf of Mountain Enterprises in the amount of

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\$563,229.25 for work completed on the second phase of the utility relocation project. The Main Street Board recommended approval of the invoice. Mayor Justice made the motion to approve payment as requested. Commissioner Davis seconded the motion. The motion carried unanimously.

AGENDA ITEM V.

OLD BUSINESS

A. CITY ENGINEER'S REPORTS: Mr. Byers presented a verbal status report for the following projects:

1. Renaissance Area Utility Project - Phase II: Conduit should be completed by the first week of March. There is no sidewalk replacement work scheduled for Phase III. Phase II provides for replacement of sidewalks that were damaged during construction activities.

2. Kentucky Avenue: Contractor is working on tying in the sewer and construction of the retaining wall. The retaining wall (south end of project) is approximately 80% complete. Piles for retaining wall going up Kentucky Avenue are installed. Framing is in progress on building A of the townhouse project. The contractor indicates the project will be completed by March 20th.

3. Parking Structure Project: The project is progressing as weather permits. The project is 45% complete with 38% of the time expended. The contractor will be bringing a crane on site and is requesting to close one lane of Huffman Avenue now through the end of the project. Concrete barrels will be placed along the street for safety. Commissioner Combs made the motion, seconded by Commissioner Amos to allow the contractor to close one lane of traffic on Huffman Avenue as requested. The motion carried unanimously.

4. Hambley Field Improvements: Due to weather conditions, the contractor, Commonwealth Building and Construction, has made no further progress in drainage and turf installation. The architect for the project, Chris Chrisman, has requested a work session to discuss Phase II (Bleachers and Stadium). The Commission agreed to schedule a work session on March 10th at 5:00 p.m.

5. Myers Tower Grading: Weather has not permitted the project to proceed. The retaining wall that supports the roadway, is showing signs of failure and there is some indication there is some material migrating out from underneath the roadway - possibly 5 feet back. Estimates were obtained from Hayes Incorporated to do a railroad tie wall in the amount of \$34,225 (does not include any utility costs). Patriot Construction was on site and indicated they could install a concrete wall for about the same price or less. However, an estimate was received from Patriot Construction in the amount of \$72,000. There are not enough funds in any of the grants to construct a railroad tie wall. Mr. Byers advised the road presents a hazard, but to repair it, the road will have to be blocked back to the college parking lot. U.S. Filter was directed to repair the street by cutting out the asphalt, packing with stone and dense grade.

6. Mt. Martha Flood Damage: The contractor is to begin work on this emergency project on February 25th. The City Manager explained the roadway broke off due to flooding. To repair an 80 ft. section of roadway will cost approximately \$15,000. He advised there should be some FEMA money to reimburse for a portion of the cost.

7. Combined Sewer Report: U.S. Filter smoked the downtown sewers to determine the location of storm drains that may flow into the sanitary sewer. There are four locations and five box inlets that need to be removed (\$19,820). These locations are identified as city property. There is one line that is probably cracked and needs to be sealed. There are 4 properties where the roof drains are tied into the sanitary sewer (\$33,000). To correct all seven locations is estimated to cost \$53,478.00. It is proposed to fund the project utilizing Utility Relocation Project Phase II contingency funds. There is approximately \$62,000 left in the contingency fund. Phase II is a \$3 million project and is currently 60% complete. Mr. Byers recommended to remove the city's storm

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drainage and take the roof drains and run them out on the ground. Mayor Justice commented that he did not like the idea of running the drain across a sidewalk due to ice hazard during the winter months. Mr. Byers recommended the Commission take no action at this time. He explained he wanted to wait until the project neared completion to ensure money is available before committing to removal of the storm drains.

B. PIKEVILLE MAIN STREET PROGRAM: Vice-Chair of the Pikeville Main Street Board, Sara George, presented the following items for the Commission's consideration:

1. Invoices: Presented for approval of payment were three invoices on behalf of Summit Engineering \$8,000 (Phase III); \$28,700 (Phase II) and \$1436.88 (Phase I). Ms. George advised payment has been authorized by the Main Street Board. Mayor Justice made the motion, seconded by Commissioner Layne to approve payment of the three invoices as submitted. The motion carried unanimously.

2. Budget Request: In a letter to the City Manager and the Finance Director, dated February 21, 2003, the Main Street Board pointed out the city could reduce the amount of its appropriation for the current year's expenses by \$11,500. However, the CDBG funding for Phase II, part of the city's required match is \$11,500 which is due and payable to Main Street for Planning & Administration. Ms. George explained that it was not known the CDBG funds would be available at the time the 2002/03 budget request was made. She recommended the Commission reduce the city's monthly appropriation to \$875.00 per month for the next four months and authorize payment of \$11,500.00 for the required match of funds. Mayor Justice made the motion, seconded by Commissioner Combs to reduce the city's appropriation to \$875.00/mo for the next four months and approve payment of \$11,500.00 for the CDBG match. The motion carried unanimously.

3. Phase III: The Main Street Board met with Anne Berry of Summit Architectural Services to discuss methods of hiding the electrical conduit that comes up the side of the buildings. The property owners will be consulted when the designs are completed.

4. East Kentucky Exposition Center: During the previous meeting, the Main Street Board was directed to work with the East Kentucky Exposition Center in the reallocation of \$17,500 for demolition of the Trimble Building. The funds are a part of the Renaissance direct appropriation dollars committed to the civic center project. The time to access the money expires in October, 2003. Donna Damron will submit the amendment when completed.

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

1. Ordinance regarding separation of storm and sanitary sewers: Second reading of the ordinance was delayed.

2. Hambley Park Improvements - Mr. Davis presented a resolution relating to the financing of the improvements at the W. C. Hambley Complex.

A RESOLUTION RELATING TO THE FINANCING OF MUNICIPAL PARK AND RECREATIONAL IMPROVEMENTS AND ADDITIONS

WHEREAS, the City of Pikeville, Kentucky (the "City"), desires and intends to finance up to \$2 million of the costs of construction and installation of new municipal park and recreational improvements and additions, consisting of athletic fields, turf

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replacement, spectator seating (including press box facilities) and public parking improvements at the City's Hambley Athletic Center on North Mayo Trail (the "Project"), by the issuance of one or more series of its general obligation bonds or general obligation bond anticipation notes the interest on which will be excludable from gross income for federal and Kentucky income tax purposes (collectively the "Bonds"); and

WHEREAS, pending issuance of the Bonds, the City desires to proceed with payment of certain costs of the Project from existing or borrowed funds, with the reasonable expectation of being reimbursed for such expenditures from the proceeds of the Bonds;

NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PIKEVILLE, KENTUCKY, AS FOLLOWS:

Section 1. The facts and statements contained in the foregoing preamble of this Resolution, including the terms defined therein, are hereby affirmed and incorporated as a part of this Resolution.

Section 2. The City hereby reaffirms and declares its official intent to finance, through the issuance of the Bonds, up to \$2 million of the costs of acquisition, construction and installation of the Project. All properties and facilities constituting the Project have an economic life of at least one year.

Section 3. It is acknowledged, and it is and has been the official intent of the City, that costs of the Project shall be paid from existing or borrowed funds of the City prior to the issuance of the Bonds; and the City intends and reasonably expects to be reimbursed for such expenditures from the proceeds of the Bonds. The maximum principal amount of Bonds expected to be issued for the purposes of reimbursing the City and paying costs of the Project is \$2 million.

Section 4. This Resolution is intended to and does constitute a declaration of official intent under applicable Income Tax Regulations and shall be reasonably available for public inspection during normal business hours at the administrative offices of the City in Pikeville, Kentucky.

Section 5. This Resolution shall take effect upon its adoption.

Commissioner Combs made the motion to adopt the resolution. Commissioner Davis seconded the motion. The motion carried unanimously.

3. **Pikeville Independent School Board:** Mr. Davis explained the City is still maintaining accounts for bonds that were issued at the Independent School Board's request in 1965 and 1974. All of the bond coupons should have been submitted for redemption, however there are funds still remaining in the accounts. Some may be interest or some may be outstanding funds from the 1974 bond issue. The city's agreement with the school system provides for all funds to be returned to the school system after the bonds are paid in full. Mr. Davis proposes the city authorize payment of the

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funds being held in the amount of \$24,100.00 contingent upon the school system executing a "Indemnification Hold Harmless" agreement, so that if someone does submit a claim for a bond coupon the school system will be required to make the payment. Commissioner Davis made the motion, seconded by Mayor Justice to authorize the Mayor to execute the "Indemnification Hold Harmless" agreement and authorize payment to the Pikeville Independent School System in the amount of \$24,100.00. The motion carried 4 - 0 - 1 with Commissioner Combs abstaining from the vote.

4. **Municipal Road Aid:** Presented for adoption was an agreement between the Department of Transportation, Division of Municipal Road Aid, and the City of Pikeville renewing an annual agreement for the receipt of Municipal Road Aid Funds. The allotment for fiscal year 2003-04 is \$73,747. Mayor Justice made the motion to approve the agreement as presented. Commissioner Combs seconded the motion. The motion carried unanimously.

5. **Pikeville Cheerleaders:** City Attorney Davis presented two resolutions in recognition and honor of the High School Varsity and Junior Varsity Cheerleaders' accomplishments. The resolutions were read as follows:

RESOLUTION RECOGNIZING AND HONORING THE PIKEVILLE HIGH SCHOOL JUNIOR HIGH/GIRLS' VARSITY CHEERLEADERS AND THEIR COACHING STAFF FOR WINNING THE UCA NATIONAL CHEERLEADING COMPETITION IN ORLANDO, FLORIDA

WHEREAS, the Pikeville High School Junior High/Girl's Varsity Cheerleading Squad did compete in the 2003 UCA National Cheerleading Competition in Orlando, Florida.

WHEREAS, the Pikeville High School Junior High/Girl's Varsity Cheerleading Squad was selected from regional competitions throughout the country to compete for the 2003 UCA National Cheerleading title for the freshman division;

WHEREAS, the Pikeville High School Junior High/Girl's Varsity Cheerleading Squad did win the freshman division 2003 UCA National Cheerleading competition;

WHEREAS, the Pikeville High School Junior High/Girl's Varsity Cheerleaders National Title not only brings honor and recognition to the squad and its coaches, but also brings national honor and recognition to the City of Pikeville;

WHEREAS, a tradition of excellence among all cheerleaders at Pikeville High School is well known both state wide and nationally and such a tradition of excellence is worthy of being honored and recognized by this Commission for the City of Pikeville.

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

1. That the Pikeville High School Junior High/Girl's Varsity cheerleaders, Amelia Crum, Kristen Kendrick, Amanda Hall, Allie Tucker, Griffin Myers, Taylor Stone, Leigh Brittany Lynn, Olivia Harris, Olivia Kinney, McKenzie Lewis, Bianca Burgoy-Vanhooose, Leigh Ann Clevinger, Colby Kurkowski, Chelsea Kurkowski, Chelsea Lawson, Amanda Combs, Stephanie Combs, Jordan Schull, Lora Clearey, Jessica Justice, Collins Kurkowski and Bridget Walsh, and their coach, Lisa Wheeler, are by these presents duly honored and recognized by the City of Pikeville for their achievement in capturing the freshman division 2003 National UCA Cheerleading Competition title.

2. That because of each one's outstanding representation of excellence in cheerleading and as a citizen of the City of Pikeville, they are hereby appointed and designated as "Special Ambassador" of good will for the City of Pikeville.

3. That these outstanding accomplishments on behalf of the cheerleaders and coaches set

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forth hereinabove shall be caused by the clerk of the City to be recorded among the records of the City of Pikeville so that others that come here after will know of their excellence in cheerleading.

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

RESOLUTION RECOGNIZING AND HONORING THE PIKEVILLE HIGH SCHOOL VARSITY CHEERLEADERS AND THEIR COACHING STAFF FOR THEIR THIRD PLACE FINISH IN THE UCA NATIONAL CHEERLEADING COMPETITION IN ORLANDO, FLORIDA

WHEREAS, the Pikeville High School Varsity Cheerleading Squad did compete in the 2003 UCA National Cheerleading Competition in Orlando, Florida.

WHEREAS, the Pikeville High School Varsity Cheerleading Squad selected from regional competitions throughout the country to compete for the 2003 UCA National Cheerleading title.

WHEREAS, the Pikeville High School Cheerleading Squad finished third in the 2003 UCA National Cheerleading competition;

WHEREAS, the Pikeville High School Cheerleaders third place finish not only brings honor and recognition to the squad and its coaches, but also brings national honor and recognition to the City of Pikeville;

WHEREAS, a tradition of excellence among all cheerleaders at Pikeville High School is well known both State wide and nationally and such a tradition of excellence is worthy of being honored and recognized by this Commission for the City of Pikeville;

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

1. That the Pikeville High School cheerleaders, Cindy Adams, Christina Davis, Katie Trimble, Laura Davis, Amanda Deskins, Beth Adkins, Alana Thompson, Ginny Wachs, Nicole Newsome, Casey Kurkowski, Alyssa Cline, Bailey Joyce, Amanda Martin and Ashley May and their coach, Jeannie Slone, are by these presents duly honored and recognized by the City of Pikeville for their third place finish in the 2003 National UCA Cheerleading Competition.

2. That because of each ladies' outstanding representation of excellence in cheerleading and as a citizen of the City of Pikeville, they are hereby appointed and designated as "Special Ambassador" of good will for the City of Pikeville.

3. That these outstanding accomplishments on behalf of the cheerleaders and coaches set forth hereinabove shall be caused by the Clerk of the City to be recorded among the records of the City of Pikeville so that others that come here after will know of their excellence in cheerleading.

Commissioner Combs made the motion to adopt the resolution as presented and read. Mayor Justice seconded the motion. The motion carried unanimously.

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

1. **WLSI Building:** Mayor Justice received a request from Walter May for a time extension to remove some radio equipment at the WLSI Building. Mr. Blackburn advised he is under the impression that Mr. May is purchasing the radio station from Lonnie Osborne. Mr. Osborne was to have the equipment removed by the first of March. Mr. May requested a time extension to remove the equipment until March 31st. Commissioner Layne made the motion, seconded by Commissioner Combs to grant Mr. May's request. The motion carried unanimously.

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2. Tower site: Mr. May requested that the city transfer to East Kentucky Broadcasting/Walter May the right to purchase the tower site as was originally extended to Mr. Osborne/WZLK. Mr. Osborne was to have submitted a property description of the tower site prior to conveyance of the property. Mr. Osborne did not have the property description prepared. Commissioner Combs made the motion, seconded by Commissioner Davis to allow East Kentucky Broadcasting to purchase the tower site as originally proposed to Lonnie Osborne/WZLK. The motion carried unanimously.

3. Travel: Mr. Blackburn recommended approval of a travel request from the Finance Department to attend a computer seminar in Tampa, Florida. Cost of travel and registration is \$2,800.00. Commissioner Combs made the motion to approve the City Manager's recommendation. Mayor Justice seconded the motion. The motion carried unanimously.

Commissioner Combs made the motion to adjourn to closed session for the purpose of discussing a personnel matter with the fire chief and the city attorney. Mayor Justice seconded the motion. The motion carried unanimously.

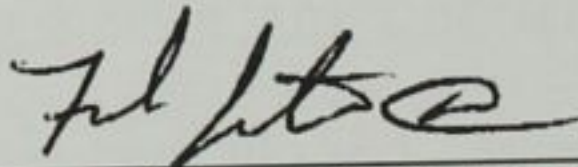
Mayor Justice made the motion to reconvene to regular session. Commissioner Combs seconded the motion. The motion carried unanimously.

The Mayor announced that no action was required as a result of the closed session.

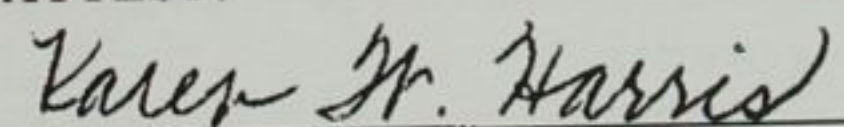
There being no further business to come before the Commission, Mayor Justice made the motion, seconded by Commissioner Combs to adjourn the meeting. The motion carried unanimously.

The next regular meeting of the Pikeville City Commission is scheduled for March 10, 2003 at 6:00 p.m.

APPROVED: _____


FRANK JUSTICE, II, MAYOR

ATTEST:


KAREN W. HARRIS, CITY CLERK