

MINUTES } CITY OF PIKEVILLE

CITY OF PIKEVILLE BOARD OF COMMISSIONERS REGULAR MEETING MINUTES MAY 12, 2003

The Board of Commissioners for the City of Pikeville met in regular meeting on Monday, May 12, 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 6:35 p.m. Commission Members present at roll call were as follows:

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

Commissioner Dallas Layne was absent.

AGENDA ITEM II. MINUTES

The minutes for the special meeting of April 29, 2003 were included in each Commission Member's agenda package. There being no additions or corrections, Mayor Justice made the motion, seconded by Commissioner Combs to approve the minutes as prepared. The motion carried 3 - 0 - 1 with Commissioner Davis abstaining from the vote.

AGENDA ITEM III. BUSINESS FROM THE FLOOR

A. HISTORY CENTER/MUSEUM: Chairman of the Big Sandy Mountain Heritage/History Center, David Deskins, appeared before the Commission to introduce the newly appointed museum curator. Everett Johnson is a retired, Pike County teacher of history and English. Mr. Johnson will begin work on May 16th.

Mr. Deskins advised the structure and roof of the museum building has been inspected and is in good condition. The Board will conduct fundraising events during the Hatfield/McCoy Festival and the Book Fair. Mr. Deskins expects the museum to be open to the public by September 1, 2003.

Mr. Deskins requested that the museum/history center board be permitted to participate in a meeting with the Economic Development Council.

B. HATFIELD/MCCOY FESTIVAL: Pike County Tourism Director, Phyllis Hunt, appeared before the Commission to request use of the City Park and to block traffic on certain streets during the Hatfield/McCoy Festival scheduled for June 12-14, 2003. Ms. Hunt proposed vendor space along Huffman Avenue and possibly along College Street. Commissioner Combs made the motion to allow use of the City Park during the Hatfield/McCoy Festival and further, to authorize the City Manager, Fire Chief and Police Chief to work with Ms. Hunt in closing the necessary streets. Mayor Justice seconded the motion. The motion carried 4 - 0.

C. PIKE COUNTY HUMANE SOCIETY: Attorney David Stratton was present to request the City Commission authorize condemnation of a strip of property located between the city's water treatment plant and to the right of the driveway. Mr. Stratton explained the City Commission had previously dedicated a parcel of property in this area to the Pike County Humane Society for the construction of a new animal shelter. After reviewing the property description of the city-owned property, it was found that the strip located between the water treatment plant and the driveway is not owned by the City. The property is owned by 4 Sword Heirs - 2 who are in favor of selling the

MINUTES } CITY OF PIKEVILLE

property and 2 who are not. Mr. Stratton advised the Commission that ownership of the property in question is imperative to the success of the overall project. Commissioner Combs made the motion to authorize the City Manager to negotiate with the heirs for the purchase of the property, however if he is unsuccessful in the negotiations, the city attorney is authorized to file condemnation. Mayor Justice seconded the motion. The motion carried 4 - 0.

Mr. Stratton is to forward all necessary information to the City Manager.

AGENDA ITEM IV.

PAYMENT OF BILLS

A. PARKING GARAGE PROJECT: Presented for approval of payment was an invoice on behalf of Elliott Contracting in the amount of \$63,879.70 for the Parking Garage construction. Architect Chris Chrisman advised the project is approximately 55% complete. The contractor has begun pouring concrete on the third floor of the structure. Commissioner Combs advised there is a heavy stream of water that echoes throughout the building and expressed his concern there may be a water leak. The architect advised he would report this matter to the contractor. Mayor Justice made the motion, seconded by Commissioner Davis to authorize payment as requested. The motion carried 4 - 0.

B. SYCAMORE STREET RETAINING WALL: Presented on behalf of Patriot Construction was their invoice totaling \$46,711.48 for the retaining wall behind Myers Tower and drainage from Sycamore Street tying into Hambley Boulevard. City Engineer Byers advised the invoice is in order and recommended payment to Patriot Construction. Mayor Justice made the motion to authorize payment to Patriot Construction in the amount of \$46,711.48 as recommended by the City Engineer. Commissioner Davis seconded the motion. The motion carried 4 - 0. Mayor Justice expressed his opinion that an additional two rows of blocks need to be added to the retaining wall in order to provide additional protection to the slope.

AGENDA ITEM V.

OLD BUSINESS

A. BIG SANDY AREA DEVELOPMENT DISTRICT: Melanie Stevens, representing the Big Sandy Area Development District, presented the following items for the Commission's consideration:

1. **Phase VI Appraisal Services:** Presented for approval of payment was an invoice from Walters & Associates in the amount of \$6,275.00 for appraisals of 11 parcels in the Phase VI redevelopment area. Ms. Stevens advised the invoice is in order and recommended payment as submitted. Mayor Justice made the motion, seconded by Commissioner Combs to approve payment of the Walters & Associates invoice in the amount of \$6,275.00. The motion carried 4 - 0.

2. **Tree Smart Project:** Ms. Stevens explained that Mayor Justice had requested she determine if grant funds were available to purchase and plant trees and other vegetation in the Sycamore/High Street areas and at the excavation site near Fire Station #1. Ms. Stevens reported there are grants available, up to \$20,000, from the Kentucky Urban and Community Forestry Grant Program. The grant requires a 50:50 local match, which can be in the form of cash and in-kind services. Two resolutions were presented as follows:

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 ROOTS FOR EROSION PROJECT

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 Roots for Erosion Project on behalf of the City of Pikeville, Kentucky.

MINUTES } CITY OF PIKEVILLE

Specifically, the City plans to commit \$20,000 to Pikeville Roots for Erosion Project, pending funding to match Kentucky Forestry funds. The contribution will be \$10,000 in-kind in the form of material/labor and/or \$10,000 cash.

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

PASSED by the City Commission of Pikeville, KY, this 12th day of May, 2003.

and

A RESOLUTION AUTHORIZING THE CITY OF PIKEVILLE MAYOR ON BEHALF OF THE PIKEVILLE CITY COMMISSION, PIKEVILLE, KENTUCKY TO SIGN AND SUBMIT AN APPLICATION FOR FUNDING TO THE KENTUCKY URBAN AND COMMUNITY FORESTRY GRANT PROGRAM

BE IT RESOLVED BY THE PIKEVILLE CITY COMMISSION:

SECTION ONE: That the Mayor be and is hereby authorized to sign and submit any and all applications to the Kentucky Urban and Community Forestry Grant Program seeking funding to serve the City of Pikeville, Kentucky.

Specifically, the City plans to submit an application for up to \$20,000 in grant funds from Kentucky Forestry Service for replacing and adding trees to the city.

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

Passed by the City Commission of Pikeville, KY, this 12th day of May 2003.

Also presented for consideration was an agreement between the City of Pikeville and Big Sandy Area Development District providing for the grant preparation and submission to the Kentucky Urban and Community Forestry Grant Program. The fee for the service is an amount not to exceed \$700.00.

Commissioner Combs made the motion, seconded by Commissioner Amos to adopt the resolutions (2) and the agreement with the Big Sandy Area Development District. The motion carried 4 - 0.

B. CITY ENGINEER'S REPORTS: Charles Byers, representing Summit Engineering, city engineers, presented a verbal progress report for the following projects:

1. Utility Relocation Project - Phase II: Mr. Byers reported the asphalt is complete. The contractor will require at least thirty days to install the concrete intersections.

2. Kentucky Avenue/Sycamore Street: The drains have been tied into the storm sewer at Hambley Boulevard. Patriot Construction is nearing completion of the retaining wall at the Myers Tower Parking Lot. On High Street, the grading work was completed by Mountain Enterprises while Patriot Construction provided the seeding. Mayor Justice advised there are pieces of concrete foundations sticking out in a couple of places and directed the engineer to have this matter corrected.

With regard to Phase IV of the townhouse project, Patriot Construction has requested a time extension to their contract due to Mountain Enterprises not completing the building pads. Mr. Byers advised that Mountain Enterprises has been unable to complete the building pads due to weather conditions. The Commission requested Mr. Byers to review the contract periods in an effort to avoid any loss of tax credits.

MINUTES } CITY OF PIKEVILLE

3. Hambley Athletic Field: The contractor should have the resurfacing completed by June 1st, weather permitting. As recommended by architect, Chris Chrisman, Mayor Justice made the motion, seconded by Commissioner Amos to select the color maroon for the bleachers and the color black for the railing and fencing. The motion carried 4 - 0.

Mr. Chrisman recommended approval of a change order to delete the reassembly of the existing bleachers from Hambley Complex to Bob Amos Park from Dant Clayton Corporation's contract in the amount of \$16,900.00. Commissioner Combs made the motion, seconded by Commissioner Davis to accept the architect's recommendation. The motion carried 4 - 0.

The architect advised a change order will be necessary to Commonwealth Building & Construction's contract for approximately \$19,500. The scope of work will provide mainly for electrical work to include disconnecting the existing pressbox and relocating two utility poles and reconnection of service.

City Manager Blackburn presented a quote from J & H Enterprises to remove the existing pressbox and sidewalk for the amount of \$9,453.00. The architect recommended approval to enter into a contract with J & H Enterprises for the work. Commissioner Combs made the motion, seconded by Commissioner Amos to authorize J & H Enterprises to remove the existing pressbox and sidewalk as recommended by the architect. The motion carried 4 - 0.

4. Parking Structure Project: With 62% of the contract time expended, the project is about 55% complete.

5. Main Street Storm Drains: Mr. Byers advised that this project is delayed due to the civic center construction. He reported the civic center contractor is approximately 6 weeks behind schedule.

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

1. Street Name: Presented and given second reading was an ordinance entitled as follows:

ORDINANCE NAMING AN ALLEY OFF THIRD STREET "SUNFLOWER ALLEY"

Mayor Justice made the motion to adopt the Ordinance as presented and read. Commissioner Combs seconded the motion. The motion carried by the following votes:

MAYOR:	FRANK JUSTICE, II	YES
COMMISSIONER:	DALLAS LAYNE	ABSENT
	EUGENE DAVIS	YES
	STEVE COMBS	YES
	SHAWN AMOS	YES

2. Street Name: Presented and given first reading was an ordinance entitled as follows:

ORDINANCE NAMING ALLEY WAY BETWEEN THIRD STREET AND SECOND STREET "JUSTICE DAIRY ALLEY"

The ordinance will be on file in the office of the city clerk for public inspection. Second reading was scheduled for the next meeting.

3. Hambley Complex: First reading was given to a summary of bond ordinance as follows:

AN ORDINANCE OF THE CITY OF PIKEVILLE, KENTUCKY, PROVIDING FOR THE

MINUTES } CITY OF PIKEVILLE

ISSUANCE OF THE CITY'S GENERAL OBLIGATION BONDS, SERIES 2003, FOR THE PURPOSE OF PROVIDING FUNDS NECESSARY TO PAY THE CITY'S COSTS OF CONSTRUCTING AND INSTALLING NEW MUNICIPAL PARK AND RECREATION FACILITIES; SETTING FORTH THE TERMS AND CONDITIONS UPON WHICH THE SERIES 2003 BONDS ARE TO BE ISSUED AND OUTSTANDING; ORDERING AND PROVIDING FOR THE LEVY OF AN ANNUAL TAX, TO THE EXTENT NECESSARY, SUFFICIENT TO PAY THE INTEREST ON AND PRINCIPAL OF THE SERIES 2003 BONDS; AND PROVIDING FOR A PUBLIC SALE OF THE SERIES 2003 BONDS AND THE APPLICATION OF THE PROCEEDS THEREOF

The ordinance will be on file in the office of the city clerk for public inspection. Second reading was scheduled for the next meeting.

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

1. **Park Department:** City Manager Blackburn recommended the employment of Benjamin Clark as a seasonal employee for the Park Department. Commissioner Combs made the motion, seconded by Commissioner Davis to accept the City Manager's recommendation to employ Benjamin Clark as a seasonal employee for the Park Department. The motion carried 4 - 0.

2. **Swimming Pool:** It was the recommendation of the Park Director and City Manager to employ Jimmy Hall, Travis Allen, Amanda Collins, and Josh Anderson as seasonal employees at the swimming pool. Commissioner Combs made the motion, seconded by Commissioner Amos to accept the Park Director and City Manager's recommendations. The motion carried 4 - 0. The swimming pool is scheduled to open Memorial Day weekend.

3. **Youthbuild Program:** City Manager Blackburn reported that he had met with representatives from Morehead State University concerning the Youthbuild Program. Youthbuild is a federal grant program through the Department for Housing and Urban Development. If endorsed by the City Commission, the City of Pikeville and MSU will apply for a two year, \$400,000 grant. Youthbuild targets young people who are not currently enrolled in school and who don't have a high school diploma or GED. The class size is limited to twenty individuals. The program provides participants with instruction toward obtaining their GED, light construction curriculum, leadership training, entrepreneurial training, and human resource development courses. The Youthbuild grants aim to increase affordable housing and can be used toward the rehabilitation of existing housing or new construction for purchase by homeless, low-income, or very low-income families. The students will be paid \$6.00/hr. The class period is 10 months. The City Manager advised that MSU requests the City's endorsement. There is no cost to the City. Commissioner Davis made the motion, seconded by Commissioner Amos to endorse the Youthbuild Program. The motion carried 4 - 0.

4. **KLC Insurance Services:** The City Manager advised the question had been raised as to whether a fence is required in front of the dugouts at Hambley Complex. He contacted the Kentucky League of Cities Risk Management Services. The loss control analyst recommended protective fencing for dugouts as well as on deck circles. No action was taken.

5. **Hambley Field Scoreboard:** City Manager Blackburn presented a cost estimate for the purchase of a scoreboard and installation at Hambley Complex in the amount of \$67,000. \$13,000 is the cost for installation. This amount can be deleted from the cost if the city chooses to install the scoreboard utilizing city crews. The scoreboard provides advertising spaces. The City Manager advised the purchase of the scoreboard could be funded through the sale of advertising space. Community Trust Bank has committed \$12,500 for the purchase of advertising space. There is a 12 week delivery time. The Commission postponed action to order the new scoreboard to allow the City Manager to continue efforts in acquiring sponsors.

MINUTES } CITY OF PIKEVILLE

6. Meeting Cancellation: Due to the Memorial Day Holiday, Commissioner Combs made the motion to cancel the regular meeting scheduled for May 26th and schedule a special meeting on May 28, 2003 at Noon. Commissioner Davis seconded the motion. The motion carried unanimously.

7. Budget Work Sessions: The Commission scheduled work sessions to review the proposed 2003-04 operating budget for May 15, 22, and 29, 2003 at 5:00 p.m.

AGENDA ITEM VI.

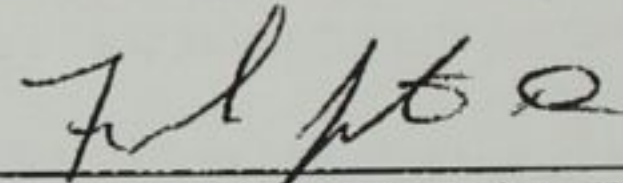
CONSENT ITEMS

A. Police Department Goals: The Commission reviewed the proposed goals for 2003-04 as prepared by the Police Chief. The Mayor requested a prioritized list be presented to the Commission at their next meeting.

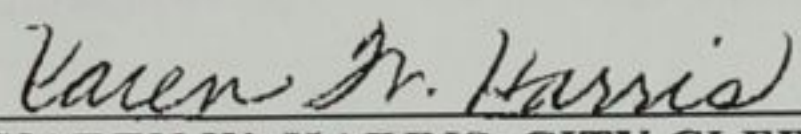
B. U.S. Filter: As required by contract, U.S. Filter submitted a letter to advise that the City of Pikeville had expended 80% of the total maintenance and repair budget for the 2002-03 fiscal year as of March, 2003.

There being no further business to come before the Commission, Commissioner Davis made the motion, seconded by Commissioner Combs to adjourn the meeting. The motion carried 4 - 0. (Adjournment Time: 8:05 p.m.)

APPROVED:


FRANKLIN D. JUSTICE, II, MAYOR

ATTEST:


KAREN W. HARRIS, CITY CLERK