

MINUTES } CITY OF PIKEVILLE

CITY OF PIKEVILLE BOARD OF COMMISSIONERS REGULAR MEETING MINUTES OCTOBER 27, 2003

The Board of Commissioners for the City of Pikeville met in regular session on Monday, October 27, 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:

MAYOR:	FRANKLIN D. JUSTICE, II
COMMISSIONER:	DALLAS LAYNE
	EUGENE W. DAVIS
	SHAWN A. AMOS
	JAMES A. CARTER

AGENDA ITEM II. MINUTES

The minutes for the previous regular meeting of October 13, 2003 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 presented. The motion carried unanimously.

AGENDA ITEM III. BUSINESS FROM THE FLOOR

Mayor Justice welcomed Kentucky State Representative Howard Cornett to the meeting. Also recognized was Lexington Community College student, Josh Blackburn.

A. PURDUE PHARMACEUTICALS: Pikeville Police Department Detective, Mike Blackburn, reported that Purdue Pharmaceuticals had awarded a \$10,000 grant to the Police Department. The grant funds are earmarked for use in combating the area's drug problem. A suggested use for the funds is to purchase a used vehicle for surveillance and related activities. Detective Blackburn announced that a number of warrants were issued and executed last week, which landed alleged drug dealers in jail. It was reported that officers use their personal vehicles in the performance of these duties. The Commission suggested that Detective Blackburn contact various used vehicle dealerships to determine the feasibility of leasing vehicles by the day. This would prevent the public's recognition of specific vehicles. Detective Blackburn is to report his findings at the next meeting.

B. DISPATCH EQUIPMENT: Paul Maynard, 911 Communications Supervisor, advised the Commission of the receipt of a Law Enforcement Technology Grant. The grant will be used to improve communications equipment. Over the last year, the Police Department received a grant of laptop computers for use in the office and in their vehicles. The laptops will work in conjunction with the equipment in the communications office. When installed, the officers will be able to receive information directly to their laptop computers, from the dispatch office, through a silent dispatching system. The communications equipment is expected to give information to the officers more efficiently and quickly.

AGENDA ITEM IV. PAYMENT OF BILLS

A. CITY BILLS: A list of City Bills totaling \$520,608.97 was presented to the Commission for approval of payment. There being sufficient funds to make payment, Commissioner Davis made the motion, seconded by Commissioner Layne to approve payment of the bills as presented. The motion carried unanimously.

MINUTES } CITY OF PIKEVILLE

B. PIKEVILLE REDEVELOPMENT PROJECT: The following invoices were submitted for approval of payment in conjunction with the Pikeville Redevelopment Project:

1. **Kentucky Avenue - Phase IV:** Presented on behalf of Summit Engineering was an invoice totaling \$3,000 for engineering services for the roadway and utility improvement project. The clerk reported the invoice is in accordance with contract and recommended the invoice for approval of payment. Mayor Justice made the motion, seconded by Commissioner Davis to approve payment to Summit Engineering in the amount of \$3,000 as recommended. The motion carried unanimously.

2. **Mountain Enterprises:** Pay Request #12 was presented to the Commission for approval of payment in the amount of \$84,850.18 on behalf of Mountain Enterprises, Inc. for work completed on Phase IV of the Kentucky Avenue Roadway and Utility Improvement Project. City Engineer Sykes advised the work has been completed and recommended payment as requested. Mayor Justice made the motion, seconded by Commissioner Amos to approve payment to Mountain Enterprises totaling \$84,850.18. The motion carried unanimously.

3. **Summit Engineering:** Presented for approval of payment was a request from Summit Engineering in the amount of \$501.60 for surveying services performed in conjunction with the acquisition of property located at 109 Saad Avenue (Phase V target area). The clerk recommended approval of payment as presented. Mayor Justice made the motion, seconded by Commissioner Davis to approve payment to Summit Engineering in the amount of \$501.60. The motion carried unanimously.

4. **Asbestos Testing:** J & M Monitoring presented a pay request in the amount of \$400.00 for asbestos inspection of structures located at 197 and 199 High Street (Phase V target area). The clerk advised the invoice is in accordance with contract. Mayor Justice made the motion to approve payment to J & M Monitoring in the amount of \$400.00 for asbestos testing of two buildings located in the Phase V target area. Commissioner Layne seconded the motion. The motion carried unanimously.

5. **Property Acquisition:** The clerk advised that Alan Keathley, property owner of 109 Saad Avenue, has signed the agreement for the city to acquire said property. The purchase price is \$73,700, the amount of the appraisal. Commissioner Davis asked if the budget amendment, to include purchase of the property, had been approved by the Department for Local Government. The clerk reported the amendment has been sent to DLG, however, written approval hasn't been received. Commissioner Davis made the motion, seconded by Commissioner Carter to approve the acquisition of 109 Saad Avenue, contingent upon approval being received by DLG. The motion carried unanimously.

C. CASSIDY BOULEVARD ACCESS ROAD: City Engineer Sykes reported that Mountain Enterprises began construction of the access road from Cassidy Boulevard extending to Thompson Road. Pursuant to agreement, the developer of the property adjacent to the roadway, Jim Harris, d/b/a First Quarter Holdings and Concept Lodging, will reimburse the City for construction of the roadway. Presented for approval of payment was Pay Request #1 from Mountain Enterprises in the amount of \$103,617.22. Commissioner Layne made the motion to authorize payment to Mountain Enterprises as requested. Commissioner Carter seconded the motion. The motion carried unanimously. City Engineer Sykes advised that he will send a reimbursement request to Mr. Harris.

AGENDA ITEM V.

OLD BUSINESS

A. BIG SANDY AREA DEVELOPMENT DISTRICT: Executive Director of BSADD, Sandy Runyon, reported the Department for Local Government has ruled that the City does not have to submit a new environmental assessment for Phase VI of the Pikeville Redevelopment Project. Ms. Runyon expects the funding agreement to be forwarded to the City in the next couple of weeks.

MINUTES } CITY OF PIKEVILLE

B. PIKEVILLE MAIN STREET PROGRAM: Melissa Staggs, Executive Director for the Pikeville Main Street Program, requested approval to transfer \$42,500 from the Phase II Utility Relocation Project to the Pikeville Main Street Program, for administration. Mayor Justice made the motion to authorize the transfer of funds. Commissioner Amos seconded the motion. The motion carried unanimously.

Presented for approval of payment was a request from Summit Engineering, Inc. in the amount of \$16,850.00 for engineering services for the Utility Relocation Project, Phase III. Ms. Staggs advised the Main Street Board has reviewed the bill and recommended payment. Commissioner Davis made the motion, seconded by Commissioner Amos to approve payment to Summit Engineering, Inc. in the amount of \$16,850.00 as recommended by the Main Street Board. The motion carried unanimously.

C. CITY ENGINEER'S REPORTS: Engineers Jack Sykes and Charles Byers were present on behalf of Summit Engineering, Inc., city engineers, to deliver a verbal status report for the following projects:

1. Utility Relocation Project - Phase II: Mr. Byers reported the contractor, Mountain Enterprises, should complete Phase II within the next month.

2. Utility Relocation Project - Phase III: The engineers are continuing to negotiate agreements for the location of pad mounts for the transformers. American Electric Power is expected to begin pulling their service wire through the conduits next week.

3. Hambley Athletic Complex: The Commission met the contractor at Hambley Athletic Complex baseball field to discuss the location of second base. It was decided that the first, second and third base pits would be moved out three feet.

4. Parking Garage Project: In conjunction with the Parking Garage Project, the city engineer recommended the Commission consider relocation of Tele-Media's service lines from the downtown City Park. Elliott Contracting submitted a quote totaling \$16,257 to extend underground conduit from College Street to the intersection located at Huffman Avenue/College Street. Tele-Media is requesting \$1,085.26 to pull the service cable through the conduits. Total change order amount is \$17,234.26. City Engineer Sykes advised the utility poles along Huffman Avenue and College Street will eventually be eliminated. Contingency money is available in the Parking Garage budget to fund the change order. Commissioner Davis made the motion, seconded by Commissioner Layne to authorize execution of a change order to Elliott Contracting in the amount of \$17,234.26 to relocate the Tele-Media service cable. The motion carried unanimously.

5. Sunset Lane Sewer Line Extension Project: Mr. Byers reported he lacks two easements for the Sunset Lane Sewer Line Extension Project. Mr. Byers and City Manager Blackburn met with a representative from the Pikeville Old Regular Baptist Church. The representative requested the Church be compensated for the 100' X 20' easement since it will prevent them from expanding their building from the back or from the side. One of the residents, Reatha Blackburn, has also requested compensation. City Manager Blackburn reported there are no funds allotted in the PRIDE grant for acquisition. Mr. Byers explained the sewer line can't be relocated without substantially increasing the cost of the project. In an effort to keep costs down, the engineer recommended offering up to \$2,500 to the Church and Ms. Blackburn, instead of employing an appraiser, then negotiating a sum. City Engineer Sykes reported the plans for the sewer line extension have been approved and the project is ready to go to bid, subject to acquisition of the two easements. Commissioner Layne made the motion, seconded by Commissioner Carter to authorize the City Engineer and City Manager to offer up to \$2,500 to acquire each easement. The motion carried unanimously.

6. Kentucky Avenue Projects: With regard to Phase IV of the Utility and Roadway

MINUTES } CITY OF PIKEVILLE

Improvement Project, Mr. Sykes reported that he anticipates substantial completion by November 10th. The engineer proposes to delay final surface paving until Spring, 2004. The engineer advised that he would try to get a pay request prepared, for presentation at the next meeting, that would permit the city to draw down the remaining DOT funds in the project.

Patriot Construction is in day 218 of their 305 day contract for construction of the Phase IV housing project on Kentucky Avenue. Mr. Sykes anticipates two of the four structures will be completed within the contract period. The contractor has just began foundation work on unit N. According to Mr. Sykes, the contract provides for \$1,000 per day in liquidated damages.

7. South Mayo Trail Storm Drainage Project: The contractor, Mountain Enterprises, has begun work, however, an official notice to proceed will not be given until notification has been received that funds have been released.

8. North Mayo Trail Pump Station: The pump station has been set on the concrete slab, however it has not been plumbed.

D. CITY ATTORNEY'S REPORTS: Russell H. Davis, Jr., City Attorney, reminded the Commission that first reading of an Ordinance, naming the street located behind Goff Furniture in honor and memory of Henry Goff, was had at the previous meeting. Since that time, Mr. Davis reported that he discovered the street is named River Drive and there are residences and businesses addressed from this street. Mr. Davis advised that he notified Beverly Coleman, who had requested the street name, and reported his findings.

The City Attorney requested a closed session for the purpose of discussing a legal matter.

E. CITY MANAGER'S REPORTS: City Manager, Kenny Blackburn, requested a closed session on behalf of the Police Chief and Fire Chief for the purpose of discussing a personnel matter.

Mayor Justice announced that City Manager Blackburn tendered his resignation, effective November 7, 2003. Each member of the Commission as well as Department Heads offered their thanks to Mr. Blackburn for his hard work and dedication during his six year tenure as City Manager.

At 6:40 p.m., Commissioner Davis made the motion, seconded by Commissioner Carter to adjourn to closed session for the purpose of discussing a personnel matter with the Police Chief and Fire Chief and to discuss a legal matter with the City Attorney. The motion carried unanimously.

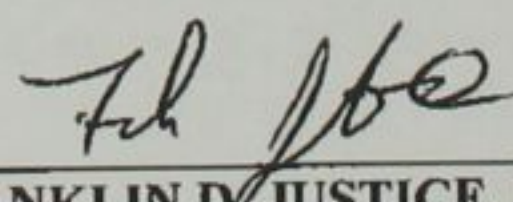
At 8:14 p.m., Commissioner Layne made the motion to reconvene to regular session. Commissioner Davis seconded the motion. The motion carried unanimously.

At the recommendation of Police Chief Sanders, Commissioner Layne made the motion, seconded by Commissioner Amos to promote Gordon Carter to the rank of Patrol Captain; Jimmy Dean Adkins to the rank of Administrative Captain; and Eddie Sword to the rank of Sergeant. The motion carried unanimously.

There being no further business to come before the Commission, Commissioner Davis made the motion, seconded by Commissioner Layne to adjourn the meeting. The motion carried unanimously. (Adjournment Time: 8:15 p.m.)

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

APPROVED:


FRANKLIN D. JUSTICE, II, MAYOR

MINUTES } CITY OF PIKEVILLE

ATTEST:

Karen W. Harris
KAREN W. HARRIS, CITY CLERK