

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
February 10, 2014 AT 6:00 P.M.**

The Board of Commissioners for the City of Pikeville met in a regular called session on Monday, February 10, 2014. The meeting was held in the City Hall Conference Meeting Room located at 243 Main Street, Pikeville, Kentucky.

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

COMMISSIONER: **JIMMY CARTER
JERRY KEITH COLEMAN
BARRY CHANEY
EUGENE DAVIS**

MAYOR: **FRANKLIN D. JUSTICE, II**

MINUTES

The minutes for the previous regular meeting held on January 27, 2014 were in each Commission Member's agenda package. There being no additions or corrections, Commissioner Davis made the motion to approve the minutes as prepared. Commissioner Chaney seconded the motion. Mayor Justice called for discussion, there being none, the motion carried unanimously. 5-0.

BUSINESS FROM THE FLOOR

Mayor Justice called for Business from the floor. Operations Director Sean Cochran wanted to welcome the new events director Ezalee Pigman to the Commission. Mayor Justice: Where are you from? Ezalee: Knott County, KY. Mayor Justice: Are you living in Pikeville? Ezalee: Yes, just moved to a new apartment today. Mayor Justice: What type of events will you bring to the city? Ezalee: the 5 K Run, Muscle on Main and a few others in the works. City Manager Donovan Blackburn: Welcome and glad to have you aboard. Ezalee: Glad to be here and thank you.

PAYMENT OF CITY BILLS

The City Manager Donovan Blackburn requested the approval to pay city bills in the amount of \$966,636.03. Commissioner Davis made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for comments and Commissioner Davis asked the traditional question of do we have the money. City Manager responded that we did have the money. Mayor Justice called for further discussion, there being none, motion passed unanimously. 5-0.

CITY ENGINEER

1. Consider a request to authorize and approve payment of Pay Estimate #7 as submitted and recommended by Codell Construction for the Pikeville Theatre project and approved by the Pikeville Theatre Building Committee. The pay request is for \$194,626.59 for vendors and totals as submitted, Modern Construction, Inc. \$5,630.63, Rising Sun Developing, Inc. for \$93,600.00, Wright Way Ready Mix in the amount of \$225.00, Mountain Aggregates for \$16,265.48, KEN/API Supply in the amount of \$27,299.32, Elliott Contracting, Inc. in the amount of \$43,817.40 and Elliott Supply & Glass for \$7,788.77, for a total of \$194,626.59 and to authorize the Theatre Building Committee Chairman Donovan Blackburn to sign and execute any pay request or documents necessary to execute said payments. Commissioner Davis made the motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for further discussion, there being none, motion passed unanimously. 5-0.
2. Consider a request to authorize and approve payment for invoice # 00004743 with L.E. Gregg for \$710.00 and to recommend payment to the City of Pikeville as submitted and as recommended by Codell Construction and Pikeville Theatre Building Committee for the Pikeville Theatre project. Commissioner Chaney made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for further discussion, there being none, motion passed unanimously. 5-0.
3. Consider a request to approve and authorize payment of invoice #0000016 to Holzman Moss Bottino Architecture for \$64,562.95 as submitted and as recommended by Codell Construction and Pikeville Theatre Building Committee for the Pikeville Theatre project. Commissioner Davis made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for further discussion, there being none, motion passed unanimously. 5-0.

4. Consider a request to approve and authorize payment of invoice #6 to Vaughn and Melton Engineering Firm for \$38,157.60, as submitted for the Pikeville Waste Water Treatment Plant Upgrade Improvement Project. Commissioner Chaney made the motion to approve. Commissioner Coleman seconded the motion. Mayor Justice called for further discussion, there being none, motion passed unanimously. 5-0.
5. Consider a request to approve and authorize payment of invoice #HCC00344 with Heartland Communications Consultants, Inc. for \$16,000.00, as submitted for the marketing program for the Commercial Air Service. Commissioner Davis made the motion to approve. Commissioner Coleman seconded the motion. Mayor Justice called for comments, there being none motion passed unanimously. 5-0.
6. Consider a request to approve and authorize payment of an invoice with Norman W. Preston, Jr. as submitted, for the asbestos survey as required for the demolition of the newly acquired city property at Peach Orchard Drive. Commissioner Carter made the motion to approve. Commissioner Coleman seconded the motion. Mayor Justice called for comments. Commissioner Davis asked if we knew the amount of the invoice. City Manager Donovan Blackburn referred to the finance director to confirm the total of \$860.00. Mayor re read the motion to approve the invoice in the amount of \$860.00. Mayor Justice called for further discussion, there being none, motion passed unanimously. 5-0.

CITY ATTORNEY

Russell Davis was present and read the item into record.

1. Consider the 1st reading of Ordinance # 0-2014-003 amending the city code of ordinance chapter 32, section 32.01 Departments, Boards, and Commissions, disbanding, deleting and omitting Sections 32.190 through Sections 32.198 relating to the Big Sandy Mountain Heritage/History Center of the Cities Codes of Ordinance. City Attorney Rusty Davis read into record.

CITY MANAGER

City Manager Donovan Blackburn presented the commission with the following items for approval:

1. Consider a request to cancel the regular scheduled commission meeting scheduled for March 10, 2014 due to the NLC Conference and to authorize a Special Called Meeting if necessary for Friday, March 7, 2014. Commissioner Chaney made the motion to approve. Commissioner Coleman seconded the motion. Mayor Justice called for comments there being none motion passed unanimously. 5-0.

- 2. Consider a request to authorize and approve amendment #4 between the Commonwealth of Kentucky, Kentucky Infrastructure Authority (KIA) and the City of Pikeville for the City of Pikeville various water and sewer projects #362 for \$175,000.00 as submitted and to authorize the mayor to sign and execute the amendment. Commissioner Chaney made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for additional comments, there being none, motion passed. 5-0.**
- 3. Consider a request to authorize and approve amendment #4 between the Commonwealth of Kentucky, Kentucky Infrastructure Authority (KIA) and the City of Pikeville for the City of Pikeville various water and sewer projects #363 for \$597,250.00.00 as submitted and to authorize the mayor to sign and execute the amendment. Commissioner Chaney made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for additional comments, there being none, motion passed. 5-0.**
- 4. Consider a request to authorize and approve amendment #3 between the Commonwealth of Kentucky, Kentucky Infrastructure Authority (KIA) and the City of Pikeville for the City of Pikeville various water and sewer projects #363 for \$321,000.00 as submitted and to authorize the mayor to sign and execute the amendment. Commissioner Chaney made the motion to approve. Commissioner Coleman seconded the motion. Mayor Justice called for additional comments, there being none, motion passed. 5-0.**
- 5. Consider a request to authorize and approve amendment #4 between the Commonwealth of Kentucky, Kentucky Infrastructure Authority (KIA) and the City of Pikeville for the City of Pikeville various water and sewer projects #363 for \$201,750.00 as submitted and to authorize the mayor to sign and execute the amendment. Commissioner Chaney made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for additional comments, there being none, motion passed unanimously. 5-0.**
- 6. Consider a request to authorize and approve an amendment #5 to the Agreement for Operations, Maintenance and Management Services between the City of Pikeville and Utility Management Group, LLC, as submitted and to authorize Mayor Justice to sign and execute the amendment as presented on behalf of the City of Pikeville. Commissioner Carter made the motion to approve. Commissioner Coleman seconded the motion. Mayor Justice called for comments, there being none motion passed unanimously. 5-0.**
- 7. Consider a request to authorize the submittal to the Division of Waste management, Waste Tire program for the City of Pikeville's Crumb Rubber Grant application for playground improvements and to authorize the city manager to sign and execute said grant application along with any additional documents necessary to apply or accept the grant. Commissioner Chaney made the motion to approve. Commissioner Coleman seconded the motion. Mayor Justice called for additional comments, there being none motion passed unanimously. 5-0.**

8. Consider a request to authorize and approve amendment #8, as submitted, to an agreement for sale of property as submitted between Reality Link Investments, LLC and the City of Pikeville and to authorize the mayor to sign and execute the said agreement on behalf of the City of Pikeville. Commissioner Davis made the motion to approve. Commissioner Coleman seconded the motion. Mayor Justice called for comments, there being none, motion passed unanimously. 5-0.
9. Consider a request to reclassify Beverly Epling Burke from Administrative Assistant to Assistant Tax Clerk and to adopt the amended job description and rate chart for the Assistant Tax Clerk position. Commissioner Chaney made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for comments, there being none motion passed. 5-0.
10. Consider a request to authorize and approve a pipeline right of way agreement and damage release agreement between the City of Pikeville and Chesapeake Appalachia, LLC, as submitted and to authorize the mayor to sign and execute the agreement on behalf of the City of Pikeville. Commissioner Chaney made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for additional comments, there being none motion passed unanimously. 5-0.
11. Consider a request to authorize and approve the purchase of the Thermal Imaging Camera as authorized by the terms and conditions of a grant agreement between the City of Pikeville and the Kentucky Fire Commission. Commissioner Davis made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for additional comments, there being none motion passed unanimously. 5-0.
12. Consider a request to authorize and approve a Memorandum of Understanding (MOU) as submitted, agreeing to all terms and conditions set forth in the MOU between the Unlawful Narcotics Investigations, Treatments and Educations, Inc. (Operations UNITE) and the City of Pikeville, and to authorize Mayor Justice to sign and execute the MOU on behalf of the City of Pikeville. Commissioner Chaney made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice call for comments, there being none motion passed unanimously. 5-0.
13. RFP: Consider a request to authorize the advertisement for Request for Proposals, as submitted for the purpose of soliciting proposals for the City of Pikeville Public Safety Radio System Improvements. Commissioner Carter made the motion to approve. Commissioner Coleman seconded the motion. Mayor Justice called for comments, there being none motion passed unanimously. 5-0.
14. RFP: Consider a request to authorize the advertisement for the Request for Proposals as submitted for the purpose of soliciting proposals for the potential new businesses to locate in the city building located at 773 Hambley Blvd., Pikeville, KY 41501. Commissioner Carter made the motion to approve. Commissioner Coleman seconded the motion. Mayor Justice called for comments, there being none, motion passed unanimously. 5-0.

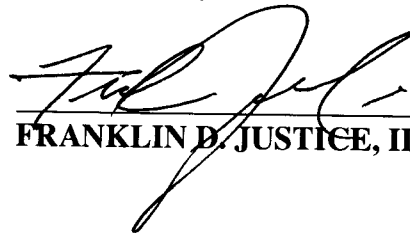
15. Consider a request to authorize and approve a request to submit an application through the Kentucky Highway Safety Grant in the amount of \$25,000.00 for the purpose of enchasing patrol for the state's public highway safety campaign and to authorize the mayor to sign and execute said application on behalf of the City of Pikeville Commissioner Coleman made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for comments. Commissioner Carter asked if that was to patrol the US 23 coordinator. City Manager asked the Police Chief to comment. Police Chief Reed stated this was the third year for the grant and it was reimbursement for overtime. Mayor Justice called for additional comments, there being none motion passed unanimously. 5-0.
16. Consider a request to authorize and approve change order #1 for the Pikeville Fire Station Project as submitted with Elliott Contracting, Inc. for an increase to the contact of \$1,792.72 and authorize the mayor to sign and execute the change order on behalf of the City of Pikeville. Commissioner Chaney made the motion to approve. Commissioner Davis seconded the motion. Mayor called for Comments, there being none motion passed unanimously. 5-0.
17. Consider a request to authorize and approve contract addendum #1 as submitted between the City of Pikeville and Betty Tackett/Dreamz Stables and to authorize the mayor to sign and execute the addendum on behalf of the City of Pikeville. Commissioner Chaney made the motion to approve. Commissioner Coleman seconded the motion. Mayor Justice asked if we had the horses on site. Sean Cochran, Administrative Operations Manager replied yes. Mayor Justice called for comments, there being none motion passed unanimously. 5-0.
18. Pursuant to KRS 61.810, consider request for closed session for the purpose of discussion on economic development, legal and personnel issues. Commissioner Coleman made the motion for closed session. Commissioner Carter seconded the motion. Mayor Justice called for comments, there being none, motion passed. 5-0.
19. Commissioner Carter made the motion to re convene. Commissioner Coleman seconded the motion. Mayor Justice called for comments, there being none, the motion passed and meeting re convened. 5-0. Mayor Justice called session back into order.
20. City Manager Donovan Blackburn made a motion requesting to approve a Resolution, as submitted, authorizing the mayor to join a declaratory judgment lawsuit, on behalf of the City of Pikeville, against the Kentucky Department of Insurance to recover City funds loaned to the Kentucky School Boards Insurance Trust in 2010 from Kentucky League of Cities Insurance Services Association Workers Compensation Fund. Commissioner Chaney made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for comments, there being none, motion passed. 5-0.
21. Consider a request to approve a lease agreement between the Hatfield and McCoy Corporation as submitted to lease the old gas station location on Scott Ave, Pikeville, KY , beside City Hall, with the understanding that the name

may changes due to there is some question if the Hatfield and McCoy name will be used due to legal questions on who owns the right to the name. (City Manager will work with the lessee on the final copy. Commissioner Carter made the motion to approve). Commissioner Coleman seconded the motion. Mayor Justice called for comments, there being none, motion passed unanimously. 5-0.

22. There being no further business to come before the Commission, Commissioner Davis has made the motion to adjourn the meeting. Commissioner Carter seconded the motion. Mayor Justice called for discussion, there being none, and the meeting was adjourned. 5-0

The next scheduled Regular Meeting of the City of Pikeville Board of Commissioners is February 24, 2014 at 6:00 p.m.

APPROVED:



FRANKLIN D. JUSTICE, II, MAYOR

ATTESTED:


REBECCA HAMILTON, CITY CLERK