

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

The Board of Commissioners for the City of Pikeville met in a regular called session on Monday, March 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 February 24, 2014 were in each Commission Member's agenda package. There being no additions or corrections, Commissioner Carter made the motion to approve the minutes as prepared. Commissioner Davis seconded the motion. Mayor Justice called for discussion, there being none, the motion carried unanimously. 5-0.

PAYMENT OF CITY BILLS

The City Manager Donovan Blackburn requested the approval to pay city bills in the amount of \$621,223.01 and to approve an emergency purchase with H2O Construction, Inc. for a total price of \$28,683.63, \$12,000.00 was approved on January 27, 2014 and \$16,683.63 is included on the attached bill list for storm water work. Commissioner Davis made the motion to approve. Commissioner Chaney 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 called for further discussion, there being none, motion passed unanimously. 5-0.

CITY ENGINEER

- 1. Phillip Elswick was present with Summit Engineering, Inc. and presented a request to authorize and approve payment of invoice number 309 with H2O Construction, Inc. for the demolition of a house located at Peach Orchard. Commissioner Chaney made the motion to approve. Commissioner Coleman seconded the motion. Mayor called for further comments, there being none, the motion passed unanimously. 5-0.**
- 2. Consider a request to approve and authorize payment for Elliott Contracting, Inc for invoice number: 60162703, as submitted, for the Fire Station #3 in the amount of \$71,595.90 and authorize the mayor to sign and execute said pay request on behalf of the City of Pikeville. Commissioner Carter made the motion to approve. Commissioner Davis seconded the motion. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.**
- 3. Consider a request to authorize and approve payment of Pay Estimate #8, as submitted and recommended by Codell Construction for the Pikeville Theatre project and as is or shall be approved by the Pikeville Theatre Building Committee. Said pay request is for \$194,626.59 for the following vendors and totals as submitted, Kalkreuth Roofing & sheet metal \$54,540.00, Roofing Supply Group \$15,000.00, Kentucky Flooring Distributors \$3,375.00, Landmark Sprinkler Inc. \$32,400.00, Plumbers Supply Co. \$5,992.28, Rising Sun Developing, Inc. \$24,795.00, Ken/API Supply \$2,542.76, Elliott Contracting, Inc. \$73,167.99 and Elliott Supply & Glass \$9,992.09 for a total payment of \$221,735.12 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 Chaney made the motion to approve. Commissioner Coleman seconded the motion. Mayor called for additional comments, there being none, the motion passed unanimously. 5-0.**

CITY ATTORNEY

Russell Davis was present and had several items to read into record.

- 1. Consider a 1st reading of ordinance #0-2014-005 providing for the issuance of the City's General Obligation Note, Taxable Series 2014, in a principal amount not to exceed \$500,000.00 for the purpose of providing funds to pay a portion of the costs of a public project of the city consisting of the acquisition, construction and equipping of outdoor terrace seating and blacktop and other real property improvements along the former riverbank in the area known as "Riverfill" in Pikeville, KY; along with setting of other terms and conditions as mentioned within the reading, as attached.**
- 2. Consider a 1st reading of ordinance #0-2014-004 amending the 2013-2014 City of Pikeville fiscal budget to reflect certain increases and decreases in revenues and expenditures.**

CITY MANAGER

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

- 1. Consider a request to authorize and approve a settlement agreement and conveyance of various tracts of property owned by Dennis & Lola Weddington located at the top of Peach Orchard Mountain. The City shall purchase 5 tracts of property, which includes their home for a combined purchase price of \$90,000.00; \$22,000.00 will be paid by the city's insurance company and \$68,000.00 will be paid by the city. The commission authorizes approval and execution of a settlement agreement and authorizes the city attorney to prepare said agreement with the approval of the city manager before execution. The terms shall include granting the Weddington's 6 months to relocate. The Weddington's shall carry insurance on the property for whatever time they continue to reside at this location and will agree to release the city for any claims or additional damage from hereafter. The city will agree to permit the Weddington's to take any fixed or personal items off the property to include but not be limited to their carport or any out buildings. The Weddington's shall agree to issue a warranty deed, pro-rate taxes and the city shall pay the transfer tax and recording fees. To also consider a request authorize the mayor to sign and execute said settlement agreement, deed of conveyance and any other documents required to execute the intent of this motion 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.**

2. Consider a request to reclassify Rachael Hamilton to the position of Full Time Utility Clerk at the starting rate for said position at the end of her ready to work program. 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 payment and award a bid, as advertised, for the purchase of a 2015 Utility Truck to the low bidder of Walters Ford for \$58,304.00 and to authorize the city manager to sign and execute and documents necessary to transfer said vehicle into the City of Pikeville's name and to authorize payment for any fees associated with said transfer. Commissioner Chaney made the motion to approve. Commissioner Coleman seconded the motion. Commissioner Carter and Commissioner Davis sustained. Mayor Justice called for comments, there being none, motion passed unanimously. 5-0.
4. Consider a request to authorize payment and award a bid, as advertised, for the purchase of a 2015 Dump Truck to the low bidder of Walters Ford for \$64,034.70 and to authorize the city manager to sign and execute and documents necessary to transfer said vehicle into the City of Pikeville's name and to authorize payment for any fees associated with said transfer. Commissioner Coleman made the motion to approve. Commissioner Chaney seconded the motion. Commissioner Carter and Commissioner Davis sustained. Mayor Justice called for comments, there being none motion passed unanimously. 5-0.
5. Consider a request to amend city personnel policy 3.1 Holiday & City Hall closing as submitted. Commissioner Coleman made the motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for comments, there being none motion passed unanimously. 5-0.
6. Consider a request to authorize and approve an "Agreement for Bond Counsel Services", as submitted, between Stoll Keenon Ogden and the City of Pikeville for services in connection with the contemplated issuance of the City's \$500,000 General Obligation Note for the terraced-styled outdoor seating project and to authorize the Mayor to sign and execute said agreement on behalf of the City of Pikeville. Commissioner Chaney made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for comments, there being none motion passed unanimously. 5-0.
7. Consider a request to authorize and approve an amended lease agreement between the City of Pikeville and Roasted, LLC, as submitted and authorize the mayor to sign and execute said lease agreement on behalf of the City of Pikeville. Commissioner Davis made the motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for comments, there being none motion passed unanimously. 5-0.
8. Consider a request to authorize and approve a Landlord's Release and Consent agreement between Roasted, LLC, Community Trust Bank, Inc. and City of Pikeville, as submitted, granting the city attorney to make amendment to said agreement prior to execution upon the review and approval of the City

- manager and to authorize the mayor to sign and execute said agreement 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.
9. Pursuant to KRS 61.810, consider a request for closed session for the purpose of discussion economic development, legal and personnel issues. Commissioner Carter made to motion. Commissioner Coleman seconded the motion. Mayor Justice called for comments, there being none, motion passed. 5-0.
10. Commissioner Davis made the motion to re convene. Commissioner Coleman seconded the motion. Mayor Justice called for comments, there being none, the motion passed unanimously. 5-0. Mayor Justice called session back into order.
11. There being no further business to come before the Commission, Commissioner Davis has made the motion to adjourn the meeting. Commissioner Coleman seconded the motion. Mayor Pro-tem Carter called for discussion, there being none, and the meeting was adjourned. 5-0

CONSENT ITEMS:

1. East Kentucky Exposition Center Events:

- March 14 through 16 2014: Monster Trucks National Event
 March 20, 2014: Hunter Hayes
 April 10, 2014: Billy Currington w/ Brett Elredge and Chase Rice
 April 26, 2014: Old Crow Medicine Show with Marty Stuart
2. Thermal Camera system demonstration to be scheduled at arrival of new system.
3. Hillbilly Days scheduled April 24th through April 26, 2014.
4. City Hall Closed April 24, 2014 and 25, 2014 due to City Employees working traffic posts for Hillbilly Days.
5. City Hall Closed for Good Friday on April 18, 2014.
6. Easter is Sunday, April 20, 2014.

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

APPROVED:



FRANKLIN D. JUSTICE, II, MAYOR

ATTESTED:



REBECCA HAMILTON, CITY CLERK