

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
SPECIAL MEETING MINUTES
May 30, 2014 AT 2:00 P.M.**

The Board of Commissioners for the City of Pikeville met in a special called session on Friday, May 30, 2014. The meeting was held in the City Hall Conference Meeting Room located at 243 Main Street, Pikeville, Kentucky.

- 1. There being a quorum present, Mayor Frank Justice called the meeting to order at 2:00 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

- 2. The minutes for the previous special meeting held on May 23, 2014 were in each Commission Member's agenda package. There being no additions or corrections, Commissioner Chaney 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.**

Mayor asked Gary Slone that was in the audience if he wanted to introduce someone. Mr. Slone replied oh yes. Mr. Slone stated the newest member of the EKB team is Jennifer Hartsock and she will be covering City Commission meetings. Mayor Justice commented to Ms. Hartsock he was glad to see her come back to the area and commented the commission was excited to have her home and working in Pikeville. Ms. Hartsock replied absolutely and she was excited to get started.

- 3. Consider a requested to authorize and approve the lease agreement submitted by the Jenny Wiley Drama Association and the City of Pikeville and authorize the mayor to sign and execute the said lease agreement on behalf of the City of Pikeville. Commissioner Carter made the motion to approve. Commissioner Chaney seconded the motion. Mayor Justice called for comments. City Manager Blackburn commented is an addendum to the contract or to the lease agreement, there will be a section we will be adding**

as a consent to be permitted and under section 1 (one) be adding a usage of an art gallery or any art facility they deem necessary will be added to the lease. Commissioner Carter commented so moved. Mayor Justice called for additional questions or comments, there being none motion passed unanimously. 5-0.

4. Consider a request to have the chairperson of the Jenny Wiley Association Miriam Sillman address the City Commission on behalf of the Jenny Wiley Theater Board. Miriam came to the podium and stated well, "we are open". It is great and it looks great. This is such a great partnership and I don't think there is any other place in the state that can boast of a kind of support from a municipality that we have from you guys and from the ARTS Council last week. People were asking me how did you do that and I said we didn't do it they asked us and it is a great City Commission and so we just wanted to say thank you for all your support to this point and going forward. This project would have never and we would not be able to be expanding without your support. The best news is that the people of Pikeville and Eastern Kentucky are going to benefit from this because we have a great theatre to offer and a great theater brings people to town and they eat and buy gas and they stay overnight which will help in recruiting great professionals for UPike and the Hospital and we want to be a part of the community and help you grow Pikeville and this great center that everyone can benefit from in Eastern Kentucky and see the return on your investment and being a partner. As if it couldn't get better the Alltech announcement came and we are just thrilled about that now they can do two things they can taste bourbon, beer, eat and come to the theater. I have ideas about how we can work with them as my wheels are ticking about the Irish Heritage and I think this is the beginning of such wonderful things. I remember about 10 years ago I started working with Pikeville on the Comprehensive plan with you guys and see what has happened and the plan for the future and be a part of that with what is happening with the theater and that is really an honor. We are thrilled the theater looks great and the preview was last night and I think people are please and I think people are glad, we saw a lot of new people, people that don't always come up from Prestonsburg and that is a good thing. We have gotten some good feedback back and we look forward to seeing you guys come and see the show and being able to host our new neighbors as well. I did want to say that our vote in the theater building Committee was a unanimous vote for this space and we are very happy to vacate that little bit of space that we was using and we will find other ways to meet our needs and we are thrilled to have Alltech as our neighbors. Really looking forward to it and let us know what we can do to make them feel welcomed and be a part of this plan." City Manager Blackburn commented that the building committee where he takes pleasure as serving as Chairman that he appreciates the Jenny Wiley Association making the investment in Pikeville and Alltech and with all the great work you are doing with the theatre and Jenny Wiley it is a great compliment

with each other and making downtown known as a culture district and along with working with the university and it is extremely exciting. The original lease was sign on September 1, 2011 and working almost a year to get to that lease and we actually started in 2010, and so here we are from 2010 to today actually bringing professional theater to the downtown area so you and the board are to be commented and I am looking forward to a long lasting relationship with you and this community. Also, I appreciate your willingness, Tom and others that serve on the board building committee and we have discussed in the pass very triturate times and trying to get through the budget and hit the budget and bring a professional box downtown and through they are still doing the nuts and bolts pieces down there the inside of it is just nice. Mayor Justice commented that he apologized for not getting to come but his business is settling back down and he will get to attend this weekend. When Donovan came to the commission and said we had a chance to have Jenny Wiley Theater here in Pikeville, our response was don't let the sun set without that being done and that is what we wanted to bring in our downtown area as you well know you done our comprehensive plan and we are heading in the right direction. The commission voted on a tax for this to come and none of us like taxes but when you need it we have to better the community. I for one appreciate everything you have done especially the comprehensive plan. Miriam "we had stumbling blocks but I think we always had in the committee, we never doubted that we was on the same page and had the same goals. That was a question that came up to me last week at the ARTS Council how do you know you can trust the city you are working with, I just thought for a minute and I said I just know, it's never been an issue. And I was able to say proudly that you guys came to us and suggested it and to work together on this and it really is a unique situation and I am so lucky and grateful to be a part of that and I just wanted to leave you with one other thing our children's theater that we was able to start here are bringing kids in from 7 surrounding counties and their parents come with them and now they are bringing other people and so it is already in place and starting to happen. Mayor Justice "my mother was here in town and got to come over; her and Karla to see the children theater. Miriam "yeah, I think they did. Mayor Justice, "they was well pleased with what they saw. Miriam, "Yeah, I know she loves education. City Manager Blackburn commented, since the press is here to, you Miriam hit on something that I think is important for the public to know is not just the investment being made in downtown Pikeville that a professional arts theater is important to our growth and it is important to the professional people with our physicians, and people being recruiting like when they are in places like New York, Chicago and other places and so it is a great marriage and able to offer a better quality of life and also the arts can give the local folks the opportunity to take advantage of. As you know I have some nieces are in the arts programs and if you look at the ticket prices our tickets prices are very reasonable and the mayor also mentioned the tax

that was created to help support this, not only this but the EXPO center to keep the doors open there and to invest in our downtown and our downtown is different than it was 10 years ago. Believe me there is vibrancy in downtown and believe me this tax is paid by everybody that drives through Pikeville so the citizens of Pikeville should be very happy at the stand point that they are not the ones absorbing the tax and people make the choice if they pay or not and it is dollars invested in their town, when I go to other towns I am paying their bed taxes and restaurant taxes to help grow their community we now have the same opportunity here and we are extremely delighted to be a part of that. Commissioner Chaney, "I think in the local economy the knee jerk reaction is to cut, trim the fat and don't spend and I think that we have to look at the Roosevelt era during the depression it took government to invest internally to give the community to make investments and that is what we are doing. We are investing in our community and it is giving the private sector the confidence to invest and also no body builds their downtown unless you have the arts in your downtown. Commissioner Carter, commented "Barry that is a good point and I think that is investing and re investing back into the community as well as being businessman this will help downtown and it has changed in the last year and tell the board that we appreciate them tremendously and how easy everyone has been working to get this done and it will be amazing for our downtown. Commissioner Coleman asked Miriam if there was any kind of guest book or sign in book. Miriam, "What a great idea, I'm going to get one for tonight. Commissioner Coleman, "you won't be able to force them to do it but you could ask them to sign and have a handle on where they are coming from. Miriam, "we capture that at the box office so when they come in we get buyers information and I think that is a great idea. Thank you so much. Commissioner Coleman, "you are welcome. Gold Star Donovan. Mayor Justice asked Miriam what the theatre was doing for advertising. Miriam, "brochures are out, bill boards are starting to go up on 23 and because they are donated they go up with they are empty and we try to time them. We have TV on WSAZ form Huntington, Charleston and WYMT. Pike TV and EKB is our big Meta supporter and press releases go out and we have all of our social media go out. I will tell you Holly who is starting on Monday is our new Executive Director who will be starting on Monday who is a great at that kind of outreach and marketing and will have great ideas. I will bring her by to meet you. What we have found mayor is word of mouth works best for us. We had the people in the theater last night take a "selfie" during the preview and send it out with a hash tag immediately. Commissioner Davis, "will this be similarly to the Abbington VA, something in skill with that. Miriam, "Yes, in terms of professional we are right on par with them. The space is different and that is the type of theater we do. We want to do some joint market with them so we can build off each other and the audiences. Commissioner Davis," I personally am 100 percent behind it. Miriam," Thank you, comes see the show and I want to thank you.

Commissioner Coleman,” I wanted to thank you for your support and the comments on the Alltech. This is a small town with limited space and I really appreciate you support. Miriam,” thank you. Now we have hired more full time positions and some of them are Eastern Kentuckians that have all come back after college. City Manager, commented than when he began his conversations with Alltech on behalf of the City Commission, they looked at a town that had a University, Hospital, two hotels, EXPO and they said this is about tourism and bringing people and create services on demand. When I told them about the zip line, stadium seating along with others tourism venues and that is what got them energized. I met with Steve Smith with Food City right beside the Bargain Theatre this week and hope to have them working together on this deal. Mayor Justice commented, “ talking about the tax, this commissioner right here has cut the tax on the people of Pikeville by about 15%, we are talking about the property tax and I challenge you Donovan to find us more areas to cut. As far as what Jimmy and Jerry Keith are talking about is spending money to make this a better place to live we thank people like Leslie Combs, Ray Jones and Keith Hall, County Judge and all his people. We secured the funds for the Thompson Road and rebuilt the project and I was telling Russ yesterday that you start to see that area with three or four stories over there and if you look to the left of Lowes it’s not developing and that is because we put infrastructure into those areas and our representatives have secured \$22,000,000.00 in projects that will be taken place in the next two to four years that will open up. You can’t compare and what all that 26 agencies did in the Pikeville Cut Through with what just happened. But to be honest with you we just opened up more retail and more industrial than that project opened up land available so by working with representatives we have open up the ground work to allow our people to transition from coal to industry, theatre and it is developing and we will have greater things to announce in the future and we are tax cutting people. OK, thank you Miriam. City Manager Blackburn, “to piggy back off of what the mayor said there is Main Street is waiting for the Theater to open, if you look out back of here the new ARTs House is opened and has artist that will be down on second street and close off second street on weekends and create the community for the artists and the Artisan Alliance is now part of Main Street and will be working with Jenny Wiley Theater. Mayor Justice, “I love the idea of closing off the street, but I don’t know how you will get around Johnson parking lot. City Manager, “well we will figure it out.” Mayor Justice, “Miriam, thank you for everything that you do.”

5. Consider a second reading and adoption of ordinance #0-2014-010 amending the 2013-2014 city operating budget and authorize the mayor the authority to sign and execute said ordinance on behalf of the City of Pikeville. Commissioner Chaney made the motion to adopt the ordinance into record. Commissioner Coleman seconded the motion. Mayor Justice called for

comments there being none motion passed unanimously. 5-0. Mayor Justice called for roll call.

**ORDINANCE AMENDING THE FISCAL BUDGET
2014 FISCAL YEAR**

ORDINANCE NO. 0-2014-010

WHEREAS, certain additional information has come to the attention of the Finance Department which necessitates the amendment of the 2013-2014 fiscal year budget to reflect certain increases and decreases to revenues and expenditures. NOW, THEREFORE be it ordained by the City of Pikeville that the fiscal budget for the 2013-2014 fiscal year is hereby amended to reflect an increase and or decrease of revenues and /or expenditures as reflected in the attached exhibit entitled "Budget Amendments".

The above ordinance was give first reading on May 23, 2014.

The ordinance was given second reading on May 30, 2014. The ordinance shall be in full force and effect immediately after it is passed and published as required by law.

Passed, this 30th day of May, 2014.

Commissioner Chaney moved the adoption of the foregoing ordinance. Commissioner Coleman seconded the motion.

Upon roll call, the votes were as follows:

	YES	NO
FRANKLIN D. JUSTICE, II MAYOR	_X_	___
JAMES A. CARTER, COMMISSIONER	_X_	___
EUGENE W. DAVIS, COMMISSIONER	_X_	___
JERRY KEITH COLEMAN, COMMISSIONER	_X_	___
BARRY N. CHANEY, COMMISSIONER	_X_	___

The Mayor declared the within Ordinance adopted.

/s/ Franklin D. Justice
FRANKLIN D. JUSTICE, II, MAYOR

ATTEST:

/s/ Rebecca Hamilton
REBECCA HAMILTON, CITY CLERK

6. Consider a first reading of ordinance #0-2014-011 adopting the City of Pikeville's 2014-2015 City of Pikeville Operating Budget. City Manager Donovan Blackburn read into record due to City Attorney Rusty Davis was unavailable to attend Special Called meeting due to prior engagement.
7. Consider a request to approve and authorize payment of the city bill list, as submitted, for \$141,082.78. Commissioner Carter made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for comments, there being none motion passed unanimously.5-0.
8. Consider a request to authorize and approve payment, as recommended by the Pikeville Theatre Building Committee, for invoice #000020 as submitted, from Holzman Moss Bottino for \$4,210.35 for the Pikeville Theatre Project. Commissioner Chaney made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for comments there being none motion passed unanimously. 5-0.
9. Consider a request to authorize and approve Tom Wright Construction, Inc. proposal to address the peach Orchard (Julius Ave) mitigation project, as attached, for a total cost of \$16,500.00, which is within budget and to authorize the notice to proceed for said work. 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.
10. Consider a request to authorize and approve payment of invoice #9 for Vaughn & Melton Consulting Engineers, Inc. for \$35,596.86 for engineering services for the City of Pikeville's Waste Water Treatment Plant Upgrade 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 Coleman seconded the motion. Mayor Justice asked Russ with the Appalachian News Express if he had ever covered the story much on the City of Pikeville's Waste Water Treatment Plant Upgrade, but this is going to be a huge project and an expensive project. Our legislative has worked hard to secure monies and so has Donovan. They have found us all kinds of funding sources and they need to be recognized for saving our tax payers money and the project is going to be super green. Mayor Justice called for comments, there being none motion passed unanimously. 5-0.
 11. Consider a request to authorize and approve a "Use Agreement", as submitted, between the City of Pikeville and Community Trust Bank for the 2014 Pike County Bowl and authorize the mayor to sign and execute said 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.
 12. Consider a request to authorize and approve an amended job description and pay scale, as submitted, for the position of Administrative Clerk for the City Manager. Commissioner Chaney made the motion to approve. Commissioner Coleman seconded the motion. Mayor called for comments, there being none motion passed unanimously. 5-0.
 13. Consider a request to authorize and approve an "Agreement to Cancel Lease", as submitted, between the City of Pikeville and EKB-TV with the intent to cancel all terms and conditions of a lease for the City Building located at 745 Hambley Blvd., Pikeville, KY 41501 and to authorize the mayor the authority to sign and execute said agreement on behalf of the City of Pikeville. 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.
 14. Consider a request to authorize and approve a new and revised "Lease Agreement", as submitted, between the City of Pikeville and EKB TV and authorize the Mayor the authority to sign and execute the lease on behalf of the City of Pikeville. Commissioner Chaney made the motion to approve. Commissioner Davis seconded. Mayor Justice called for comments, there being none motion passed unanimously. 5-0.
 15. Consider a request to authorize and approve an "Agreement of Purchase and Sale", as submitted, between the City of Pikeville and Alltech Inc. and authorize the mayor to sign and execute said 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.
16. Consider a request to authorize and approve a “Lease Agreement”, as submitted between the City of Pikeville and Alltech Inc. and authorize the mayor to sign and execute said lease agreement on behalf of the City of Pikeville. Commissioner Carter made the motion to approve. Commissioner Coleman seconded the motion. Mayor called for comments, there being none motion passed unanimously. 5-0.
17. Consider a request to authorize and approve a “Lease Agreement”, as submitted and recommended by the Theatre Building Committee, between the City of Pikeville and Jenny Wiley Drama Association and to authorize the mayor to sign and execute said lease agreement on behalf of the City of Pikeville. Commissioner Chaney made the motion to approve. Commissioner Coleman seconded the motion. Mayor called for comments, there being none motion passed unanimously. 5-0.
18. Consider a request to issue a notice to terminate lease and issue a memorandum to vacate premises to Pike TV located in a city facility located at 745 Hambley Blvd, Pikeville, KY 41501. Pursuant to the terms of the lease agreement Pike TV would have 10 days to vacate however the intent is to grant additional time in order to allow adequate time to move by granting Pike TV until June 30th to vacate premises. Commissioner Chaney made the motion to approve. Commissioner Coleman seconded the motion. Mayor called for comments. City Manager commented that both Pike TV and EKB are moving to the UPike Technology building where the library is moving out of. Mayor Justice called for further comments, there being none motion passed unanimously. 5-0.
19. Consider a request to authorize and approve Anthem BCBS as the City of Pikeville provider with an increase renewal rate of 5.75% for health and 2.5% increase for dental and no charge to the vision plan and to authorize the mayor the authority to sign and execute any documents necessary to renew said rates as detailed. Commissioner Chaney made the motion to approve. Commissioner Coleman seconded the motion. Mayor Justice asked Rebecca Hamilton if she was the one that worked on the insurance and comment that was a good rate. City Manager Blackburn commented considering Obama Care she done a hick of a job and very proud of her and proud to submit this motion on behalf of Mrs. Rebecca. Commissioner Carter commented that he was surprised the rate was not higher because his company has just seen a higher increase. Mayor commented that his policy he had carried for 30 years had been effected as well. Mayor called for comments, there being no further discussion on the insurance motion passed unanimously. 5-0.
20. Consider the adoption of a resolution asking the Pikeville/Pike County/Elkhorn City Joint Zoning Board to consider an amendment to Pikeville City zoning regulation change to permit a C-3 zone for the use of a distillery/brewery and pertinence thereto. Commissioner Carter made the

motion to approve. Commissioner Coleman seconded the motion. Mayor called for questions or comments, there being none motion passed unanimously. 5-0.

21. Pursuant to KRS 61.810, consider a request for closed session for the purpose of discussion economic development, legal and personnel issues. Commissioner Coleman made to motion. Commissioner Carter seconded the motion. Mayor Justice called for comments, there being none, motion passed. 5-0.
22. Commissioner Carter made the motion to re convene. Commissioner Coleman seconded the motion. Mayor called the session back into order.
23. There being no further business to come before the Commission, Commissioner Carter has made the motion to adjourn the meeting. Commissioner Chaney seconded the motion. Mayor Justice called for discussion, there being none, and the meeting was adjourned. 5-0.

The next Regular Meeting of the City of Pikeville Board of Commissioners is June 9, 2014 at 6:00 p.m.

APPROVED:



FRANKLIN D. JUSTICE, II, MAYOR

ATTESTED:



REBECCA HAMILTON, CITY CLERK