

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
September 22, 2014 AT 6:00 P.M.**

The Board of Commissioners for the City of Pikeville met in a Regular called session on Monday, September 22, 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 September 8, 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 Coleman seconded the motion. Mayor Justice called for discussion, there being none, the motion carried unanimously. 5-0.

BUSINESS FROM THE FLOOR

Mayor Justice asked if there was any business from the floor.

PAYMENT OF CITY BILLS

The City Manager Donovan Blackburn requested the approval to pay city bills in the amount of \$1,128,683.84. Commissioner Davis made the motion to approve. Commissioner Coleman 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.

BIG SANDY AREA DEVELOPMENT DISTRICT

Sandy Runyon was present, stated she was just visiting.

CITY ENGINEER

- 1. Consider a request to authorize and approve payment of pay request #9, as submitted, for Elliott Contracting, Inc. for \$41,488.70 for the Fire Station #3 Project and to authorize the Mayor to sign and execute said pay request if necessary. 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.**
- 2. Consider a request to authorize and approve payment of pay request #1, as submitted for Mountain Enterprises, Inc. for \$42,122.39 for the Fire Station #3 Project and to authorize the Mayor to sign and execute said pay request if necessary. Commissioner Chaney made the motion. Commissioner Coleman seconded the motion. Mayor Justice called for comments. Commissioner Chaney asked when we are moving in. City Manager, Blackburn stated we have some furniture order and as soon as it comes in we should be ready to move in. Mayor Justice called for further discussion, there being none, motion passed unanimously. 5-0.**

CITY ATTORNEY

Russell Davis was present and had one item to read into record.

Consider a 2nd reading and adoption of ordinance #0-2014-016 amending the fiscal budget for the 2014-2015 Fiscal Year and to authorize the Mayor the authority to sign and execute said ordinance on behalf of the City of Pikeville. City Attorney Rusty Davis read into record. Commissioner Carter made the motion to adopt. Commissioner Coleman seconded the motion. Mayor Justice called for roll call. Ordinance Adopted. 5-0.

**ORDINANCE AMENDING THE FISCAL BUDGET
FOR THE 2014-2015 FISCAL YEAR**

ORDINANCE NO. 0-2014-016

WHEREAS, certain additional information has come to the attention of the Finance Department which necessitates the amendment of the 2014-2015 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 2014-2015 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 September 8th, 2014.
 The ordinance was given second reading on __September 22, 2014__. The ordinance shall be in full force and effect immediately after it is passed and published as required by law.
Passed, this 22th day of September, 2014.
 Commissioner Carter moved the adoption of the foregoing ordinance. Commissioner Davis seconded the motion. Upon roll call, the votes were as follows:

	<u>YES</u>	<u>NO</u>
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.

FRANKLIN D. JUSTICE, II, MAYOR

ATTEST:

REBECCA HAMILTON, CITY CLERK

CITY MANAGER

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

- 1. Consider a request to reject to set Trick-or-Treat night in the City of Pikeville for October 30th 2014 from the hours of 6pm until 8pm. Commissioner Chaney made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for comments, there being no comments, motion passed unanimously. 5-0.**
- 2. Consider a request to authorize the City Engineer to issue a notice to proceed for the Scholar House Entrance Widening Project to Mountain Enterprise contingent upon providing satisfactory bonds and insurance. Commissioner Carter made the motion to approve. Commissioner Coleman seconded the motion. Mayor Justice called for comments, there being no comments, motion passed unanimously. 5-0.**
- 3. Consider a request to authorize and approve a job offer to Elizabeth Thompson for the position of Administrative Assistant/Grant Administrator, at the starting rate of said position, contingent upon passage of all required pre-employment test. Commissioner Chaney made the motion to approve. Commissioner Coleman seconded the motion. Mayor Justice asked where Elizabeth is at tonight. City Manager, Blackburn stated that she did not come tonight, we all knew her so I did not ask her to come out tonight. As you all know Trish Varney will be leaving us the 1st week of October to work for KLC. Elizabeth Thompson was a reporter with the Appalachian News-Express and she has covered the Commission Meetings before. The interview board recommended the hiring of Ms. Thompson. Mayor Justice called for comments, there being none motion passed unanimously. 5-0.**
- 4. Consider a request to authorize and approve a Second Amendment to the Agreement for Air Services, as submitted, between the City of Pikeville and**

- Public Charters Inc. and to authorize the Mayor to sign and execute said contract on behalf of the City of Pikeville. Commissioner Chaney made the motion to approve. Commissioner Coleman seconded the motion. Mayor Justice called for comments. City Manager Blackburn stated if you recall we discussed this at last commission meeting this again limits/lowers the sales of where there is a date the plane will not fly due to there being any passengers this is what that amendment is for. Mayor Justice called for further comments, there being none motion passed unanimously. 5-0.**
- 5. Consider a request to authorize and approve the submittal of a grants application as submitted through the Kentucky Transportation Cabinet for the Transportation Alternatives Program for the restoration project of the York House and to authorize the Mayor to sign and execute any and all documents to apply and accept said grant on behalf of the City of Pikeville. Commissioner Chaney made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for comments. Commissioner Carter asked what the budget is. Main Street Director, Minta Trimble stated she was waiting on the Engineer's report she has a budget prepared by Mark White the grant will be in the amount of the total restoration \$1,335,000.00. City Manager, Blackburn this particular grant as I understand is a maximum of TAB 250. Minta, I was told up to 516 thousand. Sandy do you know what the TAB pays out? Sandy, it can help out. Minta, that was on the high end. Commissioner Carter, if we can just get enough to get the roof done. I love the tarp by the way. City Manager, the roof has a tarp, there is no more water leaking through. Minta, we should have a complete grant cost by the next special meeting. Mayor Justice called for further comments, there being none, motion passed unanimously. 5-0.**
 - 6. Consider a request to adopt a resolution, as submitted, authorizing the establishment of a deposit escrow account between the City of Pikeville, Shelby Financial and Penn Liberty Bank for the purpose of the commercial air service project and authorize the Mayor to sign and execute documents necessary to open said account. Commissioner Chaney made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for comments. City Manager, Blackburn this is simply the escrow account we are setting up for the purpose of holding fees for the ticket prices as required. Mayor Justice asked how we got up with Shelby Financial. City Manager is just a financial institute that was provided that the Theatre and City came upon. Mayor Justice called for further comments, there being no comments, motion passed unanimously. 5-0.**
 - 7. Consider a request to authorize acceptance and approve payment for Gas Liability Insurance through Commercial Insurance Service Corp., as submitted and to authorize the City Manager the authority to sign and execute any and all documents necessary for said policy and service on behalf of the City of Pikeville. Commissioner Chaney made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for comments, there being no comments, motion passed unanimously. 5-0.**
 - 8. Consider a request to authorize and adopt a resolution, as submitted, supporting a one million dollar 2014 Community Development Block Grant through the Economic Development Program for the University of Pikeville for the Kentucky**

- Regional Telecommunications Training Facility Project and to authorize the Mayor the authority to sign and execute said resolution on behalf of the City of Pikeville. Commissioner Chaney made the motion to approve the adoption of the Proclamation. Commissioner seconded the motion. Mayor Justice called for comments. City Manager Blackburn, this is a project we have partnered with the University to create technology for the telecommunication facility. Mayor Justice called for further comments, there being no comments, resolution adopted, motion passed unanimously. 5-0.**
- 9. Consider a request to authorize and approve a letter of support, as submitted, on behalf of the City of Pikeville for the University of Pikeville's Kentucky Regional Telecommunications Training Facility Project grant application through Economic Development Administration and ARC for construction funds and to authorize the Mayor to sign and execute said letter of support on behalf of the City of Pikeville. Commissioner Davis made the motion to approve. Commissioner Coleman seconded the motion. Mayor Justice called for comments. Mr. Blackburn the only thing I want to say is of course we have our great representative here with the Big Sandy Area Development District, Sandy Runyon, they are making out the grant on behalf of the University and working with the City, we appreciate it, as always Thank you! Mayor Justice called for further comments, there being none, motion passed unanimously. 5-0.**
 - 10. Consider a request to call a special meeting on Monday, September 29, 2014 at 4p.m. to award the bid for Phase 1 of Marion Branch Road Project. Commissioner Davis made the motion to approve. Commissioner Coleman seconded the motion. Mayor Justice called for comments, there being no comments, motion passed unanimously. 5-0.**
 - 11. Consider a request to advertise and approve the execution of the Local Public Agency Certification of Responsibility, as submitted, between the Kentucky Transportation Cabinet and the City of Pikeville and to authorize the Mayor the authority to sign and execute said document 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 no comments, motion passed unanimously. 5-0.**
 - 12. Consider a request to appoint Frank Dawahare to the Industrial Development Board to replace Frankie Billiter, who has resigned. Said appointments term will end on November 9th, 2016. Commissioner Chaney made the motion to approve. Commissioner Coleman seconded the motion. Mayor Justice called for comments, there being no comments, motion passed unanimously. 5-0.**
 - 13. Consider a request to approve a 1-3 year contract between the City of Pikeville and Birch for DLS at Fire Station #3 and to authorize payment at the rate of \$99.95 plus \$65.00 installation fee and to authorize the City Manager to sign and execute said contact on behalf of the City of Pikeville. Commissioner Carter made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for comments, there being none. Motion passed. 5-0.**
 - 14. Consider a request to authorize and approve an Assignment Agreement, as submitted, between the Jenny Wiley Drama Association, Inc. and the City of Pikeville with Community Trust Bank, Inc. 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 no comments, motion passed unanimously 5-0.
15. Consider a request to authorize an advertisement for bid for the construction of a War Memorial, as discussed and presented in the commission work session. Said project shall be completed at the City Manager's discretion in phases as needed. Commissioner Davis made the motion to approve. Commissioner Coleman seconded the motion. Mayor Justice called for comments, there being no comments, motion passed unanimously 5-0.
 16. Consider a request to authorize and approve a variance for a water line easement backset with Bill Dotson for the outbuilding being constructed off Hambley Blvd. as discussed during the work session, contingent upon Mr. Dotson building a solid wall into the ground where the easement lies and Mr. Dotson agrees to sign a release of liability against his property for any damage that may occur by a rupture of a water line or any type of malfunction of a water line or any damage created by the city or it's contractor if the City has to dig up on the easement for any reason for the waterline and to authorize the Mayor the authority to sign and execute said variance and release of liability on behalf of the City of Pikeville. Commissioner Carter made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for comments, there being no comments, motion passed unanimously 5-0.
 17. Pursuant to KRS 61.810, consider request for closed session for discussion of economic development, legal and personnel issues. Commissioner Chaney made the motion. Commissioner Coleman seconded the motion. Mayor Justice called for discussion, there being none the motion passed unanimously. 5-0.
 18. Commissioner Carter 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.
 19. Consider a request to authorize and approve the submittal of a grant/loan request with the Kentucky Infrastructure Authority for the purpose of the construction of a water system at Marion Branch to service the new development and to authorize the Mayor the authority to sign and execute and all documentation in apply and receive said grant 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.

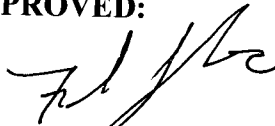
There being no further business to come before the Commission, Commissioner Davis has made the motion to adjourn the meeting. Commissioner Coleman seconded the motion. Mayor Justice called for discussion, there being none, and the meeting was adjourned. 5-0

CONSENT ITEMS:

- Kentucky League of Cities Annual Conference will be held on October 7-10, 2014 at Galt House in Louisville.
- September 29, 2014 will be the Ribbon Cutting Event at Bob Amos Park at noon for the new Pikeville Dog Park.
- October 13, 2014 Hobby Lobby ribbon cutting event at 9:00 a.m.
- Groundbreaking event for lift station on Thompson Road set for October 9, 2014 at 4:00 p.m.
- SOAR Executive Committee meeting Natural Bridge State Park, Tuesday September 23, 2014 at 1:00 p.m. Futures forum from 10:30 a.m. until 11:30 a.m.
- Alltech Brewery/Distillery event will be October 13, 2014 at Jenny Wiley Theatre. Time TBA
- 4:30 p.m. Work Session will be held October 13, 2014 at City Hall regarding Cedar Creek Flooding.

The next scheduled Regular Meeting of the City of Pikeville Board of Commissioners is October 13, 2014 at 6:00 p.m.

APPROVED:



FRANKLIN D. JUSTICE, II, MAYOR

ATTESTED:


REBECCA HAMILTON, CITY CLERK