

MINUTES } CITY OF PIKEVILLE

COMMISSIONER: EUGENE DAVIS LEFT BEFORE MEETING WAS OVER
 ROBERT AMOS, JR. YES
 MAYOR: W. C. HAMBLEY, M.D. YES

The Motion Carried.

APPROVED

W.C. Hambley

ATTEST:

REGULAR MEETING - OCTOBER 8, 1979

A Regular Meeting of the Board of Commissioners of the City of Pikeville was held on October 8, 1979 at 7:30 P.M., at the regular meeting place of said Board of Commissioners at the Old City Hall Building in Pikeville, Ky.

Mayor W. C. Hambley, M.D., presided and upon call of the roll, the following members were determined to be present:

COMMISSIONER: JAMES BALSER
 HARDING DAWAHARE
 EUGENE DAVIS
 ROBERT AMOS, JR.
 MAYOR: W. C. HAMBLEY, M.D.

The minutes were read for the previous regular meeting of September 24, 1979 and they were approved without any additions or corrections.

Rick Yates and Mike McAdams were present from Linton and Co. to discuss the City's 1978-79 audit. They presented a list of points which were determined to major weaknesses in internal control. No. Action Taken.

Community Development Bills in the amount of \$59,052.95 were submitted to the Commission for approval of payment. Eugene Davis made the motion to approve payment. Harding Dawahare seconded the motion. Upon roll call the vote was as follows:

COMMISSIONER: JAMES BALSER YES
 HARDING DAWAHARE YES
 EUGENE DAVIS YES
 ROBERT AMOS, JR. YES
 MAYOR: W. C. HAMBLEY, M.D. YES

The Motion Carried.

An invoice from Construction Inspection Corporation was presented to the Commission for approval of payment in the amount of \$3,061.73 for inspection services on the raw water intake from September 4, 1979 to September 28, 1979. Harding Dawahare made the motion to approve payment. James Balser seconded the motion. Upon roll call the vote was as follows:

COMMISSIONER: JAMES BALSER YES
 HARDING DAWAHARE YES
 EUGENE DAVIS YES
 ROBERT AMOS, JR. YES
 MAYOR: W. C. HAMBLEY, M.D. YES

The Motion Carried.

Invoice #17 from E.S. Preston in the amount of \$7,509.90 was presented to the Commission for approval of payment for work done on the Island Creek to Toler Gap, Water Facilities and Inspection project. Eugene Davis made the motion to approve payment. Harding Dawahare seconded the motion. Upon roll call the vote was as follows:

COMMISSIONER: JAMES BALSER YES
 HARDING DAWAHARE YES
 EUGENE DAVIS YES
 ROBERT AMOS, JR. YES
 MAYOR: W. C. HAMBLEY, M.D. YES

The Motion Carried.

E. S. Preston submitted Invoice #24 in the amount of \$603.20 for the Final Design and Preparation of plans and Specifications for the storm and sanitary sewer relocation and separation project for approval of payment. Harding Dawahare made the motion to approve payment. James Balser seconded the motion. Upon roll call the vote was as follows:

COMMISSIONER: JAMES BALSER YES
 HARDING DAWAHARE YES
 EUGENE DAVIS YES
 ROBERT AMOS, JR. YES
 MAYOR: W. C. HAMBLEY, M.D. YES

The Motion Carried.

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James Balser made the motion to approve payment of J.T. Goggins' payment #5 for work done on the swimming pool project in the amount of \$17,752.00. Harding Dawahare seconded the motion. Upon roll call the vote was as follows:

COMMISSIONER:	JAMES BALSER	YES
	HARDING DAWAHARE	YES
	EUGENE DAVIS	YES
	ROBERT AMOS, JR.	YES
MAYOR:	W. C. HAMBLEY, M.D.	YES

The Motion Carried.

Stokely -Cheeks and Associates presented a bill in the amount of \$96.00 for 12 concrete test cylinders for the swimming pool for approval of payment. James Balser made the motion to approve payment. Eugene Davis seconded the motion. Upon roll call the vote was as follows:

COMMISSIONER:	JAMES BALSER	YES
	HARDING DAWAHARE	YES
	EUGENE DAVIS	YES
	ROBERT AMOS, JR.	YES
MAYOR:	W. C. HAMBLEY, M.D.	YES

The Motion Carried.

Ordinance 0-79-014 was presented and read entitled:

ORDINANCE PASSING ON CERTAIN GAS INCREASES AND ESTABLISHING NEW GAS RATES ON ALL CITY OF PIKEVILLE GAS CUSTOMERS

Harding Dawahare made the motion to adopt the ordinance. Eugene Davis seconded the motion. Upon roll call the vote was as follows:

COMMISSIONER:	JAMES BALSER	YES
	HARDING DAWAHARE	YES
	EUGENE DAVIS	YES
	ROBERT AMOS, JR.	NO
MAYOR:	W. C. HAMBLEY, M.D.	YES

The Motion Carried.

Resolution R-79-069 was presented and read entitled:

RESOLUTION ASSURING THE COMMONWEALTH OF KENTUCKY, OF THE CITY OF PIKEVILLE'S TIME SCHEDULE FOR CLOSING AND COVERING THE PRESENT CITY DUMP

WHEREAS, the appropriate agencies of the Commonwealth of Kentucky have demanded certain assurances of the City of Pikeville as to its schedule for closing and covering the present City dump, and;

WHEREAS, a tentative plan for doing so has been formulated,

NOW, THEREFORE, BE IT RESOLVED, that the City Manager is authorized to assure the appropriate agencies of the Commonwealth of Kentucky of the following goals of the City of Pikeville with regard to the closing of the city dump and covering of the same:

1. It is estimated that by November 1, 1979, a contract will be established with Pike County for dumping at the County Mountain Refuse Transfer Station.
2. It is estimated that by January 1, 1980, the existing City Dump site will be filled by one foot of earth.
3. It is estimated that by July 1, 1980 the existing dump site will be filled with four feet of earth.
4. The City does plan to attempt, to the extent that regulations would permit, to dispose of non-degradable trash on the left side, ascending of the dump site, after the same has been filled to one foot.

An emergency is declared to exist with regard to the foregoing Resolution and the same shall be in full force and effect immediately upon subscription and approval thereof.

At Pikeville, Kentucky this 8 day of October, 1979.

Commissioner Harding Dawahare moved the adoption of the foregoing Resolution. Commissioner James Balser seconded the Motion.

Upon roll call the votes were as follows:

W. C. HAMBLEY, M.D., MAYOR	YES
ROBERT AMOS, JR., COMMISSIONER	YES
HARDING DAWAHARE, COMMISSIONER	YES
JAMES BALSER, COMMISSIONER	YES
EUGENE DAVIS, COMMISSIONER	YES

The Mayor declared the within Resolution adopted.

/s/ W. C. Hambley, M.D..
W. C. HAMBLEY, M.D., MAYOR

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ATTEST:

/s/ Charles L. Huffman, Jr.
 CHARLES L. HUFFMAN, JR.
 CITY CLERK

Harding Dawahare made the motion to adopt the resolution. James Balser seconded the motion. Upon roll call the vote was as follows:

COMMISSIONER:	JAMES BALSER	YES
	HARDING DAWAHARE	YES
	EUGENE DAVIS	YES
	ROBERT AMOS, JR.	YES
MAYOR:	W. C. HAMBLEY, M.D.	YES

The Motion Carried.

The City has advertised for bids for paving the track and tennis courts in the Upper Poor Farm Area. Eugene Davis made the motion to reject all bids received. James Balser seconded the motion. Upon roll call the vote was as follows:

COMMISSIONER:	JAMES BALSER	YES
	HARDING DAWAHARE	YES
	EUGENE DAVIS	YES
	ROBERT AMOS, JR.	YES
MAYOR:	W. C. HAMBLEY, M.D.	YES

The Motion Carried.

Change order #3 from Sharp Company was presented to the Commission in the amount of \$43,873.00 for the Poor Farm Hollow Water & Sewer Lines. James Balser made the motion to accept the change order. Eugene Davis seconded the motion. Upon roll call the vote was as follows:

COMMISSIONER:	JAMES BALSER	YES
	HARDING DAWAHARE	YES
	EUGENE DAVIS	YES
	ROBERT AMOS, JR.	YES
MAYOR:	W. C. HAMBLEY, M.D.	YES

The Motion Carried.

Change Order #4 from Sharp Company was presented to the Commission in the amount of \$26,299.02 for the Poor Farm Hollow Water & Sewer Lines. Harding Dawahare made the motion to accept the change order. Eugene Davis seconded the motion. Upon roll call the vote was as follows:

COMMISSIONER:	JAMES BALSER	YES
	HARDING DAWAHARE	YES
	EUGENE DAVIS	YES
	ROBERT AMOS, JR.	YES
MAYOR:	W. C. HAMBLEY, M.D.	YES

The Motion Carried.

A change order was presented from E. S. Preston in the amount of \$8,224.43 for cost overrun on contract no. 1 on resident inspection. Harding Dawahare made the motion to accept the change order. James Balser seconded the motion. Upon roll call the vote was as follows:

COMMISSIONER:	JAMES BALSER	YES
	HARDING DAWAHARE	YES
	EUGENE DAVIS	YES
	ROBERT AMOS, JR.	YES
MAYOR:	W. C. HAMBLEY, M.D.	YES

The Motion Carried.

A change order from E.S. Preston was submitted to the Commission in the amount of \$40,003 for Sanitary Sewer Work on the Cut-Thru Project. James Balser made the motion to accept the change order. Harding Dawahare seconded the motion. Upon roll call the vote was as follows:

COMMISSIONER:	JAMES BALSER	YES
	HARDING DAWAHARE	YES
	EUGENE DAVIS	YES
	ROBERT AMOS, JR.	YES
MAYOR:	W. C. HAMBLEY, M.D.	YES

The Motion Carried.

A request was made by Construction Inspection Corporation for a one week extension on their contract for the inspection for the raw water intake. James Balser made the motion to grant one week extension. Harding Dawahare seconded the motion. Upon roll call the vote was as follows:

COMMISSIONER:	JAMES BALSER	YES
	HARDING DAWAHARE	YES

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MAYOR: EUGENE DAVIS YES
ROBERT AMOS, JR. YES
W.C. HAMBLEY, M.D. YES

The Motion Carried.

Status Changes were brought before the Commission for the period of Sept. 24-October 8, 1979. No Action Taken.

Resolution R-79-070 was presented and read entitled:

RESOLUTION AUTHORIZING NEGOTIATION OF LOAN FOR \$35,000.00 TO BE REPAID WITHIN THIRTY DAYS FOR APPLICATION TO THE TOLER GAP WATER PROJECT

WHEREAS, the Toler Gap Water Project is being funded by Economic Development Administration Funds, and;

WHEREAS, interim financing will be necessary in the sum of \$35,000.00 for application of the said project,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Clerk are authorized to execute a loan in the principal sum of \$35,000.00 to be repaid within thirty days from Economic Development Administration Funds, upon such terms and conditions as they may deem most appropriate at an institution of their choosing.

An emergency is declared to exist with regard to the foregoing Resolution and the same shall be in full force and effect immediately upon subscription and approval thereof.

At Pikeville, Kentucky this 8 day of October, 1979.

Commissioner Harding Dawahare moved the adoption of the foregoing Resolution. Commissioner James Balser seconded the motion.

Upon roll call the votes were as follows:

W. C. HAMBLEY, M.D., MAYOR YES
HARDING DAWAHARE, COMMISSIONER YES
JAMES BALSER, COMMISSIONER YES
EUGENE DAVIS, COMMISSIONER YES
ROBERT AMOS, JR, COMMISSIONER YES

The Mayor declared the within Resolution adopted.

/s/ W. C. Hambley, M.D.
W. C. HAMBLEY, M.D., MAYOR

ATTEST:

/s/ Charles L. Huffman, Jr.
CHARLES L. HUFFMAN, JR.
CITY CLERK

Harding Dawahare made the motion to adopt the resolution. James Balser seconded the motion. Upon roll call the vote was as follows:

COMMISSIONER: JAMES BALSER YES
HARDING DAWAHARE YES
EUGENE DAVIS YES
ROBERT AMOS, JR. YES
MAYOR: W. C. HAMBLEY, M.D. YES

The Motion Carried.

Resolution R-79-071 was presented and read entitled:

RESOLUTION AUTHORIZING LOAN OF \$75,000.00 FROM THE GAS OPERATION AND MAINTENANCE FUND

WHEREAS, there are certain sums in the Gas Operation and Maintenance Fund, and;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the transfer and loan of \$75,000.00 from the Gas Operation and Maintenance Fund is hereby authorized, to be repaid from Gas Revenues.

An emergency is declared to exist with regard to the foregoing Resolution. Commissioner Harding Dawahare seconded the Motion.

Upon roll call the votes were as follows:

W. C. HAMBLEY, M.D., MAYOR YES
HARDING DAWAHARE, COMMISSIONER YES
ROBERT AMOS, JR, COMMISSIONER YES
JAMES BALSER, COMMISSIONER YES
EUGENE DAVIS, COMMISSIONER YES

The Mayor declared the within Resolution adopted.

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/s/ W. C. Hambley, M.D.
W. C. HAMBLEY, M.D., MAYOR

James Balser made the motion to adopt the resolution. Harding Dawahare seconded the motion. Upon roll call the vote was as follows:

COMMISSIONER:	JAMES BALSER	YES
	HARDING DAWAHARE	YES
	EUGENE DAVIS	YES
	ROBERT AMOS, JR.	YES
MAYOR:	W. C. HAMBLEY, M.D.	YES

The Motion Carried.

Ordinance 0-79-015 was presented and read entitled:

ORDINANCE AMENDING ZONING REGULATION TO CHANGE ZONING FROM R-2 TO C-2 ON PROPERTY ON THE BY-PASS ROAD IN THE CITY OF PIKEVILLE

Harding Dawahare made the motion to adopt the ordinance. James Balser seconded the motion. Upon roll call the vote was as follows:

COMMISSIONER:	JAMES BALSER	YES
	HARDING DAWAHARE	YES
	EUGENE DAVIS	YES
	ROBERT AMOS, JR.	YES
MAYOR:	W. C. HAMBLEY, M.D.	YES

The Motion Carried.

Resolution R-79-072 was presented and read entitled:

RESOLUTION PROVIDING ASSURANCE TO THE BUREAU OF HIGHWAYS THAT THE CITY OF PIKEVILLE WILL BE RESPONSIBLE FOR OPERATION AND MAINTENANCE OF THE SLUICE GATES AND GATEWELL STRUCTURE AT EACH END OF THE CUT-THROUGH FOLLOWING COMPLETION OF THEIR CONSTRUCTION REQUESTING TECHNICAL ASSISTANCE FOR PREPARATION OF PLAN FOR OPERATION AND MAINTENANCE THEREOF FROM THE DEPARTMENT OF THE ARMY, CORPS OF ENGINEERS.

WHEREAS, by contract dated April 7, 1972, the United States Army Corps of Engineers designed certain sluice gates and gatewell structures on north end of the Pikeville Open Cut Project, and;

WHEREAS, a plan for operation and maintenance thereof is necessary, which can be provided by the Corps under federal authority, and;

WHEREAS, the Bureau of Highways needs assurance from the City that the City will be responsible for the operation and maintenance of the sluice gates and gatewell structures after the completion of their construction,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the City of Pikeville hereby assumes responsibility for the operation and maintenance of the sluice gates and gatewell structure after their completion.
2. The City of Pikeville hereby requests that the United States Department of the Army Corps of Engineers prepare a plan for operation and maintenance of these facilities under the authority of the Intergovernmental Cooperation Act of 1968, 42 U.S.C. 4221 et seq..

An emergency is declared to exist with regard to the foregoing Resolution and the same shall be in full force and effect immediately upon subscription and approval thereof.

Commissioner Eugene Davis moved the adoption of the foregoing Resolution. Commissioner James Balser seconded the Motion.

At Pikeville, Kentucky this 8 day of October, 1979.

Upon roll call the votes were as follows:

W. C. HAMBLEY, M.D., MAYOR	YES
HARDING DAWAHARE, COMMISSIONER	YES
EUGENE DAVIS, COMMISSIONER	YES
JAMES BALSER, COMMISSIONER	YES
ROBERT AMOS, JR. COMMISSIONER	YES

The Mayor declared the within Resolution adopted.

/s/ W. C. Hambley, M.D.
W. C. HAMBLEY, M.D., MAYOR

ATTEST

/s/ Charles L. Huffman, Jr.
CHARLES L. HUFFMAN, JR.
CITY CLERK

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Eugene Davis made the motion to adopt the resolution. James Balser seconded the motion. Upon roll call the vote was as follows:

COMMISSIONER:	JAMES BALSER	YES
	HARDING DAWAHARE	YES
	EUGENE DAVIS	YES
	ROBERT AMOS, JR.	YES
MAYOR:	W. C. HAMBLEY, M.D.	YES

The Motion Carried.

Ordinance 0-79-016 was presented and read entitled:

ORDINANCE DECREASING MINIMUM OCCUPATIONAL TAX PAYABLE BY PAWN SHOPS TO \$50.00

Harding Dawahare made the motion to adopt the ordinance. James Balser seconded the motion. Upon roll call the vote was as follows:

COMMISSIONER:	JAMES BALSER	YES
	HARDING DAWAHARE	YES
	EUGENE DAVIS	YES
	ROBERT AMOS, JR.	YES
MAYOR:	W. C. HAMBLEY, M.D.	YES

The Motion Carried.

James Balser made the motion to adjourn. Harding Dawahare seconded the motion. Upon roll call the vote was as follows:

COMMISSIONER:	JAMES BALSER	YES
	HARDING DAWAHARE	YES
	EUGENE DAVIS	YES
	ROBERT AMOS, JR.	YES
MAYOR:	W. C. HAMBLEY, M.D.	YES

The Motion Carried.

APPROVED

W.C. Hambley

ATTEST _____