

# MINUTES } CITY OF PIKEVILLE

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## REGULAR MEETING - SEPTEMBER 9, 1985

The Pikeville City Commission met in their regular bimonthly session on September 9, 1985 in the Old City Hall Meeting Room on Division Street.

Mayor Pro Tem, Harding Dawahare, called the meeting to order at 7:30 P.M. The following members were present when the roll was called:

COMMISSIONER:	RUSH DYE	
	FRANK MORRIS	
	ROBERT PAGE	
	HARDING DAWAHARE	
MAYOR:	W. C. HAMBLEY, M.D.	7:45

The minutes for the previous regular meetings of August 12th and August 26th, 1985 were submitted to each Board Member prior to the meeting. Frank Morris made the motion, seconded by Rush Dye to approve the minutes as submitted. The motion carried 4 - 0.

Mr. Carlton was directed by the Commission to acquire a contractor to repair/replace the patio of Rose Honaker at 504 Scott Avenue.

In Business from the Floor, Charlie Van Hoose approached the Commission once again to plead for help in getting an access to his Coal Run Property across the Billips Drive. The Commission will have an on-site work session at 5:30 p.m., September 16th, with the City Engineer present.

Summit Engineering, City Engineers, presented a written report to the Commission giving status on several city projects. Brought before the Commission for some action was the request of residents of Garred Street for a better access to the boulevard. While local residents prefer the construction of an access by the way of an extension of Shirley Street, the city engineer prefers widening the access as is and provide additional property. The city engineer did not recommend the Shirley Street access due to excessive grades and safety problems. This project will be fully city funded. Upon motion by Robert Page and seconded by Rush Dye, the motion carried unanimously to authorize Summit Engineering to proceed with the plan to exit from Garred Street with the widening of this area to provide additional parking.

City Bills totaling \$33,509.89 were presented to the Commission for approval of payment. Rush Dye made the motion, seconded by Robert Page to approve payment of the bills as listed. The motion carried unanimously.

Project Bills totaling \$37,425.37 were presented to the Commission for approval of payment. The Commission questioned the bill from James A. Ellis & Associates for the design of the new City Hall in the amount of \$19,125.00. It was suggested that before the bill is paid that a work session be held to view the designs. Frank Morris made the motion, seconded by Harding Dawahare to approve the bills omitting the bill from James A. Ellis & Associates in the amount of \$19,125.00. Total bills approved were \$18,300.37. The motion carried unanimously.

An ordinance was brought before the Commission and given second reading. The ordinance was read entitled: ORDINANCE CLOSING HELLIER STREET BETWEEN HUFFMAN AVENUE AND ELM STREET.

Upon motion by Robert Page and seconded by Harding Dawahare the motion carried unanimously to adopt the Ordinance and to approve payment of \$100.00 to Larry Webster, City Attorney, to file the suit.

City Attorney, Larry Webster, reported that he had been in contact with the Melco-Greer Supervisor, and that the supervisor stated that the gas well and fill plan in Lower Poor Farm Hollow will be protected as the City wishes. The Commission directed Mr. Webster to advise Melco-Greer that they want a written reply to comply and a time frame.



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Mike Skaggs with East Kentucky Collection Services, who have contracted with the City of Pikeville to collect delinquent property taxes and utility bills, made a report on the progress of their collections. There are 18 accounts that Mr. Skaggs feels need to be taken to court for a determination, but that will require a \$576.75 filing fee. Robert Page made the motion, seconded by Harding Dawahare to approve payment of \$576.75 for filing fee on these 18 accounts. The motion carried unanimously.

Staff recommendation for the 3/4 ton and 1 ton bidded trucks was that the bid should be awarded to Deskins Motor Company, the low bidder. Harding Dawahare made the motion, seconded by Robert Page, to concur with the staff recommendation and award the bid to the low bidder, Deskins Motor. (\$13,150 for 3/4 ton; \$14,150 for 1 ton) The motion carried unanimously.

The Commission was notified that the Department of Transportation did not approve the agreement with W & G as approved by the City. The DOT is not accepting the letter of credit. Instead the DOT has directed W & G to set up an escrow fund. The bid opening for the bridge is scheduled for 10/18/85.

An ordinance was brought before the Commission and given second reading. The ordinance was read entitled:

ORDINANCE CREATING NO PARKING ZONE ON EAST SIDE OF PIKEVILLE BOULEVARD

Frank Morris made the motion, seconded by Rush Dye to adopt the Ordinance. The motion carried unanimously.

Mr. Carlton reported that George Frieberg of San Antonio, Texas, toured Pikeville's Water and Sewage Treatment Plants. He reported that the Commission now needs to advertise for qualifications of companies who are interested in operating the city's plants. Roger Rectenwald of BSADD has offered his services in helping to find qualified operators.

A Resolution was presented to the Commission and was read entitled:

RESOLUTION RE-APPOINTING ART WILLETT TO TERM ON THE PIKEVILLE URBAN RENEWAL AND COMMUNITY DEVELOPMENT AGENCY BOARD

Rush Dye made the motion, seconded by Frank Morris to adopt the Resolution. the motion carried unanimously.

Harding Dawahare made the motion to adjourn to Executive to discuss personnel matters and 2 legal matters. Frank Morris seconded the motion. The motion carried unanimously.

Following the executive session, the City Commission reconvened with all members present. Commissioner Morris moved, seconded by Commissioner Dye to extend the Hellier Manor site option for six (6) months to January 15, 1986, to give them time to close the financing and bids for this 60 unit mid rise housing project. The motion carried 4 - 1 with Robert Page voting "NO".

Discussion then proceeded on the Hellier Manor project with developer Ed Simpson reporting that he had received telephone notice that the HODAG \$1,430,000 grant agreement had been signed by HUD in Washington, D.C. on Friday, September 6, 1985 and would be received by the City this week. It takes about 30 days to process the paperwork for "closing" on HODAG grant projects and so they could begin construction in about 45 days. He explained the subcontractor bid process and reported that this procedure was being monitored closely by HUD due to a Section #3 Civil Rights complaint that had been filed by Jim Ellis and Associates. He presented the City Commission with a list of around twelve (12) contractors and/or suppliers who were used by Wm. B. Moore Land Company on the PikeVilla project in an effort to disprove a claim in one of Jim Ellis's letters. Bruce Elliott spoke regarding his experience with the PikeVilla project on which he was unable to submit a proposal to the Kelly Hall Company of Louisville who did the work. David Barker asked for the dollar amount of business done with local contractors and vendors on the Pikevilla job. Ed Simpson indicated the the figure was about \$320,000 to Eastern Kentucky suppliers and contractors. Jim Ellis spoke objecting to the Pikevilla information in that he felt it did not include money to Pike County contractors or vendors.



Ed Simpson reported that the subcontractor bids opened September 5, 1985 were \$225,000 too high and that Wm. B. Moore Land Company had decided to rebid the work on September 30, 1985 to try to get the project within its budget. David Barker voiced his concerns and objected to the rebidding proposal when the subcontractor who bid had not yet been given the opportunity to adjust their bids to get the cost within the budget. A question regarding the waiver of subcontractor bid bonds was discussed. Jim Ellis asked for a copy of the developers Section #3 affirmative action plan so the public would know the goals for local and minority contractors for the Hellier Manor project. Ed Simpson indicated that such plan was between the developer and HUD and not a public document. Harding Dawahare objected to the developer's position that this is a private enterprise project which doesn't have to have open bids; can decide to reject all bids and does not have to take direction from the sponsoring agency - the City - when the bulk of the funding is from public sources i.e. the HODAG grant and the Housing Revenue Bond loan. Robert Page requested that the City Manager contact the Louisville HUD office to get a determination as to whether the City Commission can require the developer to not rebid the project.

There being no further business, the meeting was adjourned on the motion of Harding Dawahare, seconded by Frank Morris. The motion carried unanimously.

APPROVED

