

# MINUTES } CITY OF PIKEVILLE

## REGULAR MEETING - SEPTEMBER 23, 1985

The Pikeville City Commission met in their regular semimonthly session on September 23, 1985 at 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 and formed a quorum:

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

The minutes for the previous Regular Meeting of September 9, 1985 were included in each Board Member's agenda package. Robert Page made the motion, seconded by Rush Dye to approve the minutes as submitted. The motion carried 4 - 0 (Mayor Hambley not present at time of vote.)

In business from the floor, Ed Simpson, of Wm. B. Moore Land Company presented the bond agreement for Hellier Manor for the Mayor's signature. The Mayor did sign these agreements but directed the city attorney to prepare documents whereby the city would maintain an easement on the utility lines in this area.

A citizen who is planning a business development on Island Creek (about ¼ mile across the Island Creek Bridge) inquired as to whether this area is in the City Limits. The Commission told him that the area in question was an annexed area. The citizen was confused where the city limits actually began and ended due to no signs being posted. He also stated his need for streetlights, sewer service and a fire hydrant.

Charles Comer asked for a report on the progress of paving Williams Hollow. The city attorney reported that the city has not yet acquired a signed easement from Sue Williams.

Jack Sykes of Summit Engineering reported on the status of various city projects now underway:

1. Garred Street: Estimates were given by a request of the City Commission for potential parking in this area.

Area A creates 2 spaces at a cost of \$263/space of 6" pavement and \$78.00/space for 2" pavement.

Area B creates 3 spaces at \$1,185/space for 6" pavement and \$1,113/space for 2" pavement

Area C (near Mt. Martha Drive) creates 4 spaces at \$174/space for 6" pavement and \$74./space for 2" pavement

After considerable discussion, it was decided to proceed with plans on Area A and C; to hold back on Area B, but to have City Crews fill this area. Harding Dawahare made the motion to this effect, seconded by Robert Page. The motion carried unanimously.

2. Hibbard Street Utilities: The plans have been approved by the KYDOT for these utility line extensions.

City Bills were presented to the Commission in the amount of \$98,350.19. Harding Dawahare made the motion, seconded by Frank Morris to approve payment of these bills as submitted. The motion carried 5 - 0.

Project Bills in the amount of \$25,125.00 (Construction Associates, Inc. \$6,000 for Wash building at Island Creek; James A. Ellis & Associates \$19,125 for design work on the city hall project) were presented for approval of payment. Robert Page made the motion, seconded by Harding Dawahare to approve the bills for payment contingent upon Summit Engineering giving approval for the Construction Associates, Inc. bill. The motion carried 5 - 0.



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Brought before the Commission for approval of payment were bills from R. D. Zande for rebidding fee on the WTP - \$1,000; \$556.55 for work on Raw Water Intake Modifications; and \$353.62 for office work on the Toler Gap Water Tank project. Frank Morris made the motion, seconded by Rush Dye to approve payment of these bills totaling \$1910.17. The motion carried 5 - 0.

The Roberts & Holcomb bill for natural gas purchahsed in the month of August was brought before the Commission for approval in the amount of \$1109.60. Harding Dawahare made the motion seconded by Frank Morris to approve payment upon concurrence by Cecil Ray, Public Works Director. The motion carried 5 - 0.

Upon the request of several citizens present, the Commission scheduled a public hearing on the proposed zoning ordinance for October 15, 1985 at 7:00 P.M. at the Kentucky Power Company Auditorium for the public to voice their opinions.

The proposed paving project of May Hollow has been turned over to the city attorney for preparation of an assessment district.

There has been no answer to the city attorney's letters to Melco-Greer for their violation of the fill permit in Poor Farm Hollow. The Commission asked if it would be possible to contact the KYDOT and notify of default. They did instruct the city attorney to write a much stronger letter issuing this company an ultimatum.

Brought before the Commission was a list of 49 delinquent taxpayers who owe \$16,500+. The city manager recommended that these cases be submitted to the court for legal action. Filing fee is \$1,099.50. Harding Dawahare made the motion, seconded by Robert Page to approve payment of the \$1,099.50 filing fee to the court. The motion carried 5 - 0.

## WATER TREATMENT PLANT PROJECT

1. Letter of Conditions was presented in each Board Member's agenda package. No action taken.

2. Loan Resolution: A resolution was presented to the Commission and was read entitled: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PIKEVILLE AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDNG A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS WATER SYSTEM IMPROVEMENTS FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURSDICTION TO SERVE.

Robert Page made the motion to adopt the resolution as read. Rush Dye seconded the motion. The motion carried unanimously.

3. Budget for 1987-88: The proposed operating budget for the water & sewer system for the year 1987-88 was presented for approval. Robert Page made the motion, seconded by Frank Morris to approve the budget as submitted. The motion carried unanimously.

4. Equal Opportunity Agreement: The motion was made by Harding Dawahare and seconded by Robert Page to adopt the Farmers Home Administration Equal Opportunity Agreement. The motion carried unanimously.

5. Assurance Agreement: Harding Dawahare made the motion, seconded by Robert Page to adopt this assurance agreement (Title Vi, Civil Rights Act of 1964). The motion carried unanimously.

Robert Page made the motion to authorize Mayor Hambley to sign an application for \$6,614,700 in Interim construction finances from the Kentucky Pollution Abatement Authority. Rush Dye seconded the motion. The motion carried unanimously.

Upon recommendation by the engineer for the Water Treatment Plant Project, R. D. Zande & Associates, Robert Page made the motion to award the bid for the construction of the water treatment plant to Powell & Company in the amount of \$5,945,000 subject to Farmers Home Administration funding. Rush Dye seconded the motion. The motion carried 4 - 1 with Frank Morris voting "NO".



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Proposals were received from A T & T and Eastern Telephone Company for installing a new phone system in the Fire & Police Station and City Hall. The lowest proposal was from Eastern Telephone Company. It was the general consensus of the Commission to award the bid to Eastern Telephone Company and Darrell Maynard of Eastern Telephone Company was directed to consult with the staff on their needs.

Presented to the Commission was a change order to install permanent cathodic protection in the new water tank at Toler Gap from M & S General Contractors for 880.00. Robert Page made the motion seconded by Harding Dawahare to approve the change order. The motion carried 4 - 1 with Rush Dye voting "NO".

Presented to the Commission were two agreements from Grouse Point Development Corporation whereby the City of Pikeville would agree to purchase fill for Poor Farm Hollow at a cost of .10¢ per ton. (This company had to prove profit to the state) Harding Dawahare made the motion seconded by Frank Morris to approve this agreement. The motion carried 4 - 1 with Robert Page voting "NO".

The second agreement provided that all benefits derived from the above approved agreement would be deposited into an escrow account. At the end of the project, all sums in escrow would be returned to the City of Pikeville. Harding Dawahare made the motion to approve the agreement, Rush Dye seconded the motion. The motion carried 4 - 1 with Robert Page voting "NO".

Easement Agreements were presented to the Commission for the mayor's signature for C & O agreements in the Quail Ridge. This easement agreements were originally held by Ertel Whitt of the Quail Ridge Development but upon the signature of the Mayor will be assigned to the City of Pikeville. Robert Page made the motion, seconded by Harding Dawahare to authorize the mayor to sign this easement agreement. The motion carried unanimously.

A request was made to the Commission from Bob Billips to extend the water and sewer lines across U.S. 23 to the Middle Bowles subdivision. According to the city engineer, Jack Sykes, plans have been submitted and they are in accordance to specifications. Robert Page made the motion, seconded by Frank Morris to allow this extension. The motion carried unanimously.

A resolution was presented to the Commission and read entitled:

JOINT RESOLUTION OF THE CITY OF PIKEVILLE, KENTUCKY, AND PIKE COUNTY, KENTUCKY, APPOINTING BOARD MEMBER EMERITUS (Frank Forsyth) AND JOINT RESOLUTION APPOINTMENT MEMBERS TO THE JOINT PIKEVILLE PIKE COUNTY AIR BOARD

Robert Page made the motion seconded by Rush Dye to adopt the resolution. The motion carried 4 - 1 with Harding Dawahare voting "NO".

Robert Page made the motion, seconded by Rush Dye to adjourn to executive session to discuss personnel matters.

Upon reconvening to regular session, Harding Dawahare made the motion seconded by Robert Page to transfer Sandra Layne to the Utility Office to serve as cashier upon a satisfactory job performance. The motion carried 4 - 1 with Harding Dawahare voting "NO".

Rush Dye made the motion, seconded by Frank Morris to employ a bookkeeping assistant subject to revenues being adequate to afford it. The motion carried unanimously.

Harding Dawahare made the motion, seconded by Robert Page to adjourn the meeting to Wednesday, September 25, 1985 at 3:30. The motion carried unanimously.

APPROVED \_\_\_\_\_