

MINUTES } CITY OF PIKEVILLE

REGULAR MEETING - OCTOBER 14, 1985

The Pikeville City Commission met in their regular session on October 14, 1985 in the old city hall meeting room on Division Street.

There being a quorum present, Mayor W. C. Hambley, M.D. called the meeting to order at 7:30 p.m. The following members were present:

COMMISSIONER: RUSH DYE
FRANK MORRIS
ROBERT PAGE
HARDING DAWAHARE

MAYOR: W. C. HAMBLEY, M.D.

First Reading was given to three ordinance summaries as captioned:

1. AN ORDINANCE OF THE CITY OF PIKEVILLE, KENTUCKY, REVISING RATES AND CHARGES FOR WATER SERVICE AND SANITARY SEWER SERVICE PROVIDED BY THE CITY'S COMBINED AND CONSOLIDATED MUNICIPAL WATER AND SEWER SYSTEM
2. AN ORDINANCE OF THE CITY OF PIKEVILLE, PIKE COUNTY, KENTUCKY, AUTHORIZING THE BORROWING OF MONEY FOR INTERIM FINANCING IN ANTICIPATION OF THE CITY'S ISSUANCE OF ITS "WATER AND SEWER SYSTEM REVENUE BONDS, 1985 SERIES A AND B"; PROVIDING FOR THE CREATION OF A CONSTRUCTION FUND WHEREIN THERE SHALL BE DEPOSITED FROM TIME TO TIME MONEYS RECEIVED FROM ALL SOURCES FOR THE CONSTRUCTION OF THE PROJECT INTENDED TO BE FINANCED THROUGH THE ISSUANCE OF SUCH BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF PROMISSORY NOTES FROM TIME TO TIME IN EVIDENCE OF SUCH INTERIM BORROWING; PLEDGING REPAYMENT OF SAID INTERIM LOAN AND INTEREST THEREON FROM THE PROCEEDS OF SUCH BONDS; AND PRESCRIBING CONDITIONS RELATING TO DISBURSEMENTS FROM THE CONSTRUCTION FUND.
3. AN ORDINANCE OF THE CITY OF PIKEVILLE, PIKE COUNTY, KENTUCKY, PROVIDING FOR THE CONSTRUCTION AND INSTALLATION OF MAJOR IMPROVEMENTS AND ADDITIONS TO THE CITY'S COMBINED AND CONSOLIDATED MUNICIPAL WATER AND SEWER SYSTEM; AUTHORIZING THE ISSUANCE OF THE CITY'S \$5,704,000 "WATER AND SEWER SYSTEM REVENUE BONDS, 1985 SERIES A AND B," TO PAY THE COSTS THEREOF (TO THE EXTENT NOT OTHERWISE PROVIDED TO BE PAID), SUCH BONDS TO RANK ON A BASIS OF PARITY AND EQUALITY WITH CERTAIN PREVIOUSLY ISSUED AND OUTSTANDING BONDS OF THE CITY: MAKING AND CONFIRMING PROVISIONS FOR THE COLLECTION, SEGREGATION, DISTRIBUTION AND DISBURSEMENT OF THE REVENUES OF SAID SYSTEM AND FOR THE ALLOCATION THEREOF TO VARIOUS SPECIAL FUNDS HERETOFORE AND HEREIN CREATED, IN ORDER TO PROVIDE FOR THE ORDERLY PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE BONDS HEREIN AUTHORIZED: SETTING FORTH CONDITIONS AND RESTRICTIONS UNDER WHICH ADDITIONAL BONDS MAY BE ISSUED IN THE FUTURE, PAYABLE FROM SAID REVENUES AND RANKING ON A BASIS OF PARITY WITH THE BONDS HEREIN OUTSTANDING: PROVIDING FOR THE RIGHTS OF THE HOLDERS OF THE BONDS HEREIN AUTHORIZED AND THE ENFORCEMENT THEREOF: AND PROVIDING FOR AN ADVERTISED, PUBLIC COMPETITIVE SALE OF THE 1985 SERIES A AND B BONDS HEREIN AUTHORIZED.

These documents will be on file in the office of the city clerk for public inspection where they will remain until the scheduled second reading on October 21, 1985.

Revised contracts with the three water districts served by the city of Pikeville were presented. Harding Dawahare made the motion, seconded by Rush Dye to accept these documents for sue by the City. The motion carried unanimously.

Jack Sykes, city engineer, reported on bids received for the Hibbard Street utilities construction. Engineer's estimate: \$27,993.00. The bids received are as follows: M & S General Contracting \$29,827.00 Sharp Construction Company \$33,060.00

Harding Dawahare made the motion, seconded by Robert Page to award the bid to the low bidder, M & S General Contracting, providing the construction be completed by Thanksgiving. The motion carried unanimously. Summit will do the inspection.

Mr. Sykes requested that the Commission schedule a meeting with the residents of the Keel Addition for easements to be signed and to find out where they want their taps made. Jack will schedule the meeting.

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Mr. Sykes reported that the Wendy's/SuperAmerica sewer line was 70% complete; the wash building at the Island Creek HQ is completed as close to the specifications as possible; Service Enterprise Corporation will begin painting the water tank within 3 weeks for the same quoted price as last year, weather permitting. The performance bonds and insurance papers are in order for this company.

City Bills totaling \$47, were presented for approval of payment. Frank Morris made the motion, seconded by Rush Dye to approve payment as submitted. The motion carried unanimously.

Project Bills totaling \$22,200.52 were presented for approval of payment. The Commission questioned the bill to Melco-Greer totaling \$359.20 for crushed stone. It was explained that the rock was used in repair of the storm ditch at Pikeville High School that was flooded in May 1984 and all monies claimed in the flood repair are subject to reimbursement by the FEMA agency. Payment of all bills must be proved before a refund is issued. Melco-Greer does owe the city for utility lines damaged. Frank Morris made the motion to pay the listed bills omitting \$359.20 for Melco Crushing Products. Rush Dye seconded the motion. The motion did not carry by a vote of 2 - 3. Harding Dawahare made the motion to pay all bills making the check to Melco payable to Melco Crushing Products and the City of Pikeville. Robert Page seconded the motion. The motion carried 4 - 1 with Rush Dye voting "NO".

First Reading was given to an ordinance entitled:

ORDINANCE ANNEXING PROPERTY TO THE CITY OF PIKEVILLE AT CEDAR GAP

The Ordinance will be on file in the office of the city clerk for a period of at least 10 days for public inspection.

Darrell Maynard representing Eastern Telephone Company, presented his proposal for phone system purchased for the Fire/Police Station (\$4,861.50) and City Hall (\$8,326.50). Harding Dawahare made the motion to purchase both phone systems. The motion died from lack of a second.

The action taken in the October 10, 1985 Special Meeting i.e. hiring Gary Layne as Water/Sewer Consultant subject to the city attorney's review of the contract, was made official when Mr. Webster stated that the contract/proposal was in order.

Larry Webster reported that he had been in contact with Melco-Greer with regard to their Poor Farm Hollow fill violation. Warren "Gam" Greer told Mr. Webster that he will be coming to Pikeville and indicated that he wanted to get the proper authorization from the Urban Renewal Agency to raise the gas well and they do plan to have some of the fill hauled away.

An agreement was presented to the Commission from KYDOT for repairs to the Pauley Bridge. The state will reimburse up to \$30,000 in materials. The City is responsible for the manpower. Harding Dawahare made the motion seconded by Frank Morris to enter into the agreement with KYDOT. The motion carried 5 - 0.

Upon motion by Frank Morris, seconded by Robert Page, it was a unanimous decision to grant a 30 day time extension to M & S General Contracting for the Toler Gap Water Tank Project.

Harding Dawahare made the motion, seconded by Rush Dye to set the day and hours of Trick or Treat in the City on the 31st day of October from the hours of 6 - 8 P.M. The motion carried unanimously.

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

RESOLUTION OF THE CITY COMMISSION OF PIKEVILLE, KENTUCKY, RELATING TO AND APPROVING AN INDUCEMENT CONTRACT BETWEEN THE CITY AND PIKEVILLE CONTINUING CARE CENTER ASSOCIATES, A KENTUCKY LIMITED PARTNERSHIP, IN WHICH THE CITY AGREES TO FINANCE THE CONSTRUCTION OF A ECONOMIC DEVELOPMENT PROJECT FOR USE AS A CONGREGATE CARE FACILITY, THROUGH THE ISSUANCE BY THE CITY OF APPROXIMATELY \$12,500,000 OF RESIDENTIAL FACILITIES REVENUE BONDS, FOR THE PURPOSE OF CREATING ADDITIONAL EMPLOYMENT OPPORTUNITIES IN SAID CITY AND IN PIKE COUNTY; AND AUTHORIZING THE BEGINNING OF CONSTRUCTION OF SAID PROJECT PRIOR TO THE ISSUANCE OF SAID BONDS, WITH SAID COMPANY PAYING FOR SAME AND TO BE REIMBURSED OUT OF THE PROCEEDS OF SAID BONDS

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FOR ALL COSTS HEREAFTER ADVANCED BY THE COMPANY TOWARD THE COST OF THE PROJECT.

Frank Morris made the motion, seconded by Harding Dawahare to adopt the Resolution contingent upon Urban Renewal Agency approval.

The City Attorney, Larry Webster, requested that his comments be made part of the record in that he objects to the language of the contract on page 4 paragraph 5 of the Resolution document and that Urban Renewal Agency properties are cited in the Resolution and voted with no prior approval from the Urban Renewal Board.

A Resolution was presented appointing Doc Fletcher and Robert Pinson to the Tourism Board for the unexpired terms of Paul Patton and Ann Pinson. Robert Page made the motion to adopt the Resolution. Rush Dye seconded the motion. The motion carried unanimously.

It was the general consensus of the Commission to request that the Urban Renewal Agency lease the property known as the Ice Plant Property to the City for the use of a park.

Due to citizen complaint, Harding Dawahare made the motion, seconded by Frank Morris to have the Building Inspector, Jim Forsyth, to make an inspection in Williams Hollow to see how many residents are hooked up to the sewer system. The motion carried unanimously.

Harding Dawahare made the motion, seconded by Robert Page to adjourn to Executive Session to discuss personnel matters. The motion carried unanimously.

Robert Page made the motion, seconded by Frank Morris to reconvene the meeting. The motion carried unanimously.

Upon motion by Robert Page and seconded by Frank Morris, the motion carried unanimously to continue the meeting on October 21, 1985 at 7:30 P.M. The motion carried unanimously.

APPROVED /s/ W. C. Hambley, M.D., Mayor