

# MINUTES } CITY OF PIKEVILLE

## REGULAR MEETING - JANUARY 13, 1986

The Pikeville City Commission met in their regularly scheduled bimonthly meeting on January 13, 1986 in the established meeting place of said Board in the Old City Hall Meeting Room on Division Street in Pikeville, Kentucky.

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

COMMISSIONER:	GREG JUSTICE
	ROBERT WEDDLE
	FRANK MORRIS
	ROBERT PAGE
MAYOR:	W. C. HAMBLEY, M.D.

The minutes for the prior meeting of December 23, 1985 were included in each Board Member's agenda package for approval. Robert Page made the motion to adopt the minutes as presented. The motion died from lack of a second. Commissioner Morris objected to the ending paragraph of the minutes and submitted the following to be considered as an amendment:

"The Executive Session ended with Harding Dawahare making the motion to go back to Regular Session, Second by Frank Morris, Robert Page, Yes, Rush Dye, Yes, The Mayor was absent, Harding Dawahare, Yes, Frank Morris, Yes.

Frank Morris Led discussion of contract with the Chamber of Commerce. Rush Dye made motion to pay the Chamber \$20,000.00 as per contract, Second by Harding Dawahare, Rush Dye, Yes, Frank Morris, Yes, Robert Page, No, Harding Dawahare, Yes, the Mayor was absent. The Motion carried.

Harding Dawahare made the motion to adjourn, Second by Robert Page, Rush Dye, Yes, Frank Morris, Yes, Robert Page, Yes, Harding Dawahare, Yes, the Mayor was absent.

Rush Dye /s/ Rush Dye

Frank Morris /s/ Frank Morris

Robert Page \_\_\_\_\_

Harding Dawahare /s/ Harding E. Dawahare "

Frank Morris made the motion to adopt the minutes with the preceding amendment. The motion died from lack of a second. Commissioner Morris also expressed his view that the clerk should stay in the Executive Session

Commissioner Page stated that this was not his recollection of the ending meeting and asked for the attorney's opinion. Mr. Webster explained that the minutes are the action of the Commission and should be reported just as they happened regardless whether the action was legal or not. The legality would be addressed separately. Discussion continued until Commissioner Weddle made the motion that the approval of the minutes be carried over to the next meeting so the newly elected members could view the contract with the Chamber of Commerce. Greg Justice seconded the motion. The motion carried unanimously.

Frank Morris made the motion to appoint Commissioner Greg Justice to the position of Mayor Pro Tem. Robert Page seconded the motion. The motion carried 4-0-1 with Greg Justice abstaining.

City Bills totaling \$235,695.42 were presented to the Commission for approval of payment. Robert Page made the motion seconded by Frank Morris to approve the bills as submitted. The motion carried unanimously.

Roberts & Holcomb submitted two bills in the amounts of \$26,848.64 and \$9,151.69 for natural gas supplied to the City of Pikeville during the months of November and December, 1985. Robert Page made the motion to approve payment of the bills as submitted based on the Public Works Director's further approval. Frank Morris seconded the motion. The motion carried unanimously.



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Commissioner Justice inquired as to whether the city attorney had reached an agreement with the Lindsey & Elliott Gas Company for the purchase of their natural gas. The prior contract called for .20¢ rate below that of which Columbia Transmission Company was charging. The other suppliers have a rate of 20% below Columbia's rate. The city attorney reported that as the Commission had directed in the prior meeting, he had sent a letter to the Lindsey & Elliott Gas Company advising that their rate would become 20% below Columbia's rate effective January 1, 1986.

Project Bills totaling \$395.36 for engineering services by Summit Engineering were presented for approval of payment (Inner Loop and Keel Addition). Robert Page made the motion, seconded by Robert Weddle to approve payment as presented. The motion carried unanimously.

Water Treatment Plant Project Bills were presented to the Commission for approval of payment in the amount of \$12,312.90 (M & S General Contracting for the Toler Gap Water Storage Tank). Water and sewer consultant, Gary Layne reported on the status of this project. He informed the City Commission that the old pumps are to be packaged up as per the contract and that has not as of yet been done. The Mayor directed the clerk to have this bill reagentized for the next meeting.

Joint Planning Commission secretary, Leon Huffman, notified the City Commission that there will be a hearing regarding the Bowles Heirs request to zone the 9± acre tract above the Cedar Creek Development as R-2. The hearing will be held in the District Courtroom on February 3, 1986 at 7:00 P.M. The Commission set a 2:00 February 6, 1986 meeting with the Joint Planning Commission to review requested changes to the proposed zoning ordinance.

First Reading was given to an Ordinance entitled:

AN ORDINANCE PROHIBITING SIGNS ON PUBLIC PROPERTY WITHIN PIKEVILLE, KENTUCKY WITHOUT PERMITS; ESTABLISHING STANDARDS FOR THE ISSUANCE OF PERMITS; CREATING PENALTIES FOR VIOLATIONS.

The above captioned ordinance will be on file in the office of the city clerk for a period of ten days where it may be viewed by the public.

The Commission addressed the problem at the Sewage Treatment Plant of grease deposits. According to sewage treatment plant supervisor, Chester Coleman, the grease is not being pumped into the system by septic tank cleaners as had been suspected, but allegedly by restaurants. The Commission was asked to defer this matter pending an investigation by the police department.

Resolution R-86-001 was brought before the Commission and read entitled:

RESOLUTION URGING OTHERS TO HELP THE POOR

Frank Morris made the motion, seconded by Robert Page to adopt the Resolution. The motion carried unanimously. The clerk was directed to have this adopted resolution published in one edition of the newspaper.

Two agreements were presented to the Commission for approval for relocation of city owned gas lines located in the Shelby Bridge Area. The city will be reimbursed by the state for all costs incurred in the relocation of these lines. Robert Page made the motion, seconded by Frank Morris to authorize the Mayor to execute these agreements for the relocation of gas lines in the Shelby Bridge area. The motion carried unanimously.

Upon motion by Greg Justice and seconded by Robert Weddle, the motion carried 3 - 1 - 1 (Frank Morris abstained; Robert Page voted NO) to terminate the contract with James A. Ellis & Associates for the city hall/library design.

The Commission scheduled a January 9, 1986 work session to discuss a proposed 3% Cost-of-Living increase for city employees. The meeting will be held at City Hall at 10:00 a.m.

Jack Sykes of Summit Engineering reported that Joe Childers of the First Baptist Church on Fourth Street, as requested that the city



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establish curb and gutter along Fourth Street adjacent to the parking lot that the church is constructing. It is requested that the curb and gutter and sidewalk be extended from the Hardee's construction to Scott Avenue. It has also been requested that a 25 foot entrance onto Fourth Street be constructed adjacent to Hardee's. The cost estimates as based on recent bids is \$3,168.48. Discussed was the possibility of the Hardee's Contractor doing the work which is estimated at \$2,947.00. The motion was made by Frank Morris and seconded by Greg Justice to proceed with the sidewalk replacement. The motion carried unanimously. It was suggested that if Hardees was unwilling to do the work then the city could contract with Jack Crim, who has successfully completed many contracts for the city.

Chester Coleman, Sewage Treatment Plant Supervisor, reported that he had been called to repair the sewer line at the Quail Ridge Subdivision. Mr. Coleman explained that the line had been damaged in two places due to guardrail posts being driven through the line. It was the consensus of the Commission to have the guardrail contractor repair the broken line.

Presented to the Commission was a progress report from the City Engineer, Summit Engineering, for the various city projects. The problem of flooding in the Lower Bowles Addition was addressed. Robert Page made the motion, seconded by Frank Morris to authorize Summit Engineering to take action to design a solution to the flooding problem in this area. The motion carried unanimously.

At the prior Commission meeting, Summit Engineering was asked to prepare cost estimates for mapping of existing sanitary sewer, water, and gas systems. The maps will be prepare from existing "as builts" and if asbuilts are not available and a more detailed plan is needed, the city will be advised and estimates will be submitted prior to initiation of such work. The total cost for the mapping is estimated at \$9,260.00. The project is scheduled to be completed by April 1, 1986.

Frank Morris made the motion to approve the above contract with Summit Engineering for the utility mapping cost not exceeding \$9,260.00. Greg Justice seconded the motion. The motion carried unanimously.

An Ordinance was presented to the Commission and given first reading. The Ordinance was read entitled:

## AN ORDINANCE CREATING LOADING ZONE ON COLLEGE STREET

The proposed ordinance will be on file in the office of the City Clerk for a period of at least ten days for public inspection.

City Attorney, Larry Webster, reported that a settlement has been negotiated with the First Christian Church for an infringement upon church property. Sewer and water lines were constructed in what was thought to be the city's easement. Mr. Webster recommended that the Commission approve the settlement of \$5,000.00. Robert Page made the motion, seconded by Robert Weddle to settle the lawsuit with First Christian Church in the amount of \$5,000.00. The motion carried unanimously.

Upon the recommendation of Gary Layne, water and sewer consultant, Frank Morris made the motion, seconded by Robert Weddle to proceed to advertise in the Kentucky Rural Water and Kentucky Municipal League publications to dispose of surplus utility materials. The motion carried unanimously.

Upon motion by Robert Page and seconded by Frank Morris, the motion carried unanimously to adjourn to Executive Session for the purpose of discussing personnel matters.

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

The meeting was adjourned upon the motion of Robert Page and seconded by Robert Weddle. The motion carried unanimously.

APPROVED

*W.C. Hamilton*