

MINUTES } CITY OF PIKEVILLE

CONTINUED MEETING - SEPTEMBER 29, 1986

The Pikeville City Commission met in a continued session on Monday, September 29, 1986 in the regular meeting place at the Old Cith Hall Meeting Room at 211 Division Street

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.

Mayor Hambley opened the floor for a public hearing to discuss a proposed application for an Urban Development Action Grant (UDAG) for a shopping facility at the Junction of 119/23 better known as the Old Airport Property. Bill Hammer of Melvin & Simon Associates told those present that his firm has secured the option to develop the proposed 496,000 square foot mall. The project is estimated at \$41 million to develop. According to the application, the community will benefit with approximately 1200 new jobs created for low - moderate income persons. The City would benefit through the construction of a new bridge across the river to service the mall and the surrounding area; utility line improvements to the site; and upgrading of the Sewage Treatment Plant. The improvements are expected to produce 800 construction jobs. The grant amount applied for is \$4,927,900 which will be mainly used to fill the site above the flood level. Statistics were quoted with relation to square footage of retail space as relevant to the population. Nationwide there are 10.6 square feet for each person. The Big Sandy Area only offers 3.1 square feet. After the mall completion, the square footage per person will raise to 4.7. September 30, 1986 is the deadline for filing the UDAG application with the Housing and Urban Development. Approval or disapproval will be given within three months.

Will Linder, Grantsman, gave a verbal summary of Mr. Hammer's explanation.

1. A second water line will be constructed; a new 100,000 water storage tank installed; and with these added improvements, it could be possible to provide more treated water to Sandy Valley Water District.
2. The Sewage Treatment Plant will be upgraded from .8 MGD capacity to 1.2 MGD treated sewage.
3. The bridge will provide for additional growth.

Mr. Linder asked that the City Commission consider approval of two municipal orders to:

- (a) File for a \$4,927,900 UDAG for the Shopping Center (Resolution R-86-018)
- (b) File for a \$750,000 Community Development Block Grant Economic Development Application (Resolution R-86-019)

Mr. Linder then invited comments from those present. Mayor Hambley asked how these applications would encumber the City. Mr. Linder explained that there was a process of negotiation once the grant is approved to decide what percentage will actually go to the developer for site improvements and what percentage will go to the City for utility line and Sewage Treatment Plant improvements. The Housing and Urban Development will act as the City's agent in the negotiation. The City's only encumbrance would be any percentage of the necessary improvements not actually benefiting the mall project.

There being no further business to discuss in the public hearing, Frank Morris made the motion to adopt Resolution R-86-018 to authorize the submission of an Urban Development Action Grant for the Pike County Shopping Mall in the amount of \$4,927,900. Robert Page seconded the motion. The motion carried 4 - 1 with Greg Justice voting "NO".

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Frank Morris made the motion, seconded by Robert Page to approve the filing of a Kentucky Community Development Bolck Grant Economic Development Application for the Pike County Mall Project (\$750,000). The motion carried 4 - 1 with Greg Justice voting "NO". (R-86-019)

Bruce Huffman came before the Commission to ask that they reconsider their decision to ban asphalt plants from the City Limits of Pikeville. Mr. Huffman owns the property on which Melco-Greer had proposed to construct a temporary asphalt plant. Charles Lowe, Sr., and Reed Anderson were present and asked the Commission to stand on their September 22, 1986 decision (2 - 1 vote) that adopted a resolution sent to the Environmental Protection Agency asking that a permit be denied to Melco-Greer. The attorneys represent some 160 persons who feel this plant would be detrimental to their health and well-being. The Commission heard several comments both pro and con with relation to this temporary asphalt plant. There was also some doubt as to whether the property in question was actually in the City Limits. City Engineer, Jack Sykes, was directed to review the city annexations and make a determination. There was a memorandum given to each Commissioner from the City Attorney, Russell Davis, giving his opinion that by Kentucky Law a "City cannot by Ordinance absolutely deny a particular business to operate unless it's actually shown that they cause some harm to the public. The adoption by the City of Pikeville of an Ordinance simple barring any asphalt paving plant within the City of Pikeville shall probably violate Kentucky Law". Robert Page made the motion, seconded by Frank Morris to rescind Resolution R-86-015 Protesting the location of an asphalt preparation plant in the City of Pikeville. The motion carried 4 - 1 with Greg Justice voting "NO".

Appearing before the Commission was a resident of Meyers Tower with a petition asking that the Commission intervene in a dispute between the residents and Valley Cablevision. The resident explained that service is fine during business hours but becomes unwatchable in the evening and early morning hours. Mayor Hambley directed the resident to bring this matter before the Housing Authority Board which meets the second Tuesday of each month.

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

APPROVED

W.C. Hambley Jr.