

MINUTES } CITY OF PIKEVILLE

REGULAR MEETING - JANUARY 12, 1987

The Pikeville City Commission met in their regularly scheduled semimonthly meeting on Monday, January 12, 1987 at the Old City Hall Meeting Room on Division Street.

Mayor W. C. Hambley, M.D. called the meeting to order at 7:30 P.M. The following Board 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 previous regular meeting of December 22, 1986 were included in each Commissioner's agenda package. Robert Page made the motion, seconded by Robert Weddle to approve the minutes as presented. The motion carried unanimously.

City Engineer, Jack Sykes, gave a verbal update of projects now underway:

1. Julius Avenue Storm Sewer: This project is now 83% complete. The contractor's remaining work to complete the project includes installation of 2 manholes; about 15 ft. of 18 inch line and 70 ft. of 6 inch line to lay; and 600 ft. of pavement to replace. Mr. Sykes reported that the project should be completed within the extended time frame previously granted by the Commission. Mr. Sykes has received complaints from residents in this area with regard to a drainage problem. The problem stems from Dwight Coleman's apartment development. Mr. Coleman installed drains and connected them to the Julius Avenue ditchline, which is below the catch basin. The drainage overflows into the street and freezes over during the winter months. There is also a drainage coming down Julius Avenue that does not drain into the catch basin due to the slope of the pavement. To remedy this situation, Mr. Sykes recommended a correction to the slope when spring overlay begins. There is also a mountain seep which is below the catch basin. To pick up this drainage, an additional catch basin and a short segment of line to tie in the catch basin is recommended. Cost is estimated at \$2,367.50 if the contractor, Polley and Trent, is awarded a change order for the additional work. Mr. Sykes said City crews could perform the work for about 50 - 60% of the estimate. Due to the City crew's workload, Robert Page made the motion, seconded by Frank Morris to authorize a change order to Polley and Trent for \$2,367.50 to correct the drainage problems. The motion carried unanimously.

2. Ferguson Creek Water Line: 10% of the material to complete this project has been delivered to the site. Mr. Sykes expressed the Commission's dissatisfaction to the contractor, Double D, relative to his delay in beginning the project and told him that the Commission may exercise their right to fine him \$200.00 per day in excess of the February 5, 1987 deadline that it takes to complete this project. The contractor's reason for delay in beginning construction was unavailable materials.

MINUTES } CITY OF PIKEVILLE

3. Harold's Branch: The engineer has completed about 70% of the design and project specifications. Mr. Sykes reported that Farmers Home Administration will not give a verbal commitment for funding this project with excess Water Treatment Plant contingency funds until the Raw Water Intake bank erosion problem is resolved. FmHA has also stipulated that if their money is used for this project then the City will have to provide adequate water pressure to serve everyone in Harold's Branch. Mr. Sykes reported that there are three homes where the required 50 PSI is not met. FmHA suggested installation of a small submersible pump to boost the now 30 PSI pressure. Residents of Harold's Branch were present and inquired when they could expect to be connected to City sewage service as they had been incorporated in the City Limits for seven years. The City Engineer explained that the City had applied for a \$720,000 FmHA loan to sewer this area, but funding had been denied for fiscal year 1987 but FmHA extended their invitation to resubmit an application for funding in fiscal year 1988.

4. Hydraulic Analysis: The computer model is intact and the system can be run based on the anticipated flows. The next step is field calibration which requires flow tests and pressure tests. The engineers are waiting until the new Water Treatment Plant is in operation before proceeding any further.

Several residents from the Pauley Addition were present for the first reading of an Ordinance adopting a new zoning plan for the City of Pikeville. The Joint City/County Planning Commission at their December 30, 1986 meeting voted 4 - 2 to change the R-1 Zoning of the Justice property which is located between the Keel Addition and the Pauley Addition to P U D ie Planned Unit Development District. The Joint Planning Commission unanimously adopted a resolution recommending that the City Commission adopt the proposed Zoning Ordinance and Maps with the revision in zoning on the Justice property. The residents of the Pauley Addition voiced their objection to this revision as P U D will allow any type of development if plans are approved by the Joint Planning Commission. Zach Justice, owner of the property in question, assured those present that he did not intend to construct a trailer lot or put any type of development that would be detrimental to the existing subdivisions. After much discussion, the City Commission, upon motion by Frank Morris, seconded by Greg Justice and a unanimous vote, instructed the City Attorney to give first reading to the Ordinance adopting the zoning plan with the amendment that the Justice property be designated as P D R ie Residential Planned Unit Development.

The Ordinance will be on file in the office of the City Clerk for a period of at least ten days where it may be viewed by the public before final adoption.

Johnny Rasnick came before the Commission to request that the City install approximately 535 feet of utility lines to Summit Engineering's property line at the mouth of Chloe to service a proposed four story office building. Estimated cost is \$18,187.00 for 8" ductile iron or \$14,000+ for PVC. Mr. Rasnick explained that Summit Engineering had applied for a Community Development Block Grant to fund the utility extensions but the project did not qualify. Mr. Rasnick proposed loaning the funds to the City interest free and having the City repay the loan by applying Summit Engineering's utility bill to the principal but the Commission explained this method of repayment would be contrary to the City's Bond Ordinance. The city manager suggested that it may

MINUTES } CITY OF PIKEVILLE

be feasible to fund this extension from Coal Severance Funds but no action was taken.

Pat Blayney of R. D. Zande & Associates gave an update of Water Treatment Plant Project activities. The project is 81% complete. During December, 319 cubic yards of concrete was poured; the plant was backfilled to the approximate elevation 739 which is the elevation of the top of clearwell #2; all precast floor deck and roof was set over the filter gallery; backwash pumps installed along with other various electrical and mechanical items. The Raw Water Intake Project is 79% complete but no work has been done by the contractor to resolve the slope instability created by his construction methods.

Mr. Blayney submitted change order #7 for the Water Treatment Plant and access road which includes 9 additional items at a cost of approximately \$32,000 which does not include a price for item #4 which is a sludge draw off station. Mr. Blayney said this item was more expensive than he had estimated but has allowed \$20,000. Change Order #4 for the Intake Structure Modification project was presented for approval in the amount of \$6,995.00 for replacement of underground fiberglass air lines to the existing filterbed at the intake structure with ductile iron pipe. According to Mr. Blayney there will be approximately \$162,000 left in contingencies after these items are funded. Robert Page made the motion, seconded by Robert Weddle to authorize the change orders for the Water Treatment Plant and Raw Water Intake. The motion carried 4 - 1 with Greg Justice voting no.

City Bills were presented to the Commission in the amount of \$107,903.36 for approval of payment. Robert Page made the motion, seconded by Greg Justice to approve payment as submitted. The motion carried unanimously.

KLC Enterprises presented their bill for gas purchased through January 2, 1987 from the Roberts & Holcomb Wells in the amount of \$33,026.18. Robert Page made the motion to approve payment as presented. Greg Justice seconded the motion. The motion carried unanimously.

Project Bills totaling \$40,266.42 were approved for payment upon motion by Robert Page, seconded by Greg Justice and a unanimous vote.

Water Treatment Plant Project Bills were presented to the Commission in the amount of \$597,443.76. Robert Page made the motion to approve payment of the bills as submitted. Robert Weddle seconded the motion. The motion carried 4 - 1 with Greg Justice voting no.

The Dant Corporation submitted their bill for partial payment in the amount of \$15,000.00 for the pressbox at the Hambley Athletic Complex. Frank Morris made the motion, seconded by Robert Page to approve partial payment as requested. The motion carried unanimously. Discussion continued relative to the items left to be completed on this project. It was reported that the Pikeville Independent School Board and Coleman Oil refused to make their scheduled payments to the City until the windows are properly installed. Although Dant Corporation has been contacted several times regarding this matter, the project has not been completed satisfactorily. Robert Page made the motion, seconded by Greg Justice to rescind the motion to approve payment. The motion carried 4 - 1 with Frank Morris voting no.

Frank Morris made the motion, seconded by Greg Justice to clear out the remaining \$1,600.00 in the Toler Gap Water Storage Tank project

MINUTES } CITY OF PIKEVILLE

and transfer to an escrow account. This remaining money is due to the labor rate dispute. Commissioner Morris explained that the Community Development Block Grant monies must be cleared before the City could apply for further monetary assistance through a Community Development Block Grant. The motion carried 4 - 1 with Robert Page voting no.

Presented to the Commission for approval was a bill from Charles Comer in the amount of \$2,500.00 for repairs to the Williams Hollow Road. It was reported that the road was still not repaired - some ditches were made but not along the whole road and the creek gravel used has turned to mud. Frank Morris made the motion, seconded by Greg Justice to approve payment of the bill as presented. The motion carried 3 - 2 with Robert Weddle and Robert Page voting no.

Upon motion by Greg Justice and seconded by Frank Morris an ordinance was given first reading to decrease the gas rate 30¢ per 1,000 MCF. The motion carried unanimously. The Ordinance will be on file in the office of the city clerk for a period of at least ten days for public inspection.

As per the City Commission's directive, Fire Chief, Charles T. Smith, presented a written report listing deficiencies and suggestions to improve the fire department in order to obtain a lower ISO fire rating. Suggestions included better record keeping on fire hydrants, plant operations, and valves inspections in the distribution system; Additional personnel, both paid firefighters and volunteer manning to 10 men per fire company in service, training sessions for volunteers and paid firefighters, better response to fire alarms from off duty paid firefighters and volunteers; and an additional fire station. Chief Smith also commented on the fact that the older buildings in the City of three stories or more were a contributing factor to the higher ISO rating. Chief Smith estimated that it would cost \$350,000 - \$400,000 to fund the improvements.

Upon motion by Greg Justice and seconded by Robert Page and a vote of 4 - 1 (Frank Morris voting no), the city attorney, Rusty Davis, was instructed to prepare an ordinance for consideration to abolish the 1% Hotel/Motel Room Tax for funding of Tourism and Recreation.

Jack Sykes reported on bids received for the Yorktown Sewer Extension Project. Engineer's estimate for this project is \$970,000. The low bid was received from Kentucky/Virginia Stone in the amount of \$797,454. Mr. Sykes told the Commission that the right-of-way costs and archeological study can be added to the cost of the project along with a 15% contingency fund due to the bid coming in under budget. Robert Page made the motion to award the bid to the low bidder, Ky/Va Stone and to authorize the Mayor to sign the contracts contingent upon the Appalachian Regional Commission Funds being released and the ability of the contractor to schedule his work around the Raw Water Intake contractor. Frank Morris seconded the motion. The motion carried unanimously.

Presented to the Commission for approval was a revised FmHA contract water purchase agreement with Mountain Water District which provides that Mountain Water District will pay the City a tap-on fee at each of the purchase points at Chloe Gap, Town Mountain and Yorktown. With reference to the purchase point at the existing city limits on Town Mountain, Mountain Water District will pay a tap-on fee equal to the cost of construction of all distribution facilities within the existing city limits, which are necessary to deliver water to the point of sale,

MINUTES } CITY OF PIKEVILLE

but not to exceed \$215,000. The amount of the tap-on fee shall be reduced by \$100,000 which is the City's project contribution. The facilities will be owned, maintained and operated by the City including the necessary booster pump station and transmission lines (constructed of ductile iron. Mountain Water District will retain ownership of the water storage tank. Robert Page made the motion, seconded by Frank Morris to approve the revised agreement. The motion carried unanimously.

Frank Morris made the motion to introduce an ordinance entitled ORDINANCE PROHIBITING ROAD BLOCKS IN THE CITY OF PIKEVILLE, for first reading. Greg Justice seconded the motion. The motion carried 4 - 1 with Robert Page voting no.

The Ordinance will be on file in the office of the City Clerk for a period of at least ten days where it may be viewed by the public.

First reading was given to an Ordinance adjusting the rate charged to the water districts. Second reading will occur at the next regular meeting. The Ordinance will be on file in the office of the city clerk for a period of at least ten days where it may be viewed by the public.

A Resolution was presented for adoption which adjusts the interest rate on 1985 Series "B" Bonds to 6 5/8% from 8%. Greg Justice made the motion to adopt the Resolution. Frank Morris seconded the motion. The motion carried unanimously. *R-57-001*

Presented to the Commission was a letter from Pikeville National Bank to Joe Trimble owner of the property at the Hatcher Parking Lot. Pikeville National Bank has this property leased from Mr. Trimble. Mr. Mullins, in his letter to Mr. Trimble, states that permission was not given to the City to place access steps from the riverfill to the Hatcher Parking Lot. Commissioner Page instructed Public Works Director to remove the steps, but Commissioners Morris and Justice objected to the removal of the steps. There were no motions made relative to this matter.

Robert Page made the motion to adjourn to a closed session for the purpose of discussing legal and personnel matters. Robert Weddle seconded the motion. The motion carried unanimously.

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

Upon motion by Robert Page and seconded by Frank Morris, the City Attorney was instructed to settle with Bill Branham and Rodney Sanders for their Yorktown easements in the amounts of \$9,273.00 and \$7,500.00, respectively, and to negotiate with the York Heirs up to \$7,000.00 for their easement in front of Lowe's. The motion carried 4 - 1 with Mayor Hambley voting no.

Frank Morris made the motion, seconded by Greg Justice to promote Teddy Branham to a supervisor position at a \$6.00 per hour rate of pay for the overseeing of the water pumping stations. The motion carried 4 - 1 with Robert Page voting no.

Robert Page made the motion, seconded by Robert Weddle to approve a 5% merit increase for Tammie Gannon, Asst. Bookkeeper from \$794/month to \$848/month. The motion carried unanimously.

MINUTES } CITY OF PIKEVILLE

Frank Morris made the motion to settle with Carl Billiter in his driveway cost dispute in the amount of \$1,400.00. The motion died from lack of a second. The Commission directed the City Attorney to offer to settle for \$1,200.00.

Robert Page made the motion to adjourn the meeting until January 27, 1987 at 7:30 p.m. Robert Weddle seconded the motion. The motion carried unanimously.

APPROVED _____

