

MINUTES } CITY OF PIKEVILLE

REGULAR MEETING - MAY 26, 1987

The Pikeville City Commission met in a regularly scheduled meeting on Tuesday, May 26, 1987 at the Old City Hall Meeting Room on Division Street.

Mayor W. C. Hambley, M.D. called the meeting to order at 7:40 P.M. The following Commission Members were present and formed a quorum:

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

Commissioner Frank Morris was absent.

The approval of the minutes for the previous regular meeting of May 11, 1987 was deferred until the next regular meeting.

City Engineer, Jack Sykes, gave a status report of current projects:

1. Poplar Street: This project is nearing completion with the drilling piling and retaining wall in place in addition to 2/3rds of the road back in place. The Engineer recommended that the City Crews pave the road once completed.

2. Huffman Avenue: Bids were opened on the proposed improvement at Huffman Avenue on May 18, 1987. One bid was received from Mountain Enterprise which exceeded the engineer's estimate about 2½ times. Mr. Sykes reported that he had talked with the other 2 firms who had purchased plans and specifications and they indicated they were not equipped to do paving or milling. Both companies have indicated they would bid on the project if the paving was omitted. Robert Page made the motion to reject all bids recieved. Greg Justice seconded the motion. The motion carried unanimously. Robert Page made the motion to rebid the project deleting the milling and the paving. Greg Justice seconded the motion. The motion carried unanimously.

City Bills totaling \$99,499.57 were presented for approval of payment. A request to add \$1,400.00 was made by the Fire Department to send 7 of their personnel to Fire School in Lexington. Total request for payment is \$100,899.57. John Tackett of the Jaycees requested that the Commission consider funding part of the Fourth of July Firework demonstration. The Commission referred Mr. Tackett to the City Manager and the Finance Director to work out the details for possible funding. Robert Page made the motion, seconded by Greg Justice to approve payment of City Bills totaling \$100,899.57. The motion carried unanimously.

Project Bills totaling \$42,719.78 were presented for approval of payment. Robert Page made the motion to approve payment of the bills except item #1 to Maynard Drilling

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in the amount of \$4,060 for the Poplar Street Project which is approved for payment upon Summit Engineering's review and approval of the bill. Greg Justice seconded the motion. The motion carried unanimously.

The motion was made by Robert Page and seconded by Robert Weddle to approve payment of a bill from Powell Construction Company in the amount of \$12,981.60 for the Wastewater Treatment Plant Improvement Contract #2. The motion carried unanimously.

Second Reading was given to an Ordinance entitled:

ORDINANCE SETTING SPEED LIMIT ON STATE ROAD NUMBER 1384

Greg Justice made the motion to adopt the Ordinance. Robert Page seconded the motion. The motion carried 4 - 0.

Included in each Commission Member's agenda package was correspondence from Ernie Chaney, Executive Director of Mountain Water District, requesting that the City remit payment of \$138,100 to the District before the end of May so they may properly set up the construction accounts. The \$38,100 payment is the difference between the plastic pipe and ductile iron pipe that the City agreed to pay while the \$100,000, according to Mr. Chaney's letter, is the amount that the City agreed to contribute to their project when it was originally conceived. The Finance Director questioned the \$100,000 request and asked when this amount was agreed upon as no approval of this amount is found in the minutes. Through previous conversations with Mr. Chaney, it was learned that there is a letter signed by Mayor Hambley which commits the funds. At the last regular meeting (5/11/87) the Commission approved payment of the \$138,100 to be made at the end of the month of May. The Commission directed that the check should be sent upon receipt of the letter which commits the \$100,000.

A Resolution was brought before the Commission and read entitled:

A RESOLUTION ESTABLISHING A FORMAL WRITTEN POLICY REGARDING SERVICES TO HANDICAPPED PERSONS AT THE PIKEVILLE CITY HALL AND PROVISION FOR RELOCATING OF ANY PUBLIC MEETING TO AN ALTERNATE HANDICAPPED ACCESSIBLE LOCATION

Robert Page made the motion, seconded by Robert Weddle to adopt the Resolution. The motion carried unanimously.

Bids were presented and opened for the demolition of 9 houses in the Coal Hollow area. The bids are as follows:

Ooten Coal.....	\$18,000
Charles Contracting.....	14,000
Thacker Construction.....	12,650
PAM Construction.....	11,500

It was noted that all four bidders included the 5% bid bond as specified in the bid announcement.

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Robert Page made the motion, seconded by Greg Justice to award the bid for demoliton to PAM Construction, the low bidder. The motion carried unanimously.

City Attorney Rusty Davis suggested that it may be more economical to give the property owners a 20 day time period to engage a contractor of his own to raze the buildings as the City will have to pay for the demoliton and then file a lien upon the property to recoup, which may be a long process. Robert Page made the motion, seconded by Greg Justice to rescind the motion to award the bid for demoliton of the 9 buildings in Coal Hollow to PAM Construction. The motion carried unanimously. Robert Page made the motion, seconded by Greg Justice to direct the City Attorney to send a letter to the property owners explaining what the City intentions are and to give them 20 days to secure a contract for the demolition of the houses and authorized the City Attorney to file suit if the property owner fails to comply. In the event the owner fails to comply, Mr. Carlton was authorized to let the bid to PAM Const.

The Commission deferred any action until the next regular meeting with regard to the matter of approval of a one year bonded warranty for the Raw Water Intake slope repairs.

Mr. Carlton told the Commission that the Highway Department had given him notice that a meeting would be held at the Transportation Department Office to discuss the fill in Poor Farm Hollow. The City Attorney questioned whether it would be appropriate for the City to become involved until Grouse Point and Melco Greer reach an agreement. No action was taken.

Robert Page made the motion to adjourn to Closed Session to discuss the W. W. Lindsey vs. the City of Pikeville case, the Jake Howell vs. the City of Pikeville case, and the Pauline Justice property purchase negotiation. Robert Weddle seconded the motion. The motion carried unanimously.

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

Discussed was the proposed purchase of Pauline Justice's Poplar Street Property. Greg Justice made the motion, seconded by Robert Page to authorize the City Attorney to negotiate the purchase up to \$30,000. The motion carried 4 - 0.

Jake Howell's Litigation was discussed. Robert Page made the motion to forgive the sewage fees Mr. Howell has paid into an escrow fund, but require him to pay the tap on fees for the two houses in question. Robert Weddle seconded the motion. The motion carried unanimously.

Regarding the Lindsey & Elliott case, Greg Justice made the motion, seconded by Robert Weddle to release the escrow funds that has been paid for the difference of 20% and .20¢ of Columbia Gas' rate and to pay any further natural gas purchases from Lindsey & Elliott at the billed rate, ie .20¢ less than the rate from Columbia Gas. The motion

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carried 3 - 0 - 1 with Robert Page abstaining.

Mr. Carlton was directed to schedule a work session with PSG's Hal Williams.

There will be an audit work session held on June 8, 1987.

Robert Page made the motion to adjourn. Robert Weddle seconded the motion. The motion carried unanimously.

The next scheduled meeting will be held on June 8, 1987 at 7:30 P.M. at the Old City Hall Meeting Room on Division Street.

APPROVED W.C. Hamilton

