

MINUTES } CITY OF PIKEVILLE

REGULAR MEETING - JULY 27, 1987

The Pikeville City Commission met in a regularly scheduled meeting on Monday, July 27, 1987 at the regular meeting place in the Old City Hall Meeting Room at 211 Division Street.

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

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

Commissioner Robert Weddle was absent

The minutes for the previous regular meeting of July 13, 1987 were included in each Commission Member's agenda package. Robert Page made the motion, seconded by Greg Justice to approve the minutes as submitted. The motion carried unanimously.

In Business from the Floor, the Commisison heard a request from Rick Ray, a resident of Walters Road, for City Crews to cut weeds along the road and to make repairs to the road. Mr. Carlton, City Manager, explained that the street crew is involved in the City Hall depot project and once the inside is cleared they can begin work elsewhere. The Commission directed Mr. Carlton to ascertain if the Abandoned Mine Lands Agency plans to do any paving in this area. There is about \$4,000 in the Est KY. Collieries escrow account for asphalt to patch the road.

A complaint from Jerry Huffman was heard relative to the food service at the City Pool's concession stand. The City Manager explained that the cooked food had been eliminated because the concession stand was losing money. The Mayor voiced his opinion that the concession stand is not a money-making venture.

Jack Sykes, City Engineer, gave a verbal report of ongoing city projects:

1. South Mayo Trail Sewer: Proceeding on schedule. Approximately 1/3 complete. The contractor is working on the second gravity line portion near Best Western and have initiated the construction of the new lift station to replace lift station #7 at Johnson Motor.
2. Storm Sewer Separation Project: About 22% complete.
3. Harolds Branch/Ratliffs Creek Tank Painting: Contracts have been mailed to the contractor and indicates work will begin around August 10th.
4. Trash Trap: The contractor has not yet returned the contract documents.
5. Chloe Water Project: Nearing Completion. All of the line is in place; the pump station installed; the major tank at the gap is

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in place and is in the process of being painted. Most of the hookup service lines are in place. There are 59 new services in the City Limits and 351 in the County. Mr. Sykes anticipates these new services will mean an additional \$4,600 revenue per month. Because more people have signed up for the new water service, the project is overbudget. The City constructed a water line in Fife Fork. When the project was initiated two years prior, Fife Fork had a fairly good paved surface. When the contractor finished laying the line, most of the pavement had deteriorated. There is about 400 feet of surface to be repaved. The AML has suggested that the City be compensated for 400 feet of pavement replacement which will amount to \$2,000. Mr. Sykes reported that he had tried to secure \$7,500 but had been unable to do so. Basically, the money will be passed through the contractor to the City and allow the City to repave the section of road. Mr. Sykes made the recommendation to accept the \$2,000 due to the AML Chloe Project with the additional customers, lines, tanks, etc. being donated to the City. Frank Morris made the motion to accept Jack Syke's recommendation. Robert Page seconded the motion. Commissioner Justice voiced his opinion that Mr. Sykes should negotiate for more money as \$2,000 will not fund the entire section's paving. Upon call of the roll, the motion carried 3 - 1 with Greg Justice voting "NO".

6. Harolds Branch Water Line: This project has been bid and awarded subject to the contractor confirming figures and FmHA's written commitment that the City will be reimbursed from surplus WTP contingencies. Mr. Sykes received a letter dated April 7th approving Harold's Branch and Smith Hill replacement but a statement was attached that no portion of the work should be undertaken until the Water Treatment Plant and Intake is complete with all related costs known. When Mr. Sykes saw that the closing was going to be longer than was anticipated, he asked Mr. Brown of FmHA for a memo indicating that the City would be reimbursed should the City proceed with the project. The memo has been received. Robert Page made the motion, seconded by Greg Justice to proceed with the construction of the project and if the City needs to borrow the funds, authorize Ted Herring, Finance Director, to approach one of the three banks to borrow the necessary funds for this particular project. The motion carried unanimously.

Smith Hill Water Line: Bids were opened on the day of the last meeting, the low bidder was NBC Construction of Inez, KY. in the amount of \$51,890. Mr. Sykes has reviewed their credentials and indicates he foresees no problem in recommending acceptance of the low bid. Summit Engineering will be the inspector. Mr. Sykes advised that the Commission can wait as late as September 11 to award the contract and recommended that the Commission delay award of the bid until the middle of August to allow the Water Treatment Plant/Intake project to be closed out so interim funding may not become necessary.

Commissioner Page asked the City Engineer to investigate a water drainage problem at Powderhouse Hollow and report back at the next regular meeting.

City Bills were presented to the Commission for approval of payment in the amount of \$7,990.98. Frank Morris made the motion, seconded by Robert Page to approve payment as requested. The motion carried unanimously.

Pay request #2 from Mountain Enterprises in the amount of \$29,840.76 was the only bill listed on the Project Bills payment request. Frank Morris made the motion, seconded by Robert Page to approve payment to Mountain Enterprises in the amount of \$29,840.76 for the Central Business District Storm/Sanitary sewer separation project. The motion carried

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unanimously.

Second Reading was given to an Ordinance entitled:

O-87-013 AN ORDINANCE OF THE CITY OF PIKEVILLE, KENTUCKY, PROHIBITING NUDE OR NEARLY NUDE ACTIVITIES IN ESTABLISHMENTS WITH A RETAIL DRINK LIQUOR LICENSE AND/OR RETAIL CEREAL MALT BEVERAGE LIQUOR LICENSE, AND PROVIDING FOR PENALTIES FOR VIOLATION THEREOF, INCLUDING THE SUSPENSION OR REVOCATION OF THE SAID RETAIL LIQUOR DRINK LICENSE AND/OR RETAIL CEREAL MALT BEVERAGE LIQUOR LICENSE

Robert Page made the motion, seconded by Greg Justice to adopt the Ordinance. The motion carried unanimously.

Dawn Hutchinson of the Pike County Chamber of Commerce gave a verbal status report of the Pikeville Mall Project. She reported that the KY. Commerce Cabinet awarded a Community Development Block Grant in the amount of \$750,000 but these funds were contingent upon award of an Urban Development Action Grant. On July 23, HUD formally offered the UDAG to Melvin Simon, Mall developer, and the City of Pikeville. Presented to the Commission were resolutions for consideration to proceed in accordance with the rules and regulations of the CDBG and UDAG programs.

R-87-011 AN ORDER OF THE CITY COUNCIL OF PIKEVILLE, KENTUCKY RELATING TO APPROVAL OF A CONTRACT BETWEEN THE CITY AND THE COMMONWEALTH OF KENTUCKY DEPARTMENT OF LOCAL GOVERNMENT (\$750,000 CDBG to be utilized for off-site utilities and improvements necessary for the Shopping Mall)

Robert Page made the motion, seconded by Frank Morris to adopt the resolution. The motion carried 3 - 1 with Greg Justice voting "NO".

R-87-012 AN ORDER OF THE CITY COUNCIL OF PIKEVILLE, KENTUCKY AUTHORIZING AUTHENTICATION OF SIGNATURES AND ESTABLISHING A BANK DEPOSITORY FOR PURPOSES OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Robert Page made the motion to authorize Ted Herring and Frank Carlton to sign a municipal order authenticating signatures and establishing a bank depository for the purpose of the Community Development Block Grant subject to their review of the grant agreement and approval of the project administrator. Frank Morris seconded the motion. The motion carried 3 - 1 with Greg Justice voting "NO".

Ms. Hutchinson went on to explain that included in the package was a revised budget reflecting final costs as shown in the UDAG and CDBG applications, a performance schedule projecting the time sequence for construction of the off-site improvements and shopping center facilities; and a legal notice and request for qualifications for engineering relative to the off site improvements as required by Federal Management Circular A-102. The work on the shpping center will be initiated in October 1987 and completed in September 1989. One other item to be addressed. Possibly, if the mall site is exactly where the old airport site was, there will be no archeological survey necessary. If the area where the fill dirt is coming from is from a strip site there will be no archeological survey needed, however, in the event that one is needed, she asked that the Commission approve the survey not to exceed \$7,500.00. Robert Page made the motion to authorize the survey if needed with the understanding that the cost will be reimbursed from the grant monies. Frank Morris seconded the motion. The motion carried 3 - 1 with Greg Justice voting

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"No".

First reading was given to two Ordinances entitled:

ORDINANCE ACCEPTING KATE STREET, EVAN STREET AND SUMMER STREET AS PUBLIC STREETS

AN ORDINANCE FIXING A TAX LEVY ON REAL AND TANGIBLE PERSONAL PROPRTY, FRANCHISES, BANK SHARES, ALL FOR THE GENERAL OPERATING EXPENSE PURPOSES AND PROVIDING FOR A DISCOUNT ON ALL TAXES, IF PAID ON OR BEFORE NOVEMBER 1ST, AND A PENALTY IF NOT PAID BY DECEMBER 31ST.

The above two entitled ordinances will be on file in the office of the City Clerk for a period of at least ten days for public inspection.

Second Reading was given to Ordinance O-87-014 entitled:

AN ORDINANCE OF THE CITY OF PIEKVILLE, KENTUCKY, APPROVING A JOINT AND COOPERATIVE PROGRAM FOR SELF-INSURANCE, INSURANCE AND THE INVESTMENT OF PUBLIC FUNDS AMONG VARIOUS CITIES, URBAN-COUNTY GOVERNMENTS AND OTHER PUBLIC AGENCIES WITHIN THE COMMONWEALTH OF KENTUCKY; AUTHORIZING THE EXECUTION OF THE "INTERLOCAL COOPERATION AGREEMENT TO ESTABLISH THE KENTUCKY MUNICIPAL RISK MANAGEMENT ASSOCIATION" (the "INTERLOCAL AGREEMENT") UNDER WHICH THE PROGRAM WILL BE ORGANIZED AND FINANCED; AUTHORIZING THE ISSUANCE OF REVENUE BONDS UDNER THE TERMS AND CONDITIONS SET FORTH IN THE INTERLOCAL AGREEMENT

Robert Page made the motion to adopt the Ordinance based on Mr. Carlton's recommendation. Frank Morris seoned the motion. The motion carried unanimously.

Action was deferred until the next regular meeting with regard to Powell Construction's request for reduction of their contract retainage of the WTP contract to \$50,000.

Resolution R-87-013 was presented to the Commission and read entitled:

RESOLUTION APPROVING THE APPOINTMENT OF A MEMBER OF THE HOUSING AUTHORITY OF THE CITY OF PIKEVILLE - Cheryl D. Webster

Robert Page made the motion, seconded by Greg Justice to appoint Cheryl Webster to a term on the Housing Authority Board. The motion carried unanimously.

Robert Page made the motion, seconded by Greg Justice to adjourn to a closed session for discussion of a personnel matter. 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 motion carried unanimously to adjourn the meeting.

The next regularly scheduled meeting is August 10, 1987 at 7:30 p.m.

APPROVED

W.C. Hamilton