

MINUTES } CITY OF PIKEVILLE

REGULAR MEETING - AUGUST 10, 1987

The Pikeville City Commission met in a regularly scheduled meeting on Monday, August 10, 1987 in the regular meeting place at the Old City Hall Meeting Room at 211 Division Street.

Mayor W. C. Hambley, M.D. called the meeting to order at 7:30 p.m. with the following Commission Members present and forming 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 July 27, 1987 were included in each Commission Member's agenda package. Robert Weddle made the motion to approve the minutes as included in the agenda package. Greg Justice seconded the motion. The motion carried unanimously.

City Bills totaling \$76,682.06 were presented to the Commission for approval of payment. Robert Page made the motion, seconded by Robert Weddle to approve payment as per the submitted list. The motion carried unanimously.

Project Bills were submitted to the Commission for approval of payment totaling \$58,749.08. Robert Page made the motion, seconded by Robert Weddle to approve payment as requested. The motion carried unanimously.

South Mayo Trail Sewer Line Project Bills were presented to the Commission for approval of payment in the amount of \$114,393.12. Robert Page made the motion, seconded by Frank Morris to approve payment of the Bills. The motion carried 4 - 1 with Greg Justice voting to approve payment of Kentucky-Virgina Stone's partial pay request of \$108,600.20 but to decline payment of Summit Engineering's inspection bill of \$5,792.92.

Request for authorization of payment for the Water Treatment Plant/Raw Water Intake Modification was presented to the Commission in the amount of \$260,738.90. Robert Page made the motion, seconded by Robert Weddle to authorize payment as requested. The motion carried 4 - 1 with Greg Justice voting "NO".

The City Commission met with the Water Treatment Plant Engineer, Pat Blayney, in a scheduled work session today at 3 p.m. Robert Page made the motion based upon today's work session that the retainage amount held back on the Water Treatment Plant Project be lowered to allow payment so only \$50,000 will be retained but the punch list has to be completed before actual payment and reviewed by a committee of Rick Greenwood, Hal Williams and Sue Smallwood.

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Robert Weddle seconded the motion. The motion carried 4 - 1 with Greg Justice voting "NO".

Robert Page made the motion that the City accept an irrevocable letter of credit from Powell Construction's subcontractor (Baker Construction) in the amount of \$25,000 and an extended one year warranty for the slippage problem that was created around the construction on the upper side of the Raw Water Intake. Commissioner Justice questioned the amount of the letter of credit. Commissioner Page explained that both engineers, R. D. Zande and Summit Engineering, had recommended the \$25,000 figure. Robert Weddle seconded the motion. The motion carried 4 - 1 with Greg Justice voting "NO".

Professional Service Group's Bill for the operation of the Water and Sewage Treatment Plants in the amount of \$40,708.33 was presented to the Commission for approval of payment. Frank Morris made the motion, seconded by Robert Page to approve payment to PSG in the amount of \$40,708.33. The motion carried unanimously.

Second Reading was given to an Ordinance entitled:

O-87-015
ORDINANCE SETTING SPEED LIMIT ON HAROLD'S BRANCH ROAD AT
35 MILES PER HOUR

Frank Morris made the motion, seconded by Greg Justice to adopt the Ordinance as read. The motion carried unanimously.

Second Reading was given to an Ordinance entitled:

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

Joe Justice, a resident of the Cedar Subdivision, objected to the Ordinance's approval due to the proposed City Street not extending to his property. The subdivision's developer, John Rasnick, explained that he and Mr. Justice had a private agreement whereby he would maintain the section of road to Mr. Justice's property. Commissioner Justice suggested that the Ordinance be amended to include that it will become the developer's responsibility to repair the road should there be slippage. Action on this matter was deferred to the next meeting.

A Knights of Columbus letter requesting City Commission approval of their annual solicitation program to assist retarded and handicapped citizens was presented for consideration. Frank Morris made the motion to not violate the 1986 Ordinance which prohibits roadblocks within the city limits of Pikeville. Greg Justice seconded the motion. The motion carried 4 - 1 with Robert Page voting "NO".

Frank Carlton, City Manager, reported that the City has applied for \$30,000 in Area Development Funds for asphalt pavement for the Cut-Thru overlook road.

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City Attorney, Rusty Davis, informed the Commission that the City Engineer has given him an estimate of \$12,000 to pave the Mays Branch Road. Mr. Davis explained to the Commission that he had reviewed the assessment statute and had contacted the City's Bond Counsel, William Davis. The Bond Attorney explained that for such a small project it would be an added expense of \$10,000 for issuance of bonds, attorney fees, engineering fees, etc. The City Attorney explained that he had been in contact with one of the residents and she assures him that 50% of the residents will pay their assessment before construction. There are 18 property owners. The City Attorney suggested that the City Commission authorize him to secure as many of the residents as would that will agree to pay their portion and then if 50% agrees then the City would agree to pay the remainder. Robert Page made the motion to authorize the City Attorney to draft documents for property owners to pay a proportionate share and if he succeeds in getting 50% or more to sign the agreement, the City Manager is authorized to issue a purchase order to proceed with the paving of Mays Branch to be accomplished this year. The motion carried unanimously.

Given first reading was an Ordinance entitled:

AN ORDINANCE FIXING A TAX LEVY ON REAL AND TANGIBLE PERSONAL PROPERTY, 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.

Note: This Ordinance was given first reading on July 27 but due to amendments in section II paragraphs A and C, was given another first reading which includes the amendments.

This Ordinance will be on file in the Office of the City Clerk for a period of at least 10 days where it may be viewed by the public.

Leon Huffman of Kentucky Power Company brought before the Commission a request for a power line relocation in Coal Hollow. This relocation is requested to remove the lines from Nancye Caudill's property and to help minimize the hazard to helicopters flying through the Cut-Thru. Frank Morris made the motion to authorize the relocation. Greg Justice seconded the motion. The motion carried 4 - 0 - 1 with Robert Page abstaining.

Commissioner Justice reported that he had several complaints relative to parking on the Boulevard. Persons entering the Boulevard from Steele Street do not have adequate site distance due to vehicles being parked on the Boulevard. The Chief of Police was directed to investigate this problem.

Frank Morris made the motion to adjourn to a closed session to discuss legal matters with the City Attorney and a personnel matter. Greg Justice seconded the motion. The motion carried unanimously.

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Frank Morris made the motion to reconvene to regular session. Greg Justice seconded the motion. The motion carried unanimously.

Robert Page made the motion to authorize a settlement with the York Heirs for their South Mayo Trail easement in the amount of \$9,500. Frank Morris seconded the motion. The motion carried unanimously.

Robert Page made the motion to authorize a settlement with Paul and Nancy Ratliff for their easement in the amount of \$8,820. Greg Justice seconded the motion. The motion carried unanimously.

Frank Morris made the motion to direct the City Attorney to proceed in a manner to uniform all gas suppliers' contracts. Greg Justice seconded the motion. The motion carried 4 - 0 - 1 with Robert Page abstaining.

There being no further business to come before the Commission, Frank Morris made the motion, seconded by Greg Justice to adjourn the meeting. The motion carried unanimously.

The Commission will hold a work session at the Sewage Treatment Plant on Thursday, August 13, 1987 at 1:30.

The City Commission's next regularly scheduled meeting will be held on August 24, 1987 at 7:30 P.M. at the Old City Hall Meeting Room at 211 Division Street.

APPROVED

W. C. Hambley Jr.