

MINUTES } CITY OF PIKEVILLE

REGULAR MEETING - JANUARY 25, 1988

The Pikeville City Commission held their regular meeting on Monday, January 25, 1988 in the City Hall Public Meeting Room at 260 Hambley Boulevard.

Mayor Pro Tem Steve Combs called the meeting to order at 7:30 P.M. It was noted there was a quorum present with the following Commission Members present:

ROLL  
CALL

COMMISSIONER: STEVE COMBS  
GREG JUSTICE  
THOMAS HUFFMAN  
JOHNNY MOUNTS  
MAYOR: W. C. HAMBLEY, M.D. 8:00

MINUTES

The minutes for the previous regular meeting of January 11, 1988 were included in each Commission Member's agenda package. Greg Justice made the motion, seconded by Thomas Huffman to approve the January 11, 1988 minutes as submitted. The motion carried 4 - 0.

BUSINESS  
FROM THE  
FLOOR

Due to numerous citizen complaints, Steve Combs made the motion, seconded by Greg Justice, to change the agenda format to allow "Business from the Floor" to appear as Item III. The motion carried unanimously. The Commission announced that citizens wishing to address the Commission no longer need to make written requests to the City Manager to be placed on the agenda. If a citizen has a matter to bring before the Commission, they are asked to raise their hand, be recognized, and present their business in an orderly fashion.

Charles Comer inquired as to the time frame for extension of the sewage system to Williams Hollow. The Commission explained that due to the impending sewage treatment plant expansion estimated to cost in excess of \$2 million dollars, funds to extend the line are not available.

Commissioner Justice advised the Commission that he had heard several complaints relative to the T.V. Cable System recent rate increase. According to the recently adopted T.V. Franchise Ordinance, area residents should be able to receive three channels without the cable being connected to the television set. The City Attorney was instructed to contact the Federal Communications Commission to request a survey of areas in the City Limits receiving Cable T.V. Service.

Leon Huffman asked the Commission to authorize street closings at the Pikeville College Gym and use of the Riverfill for parking during the annual PACE Coal Show to be held during May 18 - 20. Thomas Huffman made the motion to allow the street closings as in previous years during May 18 - 20 and allow use of the riverfill for parking for the PACE Coal Show. Greg Justice seconded the motion. The motion carried unanimously.

Leon Huffman asked the Commission to appoint one non-voting member to represent the City on the Industrial Development Economic Authority. The City Manager was directed to place this item on the City Commisison's agenda for the meeting of 2/8/88.

The City Commission discussed the need to get the Fire Department upgraded in order to receive a lower fire rating from the Insurance Service Office. Jack Sykes, City Engineer, displayed maps depicting the location of a new fire station. According to Mr. Sykes, a fire station needs to be located within three miles of each residence. There is one area, in the City Engineer's opinion, which is impossible to economically serve - the area around the Pauley Bridge/Keel Addition, assuming that the swinging bridge is not an access. In order to serve this area, a fire station will have to be constructed in this area or outside the City Limits. The existing downtown station is not adequate because it is not located within three miles of each residence. The proposed station at the Mouth of Chloe will not be within the specified three miles. In order to serve the Yorktown area, a station would have to be located in the vicinity of the Board of Education and this station could work in conjunction with the downtown station or the proposed station at the mouth of Chloe and fire protection would be within the required three miles of all residences with the exception of the Pauley Bridge Area/Keel Addition.



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The discussion concluded with the Fire Chief, Charles T. Smith, saying a letter had been sent to ISO requesting a fire rating inspection. Chief Smith indicated that he would request ISO to make a recommendation on the location of a new fire station.

CITY  
BILLS

City Bills totaling \$174,417.01 were presented to the Commission for approval of payment. Greg Justice made the motion, seconded by Thomas Huffman to approve payment as requested. The motion carried unanimously.

PROJECT  
BILLS

Project Bills were presented to the Commission for approval of payment totaling \$14,868.49. Questioned was the Polley & Trent bill in the amount of \$14,568.10 which represents the Final Payment less 10% of the Smith Hill Water Line Relocation Project. Commissioner Huffman stated that the contractor needed to remove the debris. The City Engineer recommended that the bill be approved withholding 10% of the project. Commission Combs asked if the contractor had reimbursed the City for the broken gas lines. The City Engineer was unable to verify whether the City had been reimbursed. City Attorney, Rusty Davis, asked about the stability of the slope with regard to the slope's ability to hold the utility lines in place without any vegetation on the slope. Mr. Sykes reported that the slope had been graded, packed, seeded and mulched which is all that can be done at this time of year. Mr. Sykes added that the contractor is bonded for a year, so if there is any problem with slides, the bond will cover the cost. Greg Justice made the motion to approve payment of the project bills, withholding 10% from Polley & Trent's contract (estimated at \$4,000+) until the cost of repairing water and gas line breakages can be verified. Thomas Huffman seconded the motion. The motion carried unanimously.

## KLC

KLC Enterprises submitted their bill in the amount of \$27,472.21 for natural gas purchased during the period of December 1, 1987 - January 4, 1988. Thomas Huffman made the motion, seconded by Steve Combs to approve payment of the KLC bill totaling \$27,472.21. The motion carried unanimously.

## PARKING

First Reading was given to an Ordinance to make the two hour free parking limit the policy for former metered street parking. The Ordinance will be on file in the office of the City Clerk for at least ten days where it may be viewed by the public. The next scheduled reading is February 8, 1988.

URBAN  
RENEWAL  
AGENCY

Each Commission Member has received a copy of the Urban Renewal Agency's response to eight questions posed by the City Attorney and the responses were published in The Appalachian News-Express. The Commission commented on answers to questions 6 sections (b) and (k) pertaining to the Urban Renewal Agency's lease with James Arthur Hughes and Associates for the riverfill property. Commissioner Justice referred to Urban Renewal's minutes of July, 1982 where their office was closed and the Board was to exist to fulfill their current obligations. According to the KYR -72 closeout documents, monies derived from property sales should be deposited in the City's Community Development Account. Commissioner Huffman asked Ted Herring, Urban Renewal Agency's acting director, where the funds were from the sale of the Cedar Creek Lots. Mr. Herring told the Commission he was present in his capacity of City Clerk/Finance Director and would not answer the question. It was questioned whether the Urban Renewal Agency has the authority to enter into long-term lease agreements. The City Attorney advised that he had reviewed Urban Renewal's minutes. It appears that Urban Renewal has come close to dissolving themselves but the agency has yet to settle condemnation suits on a few parcels. Mr. Davis presented two alternatives to the Commission: 1. to request the Urban Renewal Agency to comply with the terms of the KYR -72 closeout or 2. adopt the resolution dissolving the agency. It was questioned if an injunction could be issued to prohibit Mr. Hughes from beginning development. Commissioner Combs suggested putting Mr. Hughes on notice of the property dispute over the title of the riverfill and inform him that any development placed on the site will be at his risk. It was questioned what would become of the lease agreement if the City is awarded title to the riverfill. Mr. Davis answered that the City would have to honor the lease if it was determined valid. The City Attorney read the resolution to dissolve the Urban Renewal Agency. Thomas Huffman made the motion to adopt the resolution. Greg Justice seconded the motion. The motion did not carry with a 2 - 3 vote.



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Steve Combs made the motion to direct the City Attorney to write a letter to J.A. Hughes & Associates explaining that the Urban Renewal Agency was apparently dissolved in 1982 and put Mr. Hughes on notice that the City may dispute the legal title of the riverfill property. Any development placed on the property will be done at the developers risk. Greg Justice seconded the motion. The motion carried unanimously.

Mr. Davis added that at some later date the City will take further action after Commissioners Combs and Mounts have an opportunity to study all documents and review minutes.

Questioned was the relation of the flood level revision by the Corps of Engineers to the development. The Commission answered that the flood elevation would not be raised within the floodwalls.

Thomas Huffman made the motion to authorize the City Attorney to send a letter to the Urban Renewal Agency directing the Board to comply with the KY R-72 Closeout agreement by placing monies derived from property sales in City coffers and any monies that have to date not been put into the Community Development Account be deposited. Greg Justice seconded the motion. The motion carried unanimously.

DWAIN  
ANDERSON

Dwain Anderson a resident of the Bowles Addition informed the Commission of a problem of sewage backup in his home. He reported that the sewage crews had worked at his home and have not yet found the problem. The City Engineer reported that the problem may stem from the downspouts being connected to the sanitary sewer since the problem occurs in heavy rainfall periods. According to Mr. Anderson the backup has progressed since the Billips subdivision fill slipped into the drains. The Commission asked the City Engineer to check with Mr. Billips to see if he has liability insurance to help cover the cost of cleaning out the drains. Mr. Sykes will investigate the problem and report back at the Commission's next meeting.

LANCELOT  
COURT

Per the City Commission's directives, Jack Sykes has looked at the Lancelot Court Streets. Mr. Sykes recommendation is in compliance with the City's policy of acceptance of subdivision streets. The first 200 feet of the street is constructed in asphalt pavement; the next 600 feet consists of concrete pavement. There was some wear noted both in the asphalt and concrete sections. It was Mr. Sykes' recommendation that the road be accepted as a city street on the following conditions:

1. During the first 5 years of service the City's maintenance efforts be limited to snow and ice removal.
2. Once either section of the road has been in service for 5 years it should be inspected and the developer be required to repair any degradation to the City's specifications after which the City would accept full maintenance responsibilities for the road.

Steve Combs made the motion to direct the City Attorney to prepare an Ordinance to accept the Lancelot Court Street based upon the City Engineer's recommendation. Greg Justice seconded the motion. The motion carried unanimously.

GAS METER

It was the consensus of the Commission to adopt a policy relative to the gas meters that the meters will no longer be changed on a routine basis during the winter months unless the meters are defective or for non-payment of a customer bill.

ADF

Greg Justice made the motion, seconded by Steve Combs to authorize the Mayor to execute a revised grant application for Area Development Funds for the Cut-Thru overlook project. The motion carried unanimously.

UDAG

The City Manager reported that the City has received a letter on the City's Urban Development Action Grant Eligibility Recertification. If the shopping mall project does not proceed the City could apply for UDAG to fund another project.

CITY  
ENGINEER  
REPORT



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SEWAGE TREATMENT PLANT: Mr. Sykes gave a followup report to the Commission's 1/22/88 work session with regard to the Sewage Treatment Plant. There appears to be three viable alternatives. One would be to basically do nothing with expansion plans at this point in time and hope that PSG is able to keep the plant in compliance and hope that the Division of Water will not proceed with any action. This alternative would probably restrict any line extensions. The second option would be to look at the total plant expansion as outlined in Friday's work session which will require a substantial amount of funding including funding from loan sources which would entail another rate increase. The third option would be to, assuming there will be a mall project, utilize the \$400,000+ for plant improvements. MSE/Summit Engineering has stopped work on all site improvements related to the mall project and that includes any design or any further work on the sewage treatment plant until there is a definite commitment from the Mall Developer. It was suggested that the Commission appoint one or two persons to work with the City Engineer and the Mall developer to determine what the potentials are and develop a scope of the project with an outline on how to proceed. Will Linder, grantsman, has indicated that he would work with the City to try to develop a funding package. Commissioner Combs asked for time to consider several other possibilities including seeking outside involvement in the debt service on the Water Treatment Plant - possibly Pike County or Mountain Water District. Mr. Sykes stated that the Commission will be contacted by Jerry Hurst of the Division of Water within the month with a notice on how the city should proceed. At this time the agreement will probably include an up-front penalty for failure to bring the plant into compliance & other penalties <sup>would</sup> be based upon any violations of the permit during the first six months of 1988. The Commission will schedule a work session to discuss this matter further.

GASOLINE Mr. Carlton reported that a proposal has been submitted by the Coleman Oil Company for installation of underground gasoline storage tanks at the Island Creek Headquarters. The total cost is \$14,583.00 for three underground tanks, dispensing pumps and readouts. The Commission directed the City Manager to prepare an analysis of savings the City would incur - in house gasoline vs. service station purchases. Commissioner Mounts will assist the City Manager with this matter.

SEWER HOOKUP Eugene Howell, a resident of the South Mayo Trail, voiced his opinion that the \$300.00 residential sewer hookup fees are too expensive. Jack Sykes presented the Commission with a cost breakdown for residential sewer taps. The average cost is \$270.00. The contractor for the South Mayo Trail Sewer Project has a built in cost of \$27,000 for the installation of the sewer taps. If the City does not charge for the taps the City will have to absorb the cost. The Commission asked that this item be discussed in a work session.

Steve Combs made the motion, seconded by Greg Justice to adjourn to a closed session to discuss personnel matters. The motion carried unanimously.

Upon reconvening to regular session, Thomas Huffman made the motion to promote Walter Blankenship to the position of City Superintendent at a yearly salary of \$23,500 with duties to include overseeing City personnel with regard to the street crew and all utilities and to see that the City is kept clean and well maintained at all times. Steve Combs seconded the motion. The motion carried 4 - 0. (Commissioner Justice left before the meeting was over)

Paul Hall, Sewage Crew Supervisor, asked for a clarification on the Commission's directive with regard to Sonny Hall and Scotty Hall's transfer to his crew. The Commission confirmed that the two men had been transferred to the Sewage Crew. Mr. Hall asked the Commission to have Sonny and Scotty Hall's names deleted from the Garbage Crew duty list. This item will be directed to Mr. Blankenship for action.

Thomas Huffman made the motion to adjourn. Johnny Mounts seconded the motion. The motion carried unanimously.

The City Commission's next regularly scheduled meeting is February 8, 1988.

APPROVED W.C. Hambley, Jr.