

MINUTES } CITY OF PIKEVILLE

REGULAR MEETING - AUGUST 22, 1988

The City of Pikeville Board of Commissioners met in a regular meeting on Monday, August 22, 1988, at the City Hall Public Meeting Room at 260 Hambley Boulevard in Pikeville, Kentucky.

CALL TO ORDER

Mayor W. C. Hambley, M.D. called the meeting to order at 7:30 p.m. There being a quorum present, the roll was called and the following Commission Members were present:

COMMISSIONER: STEVE COMBS 7:35
GREG JUSTICE
THOMAS HUFFMAN
JOHNNY MOUNTS
MAYOR: W. C. HAMBLEY, M.D.

MINUTES

The minutes for the Special Meeting of July 18 and August 3, 1988 and Regular Meeting of July 25, 1988 were approved by a 4 - 0 vote upon motion of Thomas Huffman and seconded by Johnny Mounts.

BUSINESS FROM THE FLOOR

A representative from Mountain Comprehensive Care asked the Commission to approve the execution of a deed for a portion of the City's riverfill property. This health agency has an executed deed from the Urban Renewal Agency for their portion of the riverfill. Mountain Comprehensive Care is requesting the property to develop an office complex. Rusty Davis, City Attorney, reported that he has reviewed the deed. Commissioner Huffman requested that a clause be added to the deed that would allow the property be returned to the City should the property cease to be used as a public health facility. Mr. Davis reported that the deed specifies the property will revert to the Pike County Board of Health. City Engineer, Jack Sykes asked the Commission to consider designating a street access through the riverfill before deed execution. Thomas Huffman made the motion to deed the City's portion of the parcel as requested by the Mountain Comprehensive Care leaving a right of way next to the sewer easement for a street. Greg Justice seconded the motion. The motion carried unanimously.

Mr. Sykes presented the map plan for the riverfill street. Thomas Huffman made the motion, seconded by Greg Justice to adopt the plan for the road through the riverfill. The motion carried 4 - 1 with Mayor Hambley voting "NO".

The City Attorney reported that Pikeville College had requested that a deed of conveyance be prepared for the section of the riverfill designated for their use. Mr. Davis reported that he had not made any provisions in the deed for the property reverting to the City should it cease to be used for the College purposes. The Commission directed that this clause be added to the deed before approval.

FIRE PROTECTION

Pike County Judge Executive, Paul Patton, told the Commission that the County has begun a fire protection program for County residences. All outlying areas with the exception of Big Creek will be provided County fire protection. Residents of Chloe, Shalbiana, Hurricane and Island Creek are also affected in that for the County to provide protection to these areas within the five mile radius, a fire station will have to be constructed in downtown. Judge Patton suggested that the County pay the City a certain sum per year to service these areas. The Fiscal Court offered \$9,000 per year for this service. The service could be analyzed next year to determine if this is fair compensation. It was questioned what the City's liability would be. The City's fire department does not have water tanks to fight fires in areas not served by fire hydrants. The City Attorney questioned whether the City could be contractually obligated to provide fire protection or if they could be sued for having inadequate equipment. The Commission set a 5:00 p.m. work session on August 25, 1988 to discuss this matter further.

DRIVERS TEST

Lt. Maynard of the Kentucky State Police requested permission to establish a driver's testing route in the downtown area beginning at the ramp on the riverfill and ending on Scott Avenue. Pam Robinette voiced her opposition to the proposed route being established in a residential area. She stated that residents did not object to

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the actual drivers test but the practice runs. The Commission asked if there were alternate locations proposed. Lt. Maynard advised that they had looked at a route to be established on Auxier Avenue and Second Street. The Chief of Police was directed to work out an acceptable route with Lt. Maynard.

CITY BILLS

City Bills totaling \$102,903.43 were presented to the Commission for approval of payment. The Finance Director asked the Commission to clarify the rate to be paid to Mayo Village Water for their water customers billing list who are served by the City's sewage system. The Commission set a .25¢ per name rate. The Finance Director also indicated that the City purchases water from Mayo Village and is charged the retail rate. The Commission directed that Mayo Village's water purchase bill should be adjusted by the amount the City purchases at the wholesale rate. Thomas Huffman made the motion, seconded by Greg Justice to approve payment of the bills as requested. The motion carried unanimously.

PROJECT BILLS

Presented to the Commission for approval of payment were a list of project Bills totaling \$45,783.00. Steve Combs made the motion, seconded by Thomas Huffman to approve payment of the Project Bills as presented. The motion carried unanimously.

CITY ENGINEER
REPORTS

City Engineer Jack Sykes gave a verbal report of ongoing City Projects.

1. Ratliffs Creek Water Line: The contractor has installed all line; taps have been made; valves have been made for the taps. The altitude valve, meter and the tap to the tank have not been placed. The contract provides for a \$200/day liquidated damage charge. It is recommended that this charge be assessed when the project is completed.

2. Fire Station: The contractor anticipates initiating work on Wednesday with the pouring of the footer. The contractor has requested a no cost change order for approval. The contractor requests exchanging fiberglass showers for masonry which is a savings to the contractor. In exchange the contractor has suggested adding a continuous footer all along the front of the building. Steve Combs made the motion, seconded by Greg Justice to approve change order #1. The motion carried 5 - 0.

3. Overlook: The steel is being erected. No problems have been encountered with this project.

4. Lorraine Street Sidewalk: Mr. Sykes reported that the previous City Commission had granted permission for the engineers to request the Highway Department to construct a sidewalk from 7th to Lorraine Street. Cost of the project is estimated at \$126,000 with the Highway Department contributing \$38,800. No action taken.

CITY ATTORNEY
REPORTS

First Reading was given to an Ordinance entitled:

ORDINANCE RENAMING ELM STREET IN THE LAKE JOANN SUBDIVISION, LAKEVIEW DRIVE

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 brought before the Commission and read entitled:

RESOLUTION DESIGNATING PERSON AUTHORIZED TO ENDORSE, RENEW, WITHDRAW FUNDS FROM OR TRANSFER FUNDS FROM CERTIFICATES OF DEPOSIT

Thomas Huffman made the motion, seconded by Johnny Mounts to adopt the Resolution. The motion carried 4 - 0 (Greg Justice not present at the time of the vote).

A Resolution was presented to the Commission for consideration with regard to limiting consecutive terms on appointments to Boards created by the City of Pikeville and to also limit the service as a member on Board to no more than two. Greg Justice made the motion to adopt the Resolution. Thomas Huffman seconded the motion. The resolution was discussed with regard to those members who serve staggered terms. The motion was withdrawn.

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An Ordinance was presented to the Commission and given second reading. The Ordinance was read entitled:

ORDINANCE DEDICATING AND NAMING STREET BAIRD AVENUE IN HONOR OF WILLIAM J. BAIRD

Thomas Huffman made the motion, seconded by Greg Justice to adopt the Ordinance. The motion carried unanimously.

A Resolution was read entitled:

RESOLUTION AUTHORIZING CITY TO SIGN AND EXECUTE FILL PERMIT 012

This resolution was presented on behalf of B. D. & E. Development Corporation. The resolution authorizes the City of Pikeville to sign a fill permit allowing B. D. & E. Development Corporation to till the Pike County Mall Site.

Johnny Mounts made the motion, seconded by Steve Combs to adopt the Resolution. The motion carried 4 - 1 with Greg Justice voting "NO".

Mr. Davis reported that he is awaiting the receipt of the written evaluation of the Water Treatment Plant detailing the problems and remedies to correct these deficiencies. Mr. Davis gave notice to the Commission that he has contacted both Powell Construction Company and the engineer for the project, R. D. Zande & Associates, giving notice that the Commission feels there are construction and design problems and both firms will be held responsible.

ADF

Notice was given to the Commission that the Big Sandy Area Development District has allocated \$15,000 in Area Development Funds to the City of Pikeville for the Steel Street/St. Clair storm sewer separation project.

POLICE CARS

One bid was received in response to an advertisement for two police package cars. The clerk was directed to notify all three of the bidders who bid the original advertisement in July.

CITY HALL SIGN

Greg Justice made the motion, seconded by Johnny Mounts to accept Larry Belcher's quote of \$350.00 for the construction of a sign for the City Hall Complex. The motion carried unanimously.

CONDEMNATIONS

Johnny Mounts made the motion, seconded by Thomas Huffman to advertise for bids for the demolition of the Sammy Lee property on Chloe and the Phillips Apartment property on Wolford Alley. The motion carried unanimously.

Greg Justice made the motion that the property condemned in the past be sold in a public auction after a 30 day notice. Thomas Huffman seconded the motion. The motion carried unanimously.

FLOOD GATE

A Resolution was presented and read entitled:

A RESOLUTION AUTHORIZING PARTICIPATION AND RATIFYING PRIOR PARTICIPATION OF THE CITY OF PIKEVILLE, KENTUCKY WITH THE DEPARTMENT OF THE ARMY, CORPS OF ENGINEERS, FOR THE CONSTRUCTION OF THE SOUTH GATE CLOSURE AND DIKE PROJECT IN THE CITY OF PIKEVILLE, KENTUCKY AND AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS, TO EXECUTE ALL REQUIRED DOCUMENTS NECESSARY TO IMPLEMENT SAID PARTICIPATION 013

Thomas Huffman made the motion to adopt the Resolution as read. Johnny Mounts seconded the motion. The motion carried unanimously.

EXECUTIVE SESSION

At 8:50 p.m., Greg Justice made the motion, seconded by Thomas Huffman to adjourn to an Executive Session to discuss personnel matters. The motion carried 5 - 0.

RECONVENE

Thomas Huffman made the motion, seconded by Greg Justice to reconvene to regular session. The motion carried unanimously.

CITY MANAGER

Johnny Mounts made the motion to retain Mr. Carlton at an hourly rate to assist the Interim City Manager, Walter Blankenship, with paperwork until a permanent City Manager is employed. Thomas Huffman seconded the motion. The motion carried unanimously.

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ADJOURNMENT

There being no further business to come before the Commission, Thomas Huffman made the motion, seconded by Johnny Mounts to adjourn the meeting. The motion carried unanimously.

The City Commission's next scheduled meeting is September 12, 1988 at 7:30 P.M. in the City Hall Public Meeting Room.

APPROVED

W.C. Hamby Jr.

ATTEST:

Belen Harris
CITY CLERK

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