

## MINUTES } CITY OF PIKEVILLE

## REGULAR MEETING - OCTOBER 10, 1988

The City of Pikeville Board of Commissioners met in a regular meeting on Monday, October 10, 1988 in the City Hall Public Meeting Room at 260 Hambley Boulevard.

## ROLL CALL

Mayor Pro Tem, Steve Combs, called the meeting to order at 7:30 p.m. The following Commission Members were present and formed a quorum:

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

## MINUTES

The minutes for the previous regular meeting of September 26, 1988 were included in each Commission Member's agenda package. Greg Justice made the motion, seconded by Thomas Huffman to approve the minutes as presented. The motion carried 5 - 0.

## WATER TANKS

A representative from W & O Construction Company presented a letter to the Commission with regard to the recent announcement for bids for painting and repair of water tanks. City Engineer, Jack Sykes, reviewed the letter and reported that this company was one of three bidders. W & O Construction Company was the low bidder on two of the four tanks bid. There was a condition in the contract whereby the City reserves the right to reject any and all bids or award the contract in whole or by part which would allow a contract to be awarded per tank. W & O Construction Company has indicated to the engineer that they differ in opinion with regard to this matter in that the contract should be awarded as one project. They indicate they would be willing to negotiate but Mr. Sykes explained this could not be accepted without rebidding the project.

## PARKING

Bob Ford, representing Mountain Insurance Agency, explained to the Commission that this business has been located at 410 Main Street since 1974. The Urban Renewal Agency recently purchased the building. Mr. Ford has located a parcel at 410 Cline Street (Jeff Sanders property) in which to establish his business if the Commission will allow parking. Mr. Ford presented photographs of this location. He is proposing parallel parking between the curb and drainage channel. Mr. Ford explained that the curb would require bevelling which he would do at his expense. The Commission requested that Mr. Ford take precautions to protect the drainage channel. The Commission also explained to Mr. Ford that this parking would be for public use. Greg Justice made the motion to allow the request providing that a city representative inspect this project. Thomas Huffman seconded the motion. The motion carried unanimously.

## CITY BILLS

City Bills totaling \$74,196.83 were presented to the Commission for approval of payment. Thomas Huffman made the motion, seconded by Johnny Mounts to approve payment of the City Bills totaling \$74,196.83. The motion carried unanimously.

## PROJECT BILLS

A list of Project Bills totaling \$22,147.98 were presented to the Commission for approval of payment. Thomas Huffman made the motion to approve payment of \$22,147.98 in Project Bills. Greg Justice seconded the motion. The motion carried unanimously.

The Commission discussed the accident at the Sewage Treatment Plant where a truck slipped into the primary clarifier. Discussed was installing guardrails to prevent this incident from happening again.

CITY ATTORNEY  
REPORTS

Three Ordinances were introduced and fully read. The Ordinances were captioned as follows:

AMENDMENT TO ORDINANCE ADOPTING ONE (1%) PERCENT ROOM TAX FOR FUNDING OF TOURISM AND RECREATION COMMISSION

ORDINANCE PROVIDING THAT NO INDIVIDUAL SHALL SERVE AS A MEMBER, COMMISSIONER, OR BOARD MEMBER OF ANY AGENCY, PUBLIC CORPORATION, DISTRICT, COMMISSION OR OTHER SUBDIVISION OR BODY OF THE CITY OF PIKEVILLE TO OPERATE IN THE INTEREST OF THE PUBLIC FOR MORE THAN SIX YEARS.



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ORDINANCE PROHIBITING THE CONSTRUCTION OF BUILDINGS OR OTHER STRUCTURES ON GROUND LEVEL IN AND ON THE PIKEVILLE RIVERFILL WHICH IS OWNED EITHER BY PIKEVILLE URBAN RENEWAL AGENCY OR THE CITY OF PIKEVILLE

These Ordinances will be on file in the office of the City Clerk for a period of at least ten days where they may be viewed by the public.

The Commission discussed the Ordinance which would limit terms served on agencies and boards. Most of the terms are for a four year period and it was suggested to add a clause to the Ordinance limiting the term to six years or two terms.

Mr. Davis reported that Mud Creek Water District has filed an answer to the City's civil action. Essentially, Mud Creek admits they do owe money to the City of Pikeville, but say that the arrears are for water purchases made before entering into the latest purchase contract and therefore could not terminate that contract because of arrears from the previous contract.

## CITY ENGINEER REPORTS

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

1. Mr. Sykes requested a work session to discuss the water tank painting and repairs for Tuesday, October 11, 1988.

2. Overlook: This project is on hold. The Tourism Commission has delayed this project until the decision is made on what color to paint the structure. They now have an architect looking at landscaping so have requested the contractor to delay work until these decisions are made.

3. Ratliffs Creek Water Line: The contractor was present to discuss final payment of this contract. A summary was submitted to each Commission Member. Final contract amount is \$37,882 which includes a change order of \$877.00. The previous payment approved was \$18,250.00 leaving a current balance due of \$19,379.50. The City has sent a bill to the contractor, Fleetwood Johnson Construction Company, asking for payment of \$1,170.38. The contractor has verbally agreed to pay for materials and lost water. Liquidated damages for exceeding the contract time are \$6,600.00. The contractor requested that these damages not be assessed due to materials not being available at the times needed and having to redo the shop drawings. Mr. Sykes reported that the first set of shop drawings submitted were unacceptable because they did not meet the design criteria. Mr. Sykes went on to report that the contract time was 30 days with a 30 day time extension. This project was done on an emergency basis. If the emergency had not arose, a 45 day contract time would probably have been given. Thomas Huffman made the motion to assess the contractor a penalty of \$3,300.00 plus \$218.54 for materials and lost water. The balance due payable conditional upon the contractor's acceptance. Greg Justice seconded the motion. The motion carried 4 - 1 with Steve Combs voting "NO".

4. Fire Station: Color of paint for the Fire Station was discussed.

5. Coal Run Retaining Wall: Written approval has been received from CSX to proceed. A work order has been issued. Mr. Sykes gave a report on the bridge and roadway construction which brought cause for this wall construction.

## SIDEWALKS

Walter Blankenship, Interim City Manager, was directed to prepare a cost estimate for the replacement of sidewalks in need of replacement or repair in the downtown area.

## ROADBLOCKS

The City's Ordinance with regard to the prohibition of roadblocks was discussed.

## WEIGHT LIMIT

The City Engineer was directed to research and recommend a weight limit for the Boulevard from Baird Avenue to the lower end of the boulevard.

## WORK SESSIONS

The Commission scheduled a work session on Tuesday, October 10, 1988 at 5:00 p.m. to discuss the water rates, water tank repairs



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and painting, and a tour of High Street; on Wednesday, October 12, 1988 at 5:00 p.m. a work session was scheduled with Dewberry & Davis, and a work session was scheduled for Wednesday, October 19, 1988 to discuss the retirement and pay plan.

CLOSED  
SESSION

Johnny Mounts made the motion, seconded by Greg Justice to adjourn to a closed executive session to discuss a personnel matter. The motion carried unanimously.

## RECONVENE

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

## ADJOURNMENT

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

The City Commission's next scheduled meeting will be held on October 24, 1988 at 7:30 P.M. in the City Hall Public Meeting Room at 260 Hambley Boulevard.

APPROVED

W. S. Hambley, ID.

ATTEST:

Karen Harris  
CITY CLERK