

MINUTES } CITY OF PIKEVILLE

REGULAR MEETING - NOVEMBER 28, 1988

The City of Pikeville Board of Commissioners met in a regularly scheduled meeting on Monday, November 28, 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. The following Commission Members were present upon call of the roll:

COMMISSIONER	STEVE COMBS
	GREG JUSTICE
	THOMAS HUFFMAN
	JOHNNY MOUNTS

Mayor W. C. Hambley, M.D. was absent.

MINUTES

The minutes for the previous regular meeting of November 14, 1988 were included in each Commission Member's agenda package. Thomas Huffman made the motion, seconded by Greg Justice to approve the minutes as submitted. The motion carried unanimously.

BUSINESS
FROM THE FLOOR

Hillbilly Days

Leon Huffman requested the City Commission's permission to locate a Hillbilly Days Carnival on the riverfill to extend from Pike Street to the new bridge. Steve Combs made the motion, seconded by Greg Justice to approve the location of the carnival on the riverfill subject to the carnival operators securing the necessary permits. The motion carried unanimously.

Work Session

Hal Williams of PSG requested a work session with the City Commission for Wednesday, November, 30, 1988 at 5:00 p.m. The Commission consented to the request.

CITY BILLS

City Bills were presented to the Commission for approval of payment in the amount of \$21,636.55. The Commission questioned several bills and particularly the invoice from Sullivan Displays in the amount of \$362.12. Due to the Finance Director's absence at the time. Greg Justice made the motion, seconded by Thomas Huffman to approve payment of the bills excluding Sullivan Displays invoice amount of \$362.12. The motion carried unanimously.

OTHER CITY
BILLS

Tax Administrator, Grace Ratliff, presented a bill from Pike County Tax Assessor Reo John's office for preparation of the 1988 City Tax Assessments for the City of Pikeville in the amount of \$12,663.87. Thomas Huffman made the motion, seconded by Steve Combs to approve payment of the statement in the amount of \$12,663.87. The motion carried unanimously.

The Finance Director explained that the questioned bill from Sullivan Displays in the amount of \$362.12 was for Christmas light replacement bulbs. Greg Justice made the motion, seconded by Steve Combs to approve payment of this bill totaling \$362.12. The motion carried unanimously.

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CITY ATTORNEY
REPORTS

In the City Attorney's reports, Mr. Davis reported that he had written both, Powell Construction Company and R. D. Zande, advising them of the deadline for the completion of the warranty items at the Water Treatment Plant. Hal Williams of PSG indicated to Mr. Davis that both the contractor and engineer have been working at the plant.

At a previous meeting, Boot Hall requested the City Commission to ban siren use during the early morning hours. Mr. Davis reported that he had researched this matter and found out that an ambulance can only turn off the siren if it endangers the patient's health. There are no exceptions for police and fire vehicles - if the emergency lights are in operation, the siren must also be operating.

Mr. Davis reported that he had been asked to review easement maps. He reported that a set of concrete steps on Mildred Street is on public right of way and assumes that the City installed those steps. The steps are between two private properties. The owners of the private properties are insisting that the City repair those steps. When asked by Walter Blankenship if it was the City's responsibility to maintain those steps, Mr. Davis explained that the City does have a six foot easement between the properties and the City must maintain those easement and keep in safe condition.

With regard to the alleyway on Julius Avenue (near Jim Ellis' office), several citizens have complained that Mr. Ellis has blocked this alley. According to maps, there is a six foot alley. The Building Inspector reported that he and Mr. Blankenship had advised Mr. Ellis that he could block the alley because most of the alley had been blocked by other residents. It was suggested that the City Attorney write a letter to Mr. Ellis advising that the alley is a public right of way and that he can temporarily block the alley but if the City should need the alley in the future, that the City has the right to unblock the alley.

South Mayo Trail Sewer condemnation suit went to trial. The parcel is owned by Paul Deskins and is adjacent to the Coleman Oil Happy Mart. Mr. Deskins asked for \$50,000 for the easement, the Commissioner's award was about \$14,000 and the jury gave \$13,500.

Discussed was the problem of getting the residents in the South Mayo Trail area to hook up on the new sewage line. It was reported that those who have not hooked up to the sewer are being billed a sewage bill per the Ordinance. The City Engineer reported that there are about three residents who are unable to hook up to the sewer due to the line being too low. The City Attorney was authorized to write a form letter to the residents who have not hooked up to the sewer line advising them to pay the tap on fee and hook up to the line or court action will be taken.

First Reading was given to an Ordinance which would limit the terms served on City appointed boards and commissions. The Ordinance is scheduled for second reading at the next regular meeting.

With regard to the Hotel/Motel Fee Ordinance, Mr. Davis reported that he has researched the statutes. The law does not prohibit the City from retaining any monies for administrative fees. The law also provides that the Tourism Commission must request a certain amount of funds on a yearly basis, which according to Mr. Davis, implies that the City

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is not required to turn over all funds collected to the Tourism Commission, however any monies retained must be used for administrative or Tourism purposes. The Tax Administrator presented a letter to the Commission from David Stratton's office which was written to local hotel/motel owners directing 3% payments on a monthly basis. The Ordinance specifies a 1% fee on a quarterly basis. The Tax Administrator was directed to send the motel/hotel owners a copy of the Ordinance with a short explanation that all fees will be collected by the City of Pikeville as specified in the Ordinance. The Commission directed Mrs. Ratliff to contact Mr. Stratton to request a budget from the Tourism Commission, along with a list of disbursements.

Commissioner Combs requested a progress report on the Mud Creek Water District suit. Mr. Davis reported that he has not yet acquired the figures needed to file for a summary judgement. The City Attorney was directed to prepare a chart of the anniversary dates of all water district contracts that are served by the City. This information is requested in an effort to reset the fee charged per 1,000 gallons based on the City's cost for producing the water.

Commissioner Mounts requested that the Tax Administrator check with County Officials to determine if the county hotel/motels are paying the 1% fee.

CITY ENGINEER
REPORTS

Overlook: Mr. Sykes reported that the Tourism Commission has talked to the contractor, Thacker Construction, and asked that the patio above the overlook not be constructed due to it not conforming to the architectural plans the Tourism Commission has prepared. The total deletion to the contract is \$10,300.00. Once this deletion has taken place Mr. Sykes will present the revised contract to the Commission, because the City is a party to the contract.

Traffic Signal: At a prior City Commission meeting, Mr. Sykes was directed to get a cost estimate for a traffic light to be installed at the intersection of Division Street and Hambley Boulevard. The Central Office Traffic Division in Frankfort gave an estimate for a 2 phase signal with walk/don't walk indicators and a pedestrian push button activator in the amount of \$25,000. Commissioner Justice asked what the cost would be to remove the traffic signal at the intersection of College Street and Elm. Mr. Sykes reported that he had not researched this possibility, however this light is not tied in to any pedestrian activators. Mr. Sykes was directed to prepare an estimate for the relocation of the traffic light.

Fire Station: This project is proceeding. Mr. Sykes expects the project's completion around the first of February.

PLEASANT
VALLEY

The Department of Treasury has made a ruling by a November, 9, 1988 letter, that the disincorporated City of Pleasant Valley can turn over Revenue Sharing Funds to the City of Pikeville. Checks were presented in the amounts of \$3,463.91 and \$217.77. Mrs. Alla Huffman, who was Secretary/Treasurer for the City of Pleasant Valley, presented a letter of request to pay four bills totaling \$375.00 for work done at Pleasant Valley after the 1985 flood. Thomas Huffman made the motion to accept the checks and pay the bills as presented. Steve Combs seconded the motion. The motion carried unanimously.

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BOB AMOS PARK

Walter Blankenship reported that plans are being made to install restrooms at the Golf Course at Bob Amos Park and development of a handicapped nature trail. A Resolution was presented and read entitled:

RESOLUTION RESERVING FUNDS FOR LWCF PROJECT FOR DEVELOPMENT OF BOB AMOS PARK MINIATURE GOLF AND OVERLOOK NATURE TRAIL. *R-88-019*

The total estimate for the project is \$17,451. The Land & Water Conservation Fund will fund a maximum of 50% of the project if approved. Mr. Blankenship indicated that the City Crews will do the work. Their labor costs will be the City's matching contribution.

Steve Combs made the motion, seconded by Greg Justice to adopt the Resolution. The motion carried unanimously.

Other items discussed werethe Harolds Branch streetlights and the fire insurance rating. Mr. Blankenship reported that the City has not received any notification from the ISO with regard to the possible lowering of the fire insurance rating.

The Public Works Department was directed to gravel Williams Hollow Road.

The City Attorney was directed to prepare release forms for customers to sign before City personnel can light gas pilot lights. It was suggested that the liability insurance policy for the gas department be reviewed before beginning this practice.

HOLIDAY

Steve Combs made the motion, seconded by Greg Justice to grant a holiday to all non-essential city personnel in honor of the Pikeville High School Football Team on December 2, 1988. The motion carried unanimously.

CHRISTMAS

Thomas Huffman made the motion to set one half day on December 23, 1988 and a full day on December 26, 1988 as holidays for the observance of Christmas for City personnel. Greg Justice seconded the motion. The motion carried unanimously.

HAMS/TURKEYS

Thomas Huffman made the motion, seconded by Greg Justice to advertise for bids for hams and turkeys to be given to city employees for Christmas. The motion carried unanimously.

RETIREMENT

The proposed retirement program was discussed at great length. Before Dan Green of the Kentucky Retirement System will return to Pikeville to discuss the program with the employees, the City Commission must identify the program they wish to proceed. Discussed was whether to classify the Police and Fire Department employees as hazardous duty or non-hazardous duty. The City Attorney explained that designating the employees as hazardous would allow those employees to retire at age 55 but the contribution rate is much higher. The Commission will allow those employees to make the decision of whether they want to be classified as hazardous or non-hazardous duty employees. Questioned also was whether to fund previous service or to begin the program current. It was suggested to offer the employee the option of back service if he would fund his half, the City would contribute their portion. The City Attorney suggested making a policy that enrollment in the retirement program be a employment condition of all employees hired after the date of enactment of the retirement program. Present employees will have the option of enrollment. Thomas Huffman made the motion to classify the police and fire department personnel as hazardous duty employees and not to fund back service time. Johnny Mounts seconded the motion. The motion carried unanimously.

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EXECUTIVE
SESSION

Steve Combs made the motion to adjourn to an executive session to discuss the proposed pay plan and a Fire Department personnel matter. Greg Justice seconded the motion. The motion carried unanimously.

RECONVENE

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

PAY PLAN

Mayor Pro Tem Combs announced that the Commission had discussed a personnel matter in the Fire Department and pay raises for three individual employees. There was one individual discussion with a City Employee.

ADJOURNMENT

Walter Blankenship, Acting City Manager, was directed by the Commission to review the pay plan.

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

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

APPROVED _____

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