

MINUTES } CITY OF PIKEVILLE

REGULAR MEETING - DECEMBER 12, 1988

The City of Pikeville Board of Commissioners met in a regular meeting on Monday, December 12, 1988 in the City Hall Public Meeting Room at 260 Hambley Boulevard.

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

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

MINUTES

The minutes for the previous regular meeting of November 28, 1988 were included in each Commission Member's agenda package. Thomas Huffman made the motion, seconded by Greg Justice to approve the minutes as presented. The motion carried unanimously.

BUSINESS
FROM THE
FLOOR

Billy Akers, a resident of Hoopwood Hollow on Island Creek, asked the Commission to consider extending the main water line to serve 6 residences. Mr. Akers indicated that an additional 15 residences could be built in this area. This area is not located in the City Limits, however the City owns the main water line. Mr. Akers proposed a 1500 ft. extension of the water line with the City assuming ownership of the line after completion. Mr. Akers was advised to discuss this matter with City Engineer, Jack Sykes.

CITY BILLS

A list of City Bills totaling \$112,026.27 were presented to the Commission for approval of payment. Several invoices were questioned. Thomas Huffman made the motion, seconded by Greg Justice to approve payment of the City Bills totaling \$112,026.27. The motion carried unanimously.

OTHER CITY
BILLS

Other City Bills were presented to the Commission for approval of payment totaling \$93,238.14. The request includes a \$41,642.09 payment to PSG, Inc. for operation and maintenance of the water & sewage plants; \$39,240.00 payment to Engineering Design & Construction (Elliott Companies) for the Fire Station (74% complete); KLC Enterprises in the amount of \$10,265.99 for natural gas purchases; and a \$2,090.06 payment to Summit Engineering for the Ratliff's Creek Waterline; Coal Run retaining wall; sewage plant plans and Fire Station. Thomas Huffman made the motion, seconded by Johnny Mounts to approve payment of the Other City Bills totaling \$93,238.14. The motion carried unanimously.

CITY ATTORNEY
REPORTS

Mr. Davis, City Attorney, gave a verbal report on activities in his office.

1. Larry Blake Pinson: This condemnation case is set for trial. Mr. Davis reported that a tentative settlement has been agreed upon subject to the City Commission's approval. The condemnation involves a small tract on the South Mayo Trail near the Happy Mart which was necessary for the City's extension of the sewage line. Mr. Pinson has agreed to settle for the Commissioner's award of \$1,510.00. The City Attorney recommended that the City Commission approve this settlement. Greg Justice made the motion, seconded by Thomas Huffman to authorize the City Attorney to settle with Mr. Pinson for the Commissioner's award which has already been paid to the court. The motion carried unanimously.

2. Mayo Village Water District: Mr. Davis has submitted a water purchase agreement to the Chaney's attorney for approval to install fire hydrants on the Mayo Village water system. The agreement provides that the Chaney's will extend an easement to install and maintain fire hydrants with the City purchasing water from Mayo Village at the rate the City supplies the water to the water district. All water going through the fire hydrants will be metered and the City will pay for that water. The attorney for Mayo Village Water District has indicated that he will review the agreement as quickly as possible.

3. Water Purchase Agreements: Mr. Davis indicated that he

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has prepared a summary of water sales agreements. This summary will be mailed to the Commission next week.

4. Mall: Commissioner Huffman inquired if Mr. Davis had received a letter from HUD with regard to a meeting in Atlanta on the mall project. Mr. Davis indicated that he had not received a letter. Commissioner Huffman said it was his understanding that Sue Smallwood, Project Coordinator, had received a letter and directed Mr. Davis to review this letter.

5. Letter of Release: As directed at a previous meeting, Mr. Davis prepared a letter of release for residents to sign before city employees enter the residence to light gas pilots. Mr. Davis explained that this letter will release the City from any and all liability.

6. Second Reading of an Ordinance:

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

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 EIGHT YEARS OR TWO TERMS, WHICHEVER IS GREATER

Thomas Huffman made the motion, seconded by Greg Justice to adopt the Ordinance. The votes were as follows:

COMMISSIONER:	STEVEN COMBS	YES
	GREG JUSTICE	YES
	THOMAS HUFFMAN	YES
	JOHNNY MOUNTS	NO
MAYOR:	W. C. HAMBLEY, M.D.	YES

The motion carried.

VACANCIES OF
URBAN RENEWAL
BOARD

Two terms of members of the Urban Renewal Board expired in October. The Mayor has not presented names to the Commission for their approval which were acceptable to the Commission. The Mayor indicated that he did not have any recommendations to present at this time. Thomas Huffman made the motion to direct the City Attorney to file a mandamus action against the Mayor. Greg Justice seconded the motion. The motion failed 3 - 2 with Steven Combs, Johnny Mounts, and Mayor Hambley voting "NO".

7. Nuisance Ordinance: The City Attorney gave first reading to an ordinance to provide for the control and abatement of any type of environmental nuisances which include any type of accumulation of trash, rubbish or garbage on any properties, abatement control of any dilapidated housing within the city, abatement of noise nuisances, and provides for licensing of land owners and inspection of rental units before they are reoccupied by a tenant. After the Ordinance was read, Commissioner Huffman asked for a specific definition of a rental unit. The City Attorney was directed to specify in the ordinance that a rental unit would be so designated if an electric service meter serving only that particular dwelling was installed and if the dwelling was occupied for at least 90 days. The Ordinance was amended to include provisions for inspection every five years of rental units. The Ordinance was given first reading with the cited amendments. The Ordinance will be on file in the office of the City Clerk for a period of at least ten days for public inspection. The Ordinance is scheduled for second reading at the next regular meeting.

CITY ENGINEER
REPORTS

Jack Sykes of Summit Engineering gave a verbal report of ongoing City projects.

1. Overlook Structure: This project has been completed. Mr. Sykes reported that there were three change orders during the life of the project. The initial contract amount was \$59,300. The first change order added \$3,000 which changed the decking on the overlook. The second change order extended the contract time by 75 days which was not due to a request by the contractor but due to the Tourism Commission

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not being able to decide the color scheme. The third change order was a deduct change order in the amount of \$10,300 which deleted the wood deck on the level above the overlook. The deletion was made at the request of the Tourism Commission. The contractor has been paid with the exception of the final payment of \$15,877.15. Mr. Sykes asked the Commission to approve the final pay request contingent upon the Park Board's approval. Thomas Huffman made the motion, seconded by Greg Justice to approve final payment to Thacker Construction in the amount of \$15,877.15, subject to concurrence by the Park Board. The motion carried unanimously.

2. Peach Orchard: Commissioner Huffman expressed the need for a guard rail on Peach Orchard hill. The City Engineer will prepare a cost estimate. Commissioner Huffman indicated that the blacktop had been dug out next to the curb and has become wide enough that a tire can get into the ditch, which creates a hazardous condition. The City Manager will check on this matter.

3. Traffic Signal: Mr. Sykes reported that he had received a letter from Joe Anderson of the Highway Department who indicates that the Frankfort has denied the request of installation of a traffic signal at the intersection of Hambley Boulevard and Division Streets in front of the elderly highrise. Any special requests to construct the project should be submitted directly to the secretary of transportation. The Commission directed Mr. Sykes to follow up on the letter written to the Department of Transportation requesting that the boulevard be designated as the business route through Pikeville. Such designation would provide for the state to maintain the boulevard.

4. Water Sales: Mr. Sykes was directed to prepare an analysis defining the quantity of water that would have to be sold to break even.

5. Mall Project: The meeting of the loan committee was postponed because of the special legislative session that was called. The meeting has not been rescheduled but it is anticipated that the meeting will be held between December 15th and 20th. Included with the agenda was the escrow agreement for the bridge. Mr. Sykes recommended that this matter be tabled until such time as the loan committee meets and the City is awarded the loan. The City Attorney reviewed the agreement and commented that the developer should be a party to the agreement and the developer should reimburse First National Bank for the \$140,000 which has already been paid to the state. Mr. Sykes argued that the City should get credit for the \$140,000.

WILLIAMS HOLLOW

The Williams Hollow sewage project was discussed at the prior meeting. Mr. Sykes was directed to prepare estimates for this project. The City is on a tap-on ban by the Division of Water. Mr. Sykes reported that he has spoken with Jerry Hurst and asked if it was possible to get a line extension approved. Mr. Hurst indicated that approval would be delayed until the City met the next goal on the agreed order (advertisement for bids for the sewage plant) or justified trade-off. Estimated construction cost for Williams Hollow is \$93,400.00. It was suggested that the storm drainage be removed from the St. Clair/Steele Street area. The cost of the storm drainage removal is estimated at \$65,000.00. The City of Pikeville has been awarded a grant from the Big Sandy Area Development District which will fund approximately 1/3rd of the storm drainage removal. Thomas Huffman made the motion to authorize Summit Engineering to proceed with the design of the Williams Hollow Sewage Project and St. Clair/Steele Street storm drainage removal and to send a letter of request to the Division of Water for approval to proceed with the project. Johnny Mounts seconded the motion. The motion carried unanimously.

MILDRED ST. STEPS

The City Manager presented estimates for the replacement of the Mildred Street steps. Concrete replacement is \$2,500 and work can not be done until spring. Pressure treated replacement is estimated at \$1,000. Thomas Huffman made the motion, seconded by Steve Combs to approve the pressure treated material. The motion carried unanimously.

SEWAGE PLANT ODOR PROPOSAL

Presented to the Commission was a proposal from Atco Manufacturing to improve the odor problem at the sewage treatment plant. Steve Combs made the motion to accept Atco Manufacturing's proposal in the amount of \$2,685.00. Thomas Huffman seconded the motion. The motion carried unanimously. The proposal is for a 60 day trial period.

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The City Attorney was directed to write PSG, Inc., operators of the water and wastewater plants, asking that they pay for the contract with Atco Manufacturing. Hal Williams was present and told the Commission that PSG has \$1,200 budgeted annually for chemicals to treat the odor. The Commission directed that a work session be scheduled for the 1st week of January at the Sewage Treatment Plant to discuss funding for the expansion of the plant.

VELOCITY
MARKET

Thomas Huffman made the motion, seconded by Steve Combs to award the bid for the hams and turkeys given to the City Employees for a Christmas benefit to Velocity Market at \$1.75/lb for hams and .99/lb for turkeys. The motion carried unanimously.

MEETING

Thomas Huffman made the motion, seconded by Steve Combs to reschedule the next regular meeting from December 26, 1988 to December 27, 1988 at 7:30 p.m. The motion carried unanimously.

EXECUTIVE
SESSION

Thomas Huffman made the motion, seconded by Steve Combs to adjourn to an executive session to discuss a personnel matter. The motion carried unanimously.

RECONVENE

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

FIRE DEPT.

Thomas Huffman made the motion to allow the interim Fire Chief, Tommy Hall, to advertise for two position openings for firefighters. Steve Combs seconded the motion. The motion carried unanimously.

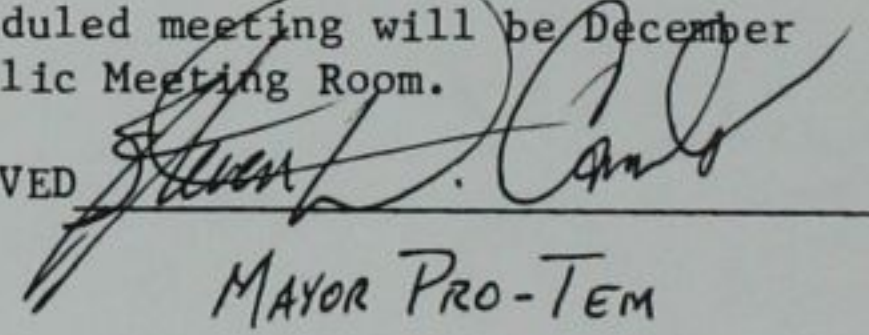
The City Manager was directed to set up a work session with the county to discuss a dispatching proposal.

ADJOURNMENT

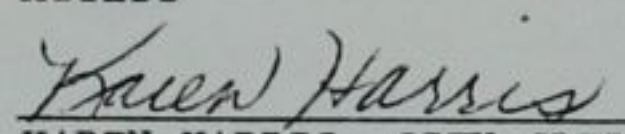
There being no further business to discuss, Thomas Huffman made the motion, seconded by Steve Combs to adjourn the meeting. The motion carried unanimously.

The City Commission's next scheduled meeting will be December 27, 1988 at 7:30 p.m. at the City Hall Public Meeting Room.

APPROVED


MAYOR PRO-TEM

ATTEST


KAREN HARRIS, CITY CLERK