

# MINUTES } CITY OF PIKEVILLE

## REGULAR MEETING - FEBRUARY 13, 1989

The City of Pikeville Board of Commissioners met in a regularly scheduled meeting on Monday, February 13, 1989. The meeting was conducted in the City Hall Public Meeting Room located at 260 Hambley Boulevard.

### ROLL CALL

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

COMMISSIONER: STEVEN COMBS  
THOMAS HUFFMAN  
JOHNNY MOUNTS

Commissioner Greg Justice and Mayor W. C. Hambley were absent.

### MINUTES

The minutes for the previous regular meeting of January 23, 1989 were included in each Commission Member's agenda package. Thomas Huffman made the motion, seconded by Johnny Mounts to approve the minutes as submitted. The motion carried 3 - 0.

### BUSINESS FROM THE FLOOR

Included in each Commission Member's agenda package was a petition containing the names of 27 residents in the neighborhood of Mt. Martha Drive, Billie Sue Avenue, Amba Street and Garred Street asking city officials to enforce the Ordinance which provides for no parking of large commercial vehicles. The petition is with reference to Fonso Justice parking a coal truck on a lot next to his home. The City Attorney pointed out that there is no ordinance on file which prohibits coal trucks on the Boulevard, but does prohibit their parking on the Boulevard. A counter petition was submitted showing the names of 53 individuals who do not object to the parking of the coal truck on the Justices' private property. The City Attorney advised that the property in question is located in a R-2 district which, in his opinion, the use to park a commercial vehicle would be a zoning violation. Mr. Justice informed the Commission that he has purchased the lot in question which adjoins his property which contains his residence. Mr. Justice plans to fence the two lots together. The Building Inspector confirmed that Mr. Justice has applied for a permit. Pictures were presented with the petition submitted by the Branham's which shows three coal trucks parked. Mr. Justice told the Commission that he only has 1 coal truck and that would be the only truck parked on that lot. Mrs. Justice asked about the parking lot on City property located at the end of Mt. Martha Drive. She complained of lack of vision to access the Boulevard due to cars parked. Frank Carlton reported that the City, at the request of residents of Garred Street, placed gravel on this public parking lot. The Justices' asked whose responsibility it would be if an accident occurred. The City Attorney pointed out that the City is probably in violation of the zoning ordinance by allowing the public parking lot. The City Attorney was directed to determine if the parking lot is in violation.

### FIRE TRAINING TOWER

Jim Ellis, in appreciation of the Fire Department's professionalism in extinguishing a fire at his residence, presented the City with plans for a Fire Training Tower. The cost of construction of the project is estimated at \$89,000. Mr. Ellis commented that a 1/3rd savings could be realized if the tower was constructed with volunteer labor. Thomas Huffman made the motion to accept the plans and give Jim Ellis the tanks of the Commission. Johnny Mounts seconded the motion. The motion carried unanimously.

### FIRE STATION

Commissioner Huffman reported that the residents of the Keel and Pauley Additions have a fire class rating 9 while the other residents of the City have a 7 fire class rating. Commissioner Huffman stated that it was his understanding that the State of Kentucky has offered the property at the bottom of Keyser Heights to the City for the purpose of constructing a single unit fire station to accommodate the Keel/Pauley Additions. Jack Sykes, City Engineer, reported that this area would not be within the specified service radius of three miles. Commissioner Huffman directed that the property owned by the City in this area Keel/Pauley Addition be surveyed to determine if all the property could be served within the 3 mile specified radius.

Frank Carlton requested that the Commission consider naming the new fire station in honor of the past Fire Chief, Charles T. Smith, or



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display a plaque in honor of his 30+ years of service. Thomas Huffman made the motion to name the fire station and display a plaque in honor of Charles T. Smith. Steve Combs seconded the motion. The motion carried unanimously.

## CITY BILLS

City Bills totaling \$194,725.01 were presented to the Commission for approval of payment. Thomas Huffman made the motion to approve payment of the City Bills totaling \$194,725.01. Steve Combs seconded the motion. The motion carried unanimously.

## PROJECT BILLS

Project Bills were presented to the Commission for approval of payment totaling \$51,262.08. Thomas Huffman made the motion to approve payment of the project bills totaling \$51,262.08. Johnny Mounts seconded the motion. The motion carried unanimously.

CITY ENGINEER  
REPORTS

Hoopwood Hollow Water Line Extension: Mr. Sykes reported that he had been contacted by the Mountain Water District and they indicated that they will extend the waterline as far up Hoopwood Hollow as economically possible if the City will agree that they do not have to install a master meter, which will result in the City being responsible for all leaks, and no fire hydrant installation. Leon Huffman was present and commented that they (Mountain Water District) would install fire hydrants if they were purchased by the residents. Thomas Huffman made the motion to accept the proposal from Mountain Water District. The motion died from lack of a second. The Commission will review the proposal.

Williams Hollow Sewer and Water Line Replacement: The design for this project is complete and in Frankfort for review. The lines will be installed in the middle of the road and while under construction, traffic will be greatly inhibited. Contract time is estimated at 6 weeks. Clauses can be added to the contract making the time of work from 9 - 3 or the City could require the contractor to provide limited access during construction of the project. Mr. Sykes advised that the 9 - 3 clause would probably raise the bid by 10 to 15%. Commissioner Huffman asked if all the residents had committed to hooking onto the sewage line. Mr. Sykes suggested directing the meter readers to conduct a door-to-door survey.

Peach Orchard Guardrail: These contract documents have been signed by the contractor and have been delivered to the City Clerk to secure signatures from the Mayor.

Sewer Plant Project: Mr. Sykes reported that PSG was successful in their bid for the extended aeration plants in Austin, Texas. The bids came in at just over \$200,000 for both the plants. The 201 update, which documents the City's existing condition needs, service area, and proposed solution to the problem. The proposed solution outlined in the 201 update is the enlargement of the trickling filter plant. The update will have to be modified to show the extend aeration plants. Mr. Sykes requested Commission approval to revise the update. Mr. Sykes indicated that the modification could be made within the cost previously approved. The document will be presented to the Commission for approval at the next regular meeting. Thomas Huffman made the motion to authorize Mr. Sykes to make the necessary revisions. Johnny Mounts seconded the motion. The motion carried unanimously.

CITY ATTORNEY  
REPORTS

City Attorney, Russell Davis, Jr., gave first reading to two Ordinances entitled:

ORDINANCE AMENDING THE WATER, GAS, SEWAGE AND GARBAGE RATE ORDINANCE WITH THE RESPECT TO DUE DATES FOR BILLS

and

ORDINANCE DEDICATING AND NAMING STREET "COMBS AVENUE" IN HONOR OF DONALD COMBS

The 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.

Mr. Davis reported that he has sent a letter to R. D. Zande, Powell Construction and Baker Construction putting them on notice as to the slide. There has been no response to the letter. The Commission



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directed Mr. Davis to give notice to Powell Construction's bonding company.

KU KLUX KLAN

A request was submitted from the Ku Klux Klan to the City of Pikeville for a parade permit for March 19, 1989. Commissioner Combs commented that the City Commission had delegated the authority of parade permit approvals to the Chief of Police. Johnny Mounts made the motion to not issue the permit. Thomas Huffman seconded the motion. The motion carried unanimously.

TAP-ON BAN

Darrell Gooslin addressed the Commission relative to the installation of a beauty shop in the Myers Tower Elderly Highrise. It was noted that the Executive Director had sent out survey forms asking if this service was requested and positive responses were received. Mr. Gooslin requested that the City Commission authorize the City Manager to sign the exemption request to send to Jerry Hurst at the Division of Water. Mr. Gooslin also commented that the occupational license had been denied due to the holdup on sending the tap-on ban exemption request. The City Attorney pointed out that an occupational license cannot be issued until a certificate of occupancy is issued and the Building Inspector is waiting the Commission's decision on whether to send the request. Mr. Gooslin told the Commission that the Division of Water has approved the plans which entailed the addition of a shampoo bowl. He alerted the Commission that if they did not send in the request that they would be in violation of the agreed order. The Commission asked the Gooslins to disclose the terms of the lease. Mr. Gooslin indicated that they have a 60 day termination but the other terms of the lease could be received from the Housing Authority. Steve Combs made the motion to send the exemption request. Johnny Mounts seconded the motion. The motion failed by the following vote:

COMMISSIONER:	STEVE COMBS	YES
	THOMAS HUFFMAN	NO
	JOHNNY MOUNTS	ABSTAIN

Considerable discussion followed the vote. Johnny Mounts made the motion, seconded by Steve Combs to send the exemption request to Frankfort. The motion carried 2 - 1 with Thomas Huffman voting "NO". Commissioner Huffman cited the reason that the space was not bid publically to allow all beauty shop operators the opportunity to bid.

MUNICIPAL  
ROAD AID

R 89-002.

Thomas Huffman made the motion, seconded by Steve Combs to adopt a resolution accepting a contract with the Division of Rural and Municipal Aid for fiscal year 1989-90. The motion carried unanimously. The City expects to receive \$57,123.00 in 1989-90 which is used to aid the City in the maintenance, reconstruction, or construction of streets inside the City Limits.

GAS SPILLS

The Building Inspector submitted a packet of information to the Commission for their consideration with regard to gas spills. Mr. Williamson requested that the City Commission adopt an ordinance to require all gas station operators to carry liability insurance in case of gas spills into the sewage or water systems. Commissioner Mounts told the Commission that the Federal Government has already regulated this matter.

EXECUTIVE  
SESSION

Thomas Huffman made the motion, seconded by Johnny Mounts to adjourn to Executive Session to discuss personnel matters and appointment of a Fire Chief. The motion carried unanimously.

RECONVENE

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

FIREMAN

Steve Combs made the motion to give Tommy Hall, Acting Fire Chief, the authority to hire James Gregory Thorpe as a firefighter. Johnny Mounts seconded the motion. The motion carried 3 - 0.

FIRE CHIEF

Mayor Pro Tem Combs reported that no decision was reached for an appointment to fill the Fire Chief position.

FIREMAN

Steve Combs made the motion, seconded by Johnny Mounts to give the authority to Tommy Hall to hire Danny Hamilton as a firefighter. The motion carried 2 - 1 with Thomas Huffman voting "NO".



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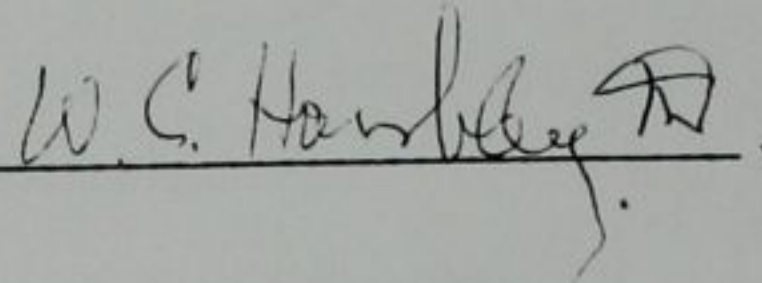
Acting Fire Chief Hall reported that the appointments of the firefighters would be subject to the 2 applicants successfully completing physical examinations and agility tests.

## ADJOURNMENT

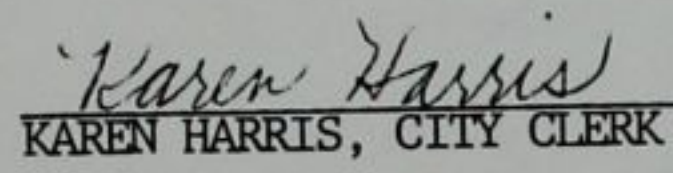
There being no further business to come before the Commission, Thomas Huffman made the motion, seconded by Johnny Mounts to adjourn the meeting. The motion carried unanimously.

The City Commission's next scheduled meeting is February 27, 1989 at 7:30 p.m. and will be held in the City Hall Public Meeting Room at 260 Hambley Boulevard.

APPROVED



ATTEST:

  
KAREN HARRIS, CITY CLERK