

MINUTES } CITY OF PIKEVILLE

REGULAR MEETING - APRIL 10, 1989

The City of Pikeville Board of Commissioners met in a regularly scheduled session on Monday, April 10, 1989 in the City Hall Public Meeting Room at 260 Hambley Boulevard.

ROLL CALL

There being a quorum present, Mayor W. C. Hambley called the meeting to order at 7:30 p.m. Commission Members present upon call of the roll were:

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

MINUTES

The minutes for the previous regular meeting of March 27, 1989 and Special Meeting of March 29, 1989 were approved upon motion by Thomas Huffman, seconded by Johnny Mounts and a unanimous vote.

BUSINESS FROM
THE FLOOR

Jack May brought a streetlighting problem on Third Street before the Commission. The City Manager, John B. Johnson, was directed to take care of this matter.

Phillip D. Coleman presented the Commission with two petitions. One petition was signed by employees working in the downtown area and the other petition was signed by Business Owners. The petitions ask for the City Commission's help in retrieving the parking lot between Myers Tower and Ridgecliff Apartments. Commissioner Justice reported that this property had been leased by the City of Pikeville for \$1.00 per year from the Urban Renewal Agency, but Urban Renewal, in June 1988, deeded the property to the Housing Authority. Public Parking has been denied by the Housing Authority. Greg Justice made the motion to condemn the lot for public parking. Thomas Huffman seconded the motion. The motion carried 4 - 1 with Mayor Hambley voting "NO". Commissioner Combs expressed his desire to see that every effort is made to secure the property before a law suit is filed.

LaJeune Waggoner, Publisher of the News-Express, explained to the Commission that he purchased the Reynold Tire Company property adjacent to City Hall and has developed 80 parking spaces. Fifty of those spaces have been leased to the Citizens Bank and thirty are reserved for News-Express employees. There are tow away zone signs in place which have been ignored by the public. The Chief of Police has indicated that the Police Department can not enforce parking restrictions on private property. Mr. Waggoner's attorney has advised him that if he has a vehicle towed for improper parking, he could be liable for any damage to that vehicle. The City Attorney reported that Mr. Waggoner could obtain warrants if he properly posts no trespassing signs. The procedure to obtain the warrants was explained.

Resolution R-89-008 was presented and read entitled:

RESOLUTION AUTHORIZING U.S. MARSHALS, COURT SECURITY OFFICERS AND OTHERS DESIGNATED BY THE UNITED STATES DISTRICT COURT TO ISSUE PARKING CITATIONS FOR VIOLATIONS OF PARKING RESTRICTIONS IN THE PARKING AREA OF THE UNITED STATES COURTHOUSE

Thomas Huffman made the motion, seconded by Steve Combs to adopt the resolution. The motion carried unanimously.

CITY BILLS

Thomas Huffman made the motion, seconded by Greg Justice to approve payment of the City Bills totaling \$96,413.85. The motion carried unanimously.

PROJECT BILLS

Project Bills totaling \$67,879.72 were presented to the Commission for approval of payment. The Commission questioned the request for payment from the George B. Stone Company in the amount of \$7,146.80. Jack Sykes explained that the Peach Orchard Guardrail project was small, so no retainage is being held for this project. It was reported that the contractor has some work left, but payment is requested for the portion that is complete. Commissioner Combs recommended withholding \$1,000 to ensure the completion of the project. Thomas Huffman made the motion, seconded by Steve Combs to approve payment of the project bills as requested less \$1,000 on the George B. Stone voucher. The motion

carried unanimously.

MINUTES } CITY OF PIKEVILLE

CITY ENGINEER REPORTS

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

1. Peach Orchard Guardrail: The City Crew is in the process of marking the gas line locations. Installation of the remaining guardrail is expected to be completed by the end of the week.

2. Williams Hollow: The contractor has been issued a work order as of this date with contract time beginning in ten days. The contract was reviewed by the City Attorney. Mr. Sykes reported that it was emphasized in the preconstruction conference and two written correspondences the urgency of the contractor to complete the work on time and the fact of the \$200/day liquidated damages clause included in the contract.

3. Fire Station: The draft designs are complete. Mr. Sykes asked that a work session be scheduled to review these plans in conjunction with the flood plain maps. A proposal has been submitted to fill the two city owned sites located at Coal Run. The sites are under option to the Industrial Development and Economic Authority. Mr. Sykes received written response denying the total fill due to a set of maps issued by FEMA revising the flood plain throughout the City of Pikeville. The maps are not official, however the Division of Water has based their denial on the information included in the maps. If the City wishes to construct a Fire Station, a separate application to fill must be submitted to the Division of Water. The City Engineer indicated he would file the application. Mr. Sykes explained that the City must advertise in three separate editions of the newspaper to allow for public comment. A work session was scheduled for 5:00 P.M. on Thursday, April 13, 1989 to discuss these matters.

4. Water Tank Painting: Late last summer, the City advertised for bid for the painting of four water tanks - Smith Hill, Quail Ridge, interior work on the tank at Road Fork and Peach Orchard. Mr. Sykes requested permission to contact the low bidders on those projects to see if they are still willing to do the work at the low bid. Combined cost for all four tanks was a little over \$51,000. Mr Sykes gave his opinion that the Smith Hill Tank needs immediate attention and the other tanks should be done in order to follow the proper maintenance cycle. The Commission consented to the engineer's request.

5. 201 Update: A public hearing was held at 5:00 today. Two comments were made as a result of that hearing. Nancye Yost Caudill Blackburn asked the purpose of the public hearing. It was also questioned if the 201 plan had actually been approved by the City Commission. The other comment came from Leon Huffman basically indicating that he felt like it was time for the City to do something and needed to proceed in some direction to correct the problems in sewage treatment.

CITY PARK

A letter was presented from Louie Muncy requesting permission to have a gospel sing in the City Park on April 22nd from 6:30 - 8:30 p.m. The letter says the Park will be cleaned up when they get finished. Thomas Huffman made the motion, seconded by Steve Combs to allow Mr. Muncy to use the City Park on April 22nd. The motion carried unanimously. The City Manager was directed to make sure the Park is cleaned up after this use.

CITY ATTORNEY REPORTS

Second Reading was given to an Ordinance entitled:

ORDINANCE AUTHORIZING AND DIRECTING THE CITY OF PIKEVILLE, KENTUCKY TO PARTICIPATE IN THE COUNTY EMPLOYEES' RETIREMENT SYSTEM, EFFECTIVE JULY 1, 1989, PURSUANT TO KRS 78.510 TO 78.880

The City Attorney explained that the aforementioned Ordinance will bring the City into compliance with the laws that the City is required to follow. These laws have been in effect for about three years. This is the least expensive retirement system and will apply to all City Employees. The plan will not be retroactive, but will take effect on July 1, 1989. From that date forward, every City Employee will be required to participate. Existing employees have the right to elect whether they want to participate in the program but all new employees will be required to participate as a condition of employment. The City's contribution for Hazardous Duty

MINUTES } CITY OF PIKEVILLE

employees is 14% and 6 3/4% for non-hazardous duty employees. While the hazardous duty coverage is more expensive, the employee is eligible for retirement after 20 years of service.

Steve Combs asked that copies of the Ordinance be given to each Commissioner and deferred action until the end of the meeting.

Water Treatment Plant: The City Attorney has received a letter from R. D. Zande, engineers, reporting that Powell Construction has completed 12 - 13 deficiencies. Mr. Davis reported that after talking with Plant Manager, Hal Williams, it was learned that only 2 or 3 of those items have actually been completed. Mr. Davis told the Commission that he and Mr. Williams would draft a response to this letter. It was the consensus of the Commission to allow the City Engineer, Plant Manager, and City Manager to define the items requiring completion.

GROUSE POINT SHOPPING MALL

Nancye Yost Caudill Blackburn reported that the last filing date for UDAG is May 31, 1989, and asked that the City Commission appoint Jim Cauley to prepare the UDAG application for the Grouse Point Shopping Mall. Mr. Cauley's fee for preparation is estimated at \$9,500.00. Mrs. Blackburn told the Commission that Mr. Cauley does not expect payment until the grant is issued. Contract documents were presented. Thomas Huffman made the motion, seconded by Greg Justice to appoint Jim Cauley to prepare the UDAG application for the Grouse Point Mall. The motion carried unanimously.

Mrs. Blackburn asked the Commission to approve advertising for public hearing in conjunction with the aforementioned shopping mall project. The Commission consented to this request.

JEFFERSON ST. SLIPPAGE

The City Manager reported that a rock wall on Jefferson Street has slid down next to a house belonging to George and Jane Conley. M & S General Contractors presented a proposal to correct the slide in the amount of \$8,945.00. For this amount, M & S will furnish the labor, equipment and material, with the exception of cross-ties (about 200). Nine 7" pipe, 15 feet long will be pile driven, then cribbed with crossties, and filled. All excess rock and dirt will be hauled away and disposed. The City Manager reported that no other contractor would go look at the problem and recommended awarding an emergency contract to M & S General Contractors. Thomas Huffman made the motion to award the emergency contract to M & S in the amount of \$8,945. Greg Justice seconded the motion. The motion carried unanimously.

EXECUTIVE SESSION

Steve Combs made the motion to adjourn to executive session with the Fire Chief to discuss disciplinary action for one employee. Greg Justice seconded the motion. The motion carried unanimously.

RECONVENE

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

CONTINUED MTG.

Greg Justice made the motion to continue the meeting until April 13, 1989 at 5:00 p.m. for the purpose of conducting a disciplinary hearing. Thomas Huffman seconded the motion. The motion carried unanimously.

GAS METERS

Steve Combs made the motion to direct the Natural Gas Department to suspend any operations of relocating the gas meters out on the street until it can be looked at further. Greg Justice seconded the motion. The motion carried 4 - 1 with Mayor Hambley voting "NO". Steve Combs recommended that if the Commission decides to relocate all gas meters to the street, that the meters be recessed.

RETIREMENT ORDINANCE

Thomas Huffman made the motion, seconded by Johnny Mounts to adopt Ordinance O-89-004 entitled:

ORDINANCE AUTHORIZING AND DIRECTING THE CITY OF PIKEVILLE, KENTUCKY TO PARTICIPATE IN THE COUNTY EMPLOYEES' RETIREMENT SYSTEM, EFFECTIVE JULY 1, 1989, PURSUANT TO KRS 78.510 TO 78.880

The votes were as follows:

COMMISSIONER:	STEVE COMBS	YES
	GREG JUSTICE	YES
	THOMAS HUFFMAN	YES
	JOHNNY MOUNTS	YES
MAYOR:	W. C. HAMBLEY	YES

MINUTES } CITY OF PIKEVILLE

ADJOURNMENT

There being no further business to come before the Commission, Thomas Huffman made the motion, seconded by Steve Combs to adjourn the meeting until April 13, 1989 at 5:00 p.m. The motion carried unanimously.

APPROVED

MAYOR PRO-TEM

ATTEST:

Karen Harris
KAREN HARRIS, CITY CLERK

X

MINUTES } CITY OF PIKEVILLE



MINUTES } CITY OF PIKEVILLE

CITY OF PIKEVILLE PUBLIC HEARING
201 PLAN UPDATE
APRIL 10, 1989

A Public Hearing was held on April 10, 1989 at 5:00 p.m. with regard to the City of Pikeville's 201 Plan Update. The hearing was conducted in the City Hall Public Meeting Room at 260 Hambley Boulevard.

Citizens attending the meeting were Leon Huffman and Stafford Damron of the Kentucky Power Company; Rob Nicholas and Hal Williams of Professional Services Group, Inc.; Jack Sykes of Summit Engineering, Inc.; Jerry Vaughn of Industrial Development and Economic Authority; Nancye Blackburn of Grouse Point Development; and Sue Smallwood, John Johnson, Greg Justice and Karen Harris of the City of Pikeville.

Jack Sykes, City Engineer, told those present that the hearing was scheduled to give an opportunity for public comment with reference to the "201 Plan" update. It was explained that the City of Pikeville is under the sanctions of a court order to renovate the wastewater plant. The court order mandates that the City must advertise for bids for the renovation of the plant no later than December 1, 1989. If the City fails to meet the deadline imposed by the court order, fines may be levied. The City of Pikeville has a tap on ban which provides that no sewerline extension will be permitted with Division of Water approval other than single family residential hookups. The "201 Plan" is the document which outlines the needs to satisfy the court order and defines the long-term solution. Three possible solutions were investigated to determine the best and most cost effective method of meeting the court order mandate. Possible solutions were extended aeration plants, oxidation ditches, and expansion of the existing trickling filter. The oxidation ditch method was ruled out because it would not fit on the existing site. Alternate I, the extended aeration plants, is projected to cost \$2.7 million, while Alternate II, expansion of the trickling filter, is estimated at \$3,369,350.

Alternate I, extended aeration plants, is the solution recommended due to the plants being found the most cost effective method, their ability to render a higher quality effluent, and more timely construction. A display depicting plant locations was shown. Mr. Sykes asked for questions and comments.

Nancye Yost Caudill Blackburn asked the purpose of the public hearing. Mr. Sykes explained that the public hearing was scheduled to satisfy the requirements of the funding process. The hearing affords the opportunity to citizens to voice their opposition or concurrence with the project. It was further explained that the "201 Plan" is the document for which funds are applied.

Leon Huffman commented that the Sewage Treatment Plant is in need of immediate upgrade/expansion and thinks the City should proceed.

There being no further questions or comments, the public hearing was closed.