

# MINUTES } CITY OF PIKEVILLE

## CONTINUED MEETING - APRIL 13, 1989

The City of Pikeville Board of Commissioners met in a continued session on Thursday, April 13, 1989 in the City Hall Public Meeting Room at 260 Hambley Boulevard.

Mayor Pro Tem Steven D. Combs presided and called the meeting to order at 5:05 p.m. Commission Members present upon call of the roll were as follows:

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

Mayor W. C. Hambley was absent.

City Attorney Russell Davis, Jr., announced that one of the purposes of the continued meeting was to conduct a personnel hearing on charges preferred by Mayor Hambley on Arnold Phillips. The hearing was held pursuant to KRS. 95.450. Mr. Phillips, through his attorney, Steve Owens, requested the hearing to be conducted in a closed session.

Thomas Huffman made the motion, seconded by Greg Justice to adjourn to Executive Session for the purpose of conducting a personnel hearing involving Fireman Arnold Phillips. The motion carried unanimously.

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

It was noted that the City Commission returned to regular session from a personnel executive session.

Steve Combs made the motion that Arnold Phillips be permitted to continue service with the Fire Department pending final outcome of all charges preferred against him with reference to the traffic accident of April 7, 1989 and that any disciplinary action be deferred until such time that there is a decision by the District Court of Pike County regarding the charges. Greg Justice seconded the motion. The motion carried unanimously.

Steve Combs made a motion recommending that the Fire Chief, Police Chief, all other Department Heads, and the City Manager implement a random drug and alcohol testing program and that any Fireman, Policeman, or other individual working for the City of Pikeville having a history of alcohol problems or arrest for a traffic alcohol charge or any other alcohol related offense, be referred to Mountain Comprehensive Care for evaluation and treatment with reports back to the Department Head. If any person is evaluated as having an alcohol problem or drug abuse problem, the matter will be brought to the attention of the then acting City Commission so that further action and/or help can be provided as to that particular individual. Thomas Huffman seconded the motion. The motion carried unanimously.

Steve Combs made the motion to adopt a resolution that all City Workers charged with driving a City Vehicle or City Equipment are put on notice that any traffic alcohol related charges while on duty and/or operating a city vehicle, that person shall be subject to possible suspension without pay to a maximum of six months and/or dismissal. This action is regardless of conviction. Thomas Huffman seconded the motion. The motion carried unanimously.

The Pikeville Public Library Board sent a letter of request to the City Commission asking that they direct Will Linder, grantsman, to prepare an application for funds to the Department of Libraries and Archives for the construction of a new library. It was explained that the grant requires matching local monies, which the Library Board has available. Mr. Linder's fee will not exceed \$5,000 and is payable only if the application is approved. The Commission had several questions with regard to the proposed construction and directed that a library representative be present at the next City Commission Meeting to answer those questions.

City Engineer, Jack Sykes displayed a set of plans for a proposed fire station to serve the Keel and Pauley Additions. The station is designed to fit the site at the ballfield near the airport. The site requires fill to elevate above the floodplain. Fill is estimated to cost \$4,400.00. The station consists of two bays, office space, storage space and restroom. Four parking spaces have been allowed. It is proposed to fill the property and after properly compacted, set the footer. The fire station construction, based on the bid for the Chloe Fire Station, is expected to cost \$80,000.00 which does not include the fill and septic system. The fill permit has been applied for and approval is expected in 21 days. The Fire Chief commented that it would take at least four additional employees to man this station. Thomas Huffman made the motion to advertise the project for bid. Johnny Mounts seconded the motion. The motion carried 4 - 0.



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Commissioner Huffman asked the Commission to consider breaking the Sewage Treatment Plant upgrade/expansion project from the Mall Project funding applications. Steve Combs explained that the City must demonstrate their ability to pay back the KIRFL loan and if the Sewage Treatment Plant Project is split from the Mall package, the City must show they are ready to raise sewer rates or occupational fees.

City Attorney Rusty Davis addressed the Commission relative to an agreement executed on April 10, 1989 with Jim Cauley for the preparation of a UDAG application for Grouse Point Shopping Mall. The agreement specifies that the City will be billed at the firm's hourly rate plus out of pocket expenses. Mr. Cauley estimated the total fee at \$9,500. Department of Housing and Urban Development will pay only \$7,500 for this service. The contracts for grant applications prepared by Will Linder were discussed. It was learned that Mr. Linder's fee is payable only if the grant application is approved for funding. The Commission directed the City Attorney to negotiate a contract revision with Jim Cauley based on previous grant application contracts.

City Engineer Jack Sykes reported that the Flood Insurance maps for the City of Pikeville are going to be changed significantly. The maps were shown to the Commission and it was explained that the City has the opportunity to have input relative to those changes. The area highlighted in green indicates the old floodway. Inside the floodway, building is prohibited. The area marked in red depicts the new floodway. The shaded area requires a fill permit. A problem is the area which shows a 100 years flood boundary in that the way it is drawn, it comes over top the floodgates. Discussed was who is responsible to put up the floodgates. The City Manager explained that the Sewer Department was trained by the Corp of Engineers to carry out this maneuver. The gray area on the map is the 100 year flood boundary. The map does not reflect the filling of the ponds. The map also does not show the new river crossing which would have some affect on the flooding. There is a significant increase in the 100 year flood level in and around the mouth of Island creek. The City Engineer will draft a letter to FEMA pointing out the inaccuracies in map.

Greg Justice made the motion to amend the earlier resolution with regard to City Employees operating city vehicles and/or equipment to provide that any employee found DUI while operating a city vehicle on duty is automatically terminated. Thomas Huffman seconded the motion. The motion carried unanimously.

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

The City Commission's next scheduled meeting is April 24, 1989 and will be held in the City Hall Public Meeting Room at 260 Hambley Boulevard.

APPROVED: /s/ Steve D. Combs  
MAYOR PRO-TEM

ATTEST:

/s/ Karen Harris  
KAREN HARRIS, CITY CLERK