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REGULAR MEETING - MAY 8, 1989

The City of Pikeville Board of Commissioners met in a regular session on Monday, May 8, 1989. The meeting was held in the designated meeting place in the City Hall Public Meeting Room at 260 Hambley Boulevard.

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

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

The minutes for the previous regular meeting of April 24, 1989 and continued meeting of May 1, 1989 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 4 - 1 with Thomas Huffman voting "NO".

Sharon Clark, representing "Keep Pikeville Beautiful", a subchapter of Keep Pike Beautiful Committee, asked the City Commission to approve the purchase of 48 - 50 trash receptacles to go in downtown Pikeville and high pedestrian traffic areas. There are currently 18 trash containers in downtown. It was asked that the 18 aggregate containers be relocated to the Boulevard and adopt a standard uniform receptacle to be used in the downtown area. Due to the cost involved, Mrs. Clark suggested that the Commission approve purchase of at least two dozen receptacles this year. Copies of a brochure showing pictures of receptacles were given to each Commission Member. The receptacles shown cost about \$125.00 each. The City Manager was directed to obtain costs on different types of receptacles and make a determination what the City can afford and present the information at the next meeting.

Mrs. Clark commended the Commission for their recent adoption of the Nuisance Ordinance. She asked for a clarification with regard to two matters. She asked the City Attorney if her interpretation was correct with regard to there being a requirement to secure a petition with five names before a complaint will be heard on an alleged nuisance. City Attorney, Russell Davis, explained that there are two ways to make a complaint: a. is for a citizen to get four other people to sign a petition; or b. the Building Inspector can file a petition saying the nuisance ordinance has been violated. Pictures of several properties were shown. Mrs. Clark reported that she had talked with the Building Inspector who was of the opinion that the neighbors should address the non-complying property owner. Mrs. Clark questioned if the Ordinance would be enforced. The Commission commented that it was left to the Building Inspector to enforce.

Mrs. Clark requested the City Commission to declare the month of May as "Pikeville Clean Up Month". In conjunction with the request, it was asked that the City advertise the fact that there is free trash pick-up available on each Friday throughout the year for large items not normally picked up. Commissioner Justice asked the News-Express reported to put the notice of free trash pick up on Fridays in the paper. Johnny Mounts made the motion to proclaim the month of May as "Keep Pikeville Beautiful Month". Thomas Huffman seconded the motion. The motion carried 5 - 0.

Ed Maddox, on behalf of Darrell Ratliff, approached the Commission relative to a house trailer installed at Kentucky Avenue in violation of the City Zoning Ordinance. The suit has been heard by the Supreme Court of the State of Kentucky and the Court has upheld the decision by the Circuit Court, thus reaffirming the violation. Mr. Maddox requested that the City Attorney be directed to file suit to enforce the City of Pikeville Zoning Law. Steve Combs made the motion to authorize the City Attorney to file suit to enforce the Zoning Ordinance as upheld by the Supreme Court of Kentucky. Johnny Mounts seconded the motion. The motion carried unanimously.

Beau Black, representing the Merchants Association, requested the Commission to appropriate the funds for the purchase of new Christmas Decorations. The Merchants Association desires to purchase replacement light bulbs for the existing fixtures and 30 new fixtures. It was requested that the money be contributed now so the order could be placed and a 35% discount realized. The funds requested are used for the Christmas parade and the lights and decorations installed each year. The amount requested was \$10,000.00. The City Attorney advised that the City can not make donations, however if the City Commission approves, the City can purchase the decorations. Commissioner Combs

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questioned if the funds were available for this proposed expenditure. Commissioner Justice commented that the expenditure should be funded from the Parking Fund fines. The Finance Director reported that the Parking Fund was not realizing a profit. It was further reported that the remainder of the parking meter funds is invested in a Certificate of Deposit. Greg Justice made the motion to purchase the Christmas Decorations and to fund the expense from the General Fund. Thomas Huffman seconded the motion. The motion carried unanimously.

City Bills totaling \$80,756.45 were presented to the Commission for approval of payment. Greg Justice made the motion, seconded by Steve Combs to approve payment of the City Bills in the amount of \$80,756.45. The motion carried 5- 0.

Project Bills in the amount of \$73,694.71 were presented for approval of payment. Thomas Huffman made the motion, seconded by Greg Justice to approve payment of the Project Bills as submitted. The motion carried unanimously.

City Engineer, Jack Sykes, gave a verbal report of ongoing City Projects:

1. Water Tanks: Bids were accepted last fall for the repair and painting of four water tanks. It was proposed at the previous meeting to award the bid for the painting of the Smith Hill and Quail Ridge Tanks to the low bidder for the amount of \$40,466.00. Thomas Huffman made the motion to proceed with the project. Steve Combs seconded the motion. The motion carried 4 - 0 (Greg Justice not present at the time of the vote).

2. Keel/Pauley Fire Station: A summary of the bids was given to each Commission Member. The bid consisted of the building and the fill material to elevate the building out of the flood plain. Three bids were received. The low bid was received from Engineering Design & Construction in the amount of \$92,200.00. The deductible column is the amount which would be deleted if the City elected to do the filling. Mr. Sykes recommended against deleting the fill from the contract. The engineer's estimate for the building itself was \$85,000. Commissioner Combs asked if it wouldn't be more prudent to hold the bids until it was seen how the mall project proceeds. Commissioner Huffman commented that he had several people to call saying they did not know the fire station was going to be bid and they would like to have an opportunity to bid. The City Engineer reported that the project was advertised for bids in the newspaper. Commissioner Combs suggested taking the time to allow for other interested parties to bid and see how the mall project develops before awarding the bid. Mark White of Engineering Design & Construction objected to Commissioner Combs' suggestion and explained that he had submitted the bid in good faith in answer to the advertised request for bids. Commissioner Combs stated it was his understanding that the City would solicit bids to determine if funds could be appropriated to build the fire station. Mr. Sykes submitted a summary of total costs as requested by Commissioner Justice:

SEPTIC SYSTEM.....	\$ 1,300.00
WATER SERVICE.....	\$ 5,000.00
GAS SERVICE.....	\$ 470.00
PARKING LOT.....	\$ 3,250.00
INSPECTION (including inspection of fill compacted soil).....	\$ 3,688.00

Any action with regard to the Keel/Pauley Fire Station was deferred until the next meeting.

3. Williams Hollow: The sewer and water lines are being installed to service this area. The water service exists but is being replaced. Mr. Sykes commented that it has proved beneficial to replace the water lines as the current lines "zig-zag" across the road. It was reported that the wet weather has created some problems on the roadway.

Jerry Smith, on behalf of the Pikeville Housing Authority, presented a petition to the Commission for their review with regard to the installation of a traffic control device at the entrance to Myers Tower. The City Engineer reported that the Department of Transportation had given a previous estimate of \$40,000 for the traffic control device. The Commission discussed the need and directed Mr. Sykes to find out exactly how much a device would cost. This item is scheduled to appear on the May 22, 1989 meeting agenda. Mr. Smith also presented a check in the amount of \$25,621.58 from the Housing Authority for payment in lieu of taxes.

First Reading was given to two Ordinances entitled:

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ORDINANCE RENAMING BLACKBURN COURT AND OAK STREET IN THE LAKE JOANN
SUBDIVISION LAKEVIEW DRIVE

and

AN ORDINANCE OF THE CITY OF PIKEVILLE, KENTUCKY, ADJUSTING WATER
SERVICE RATES FOR CERTAIN WHOLESALERS AND AMENDING IN PARK A
CERTAIN ORDINANCE ADOPTED ON JANUARY 27, 1987.

The Ordinance will be on file in the Office of the City Clerk for a
period of at least ten days for public inspection.

David Stratton told the Commission that Board Members for the
Pikeville Little League Association met with the Parks Commission with
regard to developing a full time permanent Little League Complex. Mr.
Stratton reported that the Parks Commission thought it was a good idea
to dedicate the second level of Bob Amos Park for the Little League
complex. At the present time, a horse show ring is located on the
second level. Mr. Stratton suggested a lease arrangement of \$1.00/yr.
or whatever the Commission felt comfortable with. It was explained by
Mr. Stratton that during the course of the Parks Commission Meeting,
the possibility of relocating the horse show ring to the Third Level
near the volleyball courts was discussed.

John Doug Hays spoke to the Commission in opposition to the proposed
relocation of the horse show ring citing inadequate parking as a major
problem if relocated to the Third Level.

Mr. Stratton suggested that the City Engineer plat levels two and three
with the different options - horse show ring and ballparks.

Commissioner Justice suggested scheduling another meeting with the Park
Board and Commission along with a representative of the horseowners at
the Cut-Thru where the properties in question can be walked through.

Gene Davis, Park Board Member, reported that the meeting between the
Little League and the Park Board was not an official meeting since the
Park Board does not have a chairman. At the time of the work session,
Park Board Members concurred with the Little League's request. Mr.
Davis mentioned that after considering Mr. Hays comments, there may not
be enough room for a horse show ring to coexist with ball fields or on
level three with the miniature golf course. It might be a possibility
to see if the two ballfields could be built on the same level as the
miniature gold course.

Commissioner Justice suggested to Mr. Davis that the Park Board needed
to have a meeting to elect a chairman.

The City Engineer was directed to prepare a plat of the tracts in
question. The Commission set a work session with the Park Board and
City Commission on May 17, 1989 at 5:00 p.m. at City Hall with the
possibility of going to the Cut-Thru to walk the property.

Jack Sykes addressed the Commission with regard to the two Coal
Run tracts under option to the Industrial Development and Economic
Authority. IDEA has requested that the City set a price on the two
lots. Commissioner Combs asked what the term of the option was. It
was explained that the option was granted for a five year period. Mr.
Sykes referred to a map depicting the tract locations. The tract
adjacent to the airport side was purchased for \$75,000. Part of that
tract was transferred to Charlie VanHoose. The tract below the Coal
Run Bridge was purchased for \$104,000. Transfers were made to the C &
O, road right-of-way for the Coal Run Bridge, and Billips Road. It was
suggested that the price of this tract be set at \$50,000. Greg Justice
made the motion to set the value of the tract near the airport at
\$75,000 and the value of the tract adjacent to the Coal Run Bridge at
\$50,000 with the stipulation that if the City finds a developer first,
then the option with IDEA is void. Commissioner Combs asked who was
going to prepare the option. Mr. Sykes reported that the option
already exists in the form of a motion. The option was granted for
five years and if IDEA has not leased the property in that time period,
the tracts will revert to the City. Thomas Huffman seconded the
motion. The motion carried 4 - 1 with Steve Combs voting "NO".

Commissioner Justice requested the Commission to consider making
traffic on Division Street one-way. Proposed was allowing the traffic
to flow from Hambley Boulevard to Second Street. This request was made
in an effort to prevent potential hazardous conditions of vehicles
entering the Boulevard without adequate visibility. It was also
requested that the Loading zones be relocated from Second Street to the
right-hand side of Division Street. Commissioner Huffman asked how the
merchants on Division Street felt about this proposal. Commissioner

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Justice reported that the merchants on this section of division Street asked him to bring this matter before the Commission. The Commission directed the City Manager to conduct a survey of merchants on Division Street. The City Attorney was directed to prepare an ordinance authorizing the proposed changes to be introduced for first reading at the next regular meeting.

Commissioner Huffman reported he had received several complaints with regard to a questionnaire mailed to utility customers. He felt there should have been a letter of explanation included in with the questionnaire because many of the people thought it would be a reason to increase the utility rates or taxes if the form was answered. The Finance Director explained that the purpose of the questioning was to assist customers should they encounter high utility usage. Commissioner Justice questioned the cost of mailing the questionnaire. The Finance Director reported that each utility customer was mailed a utility application so a signed application could be on file and the questionnaire was included. Greg Justice made the motion to cease the mailing of the questionnaire. The motion died from lack of a second.

The Public Works Superintendent requested to purchase a pick up truck. Commissioner Huffman asked if the City had another vehicle the Public works Superintendent could use. He asked Assistant Police Chief James Justice if the Police Department needed two new police cruisers and if there were two cruisers that could be turned over to the Public Works Department. Mr. Collins commented that he has two used cruisers now, but both have over 200,000 miles on them and indicated the extensive mileage had rendered the cars useless. Commissioner Huffman stated that he though the City needed new police cruisers and that Public Works could get some use out of the older cruisers. The City Manager commented that the Public Works Superintendent's position should have a pick up truck so he could take supplies to various crews. He reported that there are certain areas which Mr. Collins can not access by car. Thomas Huffman made the motion to advertise for bids for 2 police cruisers and one pick up truck. Greg Justice seconded the motion. The motion carried unanimously.

Greg Justice discussed the necessity of forming a Lake Committee to clean up the Pikeville Pond. Commissioner Justice suggested naming Stafford Damron, Hugh B. Hall and Blake Robinson to serve on the committee. Commissioner Huffman mentioned that several people who live in that area have gardens over the bank. He asked if there was any way to keep the backup water, when the river rises, from covering the gardens. Mr. Sykes advised that there are gauges in the riverfill. The Building Inspector advised the Commission that he and Park Director, Smokey Blankenship, have been working with the Corp of Engineers to develop a plan to clean up the lake. Commissioner Justice commented that the Lake Committee would work with the Corp of Engineers to clean up the lake. Greg Justice made the motion to establish a lake committee and appoint Stafford Damron, Hugh B. Hall and Blake Robinson to serve on the Committee. Thomas Huffman seconded the motion. The motion carried unanimously.

Commissioner Justice stated he would like to see Elm Street extended from the Day Care Center on to the riverfill. Clifford Collins reported that he is currently working with Pikeville College in removing fill at the College Gym and when this is accomplished, lay blacktop. Mr. Collins estimated that the work could be started around the middle of June. Commissioner Huffman asked Assistant Police Chief James Justice to patrol the area behind the unemployment office to keep people from parking on the sidewalks and blocking the entrance.

Commissioner Justice asked that the City Manager plat the downtown sidewalks out in sections, advertise for bids for replacement, with replacement to start at the same time for all sections.

Commissioner Combs questioned the work being done on Cline Street in front of Mountain Insurance Agency. Discussed was who would be responsible for paying for the project. The City Clerk was directed to pull the minutes for the Commission's review with regard to this project.

Thomas Huffman made the motion to adjourn to a closed session to discuss the W. W. Lindsey Lawsuit and Mud Creek Water District Lawsuit. Steve Combs seconded the motion. The motion carried unanimously.

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

The Commission authorized the City Manager to direct Clifford Collins to install the master water meters (Sandy Valley & Mountain Water) within the next 30 days.

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

The City Commission's next scheduled meeting is May 22, 1989 at 7:30 p.m. at the City Hall Public Meeting Room.

APPROVED: /s/ W. C. Hambley, M.D.
W. C. HAMBLEY, M.D., MAYOR

ATTEST:

/s/ Karen Harris
KAREN HARRIS, CITY CLERK

