

MINUTES } CITY OF PIKEVILLE

REGULAR MEETING - JUNE 12, 1989

THE CITY OF PIKEVILLE BOARD OF COMMISSIONERS MET IN A REGULAR SESSION ON MONDAY, JUNE 12, 1989 IN THE CITY HALL PUBLIC MEETING ROOM AT 260 HAMBLEY BOULEVARD.

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

COMMISSIONER STEVE COMBS WAS ABSENT.

IT WAS ANNOUNCED THAT THE MINUTES OF THE PREVIOUS REGULAR MEETING OF MAY 22, 1989 WOULD BE PRESENTED AT THE NEXT REGULAR MEETING.

RUSTY SHANKLIN, REPRESENTING THE JAYCEES, ASKED THE COMMISSION TO CONSIDER FUNDING A PORTION OF THE FIREWORKS FOR THE 4TH OF JULY. MR. SHANKLIN INFORMED THE COMMISSION THAT THE FIREWORKS ARE EXPECTED TO COST ABOUT \$4,500.00 AND ASKED THEM TO APPROVE PAYING \$3,500.00. THE FIREWORKS ARE PLANNED TO BE SHOT FROM LOVER'S LEAP. THOMAS HUFFMAN MADE THE MOTION, SECONDED BY GREG JUSTICE TO PAY \$3,500.00 OF THE FIREWORKS BILL. THE MOTION CARRIED 4 - 0.

SHARON CLARK OF THE KEEP PIKEVILLE BEAUTIFUL COMMITTEE, PREVIOUSLY ADDRESSED THE COMMISSION WITH REGARD TO PURCHASING 24 TO 48 TRASH RECEPTACLES FOR THE DOWNTOWN AREA. MS. CLARK INFORMED THE COMMISSION THAT SHE HAD VISITED THE BUSINESSES AND RECEIVED DONATIONS TO PURCHASE 60 TRASH RECEPTACLES IF THE CITY WOULD PAY \$100.00 FOR EACH CONTAINER. THOMAS HUFFMAN MADE THE MOTION TO AUTHORIZE THE PURCHASE OF 60 TRASH RECEPTACLES AT A COST OF \$6,000 TO THE CITY. GREG JUSTICE SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY. COMMISSIONER JUSTICE MADE A REQUEST THAT ONE OF THE DEPARTMENTS BE DESIGNATED TO MAINTAIN THE CONTAINERS ON A REGULAR BASIS. MS. CLARK RECOMMENDED THAT THE CITY APPOINT ONE PERSON RESPONSIBLE FOR THE UPKEEP AND MAINTENANCE OF THE CONTAINERS.

LARRY WEBSTER REQUESTED AN EXECUTIVE SESSION WITH THE COMMISSION AND CITY ATTORNEY TO DISCUSS AN IMPENDING LAWSUIT. THOMAS HUFFMAN MADE THE MOTION, SECONDED BY GREG JUSTICE TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS A LEGAL MATTER. THE MOTION CARRIED 4 - 0.

THOMAS HUFFMAN MADE THE MOTION, SECONDED BY JOHNNY MOUNTS TO RECONVENE TO REGULAR SESSION. THE MOTION CARRIED UNANIMOUSLY.

MR. WEBSTER THANKED THE COMMISSION FOR KEEPING THE BASKETBALL COURT IN THE CITY PARK MAINTAINED AND USEABLE.

THOMAS HUFFMAN MADE THE MOTION TO ASK KENTUCKY POWER TO TRIM THE TREES IN THE CITY PARK. THIS MATTER WAS DISCUSSED, HOWEVER, THE MOTION DIED FROM LACK OF A SECOND.

A LIST OF CITY BILLS TOTALING \$110,236.50 WERE PRESENTED TO THE COMMISSION FOR APPROVAL OF PAYMENT. GREG JUSTICE MADE THE MOTION, SECONDED BY JOHNNY MOUNTS TO APPROVE PAYMENT OF THE CITY BILLS TOTALING \$110,236.50. THE MOTION CARRIED UNANIMOUSLY.

PROJECT BILLS, CONSISTING OF ONE INVOICE FROM FLEETWOOD JOHNSON CONSTRUCTION IN THE AMOUNT OF \$37,430.75 FOR THE WILLIAMS HOLLOW WATER/SEWER PROJECT, WERE SUBMITTED FOR APPROVAL OF PAYMENT. THOMAS HUFFMAN MADE THE MOTION, SECONDED BY GREG JUSTICE TO APPROVE PAYMENT OF THE PROJECT BILLS TOTALING \$37,430.75. THE MOTION CARRIED UNANIMOUSLY. THE COMMISSION DISCUSSED THE ROAD CONDITION OF WILLIAMS HOLLOW. THE CITY ENGINEER REPORTED THE POOR ROAD CONDITIONS ARE DUE TO THE WET WEATHER AND THE NECESSITY OF INSTALLING THE COMPLETE WATER LINE BEFORE INSTALLING ANY PORTION OF THE SEWAGE LINE.

PRESENTED WERE REQUESTS FOR PAYMENT FROM R.D. ZANDE, LTD. AND POWELL CONSTRUCTION COMPANY FOR THE WATER TREATMENT PLANT PROJECT. ACTION WITH REGARD TO THE PAY REQUEST WAS DEFERRED TO THE NEXT REGULAR MEETING.

JACK SYKES, REPRESENTING SUMMIT ENGINEERING, CITY ENGINEERS, GAVE A PROGRESS REPORT OF ONGOING CITY PROJECTS.

1. WILLIAMS HOLLOW: THIS PROJECT IS ABOUT HALF COMPLETE. THE CONTRACTOR IS RUNNING BEHIND THE TIME SCHEDULE THAT WAS ESTABLISHED. A PORTION OF THIS DELAY CAN BE ATTRIBUTED TO THE WEATHER CONDITIONS.

2. STEELE STREET: THIS PROJECT HAS BEEN ADVERTISED FOR BIDS. BIDS WILL BE PRESENTED AT THE NEXT REGULAR MEETING.

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3. TRAFFIC SIGNAL: MR. SYKES INDICATED THAT THE STATE DEPARTMENT OF TRANSPORTATION IS GOING TO PRESENT A CONTRACT TO HAVE THE TRAFFIC CONTROL DEVICE PROPOSED AT THE INTERSECTION OF DIVISION STREET AND HAMBLEY BOULEVARD INSTALLED UNDER THEIR UNIT PRICE CONTRACT.

4. SEWAGE TREATMENT PLANT: SITE SURVEY, MAP WORK AND DESIGN HAS BEEN COMPLETED FOR THE SEWAGE TREATMENT PLANT PROJECT AND SUBMITTED TO THE DIVISION OF WATER FOR THEIR REVIEW. THE SUBSURFACE INVESTIGATION HAS BEEN COMPLETED AND A REPORT HAS BEEN RECEIVED FROM THE GEOTECHNICAL ENGINEER. MR. SYKES REPORTED THAT THEY DID FIND SOME PROBLEMS RELATIVE TO FILL AND LACK OF COMPACTION FROM WHEN THE SEWER PLANT WAS INITIALLY CONSTRUCTED.

5. WATER TREATMENT PLANT: MR. SYKES INFORMED THE COMMISSION THAT HE HAS RECEIVED CORRESPONDENCE FROM R. D. ZANDE AND POWELL CONSTRUCTION WITH REGARD TO THE WATER TREATMENT PLANT. MR. SYKES ADVISED DISCUSSING THIS MATTER IN AN EXECUTIVE OR WORK SESSION. COMMISSIONER HUFFMAN COMMENTED THAT MR. SYKES SHOULD REPLY TO THE LETTERS AS HAL WILLIAMS OF PSG HAS INDICATED THAT THE BUILDING IS LEAKING AROUND THE DOORS. MR. SYKES TOLD THE COMMISSION THAT HE HAS SENT A COPY OF MR. WILLIAMS MEMO TO POWELL AND ZANDE RELATIVE TO THIS PROBLEM. THE CITY ATTORNEY ASKED MR. SYKES OPINION WITH REGARD TO ROOF GRAVEL MEETING THE SPECIFICATIONS. MR. SYKES COMMENTED THAT THE GRAVEL DOES NOT MEET THE SPECIFICATIONS WHICH WERE WRITTEN IN THE DOCUMENT HE HAS REVIEWED. HE FURTHER OPINED THAT IT WAS NOT ROOF GRAVEL BUT LIMESTONE. THE COMMISSION DISCUSSED THE PUMPING STATISTICS. MR. WILLIAMS REPORTED THAT HE HAS REACHED THE CAPACITY HE CAN PUMP WITH ONE PUMP ON SEVERAL OCCASIONS. MR. WILLIAMS COMMENTED THAT TURNING ON THE SECOND PUMP COULD BLOW THE SYSTEM APART IN SEVERAL PLACES.

THE COMMISSION SCHEDULED A WORK SESSION TO DISCUSS THE 1989-90 OPERATING BUDGET ON JUNE 22, 1989 AT 5:00 P.M.

A WORK SESSION WAS SCHEDULED TO DISCUSS THE WATER TREATMENT PLANT AT 5:00 ON JUNE 13, 1989 WITH THE CITY ENGINEER AND HAL WILLIAMS AND TO ALSO DISCUSS A NEW CONTRACT WITH PSG FOR THE OPERATION AND MAINTENANCE OF THE WATER AND SEWAGE TREATMENT PLANTS.

MR. DAVIS REPORTED THAT A PRELIMINARY INJUNCTION HEARING WAS SCHEDULED FOR THE DON BATTEN SUIT WITH REGARD TO THE ODOR PROBLEM AT THE SEWAGE TREATMENT PLANT. MR. BATTEN'S ATTORNEY RECOMMENDED THAT THEY WOULD BE WILLING TO FOREGO HAVING THE TRIAL AS TO WHETHER THEY WERE ENTITLED TO AN INJUNCTION IF THE CITY WOULD AGREE TO FOLLOW THE AGREED ORDER THAT HAS BEEN SIGNED WITH THE STATE AND ALSO AGREE TO FOLLOW THE RECOMMENDATION OF THE FORBES DAVIS STUDY. MR. DAVIS REPORTED THAT HE TENTATIVELY AGREED TO THE RECOMMENDATION AND ADVISED THE COMMISSION THAT THE CITY NEEDS TO IMPLEMENT THE FORBES DAVIS STUDY - WHICH IN ESSENCE REQUIRES THE CITY TO BEGIN INSERTING CERTAIN CHEMICALS AND FLUSHING CERTAIN PUMP STATIONS. THE CITY ENGINEER REPORTED THAT THE SEWAGE CREW SUPERVISOR, PAUL HALL, HAS INITIATED THIS PROGRAM.

THOMAS HUFFMAN MADE THE MOTION, SECONDED BY JOHNNY MOUNTS TO ENTER INTO AN AGREEMENT WITH LEWIS & ZIMMERMAN, INC. FOR VALUE ENGINEERING FOR THE SEWAGE TREATMENT PLANT. THE MOTION CARRIED 4 - 0. TERMS OF THE CONTRACT PROVIDE THAT THE ANALYSIS WILL BE PERFORMED AT THE 40% DESIGN COMPLETION STAGE FOR THE SUM OF \$15,190.00.

A RESOLUTION WAS PRESENTED AND READ ENTITLED:

A RESOLUTION OF THE CITY COMMISSION OF PIKEVILLE, KENTUCKY RELATING TO APPROVAL OF A CONTRACT BETWEEN THE CITY AND THE COMMONWEALTH OF KENTUCKY DEPARTMENT OF LOCAL GOVERNMENT CDBG NO. B-88-DC-21-0001(033)

SUE SMALLWOOD, PROJECT COORDINATOR, EXPLAINED THAT THE \$740,000 GRANT IS EARMARKED FOR THE SIDEWALK AND STREET CONSTRUCTION FOR THE PROPOSED MALL PROJECT. DISCUSSED WAS WHETHER THE STREETS AND SIDEWALKS WOULD BE OWNED BY THE CITY. THE COMMISSION WAS ASSURED THAT THE STATE REQUIRES CITY OWNERSHIP OF THE SIDEWALKS AND STREETS. JOHNNY MOUNTS MADE THE MOTION TO ADOPT THE RESOLUTION. COMMISSIONER HUFFMAN WANTED TIME TO STUDY THE AGREEMENT AND MADE THE MOTION TO DEFER ANY ACTION UNTIL THE JUNE 14, 1989 CONTINUED MEETING. GREG JUSTICE SECONDED THE MOTION. THE MOTION CARRIED 3 - 1 WITH COMMISSIONER MOUNTS VOTING "NO".

THE COMMISSION DISCUSSED THE ISSUE OF WHETHER CDBG FUNDS COULD BE DEPOSITED TO EARN INTEREST. MS. SMALLWOOD EXPLAINED TO THE COMMISSION THAT WHEN SHE REQUESTS A DRAW DOWN FOR FUNDS THE MONEY MUST BE SPENT WITHIN FIVE DAYS AFTER RECEIPT OF THE FUNDS. SHE FURTHER EXPLAINED THAT NO MONIES WILL BE RECEIVED UNTIL THE MALL PROJECT IS AT LEAST 50% COMPLETE. COMMISSIONER HUFFMAN COMMENTED THAT HE HAD BEEN TOLD BY A REPRESENTATIVE IN THE STATE FINANCE OFFICES THAT THE CITY COULD EARN INTEREST ON THE GRANT MONIES.

TWO BIDS WERE RECEIVED IN ANSWER TO AN ADVERTISEMENT FOR BIDS FOR PAVING A SECTION OF THE RIVERFILL TO BE USED FOR PARKING. MOUNTAIN

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ENTERPRISE WAS THE LOW BIDDER AT \$51,100.00. SUPERIOR PAVING SUBMITTED A BID IN THE AMOUNT OF \$56,000.00. THOMAS HUFFMAN MADE THE MOTION, SECONDED BY GREG JUSTICE TO AWARD THE BID TO MOUNTAIN ENTERPRISES IN THE AMOUNT OF \$51,100.00. THE MOTION CARRIED 3 - 1 WITH COMMISSIONER MOUNTS VOTING "NO".

THOMAS HUFFMAN MADE THE MOTION, SECONDED BY GREG JUSTICE TO APPROVE A REQUEST FROM C.D. & G. DEVELOPMENT TO DRILL A GAS WELL ON COAL HOLLOW OF ISLAND CREEK. THE MOTION CARRIED UNANIMOUSLY. THE CITY OF PIKEVILLE IS THE SURFACE OWNER AND THE COMMISSION DIRECTED THAT C.D. & G. WOULD BE RESPONSIBLE TO RESTORE THE PROPERTY TO ITS ORIGINAL CONDITION.

THE COMMISSION HEARD A REQUEST FROM THE HEIRS OF ELSTER CARTER TO NAME THE RIGHT FORK OF HAROLDS BRANCH "CARTER DRIVE". THIS ROAD HAS NO OTHER NAME THAN RIGHT FORK. THE CITY ATTORNEY WAS DIRECTED TO PREPARE AN ORDINANCE NAMING THE RIGHT FORK OF HAROLDS BRANCH "CARTER DRIVE".

THE COMMISSION REVIEWED A LETTER FROM POST MASTER LUCILLE SMITH ASKING THAT THE FIVE SPACES IN FRONT OF THE MAIN STREET POST OFFICE BE KEPT OPEN FOR CUSTOMERS OF THE POST OFFICE. MRS. SMITH STATED IN HER LETTER THAT THE PARKING IS BEING TAKEN BY PEOPLE DOING OTHER BUSINESS IN TOWN. THE CITY ENGINEER WAS DIRECTED TO ASK THE POSTAL AUTHORITIES TO OPEN UP THEIR EMPLOYEE PARKING LOT IN BACK OF THE POST OFFICE TO DOWNTOWN CUSTOMERS AND ALLOW THEIR EMPLOYEES TO PARK ON THE LOWER LEVEL OF THE RIVERFILL. THE CITY ATTORNEY WAS DIRECTED TO PREPARE AN ORDINANCE ELIMINATING THE FIRST TWO SPACES IN FRONT OF THE POST OFFICE AND SET A 5 MINUTE TIME LIMIT ON THE REMAINING THREE PARKING SPACES.

THE CITY ATTORNEY WAS INSTRUCTED TO PREPARE AN ORDINANCE SETTING THE SPEED LIMIT ON AIRPORT ROAD AT 30 M.P.H.

A WORK SESSION WAS SCHEDULED FOR 5:00 P.M. ON JUNE 14, 1989 TO DISCUSS EMPLOYEE HEALTH INSURANCE.

GREG JUSTICE MADE THE MOTION, SECONDED BY THOMAS HUFFMAN TO ADJOURN TO AN EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING A PERSONNEL MATTER. THE MOTION CARRIED 4 - 0.

GREG JUSTICE MADE THE MOTION TO RECONVENE TO REGULAR SESSION. THOMAS HUFFMAN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

THOMAS HUFFMAN MADE THE MOTION, SECONDED BY JOHNNY MOUNTS TO CONTINUE THE MEETING ON JUNE 14, 1989 AT 6:00 P.M. THE MOTION CARRIED UNANIMOUSLY.

APPROVED: /S/ W. C. HAMBLEY, M.D.
W. C. HAMBLEY, M.D., MAYOR

ATTEST:

/S/ KAREN HARRIS
KAREN HARRIS, CITY CLERK