

MINUTES } CITY OF PIKEVILLE

REGULAR MEETING - AUGUST 14, 1989

THE CITY OF PIKEVILLE BOARD OF COMMISSIONERS MET IN A REGULAR SESSION ON MONDAY, AUGUST 14, 1989. THE MEETING WAS HELD IN THE DESIGNATED MEETING PLACE IN THE CITY HALL PUBLIC MEETING ROOM AT 260 HAMBLEY BOULEVARD.

THERE BEING A QUORUM PRESENT, THE MEETING WAS CALLED TO ORDER AT 7:30 P.M. IN THE ABSENCE OF THE MAYOR AND MAYOR PRO TEM, THOMAS HUFFMAN MADE THE MOTION, SECONDED BY JOHNNY MOUNTS TO APPOINT GREG JUSTICE TO SERVE AS MAYOR PRO TEM. THE MOTION CARRIED UNANIMOUSLY.

COMMISSION MEMBERS PRESENT UPON CALL OF THE ROLL WERE:

COMMISSIONER: GREG JUSTICE
THOMAS HUFFMAN
JOHNNY MOUNTS

COMMISSIONER COMBS ARRIVED AT 7:40 P.M.
MAYOR WILLIAM C. HAMBLEY WAS ABSENT.

THE MINUTES FOR THE PREVIOUS REGULAR MEETING OF JULY 24, 1989 WERE INCLUDED IN EACH COMMISSION MEMBER'S AGENDA PACKAGE. THOMAS HUFFMAN MADE THE MOTION TO APPROVE THE MINUTES AS SUBMITTED. JOHNNY MOUNTS SECONDED THE MOTION. THE MOTION CARRIED 3 - 0 (COMMISSIONER COMBS NOT PRESENT AT THE TIME OF THE VOTE).

IN BUSINESS FROM THE FLOOR, THE COMMISSION HEARD A REQUEST FROM WLSI RADIO STATION TO USE CITY PROPERTY AT THE CORNER OF HIBBARD STREET WHERE BAIRD AVENUE INTERSECTS WITH HAMBLEY BOULEVARD. WLSI PLANS A PROMOTIONAL TRUCK GIVEAWAY FOR AUGUST 29TH THROUGH THE 31ST, DURING WHICH TIME DISC JOCKEY, MIKE BILLITER, WILL CAMP OUT ON THIS PARCEL. JOHNNY MOUNTS MADE THE MOTION, SECONDED BY GREG JUSTICE TO ALLOW THE USE OF THE PROPERTY AS REQUESTED. THE MOTION CARRIED 3 - 0 (COMMISSIONER COMBS NOT PRESENT AT THE TIME OF THE VOTE).

THE COMMISSION WAS ADDRESSED BY JACK MAY WHO QUESTIONED COUNTY JUDGE EXECUTIVE, PAUL PATTON'S AUTHORITY TO HIRE A MAIN STREET MANAGER. JENNY WILLIAMS, NEWLY APPOINTED MAIN STREET MANAGER, WAS PRESENT AND REPORTED THAT SHE WAS HIRED BY THE MAIN STREET BOARD THAT WAS SELECTED BY THE INDUSTRIAL DEVELOPMENT AND ECONOMIC DEVELOPMENT AUTHORITY.

FRANKIE PRATER, A RESIDENT OF HATCHER COURT, CAME BEFORE THE COMMISSION WITH REGARD TO EVICTION NOTICES SERVED ON THE 23 FAMILIES WHO RESIDE IN HATCHER COURT. MRS. PRATER COMMENTED THAT SHE WOULD LIKE TO SET A DOUBLE-WIDE TRAILER ON A PARCEL LOCATED NEAR QUAIL RIDGE ON THOMPSON ROAD, BUT REPORTED THAT THE BUILDING INSPECTOR TOLD HER THAT DUE TO THE ZONING REGULATIONS, SHE COULD NOT SET THE TRAILER ON THIS LOCATION. COMMISSIONERS JUSTICE AND HUFFMAN REPORTED THAT THE ZONING REGULATIONS WHICH EXCLUDE MOBILE HOME PLACEMENT APPLY ONLY TO THE PROPERTY LOCATED INSIDE THE LOOP. COMMISSIONER JUSTICE WENT ON TO COMMENT THAT AS FAR AS HE KNOWS THE AREA QUESTIONED IS ZONED TO ALLOW TRAILER PLACEMENT.

CITY BILLS TOTALING \$67,548.80 WERE PRESENTED TO THE COMMISSION FOR APPROVAL OF PAYMENT. THOMAS HUFFMAN MADE THE MOTION, SECONDED BY GREG JUSTICE TO APPROVE PAYMENT OF THE BILLS AS REQUESTED. THE MOTION CARRIED UNANIMOUSLY.

PROJECT BILLS WERE SUBMITTED FROM TRUJILLO CONSTRUCTION FOR THE STEELE STREET PROJECT (54% COMPLETE) IN THE AMOUNT OF \$39,573.90 AND FROM HAMILTON CONSTRUCTION IN THE AMOUNT OF \$34,288.81 FOR THE SIDEWALK REPLACEMENT PROJECT FOR APPROVAL OF PAYMENT. THOMAS HUFFMAN MADE THE MOTION TO APPROVE PAYMENT OF BOTH BILLS AS REQUESTED. GREG JUSTICE SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

PROFESSIONAL SERVICES GROUP SUBMITTED JUNE, JULY, AND AUGUST INVOICES FOR APPROVAL OF PAYMENT FOR THE OPERATION AND MAINTENANCE OF THE PUBLIC WORKS DEPARTMENTS. THE INVOICES TOTALED \$341,476.00. GREG JUSTICE MADE THE MOTION TO APPROVE PAYMENT OF THE PSG BILLS TOTALING \$341,476.00. THOMAS HUFFMAN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

CITY MANAGER, JOHN JOHNSON, PRESENTED A BILL FROM YOUNG'S WRECKER AND SALVAGE IN THE AMOUNT OF \$2,460.00 FOR THE REMOVAL OF THE CONCRETE SLAB AT THE OLD ICE PLANT SITE. MR. JOHNSON REPORTED THAT THE WORK IS NOT YET COMPLETE BUT EXPECTED COMPLETION SOME TIME THIS WEEK. THOMAS HUFFMAN MADE THE MOTION TO APPROVE PAYMENT UPON COMPLETION AND SATISFACTORY INSPECTION. GREG JUSTICE SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

DANL HALL, REPRESENTING SUMMIT ENGINEERING, PRESENTED THE CITY ENGINEER'S REPORTS. MR. HALL PREPARED A WRITTEN PROGRESS REPORT OF EACH PROJECT UNDER CONSTRUCTION AND THOSE PROJECTS UNDER DESIGN. THE WRITTEN REPORT IS ON FILE IN THE OFFICE OF THE CITY CLERK FOR PUBLIC INSPECTION.

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CITY ATTORNEY RUSSELL DAVIS REPORTED THAT HE HAD SENT EACH COMMISSION MEMBER A MEMORANDUM WITH REGARD TO THE WATER TREATMENT PLANT PROJECT. MR. DAVIS SUMMARIZED THE CONTENTS OF THE MEMORANDUM. THE CONTRACTOR HAS AGREED TO COMPLETE THE REMAINING ITEMS IF THE CITY RELEASES A CERTAIN SUM OF MONEY. THE CONTRACTOR'S BOND STILL APPLIES TO THOSE ITEMS WHICH HE AGREES ARE NOT COMPLETE. MR. DAVIS REPORTED THAT THERE MAY BE SOME QUESTION WHETHER THE WARRANTY PERIOD AND THE BOND COVERS THE ITEMS IN THE DISPUTE. MR. DAVIS COMMENTED THAT IT IS HIS OPINION THAT THE WARRANTY PERIOD WILL EXTEND FOR ONE YEAR AFTER FINAL ACCEPTANCE OF THE PROJECT AND THE BOND WILL LAST DURING THE WARRANTY PERIOD. MR. DAVIS REPORTED THAT HE HAD SPOKEN WITH TONY BLEVINS OF POWELL CONSTRUCTION ON THIS DATE, WHO IS OF A DIFFERENT OPINION WITH REGARD TO THE WARRANTY PERIOD. MR. DAVIS SUMMARIZED THAT THE CONTRACTOR AND HE ARE BOTH IN AGREEMENT THAT BOND WILL APPLY TO THE ITEMS THAT POWELL HAS AGREED TO COMPLETE. THOMAS HUFFMAN MADE THE MOTION TO RELEASE HALF THE FUNDS CURRENTLY RETAINED (\$56,000). JOHNNY MOUNTS SECONDED THE MOTION. THE MOTION CARRIED 3 - 1 WITH COMMISSIONER JUSTICE VOTING "NO".

FIRST READING WAS GIVEN TO THE FOLLOWING ENTITLED ORDINANCES.

ORDINANCE PROVIDING A FINE FOR FAULTY FIRE ALARMS

ORDINANCE SETTING A SPEED LIMIT AT BOWLES ADDITION AT 15 M.P.H.

ORDINANCE SETTING A SPEED LIMIT AT MAYS BRANCH AT 15 M.P.H.

AN ORDINANCE FIXING A TAX LEVY ON REAL AND TANGIBLE PERSONAL PROPERTY, FRANCHISES, BANK SHARES, ALL FOR THE GENERAL OPERATING EXPENSE PURPOSES AND PROVIDING FOR A DISCOUNT ON ALL TAXES IF PAID ON OR BEFORE NOVEMBER 1ST AND A PENALTY IF NOT PAID BY DECEMBER 31ST.

THE ABOVE CAPTIONED ORDINANCES WILL BE ON FILE IN THE OFFICE OF THE CITY CLERK FOR A PERIOD OF AT LEAST TEN DAYS FOR PUBLIC INSPECTION.

COMMISSIONER COMBS ASKED IF THE NATURAL GAS SUPPLY HAD BEEN ADVERTISED FOR BID. THE CITY MANAGER REPORTED THAT HE IS IN THE PROCESS OF PREPARING THE ADVERTISEMENT AND THAT HE WILL TRY TO HAVE THE AD PUBLISHED BY FRIDAY.

MR. JOHNSON REPORTED THAT PIKEVILLE READY MIX SUBMITTED A BID FOR 3500 PSI CONCRETE IN THE AMOUNT OF \$54.00/YD; 4000 PSI CONCRETE AT \$56.00/YD; AND 4500 PSI CONCRETE AT \$58.00/YD. THOMAS HUFFMAN MADE THE MOTION TO AWARD THE BID FOR THE 1989-90 CONCRETE SUPPLY TO PIKEVILLE READY MIX PER THE BIDS SUBMITTED. GREG JUSTICE SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

THE CITY MANAGER REPORTED THAT ENCLOSED WITH THE AGENDA PACKAGE ARE FOUR LETTERS REQUESTING THE ARMY RESERVE'S ASSISTANCE IN THE CLEAN UP OF THE PIKEVILLE LAKE. THE ARMY RESERVE MADE A REQUEST THAT THESE LETTERS BE SENT UNDER THE MAYOR'S SIGNATURE TO THEM. ALONG WITH THE LETTER OF REQUEST IS A RELEASE OF LIABILITY AND AN AUTHORIZATION TO CROSS PRIVATE PROPERTY AND A REQUEST TO PAY FUEL COSTS. THOMAS HUFFMAN MADE THE MOTION TO AUTHORIZE THE MAYOR TO SIGN THE LETTERS. JOHNNY MOUNTS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

THE BUILDING INSPECTOR REQUESTED APPROVAL TO ADVERTISE THE BENJAMIN KERR PROPERTY ON WILLIAMS HOLLOW FOR DEMOLITION. THE CITY MANAGER REPORTED THAT THIS IS A FIRE DAMAGED STRUCTURE THAT HAS BEEN CONDEMNED BY THE STATE. GREG JUSTICE MADE THE MOTION TO ADVERTISE FOR DEMOLITION. THOMAS HUFFMAN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

CHIEF COURTNEY REPORTED THAT HE WILL BE SENDING 5 FIREFIGHTERS TO A TRAINING SCHOOL IN HAZARD ON AUGUST 26 AND 27 AND WILL BE SENDING 5 FIREFIGHTERS TO ASHLAND FOR TRAINING ON SEPTEMBER 9 AND 10. HE REQUESTED THE COMMISSION TO APPROVE AN ADVANCE OF FUNDS FOR THE 10 FIREMEN FOR MEALS AND HOTEL ACCOMMODATIONS. THOMAS HUFFMAN MADE THE MOTION TO APPROVE THE ADVANCED FUNDS FOR THE 10 FIREMEN TO ATTEND FIRE TRAINING SCHOOL. JOHNNY MOUNTS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

THOMAS HUFFMAN MADE THE MOTION, SECONDED BY JOHNNY MOUNTS TO ADVERTISE FOR BIDS FOR THE CONSTRUCTION OF A FIRE STATION AT THE PAULEY/KEEL ADDITIONS. THE MOTION CARRIED UNANIMOUSLY.

PRESENTED TO THE COMMISSION WAS THE LEGALLY BINDING AGREEMENT BETWEEN THE CITY OF PIKEVILLE AND THE BIG SANDY REGIONAL MALL JOINT VENTURE FOR THE PIKEVILLE MALL COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM. THIS MATTER WAS DISCUSSED AT SOME LENGTH WITH ANY ACTION BEING DEFERRED UNTIL THE NEXT REGULAR MEETING.

CITY ATTORNEY RUSTY DAVIS TOLD THE COMMISSION THAT HE HAD BEEN CONTACTED BY ALVIN PHILLIPS OF MOUNTAIN CABLE SYSTEMS, INC. WITH REFERENCE TO THE CABLE SERVICE IN THE CITY. MR. PHILLIPS IS IN THE PROCESS OF UPGRADING THE CABLE AND REPORTS THAT AS A PART OF THE CONSTRUCTION OF THE

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NEW LINE, THERE IS ONE POINT WHERE HIS LINE NEEDS TO CROSS CITY PROPERTY (OLD MIDDLE BRIDGE RIGHT-OF-WAY). MR. PHILLIPS REQUESTED PERMISSION TO CROSS THE CITY'S PROPERTY. STEVE COMBS MADE THE MOTION TO ISSUE A REVOCABLE PERMIT TO MOUNTAIN CABLE SYSTEMS TO CROSS CITY PROPERTY. GREG JUSTICE SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

DURING DISCUSSION OF THE CABLE SYSTEM, GREG JUSTICE MADE THE MOTION TO CHECK INTO THE POSSIBILITY OF THE CITY GOING INTO THE CABLE T.V. BUSINESS TO SUPPLY ALL RESIDENTS WITHIN THE CITY LIMITS CABLE SERVICE. THOMAS HUFFMAN SECONDED THE MOTION. THE MOTION CARRIED 3 - 0 - 1 WITH COMMISSIONER MOUNTS ABSTAINING.

GREG JUSTICE MADE THE MOTION TO ADJOURN TO AN EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING AN APPOINTMENT TO THE IDEA BOARD AND PERSONNEL MATTERS. STEVE COMBS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

THOMAS HUFFMAN MADE THE MOTION, SECONDED BY GREG JUSTICE TO RECONVENE TO REGULAR SESSION. THE MOTION CARRIED 4 - 0.

STEVE COMBS MADE THE MOTION TO APPOINT BILL OWENS OF PIKEVILLE COLLEGE TO SERVE ON THE INDUSTRIAL DEVELOPMENT AND ECONOMIC AUTHORITY BOARD. THOMAS HUFFMAN SECONDED THE MOTION. THE MOTION CARRIED 4 - 0.

THOMAS HUFFMAN MADE THE MOTION TO PAY CECIL RAY COMPENSATORY TIME THAT THE CITY OWES HIM. COMMISSIONER MOUNTS REQUESTED THAT THE MOTION BE AMENDED TO PROVIDE THAT ANY PERSON HAVING COMPENSATORY TIME BALANCE BE PAID. COMMISSIONER HUFFMAN AGREED TO THE AMENDMENT. JOHNNY MOUNTS SECONDED THE MOTION. THE MOTION FAILED 2 - 2 WITH COMMISSIONERS COMBS AND JUSTICE VOTING NO.

JOHNNY MOUNTS MADE THE MOTION FOR THE CITY TO ACQUIRE TWO CREDIT CARDS IN THE CITY OF PIKEVILLE'S NAME TO BE USED WHEN THE CITY MANAGER AND OTHER EMPLOYEES TRAVEL ON CITY BUSINESS. THOMAS HUFFMAN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

THOMAS HUFFMAN MADE THE MOTION TO ADVERTISE FOR A TWO WEEK PERIOD THAT THE TWO TRACTS ADJOINING THE GERALD ROBINSON PROPERTY WILL BE SOLD BY PUBLIC AUCTION. JOHNNY MOUNTS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THOMAS HUFFMAN MADE THE MOTION, SECONDED BY GREG JUSTICE TO ADJOURN. THE MOTION CARRIED UNANIMOUSLY.

THE CITY COMMISSION'S NEXT SCHEDULED MEETING IS AUGUST 28, 1989 AND WILL BE HELD IN THE CITY HALL PUBLIC MEETING ROOM AT 260 HAMBLEY BOULEVARD.

APPROVED: /S/ STEVEN D. COMBS
MAYOR PRO TEM

ATTEST:

/S/ KAREN HARRIS
CITY CLERK