

MINUTES } CITY OF PIKEVILLE

REGULAR MEETING - OCTOBER 9, 1989

THE CITY OF PIKEVILLE BOARD OF COMMISSIONERS MET IN REGULAR SESSION ON MONDAY, OCTOBER 9, 1989. THE MEETING WAS HELD IN THE CITY COMMISSION'S REGULAR MEETING PLACE IN THE CITY HALL PUBLIC MEETING ROOM AT 260 HAMBLEY BOULEVARD.

MAYOR PRO TEM, STEVEN D. COMBS, CALLED THE MEETING TO ORDER AT 7:30 P.M. COMMISSION MEMBERS PRESENT AND FORMING A QUORUM WERE:

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

MAYOR W. C. HAMBLEY WAS ABSENT.

THE MINUTES FOR THE PREVIOUS REGULAR MEETING OF SEPTEMBER 25, 1989 AND SPECIAL MEETING OF OCTOBER 2, 1989 WERE INCLUDED IN EACH COMMISSION MEMBER'S AGENDA PACKAGE. THOMAS HUFFMAN MADE THE MOTION, SECONDED BY JOHNNY MOUNTS TO APPROVE THE MINUTES AS SUBMITTED. THE MOTION CARRIED 4 - 0.

IN BUSINESS FROM THE FLOOR, A REPRESENTATIVE OF MOUNTAIN COMPREHENSIVE CARE CENTER, ASKED THE COMMISSION TO APPROVE THE SIGNING OF A DEED FOR A PARCEL IN THE RIVERFILL. IN REVIEWING THE DEED, THE COMMISSION OPPOSED THE REVERSION CLAUSE WHICH STATED THAT IN THE EVENT MOUNTAIN COMPREHENSIVE CARE CENTER DID NOT PROCEED WITH THEIR BUILDING RELOCATION, THAT THE PARCEL WOULD BECOME THE PROPERTY OF THE PIKE COUNTY HEALTH DEPARTMENT. THE CITY ATTORNEY REPORTED THAT HE COULD PREPARE A DEED FOR THE CITY'S INTEREST IN THE PARCEL. THOMAS HUFFMAN MADE THE MOTION, SECONDED BY GREG JUSTICE TO AUTHORIZE THE CITY ATTORNEY TO PREPARE A DEED TO MOUNTAIN COMPREHENSIVE CARE FOR THE CITY'S INTEREST IN THE SAID PARCEL WITH THE PARCEL REVERTING TO THE CITY IN THE EVENT THAT THE PROJECT DID NOT PROCEED AND FURTHER AUTHORIZED THE MAYOR TO EXECUTE SAID DEED. THE MOTION CARRIED 4 - 0.

THE COMMISSION HEARD A REQUEST FROM JACK MAY TO OBTAIN THE CORNER PARCEL AT COMBS AVENUE TO BE USED FOR A PARKING LOT AT NORTON FLORAL. IT WAS EXPLAINED TO MR. MAY THAT THE PROPERTY IN QUESTION IS OWNED BY THE URBAN RENEWAL AGENCY AND THAT HE SHOULD SPEAK WITH THAT AGENCY'S BOARD OF DIRECTORS WITH REGARD TO RENTAL OR PURCHASE.

STEVE FORD ADDRESSED THE COMMISSION ON BEHALF OF 445 PEOPLE WHO SIGNED A PETITION OBJECTING TO OUTSIDE CONTRACTORS BUILDING THE JAIL, HEALTH DEPARTMENT, AND OPERATING THE PUBLIC WORKS DEPARTMENT. THE PETITION, WHICH WAS FILED WITH THE CITY CLERK, CALLED FOR AN INDEPTH BACKGROUND CHECK TO BE CONDUCTED ON PROFESSIONAL SERVICES GROUP, INC. (PSG) WITH THE RESULTS TO BE PUBLISHED IN THE *NEWS EXPRESS*. IT WAS ALSO REQUESTED THAT THE TWELVE CITY EMPLOYEES RELEASED BY PSG BE REINSTATED. PSG MANAGER, HAL WILLIAMS, WAS QUESTIONED IF HE HAD REPLACED ANY OF THE INDIVIDUALS WHO HAD BEEN LAYED OFF. MR. WILLIAMS REPORTED THAT HE HAD NOT AND THAT THE LAYOFFS WERE A RESULT OF BUDGET CUTS. MAYRENE HAMILTON SPOKE ON BEHALF OF HER HUSBAND, TENNIS, WHO HAD BEEN RELEASED. SHE VOICED HER OPINION THAT PSG HAD ACTED UNFAIRLY WITH REGARD TO THIS MATTER.

A LIST OF CITY BILLS TOTALING \$22,016.96 WERE PRESENTED TO THE COMMISSION FOR APPROVAL OF PAYMENT. THOMAS HUFFMAN MADE THE MOTION, SECONDED BY JOHNNY MOUNTS TO APPROVE PAYMENT OF THE CITY BILLS TOTALING \$22,016.96. THE MOTION CARRIED UNANIMOUSLY.

PROJECT BILLS WERE SUBMITTED TO THE COMMISSION FOR APPROVAL OF PAYMENT TOTALING \$91,082.92. THE CITY MANAGER REQUESTED THAT THE COMMISSION ALSO APPROVE PAYMENT OF \$1,980.00 TO TOMMY YOUNG (\$1,800.00 BID FEE PLUS \$180.00 BID BOND) FOR THE DEMOLITION OF THE BENJAMIN KERR PROPERTY, PENDING A SATISFACTORY INSPECTION. COMMISSIONER HUFFMAN QUESTIONED THE REQUEST FOR PAYMENT FROM LEWIS & ZIMMERMAN. MR. JOHNSON EXPLAINED THAT THE INVOICE WAS FOR THE VALUE ENGINEERING ANALYSIS FOR THE SEWAGE TREATMENT PLANT PROJECT. IT WAS EXPLAINED THAT THE CITY NEEDS TO REMIT PAYMENT AT THIS TIME, BUT WILL BE REIMBURSED UPON THE STATE'S RELEASE OF GRANT MONIES. THOMAS HUFFMAN MADE THE MOTION, SECONDED BY GREG JUSTICE TO APPROVE PAYMENT OF THE PROJECT BILLS TOTALING \$93,062.92. THE MOTION CARRIED 4 - 0.

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

1. SMITH HILL WATER TANK: INSTALLATION OF THE METAL LINER IS CLOSE TO BEING FINISHED. MR. SYKES ESTIMATED THAT THE ENTIRE PROJECT WOULD BE COMPLETED IN 1 1/2 WEEKS.

2. WILLIAMS HOLLOW PROJECT: THE CONTRACTOR LACKS ABOUT 115 FEET OF LINE TO INSTALL. AFTER THE LINE WORK IS COMPLETE, THE CONTRACTOR MUST THEN INSTALL THE LATERALS, GROUT THE MANHOLES AND CLEANUP. MR. SYKES TOLD THE COMMISSION THAT THE CONTRACTOR SHOULD BE FINISHED WITHIN TWO WEEKS.

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3. POPLAR STREET: THIS PROJECT HAS BEEN INITIATED, WITH THE CONTRACTOR HAVING A PORTION OF LINE INSTALLED AT THIS TIME.

4. POLICE STATION: THE DESIGN IS SUBSTANTIALLY COMPLETE.

5. SEWAGE PLANT: THESE PLANS ARE ABOUT 95% COMPLETE AND SHOULD BE SUBMITTED IN A COUPLE OF WEEKS.

MR. SYKES PRESENTED A LETTER REPORT RELATIVE TO THE PROBLEMS ON HAROLDS BRANCH. C D & G DEVELOPMENT HAS AGREED TO PAY THE EQUIPMENT RENTAL FOR ALL THE USE ABOVE THE FORKS OF THE HOLLOW. MR. SYKES REPORTED THAT THERE WAS NOT A SUBSTANTIAL LOSS OF PAVEMENT. MOST OF THE PROBLEM IS SEDIMENTATION AND BLOCKED CULVERTS. THE COMMISSION AGREED TO THE C D & G PROPOSAL.

RUSSELL DAVIS, JR., CITY ATTORNEY, ADVISED THE COMMISSION THAT HE HAS INFORMED THE URBAN RENEWAL AGENCY OF THE COMMISSION'S DECISION OF THE PROPERTY TRANSFER OF THE RIVERFILL AND THE PARCEL AT 211 DIVISION STREET. HE REPORTED THAT HE HAS NOT YET RECEIVED A REPLY. THE CITY ATTORNEY WAS DIRECTED TO PREPARE A DEED TO PIKEVILLE COLLEGE FOR THE RIVERFILL PROPERTY BEHIND THE GYM WITH THE PROVISION THAT IF THEY NO LONGER HAD NEED FOR THE PROPERTY THAT IT WOULD REVERT TO THE CITY. COMMISSIONER JUSTICE OPPOSED DEEDING THE PROPERTY TO THE COLLEGE AS HE COULD NOT SEE GIVING AWAY PUBLIC PROPERTY.

PREVIOUSLY, AN AGREEMENT WAS NEGOTIATED WITH THE STATE OF KY. WHEREBY IT WAS AGREED THAT THE CITY COULD HAVE AN EASEMENT BEHIND THE NURSING HOME PROPERTY WHICH WAS NECESSARY FOR THE CORP OF ENGINEERS TO BUILD THE FLOODWALL. THE CORP HAS DECIDED THAT THEY DID NOT NEED THE EASEMENT BEHIND THE NURSING HOME, HOWEVER AN EASEMENT IS NEEDED AT THE SIDE OF THE NURSING HOME. NURSING HOME OFFICIALS ARE AGREEABLE TO GRANT THE EASEMENT AT THE SIDE IF THE EASEMENT ACROSS THE BACK OF THE PROPERTY IS RELEASED BACK TO THE STATE OF KENTUCKY. THOMAS HUFFMAN MADE THE MOTION TO RELEASE THE EASEMENT AT THE BACK OF THE NURSING HOME TO THE STATE. JOHNNY MOUNTS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

HAL WILLIAMS OF PSG REPORTED THAT THEIR MONTHLY OPERATING REPORT WOULD BE AVAILABLE FOR THE NEXT REGULAR MEETING. THE GRADE ALL SHOULD BE DELIVERED IN THE NEXT DAY AND AT THAT POINT IN TIME DITCH WORK CAN BE COMMENCED. COMMISSIONER COMBS DIRECTED MR. WILLIAMS TO PREPARE A REPORT OF WHO WAS LAYED OFF AND THE REASONS FOR THE LAYOFFS. MR. WILLIAMS REPORTED HE COULD HAVE THIS INFORMATION TO THE COMMISSION ON OCTOBER 10, 1989.

JOHN JOHNSON, CITY MANAGER, ADVISED THE COMMISSION THAT A QUESTION HAS BEEN RAISED AS TO WHETHER TO LOWER THE TAP ON FEES FOR THE WILLIAMS HOLLOW RESIDENTS ONCE THIS PROJECT IS COMPLETE. IT WAS REPORTED THAT THE SOUTH MAYO TRAIL RESIDENTS WERE GIVEN A LOWER RATE FOR EARLY HOOK ON. JOHNNY MOUNTS MADE THE MOTION TO ALLOW THE WILLIAMS HOLLOW RESIDENTS TO HOOK ON TO THE SEWER LINE FOR HALF THE REGULAR TAP FEE FOR A 60 DAY PERIOD. THOMAS HUFFMAN SECONDED THE MOTION. THE MOTION CARRIED 4 - 0.

STEVE COMBS NOMINATED WALTER PRESTON WALTERS, JR. TO FILL THE VACANCY ON THE HOUSING AUTHORITY BOARD. GREG JUSTICE SECONDED THE NOMINATION. THE MOTION CARRIED 2 - 0 - 2 WITH COMMISSIONERS HUFFMAN AND MOUNTS ABSTAINING.

THE COMMISSION RECEIVED CORRESPONDENCE FROM THE PIKEVILLE PUBLIC HOSPITAL CORPORATION IN RESPONSE TO THE CITY ATTORNEY'S LETTER. THE LETTER STATED THAT THE BOARD PLANS TO MEET IN THE NEAR FUTURE IN ORDER TO SUBMIT NAMES TO THE COMMISSION FOR APPOINTMENTS TO FILL THE VACANCIES ON THIS BOARD. THE COMMISSION DIRECTED THE CITY ATTORNEY TO SUPPLY THEM WITH COPIES OF THE CORPORATION'S ARTICLES OF INCORPORATION.

COMMISSIONER HUFFMAN REQUESTED THAT A WORK SESSION BE SCHEDULED TO DISCUSS THE POSSIBILITY OF FORMING A UTILITY COMMISSION. THE CITY MANAGER WAS DIRECTED TO SEND OUT A NOTICE OF A WORK SESSION WHEN HE FOUND OUT WHEN BILL HOWARD, DIRECTOR OF PRESTONSBURG'S UTILITY COMMISSION, WAS AVAILABLE TO EXPLAIN THIS CONCEPT TO THE COMMISSION.

NOTICE WAS GIVEN TO THE COMMISSION THAT THE CITY HAS BEEN AWARDED A FEDERAL LAND & WATER CONSERVATION FUND GRANT IN THE AMOUNT OF \$8,725.50 FOR THE BOB AMOS HANDICAP TRAIL PROJECT.

IT WAS PREVIOUSLY REQUESTED BY MOUNTAIN WATER DISTRICT FOR THE CITY TO EXTEND THEIR CONTRACT FOR THE PURCHASE OF WATER FOR A 40 YEAR PERIOD. COMMISSIONER COMBS ASKED WHAT KIND OF MECHANISM HAD BEEN ADDED TO THE CONTRACT TO PROVIDE FOR RATE INCREASES. THE CITY MANAGER REPORTED THAT THE UMBAUGH STUDY FORMULAS WERE ADDED TO THE OTHER WATER PURCHASE CONTRACTS. ERNIE CHANEY, REPRESENTING MOUNTAIN WATER DISTRICT, TOLD THE COMMISSION THAT MOUNTAIN WATER WITHDRAWS THEIR REQUEST FOR THE CONTRACT EXTENSION. MOUNTAIN WATER IS OF THE OPINION THAT THE CITY CAN ONLY IMPOSE RATE INCREASES IF THE OPERATING COSTS INCREASE WHICH WOULD NOT ALLOW INCREASES FOR CAPITAL EXPENDITURES. THE CITY ATTORNEY DISAGREED WITH THEIR INTERPRETATION AND

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GAVE AN OPINION THAT ANY TIME THERE IS AN INCREASE IN CITY COSTS IT CAN BE PASSED ALONG. MR. DAVIS COMMENTED FURTHER THAT THE COMMISSION MAY WANT TO CONSIDER RAISING THE RATES FOR THE EXISTING CONTRACT.

THE COMMISSION SCHEDULED A 5:00 P.M. WORK SESSION ON OCTOBER 12, 1989 TO DISCUSS THE BIDS RECEIVED FOR THE NATURAL GAS SUPPLY.

WHEN MAYOR PRO TEM COMBS ASKED IF THERE WERE ANY PERSONNEL ACTIONS, STEVE FORD DIRECTED A QUESTION TO PSG MANAGER WITH REGARD TO THE REPLACEMENT OF JEWELL TACKETT BY SUPERVISOR JIM SPURLOCK'S WIFE. MR. WILLIAMS EXPLAINED THAT COOKIE SPURLOCK IS WORKING PART TIME AT THE WATER TREATMENT PLANT UPDATING THEIR COMPUTER SYSTEM AND HAS NOT REPLACED MS. TACKETT.

GREG JUSTICE MADE THE MOTION, SECONDED BY JOHNNY MOUNTS TO ADJOURN TO AN EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING CONTRACTS AND PERSONNEL MATTERS. THE MOTION CARRIED UNANIMOUSLY.

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

THOMAS HUFFMAN MADE THE MOTION TO DIRECT JOHN JOHNSON, CITY MANAGER, TO DO A THOROUGH INVESTIGATION OF PSG AS TO THEIR COMPANY AND OTHER CITIES THAT THEY DO BUSINESS WITH. COMMISSIONER MOUNTS COMMENTED THAT THERE HAVE BEEN RUMORS THAT PSG HAS BANKRUPTED SOME TOWN AND REQUESTED THAT THE NAMES OF THE TOWNS BE FURNISHED TO THE CITY MANAGER SO HE CAN TALK WITH THEM. JOHNNY MOUNTS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

GREG JUSTICE MADE THE MOTION, SECONDED BY THOMAS HUFFMAN TO DIRECT THE CITY ATTORNEY TO REPRESENT PSG IN THE LAWSUIT WITH REGARD TO THE SEWAGE TREATMENT PLANT. THE MOTION CARRIED 4 - 0.

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

THE PIKEVILLE CITY COMMISSION'S NEXT SCHEDULED MEETING IS OCTOBER 23, 1989 AT 7:30 P.M. AT THEIR REGULAR MEETING PLACE.

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

/S/ KAREN HARRIS