

MINUTES } CITY OF PIKEVILLE

SPECIAL MEETING - DECEMBER 14, 1989

THE CITY OF PIKEVILLE BOARD OF COMMISSIONERS WAS CALLED TO MEET IN SPECIAL SESSION ON THURSDAY, DECEMBER 14, 1989 AT THE CITY HALL PUBLIC MEETING ROOM.

SPECIAL MEETING NOTICES WERE DELIVERED TO EACH COMMISSION MEMBER AND THE MEDIA WAS NOTIFIED OF SAID MEETING AS PROVIDED BY LAW.

THERE BEING A QUORUM PRESENT, MAYOR PRO TEM STEVEN D. COMBS CALLED THE MEETING TO ORDER AT 5:10 P.M. THE FOLLOWING COMMISSION MEMBERS WERE PRESENT UPON CALL OF THE ROLL:

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

MAYOR WILLIAM C. HAMBLEY WAS ABSENT.

THE MINUTES FOR THE PREVIOUS REGULAR MEETING OF NOVEMBER 27, 1989 WERE SUBMITTED TO THE COMMISSION FOR APPROVAL. GREG JUSTICE MADE THE MOTION, SECONDED BY THOMAS HUFFMAN TO APPROVE THE MINUTES AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.

A LIST OF CITY BILLS TOTALING \$33,996.90 WERE PRESENTED TO THE COMMISSION FOR APPROVAL OF PAYMENT. THOMAS HUFFMAN MADE THE MOTION, SECONDED BY GREG JUSTICE TO APPROVE PAYMENT OF THE CITY BILLS TOTALING \$33,996.90. THE MOTION CARRIED UNANIMOUSLY.

SPECIAL BILLS WERE PRESENTED TO THE COMMISSION FOR APPROVAL OF PAYMENT. BILLS SUBMITTED WERE FROM THE VOLUNTEER FIRE DEPARTMENT FOR THE INSTALLATION OF THE CHRISTMAS LIGHTS (EITHER \$1,000.00 OR \$1,200.00) AND FIRST NATIONAL BANK IN THE AMOUNT OF \$3,072.50. DUE TO THERE BEING NO EXPLANATION WITH THE REQUEST FOR PAYMENT FROM FIRST NATIONAL BANK, THIS BILL WAS NOT CONSIDERED. THOMAS HUFFMAN MADE THE MOTION TO APPROVE PAYMENT OF \$1,200.00 TO THE VOLUNTEER FIRE DEPARTMENT DUE TO THE EXTRA WORK INVOLVING THE INSTALLATION OF BRACKETS FOR THE CHRISTMAS LIGHTS. GREG JUSTICE SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

ONE PROJECT BILL WAS SUBMITTED FROM FLEETWOOD JOHNSON CONSTRUCTION COMPANY IN THE AMOUNT OF \$75,262.33 FOR THE WILLIAMS HOLLOW WATER/SEWER LINE REPLACEMENT PROJECT. DANL HALL REPRESENTING SUMMIT ENGINEERING REPORTED THAT THE CONTRACTOR DID NOT COMPLETE THE PROJECT ON SCHEDULE AND HAS ACCUMULATED \$18,400.00 IN LIQUIDATED DAMAGES. MR. HALL INDICATED THAT THE WORKMANSHIP OF THE PROJECT IS SATISFACTORY. THOMAS HUFFMAN MADE THE MOTION TO APPROVE PAYMENT OF \$56,862.33 (\$75,262.33 LESS \$18,400.00) AND TO DISCUSS THE AMOUNT OF THE LIQUIDATED DAMAGES AT THE NEXT MEETING. GREG JUSTICE SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

JIM ELLIS, ARCHITECT, TOLD THE COMMISSION THAT HE HAS RECEIVED COPY OF A LATER OPINION BY CHRIS CHRISMAN WITH REGARD TO THE DESIGN OF THE CITY HALL/LIBRARY. WHILE THIS CONTRACT WAS TERMINATED IN 1986, MR. ELLIS CONTENDS THAT MONIES ARE STILL OWED HIM. HE REQUESTED THAT THIS MATTER BE PLACED ON THE COMMISSION'S NEXT MEETING AGENDA FOR CONSIDERATION. THE COMMISSION DIRECTED THAT THE CITY MANAGER AND CITY ATTORNEY MEET WITH MR. ELLIS TO NEGOTIATE A SETTLEMENT.

SECOND READING WAS GIVEN TO AN ORDINANCE ENTITLED:

ORDINANCE AMENDING ORDINANCE NO. O-89-013, 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. O-89-015

COMMISSIONER HUFFMAN QUESTIONED THE ERROR OF THE HOMESTEAD EXEMPTIONS ON THE PROPERTY TAX TICKETS WHICH WERE RECENTLY MAILED. THE CITY MANAGER REPORTED THAT 350 TAX TICKETS HAD BEEN REVISED AND WERE MAILED THIS DATE. COMMISSIONER HUFFMAN WANTED TO KNOW WHY THE PROGRAMMER WAS CHANGED THIS YEAR. MR. JOHNSON REPORTED THAT THE CITY DOES NOT HAVE ANY INPUT WITH THE DECISION TO CHANGE PROGRAMMERS- THIS DECISION IS MADE BY THE STATE.

THOMAS HUFFMAN MADE THE MOTION TO ADOPT THE ORDINANCE AS PRESENTED AND READ. GREG JUSTICE SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

A RESOLUTION WAS PRESENTED TO THE COMMISSION AND READ ENTITLED:

RESOLUTION CONFIRMING EARLIER ADOPTED RESOLUTION BY THE CITY OF PIKEVILLE FOR THE FILING OF A PROJECT APPLICATION, (C.D.B.G. GRANT) AND FURTHER, APPOINTING SUE SMALLWOOD, PROJECT DIRECTOR AND SUCCESSORS-IN-TITLE AS OFFICIAL PROJECT REPRESENTATIVE OF FEDERALLY ASSISTED WASTEWATER REVOLVING

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FUND (STATE REVOLVING LOAN PROGRAM) PROJECT

COMMISSIONER HUFFMAN ASKED HOW THIS PROJECT (WASTEWATER TREATMENT PLANT EXPANSION) WAS GOING TO BE PAID FOR. THE COMMISSION DISCUSSED SEVERAL METHODS OF PAYMENT INCLUDING AN INCREASE IN THE OCCUPATIONAL LICENSE FEE, REPROGRAMMING MONIES ALLOTTED FOR THE CONSTRUCTION OF THE THOMPSON ROAD FIRE DEPARTMENT AND THE CONSTRUCTION OF THE POLICE STATION AT 211 DIVISION STREET TO THE WASTEWATER TREATMENT PLANT PROJECT. IT WAS ALSO SUGGESTED THAT ALL SURPLUS PROPERTIES BE PUT INTO THE NAME OF THE PIKEVILLE WASTEWATER PLANT AND SOLD, WITH THE PROCEEDS DEDICATED TO FUNDING THE IMPROVEMENTS/EXPANSION. ANOTHER SUGGESTION PROPOSED THAT THE MONIES BUDGETED FOR THE BRIDGE CONSTRUCTION AT THE OLD AIRPORT SITE TO ACCOMMODATE THE BIG SANDY REGIONAL MALL BE REDIRECTED TO THE WASTEWATER PLANT PROJECT. GREG JUSTICE MADE THE MOTION TO ALLOCATE THE MONIES BUDGETED FOR THE THOMPSON ROAD FIRE STATION AND POLICE STATION CONSTRUCTIONS TO THE WASTEWATER PLANT PROJECT. THOMAS HUFFMAN SECONDED THE MOTION. THE MOTION FAILED 2 - 2 WITH COMMISSIONERS COMBS AND MOUNTS VOTING NO.

DANL HALL OF SUMMIT ENGINEERING REPORTED THAT FOUR BIDS WERE RECEIVED FOR THE POLICE STATION CONSTRUCTION. THE LOW BID WAS FROM BERT E. RATLIFF D/B/A BER CONSTRUCTION IN THE AMOUNT OF \$190,189.00. SECOND LOW BIDDER WAS PAUL THACKER CONSTRUCTION IN THE AMOUNT OF \$237,950.00. THE HIGH BID WAS RECEIVED FROM CONSTRUCTION DESIGN & CONSTRUCTION IN THE AMOUNT OF \$309,469.00. MR. HALL REPORTED THAT HE HAS RESEARCHED MR. RATLIFF'S BUSINESS AND FOUND IT TO BE IN OPERATION FOR APPROXIMATELY 4 YEARS. THE LARGEST PROJECT HE HAS DONE TO DATE, IN TERMS OF MONETARY VALUE, IS \$240,000.00. GOOD RECOMMENDATIONS HAVE BEEN RECEIVED FROM EVERYONE MR. RATLIFF HAS DONE WORK FOR. THE ONLY COMMERCIAL WORK EXPERIENCE MR. RATLIFF HAS DONE IS MINI WAREHOUSES FOR NANACK. JOHNNY MOUNTS MADE THE MOTION TO AWARD THE BID TO THE LOW BIDDER, BER CONSTRUCTION, IN THE AMOUNT OF \$190,189.00. STEVE COMBS SECONDED THE MOTION. THE MOTION FAILED 2 - 2 WITH GREG JUSTICE AND THOMAS HUFFMAN VOTING NO.

GREG JUSTICE MADE THE MOTION TO RESCHEDULE THE CITY COMMISSION'S NEXT REGULAR MEETING FROM DECEMBER 25, 1989 TO DECEMBER 27, 1989 AT 5:00 P.M. THOMAS HUFFMAN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

GREG JUSTICE MADE THE MOTION TO APPOINT WALTER PRESTON WALTERS, JR. TO SERVE AS A MEMBER OF THE HOUSING AUTHORITY BOARD. COMMISSIONER HUFFMAN ASKED IF MR. WALTERS HAS MET ALL THE CRITERIA TO SERVE IN THE CAPACITY OF HOUSING AUTHORITY BOARD MEMBER. IT WAS ANNOUNCED THAT MR. WALTERS HAD. THOMAS HUFFMAN SECONDED THE MOTION. THE MOTION CARRIED 3 - 0 - 1 WITH JOHNNY MOUNTS ABSTAINING FROM THE VOTE.

JOHNNY MOUNTS MADE THE MOTION TO SET THE CHRISTMAS HOLIDAY LEAVE FOR CITY EMPLOYEES AS DECEMBER 22 - 25, 1989. THOMAS HUFFMAN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

WITH REGARD TO THE RESOLUTION READ EARLIER WHICH PROVIDED FOR THE APPOINTMENT OF SUE SMALLWOOD AS PROJECT DIRECTOR FOR THE STATE REVOLVING LOAN PROGRAM, JOHNNY MOUNTS MADE THE MOTION, SECONDED BY STEVE COMBS TO ADOPT THE RESOLUTION. THE MOTION FAILED 2 - 2 WITH GREG JUSTICE AND THOMAS HUFFMAN VOTING NO.

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

THE CITY COMMISSION'S NEXT MEETING IS SCHEDULED FOR DECEMBER 27, 1989 AT 5:00 P.M. IN THE CITY HALL PUBLIC MEETING ROOM AT 260 HAMBLEY BOULEVARD.

APPROVED /s/ STEVEN D. COMBS

ATTEST:

/s/ KAREN HARRIS

*ORIGINAL DOCUMENT ON FILE