

# MINUTES } CITY OF PIKEVILLE

## REGULAR MEETING - JANUARY 22, 1990

THE CITY OF PIKEVILLE BOARD OF COMMISSIONERS MET IN REGULAR SESSION ON MONDAY, JANUARY 22, 1990, IN THEIR DESIGNATED MEETING PLACE IN THE CITY HALL PUBLIC MEETING ROOM AT 260 HAMBLEY BOULEVARD.

MAYOR WALTER E. MAY CALLED THE MEETING TO ORDER AT 7:30 P.M. THE FOLLOWING COMMISSION MEMBERS WERE PRESENT AND FORMED A QUORUM:

COMMISSIONER:	WALTER BLANKENSHIP
	EUGENE W. DAVIS
	FRANK M. MORRIS
	JOHNNY D. MOUNTS
MAYOR:	WALTER E. MAY

THE MAYOR CALLED FOR ADDITIONS TO THE AGENDA. THERE WERE NO ADDITIONS.

THE MINUTES FOR THE PREVIOUS REGULAR MEETING OF JANUARY 8, 1990 WERE INCLUDED IN EACH COMMISSION MEMBER'S AGENDA PACKAGE. COMMISSIONER MORRIS MADE THE MOTION, SECONDED BY COMMISSIONER BLANKENSHIP TO APPROVE THE MINUTES AS SUBMITTED. COMMISSIONER MORRIS QUESTIONED IF THE TERM USED TO DESCRIBE A DEED WAS "QUITCLAIM" AS WRITTEN IN THE MINUTES, OR "QUICKCLAIM". THE CITY ATTORNEY CONFIRMED THE SPELLING AS WRITTEN IN THE MINUTES. UPON CALL OF THE ROLL, THE MOTION TO APPROVE THE MINUTES, AS SUBMITTED, CARRIED UNANIMOUSLY.

JACK MAY ADDRESSED THE COMMISSION WITH REGARD TO 5 PARKING SPACES CREATED BY RIVERFILL DEVELOPER, J. A. HUGHES & ASSOCIATES, ADJACENT TO NORTON FLORAL. MR. MAY ASKED IF NORTON FLORAL CUSTOMERS WOULD BE ABLE TO UTILIZE THESE PARKING SPACES. MR. MAY ALSO REQUESTED TO BE ADVISED OF THE APPRAISED TAX VALUATION OF THE RIVERFILL AREA CURRENTLY UNDER LEASE TO J.A. HUGHES & ASSOCIATES. THE MAYOR ADVISED MR. MAY TO CONTACT THE PROPERTY VALUATION ADMINISTRATOR FOR INFORMATION ON THE TAX VALUATION PLACED ON THE RIVERFILL. WITH REFERENCE TO THE PARKING SPACES, THE CITY ATTORNEY REPORTED THAT THE PARKING SPACES ARE ON URBAN RENEWAL PROPERTY, PART OF WHICH HAS BEEN LEASED TO J. A. HUGHES & ASSOCIATES. MR. DAVIS REPORTED THAT THE SPACES ARE PROBABLY LIMITED TO PRIVATE PARKING. THE MAYOR REQUESTED THAT MR. MAY SUBMIT HIS QUESTIONS IN WRITING TO HIM AND HE WILL ASK THE CITY ATTORNEY TO SEND MR. MAY A WRITTEN RESPONSE TO THE QUESTIONS.

JAMES TUCKER, A FORMER CITY EMPLOYEE, REQUESTED TO KNOW HOW MANY YEARS HE WORKED FOR THE CITY OF PIKEVILLE. MR. TUCKER'S SON, WALTER, EXPLAINED THAT HIS FATHER WORKED FOR THE CITY APPROXIMATELY 28 YEARS, THEN QUIT, AND WENT TO WORK FOR PIKE COUNTY. MR. TUCKER WAS LAYED OFF FROM THE POSITION WITH THE COUNTY, AND RETURNED TO WORK FOR THE CITY OF PIKEVILLE. ACCORDING TO WALTER TUCKER, JAMES TUCKER RETURNED TO WORK FOR THE CITY, UNDER A PRIVATE WORK CONTRACT, FOR THE MAINTENANCE AND UPKEEP OF THE CITY PARK AND CEMETERY. THERE APPARENTLY IS A DISCREPANCY BETWEEN THE DATA SUPPLIED TO THE SOCIAL SECURITY OFFICE AND MR. TUCKER'S RECOLLECTION. THE MAYOR ADVISED THAT THE PAYROLL RECORDS WOULD BE RESEARCHED, AND IF THE RECORDS SHOW THAT SOCIAL SECURITY PAYMENTS WERE MADE DURING THIS TIME, THE SOCIAL SECURITY ADMINISTRATION WILL BE NOTIFIED OF THAT FACT. THE MAYOR ASSURED MR. TUCKER THAT THE CITY WILL DO EVERYTHING POSSIBLE TO HELP HIM.

FRANKIE PRATER INFORMED THE COMMISSION OF THE DETERIORATING CONDITION OF THOMPSON ROAD AND ASKED THAT THE ROAD BE REPAIRED TO ALLOW PASSAGE. THE MAYOR REPORTED THAT HE TRAVELLED THIS ROAD, THIS DATE, AND FOUND THE ROAD BARELY PASSABLE. IT WAS EXPLAINED THAT THOMPSON ROAD IS THE ROADWAY WHICH LEADS FROM WHERE THE WASTEWATER TREATMENT PLANT IS LOCATED, TO DOWN PAST THE OLD AIRPORT SITE. THERE IS EXCAVATION IN THIS AREA FOR THE PURPOSE OF PREPARING A SITE FOR THE NEW WASTEWATER FACILITIES. THE CONTRACTOR FOR THIS EXCAVATION IS HAULING THE WASTE MATERIAL OVER THE ROADWAY DOWN BEYOND THE AIRPORT SITE TO A CITY OWNED TRACT. IT WAS FURTHER EXPLAINED THAT THIS ROADWAY WAS BUILT ON AN AREA THAT WAS MARSHY WITHOUT A PROPER BED FOR THE ROAD. THE HEAVY TRUCKS HAVE "EATEN" THE ROAD UP AND IT APPEARS THAT THERE IS "NO BOTTOM TO THAT ROAD". HAL WILLIAMS OF PSG HAS REPORTED TO THE COMMISSION THAT GRAVEL IS BEING SPREAD ON THIS ROADWAY, AND TWO BULLDOZERS ARE ON THE SITE. THE MAYOR REPORTED THAT THE BULLDOZER GOES OVER THE ROAD JUST ABOUT EVERYTIME A TRUCK PASSES IN AN EFFORT TO KEEP THE ROAD PASSABLE. IT WAS ANNOUNCED THAT THE COMMISSION WILL MEET ON THE SITE AT 9:00 A.M., JANUARY 23, 1990, WITH THE CITY ENGINEER AND A REPRESENTATIVE OF THE EXCAVATION CONTRACTOR, AND LOOK AT DIFFERENT POSSIBILITIES FOR THE CONSTRUCTION OF A TEMPORARY ROAD TO THE RESIDENCES OR TO EITHER CLOSE PART OF THE ROADWAY AND BRING IN HEAVIER ROCK TO MAKE THE ROAD PASSABLE.

A LIST OF CITY BILLS TOTALING \$419,863.00 WAS PRESENTED TO THE COMMISSION FOR APPROVAL OF PAYMENT. COMMISSIONER MOUNTS MADE THE MOTION TO AUTHORIZE THE PAYMENT OF THE CITY BILLS LISTING TOTALING \$419,863.00. COMMISSIONER BLANKENSHIP SECONDED THE MOTION. THERE BEING NO FURTHER DISCUSSION, ROLL CALL WAS TAKEN. THE MOTION TO APPROVE PAYMENT OF THE CITY BILLS CARRIED UNANIMOUSLY.



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JACK SYKES REPRESENTING SUMMIT ENGINEERING, CITY ENGINEERS, GAVE A VERBAL REPORT OF THE TWO CURRENT PROJECTS. ONE OF THE PROJECTS, HAVING TO DO WITH THE WATER SYSTEM, WAS DISCUSSED THIS AFTERNOON IN A WORK SESSION. THE OTHER PROJECT IS WITH REFERENCE TO SUMMIT ENGINEERING'S INSPECTION SERVICES ON THE WASTEWATER TREATMENT PLANT. MR. SYKES INDICATED THAT APPROXIMATELY 65% OF THE EXCAVATION IS COMPLETE. COMMISSIONER MOUNTS QUESTIONED IF THE EXCAVATION IS ONLY ON THE ONE SIDE. MR. SYKES REPORTED THAT IT WAS. THE ROAD GOES UP THE OTHER SIDE. THE MAJORITY OF THE EXCAVATION YET TO BE ACCOMPLISHED IS ON THE SITE.

CITY ATTORNEY, RUSSELL DAVIS, JR. BROUGHT A DEED OF CONVEYANCE BEFORE THE COMMISSION FOR THE MAYOR'S SIGNATURE. THE DEED IS FOR TWO SMALL TRACTS OF PROPERTY ALONG HAMBLEY BOULEVARD WHICH WAS SOLD BY AUCTION TO CHALLEN P. MCCOY. IT WAS REPORTED THAT MR. MCCOY HAD CONTACTED COMMISSIONER DAVIS PRIOR TO THE JANUARY 8, 1990 MEETING AND REQUESTED THAT THE DEED NOT BE EXECUTED. MR. DAVIS REPORTED THAT HE HAD SPOKEN WITH MR. MCCOY'S ATTORNEY, DAVID STRATTON. MR. STRATTON INDICATED THAT HE DID NOT KNOW THE REASON FOR POSTPONING THE EXECUTION OF THE DEED, BUT HE WOULD CHECK WITH HIS CLIENT, AND NOTIFY THE CITY ATTORNEY OF THE RESULTS. MR. DAVIS REPORTED THAT THERE HAS BEEN NO FURTHER CORRESPONDENCE SINCE THAT TIME. MR. DAVIS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE MAYOR TO SIGN THE DEED OF CONVEYANCE, THEN HE WILL CONTACT MR. MCCOY TO FINALIZE THE SALE. COMMISSIONER MOUNTS MADE THE MOTION, SECONDED BY COMMISSIONER MORRIS TO AUTHORIZE THE MAYOR TO EXECUTE THE DEED OF CONVEYANCE TO CHALLEN P. MCCOY. THE MOTION CARRIED UNANIMOUSLY.

UNDER THE AGENDA ITEM, CITY MANAGER REPORTS, JOHN JOHNSON EXPLAINED THAT DURING THE COMMISSION'S DISCUSSION AT THE PREVIOUS REGULAR MEETING WITH REGARD TO THE CSX LEASE AT THE WASTEWATER PLANT, THE LIABILITY INSURANCE COVERAGE RECOMMENDATION MADE BY CSX REALTY WAS DISCUSSED. THE COMMISSION DIRECTED MR. JOHNSON TO GET QUOTES ON THE PREMIUMS TO RAISE THE LIABILITY INSURANCE FROM \$1 MILLION TO \$2 MILLION. MR. JOHNSON PRESENTED THE COMMISSION WITH A WRITTEN BREAKDOWN OF THOSE ADDED COSTS FOR A THREE MONTH PERIOD ONLY. DISCUSSION WAS HAD RELATIVE TO THE "ERRORS AND OMISSIONS" POLICY. THE CITY ATTORNEY EXPLAINED THAT THE ERRORS AND OMISSIONS POLICY IS THE PART OF THE POLICY THAT PROTECT THE LEGISLATIVE BODY FROM LAWSUITS FOR EITHER IMPROPER ACTIONS OR FAILURE TO ACT, AND MOST COMMONLY WILL BE SEEN IN THE FORM OF A CIVIL RIGHTS SUIT. THE COMMISSION ELECTED TO STUDY THE COSTS FURTHER AND DIRECTED THE CITY MANAGER TO INCLUDE THIS ITEM ON THE NEXT MEETING'S AGENDA. COMMISSIONER MOUNTS ASKED FOR A BREAKDOWN ON WHAT THE INCREASED COVERAGE WOULD COST FOR A YEAR.

COMMISSIONER MOUNTS EXPLAINED THAT THERE ARE A COUPLE OF STREETS IN WHICH THERE ARE TRAFFIC FLOW PROBLEMS, AS WELL AS DANGEROUS INTERSECTIONS AT HAMBLEY BOULEVARD/FOURTH STREET/HIGH STREET AND AT THE INTERSECTION OF HUFFMAN AVENUE/HAMBLEY BOULEVARD. THE MAYOR ADVISED OF A HAZARDOUS CONDITION AT THE INTERSECTION OF SECOND STREET AND HUFFMAN AVENUE. THE CITY ENGINEER REPORTED THAT A TRAFFIC STUDY WAS DONE ABOUT 3 TO 4 YEARS AGO AND BASICALLY WHAT HE WOULD DO IS TO UPDATE THAT STUDY. COMMISSIONER MORRIS ASKED ABOUT THE TRAFFIC CONTROL DEVICE AT THE INTERSECTION OF HAMBLEY BOULEVARD/DIVISION STREET. THE CITY MANAGER REPORTED THAT THE LIGHT IS NOT MALFUNCTIONING. THE MECHANISM ON THE SIDE STREETS IS ACTIVATED AFTER A VEHICLE IS STOPPED FOR 60 SECONDS. THE MECHANISM WAS SET AT THIS 60 SECOND PERIOD BY THE PREVIOUS CITY COMMISSION DUE TO THEIR CONCERNS ABOUT CHANGING THE MAIN FLOW OF THE BOULEVARD TRAFFIC. COMMISSIONER MOUNTS MADE THE MOTION TO AUTHORIZE JACK SYKES TO DO A TRAFFIC FLOW STUDY. COMMISSIONER BLANKENSHIP SECONDED THE MOTION. THE MOTION, UPON CALL OF THE ROLL, CARRIED UNANIMOUSLY.

COMMISSIONER MOUNTS ADVISED THE COMMISSION OF THE HAZARDOUS CONDITION AT THE INTERSECTION IN THE VICINITY OF THE WESTERN STEER RESTAURANT. COMMISSIONER MOUNTS ASKED THAT THE COMMISSION ADOPT A RESOLUTION TO BE SENT TO THE DEPARTMENT OF HIGHWAYS RECOMMENDING A TRAFFIC STUDY BE DONE TO DETERMINE IF THERE IS A NEED OF A TRAFFIC CONTROL DEVICE AT THIS INTERSECTION. THE MAYOR SUGGESTED TO MAKE A REQUEST TO THE DEPARTMENT OF HIGHWAYS FOR THE INSTALLATION OF A TRAFFIC CONTROL DEVICE. POLICE CHIEF EDMONDS COMMENTED THAT THIS INTERSECTION IS THE MOST HAZARDOUS INTERSECTION IN TERMS OF THE NUMBER OF VEHICULAR TRAFFIC ACCIDENTS. THE MAYOR REQUESTED THAT THE POLICE CHIEF PREPARE DOCUMENTATION TO THIS EFFECT. COMMISSIONER MOUNTS ADVISED THAT WITHIN 30 MINUTES OF THE TIME THAT THE CUT-THROUGH WAS OPENED TO TRAFFIC, THERE WAS A TRAFFIC ACCIDENT. COMMISSIONER MOUNTS MADE THE MOTION TO ADOPT A RESOLUTION REQUESTING THAT THE KENTUCKY DEPARTMENT OF HIGHWAYS INSTALL A TRAFFIC LIGHT AT THE INTERSECTION ADJACENT TO THE WESTERN STEER RESTAURANT. COMMISSIONER MORRIS SECONDED THE MOTION. IT WAS ANNOUNCED THAT THE CITY ATTORNEY WOULD PREPARE A RESOLUTION FOR THE MAYOR'S SIGNATURE. UPON CALL OF THE ROLL, THE MOTION CARRIED UNANIMOUSLY. THE RESOLUTION WAS SUBMITTED AS FOLLOWS:

RESOLUTION REQUESTING THE KENTUCKY DEPARTMENT OF HIGHWAYS, BUREAU OF TRANSPORTATION TO INSTALL A TRAFFIC LIGHT AT THE INTERSECTION OF US HIGHWAY 23 AND STATE ROUTE 1426 ADJACENT TO THE WESTERN STEER RESTAURANT IN THE CITY



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## OF PIKEVILLE, KENTUCKY

WHEREAS, THE CHIEF OF POLICE HAS NOTIFIED THE COMMISSION THAT THE INTERSECTION OF US 23 AND STATE ROUTE 1426 ADJACENT TO THE WESTERN STEER RESTAURANT IN THE CITY OF PIKEVILLE, KENTUCKY IS THE MOST DANGEROUS INTERSECTION WITHIN THE CORPORATE LIMITS OF THE CITY OF PIKEVILLE IN THAT OVER THE PAST ONE AND A HALF YEARS, THE PIKEVILLE CITY POLICE HAVE BEEN CALLED TO INVESTIGATE 28 SEPARATE ACCIDENTS WHICH HAVE OCCURRED AT SAID INTERSECTION, MANY OF WHICH RESULTED IN A SUBSTANTIAL AMOUNT OF PROPERTY DAMAGE AND RESULTED IN PHYSICAL INJURIES AND FURTHER, NUMEROUS AUTOMOBILES ENTERING 23 FROM STATE HIGHWAY 1426 AT SAID INTERSECTION HAVE MISTAKENLY ENTERED ONTO THE SOUTHBOUND LANES OF US 23 GOING NORTH IN THE WRONG DIRECTION.

WHEREAS, THE COMMISSION HAS DETERMINED THAT SAID INTERSECTION IS AN EXTREMELY DANGEROUS AND HAZARDOUS INTERSECTION AND IS IN NEED OF A TRAFFIC CONTROL LIGHT TO FACILITATE THE ORDERLY FLOW OF TRAFFIC THROUGH SAID INTERSECTION.

THEREFORE, BE IT RESOLVED BY THE CITY OF PIKEVILLE THAT THE CITY OF PIKEVILLE DOES HEREBY REQUEST THAT THE KENTUCKY DEPARTMENT OF HIGHWAYS INSTALL A TRAFFIC CONTROL LIGHT AT THE INTERSECTION OF US 23 AND STATE ROUTE 1426 ADJACENT TO THE WESTERN STEER RESTAURANT IN THE CITY OF PIKEVILLE, KENTUCKY.

BE IT FURTHER RESOLVED, THAT THE CITY MANAGER IS DIRECTED TO FORWARD THIS RESOLUTION TO THE DISTRICT ENGINEER FOR THIS AREA OF THE DEPARTMENT OF HIGHWAYS, DENTON BILLITER, WITH THE REQUEST THAT IT BE TRANSMITTED TO THE APPROPRIATE OFFICER WITHIN THE DEPARTMENT IN FRANKFORT, KENTUCKY.

THE COMMISSION REVIEWED A WRITTEN REQUEST FROM THE URBAN RENEWAL AGENCY FOR THE CONVEYANCE OF RIVERFILL PARCEL 360. THE CITY ATTORNEY DISPLAYED A MAP DEPICTING A SECTION OF THE RIVERFILL AREA, PARTICULARLY THE AREA OF THE OLD PIKE STREET BRIDGE (PARCEL 360 - CITY OWNED). MR. DAVIS EXPLAINED THAT THE ROADWAY WHERE THE BRIDGE WAS LOCATED WAS CONSTRUCTED BY CITY CREWS AND IS ACTIVELY USED. THE PAST COMMISSION DECIDED THERE WAS A NEED TO RETAIN THIS PARCEL FOR INGRESS AND EGRESS TO THE RIVERFILL. THE MAYOR ASKED WHAT THE CITY WOULD BE GIVEN IN RETURN FOR THIS CONVEYANCE. MR. DAVIS REPORTED THAT A PROPERTY OR MONETARY EXCHANGE HAD NOT BEEN DISCUSSED. MR. DAVIS EXPLAINED THAT BEFORE THE CITY COULD DEED THE PROPERTY TO URBAN RENEWAL, THE CITY WOULD HAVE TO GO THROUGH THE LEGAL PROCESS TO CLOSE THE STREET. THE MAYOR REQUESTED PERMISSION TO ANSWER THE LETTER AS WRITTEN BY URBAN RENEWAL ATTORNEY, LARRY WEBSTER, ADVISING THAT THE COMMISSION WILL MEET WITH THE BOARD OF DIRECTORS TO DISCUSS THIS MATTER. THE COMMISSIONERS AGREED.

NOTICE WAS GIVEN THAT A WORK SESSION HAD BEEN SCHEDULED WITH BARRY E. DOTSON & ASSOCIATES, MALL DEVELOPERS, ON JANUARY 30, 1990 AT 4:00 P.M. IN THE CITY HALL PUBLIC MEETING ROOM.

INCLUDED WITH THE AGENDA PACKAGE WAS A COPY OF A LETTER THE CITY ATTORNEY SENT TO THE ATTORNEY GENERAL'S OFFICE REQUESTING AN OPINION AS TO WHETHER A MAYOR PRO TEM CAN MAKE APPOINTMENTS TO BOARDS IN THE MAYOR'S ABSENCE. MR. DAVIS REPORTED THAT HE HAD NOT RECEIVED A RESPONSE.

A COPY OF A MEMORANDUM WRITTEN TO THE BIDDERS OF THE PROPOSED POLICE STATION CONSTRUCTION WAS INCLUDED IN THE AGENDA PACKAGE. THE MEMORANDUM REQUESTED AN EXTENSION OF TIME THAT THE BIDS WILL REMAIN OPEN FOR ACCEPTANCE THROUGH MARCH 7, 1990. COMMISSIONER MOUNTS ASKED IF ANY RESPONSE HAD BEEN RECEIVED FROM THE CONTRACTORS. MR. SYKES REPORTED THAT HE THINKS SUMMIT ENGINEERING DID RECEIVE RESPONSE, HOWEVER, JOHN BUCKLEY OF HIS OFFICE IS HANDLING THIS PROJECT AND HE WILL CHECK WITH HIM TO MAKE SURE.

COMMISSIONER DAVIS MADE THE MOTION TO ADJOURN TO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING PERSONNEL MATTER. COMMISSIONER MOUNTS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

COMMISSIONER MORRIS MADE THE MOTION TO RECONVENE FROM EXECUTIVE SESSION TO REGULAR SESSION. COMMISSIONER BLANKENSHIP SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

THE CITY MANAGER REPORTED THAT HE HAS RECOMMENDED TO THE COMMISSION THAT THEY EMPLOY EDWARD FARMER IN THE CAPACITY OF POLICE OFFICER. COMMISSIONER BLANKENSHIP MADE THE MOTION, SECONDED BY COMMISSIONER MOUNTS TO HIRE EDWARD FARMER AS A POLICE OFFICER FOR THE CITY OF PIKEVILLE. UPON CALL OF THE ROLL, THE MOTION CARRIED UNANIMOUSLY.

THERE BEING NO FURTHER BUSINESS, COMMISSIONER MOUNTS MADE THE MOTION TO ADJOURN THE MEETING. COMMISSIONER MORRIS SECONDED THE MOTION. UPON CALL OF THE ROLL, THE MOTION CARRIED UNANIMOUSLY.



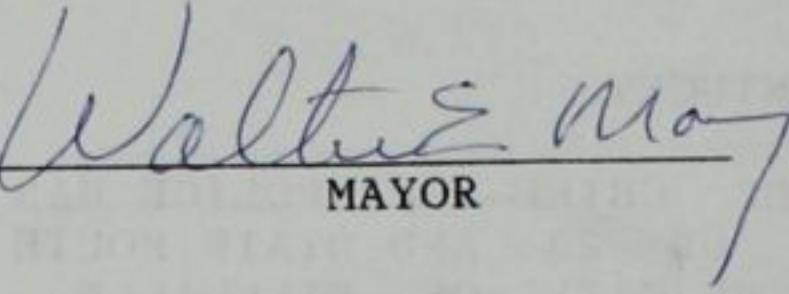
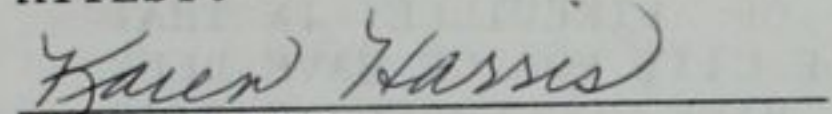
## MINUTES } CITY OF PIKEVILLE

APPROVED:

MAYOR

ATTEST:

CITY CLERK

  
MAYOR  
CITY CLERK