

MINUTES } CITY OF PIKEVILLE

SPECIAL MEETING - FEBRUARY 5, 1990

THE CITY OF PIKEVILLE BOARD OF COMMISSIONERS WERE CALLED TO MEET IN SPECIAL SESSION ON MONDAY, FEBRUARY 5, 1990, AT 4:00 P.M. IN THE CITY HALL PUBLIC MEETING ROOM AT 260 HAMBLEY BOULEVARD.

MAYOR WALTER E. MAY PRESIDED AND CALLED THE MEETING TO ORDER AT 4:10 P.M. THE FOLLOWING COMMISSION MEMBERS WERE PRESENT AND FORMED A QUORUM:

COMMISSIONER: WALTER BLANKENSHIP
EUGENE W. DAVIS
MAYOR: WALTER E. MAY

COMMISSIONERS FRANK MORRIS AND JOHNNY MOUNTS WERE ABSENT.

THE MEETING WAS CALLED FOR THE FOLLOWING PURPOSES:

1. CONSIDER AWARD OF AN EMERGENCY CONTRACT FOR REPAIRS TO THOMPSON ROAD
 2. CONSIDER FIRST READING OF AN ORDINANCE CONTROLLING PARKING AND TRAFFIC AROUND CITY HALL
 3. CONSIDER APPROVAL TO AUTHORIZE THE CITY ENGINEER TO BEGIN ENGINEERING WORK ON THE 16 INCH TRANSMISSION LINE AND WATER TANK
- CITY ENGINEER, JACK SYKES, PRESENTED A LETTER AGREEMENT FROM J & M EQUIPMENT FOR THE PROPOSED RECONSTRUCTION OF THOMPSON ROAD. MR. SYKES REPORTED THAT DUE TO THE EMERGENCY SITUATION IN THIS AREA, A FORMAL CONTRACT WAS NOT PREPARED. NEGOTIATIONS WERE HAD WITH THE EXCAVATION CONTRACTOR THAT IS ON THE WASTEWATER TREATMENT PLANT SITE. THE COSTS IN THE BID SCHEDULE PREPARED BY THE CONTRACTOR ARE \$49,469.25. THE DOLLAR ESTIMATE GIVEN TO THE COMMISSION BY MR. SYKES FOR THE TOTAL PROJECT WAS A LITTLE OVER \$70,000.00. THE DIFFERENCE BETWEEN THE PRICE QUOTED BY THE CONTRACTOR AND THE ENGINEER'S ESTIMATE IS FOR MATERIALS. IT HAS BEEN ASSUMED THAT THE CITY WILL PURCHASE THOSE MATERIALS DIRECTLY (MATERIALS WERE LISTED AS STONE AND THE FABRIC GOING BENEATH THE STONE). MR. SYKES REPORTED THAT THE FABRIC WILL COST ABOUT \$4,000.00 MORE THAN HE HAD PREVIOUSLY INFORMED. PART OF THE FABRIC IS NOW ON SITE. THE CITY MANAGER, JOHN JOHNSON, DECLARED THE PROPOSED PROJECT AN EMERGENCY, DUE TO THE THOMPSON ROAD BEING IN DESPERATE NEED OF REPAIR, STEMMING FROM THE HAULING OF ROCK FROM THE WASTEWATER TREATMENT PLANT SITE OVER THE BLACKTOP (WHICH WAS A VERY THIN LAYER OVER DIRT) WHICH DID NOT HAVE AN ADEQUATE BASE. THERE ARE SOME AREAS OF THE ROAD WHICH ARE BARELY PASSABLE AND THERE MAY BE SOME AREAS THAT ARE IMPASSABLE. IT WAS THE CITY MANAGER'S OPINION, AS WELL AS THE CITY ENGINEER'S OPINION THAT A BASE BE CONSTRUCTED ON THIS ROAD OF FABRIC FIBER AND STONE. MR. JOHNSON EXPLAINED THAT IT WOULD BE UNADVISABLE TO DELAY THE CONTRACT DUE TO THE TIME FRAME THAT THE CITY CAN UTILIZE THE STONE COMING FROM THE WASTEWATER PLANT SITE EXCAVATION, PLUS THE ADDITIONAL PROBLEM OF TRYING TO HAVE TWO CONTRACTORS ON THE SITE AT THE SAME TIME. MR. SYKES COMMENTED THAT HE HAD WALKED THE SITE AND THERE ARE SEVERAL AREAS THROUGH THE PROJECT THAT HE ADVISES SHOULD NOT BE EXCAVATED. TO A CERTAIN EXTENT, THROUGH PART OF THE PROJECT, THERE IS A BASE WITH ALL THE GRAVEL THAT HAS BEEN PUT IN. MR. SYKES REPORTED THAT THE MORE THEY DIG AND THE DEEPER THEY GO, THE MORE PROBLEMS ARE GOING TO ARISE. ABOUT SIX TO EIGHT INCHES OF MUD WILL BE TAKEN FROM SOME OF THOSE AREAS, PUT THE FABRIC DOWN, AND THE ROCK WILL BE PUT ON TOP OF THAT. THE ELEVATION OF THE ROAD WILL BE RAISED ABOUT 1 1/2 FEET TO 2 FEET IN SOME AREAS. IN THE VICINITY OF THE HOUSES, THE ROAD WILL REMAIN AT ABOUT THE SAME ELEVATION. THE OTHER ITEM CONSIDERED WAS THE NEED FOR DRAINAGE. IN THE CONTRACTOR'S INITIAL QUOTE, HE SAID HE WOULD INSTALL ANY DRAINS IF THE CITY SUPPLIED THE MATERIALS. MR. SYKES REPORTED THAT THERE ARE FOUR AREAS IN WHICH ADDITIONAL DRAINS ARE NEEDED. TWO OF THOSE ARE 12 INCH DRAINS, IN THE VICINITY OF THE HOUSES. MR. SYKES ADVISED THAT THE OTHER TWO LOCATIONS INVOLVE AN AREA WHERE A DRAIN NEEDS TO BE REMOVED AND REPLACED WITH AN 18 INCH DRAIN AND AN AREA IN THE KEEL ADDITION WHERE WATER STANDS ON THE BAIRD PROPERTY IN THE CORNER OF THE INTERSECTION. IT WAS REQUESTED THAT THE CITY PURCHASE TWO 18 INCH STEEL PIPES EACH 30 FEET IN LENGTH TO FACILITATE THE DRAINING. THE 12 INCH DRAINS ARE IN STOCK AT THE PUBLIC WORKS DEPARTMENT. AFTER REVIEW OF THE LETTER AGREEMENT, THE CITY ATTORNEY REPORTED THAT THIS AGREEMENT WOULD SERVE AS A CONTRACT, HOWEVER, NOT A FORMAL CONTRACT. THE MAYOR REQUESTED THAT THE ADDITIONAL ITEMS AGREED UPON BE INCLUDED AS AN ADDENDUM. MR. SYKES REPORTED THAT THE LETTER AGREEMENT WOULD REFERENCE THE REQUEST FOR BID AND THE BID PLUS TWO ATTACHMENTS, WHICH WOULD INDICATE THAT THE CONTRACTOR AGREES TO PROVIDE THE SERVICES AS DEFINED IN THE LETTER FOR THE COST DEFINED. COMMISSIONER BLANKENSHIP MADE THE MOTION TO APPROVE THE LETTER OF AGREEMENT AND ATTACHMENTS AS DISCUSSED BETWEEN J & M EQUIPMENT AND THE CITY OF PIKEVILLE AS RECOMMENDED BY THE CITY ENGINEER. COMMISSIONER DAVIS SECONDED THE MOTION. UPON CALL OF THE ROLL, THE MOTION CARRIED 3 - 0.

COMMISSIONER BLANKENSHIP MADE THE MOTION TO APPROVE PURCHASE OF THE MATERIALS NOT TO EXCEED \$25,000.00. COMMISSIONER DAVIS SECONDED THE MOTION. THE MOTION, UPON CALL OF THE ROLL, CARRIED 3 - 0.

MINUTES } CITY OF PIKEVILLE

THE CITY ATTORNEY GAVE FIRST READING TO AN ORDINANCE ENTITLED:

ORDINANCE PROVIDING FOR THE REGULATION OF PARKING AROUND CITY HALL

THE MAYOR ASKED HOW LONG A VEHICLE WOULD HAVE TO REMAIN PARKED IN VIOLATION BEFORE IT WOULD BE TOWED. THE CITY ATTORNEY REPORTED THAT THERE IS NO PROVISION FOR TOWING VEHICLES. MR. DAVIS EXPLAINED THAT THE REASON THAT AN ORDINANCE HAS NOT BEEN CONSIDERED FOR TOWING IS THE POTENTIAL FOR LIABILITY. ACCORDING TO THE POLICE CHIEF, THERE IS AN ORDINANCE WHICH PROVIDES FOR TOWING AFTER A VEHICLE REMAINS PARKED ON CITY STREETS FOR LONGER THAN 48 HOURS - THE VEHICLE IS CONSIDERED ABANDONED. WLSI RADIO STATION REPORTER, PENNY STRATTON, REPORTED THAT THERE IS A TRAFFIC PROBLEM CREATED BY TAXI CAB DRIVERS ON MAIN STREET. SHE ADVISED THAT NOT ONLY DO THEY PARK ON THE LEFT SIDE OF MAIN STREET, BUT WHEN THERE ARE NO PARKING SPACES AVAILABLE, THEY DOUBLE PARK. AFTER CONSIDERABLE DISCUSSION WAS HAD RELATIVE TO THE LOADING ZONES, TAXI CABS, AND OTHER PARKING AREAS, THE COMMISSION DIRECTED THE CITY MANAGER TO STUDY THE ORDINANCES ON FILE WITH REFERENCE TO TAXI CAB PARKING, LOADING ZONE PARKING, AND ANY REGULATIONS ON THE TOWING OF VEHICLES. MR. JOHNSON IS TO REPORT HIS RECOMMENDATIONS TO THE COMMISSION AT A FUTURE MEETING. LOCAL MERCHANT, GREG JUSTICE, REQUESTED A COPY OF THE ORDINANCE AND A MAP DEPICTING THE PROPOSED PARKING CHANGES. THE CITY ENGINEER WAS DIRECTED TO PREPARE THE MAP. COMMISSIONER DAVIS VOICED HIS OPINION WITH REGARD TO THE 2 PROPOSED PARKING SPACES FOR THE MAYOR AND COMMISSIONERS. HE COMMENTED THAT HE SAW NO REASON TO DESIGNATE PARKING FOR THE COMMISSIONERS, ALTHOUGH HE FELT THE MAYOR'S PARKING WAS APPROPRIATE.

IN CONNECTION WITH THE ABOVE ORDINANCE, THE CITY ATTORNEY GAVE FIRST READING TO AN ORDINANCE ENTITLED:

ORDINANCE DESIGNATING OLD CITY HALL AND FIRE DEPARTMENT TRACT FOR CITY EMPLOYEES' PARKING

THE MAYOR EXPLAINED THAT IF IT IS FOUND THAT THERE ARE ADDITIONAL PARKING SPACES ON THIS TRACT BEYOND WHAT IS NEEDED, THOSE SPACES COULD BE MARKED AS GENERAL PUBLIC PARKING. DISCUSSION WAS HAD WITH MEMBERS OF THE AUDIENCE IN SUPPORT OF THE ORDINANCE. IT WAS ANNOUNCED THAT THE CITY HAS PLANS TO RAZE THE OLD POLICE STATION STRUCTURE ON SITE, WHICH WOULD ALLOW ADDITIONAL PARKING SPACES.

BROUGHT BEFORE THE COMMISSION FOR CONSIDERATION WAS AN AGREEMENT TO AUTHORIZE THE CITY ENGINEER TO BEGIN ENGINEERING DESIGN WORK ON THE 16 INCH TRANSMISSION LINE A A 1,000,000 GALLON WATER TANK. THE MAYOR EXPLAINED THAT THE TRANSMISSION LINE IS SCHEDULED TO BE PLACED IN THE RIVERFILL, WHICH WOULD RUN FROM WHERE THE UPPER BRIDGE WAS LOCATED OVER TO ROAD FORK, WITH THE PLACEMENT OF THE WATER TANK ON ROAD FORK. CITY MANAGER, JOHN JOHNSON, REPORTED ON A MEETING WITH DEPARTMENT OF LOCAL GOVERNMENT OFFICIALS WITH REGARD TO OBTAINING FUNDS FOR THIS PROJECT. THE NEED FOR THE ADDITION OF THE LINE STEMS FROM THE WATER CRISIS ENCOUNTERED DURING THE INCLEMENT WEATHER EXPERIENCED IN EARLY JANUARY WHICH CAUSED AREAS IN PIKE AND FLOYD COUNTIES AND SOME LOCATIONS OF THE CITY TO BE WITHOUT WATER. THE FACT THAT THE COOKIE FACTORY, WHICH IS LOCATED IN PIKE COUNTY, GOING ON THE WATER LINE IN JUNE, AND THE HARDSHIP WHICH WOULD BE CAUSED IN CASE OF A WATER SHORTAGE, WAS ALSO DISCUSSED. MR. JOHNSON REPORTED THAT IT WAS HIS UNDERSTANDING FROM WILL LINDER, GRANTSMAN, THERE IS A POSSIBILITY OF OBTAINING SOME EMERGENCY ECONOMIC DEVELOPMENT MONIES FOR THIS PROJECT. IT WAS REPORTED THAT MR. LINDER HAD MET WITH THE DEPARTMENT OF LOCAL GOVERNMENT OFFICIALS AFTER THE MEETING, AND IT WAS REPORTED THAT CONDITIONS WERE FAVORABLE FOR THE CITY TO OBTAIN APPROXIMATELY \$600,000.00 IN GRANT FUNDS TOWARD THE COST OF THE LINE. THE GRANT WOULD BE CONDITIONAL IF THERE HAD TO BE LOANS ASSOCIATED WITH IT AND THAT DLG WOULD BE WILLING TO LOAN \$100,000+ TO MOUNTAIN WATER DISTRICT AND THAT THE CITY OF PIKEVILLE WOULD BE REQUIRED TO CONTRIBUTE APPROXIMATELY \$75,000. PROJECTED TOTAL PROJECT COST IS \$814,000.00. MR. SYKES EXPLAINED TO THE COMMISSION THAT THE ENGINEERING COSTS ARE INCLUDED IN THE \$814,000.00 PROJECT ESTIMATE. A LETTER PROPOSAL FROM SUMMIT ENGINEERING TO PROVIDE THE DESIGN SPECIFICATIONS, PREPARATION OF CONTRACT DOCUMENTS, THE NECESSARY MAPPING, AND THE NECESSARY EASEMENT DESCRIPTIONS FOR THE PROJECT WAS PRESENTED FOR THE COMMISSION'S CONSIDERATION. THE FEE FOR THIS SERVICE IS PROPOSED ON AN HOURLY BASIS, BILLING ONLY FOR THE HOURS WORKED, BUT A NOT TO EXCEED FIGURE OF \$49,700.00 WAS SET. MR. SYKES EXPLAINED THAT THE FEE IS BASED ON THE STANDARD FARMERS HOME ADMINISTRATION'S STANDARD PERCENTAGE FOR SUCH PROJECTS. THE ENGINEERING COSTS WOULD GO TOWARD THE CITY'S REQUIRED CONTRIBUTION. IT IS ESTIMATED THAT CONSTRUCTION TIME FOR THE INSTALLATION OF THE LINE IS 60 DAYS, HOWEVER THE TANK'S CONSTRUCTION WOULD BE FROM FOUR TO SIX MONTHS. COMMISSIONER BLANKENSHIP ASKED IF THERE WERE ANY PROBLEMS WITH REGARD TO THE ENVIRONMENTAL IMPACT STUDY. MR. SYKES REPORTED, THAT IN TALKING WITH WILL LINDER, THERE SHOULD BE NO MAJOR PROBLEMS. COMMISSIONER DAVIS MADE THE MOTION TO APPROVE THE AUTHORIZATION OF EXPENDITURE OF FUNDS FOR THIS ENGINEERING PROJECT. COMMISSIONER BLANKENSHIP SECONDED THE MOTION. UPON CALL OF THE ROLL, THE MOTION CARRIED 3 - 0. CECIL RAY WAS PRESENT AND OFFERED HIS ASSISTANCE TO THE CITY ENGINEER IN LOCATING UTILITY LINES.

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THE MAYOR REPORTED THAT HE HAS ASKED THE CITY MANAGER TO FOLLOW UP ON ACTIONS TAKEN WITH REGARD TO FUNDING BACK RETIREMENT BENEFITS FOR FORMER CITY EMPLOYEES. MR. JOHNSON REPORTED THAT FOUR PERSONS FILED SUIT AGAINST THE CITY OF PIKEVILLE FOR RETIREMENT BENEFITS. THOSE EMPLOYEES WERE LUNDY GOFF, ELMER RAY, CECIL RAY, AND TENNIS HAMILTON. THE COURT RULED FOR THE PLAINTIFFS. LUNDY GOFF, CECIL RAY, AND ELMER RAY LEFT CITY EMPLOYMENT ON JUNE 26, 1989, AND TENNIS HAMILTON LEFT EMPLOYMENT ON SEPTEMBER 26, 1989. THEIR CURRENT RETIREMENT BENEFITS WERE PAID LAST WEEK. THE CITY OWES A TOTAL OF \$13,268.88 TO THE FOUR EMPLOYEES COLLECTIVELY. LUNDY GOFF AND TENNIS HAMILTON WILL BE PAID FROM THE GAS SYSTEM BUDGET. ELMER RAY AND CECIL RAY WILL BE PAID FROM THE WATER SYSTEM BUDGET. INDIVIDUAL BACK BENEFIT AMOUNTS ARE AS FOLLOWS:

LUNDY GOFF.....\$3,565.72
ELMER RAY.....\$3,565.72
CECIL RAY.....\$3,565.72
TENNIS HAMILTON.....\$2,565.72

MR. JOHNSON REPORTED THAT PRESENTLY THE WATER SYSTEM DOES NOT HAVE THE SUFFICIENT FUNDS. ALL THE BENEFITS WILL BE PAID FROM THE GAS SYSTEM FUNDS. THE WATER SYSTEM WILL REIMBURSE THE GAS SYSTEM FUNDS AS SOON AS THE MONEY IS AVAILABLE. MR. JOHNSON ADVISED THAT AN AMENDMENT TO THE CURRENT OPERATING BUDGET WILL HAVE TO BE ADOPTED BEFORE PAYMENTS CAN BE MADE LEGALLY. THE FINANCE DIRECTOR WAS DIRECTED TO HAVE THE AMENDED BUDGET ORDINANCE PREPARED FOR THE NEXT REGULAR CITY COMMISSION MEETING.

THE MAYOR ADDRESSED THE COMMISSION RELATIVE TO WATER LEAKS. HAL WILLIAMS OF PSG HAS GIVEN NOTICE THAT THE CITY HAS AT LEAST 1000 LEAKS IN THE SYSTEM, WHICH RESULTS IN LOSS REVENUES OF ABOUT \$250,000.00 ANNUALLY. THE MAYOR REPORTED THAT THERE ARE CREWS LOOKING FOR THE LEAKS AND REPAIRING THE LEAKS. THE MAYOR SUGGESTED GOING INTO A PUBLIC RELATIONS CAMPAIGN TO TRY TO LOCATE THE LEAKS. AN IDEA WAS TO OFFER A REWARD FOR PEOPLE TO REPORT THE LEAKS. THE CITY MANAGER WAS DIRECTED TO HAVE A RESOLUTION PREPARED FOR THIS ITEM. COMMISSIONER DAVIS QUESTIONED THE WATER LEAKAGE PER DAY. IT WAS CONFIRMED THAT THE CITY IS LOSING APPROXIMATELY 1 MILLION GALLONS PER DAY.

THERE BEING NO FURTHER DISCUSSION, COMMISSIONER BLANKENSHIP MADE THE MOTION, SECONDED BY COMMISSIONER DAVIS TO ADJOURN. THE MOTION CARRIED 3 - 0.

APPROVED

Walter E. May
MAYOR

ATTEST:

Karen Harris
CITY CLERK