

MINUTES } CITY OF PIKEVILLE

REGULAR MEETING - FEBRUARY 12, 1990

THE CITY OF PIKEVILLE BOARD OF COMMISSIONERS MET IN REGULAR SESSION ON MONDAY, FEBRUARY 12, 1990. THE MEETING WAS CONDUCTED IN THE CITY HALL PUBLIC MEETING ROOM AT 260 HAMBLEY BOULEVARD, PIKEVILLE, KENTUCKY.

MAYOR WALTER E. MAY PRESIDED OVER THE MEETING. THERE BEING A QUORUM PRESENT, THE MEETING WAS CALLED TO ORDER AT 7:30 P.M. COMMISSION MEMBERS PRESENT UPON CALL OF THE ROLL WERE AS FOLLOWS:

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

THE MAYOR CALLED FOR ADDITIONS TO THE AGENDA. BUSINESS FROM THE FLOOR WAS ADDED BETWEEN APPROVAL OF THE MINUTES AND PAYMENT OF BILLS (ITEM IIIA).

THE MINUTES FOR THE JANUARY 22, 1990 REGULAR MEETING AND THE MINUTES FOR THE SPECIAL MEETING OF FEBRUARY 5, 1990 WERE INCLUDED IN EACH COMMISSION MEMBER'S AGENDA PACKAGE. THERE BEING NO ADDITIONS OR CORRECTIONS TO THE MINUTES, COMMISSIONER DAVIS MADE THE MOTION, SECONDED BY COMMISSIONER MORRIS TO APPROVE THE MINUTES AS SUBMITTED. THE MOTION CARRIED UNANIMOUSLY.

JACK WALTERS ADDRESSED THE COMMISSION RELATIVE TO THE OLD HERB HOUSE PROPERTY LOCATED ON AUXIER AVENUE/HAMBLEY BOULEVARD, WHICH HE AND HIS WIFE OWN. MR. WALTERS EXPLAINED THAT HE PLANS TO RENOVATE THE BUILDING, IN AN EFFORT TO ELIMINATE AN EYESORE. IT WAS REQUESTED THAT THE COMMISSION APPROVE A CONVEYANCE OF AN EASEMENT TO THE 12 TO 14 FOOT STRIP WHICH RUNS ALONG THE BOULEVARD, PARALLEL TO THE BUILDING. CITY ATTORNEY RUSSELL DAVIS GAVE A BACKGROUND REPORT RELATIVE TO THIS MATTER AND ITS DISCUSSION BY THE PREVIOUS COMMISSION. RENOVATION PLANS WERE SHOWN BY MR. WALTERS OF THE HERB HOUSE STRUCTURE. MR. WALTERS TOLD THE COMMISSION THAT HE PLANS TO CONSTRUCT ACCESS STEPS FROM THE BOULEVARD AND REQUESTED THE REMAINING EASEMENT IN ORDER THAT HE MAY LANDSCAPE OR OTHERWISE PROPERLY MAINTAIN THE AREA AROUND THE STEPS AND BUILDING. CITY ENGINEER, JACK SYKES, CAUTIONED THAT THE CITY DOES HAVE A STORM DRAIN ALONG THIS EASEMENT. THE CITY ATTORNEY REPORTED THAT THE EASEMENT HAS BEEN PREPARED IN SUCH A MANNER AS THE CITY RESERVES THE RIGHT TO SERVICE THE STORM DRAIN. MR. SYKES VOICED HIS CONCERNS AS TO THE WALTERS' POSSIBLY PLACING ANYTHING ON THE EASEMENT WHICH MAY BLOCK SIGHT DISTANCE FOR ACCESS ONTO THE BOULEVARD. THE CITY ATTORNEY REPORTED THAT HE HAS INCLUDED A PROVISION IN THE EASEMENT WHICH WOULD REQUIRE THE CITY COMMISSION TO APPROVE PROPOSED SPECIFICATIONS OF ANYTHING BUILT ON THE EASEMENT. COMMISSIONER MORRIS MADE THE MOTION TO APPROVE THE CONVEYANCE OF THE EASEMENT WITH THE RESTRICTIONS CITED. COMMISSIONER BLANKENSHIP SECONDED THE MOTION. UPON CALL OF THE ROLL, THE MOTION CARRIED UNANIMOUSLY.

CITY BILLS TOTALING \$52,049.59 WERE PRESENTED TO THE COMMISSION FOR APPROVAL OF PAYMENT. THE COMMISSION REQUESTED THAT THE BILLS LISTING BE INCLUDED IN THE AGENDA PACKAGE TO ALLOW THEM THE OPPORTUNITY TO REVIEW THE BILLS. UPON THE CITY MANAGER'S RECOMMENDATION, COMMISSIONER MOUNTS MADE THE MOTION, SECONDED BY COMMISSIONER DAVIS TO APPROVE PAYMENT OF THE BILLS AS LISTED. UPON CALL OF THE ROLL, THE MOTION CARRIED UNANIMOUSLY.

PRESENTED FOR APPROVAL OF PAYMENT WAS A REQUEST FROM POWELL CONSTRUCTION COMPANY FOR FINAL PAYMENT FOR THE WATER TREATMENT PLANT PROJECT. CITY ENGINEER JACK SYKES EXPLAINED TO THE COMMISSION THAT WHEN THE PROJECT WAS FINALED OUT, A CERTAIN AMOUNT OF MONIES, APPROXIMATELY \$110,000.00, WAS WITHHELD FROM THE CONTRACTOR, AS WELL AS \$29,000.00 WITHHELD FROM THE ENGINEER, R. D. ZANDE & ASSOCIATES, Ltd. THERE WERE A NUMBER OF CONCERNS WITH THE WATER TREATMENT PLANT, BOTH WITH THE CONSTRUCTION AND THE DESIGN. THE CITY ENGINEER WAS ASKED TO MAKE A FINAL CHECKLIST RELATIVE TO THOSE PROBLEMS. AFTER A NUMBER OF WORK SESSIONS AND NEGOTIATIONS, AN AGREEMENT WAS REACHED WHEREBY THE CITY RELEASED HALF OF THE OUTSTANDING BALANCE TO POWELL CONSTRUCTION, WITH THE CONTRACTOR AGREEING TO MAKE THE CITED CORRECTIONS AND MODIFICATIONS. PAYMENT OF THE REMAINING \$55,519.30 WAS SCHEDULED TO BE MADE UPON SATISFACTORY COMPLETION. MR. SYKES REPORTED THAT POWELL CONSTRUCTION HAS COMPLETED THE CHECKLIST. COMMISSIONER MOUNTS QUESTIONED THE REPAIRS MADE TO THE SLUDGE PIPE WHICH HAD FROZE AND BURST. MR. SYKES EXPLAINED THAT THE PROBLEMS WITH THE SLUDGE PIPE WAS A DESIGN FLAW RATHER THAN A CONSTRUCTION FLAW. COMMISSIONER MOUNTS ASKED IF THE ROOF WAS CONTINUING TO LEAK. HAL WILLIAMS OF PSG REPORTED THAT THE ROOF IS STILL LEAKING. POWELL CONSTRUCTION'S TOTAL REQUEST FOR PAYMENT IS \$65,725.30. THE \$10,206.00 ADDITIONAL MONIES REQUESTED WAS FOR WORK AUTHORIZED BY R. D. ZANDE. JACK SYKES EXPLAINED THAT THE WORK AUTHORIZED WAS FOR CHANGE OUTS IN THE METERS. THE MANUFACTURER OF THE METER INDICATED THAT THE METERS INITIALLY DESIGNED WERE NOT THE PROPER METERS FOR THE PARTICULAR APPLICATION AT THE WATER TREATMENT PLANT. CORRESPONDENCE WAS GIVEN TO EACH COMMISSION MEMBER TO SUBSTANTIATE THIS CHARGE. THE CONTRACTOR HAS INDICATED THAT THEY PERFORMED THE WORK AS AUTHORIZED BY R. D. ZANDE,

MINUTES } CITY OF PIKEVILLE

BUT THERE IS NO EVIDENCE THAT THE CITY APPROVED A CHANGE ORDER. SUE SMALLWOOD, PROJECT COORDINATOR, REPORTED THAT SHE HAD TALKED WITH PAT BLAYNAY OF R. D. ZANDE, WHO INDICATED THAT HE THOUGHT THE \$10,206.00 SHOULD BE PAID BY R. D. ZANDE RATHER THAN THE CITY. CITY ATTORNEY RUSTY DAVIS TOLD THE COMMISSION THAT R. D. ZANDE IS REQUESTING PAYMENT OF THE REMAINING \$29,000.00 IN THEIR ENGINEERING & INSPECTION SERVICES. MR. DAVIS REPORTED THAT THE CITY'S POSITION HAS BEEN TO DECLINE PAYMENT DUE TO THE DESIGN PROBLEMS. THE EXTENT OF THE COSTS HAS NOT BEEN DETERMINED. IT WAS REPORTED THAT MR. SYKES HAS CONTACTED A DESIGN FIRM TO DO AN OVERALL SURVEY TO TELL THE CITY OFFICIALLY WHAT THE PROBLEMS ARE. THE PRICE FOR THIS SERVICE IS A MINIMUM \$10,000.00. A MEETING WITH ZANDE'S ATTORNEYS, THE CITY MANAGER AND THE CITY ATTORNEY HAS BEEN SCHEDULED FOR FEBRUARY 14, 1990 TO DISCUSS ZANDE'S REQUEST FOR PAYMENT. GREG JUSTICE, A PRIOR CITY COMMISSIONER, COMMENTED ON OTHER DESIGN FLAWS. COMMISSIONER MOUNTS MADE THE MOTION TO NOT PAY POWELL CONSTRUCTION COMPANY THE MONIES RETAINED UNTIL THEY HAVE MADE THE NECESSARY REPAIRS TO THE ROOF AND TO AUTHORIZE THE CITY ATTORNEY TO INFORM THE CONTRACTOR OF THIS ACTION AND TO FURNISH THE CONTRACTOR A COMPLETE LIST OF THE REMAINING ITEMS TO BE REPAIRED. COMMISSIONER DAVIS SECONDED THE MOTION. THE BALLAST ON THE ROOF WAS DISCUSSED. HAL WILLIAMS REPORTED THAT THE MANUFACTURER OF THE ROOF MEMBRANE HAS INDICATED THAT REMOVAL OF THE ROCK WOULD CAUSE EXTENSIVE DAMAGE. THE ENGINEER (R. D. ZANDE) APPROVED THE SUBSTITUTE GRAVEL SAYING THAT IT MET THE INTENT OF THE SPECIFICATIONS AND THE MANUFACTURER OF THE ROOF MEMBRANE HAS INDICATED THEY WILL VOID THE WARRANTY IF THE GRAVEL IS REPLACED. UPON CALL OF THE ROLL, THE MOTION TO WITHHOLD PAYMENT FROM THE CONTRACTOR, CARRIED UNANIMOUSLY.

THE COMMISSION DISCUSSED THE POSSIBILITY OF FLAWS IN THE DESIGN OF THE WATER TREATMENT PLANT. HAL WILLIAMS ADVISED THE COMMISSION THAT ONE OF THE MAJOR PROBLEMS LIES WITHIN THE SCREENS AT THE RAW WATER INTAKE. SAND AND GRAVEL COME INTO THE PLANT AND SETTLE IN THE FLOCCULATOR, WHICH FORCES THE OPERATORS TO PUMP ABOUT A FOOT OR MORE OF SAND AND GRAVEL OUT. MR. WILLIAMS INDICATED THAT THERE ARE NUMEROUS DESIGN PROBLEMS WHICH WILL COST A GREAT DEAL OF MONIES TO CORRECT. THE MAYOR ASKED THAT THE CITY ATTORNEY TO DETERMINE IF THE CITY HAS GROUNDS FOR A LAWSUIT AGAINST THE ENGINEERS WHO DESIGNED THE PLANT. JACK SYKES REPORTED THAT SUMMIT ENGINEERING HAS LOOKED AT THE DESIGN AND ENUMERATED THE FLAWS THEY SAW, BUT INDICATED THAT THEY DO NOT HAVE THE TECHNICAL EXPERTISE TO CHALLENGE THIS IN COURT. MR. SYKES REPORTED THAT HE HAS SECURED TWO PROPOSALS FROM QUALIFIED INDIVIDUALS WHO DO HAVE THE EXPERTISE TO ACT AS PROFESSIONAL WITNESSES. COST IS A MINIMUM OF \$10,000.00 TO HAVE THEM EVALUATE THE PLANT. THE CITY ATTORNEY EXPLAINED THAT THIS TYPE OF SUIT WOULD BE A PROFESSIONAL MALPRACTICE SUIT. MR. DAVIS FURTHER EXPLAINED THAT AS HE HAD TOLD THE PREVIOUS COMMISSION, NEEDED IS AN EXPERT WITNESS TO GIVE A WRITTEN OPINION THAT THERE IS PROFESSIONAL MALPRACTICE WHICH RESULTS IN DAMAGES OF A GIVEN AMOUNT, THEN THE CITY CAN FILE A LAWSUIT. THE COMMISSION DIRECTED THE CITY ENGINEER AND CITY ATTORNEY TO BEGIN GATHERING INFORMATION IN AN EFFORT TO PREPARE AN EVALUATION OF THE CITY'S CHANCES OF WINNING SUCH A SUIT AND WHAT IT WOULD COST TO PREPARE SUCH A SUIT. THE INFORMATION WAS REQUESTED TO BE PRESENTED TO THE COMMISSION IN A WORK SESSION WHEN COMPLETE.

CITY ENGINEER, JACK SYKES, GAVE A VERBAL REPORT OF ONGOING CITY PROJECTS:

1. THOMPSON ROAD: MR. SYKES PRESENTED THE COMMISSION WITH THE CONTRACTS FOR THE UPGRADE WORK BEING DONE TO THOMPSON ROAD, WHICH WAS APPROVED AT THE FEBRUARY 5, 1990 SPECIAL MEETING. ROUGH GRADE WORK HAS BEEN COMPLETED ON THOMPSON ROAD. FINAL GRADE WORK, DITCH WORK AND DGA HAS NOT BEEN INSTALLED.

2. CAPITAL IMPROVEMENTS PLAN: MR. SYKES REPORTED THAT HE AND HAL WILLIAMS HAVE FORMULATED THEIR CONCEPT OF WHAT UTILITY IMPROVEMENTS ARE NEEDED. DRAFT COPIES OF THE PLAN ARE EXPECTED TO BE DELIVERED TO THE COMMISSION NEXT WEEK, ENCLOSURES WILL INCLUDE THE WATER SYSTEM ANALYSIS AS WELL AS THE TRANSPORTATION ANALYSIS WHICH WAS REQUESTED AT THE JANUARY 22, 1990 MEETING. THE MAYOR ASKED THE CHIEF OF POLICE, FIRE CHIEF AND PARKS DEPARTMENT DIRECTOR TO PREPARE A SIMILAR REPORT FOR EACH OF THEIR DEPARTMENTS. IT WAS REQUESTED THAT THE PARKS DIRECTOR BEGIN ATTENDING THE CITY COMMISSION MEETINGS.

3. 16" WATER LINE AND STORAGE TANK: MR. SYKES REPORTED THAT SUMMIT ENGINEERING IS PROCEEDING WITH THE DESIGN. MR. SYKES HAS MET WITH WILL LINDER WHO HAS OUTLINED THE TYPE OF REPORT THAT HE NEEDS TO INCLUDE WITH THE GRANT APPLICATION. IT WAS REPORTED THAT IT WILL BE AT LEAST TWO MONTHS BEFORE THERE ARE ANY MONIES AVAILABLE. MR. SYKES REPORTED THAT THE DESIGN COMPLETION IS ESTIMATED AT TWO MONTHS.

CITY ATTORNEY RUSTY DAVIS PRESENTED TWO ORDINANCES FOR SECOND READING WHICH RELATE TO PARKING AROUND CITY HALL. PRIOR TO THE READING OF THE ORDINANCES, COMMISSIONER MOUNTS VOICED HIS OPPOSITION TO DESIGNATING PARKING SPACES FOR CITY EMPLOYEES ON PUBLIC PROPERTY, WHEN 5 PARKING SPACES ON CAROLINE AVENUE, AND OTHER SPACES AROUND CITY HALL ARE BEING REMOVED. THE COMMISSION REVIEWED A MAP RELATIVE TO THE PARKING PROVISIONS AROUND CITY

MINUTES } CITY OF PIKEVILLE

HALL. IT WAS ANNOUNCED THAT THE MAP WAS BASICALLY CORRECT WITH THE EXCEPTION THAT THE MAP DOES NOT REFLECT THE 3 PARKING SPACES DESIGNATED FOR PARKING AGAINST THE BOULEVARD LOUNGE BUILDING, HOWEVER THE ORDINANCE PROVIDES FOR THE PARKING. ORDINANCE O-90-001 WAS PRESENTED AND GIVEN SECOND READING CAPTIONED AS FOLLOWS:

ORDINANCE PROVIDING FOR THE REGULATION OF PARKING AROUND CITY HALL

THE MAYOR QUESTIONED SECTION V OF THE ORDINANCE WHICH PROVIDES FOR A LOADING ZONE IN THE FIRST PARKING SPACE BEHIND CHARLIE'S HARDWARE. THE MAYOR EXPLAINED THAT IT WAS THE INTENT TO PROVIDE TWO PARKING SPACES IN ADDITION TO THE LOADING ZONE IN THIS AREA. THE CITY ATTORNEY TOLD THE COMMISSION THAT THE ORDINANCE DOES NOT PROHIBIT THE ADDITION OF PARKING SPACES. THE ORDINANCE PROVIDES NOTICE OF WHERE PARKING IS PROHIBITED, ALONG WITH SETTING TIME LIMITS OF THE PARKING SPACES. GREG JUSTICE ADDRESSED THE COMMISSION RELATIVE TO THE FIVE REMAINING PARKING SPACES ON CAROLINE AVENUE. HE INDICATED THAT HE HAD SPOKEN WITH 5 OR 6 OF THE AREA MERCHANTS WHO ARE IN AGREEMENT THAT THESE SPACES SHOULD BE DESIGNATED AS 30 MINUTE PARKING SPACES. MR. JUSTICE COMMENTED THAT THIS WOULD ALLEVIATE THE PROBLEM OF PEOPLE PARKING THEIR VEHICLES IN THE MIDDLE OF THE STREET TO MAKE PICK UPS. MR. JUSTICE COMMENTED THAT HE AND THE MERCHANTS HE HAD POLLED ARE IN TOTAL OPPOSITION OF THE PARKING AT THE END OF THE CITY HALL BUILDING DESIGNATED FOR THE MAYOR AND CITY COMMISSIONER. JENNY WILLIAMS, MAIN STREET MANAGER, COMMENTED THAT SHE FEELS THERE WILL BE A MAJOR UPROAR IF THE COMMISSION ADOPTS THE ORDINANCE TO REMOVE THE PARKING AROUND CITY HALL AND 5 SPACES ON CAROLINE AVENUE. SHE SUGGESTED DELAYING APPROVAL UNTIL AN ARRANGEMENT CAN BE WORKED OUT WITH THE OWNER OF THE HATCHER COURT PROPERTY TO ALLOW PARKING ON THAT LOT. THE MAYOR POINTED OUT THAT THE REMOVAL OF THE FIVE PARKING SPACES ON CAROLINE AVENUE WOULD CREATE UNIFORMITY IN THE PARKING ARRANGEMENT AS IS NOW. DISCUSSION CONTINUED AT SOME LENGTH WITH THE HANDICAPPED PARKING SPACES, TIME LIMITS ON PARKING SPACES, AND THE POSSIBILITY OF DESIGNATING THE CORNER SPACES ON EACH STREET AS 30 MINUTE PARKING AS TOPICS. THERE BEING NO FURTHER DISCUSSION ON THIS MATTER, THE MAYOR CALLED FOR A MOTION. COMMISSIONER BLANKENSHIP MADE THE MOTION TO ADOPT ORDINANCE O-90-001. COMMISSIONER MORRIS SECONDED THE MOTION. UPON CALL OF THE ROLL, THE VOTES WERE AS FOLLOWS:

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

THE MOTION CARRIED.

THE MAYOR, UPON THE COMMISSION'S CONSENT, DIRECTED THE CHIEF OF POLICE TO POST WARNING TICKETS ON VEHICLES THAT ARE ILLEGALLY PARKED PER ORDINANCE O-90-001, UNTIL MARCH 1, 1990.

COMMISSIONER BLANKENSHIP SUGGESTED DEFERRING SECOND READING OF AN ORDINANCE PROVIDING FOR CITY EMPLOYEE PARKING ONLY, ON THE OLD FIRE DEPARTMENT TRACT AT 211 DIVISION STREET, UNTIL THE OWNER OF THE HATCHER COURT LOT HAS BEEN CONTACTED RELATIVE TO PERMITTING PARKING ON THAT TRACT. THE CITY MANAGER EXPLAINED THAT HE HAD MADE THE RECOMMENDATION TO ALLOW THE CITY EMPLOYEES TO USE THE DIVISION STREET TRACT DUE TO THE FACT THAT THE CITY OWNS THE PROPERTY AND ORDINANCE O-90-001 WOULD PROHIBIT THE EMPLOYEES FROM UTILIZING THE PARKING SPACES AROUND CITY HALL. COMMISSIONER BLANKENSHIP COMMENTED THAT THE HATCHER COURT LOT WOULD BE MORE CONVENIENT FOR THE CITY HALL EMPLOYEES TO PARK. THE MAYOR EXPLAINED THAT HIS INTENT WAS TO PROVIDE THE PARKING FOR THE CITY HALL EMPLOYEES AS A FRINGE BENEFIT. THE CITY MANAGER REPORTED THAT THE ORDINANCE DESIGNATES THE ENTIRE LOT FOR CITY EMPLOYEE PARKING, HOWEVER THE MOTIVE FOR THIS DESIGNATION WAS TO ALLOW FOR THE IMPENDING DEMOLITION OF THE OLD POLICE STATION STRUCTURE. AFTER THE SITE IS CLEANED UP, STRIPING FOR PARKING CAN BE DONE AND OPENED FOR GENERAL PUBLIC PARKING. CITY ATTORNEY RUSTY DAVIS PRESENTED AND GAVE SECOND READING OF ORDINANCE O-90-002 AS CAPTIONED:

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

COMMISSIONER MORRIS MADE THE MOTION TO ADOPT ORDINANCE O-90-002. COMMISSIONER BLANKENSHIP SECONDED THE MOTION. THE MOTION CARRIED BY THE FOLLOWING VOTES:

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

*COMMISSIONER DAVIS' VOTE WAS YES, WITH RESERVATIONS.

MINUTES } CITY OF PIKEVILLE

RESOLUTION R-90-005 WAS PRESENTED AS FOLLOWS:

RESOLUTION DESIGNATING CITY MANAGER, JOHN B. JOHNSON, AS AUTHORIZED TO SIGN CHECKS

WHEREAS, THE PIKEVILLE CITY COMMISSION DESIRES TO AUTHORIZE CITY MANAGER, JOHN B. JOHNSON, TO SIGN CHECKS DRAWN ON THE CITY OF PIKEVILLE'S NUMEROUS CHECKING ACCOUNTS WITH THE PIKEVILLE NATIONAL BANK AND TRUST COMPANY, FIRST NATIONAL BANK OF PIKEVILLE AND THE CITIZENS BANK OF PIKEVILLE DURING THE CITY CLERK'S OR CITY TREASURER'S ABSENCE.

BE IT RESOLVED BY THE CITY OF PIKEVILLE AS FOLLOWS:

1. THAT ALL PRIOR RESOLUTIONS GRANTING LONNIE OSBORNE AS CITY TREASURER, AND KAREN HARRIS AS CITY CLERK, AUTHORITY TO WITHDRAW AND SIGN CHECKS ON THE ACCOUNTS OF THE CITY OF PIKEVILLE ARE HEREBY REAFFIRMED, AND; THE CITY MANAGER, JOHN B. JOHNSON, IS HEREBY AUTHORIZED TO SIGN CHECKS ON ALL OF THE ACCOUNTS OF THE CITY OF PIKEVILLE IN THE ABSENCE OF THE CITY TREASURER OR THE CITY CLERK. IN EVERY INSTANCE, ALL CHECKS DRAWN ON ACCOUNTS OF THE CITY OF PIKEVILLE TO BE SIGNED BY TWO PERSONS BEING THE CITY TREASURER, CITY CLERK, OR CITY MANAGER.

2. THE PIKEVILLE NATIONAL BANK AND TRUST COMPANY, FIRST NATIONAL BANK OF PIKEVILLE AND THE CITIZENS BANK OF PIKEVILLE ARE EACH AUTHORIZED TO PAY AND CHARGE TO THE ACCOUNTS OF THE CITY OF PIKEVILLE CHECKS SIGNED BY LONNIE OSBORNE AS CITY TREASURER AND KAREN HARRIS AS CITY CLERK, OR LONNIE OSBORNE AS CITY TREASURER AND JOHN B. JOHNSON AS CITY MANAGER OR JOHN B. JOHNSON AS CITY MANAGER AND KAREN HARRIS AS CITY CLERK.

3. THE CITY CLERK IS AUTHORIZED AND DIRECTED TO DELIVER FOR AND ON BEHALF OF THE CITY OF PIKEVILLE A CERTIFICATION OF THIS RESOLUTION TO THE PIKEVILLE NATIONAL BANK AND TRUST COMPANY, FIRST NATIONAL BANK AND THE CITIZENS BANK OF PIKEVILLE.

4. THAT THE PIKEVILLE NATIONAL BANK AND TRUST COMPANY, FIRST NATIONAL BANK OF PIKEVILLE AND THE CITIZENS BANK OF PIKEVILLE ARE AUTHORIZED TO RELY UPON THIS RESOLUTION UNTIL THEY HAVE RECEIVED WRITTEN NOTICE OF ANY AMENDMENTS OR REVISIONS OF THIS RESOLUTION.

5. THAT SIGNATURE STAMPS SHALL NOT BE USED FOR SIGNING CHECKS DRAWN ON ACCOUNTS OF THE CITY OF PIKEVILLE.

PASSED THIS 12TH DAY OF FEBRUARY, 1990.

COMMISSIONER FRANK MORRIS MOVED FOR THE ADOPTION OF THE FOREGOING RESOLUTION.

COMMISSIONER WALTER BLANKENSHIP SECONDED THE MOTION.

UPON ROLL CALL, THE VOTES WERE AS FOLLOWS:

	<u>YES</u>	<u>NO</u>
WALTER E. MAY, MAYOR	X	
JOHNNY MOUNTS, COMMISSIONER	X	
GENE DAVIS, COMMISSIONER	X	
WALTER BLANKENSHIP, COMMISSIONER	X	
FRANK MORRIS, COMMISSIONER	X	

THE MAYOR DECLARED THE WITHIN RESOLUTION ADOPTED.

/S/ WALTER E. MAY
WALTER E. MAY, MAYOR

ATTEST:

/S/ KAREN HARRIS
KAREN HARRIS, CITY CLERK

THE MAYOR DIRECTED THE CITY MANAGER TO HAVE THE RUBBER STAMPS DESTROYED IMMEDIATELY.

MR. DAVIS GAVE READING TO AN ORDINANCE TO AMEND THE 1989-90 OPERATING BUDGET, WHICH WOULD ALLOW EXPENDITURE OF RETIREMENT BENEFITS TO FOUR INDIVIDUALS. THE ORDINANCE (O-90-003) WAS READ ENTITLED:

AN ORDINANCE AMENDING ORDINANCE O-89-007 ADOPTING THE CITY OF PIKEVILLE, KENTUCKY ANNUAL BUDGET FOR THE FISCAL YEAR JULY 1, 1989 THROUGH JUNE 30, 1990, BY ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS FOR THE OPERATION OF CITY GOVERNMENT
THE COMMISSION DECLARED AN EMERGENCY WITH REGARD TO THE FOREGOING ORDINANCE.

MINUTES } CITY OF PIKEVILLE

SAID EMERGENCY BEING THAT THE ADOPTION OF THE AMENDED OPERATING BUDGET MUST BE IN EFFECT BEFORE AMENDED EXPENDITURES MAY BE MADE.

COMMISSIONER MORRIS MADE THE MOTION, SECONDED BY COMMISSIONER BLANKENSHIP TO ADOPT THE ORDINANCE (O-90-003) WITH THE CITED EMERGENCY CLAUSE. UPON CALL OF THE ROLL, THE VOTES WERE AS FOLLOWS:

COMMISSIONER:	WALTER BLANKENSHIP	YES
	EUGENE DAVIS	YES
	FRANK MORRIS	YES
	JOHNNY MOUNTS	YES
MAYOR:	WALTER E. MAY	YES

THE MOTION CARRIED.

THE COMMISSION REVIEWED A REQUEST FROM THE MANAGER OF THE SUPER DOLLAR STORE ON MAIN STREET FOR A THREE PARKING SPACE LOADING ZONE IN FRONT OF THE BUSINESS. COMMISSIONER MORRIS REPORTED THAT A PRIOR ARRANGEMENT HAD BEEN MADE WITH THE TAXI CAB DRIVERS, WHEN THE BUSINESS WAS OWNED BY THE G. C. MURPHY COMPANY, THAT THEY WOULD MOVE THEIR VEHICLES WHEN THE BUSINESS RECEIVED A SHIPMENT. THE MAYOR DIRECTED THE CITY MANAGER TO TALK WITH THE SUPER DOLLAR STORE MANAGER TO SEE HOW THE CITY CAN ACCOMMODATE THIS BUSINESS' NEEDS WITHOUT HAVING TO TIE UP THE THREE PARKING PLACES. THE MAYOR INDICATED HE WOULD WRITE A LETTER OF RESPONSE TO THE MANAGER AT THE SUPER DOLLAR STORE.

RESOLUTION R-90-006 WAS PRESENTED AND READ ENTITLED:

RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF A CONTRACT BETWEEN THE INCORPORATED AREA AND THE DEPARTMENT OF RURAL AND MUNICIPAL AID, COMMONWEALTH OF KENTUCKY, FOR THE FISCAL YEAR BEGINNING JULY 1, 1990, AS PROVIDED IN THE KENTUCKY REVISED STATUTES AND ACCEPTING ALL STREETS REFERRED TO THEREIN AS BEING STREETS WHICH ARE A PART OF THE INCORPORATED AREA

COMMISSIONER MORRIS MADE THE MOTION TO ADOPT RESOLUTION R-90-006 AS CIRCULATED BEFORE THE COMMISSION. COMMISSIONER BLANKENSHIP SECONDED THE MOTION. UPON CALL OF THE ROLL, THE MOTION CARRIED BY A UNANIMOUS VOTE.

A REQUEST WAS MADE BY THE FIRE CHIEF THAT THE COMMISSION SCHEDULE A WORK SESSION TO DISCUSS THE FIRE DEPARTMENT OPERATIONS. THE MAYOR REQUESTED THAT THE WORK SESSION BE DELAYED UNTIL SUCH TIME AS THE FIRE CHIEF HAS HAD OPPORTUNITY TO PREPARE THE CAPITAL IMPROVEMENTS REPORT WHICH WAS REQUESTED EARLIER IN THE MEETING. THE FIRE CHIEF ADVISED THE COMMISSION THAT HE IS IN THE PROCESS OF PLANNING A CEREMONY TO DEDICATE THE NEW FIRE STATION IN HONOR OF THE PREVIOUS FIRE CHIEF, CHARLES T. SMITH.

COMMISSIONER DAVIS MADE THE MOTION, SECONDED BY COMMISSIONER MOUNTS TO ADJOURN TO A CLOSED EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING PENDING LEGAL MATTERS AND CONTRACT NEGOTIATIONS. UPON CALL OF THE ROLL, THE MOTION CARRIED UNANIMOUSLY.

AT 11:00 P.M., COMMISSIONER MOUNTS MADE THE MOTION, SECONDED BY COMMISSIONER BLANKENSHIP TO RECONVENE THE MEETING TO REGULAR SESSION. UPON CALL OF THE ROLL, THE MOTION CARRIED BY A UNANIMOUS VOTE.

THE MAYOR REPORTED THAT NO ACTION WAS TAKEN IN THE CLOSED EXECUTIVE SESSION. DISCUSSED WAS PENDING LEGAL MATTERS AND UPCOMING CONTRACT NEGOTIATIONS.

CITY ATTORNEY RUSSELL DAVIS GAVE FIRST READING TO AN ORDINANCE WHICH WOULD CHANGE THE CITY COMMISSION'S MEETING TIME FROM THE SECOND AND FOURTH MONDAYS OF EACH MONTH AT 7:30 P.M. TO THE SECOND AND FOURTH MONDAYS OF EACH MONTH AT 7:00 P.M..

THE COMMISSION DISCUSSED THE NEED TO FIND A METHOD TO VENTILATE THE CITY HALL PUBLIC MEETING ROOM FROM CIGARETTE SMOKE.

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

THE PIKEVILLE CITY COMMISSION'S NEXT SCHEDULED MEETING IS MONDAY, FEBRUARY 26, 1990 AT 7:30 P.M.

APPROVED Walter E. May
WALTER E. MAY, MAYOR

ATTEST:

Karen Harris
KAREN HARRIS, CITY CLERK