

# MINUTES } CITY OF PIKEVILLE

## REGULAR MEETING - JUNE 11, 1990

The City of Pikeville Board of Commissioners met in regular session on Monday, June 11, 1990. The meeting was held in the City Commission's regular meeting place in the City Hall Public Meeting Room at 260 Hambley Boulevard.

Mayor Walter E. May presided and called the meeting to order at 7:00 p.m. The following Commission Members were present and formed a quorum:

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

### AGENDA ITEM II.

### CALL OF THE AGENDA

Added to the prepared agenda were the following items:

1. Second Reading of Ordinance declaring intent to annex a certain area of Cedar Creek - Tract #8.  
The matter was placed as Agenda Item VII, B.
2. Consideration of a proposal from Summit Engineering with regard to Building Inspection. The matter was placed as Agenda Item VII, C.
3. Commissioner Mounts requested that the Thompson Road project be discussed. Due to the number of residents present from the Thompson Road area, the matter was placed as Agenda Item IV., Business from the Floor.

### AGENDA ITEM III.

### MINUTES

The minutes for the Special Meeting of May 29, 1990 were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Blankenship made the motion to approve the minutes of the May 29, 1990 Special Meeting as circulated. Commissioner Mounts seconded the motion. Upon call of the roll, the motion carried 5 - 0.

### AGENDA ITEM IV.

### BUSINESS FROM THE FLOOR

Don Hall, a resident of Thompson Road, Keel Addition, explained that he and the other residents were present to discuss the condition of Thompson Road. The residents voiced their complaints with regard to the dust and mud caused by the construction of the new wastewater plant and asked that the Commission consider blacktopping the road. Mayor May reported that he and two Commissioners have inspected this road. The Mayor explained that the Commission does have plans to blacktop the road. One of the problems is how this task can be done and at the same time spend the City's money wisely. It was explained that there is a lot of construction in the area, both with the wastewater treatment plant, and with the mall project. One of the suggestions under consideration is to pave one side of the road to allow local traffic to use that side and to have the heavy trucks carrying materials use the unpaved side. One of the residents commented that he did not think that paving one side of the road would satisfy the needs of the area. He reported that it had been difficult getting the Public Works Department to respond to their requests to have the road watered to control the dust. Commissioner Davis responded that he has been concerned about the condition of the road. He commented with regard to a statement in a newsletter that was distributed among the residents of the Thompson Road area which stated that members of the City Commission and the City Manager reported the City has no plans to blacktop the road until the fall of 1991. Commissioner Davis reported that he had made no comments to this effect nor had he heard any of the other Commission Members make this comment. The residents of Thompson Road reported they had learned this information from the contractor. The Mayor asked the City Engineer if the road base was adequate to withstand construction traffic if blacktopped. Jack Sykes, City Engineer, reported that he thinks the road base is adequate. He recommended rerouting the concrete trucks around the back road. A cost estimate was presented at the last City Commission Meeting to blacktop a 20 ft wide strip from the Pauley Bridge down to the proposed entrance of the mall in the amount of \$74,000.00. In an effort to reduce costs when the sewer force main is installed, Mr. Sykes proposed that the City pave an 18 ft. wide section to allow 4 to 6 feet for the installation of the force main. Commissioner Davis made the motion to approve paving an 18 ft. wide strip from the Pauley Bridge down to the proposed entrance of the mall project. Commissioner Blankenship seconded the motion. Upon call of the roll, the motion carried unanimously. The



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residents asked for a time schedule that the paving should commence. The Mayor estimated that the work should begin within two weeks. The residents requested a speed limit be placed on the road. The policy for obtaining speed bumps was explained to the residents. Mayor May apologized to the residents for any inconveniences the road conditions may have caused.

Lee Smith and Eddie Coleman addressed the Commission on behalf of Francis Coleman requesting permission to use the tennis courts in Bob Amos Park during the last week of June from 8 a.m. to Noon for the purpose of conducting a tennis camp. The participants will be charged a fee of \$100.00 with 10% of the gross income being donated to the Parks & Recreation Board. Mr. Smith apologized for advertising the camp without first obtaining the permission of the Commission. Mr. Smith explained that he presented the request to the Parks & Recreation Board at their last meeting. Commissioner Davis reported that the Parks & Recreation Board asked him to convey to the Commission that they encourage use of the City recreation facilities. Commissioner Blankenship objected to the use of the public facilities for private enterprise, and, in addition, the camp was advertised before permission was granted. Commissioner Mounts made the motion to approve the request for use of tennis courts in Bob Amos Park during the week of June 25, 1990, from 8 a.m. to Noon, with the stipulation that the action is not an endorsement for future events, but would ask for a policy from the Parks & Recreation Board to handle similar circumstances. Commissioner Davis seconded the motion. Upon call of the roll, the motion carried unanimously.

## AGENDA ITEM V.

### PAYMENT OF CITY BILLS

City Bills totaling \$250,621.12 were presented to the Commission for approval of payment. Commissioner Morris made the motion to approve payment of the City Bills totaling \$250,621.12. Commissioner Blankenship seconded the motion. Commissioner Mounts questioned the payment request from H.J. Umbaugh. The City Manager reported that changes had to be made to the report due to the construction of the 16 inch water line. The amended report should be available within the next two weeks. Upon call of the roll, the motion carried unanimously.

## AGENDA ITEM VI.

### OLD BUSINESS

City Engineer's Reports: Jack Sykes, representing Summit Engineering, City Engineers, made a verbal report on the following City Projects:

1. Health Department: Mr. Sykes informed the Commission that he and City Attorney, Rusty Davis, met with representatives from the Health Department last week. An agreement has been negotiated relative to the Health Department facility being constructed over the City's sewage line. The Board of Health has agreed to grant an easement for the sewer line where it now exists; an easement to reconstruct a sewer line around the building; an easement for the water line; and an easement to construct a public street across the property, if, and when, the City decides to construct a public street in the riverfill. In return, the City will agree to allow Health Department officials to proceed with their project. Mr. Sykes reported that the sewage line could be relocated for an estimated \$16,000.00, however, there is a line in existence and the potential for immediate maintenance problems is relatively small. Commissioner Davis made the motion to approve the agreement that the City Engineer negotiated with the Health Department. Commissioner Mounts seconded the motion. Upon call of the roll, the motion carried unanimously.

2. Water Withdrawal Permit: During the term of the last Commission, the City applied for a new water withdrawal permit for the Water Treatment Plant facility. The requested withdrawal was 6 million gallons per day, however the state has granted a withdrawal permit of 2.7 million gallons per day, which is based on the amount the City is currently withdrawing.

3. Wastewater Treatment Plant: The new chlorination tanks are in service.

4. Water Treatment Plant: Mr. Sykes is in receipt of an amended report of the Water Treatment Plant Facility from Camp, Dresser, & McKee. The matter was scheduled to be discussed in an executive session.

5. Pepsi Sewage Treatment Plant: Mr. Sykes presented an evaluation report relative to using this plant for some future City expansion in that area. The capacity of the plant can easily be expanded to 180,000 gallons. Mr. Sykes reported that he has looked at options to expand the plant to 360,000 gallons per day.

6. South Mayo Sewer Extension: Mr. Sykes reported that he was



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asked to prepare an estimate relative to sewer line extension on South Mayo Trail. The extension is basically to serve the development of Industrial Rubber. The sewer line currently runs along the river. The sewer line will have to be extended a little over 500 feet. The sewer line was not extended at the time the other line was installed due to not being able to negotiate an easement. The Mayor asked if the amount of revenue to be derived from the extension had been calculated. Mr. Sykes reported he had not, however, he indicated that the City would not recover the expenditure of the extension. The City Manager explained that he had received a call from Thomas Isom, a CPA who has an office over the Industrial Rubber building, who informed him that they are having septic problems in that area and indicated they would have to construct a small package plant estimated to cost \$2,500 or they requested the City to extend the sewer line. The City Engineer was directed to prepare a report defining the options to extend sewer service to Industrial Rubber.

7. Kinzer Gas Line: Mr. Sykes reported that he has a request from J. W. Kinzer relative to the City property on Island Creek. Permission was granted to drill a well on the City surface in the past and that well has been drilled as well as an additional well on an adjacent tract of property. Mr. Kinzer has a right, due to his lease of the gas, to construct a line across the City property, but he did not want to do that without getting approval of the location. Mr. Sykes advised the Commission that he has an interest in the wells so feels he has a conflict of interest. It was reported that Mr. Kinzer proposes to construct a 2 7/8 inch line above ground which will run along an old strip bench (in the hollow behind the Fire Station). The City Attorney suggested asking the gas company to agree to move the line one time at their expense should the City need the property for development. Commissioner Blankenship made the motion to approve the location of the gas line as depicted on the map, with the stipulation that the gas company agree to move the line once, at their expense, should the City want to develop the property. Commissioner Morris seconded the motion. Upon call of the roll, the motion carried unanimously.

8. Keyser Hollow Site: Mr. Sykes reported that the Department of Transportation owns a parcel of property in and around Keyser Subdivision. The Mayor announced that since the project would involve some negotiation, that the matter should be discussed in executive session.

9. Edmonds Hollow Water Line: Commissioner Mounts reported that the Police Chief has requested City water to serve the Edmonds Hollow area of Ratliff's Creek. The City Engineer was directed to prepare a cost estimate.

City Attorney's Reports: City Attorney, Russell Davis, presented and gave second reading to an Ordinance entitled:

ORDINANCE PROVIDING THAT IT IS UNLAWFUL FOR ANY MOTOR VEHICLE TO STOP OR PARK IN ANY PORTION OF THE PUBLIC WAYS, STREETS, OR THOROUGHFARES OF THE CITY WHICH HAVE BEEN MARKED AS TAXI STANDS AND LOADING ZONES

Discussion was had relative to enforcement of the Ordinance. The City Attorney reported that violators of the Ordinance would be issued a \$5.00 ticket.

Commissioner Morris made the motion to adopt the Ordinance. Commissioner Blankenship seconded the motion. Upon call of the roll, the motion carried by the following votes:

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

Mr. Davis reported that the Pikeville National Bank and Trust Company has asked the City, since the City has now taken over the duties and obligations of the Urban Renewal Agency, to adopt a resolution appointing to a loan program committee, two individuals and one alternate to approve loans under this program. Commissioner Davis made the motion to appoint Mayor May and Commissioner Blankenship to the loan program committee, designating the Mayor to sign all documents, and appointing Commissioner Morris as an alternate. Commissioner Morris seconded the motion. Upon call of the roll, the motion carried unanimously.

First Reading was given to an Ordinance entitled:

AN ORDINANCE ADOPTING THE CITY OF PIKEVILLE, KENTUCKY ANNUAL BUDGET FOR THE FISCAL YEAR JULY 1, 1990 THROUGH JUNE 30, 1991 BY ESTIMATING REVENUES



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AND RESOURCES AND APPROPRIATING FUNDS FOR THE OPERATION OF CITY GOVERNMENT

Commissioner Mounts voiced his objection to granting across-the-board raises. Commissioner Mounts requested to discuss individual wage rates in executive session.

City Manager's Reports: City Manager John Johnson reported that it has been requested that Richard Morgan from the United States Postal Service meet with the City Commission. Mr. Morgan has agreed to meet with the City Commission on June 26, 1990, at 4:30 p.m. to discuss the proposed postal facility to be located in the riverfill.

Mr. Johnson informed the Commission that the City has had the need for some time to have a road grader. The Department of Education in the Division of Surplus has a road grader which can be purchased for \$8,000.00. Mr. Johnson reported that he and Commissioner Blankenship intend to view the grader and requested approval to purchase the grader if it is deemed a suitable item for purchase. Commissioner Mounts made the motion to approve purchase of the road grader if it meets with the approval of the City Manager and Commissioner Blankenship. Commissioner Davis seconded the motion. Upon call of the roll, the motion carried unanimously.

Mr. Johnson requested an executive session to discuss personnel matters.

Lake Clean-up Committee: A report was presented to the Commission from the Lake Clean-up Committee. Mayor May reported that he went to Washington to meet with Senator Ford and took a copy of the report prepared by the Lake Committee as well as Summit Engineering's report on the proposed extension of the sanitary sewer system line into Chloe Creek, Harold's Branch, Ferguson Creek. The Mayor reported that Senator Ford indicated that he would assist the City in obtaining about \$2.5 million to construct the line extensions. The Mayor advised that this was not a firm commitment, but feels the City has a good chance of obtaining the needed funds. The \$2.5 million would add the additional sanitary sewer lines into all the areas mentioned plus would allow about \$900,000 to dredge the lake and get the old sediment out of the lake. The City Engineer was asked to make a report on the feasibility of extending the sewage service to the hollow across from the swinging bridge or the possibility of the City purchasing the property. It was proposed to discuss the possibility of purchasing this property in executive session.

Cedar Creek Annexation Intent Ordinance: City Attorney, Russell Davis, presented and gave second reading of an Ordinance entitled:

ORDINANCE DECLARING INTENTION OF THE CITY OF PIKEVILLE TO ANNEX CERTAIN UNINCORPORATED TERRITORY LYING ADJACENT TO THE PRESENT CITY LIMITS AND COMPRISING OF APPROXIMATELY 550 ACRES WHICH WOULD EXTEND THE CITY CORPORATE LIMITS WESTWARD TO INCLUDE THE WATERSHED OF CEDAR CREEK

Commissioner Blankenship made the motion to adopt the Ordinance. Commissioner Davis seconded the motion. Upon call of the roll, the motion carried by the following votes:

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

Building Inspections: Mayor May reported that the Building Inspector has resigned. Sue Smallwood has been placed in a Supervisory position over the building inspection department, however, she has not had the opportunity to take the examination to become certified. The Mayor and Jack Sykes of Summit Engineering have discussed the possibility of entering into an agreement whereby Ms. Smallwood would take care of all paperwork of the building inspection program, but the actual field work would be done by engineers from the firm of Summit Engineering. The agreement was read to the Commission. Inspection would be conducted on a hourly rate of \$30.50 per hour. The agreement will run for a three month trial period, after which either party may cancel with a thirty (30) day notice. Commissioner Morris made the motion to approve the agreement for a three month trial basis. Commissioner Blankenship seconded the motion. Upon call of the roll, the motion carried unanimously. The Commission discussed the affordability of the proposal as well as the legality of approving the agreement without advertising for bids. Mr. Sykes requested copies of all ordinances pertinent to building requirements.

Commissioner Blankenship made the motion to adjourn to executive



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session at 8:35 p.m. for the purpose of discussing personnel matters and reports from the City Engineer. Commissioner Davis seconded the motion. Upon call of the roll, the motion carried unanimously.

At 9:35 p.m., Commissioner Blankenship made the motion to reconvene to regular session. Commissioner Davis seconded the motion. Upon call of the roll, the motion carried by a 5- 0 vote.

The Mayor reported that the Commission had a discussion of the possible purchase of a parcel of property. No decision was made.

A discussion of a potential lawsuit was had. No action was taken.

The City Manager was directed to contact PSG to ask that a representative attend City Commission Meetings.

The Mayor and Commission commended Annie Kinney, City Hall custodian, on the cleanliness of the City Hall facilities and directed the City Manager to write Ms. Kinney a letter to this effect.

There being no further business to come before the Commission, Commissioner Blankenship made the motion, seconded by Commissioner Mounts to adjourn. Upon call of the roll, the motion carried unanimously. (Adjournment Time: 9:45 p.m.)

The City Commission's next scheduled meeting is June 25, 1990, at 7:00 p. m. in the City Hall Public Meeting Room.

APPROVED: \_\_\_\_\_  
WALTER E. MAY, MAYOR

ATTEST: \_\_\_\_\_  
KAREN HARRIS, CITY CLERK

