

REGULAR MEETING - AUGUST 27, 1990

The City of Pikeville Board of Commissioners met in regular session on Monday, August 27, 1990. The meeting was conducted in the City Commission's regular meeting place in the City Hall Public Meeting Room at 260 Hambley Boulevard.

Mayor Walter E. May presided. There being a quorum present, the meeting was called to order at 7:05 p.m. Commission Members present upon call of the roll were as follows:

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

AGENDA ITEM II. CALL OF THE AGENDA

There were no additions or deletions to the prepared agenda.

AGENDA ITEM III. MINUTES

The minutes for the previous regular meeting of August 13, 1990, and the minutes of the special meeting of August 22, 1990 were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Blankenship made the motion, seconded by Commissioner Morris to approve the minutes for the August 13th and August 22nd meetings. Upon call of the roll, the motion carried unanimously.

AGENDA ITEM IV. BUSINESS FROM THE FLOOR

Commissioner Davis proposed having flags placed along the Boulevard or prepare a type of ribbon in support of the servicemen in the Middle East. The Commission agreed with the concept and gave verbal consent to allow Public Relations Director, Kitty Pauley, to commence work on this project.

AGENDA ITEM V. PAYMENT OF BILLS

A list of City Bills totaling \$74,837.86 were presented to the Commission for approval of payment. Upon verification from the City Manager and Finance Director that there is sufficient funds to pay the listed bills, Commissioner Morris made the motion, seconded by Commissioner Blankenship to approve payment as requested. Upon call of the roll, the motion carried by a 4 - 1 vote (Commissioner Mounts cast a "NO" vote). Commissioner Blankenship inquired about the bill from Professional Services Group for cost overruns. The City Manager reported that the Finance Director is working with PSG Manager, Bill Harless, in verifying the charges.

AGENDA ITEM VI. OLD BUSINESS

A. CITY ENGINEER'S REPORTS: Jack Sykes, representing Summit Engineering, City Engineers, gave a verbal report of ongoing City projects.

1. Industrial Rubber: This project has been advertised for bids. Bids are scheduled to be opened on August 31st at 3:00 p.m. The results will be presented to the Commission at the next regular meeting.

2. Riverfill Road Extension: Mr. Sykes was directed at the last regular meeting to evaluate an extension of a road through the riverfill. Mr. Sykes explained that the previous City Commission had asked Summit Engineering to prepare a plan to project a road through the riverfill to give the City an effort to aim for and to give the developers a concept of what the City planned. A copy of the adopted plan was displayed and explained by Mr. Sykes. The portion of the area that Mr. Sykes was asked to prepare a cost estimate on relates to the section from Elm Street down. The estimate provides for a 24 foot paved street with 2 twelve foot traffic lanes and includes 1 inch of surface; 3 inches bituminous base; and 4 inches of DGA. The DGA will be used, basically, to level. The estimate also includes placement of asphalt, placement of a culvert in the drainage ditch with headwalls on either end of the culvert, and 700 yards of excavation and backfill in

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the vicinity of the Old Ice Plant. Mr. Sykes reported that there is a hole which exceed 7 feet in depth. The excavation and backfill comprises approximately \$4,000.00 of the \$42,000.00 cost estimate. Mr. Sykes reported that the property owners along the riverfill area had been given a copy of the adopted plan, however, indicated that he does not think the City is locked in any type of agreement. Mr. Sykes told the Commission that all the property owners had agreed with the plan with the exception of the College. No action was taken.

3. Building Inspection Report: Mr. Sykes gave each Commission Member a written report of inspections made by Summit Engineering relative to Building Permits issued since the last City Commission meeting.

4. Wastewater Treatment Plant: Mr. Sykes gave a progress report of work accomplished at the Wastewater Treatment Plant.

5. Harold's Branch: Mr. Sykes reported that the 30 inch drain tile has been installed. The gabion baskets to strengthen the shoulder of the road has been installed. None of the concrete work has been done nor has any cleanup been done. With regard to pursuing liability for the erosion, Mr. Sykes requested to discuss the matter in an executive session.

6. Water Tank Painting: At the previous meeting, Mr. Sykes was asked to give priority ratings to each of the three tanks scheduled for maintenance so the Commission could decide which of the three tanks could be funded. The Peach Orchard Tank was given a #1 priority rating. The Peach Orchard tank was bid for inside waxing only. An additional sum of \$7,000.00 has been added to the original bid to paint the interior instead of waxing. The total bid for painting the Peach Orchard Tank is \$16,500.00. Mr. Sykes recommended the Commission approve painting the tank due to the amount of rust on the inside of the tank. The exterior of the tank is in good shape. After discussing the matter with Willie Brown of PSG, Foxcroft Tank was given the #2 priority. The Foxcroft Tank was constructed in 1979 and has had no maintenance since the time of construction. The total for painting the Peach Orchard Tank's interior and painting the interior and exterior of the Foxcroft Tank is \$32,860.00. There was \$23,000.00 included in the budget for water tank maintenance. The Finance Director reported that the City is due to receive a Coal Severance Fund check in the approximate amount of \$50,000.00, and indicated that the City should be able to fund the additional \$10,000.00 overrun. Commissioner Blankenship made the motion to approve painting the interior of the Peach Orchard Tank in the amount of \$16,500.00. Commissioner Morris seconded the motion. Commissioner Mounts asked why waxing was bid for the Peach Orchard tank. Mr. Sykes reported that it was a continuation of what was previously done. The waxing needs to be done on two to three year intervals. It has been four years since the last waxing treatment was done. Painting needs to be done on five year intervals. Upon call of the roll, the motion carried unanimously.

B. CITY ATTORNEY'S REPORTS: City Attorney Russell Davis, Jr. presented a resolution from the Joint Planning Commission relative to a zoning designation for the proposed annexation area of Barn Hollow adjacent to Quail Ridge, and also zoning amendments on certain parcels of property.

1. Barn Hollow: Mr. Davis reported that the property owners have indicated they would like to have their property annexed to the City of Pikeville and have asked their property to be designated as a Planned Unit Development (PUD). Being designated as PUD, would require approval from the Joint Planning Commission once the property owners decide what they want to construct on the property (the property is now vacant). A resolution approving the zoning regulation text and map for the Barn Hollow area was read by Mr. Davis as follows:

RESOLUTION APPROVING ZONING REGULATION TEXT AND MAP TO THE COMMISSION OF THE CITY OF PIKEVILLE FOR UNINCORPORATED TERRITORY DESIRED TO BE ANNEXED BY THE CITY OF PIKEVILLE
R-90-021

WHEREAS, the Commission for the city of Pikeville has requested the Joint Planning Commission to recommend and approve pursuant to KRS 81A.420, a zoning regulation text and map for certain unincorporated territory desired to be annexed by the City of Pikeville;

WHEREAS, the Joint Planning Commission did hold a public hearing pursuant to the provisions of KRS 81A.420 and KRS 100.207 to receive

public comments concerning zoning for the unincorporated territory desired to be annexed by the City of Pikeville; and

WHEREAS, the Joint Planning Commission after considering public comment and the comprehensive plan adopted by the Joint Planning Commission for Pike County, the City of Pikeville and Elkhorn City;

NOW, THEREFORE, BE IT RESOLVED BY THE JOINT PLANNING COMMISSION for Pike County, City of Pikeville and Elkhorn City; does hereby recommend to the Commission of the City of Pikeville that the zoning regulation text previously adopted by the City of Pikeville be adopted in full as a zoning regulation text for the unincorporated territory desired to be annexed by the City of Pikeville. Further, the Planning Committee recommends adoption by the City of Pikeville as the zoning map for the unincorporated territory desired to be annexed by the City of Pikeville, the zoning map attached hereto.

Passed this 27th day of August, 1990.

Commissioner Frank Morris moved the adoption of the foregoing resolution. Commissioner Eugene Davis seconded the motion.

Upon roll call, the votes were as follows:

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

2. Mr. Davis presented a resolution from the Joint Planning Commission which relates to a parcel of property located on U.S. 23 South at the upper side of Lowes. The resolution was read as follows:

PIKEVILLE-ELKHORN CITY-PIKE COUNTY JOINT PLANNING COMMISSION

RESOLUTION

"WHEREAS, changes in the area occurring since the adoption of the City's Official Zoning Map, indicate that the area on the south side of the highway (U.S. 23), beginning at the upper side of Lowe's Hardware property (which is zoned C-2) and fronting the highway for a distance of about 1,500 feet up to the present City limits, should be zoned or classified as C-2.

NOW, THEREFORE, after public hearing, the Commission recommends that the change recited above should be made."

Commissioner Mounts made the motion to accept the recommendation of the Joint Planning Commission on zoning change of a parcel on highway U.S. 23 South. Commissioner Davis seconded the motion. Upon call of the roll, the motion carried unanimously.

3. Mr. Davis explained that the following resolution from the Joint Planning Commission ties up an inadvertence in the zoning map and zoning text as relates to mobile homes. Mr. Davis explained that the zoning map provides that mobile homes will not be allowed within the City of Pikeville within the area known as the "horseshoe" or "loop", however, this provision is not in the zoning ordinance text. The resolution from the Joint Planning Commission was read as follows:

PIKEVILLE-ELKHORN CITY-PIKE COUNTY JOINT PLANNING COMMISSION

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RESOLUTION

"WHEREAS, as enacted, the Pikeville Zoning Ordinance contains references to a "Mobile Home Exclusion Area," located within the "horseshoe" of the City, and as finally approved and adopted this area was delineated and labeled on the Official Map but language implementing its creation and the regulatory measures with regard thereto were inadvertently omitted from the text of the Ordinance,

NOW, THEREFORE, BE IT RESOLVED, that this Commission make recommendation to the City Commission, as follows:

1. That the Pikeville Zoning Ordinance be amended by a the addition of the following section to Article V:

531. Mobile Home Exclusion Area

No Mobile homes shall be allowed in the city within the "horseshoe" area bounded by U.S. 23/460 By-pass and the newly constructed U.S. 23/460/KY 80 highway through the "cut-through." Existing mobile homes located within this area on the date of adoption of this ordinance shall be governed by the provisions of Section 636.2 and shall be removed when determined by the Administrative Official to be unsafe or as not meeting decent, safe and sanitary standards.

2. That the Official Zoning Map of the City of Pikeville be modified so that the notation delineating the "Mobile Home Exclusion Area" thereon shall be as follows:

Mobile Homes will not be permitted inside this boundary, except as existing non-conforming uses governed by Sections 531 and 636.2 of the Ordinance.

3. That Section 636.2 of the Ordinance be amended so that it will read:

636.2 Nonconforming Mobile Homes

All mobile homes not in conforming mobile home parks but existing in the City of Pikeville before the passage of this Ordinance shall continue as non-conforming uses. No other mobile home shall be permitted within the "horseshoe" of the City of Pikeville as that area is described in Section 531 of this Ordinance unless located in an approved mobile home park.

the underline words being added to the present text."

Commissioner Morris made the motion to approve the Joint Planning Commission recommendation with regard to mobile homes. Commissioner Blankenship seconded the motion. Upon call of the roll, the motion carried unanimously.

4. Mr. Davis reported there was one other mistake on the zoning map. The property along either side of the Boulevard from Eighth Street down to Fourth Street was residential. Many property owners came to the Public Hearing at the time the new zoning ordinance was presented and asked that their property on either side of Hambley Boulevard from Eighth Street to Fourth Street be zoned commercial due to the number of businesses that were located between the residential dwellings. The Joint Planning Commission at that time decided to zone both sides of Hambley Boulevard from Eighth Street to Fourth Street C-2. The right side of the Boulevard on Auxier Avenue from Eighth Street to Fourth Street was not changed on the Zoning Map. The following resolution from the Joint Planning Commission corrects that mistake. The resolution was presented and read as follows:

PIKEVILLE-ELKHORN CITY-PIKE COUNTY JOINT PLANNING COMMISSION RESOLUTION

"WHEREAS, prior to final approval of the Pikeville Zoning Map the Commission marked (on what it considered the "official map") the one-block area of lots facing Auxier Avenue between High Street and Kentucky Avenue with the classification of C-2 and this change (from "R-3"), apparently, was not shown on the City Engineer's transparency.

NOW, THEREFORE, BE IT RESOLVED that the Pikeville Official Zoning Map be modified to show this change."

Commissioner Morris made the motion to accept the Joint Planning Commission's recommendation to amend the zoning map to show the area facing Auxier Avenue between High Street and Kentucky Avenue with a zoning classification of C-2. Commissioner Blankenship seconded the motion. Upon call of the roll, the motion carried unanimously.

Second reading was given to Ordinance O-90-027 as captioned:

ORDINANCE PROPOSING TO ANNEX CERTAIN PROPERTY ADJACENT TO QUAIL RIDGE

Commissioner Blankenship made the motion, seconded by Commissioner Morris to adopt Ordinance O-90-027. 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 |

Second reading was given to a summary ordinance entitled as follows:

AN ORDINANCE ESTABLISHING A PIKEVILLE HISTORIC PRESERVATION BOARD AND PROVIDING FOR THE DESIGNATION OF LANDMARKS AND HISTORIC DISTRICTS, THE REGULATION OF CHANGES TO LANDMARKS AND PROPERTY IN HISTORIC DISTRICTS, AND THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT OF THIS ORDINANCE O-90-028

Commissioner Mounts made the motion to adopt Ordinance O-90-028. Commissioner Morris 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 |

Second reading of Ordinance O-90-029 was given. The Ordinance is entitled:

ORDINANCE RENAMING CLINE STREET HAMBLEY BOULEVARD IN HONOR OF MAYOR WILLIAM C. HAMBLEY

Commissioner Davis made the motion to adopt Ordinance O-90-029. Commissioner Mounts 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 | |

The Public Works Department was directed to make the street sign changes where applicable.

Commissioner Morris asked that the street signs be erected for Sanders Lane and Kendrick Lane. City Manager, John Johnson reported the Kendrick Lane sign is in place.

First Reading was given to an Ordinance as entitled:

ORDINANCE FINALLY ANNEXING TO THE CITY OF PIKEVILLE THE TERRITORY LYING ADJACENT TO THE PRESENT CITY CORPORATE LIMITS AND COMPRISING OF APPROXIMATELY FIVE HUNDRED AND FIFTY (550) ACRES WHICH WOULD EXTEND THE CITY CORPORATE LIMITS WESTWARD TO INCLUDE THE WATERSHED OF CEDAR CREEK

The Ordinance will be on file in the office of the City Clerk for a period of at least ten days where it may be viewed by the public.

Mr. Davis reported that he has prepared an ordinance to make provisions ensuring the collection of occupational taxes and see that contractors are getting work permits before they begin construction. The Ordinance was presented and given first reading as entitled:

ORDINANCE PROVIDING PENALTY FOR FAILURE TO ACQUIRE A WORK PERMIT AND PROVIDING FOR LIEN ON PROPERTY FOR UNPAID OCCUPATIONAL TAXES

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Section IV was added to provide that the ordinance will not take effect for a period of 90 days after adoption.

Mr. Davis presented a resolution in conjunction with the aforementioned Ordinance which would authorize the payment of Ten Dollars to any city employee or PSG employee who identifies any individual or company who has begun work without first obtaining a building permit.

Commissioner Mounts voiced that not everyone knows about the City of Pikeville's Building Permit Ordinance. The Mayor directed Public Relations Director, Kitty Pauley, to advertise that fact and have public service announcements in the newspaper and on the radio.

Commissioner Blankenship voiced his objection to including the Police Department in being eligible to collect the "finders fee", due to it being their job to enforce all city ordinances. The City Attorney explained that he did not word the resolution to provide for a reward but for a fee. The adoption of the resolution will be delayed until the Ordinance is adopted.

A resolution was presented and read entitled:

RESOLUTION HONORING JACK DUPUY AND JOHN DUPUY FOR THEIR GENEROUS GIFT TO THE CITY OF PIKEVILLE

WHEREAS, Jack DuPuy and John DuPuy have been long time residents of the City of Pikeville and have always been generous and supportive of the City of Pikeville through their many community services, and

WHEREAS, Jack DuPuy and John DuPuy have made a very generous gift to the City of Pikeville of a wastewater Treatment Plant with an estimated value of over one million dollars,

WHEREAS, the City of Pikeville and the Pikeville City Commission desire to honor its former citizens, Jack DuPuy and John DuPuy and further to express their appreciation for their generous gift to the City of Pikeville.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PIKEVILLE that the Pikeville City Commission does hereby express its gratitude and thanks to Jack DuPuy and John DuPuy for their generous gift to the City of Pikeville and does by this resolution hereby declare Jack DuPuy and John DuPuy to be honorary citizens of the City of Pikeville and each is to be presented by the Mayor an honorary key for the City of Pikeville.

Passed this 27th day of August, 1990.

Commissioner Walter Blankenship moved the adoption of the foregoing resolution. Commissioner Johnny Mounts seconded the motion.

Upon roll call, the votes were as follows:

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

At the previous City Commission meeting, the City Attorney was directed to talk with the Finance Director and the Tax Administrator with regard to the collection of delinquent utility bills and overdue

property taxes. With regard to property taxes, the statute provides that the City can turn the collection over to the Sheriff's office or the City can follow the procedure set by statute whereby the City can file a civil suit. There is a .50 per tract filing fee. It will then be determined by the court if the taxes are delinquent, then it is referred to the Commissioner to conduct a sale on the Courthouse Steps. The property owner will have a redemption period of one year if the property sells for less than the appraised value as found in the County Assessor's office. If the property owner does not pay the bidder within one year the bid price plus 18% interest, he will loose title to his property. The statute also provides that after the suit is filed, the City has to publish in the newspaper a statutory notice similar to the Sheriff's office notice and the City must also mail a certified letter to the property owner. Mr. Davis advised the Commission that as a preliminary measure, he has prepared a letter to send to all current delinquent property taxpayers that he will send as City Attorney informing them they have a certain period to pay the delinquent tax or suit will be filed. Commissioner Morris made the motion to authorize the City Attorney to file suit after the time period specified in the letter has expired. Commissioner Blankenship seconded the motion. Upon call of the roll, the motion carried unanimously.

With respect to delinquent utilities, Mr. Davis advised that suit can be filed in the Small Claims Court for a \$20.00 per claim filing fee. Mr. Davis explained that he is first going to send out letters similar to the property tax letters advising that the City is going to file suit. Commissioner Blankenship made the motion to authorize the City Attorney to file suit against delinquent utility customers, when it has been reasoned the City can collect. Commissioner Davis seconded the motion. Upon call of the roll, the motion carried unanimously.

C. CITY MANAGER'S REPORTS: The City Manager, John Johnson, was directed at the prior City Commission meeting to obtain prices on blacktopping. The overlook drive at Bob Amos Park would cost approximately \$35,000.00 to blacktop; Williams Hollow - \$21,570.00; West Hollow - \$3,600.00; Phyllis Lane -not including any curbing or sidewalk and with the City doing the excavation work - \$4,000.00; Resurfacing and milling Grace Avenue, Caroline Avenue, Division Street, Second Street from Pike Street to Huffman Avenue, Second Street from Pike Street to Main Street to Second Street would be approximately \$36,000.00. Commissioner Blankenship made the motion to approve the blacktopping expenditures as specified contingent upon the expenditures fitting the budget and the money is available and based upon Williams Hollow and West Hollow being blacktopped first. Commissioner Morris seconded the motion. Upon call of the roll, the motion carried unanimously. The Finance Director reported that \$154,000.00 has been budgeted for street overlay/repairs.

City Manager, John Johnson, reported that he had been negotiating with three financing institutions for the lease/purchase of ten police vehicles. The lease period is for 36 months, with the provision that the cars can be purchased for \$1.00 each at the end of the lease term. Mr. Johnson requested approval authorizing Mayor May and himself to enter into a lease contract for an amount not to exceed \$4,481.10 per month. Commissioner Blankenship made the motion to authorize the Mayor and City Manager to negotiate and enter into a lease/purchase contract for ten police vehicles for an amount not to exceed \$4,481.10 per month. Commissioner Morris seconded the motion. Upon call of the roll, the motion carried unanimously.

Mr. Johnson requested an executive session to discuss litigation involving a former City Employee.

The City Attorney presented a revised loan agreement with regard to the financing for the wastewater treatment plant. Mr. Davis advised there is a clause in the agreement with PSG called a "rock clause". The subsurface conditions were unknown and the clause provided that if rock was encountered there would be an additional cost for removal or if rock was not found where it should have been, there would be an additional fee. Sue Smallwood, project coordinator, explained that the loan agreement forms were revised to provide for an additional 10% increase in the original amount of the loan. City Engineer, Jack Sykes, advised that the additional costs stemmed from there being no rock for the foundation for one of the large tanks. A resolution was presented and read entitled:

RESOLUTION OF THE CITY OF PIKEVILLE, KENTUCKY APPROVING AND AUTHORIZING

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AN ASSISTANCE AGREEMENT BETWEEN THE CITY OF PIKEVILLE AND THE KENTUCKY INFRASTRUCTURE AUTHORITY.

WHEREAS, the City ("governing authority") of Pikeville, Kentucky, ("Governmental Agency") has previously determined that it is in the public interest to acquire and construct certain water and sewer facilities and improvements to the Governmental Agency Sewer System (the "Project") and

WHEREAS, the Governmental Agency has made application to the Kentucky Infrastructure Authority (the "Authority") for the purpose of providing monies to construct the Project; and

WHEREAS, in order to obtain such monies, the Governmental Agency is required to enter into an Assistance Agreement with the Authority;

NOW, THEREFORE, BE IT RESOLVED by the governing authority of Pikeville, Kentucky, as follows:

SECTION 1. That the governing authority hereby approves and authorizes of the Assistance Agreement between Governmental Agency and the Authority substantially in the form on file with the Governmental Agency for the purpose of providing the necessary financing to the Governmental Agency for the Project.

SECTION 2. That any officer of the Governmental Agency be and hereby is authorized, directed and empowered to execute necessary documents or agreements, and to otherwise act on behalf of the Governmental Agency to effect such financing.

SECTION 3. That this resolution shall take effect at the earliest time provided by law.

ADOPTED on August 27, 1990.

/s/ Walter E. May
Presiding Officer

Attest:

/s/ Karen Harris
Title: CITY CLERK

Commissioner Blankenship made the motion to adopt the Resolution. Commissioner Mounts seconded the motion. Total cost of the project, including engineering fees, etc. is \$3,113,000.00. It was reported that the cost of the plant, itself, did not increase. Upon call of the roll, the motion carried unanimously.

AGENDA ITEM VII. NEW BUSINESS

Mayor May announced the Park and Recreation Board has two vacancies and nominated Wanda Varney and Hillard Howard to fill those vacancies. Commissioner Morris made the motion to accept the Mayor's nominations. Commissioner Mounts seconded the motion. Upon call of the roll, the motion carried 4 - 0 (Commissioner Blankenship not present at the time of the vote).

At 8:40 p.m., Commissioner Davis made the motion to adjourn to executive session for the purpose of discussing pending litigation. Commissioner Morris seconded the motion. Upon call of the roll, the motion carried 4 - 0 (Commissioner Blankenship not present at the time of the vote).

At 9:47 p.m. Commissioner Blankenship made the motion to reconvene to regular session. Commissioner Mounts seconded the motion. Upon call of the roll, the motion carried 4 - 0 (Commissioner Davis not present at the time of the vote).

Commissioner Morris made the motion to advertise for the position of Assistant Tax Administrator. Commissioner Blankenship seconded the motion. Upon call of the roll, the motion carried 4 - 0 (Commissioner Davis not present at the time of the vote).

City Manager, John Johnson, reported on the matter of the retirement litigation, no action was taken. Mr. Johnson advised a report would be presented to the City Commission at the next meeting.

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There being no further business to come before the Commission, Commissioner Davis made the motion, seconded by Commissioner Blankenship to adjourn the meeting. Upon call of the roll, the motion carried unanimously. (Adjournment time: 9:55 p.m.)

The City Commission is scheduled to meet in regular session on September 10, 1990 at the City Hall Public Meeting Room.

APPROVED: Walter E. May
WALTER E. MAY, MAYOR

ATTEST:

Karen Harris
KAREN HARRIS, CITY CLERK

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