

MINUTES } CITY OF PIKEVILLE

REGULAR MEETING MINUTES - FEBRUARY 24, 1992

The Board of Commissioners of the City of Pikeville met in regular session on Monday, February 24, 1992. The meeting was held in the City Hall Public Meeting Room at 260 Hambley Boulevard.

There being a quorum present, Mayor Walter E. May called the meeting to order at 7:00 p.m. Commission Members present at call of the roll were as follows:

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

Commissioner Eugene Davis was absent.

AGENDA ITEM II. CALL OF THE AGENDA

There were no additions or corrections to the prepared agenda.

AGENDA ITEM III. MINUTES

The minutes for the previous regular meeting of January 27, 1992 were included in each Commission Member's agenda package. There being no additions or corrections to the prepared minutes, Commissioner Blankenship made the motion, seconded by Commissioner Morris to approve the minutes as presented. Upon call of the roll, the motion carried 4 - 0.

AGENDA ITEM IV. BUSINESS FROM THE FLOOR

Jack May questioned the Commission as to the reason that no street in the river fill area had been installed to service the newly constructed health department. Mayor May commented that right-of-way was the main problem as the city and Pikeville College officials have been unable to negotiate for the needed right-of-way. The Mayor further commented that he is under the impression that health department officials are looking at building a bridge from the Bypass, however he is unsure of what progress has been made. The City Manager advised the Commission that a contract has been awarded for the construction of the bridge.

Mayor May recognized members of Boy Scout Troop 1010 who were attending the meeting to earn their government badges. The Commission heard questions from Brian Sohn, Jason Young, Tripp Cooke, and Chip Burke. Brian Sohn asked why the city does not donate more money to the Humane Society. The Commission explained that the Humane Society is a county program and as such is funded by the county, however, the city did donate the property on which the animal shelter is located. Jason Young asked the Commission if ditches could be dug along the newly constructed roadway on Thompson Road to allow for the drainage of water which pools when it rains. The Commission advised they were unaware of this problem and directed the City Engineer to assess the situation. Mr. Young also advised the Commission about vandalism of street signs in the area. Tripp Cooke asked why Pikeville was unable to get the harness racing track. Mayor May explained that the Racing Commission made the decision to locate in Prestonsburg. One of the reasons may have been the opposition expressed by a local church. Chip Burke asked the reason for the road being unrepaired on Cedar Creek. It was explained that a reclamation job was being handled by the Office of Surface Mining and the road was supposed to have been repaired as part of the project. Mr. Burke continued that the street was patched but a part was left unrepaired. Mayor May advised Mr. Burke to contact the City Manager and advise him of the areas which need to be repaired.

Mayor May thanked the Troop for being present and invited them to visit again.

AGENDA ITEM V. PAYMENT OF BILLS

A. CITY BILLS: A list of City Bills totaling \$376,502.47 was presented to the Commission for approval of payment. The payment request to B & B in the amount of \$2,550.00 was questioned. It was reported that the invoice was for the repair the roof of the police station. Commissioner Morris made the motion, seconded by Commissioner Blankenship to approve payment of the City Bills totaling \$376,502.47. Upon call of the roll, the motion carried 4 - 0.

B. WASTEWATER TREATMENT PLANT: Presented to the Commission was an invoice from Summit Engineering, Inc. for the inspection to date of the Wastewater Treatment Plant. The bill was presented in the amount of \$4,568.00. City Engineer Jack Sykes reported PSG initiated operation of the new plant on February 18th, and the plant is operating within the permit limits. Mr. Sykes advised the Commission that a punch list inspection was made on February 21st. The deadline for work to be completed inside the plant is scheduled for April 1st. Those items remaining on the outside are to be completed by June 1st. Commissioner Mounts made the motion, seconded by Commissioner Blankenship to approve payment of the invoice from Summit Engineering, Inc. in the amount of \$4,568.00. Upon call of the roll, the motion carried 4 - 0.

C. EMERGENCY SHELTER: The City Engineer presented a payment request from Paul Thacker Construction Company in the amount of \$13,500.00 for the emergency shelter project. The payment request represents 60% completion of the project. According to Mr. Sykes, the shelter will provide four units with three of the units being available on a nightly basis. Mr. Sykes projected completion of the remodeling work within 60 days. Commissioner Blankenship made the motion, seconded by Commissioner Morris to approve payment of the invoice from Paul Thacker Construction Company in the amount of \$13,500.00. Upon call of the roll, the motion carried 4 - 0.

AGENDA ITEM VI.

OLD BUSINESS

A. CITY ENGINEER'S REPORTS: Jack Sykes, representing Summit Engineering, City Engineers gave a verbal report on the following items:

1. Emergency Shelter: Mr. Sykes advised the Commission that a grant was received in the amount of \$60,200.00. To date, \$49,862.00 has been committed to Paul Thacker Construction for the remodeling work, leaving \$10,388.00 in uncommitted funds. The Commission was advised all remaining funds will have to be returned if not spent. Mr. Sykes suggested approving a change order in the amount of \$3,560.00 for new gutters, painting of the soffit (no eave work), washer and dryer outlets, and molding and trim for the dining hall. The remainder of the funds will be used for purchasing furnishings for the apartments. Commissioner Mounts made the motion, seconded by Commissioner Blankenship to approve the change order as requested by Mr. Sykes. Upon call of the roll, the motion carried 4 - 0.

During the City Engineer's report detailing the rehabilitation of the Perry Cline Community Center which will be utilized as an emergency shelter, the Commission was notified that the work is nearing completion. Discussion was had relative to obtaining the necessary funds to operate and maintain the shelter. Mr. Sykes advised the Commission of the potential for a grant being available to provide operating funds. Commissioner Mounts made the motion, seconded by Commissioner Blankenship to authorize Will Linder, grantsman, to submit an application for a grant to be used for the operation and maintenance of the emergency shelter. Upon call of the roll, the motion carried by the following votes:

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

2. Huffman Avenue: Mr. Sykes presented the Commission with a plan showing a right turn lane to access the Bypass from Huffman Avenue. The extension will require 1,000 cubic feet of fill and a reinforced concrete headwall. The City Engineer advised the retaining wall is estimated to cost \$4,800.00. It is projected the entire cost of the project is \$20,454.00, utilizing city manpower. The Mayor asked the city engineer to determine the feasibility of moving the guardrail to make the lane wider on the Bypass to allow for a more expeditious manner to access the Bypass. Commissioner Morris made the motion to authorize Summit Engineering to design the retaining wall. Commissioner Blankenship seconded the motion. Upon call of the roll, the motion carried 4 - 0.

3. Lorraine Plaza: The City Engineer displayed a sketch depicting the location of the structure that Industrial Rubber, Inc. plans to erect. The building dimensions are 100 feet by 180 feet. The City Commission directed the City Manager and City Engineer to negotiate the lease arrangements with Ralph Spencer of Industrial Rubber, Inc.

4. Historic Preservation: Mr. Sykes presented the Commission with the Historic Preservation Design Review Guidelines as prepared by the consulting firm of Thomason and Associates. It was reported that a public hearing was held to obtain comments from the citizens. Mr. Sykes advised no negative comments were made. Commissioner Morris made the motion, seconded by Commissioner Mounts to approve the guidelines as prepared. Upon call of the roll, the motion carried 4 - 0.

B. CITY ATTORNEY'S REPORTS: City Attorney, Russell Davis, Jr. presented the following items before the Commission:

1. Historic Preservation Guidelines: Mr. Davis advised the Commission that the Historic Preservation Guidelines as submitted by Thomason and Associates must be adopted by Ordinance. Mr. Davis gave first reading to the Ordinance captioned as follows:

ORDINANCE ADOPTING GUIDELINES AND REGULATIONS FOR ENFORCEMENT OF THE PIKEVILLE HISTORICAL PRESERVATION ORDINANCE

The Ordinance will be on file in the Office of the City Clerk for public inspection.

2. The City Attorney presented the following resolution to the

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Commission for consideration:

RESOLUTION APPROVING AND AUTHORIZING THE PIKEVILLE PUBLIC HOSPITAL CORPORATION
TO INCUR A DEBT TO THE CITY-COUNTY FINANCIAL CORPORATION IN THE SUM OF
\$163,801.49

R-92-002

WHEREAS, the Pikeville, Kentucky, Public Hospital Corporation desires to enter into a Lease-Purchase Agreement with the City-County Financial Corporation for the Lease-Purchase of a 32 Channel Heart Monitoring Telemetry System whereby it will be necessary for the Pikeville Public Hospital Corporation to incur a debt to the City-County Financial Corporation in the sum of \$163,801.49 to be repaid over a five-year term.

WHEREAS, the Pikeville Methodist Hospital will enter into a Sublease-Purchase Agreement with the Pikeville, Kentucky, Public Hospital Corporation to sublease-purchase the Heart Monitoring Telemetry System from the Pikeville Public Hospital Corporation in consideration of the Pikeville Methodist Hospital paying the Pikeville, Kentucky, Public Hospital Corporation's indebtedness to the City-County Financial Corporation for said equipment.

WHEREAS, the Articles of Incorporation of Pikeville, Kentucky, Public Hospital Corporation, require that said corporation incur no indebtedness of liability without the approval of the commission of the City of Pikeville and a majority vote of the members of the Board of Directors and a majority vote of the members of the Board of Directors of said corporation.

WHEREAS, a majority of the Board of Directors of said corporation did at a meeting held on February 7, 1992 approve the execution by the corporation's chairman of the Lease-Purchase Agreement between the City-County Financial Corporation and the Pikeville, Kentucky Public Hospital Corporation and the execution of the Sublease-Purchase Agreement between the Pikeville Methodist Hospital of Kentucky and the Pikeville, Kentucky, Public Hospital Corporation and all other necessary financing documents subject however to the final approval of the transaction by the Commission of the City of Pikeville.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY OF PIKEVILLE that the Commission of the City of Pikeville does hereby approve and authorize the Pikeville, Kentucky, Public Hospital Corporation to incur indebtedness or liability to the City-County Financial Corporation for a 32 Channel Heart Monitoring Telemetry System in the sum of \$163,801.49.

Passed this 24th day of February, 1992.

Commissioner Frank Morris moved the adoption of the foregoing Resolution.
Commissioner Walter Blankenship seconded the motion.

Upon roll call, the votes were as follows:

	YES	NO
WALTER E. MAY, MAYOR	X	
GENE DAVIS, COMMISSIONER		ABSENT
FRANK MORRIS, COMMISSIONER	X	
JOHNNY MOUNTS, COMMISSIONER		ABSTAIN
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

3. Presented and given second reading was an Ordinance entitled:

ORDINANCE ACCEPTING ADDITION TO PARK STREET AS A PUBLIC STREET (ORDINANCE
NO. O-92-001)

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

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

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4. Mr. Davis gave first reading to an Ordinance captioned as follows:

ORDINANCE AMENDING SECTION 150.15 OF THE BUILDING REGULATIONS TO PROVIDE FOR THE POSTING OF A PROPERTY DAMAGE BOND IN CASES WHERE PUBLIC STREETS MAY BE DAMAGED AND PROVIDING FOR PERMIT FEES WHERE THE INSPECTION WORK IS PERFORMED BY THE COMMONWEALTH OF KENTUCKY

The Ordinance will be on file in the Office of the City Clerk for public inspection.

5. The City Attorney gave second reading to two Ordinances with regard to the River Chase Subdivision. The Ordinances are entitled as follows:

ORDINANCE ACCEPTING WATER LINES, SEWER LINES, AND GAS LINES AND AN EASEMENT FOR MAINTENANCE THEREOF ALL WITHIN THE RIVER CHASE SUBDIVISION (ORDINANCE NO. O-92-002)

AND

ORDINANCE ACCEPTING STREET WITHIN RIVER CHASE SUBDIVISION AS A PUBLIC STREET (ORDINANCE NO. O-92-003)

Commissioner Blankenship made the motion to adopt Ordinance O-92-002. 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	ABSENT
	FRANK MORRIS	YES
	JOHNNY MOUNTS	YES

Commissioner Blankenship made the motion, seconded by Commissioner Mounts to adopt Ordinance O-92-003 as presented. Upon call of the roll, the motion carried as follows:

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

6. Second reading was given to an Ordinance captioned as follows:

ORDINANCE ADOPTING OFFICIAL MAP FOR THE CITY OF PIKEVILLE DESIGNATING CITY STREETS, ALLEYS AND ROADWAYS (ORDINANCE NO. O-92-004)

Commissioner Mounts made the motion, seconded by Commissioner Blankenship to adopt the Ordinance as read. Upon call of the roll, the votes were as follows:

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

THE MOTION CARRIED.

7. The City Attorney gave second reading to the summary of an Ordinance with the following title:

ORDINANCE PROVIDING FOR THE REGULATION OF THE STORAGE, COLLECTION, TRANSPORTATION, PROCESSING AND DISPOSAL OF SOLID WASTE WITHIN THE CITY OF PIKEVILLE (ORDINANCE NO. O-92-005)

Commissioner Morris made the motion, seconded by Commissioner Blankenship to adopt Ordinance O-92-005. The motion carried by the following votes:

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

The City Attorney requested an executive session for the purpose of discussing a pending legal matter.

C. CITY MANAGER'S REPORTS: City Manager, John Johnson, presented the following items for the Commission's consideration:

1. Municipal Road Aid: Mr. Johnson presented the Commission with a cooperative agreement between the state of Kentucky and the city of Pikeville for the purpose of obtaining Municipal Road Aid monies to be utilized in the repair of streets and bridges within the City Limits. The city's share for fiscal year beginning July 1, 1992 is \$60,326.00. Commissioner Blankenship

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made the motion to adopt the resolution (R-92-004) which authorizes the execution of the cooperative agreement. Commissioner Mounts seconded the motion. Upon call of the roll, the motion carried 4 - 0.

2. Downtown Park: In conjunction with a \$10,000 Small Business Administration grant received from the Division of Forestry, Mr. Johnson requested the Commission authorize the advertisement of bids for trees to be planted in the City Park. Mr. Johnson reminded the Commission that the City is responsible to contribute \$3,330.00 toward the project. Commissioner Mounts made the motion, seconded by Commissioner Blankenship to authorize the City Manager to advertise for bids for the tree planting project. Upon call of the roll, the motion carried 4 - 0.

3. Emergency Ambulance Program: The City Manager introduced Jim Norris, Chairman of the Emergency Ambulance Committee, who reported on the progress of establishing the service to provide the city's citizens with emergency transportation for medical attention. Mr. Norris reported that the City of Pikeville has been issued a certificate of need and he anticipates the start up date for the service to begin as early as July 1, 1992. The Committee has recommended the purchase of two vehicles - a primary and a backup, one of which a four-wheel drive- estimated to cost between \$160,000 to \$180,000. It is expected to finance the purchase of the vehicles over a four to five year period. With the purchase of the vehicles it will become necessary to make certain modifications at the main fire station to provide for an additional bay and sleeping quarters for the EMT/Firefighter. The modification is estimated to cost between \$50,000 and \$75,000. Mr. Norris advised of the potential of receiving a \$200,000 grant for the implementation of the program. Commissioner Morris made the motion, seconded by Commissioner Blankenship to authorize Will Linder to apply for the grant funds. Upon call of the roll, the motion carried 4 - 0.

4. Methodist Hospital Budget: Presented to the Commission for approval was the 1992-93 Operating Budget for the Methodist Hospital. Commissioner Morris made the motion, seconded by Commissioner Blankenship to approve the budget as presented. Upon call of the roll, the motion carried 3 - 0 -1 (Commissioner Mounts abstained).

At 8:10 p.m., Commissioner Blankenship made the motion, seconded by Commissioner Morris to adjourn to executive session for the purpose of discussing a pending legal matter. Upon call of the roll, the motion carried 4 - 0.

At 8:40 p.m., Commissioner Morris made the motion, seconded by Commissioner Blankenship to reconvene to regular session. Upon call of the roll, the motion carried 4 - 0.

Mayor May reported that while in executive session, the City Attorney gave details for the possible settlement of a lawsuit. The Commission was unable to disclose the details for the settlement of the lawsuit due to negotiations not being final, however the City Attorney gave reading to the following resolution:

RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF PIKEVILLE TO EXECUTE AND DELIVER ALL NECESSARY DOCUMENTS AND INSTRUMENTS NECESSARY FOR THE CITY OF PIKEVILLE TO OBTAIN A LOAN FROM THE PIKEVILLE NATIONAL BANK AND TRUST COMPANY IN THE SUM OF \$435,000.00. (RESOLUTION NO. R-92-003)

WHEREAS, the Commission desires to obtain a loan from the Pikeville National Bank and Trust Company in the sum of \$435,000.00, the sum of which will be used to settle a pending lawsuit involving the City of Pikeville;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PIKEVILLE that the Mayor of the City of Pikeville is hereby authorized and directed to execute on behalf of the City of Pikeville all documents, agreements and instruments necessary to obtain a loan by the City of Pikeville from the Pikeville National Bank and Trust Company in the sum of \$435,000.00, upon such terms and conditions which shall in the discretion of the Mayor be advisable.

Passed this 24th day of February, 1992.

Commissioner Frank Morris moved 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	
GENE DAVIS, COMMISSIONER		ABSENT
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

There being no further business to come before the Commission, Commissioner Mounts made the motion, seconded by Commissioner Blankenship to adjourn the meeting. Upon call of the roll, the motion carried 4 - 0. (Adjournment Time: 8:50 p.m.)

The City Commission's next scheduled meeting is March 23, 1992 at 7:00 p.m. and will be held in the City Hall Public Meeting Room at 260 Hambley Boulevard.

APPROVED Walter E. May WALTER E. MAY, MAYOR

ATTEST:

Karen Harris
KAREN HARRIS, CITY CLERK

