

MINUTES } CITY OF PIKEVILLE

REGULAR MEETING MINUTES - MARCH 23, 1992

The Board of Commissioners of the City of Pikeville held their regular monthly meeting on Monday, March 23, 1992. The meeting was conducted in the City Hall Public Meeting Room at 260 Hambley Boulevard.

Mayor Walter E. May presided and called the meeting to order at 7:10 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 of the previous regular meeting of February 24, 1992 and special meetings of February 18, 1992 and March 6, 1992 were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Morris made the motion, seconded by Commissioner Blankenship to approve the minutes as submitted. Upon call of the roll, the motion carried unanimously.

AGENDA ITEM IV. BUSINESS FROM THE FLOOR

A. PAULEY BRIDGE: John Paul Runyon, along with a group of residents from the Pauley Addition, appeared before the Commission to ask the progress made toward reopening the Pauley Bridge to vehicular traffic. Mr. Runyon explained to the Commission the inconvenience suffered by the residents in not being able to access the Pauley Bridge, as well as the potential of being unable to evacuate the area during times of flooding. City Engineer, Jack Sykes, reported that he had received correspondence from Don C. Kelly, Secretary of Transportation and Commissioner of Highways, stating that in order for the Pauley Bridge to be reopened, the following conditions must be met:

1. The reopening and any maintenance work on the bridge must be coordinated with the State Historic Preservation Officer. Evidence of this coordination must be submitted to the Federal Highway Administration.
2. The old bridge can remain open to traffic if the maximum load capacity of three tons is maintained and signs are posted accordingly.
3. The old bridge is already excluded from the federal national bridge inventory and would not be eligible for any future replacement funds.
4. The City of Pikeville must assume maintenance responsibility for the old bridge.
5. The City of Pikeville must assume responsibility for periodic bridge inspections.
6. The necessary maintenance repairs must be completed and verified by the Transportation Cabinet before reopening the bridge to traffic.

Mr. Sykes advised that the City Commission would have to adopt an ordinance accepting the conditions prior to the reopening of the bridge as well as making all necessary repairs. Mr. Sykes is in possession of a list of items requiring repair which includes among minor repairs the overhauling of the lower lateral system. The City Engineer reported that a contractor has looked at the bridge and estimated the repairs to cost \$40,000.00. The first year analysis and inspection of the bridge will cost \$15,000.00 and \$2,000.00 per year thereafter. Mayor May indicated the Commission would give careful consideration to the request for reopening the bridge should Mr. Runyon and other citizens convince the Department of Transportation to accept responsibility for paying the inspection fees. Mr. Runyon advised the Commission that a citizens group had been formed in the area and they have raised funds which will be turned over to the City to assist with the necessary repairs and maintenance of the bridge. He also reported that he had been contact with David Smith with the Department of Transportation and Senator Ford's office who have assured him that state and federal obstacles could be overcome. Mayor May and the Commissioners advised they had no objection to reopening the bridge if the city can get assistance from the residents and the county for maintenance and from the state for the required inspections.

B. SURPLUS PROPERTY: John Bill Trivette discussed with the Commission the possibility of purchasing a pie-shaped parcel of property (approximately 1200 sq. feet.) which adjoins his property on Scott Avenue. Mr. Trivette assured the Commission that if he is allowed to do so, he would guarantee access to the Beelers to their property. The City Engineer commented that the lot is unsuitable for a building lot. Commissioner Blankenship made the motion to

authorize the City Engineer to prepare a legal description of the property and to authorize the City Manager to advertise for bids for the sale of the parcel. The City Manager was further directed to give notice in the advertisement of the nonconformity of the lot for any residential or commercial construction. Commissioner Morris seconded the motion. Upon call of the roll, the motion carried unanimously.

C. FLAGS & BANNERS: Myra Chico, Executive Director of the Pikeville Main Street Program, approached the Commission relative to purchasing 57 American Flags and 9 banners to replace those which are weather worn along the Boulevard. The purchase price is \$1,175.00. Commissioner Morris made the motion to accept the proposal. Commissioner Mounts seconded the motion. Upon call of the roll, the motion carried unanimously.

AGENDA ITEM V.

PAYMENT OF BILLS

A. CITY BILLS: A list of City Bills totaling \$502,477.16 were presented to the Commission for approval of payment. Commissioner Morris made the motion to approve payment of the City Bills as requested. Commissioner Blankenship seconded the motion. Upon call of the roll, the motion carried unanimously.

B. WASTEWATER TREATMENT PLANT: Presented to the Commission for approval of payment was a bill from Summit Engineering, Inc. in the amount of \$2,934.37 for inspection services for the Wastewater Treatment Plant Project. Commissioner Mounts made the motion, seconded by Commissioner Davis to approve payment of the bill as requested. Upon call of the roll, the motion carried unanimously.

C: PERRY CLINE COMMUNITY CENTER/EMERGENCY SHELTER: Summit Engineering, Inc. presented their request for payment in the amount of \$856.90 for construction management services for the Emergency Shelter Project at the Perry Cline Community Center. Commissioner Blankenship made the motion, seconded by Commissioner Morris to approve payment of the bill as presented. Upon call of the roll, the motion carried 5 - 0.

AGENDA ITEM VI.

OLD BUSINESS

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

1. PERRY CLINE COMMUNITY CENTER/EMERGENCY SHELTER: Mr. Sykes reported that the contract for the renovation of the Perry Cline Community Center is nearing completion. In answer to a question posed by Commissioner Morris, Mr. Sykes advised the City will furnish the apartments (funded by the Emergency Shelter Grant).

2. SOUTH MAYO TRAIL WATER LINE EXTENSION: Preliminary plans for this project were submitted to the Commission during a work session. The Commission authorized the City Engineer to proceed with preparation of the final plans for the preferred option as recommended by the City Engineer during work session.

3. WATER TANK MAINTENANCE: In accordance with the maintenance plan for water tanks, Mr. Sykes advised the Commission that the older tank at Road Fork is scheduled to be painted during 1992. Commissioner Morris made the motion to authorize the City Engineer to advertise for bids for the painting of the Road Fork Tank. Commissioner Blankenship seconded the motion. Upon call of the roll, the motion carried unanimously. Mr. Sykes reported that the Harolds Branch Tank was last painted in 1987 and also should be painted during 1992 according to the maintenance schedule. Permission was given to advertise for bids to paint the Harolds Branch Tank along with the Road Fork Tank with the stipulation that the Commission would have the right to reject any bids.

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

1. HISTORIC PRESERVATION ORDINANCE: Second Reading was given to an Ordinance entitled:

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

Commissioner Mounts made the motion to adopt the Ordinance as presented. 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

2. BUILDING REGULATION AMENDMENT ORDINANCE: The City Attorney gave second reading to Ordinance O-92-007 captioned as follows:

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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

Commissioner Mounts made the motion to adopt Ordinance O-92-007. 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	YES

3. ZONING CHANGE: Mr. Davis advised the Joint Planning Commission for Pikeville/ Pike County/Elkhorn City met recently to hold a hearing on applications of property owners to change the Zoning Map for the City of Pikeville. The application for a change of zoning on Walters Road was not approved by the Planning Commission, however, the request to change the zoning of one area on the riverfill at the end of Second Street from C-3 to R-1A was approved by the Planning Commission and they have recommended the Commission adopt an Ordinance to change the zoning map. There were no objections to the proposed change on Second Street. First Reading was given to an Ordinance amending the zoning map for an area at the end of Second Street. The Ordinance will be on file in the office of the City Clerk for public inspection.

4. FLOOD DAMAGE PREVENTION: The City Attorney presented and gave first reading to a summary of an Ordinance which amends the City's current Flood Damage Prevention Ordinance. Mr. Davis reported the city is required to adopt and maintain a flood damage prevention ordinance in accordance with the National Flood Insurance Program. The City has been notified by the Federal Government that they are ending their requirements therefore the City must amend the ordinance now in effect. The Ordinance was entitled as follows:

READING AND SUMMARY OF FLOOD DAMAGE PREVENTION ORDINANCE.

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

5. PIKEVILLE POND: City Engineer, Jack Sykes reported that funding has been pursued for quite sometime for the abatement of pollution in the Pikeville Pond. The proposed project is estimated to cost \$3 million and will include the extension of sewage lines into areas within the City Limits currently having septic waste flowing into the pond. It was reported that the city is in receipt of a letter which indicated that should the City want to participate in a planning study of the project, (which must be done prior to the funding of the project), that an application should be submitted. The City's cost to participate would be 30% of the study cost if done in 1992. If the City waited until 1993 to do the study, the cost would go up to 50% of the study cost. Corp of Engineer officials estimate the study to cost between \$250,000 to \$300,000. In answer to a question from two Commission Members, it was reported the City would have an opportunity to withdraw from the planning study prior to any agreements being signed. Commissioner Blankenship made the motion to authorize the filing of an application for the City of Pikeville to participate in the necessary planning study for the abatement of pollution in the Pikeville Pond. Commissioner Mounts seconded the motion. Upon call of the roll, the motion carried 5 - 0.

C. CITY MANAGER'S REPORTS: City Manager, John Johnson, gave a report to the Commission on the following items:

1. CITY PARK: Bids were accepted for tree planting in the City Park in connection with a Small Business Administration Grant in the amount of \$10,000.00. The City Manager recommended the Commission accept the low bid from Aztec Landscaping in the amount of \$7,886.63. Commissioner Mounts made the motion, seconded by Commissioner Blankenship to award the bid to the low bidder, Aztec Landscaping in the amount of \$7,886.63. Upon call of the roll, the motion carried unanimously. The City Manager gave notice that the City has been selected to participate in the Land & Water Conservation Fund for the construction of the pavilion and relocation of the basketball courts in the City Park. Grant Funds are \$20,000.00 with the City to match with monetary and in-kind donations. Commissioner Mounts made the motion, seconded by Commissioner Blankenship to authorize the filing of a formal application with the National Park Service for a \$20,000.00 matching grant. Upon call of the roll, the motion carried 5 - 0.

2. PIKE COUNTY FAIR BOARD: Mr. Johnson reported that the Pike County Fair Board has requested to use the Horse Show Ring in Amos Park on July 17,

18, and 19 for a rodeo. Ron Damron, who represents the Fair Board, has indicated that a donation of bleachers will be made to the City of Pikeville for use in other events. Commissioner Blankenship made the motion to grant approval as requested. Commissioner Mounts seconded the motion. Upon call of the roll, the motion carried unanimously.

3. WATER DRAINAGE: The Commission was advised of a water drainage problem on Hibbard Street between Pikeville Furniture and Dr. Nichols' office. The City Manager and PSG Manager were directed to investigate the problem.

4. 1991-92 AUDIT: Presented to the Commission was a proposal from Wallen & Cornett, CPA's to perform the annual audit for the City of Pikeville for a cost not to exceed \$13,500.00. Commissioner Morris made the motion, seconded by Commissioner Blankenship to accept the proposal. Upon call of the roll, the motion carried unanimously.

5. TRAFFIC CONTROL DEVICES: Commissioner Morris asked for an update on efforts to have traffic lights installed at Baird and Huffman Avenue. The City Manager advised the Commission would have to approve advertising for bids for a light to be installed at Huffman Avenue, but reported that the monies are not available in the current budget for this expenditure. The Chief of Police was directed to prepare a report listing the number of traffic accidents over the past year at these intersections and forward to the City Engineer for a recommendation.

6. POOR FARM PUMPING STATION: Commissioner Mounts reported he has had several complaints with regard to the Poor Farm Pumping Station overflowing continually. PSG Manager, Bill Harless reported the station does not overflow continually, however they have been experiencing mechanical difficulties with the station since January. One pump is working continually and Mr. Harless reported he expects to have another pump on line in the near future, and advised that a line will have to be plugged during the installation which may cause back up.

At 8:20 p.m., Commissioner Blankenship made the motion to adjourn to an executive session for the purpose of discussing a legal and personnel matter. Commissioner Morris seconded the motion. Upon call of the roll, the motion carried unanimously.

At 9:20 p.m., Commissioner Morris made the motion, seconded by Commissioner Davis to reconvene the meeting to regular session. Upon call of the roll, the motion carried 5 - 0.

City Attorney Russell Davis reported that the current ABC Administrator, Michael DeBourbon has advised him that he has had several potential conflicts of interest dealing with different individuals that hold a liquor license within the City of Pikeville. Mr. DeBourbon has tendered his resignation as ABC Administrator as a result of the potential conflicts. Commissioner Blankenship made the motion, seconded by Commissioner Mounts to accept Michael DeBourbon's resignation as ABC Administrator. Upon call of the roll, the motion carried unanimously.

Upon the recommendation of the City Manager, Commissioner Mounts made the motion to appoint Richard Elswick as ABC Administrator and compensate him at the rate of \$100.00 per month. Commissioner Blankenship seconded the motion. Upon call of the roll, the motion carried unanimously.

City Manager, John Johnson, recommended the Commission approve the hiring of James M. Honaker as Building Inspector. Commissioner Blankenship made the motion, seconded by Commissioner Davis to appoint James M. Honaker to the position of Building Inspector/Codes Enforcement Officer. Upon call of the roll, the motion carried 4 - 0 - 1 (Commissioner Morris abstained).

Upon the Chief of Police's recommendation, Commissioner Morris made the motion, seconded by Commissioner Blankenship to employ Kelly M. Daniels as a patrolman. Upon call of the roll, the motion carried unanimously.

Commissioner Blankenship made the motion to appoint Sue Smallwood to the position of Administrative Assistant to the Mayor and Public Relations Officer. Commissioner Davis seconded the motion. Upon call of the roll, the motion carried unanimously.

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: 9:30 p.m.)

The City Commission's next scheduled meeting is April 27, 1992 at 7:00 p.m. with the meeting to 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

