

MINUTES } CITY OF PIKEVILLE

REGULAR MEETING - AUGUST 24, 1992

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

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

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

AGENDA ITEM II.

CALL OF THE AGENDA

Added to the City Attorney's Reports was discussion concerning the congregating of crowds in the downtown district.

AGENDA ITEM III.

MINUTES

The minutes from the previous regular meeting of July 27, 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

There were no items presented for the Commission's consideration during the call of business from the floor.

AGENDA ITEM V.

PAYMENT OF BILLS

A list of City Bills totaling \$357,475.38 were presented to the Commission for approval of payment. Upon the city manager's recommendation the bills be approved for payment, Commissioner Morris made the motion, seconded by Commissioner Blankenship to approve payment of the City Bills as requested. Upon call of the roll, the motion carried unanimously.

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 as follows:

1. South Mayo Water Project Bids: Mr. Sykes gave the Commission a written summary of bids received for contracts 10-13 in the extension of water service in the South Mayo area. According to Mr. Sykes, three of the four lowest bids received had inappropriate bid bonds. Should the Commission award the bid to the second low bidder, the additional cost would be approximately \$180,000 in excess of the low bid. In addition, the bid for Contract #13, installation of the water storage tank, came in significantly over the engineer's estimate (about \$60,000). Mr. Sykes recommended that the Commission reject all bids and rebid the project. Commissioner Blankenship made the motion to reject all bids because three of the bids had improper surety on the bonds and the remaining bid received by the city substantially exceeded the engineer's estimate. Furthermore, the city engineer is authorized to readvertise the project for bidding. Commissioner Morris seconded the motion. Upon call of the roll, the motion carried unanimously.

2. Huffman Avenue: A set of plans to add an additional turning lane to Huffman Avenue has been submitted to the State Highway Department for their review. Representatives of the Highway Department have asked the plans be modified to include a deceleration lane on the Bypass, with no additional turn lane on Huffman Avenue for incoming traffic. The City Engineer estimated the cost for the total project at \$25,000. The project does provide for a headwall, fill, curb, guttering, sidewalk, and paved lanes. The cost of the curb and guttering will be funded through the sidewalk project. Mr. Sykes reported he is in receipt of a letter from Denton Biliter of the Highway Department, agreeing to the Highway Department's involvement in the project by supplying materials for paving for the Huffman Avenue and Combs Avenue deceleration lanes.

3. Chloe Road: At the previous City Commission Meeting, the city engineer was authorized to proceed with the design of an access road which would connect the elementary school parking lot with Huffman Avenue. The design has been completed with a copy forwarded to John Waddell, City School Superintendent. Mr. Sykes reported it was implied that the school board intends to participate in the project. Cost of the connector is estimated at \$124,000, however this figure does not allow for contingencies. No comment has been received from the school board on this matter.

4. Lake Joann: A contract has been executed with Paul

Thacker Construction Company for the improvement of the entrance to the Lake Joann Subdivision. Contract amount is \$6,134.00. Work is expected to commence on this project by the first of September.

5. Riverfill Addition #1: Mr. Sykes reported that he and the city manager have negotiated with Professional Services Group a cost relative to the installation of water lines, gas lines, sewage taps, a gravel base on the road and a storm drain. Total cost is \$46,610.00. Phase 2 of the project would entail installing curb and guttering and two other storm drains which have been deemed necessary. Cost for these items plus paving is estimated between \$65,000-\$70,000. Mayor May suggested delaying this phase of the project until it is seen if the auction is successful. The Mayor added that if the city does sell the property, the buyer would be assured that the city will complete the project.

6. Traffic Lights: Pursuant to discussion during the last regular City Commission Meeting, Mr. Sykes presented prices for the installation of traffic signals. Shely Construction Company gave quotes ranging from \$40,280.18 to \$50,952.93 for the four locations - Hambley Blvd & Huffman Ave.; Hambley Blvd. & Baird Ave.; Huffman & Bypass; and U.S. 23 & Highway 3496 (Western Sizzlin Steak House). All locations, with the exception of Hambley Blvd & Huffman Ave. are on state maintained roads. The following resolution was presented:

RESOLUTION REQUESTING THAT THE COMMONWEALTH OF KENTUCKY DEPARTMENT OF HIGHWAYS INSTALL AND MAINTAIN TRAFFIC SIGNAL LIGHTS AT THE INTERSECTIONS OF HAMBLEY BOULEVARD AND BAIRD AVENUE; HUFFMAN AVENUE AND BY-PASS ROAD; AND U.S. 23 AND HIGHWAY 3496 WITHIN THE CITY OF PIKEVILLE

WHEREAS, the City of Pikeville with the assistance of the Pikeville Police Department have identified four intersections within the City of Pikeville where there is a high number of traffic accidents, many of which result in substantial property damage and serious physical injuries. These intersections are as follows:

Hambley Boulevard and Huffman Avenue
Hambley Boulevard and Baird Avenue
Huffman Street and the By-Pass Road and
U.S. 23 and Highway 3496.

WHEREAS, the City Engineer and Chief of Police have recommended to the Commission that the installation of traffic control lights at these intersections would greatly reduce the number of traffic accidents occurring at those locations.

WHEREAS, all four of these locations with the exception of the Intersection of Hambley Boulevard and Huffman Avenue are classified as state maintained streets and highways.

WHEREFORE, BE IT RESOLVED BY THE CITY OF PIKEVILLE that the Commission does hereby formally request that the Commonwealth of Kentucky, Department of Highways, install and maintain traffic control signal lights at the intersections of Hambley Boulevard and Baird Avenue; Huffman Street and By-Pass Road; and U.S. 23 and Highway 3496. The City of Pikeville does hereby represent and agree that if the Commonwealth of Kentucky, Department of Transportation, will install and maintain traffic control lights at these three intersections, the City of Pikeville will install and maintain traffic signal lights at the intersection of Hambley Boulevard and Huffman Avenue.

Passed this 24th day of August, 1992.

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

Upon roll call, the votes were as follows:

	YES	NO
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

7. Fire Station: The addition is under construction.

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The foundation is now in place.

8. Pressbox: The engineer reported that this project has reached substantial completion.

9. Wastewater Treatment Plant: Change Order #6 was presented to the Commission to assist in finalizing the Wastewater Treatment Plant Project. Mr. Sykes advised the Commission there is no cost involved with this change order. The change order deals with changes agreed upon during the construction phase of the project. Commissioner Blankenship made the motion to approve Change Order #6 as presented by the city engineer. Commissioner Davis seconded the motion. Upon call of the roll, the motion carried 5 - 0.

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

1. Dils Cemetery Lease Agreement: Presented to the Commission for approval was an agreement between DILCO DEVELOPMENT COMPANY AND THE CITY OF PIKEVILLE for the lease of a parcel of property known as the Dils Cemetery for the purpose of establishing this historical site as a tourist attraction. The lease period is for 15 years and will be automatically renewed unless notice is given 180 days prior to the end of the term. The lease fee is \$1.00 per year. The agreement provides that the city will maintain the cemetery by cutting the grass, weeds, vines, and scrub trees and further maintaining in good condition and repair any improvements constructed (steps, paths, walkways, retaining walls, signs, plants, shrubbery, monuments, benches, lighting, fences or other structures which are not of a permanent nature). The city will not be responsible for maintaining graves or existing tombstones. Commissioner Mounts made the motion to authorize the Mayor to execute the lease agreement as presented by the City Attorney. Commissioner Blankenship seconded the motion. Upon call of the roll, the motion carried unanimously.

2. South Mayo Annexation Case: Mr. Davis reported that the Judge has ruled in favor of the city of Pikeville in the annexation case for the area beyond Yorktown. The losing party will have 30 days in which to appeal.

3. Crowds congregating in Downtown Area: Mayor May reported he had received a phone call from a downtown merchant who stated his concerns about a particular element coming into town on weekend evenings which discourages customers from coming into town. The merchant reported the loiters are congregating in the parking lots, drinking openly, smoking "pot", and in addition, vandalism is becoming a rapid problem. After a lengthy discussion, Commissioner Mounts made the motion to direct the police chief to increase patrols in the downtown area during the weekends and that the city begin a public relations campaign to point out the problems and ask for the people's cooperation in alleviating those problems. Commissioner Blankenship seconded the motion. Upon call of the roll, the motion carried unanimously.

C. CITY MANAGER'S REPORTS: City Manager, John Johnson, presented a verbal report as follows:

1. Backhoe: Mr. Johnson reported that three bids were received in answer to an advertisement for the purchase of a backhoe for the public works department.

Wilson Equipment.....	\$38,900
Commonwealth Equipment.....	\$39,987
Whayne Supply Company.....	\$48,947

Upon the motion of Commissioner Morris, seconded by Commissioner Blankenship and a unanimous vote, the City Manager was directed to contact the companies having the two lowest bids inquiring as to the servicing of the equipment, cost for routine service and availability of loaner equipment during breakdowns or servicing, evaluate the responses, and award the bid to the lowest, best bidder. The purchase will be partially funded from FY91 ADF proceeds (\$20,000).

2. Coal Run Property Bids: No bids were received in answer to an advertisement to sell or lease a parcel of property located adjacent to the Billips property in the Coal Run Area. Rudd Equipment Company sent a letter expressing interest in acquiring the property, however stated they were unable to make a response within the time frame allotted. The city attorney advised that the Commission is now free to negotiate with Rudd Equipment Company since the policy to advertise before disposing of property has been fulfilled.

3. Police Cruisers: Mr. Johnson presented a request from the Police Chief asking for permission to purchase two new police cruisers to replace two cruisers having in excess of 100,000 miles. Mr. Johnson advised the Commission that the city has been awarded \$20,000 in Area Development Funds to be used toward this purchase. The vehicles can be purchased through State Price Contract for approximately \$12,900 each. Commissioner Mounts made the motion, seconded by Commissioner Blankenship to approve the purchase of two

police cruisers as outlined by the city manager. Upon call of the roll, the motion carried 5 - 0.

4. Annexation Request: The city manager presented a request from Oliver & Marchetta Blackburn, owners of property situated at the mouth of Lykins Creek, asking for their property, consisting of approximately 10 acres, to be annexed to the city limits. The City Manager was directed to advise the Blackburns that they need to secure a waiver from the C & O Railroad since their property is contiguous with the current city limits boundary line.

5. Blacktopping Projects: Mr. Johnson presented a suggested list of streets to be blacktopped as follows:

Keel Street & Bryan Street in the Keel Addition, Lake Joann Subdivision, Smith Hill and Peach Orchard intersections of Poplar Street, Third Street, Central Avenue, Perry Street, Amba Street, and right turn lane of Huffman Avenue extension.

The Mayor advised that the Highway Department will be supplying the materials for the turn lane at the Huffman Avenue Extension. Mr. Johnson reported that he has not received a quote for these projects from Mountain Enterprises at this time, however \$100,000 has been budgeted for blacktopping.

6. Dilapidated Housing: Commissioner Mounts called attention to the eyesores created by burnt structures and suggested a policy be enacted to direct that the property owners be served a notice requiring that the remaining structure be removed within a certain time period. Commissioner Mounts made the motion, seconded by Commissioner Davis to cause proceedings for the removal of a structure to begin immediately after a structure burns and becomes dilapidated. Upon call of the roll, the motion carried unanimously.

7. Housing Authority: A request for a work session was made by John Pinson, Executive Director of the Pikeville Housing Authority. The Commission directed the City Manager to schedule the meeting to take place within the next ten days.

8. Financial Reports: Finance Officer, Jan Hunt, presented the Commission with financial reports for the month of August, 1992. The Mayor asked that a comparative analysis be prepared for the presentation of future financial reports showing at least 2 years of historical data in the collection of revenues and the disbursing of expenses. The Mayor explained this information will be particularly helpful to the Commission in determining whether the existing operating budget should be amended.

The Commission heard a plea for assistance from Ruth Velat, a resident of Chloe Road. Ms. Velat has received notification that should her utility bill not be paid in full, she will be disconnected. Ms. Velat was advised to meet with the city manager on the morning of August 25th to discuss this matter and the Commission directed that Ms. Velat's utilities not be disconnected until she has discussed the matter with the City Manager.

Telecommuting Center: Mayor May announced that the city of Pikeville has been selected as one of two cities in Kentucky to be the home of a Telecommunications Center. A press release explaining the center's function was read by the Mayor.

At 8:50 p.m., Commissioner Mounts made the motion, seconded by Commissioner Davis to adjourn to an executive session for the purpose of discussing a legal matter pursuant to the Open Meetings Law, Section 3 paragraph c. Upon call of the roll, the motion carried 4 - 0 (Commissioner Morris not present at the time of the vote).

At 9:50 p.m., Commissioner Blankenship made the motion to reconvene to regular session. Commissioner Morris seconded the motion. Upon call of the roll, the motion carried unanimously.

Mayor May reported the Commission heard a report from the City Attorney concerning a pending legal matter.

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

APPROVED

Walter E. May
WALTER E. MAY, MAYOR

ATTEST:

Karen Harris
KAREN HARRIS, CITY CLERK