

MINUTES } CITY OF PIKEVILLE

REGULAR MEETING MINUTES - MARCH 22, 1993

The Board of Commissioners of the City of Pikeville met in regular session on Monday, March 22, 1993 at 7:00 p.m. 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. The following Commission Members were present upon call of the roll:

MAYOR:	WALTER E. MAY
COMMISSIONER:	WALTER BLANKENSHIP
	SHARON CLARK
	EUGENE DAVIS
	JOHNNY MOUNTS.

AGENDA ITEM II. CALL OF THE AGENDA

Added to the Agenda under Section VII D, was discussion pertaining to the book "100 Best Small Towns in America".

AGENDA ITEM III. MINUTES

Due to a computer malfunction, passage of the minutes from the previous regular meeting of February 22, 1993, was delayed until the next regular meeting.

AGENDA ITEM IV. BUSINESS FROM THE FLOOR

A resident of College Street, Minnie Sue Elliott, appeared before the Commission to ask that the ordinance regulating parking on street sweeping days be enforced. Ms. Elliott reported that she had tried for over a year to get her side of the street cleaned. Mayor May assured Ms. Elliott that he would take care of the problem.

AGENDA ITEM V. PAYMENT OF BILLS

A. CITY BILLS: A list of City Bills totaling \$405,024.56 were presented to the Commission for approval of payment. Upon City Manager Johnson's confirmation that monies were available for payment and that the invoices are in order, Commissioner Blankenship made the motion, seconded by Commissioner Mounts to approve payment of the bills as requested.

AGENDA ITEM VI. OLD BUSINESS

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

1. South Mayo Water Distribution Improvement Project: Approximately 1600 feet of water line has been installed since the last City Commission Meeting. Work has now been initiated on the water tank construction. Mr. Sykes requested that the City now offer customer sign up for the water service. The customary tap on fee is \$300.00. Mr. Sykes reported that during past water line constructions, customers have been given the opportunity for early sign up at the rate of \$150.00 per tap. Commissioner Blankenship made the motion, seconded by Commissioner Mounts to offer a 60 day sign up period at the rate of \$150.00 per tap. City Manager Johnson advised that PSG will be responsible for making contact with the residents who will be served by the extension. Upon call of the roll, the motion carried unanimously.

2. Industrial Rubber: Mr. Sykes reported that he and City Manager Johnson met with Ralph Spencer of Industrial Rubber Company, relative to Industrial Rubber Company's proposed purchase of a tract of property located at Lorraine Street. Mr. Sykes reported that he and the city manager left the meeting with the understanding that Mr. Spencer was prepared to forward all information as previously requested by the Mayor. Mr. Sykes and Mr. Johnson agreed to negotiate with Denton Biliter of the Highway Department for an additional entrance to serve the development. Mr. Biliter has verbally agreed to the additional entrance under certain conditions (two 12 foot traffic lanes and relocation of a catch basin). Mr. Spencer has been advised of those conditions. A layout of the building was faxed to Mr. Spencer and he was advised to be present for the City Commission Meeting. The boundary line has been moved back to the substation. Due to there being approximately 25 feet of property next to the substation that will have to be filled and that the building now proposed for construction has increased in size, the lot size has been increased from 40,000 square feet to 61,000 square feet. According to the City Engineer, Mr. Spencer expressed some concern that the purchase price would increase significantly and indicated he would reduce the size of the building.

3. Poor Farm Property: Mr. Sykes advised the Commission that a request has been made to the Department of Transportation to purchase a tract of property, consisting of approximately 1 acre, at the mouth of Poor Farm Hollow. The request has been approved. The property has been appraised at \$135,000. The City Engineer advised he thought the price excessive. Commissioner Blankenship made the motion, seconded by Commissioner Mounts to authorize the City Manager to make a counter offer of \$67,500. Upon call of the roll, the motion carried unanimously.

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4. Parking: Mayor May reported that he had a request from the Shriners to gravel the ramp behind Roy Goff's Furniture Store to provide access for parking during Hillbilly Days. Mr. Sykes presented two estimates. Proposed is the placement of 7 inches of gravel on the ramp and river fill. The placement of this depth of gravel would provide a base for future blacktopping. From Hibbard Street to the Health Department it is estimated it will take 1521 tons of gravel for a cost of \$22,815.00. The Mayor also advised that he had complaints from residents of College Street and Cumberland Court about the dust from the river fill during the summer. An estimate to gravel the area from Huffman Avenue to Elm Street was presented in the amount of \$12,000.00. City Manager Johnson advised the Commission that he recently attended a Big Sandy Area Development meeting where he learned of monies available through the Federal Transportation Act. Mr. Johnson reported he intends on submitting applications for funding for the sidewalk extension from the Highway Department to Pikeville High School; repairs to the swinging bridge across from Fairview Addition; repairs to the Pauley Bridge and the streets in the river fill area. According to Treasurer, Karen Gibson, and City Manager Johnson, monies are available through the Coal Severance Fund for the purchase of gravels for the river fill. Commissioner Davis made the motion to place gravel in both sections of the river fill defined above - 3 1/2 inches of gravel on the river fill and 7 inches on the ramp. Commissioner Mounts seconded the motion. Upon call of the roll, the motion carried 5 - 0. The Commission directed the project be completed before Hillbilly Days.

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

1. Bill King Hollow: Second Reading was given to an ordinance as follows:

ORDINANCE AMENDING THE CITY OF PIKEVILLE ZONING MAP FOR BILL KING HOLLOW FROM R1 TO R2

Commissioner Davis 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
	SHARON CLARK	YES
	EUGENE DAVIS	YES
	JOHNNY MOUNTS	YES

2. Walters Road: Second Reading was given to an ordinance which would accept 344 feet of roadway into the city's street maintenance system. The ordinance was read entitled:

ORDINANCE ACCEPTING PORTION OF ROAD ON THE PETER FORK OF CHLOE CREEK AS A CITY STREET

Commissioner Mounts made the motion, seconded by Commissioner Blankenship 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
	SHARON CLARK	YES
	EUGENE DAVIS	YES
	JOHNNY MOUNTS	YES

3. Budget Amendments: Presented for first reading was an ordinance to amend the City of Pikeville Operating Budget FY 1992/93. According to Financial Director, Jan Hunt, the amendments are necessary due to unforeseen revenues and expenditures not included in the budget, most of which were grants for various projects. The Commission was given a copy of the proposed amendments for review. City Attorney Davis gave first reading to the Ordinance captioned as follows:

ORDINANCE ADOPTING AN AMENDED BUDGET FOR THE CITY OF PIKEVILLE FOR THE 1992-1993 FISCAL YEAR
The ordinance will be on file in the office of the City Clerk for public inspection.

4. Parking: Presented for first reading was an ordinance to designate parking for Pikeville Public Library patrons. The Ordinance was read entitled:

ORDINANCE CREATING AND ESTABLISHING FOUR PARKING SPACES ON THIRD STREET FOR PIKEVILLE PUBLIC LIBRARY PARKING

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

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

1. River Fill Bids: One bid was received in answer to the advertisement

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for the sale or lease of property adjacent to the Don Combs Bridge in the river fill. The bid was received from Absher Enterprises, Inc. who propose to construct a 10 screen cinema. Construction is expected to begin within 6 months and completed within 12 months. Absher Enterprises offered \$100,000 for the property. The tract consists of 1.93 acres. Action with regard to the acceptance or rejection of the bid was deferred to the end of the meeting.

2. Pauley Lift Station: City Manager Johnson presented two bids received for a wet well pump for the Pauley Sewer Lift Station. The bids were as follows:

GW I INDUSTRIES.....\$24,585
C I THORNBURG.....\$18,495.

City Manager Johnson advised that \$17,000 had been set aside in the budget for the purchase. Commissioner Mounts made the motion, seconded by Commissioner Davis to award the bid to the low bidder, C I Thornburg in the amount of \$18,495. Upon call of the roll, the motion carried unanimously.

3. Cable T.V. Franchise: Mr. Johnson advised the Commission that a letter from Tele-Media concerning the TV reception was included in each of the Commission Member's agenda package. Mayor May advised the Commission that he had read the response and was dissatisfied with the explanation, as no remedy to the poor signal problem was addressed. The Mayor commented that there are other cable companies that operate within the county that do not experience the reception problems as those endured by the city's residents. The Mayor called attention to a paragraph in the report which was read as follows:

"The engineering data and past on-site activities indicate that the off-air reception of distant TV signals at Pikeville are not likely to be improved."

Mayor May gave his opinion that the problem lies in the location in which the cable service is trying to pick up the signal - Dutys Knob, not with their equipment. He continued by saying that at one time this was a good location, but since then, a good many electrical services have been installed which interfere with the reception. The Mayor offered as a solution to the problem, the raising of the antenna at Dutys Knob or relocation to an alternate site. As a possible solution to the problem, the following resolution was introduced:

RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF PIKEVILLE TO INVESTIGATE AND EXPLORE THE FEASIBILITY OF THE CITY OF PIKEVILLE ESTABLISHING AND OPERATING A CABLE TV SYSTEM

WHEREAS, the existing Cable TV systems within the City of Pikeville provide very poor quality reception on many channels, do not provide a sufficient number of channels and at a very high per monthly charge to the citizens of the City of Pikeville.

WHEREAS, because of these problems, it would be in the public's best interest to investigate the feasibility of the City of Pikeville constructing and operating a Municipal Cable TV Service.

THEREFORE, IT IS HEREBY RESOLVED that the Mayor of the City of Pikeville is hereby authorized to initiate and conduct on behalf of the City of Pikeville a feasibility study exploring the possibility of the City of Pikeville establishing, constructing and operating a municipally owned cable TV system within the City of Pikeville within the following parameters, to-wit:

1. That the cable TV system would be a municipality owned, non-profit system which would be supported by subscriber fees and charges for the system,
2. That the subscriber cost for monthly cable TV service would be substantially less than what is current charged by private providers within the City of Pikeville with a goal of being approximately 50 percent less,
3. That the Municipally owned and operated Cable TV System would offer more channels than is currently being provided by private providers,
4. That good quality reception would be provided on all channels including independently owned Channel 23, the ABC Channel and NBC Channel which are not currently being properly provided,
5. That the Municipally owned and operated Cable TV System would provide a local access channel which would feature public programming such as public announcements, public service information and broadcast of public meetings and events.

The Mayor of the City of Pikeville is hereby authorized to employ broadcast engineers and/or FCC specialized attorneys and such other individuals whose services may be needed to conduct feasibility studies.

Passed this 22nd day of March, 1993.

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Commissioner Sharon Clark 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	X	
SHARON CLARK, COMMISSIONER	X	
JOHNNY MOUNTS, COMMISSIONER	X	
WALTER BLANKENSHIP, COMMISSIONER	X	

The Mayor declared the within ordinance adopted.

/s/ Walter E. May
WALTER E. MAY, MAYOR

ATTEST:

/s/ Karen Harris
KAREN HARRIS, CITY CLERK

Prior to the adoption of the resolution, City Attorney Davis explained that the City has non-exclusive franchise agreements with the cable companies who serve the city's residents, therefore it would be legal for the city to own and operate a cable service. The issue of whether to adopt the resolution prior to meeting with Tele-Media representatives on Thursday, March 25, 1993, was debated.

Mayor May advised the Commission that the cost associated with the feasibility survey would be minimal.

4. Disaster Emergency Services: City Manager Johnson explained to the Commission that Pikeville is eligible for disaster funds for expenses incurred in snow removal. Mr. Johnson requested that the Commission designate an individual to work with DES in the effort to recoup monies expended. Mr. Johnson advised the Commission that 75% of expenses can be reimbursed through Federal funds; 12% by State funds; and 3% can be received for administrative costs. Commissioner Blankenship made the motion to designate the City Manager as agent for the City of Pikeville. Commissioner Clark seconded the motion. Upon call of the roll, the motion carried unanimously.

At 8:40 p.m., Commissioner Blankenship made the motion, pursuant to Section C of the Open Meeting Act, to adjourn to closed session for the purpose of discussing a personnel matter and possible property acquisition. Commissioner Clark seconded the motion. Upon call of the roll, the motion carried unanimously.

At 9:45 p.m., Commissioner Blankenship made the motion, seconded by Commissioner Clark to reconvene to regular session. Upon call of the roll, the motion carried 5 - 0.

AGENDA ITEM VII.

NEW BUSINESS

A. TELECOMMUTING CENTER: Mayor May reported that the Kentucky Science and Technology Center requested \$15,000 funding for the final plan on the Telecommunications Center. The plan is necessary to make applications for grants, either from private foundations or from governmental agencies. A commitment has been made by the IDEA Board to contribute \$7,500. South Central Bell has pledged the remaining \$7,500.

B. ANNEXATION: The Commission discussed a request from Rick Hill and Gary Buckley for their property located on Lykins Creek to be annexed to the City Limits. City Manager Johnson reported that the properties of both gentlemen are located adjacent to Oliver Blackburn, who has also made a request for annexation. CSX Transportation owns a tract between the existing city limits and Mr. Blackburn's boundary line. Mr. Blackburn is now soliciting approval from CSX to include their tract in the annexation. The City Attorney was directed to contact Mr. Hill and Mr. Buckley to advise of efforts to grant the request.

C. EMERGENCY SHELTER: Mayor May reported that he had been advised by Will Linder that monies are available for operations, utilities, and renovations of emergency shelters. The following resolution was presented for consideration:

RESOLUTION OF THE CITY OF PIKEVILLE, KENTUCKY AUTHORIZING THE FILING OF AN EMERGENCY SHELTER GRANT PROGRAM APPLICATION

WHEREAS, it is necessary and in the public interest that the City of Pikeville avail itself of the financial assistance provided through the Department of Local Government, Division of Community Programs.

NOW, THEREFORE BE IT RESOLVED that an application on behalf of the City of Pikeville for a grant not to exceed \$20,000 of Emergency Shelter Funds is hereby approved and that the Mayor is hereby authorized to execute and file such application with the State Department of Local Government, to provide such additional information and to furnish such documentation as may be required, and to act as the authorized correspondent of the City relating to the Emergency Shelter Grant Program.

Passed this 22nd day of March, 1993.

/s/ Walter E. May
WALTER E. MAY, MAYOR

ATTEST:

/s/ Karen Harris
KAREN HARRIS, CITY CLERK

D. 100 BEST SMALL TOWNS IN AMERICA: Mayor May discussed the recent publication "100 Best Small Towns in America" and Pikeville's inclusion. Attributes which contributed to this distinction were the low crime rate and growth rate. The Mayor proposed that a sign be erected at each end of town that would say "Welcome to Pikeville - One of the 100 Best Small Towns in America". Examples of the signs were displayed. The Mayor reported he had discussed this idea with the Tourism Commission. He reported that the Tourism Commission is planning to changing the sign located on the Mountain Parkway which will say "100 miles to Pikeville - One of the 100 Best Small Towns in America". While he does not have approval from the Tourism Commission, he is proposing to make the offer that if the City will pay half the cost for the signs for a one year period, that the Tourism Commission will pay the other half. Total rental fee for the billboard spaces would be \$625.00 per month (\$312.00 per month City cost). Commissioner Blankenship made the motion, seconded by Commissioner Mounts to authorize the Mayor to make this proposal to the Tourism Commission. Upon call of the roll, the motion carried unanimously.

AGENDA ITEM VIII.

PERSONNEL ACTIONS

A. FIRE CHIEF APPLICATIONS: The City Manager advised that 16 applications have been received for the Fire Chief's position. The Commission will be given the applications to review and will select five applicants to be interviewed.

River Fill Property Bid: Commissioner Blankenship made the motion to reject Absher Enterprises' offer of \$100,000 for the purchase of a portion of the river fill property and authorized the Mayor to negotiate with Absher Enterprises. Commissioner Clark seconded the motion. Upon call of the roll, the motion carried unanimously.

With regard to the snow storm of March 12-13, 1993, the following Resolution was introduced and read:

RESOLUTION COMMENDING THE PIKEVILLE POLICE DEPARTMENT, FIRE DEPARTMENT AND PUBLIC WORKS DEPARTMENT EMPLOYEES FOR THE EXEMPLARY SERVICES PERFORMED DURING THE RECENT SNOW STORM EMERGENCY

WHEREAS, the recent winter storm which blanketed the Eastern United States and particularly Pike County and the City of Pikeville with heavy snowfall in mid March of 1993 did result in an emergency situation for the citizens of the City of Pikeville.

WHEREAS, the Police Department, Fire Department and Public Works Department employees worked diligently and long hours to assist the public during the snow storm emergency.

THEREFORE, BE IT RESOLVED by the City of Pikeville that the City Commission does hereby recognize and commend the Pikeville Police Department, Fire Department and Public Works Department employees for the exemplary performance of their official duties and further, do hereby recognize said workers for the performance of services to the City and the public beyond their normal call of duty all of which were rendered during the recent snow storm emergency.

Passed this 22nd day of March, 1993.

Commissioner Walter Blankenship 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	

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SHARON CLARK, 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 10:15 p.m., the Commission announced a recess of the meeting until Thursday at 2:30 p.m.

APPROVED

Walter E. May
WALTER E. MAY, MAYOR

ATTEST:

Karen Harris
KAREN HARRIS, CITY CLERK

X