

MINUTES } CITY OF PIKEVILLE

REGULAR MEETING MINUTES - MAY 24, 1993

The Board of Commissioners of the City of Pikeville met in regular session on Monday, May 24, 1993. The meeting was held in the City Hall Public Meeting Room at 260 Hambley Boulevard, Pikeville, KY.

There being a quorum present, Mayor Walter E. May called the meeting 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
	SHARON CLARK
	EUGENE DAVIS
	JOHNNY MOUNTS

AGENDA ITEM II. CALL OF THE AGENDA
Item VI. B (3), CATV Report, was moved on the agenda to be heard after Business from the Floor.

AGENDA ITEM III. MINUTES

Included in each Commission Member's agenda package were the minutes from the meetings held on March 25, April 13 & 26, and May 17, 1993. There being no additions or corrections, Commissioner Mounts made the motion to approve the minutes as submitted. Commissioner Blankenship seconded the motion. Upon call of the roll, the motion carried unanimously.

AGENDA ITEM IV. BUSINESS FROM THE FLOOR

CATV REPORT: Represented at the Commission Meeting were the four cable companies who have franchises within the city limits. Those present were as follows:

Mountain Cable Systems, Inc.....	Alan Phillips
Tele-Com.....	Paul Gearheart
Mayo Village.....	Cleo Chaney
Tele-Media of KVV	

Mayor May reported that each of the cable companies received an invitation to attend the meeting due to the numerous calls to City Hall and to the Commissioners' homes with regard to poor cable tv reception. The City Manager advised that in addition to the calls, comments were made, referring to the service of the cable companies, on a recent survey of city residents. Representatives of the cable companies advised that they had no knowledge of any problems. Mayor May advised that they could review the comment cards received. A progress letter from Tele-Media of KVV was reviewed by the Commission. No discussion was had with regard to the letter.

AGENDA ITEM VI. PAYMENT OF BILLS

A. CITY BILLS: A list of City Bills totaling \$380,398.11 were presented to the Commission for approval of payment. Upon the City Manager's confirmation that funds were available for payment, Commissioner Blankenship made the motion, seconded by Commissioner Clark to approve payment of the bills as requested. Upon call of the roll, the motion carried 5 - 0.

B. SOUTH MAYO WATER DISTRIBUTION PROJECT: Submitted for approval of payment were the following bills in conjunction with the South Mayo Water Distribution and Improvements Project:

1. Contract #10 (M & S General Contractors) \$251,762.09
2. Contract #11 (M & S General Contractors) \$ 800.00 (Final Payment)
3. Will Linder & Associates - \$8,000.00 - Preparation and submission of Fund B-2 grant application

City Engineer Sykes reported that Contract #10 is currently 90% complete, however the request for payment takes the project to 48% completion.

Commissioner Davis made the motion, seconded by Commissioner Mounts to approve payment of the invoices as submitted for the South Mayo Water Distribution & Improvements Project. 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 projects as follows:

1. South Mayo Water Distribution Project: City Engineer Sykes reported that Contract #12 (Booster Station at Cedar Gap) has not been started at this

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time. Contract #13 (Water Storage Tank) is currently 30% complete. The city engineer advised that each of the contracts provided for an initiation date of March 1st with a 90 day contract completion time. The Commission was advised that the contracts would not be completed within the specified 90 days.

When the funding scheme was developed, a 7% project contingency was added which amounts to approximately \$80,000. City Engineer Sykes told the Commission that the entire project is currently 70% complete and no contingency funds have been used. Mr. Sykes continued by reminding the Commission that the funds were borrowed at 3% interest and suggested using the contingency funds to do the necessary maintenance and painting of water tanks. No action was taken.

2. Thompson Road: The city engineer reported that the design for the sewer to serve the Lake JoAnn area and shopping center property is approximately 90% complete. Mr. Sykes requested permission to advertise for bids. Commissioner Blankenship made the motion, seconded by Commissioner Mounts to authorize the City Engineer to advertise for bids for the extension of sewer services to serve Lake JoAnn and Thompson Road. Upon call of the roll, the motion carried unanimously.

3. Shopping Center Project: City Engineer Sykes advised that the shopping center developers, SEI, have requested permission to construct an entrance onto the existing road and then, permission to truck material across the road near the entrance. The Commission expressed concern about possible damage to the roadway by the heavily weighted trucks. Commissioner Mounts made the motion to grant permission for the construction of the entrance and give permission to haul, however directed the City Engineer to send a letter to the developer advising they would be held responsible for any damage to the roadway. Commissioner Blankenship seconded the motion. Upon call of the roll, the motion carried unanimously.

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

1. Swim Team: Presented and given second reading was an ordinance entitled:

ORDINANCE RELATING TO THE ESTABLISHMENT, CREATION, ORGANIZATION AND REGULATION OF THE CITY OF PIKEVILLE SWIM TEAM BOARD, AN AGENCY OF THE CITY OF PIKEVILLE

Commissioner Blankenship made the motion to adopt the Ordinance. Commissioner Clark 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. Workers' Compensation: City Manager Johnson reported to the Commission that the city currently is a member of the KACo/KLC Self Insurance Fund which provides the Workers' Compensation Insurance. Notification has been received that KACo (Kentucky Association of Counties) and KLC (Kentucky League of Cities) will be dividing. In order to continue insurance coverage through KLC, an Ordinance authorizing the execution of the agreement must be adopted. City Attorney Davis presented and gave reading to the emergency ordinance as follows:

AN ORDINANCE APPROVING A JOINT AND COOPERATIVE PROGRAM FOR SELF-INSURANCE, INSURANCE, AND THE INVESTMENT OF PUBLIC FUNDS AMONG VARIOUS CITIES, URBAN-COUNTY GOVERNMENTS, AND OTHER PUBLIC AGENCIES WITHIN THE COMMONWEALTH OF KENTUCKY; AUTHORIZING THE EXECUTION OF THE "INTERLOCAL COOPERATION AGREEMENT TO ESTABLISH THE KENTUCKY MUNICIPAL RISK MANAGEMENT ASSOCIATION;" APPROVING THE ARTICLES OF ASSOCIATION AND BYLAWS OF THE KENTUCKY MUNICIPAL RISK MANAGEMENT ASSOCIATION; AND DECLARING AN EMERGENCY

Commissioner Blankenship made the motion to declare an emergency with regard to the adoption of the Ordinance. Said emergency being that a deadline of May 28, 1993 was established to continue insurance coverage. 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
	SHARON CLARK	YES
	EUGENE DAVIS	YES
	JOHNNY MOUNTS	YES

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3. Annexation: As directed at the previous regular meeting, City Attorney Davis presented and gave first reading to an Ordinance declaring an intent to annex certain property on Cedar Creek owned by the Bowles Heirs. The Ordinance was read entitled:

ORDINANCE DECLARING THE INTENTION OF THE CITY TO ANNEX CERTAIN UNINCORPORATED TERRITORY LYING ADJACENT TO THE PRESENT CITY CORPORATE LIMITS AND COMPRISING OF APPROXIMATELY 209 ACRES WHICH WOULD EXTEND THE CITY CORPORATE LIMITS SOUTHWARD ON ISLAND CREEK AND CEDAR CREEK

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. Stone/Asphalt/Concrete Bids: City Manager Johnson presented bids for the 1993 supply of stone, asphalt and concrete. One bid was received in each of the respective categories. Commissioner Davis made the motion, seconded by Commissioner Mounts to award the concrete bid to Wells Ready Mix. Upon call of the roll, the motion carried unanimously. Commissioner Clark made the motion, seconded by Commissioner Blankenship to award the asphalt bid to Mountain Enterprises. Upon call of the roll, the motion carried unanimously. Commissioner Blankenship made the motion, seconded by Commissioner Clark to award the bid for stone to Elkhorn Stone. Upon call of the roll, the motion carried 5 - 0.

2. Personnel Matter: City Manager Johnson requested an closed session for the purpose of discussing a personnel matter. At 8:10 p.m., Commissioner Blankenship made the motion, seconded by Commissioner Davis to adjourn to a closed session for the purpose of discussing a personnel matter pursuant to Section 3, paragraph f of the Open Meetings Law. Upon call of the roll, the motion carried unanimously. At 9:20 p.m., Commissioner Davis made the motion, seconded by Commissioner Mounts to reconvene to regular session. Upon call of the roll, the motion carried 4 - 0 (Commissioner Blankenship not present at the time of vote).

It was reported that no action was necessary with regard to the closed session.

3. Budget: City Manager Johnson presented the Professional Services Group Budget for 1993-94. Mr. Johnson reported the budget for the operation of the Public Works Department is \$2,567,648 which reflects a 2.3% increase (\$57,419 from the 1992-93 budget) as allowed by their contract. The Commission was notified that PSG staff will receive a 3% salary increase. No increase was given to their employees last year. Commissioner Blankenship made the motion, seconded by Commissioner Davis to approve PSG's budget as proposed. Upon call of the roll, the motion carried unanimously.

1993-94 City Budget: First reading was given to an Ordinance as follows:

AN ORDINANCE ADOPTING THE CITY OF PIKEVILLE, KENTUCKY ANNUAL BUDGET FOR THE FISCAL YEAR JULY 1, 1993 THROUGH JUNE 30, 1994, BY ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS FOR THE OPERATION OF CITY GOVERNMENT

The City Manager advised that meetings had been held with the Commission to discuss the upcoming year's appropriations. A public hearing was held on May 20, 1993 to hear comments from the public.

The Ordinance will be on file in the office of the city clerk for a period of at least ten days for public inspection.

4. Pike County Housing Authority: City Manager Johnson reported that he had received written request from the Pike County Housing Authority asking to purchase a parcel in the river fill area (section scheduled for auction) on which to construct an administrative building. The City Manager requested a closed session to discuss the negotiation efforts of the adhoc committee which was established for the purpose of recommending minimum bid amounts for the river fill section scheduled for auction. At 9:25 p.m., Commissioner Davis made the motion, seconded by Commissioner Blankenship to adjourn to a closed session, pursuant to the Open Meetings Law, Section 3 paragraph c, to discuss property negotiations. Upon call of the roll, the motion carried unanimously.

At 9:50 p.m., Commissioner Blankenship made the motion to reconvene to regular session. Commissioner Clark seconded the motion. Upon call of the roll, the motion carried 4 - 0 (Commissioner Davis not present at time of vote).

It was announced that a report was given by the city manager on

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recommendations received by the adhoc committee with regard to selection of an auctioneer and other criteria in the disposal of the river fill section which is scheduled for auction.

City Attorney Davis presented a proposed policy for police department personnel regulating off duty/extra duty employment. The Commission directed the City Manager to distribute copies of the proposed policy to all police officers and ask for their comments.

City Manager Johnson presented a proposal from Wallen & Cornett, CPA's to conduct the city's annual financial audit. Mr. Johnson advised that a quote of \$13,900 was submitted, which is the same fee charged for the prior year's audit. Commissioner Blankenship made the motion, seconded by Commissioner Clark to award the 1993 audit to Wallen & Cornett, CPA's. As a matter of discussion, City Attorney Davis advised the Commission that the city is not required to advertise for bids for professional services. Upon call of the roll, the motion carried unanimously.

Captain of the Pikeville Volunteer Fire Department requested permission to sponsor a wrestling match on June 18, 1993. It was reported that the City Attorney has reviewed the contract and the requested changes have been made. Commissioner Mounts made the motion, seconded by Commissioner Davis to give permission to the Volunteer Fire Department to sponsor a wrestling match on June 18, 1993. Upon call of the roll, the motion carried unanimously.

Administrative Assistant, Sue Smallwood, reported that a grant in the amount of \$15,300 had been awarded for the emergency shelter project. The monies are slated to be used for the installation of a heat pump and the remodeling of the reception area.

City Manager Johnson reported that \$17,070 had been awarded by the Disaster Emergency Services for March, 1993's snow removal.

Several proposed amendments to the 1992-93 operating budget were submitted to the Commission for consideration. The Commission was advised that most of the amendments were to reflect receiving and expenditure of grant monies. First reading was given to the ordinance to amend the budget captioned as follows:

ORDINANCE ADOPTING AN AMENDED FISCAL YEAR BUDGET FOR THE FISCAL YEAR 1992-1993

The Ordinance will be on file in the office of the City Clerk for a period of at least ten days for public inspection.

There being no further business to come before the Commission, Commissioner Blankenship made the motion, seconded by Commissioner Clark to adjourn the meeting. Upon call of the roll, the motion carried 5 - 0 (Adjournment Time: 10:00 p.m.).

APPROVED

WALTER E. MAY, MAYOR

ATTEST:

Karen Harris
KAREN HARRIS, CITY CLERK