

SPECIAL MEETING MINUTES - JANUARY 10, 1994

The Board of Commissioners of the City of Pikeville met in special session on Monday, January 10, 1994. The meeting was held in the City Hall Public Meeting Room at 260 Hambley Boulevard.

Pursuant to the laws governing special meetings, notice of the meeting was delivered to each Commission Member and the news media. The meeting was called for the following purposes:

I. CALL TO ORDER

II. OLD BUSINESS

- A. Reconsider elimination of credit cards and the implementation of a travel policy to require advance approval for travel and expenses and to require a written report from the employee on he meeting's activities.
- B. Consider discussion with regard to the Cable T.V. Franchises and the poor cable reception. C. Consider discussion with regard to combining efforts with Pike County for the implementation of 911 Service.
- D. Reconsider use of the Mayor's office space and furniture.
- E. Reconsider the scheduling of two City Commission Meetings per month.

III. NEW BUSINESS

- A. Consider first reading of an Ordinance to set the property tax rates for 1993-94.
- B. Consider a request for assistance for improvements to the softball field at Hambley Athletic Complex
- C. Consider a review of the budget and salaries of the Industrial Development and Economic Authority and the contributions made to this agency by the City.
- D. Consider a review of the budget and salaries of the Main Street Program and the contributions made to this agency by the City.
- E. Consider a review of the findings of Wallen & Cornett, CPAs, with regard to the compensation paid to professional consultants.
- F. Consider discussion with regard to advertising for bids for professional services, materials, and supplies.
- G. Consider acquisition of video recording equipment for the purpose of taping Commission Meetings for broadcast.
- H. Consider authorizing the City Manager to publish annually the salaries of city employees and contractors.
- I. Consider adoption of a resolution requesting the Pike County Fiscal Court to reimburse the City for the portion of property taxes paid by City Residents.
- J. Consider implementation of an emergency snow removal plan.
- K. Consider discussion with regard to PSG's concern of faulty equipment.
- L. Consider a review of the City's 1993-94 operating budget and discuss the December 18, 1993 auction proceeds.
- M. Consider authorizing the City Manager to attend the City Manager's Conference on January 26-28, 1994.

IV. ANNOUNCEMENTS

Copies of the City Bill listing will be made available to the public during the meetings.

V. ADJOURNMENT

There being a quorum present, Mayor Steven D. Combs called the meeting to order at 7:00 p.m. Commission Members present upon call of the roll were as follows:

MAYOR:	STEVEN D. COMBS
COMMISSIONER:	KENNY BLACKBURN
	WALTER BLANKENSHIP
	SHARON CLARK
	EUGENE DAVIS

City Attorney Russell Davis, Jr., advised the Commission and those present that the laws governing special meetings allow discussion and action only on those items listed on the agenda.

The Reverend Ray Sword gave the invocation.

It was requested that Item B, under New Business be heard first to allow persons present having discussion pertaining to this matter the opportunity to attend another meeting.

1. Softball Field: Bill Baird, Marvin Hensley and Larry McCullum were present to discuss needed improvements to the softball field at the Hambley Athletic

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Complex. Mr. Baird advised the Commission that the Pikeville Independent School Board can't pay for the improvements because they don't own the property. Mr. Baird told the Commission that approximately 470 children were involved in the Little League program last season and he expects that many or more during the upcoming season. Pikeville will also have the opportunity to host a portion of the Girls State Tournament. Mr. Baird reported that the Little League has \$25,000 to spend for lighting which will purchase four banks of lights and the aluminum poles. \$20,000 of in-kind labor has been pledged which will pay for the installation of the lights. He requested the City approve a \$7,500 expenditure which would be used to pay the cost of the wire and the purchase of a switchbox. Additionally, it is requested that the City pay the electric bill for the lighting for three months out of the year. The school will pay for the other nine months. The lights will improve both fields. A target date of March 30, 1994 has been set for the installation. Mr. Baird advised that the Little League would not expect to have any particular rights for use of the field. The Commission was advised that the Little League carries a \$1 million liability insurance policy. City Attorney Davis advised that the City should be named as an additional insured on the policy. The City Attorney reported that the previous Commission had asked him to draft a Use Agreement for the use of the Hambley Athletic Complex by the Pikeville Independent School Board. That agreement has been sent to the school board's attorney for review. In that agreement, the school board is required to provide insurance and to name the City as an additional insured on their policy. The City Attorney recommended a similar agreement with the Little League for use of the City's facilities. City Manager Johnson advised the Commission that the budget would have to be amended to provide for the expenditure and noted that funds to pay the \$7,500 could come from the proceeds of the auction. Commissioner Blankenship made the motion to approve the expenditure of \$7,500 for purchase of electrical wiring, switchbox, etc; to approve paying the lighting bill for three months during the summer season; to direct the Little League to name the City as an additional insured on their liability insurance; and to amend the budget to provide for the expenditures. Mayor Combs seconded the motion. Upon call of the roll, the motion carried unanimously.

AGENDA ITEM II.

OLD BUSINESS

A. CREDIT CARDS: Mayor Combs reported that City Manager Johnson had presented him with the monthly statements of VISA use for the two accounts during the previous five years. Copies of the statements were made available to each of the Commission Members and the public. City Manager Johnson reported that he is presently in the process of drafting a new travel policy. Mr. Johnson advised that no employee will be required to travel until the new travel policy is in place. Mr. Johnson advised the Commission that the VISA account issued directly to him as City Manager has been closed. Mayor Combs recommended the adoption of the State's travel policy on a temporary basis until the City's new travel policy is adopted. Commissioner Clark voiced her opinion that the State's per diem rate is too low. City Manager Johnson advised that the data he has collected from other cities shows between \$25.00 - \$35.00 per diem expenses. Mr. Johnson told the Commission that he expects to present the City's new travel policy to them at the January 24, 1994 meeting. Mayor Combs explained that as long as the City is no more restrictive than the State, that he doesn't see any problem, because he feels there needs to be a limitation of travel expenses and he wants to cut expenditures. Mayor Combs made the motion to adopt the State's travel policy, in case there is any travel, until the next meeting and continue to use the City's same policy on mileage reimbursement of 28 1/2 cents per mile. Commissioner Clark stated she felt the Commission should stay with the same decision made during the January 3, 1994 meeting, which was to wait for the City Manager to present the new travel policy. The motion died from lack of a second. Mayor Combs announced this matter would be discussed again at the next scheduled meeting after the Commission has the opportunity to review the monthly statements. Commissioner Davis added that he did not think there was any question that the City needed a travel policy.

B. CABLE T.V. FRANCHISE: Mayor Combs reported he had attended the public hearing held by the Pike County Fiscal Court last week, where he complained on behalf of the citizens of Pikeville about the poor cable T.V. quality, cost, and problems with the service. While another hearing has been scheduled by the Fiscal Court, the Mayor explained that he thought city residents should have the opportunity to voice their complaints and concerns at a City sponsored public hearing. City Attorney Davis advised the Commission they could hold a public hearing, but explained that the reason Pike County is holding public hearings is because their cable T.V. franchises have expired. The City Attorney estimated that the City has another 15 years before its current cable franchises expire. The City Attorney advised that while the franchise ordinance mandates the cable companies provide good service, it is somewhat difficult to prove in that the City hasn't anyone in their employ who has the technical expertise to pinpoint the problem with the service. The City Attorney further advised that the main supplier of cable service, Tele-Media, was questioned by the previous Commission and explained to the Commission that the poor reception lies with the antennae location. They advised the Commission of their efforts to locate an alternate site. Mayor Combs advised that Wayne Harrison of Tele-Media testified during the public hearing that their company would not be improving the cable service for three to five years, however this did not apply to the City. Commissioner Davis asked the status of Tele-Media's relocation of antenna equipment. City Attorney Davis explained that the previous Commission had asked for updated reports for

every meeting, however they have not heard anything from Tele-Media in about three months. Mayor Combs made the motion to direct the City Manager to advertise a public hearing (set for a time after working hours) for citizens to voice their grievances about their cable service and, further, to direct the City Manager to ask all cable operators to be present. In addition, the City Manager is to advise citizens that if they are unable to attend the public hearing, they may submit written comments. Commissioner Blankenship seconded the motion. During discussion, the City Attorney was directed to advise Tele-Media to send a representative to the January 24, 1994 regular City Commission Meeting. Upon call of the roll, the motion carried unanimously.

C. "911": Mayor Combs stated he had been invited to the "911" Board Meeting for Pike County and they asked if the City would discuss with them the possibility of combining "911" service with them. Commissioner Blankenship advised that when 911 was initially discussed, the plan was to jointly, with the County, operate a "911" service, however he indicated there was no progress made toward this effort. City Manager Johnson reported he had spoken with Dan Cooley of Big Sandy Area Development District, who is working on the data base and addressing, who indicated he would be ready within the next 10 to 12 days to turn the information over to South Central Bell. Once South Central Bell gets this information it will take 3 to 5 months for them to create their data base. The City will then need to purchase or lease the equipment to implement the service. Mr. Johnson estimated implementation of the E-911 service by July or August of 1994. Police Chief Edmonds reported that some difficulty has been had recently when individuals dial 911 for assistance in that the county's 911 dispatchers have not properly directed those calls. Mayor Combs made the motion to allow the Police Chief, Fire Chief, and City Manager to meet with the Pike County 911 Board to discuss the possibility of combining efforts to provide service to both city and county residents. Commissioner Blankenship seconded the motion. Upon call of the roll, the motion carried 5 - 0.

D. MAYOR'S OFFICE/FURNITURE: Mayor Combs explained that he felt it necessary to bring this item before the Commission again as it was his desire to diminish the City's obligation to the Main Street Program by donating office space instead of a direct contribution. The Mayor reported he had discussion with the City Staff who indicate the need for the additional space, however thought it prudent to make every effort to cut the city's budget. Both, Commissioners Clark and Blankenship stated they were satisfied with their decision made during the January 3, 1994 meeting, when the Commission had voted to allow the City Manager to make the decision about how the office and furniture should be utilized. City Manager Johnson advised that he had not made that determination. Mayor Combs explained that he wanted to see the budget cut in an effort to guarantee pay raises to the city's employees. He added that the Police Chief has requested to use the furnishings in the new Police Station. No action was taken.

E. MEETINGS: Mayor Combs asked the Commission to reconsider changing the regular meeting dates from one meeting per month to 2 meetings per month. Commissioner Blankenship made the motion, seconded by Commissioner Clark to continue having one meeting per month. Commissioner Blackburn commented that he thought the public would be better served with two meetings per month giving citizens more opportunity to bring their requests to the Commission. He contended the second meeting was needed as the previous Commission met in nine special meetings during 1993. He told Commissioners Clark and Blankenship he would be willing to try two meetings per month for six months then if he found it wasn't necessary, would consent to go back to the one meeting per month. Commissioner Clark responded by saying she had talked with Commissioners Davis and Blankenship as well as ex-Commissioner Mounts who advised her that there was not enough business for two meetings per month. Commissioner Blackburn stated he would like the opportunity to decide this for himself. Commissioner Davis commented that he had served as Commissioner during times when the Commission met twice monthly and once monthly. He stated he did not see any reason for meeting twice monthly. The Commission heard comments from Nancy Blackburn, Jesse Salyers and Mike Castle who spoke in support of having two meetings per month. Mayor Combs agreed with Commissioner Blackburn and stated that with one meeting per month it takes too long to adopt an ordinance and there are too many emergency contracts. Mayor Combs advised the Commission that he plans to call at least one special meeting each month. Commissioner Clark asked if he was not going to honor the Commission's decision, should they vote not to have two regular meetings per month. The Mayor answered that if he had items to bring before the Commission he would call a meeting, but he anticipates one special meeting per month. Commissioner Davis called for a spirit of cooperation with the other Commission Members. He commented that he did not look forward to serving for three years facing antagonistic types of things and confrontation. He urged listening to the majority of the Commission. He added that if he makes his comments on a subject and the majority of the Commission does not agree with him, he lost. Commissioner Davis concluded by saying the citizens of Pikeville would be much better served if they conducted their business in a cooperative manner. Mayor Combs commented that was all he wanted to do which was why he wanted two meetings per month, so the people can come to the meetings and voice their concerns. He added that the people who voted for him and those he has talked to want more than one regular meeting per month and advised he would continue to bring up the matter. Upon call of the roll, the motion carried with Commissioner Blackburn and Mayor Combs casting a "no" vote.

AGENDA ITEM III.

NEW BUSINESS

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A. TAX ORDINANCE: City Attorney Davis advised the Commission that no new taxes were included in the proposed Property Tax ordinance nor has the rate increased. The City Attorney advised that an annual ordinance is necessary to set the dates providing for a discount and a penalty upon payment of the property tax ticket. First reading was given to the Ordinance entitled:

AN ORDINANCE FIXING A TAX LEVY ON REAL AND TANGIBLE PERSONAL PROPERTY, FRANCHISES, BANK SHARES, ALL FOR THE GENERAL OPERATING EXPENSE PURPOSES AND PROVIDING FOR A DISCOUNT ON ALL TAXES, IF PAID ON OR BEFORE MARCH 8, 1994, AND A PENALTY IF NOT PAID BY APRIL 19, 1994.

It was announced the ordinance would be on file in the City Clerk's office for public inspection.

C. IDEA BOARD: Mayor Combs reported that Commissioner Blackburn had asked questions relative to the status of the IDEA Board, what their funds are spent on and what the City's contribution is compared to that of the County. Leon Huffman, representing the IDEA Board (Industrial Development Economic Authority) advised the Commission that the Board operates on \$120,000 to \$130,000 annually. Pikeville contributes \$38,600 per year for 1/3rd of the share and Pike County contributes \$78,000 per year. Mr. Huffman reported that the Board, for the past year, has been actively seeking an individual to serve as director. IDEA was able to obtain 43 acres of commercial property with the aid of Pike County who contributed \$500,000 - \$125,000 annually for four years. The County also committed the Unmined Minerals Tax to be used toward the development of the Mossy Bottom Tract. Part of the cost was recovered through the sale of the coal. Application has been made and approved to pay off the balance owed on the property with Coal Severance Funds. Negotiations are underway with an unnamed company to locate in the area. It is expected the company will employ about 60 persons and increase to 100 persons after they become fully operational. Mr. Huffman explained that up until this point, the \$78,000 annual contribution by Pike County is used to pay the salary of the director and of the office personnel. The City's annual contribution is used to pay the operating expenses of the office plus \$1,600.00 monthly to pay on the note secured for the Mountain Textile Building. Mr. Huffman commented that the City has two tracts which are designated "Industrial", one a 20 acre tract and the other a 7 acre tract. The IDEA Board received permission to fill those two tracts, but permission may have been withdrawn due to the fact that the State didn't get permission to do the filling when they built the Buckley's Creek Bridge. Mr. Huffman stated that at one time the City gave IDEA permission to develop those tracts and that is how IDEA obtained permission to fill. The 20 acre tract was identified as the old Softball field and the 7 acre tract is located across from the Lake Joann area. Commissioner Blackburn stated there was some question as to whether the City is contributing more than the County is when compared to the population. Mr. Huffman conceded this analysis was probably true. Mayor Combs stated that the City is contributing to the IDEA Board at a rate of \$6.10 per city resident, while the County is only contributing \$1.17. Mayor Combs stated that since the City residents are also residents of the County, this is a disproportionate contribution. Mr. Huffman advised that he and the previous administration had discussed the matter of the contributions from time to time and the fact that it wasn't quite equitable, but feels it is an advantage to both the City and the County to keep IDEA in existence. IDEA Board Member, Burlin Coleman, informed the Commission that between 15 and 20% of their total budget (\$493,000 in 1993) comes from private donations. Mr. Huffman added that if the development at Mossy Bottom is taken into consideration, the County does pay their fair share. Commissioners Clark and Blankenship pointed out that the City has included the IDEA contribution in its budget and the matter can be discussed again during preparation of the new budget in June. Mayor Combs stated he would like to wait to see what the new director does and what comes about before making a decision with regard to the contributions.

D. MAIN STREET: Included with each Commission Member's agenda package was a copy of the Main Street Program's budget for year 1994. According to Pike County Chamber of Commerce President, Leslie Combs, the Main Street office is currently housed in the Chamber of Commerce offices. Main Street Executive Director, Myra Chico, advised the Commission that the City contributes \$10,000 annually to the Main Street Program. An additional \$5,000 is given upon proof of matching funds. The County also contributes \$5,000 annually. Mayor Combs explained that this matter was placed on the agenda to be considered in conjunction with the disposition of the Mayor's office space. Although the executive board of the Chamber of Commerce has not discussed it, Ms. Combs said she had been considering the idea of combining the Main Street Program with the Chamber of Commerce and thinks both programs could be administered jointly with less money. Main Street Chairman, John Hiers, explained to the Commission that this program is probably the only organized agency which works solely for the development of the City. Mr. Hiers told the Commission that without the funds from the City and the County, Main Street Program could not survive, and encouraged the Commission to continue funding. Ms. Chico advised the Commission that the Main Street Board will be meeting on January 11, 1994 at City Hall and they will be discussing the rental of office space in the Chamber of Commerce's offices. Ms. Chico stated she felt this arrangement was between Main Street and the Chamber. Mayor Combs stated he was considering the space at City Hall should Main Street and the Chamber not be successful in working out an arrangement. Downtown businessman, Frank Dawahare, commented that he did not have a problem with the Main Street Program being located in the Chamber of Commerce. He indicated that the Main

Street Board had begun trying about a year ago to develop a closer tie with the Chamber. Mayor Combs explained he had placed this item on the agenda because he wanted to see the program continued and wanted to make sure that space was provided to Main Street if it was needed. Commissioner Clark pointed out that the City's contributions to the Main Street Program are included in the 1993-94 budget. Mayor Combs advised that he thought that Main Street's rental of office space may be more than they had budgeted and that they might require additional aid. Ms. Chico reported that Main Street paid \$150.00 per month for office space prior to relocating to the Chamber offices. Ms. Combs advised the Commission that the Chamber will be glad to house the Main Street office and would appreciate any assistance the City could offer toward rental compensation.

E. PROFESSIONAL CONSULTANTS: Mayor Combs reported that he had obtained the figures for the cost of legal and engineering services. From July 1, 1992 to June 30, 1993, legal services cost the City \$25,522.34 and engineering services, supplied through Summit Engineering, Inc. cost the City \$175,014.07. With that in mind, Mayor Combs asked the Commission for their opinion with regard to advertising for bids for these services or entering into contracts with the existing contractors for a lump sum. Jack Sykes, representing Summit Engineering, Inc., presented a written summary of the projects undertaken during 1993 which accounted for the \$175,014.07 cost. Those projects were identified as follows:

<u>Project</u>	<u>Total Contract Price</u>
Riverfill Addition #1 (water, storm sewer and street subgrade)	\$ 46,610.00
South Mayo Trail Waterline Extension	1,138,948.50
Thompson Road Sanitary Sewer Extension	531,554.20
U.S. 23 Sanitary Sewer Crossing	45,947.50
Fire Station Addition	112,042.00
New Police Station	282,369.84
Poor Farm Pump Station Rehabilitation	102,011.00
Bowles Subdivison/Old U.S. 23 Sidewalk Curb & Gutter	131,000.00
Painting Harolds Branch & Ratliff Creek Water Tanks	40,206.00
Total Construction Cost	\$2,430,689.04

Mr. Sykes commented that the \$175,014.07 which was paid to Summit Engineering, Inc. last fiscal year represents about 7% of the total construction cost. Typical engineering fees, using the FmHA (Farmer's Home Administration) schedule is 10% for design alone. Summit Engineering provided design and inspection for their fee. In addition to the above construction projects, Mr. Sykes advised there were several other services provided to the City throughout the year which weren't capital projects. Those projects were identified as follows:

1. Provided surveying and legal descriptions for various property transfers (total property values approximately \$1,000,000.00)
2. Provided review and inspection for the installation of utilities and access to the new McDonalds.
3. Developed preliminary design concept for Riverfill Road from Huffman Avenue to Baird Avenue.
4. Develop design drawing for fire station training building.
5. Evaluate potential annexation for portion of Island Creek.
6. Assisted with the operation certifications for the wastewater treatment plant.
7. Assisted with the dedication of street and preliminary design for access to the proposed Habitat for Humanities Development.
8. Assisted Will Linder with technical information and mapping for update of the Comprehensive Plan.
9. Developed flood studies for the bridge and development occurring at the old airport site.

City Attorney Davis commented that about half of the \$25,522.34 is what he is paid for a salary. He reported that his salary has not increased in the eight years in which he has acted as City Attorney. Mr. Davis advised that he charges an hourly rate of \$75.00 for all court work.

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Commissioner Davis pointed out that Summit Engineering has been employed as the City's engineer since 1981. Their initial retainer fee of \$2,100 has not changed since that time and is included in the \$175,014.07.

Nancye Blackburn asked how the City Attorney and City Engineer are hired. City Attorney Davis reported several attorneys applied for the position after Larry Webster resigned. He stated he had an interview with the Commission, and was chosen, not particularly by rate, but by who they felt would do the best work. Jack Sykes reported that Summit Engineering, Inc. was hired in 1981, after the death of Evans McGraw. He stated his firm was also interviewed by the Commission.

Mayor Combs said he would be obtaining more information with regard to this matter and advised he would be placing this item back on the next meeting's agenda.

F. ADVERTISING: Mayor Combs asked how the City currently purchases materials and supplies. City Manager Johnson stated that office supplies are generally purchased through wholesale catalogs like Viking or Quill or in local stores. Comparative shopping is done on large items. Mayor Combs asked if local merchants are given the opportunity to bid. City Manager Johnson advised that the City does its best to buy locally. Other criteria in addition to price are taken into account when purchasing large items, such as availability and servicing. Mayor Combs stated it was his desire to keep the money at home. Nancye Blackburn told the Commission that Lexington-Fayette Urban County Government allows a 10% "handicap" to its local vendors and suggested a similar policy for Pikeville. City Attorney Davis advised the Commission that it is bound by the Model Procurement Code and gave his opinion that it would be unconstitutional to make it a policy to deal with local merchants only or to mandate that non-local persons had to underbid local vendors by 10%. The Commission was informed that all contracts are advertised and local contractors are given the same opportunity to submit a bid. City Attorney Davis pointed out that Kentucky Law provides that a bid bond is required on projects over \$25,000 which proves to be onerous to some local contractors. Mayor Combs made the motion to direct the City Manager to make all reasonable efforts to encourage local contractors and suppliers to bid on City services, City contracts, and City supplies. Commissioner Davis seconded the motion. Upon call of the roll, the motion carried unanimously.

G. VIDEO EQUIPMENT: Mayor Combs reported that in Lexington, Tele-Cable provides free coverage of the Urban County Council Meetings as part of their franchise. He stated that with this item, he was going to request the City Manager to look into the cost of purchasing video recording equipment which would cut the cost of transcribing meetings and would provide a complete record versus the summary record. City Attorney Davis advised that the City's minutes, like all minutes of any board, are a summarization of the action taken during the meeting. The City Attorney advised that the City Commission reviews those minutes and if any inaccuracies are found, corrections or additions may be made. City Attorney Davis reported that Tele-Media has indicated to him that they would consider any requests for a public access channel. The Commission postponed action on this matter until the next meeting when they can discuss it with Tele-Media. The Commission was informed by Lonnie Osborne that FCC Regulations require Lexington to have public access channels because of their population counts. He indicated those regulations would not apply to Pikeville.

H. PUBLISHING OF SALARIES: The Commission discussed the possibility of directing the City Manager to publish annually, the salaries of city employees and contractors. City Attorney Davis advised the Commission that it would be legal to publish these salaries as this information would be subject to public disclosure. Mayor Combs made the motion to publish these salaries, utilizing the same form as the County does. City Manager Johnson asked if the Commission wanted the salaries published now or wait until the new budget year (July). Mr. Johnson added that the Pike County School Board advertises salaries, however Pike County no longer publishes the salaries of their employees or contractors. Commissioner Clark asked Mayor Combs the reason for publishing the salaries. The Mayor explained that he feels the public has the right to know what the employees are paid. Commissioner Clark stated she would like additional time to consider the matter. Mayor Combs conceded and announced the matter would be on the next meeting's agenda. A member of the audience, Steve Ford, asked if the salaries of PSG employees would also be public record. City Attorney Davis advised that the City may advertise what they pay PSG, however they can not advertise the salaries of PSG's employees because PSG is a private firm. Mr. Ford contended there were injustices among the employees at PSG in that some of the newer employees are paid at a higher rate than some of the employees with more seniority. PSG Regional Manager, Bob Dohoney, addressed this concern and advised the Commission that it was true that injustices had been done in the past, but assured the Commission it would not happen again. Mr. Ford added that he did not understand why an additional contract was awarded for the construction of sidewalks since PSG has a contract to operate the City's Public Works. Mayor Combs advised that he has a copy of PSG's contract and will review it, then report his findings at the next meeting. City Manager Johnson explained that typically, a large contract like the \$131,000.00 sidewalk project, pursuant to the Model Procurement Code, is figured at the rate the project can be done in-house compared to what a private contractor bids. In some cases, contracts have been done by force account, but in this case it was more practical to have a contractor who has the expertise in concrete, has the equipment to do the project, and can accomplish

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the project more efficiently and expediently. Mr. Johnson added that the sidewalk project is large enough where it would have required all of PSG's street crew which would not have allowed the repair of streets and sidewalks in other areas of town.

Mayor Combs invited employees of the City and those of PSG to address their concerns with the Commission.

I. PIKE COUNTY PROPERTY TAX: Mayor Combs advised that currently, City residents pay property taxes to the County at the same rate as County residents, however the County does not provide any public works services to the City. The Mayor asked that he be authorized, along with the City Manager, to request that Pike County Fiscal Court to return a portion of the taxes City residents pay. Commissioner Blankenship made the motion to authorize Mayor Combs and City Manager Johnson to address this concern with the Pike County Fiscal Court. Commissioner Clark seconded the motion. During discussion, Commissioner Clark asked what portion of the tax dollars would be sought. Commissioner Davis suggested asking for an amount based on the appraised value of the property located within the City Limits. He added that at one time, the figure was 12 1/2%. City Attorney Davis advised that this information could be easily obtained. Upon call of the roll, the motion carried unanimously.

J. SNOW REMOVAL PLAN: Mayor Combs reported that during last week's inclement weather, he had a number of calls with regard to snow removal, and needed is a solid plan which would be fair to everyone. PSG Project Manager, Tom Bacon, displayed a map showing a proposed order in which the streets would be cleared. Everyone agreed the first priority would be to clear a route to the hospital. During discussion, the Commission, as well as the Police Chief and the Fire Chief, had input on several areas where PSG questioned if they had any jurisdiction to remove the snow as well as changing the order in which some streets would be cleared. Mayor Combs made the motion to direct PSG, with input from the Police Chief and Fire Chief, to develop a snowemergency removal plan similar to the plan presented. Commissioner Blankenship seconded the motion. Upon call of the roll, the motion carried unanimously.

K. FAULTY EQUIPMENT: Tom Bacon reported to the Commission that some of the equipment used by PSG for snow removal is not in very good condition. Mr. Bacon advised he had not had the opportunity to prepare a presentation for the Commission, but explained that much of the equipment is between 10 and 12 years old. Mayor Combs told Mr. Bacon that if PSG does not have the equipment to clean the hills, he expects them to hire private contractors to get the job done. Mr. Dohoney advised the Commission that PSG has already begun utilizing assistance from private contractors. The Commission directed Mr. Bacon to submit a list of needed equipment at the next meeting.

L. 1993-1994 OPERATING BUDGET REVIEW/AUCTION: Mayor Combs advised that pursuant to the deeds drawn for the property that was sold during the auction, the proceeds from the sale are subject to return to the successful bidder should the purchaser fail to begin construction within eighteen months. City Attorney Davis advised that it is at the City's option on whether to return the money or to extend the construction time. The Mayor asked if the City was required to refund the purchase price with regard to the Absher property should construction not begin on time. The City Attorney advised that payment to the Absher's would also be at the City's option. Mayor Combs asked if the proceeds from the auction should be placed in the operating budget or if the proceeds should be deposited into an escrow account. The City Attorney advised that it would be legal for the City to expend funds from the proceeds but wondered if monies would be available should one of the purchasers be declared in default and the City wanted to exercise its option to repurchase the property. The Commission directed the City Attorney to review the deed with Mr. Absher to make certain that it wasn't required to repay the purchase price should development of the property not proceed. Mayor Combs added that a plan should be developed for the expenditure of the auction proceeds.

M. CITY MANAGER'S CONFERENCE: City Manager Johnson requested permission to attend the City Manager's Conference in Florence, KY on January 26-28, 1994. Registration fee is \$95.00 and Lodging is \$114.00. Mayor Combs made the motion to authorize the City Manager to attend the conference and directed that Mr. Johnson make all materials received at the conference available and that he report on the meeting's activities. Commissioner Blankenship seconded the motion. Upon call of the roll, the motion carried unanimously.

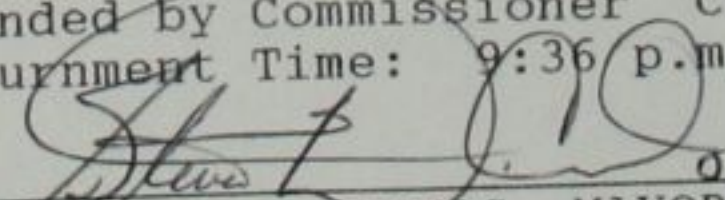
AGENDA ITEM IV.

ANNOUNCEMENTS

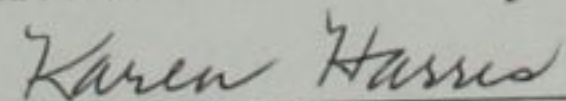
Mayor Combs announced that copies of the City Bills will be made available to the public during the meetings.

There being no further business to come before the Commission, Commissioner Blankenship made the motion, seconded by Commissioner Clark to adjourn. The motion carried unanimously. (Adjournment Time: 9:36 p.m.)

APPROVED


STEVEN D. COMBS, MAYOR

ATTEST:



KAREN HARRIS, CITY CLERK

