

MINUTES } CITY OF PIKEVILLE

REGULAR MEETING MINUTES - JULY 25, 1994

The Board of Commissioners of the City of Pikeville held their regular monthly meeting on Monday, July 25, 1994. The meeting was conducted in the City Hall Meeting Room at 260 Hambley Boulevard.

There being a quorum present, Mayor Steven D. Combs called the meeting to order at 6:00 p.m. Commission Members present upon call of the roll were as follows:

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

Commissioner Eugene Davis arrived at 6:50 p.m.
Commissioner Walter Blankenship left the meeting at 8:25 p.m.

AGENDA ITEM II.

CALL OF THE AGENDA

Item VII., (Habitat for Humanity) was moved to Business from the Floor, Item E. Added as Item F. under Business from the Floor was a report regarding the Telecommunications Center.

AGENDA ITEM III.

MINUTES

The minutes for the previous regular meeting of June 27, 1994 and special meeting of June 29, 1994 were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Blankenship made the motion, seconded by Commissioner Blackburn to approve the minutes as submitted. Upon call of the roll, the motion carried 4 - 0 (Commissioner Davis not present at the time of the vote).

AGENDA ITEM IV.

BUSINESS FROM THE FLOOR

A. TELE-MEDIA REPORT: Local Tele-Media Company Manager, Carol Adkins, gave each Commission Member a written report detailing Tele-Media's progress in improving the cable T.V. service. Ms. Adkins reported that Tele-Media has begun the installation of the fiber optic cable. According to Ms. Adkins, the project is continuing as scheduled. Completion date is expected at the end of October.

B. MOUNTAIN COMPREHENSIVE CARE: Attorney Darrell Sammons appeared before the Commission on behalf of the Mountain Comprehensive Care Center. Mr. Sammons referred to a 1988 deed from the Urban Renewal Agency and the City of Pikeville to the Mountain Comprehensive Care Center for an approximate one acre tract of property located in the river fill. Mountain Comprehensive Care Center is finalizing plans to construct a facility, however one problem has been encountered relative to financing. Mr. Sammons called the Commission's attention to page 2 of the deed which reads as follows: "Should the Mountain Comprehensive Center cease to exist, this property will become the property of the Pike County Board of Health (Pike County Health Department) or its

successor in name which is to be used for purposes consistent with public health." Mr. Sammons proposed a deed of correction to remove the verbiage from the original deed. City Attorney Davis advised the Commission that he did not think a deed of correction necessary. He advised the Commission that an agreement could be entered into with the financial institution whereby the City would subordinate its right if the financial institution found it necessary to foreclose on the land. Mayor Combs asked if the Board of Health would also have to sign the agreement. City Attorney Davis replied that he was unsure if this measure would be necessary. Mr. Sammons told the Commission that this arrangement would be satisfactory with Mountain Comprehensive Care Center if it is satisfactory with the financial institution. Commissioner Blankenship made the motion to authorize the City Manager, City Attorney and Mr. Sammons to negotiate the terms satisfactory to the lender, protecting the City's interest in that the property will continue to be held for public institutional use. Commissioner Blackburn seconded the motion. Upon call of the roll, the motion carried 4 - 0 (Commissioner Davis not present at the time of the vote).

C. UDAG APPLICATIONS/KEYSER HEIGHTS PHASE II: Mayor Combs reported that the Commission had met in work session earlier last week to discuss the Keyser Heights Phase II UDAG application, and specifically, the correspondence from Brian Kirby of Will Linder's Office, concerning UDAG regulations stipulating that no more than \$15,000 can be utilized in the development of a housing lot. Herman Lester, representing Stuart Adams, advised the Commission that he and his client had seen the correspondence and have amended the application to meet the requirement. The number of houses has been increased from 30 units to 50 units and the funding request has been reduced to \$450,000. Mr. Lester asked the Commission to authorize the submittal of Mr. Adams' UDAG grant application subject to that application meeting the guidelines established by the funding agency. Keyser Heights residents told the Commission that they were not opposed to the increase in housing units, however objected to the manner in which those housing tracts were developed. Steve Ratliff told the Commission that the slip behind his house has still not been removed. The Commission viewed the proposed plat for the Keyser Heights Phase II development. Mr. Adams guaranteed that he would not develop the area behind the existing houses in Keyser Heights. Mayor Combs asked what kind of assurance that Mr. Adams would give. Mr. Adams said he would provide a written agreement that he would not develop the hillside behind the existing houses in Keyser Heights for a period of twenty (20) years. Mayor Combs asked City Engineer Sykes if the sewage lift station had the capacity to service the additional development. The City Engineer reported that the lift station is designed to accommodate 37 additional houses, however he advised that PSG has reported maintenance problems. Mayor Combs asked if Mr. Adams' UDAG application provides for any funding for upgrading the sewage lift station. UDAG Advisory Board Chairman, Roger Recktenwald, advised that no funds for improvements to off-site infrastructure was included in the

application. Mr. Adams told the Commission that he would absorb the cost for any necessary improvements to the sewage lift station as a result of the development of his subdivision.

After reviewing the development plan, Steve Ratliff told the Commission that he did not think that Mr. Adams should be eligible to receive UDAG funds until all problems have been corrected. In addition, Mr. Ratliff asked that the City not allow Mr. Adams to perform any construction activity within 200 feet of the slide; to require Mr. Adams to have the development plan approved by the Joint Planning Commission and other appropriate agencies; and to require Mr. Adams to provide a bond for any potential damage.

UDAG Advisory Board Chairman, Roger Recktenwald, told the Commission that the committee has not reviewed Mr. Adams' application amendment. A special meeting of the UDAG Advisory Board was scheduled for July 27, 1994 at 5:30 p.m.

Keyser Heights residents continued to express their opinions that the Commission should not submit Mr. Adams' application for funding since he has not received approval of his subdivision plat from the Joint Planning Commission and the fact that the UDAG Advisory Board has not approved the application. The group was assured that Mr. Adams would be required to obtain all necessary approvals, permits, etc. prior to receiving any UDAG Funds since the funds come to the City for disbursement. In addition, City Attorney Davis reported that the proposed subdivision regulations will be presented before the Joint Planning Commission on August 18, 1994 at 7:00 p.m. During this public hearing, all citizens will be afforded the opportunity to voice their comments with regard to the proposed regulations.

Commissioner Blackburn made the motion to authorize the submittal of the grant application for the Keyser Heights Phase II project subject to the following conditions:

- a. a positive evaluation by the UDAG Advisory Board
- b. a written agreement signed by Mr. Adams guaranteeing that he will undertake no development behind the existing Keyser Heights residences for a 20 year period.
- c. that Mr. Adams be responsible for all out-of-pocket expenses for improvements to the sewage lift station if his development deems the upgrade necessary
- d. that Mr. Adams obtain all permits and approvals from appropriate agencies

Commissioner Davis seconded the motion. Upon call of the roll, the motion carried 5 - 0.

D. AMPHITHEATER REPORT: Mary K. Back reported to the Commission that an organizational meeting was held with citizens of Pikeville and Pike County relative to the construction of an amphitheater facility. Big Sandy Area Development District Executive Director, Roger Recktenwald, told the Commission that the ADD District applauds the efforts of the citizens' group and supports the

establishment of a non-profit corporation to develop and operate the proposed City owned facility. Mayor Combs asked that the site selection committee work with the City Attorney in the development of a business plan - either in the form of a lease, a management contract, or a non-profit corporation - whichever is most advantageous in the soliciting of grant funds - and be prepared to submit the agreement before the Commission at their next meeting. A Commission Member asked if a site had been selected for the amphitheater facility. Ms. Back said that a tract in Bob Amos Park is being considered. It has also been requested that the City Commission consider allotting a portion of the UDAG Funds, obtained through the Retention and Recapture Act, for the construction of the facility. Ms. Back asked the Commission to consider appointing the following individuals to the Board of Directors of the Amphitheater Committee: Commissioners Sharon Clark and Walter Blankenship representing the City of Pikeville; Terry Spears representing Pike County; Madena Sallee representing the Pikeville City School; Teresa Robinson representing Pike County Schools; Jerry Kanney representing St. Francis School; Marty Backus representing the Chamber of Commerce; Claire Olson representing Pikeville College; Mary K. Back, Terry Kinzer, and Sandy Runyon representing Pike County Citizens at Large; and Keith Caudill, Burlin Coleman, Markita Blackburn, John Blackburn, Agnes Hefner and John Elliott representing Pike County Business Sector-Citizens at Large. Commissioner Blankenship asked whether it would be a conflict of interest for he and Commissioner Clark to serve on the Board of Directors. City Attorney Davis advised that Commissioners Blankenship and Clark could serve as ex-officio members on the board. Commissioner Blackburn made the motion to appoint the Board of Directors of the Amphitheater Committee as requested. Mayor Combs seconded the motion with the stipulation that he would be abstaining from the vote relating to the appointment of Mrs. Hefner. Upon call of the roll, the motion carried 2 - 0 - 2 (Commissioners Blankenship and Clark abstained from the vote; Commissioner Davis not present at the time of the vote).

E. BIG SANDY HABITAT FOR HUMANITY: The Commission reviewed a letter from Ray Milam of the Big Sandy Habitat for Humanity, requesting that the street off Julius Avenue and leading to the Habitat's property, be named Habitat Street. Secondly, Mr. Milam requested that the Big Sandy Habitat for Humanity be considered to receive UDAG Funds through the Recapture and Retention Act at such time as the City obtains those funds. Mr. Milam explained to the Commission that the Habitat for Humanity can not build houses utilizing Federal Funds, however those funds can be used to acquire property, extend utilities and streets, and to refurbish existing buildings. Mayor Combs asked Administrative Assistant Sue Smallwood to check with HUD officials to determine if the Habitat for Humanity would be eligible for UDAG Funds. The Mayor told Mr. Milam that the Commission would keep the Big Sandy Habitat for Humanity in mind when determining the use of the anticipated funds acquired through the Recapture and Retention Act. Commissioner Blankenship made the motion to authorize the City Attorney to draft an Ordinance to name the

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previously unnamed street leading off Julius Avenue, Habitat Street. Commissioner Blackburn seconded the motion. Upon call of the roll, the motion carried 4 - 0 (Commissioner Davis not present at the time of the vote). Mayor Combs announced that first reading of the Ordinance would be had later on in the meeting.

F. TELECOMMUNICATIONS CENTER: Telecommunications Board Chairman, Don Wallen, gave the Commission a progress report of this board's activities. According to Mr. Wallen about \$40,000 has been collected toward the funds needed to establish a Telecommunications Center; \$20,000 has been committed; and about \$30,500 is pending. The board will be applying for grant funds from three entities. Mr. Wallen reported that he has been told that the Telecommunications Center will not receive a favorable rating unless a firm funding commitment is had and a site has been acquired. Mr. Wallen reported that the board has met with the Pikeville Library Board and it was decided that both organizations would be better served if the library and Telecommunications Center could be housed in the same facility. Since there is an October grant filing deadline, Mr. Wallen asked the Commission to investigate the surplus sites owned by the City. Two sites that Mr. Wallen suggested was the triangular shaped parcel at Hibbard Street currently leased by Deskins Motor Company, and the parcel behind the downtown City Park. It was pointed out that the Library Board owns the site at Hibbard Street. Mayor Combs asked that a meeting be scheduled with the Library Board, the Telecommunications Center site selection committee, and the City Commission to discuss the matter further. In the meantime, the City Engineer was asked to inventory the City's surplus property to determine which tract would best suit the needs of the library and Telecommunications Center. The Mayor also advised that \$10,000 had been placed in the City's budget for the Telecommunications Center.

G. NORTHGATE SEWER EXTENSION: As directed at the previous meeting, City Engineer Sykes presented a cost estimate for the extension of sewage service to a tract of property owned by Henry Hook in Northgate. Mr. Sykes presented a cost estimate in the amount of \$14,900.00 for the installation of 600 feet of main line. Mr. Sykes estimated that the project could be done in-house for 60% of the estimated cost. It was questioned if the City would have to obtain easements for the extension of the utility line. Mr. Sykes advised that the City has an easement for the roadway which leads to the water tank. One Commission Member asked if any other houses would be constructed. Mr. Hook explained that he had approached the property owner, Hobart Clay Johnson, and asked that he sell a house lot to him. He stated that he did not think that Mr. Johnson was interested in selling the remaining property at this time. City Manager Johnson asked if the property owner should have had a subdivision plat approved. City Attorney Davis confirmed it would have been appropriate for Mr. Johnson to have sought the Joint Planning Commission's approval since his he sold one portion of the property. Commissioner Clark, in an example, asked if it would be the City's responsibility to extend the sewer line

for a property owner who built a house on top of a hill. Mayor Combs explained that, historically, the City had extended sewage service to the property owner's boundary line. It was asked if the proposed subdivision regulations defined responsibility for utility extensions. City Engineer Sykes advised that the proposed regulations provide that it will be the developer's responsibility to extend the utilities.

PSG Manager Tom Bacon told the Commission that he could arrange the public works crew's schedule to install the sewage line.

Commissioner Blackburn made the motion to extend the sewage line with Mr. Hook to pay 40% of the cost or \$4,000.00, whichever is greater. Mayor Combs seconded the motion. Upon call of the roll, the motion failed 2 - 3 (Commissioners Blankenship, Clark and Davis voting no).

H. HOPE (HELPING THE POOR EXIST): Richard Elswick, on behalf of the HOPE Program in Pike County, advised the Commission of the program's need for property on which to locate a warehouse. Mayor Combs advised Mr. Elswick to work with the City Manager and City Engineer to locate a site and bring the matter back before the Commission.

AGENDA ITEM V.

PAYMENT OF BILLS

A list of City Bills totaling \$378,176.37 was submitted 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 unanimously.

AGENDA ITEM VI.

OLD BUSINESS

A. CITY ENGINEER'S REPORTS: Jack Sykes, representing Summit Engineering, Inc., City Engineers, gave a verbal progress report of ongoing projects.

1. Sidewalk: As directed at the previous meeting, Mr. Sykes reported that he had looked at the possibility of extending the sidewalk down to the Pikeville High School entrance. The City Engineer recommended that the Commission not approve this extension due to 10 parking spaces being lost and the cost to extend the sidewalk from the entrance to the swimming pool to the school's entrance being \$13,900.00. Mayor Combs reported that he was concerned for the safety of the pedestrians. Mr. Sykes informed the Commission that the sidewalk between the pool and the ballfield is closed during ballgames, however it is open during school hours. No action was taken with regard to this matter.

2. Pauley Bridge: The City Engineer advised the Commission that he has detected at least 8 deficiencies requiring repair prior to the reopening of the Pauley Bridge. In addition, the bridge must be inspected by a structural engineer who has expertise in cable structures. The repairs

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are estimated to cost \$36,000.00 and a quote from a Lexington structural engineer for the inspection is \$8,200.00. Additionally, the bridge must be inspected annually at an estimated cost of \$1,500.00 per year. Mr. Sykes alerted the Commission that repairs may cost more if the structural engineer finds other problems that he did not detect during his inspection.

The Commission heard comments from Kathy Shurtleff and one other resident opposing the reopening of the bridge, citing safety for the neighborhood children as a prime concern.

Additionally, comments were heard from John Paul Runyon and others supporting the reopening of the bridge, mainly due to the traffic congestion generated by the shopping center. A petition, with the names of 102 residents of the Pauley and Keel Additions, Quail Ridge and Lake Joann Area supporting the reopening of the bridge, was submitted to the Commission.

Kathy Shurtleff told the Commission that she had talked with some of the residents, who signed the petition in support of reopening the bridge, who did not care whether the bridge was reopened or not, and some signed the petition because they did not want the people who were circulating the petition to get angry.

Commissioner Blankenship made the motion to employ a structural engineer to inspect the Pauley Bridge and to give a cost estimate for necessary repairs. Mayor Combs seconded the motion. Upon call of the roll, the motion carried 4 - 1 (Commissioner Davis cast a no vote). City Engineer Sykes advised the bridge inspection will take approximately 4 weeks to complete once the notice to proceed has been issued.

Mayor Combs, in addressing the residents, advised that the Commission was only employing an engineer to determine the cost for reopening the bridge.

3. Chloe/Harold's Branch Sewer Extension: Mr. Sykes advised the Commission that he has begun work on the design for the Chloe/Harold's Branch sewer line extension. Commissioner Blackburn and Mayor Combs asked if the sewage trunkline could be installed before winter. Mr. Sykes advised that he would check with the Kentucky Infrastructure Authority to see if the project would be determined ineligible if the City funded this portion of the project and requested reimbursement.

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

1. Zoning: Presented for second reading was an Ordinance to amend the Zoning Map to change certain property in Coal Hollow owned by Marge Cline from a R2 classification to a C2. City Attorney Davis reminded the Commission that the other side of Coal Hollow, owned by Nancye Blackburn, had been rezoned to a C2 classification about two months ago. Second reading of the Ordinance was read entitled:

**ORDINANCE AMENDING THE CITY OF PIKEVILLE ZONING FOR THE MAP
OF COAL HOLLOW FROM R2 TO C2**

Commissioner Blankenship made the motion to adopt the Ordinance. Commissioner Davis seconded the motion. Upon call of the roll, the motion carried by the following votes:

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

2. Street Name: City Attorney Davis presented and gave second reading to an Ordinance captioned as follows:

**ORDINANCE NAMING ALLEY WAY BETWEEN THIRD STREET AND MAIN
STREET, YORK ALLEY**

Commissioner Blackburn made the motion, seconded by Commissioner Blankenship to adopt the Ordinance as presented. Upon call of the roll, the motion carried by the following votes:

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

At 8:25 p.m., Mayor Combs made the motion to recess for five minutes. Commissioner Blackburn seconded the motion. Upon call of the roll, the motion carried unanimously.

At 8:35 p.m., Mayor Combs made the motion to reconvene the meeting. Commissioner Davis seconded the motion. Upon call of the roll, the motion carried 4 - 0 (Commissioner Blankenship left the meeting at 8:30 p.m.).

3. Habitat for Humanity: As requested by Ray Milam earlier in the meeting, City Attorney gave first reading to an Ordinance naming the street behind PeachTree Apartments, Habitat Street. The Ordinance was read entitled:

ORDINANCE NAMING PREVIOUSLY UNNAMED STREET, HABITAT STREET

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

4. Keyser Heights: Second reading was given to an Ordinance entitled as follows:

ORDINANCE SETTING SPEED LIMITS IN KEYSER HEIGHTS SUBDIVISION

The Ordinance provides for a speed limit of 25 mph on the access road up the hill from the intersection of U.S. 23 to the top of the hill and 10 mph for the section of street on which all of the houses front in the Keyser Heights

Subdivision.

Mayor Combs made the motion to adopt the Ordinance as presented. Commissioner Clark seconded the motion. Upon call of the roll, the motion carried by the following votes:

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

5. YMCA: Presented for approval was an amended lease agreement with the Pikeville Area Family YMCA. City Attorney Davis advised that it had become necessary to revise the 1991 agreement to provide for construction to begin on the facility within four years and to be completed within six years. The change was necessary due to a request from HUD with regard to the YMCA's UDAG application. Mayor Combs made the motion, seconded by Commissioner Blackburn to approve the amended agreement. Upon call of the roll, the motion carried 4 - 0 (Commissioner Blankenship not present).

6. Blasting: During the previous regular meeting, first reading was given to an Ordinance to regulate blasting within the City of Pikeville. City Attorney Davis reported that he had discovered that State Law any blasting regulations must be approved by the Department of Mines and Minerals prior to adoption. The City Attorney reported that he had spoken with a representative of the Department of Mines and Minerals who indicated that they would not approve any regulations which were more stringent than the State's regulations. The City Attorney gave his opinion that since the City would be unable to set a higher limit of insurance, and since the City does not have someone on staff with the expertise to monitor the blasting, the Commission should not adopt the Ordinance. The City Attorney told the Commission that the Department of Mines and Minerals would respond to complaints and would set seismograph equipment to monitor blasting. Mayor Combs suggested requiring a permit to blast so the City could notify the Department of Mines and Minerals of blasting activity. The City Attorney advised the Commission that an Ordinance is currently in existence which provides for the issuance of a permit for blasting. Mayor Combs made the motion, seconded by Commissioner Blackburn to adopt a resolution providing for the enforcement of the present permitting procedures and to authorize the City Attorney to request comment from the Department of Mines and Minerals with regard to adding a Public Notice Provision to the permitting procedures. Upon call of the roll, the motion carried 4 - 0 (Commissioner Blankenship not present at the time of the vote). Codes Enforcement Officer, Mike Honaker, was named to enforce the ordinance.

7. Courthouse Parking: City Attorney Davis gave second reading to an Ordinance entitled as follows:

**ORDINANCE CHANGING PARKING DESIGNATION ON DIVISION STREET
ADJACENT TO THE HALL OF JUSTICE**

Mayor Combs made the motion to adopt the Ordinance. Commissioner Davis seconded the motion. Upon call of the roll, the motion carried by the following votes:

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

8. Absher Enterprises: Mayor Combs explained that he had asked for the matter of the Absher Enterprises deed of conveyance be placed on the agenda due to questions he had received with regard to several questions that he had received alleging that the property fronting Main Street was obligated to Prestonsburg Community College. Mayor Combs asked why the lot was added to the sale of the river fill portion of property sold to Mr. Absher. City Attorney Davis explained that a water line is located on one side of the river fill property and a sewer line is located on the other side. Mr. Absher was told that he could not build within so many feet of either line. At that time, Mr. Absher asked to purchase the property fronting Main Street so he could use it for additional parking or as an entrance to the theater. Jesse Salyers asked the Commission if they were aware that the Main Street property had been sold. Commissioner Clark advised that she was aware. She explained that the initial bid submitted by Absher Enterprises was \$100,000.00. At that time the Commission rejected the bid and authorized then Mayor, Walter May, to negotiate with Mr. Absher. Both parcels were sold for \$200,000.00. Mayor Combs stated his objection was that the Main Street parcel was not advertised for bid. No action was taken with regard to this matter.

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

1. Use Agreement with Pikeville Independent School District: City Manager Johnson advised the Commission that he and City Attorney Davis had notified Pikeville Independent School Superintendent of the Commission's action to set the fee for use of the Hambley Athletic Complex at \$24,000 per year. Superintendent Waddell requested a work session with the Commission to discuss the matter further. The Commission directed the City Manager to arrange the work session.

2. East KY Beverage Package Plant: The City Manager asked for Commission approval to authorize the Mayor to execute the deed of gift for the sewage package plant to the City of Coal Run Village. Commissioner Blackburn made the motion, seconded by Commissioner Davis to authorize the Mayor to sign the deed of gift. Upon call of the roll, the motion carried 4 - 0 (Commissioner Blankenship not present at the time of the vote).

3. 911 Update: City Manager Johnson advised the

Commission that a meeting had been scheduled with Scott Luttmann of South Central Bell on August 9, 1994 at 4:00 p.m. for an update with regard to the installation of the 911 service.

Commissioner Clark made the motion to authorize City Attorney Davis to notify County Judge/Executive Donna Damron of the City's decision to operate a separate 911 system. Commissioner Blackburn seconded the motion. Upon call of the roll, the motion carried 4 - 0 (Commissioner Blankenship not present at the time of the vote).

4. Voice Recorder: In conjunction with the 911 service, City Manager Johnson requested approval to purchase a voice recorder in the amount of \$19,064.55. The cost is pursuant to State Price Contract. Mr. Johnson explained that the voice recorder digitally logs all calls coming into the City's Dispatch Center. \$20,000 had been included in the operating budget for the purchase of this equipment. Commissioner Davis made the motion, seconded by Commissioner Clark to approve the purchase of the voice recorder from Dictaphone in the amount of \$19,064.55. Upon call of the roll, the motion carried 4 -0.

5. Pikeville College: City Manager Johnson advised the Commission that he had received a letter from Pikeville College giving notification of their intentions to construct a Girl's Softball Field on the river fill property behind the Pikeville College Gym. Pikeville College representatives have asked the City to donate fill material for the new field from the City's property which is known as the old softball field. Mr. Johnson reported, that after talking with City Engineer Sykes, it was learned that anyone who may want to lease/purchase the City's property, would have to add fill material to the tract before construction, which would make the property less valuable. Mayor Combs asked if Pikeville College could utilize the fill material that the shopping center developer has piled up in front of Lowes. The City Manager advised that the developer probably ask the college to pay for the fill material. No action was taken.

At 9:25 p.m., Mayor Combs made the motion, seconded by Commissioner Davis to adjourn to an executive session for the purpose of discussing a property negotiation matter and a personnel matter. Upon call of the roll, the motion carried 4 - 0.

At 10:15 p.m, Mayor Combs made the motion seconded by Commissioner Clark to reconvene to regular session. Upon call of the roll, the motion carried 4 - 0.

It was announced that no action was necessary with regard to the discussions had during executive session.

4. City Park Revitalization: City Manager Johnson advised the Commission that a meeting had been scheduled for August 11, 1994 at Noon with Helen Powell, landscape architect, to discuss the downtown park revitalization.

AGENDA ITEM VIII.

NEW BUSINESS

A. BOARD APPOINTMENTS: The Commission reviewed a request from the Pikeville/Pike County Tourism Commission asking that the nomination of Tom Hutchinson, as the Hotel/Motel/Restaurant Association representative on the Tourism Commission, be confirmed. Commissioner Davis made the motion, seconded by Commissioner Clark to approve the appointment of Tom Hutchinson to the Tourism Commission. Upon call of the roll, the motion carried 4 - 0 (Commissioner Blankenship not present at the time of the vote).

B. UDAG RETENTION & RECAPTURE AGREEMENT: Mayor Combs announced that the Commission had discussed this agreement to a great extent during a work session held earlier last week. Under the UDAG Retention & Recapture Agreement, the City of Pikeville will be eligible to retain up to 25% of the funds not utilized. Mayor Combs made the motion, seconded by Commissioner Clark to authorize City Manager Johnson and Administrative Assistant, Sue Smallwood, to complete the Retention & Recapture Agreement. Upon call of the roll, the motion carried 4 - 0 (Commissioner Blankenship not present at the time of the vote). Mayor Combs advised that he would be sending a letter to HUD on July 26, 1994 asking for technical assistance with regard to the Retention and Recapture Act.

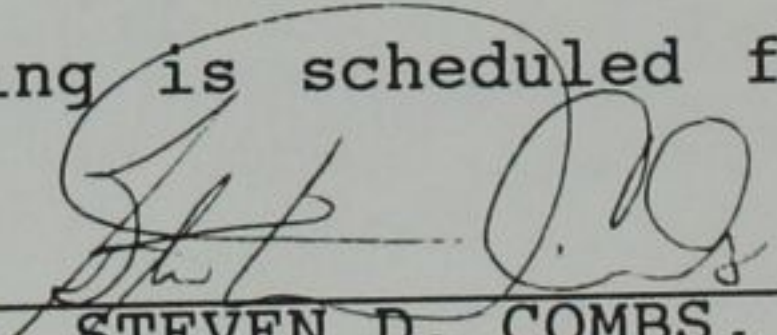
Mayor Combs requested that the City Manager submit a list, of property owners who are required to make payments in lieu of taxes, to the Commission during the next meeting.

Agenda Item IX, Consent Items, the Commission had the opportunity to review the monthly activities reports from PSG, Parks & Recreation, Police Department and Codes Enforcement Office. Commissioner Blackburn and PSG Manager Bacon discussed a Garbage Department matter.

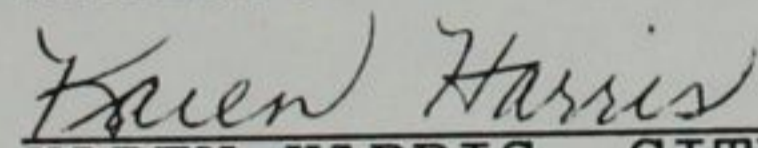
There being no further business to come before the Commission, Commissioner Clark made the motion, seconded by Commissioner Blackburn to adjourn the meeting. Upon call of the roll, the motion carried 4 - 0 (Commissioner Blackburn Blankenship not present at the time of the vote). Adjournment Time: 10:30 p.m.

The City Commission's next meeting is scheduled for August 22, 1994 at 6:00 p.m.

APPROVED


STEVEN D. COMBS, MAYOR

ATTEST:


KAREN HARRIS, CITY CLERK